Research Summary

Calling for Justice: comparing telephone and face-to-face advice in social welfare law

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There are significant consequences of replacing face-to-face advice with telephone advice in social welfare law. These consequences can seriously disadvantage many social welfare clients, particularly those who are more vulnerable and those with the most acute legal problems (who are often the same people). While some clients value telephone-only services, for many social welfare clients, face-to-face interaction is likely to be more effective than telephone advice.

This research confirms and provides insights into statistical research which shows that face-to-face advice achieves better outcomes for clients (Balmer *et al*, 2012; Patel *et al*, 2014; Patel and Smith, 2013; Smith *et al*, 2013). In addition, in housing cases, those with more serious problems gravitate towards face-to-face advice (Balmer *et al*, 2012).

In summary, this research found that **face-to-face advice** was linked to:

1) A stronger emotional connection

- Face-to-face interaction with the adviser can result in stronger emotional engagement on the part of the client. Serious legal problems (such as facing homelessness) can be emotionally overwhelming and even more capable clients expressed a need for emotional support.

- The level of emotional engagement between client and adviser can affect the degree to which the client is willing and able to give information. Therefore, clients are likely to be more forthcoming face-to-face and this improves the quality of the advice that can be given.

2) A fuller exchange of information and advice

- **Communication is improved by face-to-face interaction**
  - Clients often find it easier to express themselves face-to-face.
  - Better rapport results in better instructions (see above).
  - Non-verbal communication helps clients and advisers to explain themselves and understand each other more easily. In particular, facial expressions and physical gestures help the speaker to get their story across. They can see whether they are being understood and adapt what they are saying accordingly.

- Having documents to hand can help advisers understand at an earlier stage what is going on (particularly where clients are confused about their situation).
- Face-to-face interviews tend to be structured less rigidly than telephone interviews. The client has greater freedom to give their account naturally and more room to ask questions.
- Clients value the privacy and security of the interview room. They also expressed concerns about telephone surveillance and scams.
- Vulnerable clients tend to be more affected by these issues, particularly those with mental health difficulties

- **Advising becomes easier face-to-face**
  - Advisers have more information on which to base their advice (see above).
  - Advisers are better able to explain their advice and assess whether it is being understood.
  - Improved rapport and client engagement can lead to better client co-operation with the advice process. This is very valuable in difficult cases, especially where the advice may be unpalatable to the client.
  - If urgent action is needed, particularly if proceedings are involved, face-to-face advisers can deal with completing the relevant documents more effectively.

3) The advantages of local knowledge, local relationships, local networks

- Face-to-face advisers use their local knowledge to the benefit of clients. This includes knowledge of the physical locality, familiarity with local policies, practices and procedures and their long-standing relationships with opponents and organisations providing local support (e.g. debt and benefits advice or social assistance). This knowledge can help to secure better case outcomes and improve clients' longer-term wellbeing.

- Telephone advisers have less contextual information about their cases and lack the relationships with opponents and allies to assist with casework - not knowing the place, people and practices of the area where the client is based can affect the conduct of the case and case outcomes.

- **BUT:** telephone clients value the accessibility of the Community Legal Advice (CLA) service, particularly if they have experienced difficulties in obtaining advice locally.

Some voices from the research:

Face-to-face adviser representing a client with £10,000 rent arrears:
"…[S]he [the client] used to be quite defensive and 'Well, I haven't done this because I've been doing something else'. I used to think 'What else are you doing?'…'It came out [that the client's son had left a gang and had would not leave the house through fear of reprisals]…and then she burst into tears,

she cried for about half an hour…And I just, I got a feeling that if I was just to speak to her over the phone I would never have got to that stage. And we have a really good relationship…She was a brilliant client. Anytime I asked for something, she'd bring it the next day. She kept all her appointments. She called me when she said she would, she paid her rent and she's kept her home now and she's doing really well. She's got a job…"

A face-to-face client who was facing eviction at a time when she was a full-time carer for her disabled sister, who was also living in her house:
"You can express yourself better [face-to-face]. You can see who you're talking to…You don't know who you're talking to on the phone. You don't know if they're interested or they're not interested. They may sound interested because that's part of the job…"

"I needed to sit with somebody. I needed somebody to reassure me, listen, this is what it is. Just because it's the police and the housing, doesn't mean that they're right. And she took her time to explain all that to me…you don't say a lot of things you want to say on the telephone, because you feel a bit rushed on the phone, I think, sometimes."

A telephone client (self-employed sales consultant) facing a mortgage possession case:
"I was very, very comfortable with the conversations on the phone, so I didn't feel that…Maybe, maybe the only I would think is maybe that if it had become more drastic where it was like they were going to seize the property from me, then I would have…wanted a face-to-face to, you know, because then it would have gotten more - what's the word, you know - drastic really…"

Author's notes

This note summarises in very broad terms the findings of my PhD thesis: *Calling for Justice: Comparing telephone and face-to-face advice in social welfare law* (LSE, 2016) (funded by ESRC and LSE). The thesis is 367 pages long. Therefore this note contains only the headline findings of the research.

I am in the process of producing publications on this work. In the meantime, if you would like more information on my thesis, please contact me on m.burton@mdx.ac.uk .

About this research:
This was a qualitative study. Between January and September 2014, I observed 11 telephone interviews and 11 face-to-face interviews between clients and advisers/lawyers. I carried out research interviews with 10 telephone advisers and 10 face-to-face advisers/lawyers and 7 telephone clients and 13 face-to-face clients. Most of the research took place with the clients, lawyers and advisers of a national housing advice organisation providing advice funded by legal aid in local offices and over the telephone as part of Community Legal Advice (CLA). I visited the CLA office and four local offices (two in London and two outside).

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