

# Consumer views on CILEX proposals

December 2023

## Executive summary

### Overview

To support discussions on a proposal to transfer regulation of CILEX members to the Solicitors Regulation Authority (SRA), feedback from the public was sought. One thousand respondents from the Prolific Consumer Panel took part in an online survey.

The resulting sample was reflective of the UK population in terms of age, sex, ethnicity and working status. The sample includes a good range of household incomes but, when compared with the UK Census 2021, overrepresents respondents with degrees or higher qualifications.

Just over half of respondents reported low legal confidence. That is, they believe they do not have a good knowledge and understanding of legal processes and of the steps to take to resolve a legal issue. Comparing this sample with that of the Legal Needs Survey 2020 suggests that this sample is less legally confident than average.

Just over a quarter of respondents had used a legal services provider in the last two years. However, other than legal confidence and awareness of specific regulators, there was no significant difference in responses between respondents that had recently used legal services and those that had not.

### Awareness of current regulation

This sample suggests that a large proportion of the public are not aware of how the legal market in England and Wales is regulated currently. Just over a third of respondents correctly indicated that some legal services are regulated and 9% correctly identified that there are between six and ten legal regulators in England and Wales. Having recently used a legal services provider does not improve a respondent's knowledge of legal regulation.

When respondents were shown the eight legal regulators and asked which they were aware of, a third were aware of the SRA and 4% had heard of CILEX. Awareness of the SRA was higher among respondents that had recently used a legal services provider.

### Confusion with legal service regulation



Following an explanation of how the legal market in England and Wales is regulated, 92% of respondents indicated that having different regulators is confusing. Of that 92%, 37% find it extremely confusing. A respondent's level of legal confidence affects this. While confusion remains high in both groups, those with lower legal confidence are significantly more likely to find having different regulators confusing than those with higher legal confidence. Almost all respondents with low legal confidence find having different regulators confusing.

## **Support for proposals**

Following an explanation of the proposals to transfer regulation of CILEX members to the SRA, respondents' level of support for the proposals was gauged:

- 80% support having similar standards for legal professionals regardless of whether they are a solicitor or CILEX lawyer.
- 90% support having similar protections for clients in the same area of law.
- 92% support making it clear to consumers the services which can be provided by solicitors and also by CILEX lawyers and which cannot.
- 90% agree that having one regulator providing information on the two types of lawyers is likely to make it easier to compare the legal services providers they regulate.
- 86% think having one regulator covering both legal professionals is better than separate ones.

With a sample of 1,000 respondents, we are 95% confident that a figure of 90% or higher is accurate to plus or minus two percentage points. Figures of 80% are accurate to plus or minus three percentage points.

Respondents were invited to comment on the proposals or regulation of legal services. Two thirds of the comments supported the proposals. They welcomed reducing the number of regulators feeling this would provide consistency, reduce confusion making it easier to compare legal services providers.

Ten per cent of views were negative. Among these respondents, some felt the proposals may lead to a loss of specialisation and the possible 'watering down' of legal services. Others raised concerns with the increased regulatory burden if insufficient resources are available and some opposed consolidation.

## **Introduction**

Following an approach by CILEX, the SRA agreed to enter formal discussions on a proposal to transfer the regulation of their members to the SRA. Between 14 August and 5 November 2023, CILEX consulted

their members on the proposals. The SRA consultation ran between 31 August and 22 November 2023.

To capture views on the proposals from the public, a questionnaire was devised by the SRA and launched online using the online consumer panel provider, Prolific. Fieldwork began on 14 November 2023 achieving the required representative sample of 1,000 respondents by the end of that day.

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## **[Questionnaire](#)**

The questionnaire initially gauged awareness of regulation of the legal market in England and Wales. It then explained how the legal market in England and Wales is regulated capturing awareness of the eight legal regulators. To reduce response bias, as respondents tend to choose the first options they see, the order the regulators were listed to respondents was randomised. Respondents were then asked how confusing they find it having different legal regulators for legal professionals that carry out similar work.

The difference between Chartered Legal Executives (CILEX lawyers) and solicitors was explained. The level of support or opposition to having the differences between the legal professionals made clear was captured along with support or opposition for having similar standards and protections for legal professionals in these areas. The ease of comparing legal service providers in these two areas was determined as well as the extent to which having one regulator covering CILEX lawyers and solicitors is better or worse than having separate regulators.

Respondents were asked for any comments they had on the proposals. Their recent use of legal services, their legal capability, household income and highest qualification were also captured. Prolific automatically collects demographic information for respondents taking part in the survey covering age, gender, ethnicity and working status.

The median completion time for the questionnaire was four minutes and 45 seconds.

A copy of the questionnaire is available in [Appendix A \[#heading\\_2b94\]](#).

## **[Sample](#)**

A representative sample of 1,000 respondents was stipulated and achieved. This means that the sample, the people answering the questions, reflects the UK population for age, sex, ethnicity and working status compared with the 2021 Census. A breakdown of the sample is provided in [Appendix B \[#heading\\_08d6\]](#).

Throughout the report, significance testing has been conducted at the 95% confidence level. Where reported, this means we can be 95% confident that any differences are real.

For a sample of 1,000, where at least 90% of respondents agree, the confidence interval at the 95% confidence level is +/- 2%. Where 80% (or below) of respondents agree, the confidence interval is +/- 3%.

The confidence interval is the range of values the true response is likely to fall between. The confidence level is how sure we are. For example, if 90% of respondents agree, with a confidence interval of +/-2% and a confidence level of 95% we can be 95% confident that the real value lies between 88% and 92%. The confidence intervals both for 95% and 99% confidence levels for each of the five proposals is shown in [Appendix C](#) [[#heading\\_e61f](#)].

When asked whether they had used a legal services provider to help them with a legal matter in the last two years, 28% had. Four per cent had had a legal matter but had not used legal services and 67% had not had a legal matter in the last two years. These data are shown in [Table 1.1](#) [[#table-1-1](#)].

Table 1.1: Have you used a legal services provider to help you with a legal matter in the last two years?

	Frequency	Per cent	Valid Per cent	Cumulative Per cent
Yes	280	28.0	28.0	28.0
No, I've not had a legal matter in the last two years	670	67.0	67.0	95.0
No, I've had a legal matter in the last two years but didn't use a legal services provider	40	4.0	4.0	99.0
I'd prefer not to say	10	1.0	1.0	100.0
<b>Total</b>	1000	100.0	100.0	

To gauge respondents' legal capability, respondents were asked their level of agreement that they have a good knowledge and understanding of legal processes and of the steps to take to resolve a legal issue. Just over a quarter of respondents (28%, n=1,000) agree they have a good knowledge with over half (55%) disagreeing ([Table 1.2](#) [[#table-1-2](#)]).

The Legal Needs Survey 2020 finds that 36% of all adults (n=28,663) have low legal confidence indicating they do not feel confident dealing with the hypothetical scenarios outlined in their research. In this research capturing views on the CILEX proposals, 55% disagree that they have a good legal knowledge and understanding of legal processes and of the

steps to take to resolve their issue. For this report, these respondents are classed as having low legal confidence. Although this research has not used the same approach to categorise legal confidence as the Legal Needs Survey, it could be inferred that broadly speaking, the respondents in this sample are less legally confident than average.

Table 1.2: To what extent do you agree or disagree that you have a good knowledge and understanding of legal processes and of the steps to take to resolve a legal issue

	<b>Frequency</b>	<b>Per cent</b>	<b>Valid Per cent</b>	<b>Cumulative Per cent</b>
Strongly agree	33	3.3	3.3	3.3
Somewhat agree	244	24.4	24.4	27.7
Neither agree nor disagree	178	17.8	17.8	45.5
Somewhat disagree	401	40.1	40.1	85.6
Strongly disagree	144	14.4	14.4	100.0
<b>Total</b>	<b>1000</b>	<b>100.0</b>	<b>100.0</b>	

Comparing use of legal services with levels of legal confidence shows that respondents that have used legal services in the last two years are significantly more likely to agree they have good knowledge and understanding of legal process and of the steps to take to resolve a legal issue than respondents that did not use legal services recently. Whether this higher confidence makes consumers more likely to use legal services or whether the use of legal services has led to the increase in confidence is not clear from these data.

Of the 280 respondents that had recently used legal services, 36% agreed they have a good knowledge and understanding of legal process and of the steps to take to resolve a legal issue. This figure is 23% among the 670 respondents that have not used legal services recently. This pattern is reflected when looking at respondents with low legal confidence. Although 44% of respondents that have recently used legal services disagree that they have a good knowledge and understanding of legal process, this figure is 60% among those that have not used legal services recently.

The questionnaire also captured respondents' income ([Table 1.3 \[#table-1-3\]](#)) and highest qualification ([Table 1.4 \[#table-1-4\]](#)) as these data are useful to determine any differences income or education level may have on responses.

Respondents with a broad range of income brackets are included in this sample. Just under a third of this sample have a household income below £30,000, just over a third have an income between £30,000 and £60,000 and almost a third have an income over £60,000.



When compared with the 2021 Census data for highest level of qualification, this sample over represents higher levels of education. Fifty nine per cent of this sample has a degree or higher qualification compared with 34% of the UK population. Just 1% of respondents in this sample have no qualifications compared with 18% of the UK population. Fourteen per cent of this sample have GCSEs as their highest qualification compared with 23% of the wider population.

Table 1.3: Roughly, what is your household annual income before any deductions such as income tax or National Insurance?

	<b>Frequency</b>	<b>Per cent</b>	<b>Valid Per cent</b>	<b>Cumulative Per cent</b>
Under £20,000	132	13.2	13.2	13.2
£20,000 to £29,999	163	16.3	16.3	29.5
£30,000 to £39,999	156	15.6	15.6	45.1
£40,000 to £49,999	107	10.7	10.7	55.8
£50,000 to £59,999	95	9.5	9.5	65.3
£60,000 to £69,999	94	9.4	9.4	74.7
£70,000 to £79,999	74	7.4	7.4	82.1
£80,000 to £89,999	41	4.1	4.1	86.2
£90,000 to £99,999	52	5.2	5.2	91.4
£100,000 or more	51	5.1	5.1	96.5
I'd prefer not to say	35	3.5	3.5	100.0
<b>Total</b>	1000	100.0	100.0	

Table 1.4: What is your highest qualification?

	<b>Frequency</b>	<b>Per cent</b>	<b>Valid Per cent</b>	<b>Cumulative Per cent</b>
A degree, equivalent or above	594	59.4	59.4	59.4
A level or equivalent	162	16.2	16.2	75.6
O level or GCSE equivalent	143	14.3	14.3	89.9
Trade apprenticeship or equivalent	43	4.3	4.3	94.2
Another qualification	47	4.7	4.7	98.9

None of the above	10	1.0	1.0	99.9
I'd prefer not to say	1	.1	.1	100.0
<b>Total</b>	1000	100.0	100.0	

It is not possible from the demographic data provided by Prolific to determine which country of the United Kingdom respondents live in. However, Prolific captures which languages respondents are fluent in. In this sample five respondents indicated fluency in Welsh. These data are identified as The Law Society has raised concerns about elements of these proposals for Welsh speakers. Due to the small sample size, their views are unlikely to reflect the wider population but are included for interest.

## [Report layout](#)

Following this introduction, Section 2 covers the findings. Supporting information is provided in the [Appendices \[#heading\\_2b94\]](#).

## Findings

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### [Awareness of current regulation](#)

Data from this sample indicate that a large proportion of the public are not aware how the legal market in England and Wales is regulated.

Respondents were asked whether all, some or no legal services in England and Wales are regulated. [Table 2.1 \[#table-2-1\]](#) shows these data indicating that two thirds of respondents incorrectly think that all legal services are regulated. Just over a third of respondents correctly identified that some legal services are regulated.

Having used a legal services provider in the last two years does not improve a respondent's knowledge of legal regulation. Among the 280 respondents that had used a legal services provider in the last two years, 65% indicated that all legal services are regulated compared with 66% of the 670 respondents that had not used a legal services provider. This difference is not significant at the 95% confident level meaning there is unlikely to be a real difference between groups. The questionnaire did not capture which type of legal services provider a respondent had used.

Table 2.1: As far as you are aware, which of the following statements best describes how legal services providers in England and Wales are currently regulated:

Frequency	Per cent	Valid Per cent	Cumulative Per cent
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All legal services providers are regulated	658	65.8	65.8	65.8
Some legal services providers are regulated	341	34.1	34.1	99.9
No legal services providers are regulated	1	.1	.1	100.0
<b>Total</b>	1000	100.0	100.0	

Respondents that indicated that all or some legal services providers are regulated were then asked how many legal service regulators they think there are in England and Wales. [Table 2.2](#) shows that just nine per cent of respondents correctly identified that there are between six and ten. Over a fifth of respondents thought there is just one legal services regulator.

Table 2.2: How many legal services regulators do you think there are in England and Wales?

	<b>Frequency</b>	<b>Per cent</b>	<b>Valid Per cent</b>	<b>Cumulative Per cent</b>
One	217	21.7	21.7	21.7
Between two and five	326	32.6	32.6	54.4
<b>Valid</b> Between six and ten	94	9.4	9.4	63.8
More than ten	104	10.4	10.4	74.2
Don't know	258	25.8	25.8	100.0
Total	999	99.9	100.0	
<b>Missing</b> System	1	.1		
<b>Total</b>	1000	100.0		

Of the five fluent Welsh speakers, four thought all legal services providers in England and Wales are regulated either not knowing how many regulators there are or indicating there are between two and five. One fluent Welsh speaker indicated that some legal services providers are regulated but did not know how many legal regulators there are in England and Wales.

## Regulators

The questionnaire then set out that some legal work in England and Wales can only be done by lawyers and law firms that are regulated. It explained that being regulated means providers:

- are appropriately trained and authorised
- must follow certain rules and meet high ethical standards





- can face disciplinary action if they fail to meet the required standards.

The questionnaire advised that there are eight separate legal regulators. Each regulator has different rules about what the lawyers and firms they regulate can and cannot do. In some cases, different regulators have different rules for the professionals they regulate in similar areas of law.

The legal regulators can also help the clients of the people and firms they regulate when some things go wrong. Each regulator has different arrangements for this. Some give clients more protection than others. For example, access to different levels of insurance for professional negligence or compensation where there are ethical failures.

Respondents were advised that more detail about regulated legal services and types of regulated lawyers was at the bottom of the page. This text stated the following:

'Legal services that are regulated include activities such as appearing in court or bringing legal action (litigation) on behalf of a client, buying and selling property, applying for probate when someone dies and administering oaths. Regulated lawyers include solicitors, barristers, Chartered Legal Executives and others. Other legal work, such as advising on employment issues or contracts, can be done by people and firms who are not regulated. However, if other legal work, such as advising on employment issues or contracts is done by someone that is regulated, those individuals are subject to rules and ethical expectations.'

Respondents were then shown a list of the eight legal regulators in England and Wales and asked which ones they were aware of. To reduce response bias, as respondents tend to choose the first options they see, the order the regulators were listed to respondents was randomised.

Just over half of respondents were aware of the Institute of Chartered Accountants in England and Wales (ICAEW), a third were aware of the SRA and four per cent were aware of CILEx Regulation Limited. Almost a third of respondents were not aware of any of the eight legal regulators. Figure 2.1 shows these data.

Figure 2.1 - Awareness of legal regulators

Having used a legal services provider in the last two years significantly improves awareness of some legal regulators.

Awareness of ICAEW, SRA and CLC is significantly higher among respondents that used a legal services provider in the last two years compared with those that had not used a legal services provider during that time. For the remaining legal regulators, a respondent's use of legal services does not significantly improve awareness although for some, sample sizes are small so may not be reflective of the wider population.

Respondents indicating that they were unaware of any of the regulators listed, is significantly higher among those that have not used a legal services provider in the last two years than those that have used legal services. [Table 2.3](#) [[#table-2-3](#)] shows these data (excludes those that had a legal matter but did not use legal services and preferred not to say due to small sample sizes).

Three fluent Welsh speakers had used a legal services provider in the last two years. Of these, one was aware of ICAEW, one was aware of the SRA and one was not aware of any regulators. Both fluent Welsh speakers that had not used legal services recently were aware of ICAEW.

Table 2.3: Awareness of legal regulators by use of legal services in last two years

Regulator	Has used LSP in last 2 years			Not used LSP in last 2 years			Significant difference
	# aware	Total	%	# aware	Total	%	
ICAEW	160	280	<b>57</b>	336	670	50	Yes
SRA	117	280	<b>42</b>	203	670	30	Yes
BSB	88	280	31	173	670	26	No
CLC	69	280	<b>25</b>	98	670	15	Yes
IPREG	36	280	13	70	670	10	No
CILEx	18	280	6	21	670	3	No
CLSB	8	280	3	17	670	3	No



Master of Faculties	4	280	1	5	670	1	No
None of the above	64	280	23	215	670	<b>32</b>	Yes

### Confusion with current regulation of the legal market

Respondents were asked the extent to which they think having different regulators for legal professionals that carry out similar work is confusing. Ninety two per cent of respondents think having different regulators is confusing. Of that 92%, over a third think it is extremely confusing. Just eight per cent did not think that having different regulators for legal professionals that carry out similar work is confusing (Table 2.4)

Table 2.4: Please indicate the extent to which you think having different regulators for legal professionals that carry out similar work is confusing

	Frequency	Per cent	Valid Per cent	Cumulative Per cent
Not confusing at all	82	8.2	8.2	8.2
Slightly confusing	552	55.2	55.2	63.4
Extremely confusing	366	36.6	36.6	100.0
<b>Total</b>	<b>1000</b>	<b>100.0</b>	<b>100.0</b>	

Whether or not a respondent has recently used legal services, their household income and level of education does not affect whether a respondent finds having different legal regulators confusing. There is no significant difference in confusion levels for those with household incomes under £30,000, between £30,000 and £60,000 and over £60,000 or between those whose highest qualification is a degree (or above), A levels or GCSEs (or equivalent).

However, a respondent's legal confidence does affect this. While confusion remains high in both groups, those with lower legal confidence are significantly more likely to find having different regulators confusing than those with higher legal confidence.

Of the 277 respondents that agreed they had a good knowledge and understanding of legal processes and of the steps to take to resolve a legal issue, 87% indicated they found having different legal regulators confusing. This compares with 97% of the 545 respondents that disagreed that they have a good knowledge and understanding of legal processes.

Among the five respondents that are fluent in Welsh, three hold neutral views (neither agree nor disagree) on whether they have a good knowledge and understanding of legal processes and of the steps to take



to resolve a legal issue. Of these three, two find having different legal regulators extremely confusing, and one is not confused at all. The remaining two Welsh speakers both find having different legal regulators slightly confusing. One somewhat agrees they have good legal knowledge, and one somewhat disagrees. Four of the five fluent Welsh speakers find having different legal regulators confusing.

## **Support for proposals**

The questionnaire provided the following explanation:

'Chartered Legal Executives (CILEX lawyers) and solicitors are two different types of lawyers.

Solicitors are qualified to do nearly all types of legal work. However, CILEX lawyers go through a more targeted training and qualification process, and only have approval to do specific types of legal work. Their specialisms are Employment, Immigration, Business, Litigation, Probate and Conveyancing.

There are around 160,000 practising solicitors and they are regulated by the Solicitors Regulation Authority (SRA). There are around 7,000 CILEX lawyers, regulated by CILEX Regulation.

There is a proposal that rather than having separate regulators for CILEX lawyers and SRA-regulated solicitors, these legal professionals are regulated by one organisation, the SRA.

The aim of having one regulator would be to have similar high professional standards for both types of professional. This would mean the rules on what CILEX lawyers and their law firms can and cannot do will be closely aligned while recognising the different scope and context of their practice.'

Respondents were then asked for their levels of support or opposition to three elements of the proposals:

- having similar standards for legal professionals regardless of whether they are a solicitor or CILEX lawyer
- having similar protections for clients in the same area of law
- making it clear to consumer the services which can be provided by solicitors and also by CILEX lawyers and which cannot.

At least 90% of respondents support having similar protections and making it clear which services can be provided by solicitors and CILEX lawyers. Eighty per cent support having similar standards. A respondent's legal confidence, recent use of legal service, income or education level does not significantly affect support for each of the three proposals.

A summary of these findings is shown in Table 2.5 to 2.8.

Table 2.5: Support or opposition to proposals (n=1,000)

<b>Proposal</b>	<b>Support %</b>	<b>Opposition %</b>
having similar standards for legal professionals regardless of whether they are a solicitor or CILEX lawyer	80%	5%
having similar protections for clients in the same area of law	90%	2%
making it clear to consumers the services which can be provided by solicitors and also by CILEX lawyers and which cannot.	92%	2%

Respondents were also asked whether having one regulator providing information on the two types of lawyers is likely to make it easier to compare the legal services providers they regulate. They were also asked whether changing it so there is one regulator covering CILEX lawyers and solicitors within the legal market is better or worse.

- 90% agree that having one regulator providing information on the two types of lawyers is likely to make it easier to compare the legal services providers they regulate.
- 86% of respondents think having one regulator covering both legal professionals is better.

More details on the above two points are provided in Tables 2.9 and 2.10.

The following five sub-sections provide more details on each proposal and the descriptions given to respondents.

### **Similar standards**

Table 2.6: To what extent do you support or oppose having similar standards for legal professionals regardless of whether they are a solicitor or CILEX lawyer?

	<b>Frequency</b>	<b>Per cent</b>	<b>Valid Per cent</b>	<b>Cumulative Per cent</b>
Strongly support	338	33.8	33.8	33.8
Somewhat support	461	46.1	46.1	79.9
Neither support nor oppose	154	15.4	15.4	95.3
Somewhat oppose	44	4.4	4.4	99.7
Strongly oppose	3	.3	.3	100.0
<b>Total</b>	1000	100.0	100.0	

Four of the five fluent Welsh speakers strongly support having similar standards for legal professionals and one somewhat opposes it.

A respondent's legal confidence, recent use of legal service, income or education level does not significantly affect support for having similar standards.

## Protections

The questionnaire then explained that, in most cases, under these proposals, the protections for the clients of all these lawyers and firms will also become more similar. Currently, the SRA arrangements provide higher levels of cover and redress for clients than the CILEx Regulation arrangements if something goes wrong, for instance, if your money goes missing. Respondents were then asked the extent to which they support or oppose having similar protections for clients in the same area of law.

[Table 2.7](#) [table-2-7] shows that 90% of respondents support having similar protections for clients in the same area of law; just 2% oppose this.

Table 2.7: To what extent do you support or oppose having similar protections for clients in the same area of law?

	<b>Frequency</b>	<b>Per cent</b>	<b>Valid Per cent</b>	<b>Cumulative Per cent</b>
Strongly support	533	53.3	53.3	53.3
Somewhat support	365	36.5	36.5	89.8
Neither support nor oppose	78	7.8	7.8	97.6
Somewhat oppose	23	2.3	2.3	99.9
Strongly oppose	1	.1	.1	100.0
<b>Total</b>	1000	100.0	100.0	

Four of the five fluent Welsh speakers support (three strongly) having similar protections and one somewhat opposes it.

A respondent's legal confidence, recent use of legal service, income or education level does not significantly affect support for having similar protections.

## Service clarity

It was then explained to respondents that, under the proposals for one regulator for solicitors and CILEX lawyers, the aim is to make it clear to consumers the services which can be provided by solicitors and also by CILEX lawyers and which cannot. The level of support for this was captured.



[Table 2.8 \[#table-2-8\]](#) shows that 92% of respondents support making it clear to consumers the services which can be provided by solicitors and also by CILEX lawyers and which cannot; just 2% oppose this.

Table 2.8: To what extent do you support or oppose having the differences between the services solicitors and CILEX lawyers can provide be made clear?

	<b>Frequency</b>	<b>Per cent</b>	<b>Valid Per cent</b>	<b>Cumulative Per cent</b>
Strongly support	670	67.0	67.0	67.0
Somewhat support	254	25.4	25.4	92.4
Neither support nor oppose	61	6.1	6.1	98.5
Somewhat oppose	13	1.3	1.3	99.8
Strongly oppose	2	.2	.2	100.0
<b>Total</b>	<b>1000</b>	<b>100.0</b>	<b>100.0</b>	

A respondent's legal confidence, recent use of legal service, income or education level does not significantly affect support for making it clear to consumers the services which can be provided by solicitors and also by CILEX lawyers and which cannot. Four of the five fluent Welsh speakers strongly support this, and one somewhat opposes it.

### Ease of comparison

The level of agreement that having one regulator providing information on the two types of lawyers is likely to make it easier to compare the legal service providers they regulate was also captured.

[Table 2.9 \[#table-2-9\]](#) shows that 90% of respondent agree that having one regulator providing information on the two types of lawyers is likely to make it easier to compare the legal service providers they regulate. Just three per cent disagree.

Table 2.9: To what extent do you agree or disagree that having one regulator, providing information on these two types of lawyers, is likely to make it easier to compare the legal services providers they regulate?

	<b>Frequency</b>	<b>Per cent</b>	<b>Valid Per cent</b>	<b>Cumulative Per cent</b>
Strongly agree	521	52.1	52.1	52.1
Somewhat agree	374	37.4	37.4	89.5
Neither agree nor disagree	78	7.8	7.8	97.3
Somewhat disagree	24	2.4	2.4	99.7
Strongly disagree	3	.3	.3	100.0
<b>Total</b>	<b>1000</b>	<b>100.0</b>	<b>100.0</b>	

All of the five fluent Welsh speaking respondents agree (four strongly) that having one regulator, providing information on these two types of lawyers, is likely to make it easier to compare the legal services provides they regulate.

A respondent's legal confidence, recent use of legal service, income or education level does not significantly affect support for this.

## Improvement

The extent to which changing it so there was one regulator covering CILEX lawyers and solicitors within the legal market would make it better or worse was determined. [Table 2.10](#) shows that 86% of respondents think having one regulator covering both legal professionals is better. Of these, almost half think it is much better. Five per cent think it is worse.

Table 2.10: Please indicate the extent to which you think changing it so there was one regulator covering CILEX lawyers and solicitors within the legal market is better or worse than having two separate regulators

	<b>Frequency</b>	<b>Per cent</b>	<b>Valid Per cent</b>	<b>Cumulative Per cent</b>
Much better	470	47.0	47.0	47.0
Slightly better	391	39.1	39.1	86.1
No change	91	9.1	9.1	95.2
Slightly worse	46	4.6	4.6	99.8
Much worse	2	.2	.2	100.0
<b>Total</b>	1000	100.0	100.0	

All of the five fluent Welsh speakers indicated it was better (four cited 'much better') changing it so one regulator covers CILEX lawyers and solicitors.

A respondent's legal confidence, recent use of legal service, income or education level does not significantly affect support for this.

## Further comments

Respondents were asked to make any comments about this subject or the regulation of legal services in general. Each of these comments were read with each point made within each comment being given a code so that common themes could be determined. Overall, 195 points were mentioned from the 156 respondents that left comments.

Two thirds of comments supported the proposals as 128 points welcomed reducing the number of regulators feeling this would provide





consistency, reduce confusion making it easier to compare legal services providers.

Comments included:

'For most people including myself the thought of hiring a lawyer can be a daunting process simply because we are not educated on the different types. Not every lawyer can cover everything so a regulator that joins up the dots for you would definitely make it easier.'

'Law is confusing to people. Standardisation and clarity of message are extremely important aspirations.'

'I think having multiple regulatory bodies and so many different standards makes it difficult for the average person to find who is best for them. It is also important to remember that when someone needs aid from a lawyer they are likely at a vulnerable point in their lives and need to understand things clearly.'

'Legal services are usually very expensive and confusing. Any way to streamline them and have a one source of truth would be good.'

Ten per cent of the views provided (20 points) were negative. Six points indicated the proposals may lead to a loss in specialism, raising concerns about possible watering down of legal services.

'I feel as if two separate regulators are still best so that the specialised Lawyers get more scrutiny. If anything, there should be more consumer protections and scrutiny on the specialised lawyers.'

'Most people will need legal services at least three or four times in their lives so it is important when persons are not as aware of



what various legal professionals offer that explanations are clear. However, I see through this that such regulations effecting legal service should not be 'watered down'.'

Four points mentioned concerns with the increased regulatory burden if insufficient resources are available and three points did not favour consolidation.

'With regulation comes inspection, complaints procedures and sanctions. Any revision to the regulation system needs to ensure sufficient resources are available to do the job properly.'

'It makes sense that there is only one body regulating the different areas of legal services, but I do wonder if the 'one' body could end up being viewed negatively in the same way Ofsted often is and who will hold the regulator to a high standard of ethics in a field that requires regulation to be based on 'law' and 'statute' and not favours or deals behind closed doors.'

The remaining negative sentiment included two concerns about a possible reduction in service quality. There were a couple of concerns for paralegals and legal executives being given the same level of scrutiny but not equivalent pay and that CILEX lawyers would be disadvantaged seeing more changes. Two comments cited negative sentiment regarding the SRA.

None of the five fluent Welsh speakers left a comment.

The coded comments are shown in [Table 2.11 \[#table-2-11\]](#). Positive sentiment for the proposals is shown in green, negative sentiment is shown in red.

Table 2.11: open comment - coded

	Responses		Percent of Cases
	N	Percent	
Makes sense to have one regulator/reduce regulators	56	28.7%	35.7%
increase harmony/consistency	14	7.2%	8.9%



reduce confusion/easier to understand	56	28.7%	35.7%
improve comparison	2	1.0%	1.3%
Difficult to regulate that number of lawyers (unless expand resources to cope)	4	2.1%	2.5%
quality of service may drop	1	0.5%	0.6%
never realised it was so complicated/so many regulators	16	8.2%	10.2%
all legal services should be regulated/the same	5	2.6%	3.2%
concern paralegals/Legal execs given same level of scrutiny but not pay/training	1	0.5%	0.6%
thought everyone was covered the same	4	2.1%	2.5%
probably being done to save costs/negative for service users/providers	1	0.5%	0.6%
public should be made aware of potential different levels of cover/regulation	3	1.5%	1.9%
suggested improvements for legal services	5	2.6%	3.2%
CILEX lawyers may be at a disadvantage as lot of change for them	1	0.5%	0.6%
Legal set up needs a shake up	1	0.5%	0.6%
negative sentiment about legal system	3	1.5%	1.9%
one regulator means single point of failure/hard to impose change/open to corruption	3	1.5%	1.9%
positive sentiment about regulation	4	2.1%	2.5%
Having specialists is an advantage, this leads to a jack of all approach/loss of specialism	4	2.1%	2.5%
negative sentiment on research (not helpful asking people that don't know legal market/bias)	3	1.5%	1.9%
SRA proven it can't be trusted to regulate due to SQE/negative sentiment re SRA	2	1.0%	1.3%
It's a nonsense it's taken so long to address this	1	0.5%	0.6%
unregulated may become unemployed and need re-training	1	0.5%	0.6%
Why are there eight at present, perhaps needed for specialism?	1	0.5%	0.6%
Legal services should not be watered down	2	1.0%	1.3%
differences in earnings should be clearer to consumer	1	0.5%	0.6%
<b>Total</b>	<b>195</b>	<b>100.0%</b>	<b>124.2%</b>

## Appendices



[Open all \[#\]](#)

## **[Appendix A](#)**

### **Views on proposals for legal services regulation**

**1)** Please enter your Prolific ID (24 alphanumeric characters)\*

**2)** As far as you are aware, which of the following statements best describes how legal services providers in England and Wales are currently regulated:\*

- All legal services providers are regulated
- Some legal services providers are regulated
- No legal services providers are regulated

**3)** How many legal services regulators do you think there are in England and Wales?\*

- One
- Between two and five
- Between six and ten
- More than ten
- Don't know

**4)** Some legal work in England and Wales can only be done by lawyers and law firms that are regulated. Being regulated means providers:

- are appropriately trained and authorised
- must follow certain rules and meet high ethical standards
- can face disciplinary action if they fail to meet the required standards.

If you are interested, more details of regulated legal services and types of regulated lawyers are shown at the bottom of this page.

There are eight separate legal regulators. Each regulator has different rules about what the lawyers and firms they regulate can and cannot do. In some cases, different regulators have different rules for the professionals they regulate in similar areas of law. The legal regulators can also help the clients of the people and firms they regulate when some things go wrong. Each regulator has different arrangements for this. Some give clients more protection than others. For example, access to different levels of insurance for professional negligence or compensation where there are ethical failures.

Which of the following legal regulators are you aware of:\* [Select multiple options]

- Solicitors Regulation Authority (SRA)



- Bar Standards Board (BSB)
- CILEx Regulation Limited (CRL)
- Intellectual Property Regulation Board (IPREG)
- Council for Licensed Conveyancers (CLC)
- Costs Lawyer Standards Board (CLSB)
- Master of the Faculties
- Institute of Chartered Accountants in England and Wales (ICAEW)
- None of the above

Legal services that are regulated include activities such as appearing in court or bringing legal action (litigation) on behalf of a client, buying and selling property, applying for probate when someone dies and administering oaths. Regulated lawyers include solicitors, barristers, Chartered Legal Executives (CILEX lawyers) and others. Other legal work, such as advising on employment issues or contracts, can be done by people and firms who are not regulated. However, if other legal work, such as advising on employment issues or contracts is done by someone that is regulated, those individuals are subject to rules and ethical expectations.

**5)** Please indicate the extent to which you think having different regulators for legal professionals that carry out similar work is confusing.\*

- Not confusing at all
- Slightly confusing
- Extremely confusing

**6)** Chartered Legal Executives (CILEX lawyers) and solicitors are two different types of lawyers.

Solicitors are qualified to do nearly all types of legal work. However, CILEX lawyers go through a more targeted training and qualification process, and only have approval to do specific types of legal work. Their specialisms are Employment, Immigration, Business, Litigation, Probate and Conveyancing. There are around 160,000 practising solicitors and they are regulated by the Solicitors Regulation Authority (SRA). There are around 7,000 CILEX lawyers, regulated by CILEx Regulation Limited.

There is a proposal that rather than having separate regulators for CILEX lawyers and SRA-regulated solicitors, these legal professionals are regulated by one organisation, the SRA.

The aim of having one regulator would be to have similar high professional standards for both types of professional. This would mean the rules on what CILEX lawyers and their law firms can and cannot do will be closely aligned while recognising the different scope and context of their practice.



To what extent do you support or oppose having similar standards for legal professionals regardless of whether they are a solicitor or CILEX lawyer?\*

- Strongly support
- Somewhat support
- Neither support nor oppose
- Somewhat oppose
- Strongly oppose

**7)** Under these proposals, in most cases, the protections for the client of all these lawyers and firms will also become more similar. At the moment, the SRA arrangements provide higher levels of cover and redress for clients than the CILEX Regulation arrangements if something goes wrong, for instance, if your money goes missing.

To what extent do you support or oppose having similar protections for clients in the same area of law?\*

- Strongly support
- Somewhat support
- Neither support nor oppose
- Somewhat oppose
- Strongly oppose

**8)** Under the proposals for one regulator for solicitors and CILEX lawyers, the aim is to make it clear to consumers the services which can be provided by solicitors and also by CILEX lawyers and which cannot.

To what extent do you support or oppose having these differences made clear?\*

- Strongly support
- Somewhat support
- Neither support nor oppose
- Somewhat oppose
- Strongly oppose

**9)** To what extent do you agree or disagree that having one regulator, providing information on these two types of lawyers, is likely to make it easier to compare the legal services providers they regulate?\*

- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

**10)** Please indicate the extent to which you think changing it so there was one regulator covering CILEX lawyers and solicitors within the legal



market is better or worse than having two separate regulators.\*

- Much better
- Slightly better
- No change
- Slightly worse
- Much worse

**11)** If you wish to make any comments about this subject or the regulation of legal services in general, please write them below.

**12)** Have you used a legal services provider to help you with a legal matter in the last two years?\*

- Yes
- No, I've not had a legal matter in the last two years
- No, I've had a legal matter in the last two years but didn't use a legal services provider
- I'd prefer not to say

**13)** To what extent do you agree or disagree that you have a good knowledge and understanding of legal processes and of the steps to take to resolve a legal issue.\*

- Strongly agree
- Somewhat agree
- Neither agree nor disagree
- Somewhat disagree
- Strongly disagree

**14)** Roughly, what is your household annual income before any deductions such as income tax or National Insurance?\*

- Under £20,000
- £20,000 to £29,999
- £30,000 to £39,999
- £40,000 to £49,999
- £50,000 to £59,999
- £60,000 to £69,999
- £70,000 to £79,999
- £80,000 to £89,999
- £90,000 to £99,999
- £100,000 or more
- I'd prefer not to say

**15)** What is your highest qualification?\*

- A degree, equivalent or above
- A level or equivalent
- level or GCSE equivalent



- Trade apprenticeship or equivalent
- Another qualification
- None of the above
- I'd prefer not to say

## **Appendix B**

The sample breaks down as follows (n=1,000):

### **Sex**

- Male = 49%
- Female = 51%

### **Age**

- 18-24 = 8%
- 25-34 = 22%
- 35-44 = 19%
- 45-54 = 16%
- 55-64 = 22%
- 65+ = 14%

### **Ethnicity**

- Asian = 7%
- Black = 3%
- Mixed = 2%
- Other = 1%
- White = 87%

### **Working status**

- Due to start a new job within the next month = 0%
- Full-time = 51%
- Part-time = 18%
- Not in paid work (e.g. homemaker, retired or disabled) = 24%
- Unemployed (and job seeking) = 4%

Other = 3%

## **Appendix C**

The confidence interval is the range of values the true response is likely to fall between. The confidence level is how sure we are. For example, if 90% of respondents agree, with a confidence interval of +/-2% and a confidence level of 95% we can be 95% confident that the real value lies between 88% and 92%. In other words, we are 95% confident that that the figure of 90% is accurate to plus or minus two percentage points.



At the 95% confidence level, for a sample of 1,000, where at least 90% of respondents agree, the confidence interval is +/- 2%. Where 80% (or below) of respondents agree, the confidence interval is +/- 3%.

At the 99% confidence interval, for a sample of 1,000, where at least 90% of respondents agree, the confidence interval is +/- 3%. Where 80% (or below) of respondents agree, the confidence interval is +/- 4%.

Table 3.1: Accuracy range for each proposal

	<b>Confidence level</b>	
	<b>95%</b>	<b>99%</b>
Support having similar standards for legal professionals regardless of whether they are a solicitor or CILEX lawyer.	77% to 83%	76% to 84%
Support having similar protections for clients in the same area of law.	88% to 92%	87% to 93%
Support making it clear to consumers the services which can be provided by solicitors and also by CILEX lawyers and which cannot.	90% to 94%	89% to 95%
Agree that having one regulator providing information on the two types of lawyers is likely to make it easier to compare the legal services providers they regulate.	88% to 92%	87% to 93%
Think having one regulator covering both legal professionals is better than separate ones	83% to 89%	82% to 90%