association of personal injury lawyers

# THE FUTURE OF PI PRACTICE

## SURVEY REPORT

**NOVEMBER 2007**

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# Introduction

From January to March 2007, APIL contacted all its practitioner members inviting them to participate in a survey on the future of personal injury practice.

The main objective of the survey was for APIL to gain a thorough understanding of the issues currently faced by practitioners and clients, with a view to providing the best possible assistance to members and clients over the coming year.

The survey covered items such as the size of the firm and its personal injury department, methods of obtaining personal injury work, whether the amount of personal injury work is increasing or decreasing, pro-bono work and the future of personal injury work. A copy of the full questionnaire can be found in Appendix A.

Some questions allowed open ended responses with the advantage that both quantitative and qualitative data was obtained.

APIL expresses many thanks to the members who participated in the survey, the results of which are contained in this report.

Any queries relating to the survey or the analysis should be directed to:

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## Statistical Summary

- Sample size was 1,027 (22% of the membership body)
- 53% of respondents were partners
- 87% of respondents were from small firms and 7% were from large firms
- 52% of all work is obtained by reputation and word of mouth
- 13% of work is obtained through payment of referral fees and 3% through LEI panels
- Large firms are more likely to be on an LEI panel than small firms (23% vs. 7%)
- Small firms are more likely to pay referral fees than large firms (34% vs. 26%)
- 34% of marketing activity is focussed on local press advertising
- Most respondents have not seen an increase in their workload (64%)
- Of the 32% of respondents who did see an increase in their workload, 75% said it was for up to 50% and 22% attributed it to marketing
- 56% of respondents saw a decrease in their workload and 76% of them said it was for under 50%
- 61% of respondents who reported a decrease in their workload felt LEI panels or claims management companies were contributory factors
- Small firms are more likely to have seen a decrease in their workload than large firms (57% vs. 33%)
- Respondents were equally split on whether there had been any changes in their staffing structure
- Increased use of paralegals was the most common change (25% of responses)
- 55% of respondents do not expect a future change in staffing structure
- Increased use of paralegals is the most anticipated change (17%)
- 50% of respondents undertake pro-bono work
- 53% of respondents envisage still practicing personal injury law in 5 years' time

## Executive Summary

### Demographics

1. 1,027 of our members participated in the survey, representing 22% of the total membership body as at July 2007.

2. Participation levels across the various regions were broadly consistent, the only exceptions being low participation levels from London and Scotland with 12% and 13% respectively, and a very high participation level from the South East at 56%.

3. Over half of respondents (53%) were partners.

4. There was a high level of experience amongst respondents with the majority (69%) having practiced in personal injury law for 11 years or over.

5. In terms of overall firm size, respondents most commonly came from firms with between 2 and 5 partners (37%) and between 21 and 50 fee earners (23%).

6. In terms of the size of the personal injury department, respondents most commonly came from firms with up to 5 partners (87%), and up to 5 fee earners (60%) in the personal injury department.

7. The majority of respondents (68%) were aged between 31 and 50.

### Marketing

8. 52% of work is obtained by means of either word of mouth or reputation.

9. Advertising is also a popular way of obtaining cases: 18% is sourced this way.

10. 13% of work is obtained by means of paid-for referrals and 3% from BTE legal expenses insurance panels.

11. 34% of advertising is conducted in the local press.

12. The second most popular response for marketing techniques was the ‘other’ category with 17% of work being obtained by ‘other’ means. Yellow Pages was by far the leading ‘other’ marketing technique, receiving 27% of responses in this category.

## Personal Injury Marketplace

13. The majority of respondents (64%) say that they have not seen an increase in their personal injury workload over the past 5 years.

14. Of the 32% of firms which did experience an increase in their personal injury workload, 75% said it was for up to 50%.

15. The main reason given for the increase was marketing with 22% of responses, suggesting that money spent on such activities is worthwhile.

16. The majority of respondents (56%) say that they have seen a decrease in their personal injury workload over the past 5 years.

17. 73% of firms experiencing a decrease in their personal injury workload said it was for under 50%.

18. There were two main reasons given for the decrease: legal expenses insurance panels (with 34% of responses) and claims management companies with 27%. Some members also commented that they were concerned about the activities of claims management companies and the limited number of firms with panel membership, others were morally against paying referral fees.

## Practice Structure

19. Participants were divided on whether there has been a change in their staffing structure over the past 5 years. 49% said there had been a change and 48% said there had not.

20. Where a change was reported, the most common reason given was increased use of paralegals with 25% of responses. Several respondents expressed regret at this situation, but felt it was necessary to ensure profitability following changes in the marketplace such as referral fees, legal expenses insurance panels and conditional fee agreements.

21. Similar numbers of participants mentioned that they had merged with another firm (13%), downsized (12%), or expanded (11%).

22. The majority of respondents (55%) do not anticipate any change to their staffing structure over the next 5 years. Those who answered 'yes' to earlier changes are more likely to answer 'yes' to future changes (54%), and those who answered 'no' to earlier changes are more likely to answer 'no' to future changes (70%).

## Pro-Bono Work

23. 50% of respondent firms undertake pro-bono work.

24. The type of work undertaken is varied, but the most common type is small claims (22%) followed closely by Citizens Advice Bureaux (18%).

25. In terms of time spent on pro-bono work by individual respondents, there was great variety in the answers with the majority (67%) falling into the 'up to 100 hours per year' category.

26. In terms of time spent on pro-bono work by firms as a whole, there was again great variety in the answers with the highest number (48%) falling into the up to 500 hours per year category.

## The Future

27. The majority of respondents (53%) do envisage still practicing personal injury law in 5 years' time.

28. Of the 19% who do not envisage continuing in the profession, the main reasons given were shortage of work (16%), retirement (14%) and reduced profitability (11%). A fair number of respondents (9%) are concerned about their future in the profession if the small claims limit goes up.

29. 27% do not know whether they will still be practicing personal injury law in 5 years' time.

## Comparison between Small Firms and Large Firms

30. For the purposes of this survey, APIL has defined small firms as those having up to 5 partners in the personal injury department, and large firms as those having 6 or more partners in the personal injury department.

31. 87% of respondents were from small firms and 7% came from large firms (6% did not specify).

32. Both small and large firms favour word of mouth, reputation and advertising as methods of obtaining cases. The key differences between the two are large firms are more likely to use trade unions as a source of cases (14% of responses compared to 2% for small firms) or be on a legal expenses insurance panel (23% of responses compared to 7% for small firms), and small firms are more likely to pay referral fees (34% of responses compared to 26% for large firms).

33. In terms of marketing techniques, small firms have a preference for local press advertising (39%) and large firms have a preference for specialised marketing schemes (37%).

34. Large firms are more likely to have seen an increase in their personal injury workload over the past 5 years with the majority (56%) saying that their workload had increased. Small firms on the other hand are less likely to have seen an increase in their workload with the majority (66%) saying that their workload had not increased.

35. Similarly, small firms are more likely to have seen a decrease in their personal injury workload over the past 5 years with the majority (57%) saying that their workload had decreased. The majority of large firms (55%) on the contrary say that they have experienced no decrease in their workload.

36. 70% of large firms have changed their staffing structure over the past 5 years compared to 48% of small firms, and 54% anticipate future changes compared to 37% of small firms.

37. Large firms are more likely to undertake pro-bono work than small firms with 66% doing unpaid work compared to 50% of small firms. This is likely to be because large firms have greater capacity to absorb the costs of such work without there being a negative impact on overall profitability.

## Regional Analysis

38. There is a greater concentration of small firms in Central England East, Devon & Cornwall, South West, East Anglia and Northern Ireland regions, and a greater concentration of large firms in Central England West, West Midlands, Greater London, South East, Yorkshire, North East, Wales and Scotland regions.

39. Significant points in terms of methods of obtaining cases compared to the national average are: firms in Devon & Cornwall are more likely to use advertising, those in the North West are more likely to pay referral fees, those in Scotland are more likely to obtain referrals from other solicitors and those in Northern Ireland place greater emphasis on word of mouth and reputation.

40. The only significant points in terms of marketing techniques compared to the national average is an especially strong preference for local press advertising in Central England East, and a large number of respondents in Northern Ireland who do not specify any marketing activity, suggesting that they do not conduct any at all.

41. Increases in personal injury workload were more evident in Greater London, the South East, the South of England, the North West, Yorkshire, Wales and Scotland. Decreases were more evident in Central England East, Central England West, Devon & Cornwall, East Anglia, East Midlands, West Midlands, North East and Northern Ireland regions.

42. Changes in staffing structure were more evident in Central England West, Devon & Cornwall, South West, Scotland and Yorkshire regions. The likelihood of future changes to staffing structure was also more evident in these regions.

43. Lower than average levels of change in staffing structure were evident in East Anglia, Wales and Northern Ireland. Similarly these regions showed a lower likelihood of making future changes to staffing structure.

44. Participants in Scotland and Northern Ireland were confident about their future in personal injury law, whereas those in Central England West and the North East were less so.

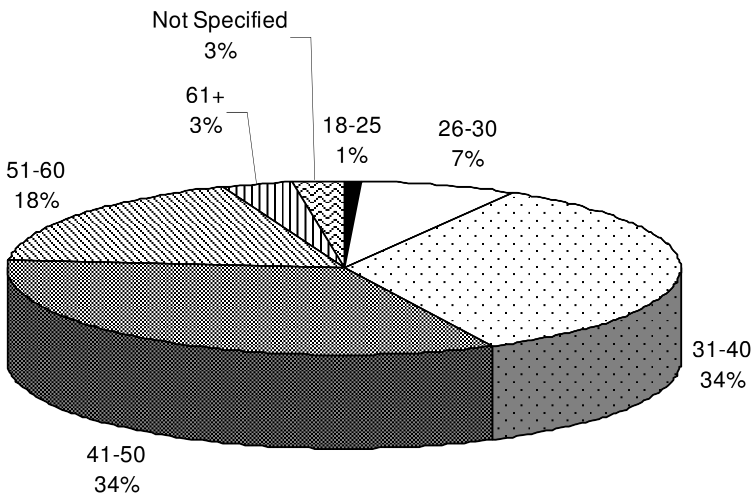
# Full Report

## Demographics

### Number of Participants

1,027 APIL members kindly completed the questionnaire which represents 22% of the total membership body as at July 2007.

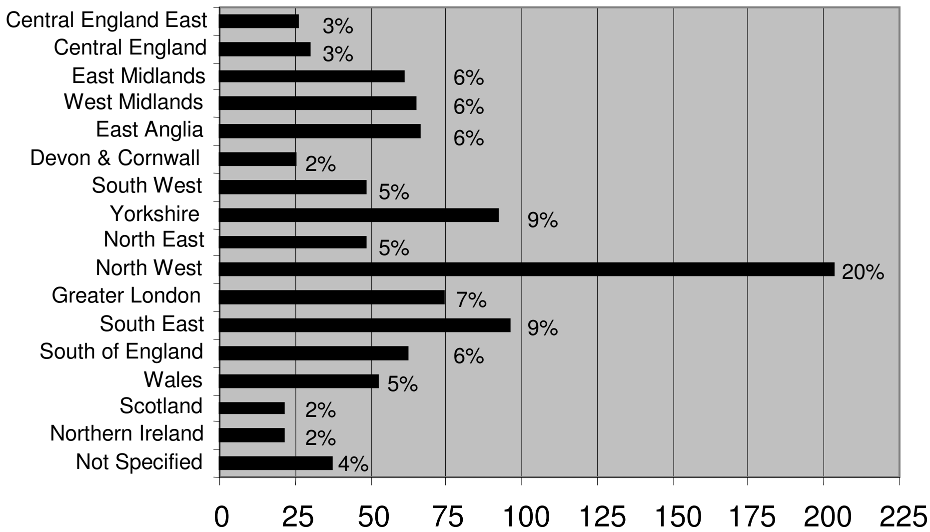
### Age




Age of Participants

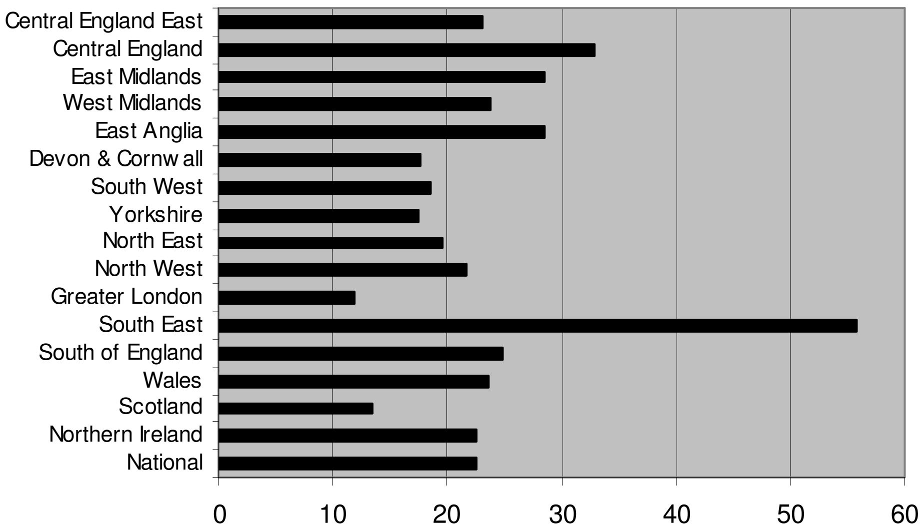
The majority of respondents (68%) fall into the 31 to 50 age bracket.

**Region**



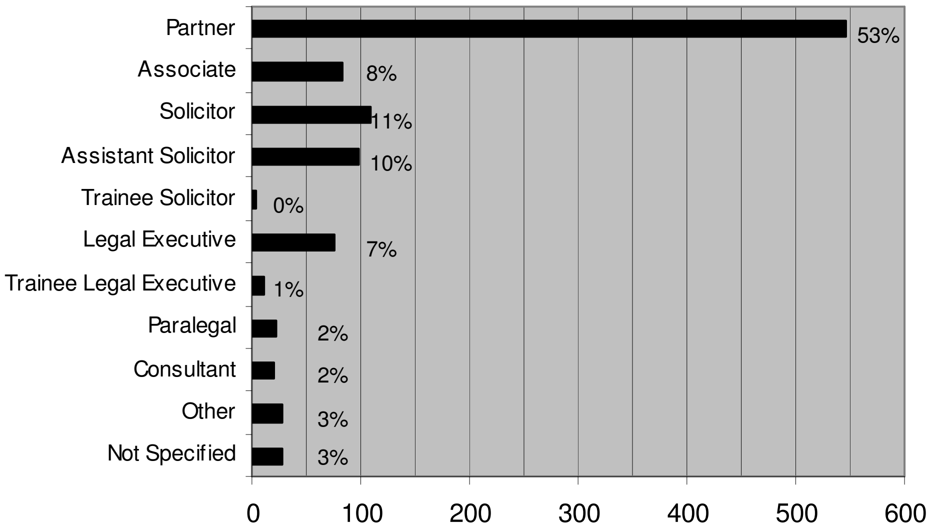

Regional Location of Participant Firms

Note that the high number of participants in the North West reflects the high number of APIL members in the region. The chart below which details regional participation as a percentage of regional membership, shows that participation levels for the North West were 22%, the same as the national average. However, participation levels for the South East were very high at 56%. Below average participation levels are noted for Greater London and Scotland.




Regional Participation as a Percentage of Regional Membership

**Current Role**

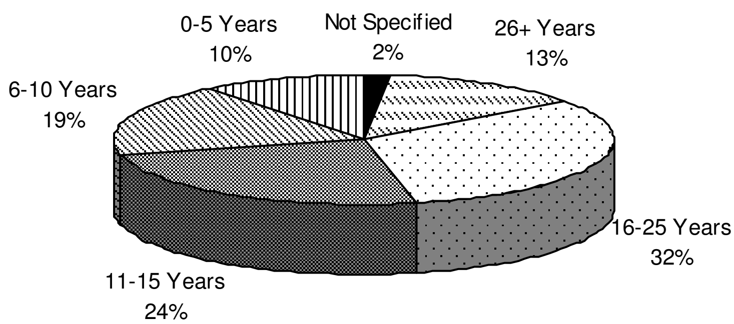



Current Role of Participants

'Other' roles include sole practitioner with 9 responses, and litigation manager and principal, both with 3 responses.

With over half being a partner or an associate, the majority of respondents are in a good position to answer the questions raised in the survey because they are likely to be involved in the management of marketing strategy, case volume and staffing structure.

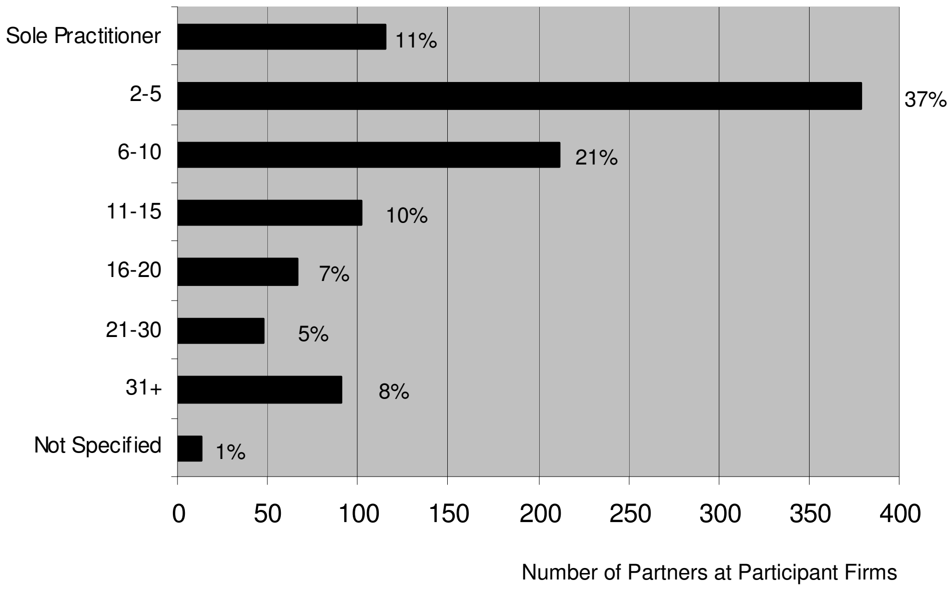
**Experience in Personal Injury Law**



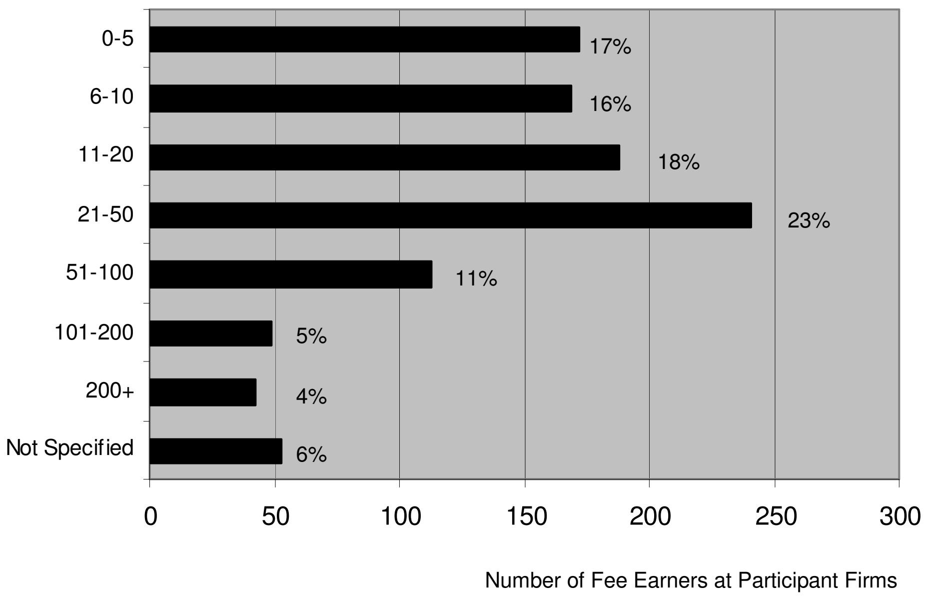

Participant Experience in Personal Injury Law

With 69% of respondents having over 11 years' experience, respondents are well qualified to comment on personal injury law and in particular changes in the marketplace.

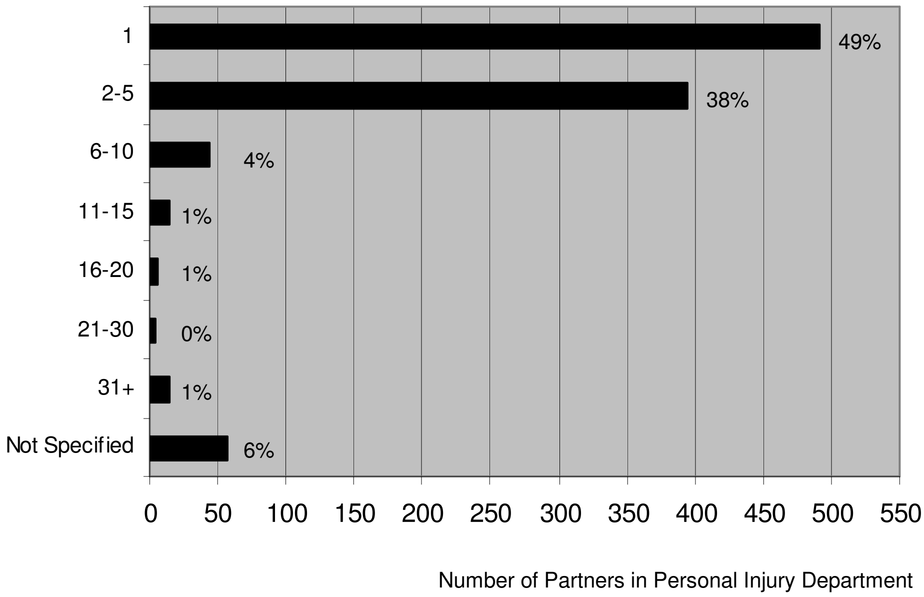
**Partners at Firm**




**Fee Earners at Firm**

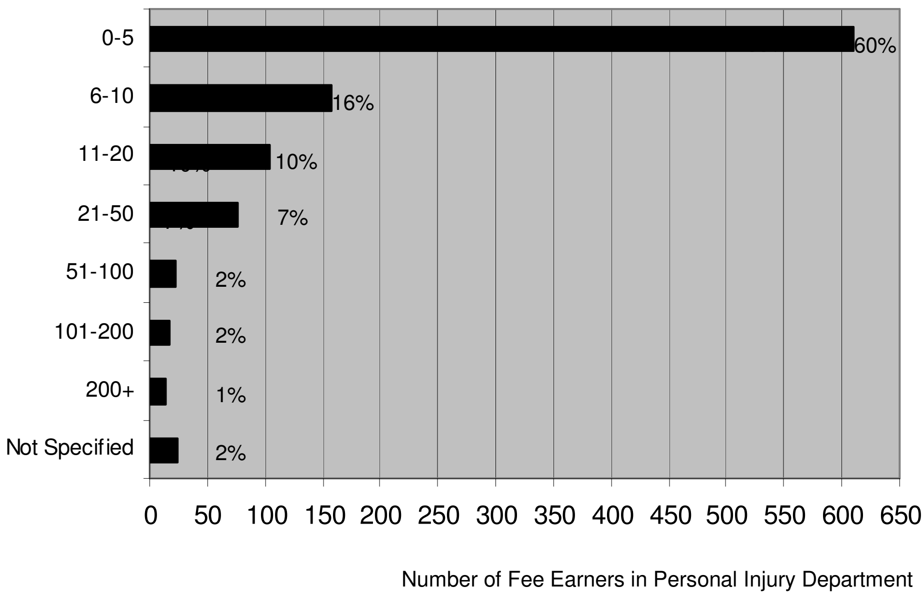


**Partners in Personal Injury Department**



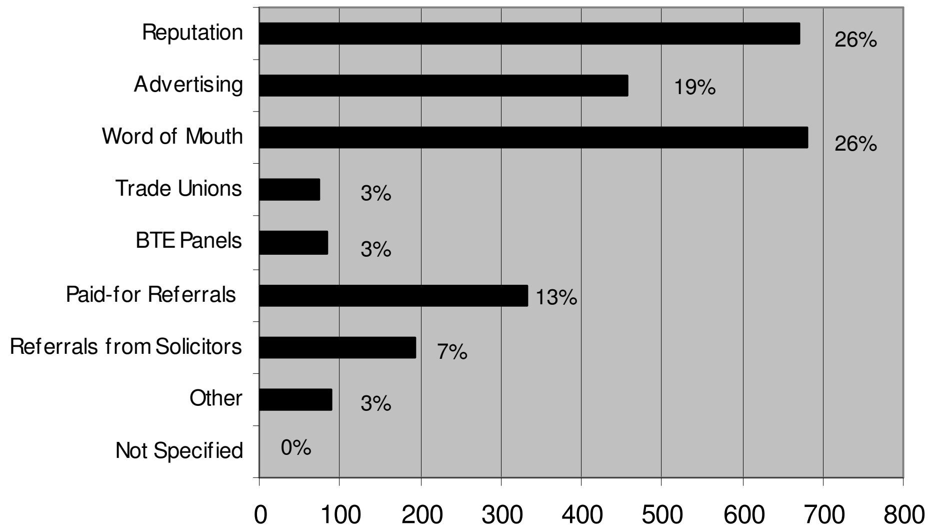

For the purposes of this survey, APIL has defined small firms as those having up to 5 partners in the personal injury department and large firms as those having 6 or more partners in the personal injury department. On this basis, 87% of respondents are from small firms and 7% are from large firms.

**Fee Earners in Personal Injury Department**



## Marketing

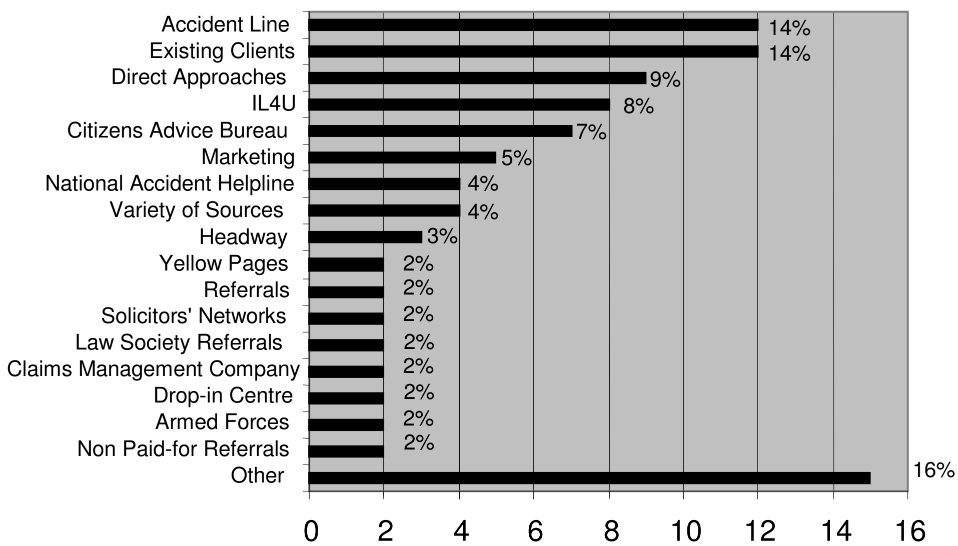
### Methods of Obtaining Cases




Methods of Obtaining Cases

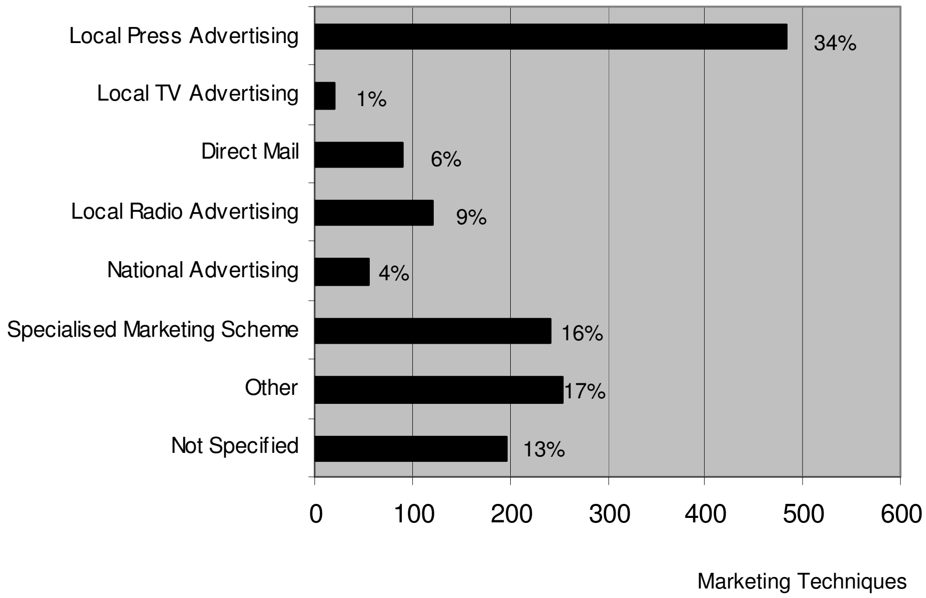
Participants were able to give more than one response to this question and the total number of responses here was 2,588.

52% of work is obtained through reputation and word of mouth. 13% of work is obtained by means of paid-for referrals. 3% of work comes from panels for BTE legal expenses insurers. Those answering 'other' to this question were asked to provide further details. As many of the responses were identical or similar, APIL has categorised them to aid interpretation.




'Other' Methods of Obtaining Cases

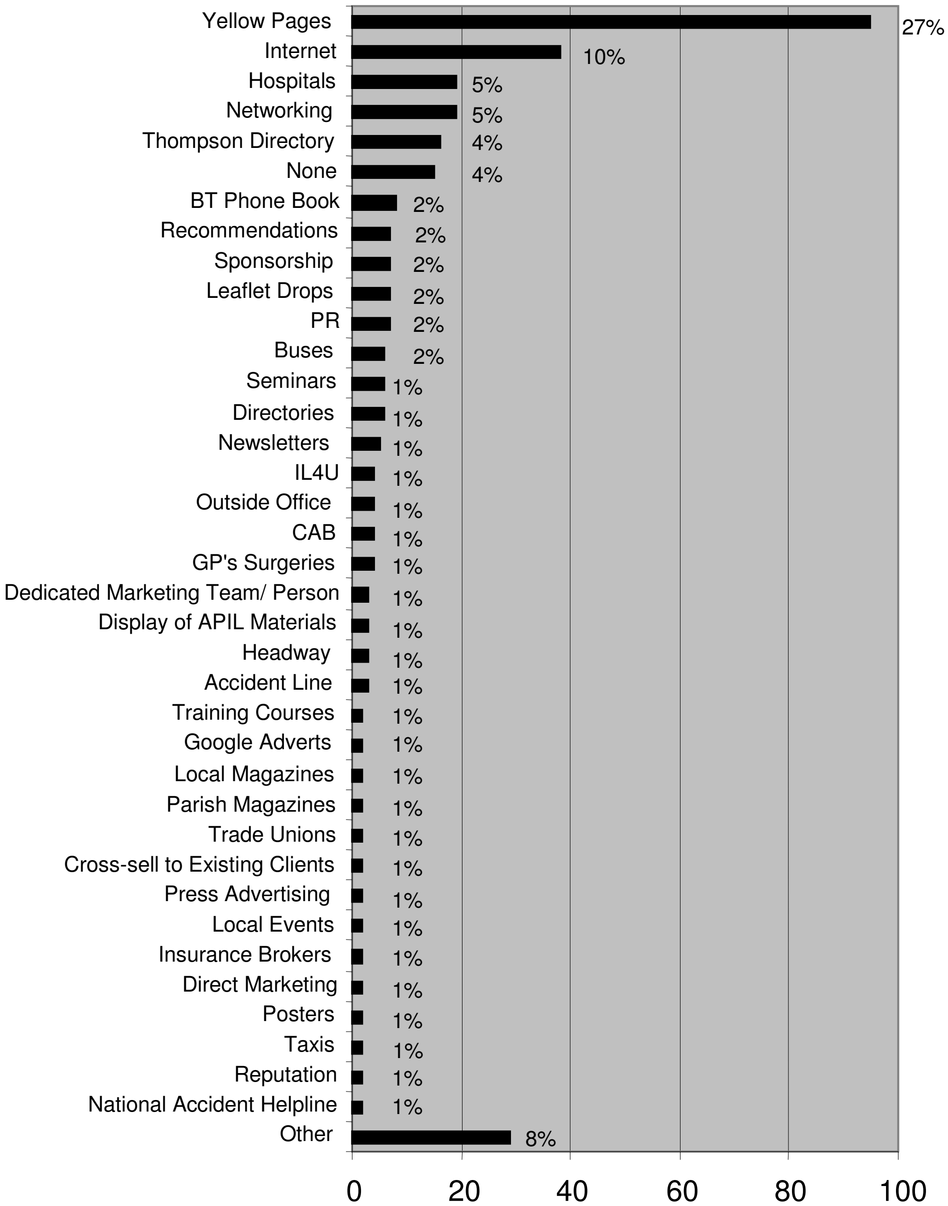
## Marketing Techniques




Once again, participants were able to give more than one response to this question and the total number of responses here was 1,464.

Local press advertising is clearly the most popular marketing method employed by firms. 34% of marketing activity is focussed on the local press.

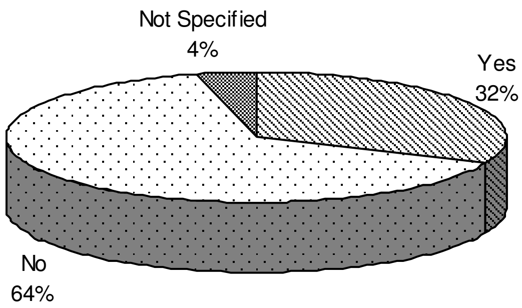
As above, many of the responses in the 'other' category were identical or similar and have been categorised by APIL to aid interpretation. Yellow Pages is the clear leader in this category. This makes sense also because members of the public may use it when they need a solicitor but they do not know of one.




‘Other’ Marketing Techniques

## Personal Injury Marketplace

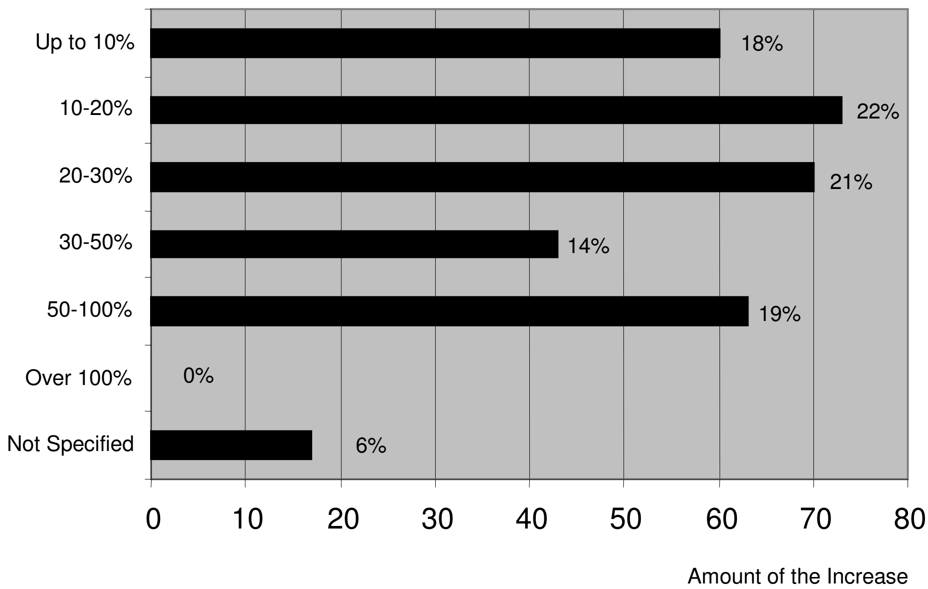
### Increases in Personal Injury Work




Increases in Personal Injury Work in the Last 5 Years

The majority of respondents have not seen an increase in their personal injury workload over the past 5 years.

### Amount of the Increase

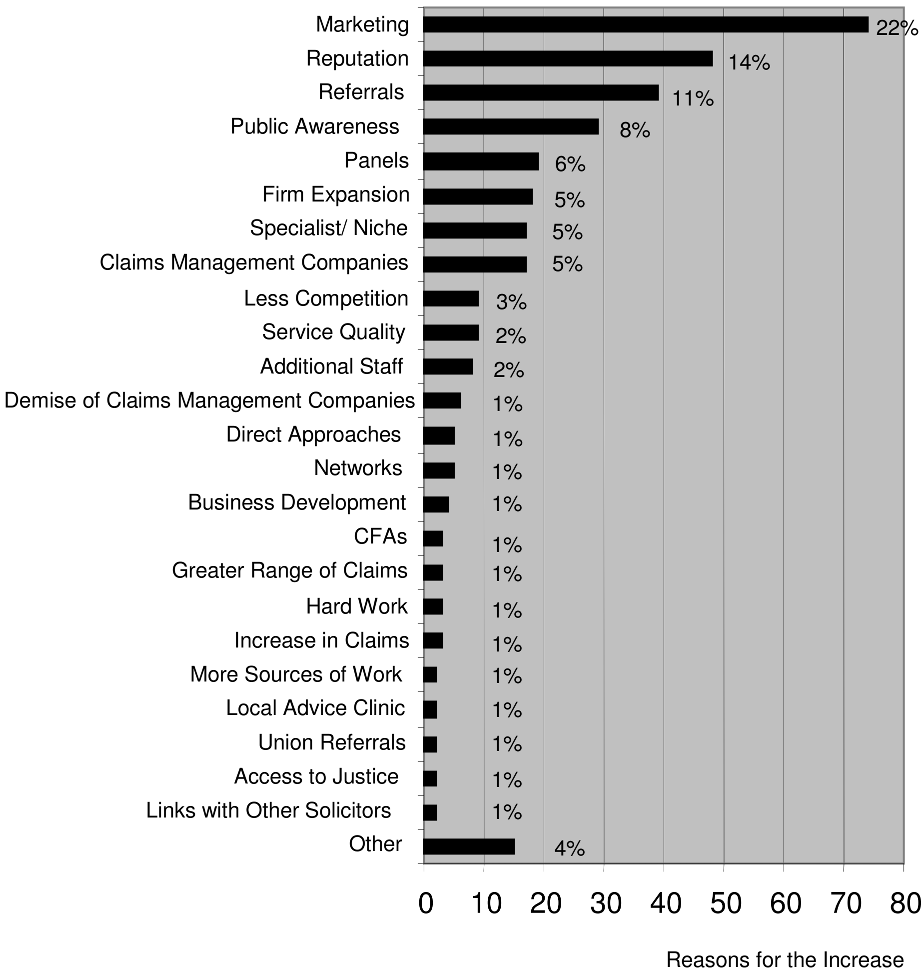


Of the firms who have experienced an increase in their personal injury workload, 75% of them said it was for up to 50%, with a concentration of answers between 10% and 30% (43%).

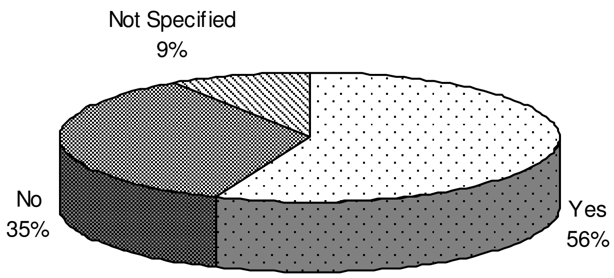
**Reasons for the Increase**

Those experiencing an increase in personal injury workload were also asked to specify the reason for the increase. As with the above mentioned open-ended questions, identical or similar answers have been categorised to aid interpretation.

The most common answer was 'marketing'. While some firms want to spend money on marketing, however, they feel that they cannot compete with the bigger budgets of other firms or the claims management companies.



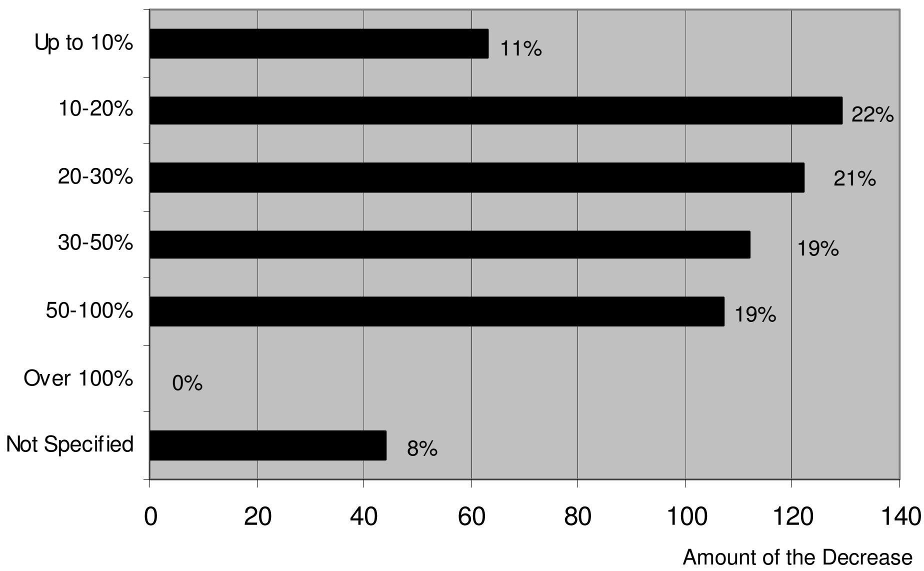
**Decreases in Personal Injury Work**




Decreases in Personal Injury Work in the Last 5 Years

The majority of respondents have experienced a decrease in the amount of personal injury work. In summary, 32% have seen an increase in workload, 56% have seen a decrease and the remaining 12% experience no change or do not specify.

**Amount of the Decrease**




The majority of the decreases (73%) are for under 50%, a similar amount as for the increases seen above (75%), and once again there is a concentration of answers in the 10% to 30% bracket (43%).

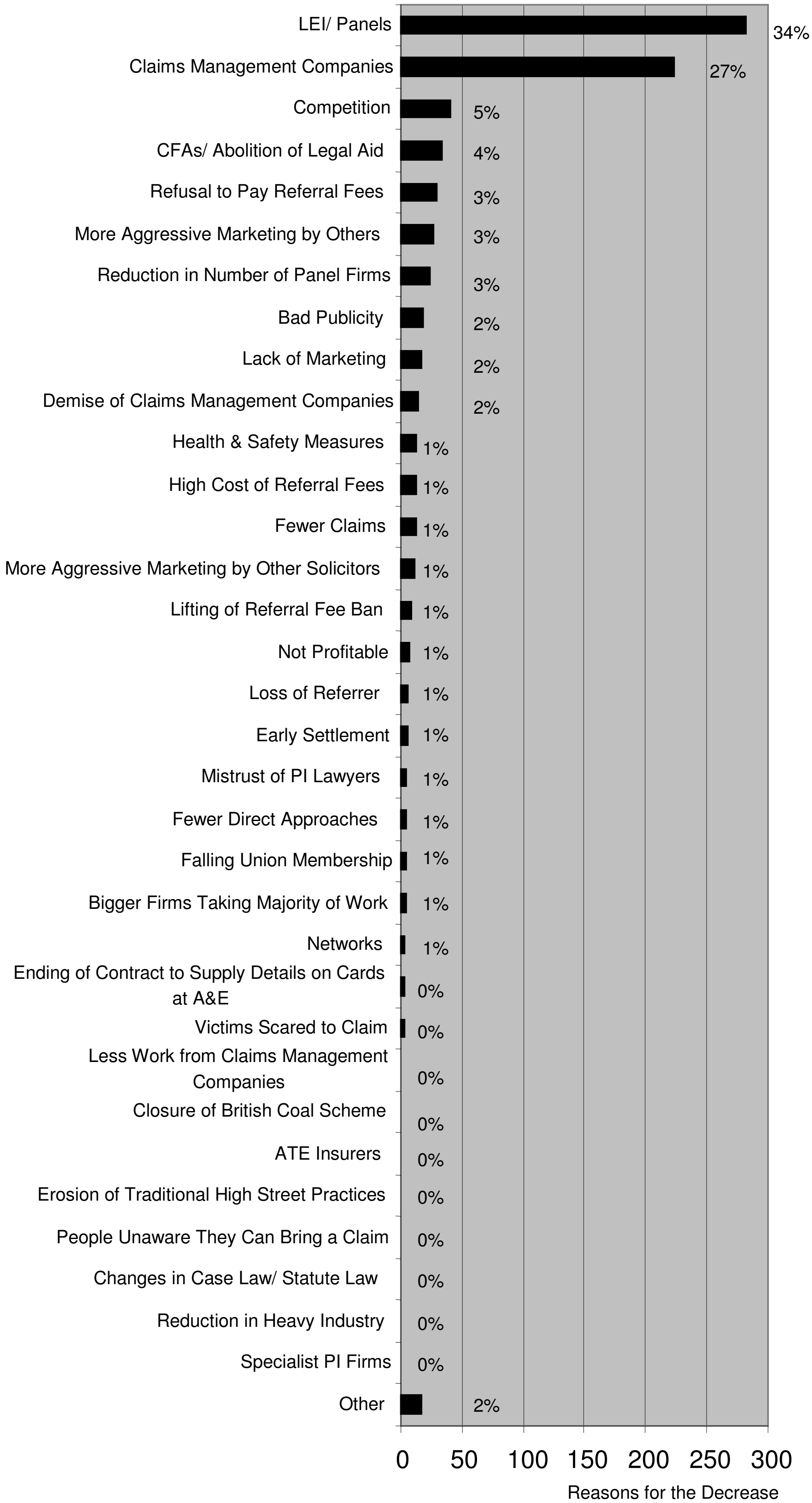
## Reasons for the Decrease

This was another open-ended question and the answers have been categorised by APIL to aid interpretation of the results.

It produced a wider range of responses than the reasons for an increase. Despite this, a large number of responses were concentrated on legal expenses insurance panels (34%) and claims management companies (27%), and many responses included both of these. However, whilst some firms are willing to deal with claims management companies, they expressed a reluctance to do so and only do it to ensure a steady workflow.

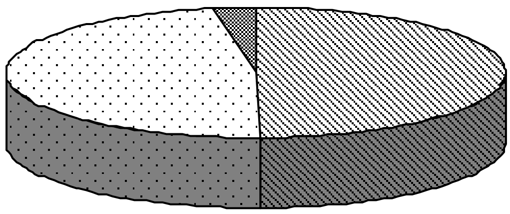
Others however, are not willing to deal with claims management companies or pay referral fees (3% of responses), either for cost reasons or on principle.

There were also concerns raised about the use of panel firms, particularly with regard to the lack of freedom of choice of solicitor offered to the client with the result that their solicitor may not be local and they may not even meet them.


LEI/ Panels
34%
Claims Management Companies
27%
Competition
5%
CFAs/ Abolition of Legal Aid
4%
Refusal to Pay Referral Fees
3%
More Aggressive Marketing by Others
3%
Reduction in Number of Panel Firms
3%
Bad Publicity
2%
Lack of Marketing
2%
Demise of Claims Management Companies
2%
Health & Safety Measures
1%
High Cost of Referral Fees
1%
Fewer Claims
1%
More Aggressive Marketing by Other Solicitors
1%
Lifting of Referral Fee Ban
1%
Not Profitable
1%
Loss of Referrer
1%
Early Settlement
1%
Mistrust of PI Lawyers
1%
Fewer Direct Approaches
1%
Falling Union Membership
1%
Bigger Firms Taking Majority of Work
1%
Networks
1%
Ending of Contract to Supply Details on Cards at A&E
0%
Victims Scared to Claim
0%
Less Work from Claims Management Companies
0%
Closure of British Coal Scheme
0%
ATE Insurers
0%
Erosion of Traditional High Street Practices
0%
People Unaware They Can Bring a Claim
0%
Changes in Case Law/ Statute Law
0%
Reduction in Heavy Industry
0%
Specialist PI Firms
0%
Other
2%
0
50
100
150
200
250
300
Reasons for the Decrease

## Practice Structure

### Changes in Practice Structure

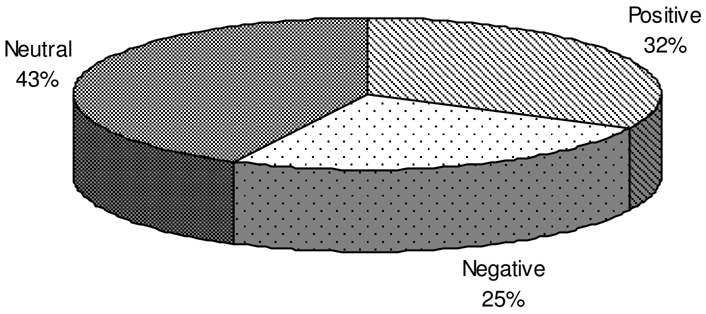



Changes in Practice Structure in the Last 5 Years

### Type of Changes

Responses were open-ended, but some suggestions were provided by APIL such as mergers, expansion, downsizing, increased use of paralegals, trainees or newly qualified lawyers, and the majority of answers did follow this precedent. As with other open-ended questions, APIL has categorised the results.

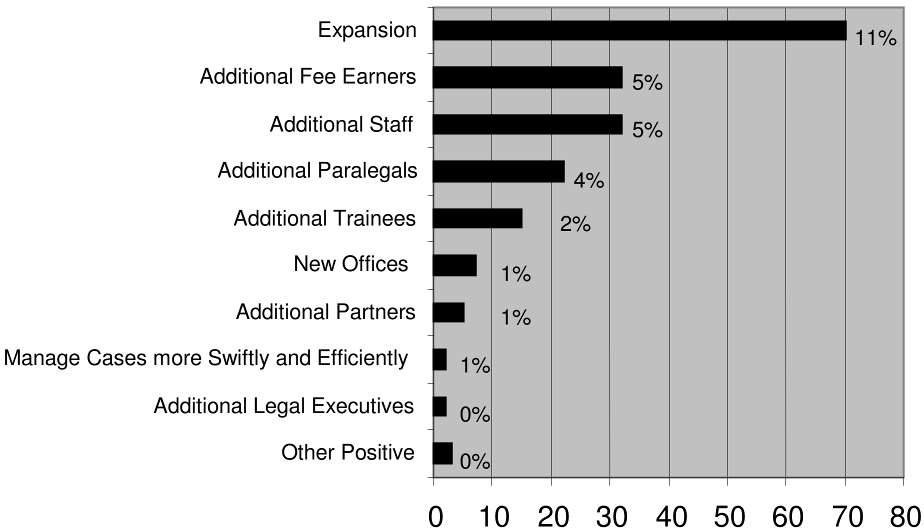
Additionally, the answers have been divided into positive, negative and neutral in order to reflect the overall nature of the changes. Positive answers include expansion and negative ones include downsizing. Mergers have been classed as neutral because they cover firms doing the taking over as well as those being taken over, or they may be mutually beneficial. The increased use of less qualified staff has also been classed as neutral because it could be viewed positively as a way of keeping costs down, or negatively in that the level of expertise within the profession is reduced.



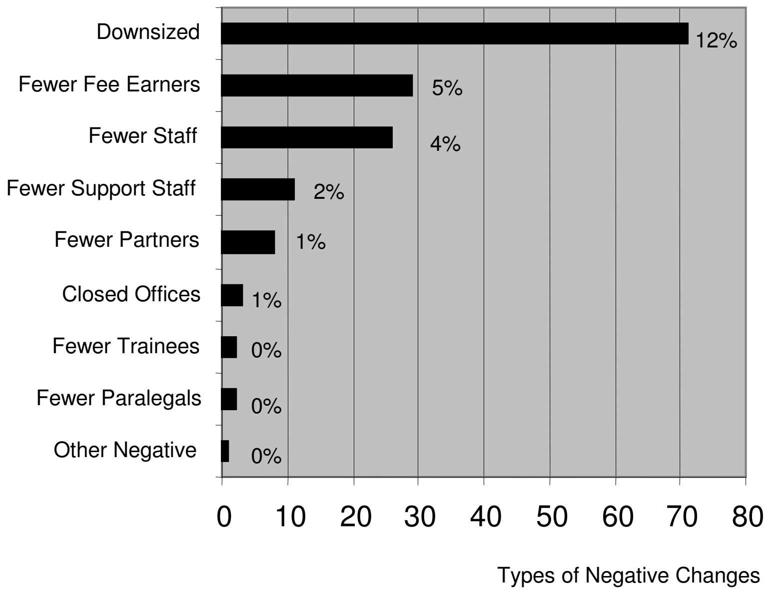

Type of Changes

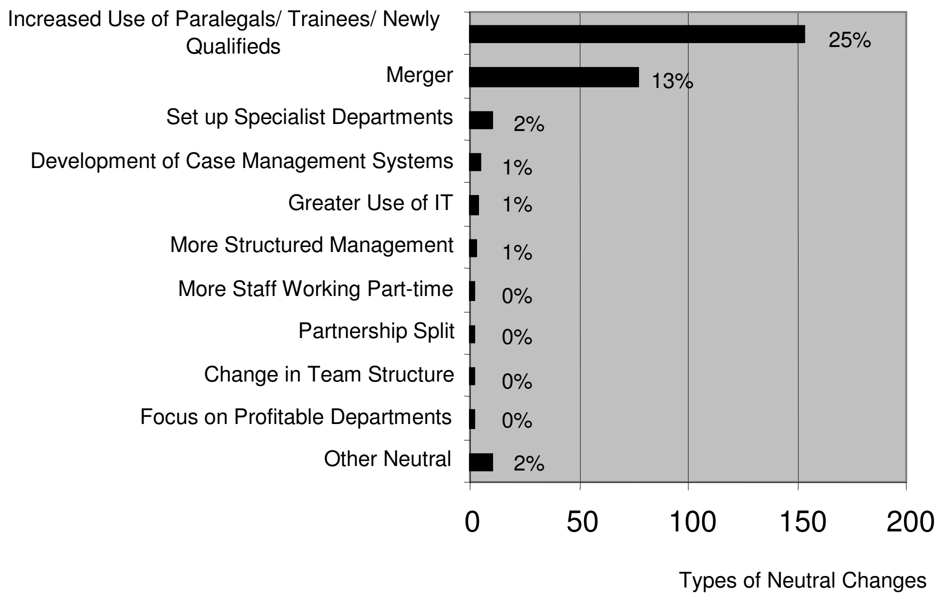
The majority of responses (75%) are positive or neutral.

Note that figures in the charts below are a percentage of all answers, not just positive, negative or neutral.



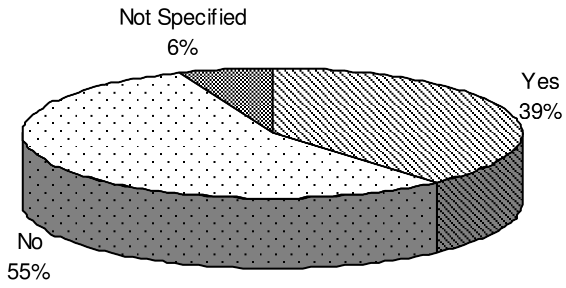

Types of Positive Changes




The main trend is increased use of paralegals. Where respondents have given detailed answers to this question, it is clear that there are divided views on this issue. Some view it positively because the fact that certain work can be completed by less qualified staff makes a cost saving for the business. Others view it negatively, saying they have little choice in the matter due to profitability reasons. Although no respondents complain of a fall in quality, some do mention that the value of qualified staff is no longer appreciated.

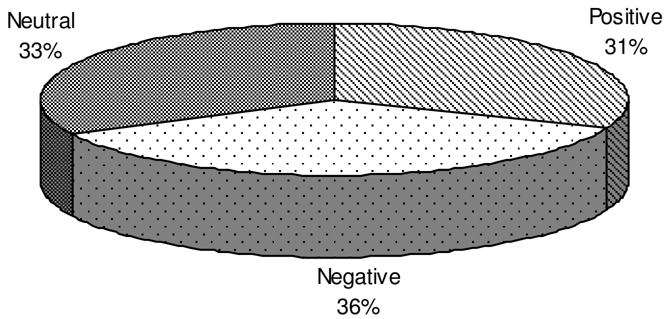
**Future Changes in Practice Structure**




Changes in Practice Structure Predicted in the Next 5 Years

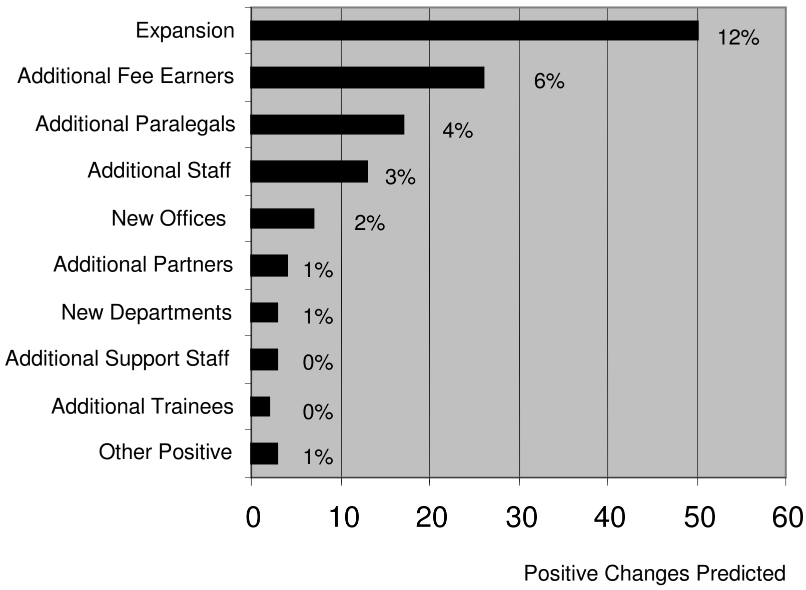
**Types of Changes**

This was another open ended question where APIL has categorised the results. As above, these have been divided into positive, negative and neutral responses.

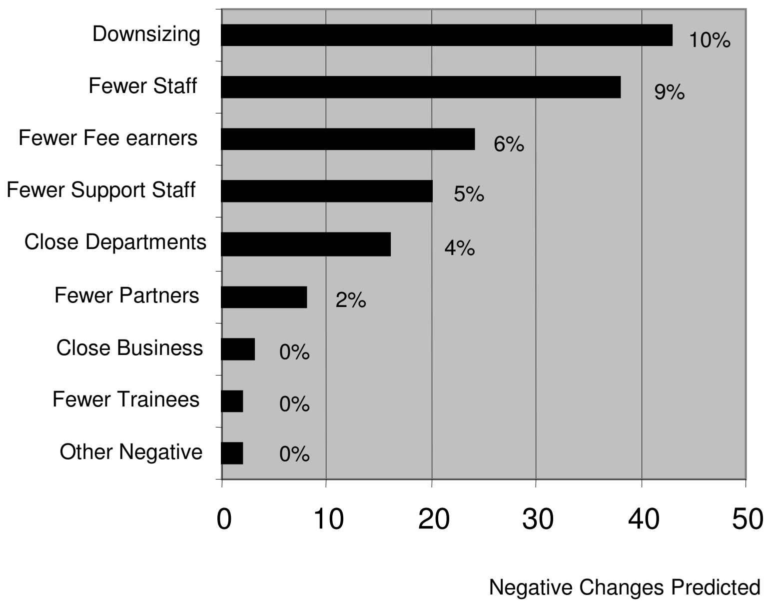



Types of Changes Predicted

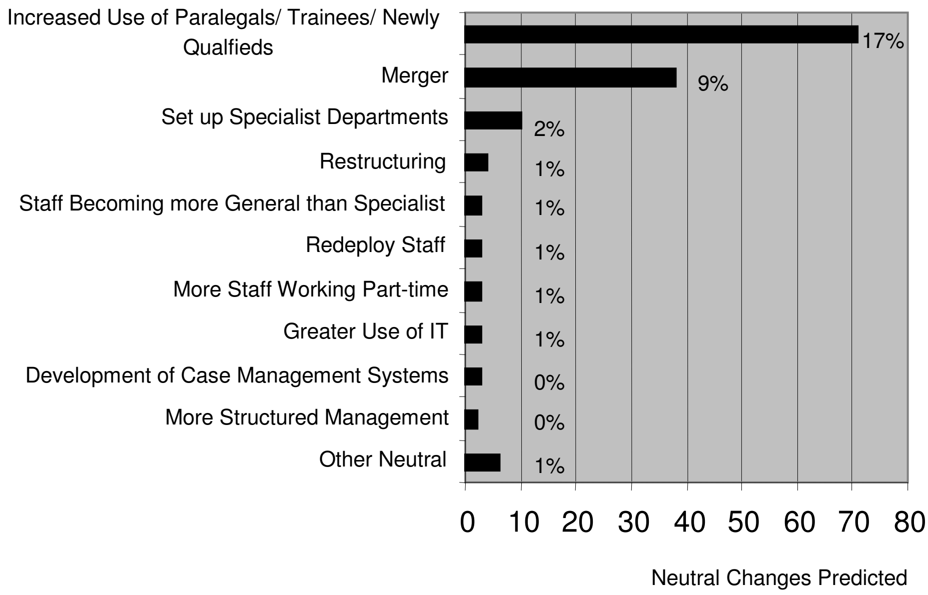
On the charts below, the percentages are for responses as a whole, not just positive, negative or neutral answers.




Expansion levels are slightly increased on above (1% higher).

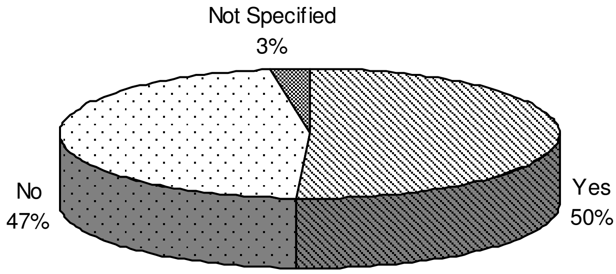



Downsizing levels are slightly reduced on above (down 1%).




Increased use of paralegals is still the key trend at 17%, although less so than for changes which have already occurred at 25%.

## Pro-Bono Work

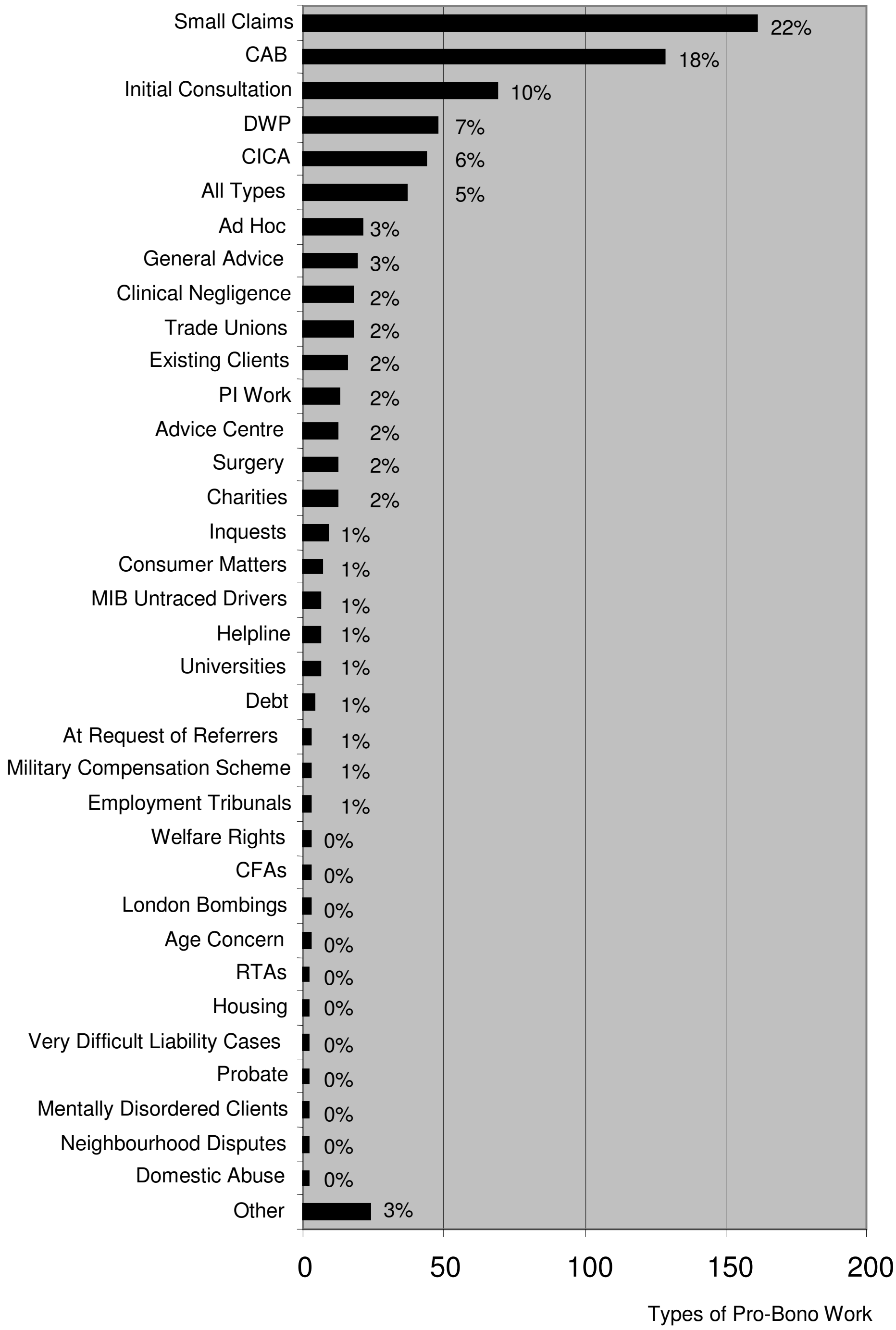



Pro-Bono Work Undertaken

Slightly more than half of all participants are doing some kind of unpaid work.

**Types of Work**

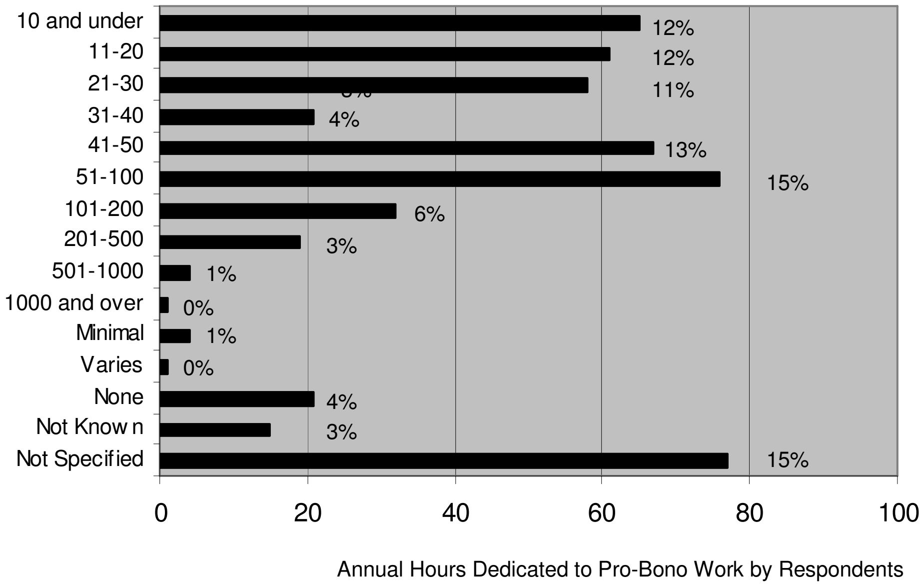
This was another open-ended questions where APIL has grouped together identical or similar answers.



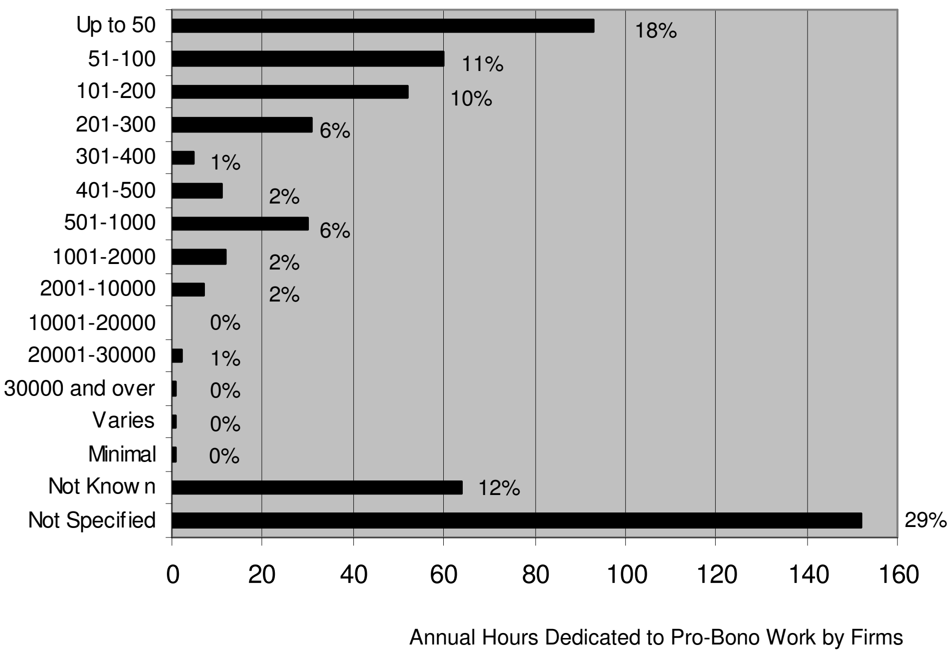

Clearly there is a wide variety of pre-bono work being undertaken by members, with the most popular types being small claims, Citizens Advice Bureaux and free initial consultations.

## Hours Spent on Pro-Bono Work

This was an open-ended answer so similar or identical responses have been grouped together.



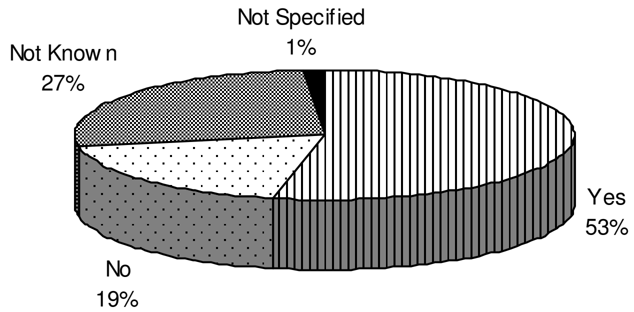

There was great variety in the answers for respondents, ranging from 1 hour a year to firms undertaking 2,000 hours a year. However, the majority of respondents undertaking pro-bono work (52%) spent 50 hours or under per year on this type of work.



Once again there was a wide range of answers for firms from 2 to 120,000 hours. The majority of respondents (48%) said their firms spend up to 500 hours per year on pro-bono work. Unfortunately a large number of participants did not know or did not specify how many hours their firms spend on pro-bono work annually.

## The Future

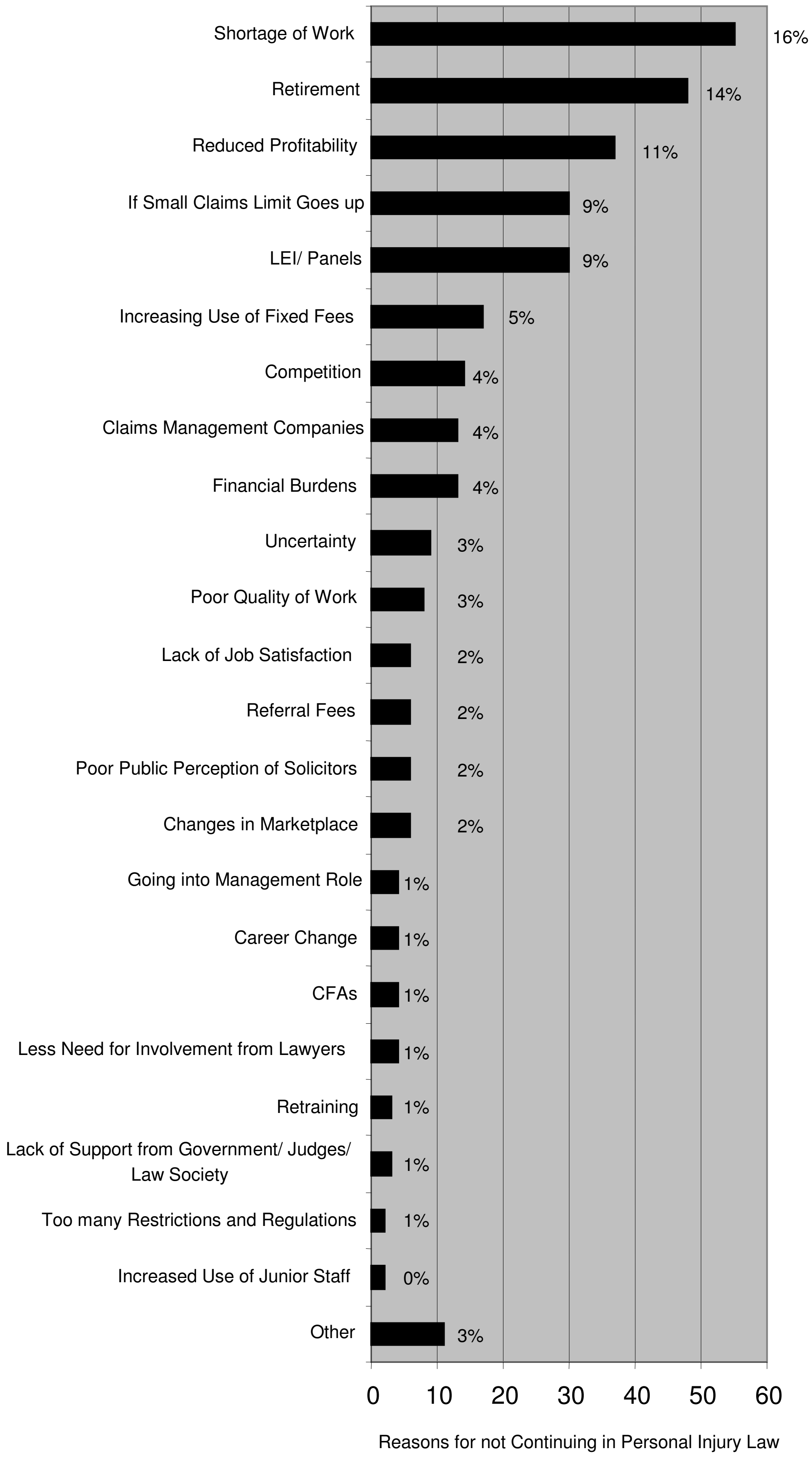
**Do Participants Envisage Practicing Personal Injury Law in 5 Years' Time?**




Likelihood of Participants Practicing Personal Injury Law in 5 Years' Time

The majority of participants envisage practising personal injury in 5 years' time.

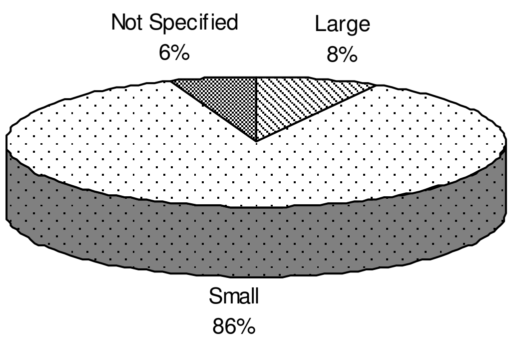
## Reasons for Leaving the Profession



## Comparison between Small and Large Firms

For the purposes of this survey, APIL has defined small firms as those having up to 5 partners in the personal injury department, and large firms as those having 6 or more partners in the personal injury department.

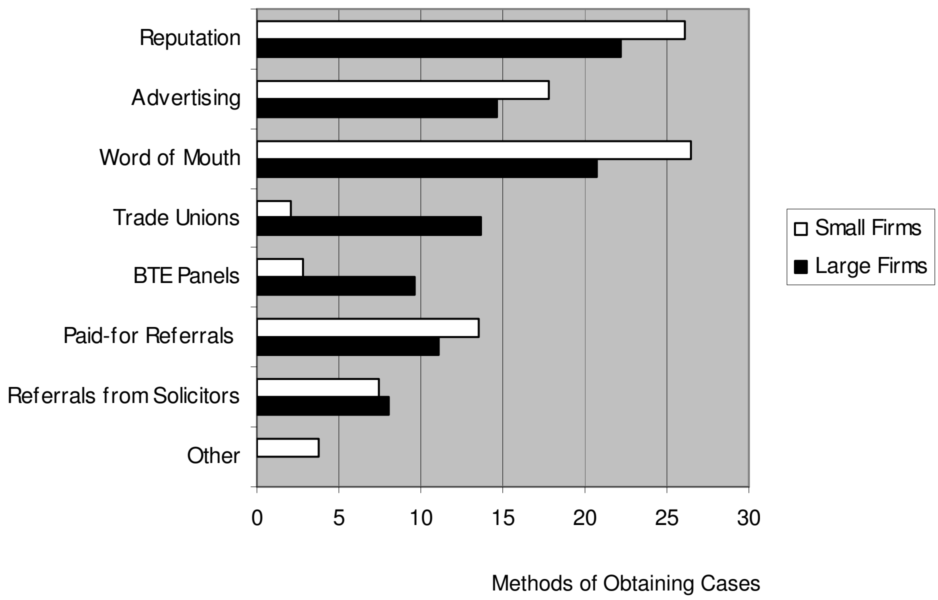
In this section, APIL has compared the answers of small and large firms to some of the survey questions. Note that to enable the comparison, figures in this section are percentages, not the number of responses.




Number of Small and Large Firms

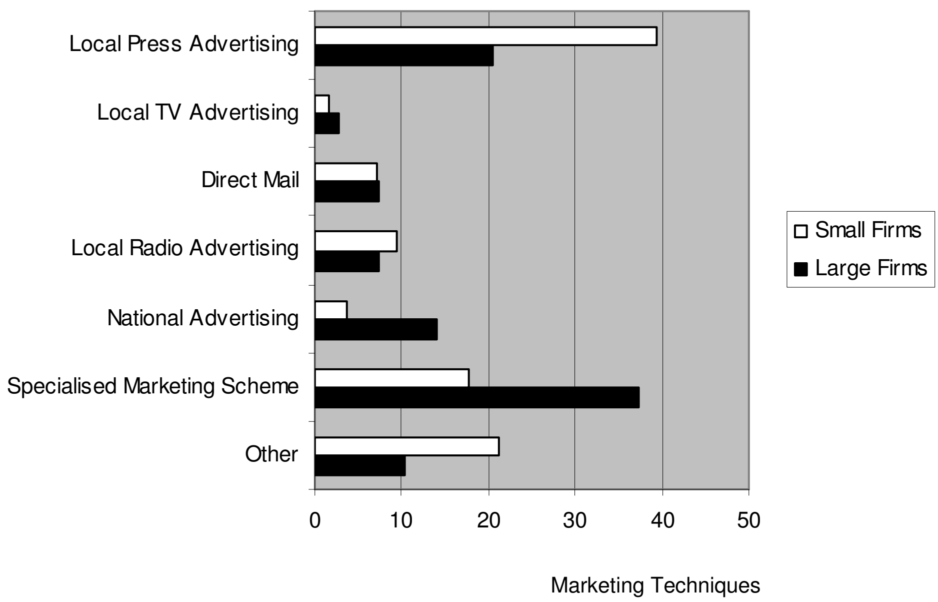
## Marketing

### Methods of Obtaining Cases




Reputation, word of mouth and advertising are the most popular methods of obtaining cases for both small and large firms, but to a greater degree for small firms. Large firms are more likely to be panel members with legal expenses insurers or work with trade unions, but small firms are slightly more likely to pay for referrals.

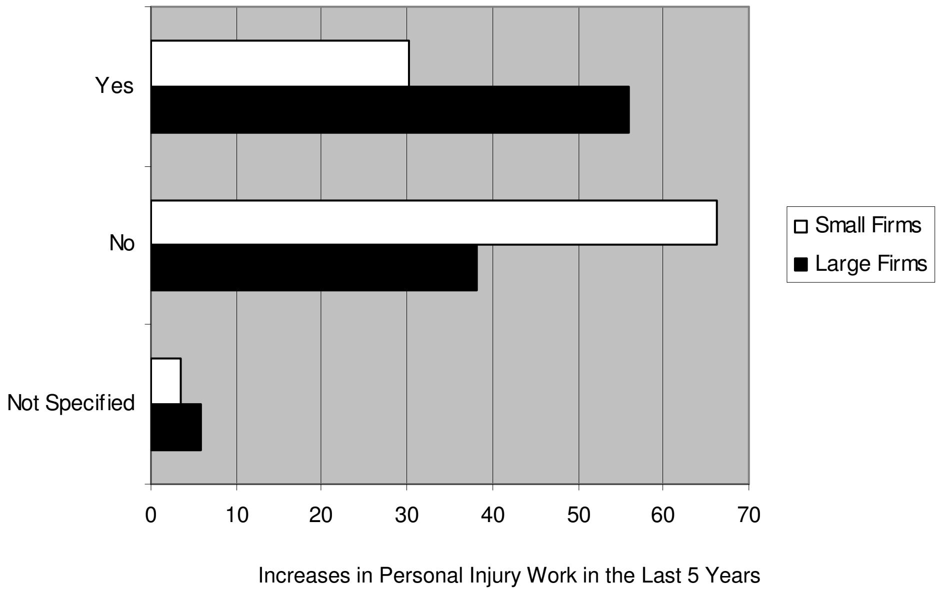
### Marketing Techniques




This comparison shows that small firms have a strong preference for local press advertising whilst large firms have a strong preference for specialised marketing schemes. Unsurprisingly, large firms are more likely to use national advertising because as a large firm they are more likely to have offices nationwide.

## Personal Injury Marketplace

### Increases in Personal Injury Work



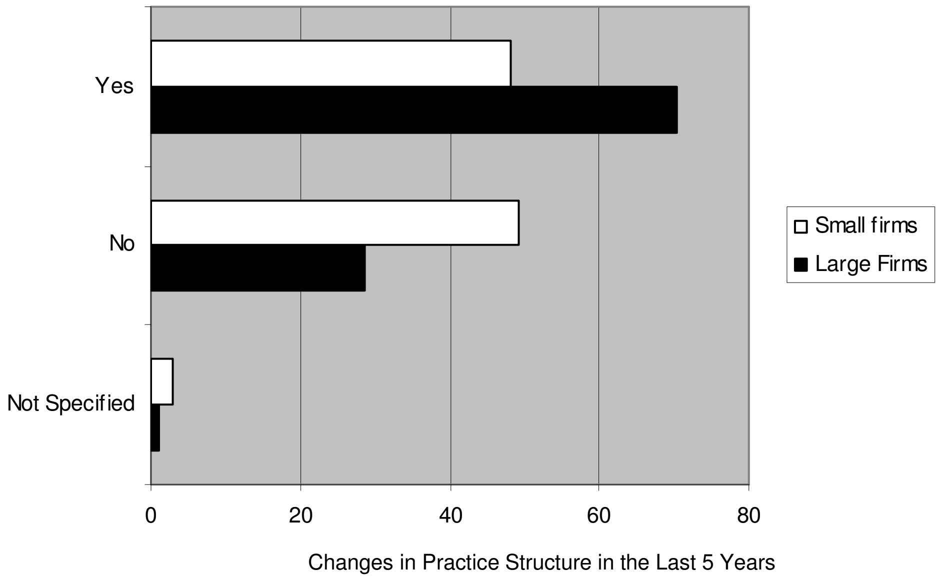

The majority of small firms said the amount of personal injury work undertaken has not increased over the past 5 years as opposed to the majority of large firms who said that the amount of work has increased.

### Decreases in Personal Injury Work

The majority of small firms saw a decrease in their personal injury workload over the past 5 years whereas the majority of large firms did not.

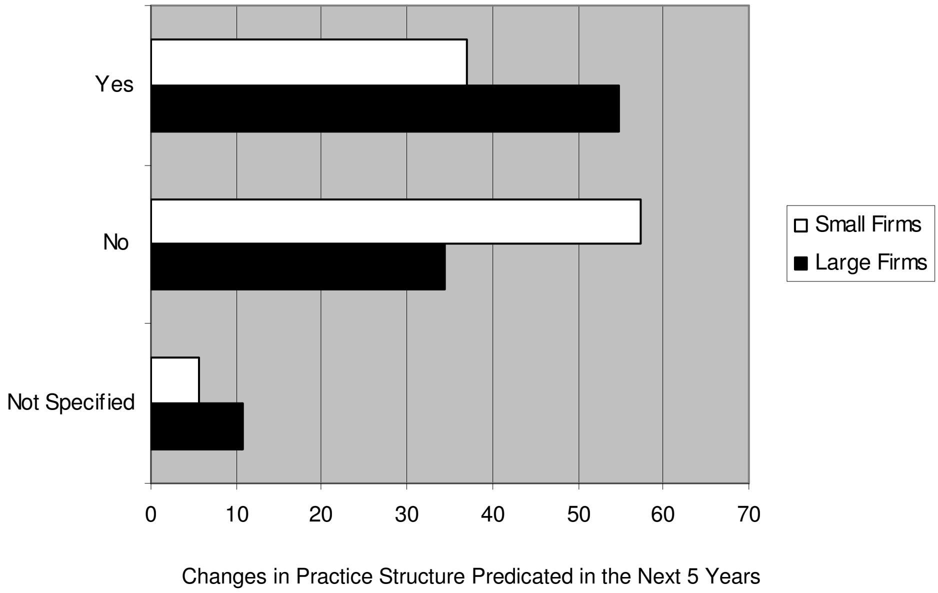
## Practice Structure

**Changes in Practice Structure**

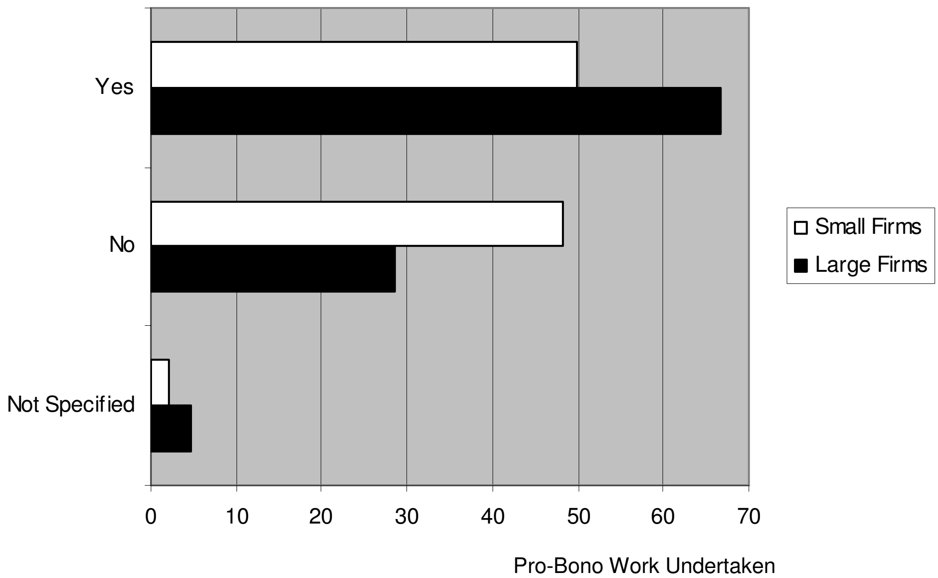



Large firms have had a greater propensity to change their staffing structure over the past 5 years.

**Future Changes in Practice Structure**



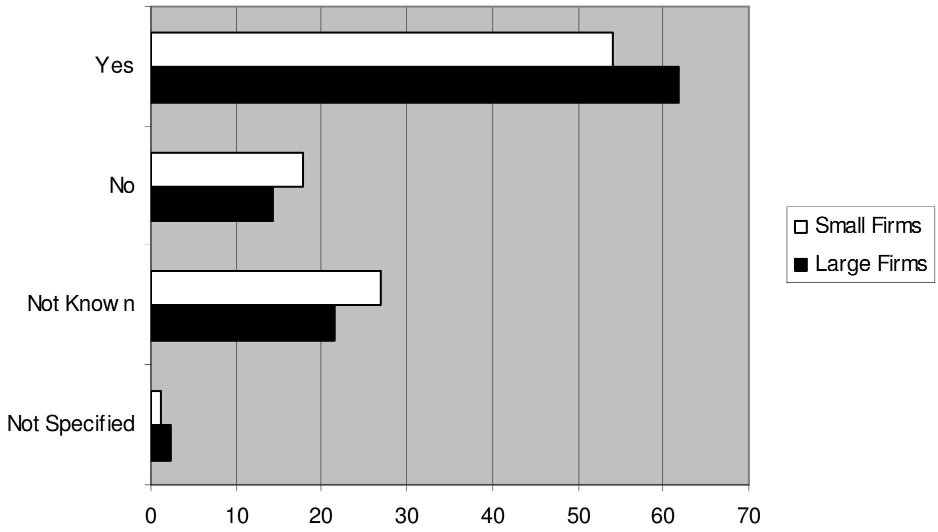

## Pro-Bono Work




This shows that large firms are slightly more likely to do pro-bono work. This may be to do with having sufficient resources to be able to take on this work without having a negative impact on overall profitability.

## The Future

**Do Participants Envisage Practising Personal Injury law in 5 Years' Time?**




Likelihood of Participants Practicing Personal Injury Law in 5 Years' Time

Overall both groups are confident about their future in personal injury law with those from large firms being slightly more so.

## Regional Analysis

APIL has compared the results on key issues from each region with the national average. Again, all figures in this section are percentages in order to make a comparison with national figures.

## Demographics

### Number of Partners in Personal Injury Department

| % | 1 | 2-5 | 6-10 | 11-15 | 16-20 | 21-30 | 31+ | Not Specified |
|---|---|---|---|---|---|---|---|---|
| **Central England East** | 62 | 31 | 4 | 0 | 0 | 0 | 0 | 3 |
| **Central England West** | 57 | 23 | 3 | 3 | 3 | 0 | 3 | 8 |
| **East Midlands** | 43 | 41 | 3 | 2 | 0 | 0 | 0 | 11 |
| **West Midlands** | 63 | 26 | 0 | 2 | 3 | 2 | 3 | 1 |
| **East Anglia** | 55 | 42 | 0 | 0 | 0 | 0 | 0 | 3 |
| **Devon & Cornwall** | 44 | 44 | 4 | 0 | 0 | 0 | 0 | 8 |
| **South West** | 33 | 63 | 4 | 0 | 0 | 0 | 0 | 0 |
| **Yorkshire** | 39 | 42 | 8 | 2 | 1 | 1 | 3 | 4 |
| **North East** | 56 | 28 | 2 | 0 | 0 | 2 | 2 | 10 |
| **North West** | 48 | 41 | 5 | 2 | 0 | 0 | 0 | 4 |
| **Greater London** | 42 | 41 | 7 | 1 | 0 | 0 | 4 | 5 |
| **South East** | 54 | 35 | 3 | 0 | 0 | 0 | 3 | 5 |
| **South of England** | 50 | 39 | 5 | 0 | 0 | 0 | 2 | 4 |
| **Wales** | 46 | 37 | 8 | 6 | 2 | 0 | 0 | 1 |
| **Scotland** | 24 | 47 | 10 | 19 | 0 | 0 | 0 | 0 |
| **Northern Ireland** | 67 | 29 | 0 | 0 | 0 | 0 | 0 | 4 |
| **National** | 49 | 38 | 4 | 1 | 1 | 0 | 1 | 6 |

There is a greater concentration of small firms with up to 5 partners in the personal injury department in central England East, Devon & Cornwall, the South West, East Anglia and Northern Ireland.

Large firms are concentrated in Central England West, the West Midlands, Greater London, the South East, South of England, Yorkshire, the North East, Wales and Scotland.

## Marketing

### Methods of Obtaining Cases

| % | Reputation | Advertising | Word of Mouth | Trade Unions | BTE Panels | Paid-for Referrals | Referrals from Solicitors | Other | Not Specified |
|---|---|---|---|---|---|---|---|---|---|
| **Central England East** | 25 | 13 | 26 | 1 | 3 | 15 | 10 | 7 | 0 |
| **Central England West** | 31 | 17 | 23 | 3 | 1 | 10 | 12 | 3 | 0 |
| **East Midlands** | 30 | 16 | 30 | 3 | 0 | 9 | 6 | 6 | 0 |
| **West Midlands** | 25 | 22 | 26 | 4 | 3 | 15 | 4 | 1 | 0 |
| **East Anglia** | 28 | 21 | 29 | 2 | 1 | 11 | 6 | 2 | 0 |
| **Devon & Cornwall** | 28 | 23 | 26 | 0 | 1 | 9 | 12 | 1 | 0 |
| **South West** | 24 | 16 | 27 | 4 | 3 | 13 | 10 | 3 | 0 |
| **Yorkshire** | 24 | 18 | 25 | 5 | 3 | 13 | 6 | 6 | 0 |
| **North East** | 27 | 21 | 31 | 4 | 3 | 7 | 5 | 2 | 0 |
| **North West** | 26 | 17 | 26 | 1 | 4 | 19 | 3 | 4 | 0 |
| **Greater London** | 25 | 22 | 26 | 4 | 3 | 15 | 4 | 1 | 0 |
| **South East** | 24 | 20 | 25 | 1 | 4 | 12 | 10 | 3 | 1 |
| **South of England** | 29 | 14 | 26 | 1 | 6 | 13 | 6 | 4 | 1 |
| **Wales** | 27 | 17 | 30 | 4 | 2 | 10 | 6 | 3 | 0 |
| **Scotland** | 18 | 14 | 17 | 11 | 0 | 14 | 20 | 4 | 4 |
| **Northern Ireland** | 40 | 8 | 34 | 6 | 4 | 0 | 6 | 2 | 0 |
| **National** | 26 | 19 | 26 | 3 | 3 | 13 | 7 | 3 | 0 |

Firms in the North West are most likely to pay referral fees.

Firms in Scotland are the most likely to obtain referrals from other solicitors.

Firms in Northern Ireland place the most emphasis on word of mouth and reputation.

### Marketing Techniques

| % | Local Press Advertising | Local TV Advertising | Direct Mail | Local Radio Advertising | National Advertising | Specialised Marketing Scheme | Other | Not Specified |
|---|---|---|---|---|---|---|---|---|
| **Central England East** | 54 | 0 | 4 | 4 | 0 | 12 | 23 | 3 |
| **Central England West** | 31 | 0 | 6 | 11 | 9 | 9 | 23 | 11 |
| **East Midlands** | 36 | 1 | 8 | 10 | 2 | 13 | 19 | 11 |
| **West Midlands** | 40 | 0 | 3 | 2 | 5 | 18 | 17 | 15 |
| **East Anglia** | 38 | 1 | 5 | 12 | 4 | 10 | 19 | 11 |
| **Devon & Cornwall** | 35 | 0 | 8 | 14 | 0 | 11 | 24 | 8 |
| **South West** | 30 | 0 | 6 | 9 | 2 | 20 | 23 | 10 |
| **Yorkshire** | 33 | 1 | 8 | 5 | 3 | 24 | 16 | 10 |
| **North East** | 41 | 6 | 6 | 13 | 0 | 13 | 12 | 9 |
| **North West** | 33 | 2 | 7 | 10 | 5 | 16 | 15 | 12 |
| **Greater London** | 25 | 2 | 7 | 2 | 6 | 17 | 17 | 24 |
| **South East** | 35 | 0 | 4 | 9 | 6 | 20 | 20 | 6 |
| **South of England** | 34 | 0 | 9 | 5 | 1 | 24 | 19 | 8 |
| **Wales** | 34 | 4 | 6 | 13 | 2 | 14 | 14 | 13 |
| **Scotland** | 39 | 3 | 3 | 14 | 3 | 7 | 17 | 14 |
| **Northern Ireland** | 14 | 0 | 5 | 0 | 0 | 24 | 0 | 57 |
| **National** | 34 | 1 | 6 | 9 | 4 | 16 | 17 | 13 |

Well above average usage of local press advertising by firms in Central England East region.

The majority of respondents in Northern Ireland do not specify any marketing methods.

## Personal Injury Marketplace

### Increases in Personal Injury Work

| % | Yes | No | Not Specified |
|---|---|---|---|
| **Central England East** | 12 | 77 | 12 |
| **Central England West** | 13 | 83 | 3 |
| **East Midlands** | 28 | 69 | 3 |
| **West Midlands** | 20 | 77 | 3 |
| **East Anglia** | 18 | 77 | 5 |
| **Devon & Cornwall** | 12 | 80 | 8 |
| **South West** | 35 | 58 | 6 |
| **Yorkshire** | 42 | 57 | 1 |
| **North East** | 19 | 77 | 4 |
| **North West** | 35 | 63 | 2 |
| **Greater London** | 39 | 59 | 1 |
| **South East** | 36 | 59 | 4 |
| **South of England** | 35 | 61 | 3 |
| **Wales** | 44 | 52 | 4 |
| **Scotland** | 57 | 38 | 5 |
| **Northern Ireland** | 19 | 76 | 5 |
| **National** | 32 | 64 | 4 |

Increases in personal injury work were above average levels in the South West, Yorkshire, the North West, Greater London, the South East, the South of England, Wales and in particular Scotland where the majority saw an increase in work.

Increases were below average in Central England East, central England West, East Midlands, West Midlands, East Anglia, Devon & Cornwall, the North East and Northern Ireland.

**Decreases in Personal Injury Work**

| % | Yes | No | Not Specified |
|---|---|---|---|
| **Central England East** | 65 | 23 | 12 |
| **Central England West** | 80 | 20 | 0 |
| **East Midlands** | 65 | 25 | 10 |
| **West Midlands** | 71 | 26 | 3 |
| **East Anglia** | 70 | 21 | 9 |
| **Devon & Cornwall** | 76 | 16 | 8 |
| **South West** | 56 | 29 | 15 |
| **Yorkshire** | 52 | 39 | 9 |
| **North East** | 61 | 33 | 6 |
| **North West** | 54 | 39 | 7 |
| **Greater London** | 50 | 36 | 14 |
| **South East** | 49 | 42 | 9 |
| **South of England** | 53 | 42 | 6 |
| **Wales** | 44 | 42 | 13 |
| **Scotland** | 14 | 76 | 10 |
| **Northern Ireland** | 76 | 10 | 14 |
| **National** | 56 | 35 | 9 |

Above average levels of decreases in personal injury work were experienced in Central England East, Central England West, Devon & Cornwall, East Anglia, East Midlands, West Midlands, the North East and Northern Ireland.

Below average levels of decreases were experienced in Wales, Scotland, Greater London and the South East.

## Practice Structure

### Changes in Practice Structure

| % | Yes | No | Not Specified |
|---|---|---|---|
| Central England East | 46 | 42 | 12 |
| Central England West | 64 | 33 | 3 |
| East Midlands | 42 | 55 | 3 |
| West Midlands | 46 | 52 | 2 |
| East Anglia | 42 | 53 | 5 |
| Devon & Cornwall | 72 | 28 | 0 |
| South West | 67 | 31 | 2 |
| Yorkshire | 58 | 39 | 3 |
| North East | 42 | 58 | 0 |
| North West | 47 | 51 | 2 |
| Greater London | 47 | 50 | 3 |
| South East | 47 | 52 | 1 |
| South of England | 52 | 47 | 2 |
| Wales | 42 | 56 | 1 |
| Scotland | 62 | 38 | 0 |
| Northern Ireland | 29 | 62 | 9 |
| National | 50 | 48 | 2 |

Changes in staffing structure reached above average levels in Central England West, Devon & Cornwall, the South West, Yorkshire and Scotland. There were below average levels in East Anglia, Wales and Northern Ireland.

**Future Changes in Practice Structure**

| % | Yes | No | Not Specified |
|---|---|---|---|
| **Central England East** | 16 | 46 | 38 |
| **Central England West** | 53 | 40 | 7 |
| **East Midlands** | 42 | 55 | 3 |
| **West Midlands** | 42 | 55 | 3 |
| **East Anglia** | 29 | 67 | 4 |
| **Devon & Cornwall** | 48 | 48 | 4 |
| **South West** | 52 | 42 | 6 |
| **Yorkshire** | 43 | 48 | 9 |
| **North East** | 42 | 52 | 6 |
| **North West** | 37 | 57 | 6 |
| **Greater London** | 31 | 61 | 8 |
| **South East** | 45 | 52 | 3 |
| **South of England** | 33 | 61 | 6 |
| **Wales** | 23 | 71 | 6 |
| **Scotland** | 52 | 48 | 0 |
| **Northern Ireland** | 29 | 62 | 9 |
| **National** | 39 | 55 | 6 |

As above, changes anticipated in staffing structure reached above average levels in Central England West, Devon & Cornwall, the South West, Yorkshire and Scotland. There were below average levels in East Anglia, Wales and Northern Ireland.

## The Future

### Do Participants Envisage Practicing Personal Injury Law in 5 Years' Time?

| % | Yes | No | Not Known | Not Specified |
|---|---|---|---|---|
| Central England East | 58 | 27 | 15 | 0 |
| Central England West | 33 | 31 | 33 | 3 |
| East Midlands | 50 | 26 | 21 | 3 |
| West Midlands | 54 | 18 | 28 | 0 |
| East Anglia | 48 | 20 | 29 | 3 |
| Devon & Cornwall | 48 | 20 | 32 | 0 |
| South West | 59 | 10 | 27 | 4 |
| Yorkshire | 49 | 23 | 27 | 1 |
| North East | 46 | 31 | 23 | 0 |
| North West | 55 | 17 | 27 | 1 |
| Greater London | 55 | 20 | 24 | 1 |
| South East | 56 | 15 | 29 | 0 |
| South of England | 55 | 11 | 34 | 0 |
| Wales | 54 | 13 | 31 | 2 |
| Scotland | 90 | 5 | 5 | 0 |
| Northern Ireland | 72 | 14 | 14 | 0 |
| National | 53 | 19 | 27 | 1 |

Members in Scotland and Northern Ireland are the most confident about their future in personal injury law, whilst those in Central England West and the North East were less so.

**APPENDIX A**

*The Future of PI Practice*

# To all APIL practitioner members

In the fast-changing world of personal injury law, it is increasingly important that we have a clear understanding of the issues which affect you and your clients. In preparation for the coming year's activities, we are asking, first, all our members at solicitors practices to take a little time to complete this short survey so that we can assess how we can best assist you and your clients, within APIL's remits and objectives.

**PLEASE RESPOND TO THIS SURVEY!**

***It cannot be stressed strongly enough that your input is crucial to this exercise.***

***The survey results will be analysed by regional group area, to enable us to compare regional differences.***

*We have asked for your name and membership number, purely to allow us to explore any specific areas with you in more detail. If, however, you prefer your answers to remain anonymous, please leave the individual identification boxes blank.*

*Many thanks for your assistance.*

**DEADLINE – Friday 09 March 2007**

**APPENDIX A**

# The Future of PI Practice

Please complete the questionnaire as fully as possible. **It should take you about 10 minutes to complete, and will provide APIL with vital information.** If you have any questions or comments, please feel free to contact Almut Gadow (APIL's policy research officer) on 0115 938 8710 or email almut.gadow@apil.com. All information provided will be treated in the utmost confidence.

## About you

*You may choose not to answer these questions* :

| | |
|---|---|
| 1. **Name** (optional): | ______________________ |
| 2. **APIL membership number** (optional): | ______________________ |

*Please respond to the following questions* :

| | |
|---|---|
| 3. **Age** : | ___ years |

4. **Current role**:

| | | | | | |
|---|---|---|---|---|---|
| Consultant | ☐ | Partner | ☐ | Associate | ☐ |
| Trainee Solicitor | ☐ | Assistant Solicitor | ☐ | Solicitor | ☐ |
| Trainee Legal Exec. | ☐ | Legal Executive | ☐ | Paralegal | ☐ |
| *Other (please specify)* | ☐ | | | | |

______________________________

**APPENDIX A**

**5. Regional group** :

| | | | |
|---|---|---|---|
| Central England East | ☐ | Central England West | ☐ |
| Devon & Cornwall | ☐ | East Anglia | ☐ |
| East Midlands | ☐ | Greater London | ☐ |
| North East | ☐ | North West | ☐ |
| Northern Ireland | ☐ | Scotland | ☐ |
| South East | ☐ | South of England | ☐ |
| Wales | ☐ | West Midlands | ☐ |
| Yorkshire | ☐ | | |

**6. How long have you been practising personal injury law?**

| | | | |
|---|---|---|---|
| 0 – 5 years | ☐ | 6 – 10 years | ☐ |
| 11 – 15 years | ☐ | 16 – 25 years | ☐ |
| 26+ years | ☐ | | |

## About your practice

**7. Size of your firm:**

Partners in your firm:

| | | | | | |
|---|---|---|---|---|---|
| Sole practitioner | ☐ | 2 – 5 partners | ☐ | 6 – 10 partners | ☐ |
| 11 – 15 partners | ☐ | 16 – 20 partners | ☐ | 21 – 30 partners | ☐ |
| 31 + partners | ☐ | | | | |

Fee earners in your firm:

| | | |
|---|---|---|
| 0 – 5 fee earners ☐ | 6 – 10 fee earners ☐ | 11 – 20 fee earners ☐ |
| 21 – 50 fee earners ☐ | 51–100 fee earners ☐ | 101-200 fee earners ☐ |
| 200 + fee earners ☐ | | |

**8. Size of your personal injury department:**

Partners in your personal injury department:

| | | |
|---|---|---|
| 1 partner ☐ | 2 – 5 partners ☐ | 6 – 10 partners ☐ |
| 11 – 15 partners ☐ | 16 – 20 partners ☐ | 21 – 30 partners ☐ |
| 31 + partners ☐ | | |

Fee earners in your personal injury department:

| | | |
|---|---|---|
| 0 – 5 fee earners ☐ | 6 – 10 fee earners ☐ | 11 – 20 fee earners ☐ |
| 21 – 50 fee earners ☐ | 51–100 fee earners ☐ | 101-200 fee earners ☐ |
| 200 + fee earners ☐ | | |

## About your personal injury work

**9. How do you mostly obtain your cases?**

| | |
|---|---|
| Referrals from other solicitors ☐ | Word of mouth ☐ |
| Paid-for referrals (from non-solicitors) ☐ | Advertising ☐ |

| | | | |
|---|---|---|---|
| BTE panels | ☐ | Reputation | ☐ |
| Trade Unions | ☐ | | |
| *Other (please specify)* | ☐ | | |

__________________________________

**10. What techniques do you use to market your firm?**

| | | | |
|---|---|---|---|
| Local press advertising | ☐ | Local radio advertising | ☐ |
| Local TV advertising | ☐ | National advertising | ☐ |
| Direct mail | ☐ | Specialised marketing scheme | ☐ |
| *Other (please specify)* | ☐ | | |

__________________________________

**11. In the last five years, have you noticed an <u>increase</u> in the amount of personal injury work your practice has undertaken?**

YES ☐ NO ☐

If yes, by how much?

| | | | | | |
|---|---|---|---|---|---|
| up to 10% | ☐ | 10 – 20% | ☐ | 20 – 30% | ☐ |
| 30 – 50% | ☐ | 50 – 100% | ☐ | over 100% | ☐ |

To what do you attribute this increase?

**12. In the last five years, have you noticed a <u>decrease</u> in the amount of personal injury work your practice has undertaken?**

YES ☐ NO ☐

If yes, by how much?

up to 10% ☐ 10 – 20% ☐ 20 – 30% ☐

30 – 50% ☐ over 50% ☐

To what do you attribute this decrease?

## The structure of your practice

**13. In the <u>last five years</u>, has the staffing structure within your practice changed significantly, e.g. mergers; expansion; downsizing; increased use of paralegals, trainees or newly qualified lawyers?**

YES ☐ NO ☐

If 'yes', how?

______________________________________________

______________________________________________

______________________________________________

______________________________________________

______________________________________________

**14. Do you expect the staffing structure within your practice to change significantly within the <u>next five years</u>?**

YES ☐ NO ☐

If 'yes', how?

______________________________________________

______________________________________________

## Providing free advice and services

**15. Do you or your firm undertake personal injury work where you know in advance that you will not be paid (e.g. helping at a CAB, small claims work, medical appeal tribunals, helping clients with DWP benefits)?**

YES ☐ NO ☐

If 'yes', on what types of cases do you work pro bono?

**16. How many hours per year do you estimate this occupies?**

a) of your time _______ (estimated no. of hours)

b) for your firm overall _______ (estimated no. of hours)

## The future

**17. Do you envisage yourself practising personal injury law in five years' time?**

YES ☐ NO ☐ DON'T KNOW ☐

If ‘no’, why?

______________________________________________

______________________________________________

______________________________________________

______________________________________________

______________________________________________

**Thank you for taking the time to**

**complete this questionnaire.**

Please return the completed form to Almut Gadow at APIL,

by e-mail to almut.gadow@apil.com , by DX to APIL, DX 716208

Nottingham 42, or by post to APIL, 11 Castle Quay, Nottingham, NG7 1FW.