

LSB Ongoing Competence Research

Quantitative survey outline FINAL VERSION | 11.3.21

[Introduction] This survey is about ensuring regulated professionals (such as doctors, lawyers, pilots and engineers) remain competent throughout their careers. By this we mean that professionals stay up-to-date with the knowledge, skills and attributes they need to do a good job. The survey will involve you watching a video and answering a small number of questions. The video is 7-8 minutes long, and the questions that follow it relate to this video. In total, the survey should take around 15 minutes to complete.

Q1: [Grid question] To what extent do you agree or disagree with the following statements about different professionals (Agree strongly, agree, disagree, disagree strongly, agree-disagree scale + not sure) [ROTATE ORDER]:

- 'Teachers have regular checks to make sure they remain competent'
- 'Doctors have regular checks to make sure they remain competent'
- 'Airline pilots have regular checks to make sure they remain competent'
- 'Chartered accountants have regular checks to make sure they remain competent'
- 'Chartered engineers have regular checks to make sure they remain competent'
- 'Lawyers have regular checks to make sure they remain competent'
- 'Nurses have regular checks to make sure they remain competent'

Q2: [Grid question] After they have qualified, to what extent do you believe that these professionals should have to demonstrate they remain competent to do their jobs throughout their careers (definitely-probably-probably not-definitely not scale) [ROTATE ORDER]:

- Teachers
- Doctors
- Airline pilots
- Chartered accountants
- Chartered engineers
- Lawyers
- Nurses



[Introduction] Please watch the video below and then answer the questions that follow.

VIDEO LINK

Q3: What is this research about? [Pick one] [ROTATE ORDER]

- Checking whether lawyers remain competent throughout their careers [CONTINUE]
- Routine testing of airline pilots [CLOSE]
- Competence standards for teachers throughout their careers [CLOSE]
- Regular exams for chartered accountants [CLOSE]

Q4: [Single choice question] Do the types of measures that are currently in place within legal services give you sufficient confidence in the competence of lawyers throughout their careers? (Yes completely, Yes partly, No not really, No not at all, Not sure)

Q5: [Open ended question] Why do you say that?

NB ROTATE ORDER OF Q6 and Q7 AND ROTATE ORDER OF SUBQUESTIONS WITHIN EACH QUESTION

Q6: [Grid question] To what extent do you agree or disagree with the following reasons FOR changing the current arrangements for assuring lawyers' ongoing competence? (Strongly agree, Agree, Disagree, Strongly Disagree, Not sure) [ROTATE ORDER]:

The current arrangements SHOULD change because...

- There is some evidence of a lack of competence in areas of law like conveyancing and representing people accused of a crime in court (advocacy)
- The regulators should do more to reduce the risk of a lack of competence undermining public trust in the legal system
- Consumers currently assume that all lawyers are competent and that more robust checks are in place
- There should be more consistency in competence requirements across the legal profession, as there is for other regulated professionals (such as doctors, accountants, teachers and airline pilots)

Q7: [Grid question] To what extent do you agree or disagree with the following reasons for NOT changing the current arrangements for assuring lawyers' ongoing competence? (Strongly agree, Agree, Disagree, Strongly Disagree, Not sure) [ROTATE ORDER]:



The current arrangements SHOULD NOT change because...

- Lawyers trade on their good reputations, so it is already in their interests to maintain their competence
- There is no evidence of widespread poor competence.
- More rules and requirements could increase prices for customers.
- Meeting new competence requirements by regulators could become a tick box exercise, rather than genuinely maintaining competence.

Q8: [Semantic differential question] Thinking about regulation of legal services, in theory, where do you think the balance should lie in the following trade-offs? For each, use the slider to show whether it should be closer to one or to the other.

Fewer specific rules and requirements for practising as a lawyer, so less burden on lawyers and fewer costs passed on to the customer	/	More specific rules and requirements for practising as a lawyer, so greater burden on lawyers and more costs passed on to the customer
Competence checks are stricter for lawyers who work in areas of law where the consequences of getting it wrong are more severe	/	Competence checks are the same for all lawyers (whichever areas of law they work in)
Competence checks are stricter for lawyers who work in areas of law where the people involved are more vulnerable (e.g. children, asylum seekers and refugees, people with learning disabilities)	/	Competence checks are the same for all lawyers (whichever areas of law they work in)

Q9: [Single choice question] Should the regulators introduce more specific rules and requirements for lawyers to demonstrate that they remain competent right through their careers or not? (Yes, No, Not sure)

Q10: [Open-ended question] Why do you say that?

