

Response from reallymoving & The Law Superstore (TLS) on LSB Quality Indicators discussion paper

Our comments on your questions.

1. *We are proposing to think about quality in terms of these dimensions: technical quality, customer service and outcomes. What do you think about these elements and are there others we should consider?*
 1. Those categories sound sensible, but see comments on outcomes below (q5).
2. *We are proposing to encourage use of these types of information: objective data, consumer feedback and general information about providers. What do you think about these types of information and are there others we should consider?*
 1. We agree that it's useful to split objective data from consumer feedback.
 2. There are differing schools of thought on whether to include reviews from people who have interacted with a firm but not instructed it, some arguing that any interaction should qualify that individual to leave a review, others arguing that only reviews left by people that have actually instructed that firm and received advice are useful in deciding whether to select a firm. Where both types are allowed it is probably helpful to distinguish between these types. Reallymoving and TLS only collect reviews from previous customers.
3. *Which groups of consumers and/or types of provider should action in this area focus on?*
 1. Consumers and small to medium businesses
4. *Should there be a base level of transparency on quality across the market and enhanced transparency in priority service areas? What should a base level of transparency on quality consist of?*
 1. Our belief is that many consumers assume that regulators (or trade bodies for unregulated firms) provide some quality assurance so that a base level of quality is assured. We believe this is a reasonable assumption.
 2. TLS does allow unregulated firms on its panel for non-reserved services, but all must be member of an appropriate trade body providing appropriate quality assurance, and a redress mechanism.
5. *How useful could consumer feedback, objective data and general information about providers be in informing consumer choice? What are the benefits and drawbacks of these types of information?*
 1. We believe access to all this information is valuable in providing consumer choice, particularly if it's in a consistent format to simplify comparison.
 2. If outcome success becomes an important determinant of the choice of lawyer it could potentially lead to lawyers avoiding high risk cases, reducing access to justice for certain consumers.
6. *What role, if any, should success rates and complaints data have in informing consumer choice? Is there other quantitative data that would be helpful to inform consumer choice?*
 1. Success rates and (upheld) complaints data can be useful but can be misinterpreted if provided without a broader context. Number of upheld complaints, for example, need to be assessed relative to the scale of the law firm, and ideally should be service specific where possible: this would mean gathering additional data on transaction volumes as well as upheld complaints.
7. *Which of these different channels law firms' websites, DCTs, a single digital register do you think could be most effective in providing access to information on quality? Are there other channels we should consider?*
 1. We would suggest making quality information as widely available as possible and let consumers decide where best to access it

8. *Do you have evidence on current usage of DCTs not mentioned in the paper? How could we best encourage engagement by consumers and law firms with DCTs? What are your views on the 23 specific potential solutions, such as requiring law firms to signpost to DCTs, embed ratings, or prompt consumers to leave a review?*
 1. The conveyancing sector has had good success in encouraging consumers to engage with DCTs. There are many more unique monthly visitors to reallymoving (290,000 in March 2021) than there are property transactions (which average around 100,00 a month, although higher at the moment due to the stamp duty holiday), for example. There were 103,000 registrations for conveyancing quotes on reallymoving in 2020, approximately 8% of the 1.2 million transactions that year.
 2. We question whether it is desirable or necessary to 'require' law firms to engage with DCTs – if they provide a valuable service firms should willingly engage. The key challenge for DCTs is being able to convince firms that they have a valuable role in promoting their services, highlighting that that DCTs are a service consumers are familiar with and have come to expect in any relevant sector, including legal services, providing example of firms that have successfully used them, and stressing that it does not necessarily mean a race to the bottom on price. Any support the LSB could provide to grow awareness and confidence in working with DCTs would be helpful.
 3. There are different types of DCTs, some provide reviews only, others provide quotes from a panel of partner firms, and others both. Reallymoving and TLS cover both these services, including reviews our sites have collected themselves as well as from other sources.
9. *What, if any, steps should regulatory bodies take to help consumers and legal services providers engage with DCTs safely?*
 1. We believe most consumers are aware of DCTs in other sectors, particularly travel and financial services, so are comfortable with the principle of using them.
 2. Similarly we believe that while lawyers are aware of DCTs in other sectors many are wary about their impact on the legal services market, fearing that they'll encourage price led competition. Research from conversion of our conveyancing leads from reallymoving suggests that while price is an important factor in choosing a lawyer, most do not go with the cheapest quote.
 3. The Legal Choices website could help with this, providing more information for both consumers and lawyers on DCTs and providing links to sites.
10. *What range of quality information, if any, would it be appropriate to hold on a single digital register?*
 1. We believe customer reviews can be left to already established and competitive reviews sites.
 2. Easy access to information on law firms including, for example, numbers of partners and other lawyers, number of cases by service category in the previous 12 months, and upheld complaints, would be helpful if made available to DCTs. But we'd argue that these are hygiene factors that consumers would use to filter out providers, rather than how they'd choose a particular provider, which would be based on reviews from previous customers, price and service offering.
11. *What are your views on the relative merits of a market led approach compared with a standardised regulator led approach?*
 1. In principle we support a market led approach, but would be interested to see specific ideas on how a regulator led approach could work.
12. *Do you have any further comments on our analysis and approach to determining suitable quality indicators?*