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Academic honesty / referencing:	Academic honesty is required. In the main body of your submission you must give credit to authors on whose research and ideas your work is based. Append to your submission a reference list that indicates the books, articles, etc. that you have used, cited or quoted in order to complete this assessment.		



University of Wales Trinity Saint David

HKBM7004 Quantitative Research Methods

(Lecturer: Dr Andrew Chan)

**Importance of 7Ps marketing mix for Hong Kong consumers' choice of
Barrister for legal services required by them
– Perspective from different genders**

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1. INTRODUCTION

Hong Kong is one of the major financial centres in the world. After Hong Kong reverted to Chinese rule in 1 July 1997, what makes Hong Kong distinguished from other major Chinese cities is the underlying principles of “one country, two systems” provided in the Basic Law of the HKSAR which was enacted by the Chinese National People’s Congress. Not only the Chinese socialist system and policies would not be practised in the Hong Kong, but also the capitalist system and legal system inherited from the British colony would be continued for another 50 years until 2047.

Legal Profession in Hong Kong

While the laws previously in force in Hong Kong have been vastly unchanged, unless they are in conflict with the Basic Law and subject to any future amendments by the local legislature, the colonial legal profession in Hong Kong also remains unchanged and the split profession between solicitor and barrister (also referred to as “counsel”) continued. Under the split legal profession, the practice of solicitors and barristers are mutually exclusive to each other and any one lawyer is not allowed to practise both professions at the same time. Currently, there are only a few jurisdictions in the world, including those in the United Kingdom (i.e. England and Wales, Northern Ireland and Scotland), Republic of Ireland, some states in Australia, New Zealand and South Africa, etc, still implementing such similar split legal profession. Apart from these few jurisdictions, lawyers in the rest of the world, including China, Japan, countries in the European Union and the United States, are practicing in the same and unified profession who are known as “attorneys”.

According to the solicitor’s Law List¹ and barrister’s Bar List², in 2020, there are more than 12,000 solicitors and about 1,600 barristers (including about 100 Senior Counsels and about 1,500 Junior Counsels, who are counsels not yet qualified as Senior Counsel) practicing in Hong Kong. Among the 12,000 solicitors, there are 75 Solicitors

¹The Law Society of Hong Kong, *The Law List*, Available at: https://www.hklawsoc.org.hk/pub_e/memberlawlist/mem_withcert.asp (Accessed: 18 December 2020)

²Hong Kong Bar Association, *The Bar List (Junior Counsel)*, Available at: <https://www.hkba.org/Bar-List/junior-counsel> (Accessed: 18 December 2020)

Advocates³ and more than 1,500 solicitors without practicing certificates. Further, there are about 1,500 registered foreign lawyers qualified in other jurisdictions and practicing foreign laws in Hong Kong⁴. Despite barristers and solicitors are mainly practiced in private practice, the others are working as employed lawyers as in-house legal advisors for commercial corporations or government counsels for various government departments, including government counsels in the Department of Justice. Some are engaged as lecturers and researchers in universities.

Characteristics of Split Legal Profession

The major difference between solicitors and barristers is the “right of audience”, or the right to appear in court hearings for their clients for cross-examining witnesses, or making oral submissions, etc, in any litigation before the High Court and/or superior courts.

In general, in any litigation, solicitors only have limited right of audience and may appear in lower court hearings for their clients, or they can instruct barristers to appear for their clients for hearings in any level of courts. Since January 2010, if a solicitor satisfies the experience and passes a specified assessment requirement set by the Hong Kong Law Society and the Higher Rights of Audience Assessment Board and qualified as a Solicitors Advocate, he or she will have extended right of audience in the higher courts in Hong Kong. In terms of business, these Solicitors Advocates are in direct competition with the barristers for court works. In terms of daily operation, majority of solicitors are involved in handling documentation files and paper works such as drafting of various kinds of legal documents, such as leases, contracts and wills, and preparing property conveyancing documents, etc. They can also give advice to their clients in any legal matters and for instructing barrister for legal services, such as giving legal opinions and/ or appearing in courts. There are also solicitors who are qualified as notaries public or Chinese attestation officers providing notaries and attestation services

³The Law Society of Hong Kong, *List of Solicitor Advocates (pursuant to Section 39Q of the Legal Practitioners Ordinance Cap 159, Laws of Hong Kong)*, Available at: https://www.hklawsoc.org.hk/pub_e/HRA/default.asp (Accessed: 18 December 2020)

⁴The Law Society of Hong Kong, *The Law List Registered Foreign Lawyers*, Available at: https://www.hklawsoc.org.hk/pub_e/memberlawlist/mem_foreignlawyers.asp (Accessed: 18 December 2020)

in Hong Kong. Accordingly, solicitors are the first point of contact for lay clients for any advice or consultation related to any legal matters.

On the other hand, barristers have unrestricted rights of audience to appear in various levels of court hearings. They specialize in litigation and advocacy. Most barristers involve in litigation and arbitration in giving pre-trial legal advice and for conducting trials, i.e., cross examination of witnesses and making submissions to the court, etc. Barristers take the role of mastermind in any litigation for setting the courses and strategy of the litigation. Like solicitors, barristers can also provide drafting services for legal documents, giving professional legal opinions to their clients and participated in various form of dispute resolution, such as negotiation, mediation, arbitration and litigation. Except for the several designated professions specified in the Direct Access Scheme under the Bar Code, barristers are prohibited to approach any lay client directly for provision of legal services.⁵ In other words, clients can only approach a barrister for services through a solicitor. As mentioned before, solicitors are the first point in contact with anyone who requires the services from a barrister. Further, a solicitor or his clerk must be present when a barrister is taking instructions from a client or interviewing a witness, or attending in court. When a barrister is appointed as third party neutral, such as mediator or arbitrator, there is no instruction required from any solicitor.

Typically, to qualify as a solicitor or barrister in Hong Kong, one have to complete a four years full time common law course and a one year full time course in post graduate certificate in laws, also known as “PCLL”, before commencement of his or her practical training as a trainee solicitor or a pupil barrister respectively. In general, the period for training as a trainee solicitor is two years and for a barrister pupillage is one year before they get admitted to full practice as a solicitor or barrister. For any barrister, he or she may be appointed by the Chief Justice as a Senior Counsel after practicing for a minimum of ten years and achieved a substantial level of accomplishment and recognition. Traditionally, no matter how old or how long he or she has practice, any barrister who is not qualified as Senior Counsel is referred to as “Junior” Counsel. Therefore, any Junior Counsel with high seniority is referred to as senior Junior Counsel. Often Senior Counsels are expertise and specialized in a specific

⁵ See Hong Kong Bar Association, *Direct Access Professional Scheme*, Available at: <https://www.hkba.org/content/direct-professional-access>, (Accessed: 18 December 2020)

area of law and they are usually engaged cases with larger dispute amount and more complexity in that particular area of law. Accordingly, compare with Junior Counsels, Senior Counsels usually charge at a higher rate for their higher demand because of their reputation as a specialist in a certain area of the law. It is not uncommon that the diary of a Senior Counsel is fully booked for months, while the same for a junior Junior Counsels is full of empty slots.

Operation and Marketing of a Barrister Business

In terms of business structures, a barrister is operated as a sole proprietor while a solicitor can operate as either a sole proprietor or in partnership with other solicitors. Besides those employed barristers, all barristers in private practice must maintain a professional chambers, an office where barristers practise law, otherwise, it would be an act of misconduct and subject to disciplinary penalty.⁶ To utilize chambers' administrative resources, i.e. chambers staff, office equipment and legal references, more efficiently, the common practice is for barristers to operate a set of chambers together and share the common operating expenses of the set of chambers. The number of barristers practicing in a set of chambers can be one to more than seventy barristers. Usually, new members admitted to practice in a set of chambers are newly admitted barristers who have gone through a period of pupillage with his or her masters who are exiting members of the set of chambers.

In terms of marketing of a Barrister's business, it is highly regulated by the professional Bar Code. Firstly, except for the appointment of third party neutral and appointment under the Direct Access Scheme, barrister's business is mainly by referral of solicitors. Secondly, there are many restrictions under the Bar Code for advertisement or promotion of the legal services provided by a barrister. In particular, Code 8.1 of the Bar Code provides that:

- “(a) Subject to the overriding duty under paragraphs 3.2 and 4.1, and sub-paragraph (b) hereof, a barrister may engage in advertising or promotion in connection with his practice and such advertising or promotion may include:

⁶See *Re a Barrister* (1986) MP No. 2087, [1986] HKLY 753

- (i) subject to paragraphs 8.3 and 8.4, photographs or other illustrations of the barrister;
 - (ii) statements about the nature and extent of the barrister services and experience;
 - (iia) statements about the quality of the barrister's work provided that such statements are other than by way of self-assertion and provided that the source of the statement is identified;
 - (iii) statements about the barrister's education, qualifications, affiliations and membership;
 - (iv) statements of rates and methods of charging;
 - (v) information about the barrister's involvement in any case in which the barrister has acted (including the name of any client for whom the barrister has acted) where such information has already become publicly available or, where it has not already become publicly available, with the express prior written consent of the lay client. (Circular No. 104/17)
- (b) Advertising or promotion must not:
- (i) be inaccurate, unverifiable or likely to mislead. A statement about the quality of a barrister's work with the source identified is deemed to be verified on proof of the fact that the statement has been made in the said source and accurately quoted;
 - (ii) be likely to diminish public confidence in the legal profession or the administration of justice or otherwise bring the legal profession or the administration of justice into disrepute;
 - (iii) make comparisons with or criticisms of other barristers, solicitors or members of any other profession;
 - (iv) include statements about the barrister's earnings or success of his practice or his success rate;

- (v) indicate or imply any willingness to accept a brief or instructions or any intention to restrict the persons from whom a brief or instructions may be accepted otherwise than in accordance with this Code;
- (vi) be intrusive, offensive or otherwise inappropriate having regard to the manner, medium, frequency of approach or surrounding circumstances;
- (vii) be calculated or likely to exploit or manipulate the weak or vulnerable state of the recipient or intended recipient;
- (viii) take place in or in the immediate vicinity of a hospital or similar medical establishment, court, tribunal, police station or place of detention;
- (ix) be directed at a person who has made known a desire not to be contacted;
- (x) be inappropriate having regard to the best interest of the public;
- (xi) except where permitted in paragraph 8.1(a)(v), include the name of any professional or lay client. (Circular No. 104/17)”⁷

Despite the Bar Code has clearly indicated that barristers are permitted to advertise, however, an inspection of the Bar List and web-sites of barrister chambers in Hong Kong has indicated that not all barristers have put up their advertisements on the web-site to allow the public to inspect their background information.

⁷Hong Kong Bar Association, *Code 8.1 of Code of Conduct*, Available at: <https://www.hkba.org/content/code-conduct> (Accessed: 20 December 2020)

Table 1: Statistics for Web-site Advertisements posted by Barristers and/or Barristers' Chambers⁸

Chambers Size (No. of Barristers)	Number of Chambers	Number of Barristers	Number of Barristers with web-site Advertisement	Number of Barristers Disclose Qualifications only	% of Barristers with web-site Advertisement
over 70	1	89 (20)	89 (20)	0 (0)	100%
61-70	3	191 (33)	133 (32)	53 (0)	70%
51-60	1	55 (4)	27 (2)	7 (0)	49%
41-50	4	171 (15)	75 (12)	78 (3)	44%
31-40	5	171 (9)	42 (8)	71 (1)	25%
21-30	14	326 (5)	84 (5)	134 (0)	26%
11-20	21	308 (7)	64 (3)	120 (2)	21%
<11	88	246 (9)	12 (1)	93 (1)	5%
Total	137	1557	526	556	34%

Figures inside the brackets are number of Senior Counsel within the number of barristers

From Table 1, it indicated that those sets of chambers with 41 or more barristers (the “Big Chambers”) housed about 33% of all practicing barristers and about 72% of all Senior Counsels in Hong Kong. All of these Big Chambers do have their own web-site to promote the practice of their member barristers. On the other hand, only 28% of those sets of chambers with 40 or less members (the “Small Chambers”) have their web-site for promotion. It is likely that the higher rate of web-site advertisement for the Big Chambers is because they have more resources shared by more members for the costs of web-site advertisement. In other words, Big Chambers are likely to operate their marketing more efficiently because of better economic of scale in utilising chambers’ resources.

Further, it is also interested to find out that about 9% of the barristers in the Big Chambers do not provide any background information on the chambers’ web-site, while about 27% of them simply only provide their qualifications on the chambers’ web-site. In contrast, almost 40% of the barristers in the Small Chambers provide only their

⁸ Source: Table complied by the author based on data gathered from the *Bar List* of Bar Association of Hong Kong web-site, Available at <https://www.hkba.org/bar-list>, (Accessed: 18 December 2020)

qualifications on the chambers' web-site but without detail description of their experiences and track records. It is possible that the barristers in the Small Chambers may not have enough resources to put up web-site advertisement in a more detail manner. Nevertheless, it is noted that only 34% of all practicing barristers in Hong Kong do have web-site advertisement for promotion of their practice. For newly admitted barristers, unless they have joined one of those nine Big Chambers in Hong Kong, otherwise, it is likely that they may not have any resources to put up any advertisement in a professional manner on the web-site for promotion of their business.

Another aspect related to the sourcing of barristers' business is the "cab-rank rule". Like any taxi lining up in a taxi standing, a barrister is obliged to take instructions from any client if the client's case falls within his usual practice and the client can afford his usual fees charged in according to the nature and difficulty of the case. This is because barristers are prohibited to screen their potential clients in relation to their political, religious, or other grounds. Further, under the principle of "presumption of innocent", only a judge can decide if a person is guilty or not and no client should be refused for any barrister's service just because the barrister has pre-maturely decided he or she appear to be guilty.

High Termination Rate for Newly Admitted Barristers

According to the Bar Lists for the years 2015 to 2020, the number of barristers newly admitted in 2015 to 2017, but is no longer practiced in 2020, is shown in Table 2.

Table 2: Number of De-listed Barristers admitted in 2015 to 2017

Year of Admission	Number of Barrister Newly Admitted	Barrister De-listed (Accumulated)			
		2018		2020	
		No.	%	No.	%
2015	64	9	14%	15	23%
2016	61	6	10%	11	18%
2017	58	4	7%	11	19%

From Table 2, for the years between 2015 and 2017 the percentage of newly admitted barrister terminated their practice within five years is about 20%. Further, it is noted that only one of the names of these de-listed barristers appeared on the 2020 Solicitors' Law List. It inferred that except the one delisted barrister who has changed his profession in another branch of the legal profession, all the others have completely left the private practice as a professional lawyer. It is a petty and must be difficult decision for any new barrister to terminate his or her legal professional practice and have to give up his or her fresh investment for setting up the Chambers after five years of full time professional legal education and one year of pupillage.

It is a known fact in the barrister profession that one of the reasons for the high termination rate for newly admitted barristers to terminate within five years after their admission is because lack of business to generate sufficient revenue to cover the operating cost of their Chambers. The seriousness of this surviving problem for these new barristers has caught the attention of the Bar Council of the Hong Kong Bar Association. In 2019, one of the topics in one of the Advanced Legal Education talks organised by the Bar Association, which was targeted on pupils and new admitted barristers is: "Early days at the Bar - anxiety and fear of not getting work and comparison with other peers"⁹.

To investigate the problem and to assist the new barristers to survive from their practice, a research for marketability of the barristers' legal services is proposed. The purpose of this paper is to provide a pilot study for the proposed research by studying the application of the 7Ps marketing mix framework for marketability of the barristers' legal services from the consumer's perspective. It is expected that by knowing the importance of the marketing mix from the consumers perspective, the newly admitted barristers may set a better marketing strategy and better utilise their resources for marketing of their business; and therefore, they may be able to survive from their business and keep their private practice. After all, it is important that any proper legal system must be operated by a team of good legal practitioners. It is also vital for the legal profession to be able to continuously attract new blood and talents to join the

⁹"See: Hong Kong Bar Association, *Circular No. 226/19: "Managing a Stressful Life at the Bar"* Available at: <https://www.hkba.org/circulars/2019> (Accessed: 18 December 2020)

profession. Without a proper legal system operated by local competent lawyers, it will be detrimental to Hong Kong in all aspects. Local and competent young lawyers should not be discouraged because lack of business or marketing knowledge to operate their business. To maintain a healthy development of the local barrister profession, not only the young barristers should be able to maintain in their practice, but also fresh talents should be attracted to study laws in universities and to join the profession.

One of the major concepts in marketing is “market segmentation” which is often applied to identify certain market segment which includes targeted groups of consumers who would probably respond in a relatively consistent manner to a certain product or services. Gender is one of the important variables for the consideration of segmentation as many research indicated that responses from men and women to consumer products and services can be very much different (Rao and Wugayan, 2005). Accordingly, gender difference among consumers who may have to engage a barrister for legal services will be focused in this pilot study. In particular, this pilot study will examine whether there is gender-related difference in the consumers’ attitudes regarding the importance of 7Ps marketing mix for their choice of barrister for legal services required by them.

It is noted that despite there are previous studies regarding marketing of legal services provided by lawyers, however, these studies are mainly in relation to lawyers practicing in jurisdictions where unified profession existed, but not in relation to barristers who are practiced under a split legal profession in Hong Kong. Further, because marketing for the business structure of a law firm in partnership is likely to be very much different from marketing of the sole proprietor business structure of a barrister’s business, accordingly, the proposed research is expected to fill the gap of marketing knowledge in marketability of the barristers’ sole proprietor business. Further, this study focuses and contributes to the study of consumer behaviour of different genders by exploring their attitudes regarding the importance of the 7Ps marketing mix when they have to select a barrister for legal services they needed.

This paper is structured in the following manner. Firstly, there will be a review of the relevant literature on the concept of (1) the 7Ps of marketing mix and (2) the gender difference. Based on the literature research, a hypothesis will be developed for statistical analysis. Then, the research methodology will be discussed, followed by

presentation of the results. Further, the paper will conclude with a discussion on limitation of this study and a proposal for researchers for further studies.

2. Literature Review

The 7Ps of Marketing Mix

The 4Ps (Product, Price, Promotion and Place) marketing mix concept established in the early sixties by McCarthy (1964) is one of the classical theories for businesses to identify their target market. Since then, the concept of 4Ps marketing mix has been discussed and reviewed by many researchers (see for example Kotler, 1986; Mindak et.al., 1981; Nickels et.al., 1976; Waterschoot et.al. 1992 as cited in Rafiq et.al., 1995). Researchers have submitted various proposals to modify or replace the McCarthy's 4Ps marketing mix. In the early eighties, the McCarthy 4Ps framework was extended to cover additional three other marketing mixes, including Process, Physical evidence and Participants for the better application of service marketing (Booms and Bitner 1981 as cited in Rafiq et.al., 1995).

The 7Ps marketing framework is widely accepted by marketers and academics, especially for its application in services marketing (Rafiq 1995). This is because marketing for services is very different from marketing for products. In particular, the process involved in services delivery and services consumption (Process), physical evidences associated with services provided to the customers for their inferences of the intangible quality of services (Physical evidence), and the people associated to the provision of the service, including the person serving the customer and other consumers using the service at the same time (People) are also critical factors for customers to evaluate any service and they should be considered in addition to the McCarthy's 4Ps marketing mix.

From the literature review, there have been numerous researches (see for example Angelica, 2017) with application of the 4Ps marketing framework to health related industry. However, there has not been any research related to genders' different attitudes in relation to the importance of 7Ps marketing mix for Hong Kong consumers' choice of barrister for legal services required by them. This research should fill up the

gap of application of the 7Ps marketing mix framework in relation to this type of service under the split legal profession in Hong Kong.

Given the market situation for the newly admitted barristers as mentioned hereinabove, it is essential for barristers to find out the consumers' decision process in how they choose a barrister for legal services they needed. To allow barristers to understand this process, this paper examines the importance of the 7Ps marketing mix by revealing 35 different selection criteria that consumers may use in the selection of barristers. The 7Ps marketing mix are considered as variables which are important in any market analysis. The purpose of the proposed research is to identify the marketing mix that may be more important for planning and implementing a more effective allocation of resources for better marketing of the legal services provided by barristers.

Gender Differences

In the study by McMahan, et.al., (2009) the term of gender and sex was adopted interchangeably despite they had acknowledged there are differences in these two terms in academic literatures. McMahan noted in previous studies that while sex is determined biologically, gender refers to the social, behavioural, psychological, and cultural meanings related to male and female as stereotyped by the society which have been experienced by a person in his social learning experience. (Alvesson and Billings 1997). For the purposes of this study, the same approach as McMahan is adopted.

Previous psychology and social-psychology researches revealed that different genders tend to perceive, processes information and behave differently. In a study of different genders' approach in the cognitive processing of advertisements, it has been found that females were more responsive to complex and verbal advertisements while males preferred simple and comparative advertisements (Putrevu 2004) (*Promotion*)¹⁰. Similarly, by comparing business card design by different genders, Moss and Andrew (2001) found that females are more interest in and adventurousness with colour. (*Promotion*) Further, by comparing different gender's buying preference of cards designed by different gender, Moss and Andrew also revealed that there is strong

¹⁰ The factor stated inside the brackets represents one of the 7P market mix related to the previous researches.

tendency for both males and females to prefer cards designed by designers with the same sex. In the barristers' practice, it is not unusual that some clients would prefer barristers of the same gender, especially when the matters involved with matrimonial disputes or criminal sex offenses. (*People*) The same studies also concluded that males work more technical and more concern with function (*Product*), while females concerned more with aesthetics. (*Physical Evidence*) In another study concluded by Buttner (2001), he found that males emphasis less on relationships when compare with females. (*Process*) Cron et.al.(2009) also found that female have a higher relationship orientation than male.(*Process*) Further, it also found that because of the higher relationship orientation by female veterinary, their transactional pricing is biased and towards more compassionate pricing. (*Pricing*). This pricing attitude is important when the services provided by a professional to his or her clients are unique and engaged infrequently, therefore the pricing strategies for services may be heavily related to the professional's relationship orientation with the client. (Winer 2005)

Based on the gender differences found in their attitudes in relation to the 7Ps marketing mix in accordance with the above literature review, we set the research question as follows:

Research Questions: Are there any gender difference in attitudes regarding the importance of the 7Ps marketing mix in relation to their choice of barrister for legal services required by them.

Further, the following hypothesis is to be tested in this study:

Hypothesis:

Null Hypothesis: Consumers with different gender have no different attitudes regarding the importance of 7Ps marketing mix in relation to their choice of barrister for legal services required by them.

Alternative Hypothesis: Consumers with different gender have different attitudes regarding the importance of 7Ps marketing mix in relation to their choice of barrister for legal services required by them.

3. Methodology

Sample and data collection

The study employed a convenience sampling method to collect data. This is because the samples in this study are collected from a “convenient” source of data for the researcher. In particular, in this pilot study, students enrolled in the same postgraduate programme as the researcher at the same management school are selected to participate in the study. The choice of postgraduate students to serve as respondents for this study is because they are readily available and the researcher is also one of the students in the programme. Despite there may be a chance that the students may not accurately represent the population of interest, and the chance of bias may possibly be increased, however, at this initial stages of the proposed research, convenience sampling as mentioned in the above is considered as a quick, economical and easy way to gain initial primary data from different genders regarding consumers’ attitude for the 7Ps marketing mix.

However, as there are only 3 female students from the class containing about 18 students, there may not be sufficient number of respondents for female respondents for comparison. Therefore, about 10 other samples have been collected from outside sources by snowball sampling method. Under this snowball sampling method, initial respondents have been identified as those acquaintances to the researcher. Then by referral of these acquaintances, more participants have been identified and invited to answer the questionnaire. This referral repeated again and again from those willing respondents and more and more respondents have been identified again and again. With limited resources on time and money, another 10 respondents containing 8 females and 2 males have been identified within two days. These 10 respondents have similar demography, in terms of education level and seniority in their employment, i.e. graduates and employment in middle to senior management level, as the students in the postgraduate programme. Altogether, there are 25 respondents, 15 males (60%) and 10 females (40%) responded to the survey questionnaires send out for this pilot study.

Questionnaire

The data collection for the survey of this pilot study is conducted by sending out self-administered questionnaires to the respondents.

A set of questionnaire containing 40 questions, which is modified from the SERVQUAL questionnaire¹¹, has been set for this survey. The purpose of any survey based on the SERVQUAL questionnaire is to evaluate the expected services that the customers wanted, and the perception or reality of the services obtained by the customers. As the SERVQUAL questionnaire is about a survey on the service quality, which is the consumer's assessment of overall delivery and value of the service provider, by making the assumption that customers' satisfaction is relevant to the consumers' choice of barristers for legal services required by them, the SERVQUAL's 22 questions have been adopted and modified to allow its relevant application to (1) legal services provided by barristers and (2) the 7Ps marketing mix framework. The original 22 questions in the SERVQUAL questionnaire are grouped into 5 main factors including: (1) Tangibles, (2) Reliability, (3) Responsiveness, (4) Assurance and (5) Empathy. With reference to a previous research regarding the factors in relation to the marketing of legal services (Donna, 1981)¹², the SERVQUAL questionnaire has been modified to suite the services provided by a barrister, therefore, the number of questions has been increased from 22 to 40. Other than the first 5 questions asking the background information of the respondents, the 35 questions for the modified questionnaire are shown in Table 4 herein below.

Other than the first 5 questions, which are set for the background of the respondents, the item scale for the remaining 35 questions was measured on a five-point scale ranging from "1" represents "strongly disagree" to "5" represents "strongly agree". The modified questionnaire has been submitted to a barrister to comment the relevancy related to the legal services provided by barristers; and to figure out any ambiguity in the questions. The modified questions are relatively easy and straight forward. Further, based on the input from the barrister, minor modifications have been made to the

¹¹ Source: *The Marketing Study Guide*, <https://www.marketingstudyguide.com/servquals-22-questions/>

¹² Source: Donna K. Darden, William R. Darden, & Kiser G. E., (1981) 'The Marketing of Legal Services', *Journal of Marketing* vol. 45 (Spring 1981), pp123-134.

wording of the questions to improve clarity and for easier understanding by the respondents.

The questionnaires are set in Google Form and sent to 30 respondents through electronic means by emails and by Whatsapps. What the respondents needed to do is just answer the 40 questions by ticking the relevant criteria and then submit back the completed Google Form electronically. There are 15 completed responses from male respondents and 10 responses from female respondents collected from the survey. A summary of demography of the respondents as responses to the first 5 questions is shown in the following Table 3.

Table 3: Summary of Demography of Respondents

Description	Male	Female	Total
<u>No of Respondent</u>	15	10	25
<u>Age</u>			
44 or below	4	5	9
45 or above	11	5	16
<u>Education Level</u>			
Bachelor or below	0	4	4
Master or above	15	6	21
<u>Monthly Income</u>			
\$74,900 or below	3	4	7
\$75,000 or above	12	6	18
<u>Previous Experience with Barristers</u>			
Yes	5	1	6
No	10	9	19

Data analysis

Cronbach's Alpha has been calculated by using the SPSS program for measurement of internal consistency of the instrument scales and reliability of the measurement scales for the 35 questions stated in the questionnaire (see Table 4). In

general, Cronbach's alpha value of 0.6 or lower indicates unsatisfactory internal consistency reliability. In this case, the Cronbach's Alpha for the 35 questions is 0.941, which indicates a high reliability.

Since the Dependent Variables to be tested are the 7Ps market mixe, therefore, the scores of the 35 questions have been composited accordingly to the relevancy of each of the marketing mix as follows:

Table 4: Questions posted in the Questionnaire grouped into relevant Marketing Mix

7Ps Marketing Mix	SERVQUAL's Main Factor	Dimension/Question Area*
	<u>Tangibles</u>	
Place	1	<i>Location of the Counsel Chambers</i>
Physical Evidence	2	Physical facilities of Counsel Chambers are visually appealing
Physical Evidence	3	Up-to-date equipment and legal references in the Chambers
People	4	Counsel's Personal Appearance
People	5	Counsel's Gender
	<u>Reliability</u>	
Process	6	Counsel's ability to meet his/ her promised time-frames for response (Timeliness)
Process	7	Counsel is sympathetic and reassuring, when the customer has problems
Product / Service	8	Counsel is dependable
Product / Service	9	Counsel's ability to provide his/her services at the times promised (Availability)
Process	10	Counsel's ability to keep accurate records
	<u>Responsiveness</u>	
Process	11	Counsel's ability to tell customer (lay client) exactly when the service will be performed
Product / Service	12	Prompt service from Counsel

7Ps Marketing Mix	SERVQUAL's Main Factor	Dimension/Question Area*
Product / Service	13	Counsel willing to help customers for services provided in his brief
People	14	<i>Counsel's ability to provide reasonable estimate of cost and time for handling the case</i>
People	15	<i>Counsel's ability to provide reasonable estimate of chance for winning the case</i>
Product / Service	16	<i>Counsel's ability to tell the customer (lay client) how to win the case</i>
	<u>Assurance</u>	
People	17	Counsel is trustworthy and able to keep client information confidential
People	18	Customers feel safe when transacting with Chambers' employees
People	19	Politeness of Counsel and Chambers' employees
People	20	Chambers' employees have adequate support from the Chambers to do their job well
Promotion	21	<i>Chambers' Reputation</i>
Promotion	22	<i>Counsel's Reputation</i>
People	23	<i>Counsel' experience relevant to the dispute</i>
People	24	<i>Counsel's qualifications relevant to the dispute</i>
People	25	<i>Counsel's track record relevant to the dispute</i>
Product /Service	26	<i>Counsel's ability to keep the budget as advised</i>
	<u>Empathy</u>	
People	27	Counsel's ability to give each customer individualized attention
People	28	Counsel's ability to fully understand the needs of the customer
People	29	Counsel is able to have the best interests of the customer at heart
7Ps Marketing	SERVQUAL's	Dimension/Question Area*

Mix	Main Factor	
Product / Services	30	Counsel operated at extended hours convenient to customers
	<u>Others</u>	
Price	31	<i>Counsel charges reasonably in accordance with his/ her experience, qualification, expertise and competence</i>
Promotion	32	<i>Referral by solicitor handling the case</i>
Promotion	33	<i>Referral from sources other than solicitor handling the case</i>
Promotion	34	<i>Counsel background information available to the public</i>
Promotion	35	<i>Perceived Counsel' scale of fee available to the public</i>

*Questions in *italics* are questions in addition to the SERVQUAL's 22 Questions.

After the item-scores of the 35 questions combined by the SPSS program into overall scores which represent each of the relevant market mix as indicated in Table 4, the new variables of each of the market mix have been used for the t-test to test if the data provides enough evidence to conclude that the gender has a significant impact on the attitudes regarding the importance of the 7Ps marketing mix when the consumers want to select a barrister for legal services. A two tailed test at the 0.05 level of significance is examined.

Before, the t-test was preformed, the internal consistency of the instrument scales and reliability of the measurement scales for the new variables of each of the 7Ps marketing mix were measured by calculating the Cronbach's Alpha (Weighted Average). As shown in Table 5. The Cronbach's Alpha (Weighted Average) for the new variables of the 7Ps marketing mix and the overall Cronbach's Alpha for the 35 questions are 0.767 and 0.941 respectively, which are both larger than the bench mark of 0.6 and therefore indicate a high reliability.

Table 5: Calculation of Cronbach's Alpha (Weighted Average)

Market Mix	Cronbach's Alpha	Number of Items	
Place	1	1	1.000
People	0.84	10	8.400
Promotion	0.59	8	4.720
Price	0.759	2	1.518
Physical Evidence	0.658	2	1.316
Product	0.879	10	8.790
Process	0.548	2	1.096
Total No. of Items		35	26.840
Cronbach's Alpha (Weighted Average of the 7Ps Market Mixes)			0.767
Cronbach's Alpha of the entire scale (the overall scale reliability)		35	0.941

After the Cronbach's Alphas have been confirmed as larger than 0.6, the independent sample t-test was performed by the SPSS program to compare the means of the two independent variables, the two group of genders, in order to determine whether there is any statistical evidence that the means from the two genders are significantly different. In other words, the difference in consumer's attitudes in relation to the 7Ps marketing mix between men and women was tested using independent samples t-test. Further, the default value of 95% under the SPSS program for the desired confidence level for the mean difference has been adopted in the t-test. The results are presented in the following section.

4. Results

From the following Group Statistics Table generated by the SPSS program, it is noted in this descriptive statistics that the Means of the two genders for each of the 7Ps marketing mix variables are not equal, despite the differences are relatively small. In general, except the marketing mix of "Place", females always have a higher value than

the males for the means of the other marketing mixes. Therefore, as compare to males, the females considers the 7Ps marketing mix, except the “Place” factor, are more important when they are deciding which barrister to engage for the legal services they needed. Also, the standard deviations for the females are in general smaller than the males. It indicates that the females’ attitudes are more coherent to each others as compare to males.

Table 6: Group Statistics Table

Gender		N	Mean	Std. Deviation	Std. Error Mean
Physical Evidence	Male	15	3.6667	0.67259	0.17366
	Female	10	3.8500	1.02875	0.32532
Process	Male	15	4.4667	0.61140	0.15786
	Female	10	4.8500	0.24152	0.07638
Place	Male	15	3.4667	1.18723	0.30654
	Female	10	3.1000	1.19722	0.37859
People	Male	15	4.1852	0.56191	0.14508
	Female	10	4.3711	0.28580	0.09038
Product	Male	15	4.4133	0.54885	0.14171
	Female	10	4.6800	0.22998	0.07272
Promotion	Male	15	4.1583	0.40219	0.10384
	Female	10	4.3875	0.26647	0.08427
Price	Male	15	4.2000	0.59161	0.15275
	Female	10	4.3500	0.57975	0.18333

Further, in the second table generated by the SPSS program output, it indicated that the output of the Levene’s Test of variances, the p values, are larger than 0.05, therefore, the null of Levene’s test can be accepted. Even the sample sizes of the two groups are different, there is no evidence to suggest that the variances of the two groups are not equal, or equal variances should be assumed. This result is in consistent with the small differences for the standard deviations of different genders for each of the marketing mix as indicated in the above Group Statistics Table. Accordingly, the pooled t-test results found in the first row of the SPSS output have been used.

Table 7: Levene’s Test for Equality of Variances

		Levene’s Test for Equality of Variances
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		F	Sig.
Physical Evidence	Equal variances assumed	1.184	0.288
	Equal variances not assumed		
Process	Equal variances assumed	3.432	0.077
	Equal variances not assumed		
Place	Equal variances assumed	0.033	0.858
	Equal variances not assumed		
People	Equal variances assumed	2.857	0.104
	Equal variances not assumed		
Product	Equal variances assumed	3.742	0.065
	Equal variances not assumed		
Promotion	Equal variances assumed	0.706	0.409
	Equal variances not assumed		
Price	Equal variances assumed	0.000	1.000
	Equal variances not assumed		

According to the following extracts of the t-test outputs from the SPSS program, it indicated that none of the 7Ps marketing mix variables has a *p*-value smaller than 0.05, therefore, the null hypothesis can be accepted and that means the mean scores of the two groups are not significantly different. Accordingly, there is evidence that gender has no significant effect on the attitudes of the importance of anyone of the 7Ps marketing mix when consumers selecting a barrister for the legal services that they needed.

Table 8: Independent Samples Test Result

		t-test for Equality of Means
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		t	df	Sig. (2-tailed)	Mean Diff.	Std. Error Diff.	95% Confidence Interval of the Difference	
							Lower	Upper
Physical Evidence	Equal variances assumed	-0.541	23	0.594	-0.18333	0.33899	-0.88459	0.51792
Process	Equal variances assumed	-1.877	23	0.073	-0.38333	0.20427	-0.80590	0.03924
Place	Equal variances assumed	0.754	23	0.458	0.36667	0.48629	-0.63929	1.37262
People	Equal variances assumed	-0.962	23	0.346	-0.18593	0.19328	-0.58577	0.21391
Product	Equal variances assumed	-1.446	23	0.162	-0.26667	0.18442	-0.64816	0.11483
Promotion	Equal variances assumed	-1.580	23	0.128	-0.22917	0.14505	-0.52924	0.07090
Price	Equal variances assumed	-0.626	23	0.538	-0.15000	0.23964	-0.64573	0.34573

5. Discussion and Conclusion

The result of this study is very much different from the findings in previous studies as mentioned in the literature review. Reasons that may cause such different results are (1) the sample size of 25 is too small, and (2) the characteristics of the sample population are too homogeneous due to convenient sampling adopted in this study.

Table 9 is a summary of the demography of the sample population as compare to the demography of the Hong Kong population in accordance to the 2020 statistics from the Census and Statistic Department of the Hong Kong Government. As indicated in Table 9, the demography of the sample population is very much different from the population in Hong Kong; accordingly, the characteristics of the sample population cannot represent the population in Hong Kong. Therefore, even there is not enough information regarding the demography of the sample population in the previous researches as mentioned in the literature review, it would not be surprise if demography

data in those previous studies would not be as homogeneous as the sample population adopted in this study. Thus, it would not be surprise if the result of the current study is different from the results of the previous researches.

Table 9: Demography of Respondents compared to Hong Kong Population¹³

	Data from Sample Population				Data from Census and Statistics Department
	Male	Female	Total	%	% in HK Population*
<u>No of Respondents</u>	15	10	25	100%	
<u>Age</u>					
34 or below	2	2	4	16%	34.2%
35 or above	13	8	21	84%	65.8%
					100%
<u>Education Level</u>					
Sub-degree or below	0	1	1	4%	74.7%
Bachelor or above	15	9	24	96%	25.4%
					100%
<u>Income</u>					(Domestic household income)*
\$74,900 or below	3	4	7	28%	\$79,999 or below (88.7%)
\$75,000 or above	12	6	18	72%	\$80,000 or above (11.5%)
					100%

* Figures from the Census and Statistics Department are “Domestic household income” as compare to the “Income” stated in the sample population.

In particular, from Table 9 it is noted that the male and female respondents in this study has relatively higher education and income level than the population in Hong Kong. Perhaps, because the respondents’ higher level of education and employment as senior executives, their considerations and attitudes for selecting barrister are more

¹³ Source: Table compiled by researcher with data from Census and Statistics Department, *Hong Kong in Figures (Latest Figures)*, Available at: <https://www.censtatd.gov.hk/hkstat/hkif/index.jsp> (Accessed: 18 December 2020)

rational and similar to each other. Accordingly, they would all think alike when consider importance of the 7Ps marketing mix for selection of barrister's services.

6. Limitations and Future Research

Similar to other researches based on convenience sampling, the data collected may be vulnerable to selection bias and there may probably be high level of sampling error. As the data collected from the convenience sample are all have similar characteristics as postgraduates, high income, and middle to senior management employment, these population can hardly be claimed as representing the population in Hong Kong, therefore, the findings in this study cannot be generalized beyond this relatively small and homogenous group.

Accordingly, additional research is recommended to explore a larger and different population for determination of a more realistic and potential effect of gender differences on the attitude of importance of the 7Ps marketing mix regarding consumers' selection of barrister for legal services needed. It may also be insightful to examine the population with different characteristics, such as different age groups, religious, education level, income level and ethnic backgrounds, etc. The gender differences of these demographic variables may have an interesting influence on the selection of barristers for the legal services provided by them and may be explored in future researches.

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