

## Direct Marketing for Direct Access

**In 2007 Peter Rosenwald, Managing Director, Chartered Developments wrote an article for The Barrister outlining how telephone marketing could significantly help grow the client base of a barristers chambers through a systematic and disciplined approach to referral work. With key changes in the law in 2004 another exciting marketing opportunity presents itself through Direct Access (DA). Peter will revisit the role of marketing to gain new clients without the need to be referred work through an intermediary. Whilst the role of the barrister has remained fundamentally unchanged, this has dramatically changed the industry landscape.**

**D**A is undoubtedly a growth sector and is creating exciting opportunities for chambers to forge new initiatives and collaborate with other professional groups, businesses and individuals at a time of rapid change in the legal services environment. For many chambers it is the largest growth area, but this comes with the acknowledgement that to gain the greatest value from this marketplace requires skills and expertise that have not previously been employed within the profession. The competition for first instance leads is growing rapidly, and taking the highest possible share requires an investment.

The problem for chambers is that their model of working is often ill suited to sharing the marketing costs of joint lead generation. Finding a cost effective solution to this has often proved to be a stumbling block to innovative new methods that could enhance the reputation of chambers overall regarding Direct Access, rather than just an individual barrister. However, when weighed up against the potential benefits, the spreading of costs across a chamber should become a viable proposition.

The strategy to employ is simple. The aim is to meet the key decision makers at businesses with the potential to

become clients. In order to do this one should first identify and isolate the businesses to target. These targets are best defined by their needs being well-suited to the specialist attributes and services of the chamber. A chamber might be differentiating itself based on an extensive history of working in a particular sector, or the factor may be as simple as its proximity to the prospect. For example, this could be the 50 largest care home groups, or the 200 largest logistics firms, or even just 300 firms of a particular size within a particular region. Once the firms are identified the next step is to establish who the decision maker is. Although the Head of Legal is a start, the Finance Director is often a more senior figure, and frequently has authority over decisions within this area.

For many barristers Direct Access is not a “new” concept. However, the direct marketing needed to engage is very much new territory. A primary question that we have encountered when talking to barristers is ‘how do the decision-makers receive these contacts?’ Our experience thus far in this industry has been targeting larger SMEs and AIM listed firms, but not FTSE prospects. A few of the responses we hear most often are:

“...pleased to be contacted”

“I didn’t know that we could instruct directly”

“Anything that means I can get an opinion more quickly will help our business”

Whilst there will always be a few decision makers who resent being contacted directly, in general the responses we’ve had have been overwhelmingly positive. However, whilst the value of direct marketing will not be lost once instructing directly is common practice in all businesses, the resonance of the marketing message is all the stronger when you are amongst the first to market. The fabled ‘Early Bird’ is still out there, and is still the greatest menace to worms everywhere. To highlight this one can look at past examples. In the 1980s-90s telemarketing was engaged for the first time on behalf of accountants. Many in the industry snubbed the idea. Those that invested in the marketing machine realised an excellent return on investment. This has, in fact, been so successful that almost all larger accountancy practices, as well as many smaller ones, are now employing it as standard practice within the marketing mix.

A decade ago solicitors went through the same process. The idea was initially shunned by the majority, whilst the more vigilant forged strong client relationships for future instructions. Fast forward ten years and it is a staple activity within industry marketing strategies. Whilst the laws regarding public access to

barristers were relaxed ten years ago, there has been only minimal uptake on the proactive engagement of this marketplace as yet. Therefore the market is still in its infancy, and returns on investment are still at the highest level.

Having established that telemarketing is an excellent route to market, one of the first questions is whether or not to employ an in-house marketer who could encompass calling within their wider role, or to outsource this function. The issue that many businesses have with employing an in-house telemarketing and lead generation agent is that the same overheads and additional activities apply to a one-person activity as do to a business centred round the activity. Data has to be sourced, purchased, cleaned and managed; the telephone and mail preference services need to be considered; a marketing-focused CRM needs to be put in place; staff must be trained, and the quality of their work monitored; reporting suites need to be created and utilised in order to understand and enhance activities. For large organisations with large and experienced marketing departments this can, on occasion, prove to be the best route to market. For the majority of businesses, however, it will consistently prove to be both cheaper in terms of real costs and more successful in terms of the quality and quantity of results achieved to outsource these activities.

In order to get the most out of a marketing campaign it is important for the chamber to fully support their marketing efforts. If you are selling your chamber as having a specialism then this needs to be obvious on LinkedIn and the chamber website. After a telephone introduction people will enter you and your chambers into a search engine, and what comes up could make the difference between interest and disinterest. You need to have your

marketing collateral ready as PDF documents. This will probably include a PDF for each chamber specialism, as well as a general introduction to your chamber and some recent or relevant successes – possibly in the form of a case study. When a request is put to you or your agency for further information in writing this should be done instantaneously. If the information can be sent out and received whilst the prospect is still on the phone the response can be remarkable. This simple action could be seen as a microcosm of the fast service you provide.

The marketing strategy turns into sales at what is probably the most critical phase of the business development process: the appointment. Having invested time and money in getting to this stage it is vital to do everything in your power to make this a success. You will be looking to start building a long term relationship that won't necessarily convert into instructions at the first meeting. Before meeting with a prospect you should garner a thorough understanding of the business and the market in which they operate, ensuring you are prepared for a proper, in-depth discussion. Asking the right questions, responding knowledgeably to theirs, and building a rapport could well be the difference between a fleeting interest and a strong relationship.

To summarise, a chamber marketing strategy to secure the full potential of DA could follow these lines:

1. Decide upon your target market. Look at what you offer, and consider why a prospect would choose you over another firm.
2. Decide upon your marketing message. Think of the strategy in terms of campaigns – the literature and

direction of each must focus on the same key points.

3. Decide upon a telemarketing campaign where the caller is well-placed to represent the values of your chambers, and possesses all of the necessary skills and knowledge.

4. Purchase a database. Do so from a reputable supplier, and ensure that it is fully licenced (multi-use).

5. Clean your database. It's always worth checking through and making sure everybody on there is a viable target and, most importantly, not a client!

6. Refine your sales technique. Before you start heading off to meetings make sure that you are ready to sign the business that appears in front of you. Don't waste a meeting – secure sales training if necessary.

7. Literature. Make sure your literature is up to date. If a prospect asks for more information to be sent across it needs to be done right away.

8. Go! Secure new instructions and build new business relationships for future prosperity.

**Peter Rosenwald**

Sales & Marketing Director at Chartered Developments

[www.chartdev.co.uk](http://www.chartdev.co.uk)

Further questions or comments to: [peter@chartdev.co.uk](mailto:peter@chartdev.co.uk)