

## **Navigating the Legal Advice Maze –**

Knowledge, Expectations and the Reality of Advice Seeking

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### **Abstract**

As law has become increasingly ubiquitous in modern life, the sources of help to deal with an increasing range of legal issues have become more fragmented and complex. Yet, despite the ubiquity of law and scale of the (broadly defined) legal services sector, there is evidence in England and Wales that public awareness of even the most prominent services is limited. How is it that people navigate the legal advice maze? What does this mean for the development of the law, legal services and access to justice? In this paper we build on the existing literature, using data from both waves of the English and Welsh Civil and Social Justice Panel Survey (CSJPS) to explore public awareness of legal services, the characteristics associated with greater/lesser knowledge of advice services, as well as what it is that consumers of legal services want from their advisors. In confirming that levels of awareness of legal services are relatively low, and that the accuracy of the public's understanding of the types of issue that different services can help with is wanting, our findings point to the need for legal services to convey more effectively the support they can offer. Even those services that figure prominently in the public's consciousness have work to do in more accurately targeting their services and more effectively promoting access to justice.

### **Introduction**

The process of “juridification” (Habermas 1987) has seen law become ubiquitous in modern life (e.g. Twining 1994, Genn 1999, Pleasence et al 2004). Sources of help to deal with an increasing range of legal issues have also become fragmented and complex.<sup>1</sup> In England and Wales, in addition to around 130,000

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<sup>1</sup> IRN Research (2015)

practicing solicitors (SRA 2015)<sup>2</sup>, 15,500 barristers (Bar Council 2014) 7,500 chartered legal executives (Legal Services Board 2014)<sup>3</sup> 2,000 patent attorneys (CIPA 2015) and 1,000 licensed conveyancers (Legal Services Board 2015), there are also tens of thousands of paralegals and other advisers (including 21,500 volunteer Citizens Advice advisers (Citizens Advice 2016) working in a broad range of advice services, including over 10,000 solicitor firms (SRA 2015), 319 Citizens Advice Bureaux (operating through 3,300 locations (Citizens Advice 2015)), 42 law centres (Law Centres Network 2014), and thousands of public and independent private, charitable and community organisations.<sup>4</sup> The Legal Services Board (2014), which oversees the 10 separate approved regulators of legal professionals undertaking ‘reserved’<sup>5</sup> legal activities, has estimated that there are additionally in excess of 130,000 persons offering unreserved services, either ‘in-house’ or through the disparate organisations detailed above.

However, despite the ubiquity of law and scale of the (broadly defined) legal services sector, there is evidence that public awareness of even the most prominent services is limited. For example, analysis of the 2004 English and Welsh Civil and Social Justice Survey (CSJS) indicated that 43% of people living within 2 miles of a solicitors’ firm were unaware of the fact, with the same being true of 46% of people living within 2 miles of a Citizens Advice Bureau (Patel et al 2008). For (less common and less publicly visible) law centres, the figure was 83%.

The CSJS also pointed to “apparent confusion” on the part of many people attempting to navigate “the advice maze” (Plesence et al 2004), with regrets also being expressed about unfamiliarity with appropriate advice sources at times of need (Balmer et al 2010).

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<sup>2</sup> Figures as of January 2015 were 10,312 firms and 129,992 solicitors with practicing certificates (of 165,368 solicitors on the roll (SRA 2015). The figure for solicitors in private practice is somewhat lower, at around 85,000 (LSB 2015) (Figure available from the Legal Services Board 2015).

<sup>3</sup> See, also, figures provided by the Chartered Institute of Legal Executives (CILEX) at [http://www.cilex.org.uk/about\\_cilex\\_lawyers/facts\\_figures.aspx](http://www.cilex.org.uk/about_cilex_lawyers/facts_figures.aspx). CILEX membership also includes an additional 12,500 paralegals and legal professionals.

<sup>4</sup> For example, the Advice Services Alliance reported, in 2010, that it represented 1,750 advice providing organisations (Advice Services Alliance 2010).

<sup>5</sup> Six reserved activities are defined by the Legal Services Act 2007: rights of audience, conduct of litigation, reserved instrument activities, probate activities, notarial activities and the administration of oaths.

## *Help wanted and help provided*

Within the broad range of legal services available to the public, there are also broad ranges of forms and levels of service. Some sources of legal help can provide assistance across many areas of law; others with only a narrow set of legal issues. Some are aimed at the general public; others limited to defined groups. Some aim to relieve clients of the burden of dealing with issues personally; others aim to empower clients to deal with issues personally. Some offer comprehensive assistance; others offer unbundled or limited assistance. Some involve payment (with some more and some less expensive); others are free at the point of delivery.<sup>6</sup>

While diversity of forms of provision provides substantial consumer choice, it can also give rise to problems, especially when consumers are unaware of service availability and form. Given that people may look for very different forms and levels of help, depending upon who they are, who they seek help from and what their problem is, there is evident potential for the wants and needs of clients to mismatch with the offerings of those they seek help from. Also, while adviser-client co-production has become increasingly common through “a discernible trend towards a less paternalistic conception” of traditional legal service providers over recent decades (Boon 1995, p.354)<sup>7</sup> – with participatory, enabling and, more recently, client led and transactional models of service delivery increasingly common (e.g. Normann 1991, Boon 1995, Moorhead et al 2003, Robertson & Corbin 2005, Susskind 2008)<sup>8</sup> – it is also evident that some clients lack the capacity to utilise more limited services and many more want “to be saved” from the issues they face (Genn 1999, p.100). As Genn explained, when reporting on the seminal *Paths to Justice* survey:

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<sup>6</sup> Some can also be paid for by third parties, such as trade unions or legal aid; although legal aid has been substantially curtailed following implementation of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

<sup>7</sup> Boon was particularly referring to solicitors.

<sup>8</sup> Change has been the product of many different pressures. For example, public legal services reform, competition, regulatory and market change, increased consumerism and focus on consumer needs, ‘enabling’ service ideologies, advances in information technology (both in relation to back office and channels of service delivery).

“For many ... the provision of information and guidance about how to take a problem forward did not meet perceived needs. What was wanted was someone to take over and deal with the problem - to make difficult phone calls or to write difficult letters. Moreover, some respondents were so emotionally drained by the worry about the problem that even if they would normally feel competent and confident, at that particular time and in those particular circumstances they were not able to manage dealing with the problem. They did not want to be *empowered*, they wanted to be saved.”<sup>9</sup>

Conversely, it has also been said that use of legal services is diminished in some contexts because lay persons fear lawyers and legal proceedings which represent an attendant loss of control over their own lives (Cramton 1994).

There is a large body of research in the behavioural sciences that examines how individuals seek help and resolve problems. Such research finds that certain groups express less willingness than others to handle problems by themselves and are more dependent on advisors to take control of problems for them. Those groups include younger people who are still developing their problem handling and decision-making capabilities, and those without the strong support structures provided by family and friends. Ironically, it is often those with the strongest support structures who demonstrate the greatest capacity for self-reliance (O’Conner et al. 1996). Individuals are also often looking for something more than practical advice, with comfort and reassurance being important (see e.g. Gurin et al 1960; Weiss 1973, Zimbardo and Formic 1963). Informal advice from family and friends often takes precedence to advice from professional advisors such as family and friends. Yet some groups are also less likely to seek professional help at all and as such are likely to have lower knowledge of the advice sector due to an absence of personal experience.

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<sup>9</sup> Within traditional legal services, the tensions that can exist between client and lawyer when expectations of delegation and enabling vary appear to be mitigated by a continuing professional scepticism of “both the willingness and capacity of ... clients to make a meaningful contribution to the tasks of the service” (p.121). See, further, Robertson & Corbin’s (2005) participation matrix, illustrating the practical and ethical tensions that can exist between advisers and clients for different combinations of interest in delegation and enabling.

Of the characteristics associated with propensity to seek professional help, demographics are only weakly associated with advice seeking behaviour, when compared to problem type (e.g. Miller & Sarat 1980-1981, Genn 1999, Kritzer 2008), there is some evidence that patterns of advice seeking vary by demographic characteristics. For example, men have been found to be less likely to obtain advice about justiciable problems than women (Genn 1999, Maxwell et al 1999), though this difference does not appear to extend to legal advice (Maxwell et al 1999, Pleasence & Balmer 2008), and is not always evident (e.g. van Velthoven and ter Voert 2005, Pleasence 2006). Young people have also been found to be less likely to obtain advice than others (Genn 1999, Pleasence 2006), and such a difference has been observed in relation to legal advice, but again is not always evident (Maxwell et al 1999). But help-seeking behaviour has been shown to diminish with age and in relation to certain ethnic minorities in other studies (Gourash 1978), although patterns with respect to ethnicity are inconsistent (Maxwell et al 1999, Washington State Task Force on Civil Equal Justice Funding 2003, Currie 2007, Pleasence and Balmer 2008). In various jurisdictions evidence has emerged of a strong link between problem severity and advice seeking (Genn 1999, Pleasence et al 2004, Dignan 2006, Pleasence 2006, Currie 2009). In Northern Ireland, it was found that, while over 70% of people sought advice for the most severe problems, just 20% did so for the least severe problems (Dignan, 2006). More recently, Pleasence et al. (2010) have reported almost identical findings. It has also been shown that people who take no action to resolve one legal problem have an increased likelihood of taking no action for other or subsequent legal problems (Buck, Pleasence & Balmer 2008; Coumarelos et al. 2012; Pleasence 2006). This, when combined with the fact that taking action and types of action taken has been shown to cluster by household, suggests that people learn how to handle legal problems with reference to how they have handled existing problems and how those in their family or household handle problems. The idea that action taken in relation to past events might be deterministic for future events suggests that people learn problem handling skills from experience. A tendency not to seek professional advice in the past may lead to a tendency to repeat this behaviour when faced with a new problem.

There is also the issue of information asymmetry when it comes to the consumption of professional services, including legal services (Cramton 1994; Crocker 1986). Consumers often lack the technical expertise to understand what they are purchasing (see e.g. Crocker 1986) and this has been shown in research in the legal services sector where people have consistently failed to identify what sorts of services are available in the marketplace and where advice for certain services might be sought (Pleasence, Balmer and Reimers 2010). It is however difficult to overcome such knowledge through routes such as advertising. Studies in the US have found that the image of lawyers who advertise is lower of that of lawyers recommended through the personal recommendation method. It is also the case that people acquire knowledge of service through personal recommendation far more often than via advertising. When assessing the importance of advertising relative to other sources of information in acquiring knowledge about legal services, personal recommendation has consistently trumped any other type of information source (Hawkins, Coney and Best 1980; Hazard, Pearce and Stempel 1983; Darden, Darden and Kiser 1981). If action taken tends to cluster by household, we might reasonably expect that knowledge also clusters by household, resulting in networks with lower levels of knowledge or higher levels of distrust utilising formal advice services less frequently although this theory has yet to be tested.

Whilst previous studies have explored tendency towards obtaining advice, there has been little exploration of how familiar the public is with a range of legal service providers, what factors contribute to greater or lesser knowledge, nor what it is that consumers want from advisors when they seek help. Problem characterisation has had a strong association with advice seeking behavior – that is to say, people who recognize certain problems as being legal are more likely to seek legal help (Pleasence, Balmer and Reimers 2010) – but how much do people know about the legal services sector and what impact might this have on the propensity to seek advice?

Understanding how people interact with advisors when handling a civil justice problem, as well as their knowledge of various sources of advice provides important insight as to what role advisors play in the resolution of civil legal problems. As investment in publicly funded legal aid services continues to diminish, whilst the legal services market expands, becoming less traditional and more fragmented in the process, understanding the relationship between legal service providers and consumers (both real and potential) becomes increasingly important.

### *Aims and Hypothesis*

In this paper we build on the existing literature, using data from both waves of the English and Welsh Civil and Social Justice Panel Survey (CSJPS) to explore public awareness of legal services. We do so with a view to determining how well the public understands the role that particular services play in the legal advice sector, the characteristics associated with greater/lesser knowledge of advice services, as well as what it is that consumers of legal services want from their advisors. While respondents to the CSJPS were resident in England and Wales, findings have significance for legal service delivery beyond this jurisdiction.

Based on Patel et al (2008) it is first hypothesised that general awareness of advice services will be low amongst the population and vary considerably based on previous experience. Second, we hypothesise that certain personal characteristics will be associated with greater knowledge of the role of particular advice services. As certain individuals are less likely to seek advice in general (notably those at either ends of the age spectrum- see e.g. Gourash 1978) we expect these people to have less knowledge of the advice sector. Thirdly, relying on the legal socialisation theory, we expect knowledge (or rather lack of knowledge) to cluster by household. Fourthly, we hypothesise that individuals, when seeking an advisor, respondents will more often than not seek to hand responsibility for problem resolution over to the advisor. This is based on the work of Genn 1999 who identified this desire to be saved rather than empowered as well as research which suggests that once at the advisor's door, problems are more severe and complex than problems for which individuals do not seek advice and that this will thwart the desire for services that rely too

heavily on the capacity of the individual to resolve the problem themselves (Pleasence, Balmer and Reimers 2010). However, we also expect that this will be tempered by the perceived ability of certain advisors to meet specified needs. Thus we expect that level of delegation will vary by advisor type and the expectations of the forms of support various advisors offer. In particular, we anticipate that individuals who seek advice from solicitors will expect the greatest level of delegation – commensurate with their perceptions of the legal profession, the role of advisors as well as the fact that such advice has a financial cost attached.

## **Methods**

### *Data*

Data in this study was drawn from the CSJPS, a large scale survey of the general population's experience of 97 types of legal problem (concerning consumer issues, employment, neighbours, owned housing, rented housing, money, debt, welfare benefits, education, clinical negligence, relationship breakdown, domestic violence and care proceedings)<sup>10</sup> and strategies used to resolve them. The survey was a substantial development of the English and Welsh Civil and Social Justice Survey (CSJS), which was first conducted in 2001 (Pleasence et al 2004), then again in 2004 (Pleasence 2006) and on a continuous basis between 2006 and 2009 (Pleasence et al 2010). The CSJS was itself a substantial development of the *Paths to Justice* survey (Genn 1999).

Two waves of the CSJPS were conducted prior to the survey's replacement by the Justiciable Problems Resolution Survey in 2012. Wave 1 interviews were conducted between June and October 2010. Wave 2 interviews were conducted eighteen months later, concluding in May 2012. The first wave of the survey included 3,806 adults (aged 16+), drawn from a random selection of 2,316 residential household addresses across 194 postcode sectors of England and Wales. The household response rate was 61%, and the cumulative eligible adult response rate was 54%. The second wave included 3,911 adults, 2,604 of

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<sup>10</sup> Problems were identified by asking a variant of the following question in relation to each of the 13 categories of legal problem included in the surveys: “[have you/has your partner] had any (other) problems or disputes of the type shown on this card since [18 months]?”



whom had also been interviewed at wave 1. Of the remainder, 148 were resident in a household surveyed at wave 1, but not interviewed until wave 2, 96 were new residents in a household surveyed at wave 1, and 1,063 were new respondents from new households. For the longitudinal sample, the household response rate was 75% and the cumulative eligible adult response rate 70%.<sup>11</sup> For the cross-sectional sample the household response rate was 53% and cumulative eligible adult response rate was 43%. Wave 1 interviews took an average of 37 minutes,<sup>12</sup> and wave 2 interviews an average of 35 minutes. Across both waves of the survey, the sample was broadly representative of the adult residential household population of England and Wales, which comprises around 98% of the total population.

The 2010 and 2012 waves of the CSJPS provided new information on the public's knowledge of the advice sector. The 2010 wave asked whether respondents 'knew something about (for example, what they do)' ten specific sources of legal advice: solicitors, law centres, Community Legal Advice,<sup>13</sup> Citizens Advice, Consumer Direct (the functions of which transferred to Citizens Advice in 2012), National Debtline, Shelter, the Financial Services Ombudsman, the Local Government Ombudsman and local councils.<sup>14</sup> The 2012 wave also introduced an additional question asking respondents 'in which areas' specific organisations could provide advice.<sup>15</sup>

## *Analysis*

First we use simple descriptive statistics to explore respondents' knowledge of the advice sector and their understanding of the types of issue with which services can assist. We then fit a multilevel binary logistic regression model, to model lack of knowledge of four key advisor types (compared to some

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<sup>11</sup> The individual level response rate was a very high 93%.

<sup>12</sup> An initial longer form of the questionnaire (asking about more questions in detail) averaged 42 minutes (n=762), with the final questionnaire averaging 35 minutes (n=3,044)

<sup>13</sup> Now replaced by Civil Legal Advice.

<sup>14</sup> In total, 4,120 respondents answered the questions about whether they knew anything about sources of legal advice.

<sup>15</sup> The services were Shelter, Citizens Advice, Community Legal Advice, solicitors, law centres, the ombudsmen and regulators, local councils, trade unions, legal expenses insurance, MPs, GPs, the police and legal aid. In total, between 1,714 and 1,788 respondents answered the questions relating to the different advice sources.

knowledge) on the basis of a range of variables. In order to explore what respondents wanted from their advisor we first use descriptive statistics, drawing on data from the CSJPS, before fitting a Multilevel ordinal regression model, to model the extent to which respondents wanted to delegate responsibility to advisors when faced with problems on the basis of a range of variables.

## **Results**

### *Overall levels of awareness of sources of advice*

Levels of awareness of different advice sources vary considerably. As illustrated by Figure 1, while 91% of CSJPS respondents indicated that they knew something about Citizens Advice, the figures were just 26% for Consumer Direct and 22% for the Community Legal Advice service. Relatively high awareness levels were also associated with local councils, solicitors and Shelter.

The majority (54%) of respondents knew about only half or fewer of the ten advice sources. A small number (2%) of respondents said they knew nothing about any advice source, and 5% said they knew nothing about any of the four general legal advice sources asked about (solicitors, law centres, Community Legal Advice, Citizens Advice).<sup>16</sup>

As also illustrated by Figure 1, levels of awareness were linked to levels of prior contact with advice sources. As can be seen, levels of prior contact with the three most known advice sources were higher than levels of awareness for all but one of the others.

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<sup>16</sup> At the other end of the scale, 9% of respondents claimed to know something about all 10 sources.

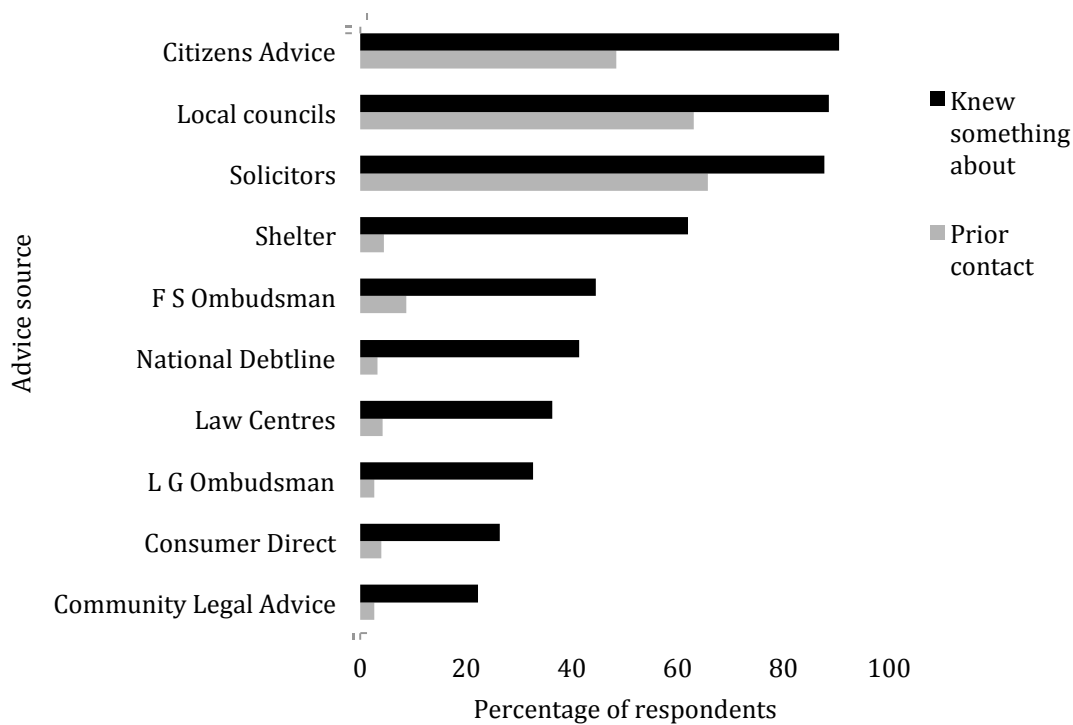


Figure 1. Awareness and previous contact with legal advice sources

*Awareness of the areas of help provided by different sources*

Respondents also reported varied levels of understanding of the types of issues different advice sources could assist with. So, while just 8% of respondents said they did not know in what areas solicitors could provide advice, the figure was 45% for Community Legal Advice and 55% for legal expenses insurance helplines.

Of course, not all the respondents who indicated that they did know what issues advice sources could assist with were accurate in their suggestions. So, for example, 6% of respondents erroneously believed Shelter to provide advice about employment issues, and 2% about consumer issues. Nor were respondents' suggestions always complete. So, for example, 60% of respondents failed to recognise that solicitors can provide assistance with housing issues, and 50% the same for employment issues, 46% for domestic violence, 26% for personal injury

and 26% for other family issues. This was despite there being a substantial number of solicitors practicing in each of these areas.<sup>17</sup>

Respondents also generally failed to recognise the breadth of service offered by Citizens Advice and law centres. For example, around one-third of respondents indicated that Citizens Advice could help with only three types of issue or fewer. Consequently, 34% of respondents failed to recognise that Citizens Advice could provide assistance with benefits related issues, and 29% the same for money/debt issues. This is despite these having been the two main areas of advice provision for Citizens Advice Bureaux in 2012. Furthermore, 42% of respondents failed to recognise that Citizens Advice could provide assistance with employment issues, and 35% the same for consumer issues. This is despite these having been two of the three main areas of assistance provided through Citizens Advice's online *Adviceguide* in 2012.<sup>18</sup> For law centres, the picture was even more stark, with not a single area in which a majority of respondents accurately indicated help being available. Elsewhere, respondents tended to have a narrow view of help that might be available from local councils, with suggestions centring on housing, neighbours and benefits. As would be expected, narrow views of available help were also evident for subject matter defined advice sources, such as Shelter.<sup>19</sup>

### *The demographics of awareness*

To explore further those groups who lacked awareness of advice sources, we used binary logistic regression to identify the characteristics of those respondents who lacked awareness of all the general and broadly accessible legal advice sources asked about (i.e. Citizens Advice, solicitors, law centres and Community Legal Advice). The variables included in the regression analysis were previous contact with the adviser, recent experience of legal problems, age, level

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<sup>17</sup> The most recent Current estimate is that more than 10,000 solicitors practice in each area: Law Society (2014) *Categories of Work Undertaken by Solicitors (Fact Sheet)*, London: The Law Society.

<sup>18</sup> As detailed in Citizens Advice's *Advice Trends*.

<sup>19</sup> The same was also true in the case of trade unions, which were associated with employment advice. More widely still, general practitioners were associated with help for personal injuries, the police with help for domestic violence and MPs with help for housing issues. There were no areas in which legal expenses insurance was commonly identified as providing assistance. The most frequently mentioned issues were money/debt (28%), personal injury (21%) and consumer (12%), with all other issues being mentioned less than 10% of the time.

of education, profession, migration status (whether respondents had migrated to the UK within the past 10 years), language spoken at home, subjective legal empowerment (Gramatikov & Porter 2011)<sup>20</sup> and MCS score (a mental health measure based on the SF-12 questionnaire).

Table 1. Multilevel binary logistic regression output modelling lack of knowledge of four key advisor types (compared to some knowledge) on the basis of a range of variables. Statistically significant model terms are in bold.

Variable	Level	Estimate	Standard Error
Constant		<b>-3.94</b>	<b>0.69</b>
Highest academic qualification	None/trade apprenticeship	0.00	-
	GCSE/other	<b>-0.65</b>	<b>0.28</b>
	Post-GCSE/pre-degree	<b>-0.65</b>	<b>0.30</b>
	Degree	<b>-1.12</b>	<b>0.42</b>
Age group	16-24	<b>1.14</b>	<b>0.40</b>
	25-34	0.67	0.42
	35-44	-0.11	0.53
	45-59	0.00	-
	60-74	0.67	0.40
	75+	<b>1.31</b>	<b>0.39</b>
Mental health (MCS score)		0.02	0.01
Profession	Routine manual/other	0.00	-
	Technical/semi-routine manual	0.16	0.29
	Other managerial/clerical	0.18	0.33
	Professional/senior managerial	-0.44	0.43
	Legal	0.28	1.14
	Unknown/missing	<b>0.84</b>	<b>0.32</b>
New migrant (last 10 years)	No	0.00	-
	Yes	-0.08	0.46
Language spoken at home	English	0.00	-
	Other	<b>1.02</b>	<b>0.33</b>
Previous contact with advisors	No	0.00	-
	Yes	-1.73	0.23
One or more civil justice problem	No	0.00	-
	Yes	-0.35	0.25
Household level variance		0.59	0.38

<sup>20</sup> Gramatikov & Porter (2011) define subjective legal empowerment as “the subjective self-belief that a person possesses and can mobilize the necessary resources, competencies and energies to solve particular problem of legal nature.” Within the CSJPS this was operationalised through a series of questions asking how likely respondents believed they would be able to obtain a fair resolution to disputes with an employer, family member, neighbour, a land dispute, a business dispute or became a victim of crime. The variable used in the model comprised a score derived by summing the responses to these questions.

As shown in Table 1, respondents' prior contact with one or more of the four advisers,<sup>21</sup> age,<sup>22</sup> education level<sup>23</sup> and language spoken at home<sup>24</sup> were all significantly associated with knowledge of the advisers.

As would be expected, prior contact with one of the four advice sources was associated with a highly significant increase in the likelihood of knowing something about them. Only 1% of those who reported prior contact with advisers indicated they did not know something about them. Controlling for other variables, this rose to 6% for those with no previous contact; though the difference was greater still in raw data terms (1% compared to 10%), suggesting that those who had not had previous contact with advisers were also more likely to have other characteristics associated with a lack of knowledge.

As regards age, middle-aged respondents (35 to 59 year olds) were substantially more likely to know something about (any of) the four general advice sources than others, with the youngest<sup>25</sup> and oldest<sup>26</sup> respondents particularly likely to lack knowledge. Again, this reflects the fact that older and, particularly, younger respondents were more likely than other respondents to have other characteristics associated with lack of knowledge. For example, 16 to 24 year olds were less likely to have degrees or have had previous contact with any of the advisers under study (only 26% of 16 to 24 year olds reported previous contact, compared with 73% for all respondents). This reinforces the point that factors associated with lack of knowledge were frequently experienced in combination, though even having controlled for other factors, age group remained significant.

As regards education level, respondents with no academic qualifications or trade apprenticeships were least likely to know about the advisers. In contrast, those with 'GCSE/other' qualifications,<sup>27</sup> 'post-GCSE/pre-degree qualifications'<sup>28</sup>

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<sup>21</sup>  $\chi^2_1 = 55.76$ ,  $p < 0.001$ .

<sup>22</sup> Testing the age terms together;  $\chi^2_5 = 41.47$ ,  $p < 0.001$ .

<sup>23</sup> Testing the academic qualifications terms together;  $\chi^2_3 = 10.26$ ,  $p = 0.017$ .

<sup>24</sup>  $\chi^2_1 = 9.41$ ,  $p = 0.002$ .

<sup>25</sup>  $\chi^2_1 = 8.15$ ,  $p = 0.004$ . Breaking this group down further, whether or not young people were in education employment or training made little difference to knowledge levels.

<sup>26</sup>  $\chi^2_1 = 11.45$ ,  $p < 0.001$ .

<sup>27</sup> Compared to 'no qualifications/trade apprenticeship';  $\chi^2_1 = 5.42$ ,  $p = 0.020$ .

<sup>28</sup> Compared to 'no qualifications/trade apprenticeship';  $\chi^2_1 = 4.71$ ,  $p = 0.030$ .

and, particularly, those with degrees<sup>29</sup> were significantly more likely to have relevant knowledge.

As regards language spoken at home, the model suggested that while just 3% of English speakers lacked knowledge of the four advisers, this rose to 8% in the case of other languages. If other factors were not controlled for, the difference was larger still (3% and 12%). Again, this was a consequence of non-English speakers also having other characteristics associated with lack of knowledge (such as a different age profile).

Elsewhere, we found no significant differences in levels of knowledge of the four advice sources on the basis prior legal problem experience, profession, migration status, subjective legal empowerment or mental health. However, we again observed some striking differences between model and raw data associations. For example, while the statistical model indicated previous problem experience did not influence knowledge levels, there was a considerable difference in raw data terms (1.8 % of those who reported recent problems lacked knowledge, compared to 4.3% of those who did not report problems). However, this difference appears to have been a function of increased adviser contact and distinct age profiles. So, when previous contact with advisers was removed from the model problem experience became associated with a significant increase in knowledge (and the effect size increased further when age group was removed). Similarly, while the model indicated that recent migrants to the UK had similar knowledge levels to others,<sup>30</sup> there was a considerable difference in raw data terms (9% of new migrants lacked knowledge, compared to 3% of others). However, this difference was ultimately attributable (within the model) to other factors, such as age and language spoken at home. Also, if subjective legal empowerment scores were considered independently of other factors,<sup>31</sup> they too became significantly associated with knowledge of advisers,<sup>32</sup> suggesting that SLE score is also associated with other variables that relate to knowledge of key advisers.

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<sup>29</sup> Compared to 'no qualifications/trade apprenticeship';  $\chi^2_1 = 7.18$ ,  $p = 0.007$ .

<sup>30</sup>  $\chi^2_1 = 0.03$ ,  $p = 0.86$ .

<sup>31</sup> As respondents' subjective legal empowerment scores were only determinable from wave 2 CSJPS data, they were not included in the initial statistical model. Instead, they were subsequently added to the model to establish their effect.

<sup>32</sup>  $\chi^2_1 = 5.65$ ,  $p = 0.017$ .

Finally, we also found no evidence of respondents' knowledge of advisers relating to knowledge of other household members.

### **Objectives and the reality of advice seeking**

For one identified legal problem, the 2010 and 2012 waves of English and Welsh Civil and Social Justice Panel Survey (CSJPS) asked respondents for details of what they "hope[d] to get from" each of (up to) their first four advisers, and also what they "did get" from advisers.<sup>33</sup> Respondents were also asked about the extent to which they wanted to delegate to or direct the activities of advisers. In all, data was available for 1,326 advisers, who helped with 1,054 problems experienced by 900 individuals.

As can be seen from Table 2, the most common advisers mentioned by respondents were solicitors (15%), followed by Citizens Advice (10%), the police (9%) and trade unions (8%). However, respondents sought help from an range of sources, with 31% of sources outside of the principal sources included in Table 2, consistent with findings detailed elsewhere (e.g. Pleasence et al 2004).

Table 2. Advisers utilised by CSJPS respondents (for which detailed data available)

<b>Adviser type</b>	<b>Number</b>	<b>%</b>
Solicitor	197	14.9
Citizens Advice	129	9.7
Police	122	9.2
Trade union	110	8.3
Other independent advice service	83	6.3
Council advice service/trading standards	77	5.8
Health/social worker	77	5.8
Council general enquiries	49	3.7
Other council departments	75	5.7
Other	407	30.7

Table 3. Problems about which advisers utilised by CSJPS respondents (for which detailed adviser data available)

<b>Problem type</b>	<b>Number</b>	<b>%</b>
Neighbours	210	19.9
Employment	189	17.9
Family	118	11.2
Consumer	87	8.3
Money	84	8.0
Debt	77	7.3

<sup>33</sup> The number of problems is higher than the number of individuals as some individuals were asked about separate problems in wave 1 and wave 2 of the CSJPS.



Benefits	64	6.1
Personal injury	63	6.0
Owned housing	53	5.0
Rented housing	52	4.9
Education	30	2.8
Clinical negligence	27	2.6

As can be seen from Table 3, the most common problems about which advisers were utilised were problems concerning neighbours (20%), employment (18%) and family (11%). These percentages are different from those reported for problem experience overall; a key reason for this being that different problem types are associated with different levels of advice seeking.<sup>34</sup>

*What was wanted from sources of advice and what was obtained*

The majority of 2010 and 2012 CSJPS respondents (57%) hoped to get more than one form of support from (each of) their advisers. Indeed, 12% hoped to get five or more forms of support. The mean was 2.4. There was no significant difference for first, second, third or fourth advisers.<sup>35</sup> Respondents reported a similar pattern of forms of support obtained as they did for the forms of support they hoped to receive. As for the number of forms of support hoped for, 57% of respondents reported getting more than one form of support from (each of their) advisers, and 11% reported getting five or more (compared to 12%). The mean was the same, at 2.4.

As can be seen in Figure 2, there is little difference in relation to most forms of support between what individuals wanted and what they got. However, an important exception is sorting problems out. Here, fewer than two-thirds of respondents had their hopes met (24% obtaining what 37% hoped to obtain).

<sup>34</sup> In relation to the data analysed for this section, the proportions differed to an even greater extent. This is because some problem types were associated with greater or lesser numbers of advisers than others.

<sup>35</sup> Although, in raw data terms, the mean did reduce slightly in each case: 2.4, 2.3, 2.3 and 2.1 (respectively).

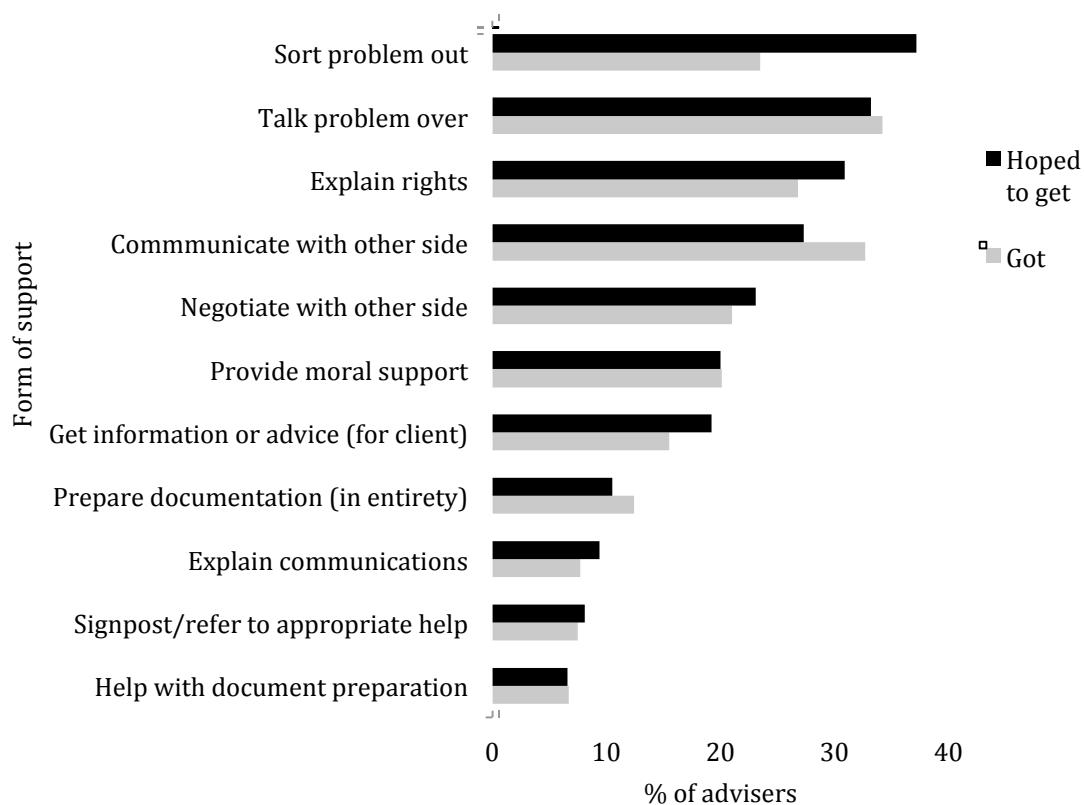


Figure 2. Comparison of what respondents hoped to get and actually got from advice sources

In general, particular adviser types were associated with hopes for particular forms of support – pointing to different roles in the public mind. Figure 3 illustrates what individuals hoped to get whilst Figure 4 details what it is they got. As is illustrated by Figure 3, there were some substantial differences in what respondents hoped to get from different advice sources.

For example, a marked contrast was evident between what was wanted from Citizens Advice and solicitors. So, while Citizens Advice was most associated with hopes to talk problems over (41%) and signposting/referral (20%), and also often looked to for moral support (20%), solicitors were at the other end of the spectrum as regards hopes for these forms of support (26%, 5% and 7%, respectively). Instead, solicitors were relatively highly associated with

hopes for explanations of communications (37%), document preparation (24%), communication/negotiation with the other side (37%/40%) and sorting problems out (48%). Citizens Advice was least associated with hopes for sorting problems out (13%). The main commonality between Citizens Advice and solicitors was in high hopes for legal rights being explained (42% in both cases). A similar contrast was also evident between Citizens Advice and trade unions and, to a slightly lesser extent, the police. Elsewhere, respondents were also relatively unlikely to hope for council advice services (20%) to sort problems out; though the opposite was true for other independent advice services (43%).

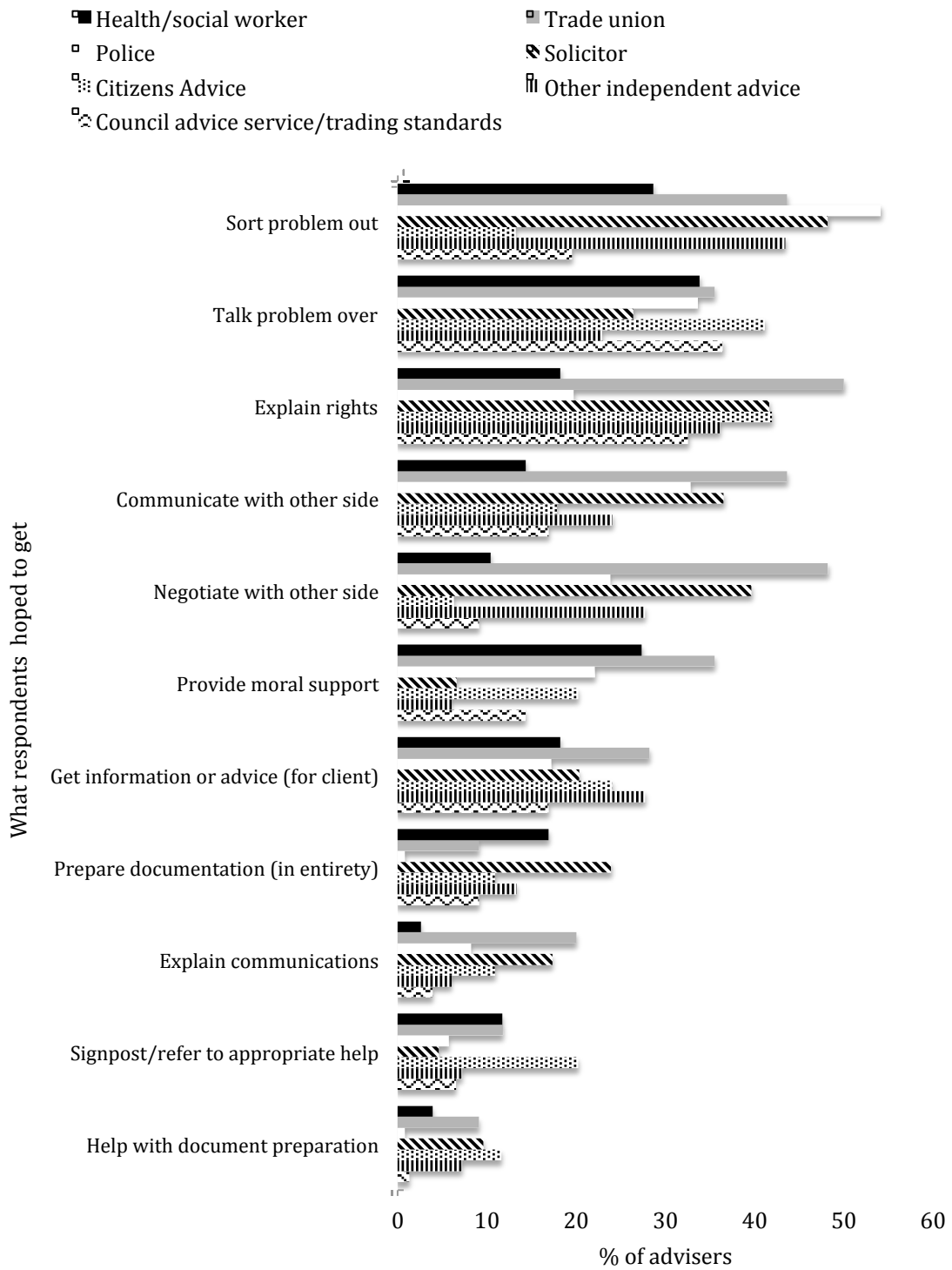


Figure 3. What respondents hoped to get from different advice sources

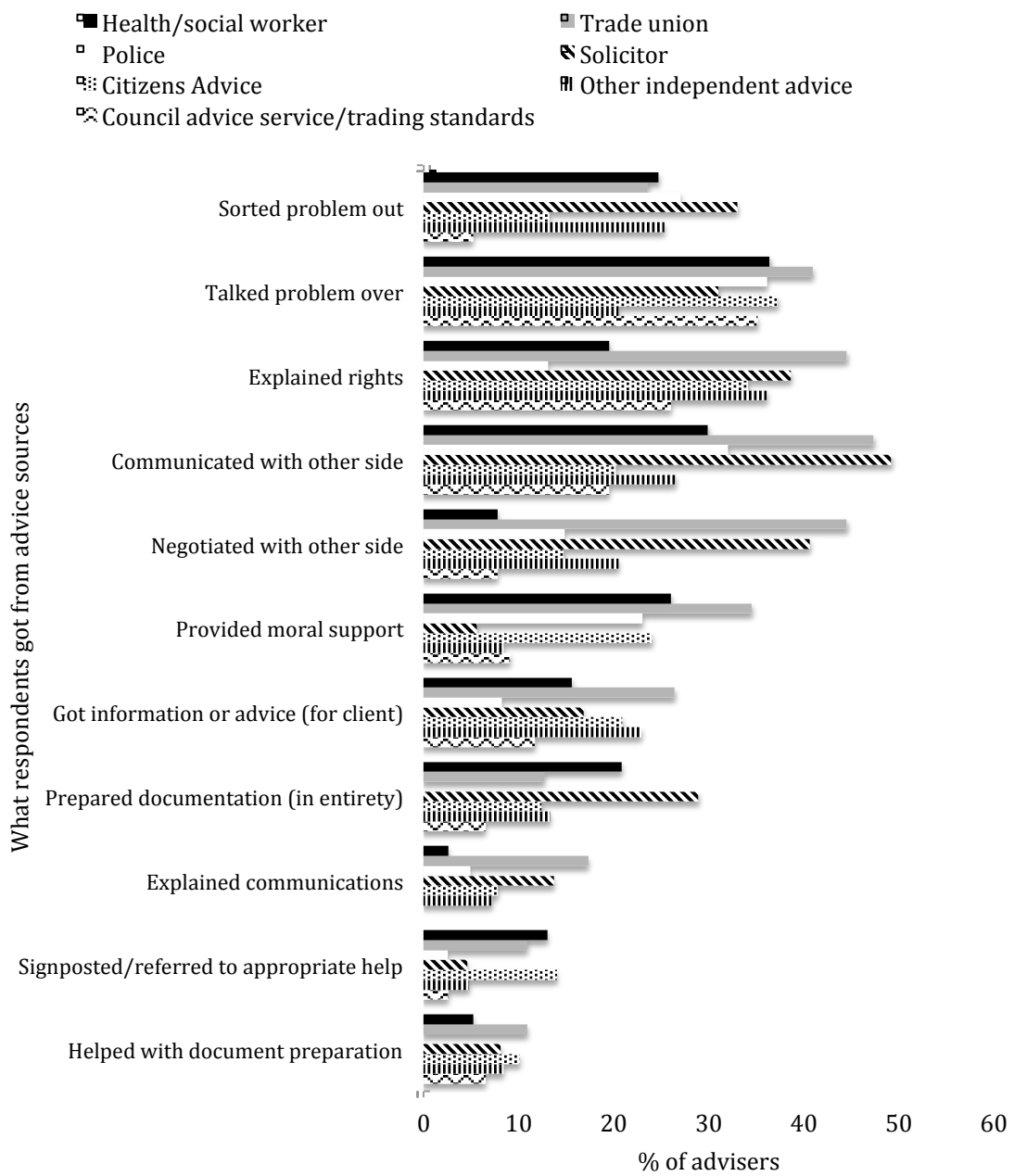


Figure 4. What respondents actually got from different advisers

Table 4. What respondents actually got from advice sources by problem type

Help got by client		% of problems											
		Consumer	Employment	Neighbours	Owned housing	Rented housing	Debt	Money	Benefits	Education	Personal injury	Clinical negligence	Family
Sorted the problem out	<i>Wanted</i>	34.0	32.6	45.0	24.3	29.2	25.5	41.1	36.5	21.6	55.3	58.8	35.6
	<i>Got</i>	21.6	17.8	24.0	17.6	24.6	26.6	23.2	23	18.9	35.3	44.1	23.8
Talked problem over	<i>Wanted</i>	30.9	36.9	30.6	25.7	38.5	43.6	30.3	33.8	40.5	29.4	20.6	33.1
	<i>Got</i>	33.0	38.6	31.0	23.0	36.9	40.4	23.2	36.5	43.2	36.5	26.5	38.1
Explained rights	<i>Wanted</i>	27.8	45.3	21.0	40.5	35.4	21.3	31.3	23	24.3	22.4	26.5	38.1
	<i>Got</i>	25.8	39.0	15.1	32.4	24.6	29.8	25.3	25.7	18.9	29.4	29.4	27.5
Communicated with other side	<i>Wanted</i>	16.5	30.9	30.3	29.7	23.1	18.1	35.4	21.6	21.6	29.4	26.5	27.5
	<i>Got</i>	18.6	35.2	33.2	36.5	32.3	27.7	37.4	27.0	18.9	36.5	47.1	35.6
Negotiated with other side	<i>Wanted</i>	12.4	29.2	19.6	27.0	4.6	28.7	28.3	18.9	10.8	34.1	17.6	25.6
	<i>Got</i>	12.4	26.3	15.5	23.0	4.6	29.8	21.2	16.2	13.5	36.5	17.6	25.0
Provided moral support	<i>Wanted</i>	17.5	29.2	18.8	14.9	12.3	14.9	12.1	17.6	40.5	20.0	20.6	19.4
	<i>Got</i>	24.7	28.8	17.7	17.6	13.8	17.0	7.1	17.6	40.5	20.0	23.5	18.1
Got information or advice (for client)	<i>Wanted</i>	14.4	27.5	13.3	24.3	15.4	16.0	22.2	12.2	24.3	18.8	26.5	19.4
	<i>Got</i>	14.4	23.7	8.5	20.3	9.2	14.9	17.2	13.5	24.3	15.3	17.6	14.4
Prepared documentation (in entirety)	<i>Wanted</i>	10.3	7.2	3.3	16.2	9.2	18.1	17.2	12.2	2.7	9.4	26.5	15.0
	<i>Got</i>	10.3	10.2	6.6	18.9	12.3	17.0	13.1	10.8	2.7	16.5	32.4	16.9
Explained communications	<i>Wanted</i>	3.1	14.8	4.1	13.5	1.5	10.6	13.1	9.5	8.1	9.4	5.9	13.1
	<i>Got</i>	1.0	11.9	3.7	8.1	1.5	12.8	9.1	8.1	5.4	8.2	8.8	10.6
Signposted/referred to appropriate help	<i>Wanted</i>	5.2	10.2	5.2	10.8	9.2	9.6	11.1	10.8	8.1	2.4	8.8	8.8
	<i>Got</i>	6.2	8.1	4.8	5.4	6.2	11.7	9.1	6.8	8.1	9.4	8.8	8.8
Helped with document preparation	<i>Wanted</i>	5.2	8.1	1.8	17.6	4.6	12.8	13.1	5.4	2.7	3.5	2.9	5.0
	<i>Got</i>	5.2	7.6	0.7	10.8	6.2	17.0	14.1	6.8	2.7	5.9	5.9	5.6

Differences were also evident in what respondents hoped to get from advice sources in relation to different problem types (Table 4). Respondents most often hoped for advisers to sort out problems concerning clinical negligence (59%), personal injury (55%) and neighbours (45%). For debt problems, this was far less often the case (26%); although here respondents particularly hoped to talk problems over (44%). Elsewhere, employment, owned housing and rented housing problems were associated with high hopes of having rights explained (45%, 41% and 35%, respectively), while the opposite was the case for neighbours, personal injury and benefits problems (21%, 21% and 23%, respectively). Family, employment, debt and money problems were associated with high hopes of advisers undertaking negotiations (34%, 29%, 29% and 28%, respectively).

Turning to forms of support obtained from advisers by problem type, again patterns were fairly similar to those of what respondent had hoped for. However, it is worth noting that, against a backdrop of advisers sorting out problems far less often than respondents hoped, a contrary story emerged in the case of debt problems. Here, both the rates of negotiation (30%) and sorting problems out (27%) attributed to advisers were higher than those hoped for (29% and 26%, respectively).

There was also little difference in what respondents hoped for and actually got from first, second, third and fourth advisers. But in the case of what respondents got, there was no indication that people less often talked problems over as they moved through advisers; although there was some indication that later advisers were less likely to prepare documentation.

### *Degrees of delegation*

A majority of CSJPS respondents facing legal problems wanted to at least significantly delegate matters to their advisers. In all, 34% wanted advisers “to make decisions and act to help [them] in the way [advisers] thought best” (referred to, for brevity, as ‘decision delegation’). A further 30% wanted advisers to “describe all options, always recommend an option, but let [respondents] choose what to do” (‘partial decision delegation’), 24% wanted their advisers to “describe all the options and their consequences, and make a recommendation if

ask[ed] for one, and then let [respondents] choose what to do” (‘advisory support’), and the remaining 12% wanted advisers to only provide information or advice when specifically requested and “always let [respondents] choose what to do” (‘directed support’).

### *Drivers of delegation*

To gain a better understanding of what drove respondents’ delegation preferences we undertook multilevel ordinal regression analysis to explore how delegation varied with demographics. The variables included in the model were adviser type, problem type, problem severity, problem characterisation (i.e. whether respondents characterised problems as ‘legal’), age, level of education, profession, migration status, self-efficacy (measured using standard personality questions), subjective legal empowerment and MCS score.

Table 5. Multilevel ordinal regression output modelling the extent to which respondents wanted to delegate responsibility to advisors when faced with problems on the basis of a range of variables. The reference outcome category was ‘directed support’ and statistically significant model terms are shown in bold.

Variable	Level	Estimate	Standard Error
<i>Fixed terms</i>			
Constant (<= decision delegation)		0.05	0.60
Constant (<= partial decision delegation)		<b>1.44</b>	<b>0.60</b>
Constant (<= advisory support)		<b>2.87</b>	<b>0.61</b>
Advisor type	Solicitor	0.00	-
	Local council	-0.58	0.34
	Council advisory service/trading standards	<b>-0.81</b>	<b>0.31</b>
	Other council department	0.33	0.32
	CAB	<b>-1.01</b>	<b>0.25</b>
	Other independent advice agency	-0.27	0.27
	Trade union	-0.29	0.27
	Police	0.24	0.29
	Health/social worker	0.12	0.29
	Other	-0.17	0.20
Problem type	Consumer	0.00	-
	Employment	<b>-0.62</b>	<b>0.29</b>
	Neighbours	0.55	0.28
	Owned housing	-0.11	0.35
	Rented housing	-0.52	0.37
	Debt	-0.06	0.33



	Money	0.01	0.31
	Welfare benefits	0.48	0.35
	Education	-0.57	0.46
	Personal injury	-0.25	0.34
	Clinical negligence	-0.31	0.46
	Family	<b>-1.04</b>	<b>0.30</b>
Highest academic qualification	None/trade apprenticeship	0.00	-
	GCSE/other	-0.20	0.17
	Post-GCSE/pre-degree	<b>-0.38</b>	<b>0.19</b>
	Degree	<b>-0.46</b>	<b>0.20</b>
Subjective legal empowerment	Low	0.00	-
	Medium	-0.05	0.31
	High	0.13	0.33
	Unknown	0.17	0.34
Problem characterised as legal	No	0.00	-
	Yes	0.10	0.16
Age group	16-24	0.21	0.24
	25-34	0.16	0.19
	35-44	0.05	0.16
	45-59	0.00	-
	60-74	-0.25	0.19
	75+	0.02	0.40
Mental health (MCS score)		-0.007	0.006
Profession	Routine manual/other	0.00	-
	Technical/semi-routine manual	0.16	0.22
	Other managerial/clerical	-0.08	0.23
	Professional/senior managerial	0.05	0.25
	Legal	-0.54	0.40
	Unknown/missing	0.14	0.23
Problem severity score		0.004	0.004
Self-efficacy	Low	0.00	-
	Medium	0.16	0.18
	High	0.25	0.21
	Unknown	-0.08	0.17
New migrant (last 10 years)	No	0.00	-
	Yes	-0.18	0.42
<i>Random terms</i>			
	<= decision delegation/<= decision delegation	0.04	0.15
	<= decision delegation/<= partial decision delegation	0.23	0.14
	<= decision delegation/<= advisory support	0.13	0.14
	<= partial decision delegation/<= partial decision delegation	<b>0.86</b>	<b>0.21</b>
	<= partial decision delegation/<= advisory support	<b>0.65</b>	<b>0.23</b>
	<= advisor support/<= advisory support	<b>1.74</b>	<b>0.40</b>

As shown in Table 5 our analysis identified three factors that had particularly strong associations with delegation preference; adviser type,<sup>1</sup> problem type<sup>2</sup> and level of education.<sup>3</sup> With regard to adviser type, respondents delegated most responsibility to (non-advice) council departments, the police, health/social workers and solicitors (Figure 5); advisers of types noted above to be more associated with hopes of sorting problems out (Figure 3). At the other end of the scale decision delegation was rarest for Citizens Advice. Council general enquiries were likewise associated with relatively low levels of decision delegation.

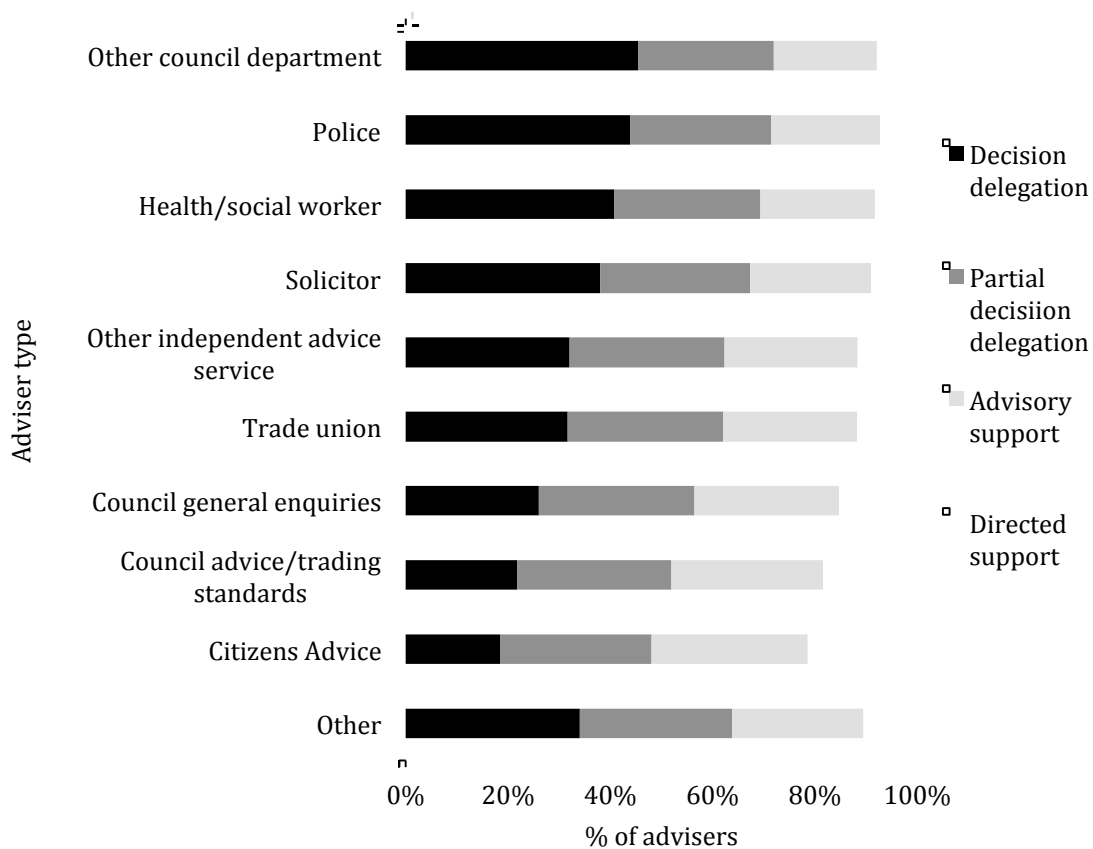


Figure 5. Relationship between delegation preference and adviser type (based on model output and controlling for other variables)

<sup>1</sup> Testing the nine adviser type terms simultaneously;  $\chi^2_9 = 35.04$ ,  $p < 0.001$ .

<sup>2</sup> Testing the twelve problem type terms simultaneously;  $\chi^2_{11} = 55.26$ ,  $p < 0.001$ .

<sup>3</sup> While testing the academic qualifications model terms simultaneously fell short of significant;  $\chi^2_{11} = 6.12$ ,  $p = 0.11$ , there were significant differences between particular qualifications.

With regard to problem type, compared to consumer problems (the reference category in the statistical model), respondents facing problems concerning benefits and neighbours tended to want to delegate more responsibility to advisers.<sup>4</sup> Respondents facing employment and, particularly, family problems tended to want to retain a greater role in decision-making.<sup>5</sup> The relationship between delegation preference and problem type is illustrated in Figure 6.

With regard to education level, the extent to which respondents wanted to direct decision-making increased along with formal educational attainment; suggesting a link between delegation preference and legal capability. For example, compared to those with no qualifications or a trade apprenticeship, those with 'post-GCSE/pre-degree' qualifications and, particularly, those with a degree tended to want to delegate less.<sup>6</sup> Respondents tended to delegate less and take more responsibility themselves as level of highest qualification increased.

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<sup>4</sup> Compared to consumer problems;  $\chi^2_1 = 1.87$ ,  $p = 0.17$  and  $\chi^2_1 = 3.66$ ,  $p = 0.056$  respectively. Note that while these differences were short of statistical significance, this was in comparison with consumer problems. If we compare either neighbours or benefits problems to either employment or family problems for example, all differences are highly statistically significant.

<sup>5</sup> Compared to consumer problems;  $\chi^2_1 = 4.6$ ,  $p = 0.032$  and  $\chi^2_1 = 11.83$ ,  $p < 0.001$  respectively.

<sup>6</sup>  $\chi^2_1 = 3.98$ ,  $p = 0.046$  and  $\chi^2_1 = 5.36$ ,  $p = 0.021$  respectively. In this instance, there was no difference in the case of those with GCSEs ( $\chi^2_1 = 1.34$ ,  $p = 0.25$ )

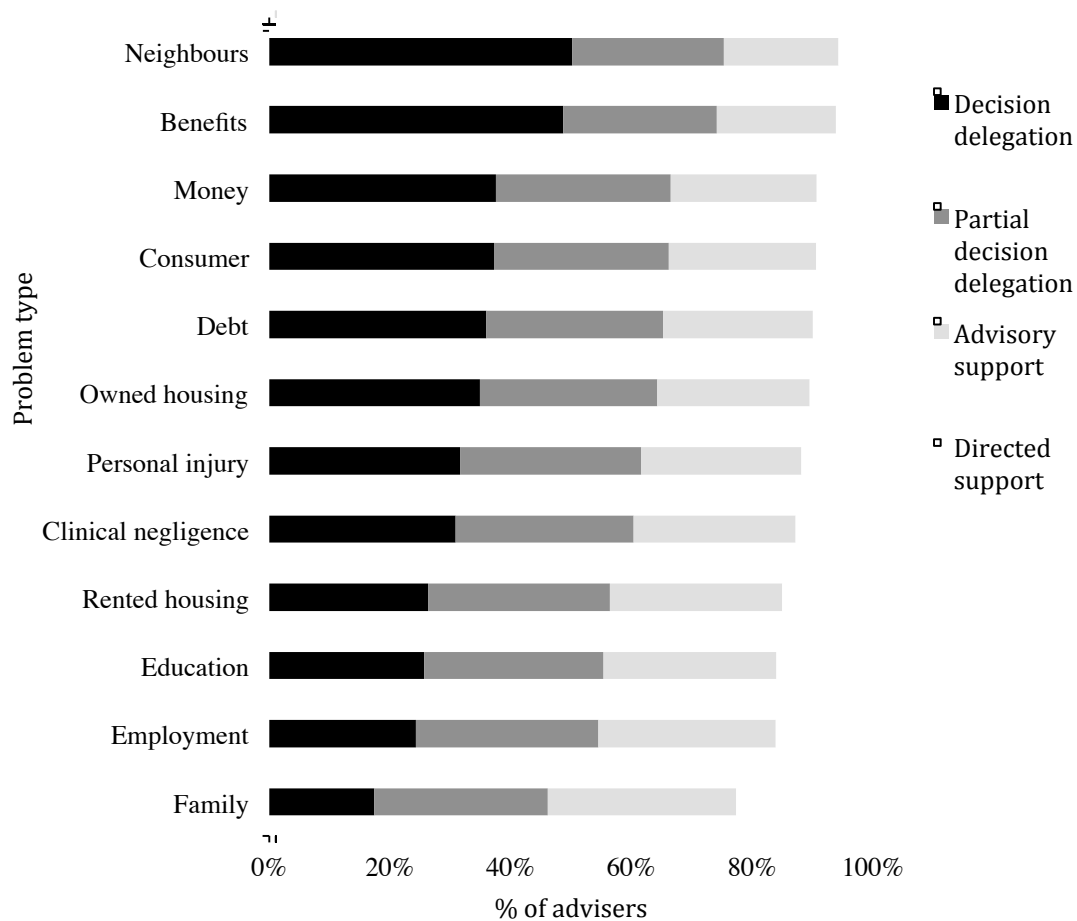


Figure 6. Relationship between delegation preference and problem type (based on model output and controlling for other variables)

The other factors included in the model were only weakly and not statistically significantly associated with delegation preference.<sup>7</sup> However, unsurprisingly, the model hinted that the small number of respondents who had worked in law (e.g. as lawyers, advisers or teachers) wanted to delegate the least; but the difference was non-significant (possibly due to the small numbers of respondents with legal experience in the analysis).<sup>8</sup>

<sup>7</sup> While the youngest respondents (16-24 year olds) delegated most and older respondents (60-74 year olds) least, differences across age groups were clearly non-significant. Similarly, while greater problem severity, worse mental health and higher self-efficacy went alongside increased delegation, relationships were weak and clearly non-significant. And there was no evidence of any association between delegation preference and profession, migration status, subjective legal empowerment score or whether or not problems were characterised as legal.

<sup>8</sup> For example, comparing those with legal experience to the 'routine manual/other' reference category;  $\chi^2_1 = 1.82$ ,  $p = 0.18$ .

Elsewhere, there was also evidence of clustering of preferences within individual problems (as indicated by significant problem level variance terms in the statistical model). Essentially, when respondents used more than one adviser for a problem, they tended to want a similar level of delegation across advisers.

## **Discussion**

### *The findings*

In keeping with our first hypothesis, our findings confirm that levels of public awareness of sources of advice are relatively low, though they vary considerably by adviser type. Thus, while most 2010 and 2012 CSJPS respondents knew something about Citizens Advice, local councils, solicitors and Shelter, the picture was quite different for other adviser types, such as law centres, the local government ombudsman, Consumer Direct and Community Legal Advice. 2012 CSJPS respondents also reported varied levels of understanding of the types of issues different advice sources could assist with and, in general, respondents failed to recognise the breadth of service offered by solicitors, Citizens Advice and law centres.

While just 2% of respondents said they knew nothing about any of 10 advice sources asked about, 5% said they knew nothing about any of the four general legal advice sources asked about (solicitors, law centres, Community Legal Advice, Citizens Advice).

Multivariate analysis of the characteristics of those respondents who said they knew nothing about any of the four general legal advice sources indicated that respondents' prior contact with one or more of the four advisers, age, education level and language spoken at home were all significant. The last three of these link to broad legal capability, and illustrate how this is relevant even prior to services being accessed. This corresponds with our second hypothesis which proposed that knowledge would vary by certain characteristics, while we identified age correctly, lack of knowledge did not appear to cluster by household. We therefore have no evidence to support the hypothesis that lack of knowledge is concentrated at the household level.

Our findings concerning what 2010 and 2012 CSJPS respondents hoped for and got from advisers suggested that, in accessing advisers, people have a

reasonably nuanced understanding of the different forms and levels of support offered by different types of adviser. 66% of CSJPS respondents reported that they got all or most of what they had hoped for from advice sources. As proposed by our fourth hypothesis, desire for delegation-type activities (sorting the problem out, explaining rights and communicating with the other side) were the highest forms of assistance sought. At the same time, differences were seen in respect to adviser type. Each adviser type was clearly associated with hopes for and the provision of particular forms and levels of support – pointing to different roles in the public mind. So, while Citizens Advice was most associated with hopes to talk problems over and signposting/referral, and was also often looked to for moral support, solicitors were at the other end of the spectrum as regards hopes for these forms of support. Instead, solicitors were associated with hopes for explanations of communications, document preparation, communication/negotiation with the other side and sorting problems out.

Respondents' hopes in relation to solicitors seemed to be particularly apt, with just 5% of respondents said that they got none of what they were looking for from solicitors. This was despite solicitors frequently being looked to for sorting problems out, a hope that commonly led to disappointment elsewhere.

Our findings also neatly illustrate the relationship between the forms and level of support that people look for from advisers and the extent to which they wish to delegate problems to advisers.

Building on this, our analysis identified three factors that had particularly strong associations with delegation preference; adviser type, problem type and level of education. As regards adviser type, respondents delegated most responsibility to solicitors, the police, health/social workers and (non-advice) council departments. At the other end of the scale decision delegation was rarest for Citizens Advice, a generalist service clearly perceived by the public as more often a source of information, moral support and signposting/referral.

The link observed between level of education and delegation preference – whereby those with fewer qualifications most often wanted to delegate – suggests awareness of relative legal capability.

### *Implications*

In confirming that levels of awareness of legal services are relatively low, and that the accuracy of the public's understanding of the types of issue that different services can help with is wanting, our findings point to the need for legal services to convey more effectively the support they can offer. Even those services that figure prominently in the public's consciousness have work to do. For example, while more than 90% of CSJPS respondents reported that they knew something about Citizens Advice, one-third indicated that Citizens Advice could help with only three types of issue or fewer. Indeed, a one-third failed to recognise that Citizens Advice could provide assistance with benefits and money/debt related issues, despite these having been the two main areas of advice provision for Citizens Advice Bureaux in 2012.

There is also a broader responsibility, in relation to awareness of legal rights and responsibilities, to enhance understanding of sources of help through the national curriculum and PLE initiatives. Ignorance of sources of help can act as a significant barrier to accessing justice. For example, Balmer et al (2010) reported that one in twelve of the 9.4% of 2006-9 CSJS respondents who took no action to resolve legal problems explained that they did not know who to go to for help. And as with PLE more generally, initiatives to raise awareness of legal services should be targeted towards those most impacted on, namely those lacking capability more broadly (e.g. the young, those with no qualifications) and who are also vulnerable to legal problems.

Genn's (1999, p.100) observation that many respondents to the *Paths to Justice* survey "did not want to be empowered, they wanted to be saved" clearly illustrates the despair felt by many who face legal problems. This is a despair that can be exacerbated by lack of awareness of sources of help and having to navigate the 'advice maze'<sup>9</sup> that confronts those seeking help (and lies behind the phenomenon of 'referral fatigue')(Pleasence et al 2004). However, just as it is the case that some services offering support to people facing legal problems can, and do, act as saviours (in the sense of sorting problems out on their clients' behalves), so some such people want to be empowered.

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<sup>9</sup> As we noted above, there are thousands of public and independent private, charitable and community advice providing organisations.

While not dismissing the difficulties faced by those who want different things from legal services than are offered, it is evident that those who access legal services have reasonable expectations as to the forms of assistance that are available. As we just noted, each adviser type was clearly associated with hopes for and the provision of particular forms and levels of support, and two-thirds of CSJPS respondents got all or most of what they hoped for from advisers. However, this excludes those who did not access a legal service, and also highlights that a significant minority of respondents did not get what they hoped for. Evidently, therefore, awareness raising efforts should extend to the form of support services provide, as well as the types of issue about which support is available. And in terms of Robertson and Corbin's (2005) participation matrix, it is those persons who are looking to delegate problem resolution to advisers, but who access services that are oriented towards information provision or empowerment who are at greatest risk of frustration in their advice seeking efforts. Within this group are more likely to be those with fewest qualifications, a group that is targeted more generally in the context of PLE.

We recognise the problems associated with awareness raising campaigns relating to sources of advice and we acknowledge the difficulties organisations face when relying on traditional advertising mechanisms that may go ignored or unnoticed by target populations. This issue is compounded when many rely on personal recommendations for services. These are issues for which there are no easy solutions, although we expect that consistency in the delivery of PLE initiatives will go some way towards addressing these concerns. We also expect that future research will afford greater insight into the routes by which individuals arrive at the 'agency' door and the way in which these signposting mechanisms might be strengthened.



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