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work WhatsApp and
interpreting dreams*

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March comes in like a lion. The beginning of this year is certainly heating up, and I don't just mean the weather. And much more is still to come around the corner – with Brexit, the new handbook from the Solicitors Regulation Authority (SRA) and more.

It's been three months since the SRA's new price transparency guidelines hit the market. How are SMEs warming up to the idea of posting their fees online? LPM writer Jem Sandhu investigates (p18).

Pricing not your speed? Hear from LPM's HR agony aunt on potential upcoming government policy changes and how to monitor appropriate behaviour on a work WhatsApp.

Also, did you hear about LPM's first ever awards? The deadline is Friday 26 April. But don't wait to enter! I want to hear you roar (too cheesy?). Find out more details on p25 and read a Q&A from one of the award judges, Richard Hill, with his views about SME law firm management and the Institute of Legal Finance and Management (p24).

Kayli Olson, editor
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See our Q&A in this edition for advice



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IN PRACTICE

SNAPSHOT FUTURE NORM

Following on from LPM's 'your view' last month, where we asked SME law firm leaders for their thoughts on firms publishing gender pay gap statistics, **the Law Society and the SRA have published their annual joint report on the gender pay gap.**

It reveals a 9% median difference between male and female employees, although the report does note that this is substantially better than the current UK median pay gap of 17.9% (Office of National Statistics 2018).

The source of this imbalance still speaks to the need for law firms to create more opportunities for women – the report states that women make up 60% of the legal workforce, 'yet fewer women are in senior executive roles', with 52% of the upper pay quartile being occupied by women.

A web tool has been used to settle an online dispute for the first time in a public court in England and Wales.

Solicitor Graham Ross used SmartsettleONE to help resolve a case dealing with unpaid fees for a counselling course, estimated at £2,000.

The software, developed by iCan Systems Inc of British Columbia, allows parties to make offers and counter-offers, using an algorithm that learns the bidding tactics of both sides and 'nudges' them towards a resolution.

Ross said: "These tools are a great example of how ODR should be looked at not as a threat to the work of mediators, but as a great opportunity to improve the service they provide."

According to HM Courts & Tribunals Service, more than 43,000 claims had been issued since the Civil Money Claims Online service was released as a beta test in March last year, allowing claims of up to £10,000 to be resolved online.

The traditional partnership model continues to decline, as new structures in legal services become more prevalent. 'Almost half of all firms are now incorporated companies,' and, of



the approximately 12,000 law firms in the UK, 1,300 are now operating as alternative business structures, according to the ninth annual UK Legal Services Market Report by IRN Research.

Statistics from the SRA break this down further, finding that, in December 2018, 46% of firms were incorporated and 15% were LLPs, leaving only 39% as partnerships or sole practitioners. This is in stark contrast to the 70% that were structured in the traditional manner in July 2010.

The IRN report predicts that, in the next 12 to 18 months, the trend towards integration with other kinds of professional services companies will also continue. **LPM**

Change is coming, but is it happening at the right pace?

Have you got a story or report for us? Write to lpm@lpmmag.co.uk

IN NUMBERS

Crisis of faith

According to a recent report by Mactavish, only half of UK executives and managers have faith in their organisation's strategies for dealing with cyberattacks.

51%

of senior executives and managers in the UK feel their organisations have good strategies to deal with cyberattacks

43%

say their employees have suffered from at least one cyberattack in the last two years

31%

felt that these attacks had been dealt with 'very well'

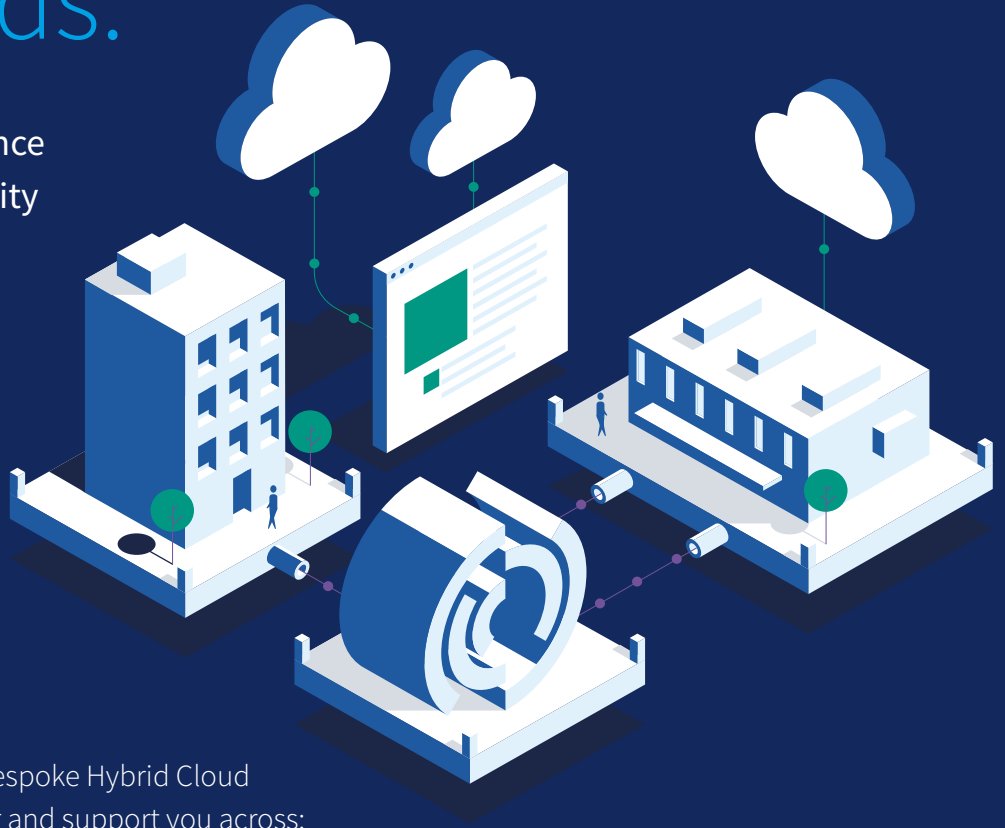
Source: Consumer Intelligence research on behalf of Mactavish

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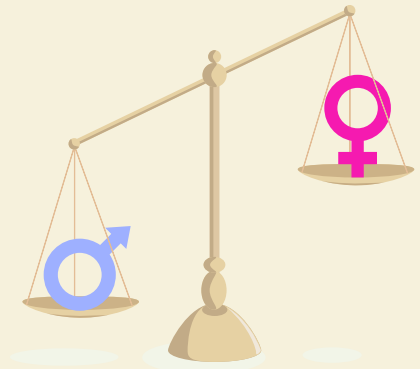
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100 YEARS OF FIRSTS

A century on from the Sex Disqualification (Removal) Act 1919, LPM celebrates the achievements and milestones of women in UK law with the First 100 years



1920

First female jurors in England sworn in at Bristol Quarter Sessions, on 29 July. **Madge Easton Anderson** was the first woman admitted to practise as a professional lawyer in the UK

1927

Edith Berthen joins a firm as one of the first women to qualify as a solicitor (Hill Dickinson)

1965

Elizabeth Lane appointed High Court judge, the first woman to achieve this position

1977

Rosina Harris became the first woman to be appointed as a senior partner in a major London firm, Joynson-Hicks

1981

Dame Fiona Woolf DBE JP becomes the first female partner at city firm CMS Cameron McKenna

1990

Madeleine Elizabeth Wall, first female general counsel of a FTSE100 business

1991

Baroness Scotland of Asthal becomes the first black woman to be appointed to Queen's Counsel

2002

Carolyn Kirby elected the first female president of the Law Society of England and Wales

2009

Baroness Hale appointed the first woman justice of the Supreme Court

2014

Sonya Leydecker is the first female CEO of leading law firm (Herbert Smith Freehills)

2017

Lady Hale is appointed first woman president of UK Supreme Court

2018

Women solicitors overtake men in England and Wales. 50.1% of practising certificate holders are women

Sources: www.first100years.org.uk and *The Law Society Annual Statistics report for 2017*

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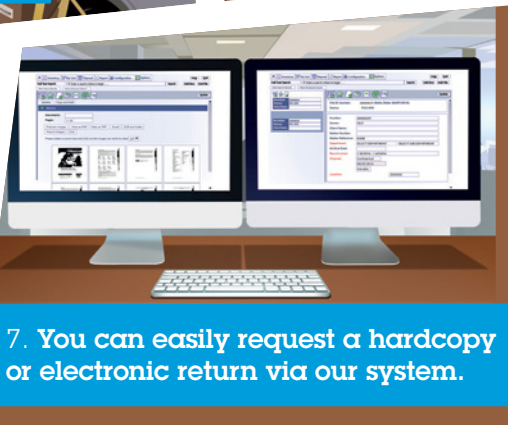


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PEOPLE PROBLEMS

LPM's people guru, Polly Jeanneret, discusses porn on WhatsApp and nightmares about government policy changes

Q How much do I have to monitor staff WhatsApp groups? I don't want to close them down as they are useful for staff to share experiences and ideas, but I am worried content might get out of hand and I simply don't have the resource to watch over it.

A One can begin to believe that, for all its usefulness in collaboration, communication and connectivity (yada yada), social media is more trouble than it's worth. Within hours (or so it felt) of WhatsApp, Slack and Yammer being heralded as the best new gadgets for staff engagement, encouraging fluid thinking and real-time responsiveness, organisations were finding themselves having to defend bullying and harassment claims from content on these platforms. By way of vivid example: men sharing

porn on these networking sites within a British Transport Police WhatsApp group were the focus of a Tribunal claim last year. But social media in the workplace is here to stay - like death and taxes, it is unavoidable. Better get that code of conduct up and running to stop things 'getting out of hand' as you put it; monitoring could be targeted, with spot checks. Then all you have got to worry about are mere trivial side issues such as the level of security of WhatsApp for business-sensitive information, and to what extent social media-based groups are breaching current data protection rules and practice: nothing to see here, let's move on.

Q I had a nightmare that the government is changing the

rules on self-employed contractors to make it harder for companies to take them on in this way. Was this a premonition?

A I'm glad I'm not the only one kept awake by the vagaries of government policy and new employment law. I'm also afraid to say that you did have a premonition. Our friends at HMRC are consulting on increasing compliance of IR35, the rules of which mean that if your staff are taken on through a personal service company when they're really employees then they'll be taxed as employees. The way HMRC is going to increase compliance is extremely clever: it will make the employer decide whether or not someone falls within IR35 rather than the individual, because it knows that many employers will err on the side of caution and say that they do.

We're only in the consultation stage right now but I'm pretty sure of the way the wind is blowing. Sweet dreams!

Q Is the government's new 'Good Work Plan' a good plan?

A The plan, published just before Christmas following the Taylor Review of modern employment practices and billed as the biggest package of reforms for twenty years, is to have 'good work' built along three themes: fair and decent work; clarity for employers and workers; and fairer enforcement. All good plans for work, I'm sure everyone would agree. So it would be good to start planning your Good Work Plan right away. Whether or not these good work plans will work is another matter altogether. All clear? **LPM**

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Q&A

Wrong side up? Wrong side up;

Scott Brown, digital services manager at Accesspoint, says SME law firms may be marketing the wrong way round

Q Is your marketing upside down?

A Many law firms have historically adopted a very traditional approach to their marketing activities: adverts placed in newspapers or local directories, business cards handed out to potential clients and a website to showcase the areas of law the firm practices in. However, and perhaps more interestingly, the majority of their sales came from referral work. This was great ... but times and indeed clients have changed their habits dramatically – and only continue to do so. Despite this, many firms are still adopting the tried-and-tested so-called ‘old hat’ method, sticking within the comfort zone of historical marketing budgets and thereby potentially missing out on valuable work.

Q How many times do we hear ‘risk versus return’?

A In today’s digital world, we have much more scientific means of measuring what actually works to deliver a tangible return. Analytical tools help us learn more about your targets and ‘follow me’ demographic apps enable you to get in front of specific audiences. Competitor analysis is much faster and easier, and you can find out how they’re pulling in leads. We now live in a digital world where potential clients carry out hundreds of thousands of Google searches every single day to find help with their legal matter. If law firms want to grow their profit margin and improve their bottom line, it’s essential to flip this marketing strategy the right way up

and start to attract ‘new digital clients’.

Q How do I attract digital clients?

A The main factor is having an up-to-date website with high-quality, relevant information. Gone are the days where a functional ‘brochure-style’ website would suffice. You need to offer clients a blazing-fast, well-designed, easy-to-navigate website that provides the information clients require in a digestible manner. The legal sector naturally tends to have content that is full of jargon, so take the time to ensure everything is explained to the clients in an easy-to-understand manner. Supply case studies and testimonials so clients can understand how you have handled cases similar to their own. Build landing pages for the different areas of law and experiment with A/B testing to see which version performs better. The smallest of details can sway a decision from your clients, so monitoring and measuring your traffic-to-conversion success is critical. Remember, as well as fulfilling your clients’ every need, your website needs to work for you as a business by having inbuilt mechanisms to automate and guide clients into your sales funnel.

Q How do I increase my website traffic?

A There are many ways to drive traffic to your website, from an array of digital mediums – the largest being Google’s search engine. Search engine traffic is split

into two sections: paid and organic. Paid traffic can deliver targeted adverts to a specific audience demographic, which allows you to push your business in front of clients. When configured correctly, your adverts can provide a great return on investment. Organic traffic is driven from the performance of your website as well as from your overall digital presence through external channels such as Facebook, LinkedIn, Twitter, YouTube and Google My Business. Each of these channels should be consistently on-brand with both imagery and tone of voice. Once this is all configured correctly and maintained, you can expect to see a regular flow of natural, high-quality leads coming through your website. **LPM**

Send Scott your questions:
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A MENTAL LEAP

NATASHA RAWLEY, THE FILE QUEEN



“ *The mind plays a vital role in an individual's overall health and wellbeing, an atmosphere that supports a healthy mental state can have significant psychological and physical benefits.* ”

Carrying on from my last column in LPM February, let's continue to examine the seven elements that can improve wellness in your workplace!

Light – oh hello, Mr Sunshine! Or in many of our cases, no, Mr Sunshine! So many of us don't get the window seat; we all spend so much of our day indoors, and so much time under fluorescent lighting – which as we all now know leads to many issues. They have also linked lack of sunlight to sleep issues as well as health issues. So is there anything you can do about this in your practice? Are there cupboards/filing cabinets blocking out light? If so, move them and send those files offsite. Clear the clutter – get rid of everything that doesn't need to be in the office. When fee earners scream, ask them if they have physically touched those files in the last two weeks? If not, why does it need to be onsite? It can be recalled any time. Invest in some low-glare screen protectors for work stations; these can also partner up as security screens – go have a look. As we are in peak SAD season, why not look at the cost of some SAD light therapy lamps?

Next is fitness – now this is a hard one; obviously you cannot make team members physically jump from their desks and start doing star jumps on demand. But it can start with a simple poster by the lift suggesting that the building has xxx stairs, so if you take the stairs instead of the lift you will be rewarded by burning xxx calories. Some firms have personal trainers who visit the office once a week, some have running clubs, or yoga teachers – just saying.

Comfort is my favourite factor and the one I was called in for.

The focus here is on the indoor working space and environment being one of comfort. The Well Certificate says the biggest area to change is by “reducing the most common sources of physiological disruption, distraction and irritation”. Yes, you've guessed it, LPM readers! It's time to clear the clutter. It's 2019, it's a new year. You need to do this now. Not only will your working environment benefit from this but you will increase and improve productivity and processes. Down with those file castles in the partners' offices. Outsource it – get rid of them. Now is the time to finally demand scan file retrieval only. **HARD COPIES SHALL NOT PASS.** Shred shred shred those files, paperwork and correspondence that is not needed and taking up room. Raid that filing

cabinet of the partner who left a year ago. So many places to start. Create an environment where fee earners have room to move and breathe and do not feel trapped among files, cabinets and rubbish. Never underestimate the need for personal space and its impact within the working environment.

Finally, we move onto the mind. We all know the importance of mental health. Thankfully, there is so much emphasis on this now in our everyday environment. The Well Certificate states “because the mind plays a vital role in an individual's overall health and wellbeing, an atmosphere that supports a healthy mental state can have significant psychological and physical benefits”. Who would be foolish enough not to agree with that? By implementing some of the changes outlined above you have already made huge steps to improving mental wellbeing within your working environment. On a visit to another client's premises, we witnessed their Wednesday guided meditation sessions. What a wonderful way to relax the mind – what a brilliant benefit.

Happy wellbeing, LPM readers! **LPM**

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FREQUENT FLIERS

DARREN GOWER, THE TECH GURU

Few firms look closely at ways to shift how a service is delivered, as long as they feel they're keeping up with the status quo. That's especially true for SME firms who don't have the enormous resources that big, international firms have to throw at innovation initiatives or business development. And, the sector being what it is, the shadow of regulation is a constant threat. Taking a more proactive stance towards delivering the very best service for your customers can become a matter of self-preservation, because one cost-effective way to tackle uncertainty is to get existing clients into the repeat business loop. But ultimately, it's about improving services for clients.

There are plenty of things your firm can do to keep clients coming back. A few tweaks to the way that things are done when onboarding and looking after clients can actually make a law firm stand out from the competition to a surprising extent.

To start, you need to take a look at whether your systems are up to scratch. I tend to see too

much underachievement in SME law firms – many opportunities aren't taken. For example, firms aren't taking advantage of how clients interact with them online. The vast majority of experiences with a law firm are manual, whether you're buying a house or making an injury claim – it can be like wading through treacle. Making things easy and reliable for clients is key. Unfortunately, very few firms in the SME space have fully embraced some of the basic tools that can make their services slicker and simpler. These may not necessarily be cutting-edge, but they aren't hideously expensive. Put the destiny of the client's case file in their own hands and enable them to see what's going on with their matter online. Uploading documents to a portal rather than posting them through a letterbox can make a world of difference for clients – as well as cutting down time taken to respond.

To better engage with clients, you should be collecting as much data as you can, which will help you to spot opportunities and better cross-sell. But to achieve that you need someone within the practice, whether that's a partner in charge of growth or someone similar, who can take on these responsibilities. It's up to that person to know which information is relevant to the business, how it's stored and can be used going forward, and to make sure it's accurate. The best time to collect data is during onboarding, but don't just rely on an over worked paralegal or whoever is dealing with the case to collect it. It should be approached as a key exercise – you need people who are trained to do it, with the proper tools to get that information in a useable format.

Once the right questions are being asked and the correct data is being gathered, the next step is to have that data recorded in a centralised location. You can't have silos of information where you're asking the same questions but storing the information in separate places – that's messy and terrible for your strategy; keeping one, central source of truth to work from is crucial.

After data is collected, the firm should have a clear strategy for how it's used and, if possible, apply it to your processes. The objectives need to be quite tight and well-defined, whether you have a routine review to try to support opportunities, or a technological solution – it's important to make the most of the clients you have. **LPM**

“ *The best time to collect data is during onboarding, but don't just rely on an over worked paralegal or whoever is dealing with the case to collect it.* ”



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The financial resilience of law firms is increasingly in the spotlight. The current uncertainty surrounding Brexit and the future stability of the economy has led the UK's largest banks to reduce their exposure to some areas of law they have deemed as 'higher risk'. This was particularly apparent in our 2018 MHA Financial Benchmarking Report, which revealed that total external funding per equity partner in small and mid-sized practices had decreased significantly over recent years, ranging from £42,000 in the smallest to £228,000 in the largest, compared with £156,000 to £506,000 in 2016. This sharp drop is likely to have been driven in part by banks requiring firms to reduce their overall lending. At the same time, many of the regional and high street practices across the UK saw a reduction in fee income – in stark contrast to many of the larger national and inner-city firms, who have enjoyed significant growth.

This all comes at a time when the emergence of new technology in the legal sector is driving change at an unprecedented rate. To maintain a competitive edge, small to mid-sized professional practices must invest in both technology and people to future-proof their business and ensure they are not left behind; the challenge is how to fund the investment required.

Traditionally, law firms have raised funding from partner capital injections, bank loans and finance leases. To replace the fall in bank funding, regional practices have had to look at alternative finance streams. Raising money from partner

capital injections is now often met with reluctance by equity partners, who are either unwilling or unable to contribute. Faced with a reduction in fee income, a lower level of return on their invested capital and less external finance available, small and mid-sized firms are increasingly being forced to draw less from the practice.

We're therefore seeing law firms moving towards more of a corporate outlook, especially in larger regional firms, and a move away from short-term loan financing and bank overdrafts, to an acceptance that longer-term borrowings are becoming par for the course. Purchases of new assets tend to come with a finance option, and more short-term finance companies are being utilised to fund the payment of large one-off expenses, such as professional indemnity insurance. While there's no ideal level of funding and capital to suit all firms, profitability, capital commitments, lock up and the firm's long-term strategy will determine the optimum level.

The current environment for law firms is challenging. By far, the most common reason law firms fail or encounter financial difficulties is poor cashflow, which represents the lifeblood of every firm.

Balancing external funding and working capital effectively has never been more important. It's vital to plan and monitor cashflow and funding requirements accurately, both in the short term, with a rolling quarterly cashflow, and with an annual projection of cash needs. **LPM**

NICE-TO-KNOW INFO

ANDY SMITH, THE DATA MASTER

The largest law firms are already using their data to drive profitability, so it was only a matter of time before this insight sparked action among mid-market and smaller firms. That time has arrived.

Senior decision-makers now recognise that to succeed, their firms need to be data-led and focused on adding greater value to the relationships they have with their clients – before another firm muscles in with a better proposition.

The ability of firms to increase the utilisation of their fee earners, reduce their lockup and increase the accuracy of time capture, is critical to the survival, let alone success, of the smaller and mid-market firms.

The timescales for change are shortening rapidly, especially among those firms that plan on retaining their independent identity and avoiding the uncertainty that can accompany a future of mergers and acquisitions.

While law firms battle to understand what data they have, they continue to generate plenty of valuable data. But unless it is accurate, easily understood and acted upon, it will never improve the performance of the firm.

Legacy applications used throughout the typical firm create huge amounts of data, but most of it is unconnected, held in individual silos that make it hard for management to understand the full picture and make informed decisions.

Despite the lack of clarity, many management teams still believe their practice management systems bring all the required data together in one place, which allows reports to be created that offer an accurate snapshot of the business. Unfortunately, it's simply not true.

In the past, projects to bring all the data together in one single, easily accessible source were not only complex and time-consuming but, with costs typically running into millions, they were the preserve of only the largest businesses.

Today, thanks to Microsoft Office 365, Azure and firms migrating to the cloud (private, public or hybrid mix), the ability to combine all of a firm's data, from every source across the business, and create a highly detailed picture that drives actionable insights, is simple, quick and affordable.

It is time for smaller law firms to trust their data and automate processes that take their insights beyond the nice-to-know staple of so many reports and drill down to the valuable actionable insights that will deliver greater efficiency and improved profitability.

Projects can be undertaken on a small scale, at limited cost, to understand the picture in a single team or a single department, perhaps one dealing with volume business – can you possibly know how profitable work is, unless you understand the impact on price of every facet of the business?

It is now possible for every small and mid-market law firm to focus entirely on using data more effectively. The message is clear: turn data into information, which creates the insights that determine appropriate actions to deliver real results.

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“ It is time for smaller law firms to trust their data and automate processes that take their insights beyond the nice-to-know staple of so many reports and drill down to the valuable actionable insights ”

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Full disclosure

It's now been three months since the SRA pricing transparency guidelines took effect. How are firms dealing with the challenge of posting their prices on their websites? Jem Sandhu reports

Pricing is one of those subjects to which, if there is even a hint of regulation around it, lawyers almost automatically react with resistance. It's just so closely linked with profitability. So perhaps it's no surprise that a recent LexisNexis report found that 32% of lawyers rejected the idea of publishing their prices online. It's a sensitive topic.

It's not that the new SRA guidelines on pricing transparency are especially complicated: a simple, straightforward list of legal services (such as probate, wills and debt recovery) for which prices must be added to a firm's website. And price transparency is not a new obligation: the 2011 SRA Code of Conduct required firms to provide clients with 'the best possible information' about costs. Yet, there's something about listing matter prices online that can make firms feel exposed.

But the reaction is not all negative. Although SME firms have concerns about the feasibility of some of the requirements – and the possibility of pricing

wars – they're also optimistic that demonstrating price transparency can help them differentiate their services.

FRONT PAGE AND CENTRE

From a purely technical point of view, putting prices up on a website has not been a major issue – though it could be a hassle for firms with limited resources. Christine Ring, practice manager at Symons & Gay, speaks for most small high street practices when she says that she foresees "additional costs for external IT consultants".

But it's not enough for the prices to be on the website, they must also be 'accessible and in a prominent place', according to the SRA. Not always easy to do.

Take Davisons' website. The law firm complies with pricing requirements, but it has multiple practice areas – making it difficult to put all of its pricing information on the front page. Bernie



Mitchell, the firm's practice manager, says that putting up the prices doesn't mean they're easy to find. "To find family law matters pricing, you click into the family law section, then the tab for pricing."

Her firm isn't the only one. Stuart Dodds, co-founder of consultancy Positive Pricing, has run searches of various firm websites. "Even if the pricing information is displayed on a revolving banner, when you try to find the information, it's hidden."

Dodds says it's not necessarily intentional – pricing competes with other, equally important, marketing concerns. "Maybe they got a great result for a client and want to communicate that on their front page."

PRECISION DIFFICULTY

When it comes to pricing transparency, however, perhaps more important than how prominently the prices are displayed, is that they must be accurate – after all, firms without websites must still provide pricing information. Publishing prices online is the end result of a lot of groundwork on costs – the quality of which can depend on the firm's resources.

Narrelle Roy, practice manager for Kerman & Co, says that her firm "adapted existing pricing structures for the website."

Dodds adds that coming up with accurate costs depends on the robustness of the firm's matter

“A lot of clients may come to us from an estate agent or mortgage broker referral. So, they're given their quotation, but not necessarily via the website.”

Bernie Mitchell, practice manager, Davisons

management system. "You need to capture the data in a meaningful way to use it to act as an input to your pricing."

Also, not all potential clients get their quotes from the firm website. Mitchell points out that pricing conveyancing matters should be easy for Davisons, which does a lot of conveyancing work. However, the firm has only been able to put in guidelines as a range because much of its conveyancing work comes via introductions, resulting in different fee scales for different clients. She says: "A lot of the clients wouldn't necessarily go onto our website first to look at our charges because they would've been notified by then. They may come here from an estate agent or mortgage broker referral. So they're given their quotation, but not necessarily via the website."

And it's difficult to provide an accurate upfront quote given that many legal transactions are

inherently uncertain. The SRA does recognise this. The guidelines largely exclude messier transactions (such as contested ones) from the price publishing requirement. The legal services that are listed have exclusions built in – for example, distribution of assets belonging to a deceased, but only if within the UK; road traffic offences, but only summary ones; business debt recovery, but only up to £100,000.

And a divorce matter is very different from a wills matter – but the SRA requires that prices for both be published. Mitchell says: “It’s difficult to say this is a quote for a divorce because you don’t know what’s going to happen in that process. But some things may be standard. Making a will is likely to be okay because you can stick to it.”

Ring at Symons & Gay says conveyancing, especially, is unpredictable – clients may not know where they’re buying, so firms won’t know the exact price for stamp duty or local authority searches.

Barry Davies, practice director at DJM Solicitors, agrees: “The intricacies of local authority search issues mean that it can be difficult to say to the nearest penny ‘this is what it will cost’.”

Another requirement in the new regulations, and one also affected by the uncertainty around how some legal transactions will pan out, is that details of the key stages in a transaction must be published. Ring expresses scepticism about the feasibility of doing this.

“You could end up with a 100-page website.” Also, “you can’t set things in stone because you’re not in control in the legal industry. If it’s a matrimonial matter, you’ve got somebody on the other side, you’ve got courts, you’ve got barristers involved with conveyancing. You’ve got a long chain of people.”

PRICING WARS

Even as the SRA’s FAQ on the requirements expressed confidence that potential clients would still focus on quality, late-2018 buzz around the requirements included concerns about greater competition for work based on price. There was even talk of comparison websites.

If there’s a price war about to go down, it’s one into which our firms adamantly refuse to be drawn. Ring’s firm, Symons & Gay, is located in a small town. Half a dozen other firms operate very close by. “Our fees are pretty much the same. We don’t undercut anybody.”

London-based Kerman & Co similarly refuses to undercut on price. Roy says: “We work primarily with fixed fees, so we’re not concerned about impact on profitability but other firms may feel forced into pricing wars.”

Davies at DJM says that the outcome for firms which undercut is decidedly karmic. Price listings work alongside other SRA regulations to form a kind of social proof for potential clients.

“ We work primarily with fixed fees, so we’re not concerned about impact on profitability, but other firms may feel forced into pricing wars. ”

Narrelle Roy, practice manager, Kerman & Co

“It’s the digital badge, and the requirement to publish complaint information. It’s easy to shave off a certain amount from your agreed fee to beat the competition, but you will have to make a cut elsewhere, such as less-skilled staff, and that will come back to bite you.”

Aside from undercutting, there has also been concern about deliberate underpricing on website price lists. Aside from the fact that the guidelines explicitly state that additional costs must also be published, such non-transparency can backfire on profitability when word of such practices gets out to potential clients.

Ring has heard anecdotal talk about such firms: “As an established firm we feel this is unfair to all solicitors who are complying with the transparency regulations.”

Symons & Gay, like the other interviewees we spoke with, won’t engage in these tactics. Ring says: “We always provide an accurate quote and in non-fixed fee matters give an indication of the final cost. With fixed fees we always provide written confirmation of our quotes. This figure is fixed and will not change in any way.”

Although Davies at DJM acknowledges that it may make the competition fiercer, he doubts that firms with bucket-shop mentalities, which aim to deliver the cheapest service possible, will be successful in the long-term. “They’ll see pricing as a good thing, but when clients start lodging claims, then it’s a different matter.”

He says it’s pointless to price-cut without an underlying profitability and pricing strategy. “Firms can think, ‘we’re doing this transaction and we’re £100 less than DJM’, but they might not be making any money on it.”

Still, the unpalatable truth is that bucket-shop behaviour could not exist without the clients who demand it. The question is, could price-driven, consumerist clients not only lower prices, but impact service quality?

Not necessarily, according to Davies: “Regardless of the price you’re agreeing, upholding integrity should be paramount.”

Likewise, Kerman & Co refuses to lower standards, making it a point to actively manage the expectations of price-driven clients. “These regulations shouldn’t be carte blanche for clients to squeeze us into loss-making work, or cutting corners.”

LPM FIRM FACTS

Symons, Gay & Leland

Revenue: 788K

Corporate status: Limited company

7 fee earners, 14 total staff

Office: Romford

LPM FIRM FACTS

Positive Pricing

Corporate status: Limited partnership

2 total staff

Offices: London, Melbourne

LPM FIRM FACTS

Davisons

Revenue: £7.7m

Corporate status: Limited company

51 fee earners, 169 total staff

Offices: Edgbaston, Birmingham, Four Oaks, Solihull, Cotteridge, Weoley Castle, Wolverhampton

**LPM FIRM FACTS****DJM Law****Revenue: £4.5m****Corporate status: Limited company****30 fee earners, 55 total staff****Offices: Swansea, Mumbles, Porthcawl, Cardiff****LPM FIRM FACTS****Kerman & Co****Revenue: £9m****Corporate status: LLP****37 fee earners, 60 total staff****Offices: London****PRICE PEACE**

Dodds at Positive Pricing thinks that the new guidelines are an opportunity for smaller firms to highlight expertise, reputation, and cost-consciousness – rather than just who has the lowest price.

“You can actively communicate: ‘We are transparent in our pricing approach; we adopt the following pricing models; these best apply in these situations; and we would love to have a conversation on how we can best align this with your needs.’”

This is the approach taken by all the firms LPM spoke with for this feature – a focus on client service alongside a history of price transparency.

Ring says: “We’re Lexcel accredited. Before the price transparency guidelines came into effect, we were bound by Lexcel and always monitor client service and costings. The transparency guidelines haven’t changed the way we service our clients.”

Royh says that the majority of her firm’s work is for corporate clients, “So, we’ve always had an open approach to costs and good communication.”

Also, fixed fees are already common at their firms, often overlapping with the SRA’s listed services. Mitchell says Davisons offers fixed fees for

conveyancing, probate and divorce.

At Kerman & Co, Roy says most fees are fixed. “People are no longer happy to pay just anything.”

None of the firms interviewed will change their pricing models, but both Davies and Roy note that it has made their firms think about their fees policy for the listed areas. Roy says it was an opportunity to check that their pricing was fit-for-purpose.

Davies thinks that there will be an impact on profitability, but firms can offer added value – his firm offers training for corporate clients, for example.

“DJM does differentiate on price, but in a way that looks at the whole problem. We can tell clients

“ You can communicate: ‘We are transparent in our pricing, we adopt the following models, these best apply, and we would love a conversation on how we can align this with your needs’ ”

Stuart Dodds, co-founder, Positive Pricing



how much work would cost if done by a lower-grade fee earner. Or if something involves going to court, that would be a higher grade.”

Also, since many clients only use a solicitor once in their lives, his firm will explain extra costs: “Our part of this job is our solicitor’s fees. On top, you’ll pay disbursements.”

IN THE SPOTLIGHT

According to an SRA pricing transparency report we covered in LPM ‘In Practice’ in November 2018, more than 50% of small businesses would be more inclined to contact a solicitor if price information was available on their website. It may be far too early to tell, but the practice managers we spoke with have yet to see an influx of clients resulting directly from their firms posting prices online.

Ring is finding that not many people have heard about the guidelines and, diverging somewhat from one SRA rationale for online prices (that people google to find solicitors), she thinks that “there are still a lot of people who will phone around.”

Similarly, Davies says that DJM has not had any clients say they’ve come to them “on the basis of pricing transparency being on the website.”

There are ways to find out, however. Davies’ firm

is not necessarily doing more marketing, but it does analyse conversion rates to see whether it needs to improve marketing. The firm’s case management system enables them to see how many clients come back to them as a result of sending quotes.

Kerman & Co tracks website visits to see where new enquiries come from but, according to Roy, “it’ll be a while before the message flows through to the market that costs are available.”

Back in November 2018, Law Society president Christina Blacklaws encouraged the SRA to “take a light approach to enforcement in the first few months.”

And in February 2019, the SRA announced that it was starting to randomly check 500 firm websites to see if they were complying with the new guidelines.

Davies at DJM says: “If the SRA finds that the sample gives out a certain sort of result, then it’ll widen the search, and I think that’s exactly what’s going to happen”.

It is likely that the SRA will indeed step up their enforcement activities. The firms interviewed for this feature have taken the right approach to price transparency: listing prices, differentiating, and providing excellent client service. A good model to follow for firms who have yet to list their prices. **LPM**

“ *Firms with bucket-shop mentalities will see online pricing as a good thing, but when clients start lodging claims, then it’s a different matter.* ”

Barry Davies, practice director, DJM Solicitors

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AWARD AND EMPOWER

Richard Hill, practice director and compliance officer at Stepien Lake, and trainer with the Institute of Legal Finance and Management (ILFM), on the importance of empowering business support staff

Q What drew you to join the ILFM?

A Initially, I studied with the ILFM to associate level. The training in legal finance and practice management really suited my needs. But the three main things were: self-development with training, one-day seminars and professional support; new ideas; and connecting to some of the other members. The traditional law firm model is very lawyer-centric – they hold a lot of the power, but they aren't trained to run a business. It is changing, but a successful law firm will surround very good lawyers with very good business managers.

Q Do SME law firms approach management and engage with staff in the right way?

A It is improving but old-fashioned habits remain in

the SME area. Many of them wouldn't even refer to themselves as a business. But there are some brilliant firms doing some very clever things in the SME market. And often that's led by good lawyers who recognise the need for business managers who can help them. The biggest asset a law firm has is its people – and how you manage them is extremely important. We're starting to see SMEs becoming more informal – they have chillout rooms and ideas sessions. Also, the proper use of technology and better professional management is helping SMEs to punch above their weight. We're also seeing ILFM members getting promotions, which empowers them to improve their firms. It's great to see more business services people making their way up to management level in law firms.

Q What can firms do to leverage their staff's skills and improve service delivery?

A What we do at Stepien Lake is sit down and talk to everyone (secretarial, IT, fee earners and so on) about their ideas. Generally we ask: how can we do this better? Not everything needs to be changed; sometimes things just need to be reviewed. At the ILFM, we try to add to people's knowledge and help them to go beyond simply knowing the rules. For example, protecting client money – there are rules about how you process that, but you should also look at the biggest threats around it, such as cybercrime. We pair that with fraud, the accounts rules and the COFA role, so that they can take a lot back to their law firm. And the best way to leverage that insight is just to listen – if you have management who don't

listen, then you won't have staff with anything to say.

Q Where do you find inspiration to improve the business of law firms?

A You should always strive to make improvements, and it's useful to look at businesses outside of legal. You can learn a lot if you look at lawtech firms or the finance industry and how they work. It's about keeping an open mind and continually looking at how you can do things better, and usually that's built upon the people that run the business. If you don't have individuals driving progress, it can stagnate – and personally, I don't like complacency. And going to the LPM conference is hugely beneficial – you get to talk to people about what they're doing, and that can be an inspiration. **LPM**

LEGAL IT LANDSCAPES BREAKS FUNDRAISING RECORD

LPM likes to recognise excellence in the SME legal market, not just through our new awards but in the work that you do every day. The LPM Legal IT Landscapes 2019 report published in February was a great success.

We'd like to thank all the firms that completed the survey this year. Their answers not only mean better market research, but also for every useful response we donate £5 to Shelter. It's always seemed the right charity to support at this time of year. We also asked our sponsors to match our donation. Not every business can do this, but we're delighted to have our donation matched by **Landmark Information Group**, **Tikit**, and **tmgroup**.

The total raised across both LPM and sister title **Briefing** was over £3,100. Now that's a great survey result.

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PICTURE PERFECT



Mike Leeman, managing partner at Bell Lamb & Joynson Solicitors, says Perfect Portal enables the firm to be more active and transparent with clients

Bell Lamb & Joynson Solicitors is one of the oldest firms in the north-west, established in 1821. The firm has been successful for so long because it has focused on delivering client-centric services – and becoming an early adopter of technology has been key to reaching that objective.

In 2016, BLJ was looking for technology that would help drive the practice forward. The strategy was to further modernise the firm by investing heavily in IT and going down a paperless-working route.

“Perfect Portal has been a perfect tool for us in our efforts to streamline, modernise and be more efficient and transparent for clients,” says Mike Leeman, managing partner at BLJ Solicitors.

“We’re able to provide clients with instant and transparent quotes for conveyancing at a time that is convenient for them via our website, 24/7.”

Law firms are great at the law and not so good at being a business, he says. “And when you’re as old as we are, it can be quite hard to change the way you’ve been doing things for a long time, and been successful doing.

“There were problems we didn’t know existed around information and process. Perfect Portal has helped us to analyse and use data more effectively for the client.”

CLIENT PERFECTION

Clients’ expectations for communication, customer service and the speed at which things happen are indeed very high. Leeman explains that where other industries have picked this up and made improvements and efficiencies, many areas of legal have actually been slowing down.

The average conveyancing transaction has gone from eight to 12 weeks, 15 years ago, to 18

weeks for a transaction today. He says that, in other areas of law where BLJ practice, with court closures, austerity and lack of investment, things are taking longer and longer – and that doesn’t sit well with the customer who wants things faster and more achievable.

“Our approach was to try to make the process as transparent as possible to clients, so they could see we were trying for the best outcomes. This meant we needed to become more proactive and less reactive when dealing with clients.

“Perfect Portal really makes our life easier. It’s a powerful quoting platform that enables us to provide clients with bespoke quoting for services. It’s also a really good lead generation tool and motivates the team to convert those leads into instructions,” says Leeman.

It can be quite frustrating for the client when they don’t hear about updates on their matters, he says. With Perfect Portal, the firm can update clients and associated parties via the web, mobile phone app, email or text. And it requires minimal effort on our part, he adds.

And the technology not only gives the client more transparency into their matter but also useful business intelligence for BLJ. “The analytical reporting gives us real-time data, so we can see how we’re performing, where we can improve and even where our sources of work are coming from.”

Leeman says it’s easy to navigate and simple, despite all of the capabilities under its hood.

GROWING GAINS

BLJ Solicitors has always kept the needs of the client close to its heart, Leeman says, therefore client feedback has always been a key driver for the firm – and since using Perfect Portal, it has



LPM FIRM FACTS

Bell Lamb & Joynson

Revenue: £1.9m

**Corporate status:
Partnership**

22 fee earners, 45 total staff

**Offices: Liverpool,
Warrington, Runcorn**



“ Perfect Portal really makes our life easier. It’s a powerful quoting platform that enables us to provide clients with bespoke quoting for services. ”

seen an increase 19% above the market average during the last three years.”

To stay on top of all of this, BLJ has increased its workforce by 20% as well, across all staff – lawyers and support.

Leeman says: “We’ve looked at using some of those techniques across other departments within the firm and are expanding our use of Perfect Portal to cover some of those areas.”

It’s also led the firm to bring in external training providers to improve the staff skills in areas that the firm felt could be enhanced. “We intend to drive growth by continuing to provide clients with high levels of service and communication, and by using Perfect Portal we can train and develop our staff to achieve this goal.”

BLJ Solicitors’ primary focus as a law firm is to build excellent relationships with clients, he adds. “We get a lot of repeat work and recommendations, and I expect our suppliers and the businesses we work with to have a similar approach – and that’s definitely the case with Perfect Portal.”

Therefore Perfect Portal has been an integral part of the firm’s business strategy, says Leeman. **LPM**

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seen an increase in positive feedback.

“Many clients have been quite impressed with the updates – knowing how their transactions have progressed, they feel like they’re a priority. And we regularly get recommended to members of the family and friends off that great experience clients have had with us,” he says.

Clients can feel the benefit of Perfect Portal and its success has fed into the business of the firm – Leeman says BLJ has seen a 50% increase in conveyancing work as a result.

And he says that increase has not just been short-term – BLJ has been experiencing a 15% year-on-year average growth with no sign of slowing down. “Our conveyancing caseload has

UNDER THE HOOD



Ken Ume, head of product, brand, content and segment marketing, LexisNexis UK, on how SME firms can leverage successful technology implementation

In today's rapidly changing legal landscape, forewarned truly is forearmed – especially when it comes to legal technology. With so many options available, addressing the issue of legal technology can feel overwhelming. Every small and mid-sized law firm knows they need to work smarter not harder to remain competitive and profitable, and they also know technology has the power to address key business issues – from work efficiency to effective marketing and attracting talent.

LexisNexis research found that UK firms with a fee income below £25million but at least ten fee earners are increasing their investments in technology. Average investments equate to 6% of fee income, although almost three-quarters have no way of tracking their return on investment (ROI) in technology. Many law firms are missing core systems – we found that 67% have no client relationship management (CRM) system and just over a quarter (26%) have no practice management system in place.

Additional research with small and independent firms revealed that active use of legal processes, tools and technologies is identified as the second-highest driver of efficiency in small and mid-sized firms. Yet 81% of these firms spend less than 10% of their turnover on legal tools, while 58% of firms spend less than 5%.

Our experience is that lawyers are most comfortable with tried-and-tested tools. Legal research and guidance tools (such as LexisLibrary and LexisPSL) tend to be the most popular technologies used by lawyers as they address the need to find answers fast, speed up process-intensive work and provide advice with confidence, helping to deliver best practice.

However, user-friendly proofreading technologies are a simple technology solution to

invest in – 100% of lawyers who have adopted Lexis Draft technology agreed that it had vastly improved their working methods. As one partner told us: “Lexis Draft is like having a best friend check your work.” Another said: “There have only been two times that I can recall where we've introduced a product that made people smile. One was the iPhone – the other was Lexis Draft.”

SME law firms should learn to leverage technologies like these to avoid problems with definitions, references, numbering and citations when drafting documents.

Lawyers can spend up to 60% of their time drafting legal documents to meet higher expectations from clients, while dealing with fewer resources and no extra time. For example, LexisSmart Precedents is another simple option that helps lawyers spend 80% less time on drafting accurate precedents. Leveraging best-in-class document automation technology, LexisSmart Precedents uses an easy-to-use Q&A format to input data and choose appropriate clauses – so lawyers spend less time on paperwork, are confident that documents are correct and have more time to focus on clients.

COMBINATION COMPLETION

At the heart of all our feedback from legal professionals is an unflinching need to remain constant and up to date. As the working environment and customer expectation continues to change, the task of ensuring the consistent delivery of high standards and quality remains paramount.

Accessing the right information at the right time, wherever they are in the process of law, is essential. This need to access critical content has driven the development of our legal solutions ecosystem, combining leading content with





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technology and people to make sure that legal professionals have access to the most up-to-date legislation, reporting, news, precedents, forms and commentary that they need to build sustainable and effective businesses.

To help firms deliver successful legal technology adoption, LexisNexis has established five key principles to follow:

1 Remove Ambiguity: Technology investments made without clear objectives or rationales are highly likely to fail. Speak to your organisation and your team to understand your key risk areas and cost categories. Then consider where potential opportunities may lie.

2 Identify the problems: Once you know the pain points in your team or organisation that need addressing, you can find a fit-for-purpose solution, rather than just installing the latest flashy piece of technology.

3 Dedicate time and effort to innovation: Dedicating some time to building your understanding of available solutions in the short term will pay dividends. You also need to take the time to educate your organisation with

regards to what you're doing. Demonstrating ROI to a C-Suite audience is far easier to do when they understand the process you're going through.

4 Work with multidisciplinary teams: Bringing in experts from other areas of the organisation will substantially increase the chances of technology gaining traction. A multidisciplinary team will allow for richer, more fruitful discussion and help foster a culture that is supportive of innovation. But also remember to educate the team members you already have.

5 Choose the correct partners: Whether the partnership is between a legal services provider and a technology provider, this relationship is fundamental; success requires the effective contribution of both supplier and buyer of legal technology.

Legal technology offers huge opportunities, but these will only be realised when firms take a transparent and collaborative approach to adoption and integration. And we know that the most successful legal technology focuses on delivering best practice. **LPM**

CLIENTS FIRST



Kirsten Maslen, head of small law firms and academics, Thomson Reuters UKI, on some key takeaways from LPM South 2019 on the legal IT landscape

At the LPM South conference in February, Thomson Reuters hosted a roundtable on client collaboration.

The aim of the session was to discuss the various forms that client collaboration can take, what benefits they bring, any experiences of drawbacks, and where the market is heading.

This area is clearly of interest to the market, as highlighted in the recent LPM Legal IT landscapes research 2019, where both client portals and automation were mentioned as one of the best combinations of competitiveness and efficiency compared with other technologies.

Automation featured in various places across the research, and specifically document automation. Compared with previous years, there was a big increase in the potential that respondents saw for automating marketing and business development activities. Firms also responded that they could automate twice as much as they currently do. But there was no increase in the amount of work being automated compared with previous years – still only 3.6%.

MARKET TRAJECTORY

We see this interest in automation as part of a shift towards a more data-driven delivery model for legal services. That model focuses on efficiency, client experience, flexibility and transparency.

According to last year's PwC Annual law firms' survey, the main driver for large firms to invest in tech was to improve client experience, followed by operational efficiencies, and those drivers apply just as much to small firms owing to: an increasingly fragmented market, more competition – from similar firms, tech-enabled legal services and DIY options – and wider trends in buying habits that mean that clients have increasingly high expectations.

In addition, the majority of complaints about law firm services relate to poor client experience. For example, during 2017-18, the Legal Ombudsman identified poor service in 46% of ombudsman

decisions, much of which related to poor communication, a failure to keep the client informed, to reply, to advise or to follow instructions.

COLLABORATION OPERATION

Many products include some features described as enabling client collaboration, but several use cases can fall within that definition, and will be aimed at addressing discrete pain points of clients and their lawyers.

Tracking progress is one discrete pain point. Dashboards are a common feature of many practice management solutions. They can provide a high level of visibility of a matter, or just a brief snapshot of progress against milestones, accrued costs and next steps. Some provide an explanation of what happens at each stage. They can also enable the client to upload documents.

The next pain point is around communications. Although the USP of many practices is based on their personal relationships with clients, often built over many years, the need to respond ever faster is a continued pain point. Products that facilitate information exchange, such as client portals, or enable lawyers to be more responsive are gaining ground. Some of this communication can be automated, such as by a secure email system or text message.

During the roundtable, some people commented that using tools like this often didn't equate to a reduction in telephone calls to clients, which was one of the main motivations for adopting them. One response to this was that such tools might not work with the more traditional client base who want that personal contact with the lawyer by telephone. The type of client and their needs should be considered, along with the content of the messaging system, to ensure a good fit.

Another pain point is matter intake. A key challenge for small law firms is how to better leverage the internet as a source of business and maximise the potential of their website to draw in





prospective clients. Part of this is about demonstrating transparency and how easy it is to do business with the firm. Tools that enable the prospective client to understand the service they are likely to need and get a quote are increasingly popular, especially in light of the SRA's Transparency Rules.

These consist of anything from basic decision trees to AI-powered chatbots. More advanced iterations of these tools will develop into triage and client intake systems, and even automated advice portals.

ENABLE EVOLUTION

The next stage of client collaboration is where the technology starts to get very interesting and enables the creation of new legal services, as well as more efficient delivery of existing services.

- **Work execution:** Automated document assembly tools have enabled lawyers to create documents quickly and securely for a good few years. Increasingly, lawyers are using this technology to empower the client. Several use cases arise:
 - **Collaborative document creation:** Document automation is about generating a document through responding to a questionnaire. The document is coded in such a way that the answers will alter the drafting and make all other consequential changes to the document. With Contract Express, you can even create an entire package of documents relating to a particular transaction from a single questionnaire. In this example, the lawyer can allow the client to see and respond to the questionnaire and then review their responses and hone the draft, in effect combining the process of taking instructions with work execution.

- **Self-service (legal products):** In this use case, the law firm creates a package of automated documents that clients on retainer can self-serve from. These services provide a separate revenue stream in the same way some smaller firms monetise their document collections for their clients. However, the advantages of doing this through automation rather than attaching word files are that the base precedent can be the firm's own base precedent, so only one root document need be maintained – and the firm controls use and access more easily.

- **Self-service (business development):** A common practice among alternative legal service providers is to give something for free to draw the client in and guide them to the stage at which they need to instruct a lawyer.

- **Product development:** An area of client collaboration that is in its infancy, but which is being discussed, is the idea that clients and law firms could share data to create new products such as pre-emptive legal services.

The use cases for collaborating more effectively with clients are varied and will depend on the pain point that needs addressing for that particular group of clients, and the practice area concerned. Tools that enable better communication will have general appeal. Others that enable the creation of new legal products, or which automate business development opportunities, may be both anathema to some clients and embraced with enthusiasm by others.

What is certain is that automation, which has already enabled many law firms to carry out their work more efficiently and accurately, is moving into the client sphere and helping to shift the traditional law firm model towards the law firm of the future. **LPM**

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PHILOSOPHICAL MACHINES

Kayli Olson reports in from the fourth and final Law Society evidence session for the use of algorithms in justice



What better way to spend Valentine's Day than to hold a philosophical and moral debate on the use of algorithms in justice, one more time. As a legal business journalist, I would be remiss not to get involved in the conversations around legal tech and, specifically, machine learning/processing in the sector. But one must tread carefully so as not to add to the noise and hype of any one system or theoretical use of *cough cough* artificial intelligence.

The Law Society's evidence sessions for the Technology and Law Policy Commission inter-viewed a range of legal professionals, police, regulators, professors and human rights activists to get an overview of current actual uses of machine learning and predictive analytics in the justice system: the faults, the opportunities, and any legal and moral obligations surrounding them.

This session heard concerns from human rights experts about the mishandling of the privacy of the public and stressed that use of algorithms in the justice system, particularly when it comes to police outcomes, needs to be regulated or at least justified and agreed upon. Current issues around contemporary principles of human rights – and the basis on which those originate, heavily influenced by philosophers like Immanuel Kant – have not traditionally addressed the issue of privacy.

It begs the question, is privacy a right? Aristotle was one to make a distinction between the private domain concerning family and domestic life and the public domain, which deals with political activity. But philosophy has not had long to debate this issue in the age of social media and public surveillance. Fundamentally, yes, it would be wrong not to respect an individual's privacy, but not at the expense of national security. Article 8

of the Human Rights Act 1998 attempts to define just that.

Since Edward Snowden spread awareness to the public, people have been more vocal about their concerns about privacy. Judith Jones, head of parliament and government affairs at the Information Commissioner's Office, said that it was only in the runup to the GDPR dead-line that people were aware of their rights and, all of a sudden, they felt like they needed to care. "But people still tick the T&Cs box to get the service."

Philosophy isn't some abstract debate only for nutty professors – it can be used to build a legal framework for these issues. Jones said technology systems today should include data protection by design.

Silkie Carlo, director of privacy rights company Big Brother Watch, said that the issues of fairness in process and fairness in outcomes are different and that 'explainability' is important to look at if people are ever to trust algorithms with human rights.

The use of machines needs meaningful human input, as some activists push for. "But what does that look like?" asked Alvin Carpio, CEO at the Fourth Group, a global community

driving the fourth industrial revolution.

"Algorithms were used to get you here today, when you checked a maps app to plot your journey from work to the Law Society. Code is law and coders are modern lawyers. They should be held to democratic oath and law in the same way."

But what are the legal implications when algorithms can misidentify people – as with a case in China where a son opened his mother's phone using facial recognition. These issues can't wait until they come about, hence the call for a legal framework, he said.

Carpio also provided an example called vTaiwan, which crowdsources decisions – people are asked to discuss legislative decisions and reforms of law.

Jamie Susskind, author and practising barrister, agreed that coding should have the law built in, but to tread carefully as the future might look like a locked door rather than a door that says 'Do not enter.' He mentioned that under Aristotle's view, you are a good person when you choose good action, but Jamie added that in the future people won't have that option.

"You can't dodge a bus fare if it automatically charges your card when you get on," he said.

Professor Richard Susskind added that online courts making decisions instead of judges is a while off but appeals and safeguards can be built in, and nothing necessarily has to be done without human intervention.

William Wong, professor of human computer interaction and head of the Interaction Design Centre at Middlesex University agreed: "How do we develop a system where humans decide and machines do the heavy lifting?"

The threat of a dystopian future where some of these ideas are reality may not be far off, no matter how science fiction it may seem. A legal framework is needed, but not to the point of overregulating at expense of innovation. **LPM**

“ Code is law and coders are modern lawyers. They should be held to democratic oath and law in the same way. ”

Alvin Carpio, CEO, the Fourth Group



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