
Legal Practitioners Complaints Committee

Advertisements for free advice /consultations

The Legal Practitioners Complaints Committee has noted with concern the number of telephone enquiries and written complaints it has received in relation to practitioners advertising free initial consultations. The Committee draws the attention of practitioners to point 10 of Schedule 3 of the current Professional Conduct Rules which state that:

The use of the term 'first appointment free' can also create a great deal of confusion for consumers. Some legal service providers have taken the view that a first appointment is necessarily followed by a second, with a bill for a second appointment being sent even where the consumer did not contract with them to do their legal work after the initial appointment. Some consumers have

formed the view that all lawyers operate on a 'first appointment free' basis, although in reality this practice is far from universal.

An advertisement of 'first appointment free' should be capable of being read at face value. What constitutes the 'first appointment' could also be a source of confusion for consumers. Lawyers who only regard the first 20 minutes of the first appointment as free should make sure the consumer is aware of this before beginning to charge.

To avoid misleading consumers, advertisements that offer a first appointment free' should clearly spell out the terms and conditions of the offer.

The Committee's view is that, where a practitioner does not clarify the terms or conditions of the advertised offer of a free consultation, or gives undue prominence in an advertisement to that offer without linking it adequately to the terms or conditions, it may be misleading or deceptive and may amount to unsatisfactory conduct.

The Committee would encourage practitioners to ensure that any terms and/or conditions attaching to the advertised offer are written in clear terms, thereby not open to misinterpretation by members of the general public.