

Annex – Relevant research and analysis

Relevant primary research published by the LSB and other publications are listed below under each of the three themes in the Statement of Scope. Hyperlinks have been inserted for ease of access to these documents. In addition, the research pages of the LSB website contain the raw data underlying the quantitative surveys.

The LSB expects to publish the following research reports during the next six months and these will also be forwarded to the CMA to assist with its study:

- A large scale **legal need survey of individuals** in England and Wales and a detailed descriptive analysis of survey findings, jointly commissioned with the Law Society and Legal Education Foundation. This will build on previous surveys of individuals' legal needs and seek to describe changes over time (Ipsos MORI)
- A quantitative study gathering information on the **prices of common legal services** purchased by individual consumers (OMB Research)
- A study to **map the provision of unregulated legal services** focusing on three areas: will-writing and estate administration; divorce; and intellectual property (Economic Insight)
- A quantitative and qualitative study, commissioned jointly with the Bar Standards Board, on the operation of the **Public Access** arrangements, including information on the regulated community and their clients, impact on the regulatory objectives and barristers' businesses, and perceptions of the regulatory framework (Pye Tait)
- Economic advice on the **likely impacts of a range of changes to regulatory rules** over the past five years (Oxford Economics)
- An update to the **Market Evaluation** exercise assessing progress towards delivering the regulatory objectives since the benchmarking report published in 2012.

Theme 1: Whether consumers can access, assess and act on information about legal services so that they can make informed purchasing decisions and thereby drive competition for the supply of legal services

Research

A qualitative study, commissioned jointly with the Legal Services Consumer Panel, of [unbundled services](#) from the perspective of consumers, providers and judges (Ipsos MORI, 2015).

Large scale quantitative survey of the [experiences of 10,528 small businesses](#), showing the origin of legal problems that they face and their strategies for dealing with these problems, including where they seek advice and their experiences of doing so (survey by YouGov, analysis by Kingston University, 2015).

A qualitative survey, commissioned jointly with the Legal Services Consumer Panel, of [the consumer experience of legal services delivered online compared to face-to-face](#), using divorce as a case study (BDRC Continental, 2015)

Drawing on behavioural economics theories, an assessment of the [most effective methods of supporting consumers to identify and respond to legal problems](#) (Linstock Communications, 2014)

Statistical analysis of legal need survey data to understand how [consumers' demographics, attitudes, capabilities and beliefs affect their response to legal problems](#) (Professor Pascoe Pleasence and Dr Nigel Balmer 2014)

Large scale quantitative survey of 9,703 [small business owners or managers about their legal needs, problem resolution strategies and outcomes](#), (conducted by YouGov with analysis by Professor Pascoe Pleasence and Dr Nigel Balmer, 2013)

Research exploring the [factors that influence the decisions that consumers make when deciding how to respond to a legal problem and exploring why some consumers do not trust lawyers](#) (Optimisa Research, 2013)

Literature review exploring the [lessons from behavioural economics for legal services](#), from both the consumer and provider perspectives (Linstock Communications, 2013)

Large scale quantitative [survey of 4,017 individual consumers about their legal needs, problem resolution strategies and outcomes](#) (BDRC Continental, 2012)

Focus groups to explore [consumers' views about the potential for the internet to support their legal needs](#) (Vanilla Research, 2012)

In-house [discussion paper on measuring access to justice](#), seeking feedback on proposed indicators for understanding how it changes over time (2012)

Qualitative research into the [legal needs of small businesses and their perception of legal services](#) (AIA Research, 2010)

Other relevant publications

None identified

Theme 2: Whether information failures result in consumer protection issues that are not being adequately addressed through existing regulations and/or redress mechanisms

Research

A report analysing the findings of a quantitative survey of [providers of probate and estate administration services](#), and an [online survey of consumers](#) who had gone through the process in the last three years (IFF Research, 2012)

A review of existing [consumer protections in relation to solicitors charges](#) (Hogan Lovells, 2012)

Quantitative online survey and shadow shopping, exploring [service experience and the quality of will-writing services](#) (IFF Research, 2011).

Quantitative research on [first-tier complaints handling](#) (YouGov, 2011)

Qualitative research to understand [what consumers want when using legal services and develop a set of outcomes to describe their needs](#) (Opinion Leader Research, 2011)

Other relevant publications

Investigations into [will-writing, estate administration and probate](#) activities (2013)

A report on [regulatory interventions to address quality risks](#) (2012)

Guidance on [first-tier complaints handling](#) (2010) – *currently under review*

Theme 3: Whether regulations and the regulatory framework go beyond what is necessary to protect consumers and weaken or distort competition for the supply of legal services

Research

A quantitative and qualitative study, commissioned jointly with the Solicitors Regulation Authority, on research into [levels of innovation in legal services, capabilities for and barriers to innovation](#) (survey by OMB research, analysis by Enterprise Research Centre and Warwick Business School, 2015).

Analysis of a quantitative survey, conducted in house, of the regulated communities' views on the [cost of regulation](#) (2015)

A study to establish the [incremental cost of regulation](#) in the legal sector (ICF International, 2015).

Literature review considering the case for the Bar Standards Board's '[Cab Rank Rule](#)' (Professor John Flood and Dr Morten Hvid, 2013)

A report on the [proportionality of legal services regulation](#) summarising the key areas of legal services regulation as implemented by the Solicitors Regulation Authority and the Bar Standards Board (Kyla Malcolm, 2013)

A quantitative survey testing the [contingent valuation methodology](#) in the legal services context, to support cost benefit analysis of regulation (Opinion Leader Research, 2013)

An economic analysis of the [regulatory barriers to entry, exit and merger](#) in the solicitors market (Regulatory Policy Institute, 2013)

Qualitative investigation into '[Special Bodies](#)' – non-commercial organisations providing reserved legal activities to the public (Frontier Economics, 2011)

Qualitative investigation into the [large commercial solicitors firms](#), the market segments they operate in, and interactions with regulation (Charles River Associates, 2011)

An economic literature review looking at [the economic rationale for the regulation of legal services markets and the legal services professions](#), and a [collection of essays](#) responding to the report (Regulatory Policy Institute, 2010)

Economic study looking at the evidence of the impact of [referral fees](#) on the legal services market (Charles River Associates, 2010)

Other relevant publications

A paper exploring different [options available for a new regulatory framework beyond the current Act](#) (2015 – note the paper is the product of collaborative working by LSB and approved regulators; the views do not represent the views of individual regulators, nor the simple sum of collective views)

Status report on the [work of the legal regulators to reduce regulatory burdens](#) since the Act (a joint report by LSB and approved regulators, 2015)

Recommendations for [minor clausal changes to the Legal Services Act](#) to reduce the burden of regulation and improve the efficiency of the regulatory process (a joint report by LSB and approved regulators, 2015)

A paper on [alternatives to handling client money](#) (a joint report by LSB and approved regulators, 2015)

A thematic review of Section 15 of the Legal Services Act regulating to [regulation of employers and employees providing reserved legal activities](#) to the public or a section of the public (2015)

A thematic review of [business ownership restrictions](#) (2014)

A thematic review of [regulatory sanctions and appeals processes](#) (2014)

A discussion paper on the [role of education and training in regulation](#) (2012)

Consideration of appropriate [licensing authority arrangements for special bodies](#) (e.g. charities) which benefit from transitional protections under the Act (2012)

Other

Research

Independent economic investigation into [changes in access to justice in the personal injury](#) legal services market 1999-2013 period (London Economics, 2014)

A joint study by the LSB, Law Society and Ministry of Justice [surveying 2,007 solicitors firms across England and Wales](#) (2013)

LSB analysis examining [how competition has been effectively promoted](#) between 2010/2011 – 2012/2013 (2013)

An in-house report providing a [baseline of the legal services market against the Legal Services Act regulatory objectives](#) (2012)

Compendium of published information on the legal services market in England and Wales presented in two parts: [Supply](#) and [Demand](#) (2011)

[An economic framework for segmenting the legal services market and monitoring change](#) (Oxera, 2011)

In-house review of the [potential impacts of alternative business structures](#) using a wide range of research (2011)

Other relevant publications

The articulation by the LSB of [what the regulatory objectives mean](#) and how they will be applied in its work (2009)

The LSB's framework for assessing the [performance of the approved regulators](#) (2011) and various reports on each regulator (2012-14) – *note that new reports on the performance of each regulator are due for publication in March 2016*