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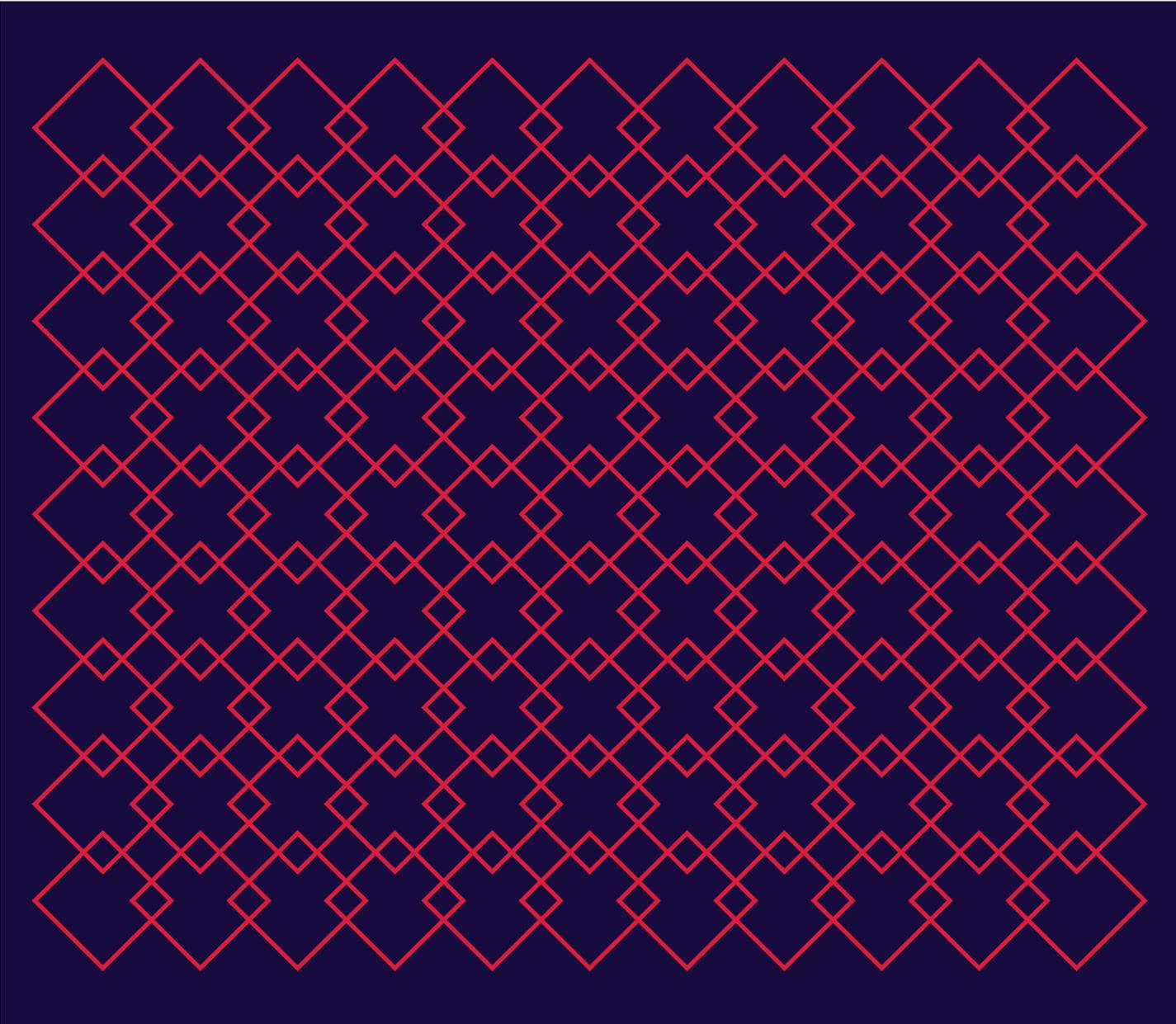
# Report of the Pilot Ex-Victoria Legal Understanding and Lawyer Use (X-LULU) Survey

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Prof Pascoe Pleasence and Prof Nigel J Balmer

Legal Services  
Research Centre

Victorian Legal Services  
**BOARD + COMMISSIONER**





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# **Report of the Pilot Ex-Victoria Legal Understanding and Lawyer Use (X-LULU) Survey**

Prof Pascoe Pleasence and Prof Nigel J Balmer

This report is published by the Victorian Legal Services Board and Commissioner (VLSB+C). The Victorian Legal Services Board and Commissioner are independent statutory authorities responsible for the regulation of the legal profession in Victoria.

The VLSB+C aims to:

- protect and empower consumers
- maintain and enhance legal practice and ethics
- improve access to justice.

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The Victorian Legal Services Board and Commissioner acknowledge Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the land, and pay respect to their Elders past and present.

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## Acknowledgements

Many people made an important contribution to the development of the pilot Ex-Victoria Legal Understanding and Lawyer Use (X-LULU) survey. We are indebted to Chris Owen and Adam Ray for their careful attention to detail in the implementation of the survey questionnaire for Roy Morgan and thank many colleagues at the VLSB+C who provided their expert insight. Most importantly, we thank the many thousands of people who participated in the pilot LULU surveys, without whose time and accuracy of recall the survey would not have been able to deliver the many groundbreaking insights that it has.



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## Key findings and summary

### Context

As part of its pilot Legal Understanding and Lawyer Use (LULU) survey initiative, alongside a pilot Victorian survey, the Victorian Legal Services Board and Commissioner (VLSB+C) implemented a survey of the consumer experience of legal services across all 7 states and territories outside Victoria. The findings and full methodological details of the pilot Victorian Legal Understanding and Lawyer Use (V-LULU) survey (V-LULU survey) are set out in separate reports.<sup>1</sup> This report presents the findings of only the pilot Ex-Victoria Legal Understanding and Lawyer Use (X-LULU) survey (X-LULU survey).

Roy Morgan administered the X-LULU survey. It was completed by a broadly representative sample of 2,063 adult residents of Australia, living outside Victoria, drawn from a non-probability panel. In all, 9,662 people completed an initial screening survey.

1. Pascoe Pleasence and Nigel J. Balmer, *Report of the Pilot Victorian Legal Understanding and Lawyer Use (V-LULU) Survey* (Victorian Legal Services Board and Commissioner, 2025); Pascoe Pleasence et al., *New Vision for a New Future: The Pilot Victorian Legal Understanding and Lawyer Use (V-LULU) Survey* (Victorian Legal Services Board and Commissioner, 2025); Roy Morgan, *Legal Understanding and Lawyer Use Survey Technical Report* (Roy Morgan, 2025).

## Use of legal services

Around one-quarter of adult Australians outside Victoria made use of a legal service during the previous 2 years.

The most common types of legal services used were private solicitors (62% of the 2,063 respondents who had used a legal service), conveyancers (27%), legal aid (12%) and notaries (11%). The broad pattern of usage was similar across states.

Across all 2,063 instances of service use that were followed-up in the X-LULU survey, 31% related to issues that involved a dispute and 69% to issues that did not (as reported by respondents).

Of those who had made use of legal services, 20% also unsuccessfully tried to make use of one or more legal services. Unsuccessful attempts to obtain legal services were most common for legal aid (8% of respondents) and Community Legal Centres (CLCs) (6%).

Some unsuccessful attempts were attributed to services not being able to help. Other common reasons for attempts being unsuccessful included difficulties in making contact and difficulties or inconvenience linked to time or distance to the service. For solicitors, the most common reasons provided were firms not being able to help, or services being too expensive.

For each respondent eligible to participate in the X-LULU survey, one instance of legal service use was followed-up for detailed data collection.

Legal services were most often used regarding wills, probate or powers of attorney. This accounted for 31% of all legal service usage. Within this 31%, around two-thirds of usage concerned making or changing a will or power of attorney, and one-third concerned probate. Legal services were also commonly used regarding housing or other property that was owned by the respondents. This accounted for 29% of all legal service usage. Within this, over three-quarters of usage related to conveyancing, with half the remainder relating to mortgages. The only other issue that accounted for 10% or more of legal service usage was divorce or end of a de facto relationship, with around half of such issues reported as having involved a dispute.

The most common types of dispute that respondents used legal services to help resolve were disputes concerning wills, probate or powers of attorney (16% of all disputes). These were followed by disputes relating to injuries or illness (11%), housing or property that the respondents owned (8%), divorce or end of a de facto relationship (8%), goods or services (6%), domestic abuse (6%), neighbours (5%), employment (5%), money (other) (5%) and debt (5%).

Patterns of use were broadly similar across states and territories.

Conveyancers generally dealt with no-dispute issues (92%), as did notaries (81%) and private solicitors (77%). Legal aid generally dealt with disputes (72%), as did barristers (67%) and CLCs (58%).

Looking only at no-dispute issues, 69% of the issues dealt with by sample private solicitors concerned family matters and 22% concerned housing. For conveyancers, 89% concerned housing and 10% family matters (as categorised by respondents). For notaries, 41% concerned family matters and 20% housing. Other legal service types dealt with relatively few no-dispute issues.

Turning to disputes, 40% of the issues dealt with by sample private solicitors concerned family matters, 14% concerned housing and 11% concerned money. For legal aid, 30% concerned family matters and 21% housing. For CLCs, 30% concerned housing and 23% family matters. For barristers, 33% concerned family matters, 16% injuries and 13% money. Other legal service types dealt with relatively few disputes.

## Choice of legal service

Of the 2,063 followed-up legal service providers that respondents reported having previously received help from, 44% had been used before. Individual private solicitors' firms were somewhat more likely to have been used before, although the difference was marginal. In all, 48% of clients of followed-up private solicitors had used them on a previous occasion. At the other end of the spectrum, barristers were significantly less likely to have been used previously, as were CLCs. For no-dispute issues, private solicitors had been used previously on 51% of occasions and legal aid and CLCs on just 23% and 26% of occasions, respectively. However, overall, there was no difference in the rate at which services had been used previously between no-dispute issues and disputes.

The internet played a significant role in how respondents found and chose legal services. Overall, 47% of legal service users had made use of the internet (including social media) to research services. Online research most often involved searching for reviews (22% of occasions of legal service use), but searching for services (21%) and prices (15%) were also common.

Users of private solicitors less often reported internet searches regarding no-dispute issues and family issues.

Legal service users also often obtained recommendations from friends or relatives (39%), as well as requesting information directly from services, such as on costs (26%) or other aspects of service (27%).

Private solicitors were more likely to have first been recommended by friends or family, less likely to have been found on the internet, and more likely to have always been known about.

For the 33% of legal service users who specifically searched for, or requested information about, service prices (either online or offline), only a small number failed to obtain any such information (2% of those who searched).

Most people had little difficulty finding the information they looked for. However, just under one-third of legal service users found it difficult to search for prices online, particularly conveyancers' pricing.

Skills and experience were the most frequently mentioned factor guiding choice of service provider (51% of service users), followed by method of communication (49%) and location (48%). In broad terms, quality, ease of access and value for money were the overriding factors considered. Indemnity insurance, having an independent complaints procedure and independence were mentioned relatively infrequently (7%, 12% and 16%, respectively).

## Communications

When participants were asked how they would most liked to have communicated with services, their most common answer was face-to-face communication, followed by email and telephone. Reflecting this, the most common 'main' method of communication was face-to-face communication, followed by email and telephone. While the most common, face-to-face communication was used by only three-quarters of those who described it as their preferred method of communication.

Face-to-face communication was more commonly the main form of communication with private solicitors (48%), and least commonly the main form of communication with conveyancers (17%). Conveyancers were associated with email, who used it as the main method of communication on 59% of occasions. Legal aid and CLCs were more associated with the telephone (47% in both cases).

Face-to-face communication was also more commonly the main form of communication used in no-dispute issues (40%, compared to 27%), while the telephone was more common in the context of disputes (37%, compared to 21%). Websites or apps were also more common in the context of disputes.

Face-to-face communication was strongly associated with family issues, while the telephone was particularly associated with housing issues.

Face-to-face communication was used at some point in 59% of cases, email in 61% of cases, and the telephone in 66% of cases.

## The substance of help

Just over 80% of respondents thought they would be able to obtain information or advice from followed-up legal service providers, with the same also the case for assistance. In both cases 95% of expectations were met.

The types of help most commonly expected from, and provided by, legal services were practical help with paperwork, information or advice on ways to resolve disputes, and information or advice on rights and responsibilities.

There was a big difference in the pattern of responses provided by users of legal services for no-dispute issues and disputes. In the case of the former, service provision was more focused on practical assistance, in the case of the latter, it was more focused on information and advice.

Disputes were more likely to involve legal service providers helping through the provision of information or advice relating to the law, ways to resolve the issue, moral or emotional support, sources of financial help, representation in court, and where else to go for help. No-dispute issues were more likely to involve legal service providers helping through helping with paperwork, providing information or advice on what clients should do, and managing issues on the behalf of clients.

There was also a big difference in the pattern of responses provided by users of different types of legal service provider. For example, conveyancers much more often provided practical help while legal aid and CLCs less often did so.

## Information provision

Ninety-one per cent of legal service users were provided with some information about the service they would receive at the outset of service use.

Overall, 56% of legal service users recalled being provided with information about likely cost at the outset of service use. The figure was a little higher for private solicitors (62%) and highest for conveyancers (75%). At the other end of the spectrum, the figures were lowest for CLCs (27%) and legal aid (33%), likely reflecting the different funding basis upon which their services are provided. Users of private solicitors were also more likely than users of services in general to recall the provision of information about who would deal with their matter (44%).

Respondents generally indicated that they had found this information easy to understand. The types of information about which there was the least understanding concerned complaints, indemnity insurance, local legal services complaints bodies, and issues that might prevent services acting for a user.

Sixty-eight per cent of solicitors' clients who received information about costs recalled this information being provided in writing, 32% recalled it being provided verbally as well, and a separate 32% recalled it being provided verbally only. For conveyancers' clients, the figures were 86%, 27% and 14%, respectively.

Eighty-two per cent of solicitors' clients who recalled costs information also recalled being given an opportunity to ask about the information they were given. Just 8% said they had not been given such an opportunity. The remaining 10% couldn't recall. For conveyancers' clients, the figures were 83%, 6% and 11%, respectively.

Ten per cent of solicitors' clients and 5% of conveyancers' clients did not recall being told about costs at any point.

Solicitors more often charged by the hour and conveyancers by fixed fee.

## The cost of services

Across all services for which data was provided, clients paid the full cost of services on 66% of occasions, part of the cost on 11% of occasions, entered into no win no fee agreements on 3% of occasions, and paid nothing on 18% of occasions.

Services provided by conveyancers and private solicitors were the most likely to be paid for in full, while those provided by CLCs and legal aid were the most likely to have been reported as involving no payments at all.

Services provided in no-dispute issues were much more likely to involve full payment (77%, compared to 43% of occasions) and, linked to this, so were issues relating to housing (76%) and family (74%). No win no fee agreements were primarily associated with injuries. Freely delivered services were more common with issues concerning employment and money.

Those who had paid for services were asked the total amount they had paid. The 1,000 estimates provided ranged from \$100 or less (5% of estimates) to \$7,000 or more (10% of occasions). One per cent of estimates were of \$40,000 or more. The mean cost of services was \$3,680 and the median was \$1,500. Amounts varied by service type.

Seventy-eight per cent said amounts were the same or lower than expected. Sixteen per cent paid more than expected. Barristers' bills were most often higher than expected.

To pay for legal services people often drew on savings, income and loans.

Of those who part-paid or did not personally pay for legal services, 42% indicated services were 'free', 32% that friends or family had helped, 12% that trade unions or professional bodies had helped, and 11% that legal aid had helped. Six per cent referred to a no win no fee agreement, 6% to insurance and 7% to an employer.

Most bills were regarded as easy to understand.

## Satisfaction

While 83% of legal service users said they received everything they needed, asked for and were told they would get by the service they used, 6% said they received none of these. Looking at these items individually, 88% of legal service users said they got what they needed, 89% what they asked for, and 90% what they were told they would get.

Fifty-seven per cent of legal service users were very satisfied with the service they received, 34% fairly satisfied, 6% fairly dissatisfied, and 2% very dissatisfied.

Satisfaction was strongly associated with whether or not legal service users got what they needed and asked for.

Satisfaction levels tended to be higher for private solicitors. They were also higher for no-dispute issues.

Ninety-four per cent of legal service users were satisfied with the respect they were shown, 92% with levels of professionalism, 92% with usefulness, 92% with levels of expertise, 90% with the level of mistakes made, and 90% with the time taken to deliver services.

Ninety per cent were satisfied with communication about the service to be provided, 89% with communication about options, 88% with communication about progress, and 85% with communication about costs.

Seventy-four per cent of legal service users who had paid or part-paid for a legal service agreed that the service provided good value for money.

For those who had been dissatisfied with the overall service provided, the most common reason was that services had not done enough to help. Mistakes, delays and poor communication were also common sources of dissatisfaction.

Twenty-eight per cent of dissatisfied legal service users raised their concerns directly with services and 16% made a formal complaint. Separately, 20% complained to a third party, with 11% doing so to a local legal services complaints body. Nine per cent of dissatisfied legal service users intended to complain but had not yet done so. Just 4% of dissatisfied legal service users posted online reviews.

Of the 73 dissatisfied legal service users who complained either directly or to a third party, 8 received an admission of fault, 6 received an apology, 6 had their complaint addressed (that is, the problem was fixed), 5 obtained an explanation for what had gone wrong, 4 saw action taken against them, and 2 received compensation. However, 13 of the 73 reported that they achieved nothing by complaining.

## 01

# Introduction and methodology

This chapter introduces the X-LULU survey, its purpose and its methodology. In explaining the heritage and setting out the methodology of the X-LULU survey, this chapter also explains the differences between the V-LULU survey and X-LULU survey. Findings from the V-LULU survey are set out in a separate report.

In the X-LULU survey, 9,662 adult Australians outside Victoria were screened to achieve a sample of 2,063 respondents who had both made use of one or more legal services during the previous 2 years and gone on to complete the X-LULU questionnaire. Analysis of screened respondent data suggests one-quarter of adult Australians outside Victoria made use of a legal service during the previous 2 year and around one in 10 unsuccessfully tried to use a legal service, including around one in 5 of those who used a legal service. One in 20 tried unsuccessfully to access, but made no use of, any legal service.

## Bigger picture

As part of its pilot LULU survey initiative, alongside a pilot Victorian survey, the Victorian Legal Services Board and Commissioner (VLSB+C) implemented a survey of the consumer experience of legal services across all 7 states and territories outside Victoria.

While the V-LULU survey was designed to provide broad insight into the public's ability to address 'justiciable'<sup>2</sup> issues, including choosing and using legal services, the X-LULU survey was primarily aimed at investigating the operation of costs disclosure obligations. To this end, the X-LULU survey incorporated only some sections of the V-LULU survey questionnaire and, reflecting its narrow focus, adopted a different sampling approach to the Victorian survey.

The findings and full methodological details of the V-LULU survey are set out in a separate report. This report only presents the findings of the X-LULU survey.

## New approach

The LULU surveys represent a new approach to exploring the consumer experience of justiciable issues, legal services and legal processes in Australia. The V-LULU survey incorporated a radically different approach to mapping people's behaviour when faced with justiciable issues to that adopted by contemporary legal needs surveys.<sup>3</sup> Moreover, both the V-LULU and X-LULU surveys incorporated an extensive series of questions, developed in a regulatory context in England and Wales, about people's journeys to, and experience of, legal service providers.

In particular, the LULU surveys drew heavily on a 2019 survey conducted by the Law Society and Legal Services Board of England and Wales exploring justiciable problem experience and use of legal services,<sup>4</sup> which, in turn, drew extensively on the Legal Services Consumer Panel Tracker Survey (LSCPTS), a survey of English and Welsh legal service users conducted annually since 2011.<sup>5</sup>

The influence of the LSCPTS on the X-LULU survey was particularly strong. LSCPTS questions formed the core of the X-LULU survey, which also followed its broad methodological approach.

2. Defined by Hazel Genn as issues with a legal dimension, whether or not this is recognised by the relevant parties, and whether or not any action taken to deal with them involves the use of lawyers or legal processes. See Hazel Genn, *Paths to Justice: What People Do and Think About Going to Law* (Hart, 1999).
3. Surveys designed to assess the extent to which people face justiciable issues, along with issue resolution behaviour and success in dealing with issues that are identified. See OECD/Open Society Foundations, *Legal Needs Surveys and Access to Justice* (OECD Publishing, 2019).
4. YouGov, *Legal Needs of Individuals in England and Wales* (The Law Society and Legal Services Board, 2020).
5. See Legal Services Consumer Panel, "Research and reports", accessed 11 November 2025, <https://www.legalservicesconsumerpanel.org.uk/what-we-do/research-and-reports>.

## Implementation

### The X-LULU survey sample

The X-LULU survey was administered to a broadly representative sample of 2,063 adult residents of Australia, living outside Victoria, who had made use of one or more legal services in the previous 2 years. To achieve this sample, 9,662 people completed an initial screening exercise. Data from screened respondents suggests around one-quarter of adult Australians outside Victoria made use of a legal services during the previous 2 years.<sup>6</sup> It also suggests one in 10 at some point tried unsuccessfully to access a legal service, including around one in 5 of those who had used a legal service. In all, around one in 20 tried unsuccessfully to access a legal service and made no use of any legal service.

Table 1 sets out the number of respondents drawn from each state. The numbers are proportionate to population size. Thus, reflecting the relative sizes of the populations, 45% of the sample resided in New South Wales and the Australian Capital Territory, while just 10% of respondents resided in South Australia and the Northern Territory.

**Table 1 – X-LULU survey geographical sample distribution**

Geographical area	Number of respondents
<b>New South Wales / ACT</b>	<b>927</b>
Greater Sydney	575
Rest of NSW/ACT	352
<b>Queensland</b>	<b>580</b>
Greater Brisbane	307
Rest of Qld	273
<b>Western Australia</b>	<b>287</b>
Greater Perth	238
Rest of WA	49
<b>South Australia</b>	<b>201</b>
Greater Adelaide	150
Rest of SA	51
<b>Tasmania</b>	<b>62</b>
<b>Northern Territory</b>	<b>6</b>
<b>Total</b>	<b>2,063</b>

6. Of the 9,662 people screened, 828 did not progress to the main survey as they were in already full quota groups. Of the remaining 8,834 people, 2,358 (26.7%) had used one or more legal services during the previous 2 years. In addition, 846 (9.6%) had unsuccessfully attempted to obtain help from one or more legal services during the previous 2 years.

The respondents were drawn from the non-probability PureProfile online panel. A quota sampling approach was used, based on gender, age and geographical region.

The X-LULU survey questionnaire was programmed and administered using Forsta platform (formerly Confirmit Horizons) and hosted on Roy Morgan's servers in Australia. Respondents were directed to the questionnaire via a unique and secure link. The survey ran between 6 March 2024 and 28 March 2024.

The average time taken by X-LULU survey respondents to complete the questionnaire was 15.5 minutes.

### **The X-LULU survey questionnaire**

The X-LULU questionnaire is set out in full in an appendix to this report. The questionnaire comprised a series of 5 distinct sections, as set out in Figure 1. All respondents who had made use of a legal service within the survey's 2-year reference period were presented with all 3 of the remaining sections. Respondents who had not made use of a legal service were routed out of the survey.

#### ***Preamble / initial demographics***

The first section of the questionnaire, shared with the V-LULU survey, introduced the survey to respondents and asked a short series of demographic questions to determine eligibility for inclusion in the survey.

#### ***Identification of issues***

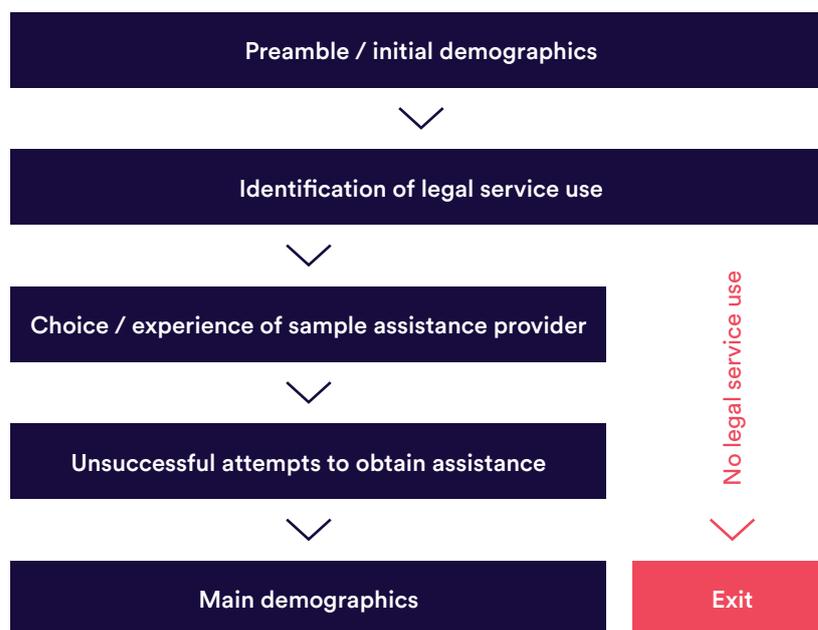
The second section asked whether or not respondents had made use of, or unsuccessfully tried to make use of, 11 types of legal service provider:

- private solicitor/solicitors' firm
- barrister
- CLCs
- legal aid
- Aboriginal Legal Service
- conveyancer
- industrial
- migration agent
- notary
- patent attorney
- trade mark attorney.

For each type of service provider respondents reported having used, respondents were then asked how many such providers they had used.

If respondents had made use of more than one type of legal service provider, then a single type of legal service provider was randomly selected for follow-up. If respondents had made use of just one provider of the type followed-up, then that provider was followed-up. If respondents had made use of more than one provider of the type followed-up, then the second most recent provider was followed-up. This was to increase the likelihood that the service provision had concluded.

Figure 1 – Structure of the X-LULU questionnaire



To provide important context for the followed-up service use, respondents were asked which of 19 broad categories of justiciable issue the service use related to. These, along with a series of sub-categories of 5 of the broad categories, corresponded to the 32 categories of justiciable issue (excluding business related issues) that were the subject matter of the V-LULU survey.

The 19 broad categories were:

- an issue with a house/unit/land you own or were buying/selling/transferring
- a divorce or end of a de facto relationship
- violence or harassment or financial abuse within the home
- a will, enduring power of attorney or probate
- an injury or illness
- compulsory assessment/treatment for mental health
- an issue concerning debt
- another issue concerning money (for example, insurance claim refusals and credit rating errors)
- an Australian immigration or residency issue
- an issue with a landlord, strata/owner's corporation, housemate/sub-tenant
- an issue with neighbours
- homelessness (or threat of homelessness)
- purchase of goods or services (for example, defective goods or an issue with tradespeople, professionals or utility services)
- government payments
- government services
- employment
- a fine, penalty notice or infringement notice you disputed, thought was incorrect or had difficulty paying
- adopted, fostered or applied/registered to adopt or foster a child
- being arrested or treated badly by the police.

An 'other' category was also provided to accommodate issues that fell outside the 19 specified categories.

Finally, for those issues that could either involve a dispute or not involve a dispute, the second section established whether or not issues involved a dispute (from the respondent's perspective). The following sections were presented in slightly different form for disputes and no-dispute issues.

#### *Choice / experience of sample assistance provider*

The third section drew heavily on the 2019 English and Welsh survey and had as its focus people's choice of, experience of and satisfaction with the followed-up service provider. The section started by asking respondents about how they became aware of the service provider and the information sought, and factors considered in choosing the provider. It then asked about:

- the nature of the service sought and provided
- the nature and ease of understanding of communication and any information provided
- costs and sources of funding
- the billing process
- satisfaction with the service provided
- the nature of any dissatisfaction
- steps taken to raise concerns/complaints.

The main change from the 2019 survey involved the addition of questions designed to investigate the operation of costs disclosure obligations.

#### *Unsuccessful attempts to obtain advice*

The penultimate section asked about unsuccessful attempts to obtain assistance from legal and non-legal services. As well as asking why attempts were unsuccessful, the section also asked why respondents didn't persevere and, in the case of solicitors, about information and recommendations sought.

#### *Main demographics*

The final section obtained detailed demographic data to complement the demographic data collected at the outset of the questionnaire.

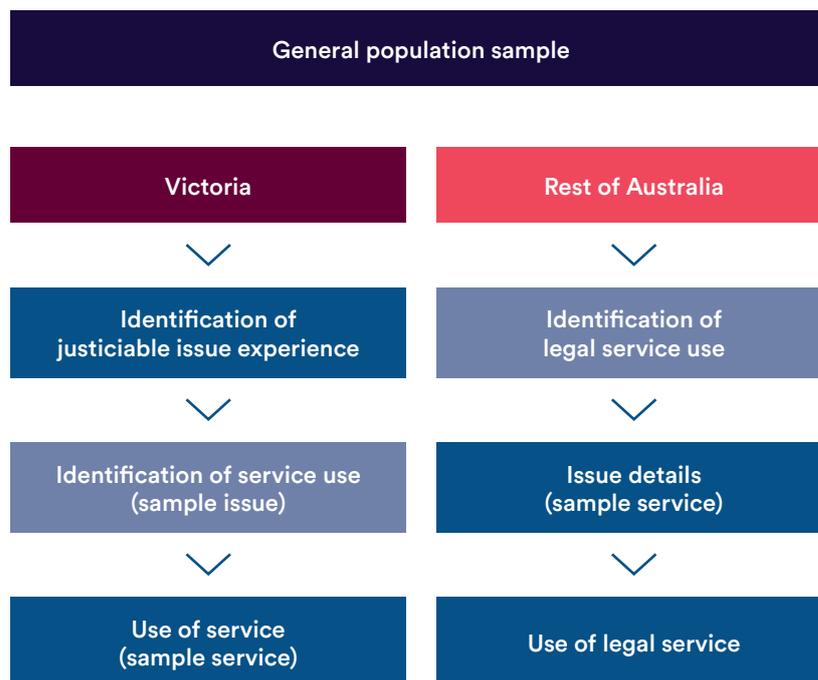
### **The X-LULU and V-LULU surveys compared**

As noted above, the X-LULU survey was conducted alongside the V-LULU survey. The X-LULU survey mainly used questions drawn from the V-LULU survey questionnaire, but the structure of X-LULU survey questionnaire and sampling procedures were distinct and preclude simple comparison between the results of the 2 surveys.

Both surveys made use of a general population sample. However, as is illustrated in Figure 2, while the V-LULU survey first identified issue experience, then explored legal service use in the context of sample issues, the X-LULU survey first identified legal service use, then explored legal service use for a sampled legal service. So, as well as the legal services investigated by the X-LULU survey not being limited to the range of issues included in the V-LULU survey, the chance of a legal services being selected was different between the 2 surveys.

The difference in the sampling approaches adopted for the 2 surveys reflects their different focus. While the X-LULU survey was conducted to explore the operation of costs disclosure obligations, the V-LULU survey was conducted to explore a much broader range of issues, with a particular additional concern being the experience of people who might benefit from, but do not make use of, legal services.

Figure 2 – Structure of V-LULU and X-LULU survey questionnaires



While the technical differences between the 2 surveys complicate simple comparison between their results, there was, of course, much commonality between the composition of the 2 samples of legal services. This report therefore occasionally references V-LULU survey findings to highlight similarities and differences of note, though it is always important to consider that methodological differences could potentially have had a bearing on them.

## Limitations

### Sampling issues

The sample used for the X-LULU survey was drawn from a non-probability panel. Such panels are prone to sample bias, as non-probability panel members self-select membership of the panel. Quota sampling was employed to ensure a heterogeneous sample that matched the general population regarding the quota characteristics (gender, age and geographical region).

In addition, online panel surveys give rise to coverage issues. Such surveys exclude those with limited digital literacy and/or internet access. As the 2019 English and Welsh survey report acknowledged regarding its findings, 'due to the research having been conducted online, it is possible that the incidence of certain legal issues (for example, having a home repossessed) could be understated as a result of limitations to internet access'.<sup>7</sup>

### The consumer perspective

While the X-LULU survey was designed to provide the consumer perspective on the legal services, many aspects of legal service use are technical and may be misunderstood by those facing problems.

### Comparability

As noted above, the different sampling approaches of the X-LULU and V-LULU surveys limit the comparability of the surveys.

## Analysis

The analyses set out in this report use basic descriptive univariate and bivariate statistics. The objective of the report is to provide a picture of the public's experience of legal service use, rather than to explain the factors underlying particular aspects of service use.

## Structure of this volume

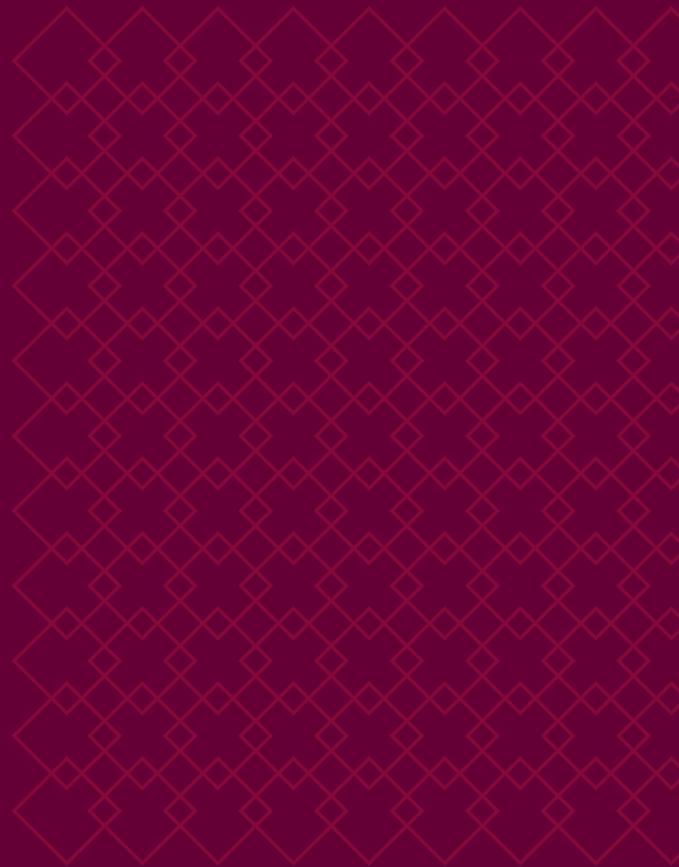
The remainder of this summary report is comprised of 2 further chapters. Chapter 2 sets out the pattern of legal service use reported by X-LULU survey respondents along with the pattern of justiciable issues that service use related to. Chapter 3 provides an account of respondent's experience of choosing and using legal services, along with the cost of legal services. A separate report sets out detailed analysis of legal service costs data from the X-LULU survey.

7. YouGov, *Legal Needs of Individuals in England and Wales*, 6.

## 02

# Legal service usage

This chapter sets out the volume of X-LULU survey respondents' legal service use across Australia (excluding Victoria), nationally and by state and territory, as well as the pattern of usage of different types of legal service. Building on this, the chapter also details the purpose for the recorded legal service use.



## Legal service use in everyday life

### Volume of service use

As indicated in the previous chapter, as part of the X-LULU survey 9,662 people completed an initial screening exercise that yielded a sample of 2,063 adult residents of Australia, living outside Victoria, who had made use of one or more legal services at some time during the previous 2 years. The screening exercise suggests that around one-quarter of the adult population of Australia outside Victoria made use of one or more legal services during the previous 2 years, with a further one in 20 unsuccessfully trying to do so.

**Figure 3 – Types of legal service types used by X-LULU survey respondents**

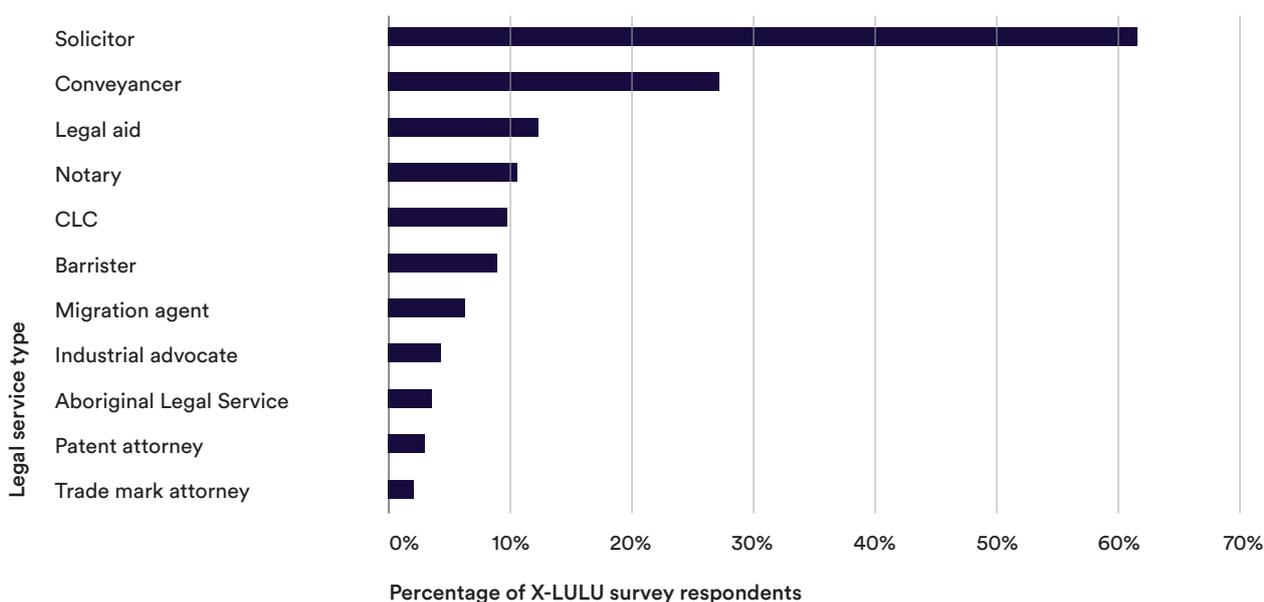


Figure 3 shows the pattern of usage of different types of legal service among X-LULU survey respondents. As can be seen, the most common types of legal services used were private solicitors (62% of respondents), conveyancers (27%), legal aid (12%) and notaries (11%). The high percentage of conveyancers reflects the fact that legal service use was more common regarding no-dispute issues than disputes. Across all 2,063 instances of service use that were followed-up in the X-LULU survey, 31% related to issues that involved a dispute and 69% to issues that did not (as reported by respondents).

Table 2 shows the pattern of usage of different types of legal service within each state and territory. The broad pattern of usage was similar across states, though differences in patterns of both supply and demand (for example, service availability and justiciable issues arising) will have had an influence on state, regional and local usage levels. The most notable difference was the rate of solicitor use in New South Wales, which was significantly higher than that recorded for other states.<sup>8</sup>

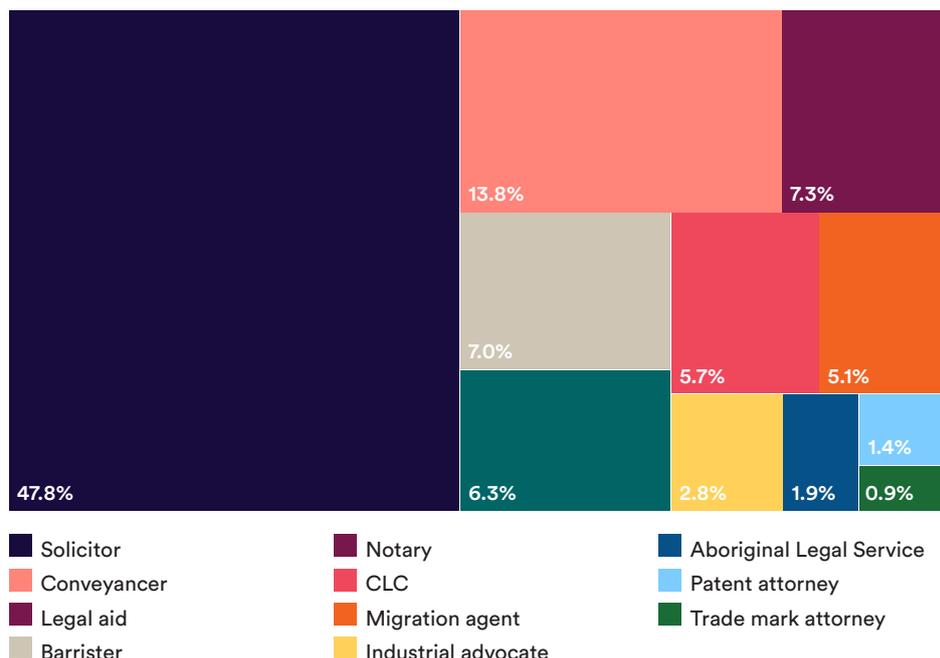
**Table 2 – Percentage of respondents using legal services, by legal service type and state**

Legal service type	State or territory				
	NSW/ACT (n=927)	Qld (n=580)	SA/NT (n=207)	WA (n=287)	Tas (n=62)
Solicitor	67	60	54	52	59
Conveyancer	25	28	35	26	28
Legal aid	12	13	13	12	7
Notary	11	11	7	11	10
CLCs	8	13	7	8	15
Barrister	10	8	7	10	10
Migration agent	7	4	9	8	5
Industrial advocate	5	4	3	6	1
Aboriginal Legal Service	3	5	4	4	0
Patent attorney	4	1	5	2	1
Trade mark attorney	2	2	2	3	0

The 2,063 X-LULU survey respondents made use of a total of 6,158 legal services (roughly 3 services on average per person), of which 2,944 (48%) were solicitors. Figure 4 illustrates the total usage volume for each service type.

8.  $\chi^2_4 = 30.13$ ,  $p < 0.001$ . Standardised Pearson residual = 2.2.

Figure 4 – Legal service type usage volume for X-LULU survey respondents



Of the 2,063 respondents who had made use of legal services, 408 (20%) also unsuccessfully tried to make use of one or more legal services. Unsuccessful attempts to obtain legal services were most common for legal aid (8% of respondents) and CLCs (6%). However, unsuccessful attempts were relatively common for all 11 types of legal service investigated through the X-LULU survey.

Sometimes unsuccessful attempts were attributed to a service not being able to help (including for scope or eligibility reasons), with other common reasons for attempts to access services being unsuccessful including difficulties in making contact and difficulties or inconvenience linked to time or distance. For solicitors, the most common reasons provided were firms not being able to help or services being too expensive, with both these reasons provided on just under half of occasions.<sup>9</sup>

Across the 8,834 screened X-LULU survey respondents eligible for inclusion in the calculation, 846 (10%) unsuccessfully tried to make use of one or more legal services. Unsuccessful attempts to obtain legal services were most common for legal aid (3% of respondents), solicitors (3%), CLCs (2%), conveyancers (2%), migration agents (2%) and notaries (2%).<sup>10</sup>

9. It should be noted that this data relates only to unsuccessful attempts to access services by people who successfully accessed one or more services on a different occasion.  
 10. Around 1% of respondents also unsuccessfully tried to make use of industrial advocates, the Aboriginal Legal Service, barristers, patent attorneys and trade mark attorneys.

### Purpose of service use

For each respondent eligible to participate in the X-LULU survey, one instance of legal service use was followed-up for detailed data collection. As noted above, 31% of followed-up legal service usage related to issues that involved a dispute, with the remaining 69% related to issues that did not (no-dispute issues). The categories of disputes and no-dispute issues generally correspond with the categories of contentious and non-contentious issues referenced in the V-LULU survey report, and both were constructed from the respondent perspective. However, the 2 category pairs are not equivalent. Some no-dispute issues would have been categorised as contentious within the V-LULU survey. For example, while no issues concerning homelessness, mental health, police action or debt (all contentious issues within the V-LULU survey) were reported by X-LULU survey respondents not to have included a dispute, 2 issues related to domestic abuse were reported not to involve a dispute. Moreover, the range of justiciable issues included within the X-LULU survey will have been wider than that included in the V-LULU survey, as the majority of issue types included within the latter survey were limited to 'problems or disputes'.

As illustrated in Figure 5, the X-LULU survey found that legal services were most often used regarding wills, probate or powers of attorney. This accounted for 31% of all legal service usage. Within this 31%, around two-thirds of usage concerned making or changing a will or power of attorney and one-third concerned probate. There were also a number of wills-related disputes, concerning inheritance (2% of all issues). Overall, around one in 6 issues relating to wills, probate or powers of attorney (5% of all issues) were reported to have involved a dispute.

Legal services were also commonly used regarding housing or other property that respondents owned. This accounted for 29% of all legal service usage. Within this, over three-quarters of usage related to conveyancing, with half the remainder relating to mortgages. There were also a small number of issues concerning planning (2% of all issues). Overall, around one in 11 issues relating to housing or other property that respondents owned (3% of all issues) were reported to have involved a dispute. Because of the lesser proportion of issues involving disputes, issues relating to housing or other property that respondents owned were the most common type of no-dispute issue reported through the X-LULU survey.

The only other issue that accounted for 10% or more of legal service usage was divorce or end of a de facto relationship, with around half of such issues reported as having involved a dispute – relating to children or property – and half reported as having involved no dispute.

The most common types of dispute that respondents used legal services to help resolve were disputes concerning wills, probate or powers of attorney (16% of all disputes). These were followed by disputes relating to injuries or illness (11%), housing or property that the respondents owned (8%), divorce or end of a de facto relationship (8%), goods or services (6%), domestic abuse (6%), neighbours (5%), employment (5%), money (other) (5%) and debt (5%).

Figure 5 – Volume of issues, by type and whether issues involved a dispute

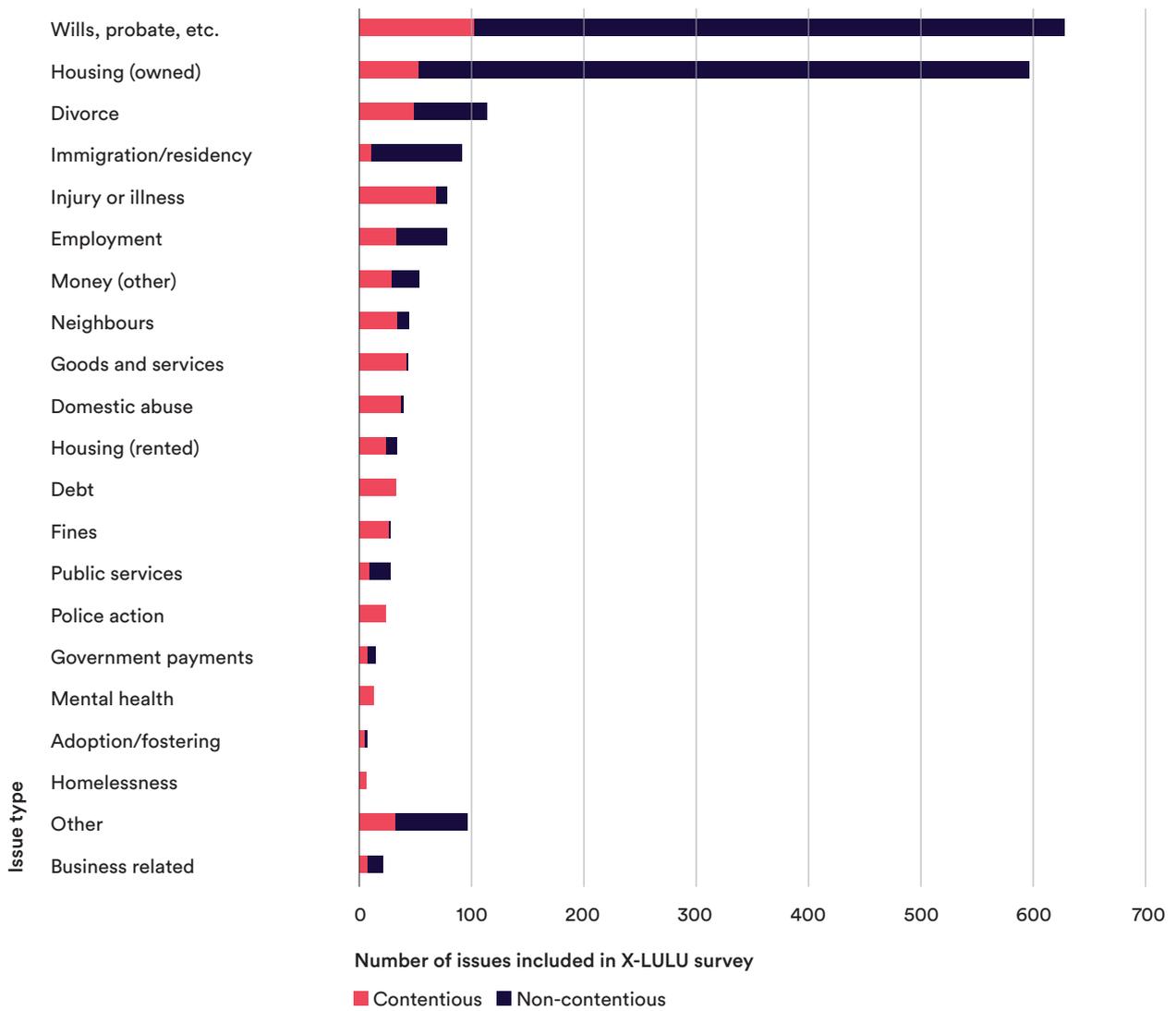


Figure 6 shows the proportion of issues of each type that involved disputes. As can be seen, the bulk of the sample of issues is comprised of just 2 types of no-dispute issues – ‘wills, probate and powers of attorney’ and ‘owned housing’. Together these 2 types of no-dispute issue made up more than half the issues dealt with by the sample of legal service providers. Including the disputes of the same type, the 2 types of issue made up 60% of all issues. This is quite different to the sample of issues explored in the V-LULU survey, which reflected the population’s experience of issues more than the pattern of legal service delivery.

Table 3 sets out the pattern of issues associated with legal service use in each state. As can be seen, the patterns are broadly similar, with differences for Tasmania likely largely attributable to the small sample size.

**Figure 6 – Proportion of issues of each type that were contentious and non-contentious**

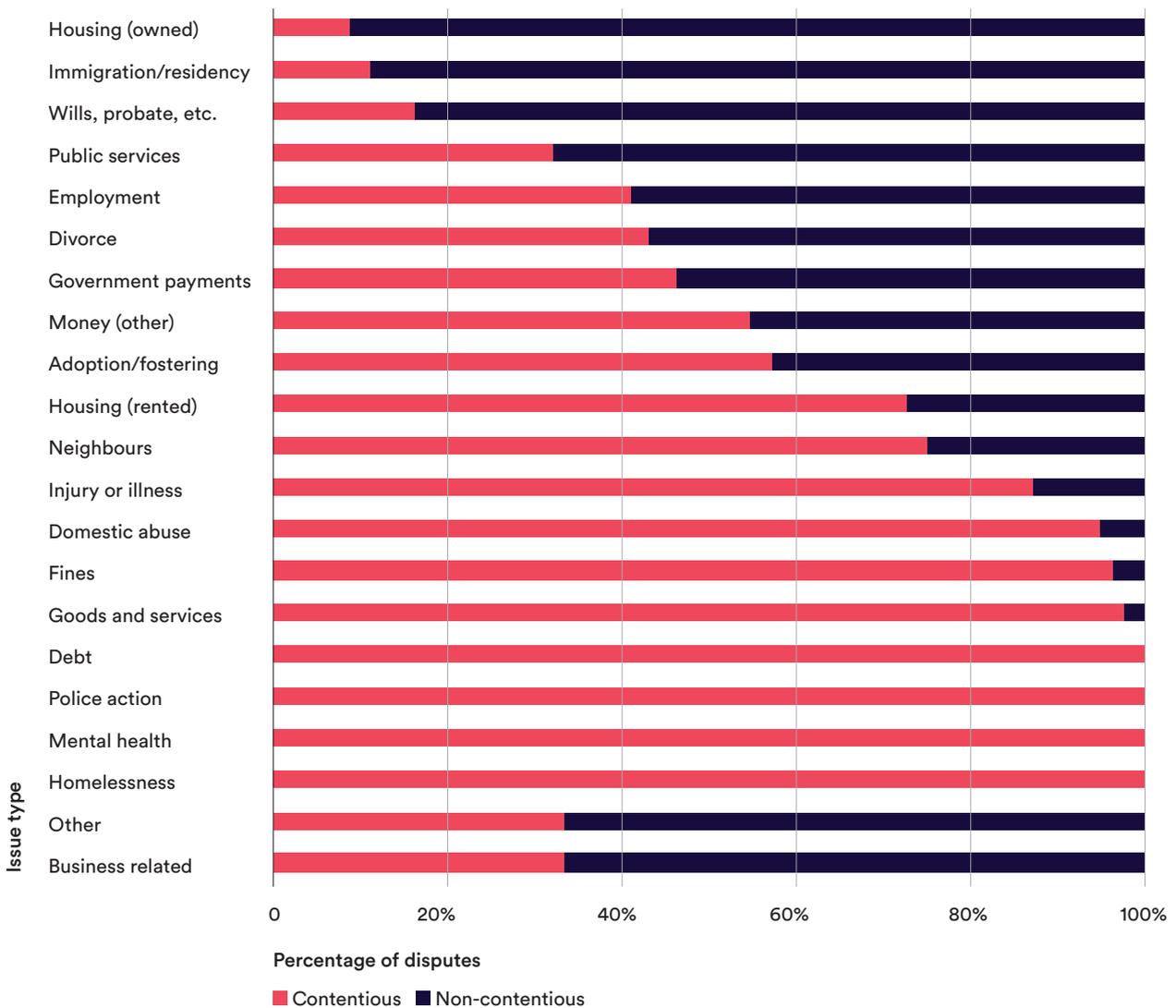


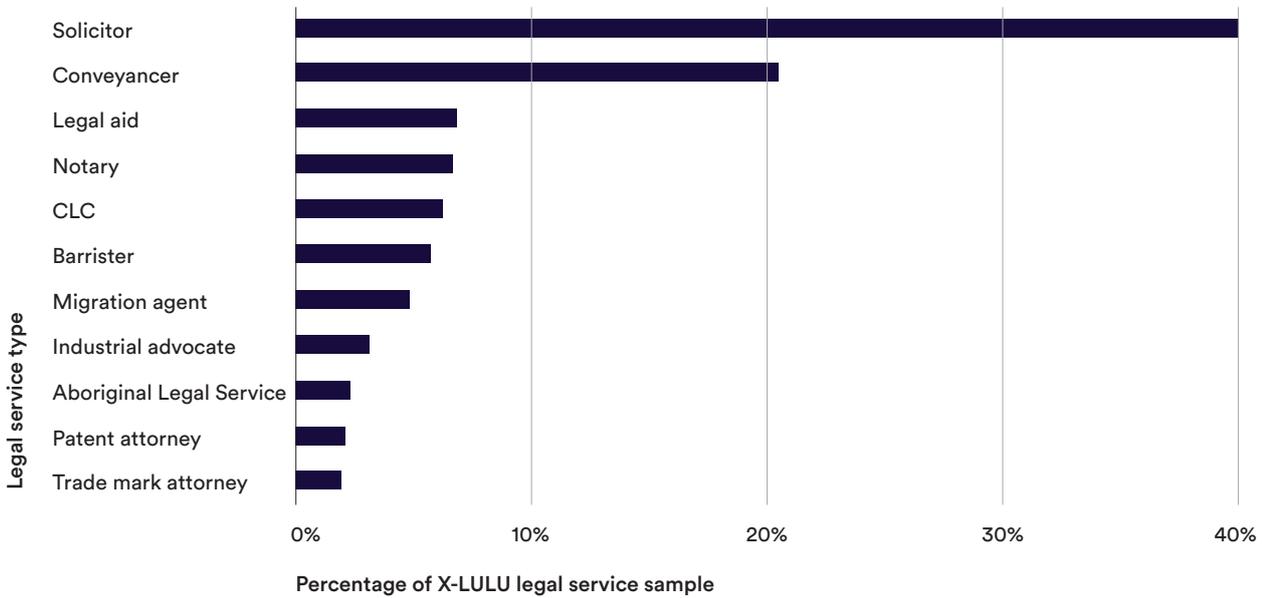
Table 3 - Problems associated with legal service use by state or territory

Issue type	State or territory				
	NSW/ACT (n=927)	Qld (n=580)	SA/NT (n=207)	WA (n=287)	Tas (n=62)
Wills, probate, etc.	31	29	33	27	35
Housing (owned)	31	31	24	25	26
Divorce	4	6	6	9	7
Immigration/residency	4	4	7	5	4
Injury or illness	3	5	3	3	6
Employment	3	4	6	5	1
Money (other)	4	2	1	1	2
Neighbours	3	2	<1	3	3
Goods and services	2	2	3	4	<1
Domestic abuse	2	2	1	2	<1
Housing (rented)	2	<1	3	3	1
Debt	2	2	2	1	<1
Fines	1	1	2	1	<1
Public services	1	1	1	2	<1
Police action	1	<1	1	1	<1
Government payments	<1	<1	<1	2	2
Mental health	<1	<1	<1	<1	2
Adoption/fostering	<1	<1	<1	<1	<1
Homelessness	<1	<1	<1	<1	<1
Other (non-business)	4	6	4	4	10
Business-related	1	1	1	1	2

**The sample of legal services**

As illustrated by Figure 7, reflecting the pattern of legal service use illustrated in Figures 3 and 4, the most frequently followed-up type of service in the X-LULU survey was private solicitors' firms. Of the 2,063 services followed up, 826 were private solicitors firms. The second most frequently followed-up type of service was conveyancers. This was due to the association between private solicitors and conveyancers and the 2 largest categories of issue dealt with by X-LULU sample legal service providers, namely wills, probate and owned housing. Sample private solicitors were substantially more likely than other legal services to have dealt with issues concerning wills, probate and owned housing, which covered 74% of all such issues within the sample.<sup>11</sup> Moreover, despite dealing with proportionately fewer owned housing issues,<sup>12</sup> private solicitors also dealt with 25% of such issues in the sample. Unsurprisingly, conveyancers were substantially more likely than other legal services to have dealt with owned housing issues,<sup>13</sup> dealing with 59% of all such issues – which represented 17% of all issues within the sample.

**Figure 7 – Types of legal services followed-up through the X-LULU survey**



11.  $X^2_{120} = 1815.13$ ,  $p < 0.001$ , standardised Pearson residual = 13.4.  
 12. Standardised Pearson residual = -5.9.  
 13. Standardised Pearson residual = 21.0.

Sample notaries were the third most frequently followed-up type of service and most often dealt with issues concerning wills and probate (31% of issues dealt with). Sample legal aid lawyers, CLCs and barristers – the third, fourth and fifth most followed-up types of service, respectively – all most often dealt with family issues (31%, 31% and 30% of issues dealt with, respectively). All other types of legal service provider included in the X-LULU sample survey were followed-up on fewer than 100 occasions. For the purposes of analysis, in this report they are aggregated into an ‘other legal service’ category.

Looking closer at the split between no-dispute issues and disputes, conveyancers were the type of legal service provider that most often dealt with no-dispute issues (92%), followed by notaries (81%) and private solicitors (77%).<sup>14</sup> Legal aid was the type of legal service provider that most often dealt with disputes (72%), followed by barristers (67%) and CLCs (58%).<sup>15</sup>

Looking only at no-dispute issues, 69% of the issues dealt with by sample private solicitors concerned family matters and 22% concerned housing. For conveyancers, 89% concerned housing and 10% family matters (as categorised by respondents). For notaries, 41% concerned family matters and 20% housing. Other legal service types dealt with relatively few no-dispute issues.

Turning to disputes, 40% of the issues dealt with by sample private solicitors concerned family matters, 14% concerned housing and 11% concerned money. For legal aid, 30% concerned family matters and 21% housing. For CLCs, 30% concerned housing and 23% family matters. For barristers, 33% concerned family matters, 16% injuries and 13% money. Other legal service types dealt with relatively few disputes.

14.  $\chi^2 = 399.0$ ,  $p < 0.001$ , standardised Pearson residuals = 5.7 (conveyancers), 1.7 (notaries) and 2.7 (solicitors).

15. Standardised Pearson residuals = 8.6 (Legal aid), 7.0 (barristers) and 5.5 (CLCs).

03

# The use of legal services

This chapter sets out the experience of X-LULU survey respondents who had used legal services to help deal with followed-up justiciable issues. It details the methods used to find services, the factors associated with choice of particular services, what was expected and received from services, communication preferences and modes of communication with services, information provided by services, the cost of services, satisfaction with services, and methods used to raise complaints about services.



## Choice of services

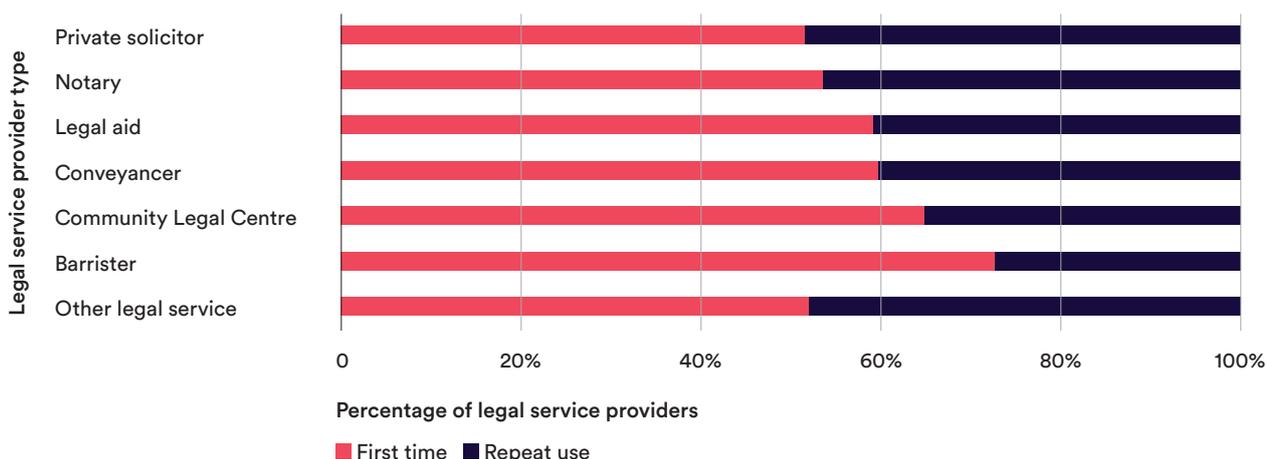
### Paths to services

As detailed in the previous chapter, the X-LULU survey asked about 2,063 legal service providers, 826 of which were private solicitors, 422 were conveyancers, 140 were notaries, 137 were legal aid, 128 were CLCs and 117 were barristers. None of the remaining services were asked about on as many as 100 occasions. This ‘other’ group of service providers was comprised of 99 migration agents, 63 industrial advocates, 48 instances of an Aboriginal Legal Service, 44 patent attorneys and 38 trade mark attorneys.

Of the 2,063 legal service providers followed-up through the X-LULU survey regarding disputes, respondents reported having previously received help from the service in 44% of instances. The rates of previous usage for each type of provider are illustrated in Figure 8. As can be seen, individual private solicitors’ firms were the most likely to have been used before, although the difference was of marginal statistical significance.<sup>16</sup> In all, 48% of clients of followed-up private solicitors had used them on a previous occasion, compared to 41% of users of other types of legal service provider.

At the other end of the spectrum, barristers were significantly less likely to have been used previously, having been used previously on only 27% of occasions.<sup>17</sup> CLCs had also less often been used previously, but this finding fell short of significance (35%).<sup>18</sup> Within the ‘other’ category of legal service provider, no types of provider were observed to be more or less likely to have been used previously.

Figure 8 – Rate of previous usage by legal service provider type



16. Standardised Pearson residual = 1.9.

17.  $X^2_6 = 28.87, p < 0.001$ , standardised Pearson residual = -2.7.

18. Standardised Pearson residual = -1.5.

The pattern changed when looking at only no-dispute issues, with private solicitors used previously on 51% of occasions and legal aid and CLCs on just 23% and 26% of occasions, respectively. Even though use of the latter 2 types of provider was relatively rare, the finding was nonetheless significant.<sup>19</sup> In the case of disputes, the pattern was again different, with legal aid and CLCs having much more often been used previously, as compared to previous usage regarding no-dispute issues (48% and 42%, respectively) – perhaps reflecting the issues usually focused on by these services. However, across all disputes, only the rate of previous use of barristers stood out in statistical terms, with individual barristers less likely to have been used previously.<sup>20</sup>

Overall, there was no difference in the rate at which services had been used previously between no-dispute issues and disputes.<sup>21</sup>

Turning to issue type, there were differences in rates of previous use of legal service providers between issue types, but the numbers were too small in many instances to allow for clear conclusions.<sup>22</sup> The same was true when looking at no-dispute issues and disputes separately, although in the former case there was some indication that family issues were associated with repeat service use and in the latter case the same was true of immigration and residency issues.<sup>23</sup> In the case of no-dispute family issues, this accords with the notion of ‘the family lawyer’ and, indeed, solicitors had more often been previously used regarding no-dispute family issues (52%) than other no-dispute issues (49%) or disputes (39%).

Aside from prior knowledge, the internet played a significant role for respondents finding and choosing between legal services. Overall, 47% of legal service users had made use of the internet (including social media) to research services. As can be seen from Figure 9, online research most often involved searching for reviews (22% of occasions of legal service use), but searching for services (21%) and prices (15%) were also common.<sup>24</sup> More generally, legal service users had often obtained recommendations from friends or relatives (39%), as well as requesting information directly from services, such as on costs (26%) or other aspects of service (27%).

19.  $X^2_6 = 31.35$ ,  $p < 0.001$ , standardised Pearson residuals = 2.5 (private solicitor), -2.0 (Legal aid) and -2.1 (CLCs).

20.  $X^2_1 = 22.83$ ,  $p < 0.001$ , standardised Pearson residual = -2.8.

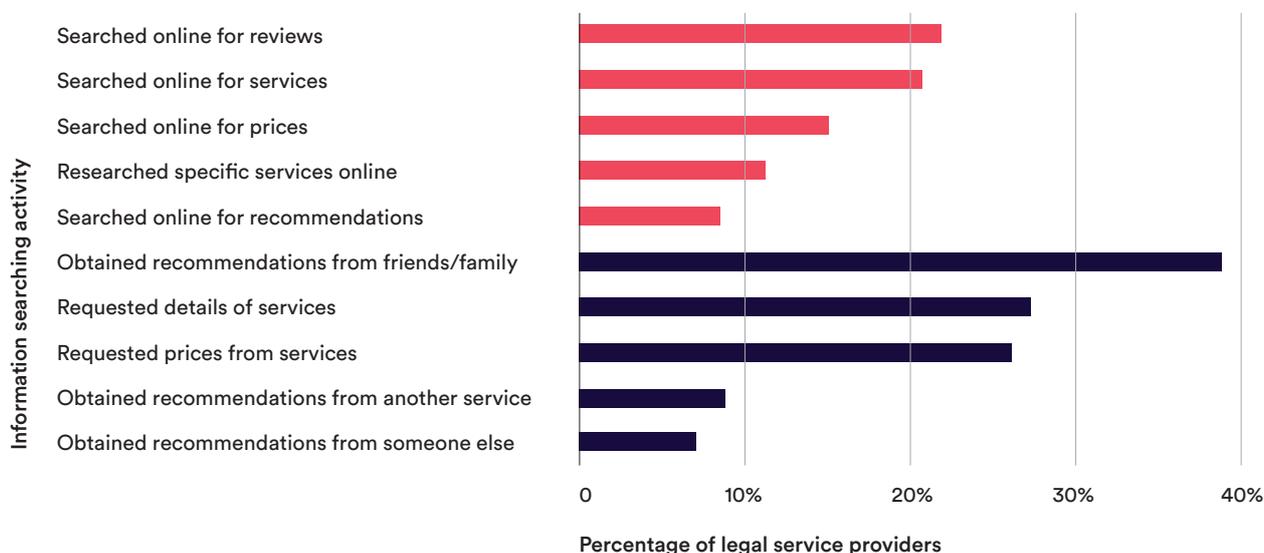
21.  $X^2_1 = 0.74$ ,  $p = 0.391$

22.  $X^2_{13} = 22.67$ ,  $p < 0.05$

23.  $X^2_{13} = 21.81$ ,  $p < 0.05$  (no-dispute issues), standardised Pearson residuals = 2.0 (family),  $X^2_{13} = 24.85$ ,  $p < 0.05$  (disputes), standardised Pearson residual = 2.3 (immigration). In the latter case, numbers were very small.

24. The most common route to finding reviews was a search engine. Specific search engines were mentioned by around one-quarter of those respondents who had looked online for information about services. The most commonly mentioned search engine was Google. The most commonly mentioned social media platform was Facebook. But, aside from search engines and social media, a broad range of websites were mentioned, none of which were mentioned more than a few times.

**Figure 9 – Things done by legal service users to find or choose between legal services (pink bars represent exclusively online activity)**



As was also found by the V-LULU survey, internet searches were less often reported by users of private solicitors (35%) than other legal services (54%), with the figure highest for CLCs (72%), followed by legal aid (60%).<sup>25</sup>

Again as found by the V-LULU survey, online searches for service prices were more common for CLCs (37%) and legal aid (29%), along with notaries (33%).<sup>26</sup> However, unlike V-LULU survey findings, users of CLCs and legal aid were no more likely to have requested details of prices from the services, with conveyancers the most often contacted for this purpose (36%), and legal aid and private solicitors the least often contacted for this purpose (20% and 22% respectively).<sup>27</sup>

Internet searches were less often reported regarding no-dispute issues<sup>28</sup> and family issues (42%),<sup>29</sup> perhaps reflecting the higher level of repeat use of solicitors in such issues. They were more often reported regarding issues concerning goods or services (71%), and immigration and residence (64%).<sup>30</sup>

For the 33% of legal service users who specifically searched for, or requested, information about service prices (either online or offline), only a small number failed to obtain any such information (2% of those who searched). More than half obtained price information for 2 or more services. Similarly, for the 76% of legal service users who searched for, or requested other information about services, only a small number failed to obtain any information. About half obtained information for 2 or more services (3%). Just under half obtained information about 2 or more services. For those who obtained recommendations, around half received just one. Regarding success in obtaining prices, other information or recommendations, there was little difference between no-dispute issues and disputes, different types of issue, or different types of service provider.

25.  $\chi^2_6 = 152.90$ ,  $p < 0.001$ , standardised Pearson residuals = -4.9 (private solicitor), 4.3 (CLCs) and 2.3 (legal aid).

26.  $\chi^2_6 = 83.47$ ,  $p < 0.001$ , standardised Pearson residuals = 4.1 (CLCs) and 2.2 (legal aid).

27.  $\chi^2_6 = 40.00$ ,  $p < 0.001$ , standardised Pearson residuals = 3.9 (conveyancer), -1.5 (legal aid) and -2.6 (private solicitor)

28.  $\chi^2_1 = 57.81$ ,  $p < 0.001$

29.  $\chi^2_{13} = 50.54$ ,  $p < 0.001$ , standardised Pearson residual = -2.1 (family).

30. Standardised Pearson residuals = 2.4 (goods and services) and 2.5 (immigration).

Figure 10 illustrates how easy X-LULU survey respondents found it to undertake the different forms of information-gathering detailed in Figure 9. As is evident, most people had little difficulty finding what they were looking for, although just under one-third of legal service users had found it quite or very difficult to search for prices online. It appeared that respondents faced more difficulty finding prices for conveyancers using an online search than for other legal service providers.<sup>31</sup>

**Figure 10 – Ease of undertaking different forms of information gathering**

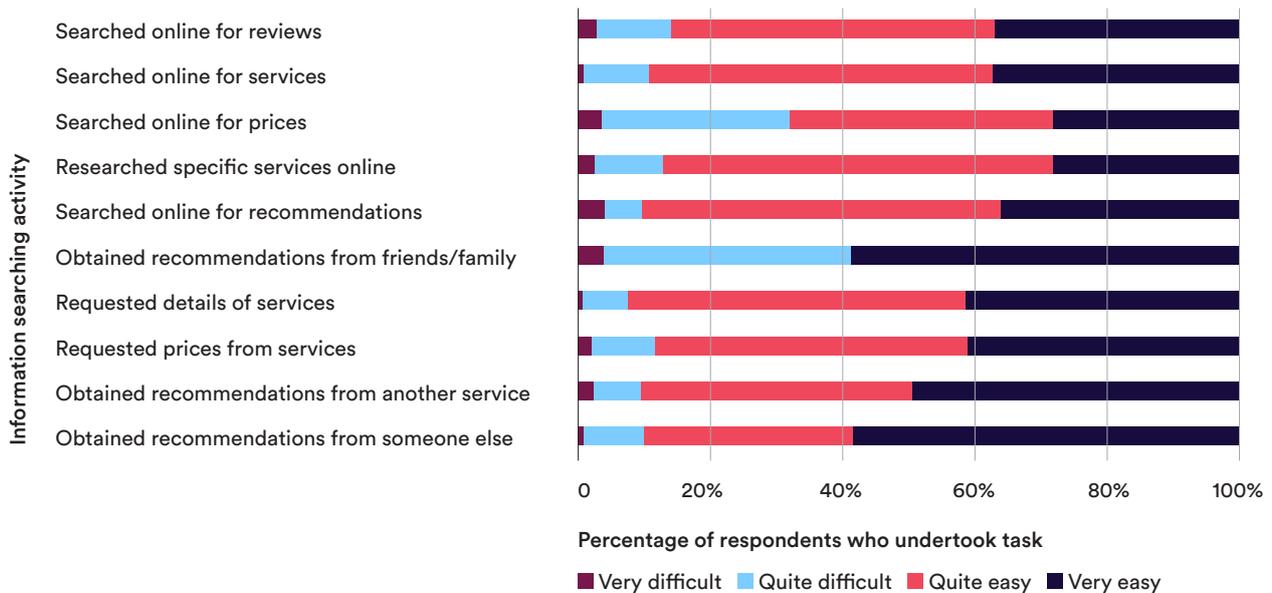


Figure 11 shows how legal service users first became aware of the services they used. Reflecting the online searching behaviour of legal service users, 23% of users indicated they first became aware of services via the internet. However, reflecting the reliance placed on friends and family, and confirming the importance of word of mouth in help-seeking, the most common source of awareness was recommendation from friends or family (31%), with recommendations from work colleagues or clients also occasionally mentioned (4%).

Emphasising the importance of visibility of services, 17% of respondents indicated that they had always been aware of the service they used (19%). Almost nobody mentioned newspapers, magazines, television or radio as sources of awareness (<1%).

Private solicitors were more likely to have first been recommended by friends or family, less likely to have been found on the internet, and more likely to have always been known about.<sup>32</sup> Of the more common legal service providers, conveyancers were less likely than others to have always been known about.<sup>33</sup>

Users of services for disputes were more likely to have found them on the internet.<sup>34</sup> In contrast, those who used legal services regarding family issues were less likely to have found them on the internet, and more often through friends or family.<sup>35</sup>

31.  $X^2_1 = 33.69$ ,  $p < 0.05$ , standardised Pearson residual = -2.5 (very easy).

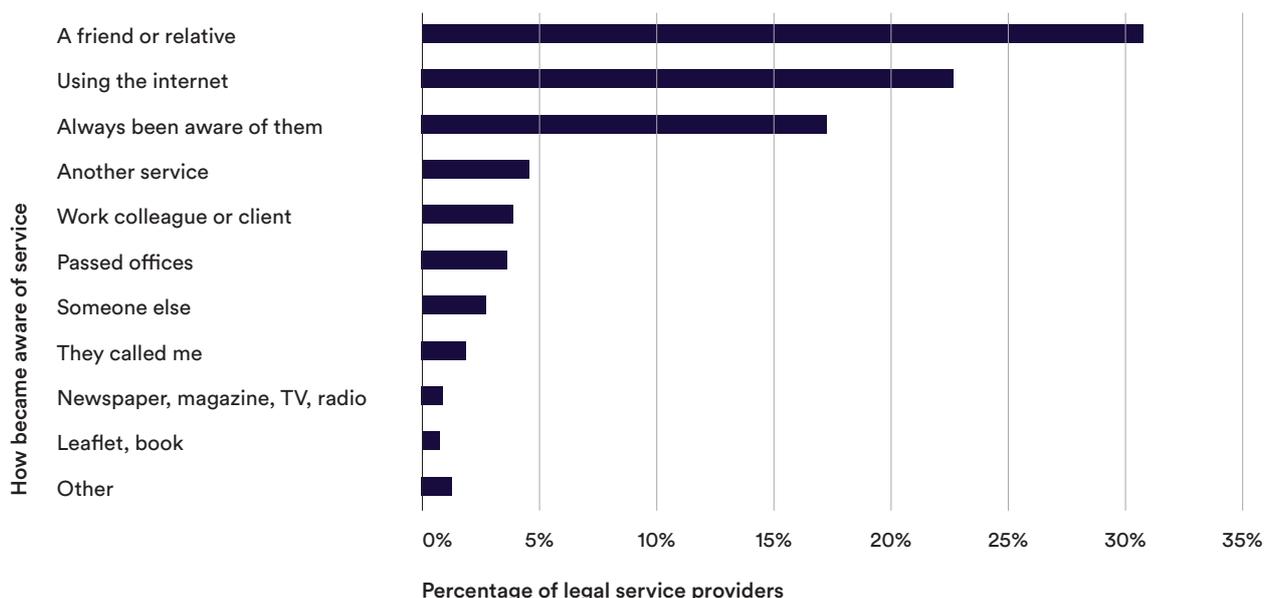
32.  $X^2_{96} = 739.47$ ,  $p < 0.001$ , standardised Pearson residuals = 2.3 (friend or relative), -3.8 (internet) and 3.1 (always aware).

33. Standardised Pearson residual = -2.1

34.  $X^2_{16} = 127.15$ ,  $p < 0.05$ , standardised Pearson residual = 3.0.

35.  $X^2_{208} = 543.39$ ,  $p < 0.001$ , standardised Pearson residuals = -2.9 (internet) and 1.8 (friend or relative).

Figure 11 – How legal service users became aware of services



Excluding friends or family, 53% of those providing legal service recommendations generally provided the name of a specific person or service for help. Moreover, 50% provided contact details. Just under 10% of those providing legal service recommendations explained eligibility and/or costs. Relatively few (6%) helped schedule an appointment.

**Factors influencing choice of service**

Figure 12 shows the factors that legal service users reported to have been important in their choice of service. As can be seen, skills and experience were the most frequently mentioned factor guiding choice of service provider (51% of service users), followed by method of communication (49%) and location (48%). In broad terms, quality, ease of access and value for money were the overriding factors considered. Perhaps surprisingly, indemnity insurance, having an independent complaints procedure, and independence were mentioned relatively infrequently (7%, 12% and 16%, respectively).

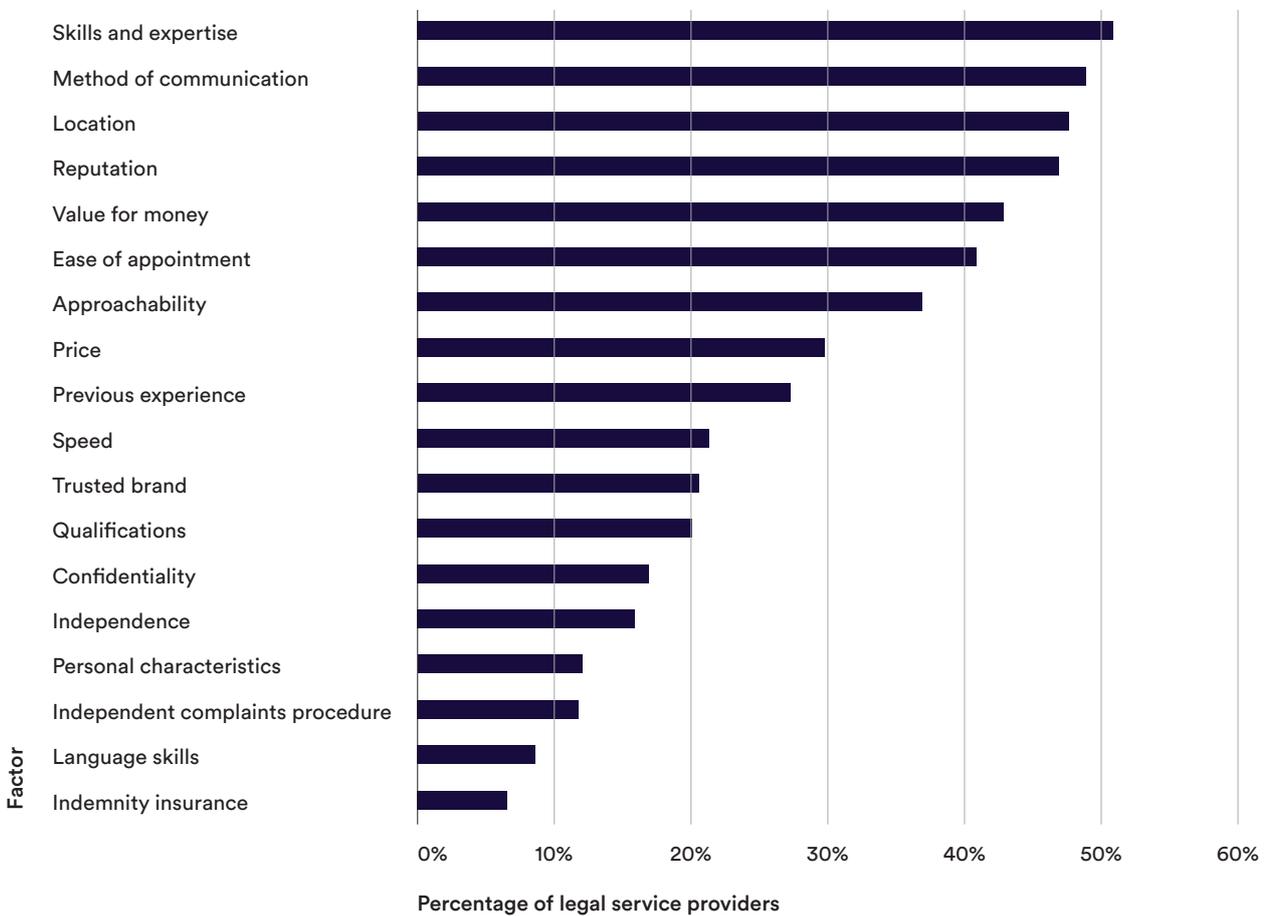
When asked how they would most liked to have communicated with services, legal service users who said that method of communication was an important factor in choice of service had a very similar preference profile to those said it was not important, with face-to-face communication most preferred (44%).<sup>36</sup> This was followed by email and telephone (32% and 22%, respectively).<sup>37</sup>

36. Compared to 46% for others.

37. Compared to 28% and 20%, respectively, for others.

Looking at the most commonly mentioned important factors in legal service provider choice, skills and expertise were most often mentioned as important regarding barristers (64%), and least often regarding notaries (35%).<sup>38</sup> Method of communication was most often mentioned as important regarding conveyancers (56%), and least often regarding barristers (36%) and notaries (34%).<sup>39</sup> Location was most often mentioned regarding notaries (68%) and solicitors (54%), and least often regarding barristers (22%).<sup>40</sup> Location was also more often mentioned regarding no-dispute issues than disputes.<sup>41</sup> However, there was no difference in this regard in the cases of either skills and expertise or method of communication. Similarly, location was more often mentioned regarding family issues (55%), and less often regarding issues concerning goods or services (26%) or employment (31%).<sup>42</sup> Again, there was little difference in this regard in the cases of either skills and expertise or method of communication.

**Figure 12 – Factors important in choice of legal service provider**



38.  $X^2_6 = 31.95$ ,  $p < 0.001$ , standardised Pearson residuals = 2.0 (barrister) and -2.6 (notary)  
 39.  $X^2_6 = 31.92$ ,  $p < 0.001$ , standardised Pearson residuals = 2.2 (conveyancer), -2.0 (barrister) and -2.5 (notary).  
 40.  $X^2_6 = 91.50$ ,  $p < 0.001$ , standardised Pearson residuals = 3.5 (notary), 2.0 (solicitor) and -4.0 (barrister).  
 41.  $X^2_1 = 43.41$ ,  $p < 0.001$   
 42.  $X^2_{13} = 57.11$ ,  $p < 0.001$ , standardised Pearson residuals = 2.9 (family), -2.0 (goods/services) and -2.1 (employment).

Price was most commonly mentioned as important regarding legal aid (45%) and CLCs (42%) – perhaps reflecting the greater cost sensitivity of their users – and least often regarding solicitors (24%).<sup>43</sup> Value for money was most commonly mentioned regarding conveyancers (53%) – perhaps reflecting their niche and intended disruptive market position – and again least often regarding solicitors (38%).<sup>44</sup> While there was no difference in how often price was mentioned regarding no-dispute issues and disputes, value for money was more often an issue regarding no-dispute issues.<sup>45</sup> Price and value for money were also more often mentioned regarding issues concerning housing and immigration or residency, and less often regarding family matters.<sup>46</sup>

Indemnity insurance, despite being not often mentioned, was even less often mentioned regarding solicitors (3%, compared to 9% for other services),<sup>47</sup> and more often regarding disputes.<sup>48</sup> It was also mentioned more often regarding issues concerning money (13%) and less often regarding family matters (4%).<sup>49</sup> Having an independent complaints procedure was most often mentioned regarding CLCs (29%) and least often regarding solicitors (6%) and conveyancers (7%).<sup>50</sup> It was also more often mentioned regarding disputes.<sup>51</sup> Independence was also more often mentioned regarding CLCs (26%, compared to 15% for other services).<sup>52</sup>

## The nature of service use

### Methods of communication

The most common ‘main’ method X-LULU survey respondents used to communicate with legal service providers was face-to-face communication (36% of occasions). While the most common method, face-to-face communication was used by only three-quarters of those who described it as their preferred method of communication. The next most common main method of communication was email (34%), followed by the telephone (26%). The main method of communication was a website or app on 3% of occasions.

Although the main method of communication on just 36% of occasions, face-to-face communication was used at some point in 59% of cases (covering 85% of those who described it as their preferred method of communication). Email was used in 61% of cases and the telephone in 66% of cases.

43.  $X^2_6 = 40.00$ ,  $p < 0.001$ , standardised Pearson residuals = 3.3 (legal aid), 2.5 (CLCs) and -3.1 (private solicitor).
44.  $X^2_6 = 35.09$ ,  $p < 0.001$ , standardised Pearson residuals = 3.2 (conveyancer), and -4.8 (private solicitor) and -3.1 (conveyancer).
45.  $X^2_1 = 12.97$ ,  $p < 0.001$
46.  $X^2_{13} = 43.46$ ,  $p < 0.001$  (price), standardised Pearson residuals = 2.1 (housing), 2.7 (immigration) and -3.0 (family);  $X^2_{13} = 45.53$ ,  $p < 0.001$  (value for money), standardised Pearson residuals = 2.6 (housing), 2.2 (immigration) and -1.9 (family).
47.  $X^2_6 = 44.19$ ,  $p < 0.001$ , standardised Pearson residual = -3.6 (private solicitor).
48.  $X^2_1 = 12.86$ ,  $p < 0.001$
49.  $X^2_{13} = 37.65$ ,  $p < 0.001$ , standardised Pearson residuals = 2.3 (money) and -3.0 (family).
50.  $X^2_6 = 125.03$ ,  $p < 0.001$ , standardised Pearson residuals = 5.6 (CLCs) and -2.0 (private solicitor).
51.  $X^2_1 = 65.00$ ,  $p < 0.001$
52.  $X^2_6 = 21.16$ ,  $p < 0.01$ , standardised Pearson residual = 3.0 (CLCs).

As might be expected, face-to-face communication was more commonly the main form of communication with private solicitors (48%), and least commonly the main form of communication with conveyancers (17%).<sup>53</sup> Conveyancers used email as the main method of communication on 59% of occasions.<sup>54</sup> Legal aid and CLCs were more associated with the telephone (47% in both cases).<sup>55</sup> Solicitors were least likely to use the telephone as the main form of communication (19%).<sup>56</sup>

Face-to-face communication was also more commonly the main form of communication used regarding no-dispute issues (40%, compared to 27%), while the telephone was more common in the context of disputes (37%, compared to 21%).<sup>57</sup> Websites or apps were also more common in the context of disputes.<sup>58</sup>

Lastly, face-to-face communication was strongly associated with family issues, while the telephone was particularly associated with housing issues.<sup>59</sup>

### The substance of help

Of those legal services users who felt able to make a determination, 93% described the help they received regarding disputes as legal in nature, with 71% describing it as entirely legal in nature. The help provided by private solicitors was the most likely to be described as entirely legal in nature (82%),<sup>60</sup> the help provided by CLCs was the most likely to be described as partly legal in nature (38%), and the help provided by notaries was the most likely to be described as not legal at all (13%).<sup>61</sup> Help provided regarding issues concerning government payments, employment and immigration or residency was most often described as not legal at all (14%, 10% and 10%, respectively).<sup>62</sup>

Just over 80% of respondents thought they would be able to obtain information or advice from followed-up legal service providers. Moreover, while 95% of them did obtain information or advice, so did 29% of those who had not thought they would be able to obtain information or advice from followed-up legal service providers. The picture was very similar regarding practical assistance. Again, just over 80% of respondents thought they would be able to obtain practical assistance and 95% of them did so. So did 33% of those who had not thought they would obtain practical assistance.

53.  $X^2_{30} = 459.92$ ,  $p < 0.001$ , standardised Pearson residuals = 5.8 (private solicitor) and -6.5 (conveyancer).

54. Standardised Pearson residual = 9.0.

55. Standardised Pearson residuals = 4.9 and 4.7, respectively.

56. Standardised Pearson residual = -4.0.

57.  $X^2_5 = 96.41$ ,  $p < 0.001$ , standardised Pearson residuals = 2.4 and 5.7, respectively.

58. Standardised Pearson residual = 2.1.

59.  $X^2_{65} = 331.92$ ,  $p < 0.001$ , standardised Pearson residuals = 7.3 (both).

60. The percentage was the same for barristers.

61.  $X^2_{24} = 221.15$ ,  $p < 0.001$ , standardised Pearson residuals = 4.1, 3.8 and 5.4, respectively.

62.  $X^2_{52} = 145.62$ ,  $p < 0.001$ , standardised Pearson residuals = 2.0, 2.8 and 2.9, respectively.

**Figure 13 – Types of help users thought legal services could provide and help actually provided**

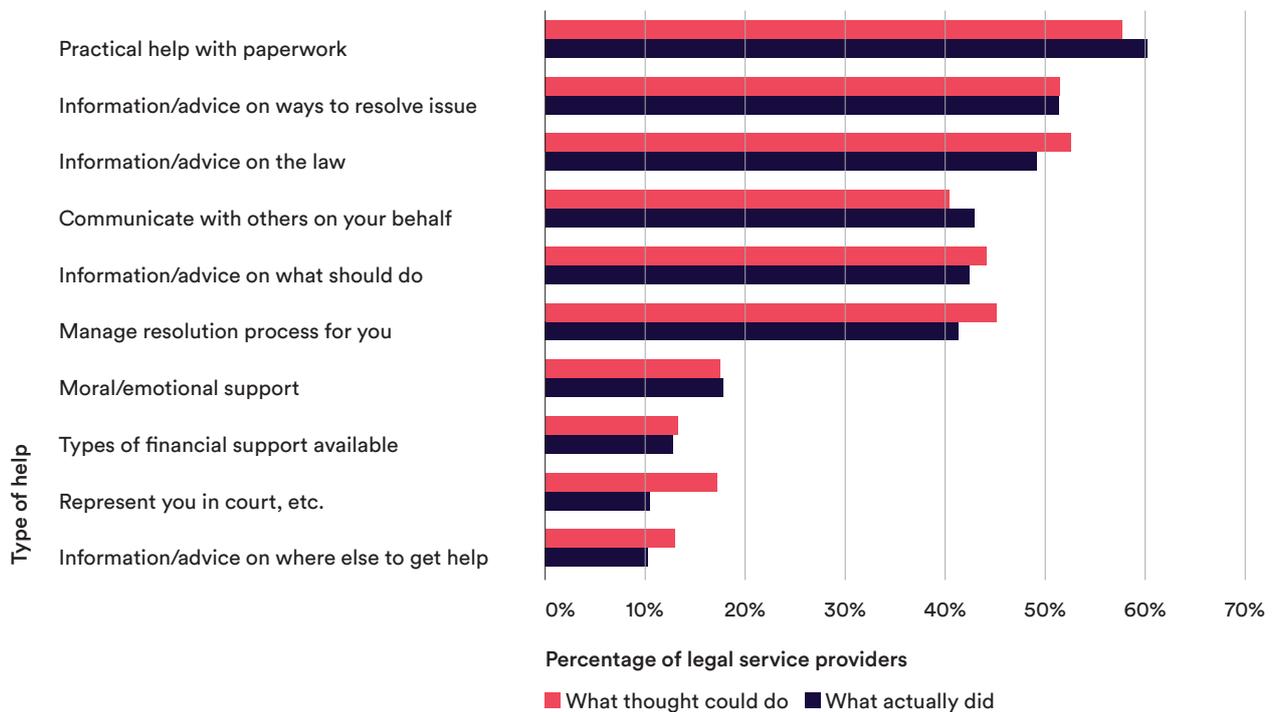


Figure 13 sets out the different types of information, advice, practical assistance and other support users thought legal services could provide, along with the types of help actually received. The types of help most commonly expected from and provided by legal services were practical help with paperwork, information or advice on ways to resolve disputes, and information or advice on rights and responsibilities.

However, there was a big difference in the pattern of responses provided by users of legal services for no-dispute issues and disputes. In the case of the former, service provision was more focused on practical assistance, in the case of the latter, it was more focused on information and advice.<sup>63</sup>

63.  $X^2_1 = 34.31, p < 0.001$  (practical assistance),  $X^2_1 = 32.06, p < 0.001$  (information and advice).

**Figure 14 – Types of help users obtained by nature of dispute**

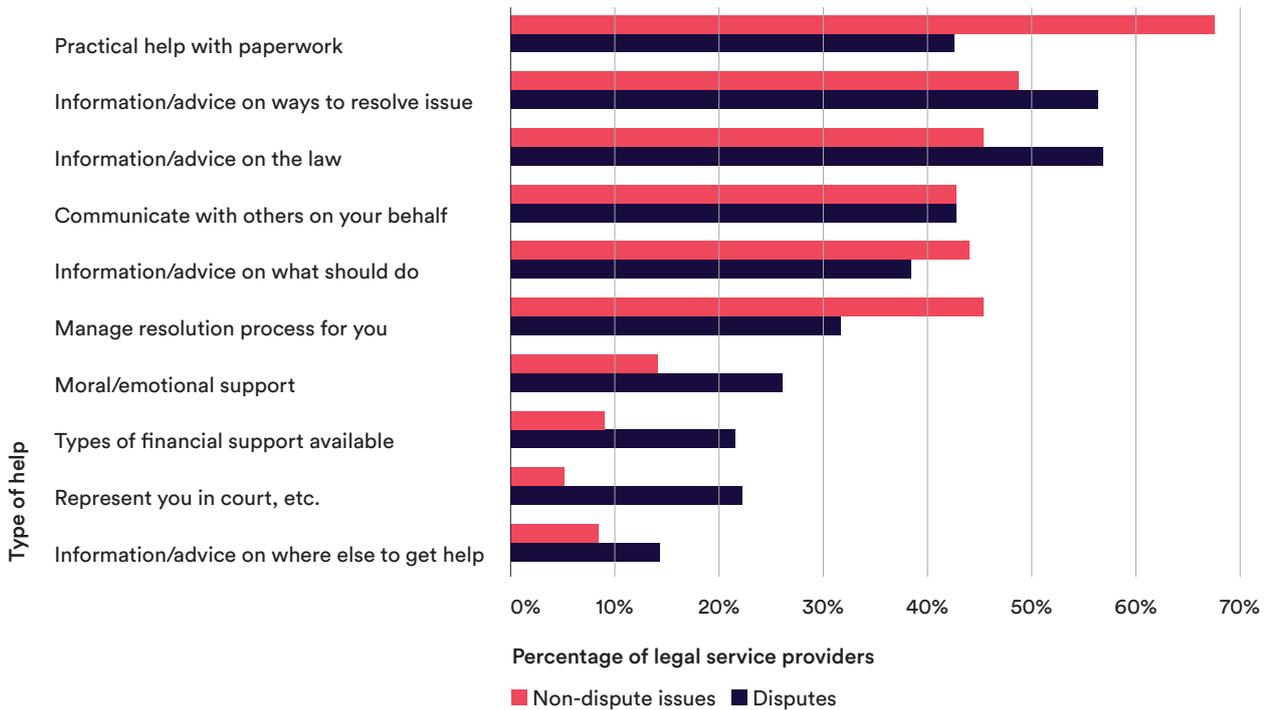


Figure 14 illustrates the different pattern of help provided by legal services regarding no-dispute issues and disputes. Looking at the figure in detail, disputes were more likely to involve legal service providers helping through the provision of information or advice relating to the law,<sup>64</sup> ways to resolve the issue,<sup>65</sup> moral or emotional support,<sup>66</sup> sources of financial help,<sup>67</sup> representation in court,<sup>68</sup> and where else to go for help.<sup>69</sup> No-dispute issues were more likely to involve legal service providers assisting through helping with paperwork,<sup>70</sup> providing information or advice on what clients should do,<sup>71</sup> and managing issues on the behalf of clients.<sup>72</sup>

There was also a big difference in the pattern of responses provided by users of different types of legal service provider. For example, conveyancers much more often provided practical help (95%) and legal aid and CLCs less often did so (58% and 59%, respectively).<sup>73</sup> Figure 15 illustrates the different patterns of help provided by different types of legal service provider. As is evident:

- conveyancers were more likely to manage issues for clients<sup>74</sup>
- solicitors, conveyancers and notaries more often provided help with paperwork<sup>75</sup>
- legal aid and CLCs more often provided details of other services<sup>76</sup>
- legal aid and barristers more often represented clients in court.<sup>77</sup>

64.  $X^2_1 = 22.94, p < 0.001$

65.  $X^2_1 = 10.25, p < 0.001$

66.  $X^2_1 = 44.42, p < 0.001$

67.  $X^2_1 = 63.13, p < 0.001$

68.  $X^2_1 = 139.13, p < 0.001$

69.  $X^2_1 = 16.65, p < 0.001$

70.  $X^2_1 = 115.31, p < 0.001$

71.  $X^2_1 = 5.32, p < 0.05$

72.  $X^2_1 = 33.65, p < 0.001$

73.  $X^2_6 = 165.28, p < 0.001$ , standardised Pearson residuals = 3.1, -3.0 and -2.8, respectively.

74.  $X^2_6 = 230.44, p < 0.001$ , standardised Pearson residuals = 1.0 and 8.1, respectively.

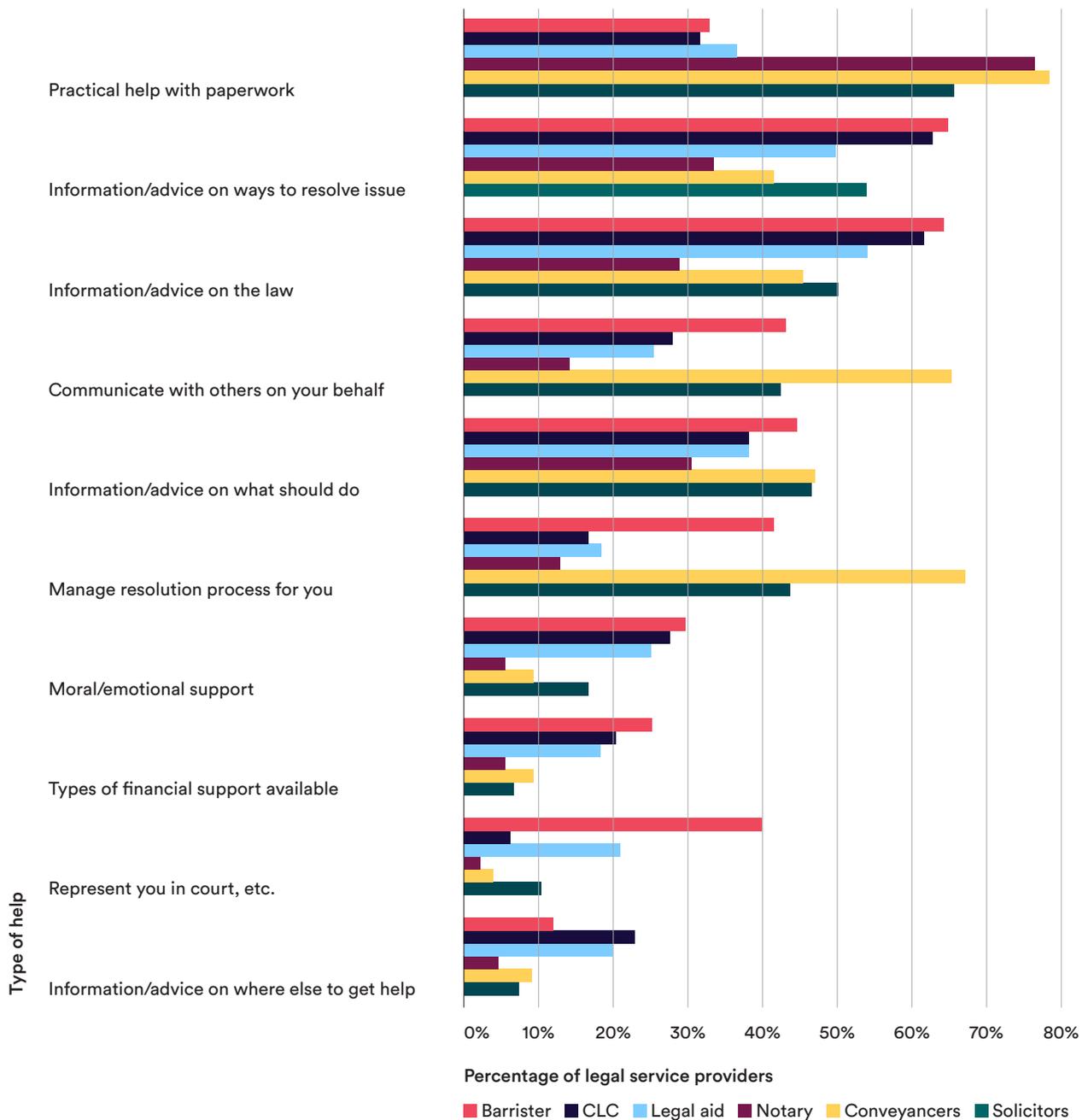
75.  $X^2_6 = 217.12, p < 0.001$ , standardised Pearson residuals = 2.0, 4.7 and 2.4, respectively.

76.  $X^2_6 = 49.82, p < 0.001$ , standardised Pearson residuals = 3.4 and 4.4, respectively.

77.  $X^2_6 = 157.48, p < 0.001$ , standardised Pearson residuals = 3.9 and 9.9, respectively.

The differences in types of help provided by different types of legal service provider was reflected in differences in the types of help provided regarding different types of issue. So, for example, no-dispute issues concerning owned housing were particularly unlikely to involve practical help, with fewer than 10% of them doing so.<sup>78</sup>

Figure 15 – Type of help users obtained by provider type



78.  $\chi^2_{17} = 110.73, p < 0.001$ , standardised Pearson residual = -3.5.

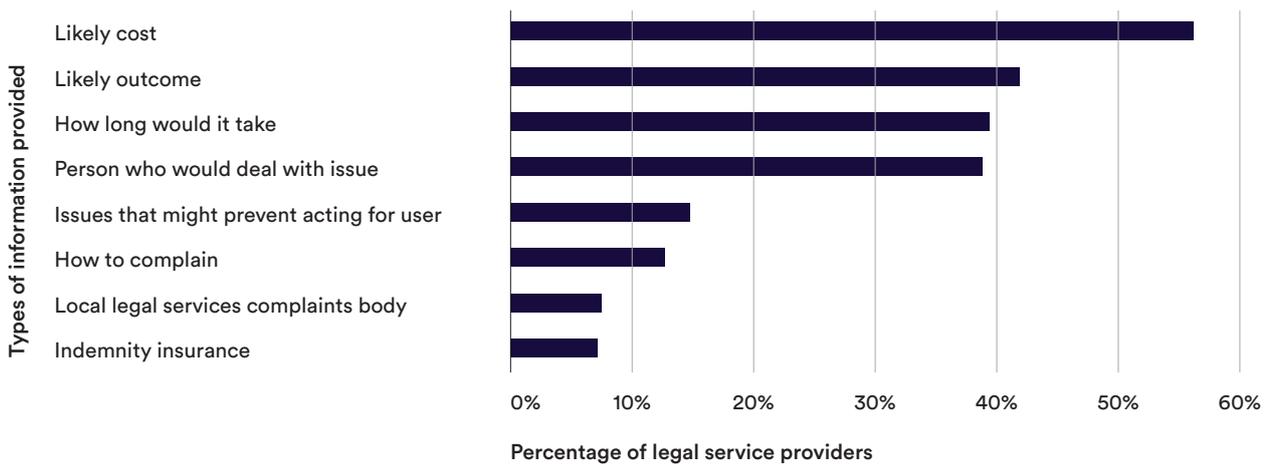
### The substance of communication

The great majority of legal service users reported that they had been provided with information about the service they would receive at the outset of service use (91%).

Figure 16 shows the types of information that legal services users recalled being provided with at this time. As some types of information are quite technical and information can be more or less salient, the picture provided in Figure 16 should be treated with a degree of caution. People may not have registered the nature of information received and/or subsequently forgotten what information they received.

Overall, 56% of legal service users recalled being provided with information about likely cost at the outset of service use. The figure was a little higher for private solicitors (62%)<sup>79</sup> and highest for conveyancers (75%). At the other end of the spectrum, the figures were lowest for CLCs (27%) and legal aid (33%), likely reflecting the different funding basis upon which their services are provided.<sup>80</sup> Users of private solicitors were also more likely than users of services in general to recall the provision of information about who would deal with their matter (44%).<sup>81</sup>

Figure 16 – Types of information provided to legal service users at outset of service use



Barristers were most likely to have been recalled as having informed clients about how to complain if things went wrong (22%), with solicitors less likely to have been recalled as doing so (8%).<sup>82</sup> Users of legal aid and CLCs were most likely to recall being informed about local legal services complaints bodies (17% and 14%, respectively), with solicitors again less likely (2%).<sup>83</sup> Users of barristers and conveyancers were most likely to recall being informed about indemnity insurance (15% and 11%, respectively).<sup>84</sup>

79.  $X^2_6 = 172.50$ ,  $p < 0.001$ , standardised Pearson residual = 2.2.

80. Standardised Pearson residuals = 5.0, -4.4 and -3.5, respectively.

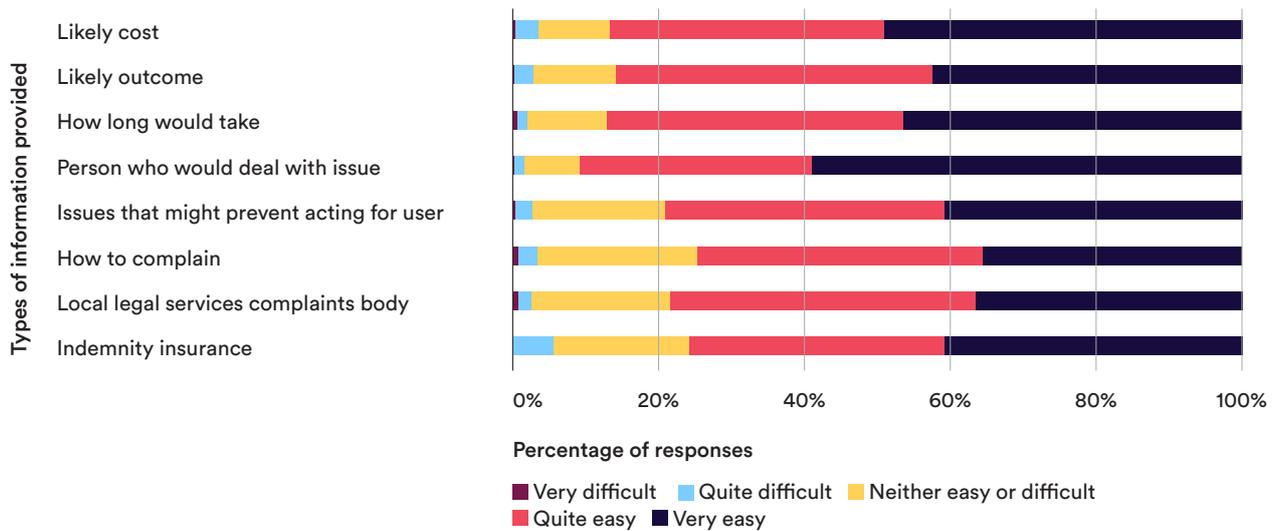
81.  $X^2_6 = 39.31$ ,  $p < 0.001$ , standardised Pearson residual = 2.6.

82.  $X^2_6 = 65.22$ ,  $p < 0.01$ , standardised Pearson residuals = 2.7 and -3.7, respectively.

83.  $X^2_6 = 154.79$ ,  $p < 0.01$ , standardised Pearson residuals = 4.0, 2.3 and -5.7, respectively.

84.  $X^2_6 = 50.76$ ,  $p < 0.01$ , standardised Pearson residuals = 2.9 in both cases.

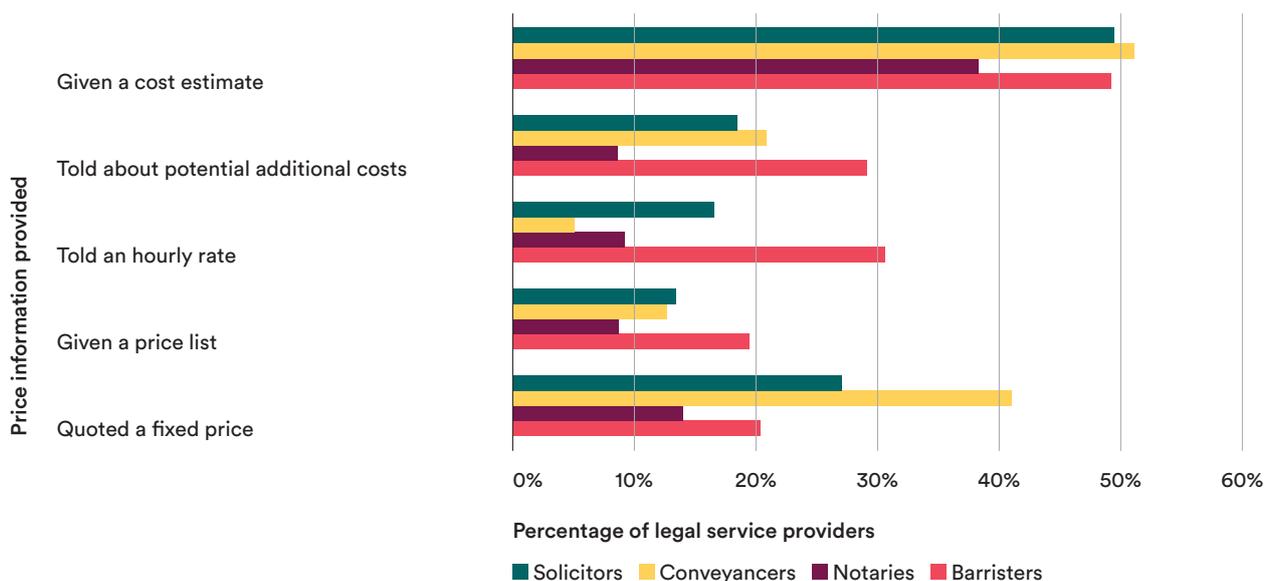
Figure 17 – Ease of understanding information provided by legal services



When asked how easy it was to understand the information that was provided about services, respondents generally indicated that they had found the information quite or very easy to understand. Figure 17 provides the pattern of responses for each type of information. The types of information about which there was the least understanding concerned complaints, indemnity insurance, local legal services complaints bodies, and issues that might prevent services acting for a user. All of these are relatively technical matters.

X-LULU survey respondents were also asked about how costs information was provided, including whether it was provided initially or later. Figure 18 sets out the pattern of responses for private solicitors, conveyancers, notaries and barristers – the highest volume types of legal service represented in the sample of legal services. As can be seen, solicitors more often charged by the hour and conveyancers by fixed fee.

Figure 18 – Types of information provided to legal service users at outset of service use



Sixty-eight per cent of solicitors' clients who received information about costs recalled this information being provided in writing, with 32% recalling it being provided verbally as well and a separate 32% verbally only. For conveyancers' clients, the figures were 86%, 27% and 14%, respectively.

Eighty-two per cent of solicitors' clients who recalled costs information also recalled being given an opportunity to ask about the information they were provided with. Just 8% said they had not been given such an opportunity. The remaining 10% couldn't recall. For conveyancers' clients, the figures were 83%, 6% and 11%, respectively.

Ten per cent of solicitors' clients and 5% of conveyancers' clients did not recall being told about costs at any point.

### The cost of services

In this section is a summary of the findings relating to the cost of the services provided by the X-LULU survey sample of legal service providers. Across all services for which data was provided, clients paid the full cost of services on 66% of occasions, part of the cost on 11% of occasions, entered into no win no fee agreements on 3% of occasions, and paid nothing on 18% of occasions. On a further 3% of occasions, respondents could not remember.

As would be expected, services provided by conveyancers and private solicitors were the most likely to be paid for in full (85% and 79% of occasions, respectively), while those provided by CLCs and legal aid were the most likely to have been reported as involving no payments at all (51% and 49%, respectively).<sup>85</sup>

Services provided regarding no-dispute issues were much more likely to involve full payment (77%, compared to 43% of occasions)<sup>86</sup> and so were issues relating to housing (76%) and family (74%).<sup>87</sup> No win no fee agreements were, unsurprisingly, primarily associated with injuries (33%),<sup>88</sup> and freely delivered services were more common regarding issues concerning employment and money.<sup>89</sup>

If X-LULU survey respondents reported having paid for services, they were asked for the total amount they had paid. Of the 1,000 estimates provided, the range was from \$100 or less (5% of estimates) to \$7,000 or more (10% of occasions). One per cent of estimates were of \$40,000 or more. The mean cost of services was \$3,680 and the median was \$1,500. This was close to the mean and median for solicitors' costs, of \$3,888 and \$1,500, respectively. The mean and median for conveyancers were \$1,950 and \$1,500. The mean and median for notaries were \$820 and \$400. The mean and median for barristers were \$16,410 and \$6,305. The mean and median for no-dispute issues were \$2,465 and \$1,320, and for disputes \$7,185 and \$2,000.

Of those who were able to provide an estimate of the amount they had personally paid for the legal services they were provided with, 78% said the amount was the same or lower than they had expected. A further 6% couldn't recall, leaving 16% who ended up having to pay more than they had expected. Barristers' bills were most frequently higher than expected.<sup>90</sup>

85.  $X^2_{24} = 567.84$ ,  $p < 0.001$ , standardised Pearson residuals = 4.6, 4.3, 8.8 and 8.5, respectively.

86.  $X^2_4 = 363.88$ ,  $p < 0.001$ , standardised Pearson residual = 4.8.

87.  $X^2_{52} = 577.65$ ,  $p < 0.001$ , standardised Pearson residuals = 3.2 and 2.5, respectively.

88. Standardised Pearson residual = 14.3.

89. Standardised Pearson residual = 5.3 and 2.6, respectively.

90.  $X^2_{18} = 70.35$ ,  $p < 0.001$ , standardised Pearson residual = 3.1.

A small minority (14%) of legal service users who had paid or part-paid for services indicated that they had tried to negotiate on price, though one-third of them without success. Slightly more (20%) negotiated on the type or extent of service to be provided. Negotiations were most common with barristers.<sup>91</sup>

Of those who paid or part-paid for legal services 65% drew on savings and 28% on income, while 5% needed to borrow from friends or family, and 3% took out a loan. In 9% of cases, the proceeds of action were used, in 4% of cases a charge was placed on the respondent's property and in 2% of cases the proceeds of the sale of a property or money from a deceased's estate were used.

Of those who part-paid or did not pay for legal services, 42% indicated the service was 'free', 32% indicated that friends or family covered some or all of the cost, 12% referred to a trade union or professional body, 11% to legal aid, 6% to a no win no fee agreement, 6% to insurance, and 7% to an employer.

Bills for legal services were commonly received on completion of service delivery (68% of services), though sometimes service users billed on completion of service delivery had also been billed at the outset (4%) and/or during service delivery (4%). Sixteen per cent of legal service users were billed exclusively at the outset of service delivery.

Most bills were regarded as either quite easy (36%) or very easy (51%) to understand, with only a small minority regarded as quite difficult (3%) or very difficult (<1%) to understand. The remainder (10%) were regarded as neither easy nor difficult to understand.

## Satisfaction with services

### Levels of satisfaction

While 83% of legal service users said they received everything they needed, asked for and were told they would get by the service they used, 6% said they received none of these. Looking at these items individually, 88% of legal service users said they got what they needed, 89% what they asked for, and 90% what they were told they would get.

Overall, 57% of legal service users were very satisfied with the service they received, 34% fairly satisfied, 6% fairly dissatisfied and 2% very dissatisfied. The remaining 1% were unsure. Unsurprisingly, satisfaction was strongly associated with whether or not legal service users got what they needed and asked for.<sup>92</sup> So, 98% of those legal service users who got everything they needed, asked for and were told they would get were satisfied with the service they received. At the other end of the spectrum, 75% of those who got none of what they needed, asked for or were told they would get were dissatisfied (69%) or unsure (6%).

There were significant differences in overall levels of satisfaction with different types of legal service provider.<sup>93</sup> Satisfaction levels tended to be higher for private solicitors.<sup>94</sup> This was reflected in different levels of satisfaction for different types of legal service regarding different aspects of service delivery, but overall satisfaction levels were very high. Satisfaction levels were also higher with no-dispute issues.<sup>95</sup>

91.  $X^2_{18} = 210.47$ ,  $p < 0.001$ , standardised Pearson residual = 4.5 (price);  $X^2_{12} = 123.16$ ,  $p < 0.001$ , standardised Pearson residual = 2.9.

92.  $X^2_{12} = 1142.18$ ,  $p < 0.001$

93.  $X^2_{24} = 134.84$ ,  $p < 0.001$

94. Standardised Pearson residual = 2.3 (very satisfied).

95.  $X^2_4 = 121.18$ ,  $p < 0.001$

Overall, 94% of legal service users were satisfied with the respect they were shown, 92% with levels of professionalism, 92% with usefulness, 92% with levels of expertise, 90% with the level of mistakes made, and 90% with the time taken to deliver services.

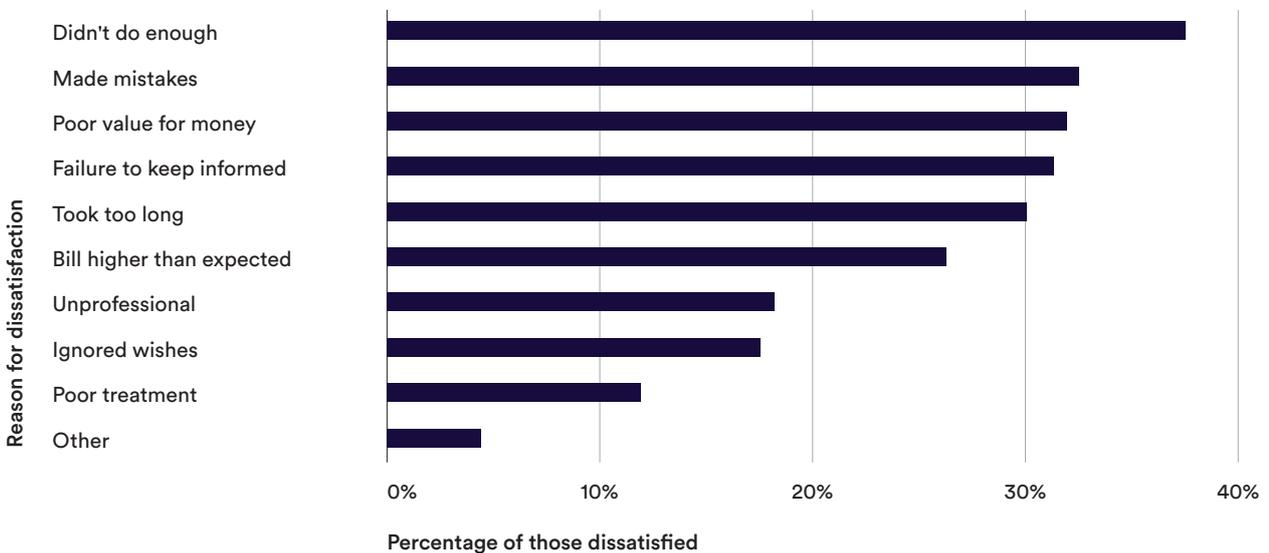
Looking more closely at the quality of communication legal service users received, 90% were satisfied with communication about the service to be provided, 89% with communication about options, 88% with communication about progress, and 85% with communication about costs. In all cases, users of legal services regarding disputes were less satisfied with the quality of communication about costs.<sup>96</sup>

Finally, 74% of legal service users who had paid or part-paid for a legal service agreed that the service provided good value for money, 20% were not sure, and 6% disagreed. Lying behind this, 79% of those who said they had got what they asked for from the service agreed it had provided good value for money, compared to just 16% of those who said they had not got what they asked for.<sup>97</sup>

**Reasons for dissatisfaction**

For the 160 legal service users who had been dissatisfied with the overall service provided, Figure 19 shows the reasons they gave for their dissatisfaction. The most common reason provided was that services had not done enough to help, which links to the above finding that legal service users were much more often dissatisfied if they had not got what they needed, wanted or were told they would get. Mistakes, delays and poor communication were also common sources of dissatisfaction.

**Figure 19 – Reasons for dissatisfaction with legal services**



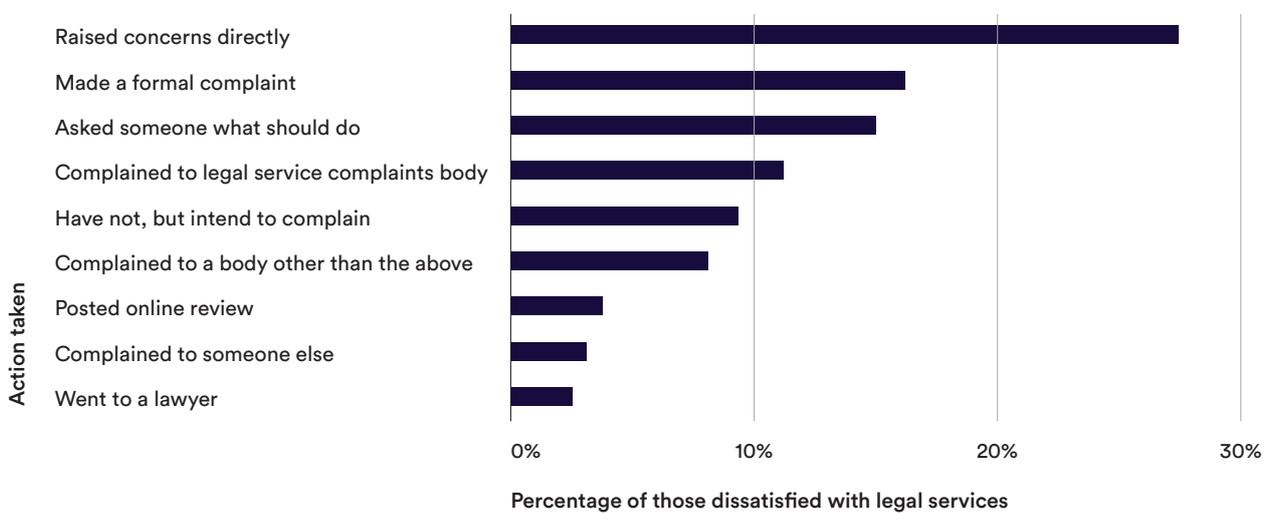
96.  $X^2_4 = 85.49, p < 0.001$  (service),  $X^2_4 = 116.52, p < 0.001$  (options),  $X^2_4 = 116.79, p < 0.001$  (progress),  $X^2_4 = 51.33, p < 0.001$  (costs).

97.  $X^2_{12} = 461.17, p < 0.01$ , standardised Pearson residuals = -4.4 (not got what asked for, strongly agree) and -3.5 (not got what asked for, agree).

**Consequences of dissatisfaction**

Legal service users who were dissatisfied with the overall service they received were also asked if they had done anything as a result of their dissatisfaction. Figure 20 shows the different actions they took or intended to take. As can be seen, 28% of dissatisfied legal service users raised their concerns directly. Just under one-quarter of these people also made a formal complaint, as did 10% more, bringing the total to 16% of dissatisfied legal service users who made a formal complaint. Separately, 20% of dissatisfied legal service users complained to a third party, with 11% doing so to a local legal services complaints body. Nine per cent of dissatisfied legal service users intended to complain but had not yet done so. Just 4% of dissatisfied legal service users posted online reviews.

**Figure 20 – Action (taken or intended) as a result of dissatisfaction**



Of the 73 dissatisfied legal service users who complained either directly or to a third party, 8 received an admission of fault, 6 received an apology, 6 had their complaint addressed (that is, the problem was fixed), 5 obtained an explanation for what had gone wrong, 4 saw action taken against them, and 2 received compensation. However, 13 of the 73 reported that they achieved nothing by complaining.

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