Prices of Individual Consumer Legal Services

Research Report

Prepared for the Legal Services Board

By OMB Research

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1 Executive Summary

The LSB carries out research and collects data in order to understand the consumer experience and the impact of regulation in the legal services markets. As part of a wider market evaluation report due for publication later in 2016, the LSB asked OMB Research to undertake research on prices for common legal services.

Understanding changes in prices over time helps determine whether there have been any improvements in the extent of competition between providers, and affordability and access to justice for consumers.

This research:

- Provides a robust picture of the prices that are currently paid by consumers for some key legal services; and
- Develops a methodology that can be repeated in future to provide an accurate measure of price changes over time (and that can potentially be extended to cover businesses as well as consumers).

The survey comprised 1,506 telephone interviews with a range of legal service providers. It covered standardised services in three areas of legal work: conveyancing; divorce; and wills, lasting power of attorney and estate administration.

As well providing detailed data on current prices, the key findings of this research are that:

- Prices vary significantly for some common legal services showing that it pays consumers to shop around.
- 17% of firms display their prices on their websites; firms who do display prices on their websites are generally cheaper than those who do not.
- Legal service providers adopting a fixed fee approach to charging tended to offer the lowest price on average when compared with those charging in other ways.
- Fixed fees predominate for less complex matters (conveyancing, wills, power of attorney and for simpler uncontested divorces). As the services sought became more complex, providers were more likely to say they would charge either an hourly rate or estimate the total cost.
- The majority of firms (67%) stated that their prices had stayed about the same over the last 12 months. However, amongst those reporting a change, the balance was very much in favour of a price increase (29% reported that prices had increased and just 4% that they had decreased).
- There were no significant differences between the prices of Alternative Business Structures and other firms.
- There was no clear pattern when looking at how prices varied by size of firm.
- Firms based in the South East of England charged significantly higher prices across each of the services tested compared to firms located elsewhere. Firms based in England typically charged higher than those based in Wales.
- Firms quoted lower prices in deprived areas when compared with the more affluent areas, across all scenario groups.
- The majority of firms believed that in most cases services were not likely to cost customers more than initially quoted.
1.1 Summary of Mean Prices Across the 15 Scenarios

Each section of the report starts with an at-a-glance section showing the mean price, median price, upper and lower quartiles, and interquartile range. The mean prices are showed below.

1.1.1 Conveyancing

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sale (Freehold)</td>
<td>£640</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td>£730</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td>£722</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td>£815</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td>£1,283</td>
</tr>
</tbody>
</table>

1.1.2 Divorce

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£722</td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£453</td>
</tr>
<tr>
<td>Uncontested - Children</td>
<td>£953</td>
</tr>
<tr>
<td>Complex - Children</td>
<td>£1,653</td>
</tr>
<tr>
<td>Complex - Assets</td>
<td>£2,608</td>
</tr>
</tbody>
</table>

1.1.3 Wills, Power of Attorney and Estate Administration

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Mean</th>
</tr>
</thead>
<tbody>
<tr>
<td>Standard will</td>
<td>£168</td>
</tr>
<tr>
<td>Complex will</td>
<td>£206</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>£414</td>
</tr>
<tr>
<td>Grant of probate</td>
<td>£829</td>
</tr>
<tr>
<td>Estate administration</td>
<td>£1,926</td>
</tr>
</tbody>
</table>
2 Background & Methodology

2.1 Background

The Legal Services Board (LSB) was set up to reform and modernise the legal services market in the interests of consumers by enhancing quality, ensuring value for money and improving access to justice across England and Wales. The LSB seeks to achieve this through pursuing the regulatory objectives set out in the Legal Services Act 2007 and by providing regulatory oversight for the eleven approved regulators. All approved regulators share these regulatory objectives.

The LSB is committed to the ongoing evaluation of the impacts of the regulatory reforms, and other drivers for change in the market. Understanding changes in prices over time is one of the key measures of the impacts of regulatory reforms designed to promote competition. Changes in prices of legal services over time can be an indicator of changes in competition between providers, and affordability and access to justice for consumers.

LSB investigations in 2012 and 2013 showed limited proxy information on prices based on hourly rates and legal costs as a percentage of the value of a claim. Despite some limited LSB activity in this area since, understanding the prices that individual consumers pay for commonly used legal services and how these prices change over time is currently a major gap in understanding.

To this end, the LSB commissioned OMB Research to undertake research amongst providers of common legal services. The core objectives of the research were as follows:

- Provide a robust picture of the prices that are currently paid by consumers for some key legal services;
- Develop a methodology that can be replicated in future to provide an accurate measure of pricing changes over time (and that can potentially be extended to cover businesses as well as consumers).

From a wider perspective, as well as addressing a knowledge gap in the prices that consumers pay for legal services, the research will also feed into the LSB’s market evaluation exercise that is due for publication in 2016.

This report details the approach taken and the key findings from the research study.
2.2 Methodology

2.2.1 Questionnaire/Scenario Development

The scenario areas to be covered were chosen by the LSB as representing a good spread of commonly purchased legal services. The initial scenario outlines were developed by the LSB and tested by them among industry experts.

Where prior information existed the scenarios were based on ‘an average consumer’, for example the average house price and average estate value. The scenarios were designed to establish the base legal fee that reflected the cost that is controlled by the lawyer. As such for each scenario respondents were asked to provide a cost that included administrative charges and any standard searches where required, but excluded disbursements and VAT. Disbursements are costs such as Land Registry fees for conveyancing that are paid by the lawyer to third parties on behalf of the client. Disbursements and VAT were excluded as lawyers do not control these costs.

Following this initial drafting stage, the scenarios were then tested by OMB by way of a qualitative pilot conducted amongst a range of legal service providers recruited by OMB. The qualitative pilot was conducted via telephone depth interviews. This gave a second round of testing to ensure that scenarios were clear and provided enough detail to allow a cost estimate. The insights from this qualitative pilot were fed into a revised questionnaire which was then tested at a quantitative piloting phase.

The quantitative pilot was conducted over two days and involved ‘live’ interviews with a range of legal service providers. As well as testing comprehension of the scenarios and questions it also allowed respondents the opportunity to suggest any areas that required further clarification. The scenarios and questionnaire were then redrafted prior to commencing the main fieldwork stage. Full details of the scenarios used for this research are included in Annex C.

2.2.2 Fieldwork

The sample for this research was sourced mainly from Experian based on SIC codes falling under ‘legal services’. In addition to the Experian sample, two further (albeit relatively small volume) sample sources were used; the Institute for Professional Willwriters and the Council for Licensed Conveyancers. Further details of the sample sources and sample analysis are included in Annex A.

In total 1,506 interviews were completed, among a range of legal service providers. To qualify for interview, firms had to provide at least one of the following key legal services:

- Residential conveyancing
- Divorce
- Lasting power of attorney

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1 The United Kingdom Standard Industrial Classification of Economic Activities (SIC) is used to classify business establishments and other standard units by the type of economic activity in which they are engaged.
• Probate
• Estate administration
• Wills

Furthermore, respondents had to be personally familiar with and able to provide prices for at least one of these services.

Where it was requested, potential respondents were sent an information email prior to taking part. This email explained the purpose of the research, provided reassurances about its bona fide and confidential nature and introduced OMB Research as an independent market research agency that had been appointed by the LSB to conduct the survey. Emails containing the specific details of each scenario were also sent if interviewers or respondents felt this would aid their ability to provide accurate price estimates.

Interviews took place between November 2015 and January 2016 and were all administered using CATI (Computer Assisted Telephone Interviewing) by a team of experienced business-to-business interviewers accredited to ISO 20252.

In order to reduce interview time, respondents were split into three groups. Although all respondents answered questions on firm profile and ease of price estimation, each group was asked to provide prices on specific scenarios within one key legal area: conveyancing, divorce or wills, lasting power of attorney and estate administration. Group allocation was initially done at random based on the services respondents felt able to provide prices for, although as quotas were in place to ensure an even split of interviews across the three scenario groups in the latter stages of fieldwork interviews were prioritised as required. Interviews lasted an average of 15 minutes.

2.2.3 Interview & Weighting Profile

The overall population of legal services firms offering the key legal services covered by this research is not known so benchmark data of this kind does not exist. The Experian database gives an indication of the total population of legal service firms but not the proportion of this population operating in the areas covered by this research. Broadly speaking, on characteristics that are known (such as geographic region and size of firm) the achieved sample is representative at a total level when compared to both the Experian database as well as key internal LSB data. For this reason the decision was taken to leave the data unweighted.

2.2.4 Reporting Conventions

Throughout the report and unless otherwise indicated the tables show the mean price given with the base size displayed alongside this in brackets. Where base sizes are particularly low (and as such caution should be taken when making any inferences), the following symbol is shown - !.

Unless otherwise stated, any differences reported between sub-groups are statistically significant at the 95% confidence level.
3 Conveyancing

3.1 At a Glance

The five scenarios covered in the area of conveyancing services were all regarding ‘typical’ house sales and purchases based on the average property price in the UK. Full details of each scenario can be found in the technical annexes.

1 A sale only of a freehold property (sale value of £205,000)
2 A sale only of a leasehold property (sale value of £205,000)
3 A purchase only of a freehold property (purchase value of £205,000)
4 A purchase only of a leasehold property (purchase value of £205,000)
5 A sale and purchase of a freehold property (sale and purchase values of £205,000)

The most common charging approach across all five conveyancing scenarios was a fixed fee, with a consistent proportion of firms (78-80%) charging solely in this way. Around a fifth would provide clients with an estimate of the total cost, and a very small minority (1%) quoted an hourly rate.

The chart below shows the mean price given\(^2\) for each of the five conveyancing scenarios, and alongside the chart the median price, upper and lower quartiles, and interquartile range\(^3\) are shown.

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|c|c|}
\hline
Scenario & Mean & Median & Upper Quartile & Lower Quartile & Interquartile Range \\
\hline
Sale (Freehold) & £640 & £603 & £700 & £500 & £200 \\
\hline
Sale (Leasehold) & £730 & £700 & £815 & £595 & £220 \\
\hline
Purchase (Freehold) & £722 & £650 & £800 & £550 & £250 \\
\hline
Purchase (Leasehold) & £815 & £750 & £900 & £625 & £275 \\
\hline
Sale & Purchase (Freehold) & £1,283 & £1,250 & £1,500 & £990 & £510 \\
\hline
\end{tabular}
\caption{Figure 3.1.1 Prices Summary - Conveyancing}
\end{table}

\[Base: \text{All allocated to conveyancing group & offering service (506, 506, 501, 500, 502)}\]

\(^2\) All prices are rounded to the nearest £ throughout this report

\(^3\) The upper quartile is the data value above which 25% of the responses lie. The lower quartile is the data value below which 25% of the responses lie. The interquartile range is the difference between the upper and lower quartile.
There were a number of factors that influenced the conveyancing prices provided. Those firms charging by way of a fixed fee approach typically charged less than those providing an estimate of total costs. Firms based in the South East of England charged significantly higher prices across each of the scenarios tested compared to firms located elsewhere (prices in the South East were 26%-31% higher on average than elsewhere).

3.2 Main Findings

Prior to running through the five scenarios listed above, respondents were asked if they would provide conveyancing services remotely or whether they only offered conveyancing services to local clients. Those that would in principle provide the service remotely were asked to think about a client living in Sutton Coldfield, Birmingham, whilst those who only offered conveyancing services to local clients were asked to think about a local client.

Around half of the firms interviewed (52%) were able to provide conveyancing services remotely.

Figure 3.2.1 Service Offered Remotely or Local Only (Conveyancing)

Base: All group 1 (conveyancing) (507)

RB1: Would you provide conveyancing services remotely, by which I mean you would not need any face to face contact with the client, or do you only provide conveyancing services to local clients?
For each scenario respondents were asked to provide a cost that included administrative charges and any standard searches required, but excluded disbursements and VAT.

Respondents were guided through the various elements of each scenario and then asked how they would typically charge for this service. The options provided are detailed below and respondents could choose a combination if applicable:

- Estimate of the total cost
- Fixed fee
- Fixed percentage
- Hourly rate
- Or another charging approach

**Figure 3.2.2 Charging Approach (Conveyancing)**

The most common charging approach across all five conveyancing scenarios was a fixed fee, with a consistent proportion of firms (78-80%) charging solely in this way. Around a fifth would provide clients with an estimate of the total cost, and a very small minority (1%) quoted an hourly rate.
Respondents were then asked a number of pricing questions, depending on their typical charging approach, in order to establish how much they would expect to charge in total for each scenario. The chart and table below show the range and average price given for each scenario.

**Figure 3.2.3 Prices Summary - Distribution (Conveyancing)**

<table>
<thead>
<tr>
<th>Base: All offering service</th>
<th>506</th>
<th>506</th>
<th>501</th>
<th>500</th>
<th>502</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean</td>
<td>£640</td>
<td>£730</td>
<td>£722</td>
<td>£815</td>
<td>£1,283</td>
</tr>
<tr>
<td>Median</td>
<td>£603</td>
<td>£700</td>
<td>£650</td>
<td>£750</td>
<td>£1,250</td>
</tr>
<tr>
<td>Standard Deviation⁴</td>
<td>£211</td>
<td>£260</td>
<td>£297</td>
<td>£346</td>
<td>£528</td>
</tr>
<tr>
<td>Maximum</td>
<td>£3,200</td>
<td>£3,200</td>
<td>£3,300</td>
<td>£3,300</td>
<td>£6,400</td>
</tr>
<tr>
<td>Upper quartile</td>
<td>£700</td>
<td>£815</td>
<td>£800</td>
<td>£900</td>
<td>£1,500</td>
</tr>
<tr>
<td>Lower quartile</td>
<td>£500</td>
<td>£595</td>
<td>£550</td>
<td>£625</td>
<td>£990</td>
</tr>
<tr>
<td>Minimum</td>
<td>£250</td>
<td>£305</td>
<td>£360</td>
<td>£375</td>
<td>£425</td>
</tr>
</tbody>
</table>

As the chart and table in Figure 3.2.3 show, a range of prices were given for each scenario. The sale of a freehold property received the lowest average cost, with a mean price quoted of £640 and a similar median of £603. Over three quarters (78%) of firms quoted a price of under £750. The prices quoted for the sale of a leasehold property were considerably higher than for the freehold property, with a mean price quoted of £730 and a median of £700. Just under three fifths (57%) gave a price under £750 with a third (34%) estimating from £750-£999.

The mean price to purchase a freehold property was £722 and the median £650, whilst the purchase of a leasehold property was significantly higher with a mean of £815 and a median of £750. For the freehold purchase two-thirds (66%) of firms estimated a price under £750 whilst for the leasehold purchase this proportion was under half (46%).

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⁴ The standard deviation is a measure that is used to quantify the amount of variation or dispersion of a set of data values around the mean value.
The mean price for a combined sale and purchase of freehold properties was £1,283 and the median £1,250. Around a quarter (26%) of firms estimated a price under £1,000, a half (48%) between £1,000-£1,499 and a quarter (26%) £1,500 or more.

As average price increases across the scenarios so does the variation around the mean prices, as indicated by the standard deviation, which was at its highest for the combined sale and purchase scenario.

The following chart displays the same estimated price data for each scenario, this time depicted in ‘box & whisker’ plots. The box shows the range of the first and third quartile of the responses and the whiskers indicate the variability, or outliers, outside of the upper and lower quartiles.

As Figure 3.2.4 shows, the prices quoted that fall into the upper and lower quartiles are fairly consistent with the mean for all five scenarios. However, the overall distributions are skewed with a wide range of responses given, particularly above the mean and median (i.e. a small number of firms quoting significantly higher than average prices).

The widest spread of responses was seen for the sale & purchase scenario, with one firm quoting a price of £6,400, and 6 firms quoting prices of £3,000 - £4,000. Removing the largest outlier has a negligible effect on the mean price (reducing it by just £10).
The following table compares the mean price provided for each scenario by typical charging approach.

**Figure 3.2.5 Prices Summary (Conveyancing) – By Charging Approach**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Typical Charging Approach</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Estimated Total Cost</td>
</tr>
<tr>
<td>Sale (Freehold)</td>
<td>£684 (94)</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td>£773 (96)</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td>£802 (100)</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td>£892 (100)</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td>£1,353 (100)</td>
</tr>
</tbody>
</table>

There are clearly differences in the prices quoted depending on the charging approach adopted by the firm. On average, firms charging a fixed fee quote offer consistently lower prices across all of the scenarios than those estimating a total cost. The base sizes of those quoting a fixed percentage or hourly rate are very small (2-5 respondents), and as such any apparent differences should be treated with caution.

The following table compares the mean price provided for each scenario by firm type.

**Figure 3.2.6 Prices Summary (Conveyancing) – By Firm Type**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Type of Firm</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Solicitor</td>
</tr>
<tr>
<td>Sale (Freehold)</td>
<td>£645 (454)</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td>£733 (454)</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td>£729 (450)</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td>£821 (449)</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td>£1,289 (451)</td>
</tr>
</tbody>
</table>

Whilst the differences are not statistically significant due to the relatively low base size in this survey for licensed conveyancers⁵, there is some indication that prices offered by licensed conveyancers may typically be lower than those offered by solicitors.

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⁵ Whilst the number of licensed conveyancers included in this survey is relatively small in comparison to the number of solicitors interviewed, it is worth noting that 45 licensed conveyancing firms represents approximately 20% of this total population.
The following table compares the mean price provided for each scenario by whether firms are licensed as an alternative business structure (ABS).

**Figure 3.2.7 Prices Summary (Conveyancing) – By Alternative Business Structure**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Alternative Business Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Sale (Freehold)</td>
<td>£621 (56)</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td>£729 (56)</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td>£679 (56)</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td>£766 (56)</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td>£1,216 (56)</td>
</tr>
</tbody>
</table>

There are no significant differences in firms’ prices in regards to whether they are licensed as an ABS or not. For most scenarios there are no apparent differences but for the purchase scenarios whilst there appears to be a difference the base sizes are too small to be conclusive.

Figure 3.2.8 below shows that there are also no significant differences or clear patterns in the prices charged by different sized firms.

**Figure 3.2.8 Prices Summary (Conveyancing) – By Firm Size**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-9</td>
</tr>
<tr>
<td>Sale (Freehold)</td>
<td>£643 (199)</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td>£730 (200)</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td>£737 (195)</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td>£825 (195)</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td>£1,295 (196)</td>
</tr>
</tbody>
</table>

The following table compares the mean price provided by whether or not the firm was able to provide conveyancing services remotely or locally.

**Figure 3.2.9 Prices Summary (Conveyancing) – By Whether Provide Service Remotely**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Provide Service Remotely</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes – assume client based in Sutton Coldfield</td>
</tr>
<tr>
<td>Sale (Freehold)</td>
<td>£634 (263)</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td>£721 (263)</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td>£713 (261)</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td>£812 (261)</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td>£1,270 (261)</td>
</tr>
</tbody>
</table>
There are no significant differences in the mean prices quoted when comparing quotes based on a customer living in Sutton Coldfield to a local client. Interestingly this finding also holds true when looking at the prices quoted at a regional level. Within each of the grouped regions there are no statistically significant differences in the mean prices quoted for a ‘remote’ client based in Sutton Coldfield and a client based in the firm’s local area.

Firms were asked whether they displayed prices on their website, and the mean prices for each scenario have been shown below by whether or not this was the case.

**Figure 3.2.10 Prices Summary (Conveyancing) – By Whether Advertise Prices on Website**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Display Prices on Website</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Sale (Freehold)</td>
<td>£595 (50)</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td>£672 (50)</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td>£708 (50)</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td>£799 (50)</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td>£1,220 (50)</td>
</tr>
</tbody>
</table>

Although firms who did not display their prices online (or did not actually have a website) appear to charge slightly more across the conveyancing scenarios, none of these apparent differences are statistically significant.

Firms were also asked whether they have a menu of outline prices or whether they price each new client request on a case by case basis. The following table displays mean prices by whether or not firms use a menu of prices or cost on a case by case basis.

**Figure 3.2.11 Prices Summary (Conveyancing) – By Menu of Prices**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Menu of Prices</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes – menu of outline prices</td>
</tr>
<tr>
<td>Sale (Freehold)</td>
<td>£619 (229)</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td>£703 (229)</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td>£701 (228)</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td>£785 (228)</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td>£1,240 (228)</td>
</tr>
</tbody>
</table>

For the leasehold sale and leasehold purchase scenarios, firms who usually provided prices on a case by case basis charged more than those with a menu of outline prices. Although a similar pattern was seen across the other scenarios, these differences were not significant.
Regional analysis has been conducted by both country and by the English regions. To enable more robust analysis, firms have been grouped into five broad geographic areas for sub analysis throughout this report; North (including North, North West and Yorkshire Humberside English regions), Midlands (including East Anglia, East Midlands and West Midlands English Regions), South East, South West.

**Figure 3.2.12 Prices Summary (Conveyancing) – By Location**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Country</th>
<th>English Regions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>England</td>
</tr>
<tr>
<td>Sale (Freehold)</td>
<td></td>
<td>£645</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(475)</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td></td>
<td>£736</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(475)</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td></td>
<td>£729</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(471)</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td></td>
<td>£822</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(470)</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td></td>
<td>£1,295</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(472)</td>
</tr>
</tbody>
</table>

There are clear differences in conveyancing prices depending on firms’ geographical location. At a country level, prices in England were higher than in Wales, but due to a relatively low base size in Wales this difference was only significant for the freehold sale and the combined freehold sale and purchase scenarios. Within England, prices provided by firms located in the South East were significantly higher across each of the scenarios tested. For the three scenarios involving a house sale, prices quoted in the North were significantly lower than all other regions (and not just in comparison with the South East).

Further to the regional analysis, prices have also been compared by whether or not firms are based in a rural or urban area.

**Figure 3.2.13 Prices Summary (Conveyancing) – By Rural / Urban**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Rural / Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rural</td>
</tr>
<tr>
<td>Sale (Freehold)</td>
<td>£643</td>
</tr>
<tr>
<td></td>
<td>(34)</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td>£728</td>
</tr>
<tr>
<td></td>
<td>(34)</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td>£759</td>
</tr>
<tr>
<td></td>
<td>(34)</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td>£827</td>
</tr>
<tr>
<td></td>
<td>(34)</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td>£1,263</td>
</tr>
<tr>
<td></td>
<td>(34)</td>
</tr>
</tbody>
</table>

There are no significant differences in the prices quoted when comparing firms operating in a rural location with those based in an urban setting.
Analysis of firms has also been conducted based on whether or not the firm is located in what is considered a 'deprived' area of England and Wales. The analysis is based on the postcode in which firms are located and uses the English and Welsh Indices of Multiple Deprivation. For simplicity in this analysis and to ensure robust base sizes, firms were allocated to the deprived category if they fell into the 20% most deprived areas as classified by the Indices, with the remainder of firms classified as not deprived.

**Figure 3.2.14 Prices Summary (Conveyancing) – By Deprivation**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Deprived Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Sale (Freehold)</td>
<td>£568 (121)</td>
</tr>
<tr>
<td>Sale (Leasehold)</td>
<td>£635 (121)</td>
</tr>
<tr>
<td>Purchase (Freehold)</td>
<td>£622 (119)</td>
</tr>
<tr>
<td>Purchase (Leasehold)</td>
<td>£701 (119)</td>
</tr>
<tr>
<td>Sale &amp; Purchase (Freehold)</td>
<td>£1,119 (119)</td>
</tr>
</tbody>
</table>

As the table above illustrates, there was a consistent picture across these scenarios with significantly lower prices charged in areas considered deprived when compared with more affluent areas.
3.3 Options & Conditions

Firms asked about the five conveyancing scenarios were also asked whether or not they placed any options or conditions on the prices they provide to clients.

A quarter (27%) of firms in the conveyancing survey group said they offer ‘no completion, no fee’ – either as standard or as an option. In addition, three quarters (75%) said that they would not place any conditions on the prices provided in this survey.

Figure 3.3.1 Whether Offer ‘No Completion, No Fee’ Option

Figure 3.3.2 Whether Conditions Placed on Prices

Any firm indicating that there would be conditions on the prices that they had provided were asked what types of conditions they typically apply to conveyancing prices. The vast majority of conditions were simply to cover any unforeseen complications or unexpected additional work required, with the firm reserving the right to charge extra in these cases. Some of the verbatim comments given that illustrate this are as follows:

“We advise the client that if there is any additional work over and above what we have quoted for then they would be charged more.”

“We would only increase the fee if there was something dramatically different, such as more titles.”

“Only for exceptional work on top of the usual.”
4 Divorce

4.1 At a Glance

The five scenarios covered in the area of divorce were as follows (for full details see the technical annexes):

1. An uncontested divorce (petitioner)
2. An uncontested divorce (responding to a petition)
3. An uncontested divorce requiring arrangements for dependent children (petitioner)
4. A more complex divorce requiring mediation & advisory services – disagreement over parenting arrangements (petitioner)
   - Assumes mediation is successful and case does not go to court
5. A more complex divorce requiring mediation & advisory services - disagreement over assets (petitioner)
   - Assumes mediation is successful and case does not go to court

For the divorce scenarios there was more of a mix in the charging approach adopted. The majority of firms would charge using a fixed fee for the simpler uncontested scenarios. However, as the scenarios became more complex, the likelihood of charging exclusively in this way decreased, and more firms said they would charge either an hourly rate or provide an estimate of the total cost. For example in the more complex divorce with disagreement over assets, there was an even split between those giving a total cost estimate, those charging a fixed fee and those quoting based on an hourly rate.

The following chart illustrates the mean price given for each of the five divorce scenarios covered, and alongside the chart the median price, upper and lower quartiles, and interquartile range are shown.

**Figure 4.1.1 Prices Summary - Divorce**

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Mean</th>
<th>Median</th>
<th>Upper quartile</th>
<th>Lower quartile</th>
<th>Inter quartile range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£722</td>
<td>£600</td>
<td>£800</td>
<td>£498</td>
<td>£302</td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£453</td>
<td>£350</td>
<td>£500</td>
<td>£250</td>
<td>£250</td>
</tr>
<tr>
<td>Uncontested - Children</td>
<td>£953</td>
<td>£750</td>
<td>£1,100</td>
<td>£583</td>
<td>£517</td>
</tr>
<tr>
<td>Complex - Children</td>
<td>£1,653</td>
<td>£1,200</td>
<td>£1,950</td>
<td>£800</td>
<td>£1,150</td>
</tr>
<tr>
<td>Complex - Assets</td>
<td>£2,608</td>
<td>£2,000</td>
<td>£3,000</td>
<td>£1,260</td>
<td>£1,740</td>
</tr>
</tbody>
</table>

*Base: All allocated to divorce group & offering service (499, 495, 492, 481, 481)*
Again a number of differences were seen when analysing the data by sub-groups. Those charging a fixed fee gave consistently lower prices across all divorce scenarios than those charging in other ways (with the exception of the uncontested responding to a petition).

With the exception of the complex divorce regarding disagreement over assets, prices provided by firms based in England were higher than those based in Wales. Prices also varied by English region, with prices in the South East again significantly higher than in other regions.

4.2 Main Findings

Prior to running through each of the five scenarios listed above, respondents were asked if they would provide the service remotely or whether they only offered the service to local clients. Those that would provide remote services were asked to think about a client living in Sutton Coldfield, Birmingham, whilst those who only offer these services to local clients were asked to think about a local client.

Figure 4.2.1 Service Offered Remotely or Local Only (Divorce)

Firms were less likely to offer divorce services remotely than was the case for conveyancing services, with roughly a third of firms offering a remote option for each divorce scenario. This was most likely to be the case for an uncontested divorce responding to a petition (35%) and least likely for a more complex divorce where there was a disagreement over children (29%).
For each scenario respondents were asked to provide a cost that included administrative charges, but excluded disbursements and VAT.

Respondents were guided through the various elements of each scenario and then asked how they would typically charge for this service. The options provided are detailed below and respondents could choose a combination if applicable:

- Estimate of the total cost
- Fixed fee
- Hourly rate
- Or another charging approach

**Figure 4.2.2 Charging Approach (Divorce)**

The majority of respondents were most likely to charge using a fixed fee for the simpler uncontested scenarios. However, as the scenarios became more complex, the likelihood of charging exclusively in this way decreased, and more respondents said they would charge either an hourly rate or provide an estimate of the total cost.

Respondents were then asked a number of pricing questions, depending on their typical charging approach, in order to establish how much they would expect to charge in total for each scenario.
For those charging by hourly rate, the table below shows the rates and number of hours estimated.

**Figure 4.2.3 Hourly Rates Charged (Divorce)**

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Uncontested (Petitioner)</th>
<th>Uncontested (Respondent)</th>
<th>Uncontested – Children</th>
<th>Complex – Children</th>
<th>Complex - Assets</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Base: All charging hourly rate</strong></td>
<td>54</td>
<td>75</td>
<td>105</td>
<td>157</td>
<td>172</td>
</tr>
<tr>
<td>Mean hourly rate</td>
<td>£209</td>
<td>£206</td>
<td>£197</td>
<td>£195</td>
<td>£193</td>
</tr>
<tr>
<td>Median hourly rate</td>
<td>£200</td>
<td>£200</td>
<td>£200</td>
<td>£195</td>
<td>£195</td>
</tr>
<tr>
<td>Maximum hourly rate</td>
<td>£425</td>
<td>£480</td>
<td>£425</td>
<td>£425</td>
<td>£425</td>
</tr>
<tr>
<td>Minimum hourly rate</td>
<td>£75</td>
<td>£75</td>
<td>£75</td>
<td>£75</td>
<td>£75</td>
</tr>
<tr>
<td>Mean number of hours</td>
<td>4.4</td>
<td>3.2</td>
<td>5.3</td>
<td>8.0</td>
<td>12.7</td>
</tr>
</tbody>
</table>

As the table illustrates the average hourly rate is consistent across scenarios at around £200 per hour. The number of hours estimated to be spent on the scenarios as expected increases with the complexity of the scenario, ranging from just over 3 hours for responding to the uncontested petition for divorce to almost 13 hours for the more complex divorce with disagreement over assets.
The total prices were then calculated taking into account the charging approach used and the chart and table below show the range and average prices given for each scenario.

Figure 4.2.4 Prices Summary - Distribution (Divorce)

<table>
<thead>
<tr>
<th>Base: All offering service</th>
<th>499</th>
<th>495</th>
<th>492</th>
<th>481</th>
<th>481</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mean</strong></td>
<td>£722</td>
<td>£453</td>
<td>£953</td>
<td>£1,653</td>
<td>£2,608</td>
</tr>
<tr>
<td><strong>Median</strong></td>
<td>£600</td>
<td>£350</td>
<td>£750</td>
<td>£1,200</td>
<td>£2,000</td>
</tr>
<tr>
<td><strong>Standard Deviation</strong></td>
<td>£587</td>
<td>£579</td>
<td>£944</td>
<td>£1,877</td>
<td>£2,501</td>
</tr>
<tr>
<td><strong>Maximum</strong></td>
<td>£10,625</td>
<td>£10,625</td>
<td>£17,000</td>
<td>£27,625</td>
<td>£34,000</td>
</tr>
<tr>
<td><strong>Upper quartile</strong></td>
<td>£800</td>
<td>£500</td>
<td>£1,100</td>
<td>£1,950</td>
<td>£3,000</td>
</tr>
<tr>
<td><strong>Lower quartile</strong></td>
<td>£498</td>
<td>£250</td>
<td>£583</td>
<td>£800</td>
<td>£1,260</td>
</tr>
<tr>
<td><strong>Minimum</strong></td>
<td>£50</td>
<td>£50</td>
<td>£150</td>
<td>£150</td>
<td>£200</td>
</tr>
</tbody>
</table>

Prices varied for each scenario. The uncontested divorce responding to a petition for divorce was the cheapest of all five scenarios, with a mean of £453 and median of £350; 70% of firms offering this service priced it at under £500. The uncontested divorce (petitioner) was priced slightly higher, with a mean of £722 and median of £600, and 65% priced it at under £750.

Prices for a divorce involving children were again higher overall; a mean of £953 for uncontested and increasing to £1,653 for the more complex (with a quarter of these charging over £2,000 for this scenario).

A more complex divorce with a disagreement over assets resulted in the highest prices amongst this survey group, with a mean of £2,608 and median of £2,000. The vast majority (88%) of these firms said they would charge at least £1,000 for this scenario.

Standard deviation increased in line with the mean prices given across these scenarios, and was at its highest for the more complex divorce with disagreements over assets scenario.
The following chart displays the same estimated price data for each scenario, this time depicted in 'box & whisker' plots. The box shows the range of the first and third quartile of the responses and the whiskers indicate the variability outside these upper and lower quartiles. In this box plot, due to the particularly skewed nature of the tails of the distributions, the whiskers depict the 5th and 95th percentiles with the outliers excluded from the chart.

Figure 4.2.5 Prices Summary – Box & Whisker Plot (Divorce)

As illustrated in the chart above, the upper and lower quartiles show that pricing was most consistent for the uncontested divorces (particularly when responding to a petition) and less so for the more complex divorces (particularly when there was a disagreement over assets). The difference between the highest and lowest prices quoted is considerable, and the high values at the upper end of the distributions positively skew the mean price (as evidenced by the gap between the mean and median values).
The following table compares the mean price quoted by the different charging approaches.

**Figure 4.2.6 Prices Summary (Divorce) – By Charging Approach**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Typical Charging Approach</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Estimated Total Cost</td>
</tr>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£866 (85)</td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£453 (100)</td>
</tr>
<tr>
<td>Uncontested – Children</td>
<td>£978 (129)</td>
</tr>
<tr>
<td>Complex – Children</td>
<td>£1,792 (169)</td>
</tr>
<tr>
<td>Complex – Assets</td>
<td>£2,843 (182)</td>
</tr>
</tbody>
</table>

Those charging a fixed fee gave consistently lower prices across all divorce scenarios than those charging in other ways (with the exception of uncontested respondent, where this method was only significantly cheaper than an hourly rate). For the final divorce scenario (complex – assets), two firms said they would charge a fixed percentage, and these costs were considerably higher than all other charging approaches for this scenario. However, given that it is only based on two firms caution should be taken in any interpretation of this data.

There is no scope to provide meaningful or robust analysis of the divorce scenarios by type of firm or regulated/unregulated, as 98% of the firms responding to these scenarios were solicitors.

The following table compares the mean price quoted by whether or not firms were a licensed ABS.

**Figure 4.2.7 Prices Summary (Divorce) – By Alternative Business Structure**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Alternative Business Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£716 (32)</td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£402 (32)</td>
</tr>
<tr>
<td>Uncontested – Children</td>
<td>£982 (31)</td>
</tr>
<tr>
<td>Complex – Children</td>
<td>£1,432 (30)</td>
</tr>
<tr>
<td>Complex – Assets</td>
<td>£2,155 (30)</td>
</tr>
</tbody>
</table>

There are no significant differences in these prices by whether firms were licensed as an ABS.
Figure 4.2.8 below compares the mean price quoted for each divorce scenario by firm size.

**Figure 4.2.8 Prices Summary (Divorce) – By Firm Size**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-9</td>
</tr>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£710 (190)</td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£494 (186)</td>
</tr>
<tr>
<td>Uncontested – Children</td>
<td>£933 (183)</td>
</tr>
<tr>
<td>Complex – Children</td>
<td>£1,508 (177)</td>
</tr>
<tr>
<td>Complex – Assets</td>
<td>£2,548 (178)</td>
</tr>
</tbody>
</table>

The mean price quoted for each scenario was broadly consistent across each firm size. The only significant difference being that firms with less than 10 employees charged more for an uncontested divorce responding to a petition than those with more than 50 employees (an average of £494 compared to £390).

Before each scenario, firms were asked if they were able to provide the service remotely (i.e. to a client they would not be able meet face-to-face) or if they would only provide the service to a client based locally. The following table compares the mean price quoted by whether or not the service could be provided remotely.

**Figure 4.2.9 Prices Summary (Divorce) – By Whether Provide Service Remotely**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Provide Service Remotely</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes – assume client based in Sutton Coldfield</td>
</tr>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£681 (171)</td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£409 (173)</td>
</tr>
<tr>
<td>Uncontested – Children</td>
<td>£846 (165)</td>
</tr>
<tr>
<td>Complex – Children</td>
<td>£1,452 (146)</td>
</tr>
<tr>
<td>Complex – Assets</td>
<td>£2,292 (148)</td>
</tr>
</tbody>
</table>

Divorce prices were generally higher for those only offering the service to a local client, compared to a remote client living in Sutton Coldfield. However, these differences were only statistically significant for the three more complex (and expensive) scenarios.

When analysing this factor at a regional level, these differences hold true for prices quoted from firms in the Midlands for the uncontested – children scenario, and in the South East for the complex scenarios. However, as there is no clear pattern emerging it is hard to draw any clear conclusion as to whether firms in particular regions charge differently for divorce depending whether the client is based locally or if the service is delivered remotely.
The following table compares mean price quoted by whether or not the firm advertises prices on their website.

**Figure 4.2.10 Prices Summary (Divorce) – By Whether Advertise Prices on Website**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Display Prices on Website</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No / Do not have a website</td>
<td></td>
</tr>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£617 (124)</td>
<td>£756 (360)</td>
<td></td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£353 (124)</td>
<td>£485 (356)</td>
<td></td>
</tr>
<tr>
<td>Uncontested – Children</td>
<td>£857 (123)</td>
<td>£985 (354)</td>
<td></td>
</tr>
<tr>
<td>Complex – Children</td>
<td>£1,577 (118)</td>
<td>£1,690 (348)</td>
<td></td>
</tr>
<tr>
<td>Complex – Assets</td>
<td>£2,427 (121)</td>
<td>£2,691 (345)</td>
<td></td>
</tr>
</tbody>
</table>

For the first two scenarios (uncontested divorce – petitioner and responding to petition) firms who did not display their prices online charged significantly more than those who did. A similar trend was also observed for the other three divorce scenarios but these differences were not statistically significant.

Comparisons have also been made to see if there were any differences between the prices given where a firm has a menu of outline prices or quotes on a case by case basis.

**Figure 4.2.11 Prices Summary (Divorce) – By Menu of Prices**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Menu of Prices</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes – menu of outline prices</td>
<td>No – price on case by case basis</td>
<td></td>
</tr>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£633 (185)</td>
<td>£762 (376)</td>
<td></td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£404 (184)</td>
<td>£475 (373)</td>
<td></td>
</tr>
<tr>
<td>Uncontested – Children</td>
<td>£856 (183)</td>
<td>£1,019 (370)</td>
<td></td>
</tr>
<tr>
<td>Complex – Children</td>
<td>£1,406 (177)</td>
<td>£1,768 (362)</td>
<td></td>
</tr>
<tr>
<td>Complex – Assets</td>
<td>£2,303 (176)</td>
<td>£2,772 (364)</td>
<td></td>
</tr>
</tbody>
</table>

For all divorce scenarios except uncontested (respondent), firms who typically provide prices on a case by case basis charged significantly more, on average, than those with a menu of outline prices.
Regional analysis has been conducted by both country and the four broad English regions.

**Figure 4.2.12 Prices Summary (Divorce) – By Location**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Country</th>
<th>English Regions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>England</td>
<td>Wales</td>
</tr>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£739 (469)</td>
<td>£468 (30)</td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£464 (466)</td>
<td>£272 (29)</td>
</tr>
<tr>
<td>Uncontested – Children</td>
<td>£970 (462)</td>
<td>£696 (30)</td>
</tr>
<tr>
<td>Complex – Children</td>
<td>£1,677 (452)</td>
<td>£1,276 (29)</td>
</tr>
<tr>
<td>Complex – Assets</td>
<td>£2,638 (452)</td>
<td>£2,133 (29)</td>
</tr>
</tbody>
</table>

With the exception of the complex divorce regarding disagreement over assets, prices provided by firms based in England were higher than those based in Wales. Prices also varied by English region, with prices in the South East significantly higher for the uncontested petitioner and uncontested respondent scenarios than in all other regions. For the uncontested divorce with children, prices in the South East were higher than those in the North and South West. For the complex divorce with children, prices were again higher in the South East, but this time only significant against those in the North and Midlands.

Whilst a similar comparison between firms based in either an urban or rural location indicates that the mean price is higher for firms in urban locations, the apparent differences are not statistically significant.

**Figure 4.2.13 Prices Summary (Divorce) – By Rural / Urban**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Rural / Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rural</td>
</tr>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£648 (41)</td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£391 (41)</td>
</tr>
<tr>
<td>Uncontested – Children</td>
<td>£830 (41)</td>
</tr>
<tr>
<td>Complex – Children</td>
<td>£1,499 (40)</td>
</tr>
<tr>
<td>Complex – Assets</td>
<td>£2,215 (41)</td>
</tr>
</tbody>
</table>
As with the conveyancing scenarios, analysis has also been conducted based on the location of firms and whether this location was considered to be a deprived area or not. The table below shows the mean prices given for the divorce scenarios by whether or not the firm was located in a deprived area.

### Figure 4.2.14 Prices Summary (Divorce) – By Deprivation

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Deprived Area</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Uncontested (Petitioner)</td>
<td>£688 (140)</td>
<td>£744 (349)</td>
<td></td>
</tr>
<tr>
<td>Uncontested (Respondent)</td>
<td>£429 (139)</td>
<td>£469 (346)</td>
<td></td>
</tr>
<tr>
<td>Uncontested – Children</td>
<td>£886 (139)</td>
<td>£987 (343)</td>
<td></td>
</tr>
<tr>
<td>Complex – Children</td>
<td>£1,558 (137)</td>
<td>£1,706 (334)</td>
<td></td>
</tr>
<tr>
<td>Complex – Assets</td>
<td>£2,483 (135)</td>
<td>£2,663 (336)</td>
<td></td>
</tr>
</tbody>
</table>

Whilst the prices given by firms in deprived areas were consistently lower than firms located elsewhere, these apparent differences are not statistically significant.
4.3 Cost of Mediation

In the two complex divorce scenarios firms were asked to assume that mediation was necessary and that the client would attend five mediation sessions. When assessing the likely cost of the divorce scenarios, firms were advised to assume that the mediation was successful and that the case does not go to court but told not to include the cost of the mediation sessions in their estimate.

Firms responding to the divorce scenarios were asked whether their firm would be able to provide the mediation sessions, the chart below shows the responses given.

The vast majority (89%) of firms said that they would not be able to provide the mediation sessions and would refer the client elsewhere. Anecdotally many explained that this was because if they were acting for a client then they are then not permitted to also provide the mediation.

Those that stated that their firm would be able to provide the mediations sessions were asked what the estimated cost for the five mediation session would be. As the table below shows, a range of costs were given for the mediation sessions ranging from £250 to £5,000, with the mean cost being £1,241.

<table>
<thead>
<tr>
<th>Base: All able to provide mediation</th>
<th>Mediation Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mean</td>
<td>£1,241</td>
</tr>
<tr>
<td>Median</td>
<td>£1,000</td>
</tr>
<tr>
<td>Maximum</td>
<td>£5,000</td>
</tr>
<tr>
<td>Minimum</td>
<td>£250</td>
</tr>
</tbody>
</table>
5 Wills, Power of Attorney & Estate Administration

5.1 At a Glance

The five scenarios covered in the area of wills, power of attorney and estate administration were as follows (for full details, see the technical annexes):

1. Individual will - standard
2. Individual will - with a more complex client background
3. Lasting power of attorney
4. Assistance for obtaining a Grant of Probate
5. Assistance with Estate Administration

The different scenarios tested resulted in differing charging approaches being adopted. The vast majority (85-92%) of firms said they would charge a fixed fee for an individual will (regardless of the complexity) and for lasting power of attorney. Charging approaches were slightly more varied for grant of probate, with 59% charging a fixed fee and the remainder quoting either an estimate of the total cost (20%) or hourly rate (14%). For estate administration, the most common approach was an hourly rate (38%), and a quarter said they would charge a fixed fee (23%) or an estimate of the total cost (26%).

The chart below shows the mean price given for each of the five scenarios covered, and alongside the chart the median price, upper and lower quartiles, and interquartile range are shown.

**Figure 5.1.1 Prices Summary – Wills, Power of Attorney & Estate Administration**

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Mean</th>
<th>Median</th>
<th>Upper quartile</th>
<th>Lower quartile</th>
<th>Inter quartile range</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual will (standard)</td>
<td>£168</td>
<td>£150</td>
<td>£200</td>
<td>£110</td>
<td>£90</td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td>£206</td>
<td>£163</td>
<td>£250</td>
<td>£120</td>
<td>£130</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>£414</td>
<td>£380</td>
<td>£495</td>
<td>£300</td>
<td>£195</td>
</tr>
<tr>
<td>Grant of probate</td>
<td>£829</td>
<td>£650</td>
<td>£900</td>
<td>£450</td>
<td>£450</td>
</tr>
<tr>
<td>Estate administration</td>
<td>£1,926</td>
<td>£1,500</td>
<td>£2,500</td>
<td>£875</td>
<td>£1,625</td>
</tr>
</tbody>
</table>

*Base: All allocated to wills, power of attorney & estate administration group & offering service (485, 482, 459, 423, 423)*
As seen across the other scenario groups, clear differences were observed in the prices quoted depending on firms’ geographical location. With the exception of estate administration, prices from firms in England were significantly higher than those in Wales. Prices also varied by English region with prices in the South East significantly higher than in other regions. Unregulated will writing firms charged significantly less than solicitors for the individual wills and lasting power of attorney scenarios.

5.2 Main Findings

Prior to running through each scenario listed above, respondents were asked if they would provide the service remotely or whether they only offered the service to local clients. Those that would provide remote services were asked to think about a client living in Sutton Coldfield, Birmingham, whilst those who only offered these services locally were asked to think about a local client.

*Figure 5.2.1 Service Offered Remotely or Local Only (Wills, Power of Attorney & Estate Administration)*

<table>
<thead>
<tr>
<th>Service</th>
<th>Offer service to local clients only</th>
<th>Offer service remotely</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual will (standard)</td>
<td>81%</td>
<td>19%</td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td>82%</td>
<td>17%</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>85%</td>
<td>15%</td>
</tr>
<tr>
<td>Grant of probate</td>
<td>74%</td>
<td>25%</td>
</tr>
<tr>
<td>Estate administration</td>
<td>74%</td>
<td>25%</td>
</tr>
</tbody>
</table>

Base: All group 3 (wills, power of attorney & estate administration) offering services (485, 482, 459, 423, 423)

RD1-5: Is this a service that you would provide remotely, by which I mean you would not need any face to face contact with the client, or do you only provide this service to local clients?

As with divorce scenarios, the majority of firms said they would only provide these services to local clients. Where they *would* offer a remote service, this was most likely to be the case for grant of probate and estate administration (25%). In contrast, only 15% would offer lasting power of attorney to a remote client, with the majority requiring at least some face to face contact.
For each scenario respondents were asked to provide a cost that included administrative charges, but excluded disbursements and VAT.

Respondents were guided through the various elements of each scenario and then asked how they would typically charge for this service. The options provided are detailed below and respondents could choose a combination if applicable:

- Estimate of the total cost
- Fixed fee
- Fixed percentage
- Hourly rate
- Or another charging approach

**Figure 5.2.2 Charging Approach (Wills, Power of Attorney & Estate Administration)**

The vast majority of firms said they would charge a fixed fee for an individual will (regardless of the complexity) and for lasting power of attorney. Charging approaches were slightly more varied for grant of probate, with 59% charging a fixed fee and the remainder quoting either an estimate of the total cost (20%) or hourly rate (14%). For estate administration, the most common approach was an hourly rate, with over a third of firms charging in this way (38%). A quarter said they would charge a fixed fee (23%) or an estimate of the total cost (26%) and a smaller proportion would charge a fixed percentage (9%).

Amongst the small proportion (9%) that stated that they would charge using a fixed percentage of the estate, a range of percentages were given ranging from 0.5% to 3%, with the average percentage being 1.4%.

Respondents were then asked a number of pricing questions, depending on their typical charging approach, in order to establish how much they would expect to charge in total for each scenario.
For those charging by hourly rate, the table below shows the rates and number of hours estimated for each of the five scenarios.

**Figure 5.2.3 Hourly Rates Charged (Wills, Power of Attorney & Estate Administration)**

<table>
<thead>
<tr>
<th>Scenario</th>
<th>Individual Will (standard)</th>
<th>Individual Will (complex)</th>
<th>Lasting power of attorney</th>
<th>Grant of probate</th>
<th>Estate administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base: All charging hourly rate</td>
<td>8</td>
<td>11</td>
<td>7</td>
<td>64</td>
<td>172</td>
</tr>
<tr>
<td>Mean hourly rate</td>
<td>£200</td>
<td>£175</td>
<td>£223</td>
<td>£196</td>
<td>£193</td>
</tr>
<tr>
<td>Median hourly rate</td>
<td>£211</td>
<td>£185</td>
<td>£240</td>
<td>£195</td>
<td>£195</td>
</tr>
<tr>
<td>Maximum hourly rate</td>
<td>£250</td>
<td>£250</td>
<td>£250</td>
<td>£300</td>
<td>£375</td>
</tr>
<tr>
<td>Minimum hourly rate</td>
<td>£100</td>
<td>£100</td>
<td>£180</td>
<td>£100</td>
<td>£50</td>
</tr>
<tr>
<td>Mean number of hours</td>
<td>1.8</td>
<td>2.5</td>
<td>2.1</td>
<td>4.3</td>
<td>8.2</td>
</tr>
</tbody>
</table>

As the proportion of firms charging via an hourly rate for the wills and power of attorney scenarios is very low, this data is included in the table for completeness but should be treated with caution. For the grant of probate and the estate administration scenarios a much larger proportion of firms indicated that they would charge based on an hourly rate. The average hourly rates charged for these two scenarios are very consistent, at just under £200. However, the estate administration scenario involve significantly more time than grant of probate, with an average of around 8 hours for the former and 4 hours for the latter.
The total prices were then calculated taking into account the charging approach used and the chart and table below show the range and average prices given for each scenario.

*Figure 5.2.4 Prices Summary - Distribution (Wills, Power of Attorney & Estate Administration)*

Prices varied considerably by scenario type. The individual standard will received the lowest price, with a mean of £168 and a relatively similar median of £150, and 84% of firms pricing it at under £250. The more complex individual will was priced slightly higher, with a mean of £206 and median of £163, and 74% pricing it at under £250.

Prices for lasting power of attorney were slightly higher, with a mean of £414 and only 14% pricing this scenario at under £250. For grant of probate prices increased again, with a mean charge of £829 and two fifths (42%) of firms estimating it to cost more than £750.

Estate administration was priced much higher, with a mean of £1,926. The vast majority (84%) gave an estimate of more than £750.

Again, standard deviation increased in line with mean prices given across these scenarios, and was at its highest for the estate administration scenario.
The following chart displays the same estimated price data for each scenario, this time depicted in ‘box & whisker’ plots. The box shows the range of the first and third quartile of the responses and the whiskers indicate the variability outside these upper and lower quartiles.

**Figure 5.2.5 Prices Summary – Box & Whisker Plot (Wills, Power of Attorney & Estate Administration)**

As illustrated in the chart above, the upper and lower quartiles show that pricing was most consistent for wills and lasting power of attorney (particularly for an individual standard will) and a much greater range was seen for estate administration.

The difference between the highest and lowest prices quoted is considerable, particularly for grant of probate and estate administration. In these cases the high values at the upper end of the distributions positively skew the mean price (as evidenced by the gap between the mean and median values).
The following table compares the mean price quoted by the different charging approaches.

**Figure 5.2.6 Prices Summary (Wills, Power of Attorney & Estate Administration) – By Charging Approach**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Typical Charging Approach</th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Estimated Total Cost</td>
<td>Fixed Fee</td>
<td>Fixed Percentage</td>
<td>Hourly Rate</td>
</tr>
<tr>
<td>Individual will (standard)</td>
<td>£248 (29)</td>
<td>£159 (449)</td>
<td>-</td>
<td>£364 (8)</td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td>£314 (58)</td>
<td>£186 (415)</td>
<td>-</td>
<td>£450 (11)</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>£488 (35)</td>
<td>£407 (418)</td>
<td>-</td>
<td>£516 (7)</td>
</tr>
<tr>
<td>Grant of probate</td>
<td>£928 (89)</td>
<td>£737 (265)</td>
<td>-</td>
<td>£871 (64)</td>
</tr>
<tr>
<td>Estate administration</td>
<td>£1,868 (116)</td>
<td>£1,721 (102)</td>
<td>£4,153 (38)</td>
<td>£1,700 (172)</td>
</tr>
</tbody>
</table>

When providing prices for the individual will scenarios, firms charging an hourly rate gave a higher resulting total cost than those charging via other approaches. However, caution should be taken when interpreting these differences due to the very low base sizes for firms charging an hourly rate. There were no statistically significant differences by charging approach for lasting power of attorney and grant of probate, but those charging a fixed percentage for estate administration were the most expensive for this scenario.

The following table compares the mean price provided for each scenario by firm type: firms either defining themselves as a solicitors’ firm or as an unregulated will writing firm.

**Figure 5.2.7 Prices Summary (Wills, Power of Attorney & Estate Administration) – By Firm Type**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Type of Firm</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Solicitor</td>
<td>Will Writer (Unregulated)</td>
<td></td>
</tr>
<tr>
<td>Individual will (standard)</td>
<td>£176 (390)</td>
<td>£136 (66)</td>
<td></td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td>£218 (388)</td>
<td>£161 (66)</td>
<td></td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>£440 (374)</td>
<td>£263 (57)</td>
<td></td>
</tr>
<tr>
<td>Grant of probate</td>
<td>£819 (374)</td>
<td>£1,150 (27)</td>
<td></td>
</tr>
<tr>
<td>Estate administration</td>
<td>£1,894 (372)</td>
<td>£2,258 (30)</td>
<td></td>
</tr>
</tbody>
</table>

Unregulated will writing firms charged significantly less for the individual wills and lasting power of attorney scenarios than solicitors. Many of the will writing firms did not offer grant of probate or estate administration services and as such the pattern does not continue for these scenarios. The grant of probate scenario involved an element of reserved activity work so it is possible that unregulated providers priced on the basis of this element being removed or subcontracted the reserved element to an authorised person.
The following table compares the mean price provided for each scenario by whether firms were licensed as an alternative business structure (ABS).

**Figure 5.2.8 Prices Summary (Wills, Power of Attorney & Estate Administration) – By Alternative Business Structure**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Alternative Business Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Individual will (standard)</td>
<td>£163 (24)</td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td>£264 (24)</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>£396 (23)</td>
</tr>
<tr>
<td>Grant of probate</td>
<td>£927 (24)</td>
</tr>
<tr>
<td>Estate administration</td>
<td>£1,770 (22)</td>
</tr>
</tbody>
</table>

Although firms licensed as alternative business structures gave higher prices for a complex individual will, there were no other statistically significant differences by this measure.

Figure 5.2.9 below compares the mean price quoted for each scenario by firm size.

**Figure 5.2.9 Prices Summary (Wills, Power of Attorney & Estate Administration) – By Firm Size**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-9</td>
</tr>
<tr>
<td>Individual will (standard)</td>
<td>£159 (243)</td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td>£201 (242)</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>£381 (224)</td>
</tr>
<tr>
<td>Grant of probate</td>
<td>£850 (191)</td>
</tr>
<tr>
<td>Estate administration</td>
<td>£1,813 (190)</td>
</tr>
</tbody>
</table>

Firms with more than 50 employees gave, on average, a higher price for an individual standard will than smaller firms, and for lasting power of attorney firms with more than 10 employees gave a higher price than smaller firms. No other statistically significant differences were observed by firm size.
Before each scenario, firms were asked if they were able to provide the service remotely i.e. to a client they would not be able meet face-to-face or if they would only provide the service to a client based locally. The following table compares the mean price quoted by whether or not the service could be provided remotely.

*Figure 5.2.10 Prices Summary (Wills, Power of Attorney & Estate Administration) – By Whether Provide Service Remotely*

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Provide Service Remotely</th>
<th>Yes – assume client based in Sutton Coldfield</th>
<th>No – only provide to local clients</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual will (standard)</td>
<td>£184 (92)</td>
<td>£164 (393)</td>
<td></td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td>£221 (85)</td>
<td>£203 (397)</td>
<td></td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>£425 (70)</td>
<td>£412 (389)</td>
<td></td>
</tr>
<tr>
<td>Grant of probate</td>
<td>£907 (110)</td>
<td>£801 (313)</td>
<td></td>
</tr>
<tr>
<td>Estate administration</td>
<td>£2,006 (110)</td>
<td>£1,903 (312)</td>
<td></td>
</tr>
</tbody>
</table>

There are no significant differences in the mean prices quoted when comparing responses based on a client living in Sutton Coldfield with those based on a local client.

Although there are no clear trends when analysing this within region, prices given by firms in the North for lasting power of attorney and in the South West for estate administration were both significantly higher for remote clients.

The following table compares mean price quoted by whether or not the firm advertises prices on their website.

*Figure 5.2.11 Prices Summary (Wills, Power of Attorney & Estate Administration) – By Whether Advertise Prices on Website*

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Display Prices on Website</th>
<th>Yes</th>
<th>No / Do not have a website</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual will (standard)</td>
<td></td>
<td>£145 (77)</td>
<td>£172 (396)</td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td></td>
<td>£192 (77)</td>
<td>£210 (393)</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td></td>
<td>£379 (74)</td>
<td>£422 (374)</td>
</tr>
<tr>
<td>Grant of probate</td>
<td></td>
<td>£889 (57)</td>
<td>£827 (354)</td>
</tr>
<tr>
<td>Estate administration</td>
<td></td>
<td>£1,833 (59)</td>
<td>£1,959 (352)</td>
</tr>
</tbody>
</table>

Firms who did not display their prices online appear to charge slightly more across the majority of scenarios (with the exception of grant of probate). However, this apparent difference is only statistically significant for the first scenario (individual standard will).
Comparisons have also been made to see if there were any differences between the prices given where a firm has a menu of outline prices or quotes on a case by case basis.

**Figure 5.2.12 Prices Summary (Wills, Power of Attorney & Estate Administration) – By Menu of Prices**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Menu of Prices</th>
<th>Yes – menu of outline prices</th>
<th>No – price on case by case basis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individual will (standard)</td>
<td></td>
<td>£155 (265)</td>
<td>£176 (286)</td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td></td>
<td>£180 (264)</td>
<td>£222 (283)</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td></td>
<td>£383 (251)</td>
<td>£442 (274)</td>
</tr>
<tr>
<td>Grant of probate</td>
<td></td>
<td>£791 (212)</td>
<td>£827 (274)</td>
</tr>
<tr>
<td>Estate administration</td>
<td></td>
<td>£1,871 (217)</td>
<td>£1,995 (270)</td>
</tr>
</tbody>
</table>

For the first three scenarios firms who tended to provide prices on a case by case basis charged more, on average, than those who had a menu of outline prices.

Regional analysis has been conducted by both country and the four English regions as described below.

**Figure 5.2.13 Prices Summary (Wills, Power of Attorney & Estate Administration) – By Location**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Country</th>
<th>English Regions</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>England</td>
<td>Wales</td>
</tr>
<tr>
<td>Individual will (standard)</td>
<td>£170 (447)</td>
<td>£134 (38)</td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td>£210 (444)</td>
<td>£163 (38)</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>£419 (423)</td>
<td>£363 (36)</td>
</tr>
<tr>
<td>Grant of probate</td>
<td>£847 (388)</td>
<td>£624 (35)</td>
</tr>
<tr>
<td>Estate administration</td>
<td>£1,930 (388)</td>
<td>£1,888 (35)</td>
</tr>
</tbody>
</table>

Clear differences were observed in these prices depending on firms’ geographical location. With the exception of estate administration, prices from firms in England were significantly higher than those in Wales. Prices also varied by English region. For the individual standard will and lasting power of attorney scenarios, prices in the South East were significantly higher than in all other regions. For the individual complex will and grant of probate scenarios, prices in the South East were significantly higher than those in the North and Midlands. For estate administration, prices in the South East were also higher, but this is only statistically significant when compared to prices in the North.
The following table compares mean price quoted by whether firms were located in a rural or urban location.

**Figure 5.2.14 Prices Summary (Wills, Power of Attorney & Estate Administration) – By Rural / Urban**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Rural / Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rural</td>
</tr>
<tr>
<td>Individual will (standard)</td>
<td>£146   (63)</td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td>£191   (63)</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>£312   (57)</td>
</tr>
<tr>
<td>Grant of probate</td>
<td>£764   (45)</td>
</tr>
<tr>
<td>Estate administration</td>
<td>£1,586 (47)</td>
</tr>
</tbody>
</table>

For the individual standard will, lasting power of attorney and estate administration scenarios, prices from firms based in a town or city were significantly higher than prices from those in a rural location.

Analysis has also been conducted based on the location of firms and whether this was considered to be a deprived area or not. The table below shows the mean prices given for the wills, power of attorney and estate administrations scenarios by whether or not the firm was located in a deprived area.

**Figure 5.2.15 Prices Summary (Wills, Power of Attorney & Estate Administration) – By Deprivation**

<table>
<thead>
<tr>
<th>Mean Price</th>
<th>Deprived Area</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
</tr>
<tr>
<td>Individual will (standard)</td>
<td>£134 (94)</td>
</tr>
<tr>
<td>Individual will (complex)</td>
<td>£166 (93)</td>
</tr>
<tr>
<td>Lasting power of attorney</td>
<td>£396 (88)</td>
</tr>
<tr>
<td>Grant of probate</td>
<td>£580 (84)</td>
</tr>
<tr>
<td>Estate administration</td>
<td>£1,806 (85)</td>
</tr>
</tbody>
</table>

The prices quoted by firms in deprived areas for the wills and grant of probate scenarios were significantly lower than firms located elsewhere.
5.3 Influencing Factors (Wills)

Firms offering wills and allocated to this survey group were asked whether either of the following two factors would affect the estimated price they had given to the individual will (with a more complex background) scenario:

- The requirement to establish a trust arrangement for the dependent children
- The need to instruct the pension firms (3 firms) of your client’s wishes on his behalf

For each factor firms were asked to state whether the price would increase significantly (i.e. by more than 20%), increase a little, stay the same, decrease a little or decrease significantly. Firms could also state that they would not offer this factor.

**Figure 5.3.1 Requirement to establish a trust arrangement for the dependent children**

- Price would increase significantly: 37%
- Increase a little: 26%
- Stay the same: 32%
- Decrease a little: 0%
- Price would decrease significantly: 1%
- Would not offer this: 3%

**Figure 5.3.2 Need to instruct the pension firms of your client’s wishes**

- Price would increase significantly: 21%
- Increase a little: 37%
- Stay the same: 27%
- Decrease a little: 0%
- Price would decrease significantly: 1%
- Would not offer this: 12%

As the charts above show, both factors would result in an increased price for around three fifths of firms. The requirement to establish a trust arrangement is more likely to see a significant increase in price, with 37% of firms stating this factor would increase prices significantly compared to 21% for the need to instruct the pension firms.

It is also of note that 12% of firms offering wills stated that they would not offer their clients the option of instructing pension firms of their wishes.
6  Ease of Estimation

6.1  Advertising Prices

All respondents were asked whether or not their firm displayed their prices on the company’s website. The chart below shows the responses given.

*Figure 6.1.1 Display Prices on Website*

Three quarters of firms had a website but did not display their prices online, and a small minority of firms (4%) did not have a website at all.

The following table shows a comparison of whether firms display their prices online by firm type, and demonstrates that unregulated will writers were more likely than solicitors to do so.

*Figure 6.1.2 Display Prices – By Firm Type*

<table>
<thead>
<tr>
<th>Type of Firm</th>
<th>Solicitor</th>
<th>Licensed Conveyancer</th>
<th>Will Writers (Unregulated)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Base: All respondents</strong></td>
<td>1,346</td>
<td>55</td>
<td>67</td>
</tr>
<tr>
<td>Yes</td>
<td>16%</td>
<td>22%</td>
<td>28%</td>
</tr>
<tr>
<td>No</td>
<td>78%</td>
<td>73%</td>
<td>61%</td>
</tr>
<tr>
<td>Do not have a website</td>
<td>4%</td>
<td>5%</td>
<td>10%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>2%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>
As detailed below, firms with fewer than 10 employees were less likely to have a website than larger firms. Amongst those with a website, there were no significant differences by firm size in terms of whether prices were displayed on these sites.

**Figure 6.1.3 Display Prices – By Firm Size**

<table>
<thead>
<tr>
<th>Number of Employees</th>
<th>0-9</th>
<th>10-49</th>
<th>50+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base: All respondents</td>
<td>640</td>
<td>559</td>
<td>301</td>
</tr>
<tr>
<td>Yes</td>
<td>15%</td>
<td>17%</td>
<td>20%</td>
</tr>
<tr>
<td>No</td>
<td>76%</td>
<td>78%</td>
<td>76%</td>
</tr>
<tr>
<td>Do not have a website</td>
<td>9%</td>
<td>2%</td>
<td>0%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>0%</td>
<td>3%</td>
<td>5%</td>
</tr>
</tbody>
</table>

Analysis has also been conducted by whether firms are located in a rural or urban location. As shown in the table below, firms based in a rural location were more likely to display their prices on a website than those in a town or city.

**Figure 6.1.4 Display Prices – By Rural / Urban**

<table>
<thead>
<tr>
<th>Firm Location</th>
<th>Rural</th>
<th>Urban</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base: All respondents</td>
<td>138</td>
<td>1,367</td>
</tr>
<tr>
<td>Yes</td>
<td>24%</td>
<td>16%</td>
</tr>
<tr>
<td>No</td>
<td>67%</td>
<td>77%</td>
</tr>
<tr>
<td>Do not have a website</td>
<td>7%</td>
<td>4%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>2%</td>
<td>2%</td>
</tr>
</tbody>
</table>
6.2 Pricing Menu or Bespoke Approach

Firms were asked whether or not they worked from a menu of outline prices or instead priced each new request on a case by case basis.

Figure 6.2.1 Menu of Outline Prices or Case by Case Approach

Whilst approaching half (46%) of all firms worked from a menu of outline prices there was often flexibility within this to consider individual circumstances.

The following table compares the level of flexibility of pricing by firm type.

Figure 6.2.2 Menu of Outline Prices / Case by Case Approach – By Firm Type

<table>
<thead>
<tr>
<th>Type of Firm</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Solicitor</td>
</tr>
<tr>
<td>Base: All respondents</td>
<td>1,346</td>
</tr>
<tr>
<td>Menu of outline prices</td>
<td>44%</td>
</tr>
<tr>
<td>Case by case basis</td>
<td>68%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>0%</td>
</tr>
</tbody>
</table>

Unregulated will writing firms in particular were more likely to work from a menu of outline prices (85%) compared to both solicitors (44%) and conveyancers (36%). Generally, regulated firms were more likely than unregulated firms to price each client on a case by case basis (68% and 25% respectively).
As set out in figure 6.2.3 below, smaller firms (with less than 10 employees) were least likely to have a list of outline prices.

**Figure 6.2.3 Menu of Outline Prices / Case by Case Approach – By Firm Size**

<table>
<thead>
<tr>
<th>Number of Employees</th>
<th>0-9</th>
<th>10-49</th>
<th>50+</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base: All respondents</td>
<td>640</td>
<td>559</td>
<td>301</td>
</tr>
<tr>
<td>Menu of outline prices</td>
<td>41%</td>
<td>49%</td>
<td>50%</td>
</tr>
<tr>
<td>Case by case basis</td>
<td>67%</td>
<td>64%</td>
<td>62%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

### 6.3 Accuracy of Initial Estimates

The survey also looked at how often respondents felt the services that they provide end up costing customers more than the initial estimate they had given.

**Figure 6.3.1 Frequency of Services Costing More Than Initially Estimated**

The chart above clearly illustrates that (from a provider’s perspective) in most cases services were not likely to end up costing customers more than initially quoted, with 58% stating this happened very rarely or never, and 36% stating that services only occasionally cost more.
As the table above shows, for the unregulated will writing firms and the licensed conveyancers the initial estimates were deemed to be very accurate and typically they very rarely/never end up costing customers more than the initial estimate. This was less likely to be the case for solicitors.

There were also differences in this respect according to the type of service being costed during the interview. Those answering about divorce were most likely to indicate that costs sometimes ended up higher than the initial estimate, compared with those answering about the other types of legal service (12% of the divorce group said costs are often/very often higher than the initial estimate, compared with just 2% for both conveyancing and power of attorney, probate & wills).

In addition, the majority (86%) of unregulated firms said their services very rarely/never cost more than initially estimated; significantly higher than was the case for regulated firms (56%). This is likely to be linked to the service costed as described in the point above, with the unregulated group largely responding to the lower value power of attorney, probate & wills scenarios.

The following table compares the frequency of services costing more by firm size.

Firms with less than 10 employees were more likely than larger firms to say that costs very rarely or never end up costing customers more than the initial estimate.
6.4 Flexible Payment Options

Firms were asked whether or not they offer flexible payment options to clients, for example payment by instalments or accepting credit card payments.

*Figure 6.4.1 Flexible Payment Options*

Two thirds (67%) of the firms interviewed offered flexible payment options to clients, and a third (32%) did not.

The following table displays the proportion offering flexible payment options by the different types of firm.

*Figure 6.4.2 Flexible Payment Options – By Firm Type*

<table>
<thead>
<tr>
<th>Type of Firm</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Solicitor</td>
</tr>
<tr>
<td>Base: All respondents</td>
<td>1,346</td>
</tr>
<tr>
<td>Yes</td>
<td>71%</td>
</tr>
<tr>
<td>No</td>
<td>29%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>0%</td>
</tr>
</tbody>
</table>

Offering customers flexible payment options was fairly typical amongst solicitors with 71% offering this, compared to around two fifths (45%) of unregulated will writing firms and just 15% of licensed conveyancers. As such, regulated firms were also more likely to offer these options than unregulated firms.
Size of firm also played a part in the likelihood of offering flexible payment options, with three quarters (75%) of firms with ten or more employees offering flexibility compared with just under three fifths (57%) of those with less than ten employees.

### 6.5 Price Changes in Last 12 Months

Firms were asked about any change in their prices over the previous 12 months.

The majority of firms (67%) stated that their prices had stayed about the same over the last 12 months. However, amongst those reporting a change, the balance was very much in favour of a price increase (29% reported that prices had increased and just 4% that they had decreased).
The table below shows the perceptions of price changes in the last 12 months by the type of firm.

**Figure 6.5.2 Price Changes in Last 12 Months – By Firm Type**

<table>
<thead>
<tr>
<th>Type of Firm</th>
<th>Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solicitor</td>
<td>Regulated</td>
</tr>
<tr>
<td>Licensed Conveyancer</td>
<td>Unregulated</td>
</tr>
<tr>
<td>Will Writer (Unregulated)</td>
<td></td>
</tr>
<tr>
<td>Base: All respondents</td>
<td>1,346</td>
</tr>
<tr>
<td>Increased significantly</td>
<td>55</td>
</tr>
<tr>
<td>Increased a little</td>
<td>67</td>
</tr>
<tr>
<td>Stayed about the same</td>
<td>1,419</td>
</tr>
<tr>
<td>Reduced a little</td>
<td>0%</td>
</tr>
<tr>
<td>Reduced significantly</td>
<td>0%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>87</td>
</tr>
<tr>
<td>Increased significantly</td>
<td>1%</td>
</tr>
<tr>
<td>Increased a little</td>
<td>28%</td>
</tr>
<tr>
<td>Stayed about the same</td>
<td>67%</td>
</tr>
<tr>
<td>Reduced a little</td>
<td>3%</td>
</tr>
<tr>
<td>Reduced significantly</td>
<td>0%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>1%</td>
</tr>
</tbody>
</table>

Unregulated will writing firms were less likely to have seen an increase in their firm’s prices compared to other firm types, with over four fifths (81%) of these firms stating their prices had stayed the same. In addition, regulated firms were more likely than unregulated to have seen their prices increase (29% vs. 16%).

The following table displays the perceptions of price changes by whether firms were licensed as an alternative business structure (ABS).

**Figure 6.5.3 Price Changes in Last 12 Months – By Alternative Business Structure**

<table>
<thead>
<tr>
<th>Alternative Business Structure</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base: All respondents</td>
<td>115</td>
<td>1,391</td>
</tr>
<tr>
<td>Increased significantly</td>
<td>2%</td>
<td>1%</td>
</tr>
<tr>
<td>Increased a little</td>
<td>30%</td>
<td>27%</td>
</tr>
<tr>
<td>Stayed about the same</td>
<td>63%</td>
<td>68%</td>
</tr>
<tr>
<td>Reduced a little</td>
<td>3%</td>
<td>3%</td>
</tr>
<tr>
<td>Reduced significantly</td>
<td>0%</td>
<td>0%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>0%</td>
<td>1%</td>
</tr>
</tbody>
</table>

There were no significant differences in perceptions of price changes when comparing firms licensed as an ABS with those that are not.
Comparisons have also been made to see if there were any differences in this respect by firm size.

**Figure 6.5.4 Price Changes in Last 12 Months – By Firm Size**

<table>
<thead>
<tr>
<th>Number of Employees</th>
<th>0-9</th>
<th>10-49</th>
<th>50+</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Base: All respondents</strong></td>
<td>640</td>
<td>559</td>
<td>301</td>
</tr>
<tr>
<td>Increased significantly</td>
<td>2%</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td>Increased a little</td>
<td>24%</td>
<td>28%</td>
<td>34%</td>
</tr>
<tr>
<td>Stayed about the same</td>
<td>71%</td>
<td>67%</td>
<td>60%</td>
</tr>
<tr>
<td>Reduced a little</td>
<td>3%</td>
<td>3%</td>
<td>3%</td>
</tr>
<tr>
<td>Reduced significantly</td>
<td>0%</td>
<td>1%</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Don’t know</strong></td>
<td>0%</td>
<td>1%</td>
<td>1%</td>
</tr>
</tbody>
</table>

As the table above shows, larger firms were more likely to have increased their prices than smaller firms, with 36% of those with 50+ employees saying this was the case, compared to 29% of those with 10-49 employees, and 25% of those with 0-9 employees. The very small proportion reducing prices was consistent across all firm size bands.

Regional analysis has been conducted by both country and the four English regions as described below.

**Figure 6.5.5 Price Changes in Last 12 Months – By Location**

<table>
<thead>
<tr>
<th>Country</th>
<th>England</th>
<th>Wales</th>
<th>North</th>
<th>Mids</th>
<th>South East</th>
<th>South West</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Base: All respondents</strong></td>
<td>1,407</td>
<td>99</td>
<td>360</td>
<td>389</td>
<td>506</td>
<td>152</td>
</tr>
<tr>
<td>Increased significantly</td>
<td>1%</td>
<td>0%</td>
<td>1%</td>
<td>2%</td>
<td>2%</td>
<td>0%</td>
</tr>
<tr>
<td>Increased a little</td>
<td>28%</td>
<td>17%</td>
<td>19%</td>
<td>31%</td>
<td>30%</td>
<td>34%</td>
</tr>
<tr>
<td>Stayed about the same</td>
<td>67%</td>
<td>73%</td>
<td>76%</td>
<td>63%</td>
<td>64%</td>
<td>63%</td>
</tr>
<tr>
<td>Reduced a little</td>
<td>3%</td>
<td>8%</td>
<td>3%</td>
<td>3%</td>
<td>2%</td>
<td>3%</td>
</tr>
<tr>
<td>Reduced significantly</td>
<td>0%</td>
<td>1%</td>
<td>0%</td>
<td>1%</td>
<td>0%</td>
<td>1%</td>
</tr>
<tr>
<td><strong>Don’t know</strong></td>
<td>0%</td>
<td>1%</td>
<td>0%</td>
<td>1%</td>
<td>1%</td>
<td>0%</td>
</tr>
</tbody>
</table>

Regional differences in price changes over the last 12 months were also evident, with firms in the North and Wales less likely to have increased their prices. Around a fifth of firms in the North (20%) and Wales (17%) had increased their prices compared to a third of firms in the South West (34%), Midlands (33%) and South East (32%).
Annex A – Sample Analysis

The sample was sourced mainly from Experian using SIC 2007 Codes 69.1 Legal activities, 69.10/2 Solicitors and 69.10/9 Activities of patent and copyright agents & other legal activities not elsewhere classified. In addition to the Experian sample, two further (albeit very small volume) sample sources were used; the Institute for Professional Willwriters provided an additional 136 contacts and the Council for Licensed Conveyancers provided an additional 60 contacts (with the majority of these sample sources already covered by the Experian sample).

The following table illustrates the outcome of the sample records along with the associated response and refusal rates.

*Figure A.1 Sample Analysis*

<table>
<thead>
<tr>
<th>Sample cleaning</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total records sourced</strong></td>
<td>12,512</td>
</tr>
<tr>
<td>Removed as duplicate contact</td>
<td>353</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Screening</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total records selected for survey</strong></td>
<td>11,118</td>
</tr>
<tr>
<td>Contact details incorrect (wrong number, unobtainable number, etc)</td>
<td>1,041</td>
</tr>
<tr>
<td>Ineligible for interview (do not offer key legal services)</td>
<td>4,219</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Achieved interviews</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total usable sample</strong></td>
<td>6,899</td>
</tr>
<tr>
<td>Interviews achieved</td>
<td>1,506</td>
</tr>
<tr>
<td>Refusals</td>
<td>1,822</td>
</tr>
<tr>
<td><em>Response rate</em></td>
<td>22%</td>
</tr>
<tr>
<td><em>Refusal rate</em></td>
<td>26%</td>
</tr>
</tbody>
</table>

A response rate of 22% was achieved which is as we expected for a survey amongst this audience and fairly typical of a business telephone survey.
Annex B - Participant Profile

B.1 Type of Legal Service Firm

As evidenced in the chart below, the vast majority of firms (89%) taking part in the research were operating as solicitors (including sole practitioners). The remaining firms included licensed conveyancers, accountancy firms, unregulated will-writing firms and other unregulated legal service providers.

Figure B.1.1 Type of Firm

- Solicitors firm (including sole practitioner)
- Will writing firm (unregulated)
- Licensed conveyancers firm
- Unregulated legal services provider
- Other

Base: All respondents (1506)
A4: What does your firm mainly operate as...?
B.2 Regulated vs. Unregulated

The vast majority (94%) of firms taking part in the research were regulated. Firms not classifying themselves as either solicitors or barristers were asked whether they were governed by any regulatory boards or bodies. Amongst the non-solicitor firms, the most commonly reported regulatory body/board was the Council for Licensed Conveyancers (34%). The Solicitors Regulation Authority was mentioned by 6% of non-solicitor firms, predominantly made up of individual solicitors or legal executives that work independently.

Figure B.2.1 Firm Regulation

Unregulated firms and those identifying as a will writing firm were also asked about their membership of trade associations. Half of this group (51%) were members of the Institute of Professional Willwriters, and just under a third (31%) were members of the Society of Will Writers and Estate Planning Practitioners. A fifth (20%) were not members of any trade associations.

Figure B.2.2 Trade Association Membership
B.3 Alternative Business Structures

A proportion of the total sample (8%) were licensed as an alternative business structure (ABS).

Figure B.3.1 Firms Licensed as an ABS

B.4 Firm Characteristics

Three quarters (73%) of firms had been operating for over 10 years and only a very small proportion (4%) had been established in the last 2 years. The size of firm varied across the sample; a quarter (26%) had less than 5 employees, however a fifth (20%) represented large firms with at least 50 employees.

Figure B.4.1 Age of Firm

Figure B.4.2 Number of Employees

A6: Are you a member of the following trade associations?

B.3 Alternative Business Structures

A proportion of the total sample (8%) were licensed as an alternative business structure (ABS).

Figure B.3.1 Firms Licensed as an ABS

B.4 Firm Characteristics

Three quarters (73%) of firms had been operating for over 10 years and only a very small proportion (4%) had been established in the last 2 years. The size of firm varied across the sample; a quarter (26%) had less than 5 employees, however a fifth (20%) represented large firms with at least 50 employees.

Figure B.4.1 Age of Firm

Figure B.4.2 Number of Employees

A6: Are you a member of the following trade associations?

B.3 Alternative Business Structures

A proportion of the total sample (8%) were licensed as an alternative business structure (ABS).

Figure B.3.1 Firms Licensed as an ABS

B.4 Firm Characteristics

Three quarters (73%) of firms had been operating for over 10 years and only a very small proportion (4%) had been established in the last 2 years. The size of firm varied across the sample; a quarter (26%) had less than 5 employees, however a fifth (20%) represented large firms with at least 50 employees.

Figure B.4.1 Age of Firm

Figure B.4.2 Number of Employees

A6: Are you a member of the following trade associations?

B.3 Alternative Business Structures

A proportion of the total sample (8%) were licensed as an alternative business structure (ABS).

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Figure B.4.1 Age of Firm

Figure B.4.2 Number of Employees

A6: Are you a member of the following trade associations?
The table below shows the size profile of the different firm types included in the research. Approximately three fifths (62%) of the solicitors firms have 10 or more employees, compared to two fifths (40%) of the licensed conveyancers and just 4% of the unregulated will writing firms.

**Figure B.4.3 Number of Employees – By Firm Type**

<table>
<thead>
<tr>
<th>Number of employees</th>
<th>Solicitor</th>
<th>Licensed Conveyancer</th>
<th>Will Writer (Unregulated)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base: All respondents</td>
<td>1,346</td>
<td>55</td>
<td>67</td>
</tr>
<tr>
<td>0-9</td>
<td>38%</td>
<td>60%</td>
<td>96%</td>
</tr>
<tr>
<td>10-49</td>
<td>40%</td>
<td>25%</td>
<td>4%</td>
</tr>
<tr>
<td>50+</td>
<td>22%</td>
<td>15%</td>
<td>0%</td>
</tr>
<tr>
<td>Don’t know</td>
<td>0%</td>
<td>0%</td>
<td>0%</td>
</tr>
</tbody>
</table>

Over half of firms (56%) operated from a single site. The majority of those operating from more than one site did so from multiple sites within their region (34% of the sample overall).

**Figure B.4.4 Firm Structure: Single vs. Multiple Sites**

Base: All respondents (1506)
A9: Does your firm operate from...?
B.5 Firm Location

The majority of firms (91%) were located in an urban area, compared to only 9% in a village or rural area. Regional variations were in line with the profile of legal services firms, with the highest proportion of firms based in the South East (34%) and the lowest in the North (4%).

To enable more robust analysis, firms have been grouped into five broad geographic areas for sub analysis throughout this report; North (including North, North West and Yorkshire Humberside English regions), Midlands (including East Anglia, East Midlands and West Midlands English Regions), South East, South West and Wales.
Annex C – Detailed Scenarios

C.1 Detailed Scenarios - Conveyancing

**Scenario 1 – a sale only of a freehold property**

The first scenario is ‘a sale only of a freehold property.’

I would like you to think about...

- A new client who is an individual seller
- The sale value is £205,000
- The current mortgage will be repaid on sale, is 80% of sale value, and the lender is a major residential property lender
- The property is freehold

Please include the following in the estimation:

- Fees for standard service, including:
  - Any firm administrative charges (e.g. postage, photocopying and telephone calls)
  - Liaising with the lender
  - Attendance at completion and to any relevant document lodgement and payment of charges
  - The property has no new extensions
  - The property is on a residential road (not on a private track)
  - The property is registered with the Land Registry

Please also assume that:

- There are no restrictive covenants or other caveats or other complications
- Please exclude any bank transfer fees or other disbursements
- Please also exclude VAT
Scenario 2 – sale only of a leasehold property

The next scenario is ‘also a sale only but this time of a leasehold property’.

I would like you to think about...

- A new client
- The property is being sold by 2 sellers, selling as joint tenants
- The sale value is £205,000
- The existing mortgage will be fully repaid at sale but to be formally discharged at completion
- The property is leasehold and no complications are expected

Please include the following in the estimation:

- Fees for standard service, including:
  - Any firm administrative charges (e.g. postage, photocopying and telephone calls)
  - Liaising with the lender and the purchaser’s solicitor
  - Attendance at completion and registration of documents with the Land Registry
  - The property has no new extensions
  - The property is on a residential road (not on a private track)
  - The property is registered with the Land Registry

Please also assume that:

- There are no restrictive covenants or other caveats or other complications
- Please exclude any bank transfer fees or other disbursements
- Please also exclude VAT
Scenario 3 – a purchase only of a freehold property

This scenario is very similar to the first but this time for a purchase, with a new mortgage of 70% of the property value.

So again please think about...

- A new client who is an individual seller
- The purchase value is £205,000
- There is a new mortgage for the property, being 70% of the purchase value, and the lender is a major residential property lender
- It is freehold

Please include the following in the estimation:

- Fees for standard service, including:
  - Any firm administrative charges (e.g. postage, photocopying and telephone calls)
  - Liaising with the lender
  - Conducting standard searches of the Land Register (and any other reasonably necessary local searches)
  - Attendance at completion, registration of documents with the Land Registry, and payment of stamp duty and land tax
  - The property has no new extensions
  - The property is on a residential road (not on a private track)
  - The property is registered with the Land Registry.

Please also assume that:

- No complex environmental searches are required
- There are no restrictive covenants or other caveats or other complications
- Please exclude any bank transfer fees or other disbursements such as land registry or local search fees and stamp duty
- Please also exclude VAT
Scenario 4 – purchase only of a leasehold property

This next scenario is ‘again a purchase only but this time of a leasehold property’.

This time please think about...

- A new client
- The property is being bought by 2 buyers, buying as joint tenants
- The purchase value is £205,000
- There will be a new mortgage for the property, being 70% of the purchase value, and the lender is a major residential property lender
- It is leasehold

Please include the following in the estimation:

- Fees for standard service, including:
  - Any firm administrative charges (e.g. postage, photocopying and telephone calls)
  - Liaising with the lender
  - Conducting standard searches of the Land Register (and any other reasonably necessary local searches)
  - Attendance at completion, registration of documents with the Land Registry, and dealing with the payment of stamp duty and land tax
  - The property has no new extensions
  - The property is on a residential road (not on a private track)
  - The property is registered with the Land Registry

Please also assume that:

- No complex environmental searches are required
- There are no restrictive covenants or other caveats or other complications
- Please exclude any bank transfer fees or other disbursements such as land registry or local search fees and stamp duty
- Please also exclude VAT
Scenario 5 – a sale and purchase of freehold properties

The final scenario is for ‘a sale and purchase of freehold properties’.

I would like you to think about...

- A new client
- The properties are being bought and sold by the same 2 people, as joint tenants
- The sale value is £205,000
- And the purchase value is the same at £205,000
- The transactions are linked, so the client must sell in order to buy
- There is a mortgage to be discharged and there is also a new mortgage for the purchase property for 70% of the purchase value, the lender is a major residential property lender
- Both properties are freehold

Please include the following in the estimation:

- Fees for standard service, including:
  - Any firm administrative charges (e.g. postage, photocopying and telephone calls)
  - Liaising with the lender
  - Conducting standard searches of the Land Register (and any other reasonably necessary local searches)
  - Attendance at settlement, registration of documents with the Land Registry, and dealing with the payment of stamp duty and land tax
  - Neither properties have new extensions
  - Both properties are on a residential road (not a private track)
  - Both properties are registered with the Land Registry

Please also assume that:

- No complex environmental searches are required
- There are no restrictive covenants or other caveats or other complications
- Please exclude any bank transfer fees or other disbursements such as land registry or local search fees and stamp duty
- Please also exclude VAT
C.2 Detailed Scenarios – Divorce

Scenario 1 – an uncontested divorce requiring a full legal service

The first scenario is ‘an uncontested divorce requiring a full legal service’.

I would like you to think about...

- A new client
- She is 42 years old, married in 2005 (11 years ago) at the age of 31
- She is filing for divorce from her husband on the grounds of unreasonable behaviour
- The divorce is amicable
- They do not have any children
- To simplify the scenario please assume that there are no assets to split
- She would like you to handle the entire divorce for her, so services to include:
  - General advice
  - Filling out the petition for divorce
  - Affidavit

Please assume that:

- There has been no domestic violence
- Legal services can be provided either face to face or remotely

Please can you also:

- Include any firm administrative charges (e.g. postage, photocopying and telephone calls)
- But exclude any other disbursements (if there are any)
- Please also exclude VAT
### Scenario 2 – an uncontested divorce responding to a petition for divorce

The next scenario is again ‘an uncontested divorce this time responding to a petition for divorce’. I would like you to think about...

- A new client
- He is 40 years old, married in 2009 (6 years ago) at the age of 34
- His wife has filed for divorce from him on the grounds of unreasonable behaviour
- The divorce is amicable
- They do not have any children
- To simplify the scenario please assume that there are no assets to split
- He would like you to handle the entire divorce for him, so services to include:
  - General advice
  - Responding to the petition for divorce

**Please assume that:**

- There has been no domestic violence
- Legal services can be provided either face to face or remotely

**Please can you also:**

- Include any firm administrative charges (e.g. postage, photocopying and telephone calls)
- But exclude any other disbursements (if there are any)
- Please also exclude VAT
Scenario 3 – an uncontested divorce requiring arrangements for dependent children

The next scenario is again ‘an uncontested divorce but this time requiring arrangements for dependent children’. I would like you to think about...

- A new client
- She is 40 years old, married in 2009 (6 years ago) at the age of 33
- She is filing for divorce from her husband on the grounds of unreasonable behaviour
- The divorce is amicable
- To simplify the scenario please assume that there are no assets to split
- They have two children – aged 5 and 3
- They have agreement on childcare arrangements which are joint residency with shared parenting arrangements
- She would like you to handle the entire divorce for her, so services to include:
  - General advice
  - Filling out the petition for divorce
  - Agreeing arrangements for the children
  - Affidavit

Please assume that:

- There has been no domestic violence
- Both parents are fit to provide a joint residency for the children.
- Legal services can be provided either face to face or remotely

Please can you also:

- Include any firm administrative charges (e.g. postage, photocopying and telephone calls)
- But exclude any other disbursements (if there are any)
- Please also exclude VAT
Scenario 4 – a more complex divorce requiring mediation & advisory services

The next scenario is ‘a more complex divorce requiring mediation and advisory services’. I would like you to think about...

- A new client
- She is 37 years old, married in 2009 (6 years ago) at the age of 31
- She is filing for divorce from her husband on the grounds of unreasonable behaviour
- To simplify the scenario please assume that there are no assets to split
- They have two children – aged 5 and 3
- No agreement has been reached on childcare arrangements
  - Client is seeking full residency of the children
  - Client is also seeking financial maintenance payments
- She would like you to handle the entire divorce for her, so services to include:
  - General advice
  - Filling out the petition for divorce
  - Agreeing the arrangements for the children
  - Affidavit
  - Mediation Information Assessment (MIA) provided by you
- Please assume she attends 5 mediation sessions but please do not include the cost of these mediation sessions in your cost
- Please assume that mediation provided is successful after the fifth session and the case does not go to court

Please assume that:

- The case is not urgent – i.e. no kidnapping or violence
- There has been no domestic violence
- Both parents remain in the local area near to the children’s school and friends and have enough room for the children
- Mother works part-time (salary of £25,000)
- Father works full time (salary of £37,500)
- Legal aid is not available for mediation

Please can you also:

- Include any firm administrative charges (e.g. postage, photocopying and telephone calls)
- But exclude any other disbursements (if there are any)
- Please also exclude VAT
Scenario 5 – a more complex divorce involving disagreement over assets

The final scenario is again ‘a more complex divorce but this time involving disagreement over assets’. I would like you to think about...

- A new client
- She is 48 years old, married in 1995 (20 years ago) at the age of 28
- She is filing for divorce from her husband on the grounds of unreasonable behaviour
- They have two adult children and neither are dependent
- No agreement has been reached on how the assets will be divided
- Estimated total assets of £500,000
- She would like you to handle the entire divorce for her, so services to include:
  - General advice
  - Filling out the petition for divorce
  - Affidavit
  - Advice on assessing assets
  - Obtaining financial order
  - Mediation Information Assessment (MIA) provided by you
- Please assume she attends 5 mediation sessions but please do not include the cost of these mediation sessions in your cost for now
- Please assume that mediation provided is successful and the case does not go to court

Please assume that:

- There has been no domestic violence
- Legal services can be provided either face to face or remotely

Please can you also:

- Include any firm administrative charges (e.g. postage, photocopying and telephone calls)
- But exclude any other disbursements (if there are any)
- Please also exclude VAT
C.3 Detailed Scenarios – Wills, Power of Attorney & Estate Administration

Scenario 1 – an individual standard will

The first scenario is ‘an individual standard will’. I would like you to think about...

- A new client
- She is married and had 2 adult children with her husband
- This is her (and her husband’s) first marriage and she has no other children
- The beneficiaries of the will would be her husband and if he predeceases then it would be her 2 children in equal shares
- The executor of the will would be one of their children
- She has a total estate valued at £255,000 (made up predominantly from a single property)
- In terms of any specific gifts there are some but not complicated – just a car, technology, jewellery to be given to family members
- The client will arrange for the execution and safekeeping of the will

Please also assume that:

- There are no other complicating factors – for example no overseas property and no appointment of legal guardian
- The client will arrange for witnessing of the will (although the solicitor should explain rules for witnessing)
- No related tax advice is required
- No probate services are required
- The will is not required urgently
- Brief and standard instructions are to be contained in the will for the funeral and funeral expenses

Please can you also:

- Include any firm administrative charges (e.g. postage, photocopying and telephone calls)
- But exclude any other disbursements (if there are any)
- Please also exclude VAT
Scenario 2 – an individual will (with a different client background)

The next scenario is another ‘individual will’ but this time with a different client background. I would like you to think about...

- A new client
- He is married with 2 dependent children from his current marriage
- He has been married before, which ended in divorce
- He has one adult child from his previous marriage
- The beneficiaries of the will would be his wife and if she predeceases then it would be his 2 children from his current marriage and other child from his first marriage in equal shares.
- The executor of the will would be a family friend
- He has a total estate valued at £255,000 including 3 pension funds (from 3 different employers)
- In terms of any specific gifts there are some but not complicated – just a car, technology, jewellery to be given to family members and a charity donation
- The client would like to include arrangements for the legal guardian of his 2 dependent children, if his wife predeceases
- The client will arrange for the execution and safekeeping of the will

Please also assume that:

- There are no other complicating factors – for example no overseas property
- The client will arrange for witnessing of the will (although the solicitor should explain rules for witnessing)
- The client needs basic advice on how to instruct his pension providers but you will not need to contact his pension providers directly
- No related tax advice is required
- No probate services are required
- The will is not required urgently
- Brief and standard instructions are to be contained in the will for the funeral and funeral expenses

Please can you also:

- Include any firm administrative charges (e.g. postage, photocopying and telephone calls)
- But exclude any other disbursements (if there are any)
- Please also exclude VAT
Scenario 3 – lasting power of attorney

The next scenario is regarding ‘lasting power of attorney’ I would like you to think about...

- A single man, aged 67 who has recently retired
- He wishes to appoint his younger brother who is aged 55 as attorney for his property and financial affairs only
- He is confident and has a good idea of what he wants but he would like some basic advice from a legal professional to help assess his needs, explain his options and prepare the form
- He requires you to register the Lasting Power of Attorney (LPA)
- He has no ongoing medical conditions
- In terms of the clients financial circumstances, he owns a property outright (valued at £205,000), has a modest income from a basic state pension and employer pension, some savings and no investments or shares
- Please include in your cost any administration costs for registering the form with the Office of the Public Guardian form but exclude the registration fee

Please assume that:

- There are no other reasons why this has to be progressed urgently
- The client has an up to date will
- The client has never married and has no current relationship. He has one brother and there are no family disputes.
- The client wishes to name his nephew as a replacement attorney
- The attorney should make decisions upon registration of the LPA with the Office of the Public Guardian (the recommended standard option requiring the consent of the donor before decisions are taken)
- Assume that the client is not eligible for means testing for funding of the LPA registration fee
- There is no existing Power of Attorney arrangement
- The client needs basic advice on how to instruct his pension providers but you will not need to contact his pension providers directly

Please can you also:

- Include any firm administrative charges (e.g. postage, photocopying and telephone calls)
- But exclude any other disbursements (if there are any)
- Please also exclude VAT
Scenario 4 – assistance for obtaining grant of probate

The next scenario is regarding ‘assistance for obtaining Grant of Probate’. I would like you to think about...

- A new client
- Her mother has recently died and she would like assistance to obtain a Grant of Probate
- Her mother was a widow, so the last surviving parent
- You will complete and register the probate form with the Probate Court
- You will not need to administer the estate
- There is a valid and non-contested will, and the daughter is named as the sole executor in the will
- The total value of the estate is £255,000 and includes a residential property, cash and securities

Please also assume that:

- There are no other complicating factors
- Include any firm administrative charges (e.g. postage, photocopying and telephone calls)
- But exclude any other disbursements (if there are any)
- Please also exclude VAT
Scenario 5 – estate administration

The final scenario is regarding assistance with ‘estate administration’ I would like you to think about...

- A new client
- Her mother has recently died. Her mother was a widow, so the last surviving parent
- There is already a Grant of Probate
- There is a valid and non-contested will and the daughter has been named sole executor in the will
- The total value of the estate is £255,000 and includes a residential property, cash and securities
- She would like assistance administering the estate. She is likely to require the following services:
  - Finalising income tax affairs and pensions
  - Collecting in the estate from banks & building societies
  - Selling assets
  - Paying money due to beneficiaries
  - Making any gifts of items to beneficiaries
  - Preparing accounts for the estate
- Conveyancing services are not required to sell the property

Please also assume that:
- The probate service was not pre-arranged i.e. not via a will
- All beneficiaries are named and traceable
- There are no other children
- There is no inheritance tax due (as under the £325,000 threshold)
- There is no family trust required and no younger beneficiaries (no children under 18)
- There are no other complicating factors – such as owning a business, insufficient estate to meet all legacies, insolvent estate and the property is not agricultural

Please can you also:
- Include any firm administrative charges (e.g. postage, photocopying and telephone calls)
- But exclude any other disbursements (if there are any)
- Please also exclude VAT