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WHO IS YOUR FAVOURITE LAWYER?

An advertisement on a bus stop hoarding caught my eye. Like a radio or TV sound bite, the exposure was just enough to register attention, but not enough to work out its meaning, context, or importance. Was it simply an advertisement for the numerous TV series which deal with law, lawyers, crime and the courts? In other words, was it a vote for some character in *Kavanagh QC*, or *The Bill* or *Crown Court* – or perhaps even some fly on the wall series which ‘factionalised’ reality.

Or was this a question about the real world? Was it asking who had made a major difference on an important occasion such as moving house, losing a job, or being accused of a crime? Who negotiated a good contract, organised a reasonable merger, smoothed the path of generational transmission of property and wealth or sorted out a dispute with a bad or tardy builder?

Or was the Law Society starting another campaign? Last time round it suggested that the advice of a qualified lawyer was probably better than the advice of ‘what’s ‘is name’ down at the pub. Perhaps this time they were basing themselves on research showing people seem to think highly of their own lawyers, but believe that all other lawyers and the legal system are not very good at all.

Whatever the import of the advertisement, law and lawyers seem to have a major problem of image at the moment. Undoubtedly, some of the bad image is well deserved. But some is clearly manufactured by a public relations machine which wishes to undermine and soften up the professional legal target before further attacks on legal aid, lawyers’ pay, delay in court etc. Much is about blaming rather than looking at the cause of the problem.

A more enlightened approach seems to have been taken in suggesting that more efficient legal work and better quality legal services might be carried out in firms of a certain size, and not in the smallest practices. Such firms could organise their management, review work and carefully monitor the quality of the services which they provide.

If this is so, it certainly seems very strange that those firms who do organise themselves into larger entities, to provide both efficiency and quality, are then subjected to the labels of ‘fat cats’ for having done so. Specialised barristers, whose accounts may cover many years of work in one go, may also provide a very good deal both to clients and the public purse. It therefore seems hypocritical to expose lawyers to the media in this way, without any proper explanation or context for the figures.

Throwing dirt at lawyers doing legal aid, medical negligence and housing, as well as fat cat city lawyers, doesn’t really do very much good for the systems of law and justice. The fact that there are some 70,000 solicitors and some 8–9,000 barristers probably suggests that there is important work for them to carry out. Energy would be better spent organising how that should occur. It is probably better to try to do this together than to wage a war in the media, which can only undermine both the public image of lawyers and the public reputation of the Lord Chancellor and his department.

Lawyers need to understand exactly what it is we are not getting right. That is best ascertained through careful study and research with clients, lawyers and regulators – not in a slanging match.

Professor Avrom Sherr