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NEW RESEARCH HIGHLIGHTS CHALLENGES FACING DISAFFECTED LEGAL CONSUMERS

REGULATORS AND LAWYERS MUST ACT TO IMPROVE COMPLAINTS- HANDLING

The Legal Services Board - the independent body overseeing the regulation of lawyers in England and Wales – has today published [new research](#) highlighting the challenges consumers face when the service they receive from their lawyer falls short of expectations.

The research, carried out by YouGov, suggests that consumers struggle to identify how to go about making a complaint when the service they received was unsatisfactory. Notably, results show that, throughout engagement, **over half of respondents (57%) were never told about their provider's complaints procedure.** Of those who did receive such information, **less than half (47%) found the procedure easy to understand.**

The LSB has made improving complaints-handling across the legal services sector a key early priority. By October 2010, the LSB required all approved regulators to ensure those they regulate provide clear information to their clients both of their right to complain about the service they receive and the process for doing so – including giving them information about the Legal Ombudsman.

The research was designed to understand the experiences of consumers who were dissatisfied with the service provided by their lawyer. The figures give a sense of the proportion of consumers who never enter the complaints-handling system - **whilst 33% did make a complaint, around two-thirds (64%) did not make a formal complaint to their service provider.**

The results demonstrate strongly the link between knowledge of procedure and likelihood of making a complaint. **Out of the respondents who did not complain, 82% were not told about the in-house complaints procedure at engagement**, compared to just 24% of those who did make a complaint.

Even amongst those consumers who do make a complaint, results show that the vast majority of those who remain dissatisfied fail to enforce their right to challenge the results of the in-house stage – dropping out of the system following that initial result – **70% of consumers did not progress to the second tier.**

Chief Executive of the Legal Services Board, Chris Kenny said:

Ensuring that consumers are better able to obtain redress when they are dissatisfied has been one of our core priorities. Many lawyers already recognise that client feedback is an invaluable way of improving their service offering. We want to see this accepted across the sector. For regulators too, complaints are an important source of information to help identify gaps in regulation and target interventions where necessary.

The message from these findings is that too many lawyers are missing the chance to learn from substantial numbers of consumers who make a complaint. Too many consumers give up when they are unhappy with the outcomes of the in-house process – despite having the right to escalate the complaint to the Legal Ombudsman. Improving this situation is an urgent priority for consumer protection, for improving the service itself and for enhancing public confidence in lawyers.

A particular concern is the number of clients who reported that they have been charged for their complaints. The LSB regards this as totally unacceptable, and expects approved regulators to take firm action in all cases where it is proven.

The LSB expects approved regulators to build on this study, both with their own consumer research and, even more importantly, through communication, supervision and, where necessary, enforcement action in their own parts of the legal sector.

For more information please contact Craig Jones, Media and Public Affairs Manager, on craig.jones@legalservicesboard.org.uk or by calling 020 7271 0068 / 07702 428210.

Notes for editors:

1. The research report can be found [here](#).
2. The sample consisted of 1,275 respondents who were dissatisfied legal service users. The study consisted of a quantitative and qualitative element both conducted through a sample taken from the YouGov panel consisting of 300,000 people. The panel was screened to identify those respondents who had used a legal service in the last three years. The screening process continued over a period of two months (between February and March 2011).
3. The quantitative research was an online survey carried out between 9 March and 13 April 2011. As there is no published research that provides a detailed breakdown of the characteristics of dissatisfied legal service users, the results for this study have not been weighted.
4. The qualitative fieldwork was conducted over a period of two weeks, from the 21 March to 1 April 2011. In total, there were 33 interviews.
5. The Legal Services Act ("The Act") created the Legal Services Board as a new regulator with responsibility for overseeing the regulation of legal services in England and Wales. The new regulatory regime became active on 1 January 2010.
6. The LSB oversees eight Approved Regulators, which in turn regulate individual lawyers. The Approved Regulators, designated under Part 1 of Schedule 4 of the 2007 Act, are the Law Society, the Bar Council, the Master of the Faculties, the Institute of Legal Executives, the Council for Licensed Conveyancers, the Chartered Institute of Patent Attorneys, the Institute of Trade Mark Attorneys and the Association of Costs Lawyers.
7. In addition, the Institute of Chartered Accountants in Scotland and the Association of Chartered Certified Accountants are listed as Approved Regulators in relation only to reserved probate activities.
8. The legal profession currently consists of some 15,000 barristers, 119,000 solicitors and 12,000 individuals operating in other aspects of the legal profession such as conveyancing. The sector is currently valued at £24.74 billion per annum (total turnover in 2009).