



## The Times

### **Hounding no-win, no-fee lawyers is an attack on the poor**

These firms have little incentive to take on frivolous lawsuits

**Irwin Stelzer**

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Lord Young of Graffham and David Cameron want to rein in the activities of no-win, no-fee lawyers. Nothing to do with spending cuts, more to do with, er, snobbery. Yes, some of these lawyers engage in shady practices. But some MPs fiddle their expenses, and we don't eliminate Parliament — we control abuses. What his Lordship and the PM are proposing would make it more difficult for the non-wealthy to obtain justice and compensation when injured.

Lord Young, the former Trade and Industry minister, is right, of course, to take an axe to health and safety regulations that profit neither health nor safety, but produce litigation. More power to him. But he is wrong to join the Prime Minister in attempting to curb the advertising of law firms that promote no-win, no-fee arrangements to take on the representation of people with personal injury claims. "Most of the lawyers I've spoken to are ashamed of the activities of these people," said Lord Young. No doubt.

Large law firms are among the most prosperous businesses in Britain. Senior partners, who often deny that their profession is an (ugh) business, often charge £1,000 per hour. The two largest firms, Clifford Chance and Linklaters, each employ more than 2,000 lawyers and have revenues of close to £1 billion and revenue per partner of approximately £450,000 and £540,000 respectively.

Nothing wrong with high incomes. But there is something wrong when the balance already favouring them and their clients is tipped even more to disadvantage citizens whose only recourse is to no-win, no-

fee law firms who must advertise to bring themselves to the attention of potential clients.

These no-win, no-fee firms have little incentive to take on frivolous lawsuits. They spend their own money to do the necessary research, file the pleadings, prepare for settlement negotiations — and get nothing if they lose.

Consider, too, that these law firms are generally small businesses, and that the attempt to prevent them from displaying their wares is an assault on entrepreneurial risk-takers who gamble that their skill in sorting out winning cases from sure losers will earn them a decent living. Like other small firms, they hire clerks and employees, rent commercial space and generate income to be spent on the high streets.

More important — much more important for the legitimacy of the democratic system — they provide access to the judicial system for people who would otherwise be denied it. As the Government has asked its critics before: “What’s fair about that?”

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