



Consumer principles

What do they mean for Scottish legal consumers?

15 March is International Consumer Rights Day.

The reason we celebrate it on this date is that, on 15 March 1962, JFK gave a key speech to congress in which he set out his vision for consumer protection.

It was the first time that any politician had formerly set out these principles.

As consumers we often think of consumer rights as applying to goods we purchase—cars, TVs—or the everyday services we experience, for

example, when we go to a restaurant, take our car for a service or collect our dry-cleaning. We generally know what we can expect and what to do when the goods or services fall short of our expectations.

When it comes to professional services, it can be more difficult. We are often not in

a position to judge the technical quality of the work or it may be years before issues come to light.

But consumer principles are just as relevant to professional services, including those provided by your lawyer.

We have set out our vision of how the internationally recognised principles for consumer protection should apply to legal services.

slcc
consumer panel

representing the consumer voice



Consumer principles

We believe that you – as a legal services consumer – deserve the following...

Access

Access to the services you need

If there are barriers to accessing a service, these are recognised and understood. You should be able to discuss them with someone who can help or change things.



Quality 3

Excellent legal and customer service

You know that quality is monitored effectively because of good internal systems and because your legal service provider is licensed and regulated.



Choice

Free choice of a range of service providers

When deciding who to select as your legal service provider, you should be able to access reliable comparative information. You should also be able to find out which providers are regulated.



Information

to help you make effective choices

When choosing a provider, you should have access to information which will help you decide. You receive information - at the right level for you - on how your case is progressing so that you can make informed decisions.



Fairness

To be treated fairly by your legal services provider.

You should not experience discrimination because of learning or physical disabilities, or simply because you don't have legal knowledge.



Representation

You should have a say in the way that you receive your legal services—for example the form or regularity of communications. You should also have a voice in the way that regulation works.



Redress

Access to independent and effective redress

If things have gone wrong, you can find out what your rights are. You know how to make a complaint to your service provider and you have been told about the role of the Scottish Legal Complaints Commission.



When I'm speaking to businesses about consumer principles, I am sometimes asked whether it is really

reasonable to encourage increasingly high expectations for service delivery at a time when professional services face unprecedented regulatory and financial pressures.

When I answer that question, I often refer back to JFK's seminal speech about con-

sumer rights.

While this speech is recognised by many as the birthplace of the consumer rights movement, what is less well recognised is that it was essentially a speech about stimulating the US economy.

"Consumer trust equals consumer spending."

Kennedy recognised one fundamental principle: consumer trust equals consumer spending. In other words, embracing consumer rights is good for the economy.

As a consumer panel, we are aware that when it comes to

professional services, including legal services, applying the consumer principles isn't always straightforward.

Indeed, the vision we have set out does not—and cannot—fall solely to the legal sector. Transparency, access to information and adequate redress all demand input from regulators, complaint handling bodies and consumer organisations. In summary, we all have a role in ensuring that Scotland continues to offer an internationally well-respected legal sector.

Carol Brennan

Chair, SLCC Consumer Panel

About the Consumer Panel

The SLCC Consumer Panel is an independent advisory panel set up to assist the Scottish Legal Complaints Commission in understanding and taking account of the interests of consumers of legal services. The Panel was established by the Legal Profession and Legal Aid (Scotland) Act 2007. Key activities of the Panel are to:

- Make recommendations to the Commission for improvements to the Commission's policies and procedures;
- Make suggestions to the Commission of topics for research connected to consumers;
- Express views on such matters relevant to the Commission's functions as the Commission directs.

To contact the Consumer Panel, email:

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