

Reshaping legal services – one year on

Virtual discussion event in Wales

25 April 2022

The Legal Services Board hosted a virtual event for legal practitioners, government representatives, academics and consumer advice groups in Wales to discuss the progress which has been made so far within the legal sector on the [Reshaping Legal Services](#) strategy, one year on from publication. Our event provided an opportunity to discuss emerging opportunities and challenges facing the legal sector in relation to access to justice, the increasing use of lawtech and initiatives to further increase diversity and social mobility in the legal sector.

Thank you to those who attended and shared their thoughts and experiences.

Below we set out some of the insights and perspectives that were made by those who attended. These will help us to further increase our knowledge of the diverse range of issues facing the legal services sector, particularly in Wales, and feed into our ongoing strategic work as we continue to work together to tackle the challenges in the legal sector and improve the consumer journey when accessing legal services.

Access to justice

Points raised by participants included:

Unbundling of legal services

- There is increased awareness of the need for the ‘unbundling of legal services’ – ensuring that consumers are aware of the choices available to them and also the range of services which lawyers can provide. This includes giving consumers a choice on what they can do themselves compared to using a lawyer.
- The concept of the ‘unbundling of legal services’ needs to be looked at in greater depth to be better understood by the profession and consumers. It was acknowledged among the attendees that a ‘one size fits all’ approach would not work for all consumers.
- Flexible approach is the key, and some people will still need face to face support and assistance. Some people have been putting off seeking legal advice during the pandemic meaning issues could be urgent by the time they reach a lawyer – lots of client care may potentially be needed. Understanding changing client needs post pandemic is necessary.
- Funding models do not always support multi-advice agencies, or integrating services – an area which needs to be explored further.
- It was highlighted that the end-to-end process needs to be looked at – whether people are supported sufficiently to take on some legal support themselves, or could this cause more distress in the long run, or lead to less than suitable outcomes. The issue of cost and affordability with regards to legal fees was also discussed.
- It was highlighted that some clients have been extremely distressed due to the backlogs in the court system as a result of the pandemic. It was commented that the legal advice sector could be better integrated going forward and provide greater support to consumers with disabilities.

- When we asked the attendees in a poll whether they felt that access to justice was improving in Wales, 8% answered yes, 31% answered no and 62% answered that they were not sure.
- Attendees remain concerned about the 'advice deserts' in Wales. It was highlighted that some people are unable to access legal services in rural areas and more needs to be done to increase access to services. It was also mentioned that there is a lack of judicial reviews or strategic cases going through the courts in Wales.

Lawtech – whether this can assist consumers when seeking legal advice

- The Covid-19 pandemic led to visible trends that could have a positive impact on legal services in Wales. Participants felt regulators should work together to help the adoption of technology in the sector to support access and the legal needs of consumers.
- Cost factors need to also be considered to ensure all consumers can equally benefit from lawtech developments. It was commented that lack of innovation is an issue – time pressures of lawyers with regards to workload and the working week could impact on this. Increased cyber security awareness in the legal sector is being developed in Wales.
- It was highlighted that the pandemic has acted as a catalyst for some to accepting and using lawtech, such as remote meetings, however some people still face barriers (factors include age, socio-economic-background and people with disabilities) and this can result in some consumers finding it harder to access the legal services and assistance they need. Whilst lawtech can assist people with accessing legal services, the concept needs to be developed further – some attendees thought that the technology was not suitable for all consumers.
- The legal sector can learn from other sectors to make sure technology is acceptable and meeting the needs of consumers was also discussed. Greater collaboration and consideration of what best practice looks like and analysis of when we know its working well is needed. Some concern was expressed that not all approaches will fit for all consumers, particularly vulnerable consumers.

Social mobility and diversity in the legal profession in Wales

Points raised by participants included:

- Attendees highlighted that a number of education initiatives and different pathways to a career in the legal profession are being explored in Wales – this is a key issue. CILEX is working with the Law Society and the Welsh Government to introduce new legal services apprenticeships to Wales. Apprentices who wish to study the new qualifications will soon be able to complete the Foundation stage (Level 3) and Advanced stage (Level 5) of the new CILEX Professional Qualification (CPQ) which will provide alternative options for career progression in the legal services sector.
- There are more options now available which may attract more students who otherwise would be unable to afford to pursue a career in law. Some attendees highlighted that they would like to see quicker progress in this area. While progress is being made, a more interventionist approach is needed. The issue of retention on law courses is also an issue – expectation management and sustainability with regards to a career in law were also identified as important issues. Greater work is needed to attract people to a career in law.

- It was mentioned that more data is needed from the sector and regulators on the topic of diversity and social mobility. On the topic of protected characteristics, collaborative work is being undertaken with the SRA. Evidence-based analysis is being undertaken.
- Greater attention needs to focus on the definition of social mobility so that initiatives can be developed further.

Progress and next steps

Points raised by participants included:

- The pandemic has meant that progressing the Commission on Justice in Wales report findings has been delayed. The report / Thomas review provides a number of specific recommendations for the sector. It was highlighted that wider representation across the sector is needed to enable collaboration. There are positive conversations currently underway – including this conversation.
- When we asked what the LSB can do to increase positive outcomes in Wales, it was mentioned that the LSB has responded to the challenges well.
- The need to look towards action and collaboration, not just an academic exercise is imperative, as is using innovation to look at issues in a new lens.
- Webinars have been arranged and engagement opportunities to progress the discussion following our virtual discussion event will be implemented.

Useful links

- <https://legalservicesboard.org.uk/our-work>
- <https://legalservicesboard.org.uk/about-us/diversity-and-inclusion>
- <https://legalservicesboard.org.uk/research/diversity-dashboard-0#dashboard>
- <https://legalservicesboard.org.uk/research>
- <https://legalservicesboard.org.uk/reports>
- <https://legalservicesboard.org.uk/news>
- <https://www.legalnewswales.com/news/law-council-of-wales-executive-committee-members-announced/>
- <https://www.equalityhumanrights.com/en/inquiries-and-investigations/does-criminal-justice-system-treat-disabled-people-fairly>
- <https://gov.wales/commission-justice-wales>