



Blue Skype thinking

Internet-based services can deliver better quality at lower cost – and are suitable for a wider range of client groups than most lawyers think. Vicky Ling explains which groups can benefit and provides advice on setting up such a service



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Although the internet is considered essential by almost all legal advisers, people tend to make assumptions that internet-based services are not suitable for certain client groups, particularly vulnerable clients. This can result in a lack of choice for those who might prefer internet-based services, which can deliver better quality at a lower cost.

THE CASE FOR INTERNET-BASED SERVICES

When appointed as Lord Chief Justice, Lord Thomas of Cwmgiedd said: ‘In the age of the internet, of teleconferences, Skype and Facetime, there is no reason why a litigant should not or could not properly instruct a lawyer from outside London to work for them at a cost significantly less than in London but with equal quality experience.’ Webcam can also play a part in unbundling services. A recent discussion paper entitled *Digital Delivery of Legal Services to People on Low Incomes* (thelegaleducationfoundation.org/digital/digital-report) suggests that digital delivery can benefit those on low incomes by providing help to self-represented litigants (and potentially, online determination of disputes); through new forms of effective legal practice; and through the delivery of legal advice, information and assistance.

These benefits are likely to be appreciated by an ever-increasing range of potential clients.

Data on users reported by Toynbee Hall (which is located in Tower Hamlets, which is the third poorest borough nationally and has the highest rate of child poverty in London) in 2015 found that 78 per cent had access to the internet and almost 89 per cent of those said they did at least one of the following online: shopping; looking up information; banking; comparing products or services; using government or official services and/or signing up for services; and making payments.

The latest Office for National Statistics figures show that 88 per cent of adults had used the internet in the past three months. Unsurprisingly perhaps, 99 per cent of those aged 16 to 24 were recent users, but 39 per cent of those aged 75 and over were also recent users. Women aged 75 and over showed the largest rise in internet use.

The modern consumer has become more demanding and people expect to be able to choose how they receive a service, so it is becoming increasingly dangerous commercially to make assumptions about whether a client will want an option involving the internet.

BRIGHTON AND HOVE WEBCAM PROJECT

Last year, I carried out an evaluation of a project for a partnership of third sector agencies, Advice Brighton and Hove. Funded by the Big Lottery, they set up an advice service on housing and benefits issues using the internet, eg Skype, Google Hangouts, or other digital services, to suit the user’s convenience. Clients could book their own appointments online. Some 148 clients used the service in the first year of delivery and it proved successful in reaching a wider range of

clients than might have been anticipated.

The Brighton and Hove project was developed with strong stakeholder and user involvement. User testing and focus groups were facilitated with a range of client groups who typically encounter difficulty in accessing traditional advice provision: carers, mental health service users, adults with learning difficulties, young people, and travellers. People who attended a focus group with Speak Out, an independent advocacy organisation for adults with learning disabilities, made the following comments: ‘I use the computer a lot at home; I have a tablet. I sometimes go on Google or on to Google Maps to find out where I need to go... It helps me find the answers.’

‘Face to face is OK but I don’t like speaking on the telephone, cos I hesitate a lot and when I’m on the phone [and] the person on the phone might not understand that... It’s easier if I can see them.’

Feedback from the pilot indicated that the service is very valuable for people who have support workers, key workers and sign language interpreters, as it can be easier to make sure they can be available for a pre-arranged appointment via webcam than attending an office-based appointment, which includes additional travelling and waiting time.

No one is saying that services must only be delivered digitally, but the overwhelming majority of clients, advisers and focus group participants involved were very positive about their experience. A client said: ‘I was initially a little nervous about Skyping someone I don’t know, but it was no different from being in a face-to-face interview and, if anything, allowed me to be more relaxed as I was at home in familiar surroundings.’

Additionally, the project delivered significant efficiencies in advice delivery, particularly in relation to appointment bookings, outreach and home visits, saving both adviser and client time and enabling greater volumes of service to be delivered at a lower level of resource. For people who already had access to Skype, it was cheaper

than coming into the town centre using public transport or by car. As one client commented: 'Obviously it saves time and money: no bus journeys, no queuing.'

COURT OF PROTECTION

Lester Morrill, an award-winning law firm based in Leeds, uses Skype and Facetime extensively in their Court of Protection (CoP) practice, which flows from their clinical negligence work. They also use it in clinical negligence, where it is particularly useful for conferences with counsel and experts.

Its CoP clients can be located anywhere in England and Wales and they can maintain a better relationship with their lawyer using webcam calls. Managing partner Philip Goldberg commented: 'People are using it more in their everyday lives and are more comfortable with it. Also, it's free to use, whereas a telephone call isn't.'

Furthermore, Lester Morrill has found that using Skype and Facetime has enabled it to expand its CoP practice, as it is no longer limited by geography. It has reflected this in its marketing, which has made it more effective.

WHO IS IT GOOD FOR?

The evaluation of the Brighton and Hove project showed that this form of service is particularly appropriate for the following groups of people.

- people who have existing access to Skype, or can access it through an organisation they are working with, such as a support group
- people who are not within easy reach of face-to-face services
- people in low-paid employment who find it difficult to take time off to get advice (workers from EU countries made particular use of the service)
- people with mental health issues or learning disabilities
- people who need support when accessing advice
- people who have mobility issues or who are home-based for other reasons
- people with dependent children.

Advisers reported that clients were generally very positive about the webcam and email service delivery method. Even those who were initially nervous quickly warmed to it. They also felt that webcam is very similar to a face-to-face meeting in that it allows both adviser and service user to pick up clues from body language. Sometimes it also allowed the adviser to see the service user in their home environment, which could be relevant to their problem.

DATA PROTECTION

People sometimes worry about whether this

form of service is secure. Skype is encrypted to a high standard and is confidential as long as a landline or mobile phone is not used. Users should also avoid public Wi-Fi as you will not know what security is in place. However, from a PC, laptop or tablet using secure internet access, the system is considered secure. More information can be found on the Skype website.

When using a webcam, it is advisable to consider what else might be shown by the camera and make sure things the other person could see are out of sight. It is important to hang up at the end of the call. If this is overlooked, the other person may be able to see or hear events in your office later.

PROJECT PLAN

If you decide to offer services via webcam, you need to plan it as with any other project and check how it is going so that you can make any adjustments that may be needed.

Identify services for webcam use

As indicated above, the best services for webcam use may not be obvious. Another group of people who used the Brighton and Hove pilot project were women suffering from domestic abuse. It was easier to delete browser history than arrange child care and transport to see a lawyer face to face.

Provide staff training

After identifying lawyers who are enthusiastic about providing services online, it's imperative to provide training. They may use webcams in their domestic lives, but they will still need guidance on using them in their professional capacity.

Good communication skills are crucial. A key area is body language, for example: an open posture is more positive. Before a call, it is advisable to make sure the webcam is secure and pointing directly at the speaker, so that the whole of their face is clear. Eye contact is also important: instead of watching the screen, it helps to look up when speaking, and speak directly to the camera. Be aware of facial expressions, as it is easy to frown or raise your eyebrows in a discouraging way without realising it. It is also worth thinking about the tone, pitch, and volume of the voice.

Brief staff on the data protection issues so that they are confident about security and can explain the position to the client. It is also helpful to provide information about good practice from the client's perspective, so that they do not compromise their own confidentiality – for example, explaining how to clear browser history on a shared computer, making sure they find a quiet place where they will not be overheard and reminding them that the adviser may be able to see things in the room that is being used. All these issues could be covered in a standard briefing, sent to the client when the call is booked.

Marketing

As with any service, it helps if prospective clients know it is available. Adding information about webcam services to your firm's website and ensuring organisations working with your target client groups are aware of the facility is likely to raise your profile.

MORE INFORMATION

More information about setting up webcam and direct booking services can be found in the Advice Brighton and Hove Webcam Advice and Online Project Toolkit (tinyurl.com/j73xwff). The Law Society practice note on providing services to D/deaf and hard of hearing people (tinyurl.com/h4lcb8z) covers the use of webcams with sign language interpreters.