

Consumer vulnerability

Presentation and panel discussion

5 July 2022

The Legal Services Board hosted an in-person event at on 5 July 2022 to discuss our [new research on consumer vulnerability](#), and how the sector can work together to design legal services that best meet individual, and wider society's needs. We were joined by regulators, academics and consumer groups.

The event opened with a presentation from Lucy Lea, Associate Director at Community Research on the research findings, including the challenges that research participants faced in accessing legal services, and how people's experiences could be improved.

We then moved to a panel discussion on vulnerability with Professor Stephen Mayson, Sarah Chambers (Chair, Legal Services Consumer Panel) and Chris Handford (Director of Regulatory Policy, Solicitors Regulatory Authority). The panellists talked about how to define vulnerability in the legal sector, the importance of ensuring that legal professionals are equipped to meet the needs of vulnerable consumers, and expanding the definition of quality in the legal sector to include service quality and not just legal competence. The event then moved to an open discussion with contributions from attendees, including the importance of the legal sector looking to other regulated sectors, ensuring adequate consumer protection and the importance of considering the needs of legal professionals themselves.

Thank you to those who attended and shared their thoughts and experiences. Below we set out some of the perspectives that were provided during the discussion, that will feed in to our ongoing work as we continue to work together to respond to the challenges in the legal sector and improve the consumer journey.

Reducing consumer vulnerability through inclusive design and culture change

Some of the points raised by panellists and attendees included:

- The extent of unmet legal need in England and Wales suggests that there needs to be more regulated legal providers, and that vulnerability is an important dimension of all policy work in the legal sector.
- There needs to be a broader conception of quality in the legal sector, with more of a focus on service quality and not just legal and technical competence.
- The legal sector can learn from others, including other regulated sectors when considering how to better meet the needs of those in vulnerable circumstances, including financial services and healthcare.
- Regulators can consider how to promote inclusive service design, such as by promoting [the British Standards Institute work on the design and delivery of inclusive services](#).
- Regulators can consider whether a more rigorous approach to education, training and the ongoing competence of legal professionals can help ensure that regulated professionals are equipped to meet the needs of vulnerable consumers.
- Technology has a role in opening-up access to legal services. The SRA's Legal Access Challenges offers practical examples of the types of tools that can help consumers.

- By conceiving of legal services as a public service that delivers benefits to end-users, this can help drive an inclusive design approach.
- Representative bodies have an important role in educating legal professionals on the benefits of inclusive service design and how to better meet the needs of those in vulnerable circumstances.
- People need to work together to ensure that those experiencing greater disadvantage achieve fairer outcomes. This includes regulators, representative bodies, government, consumer organisations, intermediary organisations and academics.

The challenges

Points raised by participants included:

- Defining vulnerability can be challenging. For example, the LSB research related vulnerability to legal need, while Professor Mayson's work has conceptualised vulnerability in relation to the individual.
- There is often a mismatch between what legal professionals think that consumers want, and what consumers are looking for when accessing and using a legal professional.
- Many legal professionals and law firms do not judge success on the basis of the quality of the service delivered to their clients, and business structures often perpetuate this status quo.
- There are important differences between the legal services market and other markets, as many individuals in the legal sector are not 'repeat purchasers', which means that the incentive to improve your service to gain repeat consumers does not always exist.
- There are challenges to measuring quality, and some participants raised questions about the proxy measures that consumers use to choose a legal provider. The SRA, in collaboration with others, are currently running two pilots to trial approaches that may help increase the availability of information about the quality of legal services for the public.
- It is important to consider the challenges legal professionals face in meeting the needs of vulnerable consumers, such as time pressures, resourcing issues and a lack of adequate training and supervision.

Progress and next steps

- The discussion created interesting thought points for the LSB to consider in our ongoing work, particularly around ongoing competence, our upcoming review of our education and training guidance and our work on equality, diversity and inclusion.
- We are also keen to collaborate with attendees to promote examples of good practice in this area on the [Reshaping legal services microsite](#).
- The LSB is continuing the conversation around access to justice and the role lawtech can play in this at the *Reshaping legal services conference: a diverse public deserves a strong, ethical and diverse profession* in October 2022. If you would like to attend our conference online please [register your interest](#).