Changing Landscape of Advice Provision:
Online Forums and Social Media Run by McKenzie Friends

Abstract

Without an affordable option for face-to-face legal advice post-LASPO, many Litigants in Person (LIPs) turn to online sources and potentially McKenzie Friends (MFs), i.e. litigation friends who help LIPs on a voluntary basis or for a fee. Within the legal community, there are serious concerns raised about the quality of information and advice provided by MFs online. Such concerns are especially justified in private and public law children cases, where the well-being and safety of children is at stake.
The paper analyses queries posted by LIPs and responses they are provided with by MFs as well as comments posted by other group users online. The data analysis draws on corpus linguistics methods, which allows for a combined quantitative and qualitative analysis of LIPs' needs and MFs' roles. The paper thus aims to contribute to the current debate on MFs' roles and quality of services.

The below is the summary of data results based on corpus linguistics analysis. The full paper will be available here once it is published.

Overview of LIPs' queries vs. MFs' responses

The single-word keywords, multi-word keywords and n-grams analyses help identify the differences in the online posts of the two groups. The lists of the most frequent single-word and multi-word keywords is below:

LIPs' queries (vs. reference sub-corpus of MFs' responses)				MFs' responses (vs. reference sub-corpus of LIPS' queries)			
Keywords		Multi-word keywords		Keywords		Multi-word keywords	
Term	Score	Term	Score	Term	Score	Term	Score
my	4.02	ex partner	1.18	you	4.13	domestic violence	1.48
me	3.62	contact centre	1.15	your	3.69	social worker	1.42
i	3.45	court hearing	1.12	adoption	2.18	advice sheet	1.41
he	2.36	long story	1.12	child	2.13	child protection	1.37
week	2.32	last week	1.12	too	2.07	advice line	1.34
her	2.23	child maintenance	1.1	law	1.99	local authority	1.34
she	2.22	mental health	1.1	case	1.97	care order	1.3
him	2.13	drug test	1.09	parent	1.88	adoption order	1.28
daughter	2.08	other weekend	1.09	may	1.86	alleged adoption	1.25
thank	1.99	next week	1.08	whether	1.8	family law	1.21
ex	1.98	high court	1.08	application	1.77	care system	1.21

back	1.89					parental responsibility	1.17
		court date	1.08	if	1.76		
his	1.88	seeing son	1.08	should	1.75	private law	1.14
thank	1.79	emotional abuse	1.07	service	1.7	child protection plan	1.14
son	1.77	old son	1.07	xx	1.66	protection plan	1.14
dad	1.77	next year	1.07	need	1.65	child support	1.14
month	1.75	care life	1.06	legal	1.62	foster care	1.14
want	1.75	first hearing	1.06	post	1.59	adoption certificate	1.14
kid	1.72	new partner	1.05	support	1.58	legal advice	1.13

Table 1: Single-word and multi-word keywords in LIPs' queries and MFs' responses generated by the SketchEngine software.

Building on the grammatical elements of the LIPs and MFs' contributions, another useful corpus linguistics method is n-grams as these reveal phrases and structural patterns in texts; the analysis of n-grams thus leads to further exploring the roles of MFs, expanding on their functions already explored via the keywords. Below is the list of the most frequent 3-grams and 4-grams in the sub-corpora for LIPs and MFs (the tokenisation rules in SketchEngine separate contractions, hence 2-grams such as *I don't* appear as 3-grams).

LIPs' queries		MFs' responses	
3/4-grams	**Freq**	**3/4-grams**	**Freq**
I do n't	97	I do n't	26
do n't know	31	the social worker	25
n't want to	29	be able to	18
to go to	28	to the court	17
back to court	27	if you have	17
I ca n't	26	you need to	14
I have to	25	the local authority	14
I did n't	24	that you are	14
do n't want	23	in the care	14
what to do	22	you do n't	13
to see my	20	our advice sheet	13
I want to	20	do n't know	13
I do n't know	19	a court order	13
I have a	18	there is a	12
with my ex	17	that you have	12
to be a	17	the child is	11
she does n't	17	of the child	11
do n't think	17	I think you	11
be able to	17	Welcome to the	10
Thank you for	17	I do n't know	10
n't know what	16	there is no	9

Table 2: Top 20 3-grams and 4-grams in LIPs' queries and MFs' responses.

Perceptions of courts, the legal profession and social services

The topic of courts and the judiciary was explored through the following node words chosen from the frequency list for nouns: *court, system* and *judge*; there are more evaluative comments from LIPs and other users (collocates from WordSketch and OurSurveySay are underlined and the node words are in bold):

Original posters	MFs	Other users
court system is <u>wrong</u> *(FB1)*; strong and frightening evidence being utterly ignored by the disgraceful gender <u>biased</u> family **courts** *(FB1)*	its a <u>broken</u> **system** & not family orientated *(FB1 MFa8)*; family **court** is routinely <u>ignoring</u> child abuse *(FB1 MFa15)*; you have a <u>bad</u> **judge** *(FB1 MFa14)*	**courts** <u>ignore</u> the presence of parent alienation *(FB1)*; the **court** system <u>fails</u> to protect venerable children *(FB1)*; a complete <u>failure</u> from the **court** system *(FB1)*; typical mother <u>bias</u> in feminist family **court** system *(FB1)*; a panel of psychopaths/sociopaths/massmurderers would show more <u>compassion</u> than the family **court** system *(FB1)*; social services and **courts** are all <u>stupid</u> they do not care about the parents *(FB1)*; depends entirely on a **judges** <u>mood</u> *(FB1)*
We had a <u>fab</u> **judge** *(FB1)*		<u>Good</u> **judge** *(FB2)*

A related topic, i.e. the views on the legal profession, was explored through the search words *barrister, solicitor, legal, McKenzie Friend.* A selection of the examples is included in the table below (collocates from WordSketch and OurSurveySay are underlined and the node words are in bold):

Original posters	MFs	Other users
I'm trying my hardest to <u>change</u> **legal** *(FB2)*; I'm <u>struggling</u> to find a decent **legal** team to represent me *(FB2)*; my solicitor got me a **barrister** and she really <u>hasn't</u> represented me on *(FB2)*	We ALWAYS get this <u>problem</u> with the **legals** *(FB2 MFb5)*; why is it so <u>difficult</u> to find a decent **solicitor***(FB2 MFb6, ex-lawyer)*; I <u>sacked</u> my **barrister** who was usless *(FB3 MFc1, ex-LIP)*	<u>change</u> your **legal** team a lot of them make no effort to fight against the Local Authority *(FB2)*; My **solicitor** <u>buggered</u> up the hearing though and the judge couldn't be arsed listening to it *(FB1)*;
	one of our many <u>trusted</u> **Mckenzie** friends *(FB1, MFa8)*	

The third topic, the opinions on social services, was explored by conducting the search of the following words: *social services, SS, local authority, LA, CAFCASS.* Unsurprisingly, there were a lot of posts related to the topic and there was a clear pattern in the results from the collocate lists and Word Sketch overviews: LIPs and other users mention words such as *lies* (five times by LIPs, seven times by other users)*, corrupted* (once by LIPs, twice by other users) or express their frustration in relation to these institutions (e.g. bullying, no faith,

irresponsible, ignorant, scare tactics). They also highlight that legal professionals side with social services ("Disgusting and most solicitors don't and won't fight against **social** now either", *FB2*; "Judge just shrugged his shoulders when I proved **SS** were lying", *FB2*). Such posts tend to be more generic in their accusations and do not refer to court processes or procedures as part of defining the welfare of children.

In the MF sub-corpus, there are no clear patterns in terms of collocations, but there are occasional examples that criticise social services or comment on their actions in a sarcastic tone while also explaining what their role is (see examples for multi-word keywords in the first case study): "That's one dumb **social** worker to say that you are never gonna see your kids. Are they adopted or are they placed for adoption?" (FB group 2, MFb1, active MF). The MF here makes an assumption without having more information on the case, i.e. even whether it is a private or public case. But such explicitly negative evaluations are rare in the MF sub-corpus; it is MFs' non-conciliatory tone and partial advice that are more wide-spread and problematic in terms of supporting LIPs with their case and court strategy.