

Legal Needs of Individuals in England and Wales

Summary Report 2019/20

A report jointly commissioned by and undertaken on behalf of The Legal
Services Board and The Law Society

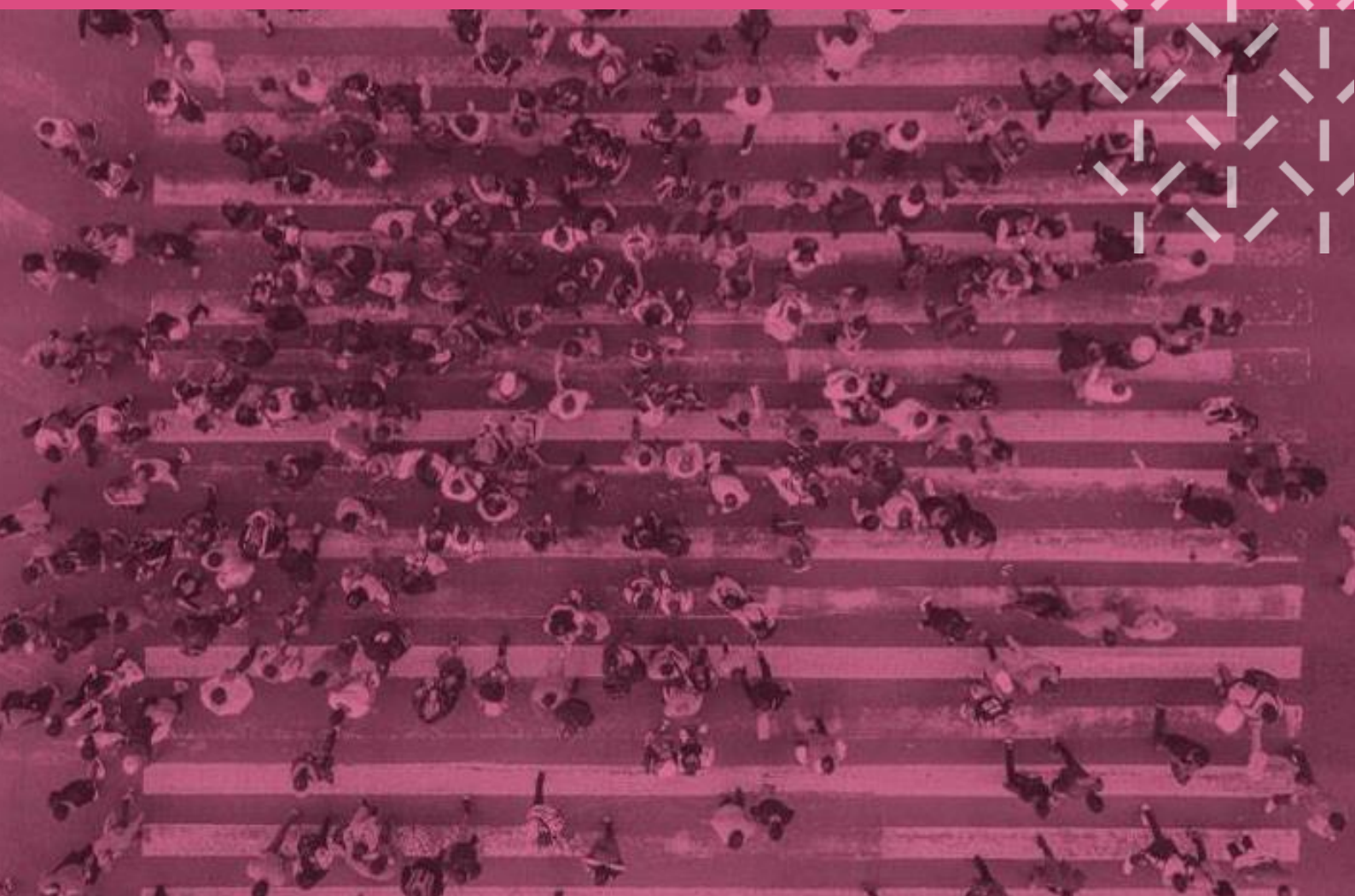
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**The Law
Society**



**LEGAL SERVICES
BOARD**



About the research

This report presents the findings of the 2019 survey of the Legal Needs of Individuals in England and Wales. It is the biggest legal needs survey ever run in England and Wales based upon data collected online between February and March 2019 from 28,663 people. This is broadly representative of the population of England and Wales and covers 34 different *legal issues*. It is the first study in this jurisdiction to use OECD guidance on how to develop legal needs surveys and also innovates by including measures of legal capability to profile the population by their experience and perceptions of the legal system. Key terms are in italics, please see page 16 for definitions.

Main findings



64% of adults have experienced at least one legal issue in the past 4 years^(‡)

53% had a contentious legal issue

27% had a non-contentious legal issue

Approx. **29.8 million** people in England and Wales

The most commonly experienced legal issues^(‡)

Issue with a defective good/ service or professional (26%)

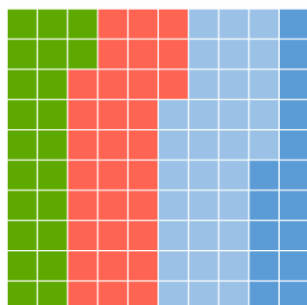
Anti-social behaviour by neighbours (14%)

Buying or selling a property (11%)

Making or changing a will (11%)

Employment issue (11%)

Experimental measures of legal need^(†)



- Met legal need (22%)
- Unmet legal need (31%)
- No need – low seriousness (32%)
- No need – resolved themselves (15%)

Low legal confidence VS High legal confidence^(†)



Sources of help^(‡)

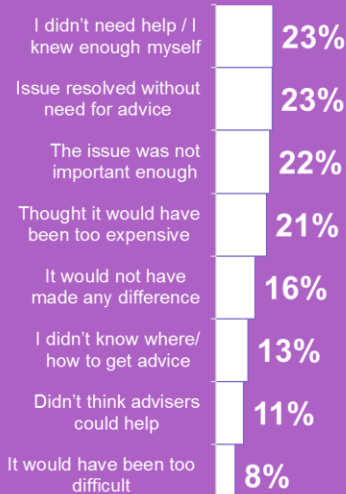
66% obtain help to handle their legal issue

55% get "professional help"

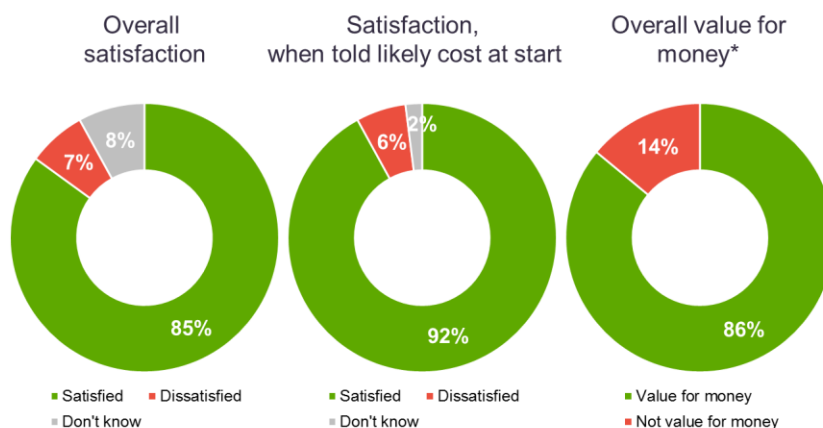
11% get help from friends or family



Reasons for not getting professional help^(‡)



Satisfaction and value for money with main advisers^(‡)



(†) Based on those with contentious issues only. (‡) Based on those with non-contentious issues only. (‡) Based on both. *Based on those who paid or part paid for their service

Two in three people based in England and Wales have experienced a *legal issue* in the past four years: most were contentious in nature

Six in ten of adults (64%) based in England and Wales have experienced a *legal issue* in some form in the past four years. They are more likely to have experienced a *contentious legal issue* (53%) than a *non-contentious legal issue* (27%).

The most commonly experienced *legal issues* relate to a professional or defective good/service (26%), anti-social behaviour by neighbours (14%), buying or selling property (11%), making or changing a will (11%) and employment-related issues (11%).

Legal issues can have a negative impact upon people's lives. Just over half (53%) of people who have experienced a *contentious legal issue* say they experienced stress as part of or as a result of their *legal issue* and a third (33%) encountered financial loss.

Two thirds of people get help with their *legal issue*. They are more likely to feel the outcome was fair and better than they had hoped for.

Two thirds of people (66%) with a *contentious* or *non-contentious legal issue* receive some form of help, mostly from professionals (55% who had a *legal issue*). One in ten (11%) who had a *legal issue* get this from a family member or a friend.

People are more likely to seek professional advice when they see their issue as legal in nature. However, just 16% of people described their *contentious legal issue* as 'legal' in nature, whereas 28% described it as economic or financial. People are also more likely to seek professional advice when issues are rated as very serious.

By contrast, having lower levels of *legal confidence* and low perceptions that justice is *accessible* are associated with being less likely to obtain professional help. Of all those who had low *legal confidence*, over half did not get professional help (54% vs 47% of those with high confidence). Similarly, half of those who do not see justice as accessible did not get professional help (54% vs 45% of those who think justice is accessible)

Overall people who successfully get professional help to handle their *contentious legal issue* are more likely to feel that the outcome is fair (66% v 53%) and better than they had hoped for (21% v 13%) when the issue first started. Two fifths (43%) of those with lower *legal confidence* thought the outcome was unfair, compared to only a fifth (21%) with high confidence.

Handling strategies adopted



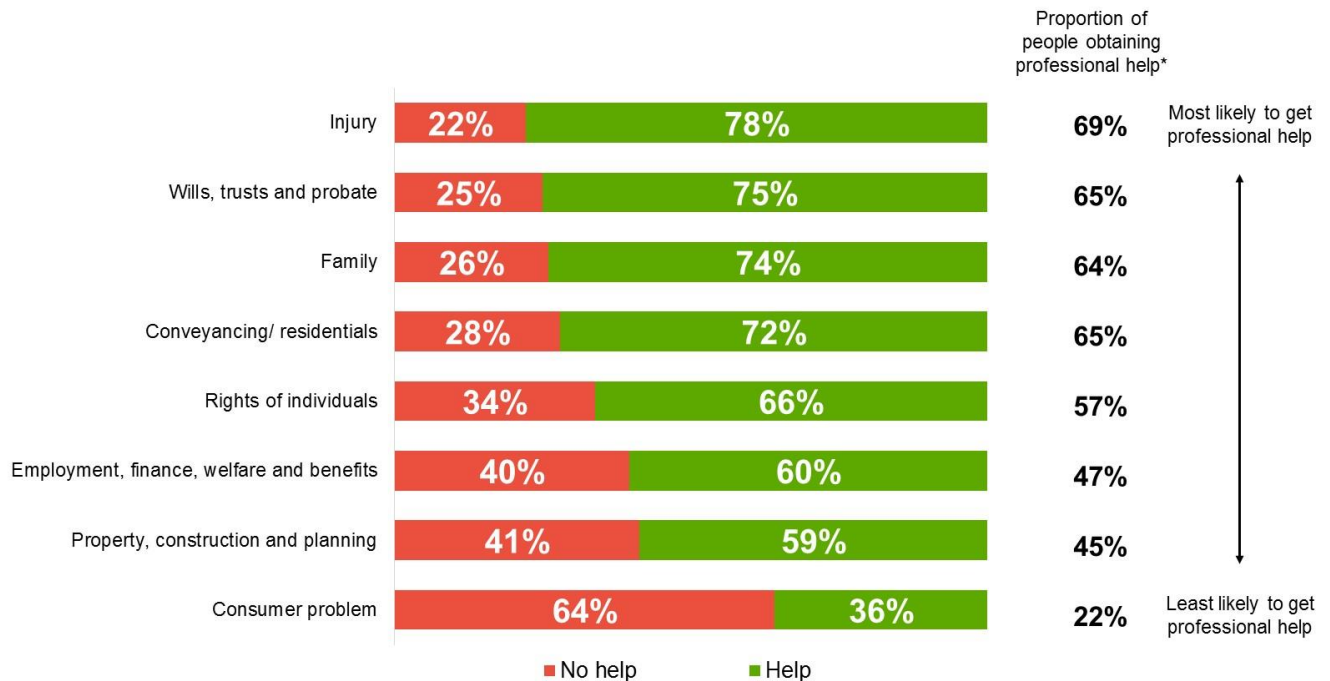
Base: all adults who experienced a *legal issue* in the past 4 years (n=17,583)

Across all the different sources of help that people access to handle a *legal issue*, solicitors are most likely to be consumers' *main advisers* (30%). This is especially so for *contentious issues* that are considered legal in nature, where solicitors are the main adviser in 40% of cases.

Doctors are the second most likely to be consumers' *main advisers* (9%). However, demonstrating the range of sources of help people can obtain, doctors combined with law centres, Citizens Advice Bureau and other advisers in the not-for-profit sector equate to 32% of all *main advisers*.

Individuals with lower levels of legal confidence and perceptions that justice is not accessible are less likely to obtain professional help with the *legal issues* they face.

Proportion of people who successfully obtain help or not by legal issue type



*Proportion of all people who experienced a legal issue that successfully obtained professional help by issue type.

Approximately one in ten (13%) people when faced with a *contentious* or *non-contentious legal issue* try to obtain help but are unsuccessful. This is more likely for people who:

- May be more vulnerable in society (have lower *legal confidence* (17%), less likely to perceive justice as *accessible* (18%), on lower incomes (15% with household income less than £32,000).
- Handle *legal issues* related to property, construction and planning (20%); employment, finance, welfare and benefits (19%); or rights of individuals (19%).

Only 1 in 10 of those who experienced a *legal issue* in the last 4 years did not take any action and did not look for any information or try to get any help at all (11%). For *contentious legal issues*, this is most commonly because they do not think the issue is important enough (23%) or because they do not think taking action would make a difference (21%).

For *contentious and non-contentious legal issues*, consumers didn't try to get help from a professional adviser mainly because they thought they knew enough (23%), the issue resolved without help (23%), wasn't important enough (22%), or because they assumed it would be too expensive (21%).

An experimental approach to estimating met and unmet legal need

This report provides for the first time in England and Wales an experimental model and first attempt to estimate levels of met and unmet legal need.

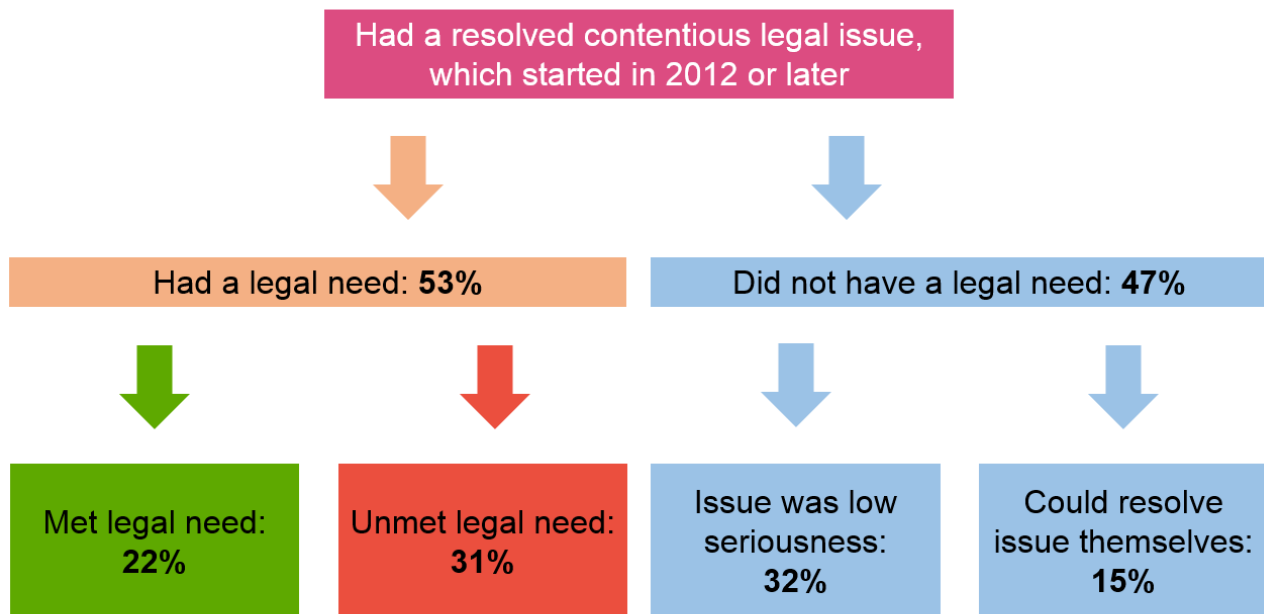
The approach is drawn from the OECD guidance¹ and was developed in partnership by YouGov, the Legal Services Board and The Law Society. Professor Pascoe Pleasance, who is a principal author of the OECD guidance, advised on the approach used.

A number of judgements and key assumptions have been made to create a workable model with the available data.

When the experimental model is applied to resolved *contentious legal issues*, just over half (53%) of people are deemed to have had a *legal need* – this means they need support to deal with their *legal issue*. 47% of people are estimated as not having a *legal need* – mainly because they did not consider their issue to be serious.

¹ OECD (2019). [Legal Needs Surveys and Access to Justice](#).

Experimental model estimates of met and unmet legal need for people with a resolved contentious legal issue



Base: All who had a resolved contentious *legal issue* that started in 2012 or later (9,231)

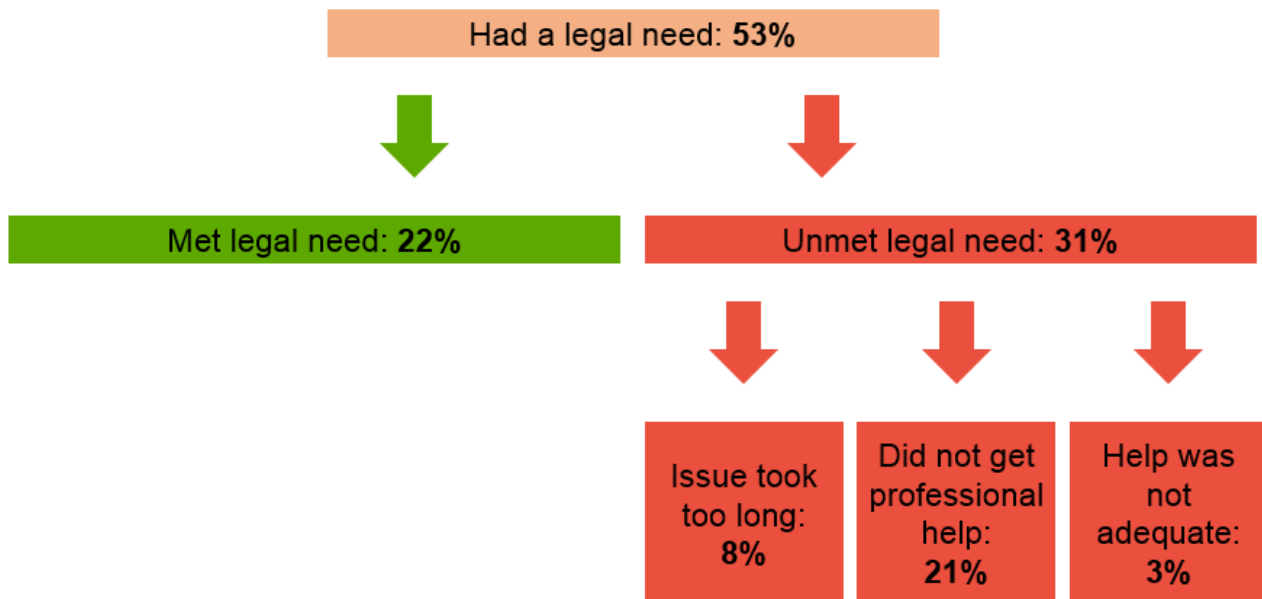
One in seven people with a resolved *contentious legal issue* are considered to have *no legal need* as they could resolve the issue themselves without professional help (15%) - they have a good understanding of their rights and responsibilities, feel confident they can resolve the issue and overall thought the process was fair.

The model estimates that a fifth of people with a resolved *contentious legal issue* have a *met legal need* (22%), as a result of obtaining adequate professional help.

In contrast the model estimates that 31% of people with a resolved *contentious legal issue* had an *unmet legal need* because:

- They did not get professional help (21%);
- Their issue took too long (more than two years) to resolve (8%);
- The help that they received was inadequate – they would have liked more information or assistance (3%).

Experimental model estimates of met and unmet legal need for people with a resolved contentious legal issue



Base: All who had a contentious legal need (4,873)

Only two fifths of people who use a main adviser (and pay for the service) look for or obtain price information

Three in ten (30%) people proactively search for or obtain details of services when choosing a *main adviser* for a *contentious* or *non-contentious* issue. Alongside this 20% of people search for reviews, use cost comparison sites, research specific services or ask for suggestions where to go. Overall 37% of people did at least one of those things.

However, within this group a third of people only obtain details of one service provider; only 21% of those who use professional advice 'shop around' and look at information about more than one provider.

Among all those who decide to get professional help, a fifth (18%) look for or obtain information on prices of services. This proportion rises to 34% of those people who pay for some or all of the services.

People don't shop around for a *main adviser* because they:

- Are happy with the first service they found (33%);
- Trust a recommendation (28%); or,
- Find the matter fairly simple (22%).

How much people shop around

Making comparisons between providers



The majority of people find it easy to search for/ obtain prices

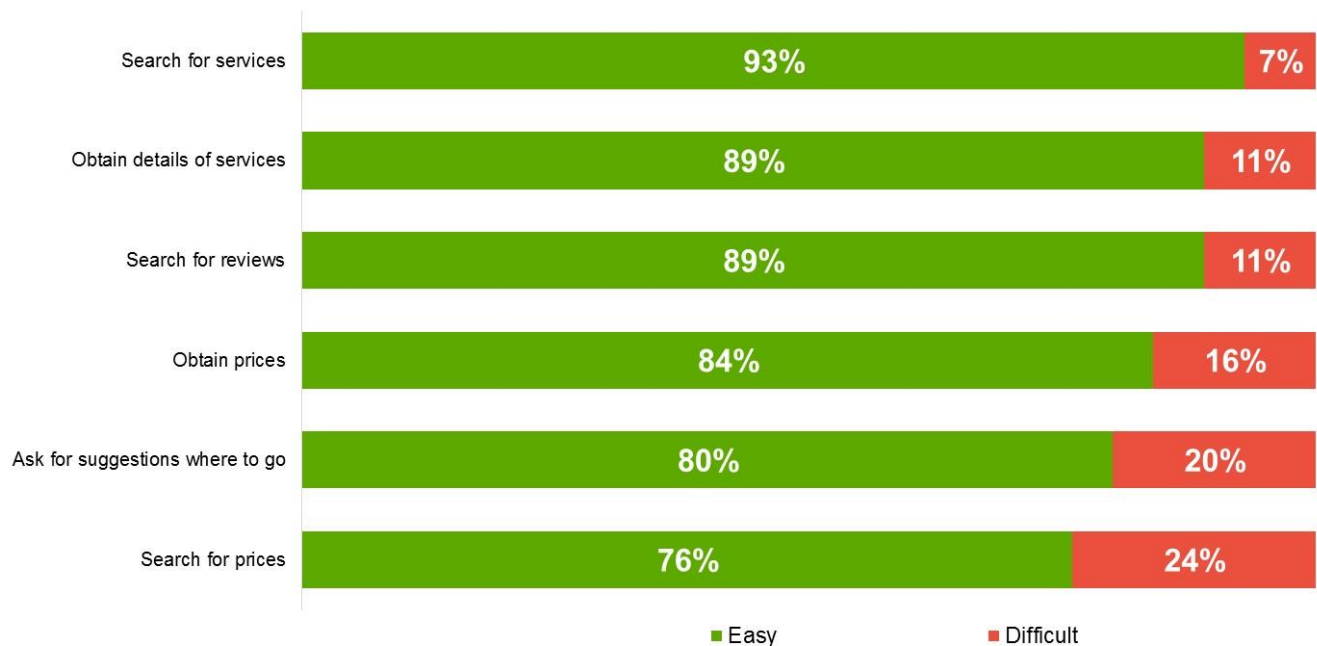
The vast majority of people who search for or obtain information about different services find it easy to search for services (93% easy), obtain details of services (89%) and search for reviews (89%).

A majority of people (84%) also find it easy to obtain prices when they look for this information and to search for prices (76%). Although comparatively, the most difficulty is experienced when searching for prices (24% report this was difficult)².

However, people who have low *legal confidence* (and low *legal self-efficacy* and low accessibility to justice) are more likely to identify difficulty in finding information on services and prices to enable them more effectively shop around.

² The Legal Needs 2019 survey was conducted near the time when the CMA price transparency requirements took effect via the legal services regulators. Therefore the issues probably would have occurred before new rules around price transparency were in place.

Extent to which people find it easy or difficult to find information



The vast majority of people are satisfied with the service they receive and the value for money offered

The vast majority of people (85%) who obtained help from a *main adviser* to handle a *legal issue* are satisfied with the services they receive, with half (50%) being very satisfied. 86% of people who personally paid for some or all of the help they received feel that their *main adviser* provided value for money. However, the majority (57%) of people who obtained help from a *main adviser* did not personally pay for it. It is most common that those who did not pay for the services from their *main adviser* obtained advice through a free service (49%), while subsequently 7% had their services funded by an insurance company or friends and family.

Satisfaction with service is linked to (expectations of) outcome – people who felt the outcome was not fair or worse than they had hoped for are more likely to be dissatisfied³.

³ This survey did not include any objective measures of service quality which may or may not reflect self-reported levels of satisfaction.

People are most satisfied with the service they receive from solicitors (90%) and other professional advisers (88%) and least satisfied with service from unregulated providers⁴ (20%). 84% of people whose main adviser was a solicitor thought they provided value for money.

Being transparent and upfront about prices is associated with higher levels of satisfaction. People who get information about prices, when initially communicating with their *main adviser*, are more likely to be satisfied (94%) than those who don't (82%).

The main reasons for dissatisfaction with a service are a feeling that the adviser did not do enough (32%) or that they took too long to deal with the issue (31%). Among the minority of people who report being dissatisfied with the services they received (15%), four in ten (37%) are 'silent sufferers' – they do not do anything in response to being dissatisfied. Close to half (46%) of those people who feel justice isn't accessible to them are silent sufferers, compared to just 8% of those people who feel justice is accessible.

Nine in ten of all adults agree that Legal Aid is a good thing and most feel it should be available for domestic violence and unfair police treatment issues

The vast majority of adults in England and Wales agree that Legal Aid is a good thing, just under half (45%) strongly agree that this is the case.

Among those with a *contentious issue* who did not use Legal Aid to pay for the services from their *main adviser*, a small minority (8%) did think they were eligible for Legal Aid. Yet only a third (32%) of this group check for eligibility.

Notably, among people responding about a legal issue eligible for Legal Aid⁵ who have a household income of £32,000 or less, it remains that 85% do not think they are eligible.

The public are most likely to support Legal Aid funding for domestic violence (71%) and unfair police treatment (66%). They are least likely to feel that Legal Aid should fund welfare benefits issues (53%) and issues relating to a relationship breakdown (52%).

⁴ Business/ Human Resources consultancy, McKenzie Friend, Specialist will-writer.

⁵ For the purposes of this analysis, 12 legal issues have been identified as those eligible for Legal Aid: debt, mental health, domestic violence, child protection, immigration, anti-social behaviour by neighbours, homelessness, eviction from a rented property, issues with housemates or a sub-tenant, having an owned property repossessed, bad police treatment and arrest

A majority of people handling a *legal issue* find it easy to deal with and that obtaining help to handle their issue leads to a better outcome

The majority of respondents whose issue had ended found it easy to deal with (58%). However, *contentious issues* are less easy to deal with (47%).

Those with high *legal confidence* are more likely to find *legal issues* easy to deal with (73%) than those with low *legal confidence* (46%). Over half of those with low *legal confidence* find the process of dealing with their issue difficult (54%).

The majority of those who experience a *contentious legal issue* say that the outcome was as they expected (55%), but over a quarter say it was worse than they had hoped for (28%) and only one in six say it was better than expected (16%).

Seven in ten adults in England and Wales understood their rights and responsibilities when their *legal issue* started

Across those who experience a *contentious legal issue* over the past 4 years, over two thirds (69%) say they understood their legal rights and responsibilities when their issue first started. When asked how they felt “today”, over three quarters (76%) say they understand their rights and responsibilities. This indicates some degree of learning during the process of dealing with an issue, but only to a limited extent.

The key demographic difference in understanding your rights and responsibilities is age. Younger people (18-29) are less likely than older people to say they understand their rights and responsibilities when the *legal issue* started (62% compared with 83% of those aged 65+). Individuals with high *legal confidence* are more likely to say they understood their rights and responsibilities when their *contentious legal issue* first started than those with low *legal confidence* (87% high, 57% low).

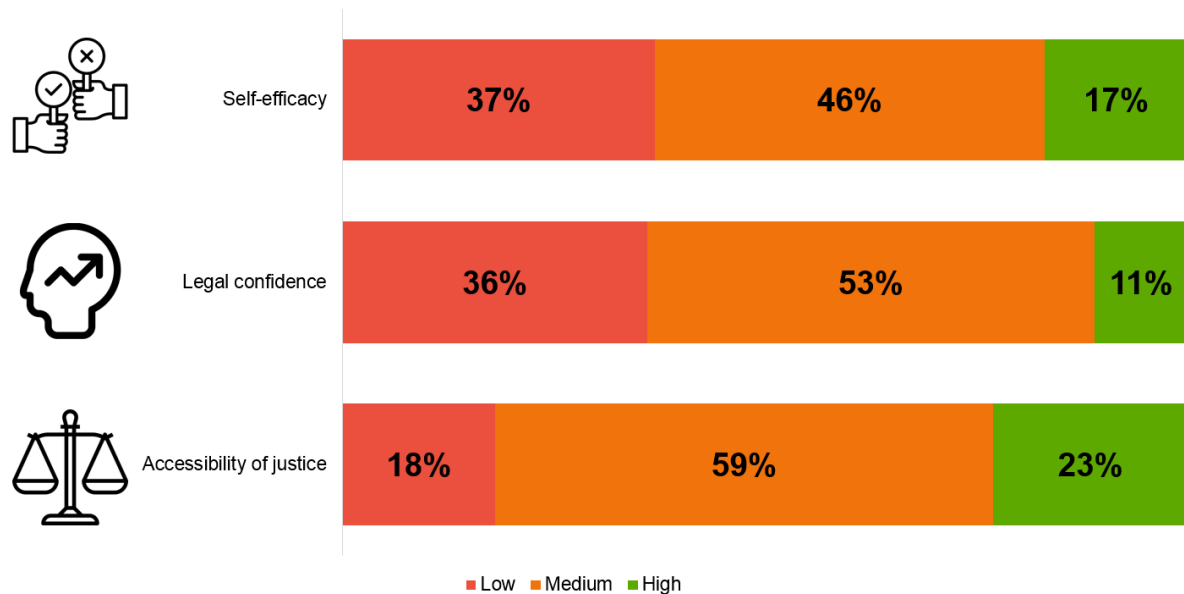
There is a degree of uncertainty about what a regulated legal service is; nearly half (48%) of all people are not confident they know what the term means.

Having lower levels of legal capability is associated with being less likely to obtain help and more likely to have difficulty in handling *legal issues*

To better understand the population for the first time in England and Wales we have used several standardised measures of *legal confidence* and attitudes to law previously

developed by academics advising on this study⁶. These measures include respondents' levels of *legal self-efficacy*, *legal confidence*, and their perception of whether justice is accessible⁷.

Profile of adults based in England and Wales by measures of legal capability



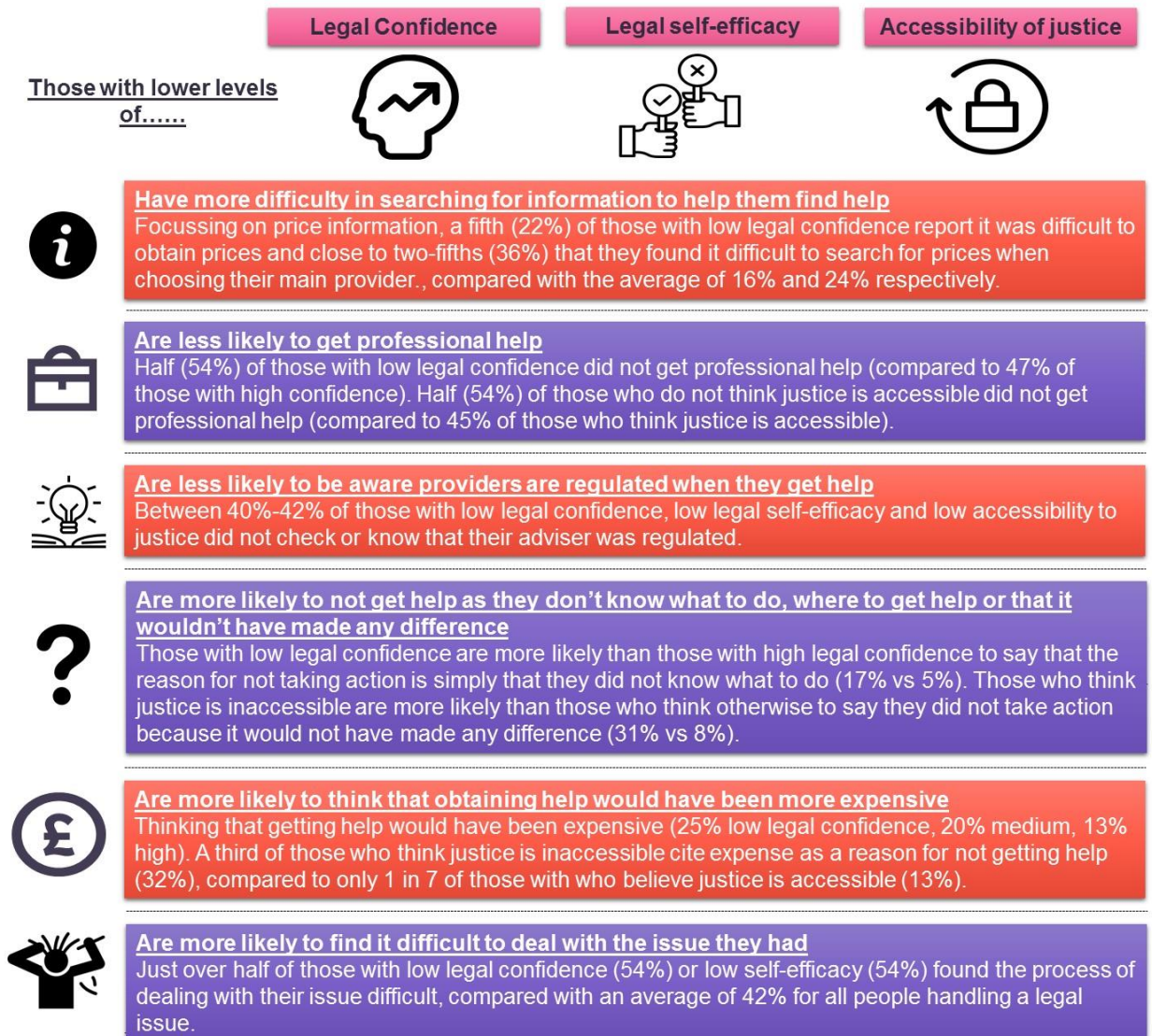
Using these measures, 36% of adults have low *legal confidence* and a similar proportion (37%) have low *legal self-efficacy*. A fifth (18%) have low feeling of *accessibility of justice*. In contrast a fifth (17%) have high *legal self-efficacy* and one tenth (11%) high levels of *legal confidence*. A quarter (23%) have feelings of high *accessibility of justice*.

Someone's level of legal capability affects their experiences in handling *legal issues* and engaging with the legal sector, as shown by the graphic below:

⁶ [*Pleasence, Pascoe and Balmer, Nigel. Legal confidence and Attitudes to Law: Developing standardised measures of legal capability \(2018\)*](#)

⁷ See page x for glossary explaining what these terms mean

How does experiences of handling legal issues differ by legal capability?



Key concepts and definitions

This research covers a number of concepts and terms related to the provision of legal services in England and Wales. Below we outline what these terms mean.

Legal issues:

The research asked people if they had experienced one or more of 34 different *legal issues*. People were asked to respond about each in turn in separate questions to gain the most robust measure of the incidence of different *legal issues*.

Contentious legal issues:

Contentious legal work relates to legal matters that take place between two or more parties, such as a court hearing or a tribunal hearing to resolve a dispute.

Non-contentious legal issues:

Non-contentious legal work relates to transactions occurring between one or more parties, such as the sale or purchase of a house.

Legal self-efficacy:

Believing they can generally handle difficult situations in a legal context.

Legal confidence:

Confidence they could personally achieve a fair and positive outcome in legal scenarios.

Accessibility of justice:

The degree to which someone thinks the justice system, excluding criminal justice, is accessible.

Legal need:

When an individual needs support to deal with a *legal issue*.

Met legal need:

When the legal need is resolved and the help was useful.

Unmet legal need:

When the legal need is not resolved adequately because there was no support/ the support was not helpful.

Main adviser:

The survey identified which, if any, organisations or individuals people handling a *legal issue* obtained help from. An individual's main adviser was whom they considered to be their main source of help.