



Consumer Panel Briefing – Legal Services in 2020

Origins of the report

The Legal Services Board is developing a new three-year strategy for the period 2015-18. To inform this work, it commissioned the Panel to answer the following question:

“What developments in the period to 2020 are most likely to have an impact on the consumers of legal services and what should guide how the LSB and approved regulators respond to them?”

Key developments

The report identifies four broad and interrelated developments:

- **Self-lawyering** – the need to make legal services more affordable, and other forces, will mean consumers seek alternatives to lawyers or use them in different ways. These options will include technology-enabled DIY solutions, unbundled provision and new regulated and unregulated entrants. Reflecting the new funding realities, calls will grow for radical solutions, such as an inquisitorial style of justice and online dispute resolution, that cut lawyers out altogether.
- **Influence of technology** – technology will go to the heart of all aspects of legal services in future. It has the potential to greatly enhance access to justice, but it shouldn't be viewed as a panacea since many people aren't online and it can't always substitute effectively for the human touch. Technology will assist consumers in lots of ways but also bring new 'digital detriments' to contend with.
- **Consumer behaviour** – across the economy, bolstered by strengthened consumer rights, transparency on provider performance and greater access to redress, and aided by sophisticated intermediaries, traditional consumer-business relationships will be turned on their head. The extent to which legal services will mirror these differences is unclear and will depend in part on enabling informed consumer choice. However, there's a risk that vulnerable consumers won't benefit fully from the reforms as initiatives end up most benefiting those who are already empowered.
- **Market changes** – observers think the law will be unrecognisable by 2020. Certainly it's likely to become a more business-like environment; this will deliver benefits but also bring sophisticated marketing and commercial practices seen in other markets that have caused detriment. As professional boundaries continue to blur there will be greater focus on whether competition between groups of lawyer is working fairly. Unregulated businesses are likely to become a greater presence in the market.

Guiding principles for regulators

The report identifies five principles which should guide the regulatory response:

- **Act to ensure the reforms benefit everyone** – we are optimistic overall about the future, but action is necessary to ensure vulnerable consumers are not left behind and to empower all consumers to get the most from the market.
- **Adapt to the changing pattern of risks** – regulators will need to move with the times to protect consumers from the different risks associated with new technologies and a more business-like environment, by updating their toolkits, acquiring new skills and forging new partnerships with general consumer protection agencies.
- **Rethink consumer protections** – depending on the situation a combination of further liberalisation and strengthening protections will be needed to ensure that regulation is targeted in the right place and does the job it is designed for; action must embrace the whole legal services ecosystem not just the small regulated part.
- **Work in different ways** – an effective regulatory response should involve thought leadership on novel and challenging issues, removing barriers to innovation and efforts to raise standards and extend access to redress in unregulated markets.
- **Maintain pressure for legislative reform** – digital markets, unregulated providers, a blurring of professional boundaries and other developments, will place further strain on the current legislative framework, creating a need to build consensus around the change that is needed and secure political commitment on implementation.

For more information:
[2020 Legal Services](#)

About the Legal Services Consumer Panel

The Legal Services Consumer Panel is a central feature of a regulatory framework in England and Wales which is designed to transform the legal services market around the needs of its users. Created by the Legal Services Act 2007 we are an independent arm of the Legal Services Board. As a permanent, discrete champion for consumers we have an essential responsibility to ensure that regulators are able to consider and act on the user perspective.

November 2014



Legal Services Board
One Kemble Street
London WC2B 4AN

T 020 7271 0076

www.legalservicesconsumerpanel.org.uk