Law Society of Scotland

Technology Survey Report

October 2016

Introduction

Recognising that technology is firmly embedded in the working lives of solicitors, the Society is keen to measure how different technologies are used by solicitors, the opportunities they present, the challenges that must be met – and how the Society can provide help and support.

In the last couple of years, the Society has rolled out smartcards with digital signatures, offered guidance on the use of cloud-based systems and cyber security, as well investing in Altis, the online conveyancing platform.

Our annual plan for 2015/16 set out our intention to conduct a digital and technology audit of the legal profession and produce proposals that would support change within legal firms, while also reviewing the potential of new technology to promote access to justice. To support that objective, we commissioned Ipsos MORI to carry out a survey among members. The survey was conducted in September and received 672 responses, which are summarised below.

Day-to-day use of technology

The vast majority of solicitors (92%) used the internet every day for business purposes. While most respondents (80%) used a desktop computer for work, large numbers also used a smartphone (59%) or laptop (45%) at least once a week to access the internet or internet-enabled apps for business, suggesting a significant degree of remote working.

Given that 53% of respondents – a relatively high figure – had not carried out any of the listed digital or online business practices in the previous four weeks, there may be better ways to advertise online services and provide training to solicitors. In particular, 63% of trainee solicitors who took part in the survey did not carry out any of these practices. Likewise, greater collaboration between the Society and others in the legal sector could help to improve the use of online portals or systems provided by other organisations.

Law Society of Scotland

Research

How often do you use the internet for business purposes?

Base: 672

	%
Everyday	92
At least once a week	6
Less than once a week	1
Monthly	1
Less than monthly	1
Don't know	-

Which of the following devices do you use at least once a week to access the internet or to use internet enabled apps for business purposes?

Base: All those who use the internet at least once a week: 657

	%
A desktop computer	80
A smartphone	59
A laptop	45
A tablet	29
Other	1
None of these	-
Don't know	-

There are a range of business practices that can be carried out digitally or online. Which of the following services have you used in the past 4 weeks?

Base: 672

	%
Filed statutory documents and notices online	17
Submitting court and tribunal documents online	13
Exchanged missives online	9
Online conveyancing platforms	9
Digitally signed off documents and file notes	7
Smartcard as a digital signature	2
Smartcard as online identification	1
Online dispute resolution platforms	1
Other	11
None of these	53
Don't know	-

And how confident would you say you feel using each of these services?

	Very confident %	Fairly confident %	Not that confident %	Not at all confident %	Don't know %	Base n
Filed statutory documents and notices online	57	40	2	2	-	111
Submitting court and tribunal documents online	56	36	7	1	-	87
Exchanged missives online	57	39	3	-	-	61
Online conveyancing platforms	35	56	3	3	2	62
Digitally signed off documents and file notes	67	27	4	-	2	79
Other	79	17	1	-	3	77
responses reported in numbers rather than percentage	n	n	n	n	n	N
Smartcard as a digital signature	8	4	1	-	-	13
Smartcard as online identification	5	-	-	-	1	6
Online dispute resolution platforms	3	1	1	-	-	5

Do you use any of the following online portals or systems provided by other organisations?
Base: 672

	%
Legal Aid Online	15
The CJSM (secure email system used in criminal cases)	13
Government portals for licensing applications	5
The court and police station video-conferencing system	2
Other	19
None of these	59
Don't know	-

And how confident would you say you feel using each of these services provided by other organisations?

	Very confident %	Fairly confident %	Not that confident %	Not at all confident %	Don't know %	Base N
Legal Aid Online	61	31	7	1	-	101
The CJSM (secure email system used in criminal cases)	47	45	6	2	-	88
Government portals for licensing applications	41	50	3	6	-	34
Other	64	32	1	3	1	129
responses reported in numbers rather than percentage	n	n	n	n	n	N
The court and police station video-conferencing system	5	9	3	-	-	14

The challenges – general

New technologies and processes should help businesses become more efficient. However, members appear to be facing a number of challenges, which, in some instances, are slowing processes down and possibly limiting any benefit which the business can gain.

Although the most common technological challenge identified by members was cyber security, a range of other issues were experienced on a day-to-day basis, including: using different systems/integrating systems (39%); keeping up to speed with new technologies (32%); the cost of new systems and software (30%); broadband speed (24%); Wi-Fi connectivity (23%); and, lack of training on new technology (22%). Those difficulties clearly have an impact on the time it takes to carry out work, with half of respondents saying that tasks were taking longer than they should.

Law Society of Scotland

Research

Which of the following, if any, are the biggest technological challenges that you face in your day-to-day work?
Base: 672

	%
Maintaining cyber security	42
Using different systems / integrating systems	39
Keeping up to speed with new technology	32
Cost of new systems and software	30
Broadband speed	24
Wi-Fi connectivity	23
Lack of training on new technology	22
How to use the web and social media to effectively market your business	19
Using online systems provided by other organisations	17
Cost of training on new technology	10
Analysing data	8
Other	9
None of these	10
Don't know	2

Still thinking about the technological challenges that you face, what impact, if any, has this had on your day-to-day work?
Base: All identifying a technological challenge (597)

	%
Tasks are taking longer than they should have	50
We are not able to offer all clients the services they need	7
I don't feel confident in my ability to do my job	2
We have lost clients because we cannot meet their needs	1
Other	13
No impact	32
Don't know	6

The challenges – cyber security

As already outlined, cyber security was a key issue for the solicitors surveyed, with 42% identifying it as their biggest technological challenge – and the Society is determined to increase awareness of security issues as part of our technology plan.

However, recognition of the need to take precautions was high, with 90% not clicking on suspect links, 85% not downloading unknown files or programmes and 80% password protecting devices. Also, most respondents have not experienced viruses, computer infections, online fraud or abusive and threatening behaviour in the past year. However, others in the profession did experience difficulties and more could perhaps be done to assist our members in minimising those risks.

While encouraging that 80% of respondents believed contingency plans were in place for breaches in cyber security or data loss, it was concerning that 35% of those who had experienced a security issue did not report it to anyone. Improved reporting systems may help to minimise the risk of breaches.

When you are using the internet for business purposes, what precautions, if any, do you take to protect yourself online?
Base: 723

	%
Not clicking on suspect links	90
Not downloading unknown files/programs	85
Password protect device used to access the internet (laptop, computer)	80
Make sure my password is sufficiently complex	77
Password protect our internet network (broadband, Wi-Fi)	68
Regularly installing software updates	64
Do not put personal details online	56
Only use well-known/popular/trusted sites	54
Checking that a site is secure (closed padlock system / https://website address)	53
Do not use public Wi-Fi / insecure Wi-Fi	48
Adjust website account settings (e.g. facebook default privacy settings)	32
Only use credit cards to pay for things (not debit or charge cards)	31
Other	6
None of these/ take no precautions	-
Don't know	-

In the last 12 months, have you personally experienced any of the following when using the internet?
Base: 672

	Yes	No	Don't know
	%	%	%
A virus of other computer infection	24	72	4
Being redirected to fake website for personal details	21	76	4
Unauthorised access to/use of personal data (e.g. e-mail account/bank account)	7	90	3
Exposure to upsetting images/illegal images	4	95	1
Abusive/threatening behaviour	3	96	1
Your computer being locked until you made a payment to fraudsters – known as 'Ransomware'	3	96	1
Financial loss due to fraudulent payment card	2	97	1
Financial loss as a result of receiving fraudulent messages	1	98	1

And did you report this/any of these to anyone? If so who?
Base: All who had experiencing any cyber security (294)

	%
Work colleagues	44
Bank	15
Software company	8
Internet service provider	7
Police	4
The Law Society	2
Get Safe Online	1
Insurance company	1
Action Fraud	-
Other	6
No - I did not report this to anyone	35
Don't remember	1

As far as you are aware, does your business have contingency plans in place for breaches in cyber security or loss of data?
Base: 672

	%
Yes	80
No	5
Don't know	15

The opportunities

While no doubt presenting some risks and challenges, technology also offers many opportunities for businesses and the profession, which was recognised by solicitors in the survey. The two main areas of their own businesses that respondents believed would benefit most from the application of technology were process improvement and therefore greater efficiency (76%) and communication with clients (61%). Also, 38% thought linked up technology with the courts would be an improvement – we recognise that technology can play a significant part in improving the justice system and access to justice overall. Improvements such as WI FI in courts, online case management systems, increased use of video-conferencing can all help those working in the justice system.

Encouragingly, 81% of solicitors had a very or fairly positive view about the impact of technology on their business, with only 4% very or fairly negative.

Q13 Thinking about the role of technology in the profession as a whole, to what extent do you agree or disagree with the following statements.
Base: 672

	Strongly agree %	Tend to agree %	Neither agree nor disagree %	Tend to disagree %	Strongly disagree %	Don't know %
Technology is generating work around cybersecurity, data protection and new technology laws (including use, crime, corruption, online purchase rights, copyright)	30	48	11	2	-	7
Technology is enabling the profession to become more efficient	31	47	10	7	3	2
Technology is creating ideas for new models of firm and process innovation	29	49	12	3	1	6
Technology is supporting changes to the way clients commission work	26	47	14	2	1	9
Technology is reducing costs by replacing salaried humans with machine-read or Artificial Intelligence (AI) systems	8	26	29	23	4	9

Law Society of Scotland

Research

What areas of your business, if any, do you feel would benefit the most from the application of technology?

Base: 672

	%
Process improvement and therefore greater efficiency	76
Communication with clients	61
Linked up technology with courts	38
Online conveyancing platforms	23
Using Artificial Intelligence to check and analyse data	21
Online dispute resolution	13
Other	4
None of these	4
Don't know	4

Q15 Overall, how positive or negative do you feel about the impact technology is having on your business?

Base: 672

	%
Very positive	26
Fairly positive	55
Neither positive nor negative	14
Fairly negative	3
Very negative	1
Don't know	1

Training and support

Although almost half of respondents (44%) had received no training on using technology in the previous six months, significant numbers believed they would benefit from training and support in areas such as data protection (35%), cyber security (34%), software/programmes (34%), IT hardware/ equipment/devices (30%) and social media (28%).

In the past 6 months, have you received any training on using technology as part of your business?

Base: 672

	%
Yes	55
No	44
Don't know	1

Would you personally benefit from training and support in any of the following areas?

Base: 672

	%
Data protection	35
Cybersecurity	34
Software / programmes	34
IT hardware / equipment / devices	30
Social media	28
Communication with clients	17
Online conveyancing platforms	14
Online dispute resolution	12
Other	3
None of these	20
Don't know	4

Conclusion

It is encouraging to note that technology is widely used by the solicitor profession, despite some of the barriers that are identified in the results of this survey. In general, members appear to be positive about the role technology plays and, in particular, recognise its value in process improvement and communicating with clients. It is reassuring that members recognise the importance of cyber security, although there are some concerns around the level of reporting of cyber breaches. It is interesting to note that there was a broad acknowledgement that more training is required across a range of IT-related subjects.

At the Society, we can reflect these findings in the services and guidance that we offer our members and also in continuing to promote and advance access to justice. In some instances, we may wish more detailed research to understand particular issues (such as non-reporting of cyber threats). We will continue to monitor trends and share feedback with our members. We will also continue to consider legislative proposals and recommendations made by the Scottish and UK governments in this area and, in particular, will monitor the Scottish Government's evolving digital strategies. Over the next 12 months, we will also be considering the issue of public-facing technology and intend to use case studies to identify options to improve and advance access to justice.

INVESTORS
IN PEOPLE