

CILEX CONSUMER FOCUS GROUPS RESEARCH REPORT



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Objectives

- To understand the consumer opinion on the proposed CILEX reform agenda, namely:
 - New Chartered Lawyer job titles, examples of which include Chartered CILEX Probate Lawyer and Chartered CILEX Immigration Lawyer
 - All lawyers regulated by the same regulatory body.
 - All lawyers subject to the same code of conduct
 - All lawyers having consistent consumer protection.
 - Addition of a combined online register to compare and search for all lawyers in one place.
- To understand what information consumers need in order to search for and choose a lawyer.

Methodology

The research was conducted by LJE Research Ltd, an independent market research company based in the UK.

Two consumer focus groups with 14 participants were held online via Zoom. The groups were moderated by Lucie Emery, an experienced qualitative researcher.

Respondents were from a variety of backgrounds, ages and lifestyles, but all had used legal services within the last 5 years.

Respondents were shown slides during the discussion (See Appendix 1) to explain the role of Chartered Legal Executives and the proposed changes under the reform agenda.

Executive Summary

- Limited awareness of Chartered Legal Executives among consumers leads to varied misconceptions arising from the job title; some perceive it as a senior role, while most consider it junior to solicitors.
- There is an increased interest in Chartered Legal Executives once consumers receive an explanation of their role; however, solicitors dominate legal representation as consumers display limited awareness of alternatives.
- Consumers tend to overlook details such as qualifications and regulatory status when searching for legal services. Additionally, online directories are underutilised, indicating untapped potential which would give improved consumer awareness.
- Proposed changes to the job title receive support, with some recommending placing ‘CILEX’ in brackets at the end for clarity and to align with the placing of qualifications in other professional circumstances.
- Consumers express a preference for unified regulation, giving a single regulatory body overseeing both solicitors and Chartered Legal Executives. This preference aligns with the perception that uniform practice standards are crucial for enhancing credibility.
- There is an expectation that consumer protection should already be consistent for both solicitors and Chartered Legal Executives, and this change would offer an extra layer of reassurance to consumers.
- Consumers would appreciate the introduction of an online register encompassing both solicitors and Chartered Legal Executives, streamlining the process of finding legal representation.

Detailed Findings

Awareness of Chartered Legal Executives

Consumers display a notable lack of familiarity with Chartered Legal Executives, with the majority encountering the job role for the first time during the focus groups. This limited awareness prompts assumptions primarily derived from the job title.

A minority mistakenly perceive it as a Senior Executive role, while the prevailing belief is that it corresponds to a junior position akin to a Legal Secretary or Paralegal. None of the consumers correctly identified the role as that of a 'fully qualified specialist lawyer authorised to conduct the same legal activities as a solicitor in a specified area of law.'

"I've never heard of it until now to be honest with you. For me it makes it feel like it's somebody under a solicitor, who's supporting a solicitor. But I don't know anything about it."

"I think for me, you're either a solicitor or a barrister. When it comes to legal [roles], that's what you think of. The 'Executive' sounds very much like the American paralegals, so, it doesn't really inspire any confidence in me."

"It doesn't indicate at all what they do, there's not really a clue in the name. Maybe something like 'Specialised Legal Executive' that would help you understand that they were specialised. But from the name, no one here understood what it meant, and I think that's a good indication that the name is not really suitable for the role."

For some consumers, the job title eclipses any attempt to explain the actual responsibilities of a Chartered Legal Executive, leading to the persistent misconception that the role is inferior to that of a solicitor. Some even question their competence and level of authorisation to perform legal work. This underscores the impact of the inadequately phrased job title, fostering an environment where consumers readily form inaccurate assumptions about Chartered Legal Executives, their qualifications, and capabilities.

“It just feels like they are second best, like they couldn't make it as the real thing, so they went for the next best thing.”

“I'm feeling that as well, because otherwise why aren't they called the same thing.”

The perceived lower-tier job title creates an expectation that a Chartered Legal Executive would charge less than a solicitor. If the disparity in job titles is not addressed, consumers are likely to face confusion when presented with the fees of a Chartered Legal Executive. This lack of understanding may lead them to opt for a solicitor under the misconception that they are securing superior representation, further highlighting the need to rectify the job title mismatch.

Upon receiving an explanation of the role, there is a noticeable increase in interest from consumers regarding the use of Chartered Legal Executives for legal representation. Some consumers express openness to considering this route in the future, with the primary obstacle being the initial lack of knowledge. While Chartered Legal Executives may not be universally suitable, the current constraint on consumer choice stems from a lack of awareness.

“I'm very much in favour of experience over a diploma. I'm not suggesting that they have a lower-class diploma because I don't know that. But if a Chartered Legal Executive will have the right experience for me, and it sounds like they might be a bit more affordable. I would take them 100%.”

Choice of Legal Representation

The overwhelming majority of consumers have traditionally engaged solicitors for their legal services. The primary methods for finding suitable legal representation include recommendations and online searches. Consumers prioritise representatives who display empathy, possess experience, and demonstrate professionalism. Additionally, there is a preference for specialists in the relevant area of law to ensure a knowledgeable approach to specific issues. In complex cases, consumers lean towards representatives with a more generalised experience to address unforeseen complications involving other legal specialisms.

“I think the flip side is that they maybe don't have knowledge about other subjects and other things and sometimes in some legal cases, it's not clear cut. Maybe if it was a house sale that would be fine, but if it was a something to do with a house problem, and you are having to think about different types of experience and knowledge, these guys only know one certain field and are very specialised in that one field, so I think it's that it's potentially the negative for them as well. They don't have other experiences to draw on.”

Solicitors are the default choice for consumers due to extremely limited awareness of alternatives, such as Chartered Legal Executives. This lack of awareness results in consumers relying on familiar routes with solicitors known to friends and family, limiting the exploration of other available options.

“I feel like, somewhat naively, but I wasn't really aware of whether I would be able to use another type of legal representation. I didn't know if that was something that was possible. We just went based on a recommendation and if we were told that there was another type of representation that would be applicable to what we did, I would have gone with that.”

Details such as qualifications, practicing certificates, and regulatory status are generally overlooked by consumers when seeking legal services. There exists an assumption that individuals working in a law firm are automatically qualified and regulated. Consumers' lack of understanding regarding possible qualifications and career paths for lawyers prevents them from making informed enquiries.

While the use of online directories is currently low among consumers, those who have utilised them find these platforms helpful in consolidating information in one place. This suggests untapped potential for increased use and improved consumer awareness of different legal professionals.

New Chartered Legal Executive Job Title

Given that the current job title fosters misunderstandings by portraying the role as more junior than its actual equivalence to a solicitor, there is a compelling argument for a change, a sentiment endorsed by consumers. Integrating the individual specialisation into the job title becomes crucial, serving as a signpost for consumers to identify the relevant Chartered Legal Executive.

The term 'Chartered' carries positive connotations, suggesting a professional qualification, though not necessarily on par with that of a solicitor.

“They’re Chartered so they’ve got to have been through a regulatory body, they’ll be some qualifications to meet. My brother is a Chartered Surveyor, so he has gone through examinations to get accredited by RICS.”

The inclusion of ‘CILEX’ in the proposed job titles introduces a layer of confusion, as the professional body is not well-known to consumers. Some mistakenly interpret it as the name of a law firm, potentially leading to real-world issues without clarification. Respondents propose appending ‘CILEX’ at the end of the job title within brackets, signalling that it represents a qualification similar to other professional designations. Consumers support this idea, as it shifts the emphasis away from the CILEX title and adds gravitas to the job by transparently indicating the qualification held.

“For me, the ‘CILEX’ is in a wrong place. So ‘Chartered Property Lawyer’ and then brackets ‘CILEX’ because it’s a bit like with solicitors and the SRA and LLB; you know where you are there. So for me, yes [the updated job titles] work, but the ‘CILEX’ is in the wrong place.”

Changes to Chartered Legal Executive Regulation

When it comes to filing complaints against lawyers, a notable portion of consumers face confusion about the proper channels. While some would correctly approach the Solicitors Regulation Authority (SRA), others would mistakenly contact the Law Society, under the belief that it serves as the overseeing authority for lawyers.

“I’d go to the Law Society for a solicitor, for a barrister to the Bar Council and for [Chartered Legal Executives] to who they’re chartered with, who their governing authorities are, whoever gave them the accreditation.”

Consumers assume a uniform regulatory framework for Solicitors and Chartered Legal Executives, given their parallel professional responsibilities. The revelation of the existing disparity in regulatory bodies elicits surprise. Consumers express a preference for a unified regulatory body overseeing both solicitors and Chartered Legal Executives, aiming to establish clearer standards and streamline the complaints process. Maintaining distinct professional bodies has the potential to reinforce the perception that Chartered Legal Executives are subordinate to solicitors.

“I think it should all be the same. If they’re basically they’re doing the same job, then they should be monitored and regulated by the same people. Apart from the training, it’s basically the same person in all intents and purposes so they should have the same regulation and the same penalties and a governing body that oversees them.”

“There are precedents for this in other professional fields. So, an example is the BACP, which is the British Association of Counsellors and Psychotherapists. So, within that it’s one regulatory body setting standards and managing complaints. But you’ve got a diversity; you’ve got counsellors who may only have done an introduction to counselling, or a diploma or a certificate all the way through people who might have a first degree and master’s degree up to a PhD. So, there are a pre-existing models in other professions.”

Establishing uniform practice standards for all lawyers has the potential to address earlier reservations surrounding Chartered Legal Executives and enhance the credibility of their role. While altering the job title represents a step in the right direction, aligning them with identical standards and conduct expectations delivers a more conclusive layer of legitimacy and reassurance.

“Now they have the same weighting as that solicitor and barrister that we were talking about, and regardless of their training paths they're answerable to the same standards, and practices and codes of conduct, therefore, they've now got more credibility. Because obviously, if they're practicing law, they're answerable to that one authority. And they have to behave in the same sort of way, by the same conduct, rules and by everything else. So that would definitely increase their credibility. Then they've earned those new names that they're looking at.”

Transparency and consistency in consumer protection is deemed essential to foster trust in all legal professionals, particularly given the limited familiarity with Chartered Legal Executives.

“I would have assumed this stuff would have already been in place, so that with a Chartered Legal Executive you would already have these protections. I'm surprised you don't have this level of protection, I thought it would be the same.”

“I was thinking that it's really good because when you contract somebody for work, and then if it doesn't work out, at least you know, you're covered for it, for everything. So, they do behave accordingly.”

The move to a single online register encompassing both Solicitors and Chartered Legal Executives is appreciated as it streamlines the process of finding legal representation. This is particularly beneficial for accessing Chartered Legal Executives, a group that many consumers currently lack exposure to and have limited understanding of how to contact.

“I'd certainly never heard of a Chartered Legal Executive and would have considered probably using one and I think having an online register would improve the accessibility of the Chartered Legal Executive.”

Essential information for inclusion in a directory to facilitate effective searches and provide relevant details should encompass:

- Location
- Specialism
- Years of Experience
- Any specific areas of interest within their specialisation
- Details on regulated status and consumer protection: While these may not be top-of-mind for consumers initially, their provision offers valuable reassurance.

Conclusion and Recommendations

Consumers support all of the proposed changes presented to them from the CILEX reform agenda.

1. Consumer Awareness:

Consumers require greater education about Chartered Legal Executives, clarifying their role and dispelling misconceptions. The proposed changes go some way to increasing exposure and providing greater credibility to the role.

2. Job Title Revision:

Job titles should be amended to reflect the CILEX specialisation and qualifications more accurately. Consideration should be given the placement of 'CILEX' within the title for optimal clarity.

3. Unified Regulation:

The establishment of a unified regulatory body overseeing both solicitors and Chartered Legal Executives, ensuring consistent conduct, standards, and complaints process, is a sensible step that aligns with consumer expectations.

4. Consistent Consumer Protection:

Similar to regulation, respondents anticipated that consumer protection would already be uniform across all legal professionals. Achieving consistency instils greater confidence in considering Chartered Legal Executives for future use.

5. Combined Online Register:

An online register facilitating the comparison of legal professionals and enabling searches for both types of lawyers in one place would enhance consumer choice and improve transparency for those seeking legal services.

Appendix 1

Slides shown to respondents during research

Chartered Legal Executive



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Chartered Legal Executives

A Chartered Legal Executive is an authorised lawyer.

The are authorised to practise in a specialist area of law including:

- Conveyancing & property
- Wills & probate
- Immigration
- Family Litigation & Advocacy
- Civil Litigation & Advocacy
- Criminal Litigation & Advocacy
- Personal Injury
- Commercial & Contract
- Public
- Regulatory
- Court of Protection
- Intellectual property
- Data protection & Information Security



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Chartered Legal Executives vs Solicitor

In comparison a Solicitor is also a lawyer but they are trained and qualified as a general practitioner, their training covers a broader range of legal specialisms whereas those qualifying as a Chartered Legal Executive study a chosen specialism focusing on it in more detail.

Solicitors study a university degree where as Chartered Legal Executives are employed during their studies and already work in the specialism in which they are studying. Solicitors go on to specialise only once they have qualified.

Both Solicitors and Chartered Legal Executives work in law firms and can become partners, senior associates and run their own businesses.



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Chartered CILEX Lawyer

For example:

- Chartered CILEX Property Lawyer
- Chartered CILEX Probate Lawyer
- Chartered CILEX Immigration Lawyer
- Chartered CILEX Litigation Lawyer & Advocate (Family)
- Chartered CILEX Litigation Lawyer & Advocate (Civil)
- Chartered CILEX Litigation Lawyer & Advocate (Criminal)



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- 1) Have the same regulatory body set the standards and manage complaints for both Solicitors and Chartered Legal Executives
 - 2) Have the same code of conduct and practice standards apply to both types of lawyer
 - 3) Have access to an online register which compares and allows the ability to search for both types of lawyer in one place
 - 4) Have consistent consumer protection (insurance cover, consumer compensation scheme. and discipline processes, sanctions and penalties)



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Chartered CILEX Lawyers are:

76% female

85% educated in non-selective state schools

64% didn't have parents who went to university

17% from ethnic minority communities

5% have a declared disability



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