

Annex

Vulnerable consumers research – communications messages

The research on vulnerable consumers is due to be published in May to coincide with Mental Health Awareness week and Dementia Awareness week. This note gives a very brief outline of the key messages and communications activities.

About this research:

- 1) This research will help us understand the experiences of vulnerable consumers in accessing and using legal services. We focus on two groups of vulnerable consumers: people with mental health problems, and people with dementia and those caring for them.
- 2) The qualitative research provides an in-depth picture of the experiences both groups of vulnerable consumers have across a range of legal services. The research has a practical focus and identifies aspects of practice that work well for vulnerable consumers and what presents obstacles for them or lessens their satisfaction.
- 3) 60 face to face interviews were conducted with vulnerable consumers and some of their carers, across England and Wales: our consumers shared their experiences of conveyancing; wills, lasting power of attorney, family law and housing issues among other legal needs. Regulated and paid-for legal services were included, as were third sector and free advice sources. There were many different types and circumstances of consumer vulnerability within the sample. Some people's mental health or dementia was self-diagnosed, others had formal diagnoses.

Key findings from this research:

Mental health

1. **Individuals had a range of mental health problems, and had experienced a wide range of sometimes complex legal needs.**
2. **Some felt overwhelmed and anxious about using legal services**, related to concern about the total costs likely to be incurred, not being able to understand technical legal language and feeling intimidated by legal professionals and staff.
3. **This group may not feel comfortable disclosing their mental health problems and any adjustments they may need to use legal services**, nor are they prompted to do so by legal services providers.
4. **They need legal services providers to respond to their vulnerability in simple and practical ways:** by giving more time to express themselves, offering clear and sometimes additional communication and reassurance, and providing continuity of personnel.
5. **A minority had tried but failed to access legal advice.** Reasons included being put off by the initial engagement with a legal services provider and being unable to find one prepared to take on the case.
6. **Access to free initial services, from third sector organisations and regulated providers, is important.** Reasons for this included affordability, wanting to get initial advice before deciding on next steps and having had poor past experience of legal advisors.

Dementia

1. **There was a clear cluster of legal needs associated with dementia**, including wills, power of attorney and property issues, plus a small number of issues associated with being a carer.
2. **As a result of dementia, individuals and their carers can experience significant disadvantages in using legal services.**
3. **Carers are prepared to flag service 'needs', but individuals with dementia may not be able to disclose or articulate their needs** without sensitive prompting.
4. **People described anxiety about using legal services**, for reasons including the legal situation itself, interacting with the legal profession and overall costs.
5. There is scope to make services 'dementia friendly' through simple actions, such as.
 - a. compassionate manner from legal professionals and their staff
 - b. using initial phone contact to discuss ways of working/ engaging
 - c. clear information being available in advance of the meeting on the legal issue (particularly on powers of attorney), options and costs
 - d. home visits from a person trained and experienced with dementia
 - e. promotion and delivery of 'dementia friendly' services, ie plain English and 'jargon free', rapport, compassion, patience and respect
 - f. providing a written record of the meeting for reference and clarification.

Top communications messages from this research:

- Small actions can make a big difference to vulnerable consumers. When providers take simple steps to meet the needs of vulnerable consumers, their professional manner and practice is appreciated and customers are satisfied.
- Need to spread basic good practice across providers, but consumers can bring about improvement too, i.e. consumers can and should ask for what they need.
- We share clear, practical examples of what helps vulnerable consumers to use legal services effectively.