

GAZETTE



The Law Society

The minimum salary survives – for now

By Jonathan Rayner

Law firms must continue to pay trainee solicitors at least a minimum salary, the board of the Solicitors Regulation Authority (SRA) decided last week.

Despite saying that 'the regulatory arguments for minimum salaries remain unresolved', the board bowed to overwhelming support for the minimum expressed in a consultation.

Meanwhile, the SRA has also announced a delay to 2008 of the pilot of its work-based learning programme for trainee solicitors, an outcomes-based approach to replace the training contract, which could see some trainees qualify in 16 months.

The minimum salary has existed since 1982 and is currently £17,110 for central London and £15,332 elsewhere.

The consultation showed that most respondents believed the minimum salary protected trainees from exploita-



LSC chief Carolyn Regan (l), Gateshead Council deputy leader Ian Mearns and legal aid minister Vera Baird at 'one-stop' CLAC launch, p3

tion and helped ensure diversity among those joining the profession.

Trainee Solicitors Group president Melissa Worth welcomed the decision and said she would like to see the protection extended to others – 'such as paralegals who have completed their legal practice course and yet are still being paid just

£10,000 a year by certain law firms.'

Law Society chief executive Des Hudson: 'We support the decision to keep the minimum salary because it's a vital protection for new entrants of the profession. We believe a minimum salary helps promote diversity for intake to the profession.'

The SRA will review the minimum again in the light of forthcoming changes to solicitors' training, including the work-based learning system of qualification.

However, the pilot has now been delayed from autumn 2007 to an unspecified date in 2008.

Dr Jonathan Spencer, chairman of the SRA's education and training committee, said it decided 'it would be wise to spend a little more time in developing the arrangements'. A less traditional route to qualification is to be opened up by the reforms and he said the challenge was to make it robust enough not to be seen as 'second class', but not so bureaucratic that

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Defendant PI lawyers 'defeating mediation'

By Rupert White

Defendant personal injury (PI) lawyers are to blame for continuing high court caseloads by opting out of mediation as a matter of course, according to a government report.

After studying voluntary and automatic referral mediation schemes from 1994, a team led by the highly respected Professor Dame Hazel Genn concluded that lawyers' strategies in personal injury cases were defeating mediation schemes.

The report, *Twisting arms*, is damning

about how much PI lawyers have held back the growth of mediation. In one analysis of a London-based automatic referral scheme, around 90% of PI cases were pulled out of mediation.

'Unless the defence side of the personal

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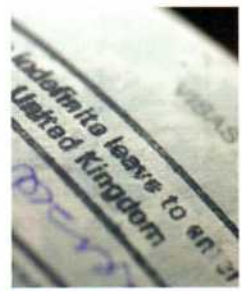
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The UK's first law bloggers' conference saw disparate minds converge to talk about their individual online experiences. Rupert White finds out about the pleasures and the pitfalls of the 'blawgosphere'

Thoughts from Law Blog 2007

The first conference of law blogging took place in London this month, sponsored by the *Gazette*, and it embraced a host of different legal points of view, from barristers to consultants. It was a success, considering the still small number of lawyers engaging in online debate. *Geeklawyer*, the anonymous employed barrister who set up the event, told the *Gazette* he is already planning next year's, perhaps grander, outing.

Throughout the day some potentially useful points were made for anyone thinking of getting involved online. First, blogging and other forms of publishing about working in the legal sector could well end up with a trip to see the Solicitors Regulation Authority, as well as being sued for libel. This links directly to another point made: when writing on the Internet, it is vital to remember that those words may well remain published in some form until the end of time, or the end of Google, whichever comes first.

Much more positively, several attendees expressed how much it helped them to have an avenue of personal expression.

Anonymous City lawyer and blogger Corporate Blawg said: 'In the anonymity of the legal blawgosphere, you can give your views freely and engage in amicable banter with lawyers of all levels, livelihoods and localities. There is no realistic expectation that blogging will introduce me to clients or turn me into a celebrity corporate lawyer with a TV show. However, blogging is a way to make a little protest about government, the law, and the failings of a flailing society.'

Alex Aldridge, a law student who also writes fortnightly for Times Online in 'The Path to Pupillage', said it probably would not help him get a job, 'but for getting things off your chest, blogs are a marvel. In addition, from a reader's perspective, blogs are a good alternative way to keep up

with legal news stories, which is important for interviews.'

Blog success has two edges

However, any success can mean posting even when you are tired, if your audience expects it, and facing opinions from that audience you may not like. John Bolch of Kent-based general practice Winch & Winch writes the Family Lore blog: 'Blogging can provide many benefits to lawyers and law firms, ranging from demonstrating expertise for marketing purposes to voicing opinions that would otherwise be unheard. Just be prepared to devote sufficient time to it and be open to comments from others, which may not necessarily coincide with your own views.'

Also positively, blogging or something like it can perhaps be used as ad hoc PR for the legal world, telling its audience of non-lawyers that practitioners are just like anyone else, or perhaps to counter-spin against negative press.

An anonymous employed barrister who writes the Headoflegal blog said: 'Blogs are a really good medium for promoting legal awareness among clients, especially for in-house lawyers. And blogs and information sharing sites, such as www.lexology.com and even Newsvine.com, can be used to build a reputation and, in effect, soft-market a firm or chambers. But I think individual lawyers will remain at the cutting edge of these technologies, making personal reputations and, with luck, helping the public better understand lawyers and the law.'

Law is a knowledge business

But from a law firm perspective, the benefits of using new technologies – from blogs to combined messaging systems such as Skype – within a practice were clearly stated by those who have used them.

Alex Newson, senior solicitor at Nottingham-based Freeth Cartwright, told the *Gazette*: 'Blogging and other interactive tools, such as wikis, are



Justin Patten, an author on the Human Law blog, holds a Q&A



Ruth Barber, solicitor-advocate at Frisby & Co, co-hosted

incredibly useful for the profession. Lawyers can use them for research, networking, to easily get their message to the wider world and to communicate internally. We have had a lot of positive feedback from clients about our intellectual property and IT law blog, IMPACT. As a firm, we often look for technological solutions. For example, our team uses Skype to communicate internally, reducing the burden on the firm's email system, and with clients.'

One anonymous law librarian blogger, Information Overlord, agreed that in an information business, new information technologies are always worth looking at. 'Lawyers and law firms need to remember that law is a knowledge business – anything that can help them capture, harness and exploit that knowledge capital should not be ignored,' he said. 'Web 2.0 does nothing more than provide a palette of simple tools that can help to achieve this, internally, externally or both.'

But in the end Law Blog 2007 also showed a perhaps unforeseen upside: it pulled in solicitors, librarians, IT people and barristers alike, making it more diverse than the average legal event. This in turn shows up a more prosaic, but perhaps more important reason for legal people to come together online: to talk to each other, to understand each other, and to be understood.

Jargon dictionary

Blog: an online dynamic journal, normally updated by its author(s) daily, which usually allows readers to post their views alongside the blog's content.

Wikis: collaborative, dynamically created information repositories. Anyone allowed can change content, and all changes are tracked. A first-rate example of a public wiki is the famous Wikipedia.org.

Bloggers mentioned

- charonqc.wordpress.com (for event pictures)
- corporatelawuk.typepad.com
- familylawsolicitor.blogspot.com
- geeklawyer.org/blog
- headoflegal.blogspot.com
- informationoverlord.co.uk
- impact.freethcartwright.com
- business.timesonline.co.uk/tol/business/law/student



Geeklawyer: the anonymous blogger behind Law Blog 2007