

## Research Specification: Understanding consumer needs from legal information sources

### Purpose

The LSB would like to commission research to explore how consumers would like to access information to help them identify and address legal problems.

### Background

The LSB has been set up to reform and modernise the legal services market in the interests of consumers, enhancing quality, ensuring value for money and improving access to justice across England and Wales. The LSB will achieve this pursuing its regulatory objectives<sup>1</sup> and providing regulatory oversight for the eight approved frontline regulators<sup>2</sup>.

In our early years, we are focusing our efforts on the delivery of three particular reforms to the legal services market that support our Regulatory Objectives:

- Ensuring regulation is independent of legal services professional bodies and vested interests
- The introduction of Alternative Business Structures (ABS) to open up legal services firms to investment and ideas from non-lawyers
- Improving consumer redress when things go wrong by improving first tier complaints handling and introducing a new independent legal complaints ombudsman

We would now like to consider how we can support consumers and help deliver the objective to: increase public understanding of citizen's legal rights and duties. We take this objective to include a range of potential activities from those with a purely educational focus to more direct support to consumers to help them engage with legal services on an ongoing basis.

Consumers face a range of challenges dealing with the legal problems they face, from the most immediate being recognising that the problem they face has a legal solution<sup>3</sup>. But challenges also include identifying and engaging appropriate and affordable legal support. Legal services differ from most services consumers buy; they are often needed at a time of great distress (divorce for example) or swamped by another purchase (such as conveyancing) and most consumers will have little experience of buying legal services. Even when they have recognised that the problem they face has a legal solution, consumers may not know who to approach, how much it could cost or how they could compare costs and services.

One solution to the challenge of helping consumers engage with legal services is to improve consumers underlying awareness and knowledge of legal services and potential legal solutions. In England and Wales the Public Legal Education Network<sup>4</sup> has led the research on legal capability and

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<sup>1</sup> [http://www.opsi.gov.uk/acts/acts2007/ukpga\\_20070029\\_en\\_2#pt1](http://www.opsi.gov.uk/acts/acts2007/ukpga_20070029_en_2#pt1)

<sup>2</sup> The Law Society, General Council of the Bar, Council for Licensed Conveyancers, The Institute of Legal Executives, The Chartered Institute of Patent Attorneys, The Institute of Trade Mark Attorneys, Association of Law Costs Draftsmen, Master of the Faculties, Association of Certified and Chartered Accountants, Institute of Chartered Accountants of Scotland.

<sup>3</sup> Recent research by BDRC Continental for LSB found 30% of people felt that they'd had a legal need in the past three years, a further 19% mentioned a need when given a list of potential legal needs. The Civil and Social Justice Survey and accompanying theoretical research provides a more in depth analysis of the awareness and scope of legal needs in England and Wales -

<http://www.justice.gov.uk/downloads/publications/research-and-analysis/lsrc/2010CSJSAnnualReport.pdf>

<sup>4</sup> <http://www.plenet.org.uk/>

the role of education. In other sectors of the economy, this objective has been delivered through intervention through the school curriculum e.g. financial services<sup>5</sup>.

We do not propose to carry out work into the technical aspects of education to raise the legal skills of individuals, we believe that this is best left to educational professionals. We also believe that there is already adequate information available to consumers which can help them deal with the legal issues they face. In our view consumers face the most significant problems in firstly identifying that the problem they face is capable of legal resolution and then knowing where to find the sources of information and support that they might approach. We would like to focus our work on how we can help consumers access the help and information that is already available

We believe that it may be possible to use an existing data sources to build a database that could, if integrated online, help people identify the types of problem they face, based upon personal criteria, such as socio-economic factors. Potentially, by using data on likely legal problems based on individual characteristics such a website might link people to the legal problems likely to be experienced in their circumstances. Equally it should allow searchability on the specific legal issues themselves. This could be linked to sources of information, guidance and advice that help them deal with the legal services market and their problem.

We believe that eventually such a website would be best developed and run by a third sector or private sector provider. It may also be capable of integration with a range of other services from DirectGov and NHS Direct to commercial comparison sites and service providers. In the absence of developments such as this at the moment, we would like to start to use the data that we have available to pilot and later white label for others some initial ideas. Before starting such work we would like to test with potential consumers whether our ideas are viewed positively and how they might work in practice.

### **Aims and Objectives**

This project should supply the LSB with evidence of how consumers would like to be supported to assist their engagement with legal services.

The research should test with individuals in England and Wales what problems they find engaging with legal services. It should then test with consumers what types of intervention would help address the problems they face, whether an online portal would be something they would consider useful, what would they look for from such a portal and what sort of information would they like to receive.

The research should give the LSB sufficient information, about what consumers would like to help them engage with legal services, to allow us to develop a pilot model for testing with consumers later in 2012.

### **Issues and scope**

The research should capture the views of a mixture of individuals, some users of legal services, some not. Inevitably, all individuals have at some point in their lives experienced a legal need, even if just

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<sup>5</sup> <http://www.pfeg.org/>

the need to make a will, so we would like to test our ideas with a wide range of individuals. We are as interested in those who have taken no action as well as those who have used legal services.

The research is intended to provide a credible assessment of whether the approach we are considering is likely to be effective. It should consider whether in other circumstances individuals take similar approaches to identifying and choosing the services they need where they have limited experience of a market.

Specifically in this case we would like to understand if presented with such a website how consumers would use it. If a website was developed that allowed individuals to search for likely legal issues by personal characteristics, what characteristics would they expect to use as search criteria? How would information on such a website be presented? Once they identify a problem what information would they find useful? What sorts of links would be included? Would price guides help? Would they expect links directly to providers or just general information? If they were to trust the website, who would run it?

The LSB has a remit to cover England and Wales and so we would expect the research to include individuals from across England and Wales including both urban and rural locations. We also are concerned to ensure that the research captures views from a range of ethnic backgrounds.

### **Tender Evaluation Criteria**

All projects commissioned by the LSB are subject to our **standard terms of contract**, which will be sent out with this tender. Tenders will be evaluated on best value for money and will be assessed on the basis of:

1. Cost. Please include applicable daily rates of staff that would be involved in this project and the approximate proportion of individual staff time that would be spent on the project
2. The extent to which tenders are clearly written, highlighting relevant experience – particularly in studies of professional services markets
3. Proposed team composition, expertise and management and the organisation's diversity policy
4. How diversity issues would be addressed in the research.

### **Deliverables**

#### Output

The final output will be a short report and presentation summarising the results of the focus groups.

The LSB will retain ownership of the report and underlying data which will be delivered in a publishable format.

#### Project plan

Tenders should include a project plan and time schedule for the work that identifies the main task and key milestones that will be used to monitor progress. The plan should be accompanied by a resource profile, giving a breakdown of the resources in person days allocated to each task.

**Duration**

The initial research will commence in December 2011. The draft final report should be completed by the end of March 2012. A final agreed report should be completed by end April 2012.

**Legal Services Board Contact Details**

Tenders with any queries about the research specification would be welcome to contact either Alex Roy (020 7271 0060) or Rosaline Sullivan (020 7271 0067)

**Tenders must be submitted by 5pm on Thursday 8 December 2011**