May 2016

Online survey of individuals’ handling of legal issues in England and Wales 2015
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1. Summary
1 Summary

1.1 Methodology

This report details findings of a research project which examines the responses of individuals when experiencing legal issues. The research comprised three components: an online survey with adults over the age of 16; 28 in-depth interviews with a sample of those who had experienced an issue; and, an experimental, small scale online survey of young people between the ages of 11 and 15 to identify knowledge of rights, young people’s experience of legal issues and their preferences for how they might become better informed about legal rights.

The main component of the project was an online survey to examine individuals’ experiences of 29 legal issues. These included issues related to conveyancing; re-mortgage or equity transfer; divorce/dissolution of civil partnerships; probate; consumer issues; making a will; debt/money issues; injury at work; road traffic accidents; personal injury; legal issues with mental health issues; landlord issues; planning applications; tenant issues; squatters; repossession or eviction; other issues with owned property; neighbour disputes; relationship breakdown issues; welfare benefits; discrimination; being arrested; legal issues related to children; immigration; domestic violence; homelessness; unfair treatment by the police; problem with employers; clinical negligence. These are all issues which may be handled using legal processes but are not necessarily seen as ‘legal’ by those experiencing them.

1.1.1 Survey coverage

The breadth and scale of the survey provides information about a number of issues not generally included in legal needs surveys conducted prior to 2012, for example, road traffic accidents, work injury, squatters, planning applications and transactional issues such as conveyancing, remortgaging, wills, and probate. The survey explored up to three issues experienced by each of the 8,192 respondents who, to be eligible for the survey, had experienced at least one issue in the previous three years. In total, information was collected on 16,694 individual issues. The survey was conducted online with respondents from Ipsos MORI’s online panel, which represents a good spread of respondents from the main demographic groups within England and Wales.

1.1.2 Survey coverage, weighting and interpretation

Data that was asked at a respondent level remains unweighted and no weights were used to deal with non-response or to make the sample match the population of England and Wales; therefore, the results are not nationally representative and are not fully generalisable to the broader population. Findings presented at respondent level include socioeconomic status, prevalence of issues and awareness of legal services providers. Findings in relation to the issues experienced are based on weighted data, the weight being used to correct for the differential probabilities of being asked about specific issues as respondents were able to answer questions on a maximum of three issues. Findings were statistically tested at the five per cent significance level; throughout the report only differences which were statistically significant at this level are included in the text. Some findings such as those related to socioeconomic status are presented at the respondent level while others are reported at an issue level but the level at which proportions are reported are made explicit throughout the text.

This report presents findings on many aspects of individuals’ experience of legal issues, covering levels of experience across issues of different types, the strategies which were adopted to handle these issues, the factors which shaped
Individual choices, satisfaction with processes chosen and their conclusion. The survey provides a wealth of information on how individuals handle a wide range of legal issues and their reasoning for doing so, thereby enhancing understanding of how personal characteristics interact with behaviours for those experiencing legal issues. The high numbers of responses across such a comprehensive range of issues is unique within such a survey of legal needs and provides significant opportunity for further analysis of handling strategies and other factors at an individual issue level which are not possible to capture within this report.

A legal needs study was run in 2012, however given the impact of substantial differences in question wording and a different weighting approach, the results from the current survey should not be compared to those from the 2012 survey.

1.1.3 The use of findings on legal aid eligibility

An objective of the study was to use the dates at which legal issues occurred in order to compare the behaviours of those who experienced issues before April 2013 with those experiencing issues post April 2013, as this was the date that significant changes to scope of the legal aid scheme took effect. However, limitations in the comparability between issues means that direct comparisons are not made within the report. These limitations include:

1. The base sizes for issues experienced before April 2013 are relatively small, which has a notable effect when looking at differences between issues that were in scope pre-LASPO but which are now out of scope (324 issues – see table 1.1), and those that remained in-scope (288 issues). This means that wide percentage differences need to be observed before variation can be reported with confidence. Given that respondents could select multiple issues this will cover a smaller number of individual respondents.

2. Importantly, there are some noted differences in the length of time that respondents had been dealing with their issues when comparing those that took place pre-April 2013 and those which occurred post-April 2013. Issues which occurred before April 2013 and captured by the survey were more likely to have longer durations and be perceived by respondents to have a higher severity when compared with issues which occurred later in the survey reference period. This makes direct comparisons between the two groups of respondent issues less valid without accounting for a range of other relevant factors (which is less viable with the constrained sample sizes).

3. When looking at issues which took place more than two years ago there is inevitably going to be some form of memory decay. While we are looking at life events that are generally of importance to respondents, and where recall is likely to be higher than for other surveys, there is nevertheless going to be some impact on the answers given.

The table below outlines the proportions of issues that fall into each of the key legal aid scope categories. It also outlines the proportions of issues where respondents were not financially eligible for legal aid and those that could not be classified due to incomplete information being given by the respondent.
Table 1.1: Legal aid eligibility before and after April 2013

<table>
<thead>
<tr>
<th>Issue experienced pre-April 2013</th>
<th>Issue experienced post-April 2013</th>
<th>Issue experienced pre-April 2013</th>
<th>Issue experienced post-April 2013</th>
<th>Issue which was out of scope for legal aid before and after April 2013</th>
<th>Not financially eligible for legal aid</th>
<th>Could not be classified</th>
<th>Across all time periods</th>
<th>Across all time periods</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of issues in survey</td>
<td>324</td>
<td>657</td>
<td>288</td>
<td>505</td>
<td>238</td>
<td>709</td>
<td>12,507</td>
<td>1,466</td>
</tr>
<tr>
<td>Percentage of total sample of issues</td>
<td>2%</td>
<td>4%</td>
<td>2%</td>
<td>3%</td>
<td>1%</td>
<td>4%</td>
<td>75%</td>
<td>9%</td>
</tr>
</tbody>
</table>

1.2 Key findings

1.2.1 The prevalence of legal issues within this sample of respondents reported by the individuals surveyed (Chapter 4)

These findings on prevalence reflect experiences among the online panel respondents and are not nationally representative. The representativeness of the survey is discussed in section 2.2 and in the methodology section.

Just over half (54%) of adults screened online experienced one of 29 legal issues in the three year period before completing the survey. The 29 categories were: conveyancing; re-mortgage or equity transfer; divorce/dissolution of civil partnerships; probate; consumer issues; making a will; debt/money issues; injury at work; road traffic accidents; personal injury; legal issues with mental health issues; landlord issues; planning applications; tenant issues; squatters; repossession or eviction; other issues with owned property; neighbour disputes; relationship breakdown issues; welfare benefits; discrimination; being arrested; legal issues related to children; immigration; domestic violence; homelessness; unfair treatment by the police; problem with employers; clinical negligence.

The most commonly experienced issues were consumer issues (cited by 33% of those who had experienced at least one issue), buying or selling a house (21%), making a will (20%), dealing with an issue or estate of a deceased relative (17%),
disputes with neighbours (16%) and issues getting the right welfare benefits, tax benefits, pensions and student loans (16%). The least prevalent issues amongst those eligible for the survey were legal issues with children (e.g. care proceedings, adoption, issues with schooling) (3%), being arrested (3%), immigration issues (2%) and issues with squatters (2%).

Experience of multiple issues was common among respondents with almost two-thirds (63%) experiencing more than one issue. Around a quarter had experienced two issues (24%) and a quarter experienced three or four issues (23%), while 16% experienced five or more issues.

Most issues were not initially considered to be ‘legal’ in character with only 25% of all issues seen as legal upon the outset of the issue. There was variation in the extent to which respondents reported they understood their legal rights in relation to their issue. At the outset of experience, in around a fifth (18%) of issues respondents said they ‘completely’ understood their legal position, while for a quarter of issues (23%) respondents did not know their legal position ‘at all’. Respondents were least likely to report that they understood their legal position for issues concerning clinical negligence (48%), debt (42%), domestic violence (41%) and welfare benefits (40%).

Awareness of providers of legal services varied as did prior experience and knowledge about the availability of legal aid for particular issues. Respondents experiencing issues related to welfare benefits, mental health, homelessness, landlords, and consumer respondents were less likely to know of service providers. Around a fifth of respondents had never previously used any form of legal services provision. Almost half of all respondents in the survey sample did not know that legal aid was available for issues of domestic violence (47%) – including 34% of those who had experienced a domestic abuse issue – and more than half (54%) did not know it was available for mediation in cases of relationship breakdown.

There was a mix of concluded and ongoing issues reported in the survey, with 63% of issues fully over or sorted out at the time of interview and 14% ‘mostly’ over. Half of concluded issues lasted less than three months, and a further quarter lasted between 4 months and a year. Ongoing issues had longer durations with 58% having already lasted more than a year. Duration was associated with perceived severity with more severe issues having significantly longer durations.

Respondents did something to handle the majority of legal issues, although this did not mean recourse to legal services providers. For 13% of issues respondents did nothing, while 31% of issues were handled alone and 15% with the help of friends and family. Formal advice was obtained for 30% of issues and in a further 5% of issues respondents tried to get advice but failed to obtain it. For another 5% of issues respondents tried to handle alone but then obtained advice. Bivariate analysis suggested that handling strategy varied according to respondent characteristics with younger people under the age of 35 and students particularly less likely to obtain advice or assistance. Explorative qualitative research suggested that decisions on whether or not to seek external advice or support may be dependent on the perceived seriousness of the issue or level of expertise needed to understand and solve the issue. Barriers to seeking advice included lack of confidence, not knowing how to locate it and an expectation of high financial cost of some support or specialist advice services.

The most common way that legal issues concluded was through agreement with the other side (26%), or issues were resolved because tasks were complete (22%). Seven percent of issues were resolved through a court or tribunal. Court or tribunals were more likely to be resolved through court or tribunal for issues involving a tenant, squatters, repossession or eviction, relationship breakdown, children, being arrested, injured at work, unfair police treatment, welfare benefits, immigration, domestic violence, or divorce or dissolution of a civil partnership.
The perceived severity of issues varied across the range of issues identified. Respondents were asked how serious they considered their issue to be using a scale of 1 - 20. Around a fifth (19%) of issues were perceived to be very severe (score of 16-20) while a quarter (25%) were perceived to be not severe (1-5). Issues associated with homelessness, rented property, clinical negligence issues, unfair police treatment, employment, mental health, immigration and domestic violence were more likely to be perceived as very severe1.

1.2.2 Drivers of Issue handling strategies

It was important to undertake multivariate analysis in addition to bivariate analysis which shows correlation; the limitation of associations identified with bivariate analysis is that the relationship between two variables may arise because of variation in a third variable. For example, while age may be correlated with specific handling strategies, this may reflect the fact that older people are more likely to experience particular issues and it is differences in those issues, not age per se, which are causing variations in the handling strategies.

Detailed multivariate statistical analysis showed that there were a number of factors independently associated with issue handling strategy. These included issue type, characterisation of an issue as legal, issue severity, knowledge of rights, qualifications, age, family type, ethnicity, housing tenure and income. No statistically significant relationship was found between handling strategy and employment status or whether an issue was within scope of the legal aid scheme for a financially eligible respondent.

Overall, the model predicts that the probability of adopting the respective strategies for the ‘average’ person in the dataset would be 14% ‘do nothing’, 57% handle alone or with informal help, 10% advice from a ‘legal professional’, 5% advice sector advice and 13% ‘other advice’.

Having controlled for other factors, advice from a legal professional, (defined as a solicitor, barrister, licensed conveyancer, notary, trade mark attorney, patent attorney, costs lawyer, other lawyer, employment adviser, immigration adviser, probate practitioner, or a legal executive) was more likely for conveyancing, wills, divorce or dissolution of civil partnerships, being arrested, probate, and being arrested; from the advice sector (CABx, Law Centres and other independent advice services) for debt, and from other advisors (for example, the police, the local council, trade unions, health professionals, and insurers among others) for issues concerning road traffic accidents and neighbours. Doing nothing was most strongly associated with issues of personal injury, clinical negligence, work injury, unfair treatment by the police and discrimination while handling alone or with informal help was most closely associated with consumer issues. Issues characterised as ‘legal’ were far more likely to be handled with advice, especially from a legal professional. As respondent perceptions of issue severity increased, the rate at which people did nothing declined and getting help from all advisor types increased.

Where respondents felt they had no knowledge of their legal rights at the start of their issue, they were more likely to do nothing while those who professed good knowledge were more likely to handle their issues alone or with informal help. Respondents with no educational qualifications were much more likely to do nothing at the expense of handling issues alone or with informal help. Younger respondents were more likely to do nothing about issues, mainly at the expense of seeking help while older respondents made greater use of advice from legal professionals.
1.2.3 Inaction and handling issues alone or with informal support

Almost half (46%) of all issues were handled by respondents themselves or with help from friends of family. The most common explanations for this choice were confidence in handling alone or because of a belief that the issue would not be difficult to resolve. Almost one in ten issues were handled alone because of the fear that doing otherwise would cost too much, either the cost of an advisor’s service or the cost of court fees (covering 485 issues in the survey). In a significant minority of issues, those who thought it would cost too much did not investigate costs at all, often because of a prior assumption that costs would be too high, although for around half of issues handled alone respondents looked for information on how to deal with the issue. Some respondents started out handling issues alone but then chose to get advice and assistance in part because issues proved more difficult to handle than expected.

No action was taken in respect of 13% of issues. Respondents explained this choice with a number of reasons the most common of which was thinking ‘nothing could be done’ (cited for 27% of these issues). Issues experienced by vulnerable groups such as those with a long term limiting illness were disproportionately more likely to cite this reason for inaction (35%). Similarly, issues relating to police misconduct (46%), discrimination (42%) and welfare benefits (38%) were more likely to have the same reason cited. Inaction for one in twenty issues was explained by respondents’ fear of costs, but again in a substantial minority of these issues, respondents did nothing to inform themselves of potential costs. However, for almost a quarter (23%) of issues respondents who took no action looked for information about their rights and in a fifth (19%) looked for information about how to deal with the issue before deciding to do nothing.

For all issues where respondents did not consider getting help from a professional advisor, (in other words did not get help beyond family and friends) the most frequent reason provided was that respondents felt they already knew enough (40% of these issues). Fear of expense was an important factor for many issue types, including issues with children, homelessness, repossession/ eviction, mental health, clinical negligence and immigration. Other reasons for not using a professional advisor included issues not being sufficiently important or a lack of understanding of how an advisor could help.

1.2.4 Obtaining advice and assistance

Three in ten (30%) issues were handled using advice and support. Across these issues, 56% of them were dealt with using a legal professional, a quarter (28%) using an advice agency, a third (35%) using another person or organisation (e.g. an insurance company or the police), a fifth (22%) via their local council and six percent using a trade union or professional body.

Prior direct experience of using a provider was the primary means of finding one, followed by an internet search, recommendations from a friend or relative, knowledge of the provider without personally using them, and a referral. Amongst those using internet searches, for a substantial majority of these issues (88%) respondents used Google to search for advice. When choosing an advisor respondents most frequently looked for relevant services and looked for their nearest advisor. Face-to-face was the channel of communication for 40% of issues while the telephone and email was used for 28% and 22% of issues respectively. For a majority of issues where advice was successfully sought (58%) the

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2 Legal professionals were defined as one of the following: solicitor, barrister, licensed conveyancer, notary, trade mark attorney, patent attorney, costs Lawyer, other Lawyer, employment adviser, immigration adviser, probate practitioner, and legal executive.

3 Respondents were able to select each advisor they used to help resolve their issue, therefore the aggregate responses sum to more than 100%.
service provided information about procedures and in a similar percentage provided information about the legal position (57%). In just under half of issues (46%) information was provided about options and two-fifths provided practical support (e.g. writing wills or drawing up documents). Meanwhile in a quarter of issues the advisor negotiated on respondents’ behalf (27%) or provided moral support (26%). In a fifth of issues (20%) the advisor signposted their client to get further help, while one in twenty represented their client in court (6%) or accompanied them to court (5%).

The prevalence of the different types of services provided varied by the type of issue experienced, particularly when comparing more and less common issues. For example, representatives dealing with less prevalent issues such as homelessness, issues with landlords and squatters were more likely to suggest where respondents could get further help and provide moral support. Whereas for more prevalent issues, such as buying or selling a house and dealing with an estate, they were more likely to provide information about their legal position.

Respondents paid for all or part of the assistance they received in 38% of issues. Advice services were accessed for free in 45% of issues, while 7% of issues used no-win no-fee agreements with their provider. In almost three-fifths (58%) of issues where services were paid for, respondents were quoted a fixed price for the work which did not change while in 5% of issues respondents were quoted a fixed price and then paid something different. For one in twenty issues (5%) respondents were quoted an hourly rate, but were not given an estimate of the number of hours required. Fixed price quotations were more common for conveyancing, remortgaging, and wills. Advice services were reported as being obtained for free in cases where the provider paid for them (in 54% of issues where advice was obtained for free) or because they were funded by a trade union (9%), an insurance company (8%), or through legal aid (8%).

For 3% of issues respondents were unable to find advice or assistance and then proceeded to deal with the issue alone. Reasons for failing to get advice included service providers being unwilling or unable to help in 34% of this small number of issues. In a fifth of these issues services were deemed to be too expensive to use and in another fifth respondents could not access free ones. Once they had failed to get help for their issue respondents gave a variety of reasons for dealing with the issue alone, the two most common being cost (21%) and not knowing where to go to get advice (11%).

In a small number of issues (2%) respondents failed to obtain advice and then did nothing. Failure to get advice was rooted in providers being perceived as unable or unwilling to help or the respondents just being unable to find advice. In a small minority of these issues respondents could not get a free service (17%) or they could not afford services (14%).

Important reasons for using a solicitor included knowing that solicitors could help with an issue (36% of all issues for which a solicitor was used), a need for the advice a solicitor could offer (30%), a belief that solicitors could contribute more to resolving an issue than a respondent could do on their own (28%). The need for a solicitor’s help was most often mentioned in relation to issues with divorce, conveyancing, probate and wills.

There were a number of reasons why respondents did not consider using a solicitor to handle their legal issue. Factors identified as important include the assumption that it would be too expensive for almost 30% of issues where a respondent had not considered using a solicitor. When examining issues of different types, assumed cost was comparatively more important in relation to issues such as landlord, repossession or eviction, homelessness, debt/or money, employer, and welfare benefits. In a third (33%) of domestic violence issues4 where a respondent had not considered or used a solicitor the assumption that it would be too expensive was a factor. Related to this solicitors were

4 This amounts to 90 issues within the survey in total
sometimes not used because respondents did not feel they offered value for money. Other reasons included the issue not being felt to be important enough by the respondents, a belief among respondents that they did not need a solicitor’s help, lack of knowledge about what solicitors could do, and in 10% of these issues lack of trust of solicitors.

1.2.5 Experience of strategies and outcomes

Looking across all issues and pathways, in two-thirds of issues respondents (66%) were satisfied with how their issue had been resolved or was turning out, while for one in seven issues (14%) the respondent was dissatisfied. Satisfaction was higher among those whose issue was already over or mostly over at the time of the survey.

Respondents had a range of objectives in taking action in relation to their legal issues. The most important objective pursued by those handling their legal issue on their own was trying to obtain or preserve money or property (20% of these issues). In 11% of issues respondents wanted to get compensation and in a further 11% they wanted to prove they were in the right.

For issues where advice had been obtained the primary objectives mentioned most frequently were a motivation by a sense of injustice (13%), a desire to put something right that had gone wrong (13%), to change the behaviour of a person (12%), or to prevent something that had gone wrong from going wrong again (11%). In more than half of issues (56%) objectives had been achieved completely, while in around a quarter (27%) they had been achieved in part. One in ten issues (10%) were not felt to have had objectives achieved at all and in seven percent the respondents felt it was too early to say. Objectives were least likely to be achieved in issues involving injury or negligence such as clinical negligence and being treated badly by the police.

Among those issues where respondents had tried to obtain advice, failed and then handled alone, the main objective for taking action was most often in order to obtain or preserve money or property (17%), motivation from a sense of injustice (15%) a desire to put something right that had gone wrong (11%) or a wish to prove that they were right (10%). In a quarter of these issues (23%) the respondent felt that their objective had been achieved completely, in a third (32%) that it had been achieved in part, or not at all (36%). In one in ten cases (10%) the respondent said it was too early to say.

For those issues where respondents obtained any advice from someone other than family or friends a number of survey questions provide findings across various aspects of service provision. There were high satisfaction rates with the clarity of information about what would be provided, the clarity of information on the costs to be charged, the professional manner of the advisor, the way in which things were explained so that they were easily understood, the extent to which respondents were treated as an individual, communication and the satisfaction with time in which an issue was dealt with. In over three-quarters (78%) of cases respondents were satisfied with the quality of the advice, while 7% expressed dissatisfaction.

Where respondents were dissatisfied with advisors this was usually founded in perceived delays in the amount of time the matter took (45% of issues where dissatisfaction was expressed) or not being kept up to date on the progress (43%). For some issues the service was considered poor or not up to scratch (38%), mistakes were made by the provider in dealing with the matter (32%) or the person dealing with the issue did not seem to know what they were doing (26%). Respondents generally did not appear to take action as a result of dissatisfaction with nothing being done in two-fifths of such issues, although in 21% of issues they raised concerns with the service provider but did not make a formal complaint. Amongst issues when respondents made a complaint, around one in six issues respondents noted that they received an
apology from the legal service provider (17%), closely followed by return of the documents that they were holding on to (16%), provision of a full explanation of why things went wrong (14%) and return or refund of legal fees (13%).

For a minority of issues (16%), respondents wished they had done something differently to handle the issue while in just under two-thirds (63%) they would not have done anything differently and in a fifth of issues (21%) respondents did not know. It was for issues where respondents who tried but failed to get advice and then either did nothing or dealt with it themselves where the respondent was most likely to wish they had done something differently (35% and 34% of these issues respectively), followed by those in which the respondent did nothing (23%). Those who dealt with it themselves or obtained advice from someone other than family or friends were least likely to wish they had taken a different course of action (14% each amongst these issues). Among those issues where respondents had got advice, over half (56%) said that they would use the same provider for a similar issue, a quarter (26%) would use the same type of provider and seven percent would seek help from another type of provider. In three percent of issues, respondents stated they would not use a provider at all and in eight percent of issues they did not know. Respondents who had experienced personal injury or issues with mental health were more likely than respondents with other issues to say that they would not take advice from a provider if presented with a similar situation again.

For issues where respondents had got advice but wished they had done something differently, in a third of issues (32%) they wished they had got advice sooner and in three in ten (28%) wished that they had acted sooner in general. Other frequent mentions included getting advice from somewhere else (26%) and getting more advice (26%).

1.2.6 Experiences of young people

The survey of young people was a small scale pilot survey of 161 young people aged 11 – 15 years old. They were recruited to the study through the participation of their parents in the adult survey. Given this approach the findings from the young people survey are not representative of young people in this age bracket more generally. The purpose of the young people survey was exploratory, to gain a broad overview of the experiences, knowledge, and perceptions of young people in relation to the law and legal needs.

Young people were asked if they had experience of 15 different issues in the previous two years. These were not presented as ‘legal’ issues but all of them relate to rights and responsibilities of young people, or those who care for them, and therefore may be handled with reference to the law. For example, by law state schools must have policies in place to keep their pupils safe from bullying.

The research on young people (11 to 15 year olds) revealed that many (70%) had experienced at least one of the issues listed, with the most frequent issues experienced being ‘having bought something that turned out not to work properly’ (46%) and ‘been bullied at school’ (27%). Respondents did not seem to associate these issues as ‘legal issues’ with only 12% stating they had an issue which made them think they might need some advice from someone who knows about the law.

The majority (61%) stated that they knew ‘a little bit’ about their legal rights; however, when asked about young people’s legal rights in specific situations, young people felt less knowledgeable.

Young people surveyed most often accessed information about legal rights through parents and carers, however when asked where they would like to learn about their rights, ‘in the classroom’ was the preferred place (76%). Young people felt that they wanted advice and information on most legal issues raised, in particular about bullying.
2. Context of the findings
2 Context of the findings

2.1 Context

This report details findings from a large scale legal need survey commissioned by the Law Society and the Legal Services Board. The three organisations share an interest in understanding how individuals experiencing legal issues respond to them and their experiences of engaging with service providers to handle their issues. The broad objectives for the work are to:

- Identify the incidence of 29 legal problem types experienced over a three year reference period among the online panel.
- Describe the range of people’s responses to handling legal issues and identify what drives strategy.
- Examine the reasons why people decide to handle some issues alone.
- For those issues where legal services have been obtained, explore how people choose services, how the services are delivered, and what services are provided.
- Explain why people choose to use legal services, and specifically lawyers/solicitors.
- For those issues where advice was obtained describe how those services were funded.
- Examine the experience of different handling strategies and the outcomes achieved.

2.2 History of Legal Needs Surveys

Empirical research on legal needs and issue resolution has a considerable history. Starting with Genn’s pioneering Paths to Justice Survey in 1997, followed by the Civil and Social Justice Survey in 2001, 2004, and 2006-09, and the Civil and Social Justice Panel Survey in 2010 and 2012 large-scale, nationally representative household surveys have provided detailed information on the prevalence of issues which may have a legal remedy. Two decades of research have contributed to an understanding of ordinary people’s experience of issues and their strategies for dealing with them. Surveys have also been refined over time to capture the impact of issue experience on people’s lives, and have been broadened to capture issue experience beyond social welfare and family law.

Work has encompassed the incidence of issues, and how the experience of justice issues varies considerably across population groups. Research has also documented how people seek to resolve their issues. Some people look for formal

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9 See BDRC International (2012); Legal Benchmarking Survey; LSB London
advice and support, while others deal with their issues alone or seek informal help and assistance. Some people do nothing to resolve their issues. Similar diversity characterises the ways in which issues are concluded with some issues resolved through agreement, some are resolved independently, and some through a court or tribunal. Some people give up trying to resolve their issue. While survey research indicates that the majority of people agree that the courts are an important way for ordinary people to enforce their rights, and that they could expect a fair hearing in court, only a minority of issues will be resolved through a formal process in a court or tribunal. There is less understanding about why people try to resolve issues, or indeed their strategic reasoning for choosing to resolve their issues in particular ways. Moreover, since findings from the last large-scale surveys were published there have been a number of significant developments which have altered the landscape in which people experience issues and make these decisions. Some of these key changes are summarised below.

### 2.3 Legal Aid Reform

The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) came into force in April 2013. LASPO removed a significant number of civil, family and administrative justice issues from the scope of legal aid. In terms of volume and overlap with issue types covered in legal needs surveys this was most notably in the categories of private family law other than domestic violence; housing; welfare benefits; debt; employment; immigration, education; and clinical negligence. Within these categories, certain types of issues and services remain within scope, as do issues concerning asylum. For example, in private family law, legal aid is still available for finance and private law children cases where recent domestic violence or child abuse features can be evidenced, and for mediation. Similarly, certain housing issues remain in scope. However, other issues in the categories above have either mostly been removed from scope and/or now mostly involve mandatory use of the Telephone Gateway.

#### 2.3.1 Courts and Tribunals

April 2013 saw the introduction of the Jackson reforms to the funding of civil litigation. In particular, this involved the introduction of qualified one-way costs shifting (QOCS) for personal injury claims (which account for the majority of unspecified money claims in the courts). Damages-based agreements (DBAs) have also been introduced as an option for funding civil litigation more generally. No win-no fee Conditional Fee Agreements (CFA) remain available in civil cases but the losing side is no longer liable for the additional costs of success fees and insurance premiums. The small claims limit was increased in April 2013 to £10,000 for most types of claims; reducing the proportion of cases in which legal costs can be recovered. The creation of the single family court, and changes to the framework and terminology for private law children applications, are likely to also impact on user perceptions and experiences. Several changes have also been made to court and tribunal fees (July 2013 and April 2014 and March 2015 with further increases announced in December 2015) and the system of remissions (October 2013). The early fee reforms introduced were designed to ensure that the fees charged in the civil courts are broadly at full cost levels, but the 2015 increases were ‘enhanced fees’ to generate income to be used for court infrastructure. This principle of ‘cost recovery’ transfers more of the costs of cases to the users of courts and away from the public purse.

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11 Ibid: Figures from 2012 survey indicate fewer than 8 percent of problems are resolved through a court or tribunal.

2.4 Private Family Law and Mediation

The Children and Families Act 2014 made the legislative changes necessary to realise the recommendations of the Family Justice Review. Among the many changes that took effect were a 26 week time limit for care proceedings, child arrangement orders which focus on the child’s needs, and the introduction of a single Family Court in England and Wales. Significantly, the changes also included compulsory family mediation, or Mediation Information and Assessment Meetings (MIAM). These require separating couples to consider alternatives to litigation when resolving financial matters and arrangements for children, furthering a longstanding policy of encouraging use of alternatives to litigation to resolve private family law issues.

2.5 Legal Services Provision

Legal needs surveys indicate that Not for Profit advice providers and private practice solicitors make a major contribution to the handling of legal issues. They have been affected by changes in their operating environments. Around the time of the last national surveys in 2012, Not for Profit agencies were already reporting reductions in their funding, particularly from local authorities. Research suggests that Not for Profit advice organisations have had to make major changes to their working since April 2013 and expect to continue to have to do so to maintain service provision. Challenges have not been restricted to the Not for Profit sector, with the private sector legal services market also undergoing significant change.

2.6 Regulatory reforms

The Legal Services Act 2007 led to major changes in the regulatory structures for legal services in England and Wales. Among its key measures, the Act created a single body, the Legal Services Board (LSB), to oversee the nine approved regulatory bodies which in turn regulate individual legal practitioners. The Act also created a single point of entry for consumer complaints about the provision of legal services, with the Legal Ombudsman established in 2009 and a formal signposting process from 2011. The Act required a separation between the representation of provider interests and the regulation of providers. Finally, the Act permitted alternative business structures (ABS) allowing non-lawyer ownership of firms providing legal services and permitting those firms to accept external investment.

In essence the Act was intended to encourage competition in the legal services market resulting in consumer focused provision. The introduction of Alternative Business Structures in 2011 created the potential for new and increasing variety of providers. As of April 2015, almost 500 ABS had been licensed to provide legal services, and there is some evidence that increased competition has led to consolidation in the solicitor sector.

In addition to regulatory reforms legislative changes have also impacted legal service providers. The most notable among these have been the ban in payment of receipt of referral fees for personal injury work in April 2013 as a result of LASPO. In addition, amendments to the Criminal Justice and Courts Act 2015 introduced a ban on inducements to claim for

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14 Legal Services Board; Annual Report and Accounts for the Year Ended 31 March 2015,

15 SRA (2014); Magnetic forces: Consolidation in the legal services market.
personal injury cases, including inducements offered via third parties. Most recently the introduction of a panel for medical assessment of whiplash injury cases is likely also to have affected some providers.

### 2.7 Technological Changes

Against this background, technological change has proceeded to open up new ways of providing services and new ways for consumers to search out information and engage with providers. Not for Profit organisations have for some time been developing new approaches to the delivery of advice, using alternative funding streams (including the Advice Services Transition Fund). So have solicitors’ firms, for example, for divorce and related matters when conducted online. These and other developments have led to a growing interest among providers in developing alternatives to face-to-face advice provision as the predominant method of delivery, such as telephone advice, email advice and online and self-help resources. Several such resources have been backed by the government, for example, the Sorting out Separation web app and courtnav.

### 2.8 Methodological Considerations in Survey Administration

In the last twenty years, there have been at least 26 national surveys of legal need undertaken in a range of jurisdictions. These surveys have been comprehensively reviewed and the main methodological differences among them have been well documented. These can be categorised as differences in respect of: population, whether a general population survey or targeted to specific groups; coverage of issues, with numbers of issues covered ranging from 28 to 109; the use of a triviality threshold, with surveys typically including only issues which meet a certain level of legal ‘need’; unit of analysis, in other words, whether the survey has been directed to capture the experience of a single person or all members living in the household; reference period, which have typically ranged between one and five years; and, method of administration, with telephone, face-to-face and online questionnaires all being used.

Learning points from comparative research suggest some key methodological considerations, particularly in regard to survey coverage and response rates. Surveys conducted face-to-face have generally had good coverage, especially those conducted in the UK which have used the small user Postcode Address File (PAF) as a sample frame. The PAF offers 98% coverage of the population and therefore produces nationally representative samples, although even the PAF excludes specific sub-populations such as those in residential care or temporary accommodation.

In comparison with the face-to-face approach, telephone and web-based surveys are more likely to lead to under coverage, albeit for different population groups. Given the increasing numbers of adults with no fixed line telephone connection, telephone surveys have inherent limitations. These adults may be more likely to be young and/or have low incomes, both characteristics which are known to correlate with issue experience and behaviour. Online surveys also have coverage issues, with households without internet access at home predominantly having older residents or residents on low incomes, again factors which may correlate with legal issues and responses to them. And, while internet penetration

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17 The PAF is a database of every mail delivery point in the United Kingdom containing detail on over 28 million addresses. It is used for sampling for surveys of resident populations and is the cornerstone of face-to-face surveys.
is increasing (88% of adults in England and Wales use the internet\(^{18}\)), coverage will not improve simply as a result of internet access as self-administered online surveys require both general literacy and knowledge of how to use online channels.

Comparative research also illustrates the divergence in response rates associated with different survey modes. There is a notable risk with telephone administration as international experience shows reported response rates varying across a wide range, from 21 to 60%. This contrasts with the range of 48–64% achieved for face-to-face administration, or 52–64% for surveys conducted in England and Wales. There is only limited experience of an online approach with national legal needs surveys in the Netherlands and Japan, with the former reporting high response rates, although this is a country with high levels of home internet access. While response rates for web-based surveys are known to be lower than similar surveys using other modes, where such surveys are reliant on opt-in panels\(^{19}\) they may nevertheless produce high response rates.

In addition to mode there are other dimensions along which legal needs surveys differ which may impact on their findings. Key among these are the framing of the survey itself, potentially characterised as being ‘legal’ or about ‘social issues’ or ‘everyday problems’; the wording of the problem identification questions, for example as ‘legal’ or ‘difficult to resolve’; and reference periods over which respondents are asked to recall issues, over some number of months or years. All of these are likely to affect how the survey is received and answered. For example, framing surveys or questions as ‘legal’ can affect incidence because of respondent assumptions about what constitutes a legal problem.\(^{20}\) Asking about ‘difficult to resolve’ issues may affect the rate at which different issues are reported, with knock-on effects on aggregate problem handling strategies. Similarly, longer reference periods are likely to lead to more serious issues being reported because of people’s propensity to ‘forget’ less serious issues.\(^{21}\) Subtle differences suggest that caution must be exercised in comparing the findings of legal needs surveys, even those undertaken in the same jurisdiction and for the same purpose.

Most of the face-to-face legal needs surveys conducted in the jurisdiction of England and Wales have used the PAF as a sample frame, making their findings generalisable. However, because of the high costs associated with their administration these face-to-face surveys have been limited in respect of sample size. In this regard, telephone and online surveys offer a significant advantage being less labour intensive and therefore less costly to administer. Telephone surveys offer the potential for large sample sizes, particularly over extensive geographical areas, which is why they have been used in countries with low population densities such as Australia and Canada. Online surveys offer further advantages in respect of large samples, and because they do not require any interviewer input, they can be conducted over shorter fieldwork periods. Moreover, online surveys offer other benefits such as removing the potential for negative interviewer effects and enabling respondents to participate at a date and time of their choosing.

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\(^{19}\) An opt-in panel is a panel of individuals who have been recruited to complete surveys online, usually in exchange for a ‘reward’ of points which are redeemable for cash or other gifts. Response rates for these surveys tend to be high because respondents have selected in to the process at an earlier stage. Research participants were primarily sampled from the Ipsos Online Panel. This is a panel of 300,000 individuals across 250,000 households across Britain.


Ultimately, all survey modes have their weaknesses and strengths and the choice of any single mode involves compromise. Internet surveys using on-line panels are no different in this respect. The proportion of the population with internet access is reaching near universal coverage, in part a reflection of the increasing range of hand held devices with which connection to the internet is possible. And online panels have evolved significantly, with targeted recruitment to under-represented groups making their profile more reflective of the general population.

Having considered the cost and time advantages offered by an online panel the funders of the current study concluded that the opportunity to achieve significant scale in the information gathered about legal needs with limited resources could only be achieved using an online approach.

The current study reports on findings from a large scale online panel survey of legal needs. The survey follows in the tradition of established legal needs surveys, in that it asks about all legal issues experienced, regardless of how respondents have chosen to respond to such needs. However, it differs in some important respects. The current survey is much broader than other surveys conducted in England and Wales, most of which have focussed on social welfare and family law and a limited range of other justiciable issues. In addition to these areas, the current study includes a range of transactional legal issues such as conveyancing, wills and probate which have been largely ignored in other studies.

Secondly, this is the largest legal needs survey conducted in the jurisdiction of England and Wales, capturing information on more than 16,694 individual legal issues. The online administration has permitted both scale and the systematic prioritisation of lower incidence legal issues. As a result, the approach has provided the numbers of interviews required to conduct analysis of how individuals respond to each type of legal need. The current survey is modelled on that conducted by BDRC in 2012 and the design has been matched as closely as possible in respect of mode and format. However, there are some differences between the two surveys. For example, some modifications have been made to question format, amending the problem identification section by removing reference to ‘legal’ issues. Given the impact of substantial differences in question wording and a different weighting approach the results from the current survey should not be compared to those from the 2012 survey. To allow for an analysis of how responses to legal issues might be changing over time, detailed information was captured on the dates at which issues first occurred, when respondents first sought advice (if they did so), and the date at which issues concluded.

Given the volume of data gathered for each problem area, the current study makes a substantial contribution to an understanding of how people with a diverse range of issues respond to their legal needs, their reasoning for handling issues in particular ways for individual problem areas, and their experience of legal services providers. The primary limitation of the current study is that the incidence of issue experience is not representative of the wider population of England and Wales. As there is no nationally representative list of email addresses from which respondents can be sampled there is no systematic way of collecting a probability sample of the general population. And, as not everyone in the population has a known chance of being selected to participate in the survey, the findings cannot be made generalisable. When considering the survey findings it is important to bear this limitation in mind.

It is important to recognise that quantitative research is not the only way to investigate issue experience and behaviour. Qualitative study can make an important contribution to understanding decision-making by exploring the reasoning behind the findings. For this reason the survey is complemented by supplementary qualitative research which allows an

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22 The BDRC survey is a notable exception: funded by the Legal Services Board this survey adopted the ‘legal needs’ approach to gather data on the full range of legal issues experienced by individuals.
investigation into some of the nuances and complexity which underpin people’s responses to their legal issue. It should however be noted that the qualitative research was primarily explorative and hence the findings are neither representative in any way nor seek to explain the findings from the quantitative research. Instead, they supplement the quantitative study, by illustrating and illuminating avenues taken to resolve issues and perceptions towards the legal profession.

The remainder of this report is structured as follows:

**Chapter 3 – methodology** - covers the survey methodology

**Chapter 4 – experiences of legal issues** - looks at the experiences of legal issues. This includes looking at the prevalence of issues within the sample, who experiences legal issues, awareness of sources of advice and assistance and an overview of how respondents when resolving their issue.

**Chapter 5 – drivers of issue handling** - explores the drivers of how respondents chose to handle their issue. This chapter uses advanced statistical analysis to unpick the key drivers across demographic factors such as age, gender and ethnicity, as well as factors including eligibility for legal aid and perceived knowledge of legal rights.

**Chapter 6 – inaction and handling issues alone or with friends and family** - looks in detail at issues that were resolved by being handled alone or with friends or family and issues that were resolved through no action being taken. This includes looking at factors which influenced the decisions to approach the issues in that way along with reasons why they did not get help from a legal professional.

**Chapter 7 – obtaining advice or assistance** - explores why people chose to get advice from a legal professional, who they received advice from, when they accessed the legal professional and what arrangements were made with them. It also covers broader experiences of instructing a legal professional.

**Chapter 8 – reflections on outcomes** – this chapter covers overall reflections on how issues were resolved. This includes measures on satisfaction, whether objectives were met and whether issues would have been resolved differently.

**Chapter 9 – young people survey of legal issues** - this chapter outlines findings from an additional study into the types of issues those aged 11 to 15 had experienced. It also includes topics looking into broader understanding of legal issues and how they would like to be told about legal issues.
3. Methodology
3 Methodology

3.1 Overview

The research programme focused on gathering information about the experience of issues in 29 ‘problem’ areas.

The research comprised three main elements:

- Online adult survey of 8,192 respondents. The largest survey of individual legal needs ever conducted in England and Wales both in size of sample and number of issue types
- Small-scale online survey of young people aged between 11-15
- Follow-up in depth interviews with online adult panel respondents

3.1.1 Online survey of adults

In order to meet the broad research objectives Ipsos MORI carried out a large scale online survey of 8,192 individuals primarily sampled from the Ipsos Online Panel, alongside supplementary sampling via partner panels. The Ipsos Mori Online Panel is a panel of 300,000 individuals which has been built using multi-source recruitment, including standard approaches such as banners, website and text ads, and search engine marketing as well as targeted recruitment to ensure the inclusion of individuals from hard to reach groups. The panel is structured to reflect the general profile of the population in respect of key indicators such as gender, age, and region among others and invitation to participate in particular studies can be sent out to a representative subsample of the panel.

Once recruited, panel members are required to agree to rules regarding the confidentiality of surveys and are incentivised to participate with a points based system. These points can be redeemed against vouchers and are accepted as the most appropriate incentives for online research as they do not skew the participation of any specific groups. To ensure reliable statistical analysis at issue type level a minimum sample size target was set at 400 for each of the 29 issue types covered by the survey.

3.1.2 Online survey of young people

Ipsos MORI carried out a separate online survey amongst young people aged between 11 and 15. Young people were recruited via their parent’s participation in the main survey. The research aimed to cover the following:

- Young people’s knowledge of their legal rights in different scenarios
- Young people’s experience of legal issues and the actions they took to resolve the issues
- Where young people currently learn about their legal rights and the potential opportunities for development

The research was conducted on a small scale and is intended to provide a snapshot of young people’s knowledge and experience of legal needs which could perhaps be built upon in further research. Whilst a base size of 161 ensures the data are statistically reliable it is in no means intended to be a representative sample.
3.1.3 Depth interviews

The quantitative surveys were supplemented with qualitative research in the form of 29 telephone depth interviews with adults who had experienced legal issues in the past 3 years. The qualitative component explored some of the nuances and complexities that underpin the quantitative findings, such as decision making processes in seeking, or not seeking legal advice. The qualitative findings are based on a relatively small sample size and therefore seek to provide more in-depth consideration of the perceptions and experiences of issues faced, rather than attempt to be representative of any group.

3.2 Questionnaire Design

In the development of the questionnaires and discussion guides Ipsos MORI and Dr Marisol Smith worked closely with the three partner organisations, providing technical guidance and drawing on relevant experiences of questionnaire design and led the multinomial logistic regression analysis.

The mainstage adult survey was originally based on the survey used for the 2012 Legal Service Benchmarking Report, but was varied substantially following review and testing. These substantial changes means the results from the current study should not be compared with the 2012 study.

The questionnaire was structured into a number of blocks. All respondents completed a screening block in which they were asked if they had experienced issues or problems relating to 29 distinct categories. These included: conveyancing; re-mortgage or equity transfer; divorce/dissolution of civil partnerships; probate; consumer issues; making a will; debt/money issues; injury at work; road traffic accidents; personal injury; legal issues with mental health issues; landlord problems; planning applications; tenant issues; squatters; repossession or eviction; other problems with owned property; neighbour disputes; relationship breakdown issues; welfare benefits; discrimination; being arrested; legal issues related to children; immigration; domestic violence; homelessness; unfair treatment by the police; problem with employers; clinical negligence. These 29 areas have been identified as discrete issues which may be experienced by individuals. They are considered ‘legal’ issues as they can potentially be handled through a legal process.

Respondents who reported an experience in 15 of the 29 categories were additionally asked to identify from a detailed list of issues which, if any, most closely matched their issue experience. Constituent lists were presented in respect of issues to do with divorce/dissolution of civil partnerships; consumer issues; debt/money problems; legal problems with mental health issues; landlord problems; other problems with owned property; neighbour disputes; relationship breakdown issues; welfare benefits; discrimination; legal issues related to children; immigration; domestic violence; unfair treatment by the police; and problem with employers. The constituent lists allow for the separate identification of those issues which were excluded or remained within scope of the legal aid scheme following the legal aid reforms, The information also allows for future analysis of the different types of issues subsumed within some of these broad categories.

Where a respondent reported at least one issue they were asked a series of questions to identify how issues were characterised, whether the issue was regarded as ‘legal’ or not, start dates of issue experience and advice seeking; end dates for issues which respondents considered to be concluded, self-reported knowledge of rights, knowledge and

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23 Marisol is an independent researcher with extensive experience in civil justice, advice and legal services. Until April 2013, she was the Deputy Head of the Legal Services Research Centre (LSRC) of the Legal Services Commission which she joined in 2003.

24 In the tradition of legal needs surveys, issues which can be resolved using a legal process are often referred to as ‘justiciable’ a phrase coined by Genn (1999).
awareness of legal services providers and the handling strategy undertaken. Respondents were also asked to provide information on how serious they perceived an issue to be using a numeric scale of 1-20 where the value 1 was the least serious and the value 20 was the most serious. Data were gathered for up to a maximum of three issues per respondent.

Issue handling strategy for each issue determined which questions respondents were subsequently asked. Areas covered by the remaining questions included reasons for not taking any action or for handling issues alone; details about action respondents had taken to obtain information, or help; the sources of help they had considered using; sources of advice or assistance; costs of any services used and how services were provided; objectives of taking action; and satisfaction or regrets with issue handling strategies.

All respondents were also asked a number of questions to gather detailed socioeconomic and demographic information about them and the household in which they resided. This information permitted the construct of a legal aid proxy to identify those respondents who would meet the criteria for financial eligibility for the legal aid scheme.

3.3 Cognitive Testing

3.3.1 Online survey of adults

Cognitive testing was conducted for the online survey of adults to be sure the questionnaire was easy for respondents to understand and was interpreted as intended. Testing ensured that there was a comprehensive and up-to-date understanding of what people understood by each of the issue types. Given the importance of the initial questions in filtering respondents to question blocks it was imperative that the research team understood exactly how each was interpreted, understood and responded to amongst different people, as well as identifying any potential ambiguities or misunderstandings.

Cognitive testing was undertaken in two locations, London and Manchester, with a total of 10 participants completing the survey sections online before being probed about responses and understanding by a research team member. Interviews took place between 24 and 28 August 2015. On completion of the cognitive interviewing, recommendations for amendments were agreed by all funding partners and the questionnaire altered as appropriate.

3.3.2 Online survey of young people

As with the adult survey, the young people’s questionnaire went through a process of cognitive testing. The purpose of this testing was to ensure that questions in the survey were comprehensive and clear to young people, that they felt comfortable answering the questions and to eliminate any ambiguity that may arise from the way the questions were worded or structured.

Recruitment of young people aged 11-15 for the cognitive testing was undertaken through panel members using the Ipsos Online Panel. In order to comply with the MRS Code of Conduct, permission of the parent was obtained for their child to be interviewed. If consent was given, the young person was also asked if they would be happy to take part in the cognitive testing. A total of six cognitive interviews were conducted in the North of England between 22 and 26 October 2015.
3.4 Sampling for the surveys

3.4.1 Online survey of adults

Research participants were primarily sampled from the Ipsos Online Panel. This is a panel of 300,000 individuals living in 250,000 households across Britain. Given the low incidence of some of the legal issue areas, a census approach was taken by approaching all eligible panellists.

The breadth and scale of the survey provides information about a number of problem areas not generally included in other legal needs surveys, for example, road traffic accidents, work injury, squatters, planning applications and transactional issues such as conveyancing, remortgaging, wills, and probate. The survey explored up to three legal issues experienced by each of the 8,192 respondents who had experienced at least one issue over a three year period. In total, information was collected on 16,694 individual legal issues, providing a set of data across multiple problem types. The survey was conducted online with respondents from 1

The table below outlines the age and gender profile of the population of England and Wales, along with the corresponding proportions of panellists who were screened to participate in the survey. As such, the latter group includes those who had not experienced a legal issue and therefore were not eligible to proceed with the survey, as well as those who had experienced a legal issue and did take part. The table shows that younger people aged under 35, and particularly those aged 16-24 are proportionately under-represented in the survey screening, whilst women are disproportionately more likely to be included in the screening. The profile of those who participated in the survey is outlined in column three to illustrate the profile of those who experienced an issue within the panel, however comparisons should not be made directly as they cover different audiences.

Table 3.1: Profile of England and Wales compared with the profile of panel respondents screened in the survey

<table>
<thead>
<tr>
<th>Demographic variable</th>
<th>England and Wales population (%)</th>
<th>Panel respondents who were screened in the survey whether or not they experienced an issue (%)</th>
<th>Profile of those who experienced a legal need in the survey (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age 16 – 24</td>
<td>15</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Age 25 – 34</td>
<td>16</td>
<td>10</td>
<td>17</td>
</tr>
<tr>
<td>Age 35 – 44</td>
<td>17</td>
<td>15</td>
<td>20</td>
</tr>
<tr>
<td>Age 45 – 54</td>
<td>17</td>
<td>19</td>
<td>21</td>
</tr>
<tr>
<td>Age 55 – 64</td>
<td>15</td>
<td>25</td>
<td>19</td>
</tr>
<tr>
<td>Age 65+</td>
<td>21</td>
<td>27</td>
<td>17</td>
</tr>
<tr>
<td>Total:</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Males</td>
<td>49</td>
<td>43</td>
<td>44</td>
</tr>
<tr>
<td>Females</td>
<td>51</td>
<td>57</td>
<td>56</td>
</tr>
<tr>
<td>Total:</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
</tbody>
</table>
As discussed in the context chapter there are some groups who will not be included within the survey. Beyond the estimated 12% of the population who do not have access to the internet, other groups will not be included in the panel, or indeed other forms of survey methodology. This is particularly true of vulnerable groups, where it is reported that even with random probability face-to-face survey methodologies around two percent of the population is excluded. This includes older people living in care, the prison population, those homeless, those living in military establishments and those living in commercial property. The experiences of these individuals are likely to differ from the wider population. It should be noted that while some vulnerable groups are not represented within the study, the survey provides an extremely large sample of individuals who have experienced issues in England and Wales and that whilst not representative, the panel sample holds a substantial number of broad characteristics of the general population.

3.4.2 Online survey of young people

The sample of young people was recruited through the participants in the adult survey. The following steps were involved:

1. During the main adult survey, panellists who had experienced legal issues were asked if they had any young people in their household between the ages of 11 and 15.

2. Those who stated ‘yes’ were informed of the young person’s survey and asked if they would give permission for their child to take part. Those who consented were placed into our sample pool.

3. The sample pool was then emailed with further details about the young people’s survey which included a link to forward to the child they were willing to complete the survey. Young people were informed that they could opt-out of the survey at any point. Young people were also provided with contact numbers for suitable organisations should the survey have prompted any concerns.

It must be noted that due to the approach of gathering the views of young people through their panellist parents (whom had experienced relevant legal issues) the views of the young people sample cannot be seen as representative of young people in this age bracket generally. The purpose of the young people survey was purely explorative, to gain a broad overview of the experiences, knowledge and perceptions of young people in relation to the law and legal needs.

3.4.3 Depth interviews with adults

The sample for the qualitative research was sourced from the main quantitative survey. At the end of the survey, respondents were asked whether they agreed to be re-contacted for further research. Those who agreed, and fitted the relevant criteria, were drawn into the sample pool.

Potential respondents were then recruited by telephone using a simple screener, a series of questions designed to ensure that the individual in question fitted the profile of the target audience using agreed quotas. The screener was also


26 Civil and Social Justice Panel Survey Wave 2 report (http://doc.ukdataservice.ac.uk/doc/7643/mrdoc/pdf/7643_csjps_wave_two_summary_findings.pdf)

27 Each participant in the qualitative research was given an incentive of £30 for their time.
designed to ensure that respondents remembered the legal issue they referred to in the online survey in sufficient detail to discuss further.

In order to explore a variety of experiences and perceptions, quotas were set on the sample. These included:

- Age
- Gender
- Whether or not respondents sought advice
- Issue type – respondents were identified as having experienced at least one of the issue types below
- Capability

**Issue types included:**

1) Bought/sold a house (conveyancing) – participants who had experienced issues with the sale of a house due to: issues found as result of surveys of the property; delays in finalising completion and exchange of properties; purchasing a property with sitting tenants; and, the quality of conveyancing services.

2) Relationship breakdown – participants who had issues relating to divorce or breakdown of cohabitating relationship and subsequent residence and access agreements of children.

3) Consumer issue – participants who had purchased faulty and broken items or received incorrect charges for services/bills.

4) Issue with an employer – participants who had complaints regarding harassment by a colleague or employer, salary and contract agreements or other unfair treatment in the workplace.

5) Immigration issue – applications for spousal visas, dependent visas and permanent residency.

Capability was loosely defined as ‘high’ or ‘low’ to reflect household income, participant educational qualifications and disability status. Individuals were classified as having ‘high’ capability if annual household income was >£40,000, if their highest educational qualification was at least a degree or equivalent and if they had not reported living with a disability. Where individuals lived in households with annual household income below £32,000, and where the highest qualification achieved was a GCSE or equivalent they were classified as ‘low’ capability, they may also have been living with a disability.

Table 3.2 outlines the quotas met across the qualitative research. A total of 29 interviews were conducted.
Table 3.2: Quotas and completed interviews for qualitative phase

<table>
<thead>
<tr>
<th></th>
<th>High capability (N= 15)</th>
<th>Completed</th>
<th>Low capability (N=15)</th>
<th>Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Age</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16-24</td>
<td>No quota</td>
<td>1</td>
<td>No quota</td>
<td>0</td>
</tr>
<tr>
<td>25-40</td>
<td>At least 3</td>
<td>6</td>
<td>No quota</td>
<td>2</td>
</tr>
<tr>
<td>41-55</td>
<td>At least 3</td>
<td>3</td>
<td>At least 3</td>
<td>4</td>
</tr>
<tr>
<td>&gt;= 56</td>
<td>At least 3</td>
<td>3</td>
<td>At least 3</td>
<td>3</td>
</tr>
<tr>
<td>Gender</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Male</td>
<td>At least 5</td>
<td>7</td>
<td>At least 5</td>
<td>4</td>
</tr>
<tr>
<td>Female</td>
<td>At least 5</td>
<td>6</td>
<td>At least 5</td>
<td>5</td>
</tr>
<tr>
<td>Problem type</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consumer problem</td>
<td>At least 2</td>
<td>4</td>
<td>At least 2</td>
<td>3</td>
</tr>
<tr>
<td>Bought/sold a house</td>
<td>At least 2</td>
<td>5</td>
<td>At least 2</td>
<td>2</td>
</tr>
<tr>
<td>Issue with employer</td>
<td>At least 2</td>
<td>2</td>
<td>At least 2</td>
<td>2</td>
</tr>
<tr>
<td>Relationship breakdown</td>
<td>At least 2</td>
<td>0</td>
<td>At least 2</td>
<td>2</td>
</tr>
<tr>
<td>Immigration Issue</td>
<td>No quota</td>
<td>2</td>
<td>No quota</td>
<td>0</td>
</tr>
<tr>
<td>Advice sought</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>At least 4</td>
<td>9</td>
<td>At least 4</td>
<td>5</td>
</tr>
<tr>
<td>No</td>
<td>At least 4</td>
<td>3</td>
<td>At least 4</td>
<td>5</td>
</tr>
</tbody>
</table>

3.5 The Pilot Study

Given the size of the adult survey and the importance of testing the underlying assumptions, a full-scale pilot study was carried out. The pilot study checked the following key factors:

<table>
<thead>
<tr>
<th>Key factor</th>
<th>Initial assumption</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average length of questionnaire</td>
<td>15 minutes</td>
</tr>
<tr>
<td>Levels of take-up by 11-15 year olds</td>
<td>In line with previous Ipsos MORI work for Home Office</td>
</tr>
<tr>
<td>Levels of incidence across issue types</td>
<td>2% minimum incidence for any individual issue type</td>
</tr>
<tr>
<td>Routing of questions and sense check of new questions</td>
<td>Route aspect of piloting</td>
</tr>
</tbody>
</table>
In order for these assumptions to be checked thoroughly the survey was piloted with 356 respondents across the sample strata.

A total of 48% of respondents identified that they had experienced at least one of the 29 core legal needs outlined within the past three years.

The pilot looked to test the survey routing, the questionnaire timings and assumptions around incidences of issues. Although the distribution of issues most commonly experienced by these respondents (incidence rates from the pilot are shown in an appendix) was broadly consistent with the findings of other studies, the actual percentages of respondents reporting having experienced these issues were lower than would be expected given the current socio-political and economic climate, and other ‘nationally representative’ research. Results from the pilot also suggested that the minimum target of 400 responses for each legal need area would be challenging to achieve for less common issue areas such as problems with squatters.

3.6 Mainstage Fieldwork

3.6.1 Online adult survey

The main stage adult survey fieldwork took place between 1st October 2015 and 24th December 2015.

The survey questionnaire covered the experience of all 29 issue types and was structured according to the approach the respondent took for each issue they had experienced, for up to a maximum of three issue types per respondent.

A total of 16,694 issues were analysed across the issue types from 8,912 respondents who live in England and Wales. To ensure that we reached a minimum of 200 completes in low incidence issue types, the quotas for higher incidence issue areas were capped in order to further focus on the lower incidence issues. An additional boost enabled 400 completes to be reached across 21 of the 29 issue types, and a minimum of 200 completes in all other categories with the exception of issues with squatters (for which it was agreed that there would be no minimum requirement).

3.6.2 Online survey of young people

Young people between the ages of 11 and 15 were recruited via the participation of their parents in the main survey. In total, 161 young people completed the survey over a two week period between 16th December 2015 and 11th January 2016. Prior to conducting the survey Ipsos MORI gained ethical approval from the NSPCC’s Research Ethics Committee. This ensured that measures were placed to ensure safeguarding of the young participants, such as signposting to relevant organisations and assurances around confidentiality.

3.6.3 Follow-up depth interviews

The telephone depth interviews were approximately 45 minutes in length and were carried out between 25th November 2015 and 4th December 2015. In total 29 depths interviews were completed with respondents of varied capability, age range and experience of issue types.

One of the main purposes of the qualitative telephone depth interviews was to probe in detail one legal issue that the respondent had experienced. This allowed the moderator to probe at why the respondent made certain decisions and understand the thought processes behind those decisions.
The discussion guide covered a number of key areas:

- Brief background to the individual’s circumstances (employment, family, living situation etc.)
- Brief overview of the legal issue in question
- Initial response and awareness of support offered to them
- How they approached resolving the issue
- The decision making process in accessing or not accessing support
- Factors that influenced this process
- Outcome and reflections of their experience
- Perceptions of the law, legal rights and legal professionals

### 3.7 Data collation and weighting for adult survey

#### 3.7.1 Data collation

The data has been collated in two ways for this report. For some questions it is presented at a respondent level, but for data related to specific issue types, it is presented by the issue described by a respondent (respondents could answer for up to three issues). Demographics, prevalence of issues and questions relating to income and awareness of legal services providers are presented at a respondent level. Questions which ask about specific issues are presented at an issue level (i.e. a respondent will be reflected up to three times depending on the number of issues they experienced).

Some respondents may have indicated that they had been affected by more than three issues, but could only answer further questions on up to three issues in total. Respondents who selected more than three issues were asked about issues which were of the lowest incidence, in order to ensure the number of people providing views on these issues in the survey was maximised.

Findings were statistically tested at the five per cent significance level; throughout the report only differences which were statistically significant at this level are included in the text. In places in the text percentages may not sum to 100% due to rounding. Some findings are presented at the respondent level while others are reported at an issue level but the level at which proportions are reported are made explicit throughout the text.

#### 3.7.2 Survey weighting

Data that was asked at a respondent level remains unweighted and no weights were used to deal with non-response or to make the sample match the population of England and Wales; therefore, the results presented in this report are not nationally representative. As outlined in the context section above, there is no systematic method of generating a probability sample for the general population with an online survey and there is insufficient information about how the achieved sample of respondents might differ from the general population so the respondent data has not been weighted.

The findings presented in this report in relation to issues are based on weighted data. The weight was applied to correct for the different probabilities of issues being selected for further survey questions as respondents were asked about a
maximum of three issues they had experienced. The weighting approach was designed to re-balance the skew created by prioritising in order to boost data capture for lower incidence issues.\textsuperscript{28} Weights were calculated using the panel incidence of issues as experienced by the 8,912 survey respondents.

### 3.8 Definitions used within the questionnaire and report

The questionnaire used definitions to attempt to make clear to survey respondents how to interpret some of the survey terms, and ensure consistency in response. These key definitions are outlined below.

**Table 3.3: Definitions used in questionnaire**

<table>
<thead>
<tr>
<th>Term used</th>
<th>Definition from questionnaire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advisor/advice or help</td>
<td>This refers to independent advice offered by either a legal professional such as a solicitor, from an advice agency such as Citizens Advice or another professional individual like an accountant. Anyone who received independent advice (i.e. not from family or friends) is considered to have received advice or help. A full list of advisors covered can be found at Question F1 in the appendix.</td>
</tr>
<tr>
<td>Legal professional/professional advisor</td>
<td>Legal professionals described are individuals such as solicitors, barristers or licenced conveyancers who provide legal services to clients. These categories are defined by the sub-set of legal professionals outlined at F1 in the questionnaire. At some questions within the questionnaire respondents were asked to comment on their reasons for using or not using a “professional advisor”. Respondents were routed to these questions depending on whether they used or considered using a professional advisor. This terminology comes directly from the questionnaire.</td>
</tr>
<tr>
<td>Provider</td>
<td>This term was used in the questionnaire for those who received help or advice from an independent advisor. The language was used in the questionnaire to define a collective of advisors, such as a law firm or trade union, rather than a specific individual such a solicitor. Respondents were routed to these questions where they stated that they had used an ‘advisor’ at Q88, but they were not given a definition of the term ‘provider’.</td>
</tr>
</tbody>
</table>

The survey analysis also looked to develop a definition for legal aid eligibility. This used a combination of approximating whether someone was financially eligible for legal aid using reported income data, marital status and number of

\textsuperscript{28} For example, respondents experiencing a single high prevalence issue were always asked about this particular issue, while a respondent with a high prevalence issue but also a number of low prevalence issues would be less likely to be asked about the high prevalence issue, as the design prioritised the lower prevalence issues. This means that at an issue level there is a bias towards people with fewer issues, or people who only have low prevalence issues. Thus the weighting is required to make sure the bias is removed when looking within and across issues.
dependents. It then matched personal based eligibility against whether the issue they faced was in or out of legal aid scope, both pre and post April 2013, when LASPO reforms were implemented.

Table 3.4: **Variables used in the report**

<table>
<thead>
<tr>
<th>Term used</th>
<th>Definition</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal aid eligibility and scope</td>
<td>Legal aid eligibility is defined in two parts. Firstly respondents were asked a range of questions about their income, wealth, marital status, house tenure status and number of dependents in order to develop a proxy for whether an individual may be eligible for legal aid funding. The second element was defining whether an issue an individual experienced was in-scope for legal aid in either pre-April 2013 and Post April 2013 – the date when the LASPO legal aid reforms were implemented. As such the terms ‘in-scope’ and ‘out of scope’ are used to define whether an issue was eligible for a legal aid application by a respondent.</td>
<td>The legal aid proxy was used to establish whether a respondent was potentially able to claim legal aid for the issue that they faced. The reason that this is of importance is because of the changes to legal aid eligibility available since April 2013. It should be noted that this is a proxy, and that respondent details are taken from the point of when they responded to the survey.</td>
</tr>
<tr>
<td>Severity scale</td>
<td>The severity scale was developed by asking respondents on a scale of 1-20 how serious they regarded their issue to be.</td>
<td>This measure is important in understanding the perceived severity respondents place on particular issues. It allows analysis to be conducted to understand how people respond to issues dependent on how serious they regard the issue.</td>
</tr>
</tbody>
</table>

### 3.9 Acknowledgements

Ipsos MORI would like to thank all those that contributed towards the research project. This includes Robert Cross from the Legal Services Board and Keith Blakemore from the Law Society. We would also like to thank Dr Marisol Smith for her input into the project.
4. Legal needs and strategies taken to resolve them
4 Legal needs and strategies taken to resolve them

This section provides an overview of the legal issues experienced by respondents and their prevalence amongst these panel survey respondents. It also examines whether respondents characterised issues as legal and the extent of their knowledge about their legal rights. Findings are also provided on the awareness amongst respondents of legal services providers and their knowledge about the availability of public funding for issues of particular types. The perceived seriousness of issues is also described. An overview is provided of the ways in which respondents handled their legal issues, the duration of these issues and how such issues conclude. This provides a picture of the different dimensions of the legal issues experienced by the survey respondents.

4.1 Who surveyed has experienced a legal need?

4.1.1 Overall prevalence of legal issues across the survey respondents

Respondents were asked whether they had experienced any issues within the past three years from a list of 29 options. A total of 54% of those entering the survey indicated that they had experienced at least one issue in the past three years. These respondents form the basis of all the survey results reported. The column to the right in table 4.1 indicates the proportion of respondents within the survey who experienced each issue (as opposed to the proportion of all those entering the survey).29

The most common issues experienced were consumer issues (33%), buying or selling a house (21%), making a will (20%), dealing with an issue or estate of a deceased relative (17%), disputes with neighbours (16%) and issues around getting the right welfare benefits, tax benefits, pensions and student loans (16%). The least frequent issues included legal issues with children (e.g. care proceedings, adoption, issues with schooling) (3%), being arrested (3%), immigration issues (2%) and issues with squatters (2%).

Looking across all respondents who experienced an issue, just under two-fifths (37%) experienced one issue, while almost two-thirds (63%) experienced more than one. Around a quarter experienced two issues (24%) and a fifth experienced three or four issues (23%), while 16% experienced five or more issues. The mean number of issues experienced by each respondent was 2.7.

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29 (see chapter 2 on context for further information).
Table 4.1: QA4a MA In the past three years, have you experienced any of the following issues or problems?

<table>
<thead>
<tr>
<th>Issue</th>
<th>Total (all respondents answering survey)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All survey respondents</td>
<td>8,912</td>
</tr>
<tr>
<td>Had a consumer problem</td>
<td>33</td>
</tr>
<tr>
<td>Bought/sold a house</td>
<td>21</td>
</tr>
<tr>
<td>Made a will</td>
<td>20</td>
</tr>
<tr>
<td>Dealt with the estate of a deceased relative (probate/estate management)</td>
<td>17</td>
</tr>
<tr>
<td>Dispute with neighbours</td>
<td>16</td>
</tr>
<tr>
<td>Had problems getting the right benefits</td>
<td>16</td>
</tr>
<tr>
<td>Experienced debt/money problems</td>
<td>13</td>
</tr>
<tr>
<td>Had problems with an employer</td>
<td>12</td>
</tr>
<tr>
<td>Involved in a road traffic accident</td>
<td>12</td>
</tr>
<tr>
<td>Problems with a landlord</td>
<td>12</td>
</tr>
<tr>
<td>Relationship breakdown</td>
<td>10</td>
</tr>
<tr>
<td>Re-mortgaged a property</td>
<td>9</td>
</tr>
<tr>
<td>Dealt with a planning application</td>
<td>8</td>
</tr>
<tr>
<td>Discrimination</td>
<td>7</td>
</tr>
<tr>
<td>Other problems with a property</td>
<td>7</td>
</tr>
<tr>
<td>Had problems with a tenant</td>
<td>7</td>
</tr>
<tr>
<td>Divorce/disillusion of marriage or civil partnership</td>
<td>6</td>
</tr>
<tr>
<td>Domestic violence</td>
<td>6</td>
</tr>
<tr>
<td>Other personal injury that wasn’t your fault</td>
<td>6</td>
</tr>
<tr>
<td>Been injured at work</td>
<td>5</td>
</tr>
<tr>
<td>Clinical negligence</td>
<td>5</td>
</tr>
<tr>
<td>Homelessness</td>
<td>5</td>
</tr>
<tr>
<td>Treated badly by the police</td>
<td>4</td>
</tr>
<tr>
<td>Had your home repossessed/faced eviction</td>
<td>4</td>
</tr>
<tr>
<td>Legal problems with children</td>
<td>3</td>
</tr>
<tr>
<td>Been arrested</td>
<td>3</td>
</tr>
<tr>
<td>Legal problems with mental health issues</td>
<td>3</td>
</tr>
<tr>
<td>Immigration problems</td>
<td>2</td>
</tr>
<tr>
<td>Problems with squatters</td>
<td>2</td>
</tr>
</tbody>
</table>
4.2 Specific issues relating to each grouped category

For 15 of the 29 problem categories, respondents were asked to identify in greater detail the type of issue they were experiencing. The full set of problem identification questions are included in an annex to this report but an overview of these subtypes is given below.

Where possible issues have been grouped into categories and analysed as below. The percentage relates to the proportions of respondents who experienced the broader issue type. Respondents were able to select multiple sub-categories so responses sum to more than 100%.

4.2.1 Consumer issues (experienced by 2,960 individuals)

Of those who experienced a consumer issue, the most frequent sub-issue experienced was the purchase of a faulty high value household or personal item (43%), followed by defective work by trades people (13%), major disruption in the supply of utilities (11%), purchasing faulty cars or motorcycles or defective repairs (9%), holidays that fell substantially short of descriptions by tour agents (8%), disputes concerning major travel delays (7%) and defective building work (6%).

4.2.2 Issues to do with neighbours (experienced by 1,458 individuals)

More than half (53%) of issues with neighbours related to an issue with regular and excessive noise. In a quarter (24%) of these issues respondents noted that their property or garden had been damaged. A fifth (21%) had been threatened while 7% had actually experienced violence. Other forms of vandalism accounted for 6% of these issues.

4.2.3 Issues concerning welfare benefits, tax credits or state pensions (experienced by 1,416 individuals)

Those that mentioned they had experienced issues concerning welfare benefits, tax credits or state pensions were most likely to say that it was to do with their entitlement for welfare benefits or tax credits (55% of these issues). Other issues included errors in the assessed amount of welfare benefits or tax credits (29%); unreasonable time in processing a claim (25%); entitlement to a state pension or pension credits (5%) and errors in the assessed amount of state pension or pension credits (9%). In around one in eight (13%) of these issues the respondent mentioned something else to do with welfare.

4.2.4 Issues to do with debt (among 1,161 individuals who experienced debt issues)

Of those who had debt issues the most prevalent issue was regarding a credit card or store card (58%). Other issues relating to debt included being behind with and unable to pay for something else (36%); debt related to utility bills (33%); debt related to council tax, debt related to income tax or VAT (28%); severe difficulties managing to pay money owed, including family and friends (28%); debt related to paying the TV licence (15%); unreasonable harassment from people or organisations to whom money is owed (12%); debt related to hire purchases on credit (12%); debt related to court fines (6%) and other debt issues (6%).

4.2.5 Employment issues (experienced by 1,107 individuals)

Employment issues were most likely to cover being threatened with or actually being sacked or made redundant (35% of this group of issues). Other issues included a grievance not being taken seriously or adequately dealt with.

10 These were categories where further specific legal categories existed.
(24%); changes to the terms and conditions of employment which made things worse (22%); other rights at work (e.g. maternity leave, sickness pay, holiday entitlement and working hours) (21%); unfair disciplinary procedures or other treatment (20%); harassment at work (20%); getting pay or a pension to which you were entitled (19%); being unfairly rejected for a job interview (15%); unsatisfactory or dangerous working conditions (13%) or something else (7%).

4.2.6 Issues concerning living in rented accommodation (experienced by 1,036 individuals)

Among the issues concerning living in rented accommodation around two-thirds (63%) related to issues getting the landlord to do repairs or maintain the property. Meanwhile, others mentioned that they had issues trying to get a deposit back (31%); were living in unsafe conditions (24%); were harassed by their landlord (12%); had trouble getting the landlord to provide services under the terms of the lease (12%); being several rent payments in arrears (11%); had difficulty getting the landlord to provide a written tenancy agreement (9%); had issues agreeing the terms of the lease with the landlord (7%); issues over rights of way or access to the property (6%); and issues regarding the transfer of the lease or tenancy (4%). Eight percent related to other issues regarding living in rented accommodation.

4.2.7 Issues linked to the break-up of relationships (experienced by 897 individuals)

The largest sub-issue affecting people who reported issues following relationship breakdown was disagreement over the division of property (29% of these issues). The next most frequent issue was difficulties with contact or access arrangements for children (reported by 19%). Issues accessing financial support after a relationship breakdown were also reported. In one in eight cases (12%) the respondent mentioned issues obtaining child support payments while in 11% they said they had issues obtaining maintenance payments from a former partner, in 10% said that they had difficulties agreeing to pay maintenance to a former partner and in 7% had difficulty agreeing child support payments. In another one in ten (9%) cases, the respondent said that there were difficulties with residence agreements for children. In just over a third (35%) of these issues the respondent mentioned something else.

4.2.8 Issues related to money (among 824 individuals who experienced money issues)

Issues related to money other than debt (covered previously) were most likely to involve getting someone to pay money which is owed (31% of this group). Other issues included repeated incorrect or excessive charges by bank or utility organisations (18%); incorrect tax assessment; including council tax (15%); incorrect or disputed large bills; excluding rent or re-mortgage repayments (14%); incorrect information leading to the refusal of credit (11%); being given incorrect information or advice which led to buying insurance, pensions, mortgages or other financial products (9%); insurance companies unfairly rejecting claims (9%); disagreement over the division of property after death (5%); mismanagement of a pension other than a pension (excluding mismanagement resulting in financial loss) (5%); management of a pension resulting in financial loss (3%). In a quarter (25%) of issues involving money, the respondent mentioned that there were related issues to other factors which were not specified.

4.2.9 Discrimination issues (experienced by 650 individuals)

Of the discrimination cases reported by 650 people, a quarter (27%) were highlighted as being racially motivated. Another quarter (25%) were reported as discrimination because of gender and a further quarter (25%) were

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31 Debt and money issues were separated into two separate sub category questions, hence they are shown twice.
reported as due to disability. A fifth (22%) of them were cited as related to discrimination due to age. Smaller proportions, 14% and 8% respectively, were reported as discrimination due to sexual orientation or religion.

4.2.10 Owning or buying residential property related issues (experienced by 634 individuals)

With regards to issues relating to owning or buying residential property, this was most likely to be related to communal repairs or maintenance (25%), boundaries or rights of way or access to property (21%), damage caused by an issue (12%) and being several mortgage payments in arrears (10%). Almost half (47%) of these issues were related to other factors that were not classified.

4.2.11 Divorce, separation or dissolution of civil partnership issues (experienced by 581 individuals)

Divorce accounted for two-thirds (64%) of the 581 divorce or separation issues. A further 20% formally separated from their spouse and 18% separated from a partner they were living with. The dissolution of civil partnerships accounted for 8% with another 4% from formal separation from a civil partnership.

4.2.12 Issues concerning domestic violence (experienced by 508 individuals)

Issues concerning domestic violence were most likely to relate to issues concerning ‘other’ abuse from a current partner, ex-partner or other member of the household (58%). When the type of abuse was specified, reported issues included threats of physical violence (36%); another child or adult suffering physical violence domestically from a current partner, family or household member (35%); suffering physical violence from an ex-partner, family or household member (10%); another adult or child suffering physical abuse from a household, partner family or member (8%) and an ex-household member (10%). In nine percent of these issues, the respondent mentioned something else that was related.

4.2.13 Issues regarding unfair treatment by the police (experienced by 323 individuals)

In a third of cases where the respondent reported being mistreated by the police they said that they had been arrested unfairly (33%). In a fifth (19%) the respondent said that they had been assaulted by a police officer.

4.2.14 Issues relating to mental health care (experienced by 264 individuals)

Around one in six (17%) mental health care issues were linked to treatment or care received in hospital, while a further 15% were linked to treatment or care received after leaving hospital. Around one in seven issues were related to the manner of admission to hospital and another 13% related to admission or discharge from hospital, with another 6% having issues obtaining a discharge from hospital. A further 7% related to issues with restriction or conditions attached to their discharge from hospital.

4.2.15 Child matters (experienced by 241 individuals)

A fifth (21%) of issues relating to children concerned children being placed on the Child Protection Register, another 12% were related to being considered for inclusion on the Register. In 16% of cases children were considered for a

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32 Issues relating to children were asked in two separate sub-categories 1) those related to education and 2) other matters related to children
Child Protection Plan with another 16% subject to a Child Protection Plan. A tenth (11%) of cases related to the possibility of children being taken into care and in 9% of cases children were taken into care.

4.2.16 Education issues (among 237 individuals who experienced a legal problem with children)

There were 237 issues relating to education. A third (32%) were in regard to a child receiving appropriate education (for example receiving appropriate support for special needs). A fifth (20%) related to a school not dealing with bullying. Another 18% were in regard to children being unfairly excluded or suspended from school, while 15% related to difficulties obtaining a place at a school and one in ten (9%) related to school or Local Authority action following repeated truancy.

4.2.17 Immigration issues (experienced by 201 individuals)

The most common immigration issue was obtaining authority to remain in the UK (28%). A further 17% of these issues related to obtaining UK citizenship. Another 17% of issues related to a partner or children entering the UK and 15% concerned the conditions under which the participant was able to remain in the UK. A total of 15% were related to a dispute over nationality, whilst a small minority (4%) of immigration issues were in regard to an asylum application.

4.3 Awareness of legal position

4.3.1 Consideration of legal situation

For two-thirds (67%) of issues, respondents did not think of it as a ‘legal’ issue when it first arose. A quarter (25%) of issues were characterised as ‘legal’ from the outset, while in just under one in ten issues (8%) the respondent did not know whether it was a legal issue or not.

Respondents were asked to what extent they felt they understood their legal position. The responses were broadly equally split between those who thought they completely or mostly understood their rights (45% of issues) and those who partly or did not know at all (49% of issues). In around a fifth of issues (18%) respondents felt they completely understood their legal position, while in a quarter of issues (23%) they did not know their position at all.
Respondents least likely to see their issue as a legal one included those not currently working, such as students (74%), those looking after the home (72%) and those retired (70% compared with 67% overall). Those with A level or higher qualifications were proportionately more likely to see their issue(s) as legal (27% vs. 21% of those with a GCSE qualification or lower), although generally there was only fairly small variations across sub-groups. What variation there is will be influenced by the types of issues experienced (since this is not controlled for in these sub-group comparisons).

Issues where respondents were most likely to say they have complete awareness of their legal position were making a will (31%), being arrested (28%), re-mortgaging/transfer of equity (28%) and issues with a tenant (25%). In contrast, issues where respondents were least likely to understand their position included clinical negligence (48% vs. an average across issues of 23%), debt issues (42%), domestic violence (41%) and issues with welfare benefits (40%).

4.3.2 Knowledge of legal rights among qualitative participants

The qualitative research is not designed to obtain robust or representative evidence but provides illustrative case study insight into relevant areas of the research. Around this aspect participants in the qualitative research raised concerns about knowledge of their legal position around their specific issue. There was typically limited awareness of their legal position.

“I didn’t know what my legal rights were or what I was supposed to do. I felt really unconfident, I didn’t have a clue. It just felt like a minefield”. I didn’t know where I stood with anything, financially or anything like that”.

(Consumer issue, Low Capability, 25-44 years old)
Some participants were relatively confident that they must be backed by the law because they felt they were “in the right” in their particular situation.

Those who had higher levels of legal capability (as defined by respondent answers in the survey) or previous experience of similar issues tended to be aware of how and where to find information about their legal rights in order to enable them to establish a strategy to resolve their issue. For example, one participant who had experienced harassment in the workplace had previously worked for a large national employer with a comprehensive training programme on employment law and diversity. This meant he had a clear understanding of the legal framework, the responsibilities of his employer and where to find out more information about his legal rights for his specific issue.

"With the training I received at X [name of organisation] and my experiences as a manager, I was very confident in this issue. I knew where to go. I wasn’t upset or scared. I just tackled it head on and I knew where I stood and the law was backing me”.

(Employment issue, Low Legal Capability, 56+ years old)

However, this was not typically evident in experiences of housing issues. Participants with both high and low legal capabilities explicitly discussed their limited knowledge of housing legal issues, as well as other legal areas. This will also be a reflection of the number of first time house-buyers within the qualitative sample who had no previous experience of the conveyancing process.

"We needed some expert clear advice and good financial advice, and some general guidance on what normally happens in this scenario. There’s a lot of information out there and it is easy to get confused and distracted by”.

(Housing issue, High Legal Capability, 25-40 years old)
4.4 Awareness of information on legal providers

Respondents were asked which sources of information or advice they know something about from a list of potential advisors. The most commonly known sources were Citizens Advice (81%), solicitors (73%), and Ombudsman services, such as Local Government Ombudsman or Financial Ombudsman Service (49%). Around a quarter noted they knew something about mediators (26%) or licenced conveyancers (23%). Less well known sources of information or advice were Law Centres (16%), probate practitioners (14%), notary (11%), Civil Legal Advice13 (8%) and costs lawyers (6%). One in eleven (9%) knew nothing about any sources.

Respondents were then asked whether they had ever contacted any legal advice or information organisations on their own behalf. Around half had contacted a solicitor (54%) and/or Citizens Advice Bureauxs (45%), while one in six (16%) had contacted an ombudsman service in the past. A fifth (21%) had not contacted any of the listed organisations previously.

Figure 4.2: Awareness of legal service providers

The following types of respondent were most likely to say they knew nothing about any of the potential sources of advice:

- Students, in particular, were most likely to know nothing about any of the sources (26% vs. 9% overall)

- Those aged 17-24 (who are within the age profile of most students) were more likely to say that they were unaware of any of the information or advice sources (12% vs. 5% of those aged 55+).

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13 Civil Legal Advice is the government funded, telephone advice service for those eligible for civil legal aid. Details can be found here: https://www.gov.uk/civil-legal-advice
Those who were financially eligible for legal aid (11% vs. 8% of those who were not eligible), in other words those respondents on some of the lowest incomes.\(^3\)

Over half (53%) of all those aged 17-24 had not contacted any of these organisations in the past.

### 4.5 Qualitative insight into available support and legal advice

The qualitative research participants’ awareness of support was dependent on previous experience of legal issues, general understanding of the law and past use of support and legal services. At a broad level, all participants were aware that they could get legal representation via a solicitor. However, this was not necessarily viewed as relevant or appropriate for their legal need when they considered the seriousness of the issue, the cost of engaging the services of a solicitor and the role a solicitor could have in resolving their particular issue. Those participants who were going through a conveyancing process had already engaged the services of a solicitor in buying and selling of their house and saw it as the part of the conveyancing process and the responsibility of solicitor to represent their interests and broker an outcome on their behalf.

There was also a good awareness that the Citizen Advice Bureau offered general advice in legal issues.

> "The people I would think of straight away are Citizens Advice, but I wouldn’t know where to look online. But I know its good place to help you out with any kind of issue".

*(Consumer, Low Legal Capability, 41-55 years old)*

There were some perceptions that Citizens Advice was largely a generalist organisation and may not have the knowledge and expertise to advise on specific legal cases. For example, a house buyer discussed accessing advice previously on a consumer issue with them but felt their local bureau would not have the access to files and details of their case to be able to offer specific advice on their conveyancing issue.

Friends and family were also viewed as a source of support, particularly if they had a legal professional background or had experience of the specific issue. Participants typically felt that government online websites (e.g. gov.uk) were a good source of initial information about legal issues. After brief discussions of their situation with family and friends, some participants had been guided to additional sources of support such as the relevant Ombudsman or the Law Society.

### 4.6 Awareness of legal aid

Respondents were asked for which of a range of issue types they thought funding from legal aid could be accessed. The question contained statements covering a range of issues that are covered by legal aid as well as those that are not.

For each of the issues listed around half of respondents said that they did not know whether funding could be claimed. Domestic violence and clinical negligence were the most frequently identified issues where respondents

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\(^3\) A legal aid proxy was developed using information on income, benefits, savings, household composition and employment. Respondents who were legal aid eligible are those generally on the lowest incomes.
thought funding could be provided. While legal aid is available for domestic violence it is not for clinical negligence. The least recognised area for legal aid eligibility was mediation for issues following relationship breakdowns (14%), where this is actually an area people can get help provided by legal aid funding. Figure 4.3 below outlines responses for each of the issue areas.

**Figure 4.3: Awareness of areas of law where legal aid funding is available**

<table>
<thead>
<tr>
<th>Issue eligible for funding from Legal Aid*</th>
<th>No</th>
<th>Don't Know</th>
<th>Yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic violence</td>
<td>20%</td>
<td>47%</td>
<td>33%</td>
</tr>
<tr>
<td>Clinical negligence</td>
<td>22%</td>
<td>48%</td>
<td>30%</td>
</tr>
<tr>
<td>Personal injury</td>
<td>28%</td>
<td>47%</td>
<td>26%</td>
</tr>
<tr>
<td>Employment problems</td>
<td>26%</td>
<td>52%</td>
<td>22%</td>
</tr>
<tr>
<td>Problems with housing</td>
<td>26%</td>
<td>52%</td>
<td>22%</td>
</tr>
<tr>
<td>Debt problems</td>
<td>31%</td>
<td>51%</td>
<td>19%</td>
</tr>
<tr>
<td>Welfare benefits problems</td>
<td>29%</td>
<td>52%</td>
<td>19%</td>
</tr>
<tr>
<td>Problems related to relationship breakdown</td>
<td>33%</td>
<td>50%</td>
<td>17%</td>
</tr>
<tr>
<td>Mediation for problems related to relationship breakdown</td>
<td>32%</td>
<td>54%</td>
<td>14%</td>
</tr>
</tbody>
</table>

Base: All participants (8912) ; Fieldwork dates: 1st October - 24th December 2015

4.7 Perceived severity of the issue

Respondents were asked to identify how serious they perceived the issues they experienced to be using a scale of 1-20 where 1 represented the lowest severity and 20 the highest. The highest mean average scores concerned homelessness issues (16), problems with a rented property (15.1), clinical negligence problems (14.6), domestic violence (13.7), immigration (13.5) and divorce or dissolution (13.3). Consumer issues (6.9) and making wills (6.9) had the lowest average severity score.

Overall while 19% of all issues were given a perceived ‘high’ severity score between 16 and 20, this was the case for 64% of homelessness issues, 54% of rented property issues, 79% of clinical negligence problems, 65% of problems concerning unfair police treatment, 63% of employment issues, 56% of mental health problems, 39% of immigration and 37% of domestic violence issues. Problem areas where issues were more likely to be rated in the ‘low’ range of 1-5 (average = 25%) included consumer (51%), wills (49%), remortgaging/transferring equity (48%), conveyancing (36%), road traffic accidents (34%) and probate (29%).
4.8 Status and timing of issues

The survey asked respondents about the full range of issues that they had experienced in the three year period prior to interview. They were asked to include issues which may have started prior to the three year reference period but which were still ongoing at some point within it. For all issues respondents were asked to identify the start date of a problem. They were also asked to say whether an issue was concluded or ongoing and where an issue had concluded the date at which it had ended. This enabled the duration of issues to be examined.

Overall, two-thirds (65%) of the issues reported had been concluded, while around one in seven were ongoing (15%) and about the same number ‘mostly’ over (14%). For six percent of issues it was ‘too early to say’ whether they had been resolved or not.

Issues which generally have a linear completion process or were more transactional in nature were more likely to have been concluded. These included making a will (89%), buying or selling a house (86%) and dealing with the estate of a deceased relative (81%). Issues with squatters, clinical negligence and money or debt issues were most likely to still be ongoing (39%, 37% and 35% respectively on-going).

The mean duration of concluded issues was 13.8 months although there was a lot of variation in the amount of time an issue continued. For concluded issues, 50% had lasted between 0–3 months, for 24% it lasted 4 months to a year, for 13% it lasted 1 – 2 years, for 10% it lasted 2-5 years and for 5% it lasted over five years.

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35 Issues were categorised as concluded where respondents reported the issue to be ‘over’ or ‘most likely’ now over while ongoing issues were those that were ‘still ongoing’ or where respondents reported it was ‘too early to say’.

36 It should also be noted that 27% issues overall were still ongoing.
For the 27% of issues still on-going at the time of the survey, durations were determined from the problem start date and the date of interview. Average duration for ongoing issues was 31.8 months, with 14% lasting 0-3 months, 28% lasting 4 months to a year, 21% for 1-2 years, 26% 2-5 years, and 11% for 5 years or more.

Issues which were more likely to have longer average durations included issues to do with children (39.6 months), problems with squatters (52.2 months), domestic violence (44.4 months), immigration (37.4 months), mental health (35.6 months), clinical negligence (32.8) and discrimination (32.2 months).

Issues which respondents perceived as having high severity (score 11-20) were more likely to have longer durations than low severity ones (scores 1-10). The mean duration of high severity issues was 22.8 months compared to 13.3 months for low severity issues, whilst 26% of high severity issues lasted 2 or more years compared to 13% of low severity ones.

4.8.1 How issues conclude

For all issues which had concluded, respondents were asked to identify the descriptor which best described how the issue had ended, choosing from a predetermined list. Figure 4.5 outlines how these issues were deemed to have been concluded (by the respondent’s own interpretation of conclusion). Concluded issues were most likely to have ended ‘through agreement directly with the other side’ (26%) or were ‘resolved as the tasks completed (22%) i.e. (transactional steps were now over). Seven percent of issues concluded with a ‘decision of a court or tribunal’.

Issues of different types were more or less likely to conclude in different ways. Issues were more likely to conclude in a court or tribunal if they involved a problem with a tenant (13%), a problem with squatters (21%), involved repossession or eviction (22%), issues following relationship breakdown (15%), involved children (23%), where the respondent had been arrested (43%), was related to being injured at work (11%), involved unfair police treatment (19%), welfare benefits (14%), immigration (17%), domestic violence (13%) or concerned divorce or dissolution of a civil partnership (44%).

Problem areas where issues were more likely to end with agreement being reached directly with the other side (average of 26%) included consumer issues (52%), road traffic accidents (34%) and problems with tenants (31%). Some issues were resolved simply with tasks being completed (average of 22%), more likely in the case of conveyancing (32%), mortgaging (33%), probate (57%) and wills (57%). An independent third party decision (e.g. the police, a regulator, an ombudsman) was more likely for issues involving being arrested (13%), unfair treatment by the police (12%), planning (12%), neighbours (10%), problems with children (8%), road traffic accidents (9%), and discrimination (7%). Agreement reached through arbitration, mediation or conciliation was more likely for problems involving employers (10%), mental health (14%), squatters (17%), injury at work (11%), debt (8%), discrimination (10%) and problems with children (19%).

37 The options were: Decision of a court/tribunal; Decision/action of an independent third party (e.g. the police, a regulator, an ombudsman); Agreement reached through conciliation, mediation or arbitration sessions, hosted by an independent person/organisation; Agreement reached directly with the other side; Issue resolved as tasks completed; The other side acted independently to sort out problem or issue; You acted independently of the other side to sort out problem; The problem sorted itself out without you or the other side doing anything; You ended the problem by moving away from it (e.g. leaving a job, moving home, etc.); You are just putting up with the problem; decided that it did not need to be dealt with; Other (specify)
Figure 4.5: **Description of how the problem or legal issue concluded**

QB11. Which of the following descriptions best describes how the problem or legal issue concluded?

- Agreement reached directly with the other side: 26%
- Issue resolved as tasks completed: 22%
- Decision of a court/tribunal: 7%
- I decided that it did not need to be dealt with: 7%
- Agreement reached through conciliation, mediation or arbitration sessions, hosted by an independent person/organisation: 5%
- You ended the problem by moving away from it: 5%
- The problem sorted itself out without you or the other side doing anything: 5%
- Decision/action of an independent third party: 5%
- You acted independently of the other side to sort out problem: 5%
- The other side acted independently to sort out problem or issue: 5%
- You are just putting up with the problem: 4%
- Dealt with by another organisation or individual: 1%
- Sought advice/professional advice: *%
- There was no problem or legal issue: *%
- Other: 1%
- Don’t know: 3%

*Base: All issues now over/sorted out (13059) Fieldwork dates: 1st October - 24th December 2015  Source: Ipsos MORI*
4.9 Strategies taken for dealing with issues

Respondents were asked which handling strategy best described how they dealt with their issue from a list of options. The strategy selected determined which set of remaining questions they would be asked in the survey. The most prevalent handling strategy was dealing with it ‘myself without help’ (31% of issues), followed by ‘obtained advice/assistance/help’ (30% of issues). For around one in eight issues (13%) respondents ‘did nothing or took no action’ while for 15% of issues respondents dealt with it ‘myself with the help of family/friends’. There were also issues which were handled with combinations of these strategies. In five percent of issues respondents tried to handle alone then obtained advice; in three percent of issues they tried to get advice but failed and then dealt with it themselves, and for two percent of issues they tried to get advice, failed and then did nothing.

Figure 4.6: Strategy undertaken to deal with issue or problem

Table 4.2 shows the demographic characteristics associated with each handling strategy. It outlines demographic groups which are more or less likely than average to adopt each strategy. It is important to note that within this analysis there are no controls by issue type so the variation in sub-group analysis will reflect the likelihood of experiencing different types of issues. This control is applied in the following chapter (Drivers of issues handling strategy) but it is still important for various reasons to identify the groups more or less likely to take different actions at the overall level, even if the demographic characteristic in itself is not the key driver for this variation. The table shows, for example, that men are slightly more likely to handle their issue alone without help (34% of issues compared with 31% of issues overall).
Table 4.2: Demographic characteristics of each handling strategy

<table>
<thead>
<tr>
<th>Strategy Taken</th>
<th>Statistically more likely to adopt strategy than average(^{18})</th>
<th>Statistically less likely to adopt strategy than average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Did nothing</td>
<td>Age: 17-24 (21%)</td>
<td>Age: 45-54 (11%)</td>
</tr>
<tr>
<td></td>
<td>25-34 (18%)</td>
<td>55-64 (10%)</td>
</tr>
<tr>
<td></td>
<td>35-44 (16%)</td>
<td>65+ (9%)</td>
</tr>
<tr>
<td></td>
<td>Asian/Asian British (18%)</td>
<td>Retired (9%)</td>
</tr>
<tr>
<td></td>
<td>Working full-time (15%)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Student (24%)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Long-term disability (14%)</td>
<td></td>
</tr>
<tr>
<td>Did nothing</td>
<td>Men (34%)</td>
<td>Women (29%)</td>
</tr>
<tr>
<td>(13% of issues)</td>
<td>Age: 65+ (37%)</td>
<td>Age: 17-24 (27%)</td>
</tr>
<tr>
<td></td>
<td>Retired (36%)</td>
<td>45-54 (29%)</td>
</tr>
<tr>
<td></td>
<td>No long-term disability (32%)</td>
<td>Permanently sick/disabled (23%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Temporarily sick (15%)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Long-term disability (29%)</td>
</tr>
<tr>
<td>Deal with it myself without help</td>
<td>Women (17%)</td>
<td>Men (13%)</td>
</tr>
<tr>
<td>(31% of issues)</td>
<td>Age: 17-24 (27%)</td>
<td>Age: 45-54 (14%)</td>
</tr>
<tr>
<td></td>
<td>25-34 (19%)</td>
<td>55-64 (13%)</td>
</tr>
<tr>
<td></td>
<td>Mixed (22%)</td>
<td>65+ (12%)</td>
</tr>
<tr>
<td></td>
<td>Asian/Asian British (21%)</td>
<td>Retired (12%)</td>
</tr>
<tr>
<td></td>
<td>Working full-time (16%)</td>
<td>Permanently sick/disabled (13%)</td>
</tr>
<tr>
<td></td>
<td>Unemployed (21%)</td>
<td>Long-term disability (14%)</td>
</tr>
<tr>
<td></td>
<td>Student (23%)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Temporarily sick (22%)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>No long-term disability (16%)</td>
<td></td>
</tr>
<tr>
<td>Deal with it myself with the help of</td>
<td>Women (17%)</td>
<td>Men (13%)</td>
</tr>
<tr>
<td>family/friends</td>
<td>Age: 17-24 (27%)</td>
<td>Age: 45-54 (14%)</td>
</tr>
<tr>
<td>(15% of issues)</td>
<td>25-34 (19%)</td>
<td>55-64 (13%)</td>
</tr>
<tr>
<td></td>
<td>Mixed (22%)</td>
<td>65+ (12%)</td>
</tr>
<tr>
<td>Obtained advice/assistance</td>
<td>Age: 45-54 (34%)</td>
<td>Age: 17-24 (15%)</td>
</tr>
<tr>
<td>(30% of issues)</td>
<td>55-64 (36%)</td>
<td>25-34 (24%)</td>
</tr>
<tr>
<td></td>
<td>65+ (35%)</td>
<td>Mixed (23%)</td>
</tr>
</tbody>
</table>

\(^{18}\) Statistical testing applied at a 95% confidence level.
Whilst the questionnaire outlines seven strategies, as outlined in figure 4.6 and table 4.2 above, analytically these issues are presented in five broad groupings throughout the following sections of this report: 1) issues where advice was used (including when attempted to handle alone first){39}; 2) issues which were handled alone (including with friends and family){40}; 3) issues where nothing was done; 4) issues where advice was unsuccessfully sought so handled alone and 5) issues where advice was unsuccessfully sought (including when nothing was done afterwards).

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{39} Chapter five breaks 'advice' down further by the different types of advisor used.

{40} Some questions in chapter 6 include questions which were not asked to respondents who resolved their issues with friends and family (i.e. they were handled alone without help from friends or family)
4.10 Qualitative insight into how strategy decisions were made

In order to provide some further insight into the reasons behind the strategies taken, the 29 qualitative interviews also explored how participants approached problem solving generally. The first step typically involved an attempt to resolve an issue on their own by researching information via online sources. This was often described as a ‘fact finding process’ in order to make a decision on what further action to take or identify the need for further help and advice. Overall there was a general preference for trying to resolve a situation informally before asking or seeking others for advice and information.

Friends and family were an important source of support in providing a sounding board for checking advice and information gleaned from online searches. However, the usefulness of taking direct advice on actions and strategies from friends and family to resolve an issue was seen as limited because they could only typically provide generalist advice (unless they had themselves had professional expertise or experience of that specific issue).

The decision on whether or not to seek advice or support from external or official services or agencies was dependent on the perceived seriousness of the issue and/or level of expertise needed to understand and solve the issue. Participants discussed seeking professional support immediately if an issue was deemed too ‘complex’ or ‘specialist’. Others discussed seeking such advice after experiencing challenges interpreting and understanding online information about their legal rights.

Some participants with lower levels of legal capability discussed barriers to professional advice including limited awareness or confidence in accessing them. This was the result of factors such as low self-confidence in asking for advice, not knowing where and how to access relevant support and the expected high financial cost of some support or specialist advice services.

“It’s ok [online searches] but if you don’t really know what you are talking about it doesn’t always make sense. It’s not always what is written in the law, it is how it is interpreted. It doesn’t always fully answer your questions”

(Consumer issue, High Legal Capability, 25-40 years old)

The types of specialist or expert advice accessed included GPs and health professionals, financial advisers, Citizen Advice Bureau and local advice and support services for specific issues (e.g. for issues of domestic violence and debt). For some participants who had high levels of legal capability, advice via support or advocacy services was viewed as more appropriate to people who were more vulnerable or had financial difficulties. Participants also discussed more generally the challenges in accessing support services because of long waiting lists and inconvenient opening hours, an issue highlighted as relevant to both Not for Profit organisations and regulated legal professionals.

Some participants had accessed online forums in the past to support decision making on appropriate strategies to take to resolve an issue. Online forums allowed people to access information about other people’s experiences of settling an issue and had the advantage that they could facilitate learning from others and provide answers to specific questions via forum chat boards and private messaging.
5. Drivers of issue handling strategies
5 Drivers of handling strategies

This section sets out the findings of a detailed statistical analysis of the survey data used to identify what factors drive the selection of issue handling strategies. It outlines the sample of issues included in the analysis and the form of analysis undertaken. The section then discusses those factors found to be most associated with the selection of handling strategy and provides more detailed illustrations of the findings.

5.1 5.1 Approach to modelling Legal Issue Handling Strategies

In chapter 4 some preliminary associations between demographic characteristics and issue handling strategies were set out. However, these associations are based on bivariate analysis which shows correlation; the limitation of associations identified in this way is that the relationship between two variables may arise because of variation in a third variable. For example, while age may be correlated with specific handling strategies, this may reflect the fact that older people are more likely to experience particular issues and it is differences in those issues, not age per se, which are causing variations in the handling strategies. Multivariate analysis allows the isolation of the effect of any one factor on issue handling strategy, while holding other factors constant, in other words, controlling for the other things which might drive handling strategy. Therefore, it allows the effect of each variable to be independently examined.

The statistical analysis presented here uses multinomial logistic regression. Logistic regression is used to explore the relationships between variables when the variables are categorical, that is when the variable can be organised into a number of groups, or categories. Examples of categorical variables include handling strategy, employment status, educational qualifications, and family type. Multinomial logistic regression is an extension of logistic regression that allows for more than two categories of the dependent variable. Since issue handling strategy can take a number of different forms the analysis presented uses multinomial (as opposed to binary) logistic regression.

In the model presented here, issue handling strategy (the dependent variable) takes one of five forms. The five categories used for the modelling differ slightly from the handling strategies described elsewhere in the report. The primary difference is that advice seeking has been subdivided to allow the identification of factors which might be associated with advice seeking from particular sorts of service providers. The five strategies are: (1) ‘do nothing’, (2) ‘handle alone or with informal help’, (3) ‘obtain help from a legal professional’, (4) ‘obtain help from the advice sector’, and (5) ‘obtain other advice’. For the purposes of the analysis, legal professionals include solicitor, barrister, licensed conveyancer, notary, trade mark attorney, patent attorney, costs lawyer, other lawyer, employment adviser, immigration adviser, probate practitioner, or a chartered legal executive. Advice sector advice includes advice from Citizens Advice Bureaux, Law Centres and other formal advice agencies. ‘Other advice’ is defined as advice from the local council, trade unions, public bodies, national or local charities, specialist will-writer, the police, employers, insurance companies, a doctor or health care worker, a Jobcentre, a social worker, an MP or local councillor, an accountant, the bank or building society, a financial advisor, a

41 Other research using a similar analytical approach to understand the resolution of legal problems can be found in Pleasence, P.T. and Balmer, N.J. (2014). How People Resolve ‘Legal’ Problems. London: Legal Services Board.

42 Individuals providing advice in CABs, Law Centres and other formal advice centres may well be qualified legal professionals, and the groupings used for the analysis are not intended to imply otherwise. The ‘advice sector’ is loosely defined to reflect not-for-profit advice providers.
trust corporation, a claims management company, a McKenzie Friend, a court assistant, use of online service/company for advice, and business/or HR consultancy.

The model includes a set of explanatory, or predictor, variables which are factors which might drive handling strategy. They comprise demographic variables, resource variables, and issue variables.

Demographic variables included gender and ethnicity. Resource variables, which were all variables which might be thought of as potentially affecting the capacity of an individual to handle an issue, included age, housing tenure, family type, employment, educational qualifications, income, knowledge of rights, and legal aid scope for financially eligible respondents. Issue factors included issue type, issue characterisation and issue severity, this derived from respondents’ self-reported perception of how serious they felt their issue to be. The model was estimated using 16,516 issues.

5.2 Summary of analysis

The factors most influential on issue handling strategy were issue type, characterisation of an issue as ‘legal’ and perceived issue severity. In addition, some demographic and resource factors were also found to be significantly associated with how issues were handled by respondents. Figure 5.1 summarises the key differences among the strategies with reference to their relative magnitudes, with full details of individual factors set out in the following subsections Overall, the model predicts that the probability of adopting the respective strategies for the ‘average’ person in the dataset would be 14% ‘do nothing’, 57% handle alone or with informal help, 10% advice from a ‘legal professional’, 5% advice sector advice and 13% ‘other advice’. The table highlights those factors which would produce the greatest difference from these values for individual characteristics and strategies.

43 The difference between this number and the 16,694 issues covered in the survey is accounted by the fact that data for all variables was not available for all issues and, where data were missing, the issues were excluded from the model dataset.
Figure 5.1: Summary of Model Results – Highlight of greatest predicted differences

<table>
<thead>
<tr>
<th></th>
<th>Do nothing</th>
<th>Handle alone or with informal help</th>
<th>Obtain help from a ‘legal professional’</th>
<th>Obtain help from the ‘advice sector’</th>
<th>Obtain ‘other advice’</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ethnicity</strong></td>
<td>'Mixed or other' -</td>
<td>'Mixed or other' ++ Asian+</td>
<td>'Mixed or other' – Asian</td>
<td>Black+</td>
<td></td>
</tr>
<tr>
<td><strong>Age</strong></td>
<td>Under 24+ 25-34+ 55-64 - 65-74 -</td>
<td>Under 24++ 25-34+ Over 75+ 45-54 - 55-64 -</td>
<td>55-64+ 65-74+ Under 24 - 25-34 -</td>
<td>Under 24 - 55-64+ Under 24 - 25-34 - Over 75 -</td>
<td></td>
</tr>
<tr>
<td><strong>Educational qualifications</strong></td>
<td>None+</td>
<td>None -</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Knowledge of Rights</strong></td>
<td>No knowledge+++ Good level of knowledge - Limited -</td>
<td>Good level of knowledge++ No knowledge -</td>
<td>No knowledge -</td>
<td>Limited+</td>
<td></td>
</tr>
<tr>
<td><strong>Perceived severity</strong></td>
<td>Not severe ++ Very severe -</td>
<td>Mildly severe+ Very severe -</td>
<td>Very severe++ Not severe -</td>
<td>Not severe - Very severe+ Moderately severe+ Not severe -</td>
<td></td>
</tr>
<tr>
<td><strong>Legal characterisation Housing issues</strong></td>
<td>Legal -</td>
<td>Not legal+ Legal -</td>
<td>Legal+++ Not legal -</td>
<td>Legal +</td>
<td></td>
</tr>
<tr>
<td><strong>Relationship and family issues</strong></td>
<td>Domestic violence+ Relationship breakdown+ Divorce - Probate - Children -</td>
<td>Divorce -</td>
<td>Divorce+++ Probate+++ Children+ Relationship breakdown++</td>
<td>Domestic violence - Divorce- Children+ Divorce - - Probate - - Relationship breakdown - -</td>
<td></td>
</tr>
<tr>
<td><strong>Consumer and transaction issues</strong></td>
<td>Consumer - - Wills -</td>
<td>Consumer+++ Wills - -</td>
<td>Wills+++ Consumer - - Debt - -</td>
<td>Debt +++ Consumer + Wills -</td>
<td></td>
</tr>
<tr>
<td><strong>Injury and negligence issues</strong></td>
<td>Injury at work+++ Personal injury+++ Clinical negligence+++ Unfair treatment by police+++ Mental health+++</td>
<td>Injury at work - - Personal injury - - Clinical negligence - - Unfair treatment by police - - Road traffic accident - - Mental health - -</td>
<td>Clinical negligence+++ Unfair treatment by police+ Injury at work + Road traffic accident ++ Personal injury++</td>
<td>Mental Health+ Road traffic accident- Unfair treatment by police- Personal injury-</td>
<td>Road traffic accident+++ Personal injury - - Unfair treatment by police - Clinical negligence -</td>
</tr>
</tbody>
</table>
Note: The table highlights characteristics which are associated with a level difference in the predicted probability of a strategy compared to the ‘average’ values for all respondents and issues.

++ The predicted probability is 2-5% higher than the average
++ The predicted probability is 5-10% higher than the average
+++ The predicted probability is 10% plus higher than the average.
- The predicted probability is 2-5% lower than the average
-- The predicted probability is 5-10% lower than the average
--- The predicted probability is 10% plus lower than the average

Advice from a legal professional was most likely for issues concerning conveyancing, wills, divorce or dissolution of civil partnerships, probate, and being arrested; from the advice sector for debt, and from other advisors for issues concerning road traffic accidents and neighbours. Doing nothing was most strongly associated with issues of personal injury, clinical negligence, injury at work, unfair treatment by the police, and discrimination while handling alone or with informal help was most closely associated with consumer issues. Issues characterised as ‘legal’ were far more likely to be handled with advice, especially from a legal professional but also from the ‘other advice’ sector. As issue severity increased, the likelihood of people doing nothing declined and getting help from all advisor types increased.

Where respondents felt they had no knowledge of their legal rights at the start of their issue, they were more likely to do nothing while those with good knowledge were more likely to handle their issues alone or with informal help. Respondents with no educational qualifications were more likely to do nothing. Younger respondents were more likely to do nothing about issues, mainly at the expense of seeking help while older respondents made greater use of advice from legal professionals.

5.3 Detailed findings

In this section we discuss those factors most associated with issue handling behaviour, as identified by multivariate analysis. Full details of the model are provided in Appendix A. To make interpretation of the model results more straightforward, illustrations are generally provided where the model has identified factors which have a statistically significant association with issue handling strategy.\(^{44}\) The data for the illustrations are derived from the model which is used to generate predictive probabilities of each handling strategy; the full set of predictive probabilities are provided in Appendix B.

The figures provide the most direct way of showing how the different variables relate to strategy as they show how the propensity to handle an issue is affected with variation in the factor under consideration, for example age, having controlled for all other factors. The figures show how the likelihood of following each strategy varies with different values of the predictor variables. For ease of reference, the probability of each strategy for the ‘average’ person in the dataset is shown in the chart labels.

\(^{44}\)Statistical association is measured with a Wald test, and illustrations are generally provided for all variables where testing whether the parameters for a particular variable are jointly equal to zero produced a p-value less than 0.05. Where the variation in the tendency towards the different handling strategy is not very large no chart is provided.
5.3.1 Demographic Factors

There was some evidence that gender was associated with issue handling strategy. Compared to female respondents, male ones were somewhat less likely to seek help from a legal professional and less likely to seek ‘other advice’, and somewhat more likely to ‘do nothing’ or ‘handle alone or with informal help’, though the magnitude of those differences between males and females were not very large. Ethnicity also had an association with how respondents handled their legal issues, with respondents from a ‘mixed or other’ ethnic background less likely to ‘do nothing’ or seek advice from a ‘legal professional’ and more likely to handle ‘alone or with informal help’. Asian respondents were also somewhat more likely to ‘handle alone or with informal help’ at the expense of seeking advice from a ‘legal professional’. Black respondents tended to use ‘other advice’ more than other ethnic groups. Figure 5.2 shows the effect of ethnicity on strategy having controlled for other factors.

Figure 5.2: Issue handling strategy by ethnicity, controlling for other variables.

---

45 ‘Testing the gender model terms together, $\chi^2 = 11.3, \ p = 0.02$’

46 The probability of a male seeking advice from a legal professional was 9.7% and that of a female was 10.3%.

47 ‘Testing the ethnicity model terms together, $\chi^2 = 34.2, \ p = 0.005$’
5.3.2 Resource Factors

Generally age was strongly associated with strategy; the relationship between age and handling strategy is shown in Figure 5.3. Generally speaking, the tendency towards ‘doing nothing’ declined among older age groups. Those under the age of 35 were more likely to ‘do nothing’ and also more likely to ‘handle alone or with informal help’. Respondents in the ‘45-54’ and ‘55-64’ age groups were somewhat less likely to handle their issues ‘alone or with informal help’ while respondents in the age groups ‘55-64’ and ‘65-74’, were more likely to seek advice from a ‘legal professional’.

Figure 5.3: Issue handling by age, controlling for other factors

---

48 ‘Testing the age model terms together, \( \chi^2 \) \( \text{df} = 20 \), \( p < 0.001 \)’
Controlling for other factors, there was an association between educational qualifications and strategy[^49] as shown in Figure 5.4. Respondents with no educational qualifications were more likely to ‘do nothing’ or to seek advice from the ‘other advice’ sector. They were correspondingly less likely than other groups to handle an issue ‘alone or with informal help’.

**Figure 5.4: Qualifications and Issue handling, controlling for other factors**

[^49]: Testing the educational qualifications model terms together, $\chi^2 = 19.8, p = 0.01$
Perceived knowledge of rights was also strongly associated with how respondents handled their issues\(^{50}\). Respondents categorised as having a good level of knowledge (who stated that they knew ‘completely or mostly’ what their legal rights were) at the outset of their issue, were more likely to handle issues ‘alone or with informal’ and somewhat less likely to ‘do nothing’. Those who professed ‘no knowledge’ were much more likely to ‘do nothing’ about an issue and were correspondingly less likely to ‘handle alone or with informal help’. Respondents who reported that they had ‘limited’ knowledge of their legal rights when their issue started were somewhat more likely to seek advice from the ‘other advice’ sector. Figure 5.5 illustrates the relationship between respondents’ beliefs about their knowledge of rights and overall handling strategy.

**Figure 5.5: Overall handling strategy and knowledge of rights, controlling for other factors**

In addition to the factors discussed, a number of other factors were also found to have a significant association with handling strategy. However, as the magnitude of the differences in the predicted probabilities across handling strategies and subgroups for the factors are not large, the predicted probabilities are not illustrated. These factors included household income, family type and housing tenure. The data indicate a relationship between household income and strategy\(^{51}\). Controlling for all other variables, respondents with household incomes ‘up to £31,999’ were somewhat less likely to seek advice from a ‘legal professional’ and were correspondingly somewhat more likely to ‘do nothing’. Family type also had a statistically significant association with handling strategy\(^{52}\). Lone parents were somewhat less likely to ‘do nothing’ and more likely to seek advice from the ‘other advice’ sector. Single respondents were somewhat less likely to seek help from a legal professional and were correspondingly more likely to ‘do nothing’ or handle ‘alone or with informal

\(^{50}\) ‘Testing the educational qualifications model terms together, \(\chi^2 = 19.8, p = 0.01\)’

\(^{51}\) ‘Testing the income model terms together, \(\chi^2 = 34.9, p < 0.001\)’

\(^{52}\) ‘Testing the family type model terms together, \(\chi^2 = 24.5, p = 0.018\)’
help’. Housing tenure was also found to have an association with strategy. Owning outright or buying a home was associated with a greater tendency to get advice from a ‘legal professional’.

A couple of other resource factors included in the model were found to have had little or no impact on handling strategy. Having controlled for other factors the employment status of respondents had little association with strategy. Similarly, having controlled for other factors, whether an issue experienced by a financially eligible respondent was within or outside the scope of the legal aid scheme was not significantly related to issue handling strategy. This does not mean that there is no relationship, just that statistical significance has not been achieved. As will be discussed below, variations in handling strategy are very strongly affected by issue type and the effect of legal aid scope on handling strategy may be masked by the magnitude of these issue effects, especially if the effect of scope varies by issue type.

5.3.3 Issue Factors

The characterisation of an issue as ‘legal’ was significantly related to respondents’ strategy which can be seen in Figure 5.6. Where issues were characterised as ‘legal’, respondents had a higher likelihood of seeking advice from the ‘other’ advice sector and a much greater tendency to seeking help from a ‘legal professional’. Issues not characterised as ‘legal’ were associated with much higher rates of handling alone.

Figure 5.6: Strategy and ‘legal’ characterisation of issues, controlling for other factors

53 Testing the tenure model terms together, \( \chi^2 = 23.1, p < 0.001 \)
54 Testing the employment model terms together, \( \chi^2 = 9.4, p = 0.31 \)
55 Testing the scope model terms together, \( \chi^2 = 3.034, p = 0.55 \)
56 While in theory the interaction between scope and issue type can be tested, the number of issues of each specific type in the current dataset is simply not large enough for the effects to be examined at this level. While there are 29 broad issue areas, 16 of these areas comprise 112 subissues. and of these, 56 sub-types fell within the legal aid scheme at some point over the reference period of the survey.
57 Testing the legal characterisation model terms together, \( \chi^2 = 569.6, p < 0.001 \)
Respondents were asked to rate the severity of the issue they were experiencing on a scale of 1 to 20 where 1 was the least severe and 20 the most severe, producing a subjective severity measure for each legal issue. This severity score was entered in the model with scores of 1-5 categorised as ‘not at all severe’, scores ‘6-10’ as ‘somewhat severe’, scores ‘11-15’ as ‘moderately severe’ and scores ‘16-20’ as ‘very severe’. There was a strong association between how respondents handled their issues and perception of severity, with severity being a highly significant predictor of strategy. Increased issue severity was associated with a strongly positive increase in the likelihood of taking action, with an increasing tendency towards seeking advice. Going from the most severe to the least severe issues was associated with a doubling in the rate of inaction (from 11% to 20%) and approximately a halving of the use of any advice (39% to 21% when combining other advice, legal professional and advice sector). Moderately severe issues led to an increase in the likelihood of advice from the ‘other’ advice sector. Respondents with ‘very severe’ issues were more likely to seek advice from a ‘legal professional’ and to some extent from the ‘other advice’ sector as is shown in Figure 5.7.

Figure 5.7: Perceived issue severity and issue handling strategy, controlling for other variables

Issue type was a highly significant factor in determining issue handling strategy, having controlled for a range of other variables. Figures 5.8 through to 5.12 show how strategy varied across issue type, deriving the results from the model and controlling for all other variables. The survey gathered data on 29 issue types and for ease of presentation, these types are grouped in the figures into five broad areas; housing issues, relationship and family issues, consumer and transactional issues, injury and negligence issues, and citizenship and work issues.

Commencing with housing issues, the figure shows the variation across strategies for issues of different types. Comparatively high rates of obtaining advice from a ‘legal professional’ were found for conveyancing, remortgaging and

58 ‘Testing the perceived severity model terms together, $\chi^2_{12} = 337.8, p < 0.001$’
59 ‘Testing the issue type model terms together, $\chi^2_{112} = 2684.1, p < 0.001$’
other problems with an owned home. Advice from a legal professional was less frequent for homelessness, problems with a landlord, planning and repossession or eviction which were issues where there was a higher tendency to handle ‘alone or with informal help’. Problems with a landlord were also associated with a greater tendency to ‘do nothing’; There was a greater tendency towards the ‘other advice’ sector for planning issues, re-mortgaging or transfer of equity, homelessness, tenant, and repossession or eviction issues. Doing nothing was less likely for planning and tenant issues and in the latter case was associated with an increased likelihood of handling ‘alone or with informal help’.

**Figure 5.8: Housing issues and handling strategy, controlling for other factors**
Looking across issues within the relationship and family subgroup there were some notable differences in strategy, controlling for other factors as shown in Figure 5.9. Low rates of ‘doing nothing’ were observed for divorce or dissolution, probate and issues related to children while the ‘other advice’ sector was important for children issues. Advice from a ‘legal professional’ was more common in relation to divorce and dissolution, probate, relationship breakdown and children issues. There was an increased tendency towards ‘doing nothing’ for domestic violence and relationship breakdown issues.

Figure 5.9: Relationship and family type issue and handling strategy, controlling for other factors
Strategies also varied considerably across issues in the consumer and transactional subgroup. The ‘advice sector’ was observed to be particularly important to the handling of debt and money issues but was also relevant for consumer issues. A high percentage of consumer issues tended towards being handled ‘alone or with informal advice’ while issues with wills tended towards advice from a ‘legal professional’.

Figure 5.10: Handling strategy consumer and transactional issues, controlling for other factors

Among those issues related to injury and negligence there were marked differences in handling strategy, shown in Figure 5.11. The highest tendency towards ‘doing nothing’ were observed for clinical negligence, personal injury, unfair treatment by the police, injury at work and mental health issues, having controlled for other factors. Highest percentages of ‘other advice’ were observed for road traffic accidents, while there was an increase in ‘advice’ sector advice in relation to mental health issues. The likelihood of seeking help from a ‘legal professional’ was higher for issues concerning road traffic accidents, clinical negligence, and personal injury.
Figure 5.11: Handling strategy for injury and negligence issues, controlling for other factors

As can be seen from Figure 5.12 issue handling strategies varied considerably across issues falling within the subgroup of citizenship and work. Welfare benefits issues were associated with low rates of ‘doing nothing’ and higher rates of advice from the ‘advice sector’ and somewhat higher rates of handling alone. Not surprisingly, high rate of advice from a ‘legal professional’ was observed where respondents had ‘been arrested’. The ‘other advice’ sector was particularly important for neighbours and employment issues. There was a high rate of inaction for discrimination issues and also for immigration but where respondents did seek advice for the latter, help from a ‘legal professional’ was observed to be important.

Figure 5.12: Citizenship and work issues and handling strategy, controlling for other factors
The statistical modelling identified some influential factors that drive issue handling strategy, but a final caveat should be noted. By their very nature, all statistical models can only include a finite number of predictor variables which will be limited in part by data availability on variables of interest. So variation in strategy attributed to an included predictor variable may arise because it is correlated with something which has been omitted. For example, the association between ethnicity and strategy discussed above may in part reflect the geographic availability of services which is likely to be correlated with ethnicity. In such a situation it may be very difficult to separate out the impact of ethnicity as such from another variable or variables with which it is highly correlated.
6. Inaction and handling issues alone or with informal support
6 Inaction and handling issues alone or with informal support

This section explores the reasoning behind respondents’ decisions to handle issues alone, handle issues with friends and family or do nothing about the issue. It looks at factors such as cost, information sought before choosing the strategy and perceptions towards advisors.

6.1 Handled alone or with friends and family (46%)

Among the issues covered in the survey, 46% of issues were handled alone or with the help of friends and family. Around three in ten (31%) of the issues reported in the survey were handled by the respondent alone; a further 15% were dealt with help from friends or family (informal help).

6.1.1 Reasons for handling alone and confidence in ability to do so

Figure 6.1 outlines the main reasons respondents cited as to why they chose to deal with the issue either on their own or with the help of family or friends. Of the group who handled the issue alone (4,913 issues) not including those who got help from family and friends), the most common reasons given for dealing with the issue alone were that the participant was confident they could handle it themselves (24%) or did not think the issue would be difficult to resolve (23%).

Figure 6.1: Main reason for dealing with issue on own or with friends or family

Looking at who handled the problem alone, men were more confident that they could handle issues alone (26%) compared with women (22%). Adults whose first language was not English were less confident with only 7% saying they felt able to deal with the issue themselves.
6.1.2 Help received from family and friends

Most friends and family who helped with issues were not a lawyer, a law teacher or from an organisation which provided legal advice (72%). However, as outlined in figure 6.2 in around a quarter of issues (23%) where help from friends/family was received, the persons providing help had some experience of the law.

Figure 6.2: Friends or family with a legal background

QG2. Did any of the family/friends who helped you ever work as one of the following?

- In an organisation that provides legal advice: 12%
- A lawyer: 10%
- A law teacher: 5%
- Don't know: 4%
- None of these: 72%

Base: All issues dealt with by respondent with help from family and friends (2606): Fieldwork dates: 1st October - 24th December 2015

5 additional respondents answered this question as their responses were not classified at QC1
6.1.3 The impact of cost as a reason for handling alone

The following findings cover issues that were handled alone (without help from friends and family). Around one in ten issues (9%) were handled like this because respondents were concerned that solving the legal need would cost too much. This concern was particularly common for issues where respondents were Black and Black British (25%) and for issues where respondents did not speak English as a first language (16%). These will reflect the variances in the types of issues experienced of different audiences.

For issues where it was thought costs would be too high, in more than half (52%) of cases respondents were concerned about the costs of advisors’ fees and in 28% of issues they were concerned about the cost of court fees. This concern was felt across all issue areas, with no significant differences. The cost of the individual’s time was less of a concern. In around one in ten issues, respondents were concerned about the cost of time in communicating with an advisor and in 5% of issues they were concerned about the time away from work.

Figure 6.3: Aspects of cost that were perceived too much for issues handled alone (not including family and friends)

<table>
<thead>
<tr>
<th>Aspect</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost of the advisor’s service</td>
<td>52%</td>
</tr>
<tr>
<td>Cost of court fees</td>
<td>28%</td>
</tr>
<tr>
<td>Cost of my time in communicating with an advisor</td>
<td>10%</td>
</tr>
<tr>
<td>Cost of having to take time off work</td>
<td>5%</td>
</tr>
<tr>
<td>All of the above</td>
<td>2%</td>
</tr>
<tr>
<td>Other</td>
<td>1%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>2%</td>
</tr>
</tbody>
</table>

Source: Ipsos MORI
Base: All issues handled alone where respondent thought costs would be too much (488) Fieldwork dates: 1st October - 24th December 2015
Participants who handled issues alone and cited that the costs would be too much were also asked about what they did to find out about any potential costs. For three in ten issues (30%) respondents looked online for information about costs. For one in five issues (21%) respondents asked for advice from someone who had got similar help before. In around one in ten issues (11%) respondents contacted advisors directly for a quote or looked for prices on the high street (9%).

In around two in five issues (43%), where a respondent chose to handle the issue alone because they thought legal costs would be too much, the respondent in question did not look for information about costs in any of these ways. This subset was asked why they did not attempt to find what legal assistance would cost. For more than four in five of these issues (82%) respondents said that they assumed the costs would be too high and therefore did not look any further. For only 3% of these issues were respondents not able to find information on costs after looking.

Figure 6.4: Steps taken to find out about cost of advice amongst issues handled alone

QC2b. Did you do any of the following to find out about the potential costs of advice or assistance?

- Actively looked for prices online: 30%
- Asked someone I knew who had got similar advice before: 21%
- Contacted providers to ask about prices: 11%
- Actively looked for prices on the high street: 9%
- None of the above: 43%

QC3. Why did you not find out about the potential costs of advice or assistance?

- I assumed the cost would be too high so did not investigate further: 82%
- I looked but could not find the information on costs I wanted: 3%
- Other: 4%
- Don’t know: 11%

Source: Ipsos MORI
Base: All participants (xxx) : Fieldwork dates: 1st October - 24th December 2015

61 A single additional respondent answered this question as they were not shown QC1 due to survey edits while they completed the survey.
6.1.4 Looking for information about rights among those who handled alone

For around half of issues (49%) respondents who dealt with a legal issue themselves looked for information on how to deal with the issue. This was slightly more common for issues where respondents had an A-level education or higher (51%) or were self-employed (53%). People who spoke a first language other than English were also more likely to look up information on how to deal with the issue (55%). Participants were more likely to look for information on how to deal with the issue (53%) or on their rights (44%) when they regarded the issue as serious (as classified using the severity scale).

For 40% of these issues handled alone or with friends and family, respondents looked up information about their rights. For almost a quarter of issues (23%) documents that were needed to deal with the issue were obtained and in 23% of issues respondents looked for recommendations on how to deal with the issue. For one in six issues (17%) where a respondent obtained documents, they had been required to pay for those documents.

**Figure 6.5: Steps taken before handling issue on own**

<table>
<thead>
<tr>
<th>Step Description</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Look for information about how to deal with the issue</td>
<td>49%</td>
</tr>
<tr>
<td>Look for information about your rights</td>
<td>40%</td>
</tr>
<tr>
<td>Obtain documents needed to deal with the problem or issue</td>
<td>23%</td>
</tr>
<tr>
<td>Look for recommendations about how to deal with the problem or issue</td>
<td>23%</td>
</tr>
<tr>
<td>Did you have to pay for any of the documents you obtained to deal with the problem or issue?</td>
<td>17%</td>
</tr>
</tbody>
</table>

**6.2 Qualitative findings exploring perceptions among those handling alone or with friends or family**

Participants in the qualitative research who handled the issue alone tended to do so because of their perception of the issue as relatively low seriousness and/or a higher level of confidence that they would be able to resolve the issue without support or guidance. Typically, these were consumer issues which involved a complaint to a company or manufacturer for refund or exchange of a faulty item. These participants tended to describe the decision making strategy as clear cut and straightforward because they understood that they had consumer rights which were set out in a receipt or guarantee received when buying the items. However, this did not necessarily mean that all participants were entirely confident of their legal rights and perceptions of consumer rights were not necessarily viewed as the same as legal rights.
“On the legal side of things I was not confident at all. I just knew I had the right to exchange it”.

(Consumer issue; Low Legal Capability, 41-55 years old)

Participants tended to discuss their issue with family members and friends, but this was driven more by a need to check their understanding and assumptions rather than asking for advice to resolve the issue. Some decisions to not take advice were driven by a perception that there was no viable support available because their issue would not be seen as a serious issue by support services and legal professionals and/or a perception that they had limited legal rights in relation to the issue. There was one specific example whereby a participant did not think he was entitled to legal support to resolve a relationship breakdown because he was not married and that his issue would not be taken seriously by legal professionals.

“I didn’t think there was any support because I was just in a relationship. It wasn’t a marriage or an engagement. It was a serious relationship but there was no signing on the dotted line. I didn’t think we could get help”.

(Relationship issue, Low Legal Capability, 41-55 years old)

6.2.1 Expectations of handling alone; perceived difficulty

In the survey respondents who handled their issue alone or with friends or family were asked how easy or difficult they felt it would be before they started. In around a third of cases, respondents said they thought it would be easy (35%) while in a quarter of issues (25%) it was felt it would be difficult from the outset. Issues which were most likely to be identified as being difficult to handle alone were homelessness (58%), domestic violence (53%), issues following a relationship breakdown (45%) and clinical negligence (43%). Figure 6.6 shows that the proportions who then say that dealing with the issue alone was actually either easy or difficult closely mirror those for expectations (38% found it easy, compared with 28% who found it difficult once they had actually started dealing with the issue).

Figure 6.6: Belief in how easy or difficult it would be to handle the issue alone

QC6. Thinking about dealing with the problem or issue yourself how easy or difficult did you think it was going to be to deal with your problem or issue before you started?

QC7. Thinking about once you started dealing with the problem or issue yourself, actually, how easy or difficult was it?

![Belief in how easy or difficult it would be to handle the issue alone](chart.png)
6.3 Those who did nothing to resolve their issue (13%)

Among the issues covered in the survey, respondents did nothing to deal with 13% of them (2,315 issues).

The most common reason given for not taking any action was “I thought nothing could be done” (given for 27% of issues). The next most common reasons, each cited in 11% of cases, were “I was waiting to see what might happen next” and “the problem was resolved.”

Figure 6.7: Reasons for doing nothing about issue

The likelihood of respondents doing nothing because they thought nothing could be done was highest for mental health issues (50%). Almost half (46%) of police misconduct issues, 42% of discrimination issues, and 38% of cases where respondents had trouble getting the right welfare benefits were not dealt with because the respondent felt there was nothing which could be done.

Some vulnerable groups were particularly likely to cite a belief that nothing could be done about their issue. Respondents who were permanently sick or disabled cited this as the key barrier in 40% of cases, 13% points higher than overall.

Among those issues where no action was taken younger age groups more frequently reported waiting to see what would happen next, (14% of 18-24 year olds vs. 11% overall.
6.3.2 The importance of costs among those who did nothing

In 5% of cases where nothing was done cost was cited as the main reason (mentioned in 110 cases). This compares with nine percent among issues handled alone or with help from friends or family (as highlighted previously in this chapter). Amongst issues where nothing was done and where cost was a factor, each prompted aspect of cost was mentioned more frequently than issues which were handled alone as outlined previously in this chapter. In just over half of these 110 issues (57%) respondents said that they thought the cost of the advisor’s service would be too much, while in 45% of cases they said the cost of court fees was prohibitive.

Figure 6.8: Aspects of cost that were thought too much for issues where nothing was done

QD2. What aspects of costs did you think would be too much?

<table>
<thead>
<tr>
<th>Cost</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cost of the advisor’s service</td>
<td>57%</td>
</tr>
<tr>
<td>Cost of court fees</td>
<td>45%</td>
</tr>
<tr>
<td>Cost of having to take time off work</td>
<td>19%</td>
</tr>
<tr>
<td>Cost of my time in communicating with an advisor</td>
<td>19%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>13%</td>
</tr>
</tbody>
</table>

Base: All issues where respondent did nothing because they thought it would cost too much (110): Fieldwork dates: 1st October - 24th December 2015

When looking at issues where the respondent thought it would cost too much to get advice or assistance, in almost a quarter of cases (24%) respondents said that they had asked someone they knew who had got similar advice before and in a fifth of issues (21%) they looked for prices online. In one in ten cases issues the respondent contacted providers to ask about prices and in 5% of issues they looked for prices on the high street.

In over four-in-ten (44%) of 46 issues where costs were identified as the key barrier the respondent did not find out about the potential costs of advice or assistance. Among these 46 issues, for 63% of them respondents said that they assumed costs would be too high and so did not investigate any further while for 2% of issues they said they were unable to find the information on costs that they wanted. These findings should be viewed in the context that they represent just 46 of the 2,315 issues where respondents did nothing.
6.3.3 Actions taken before deciding to do nothing

Respondents were asked what action they took before deciding not to act on their issue. For almost a quarter (23%) of issues respondents said that they looked for information about their rights and in a fifth (19%) of cases said that they looked for information about how to deal with the issue. Both of these actions were more common for issues where respondents had an A level qualification or higher; with 25% of issues they looked for information about their rights and in 22% they looked for information on how to deal with the issue compared to 21% and 14% of issues respectively where respondents had a lower level of educational attainment.

These levels of engagement with looking at options were lower than amongst those who handled their issue alone, as covered previously in this chapter.

In almost a quarter (24%) of issues where the respondent did nothing to deal with it, they reported obtaining documents that were needed to deal with the issue. Obtaining documents was more common for issues that were perceived to be severe (32%) than those perceived to be of low severity (14%).
Figure 6.10: Looking for information about dealing with issue before doing nothing

QD5. Before deciding to do nothing about your problem or issue did you do any of the following?

- Look for information about your rights: 23%
- Look for information about how to deal with the problem: 19%
- Look for recommendations about how to deal with the problem: 9%
- Obtain documents needed to deal with the problem: 6%
- None of the above: 59%

QD5a. Did you have to pay for any of the documents you obtained to deal with the problem or issue?

- Yes: 24%
- No: 68%

For one in nine issues where nothing was done (11%), respondents first looked online for prices and a similar number looked for services information (10%).

Figure 6.11: Actions taken before deciding to do nothing

QD6. Before deciding to do nothing about your problem or issue did you do any of the following?

- Looked for prices online: 11%
- Looked for services online: 10%
- Looked for recommendations online: 7%
- Looked for information about which services had the right expertise or experience for the problem/issue: 5%
- Looked for services on the high street: 4%
- Approached a number of providers to ask about prices: 3%
- Looked for information about how quickly services could be accessed: 3%
- Looked for services which had quality marks or other standards: 2%
- Looked for services which were regulated: 1%
- Looked for services which had professional indemnity insurance: 1%
- None: 70%
6.4 Tried to handle alone, then obtained help, advice or assistance (5%)

For some issues (823 issues in total) respondents tried to handle the situation alone, but then sought out and found help. When asked why they initially tried to handle the situation alone, in around one in seven issues (14%) respondents said they thought the issue would be easy to resolve and for 13% of issues they said they were waiting to see what would happen next. For 12% of these issues respondents said they were confident they could handle it alone, and respondents thought solving the issue would cost too much in 11% of cases.

For 14% of these issues respondents thought that dealing with it would be easy at the outset, while in 47% of cases they thought dealing with the issue would be difficult. For more than half of issues (55%), respondents said they actually found the process more difficult once they started.

Figure 6.12: Perception of issues as being easy or difficult before deciding to do nothing

6.5 Reasons for not considering getting help from a professional advisor

Respondents who had handled their issue alone or with friends and family or where they did nothing were asked a separate set of questions looking in more detail about specifically why they did not seek help from an individual defined in the survey as a ‘professional independent advisor’. For all issues where respondents had not considered getting help from a professional advisor they were asked to identify the reasons why and to rate how important those reasons were to them on a four point scale; ‘very’, ‘fairly’, ‘not very’ or ‘not at all’. As respondents were able to choose as many reasons as they wished to explain their decision-making, the findings presented below only include issues where respondents identified a reason as ‘very’ or ‘fairly’ important to their decision.

In 40% of cases the respondent felt that they possessed enough knowledge and did not require help. There was a lot of variation across issue types with ‘knowing enough’ cited for 58% of probate issues, 56% of remortgaging, 45% of conveyancing, 46% of planning, 48% of consumer, 49% of road traffic accidents and 53% of wills where respondents had
not sought help from an advisor. This contrasts with only 20% of clinical negligence and 20% of personal injury issues where no help was sought.

The potential cost of services was cited as an important factor in 21% of issues with fear of expense cited more often for tenant issues (33%), divorce or dissolution (39%), legal issues with children (39%), homelessness (33%), repossession/eviction (34%), relationship breakdown (37%), debt (30%), personal injury (28%), mental health (31%), clinical negligence (31%) and immigration (38%). It was less of a factor for consumer issues (13%) or for road traffic accidents (14%).

In 28% of issues perceived as high severity an assumption of expense was given as a reason for not using a professional advisor compared to 17% of less severe issues, perhaps due to the potentially higher perceived costs of resolving more complex or higher stakes issues. For those issues where respondents completely understood their legal position they were less likely to cite expense as a factor relative to issues where they felt they knew their position ‘not at all’, 9% versus 27%.

Figure 6.13: Reasons for not considering getting help from a professional advisor

Survey responses also indicate that some respondents did not consider a professional advisor when issues were not considered important enough. This was linked to issue type with it being mentioned for 29% of consumer issues, 26% of neighbour issues, 29% for injury at work and 28% of personal injury issues. It was less likely to be mentioned for issues relating to repossession or eviction (8%), homelessness (5%), domestic violence (12%) or divorce (7%).

It was also evident that some respondents who did not consider a professional advisor were uncertain about how such assistance could help with their issue (cited in 14% of issues). This was more often the case for issues with high than low severity scores (20% versus 10%) which will reflect the types of issues experienced. Lack of knowledge around how a professional advisor might help was most often cited for issues covering homelessness (34%), mental health (30%), discrimination (28%), domestic violence (27%), clinical negligence (33%), personal injury (19%), unfair treatment by the police (24%), debt issues (19%) and employer problems (21%). It should however be noted that these may not have been
considered as legal issues by the respondents. More women than men were unsure how an advisor could help with their issue, 17% versus 10%.

Not knowing how to locate a professional advisor was an important factor in around one in 20 (5%) issues and this was more likely the case for legal issues related to children (16%), mental health issues (12%) and domestic violence issues (10%). Illustrating the potential benefits of increased awareness, not knowing where to look was an important factor for 9% of high severity issues but only 3% of low severity ones, and 6% of issues where respondents did not understand their legal position at all compared to 2% where it was understood completely.

6.6 Qualitative findings as to why additional support was not needed

The qualitative research of 29 individuals also looked into reasons why participants did not consider receiving additional support. The responses cannot be linked directly back to the survey data, but the following reasons were discussed within the context of case study examples:

Felt that they did not need any additional support. Some participants did not feel they needed additional support because they were confident that they would be able to resolve the issue on their own. This tended to be driven by the perception that the issue had a relatively low level of seriousness and they were confident that there was clear process and strategy to resolve the issue e.g. returning a faulty item for a refund.

"Because it wasn’t a big issue, I didn’t really think I needed any outside help”.

(Consumer issue, Low Legal Capability, 41-55 years old)

Financial cost of accessing external support. There was an assumption that most legal support would involve paying a fee for the legal services of a solicitor. The reasons for not wanting to pay for services were driven by the financial circumstances of individuals, their limited funds to pay for services after spending money on an application for immigration issues, already having experienced financial loss as impact of the legal issue, or a perception that they were ineligible for legal aid. The seriousness of the issue and an individual’s ability to resolve the issue on their own was weighed up against the cost of paying for support. Some participants also raised questions about the level of trustworthiness of solicitors to resolve their issue and facilitate a positive outcome.

“You could hire an immigration solicitor but that costs money. I thought about it but the cost was too prohibitive... It was cost as well as finding someone trustworthy who won’t just take your money because I’ve heard stories of them taking your money and then leaving you to it. So I was a bit wary of finding the right person”.

(Immigration issue, High Legal Capability, 16-24 years old)

Seeking legal advice would escalate the issue and make things worse for the individual: There were participants who felt that external advice or support would make the situation more serious and only serve to increase any existing emotional impact and/or stress. In these cases it was typically felt that resolving the issue on their own or walking away from the confrontation and issue was their only option. This was evident particularly where a legal issue was regarding a relationship with a partner or employer/colleague.
"I couldn’t see that I was ever going to resolve the issue in terms of feeling comfortable working there after so the only option was to leave".

(Employment, Low Legal Capability, 25-40 years old)

Not thinking that legal support would resolve the issue: Some participants did not perceive that legal support and advice would significantly help resolve their legal issue because of either perceived seriousness of the issue or nature of the issue. For example, one participant had submitted an immigration application which was taking longer than expected to receive an outcome and was not aware that a solicitor would be able to intervene in the process once submitted.

"In terms of legal support. I was only aware of services where you could get support in order to start the process. You could pay an immigration lawyer to do the paperwork for you. But I wasn’t aware of any legal venues they go down once it was submitted ".

(Immigration issue, High Capability, 25-40)

Limited awareness of relevant legal support or advice: Low awareness of available support was an important factor in stopping those wanting support finding effective advice or information. Some participants had made unsuccessful searches for help and support online. Alternatively they had accessed services such as CAB, but did not find the information useful or applicable to their legal issue.
7. Obtaining advice or assistance
7 Obtaining advice or assistance

This section explores the reasoning behind respondents’ decisions in relation to obtaining advice to help resolve their issue. The section includes analysis on why respondents chose to seek advice, how they went about seeking advice and what arrangements they made with their advisor. It also looks more widely at perceptions towards professional advisors and solicitors specifically. In addition, the chapter explores the experiences of those that tried and failed to get advice.

7.1 Those who received advice or help to resolve their issue (35%)

Across all the issues where help was sought through an advisor or representative, (5,863 issues) three in five (56%) used a legal professional, a quarter (28%) used an advice agency, a third (35%) used another person or organisation (e.g. an insurance company or the police), a fifth (22%) went to their local council and six percent used a trade union or professional body. The most popular source of advice or help was through a solicitor (used by 49%), whilst the next most likely form of advice or help sought was through a Citizens Advice Bureau used in a quarter of issues (26%). These patterns of usage are the same when looking at the first provider contacted and the main provider used.

The type of advisor sought across amongst all those who received advice or help varied according to the issue experienced:

- Issues where help was sought from a legal professional were proportionately more likely to be being arrested (95%), divorce (91%), buying or selling a house (88%), dealing with an estate (86%) and making a will (81% compared with 56% on average).

- The local council was most likely to have provided advice with housing issues, such as issues with squatters (67% compared with 22% on average across issues) and trade unions used for employment issues, such as issues with an employer (47% compared with 6% on average).

Figure 7.1 illustrates findings and shows solicitors in isolation, other organisations that are regulated by legal services regulators (‘reserved providers’), the Citizens Advice Bureaux, and ‘other unreserved providers’ who are not regulated by legal services regulators. These categories of advice have been clustered in this way in order to analyse the types of advisor used from a regulatory outlook.

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62 Legal professionals were defined as one of the following: solicitor, barrister, licensed conveyancer, notary, trade mark attorney, patent attorney, costs Lawyer, other Lawyer, employment adviser, immigration adviser, probate practitioner, a legal executive.

63 During the survey respondents were able to mention every type of advisor they used when they obtained advice or assistance, meaning the figures sum to over 100%.
7.1.2 Finding the provider

Personal experience played a key role in how respondents ‘found’ their provider. Prior direct experience of using the provider was the most frequently mentioned means of finding the provider (21% of issues), followed by using an internet search (19%), recommendations from a friend or relative (18%), knowledge of the provider without personally using them (13%) and referrals from another advisor (7%).

Figure 7.2: How the main provider was found

QF8. How did you find the MAIN provider you used?

- Had previously used the provider: 21%
- Friend or relative recommended: 19%
- Internet Search: 18%
- Already knew the provider, but had not used: 13%
- Referred to by another advisor: 7%
- Trade Union: 5%
- Referred to by a business: 4%
- Walked past offices: 3%
- I was approached by the provider: 2%
- Yellow Pages: 1%
- Advertisement in Newspaper/Magazine: 1%
- The provider contacted me: 1%
- Advertisement on TV or radio: 1%
- Leaflet: 1%
- Already knew/aware of them: 1%
- Called/contacted the company: 1%
- Other: 1%
- Don’t know: 2%

Base: All issues where respondent obtained advice/assistance/help (5925)
Fieldwork dates: 1st October - 24th December 2015
Source: Ipsos MORI
Internet searches were a particularly prominent means of finding the main provider for debt issues (35%), consumer issues (35%) and clinical negligence (32%).

For issues where respondents looked for services online, (e.g. Google) (88%) were by far the most popular avenue for finding a main provider using the internet. Going to a charity or advice site (7%), the Law Society to find a solicitor (5%), or a price comparison or customer review site (5%) were the next most frequent mentions, albeit by fewer respondents.

Figure 7.3: Use of internet to find the provider

QF9. You said you used the internet, which of the following did you do?

- Used a search engine (e.g. Google) - 88%
- Went to a Charity/advice site - 7%
- Law Society - Find a Solicitor service - 5%
- Went to a price comparison or customer review site - 5%
- Specific Law firm site - 3%
- Recommendation through Social Media - 1%
- Navigated to the site directly - *%
- Other - 1%

Base: All issues where respondent obtained advice/assistance/help and who used the internet to find their main provider (1090); Fieldwork dates: 1st October - 24th December 2015

Respondents were shown a list of different things they may have done when choosing their main provider for all issues where advice/assistance was obtained. The most frequent response was looking for services online generally (18% of issues), followed by looking for the nearest advice service (16%), and looking for which services had the right expertise (14%). For around one in ten issues, respondents also looked for more specific features of the advice service. This included looking for recommendations online (9%), looking for regulated services (9%), looking for prices online (8%) and looking for information about how quickly services could be accessed (8%). In eight percent of issues, respondents took no further action before choosing a main advisor.
Certain methods were more likely to be taken according to the type of issue:

- Issues for which respondents were more likely to have looked for services online were clinical negligence issues (26% of issues compared to 18% on average); consumer issues (25%); other owned property issues (24%); divorce issues (23%); debt issues (23%).

- Issues for which respondents were more likely to have looked for the nearest advice service (compared with 16% on average) were homelessness (37%); welfare or tax benefits (35%); debt (31%); having home repossessed or eviction (30%); domestic violence (29%); disputes with neighbours (23%) and consumer problems (22%).

Respondents were also asked what information they wanted to help them make a decision about a provider with regards to their issue. The key information felt to be required before choosing an advisor was seen to be the cost of the service (cited for 34% of issues) and information about relevant expertise (34% of issues).

Cost was a more important consideration for some of the more prevalent issues such as buying or selling a house (56%), divorce (54%) or making a will (54%). Meanwhile looking for information about expertise tended to be more prevalent among some of the less frequent issues such as clinical negligence (49%), issues with mental health issues (46%), homelessness (43%) and home repossession (43%).

Information about the quality of services (cited for 25% of issues) and about how long it would take (20% of issues) were also important considerations when making decisions about a provider.
7.1.3 Qualitative findings: Awareness of available support and legal advice

Discussed below are eight main factors identified in the small-scale qualitative research as reasons why people accessed support from legal professionals.

1) Limited confidence in understanding the law to pursue a resolution on their own: In general, most participants who accessed support felt that they needed some type of legal advice to either understand their legal position or provide direct advocacy or representation on their behalf.

“I needed someone who knew the law much better than me”.

(Immigration issue, High Legal Capability, 25-44 years old)

“I had faith they would be able to help, they are trained to do their job and they know the laws and regulations and should be able to support situations like this.”

(relationship issue, Low Legal Capability, 25-40 years old)

2) To provide reassurance of understanding of law: There was a smaller group of participants who felt fairly knowledgeable about their legal rights because of previous learning or experience of handling similar related legal issues. However, they wanted to check their comprehension and understanding of the law with an expert and ensure they had full awareness of the options to resolve the situation.

“We needed the reassurance from someone who had legal knowledge”.

(relationship issue, High Legal Capability, 56+ years old)

3) The seriousness of the issue required legal support: Participants discussed the ‘seriousness’ of issue in terms of the current and future impacts and felt that to resolve the issue adequately required external support and advice.

“It was a very serious issue ... we needed the reassurance from someone who had legal knowledge.”

(relationship issue, High Legal Capability, 56+ years old)

4) Provided a last step after other options to resolve the issue independently had not worked: There were participants who had exhausted other avenues to resolve a more serious issue themselves, for example, negotiating directly with an individual or company who were responsible for their legal issue but with limited impact or response.

“I’d exhausted all avenues and I wasn’t getting anywhere”.

(Housing issue, High Legal Capability, 41-55 years old)

In several cases this led to individuals seeking out support from the appropriate Ombudsman who could use regulatory powers to help them seek a resolution such as compensation.
5) It was perceived as ‘the norm’: This was typically discussed as the primary reason for seeking help or support for conveyancing issues and relationship breakdown. Participants perceived themselves as part of a set legal process of housing buying or going through a divorce and that this required legal representation through a family solicitor or the solicitor already handling the conveyancing of the purchase or sale of a property.

“We didn’t have much choice, being in the house buying process you have to have a solicitor and there is no other way of doing it so we were guided by them.”

(Housing issue, High Legal Capability, 25-40 years old)

6) Provided unbiased and impartial advice: Some participants discussed wanting impartial advice to help them understand their rights and the options available to them. Participants did so through support and advocacy services which provided a free service. The benefits of this type of advice in comparison to a solicitor were that they were not perceived to have a vested interest in providing support for a fee.

“Because we had never bought a house before, we didn’t even know the right questions to ask. So when things are coming back that aren’t correct, you don’t know the right questions to ask. So you want somebody external to advice [via the Citizens Advice Bureaux] you in the best ways or focus you on the right questions. It makes a big difference because you don’t look like you are talking rubbish”.

(Housing issue, High Legal Capability, 25-40 years old)

7) Existing engagement with support and advisory services: Some participants talked about access to support which was made easier by existing engagement with services. This was generally seen in employment cases where participants engaged union representation to provide advisory and legal support in employment disputes. Some participants discussed union support as inherently part of the culture of dealing with employment issues in their sector.

“The environment that I worked in, you was always asking your union rep for advice. It was very much a place of work where the members of staff were unhappy”.

(Employer issue, High Legal Capability, 25-40 years old)

8) Signposted and advised to seek legal advice via other support services: There were individuals who were engaged with existing services due to wider issues in their life and were signposted to legal services to help them with their specific legal issue. For example, one participant was accessing support for domestic violence and was referred to a local advocacy service that then provided free legal advice by a solicitor for her immigration issue.

7.1.4 Initial contact and communication with the provider

Respondents were asked how they first contacted their main advice provider. In half of issues contact was made by telephone (53%) and a quarter of issues in person (23%). Digital communication was used in a minority of issues to make initial contact with a provider (12% by email and 7% on the internet).
As outlined in figure 7.5 this pattern is broadly similar when looking at communication throughout the process with the main advisor. However, the relative difference between telephone and online narrows, with email being used to communicate in a greater proportion of issues through the process (21%) compared to the initial contact with a provider.

Telephone is a channel more often used for issues experienced by older adults, with 57% of issues experienced by those over 55 using this method to first contact their advisor, compared to 43% of issues experienced by those aged between 17-34. The internet is more popular among younger adults than older respondents (used initially in 11% of issues experienced by those aged 17-34 compared to 7% of all issues).

Figure 7.5: Making contact with main provider

Significant differences are apparent across problem types when looking at the different methods of first contact:

- **Via telephone**: used in 61% of cases when who dealing with the estate of a deceased relative, 59% in those involving disputes with neighbours, and 73% among road traffic accident cases (compared with 53% on average),

- **Face to face**/in person: 47% of cases involving being arrested, 35% of cases involving having a home repossessed/faced eviction and 39% of homeless cases (compared with 23% on average).

- **Email**: used by 30% of issues with squatters and 21% of issues with discrimination (compared with 12% on average).

There were also some small differences when looking across types of provider:

- Those who received help from solicitors were disproportionately more likely to initially have used the telephone to contact their main provider (59% vs. 54% overall); and

- Those who used a Citizens Advice Bureaux were more likely to initially contact their main provider face-to-face (31% vs. 24% overall) or over the internet (9% vs. 7% overall).
7.1.5 Provider communication to client

Respondents were asked what they were told when they first instructed their professional service provider to go ahead with the matter for each issue where advice was provided. The most common aspect explained was the likely outcome (in 46% of cases), followed by the likely cost (41%), how long the matter would take (38%) and who would be dealing with it at the organisation (29%). In fewer cases respondents were told about potential issues in addressing the issues (19%), potential additional costs (19%), how to complain if things go wrong (14%), or the Legal Ombudsman (7%). Respondents were also asked about what they were told when they held their first meeting with a provider. The proportions for each of these categories were broadly in line with those for when they first instructed their provider.

The various types of information given during the time when first contacting a provider are also analysed from a regulatory perspective in table 7.1. Some of the variation will reflect differences in the profile of issues by type of provider.

Table 7.1: Information communicated to client by type of provider used for each issue

<table>
<thead>
<tr>
<th>Information provided in initial contact</th>
<th>Solicitors (2,859)</th>
<th>Other reserved providers (602)</th>
<th>CABs (1,523)</th>
<th>Other unreserved providers (519)</th>
</tr>
</thead>
<tbody>
<tr>
<td>The likely outcome</td>
<td>47%</td>
<td>42%</td>
<td>52%</td>
<td>51%</td>
</tr>
<tr>
<td>The likely cost</td>
<td>60%</td>
<td>52%</td>
<td>28%</td>
<td>26%</td>
</tr>
<tr>
<td>How long the matter would take</td>
<td>45%</td>
<td>34%</td>
<td>34%</td>
<td>32%</td>
</tr>
<tr>
<td>Who would be dealing with it at the organisation</td>
<td>34%</td>
<td>34%</td>
<td>25%</td>
<td>36%</td>
</tr>
<tr>
<td>Potential problems with addressing legal issue</td>
<td>22%</td>
<td>25%</td>
<td>24%</td>
<td>29%</td>
</tr>
<tr>
<td>Potential additional costs</td>
<td>27%</td>
<td>32%</td>
<td>18%</td>
<td>16%</td>
</tr>
<tr>
<td>How to complain if things go wrong</td>
<td>15%</td>
<td>13%</td>
<td>18%</td>
<td>18%</td>
</tr>
<tr>
<td>The Legal Ombudsman</td>
<td>8%</td>
<td>7%</td>
<td>9%</td>
<td>10%</td>
</tr>
<tr>
<td>None of the above</td>
<td>7%</td>
<td>4%</td>
<td>10%</td>
<td>10%</td>
</tr>
<tr>
<td>DK</td>
<td>3%</td>
<td>4%</td>
<td>6%</td>
<td>4%</td>
</tr>
</tbody>
</table>

Those who used providers for discrimination and consumer issues were more likely to be told about how to complain if things went wrong (23% and 20% of these cases respectively vs. 15% overall).

7.1.6 Provider services for client

Respondents were asked what the main provider they used did for them relating to their issue. In three in five issues (58%) respondents said that they were provided information about procedures and/or about their legal position (57%), while in
just under half of issues (46%) they were provided information about their options and in two-fifths of issues they were provided practical support (e.g. writing wills or drawing up documents) for their issues. Meanwhile a quarter of issues were negotiated on their behalf (27%) and in 26% of cases they were provided moral support. In a fifth of issues (20%) respondents were signposted to get further help, while in one in 20 issues they were represented in court (6%) and in five percent accompanied to court.

Figure 7.6: Help provided by advisor

The prevalence of the different types of services provided varied by the type of issue experienced, particularly when comparing more and less common issues. For example, representatives dealing with less prevalent issues such as homelessness, issues with landlords and squatters were more likely to suggest where respondents could get further help and provide moral support. Whereas for more prevalent issues, such as buying or selling a house and probate, they were more likely to provide information about the respondent’s legal position.

7.1.7 Regulation of legal advice provision

For half (48%) of issues respondents checked if their main advisor was regulated. This was more likely for those aged 55 or over (53% of their issues).

Respondents who did not check whether their main advisor was regulated were asked why not. In more than half of these issues (52%) they assumed that they would be regulated and therefore did not check. In a sixth of cases (17%) they didn’t think regulation was important, in 8% of issues they did not know what regulation meant, and in a further eight percent they did not know how to find information about regulation.

Among those issues where respondents did check that their provider was regulated, in 35% tof cases he respondent said that it was obvious based on the provider’s website or correspondence, for example logos made their status clear. In 29% of issues respondents checked the regulator’s website and in a fifth (22%) the provider told them that they were regulated.
7.1.8 Paying for help

For almost two-fifths of issues (38%) where advice was sought respondents noted that they paid for all or some of the assistance they received. Services were free to access for consumers in 45% of issues\(^{64}\), while in 7% of cases they entered into no-win no-fee agreements with their provider.

Figure 7.8: Paying for help from main advisor

\(^{64}\) While advice here was free from a respondent perspective they would have been funded by a variety of sources, including government, non-government organisations and charities.
Where respondents had to pay in part or full for a service, they funded the advice for their issue in a variety of ways. More than half of issues (57%) were paid for using their own savings, just over a third of issues (36%) were funded from regular income. In 5% of cases money was borrowed from family or friends. The latter was proportionally more likely for immigration issues (24%), issues involving a relationship breakdown (19%) or divorce (16%). Borrowing from family or friends was more common when the issue was seen as severe (9%). For some issues (3%) respondents said they took out a loan, more likely among relationship breakdown issues (8%).

In almost three-fifths of issues (58%) where services were paid for respondents were quoted a fixed price for the work which did not change. In 5% of issues the respondent was quoted a fixed price and then paid something different. In one in twenty issues (5%) respondents were quoted an hourly rate, but were not given an estimate of the number of hours required.

Figure 7.9: Payment terms to provider

Fixed price quotes for work which they paid for were more likely than average to have experienced the following issues:

- Made a will (81%); remortaging current property (71%); bought/sold a house (62%).

Those who were given an estimate of what the advice might cost were more likely to have issues related to:

- Divorce (54%); dealt with issues following a relationship breakdown (43%) and dealt with the estate of a deceased relative (35%).
For nine in ten issues (91%) respondents agreed an arrangement in which the work would be conducted for their issue. Seven in ten (70%) issues had a more traditional agreement where the provider would conduct all the work. A fifth (18%) of issues used an ‘unbundled’ agreement whereby the provider would carry out certain tasks and the respondent would conduct others.

Figure 7.10: Agreement with provider about how work would be conducted

Respondents who noted that they had not paid for the services provided by their provider were asked who had paid for the help. Whilst they were prompted with a list of potential sources, respondents were only able to respond to the best of their knowledge and it is possible that a proportion were not sure of funding arrangements in which they may have had limited involvement. In most issues where the participant did not pay (55%) for their provider’s services the respondent noted that the cost was met by the provider65. This was more common for issues experienced by women (58%) than for men (52%) and for those aged over 55 (63%). Around one in twelve (8%) of all issues experienced where the participant did not pay were cited as funded by legal aid. This was more likely than average among issues where the respondent had been arrested (74%), where they had been treated badly by the police (38%), divorce (36%), relationship breakdown (30%), legal issues with children (26%) and domestic violence (19%). Among those issues that were in-scope for legal aid post April 2013 and in which the service had been accessed for free, 30% (109 issues) were noted as being funded by legal aid. This may have been that they were not aware that the organisation was funded by legal aid.

65 While services were accessed for free by respondents, the services themselves would have been funded by other sources.
7.2 Qualitative findings among those that got advice

Participants in the qualitative research who got advice tended to fall into two groups, those who got advice and assistance from the outset and those that tried to handle alone before obtaining assistance. Participants who obtained advice tended to feel that they needed either more information on their legal rights or advice on an overall strategy and immediate next steps to resolve their issue. Participants who received advice and assistance had different types and forms of support provided. This included 5 key types of support:

- Basic information about their legal rights;
- General information about the different strategies and options open to them;
- Tailored advice on the best approach for their situation but where the individual took responsibility for carrying out the tasks;
- Case management and/or advocating on behalf of the participant’s legal needs (e.g. filling in complaint forms and dealing directly with the other party the issue was with); and
- Representation through negotiations, communication and court proceedings.

Those who tried to handle issues alone then obtained advice included those who were resolving issues regarding consumer and immigration issues. Participants in this category initially felt confident that they could resolve the issue themselves because they did not at the outset perceive the issue as a serious legal need and were aware of a set process to follow to resolve the issue. Examples included a complaint to a manufacturer for a faulty item or following the application criteria, resolving a simple and common immigration issue. Participants then chose to obtain advice at a later stage because either they were experiencing long timelines in achieving an outcome (e.g. a long timescale for an
immigration application) or felt they needed to escalate the issue because a consumer complaint was not being followed up by a company. One example of this was a participant who was complaining about a double payment taken from her credit card bill payment and after months of trying to communicate with the credit card provider without receiving a refund then decided to take advice from a family member to contact the Financial Ombudsman Service.

"I felt quite confident in resolving it but I didn’t know how long it would take. That was my issue. I’m quite confident with stuff like that and remaining calm, but it was more how long will this go on for. They kept giving me further timescales and not meeting them."

(Consumer issues, High Legal Capability, 25-40 years old)

7.3 Issues where respondents tried but failed to get advice

7.3.1 Tried to get advice then handled alone (3%)

The study also included tailored questions to those who tried but failed to get advice. This covered 559 issues. These respondents either then went on to handle their issue alone or did nothing to resolve it.

In 34% of these issues service providers were not willing or able to help. In a fifth services were too expensive to use (21%) or respondents could not access free services (20%)66.

Figure 7.12: Reasons why unable to get advice or information amongst those that sought it and then handled alone

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>They were not able/willing to help</td>
<td>34%</td>
</tr>
<tr>
<td>The services were too expensive to use</td>
<td>21%</td>
</tr>
<tr>
<td>I could not get a free service</td>
<td>20%</td>
</tr>
<tr>
<td>Could not get through on the phone</td>
<td>13%</td>
</tr>
<tr>
<td>Could not find any</td>
<td>12%</td>
</tr>
<tr>
<td>Did not understand advice or information</td>
<td>12%</td>
</tr>
<tr>
<td>Kept waiting too long when went to see them</td>
<td>11%</td>
</tr>
<tr>
<td>Got no reply to letter/email</td>
<td>10%</td>
</tr>
<tr>
<td>The opening hours were not convenient</td>
<td>8%</td>
</tr>
<tr>
<td>Appointment too far in the future</td>
<td>8%</td>
</tr>
<tr>
<td>The people/organisations were too far away</td>
<td>6%</td>
</tr>
<tr>
<td>They gave incorrect/poor advice/it was pointless/no outcome</td>
<td>2%</td>
</tr>
<tr>
<td>Organisation was listed online but did not exist when I tried to get in contact</td>
<td>2%</td>
</tr>
<tr>
<td>Other</td>
<td>2%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>5%</td>
</tr>
</tbody>
</table>

66 This covered 105 issues
Those who experienced issues related to homelessness were more likely to say that they were unable to get help because the provider was not able or was unwilling to help (54% vs. 34% on average).

For two fifths (39%) of all issues where respondents tried and failed to get advice so handled alone they looked for information about potential costs of services online. In a slightly smaller proportion of issues (37%) respondents contacted providers directly to ask about costs. In a fifth of issues (21%) they asked someone they knew who had received similar advice before. In one in nine issues (11%) they looked for prices on the high street and in around one in eight issues (13%) they tried to negotiate on price.

In almost two fifths (38%) of issues the respondent looked for information online with regard to their issue, while in 28% of cases they looked for information about which services would be best placed to help. In a quarter of issues (24%) respondents looked specifically for recommendations online and in a fifth (20%) they looked for information about how quickly the issue could be resolved.

Figure 7.13: Finding out about costs for issues where respondent tried and failed to get advice then handled the problem alone

QH2. Did you do any of the following to find out about the costs of advice or assistance?

- Actively looked for prices online: 39%
- Contacted providers to ask about prices: 37%
- Asked someone I knew who had got similar advice before: 21%
- Tried to negotiate on price: 13%
- Actively looked for prices on the high street: 11%
- None of the above: 19%

Base: QH2. All issues where respondent tried to get advice and failed, then handled the problem/issue themselves and found services too expensive to use (117). Fieldwork dates: 1st October - 24th December 2015

Source: Ipsos MORI
In line with previous findings outlined around internet usage, respondents with higher levels of education were more likely to look for information online, either to find services (43% of issues where the respondent had A levels or higher) or recommendations (27% of issues).

Once they had failed to get help for their issue respondents gave a variety of reasons for then dealing with the issue themselves. The two most common were that they thought solving the issue would cost too much (21% of issues) or that they did not know where to go to get advice (11%).

Figure 7.14: **Main reason for dealing with issue on own**

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>I thought solving the legal need would cost too much</td>
<td>21%</td>
</tr>
<tr>
<td>I did not know where to go to get advice</td>
<td>11%</td>
</tr>
<tr>
<td>I thought that it would take too long to reach a solution</td>
<td>8%</td>
</tr>
<tr>
<td>I had the support of friends/family to help me handle it</td>
<td>7%</td>
</tr>
<tr>
<td>I did not know I could get advice for this problem</td>
<td>7%</td>
</tr>
<tr>
<td>Did not think the legal need/issue would be difficult to resolve</td>
<td>7%</td>
</tr>
<tr>
<td>I thought that it was not worth the hassle</td>
<td>7%</td>
</tr>
<tr>
<td>I had got help with a problem before and did not find it useful</td>
<td>6%</td>
</tr>
<tr>
<td>I had successfully handled a similar problem on my own before</td>
<td>6%</td>
</tr>
<tr>
<td>I was waiting to see what might happen next</td>
<td>5%</td>
</tr>
<tr>
<td>Other</td>
<td>11%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>5%</td>
</tr>
</tbody>
</table>

7.3.2 **Qualitative findings among those who tried and failed to get advice, then dealt with it themselves**

In the qualitative research, those who tried or failed to get advice and then dealt with it themselves tended to have undertaken that strategy when they were unsure of their legal rights and wanted advice and information to devise a strategy to resolve the issue. This was experienced across issues such as employment, consumer issues and housing. Reasons why participants failed to find or take advice included:

- They were unable to find relevant legal advice and information.

- They felt that they had not gained further understanding of the legal issue by accessing advice and decided to resolve the issue on their own.

- They felt that the advice provided on the next actions to take would escalate the issue further and cause further stress (e.g. through internal complaints or legal proceedings in employment cases).

- It involved a fee for services which they could not afford. Resolving the issue on their own often meant in practice no action at all or side stepping the issue, for example, not receiving any refund or compensation for a faulty consumer product or delayed service or resigning from employment.
"I couldn’t see that I was ever going to resolve the issue in terms of feeling comfortable working there after...so the only option was to leave".

(Employer issue, Low Legal Capability, 25-44 years old)

7.3.3 Tried and failed to get advice, then did nothing (2%)

For some issues where people tried and failed to get help dealing with an issue, the end outcome was that they did nothing to resolve it. This amounted to 341 issues in the survey. Respondents who identified each issue were asked why they were unable to find the information or advice that they wanted. For almost a third of issues (31%) they said the providers they asked were not able or willing to help. In just under a quarter of issues (23%) they were unable to find any help. In 17% of these issues respondents said that they could not get a free service and in 14% of issues they said that they could not afford services. In one in seven cases (14%) respondents said that they did not understand the advice or information they received. Various other responses related to the inconvenience of service locations, the inability to make an appointment in time, or inability to get hold of staff at the service provider.

Figure 7.15: Reasons why unable to get the advice or information sought

Q11. Why were you unable to get the advice or information you sought?

- They were not able/willing to help: 31%
- Could not find any: 23%
- I could not get a free service: 17%
- Did not understand advice or information: 14%
- The services were too expensive to use: 14%
- Got no reply to letter/email: 9%
- Could not get through on the phone: 8%
- Kept waiting too long when went to see them: 6%
- The people/organisations were too far away: 4%
- Appointment too far in the future: 4%
- The opening hours were not convenient: 4%
- Other: 7%
- Don’t know: 9%
These respondents were also asked why they chose not to pursue their issue once they failed to find help. The most common reasons given were a perception that nothing could be done (in 23% of issues) or that they were waiting to see what happened next (9% of these issues).

Figure 7.16: **Main reason for doing nothing about issue having tried and failed to get advice**

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>I thought nothing could be done</td>
<td>23%</td>
</tr>
<tr>
<td>I was waiting to see what might happen next</td>
<td>9%</td>
</tr>
<tr>
<td>I did not think it would make any difference to the outcome</td>
<td>7%</td>
</tr>
<tr>
<td>I thought it would cost too much</td>
<td>7%</td>
</tr>
<tr>
<td>I was fed up so let it go</td>
<td>7%</td>
</tr>
<tr>
<td>I was too scared to do something</td>
<td>5%</td>
</tr>
<tr>
<td>I did not know where to go to get advice</td>
<td>5%</td>
</tr>
<tr>
<td>Other</td>
<td>34%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>3%</td>
</tr>
<tr>
<td>Refused</td>
<td>*%</td>
</tr>
</tbody>
</table>

Base: All issues where respondent was unable to get the advice or information sought and did nothing (345). Fieldwork dates: 1st October - 24th December 2015. Source: Ipsos MORI.

### 7.4 Experiences with providers in qualitative interviews

Interviews with 29 participants in the qualitative phase provided some additional insights into participants’ experiences with providers. Participants accessed and engaged a variety of different services and/or means of support such as the Citizens Advice Bureaux, ACAS, local support services and advocacy groups, employment unions, HR departments, mortgage advisors and online public forums.

Choice of specific services was driven by a range of factors which included previous use of a service (e.g. having a regular family solicitor or existing union membership), direct signposting or recommendations by another service or friends/family and online research of local or national services.

#### 7.4.1 Types of support accessed

Potential support was considered to cover a range of different advice areas, either through direct experience or knowledge of them. General advice and help was provided by a range of agencies and services and often free to the individual. The responsibility of dealing with the situation tended to remain with the individual rather than a service managing or supporting that process on their behalf.

*They didn’t really offer any concrete advice, it was just facts about what I could do and I would have to make a decision*.

*(Employer issue, Low Legal Capability, 56+ years old)*
In some cases this involved more hybrid case support, whereby an individual could check in with an advisor on form filling and how to communicate with other parties to resolve the issue.

7.4.2 Perceived expectations of legal advice

Participants tended to have a high expectation and trust that their legal issue would be resolved when they engaged support and legal services that they perceived as providing ‘specialist’ or ‘legal’ advice (e.g. solicitors, ombudsman and unions). In support regarded as more generalist, such as the Citizens Advice Bureaux, they tended to have lower expectations about the extent to which this process would be able to help and whether they would have the necessary specialist advice. Initial expectations were not necessarily met when the resolution took longer, was more complex, involved higher financial costs than initially expected or did not have the desired outcome.

In the case of paid-for services, such as solicitors, there were higher expectations that they would receive tailored advice on the best strategies to resolve their issue. These were not always perceived to have been met; some participants having wanted more explicit direction on the strategy to achieve the best possible outcome rather than purely progressing through a legal process. For these participants it was felt that legal advice was very standard and had not been tailored to their specific circumstances. For example it was felt that there was limited discussion of alternative approaches or the pathway that would be best suited to the individual.

“They [Solicitor firm] probably technically did their job, but they weren’t there to give advice, but to fill and file the forms they needed to and taking a long time to process things through”.

(Housing issue, High Legal Capability, 25-40 years old)

7.4.3 Accessibility of services

Accessibility was facilitated by services offering responsive, flexible and ongoing contact such as multiple points of contact and drop-in advice either face to face, online or by phone. Other factors that facilitated a good experience included; receiving clear and understandable information about their legal rights; professionals demonstrating a good level of knowledge on the area which led in turn to a high level of trust that participants were receiving a good service; and services appropriately signposting where they felt an individual needed additional or further specialist advice.

“It met expectations definitely, she made it less stressful because I could trust her and she knew what she was doing ... It was really good to go to the Citizens Advice, it was the first step to settle your nerves and ensure you are going through the right channels”.

(relationship, Low High Capability, 25-40 years old)

Barriers to receiving services were typically related to issues in communication and speed of issue resolution. For example, some participants felt they had to proactively chase services or solicitors for information and updates on their cases. In several cases, participants had complained about the services delivered by solicitors or asked to change their solicitor. There were also frustrations regarding the directness of advice provided across the different types of support provided.

“They didn’t help me decide, it was just a matter of letting me know my options ... in some ways they were useful, but they didn’t tell me which is the best road to go down”.

(Employer issue, Low Legal Capability, 56+ years old)
In employment cases, some participants had asked for support via HR departments on their legal rights and felt that they provided limited support and something at odds with that provided by unions on next steps and appropriate actions to resolve the issue.

“It was a very formal process. I didn’t feel they were approachable. They were very pragmatic on the phone and ‘this is the situation’. They weren’t on anyone’s particular side, but just weren’t understanding or supportive”.

(Employer issue, Low Legal Capability, 41-55 years old)

7.4.4 Impact of advice

Participants identified four main perceived impacts of receiving support in resolving the issue, as outlined below.

1) **Direct impact** – the involvement of support/help was perceived as the main facilitator for a successful outcome via case management or legal representation. Participants discussed the influential role of the legal advice provided and the positive impact this had made. For example, an individual had a structural issue with the property they were purchasing. Their solicitor acted as broker between the individual and the vendor’s solicitors to negotiate the reduction in the price of the property. This then meant they had enough money to reinvest into the property and make structural repairs.

“It was absolutely critical. Without them (solicitor) the whole process would have not worked. There is so much experience there within the solicitor community.”

(Housing issue, High Legal Capability, 24-40 years old)

2) **Indirect impact** – the input of support/help to provide awareness of the options and pursue decision making to resolve the issue successfully. Some participants felt they had received good and informed advice to decide upon the appropriate approach to resolve the issue. Though this impact was sometimes seen as driven by the individual because they had pursued the resolution on their own following receipt of advice. This can be seen in an example where a participant gained initial legal advice on how to respond to a rejected immigration application via a phone consultation with a solicitor. The participant was unsure as to whether they should appeal or re-apply. The phone consultation gave them the confidence to decide to make an application for an appeal on their own.

“I paid for a half hour phone call with the solicitor. He told me that I had a good case to appeal ... He made me more confident about dealing with the issue ... [but] I felt he would just be doing the same things that I could do myself”.

(Immigration issue, High Legal Capability, 41-55 years old)

3) **Limited impact** – in these cases participants felt that more advice/help was required to resolve issue and that support had a limited impact on the resolution of the issue either positively or negatively. In these cases, general advice was typically sought on their legal rights and potential options to resolve the issue, but the participant then had to take the lead on resolving the issue. This then often led to uncertainty that the participant had chosen the right approach or individuals walking away from pursuing the issue further. Some participants felt they would have felt more confident in resolving their issue if they had received direct legal representation. Individuals often wanted direct advice on what action would best meet their needs and circumstances, rather than being presented impartially with multiple options. This was often the case when they saw advocacy agencies like the CAB.
“They didn’t really offer any concrete advice, it was just facts about what I could do and I would have to make a decision ... They didn’t help me decide, it was just a matter of letting me know my options.”

(Employment issue, Low Legal Capability, 56+ years old)

4) Negative impact – some felt they had received incorrect or badly informed advice which led to an unsatisfactory outcome. This was primarily experienced by participants who had paid for legal services but felt that the advice provided had no positive impact and had led to unnecessary financial expenses. Some participants felt they were given misleading legal advice and false expectations of the potential impact of the legal advice they received.

"None of what she said paid off ... as time went on I realised I was paying a fortune for nothing. I could have signed my own papers ... she [The Solicitor] would never speak to me on the phone, only send me letters and I now know that was because she could charge for a letter. Like a letter with a couple of lines."

(Relationship issue, Low Legal Capability, 25-40 years old)

7.5 Reasons for considering using a solicitor

The study explored reasons why respondents would or would not consider using a solicitor in respect of their issue.

As shown in figure 7.17, the most common reason given by respondents for using, or considering using, a solicitor was that respondents knew solicitors could help with their issue (36%). This was closely followed by a feeling of ‘need’ for solicitor help (30%) and a belief that solicitors would help resolve the issue or could contribute more to its resolution than the respondent could do themselves (28% and 25% respectively).

Figure 7.17: Reasons for considering using a solicitor

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>I knew that solicitors could help with this problem or issue</td>
<td>36%</td>
</tr>
<tr>
<td>I needed help a solicitor would offer</td>
<td>30%</td>
</tr>
<tr>
<td>I thought a solicitor would help me resolve my problem</td>
<td>28%</td>
</tr>
<tr>
<td>I thought a solicitor could do much more to help me than I could myself</td>
<td>26%</td>
</tr>
<tr>
<td>The problem/issue was important enough</td>
<td>23%</td>
</tr>
<tr>
<td>I trust solicitors</td>
<td>15%</td>
</tr>
<tr>
<td>I thought the solicitor would offer sufficient additional support</td>
<td>13%</td>
</tr>
<tr>
<td>I knew how to find a solicitor</td>
<td>12%</td>
</tr>
<tr>
<td>I think solicitors offer value for money</td>
<td>7%</td>
</tr>
<tr>
<td>I did not think they would be too expensive</td>
<td>4%</td>
</tr>
<tr>
<td>Other</td>
<td>4%</td>
</tr>
</tbody>
</table>

Source: Ipsos MORI
Base: All issues where respondent tried to use a solicitor (1844). Fieldwork dates: 1st October – 24th December 2015
Awareness that solicitors could help was most important for issues related to divorce (45%), and wills (41%) and less likely to be cited as a reason for mental health and neighbour issues, 18% and 25% respectively. Unsurprisingly, those who saw their issue as a legal one were more likely to report that they believed solicitors could help as an important factor (41%).

The need for a solicitor’s help was most often mentioned in relation to divorce (45%), conveyancing (38%), probate (35%) and wills (34%).

Reasons cited for using a solicitor confirm that such decisions can be rooted in respondents’ perspective about the importance of issues. Respondents mentioned issue importance more often in relation to high severity issues (26% versus 19% for low severity ones) and, in particular, for issues concerning domestic violence (36%).

Trust in solicitors was cited as an important factor in 15% of issues where respondents used or considered using a solicitor. This proportion was much higher for debt and money issues (26%) and for repossession and eviction issues (24%) as well as for issues concerning squatters (28%).

Perceptions about value for money were also identified as a key factor for some issues respondents faced. On average value for money was mentioned by respondents in 7% of issues, but was more likely to be highlighted for immigration issues (26%), repossession and eviction issues (18%), issues related to children (15%), squatter issues (17%) unfair police treatment (14%). It was rarely mentioned in relation to issues with a landlord, probate or welfare benefits. Some knowledge about the value for money solicitors could offer was correlated with respondents' self-reported awareness. Those who understood their legal position were more likely to say it was important (12% versus 3% of those who said it was not important).

7.5.2 Reasons for not considering using a solicitor

It can be important to understand barriers towards using a solicitor and respondents who had not considered using a solicitor were asked why not. Figure 7.18 shows the most common reason given by respondents for not considering using a solicitor. As can be seen from the table, for almost 3 in 10 of these issues respondents reported not having considered using a solicitor because they assumed it would be too expensive to do so. This was more apparent for high severity issues, 35% versus 27% of less severe issues. Again, this may be a function of the level of expense perceived to be involved in dealing with issues that are perceived to be more serious. Expense was also cited more often where respondents had experienced multiple issues; for example, cited by 33% of those with four issues compared to 24% with one issue.
7.5.3 Expense and value for money

When examining issues of different types, an assumption that solicitors would be too expensive was most likely to be considered ‘very’ or ‘fairly’ important reason for not using a solicitor for the following: issues with a landlord (41%), repossession or eviction (46%), homelessness 43%, and debt/or money issues (40%), employer issues (33%), and issues to do with welfare benefits (36%). Expense was least frequently cited in relation to road traffic accidents (16%), re-mortgaging (16%), issues with squatters (17%), and buying or selling property (21%). For 33% of domestic violence issues, respondents cited expense as an important factor behind not considering using a solicitor. Not surprisingly, expense was mentioned more frequently by respondents in the lowest income groups; 33% of issues experienced by respondents with household incomes less than £15,000.

On a related theme, the perception that solicitors would not offer value for money was cited as an important factor overall in one in nine issues (11%) where respondents did not consider using a solicitor. Broadly, there was little variation among issue types except for it gaining greater prominence for issues concerning the making of a will (18%), probate issues (16%), tenant issues (16%) and issues with squatters (23%). Unlike perceived expense, there was no difference across the income groups regarding the likelihood of identifying value for money as a key factor.

7.5.4 Trust in using a solicitor

In a small number of cases respondents reported that they did not consider using a solicitor because they did not trust them. Lack of trust was mentioned in relation to 4% of all issues but was more likely to be mentioned in relation to issues of unfair treatment by the police (8%) and issues to do with discrimination (8%).

7.5.5 Importance of solicitors in dealing with issue

In 20% of these issues respondents saw no need to consider using a solicitor because issues were not felt important enough. This was more often the case for issues where respondents experienced only one issue compared to those
experiencing five or more (26% versus 13%). It was also more often cited as a factor for issues where respondents did not characterise the issue as a legal one (23% versus 11% of cases which were).

Looking across issues of different types the issue, ‘not being important enough’ was cited most often for consumer issues (37%), neighbours issues (25%), road traffic accidents (24%) and making a will (26%) and less often for issues of homelessness (6%), divorce or dissolution of relationship (7%) or for issues with squatters (6%). However, there were a number of issue types where a potentially surprising proportion of respondents cited ‘not important enough’ as a reason for not using a solicitor. These included 13% of domestic violence issues, 10% of immigration issues, and 17% of instances where there had been unfair treatment by the police.

7.5.6 Awareness of solicitor role

Lack of knowledge of what solicitors do also played a role in decision-making with respondents in 10% of issues stating that they did not know solicitors could help. There was wide variation across issue types with lack of knowledge/association cited for only 3% of issues to do with wills, 3% of probate issues and only 6% of road traffic accidents. In contrast, it was cited as a reason in 17%-19% of each of the following issue types: homelessness, repossession or eviction, discrimination, mental health, debt or money issues, clinical negligence and domestic violence.

7.5.7 Personal confidence to deal with issue

In a significant minority of issues (22%), respondents did not consider using a solicitor because they felt they knew enough themselves and did not need the help. This proportion varied across issue types:

In a third of consumer issues and 37% of probate issues, respondents felt they knew enough and did not need help. Respondents also said they knew enough and did not need further support in 26% of will issues and 28% of issues concerning a road traffic accident. This contrasts with only 6% of clinical negligence and 9% of mental health issues.

7.5.8 Qualitative findings on perceptions of legal professionals

The 29 participants in the qualitative phase were asked to describe their understanding and views of law professionals. Again these interviews were used to supplement the core quantitative survey. The discussions tended to focus on perceptions of solicitors and understanding of what their role involved. Solicitors were perceived as a legal representative who had gained expertise in law through training and typically worked in a specialist area of law (e.g. criminal, employment, family). In general, law professionals were associated with high financial fees and there were concerns about whether charges for their time were always fair and proportionate with some of this driven by personal experience. For example, some participants had experiences of being charged perceived high fees or additional fees for administrative tasks such as sending letters and phone calls. Further to this, some participants regarded solicitors as bureaucratic and inefficient due to negative previous experiences where they had not got a satisfactory service or outcome from engaging the services of a solicitor. There was also some confusion as to the distinction between a ‘solicitor’ and ‘lawyer’. Most participants considered that barristers typically represented clients in court in front of a judge, whereas solicitors did not.

Generally, participants who had higher legal capability and direct experiences of engagement with solicitors tended to have a more knowledgeable understanding of the day-to-day role of solicitors. At a very basic level, solicitors were regarded as paperwork focused and charged with managing legal issues. Solicitors were also seen to provide counsel and advice to the public on legal matters to help resolve issues; judge the merits of a case and whether the law will offer the outcome that the clients wants; and advocate on behalf of clients through communication and negotiation.
Views of solicitors were very dependent on participants’ direct experiences and/or feedback from friends and family and most participants acknowledged that their views were subjective and personalised and that individual solicitors would vary in terms of the quality of service they provided. Unsurprisingly the levels of trust of solicitors were underpinned by previous good or bad experiences and ranged from limited confidence to full trust of solicitors as professionals. Bad experiences were typically characterised by concerns about the accessibility of information about how the solicitor was managing their legal issue, the effectiveness of the actions of solicitors, the perceived value for money of their service and the extent to which solicitor had an impact on their desired outcome.

“They are slow at doing things, not very communicative. They get the job done but they don’t really communicate, but not everyone understands everything they are doing”.

(Housing issue, High Legal Capability, 25-40 years old)

Higher levels of trust were facilitated by a confidence in the ‘professional’ rather than ‘commercial’ status of solicitors and the fact that they had to adhere to certain ethical standards, codes of practice, qualifications and continued professional development.

“Why wouldn’t I trust my solicitor, he has qualifications, he’s a professional person. It’s like do you trust your priest or do you trust a policeman.”

(Employer, Low Capability, 56+ years old)

Information about solicitors tended to be sought and received in a similar way to how individuals accessed more general information about the law, through the media, direct experience, family and friends. Some participants pointed out that many people do not have real experience of solicitors until the point that they first buy a property.

There were two broad suggestions for how public knowledge could be increased regarding the role of law professionals:

Clear and transparent information about what solicitors do, how they charge for their time and what help is on offer to help with the financial costs of seeking legal advice. Suggestions included a comprehensive list of services to open online forums, blogs and articles where solicitors could discuss their work and what their role entails.

“Solicitors should provide more information about what they are doing for their fees, with relevant information and simplifying it, so it’s not paragraph this and that, which is what they tend to do. I remember letters that I have had and they are so long you tend not to read them.”

(Consumer Issue, low legal capability, 41 -55 years old)

Increase awareness of how and where to find legal representation through online and written information sources via multiple communication sources, including government, media, schools and colleges, local authorities and health services and the Law Society.
8. Overall reflections of outcomes
8 Overall reflections of outcomes

This section looks at to what extent respondents perceived the outcome of resolving their issues were a success. This includes looking at overall levels of self-reported satisfaction, whether the objectives were met and whether on reflection anything would have been done differently. All findings are based solely on respondents’ perceptions rather than measures of procedural outcome.

8.1 Perceptions of outcome

8.1.1 Satisfaction with outcome across all issues

Respondents were asked whether they were satisfied or dissatisfied with the outcome of their issue. Respondents were initially asked these questions in respect of the strategy that was taken and in light of whether the issue had concluded or not. In total, looking across all issues and pathways, in two-thirds of issues (66%) respondents were satisfied with how their issue had been resolved or was turning out, while in one in seven issues (14%) they were dissatisfied. Satisfaction was higher among those issues which were already over or mostly over (76%; compared with 33% among issues which were still ongoing). Not surprisingly, given that they had not seen the full outcome of their issue, among ongoing issues there was a higher proportion of issues where respondents were neither satisfied or dissatisfied (33% vs. 15% of concluded issues). Dissatisfaction was also higher for ongoing issues than concluded ones (35% vs. 9%).

Figure 8.1: Satisfaction with outcome of issue

How satisfied or dissatisfied, if at all, are you with the outcome of your problem or issue?

<table>
<thead>
<tr>
<th>Outcome mainly/partly completed</th>
<th>Problem ongoing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very satisfied</td>
<td>Very dissatisfied</td>
</tr>
<tr>
<td>Fairly satisfied</td>
<td>Neither/nor</td>
</tr>
<tr>
<td>Neither/nor</td>
<td>Fairly satisfied</td>
</tr>
<tr>
<td></td>
<td>Very dissatisfied</td>
</tr>
</tbody>
</table>

Base: All issues (16,687); Fieldwork dates: 1st October - 24th December 2015
Overall satisfaction with the resolution of the issue was highest amongst those issues where respondents obtained independent advice (78%), followed by issues where respondents dealt with issues alone (73%). Satisfaction was lower for issues where respondents tried to get advice, failed and then handled alone (34%) and, amongst those who did nothing (40%). It was lowest for issues where respondents had tried to get advice, failed and then did nothing (12%). Correspondingly, these were the handling strategies associated with higher levels of dissatisfaction (39%, 22% and 68% respectively).

Figure 8.2: **Satisfaction with outcome of problem or issue**

Looking across issue types, overall satisfaction with the issue resolution was higher than average for transactional issues such as making a will (90% compared with 66% on average), dealing with the estate of a dead relative (87%), re-mortgaging the current property (82%) and buying or selling a house (79%).

Demographic groups that were more likely to be satisfied with the resolution of their issue included the following, though differences may reflect variations in issue type and/or variations in the proportions of closed versus ongoing issues:

- Those aged over 55 (72% of issues compared with 65% of issues for 35-54 year olds and 61% of issues for those aged 17-34);
- Those of White ethnic origin (67% of issues compared with 61% Asian, 58% Black and 56% mixed); and
- Men (68% vs. 65% of women).

In contrast, issues around which there is greater dissatisfaction include clinical negligence (44% compared with 14% on average), being treated badly by the police (35%), legal issues with mental health (25%) and other personal injury (23%). Other issues where respondents had higher than average levels of dissatisfaction included those involving discrimination (29%), domestic violence (24%), issues with a landlord (22%) and homelessness (20%).
Groups who were more likely to be dissatisfied included the following, which again will reflect the variation in issue types and other factors:

- Issues where respondents had a long term disability (21% vs. 12% without a disability); and
- Issues where respondents had experienced four or more issue types in the past three years (18% vs. 11% who have experienced one issue)

The chapter will now look at each of the five overall strategies in turn, identifying respondents’ objectives, whether these were felt to have been achieved and how easy or difficult respondents found handling issues alone.

8.1.2 Objectives for issues handled alone

The most important objective pursued by those handling their legal issue on their own was trying to obtain or preserve money or property (20%). This was followed by a wish to get compensation or prove they were in the right (11% each). Other objectives were mentioned by smaller minorities of respondents, as outlined in figure 8.3.

**Figure 8.3: Main objective for taking action in relation to handling alone**

```
QC8. Which of the following were your main objectives for taking action in relation to your issue or problem?

- I wanted to obtain or preserve money or property
- I desired to put right something that had gone wrong
- I wanted to prove that I was right
- I wanted to get the compensation
- I wanted to understand what had happened
- I was motivated by the sense of injustice
- I wanted to change the behaviour of a person
- I wanted to obtain recognition of a mistake/receive an apology
- I wanted to prevent something that had gone wrong from going wrong again
- I wanted to clear my name

Most important objective: 20%

I wanted to obtain or preserve money or property
I desired to put right something that had gone wrong
I wanted to prove that I was right
I wanted to get the compensation
I wanted to understand what had happened
I was motivated by the sense of injustice
I wanted to change the behaviour of a person
I wanted to obtain recognition of a mistake/receive an apology
I wanted to prevent something that had gone wrong from going wrong again
I wanted to clear my name

Base: All issues handled alone where most important objective was stated (6593); Fieldwork dates: 1st October - 24th December 2015

Source: Ipsos MORI
```

Relating to the financial implications of the issue, obtaining or preserving money or property was the most prevalent objective among those dealing with the estate of a deceased relative (37%), home repossessions or evictions from rented property (28%) and issues with a tenant (28%).
8.1.3 Meeting objectives amongst those who handled their issue alone

In just over half of these issues (56%) respondents felt that their main objective was achieved completely while in around a quarter (27%) the objective was achieved in part. In one in ten issues (10%) respondents reported not having achieved the objective at all and for the remaining seven percent of issues it was too early to say whether it was achieved or not.67

**Figure 8.4: Whether objective has been completed in cases handled alone**

The issues around which the largest proportions felt they achieved their goal completely were making a will (86%), dealing with the estate of a deceased relative (83%), the re-mortgage of current property (77%), consumer issues (71%), or buying a house (70%). Older respondents were more likely to have achieved their objective completely (66% of issues among those aged 55+ compared with 48% aged 17-24).

At the other end of the scale, the issues for which respondents were more likely to feel they had not achieved their goal were clinical negligence (29%), being treated badly by the police (24%), legal issues with mental health issues (20%), domestic violence (19%), issues with an employer (19%), or issues involving welfare (18%).

8.1.4 Satisfaction among those that obtained advice

Respondents were asked how satisfied or dissatisfied they were with various aspects of their legal service provider for each issue they experienced. Levels of satisfaction were consistently high among many of the service aspects surveyed. The highest levels of satisfaction related to the clarity of information about the service they would be provided (79%), the

67 For issues where there respondent tried to obtain advice but failed, so then handled alone, the main objective for taking action was most often in order to obtain or preserve money or property (17%), motivation from a sense of injustice (15%) a desire to put something right that had gone wrong (11%) and a wish to prove that they were right (10%). A quarter (23%) felt that their objective had been achieved completely, a third (32%) that it had been achieved in part, or not at all (36%). One in ten (10%) said it was too early to say.
service provider acting in a professional manner (79%), the way in which things were explained so that they were easily understood (78%), the extent to which they were treated as an individual (77%) and the quality of advice (77%). Lower areas of satisfaction related to clarity regarding the costs to be charged (66% of issues) and the length of time in which the matter was dealt with (66%), though respondents were still far more likely to be positive than negative.

Figure 8.5: Satisfaction with various aspects of the legal service advisor

For two-thirds (65%) of issues, respondents expectations of what they would receive from the legal service provider were met. For similar proportions of issues the expectations of the provider were either exceeded (15%), or fell short (14%).
8.1.5 Objectives among those that received the help of an advisor

The primary objective amongst those who dealt with their issue with the help of an advisor was most frequently a sense of injustice (13% of these issues), a desire to put something that had gone wrong right (13%), to change the behaviour of a person (12%), or to prevent something that had gone wrong from going wrong again (11%). Other objectives are outlined in the figure below.

Figure 8.6: Main objectives for issues handled with help of an advisor

In over half of issues (56%) respondents said that their objectives had been achieved completely, while for around a quarter (27%) they had been achieved in part. In one in ten issues (10%) the respondent noted they had not been achieved at all and in seven percent it was too early to say. Transactional issues were most likely to have a positive result in the objective being completely achieved. This included buying or selling a house (79%) and dealing with the estate of a dead relative (75%). Respondents were most likely to note objectives not being achieved with regards; clinical negligence and being treated badly by the police (each 28% compared with 10% on average). Overall, advisors were more likely to be cited as not having met objectives in cases of higher severity (14% vs. 7% of lower perceived severity issues).
8.1.6 Dissatisfaction and making complaints about the provider

Amongst the 8% of issues where the respondent was dissatisfied with the service they received from the provider (530 issues), approaching half (45%) were dissatisfied about the delays to the amount of time the matter took to be dealt with. In a similar proportion of issues (43%) respondents felt that they were not being kept up to date on progress. In slightly fewer instances, respondents highlighted that the service was poor or not up to scratch (38% of issues), that there were mistakes made by the provider in dealing with the matter (32%) or that the person they dealt with did not seem to know what they were doing (26%). In a small minority of issues respondents mentioned the way they were treated by the staff (18%), that the legal advice turned out to be wrong (14%), it offered poor value for money (12%), that the final bill was more expensive than expected (12%), that the advisor failed to follow instructions given by the client (9%), or that paperwork got lost (9%) as reasons for their dissatisfaction.

Figure 8.7: Reasons for dissatisfaction with advisor

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delays to the amount of time the matter took</td>
<td>45%</td>
</tr>
<tr>
<td>I was not kept up to date on progress</td>
<td>43%</td>
</tr>
<tr>
<td>The quality of service provided was poor or not up to scratch</td>
<td>38%</td>
</tr>
<tr>
<td>Mistakes were made by them in dealing with the matter</td>
<td>32%</td>
</tr>
<tr>
<td>The person dealing with me did not seem to know what he/she was doing</td>
<td>26%</td>
</tr>
<tr>
<td>I was not treated very well by staff</td>
<td>18%</td>
</tr>
<tr>
<td>Legal advice proved to be wrong</td>
<td>14%</td>
</tr>
<tr>
<td>Poor value for money</td>
<td>12%</td>
</tr>
<tr>
<td>The final bill was higher than I expected</td>
<td>12%</td>
</tr>
<tr>
<td>Failed to follow my instructions</td>
<td>9%</td>
</tr>
<tr>
<td>Lost paperwork</td>
<td>9%</td>
</tr>
<tr>
<td>Don’t know/can’t remember</td>
<td>5%</td>
</tr>
</tbody>
</table>

Base: All issues where respondent obtained advice/assistance/help but was dissatisfied with the service they received (530). Fieldwork dates: 1st October - 24th December 2015
Respondents took a range of different actions as a result of their dissatisfaction with the provider. Figure 8.8 outlines the initial responses as a result of the dissatisfaction for each type of provider. Respondents were least likely to do anything about unreserved providers (46%), followed by solicitors (42%). Across each of the provider types, issues which resulted in dissatisfaction were more often raised directly with the provider, but did not result in an initial formal complaint. Respondents were also asked about what other responses they made. These patterns broadly followed the results of the initial response.

**Initial response to dissatisfaction with advisor by type of provider used**

QF43. Following your dissatisfaction with the service you experienced, what was your INITIAL response to being dissatisfied?

<table>
<thead>
<tr>
<th>Response</th>
<th>Solicitor (base = 244)</th>
<th>Other reserved (base = 86)</th>
<th>CAB (base = 128)</th>
<th>Other unreserved (base = 76)</th>
</tr>
</thead>
<tbody>
<tr>
<td>I didn’t do anything about it</td>
<td>3%</td>
<td>25%</td>
<td>8%</td>
<td>8%</td>
</tr>
<tr>
<td>Raised my concerns with the service provider but did not make a formal complaint</td>
<td>42%</td>
<td>23%</td>
<td>16%</td>
<td>13%</td>
</tr>
<tr>
<td>I made a formal complaint to the professional service provider</td>
<td>8%</td>
<td>8%</td>
<td>7%</td>
<td>7%</td>
</tr>
<tr>
<td>I intend to complain but have not yet</td>
<td>3%</td>
<td>9%</td>
<td>9%</td>
<td>9%</td>
</tr>
<tr>
<td>Complained/ sought advice from the Citizens Advice Bureau</td>
<td>8%</td>
<td>10%</td>
<td>7%</td>
<td>7%</td>
</tr>
<tr>
<td>Got advice from a third party about what I should do about it</td>
<td>1%</td>
<td>10%</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>I complained to the Legal Ombudsman</td>
<td>2%</td>
<td>1%</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>Complained to someone else</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>The problem is still ongoing</td>
<td>9%</td>
<td>15%</td>
<td>15%</td>
<td>15%</td>
</tr>
<tr>
<td>Other</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
<td>2%</td>
</tr>
</tbody>
</table>

Respondents who reported that they did not know anything about their legal position were more likely to not do anything about their dissatisfaction initially (47% vs. 39% overall). The pattern of responses across the issue areas was broadly similar.

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68 For analysis purposes providers were grouped into the following: ‘Solicitors’, ‘Other reserved providers’ (Barristers, Licensed conveyancers, Patent and Trademark attorneys, cost lawyers, accountants in probate problem types only, notaries, legal executives, ‘CABs’, ‘Other unreserved’ providers covered in the survey (all other providers such as Law Centres)
Among the issues where respondents who made a formal complaint to a professional service provider (as defined by the questionnaire; 84 issues in total), around one in six issues resulted in an apology from the legal service provider (17% of cases), closely followed by return of the documents that they were holding on to (16%), provision of a full explanation of why things went wrong (14%) and return or refund of legal fees (13%). In 11% of the comparatively few issues where a complaint was made, the provider did not respond to the respondent.

Figure 8.8: Actions as a result of complaint against provider being processed

QF45. After the complaint had been processed by the professional service provider; did any of the following happen?

- Received an apology: 17%
- You received back documents that they were holding on to: 16%
- Your legal fees were reduced or refunded: 13%
- You were provided a full explanation about why things went wrong: 14%
- The professional service provider did not respond: 11%
- Your legal fees were reduced or refunded: 13%
- You were awarded compensation: 9%
- The legal service professional service provider did further work to correct what had gone wrong: 9%
- You took your complaint to a complaints body: 6%
- None of the above: 21%
- Don’t know/can’t remember: 4%

8.1.7 Approaches to legal services regulators

Looking across all issues where an advisor was used, including where the respondent did not note that they had made a complaint, in one in ten (10%) cases the respondent indicated that they had approached one of the legal services regulators regarding the handling of their issue. The regulator cited most frequently was the Solicitor’s Regulatory Authority (in 4% of all issues where advice was received), followed by the Council for Licenced Conveyancers (2%), the Costs Lawyer Standards Board (1%), the CILEx Regulation (1%), the Bar Standards Board (1%), the Intellectual Property Regulation Board (1%) or the Master of the Faculties (1%). Figure 8.10 also outlines the patterns amongst those that used either a solicitor or other regulated providers; in cases where a solicitor was used the respondent was less likely to identify contact with a regulator (8% compared with cases where other reserved providers were used 21%). This may reflect variations by issue type and/or other factors.
Figure 8.9: Approaches to legal services regulators

QF46. Did you at any stage approach one of the following legal services regulators for any reason regarding the handling of your issue?

<table>
<thead>
<tr>
<th>Regulator</th>
<th>Solicitor</th>
<th>Other reserved providers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solicitors Regulation Authority (SRA)</td>
<td>4%</td>
<td>6</td>
</tr>
<tr>
<td>Council for Licensed Conveyancers (CLC)</td>
<td>2%</td>
<td>1</td>
</tr>
<tr>
<td>Chartered Institute of Legal Executives (CILEx)</td>
<td>2%</td>
<td>1</td>
</tr>
<tr>
<td>Bar Standards Board (BSB)</td>
<td>1%</td>
<td>1</td>
</tr>
<tr>
<td>Costs Lawyer Standards Board (CLSB)</td>
<td>1%</td>
<td>1</td>
</tr>
<tr>
<td>Intellectual Property Regulation Board (IPReg)</td>
<td>1%</td>
<td>*</td>
</tr>
<tr>
<td>Master of the Faculties</td>
<td>1%</td>
<td>*</td>
</tr>
<tr>
<td>Institute of Chartered Accountants in England and Wales (ICAEW)</td>
<td>*%</td>
<td>*</td>
</tr>
<tr>
<td>None</td>
<td>84%</td>
<td>86</td>
</tr>
<tr>
<td>Don’t know</td>
<td>6%</td>
<td>6</td>
</tr>
</tbody>
</table>

Base: All issues where respondent obtained advice/assistance/help (5945) : Fieldwork dates: 1st October - 24th December 2015

Looking across the issues, those who experienced issues with squatters, children issues and repossessions were most likely to have involved a regulator.

Respondents were asked how satisfied or dissatisfied respondents were with regulators when contact was identified. The highest level of satisfaction was with the Solicitors Regulation Authority (84%), followed by the Bar Standards Board (77%) and the Institute of Chartered Accountants in England and Wales (n=16 out of 23). However the small base sizes in some cases means that these findings may not be conclusive.

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69 Please note that this chart is only based on those who approached the regulator, and is therefore based on relatively small base sizes in some cases.

70 This question covered all those who contacted a provider regarding their matter. They did not necessarily contact the provider to make a complaint about their issue.
8.2 Doing something differently to resolve the issue

Respondents were asked whether or not they would have done something differently about their issue. Looking across all issues surveyed and strategies undertaken, in around one in six issues (16%) respondents wished they had done something differently, while in just under two-thirds of cases (63%) say they would not have done anything differently. For a fifth of issues (21%) they were not sure. However there was some variation when looking across each of the strategies undertaken. As outlined in figure 8.11 in issues where respondents tried but failed to get advice and then either did nothing (35%) or dealt with it themselves (34%) respondents were most likely to wish they had done something differently, followed by those who did nothing (23%). Issues where respondents dealt with it themselves or obtained advice were least likely to wish to have taken a different course of action (14% each). Again, these variations by strategy may be influenced in part by the type of issues covered.

Figure 8.10: Doing something differently about dealing with issue across strategies

Q. Is there anything you wish you had done differently about trying to sort out the problem/deal with the issue?*

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Yes %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tried and failed to get advice, then did nothing</td>
<td>35%</td>
</tr>
<tr>
<td>Tried and failed to get advice, then dealt with it themselves</td>
<td>34%</td>
</tr>
<tr>
<td>Did nothing</td>
<td>23%</td>
</tr>
<tr>
<td>Got advice/assistance</td>
<td>14%</td>
</tr>
<tr>
<td>Handled alone</td>
<td>14%</td>
</tr>
</tbody>
</table>

Base: All issues (16687); Fieldwork dates: 1st October - 24th December 2015  
Source: Ipsos MORI
As outlined in table 8.1 those experiencing the types of issues which generally had lower levels of satisfaction with the resolution more commonly mentioned that they would have done something differently. Respondents who had issues with clinical negligence (32%) and domestic violence (32%) were more likely to wish they had done something differently. Meanwhile those who made a will (86%), dealt with the estate of a deceased relative (80%) or re-mortgaged current property (78%) were most likely to be content with the course of action taken. In table 8.1 figures with a double asterisk (**) indicate issues which were higher than average while single asterisk (*) show issues that were lower than average.

Table 8.1 Wish to have done things differently by issue type

### Housing:

<table>
<thead>
<tr>
<th>Issue Type</th>
<th>Total</th>
<th>Bought/sold a house (conveyancing)</th>
<th>Remortgaged current property/transfer of equity</th>
<th>Problems with a landlord</th>
<th>Dealt with a planning application</th>
<th>Had problems with a tenant</th>
<th>Had problems with squatters</th>
<th>Had my home repossessed</th>
<th>Faced eviction from renting property</th>
<th>Other problems with a property</th>
<th>Homelessness</th>
</tr>
</thead>
<tbody>
<tr>
<td>All issues</td>
<td>(16,687)</td>
<td>(1240)</td>
<td>(520)</td>
<td>(554)</td>
<td>(557)</td>
<td>(491)</td>
<td>(128)</td>
<td>(502)</td>
<td>(508)</td>
<td>(384)</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>No</td>
<td>16</td>
<td>9*</td>
<td>6*</td>
<td>21**</td>
<td>15</td>
<td>21**</td>
<td>37**</td>
<td>29**</td>
<td>19</td>
<td>24**</td>
<td></td>
</tr>
<tr>
<td>Don’t know</td>
<td>63</td>
<td>73</td>
<td>78</td>
<td>51</td>
<td>68</td>
<td>60</td>
<td>40</td>
<td>46</td>
<td>56</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>Refused</td>
<td>21</td>
<td>17</td>
<td>8</td>
<td>28</td>
<td>16</td>
<td>19</td>
<td>19</td>
<td>24</td>
<td>25</td>
<td>33</td>
<td></td>
</tr>
</tbody>
</table>

### Relationships and family:

<table>
<thead>
<tr>
<th>Issue Type</th>
<th>Total</th>
<th>Divorce</th>
<th>Dealt with the estate of a deceased relative</th>
<th>Problems following a relationship breakdown</th>
<th>Legal problems with children</th>
<th>Domestic violence</th>
</tr>
</thead>
<tbody>
<tr>
<td>All issues</td>
<td>(16,687)</td>
<td>(486)</td>
<td>(1,042)</td>
<td>(679)</td>
<td>(276)</td>
<td>(467)</td>
</tr>
<tr>
<td>Yes</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>No</td>
<td>16</td>
<td>26**</td>
<td>8*</td>
<td>22**</td>
<td>27**</td>
<td>32**</td>
</tr>
<tr>
<td>Don’t know</td>
<td>63</td>
<td>53</td>
<td>80</td>
<td>50</td>
<td>49</td>
<td>36</td>
</tr>
<tr>
<td>Refused</td>
<td>21</td>
<td>20</td>
<td>12</td>
<td>27</td>
<td>22</td>
<td>32</td>
</tr>
</tbody>
</table>

### Consumer and transactional:

<table>
<thead>
<tr>
<th>Issue Type</th>
<th>Total</th>
<th>Consumer problem</th>
<th>Made a will</th>
<th>Got into debt/money problems</th>
<th>Problem with employer</th>
</tr>
</thead>
<tbody>
<tr>
<td>All issues</td>
<td>(16,687)</td>
<td>(1,567)</td>
<td>(1,121)</td>
<td>(760)</td>
<td>(627)</td>
</tr>
<tr>
<td>Yes</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>No</td>
<td>16</td>
<td>10*</td>
<td>4*</td>
<td>22**</td>
<td>20**</td>
</tr>
<tr>
<td>Don’t know</td>
<td>63</td>
<td>76</td>
<td>86</td>
<td>52</td>
<td>54</td>
</tr>
<tr>
<td>Refused</td>
<td>21</td>
<td>15</td>
<td>9</td>
<td>27</td>
<td>25</td>
</tr>
<tr>
<td>All issues</td>
<td>(16,687)</td>
<td>(1,567)</td>
<td>(1,121)</td>
<td>(760)</td>
<td>(627)</td>
</tr>
<tr>
<td>Yes</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>No</td>
<td>16</td>
<td>10*</td>
<td>4*</td>
<td>22**</td>
<td>20**</td>
</tr>
<tr>
<td>Don’t know</td>
<td>63</td>
<td>76</td>
<td>86</td>
<td>52</td>
<td>54</td>
</tr>
<tr>
<td>Refused</td>
<td>21</td>
<td>15</td>
<td>9</td>
<td>27</td>
<td>25</td>
</tr>
</tbody>
</table>
Injury and negligence:

**Is there anything differently you would have done to sort out the problem/deal with the issue?**

<table>
<thead>
<tr>
<th>All issues</th>
<th>Total</th>
<th>Been injured at work</th>
<th>Involved in road traffic accident</th>
<th>Other personal injury that was not your fault</th>
<th>Problems with mental health issues</th>
<th>Been treated badly by the police</th>
<th>Clinical negligence</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(16,687)</td>
<td>(415)</td>
<td>(665)</td>
<td>(456)</td>
<td>(240)</td>
<td>(307)</td>
<td>(403)</td>
</tr>
<tr>
<td>Yes</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>No</td>
<td>63%</td>
<td>55%</td>
<td>72%</td>
<td>54%</td>
<td>40%</td>
<td>45%</td>
<td>36%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>21%</td>
<td>19%</td>
<td>16%</td>
<td>25%</td>
<td>36%</td>
<td>29%</td>
<td>33%</td>
</tr>
<tr>
<td>Refused</td>
<td>1%</td>
<td>2%</td>
<td>*</td>
<td>3%</td>
<td>2%</td>
<td>3%</td>
<td>1%</td>
</tr>
</tbody>
</table>

Citizenship and work:

**Is there anything differently you would have done to sort out the problem/deal with the issue?**

<table>
<thead>
<tr>
<th>All issues</th>
<th>Total</th>
<th>Dispute with neighbours</th>
<th>Discrimination</th>
<th>Been Arrested</th>
<th>Immigration problem</th>
<th>Had problems getting the right welfare benefits or tax benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(16,687)</td>
<td>(805)</td>
<td>(551)</td>
<td>(268)</td>
<td>(201)</td>
<td>(667)</td>
</tr>
<tr>
<td>Yes</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>No</td>
<td>63%</td>
<td>62%</td>
<td>42%</td>
<td>51%</td>
<td>45%</td>
<td>59%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>21%</td>
<td>24%</td>
<td>31%</td>
<td>17%</td>
<td>21%</td>
<td>26%</td>
</tr>
<tr>
<td>Refused</td>
<td>1%</td>
<td>1%</td>
<td>2%</td>
<td>2%</td>
<td>4%</td>
<td>1%</td>
</tr>
</tbody>
</table>

Understandably, groups who were more likely to be satisfied with the outcome of the issue were more likely to be content with their choice of strategy and those who were dissatisfied were more likely to note that they would have changed their approach. Those more likely to have wished they had done something differently included the following (though again this will reflect in part the type of issue experienced):

- Those whose first language was not English (33% vs. 15% whose first language is English)
- Those with a long term disability (23% vs. 14% with no long term disability)
- Black ethnic minority groups (23% vs. 16% overall)
- Women (18% vs. 15% of men)
- Those aged 17-54 (18% vs. 12% of those aged 55+)
- Those with a qualification of A-level or higher (17% vs. 14% with a qualification of GCSE or lower)
8.2.2 Alternative courses of action among those who sought help or advice

Those who accessed advice for issues were asked whether or not they would use the same main provider of advice for their issue if they were presented with a similar situation again. For more than half of issues (56%) respondents said that they would use the same provider, a quarter (26%) would use the same type of provider, whilst seven percent would seek help from another type of provider. For three percent of issues they stated they would not use a provider at all and in eight percent of issues they weren’t sure.

Figure 8.11: Taking advice from the same provider

QF49. If you were in a similar situation again, would you take advice or help again from the main provider in your matter?

- Yes - the same provider
- Yes - the same type of provider
- No – but would seek help from another type of provider
- No
- Don’t know

Base: All issues where respondent obtained advice/assistance/help (5945)
Fieldwork dates: 1st October - 24th December 2015
Source: Ipsos MORI
Timeliness was a key reason why some of those who obtained advice for their issue wished they had done something different. Almost a third (31%) of this group wish they had got advice sooner and over a quarter (28%) wished that they had acted sooner in general. Other frequent mentions included getting advice from somewhere else (27%) and getting more advice (27%). Further reasons are outlined in figure 8.13 below.

Figure 8.12: Doing something differently among those that obtained advice or help

8.2.3 Alternative course of action: those that tried and failed to get advice then handled alone

Respondents who had tried and failed to get advice, then handled alone were asked whether they wished they had done something differently. Of the 28% of these issues where respondents wished they had done something differently (160 issues in total), respondents were most likely to say they wished they had tried harder / been more assertive (39%), looked for advice sooner (31%), acted sooner in general (31%), used a more formal process (28%) or looked for advice elsewhere (28%).
Figure 8.13: **Wish to have done something differently among those that handled alone after trying and failing to get advice**

8.2.4 Alternative course of action: those that handled alone

In two-thirds of issues (67%) handled alone respondents did not wish they had done something differently compared to one in seven issues (14%) where they wish they had. Those who cited some regret were then asked what they wish they had done differently. The most frequent answers were acting sooner (37% of these cases), trying harder (34%) and getting advice (33%).

Figure 8.14: **Wish to have done something differently among those that handled alone**
8.2.5 Alternative course of action: those that did nothing

In a quarter of issues (23%) where respondents had done nothing, they wished they had done something different about trying to sort out the issue. In twice as many cases (46%) they were content with doing nothing. Those making a will (78%), involved in a road traffic accident (68%), buying a house (61%), dealing with the re-mortgage of a current property (61%), or having a consumer issue (56%) were more likely to have been happy with the decision to do nothing.

Those who wish they had done something were most likely to report that they would have looked for advice (60%), acted sooner (46%), tried harder or been more resolved/assertive (38%), used a formal process (18%), or got more information (17%).

Figure 8.15: Wish to have done something differently when nothing was done
9. Young people survey of legal issues
9 Young people survey of legal issues

9.1 Experience

As with the adult survey, the young person’s study offered an insight into the experiences of legal issues amongst those aged between 11 and 15. Given the relatively small size of the sample, 161, the frequency of the experience of each of the 23 issues does not intend to be representative of this age group. Rather, it offers a preliminary insight into some of the issues young people feel that they have faced.

In total, 70% of the young people surveyed stated that they had experienced one or more legal issues that were listed in the survey. It is important to note that whilst in the context of this report we refer to them as legal issues, they may not be perceived to be as such by the young people answering the survey. Young people were asked to think about issues in light of those where you might need some advice from someone about the law but no reference was made to ‘legal’ in the questionnaire.

Figure 9.1: Proportion of young people survey respondents who may have experienced a legal issue

Respondents were given a list of issues and asked to select which of those, if any, they had experienced in the past two years. The most likely issues experienced among young people in the survey were consumer based – having bought something that turned out not to work properly – with 46% having experienced this problem. Experience of this issue was significantly higher than any others. The next most frequent issue was being bullied at school with 27% of our sample stating they had experienced this in the past two years.
Figure 9.2: **Types of issues young people have faced**

QC1. In the past two years have you ever...?

<table>
<thead>
<tr>
<th>Issue</th>
<th>% yes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bought something that turned out not to work properly</td>
<td>46% (n=74)</td>
</tr>
<tr>
<td>Been bullied at school</td>
<td>27% (n=44)</td>
</tr>
<tr>
<td>Been spoken to by the police</td>
<td>15% (n=24)</td>
</tr>
<tr>
<td>Had to get help from school because you have a special educational need</td>
<td>14% (n=22)</td>
</tr>
<tr>
<td>Had a problem getting into a school that you wanted to go to</td>
<td>9% (n=14)</td>
</tr>
<tr>
<td>Had problems accessing health services</td>
<td>8% (n=13)</td>
</tr>
<tr>
<td>Been involved in disagreements over contact with a member of your family that involved solicitors, social workers or the courts</td>
<td>7% (n=11)</td>
</tr>
<tr>
<td>Been in trouble because of something you posted on social media</td>
<td>7% (n=12)</td>
</tr>
<tr>
<td>Been bullied online</td>
<td>6% (n=10)</td>
</tr>
<tr>
<td>Been excluded from school</td>
<td>5% (n=8)</td>
</tr>
<tr>
<td>Been a victim of a crime</td>
<td>5% (n=8)</td>
</tr>
<tr>
<td>Been pressured into borrowing money from someone outside your family</td>
<td>4% (n=7)</td>
</tr>
<tr>
<td>Been treated unfairly by the police</td>
<td>4% (n=7)</td>
</tr>
<tr>
<td>Had any legal conversations about your care, fostering or adoption</td>
<td>4% (n=6)</td>
</tr>
<tr>
<td>Been treated unfairly by an employer in a part-time job</td>
<td>3% (n=5)</td>
</tr>
<tr>
<td>Run away from home</td>
<td>3% (n=5)</td>
</tr>
<tr>
<td>Had to deal with issues around your immigration status</td>
<td>1% (n=2)</td>
</tr>
</tbody>
</table>

Base: All valid responses (161) Fieldwork dates: 16th December 2015 - 11th January 2016

The survey also probed into whether young people felt they had been discriminated against in any way, by age, gender, religion, race and disability. The most common forms of discrimination were age (20%) and gender (11%). Young people were also asked whether they had experienced an issue which might need some advice from someone who knew about the law, with the majority (79%) noting they had not.
9.2 Young people’s approach to problem solving

Young people were asked how they responded to each particular issue they indicated they had experienced. Three-quarters (76%) asked their parents or carers to deal with one or more of the issues they experienced, by far the most frequent response. A third (33%) dealt with the issue themselves, whilst three in ten (31%) did nothing to resolve the issue. Meanwhile a fifth (22%) asked another adult to deal with the issue. Respondents were asked what they did about this issue for each issue they identified they had experienced. Respondents were asked for each issue mentioned. Therefore one respondent could give multiple responses, dependent on the number of issues they identified.

Figure 9.4: Actions taken as a result of experiencing issues

QC4. What did you do about each of the following things you experienced?

All mentions

- Did nothing: 31%
- Dealt with it myself: 33%
- Asked my parents or carers to deal with it: 76%
- Asked another adult to deal with it: 22%
In total, 35 respondents did not take action when they experienced one or more of the issues listed. The most common reason for not taking action amongst this relatively smaller number was due to a lack of awareness that action could be taken (46%).

Just over half of respondents (55%) stated that they tried to get advice about one or more of the issues they experienced. Out of those who gained advice (62 respondents), the vast majority (90%) approached their parents or carers for advice, followed by the school (52%).

Figure 9.5: Getting advice

[Bar chart showing the percentage of respondents who tried to get advice from different sources.]

Source: Ipsos MORI
Base: All valid responses (xxx) : Fieldwork dates: 16th December 2015 - 11th January 2016
 QC6. Did you try to get advice about….?
 QC7. Who did you try and get advice from about the following?

<table>
<thead>
<tr>
<th>Source</th>
<th>% All mentions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parents or Carers</td>
<td>90%</td>
</tr>
<tr>
<td>School</td>
<td>52%</td>
</tr>
<tr>
<td>Friends</td>
<td>35%</td>
</tr>
<tr>
<td>Internet</td>
<td>23%</td>
</tr>
<tr>
<td>Other family members</td>
<td>21%</td>
</tr>
<tr>
<td>Someone in my community</td>
<td>11%</td>
</tr>
<tr>
<td>Independent advice service</td>
<td>10%</td>
</tr>
<tr>
<td>Telephone helpline</td>
<td>8%</td>
</tr>
<tr>
<td>The Police</td>
<td>8%</td>
</tr>
<tr>
<td>Solicitor/lawyer</td>
<td>3%</td>
</tr>
<tr>
<td>Other</td>
<td>3%</td>
</tr>
</tbody>
</table>
9.3 Gaining help for a legal need

Young people were asked how comfortable they would feel getting legal help from a number of services, in the event of them experiencing a legal need.

Respondents felt most comfortable accessing legal help from the internet, with three-quarters (77%) stating that they would feel either ‘completely comfortable’ or ‘quite comfortable’ accessing help in this way. The majority of respondents (71%) felt comfortable seeking help from a teacher for a legal need, though were less likely to feel comfortable accessing legal help from the police (32% stated that would feel comfortable) or a solicitor (27% stated that they would feel comfortable).

Figure 9.6: **Feeling comfortable about getting advice**

QD2. And now thinking about if you experienced a legal need, how comfortable would you be in getting help with a legal need from each of the following, assuming it was free?

<table>
<thead>
<tr>
<th>Service</th>
<th>100%</th>
<th>Top-2-Boxes</th>
<th>Bottom-2-Boxes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citizen’s Advice Bureau</td>
<td>40</td>
<td>77</td>
<td>13</td>
</tr>
<tr>
<td>A service at your local council</td>
<td>27</td>
<td>59</td>
<td>7</td>
</tr>
<tr>
<td>An advice service for young people</td>
<td>20</td>
<td>35</td>
<td>20</td>
</tr>
<tr>
<td>The internet</td>
<td>44</td>
<td>8</td>
<td>2</td>
</tr>
<tr>
<td>Police</td>
<td>29</td>
<td>32</td>
<td>9</td>
</tr>
<tr>
<td>Solicitor</td>
<td>29</td>
<td>27</td>
<td>9</td>
</tr>
<tr>
<td>Teacher</td>
<td>12</td>
<td>11</td>
<td>11</td>
</tr>
</tbody>
</table>
Young people were asked which method of communication was preferable for gaining help for a legal need. Face-to-face was selected by just under half (48%) of young people surveyed. Some online options were also popular, particularly where they could enter an issue and get advice back (39%), and via Live Chat (32%).

Figure 9.7: **Channels where young people would like to get help**

QD3. In which of the following ways would you like to get help for a legal need?

- **Face to Face**: 48%
- **Online where I can put my problem in and get advice back**: 39%
- **Online via LiveChat**: 32%
- **Telephone**: 27%
- **Through watching a video on YouTube**: 25%
- **Text**: 19%
- **From reading comments on a chatroom/forum**: 12%
- **Other**: 1%
- **None of these**: 5%

![Bar chart showing the distribution of preferences for different communication methods for getting help with a legal need.](source: Ipsos MORI)

**Knowledge and perceptions of young people’s legal rights**

### 9.4 Knowledge

One of the key aims of the young person’s survey was to gain a preliminary understanding of how aware young people felt about their legal rights.

Just under two-thirds (61%) of the young people asked felt that they knew a ‘little bit’ about their legal rights, with 21% feeling they knew ‘quite a bit’ or ‘a lot’. In comparison, two-thirds (67%) of young people felt that their parents knew either ‘quite a bit’ or ‘a lot’ about young people’s legal rights.
Young people were also asked how well they thought they knew their legal rights in different situations. Respondents felt most knowledgeable about their legal rights during school time with 51% stating they thought they knew their rights either ‘fairly well’ or ‘very well’. Respondents felt less comfortable about the other three scenarios, with more respondents stating ‘not very well’ or ‘not at all well’. This is particularly the case for ‘when you visit a doctor’ with 61% stating that they did not know their rights in this situation.

Figure 9.9: Knowledge of rights in various places

QB10. How well do you know your rights when...?
In order to understand young people’s knowledge of their legal rights in different scenarios, our survey asked those aged between 13 and 15 a number of further questions about young people’s legal rights.

Almost two in five (38%) respondents were unsure at what age a young person could be charged with a crime, with around a third (36%) stating an answer between 6 and 12. In regards to at what age a young person can apply for a passport without parental permission, the response was divided. Around two in five (38%) stated an age between 13 and 17, around a quarter (27%) answered 18 or older, whilst a third (35%) did not know. Meanwhile, when asked at what age a young person could work part-time, the majority (81%) stated an age between 13 and 15.

**Figure 9.10: Perceptions of legal age rights**

<table>
<thead>
<tr>
<th>Question</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>QB4. At what age can a young person be charged with a crime (anything against the law)?</td>
<td>6 to 12: 38%, 13 to 17: 36%, 18+: 5%, DK, I would be guessing: 5%</td>
</tr>
<tr>
<td>QB5. At what age can you apply for your own passport without permission from your parents or carers?</td>
<td>6 to 12: 35%, 13 to 17: 38%, 18+: 27%, DK, I would be guessing: 15%</td>
</tr>
<tr>
<td>QB6. At what age can a young person get a part-time job (e.g. working in a shop)?</td>
<td>6 to 12: 15%, 13 to 17: 81%, 18+: 0%, DK, I would be guessing: 0%</td>
</tr>
</tbody>
</table>

Those aged between 13 and 15 were also asked about young people’s legal rights in relation to education. Over half (56%) were unsure of how many hours a young person could work on a school day, with a quarter (26%) selecting the correct response of 0-2 hours. Young people were also unsure of how many days a young person could be excluded from school within one school year, with 81% unable to answer. Those that did answer (19%) entered a number between 0 and 5.
A further three questions about legal rights were asked of those aged between 13 and 15. Two-thirds of these 95 young people in the survey (63%) answered correctly, stating that if you were under 16 you would need a parent or guardian’s consent to get medical treatment at the doctors or dentist. When asked if the police could stop and search someone who is under 16 in a public place respondents were divided, with over a third (37%) stating they were unsure, and just over a quarter (27%) selecting the correct answer – yes. In regards to the statement ‘if their parents separate young people have no say about which parent they can live with’, over half (59%) selected the correct answer false, whilst 12% thought this was true.

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71 http://www.nhs.uk/conditions/consent-to-treatment/Pages/Children-under-16

72 http://safe.met.police.uk/your_rights_including_stop_search/get_the_facts.html

73 http://crae.org.uk/media/26330/CRAE-when-parents-split-up.pdf
9.5 Perceptions of Rights

In addition to assessing young people’s knowledge of legal rights, the survey looked at perceptions of their rights. The survey listed a number of statements that young people had said about their rights, and were asked to state whether they agreed or disagreed with the statement. The statement most strongly endorsed was that ‘all public services should be required by law to maintain young people’s rights’, with three-quarters (75%) of young people agreeing. Two-thirds (68%) agreed that young people should be supported to campaign on issues concerning their rights, half (51%) had a strong interest in knowing more about their rights and half (50%) felt that teachers had respect for young people’s rights. Just under two-fifths (38%) agreed that young people did not receive enough information about rights in school.

Figure 9.13: Perceptions of young people’s rights in society

QD4b. Here are some things that other young people have said about their rights. Please say how much you agree or disagree with these statements?

<table>
<thead>
<tr>
<th>Statement</th>
<th>Strongly agree</th>
<th>Tend to agree</th>
<th>Neither/nor</th>
<th>Tend to disagree</th>
<th>Strongly disagree</th>
</tr>
</thead>
<tbody>
<tr>
<td>All public services should be required by law to maintain young people’s rights</td>
<td>37%</td>
<td>42%</td>
<td>17%</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>Young people should be supported to campaign on issues concerning their rights</td>
<td>26%</td>
<td>29%</td>
<td>27%</td>
<td>4%</td>
<td>2%</td>
</tr>
<tr>
<td>Young people receive enough information about their rights in school</td>
<td>14%</td>
<td>24%</td>
<td>29%</td>
<td>10%</td>
<td>15%</td>
</tr>
<tr>
<td>The Police have respect for young people’s legal rights</td>
<td>16%</td>
<td>28%</td>
<td>31%</td>
<td>10%</td>
<td>12%</td>
</tr>
<tr>
<td>I have a strong interest in learning more about my rights and the law</td>
<td>16%</td>
<td>35%</td>
<td>32%</td>
<td>11%</td>
<td>12%</td>
</tr>
<tr>
<td>Teachers have respect for young people’s legal rights</td>
<td>16%</td>
<td>34%</td>
<td>34%</td>
<td>8%</td>
<td>10%</td>
</tr>
</tbody>
</table>

Source: Ipsos MORI
Base: All valid responses (161) Fieldwork dates: 16th December 2015 - 11th January 2016
9.6 Education and access to information and advice on young people’s legal rights

The research conducted also aimed to gauge an initial understanding of where young people are learning about their legal rights.

Respondents were asked about how much they had learned about young people’s rights from each of the sources detailed in Figure 9.14. The most common source of education about young people’s legal rights was from parents and carers with 46% of young people answering that they had learnt ‘quite a bit’ or ‘a lot’ about young people’s rights from them. Schools (28%) were the next most frequent answer, followed by TV (17%), brothers and sisters (14%), social media (12%) and friends (12%).

Figure 9.14: Where knowledge of legal rights comes from

QB3. How much have you learned about young people’s legal rights from?

More young people surveyed did not have citizenship lessons at school than did (50% vs. 44% who did). In the context of school, the young people surveyed were most likely to have learnt about their legal rights in PSHE/PSE (Personal, social, health and economic) lessons (52%). This was followed by Citizenship lessons (36%) and assemblies (34%). When interpreting the findings it should be noted that the younger children may still have been in primary education.
9.7 What issues would young people like information and advice on?

In addition to gaining a picture of where young people were learning information about their legal rights and the law, the research explored the ways and methods in which young people would like to be educated about their legal rights.

Young people were asked about whether they felt that they and other young people needed information and advice on any of the issues previously raised in the questionnaire. Respondents were able to select yes to multiple options. Bullying was the top issue that young people felt that they and other young people needed information and advice (68% feeling there was a need for advice for bullying at school and 65% for online bullying). Advice and information on being a victim of a crime was also a relatively high priority (selected by 60%). At least a quarter felt that young people needed information and advice on all the issues listed, suggesting a degree of interest in information and advice across the board.
Figure 9.16: **Need for information relating to rights**

QD1. Do you think young people (including you) need information and advice relating to rights on any of the following?

<table>
<thead>
<tr>
<th>Issue</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Being bullied at school</td>
<td>68%</td>
</tr>
<tr>
<td>Online bullying</td>
<td>65%</td>
</tr>
<tr>
<td>Being a victim of a crime</td>
<td>60%</td>
</tr>
<tr>
<td>Buying something that turns out not to work properly</td>
<td>44%</td>
</tr>
<tr>
<td>Being in trouble because of something you posted on social media</td>
<td>44%</td>
</tr>
<tr>
<td>Being treated unfairly by an employer in a part-time job</td>
<td>42%</td>
</tr>
<tr>
<td>Being spoken to by the police</td>
<td>42%</td>
</tr>
<tr>
<td>Being excluded from school</td>
<td>42%</td>
</tr>
<tr>
<td>Having to get help from school because you have a special educational need</td>
<td>41%</td>
</tr>
<tr>
<td>Running away from home</td>
<td>40%</td>
</tr>
<tr>
<td>Been involved in disagreements over contact with a member of your family that involved solicitors/social workers/courts</td>
<td>39%</td>
</tr>
<tr>
<td>Being treated unfairly by the police</td>
<td>38%</td>
</tr>
<tr>
<td>Being involved in legal issues related to care, fostering or adoption</td>
<td>33%</td>
</tr>
<tr>
<td>Problems accessing health services</td>
<td>32%</td>
</tr>
<tr>
<td>Being pressured into borrowing money from someone outside your family</td>
<td>30%</td>
</tr>
<tr>
<td>A problem getting into a school that you want to go to</td>
<td>25%</td>
</tr>
<tr>
<td>Issues around immigration status</td>
<td>25%</td>
</tr>
<tr>
<td>None of these</td>
<td>17%</td>
</tr>
</tbody>
</table>

Base: All valid responses (xxx) : Fieldwork dates: 16th December 2015 – 11th January 2016

Source: Ipsos MORI
9.8 Desired access to information and advice

The research also looked at where young people would prefer to access information and advice on legal rights. As part of the survey, young people were given a list of ideas of how their peers could access information and advice on their rights, and then asked to rate each idea on a scale of ‘excellent’ to ‘bad’.

The most popular idea was for young people to be taught their legal rights at school, with 83% rating this idea positively. Three-quarters (75%) thought that when young people had an issue with someone in power, that they should be given information on their rights. All ideas were received fairly positively, with more than half of respondents rating the idea as ‘excellent’ or ‘pretty good’ with the exception of the statement ‘social media should be used to give young people information about their legal rights’ where balance of opinion was negative.

Figure 9.17: Ratings of ways in which young people can learn about their rights

The survey listed a number of ways in which young people could access information and learn about their legal rights. Respondents were asked to rate the ideas, as ‘the best way’, ‘the 2nd best way’ or ‘3rd best way’. The figure below collates these responses and shows the percentage of respondents who selected the method of learning as either ‘best way’, ‘2nd best way’ or ‘third best way’. Three-quarters (76%) rated ‘in the classroom’ as one of the best ways of learning about their rights and the law, with just under half endorsing ‘on the internet in the classroom’ (48%). These findings again highlighted school as respondents’ preferred location for learning about legal rights.
The most popular activity on the internet was watching video clips, with three-quarters (75%) nothing they had done so in the past week. Two-thirds (64%) used the internet for school or work. 62% of our sample stated they have a profile on a social networking site, whilst over two in five (44%) said they had visited a social networking profile in the past week. Chatrooms and file sharing sites were less common activities.

Figure 9.18: **Best perceived ways to learn about rights and the law**

Q812. Which of the following ways describes the best ways for you to learn about your rights and the law?

- In the classroom: 76%
- On the internet in the classroom: 48%
- On the internet at home: 34%
- Through watching films/TV shows: 24%
- Through watching videos online: 24%
- Through watching documentaries: 22%
- By reading leaflets: 21%
- By reading a book: 17%
- Through games: 16%
- Through role plays: 13%
- None of these: 1%

Base: All valid responses (82) - Fieldwork dates: 16th December 2015 - 11th January 2016

Source: Ipsos MORI

Figure 9.19: **Actions taken on the internet in the past week**

QE2. Which of the following things have you done on the internet in the past 7 days?

- Watched video clips e.g. YouTube: 75%
- Used the internet for school or work: 64%
- Visited a social networking profile: 44%
- Used instant messaging: 43%
- Played games with other people on the internet: 37%
- Posted photos, videos, or music to share with others: 35%
- Posted a message on a website: 26%
- Read/watched the news online: 23%
- Spent time in a virtual world (e.g. Moshi Monsters): 19%
- Created a character, pet or avatar: 13%
- Visited a chatroom: 12%
- Used file sharing sites: 9%
- Prefer not to say: 3%
- None of these: 3%

QE3. Do you have your own profile on a social networking site?

- Yes: 62%
- No: 31%
- Not sure: 4%
- Prefer not to say: 4%

Base: All valid responses (82) - Fieldwork dates: 16th December 2015 - 11th January 2016

Source: Ipsos MORI