

News release

Study shows a universal approach could help consumer vulnerability in the legal market

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We have published [an independent study into consumer vulnerability in the legal market](https://higher-rights.sra.org.uk/sra/research-publications/consumer-vulnerability-legal-market/) [https://higher-rights.sra.org.uk/sra/research-publications/consumer-vulnerability-legal-market/], as part of our ongoing commitment to improving access to legal services.

Carried out by Professor Harriet Pierpoint and Dr Paolo Baffero at the University of South Wales (USW), the study considered whether we could develop a tool to measure and monitor consumer vulnerability. This focus arises from the recognition that individuals needing legal services are often at an increased risk of vulnerability. This can be further heightened when engaging with the legal system.

The research confirmed that there are some sizeable challenges in developing a tool, concluding that vulnerability is complicated, difficult to define, constantly changing and not always apparent.

The research found that a tool would likely need to be grounded in the use of so-called 'risk factors', categorised into three key areas: individual characteristics, situational circumstances and external factors. It also found that the term 'vulnerability' is considered by many as harmful or stigmatising, which makes consumers reluctant to disclose their vulnerabilities. As a result, using a risk-based approach can oversimplify vulnerability and not fully address all the complexities of measuring it.

The study proposed that instead of focussing on individual adjustments being made, the legal sector could take a 'universal practice' approach. This would involve designing services that are accessible and inclusive for all, founded on provider-consumer relationships based on trust and respect. Such an approach could prove more effective in meeting consumer needs and, consequently, achieving regulatory objectives.

We will now bring together some of the experts in this field to reflect on how this might be done, recognising that these findings build on a growing body of literature on universal vulnerability. The research offers the basis for the legal sector to think differently about consumer vulnerability and the ways that more services could meet more people's needs.

Paul Philip, Chief Executive of the SRA said: 'Those who need legal advice and support should be able to access it without barriers or fear.'

We commissioned this study to help us understand the scale and type of consumer vulnerabilities that exist and whether it would be feasible and beneficial for us to measure them.

'It is clear that, in order to improve accessibility, build trust and reduce complaints, the legal sector could look at designing services that are accessible and inclusive for everyone. We will now consider how we and others might take this forward by bringing together experts in this field.'

Professor Pierpoint, University of South Wales, added: 'We are grateful to the participants who gave their time to share their perspectives.'

'Our research uncovered insights that prompted us to think further about an alternative approach to vulnerability and propose that the idea of 'universal practice' is adopted in this field. This change paves the way for innovative strategies focused on universal accessibility and empowerment, enhancing experiences and outcomes for all. The study underlines the critical importance of continued investment and exploration in this area.'

The report also outlined suggestions for how legal regulators could support service providers, by including customers' lived experience in our guidance and encouraging firms to offer more opportunities for consumer feedback.

This research aligns with our strategic aim of enhancing confidence in legal services, as well as the regulatory objectives set out in the [Legal Services Act 2007](https://www.legislation.gov.uk/ukpga/2007/29/section/1) [\[https://www.legislation.gov.uk/ukpga/2007/29/section/1\]](https://www.legislation.gov.uk/ukpga/2007/29/section/1) of improving access to justice and protecting consumer interests.