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Book review: The Law of Legal Services

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A modern, accessible, clear and updated guide to the law of legal services is to be warmly welcomed. However, as Lord Neuberger emphasises in his foreword, there are other important reasons for enthusiastically welcoming *The Law of Legal Services*. The need for a clear, concise and authoritative treatment of the regulation of barristers and solicitors has become vital. The book addresses the important issues in focused way, under convenient subheading so that it is easy to identify the passages in the book which are relevant to any particular topic which requires investigation and research. The simplicity of the language does not mask the subtlety of the legal analysis.

The regulatory, compliance and disciplinary systems are initially discussed and the book then focuses on the essential features of legal practice such as the client contract, barrister's standard terms, fiduciary duties, legal privilege, negligence, the protection of goodwill, solicitors' and barristers' fees and the business of legal practice.

These critical areas are discussed in detail with great clarity. For example, there is a lengthy discussion of the fiduciary duties of lawyers extending to the case of advocates. The fiduciary duties owed to a client which go beyond the terms of a retainer are carefully examined, and there is a valuable assessment of the principles which apply to profits and benefits.

The law is covered up to May 2015. Although some later material is included, it does not extend to the important Supreme Court decision in *R (Lumsdon & Ors) v LSB* (2015). Nevertheless, recent developments are thoroughly reviewed – such as the recusal application in *Rehman v BSB* (2015) where the judge had been the pupil master to the BSB's counsel and *Fuglers v SRA* (2014) which held that using the client account as a banking facilities which was unconnected with effecting transactions or underlying legal work. There are, however, the occasional omissions such as the interesting and successful challenge to the Legal Ombudsman in *R (Crawford) v Legal Ombudsman* (2014) and the unsuccessful challenge to the imposition of conditions by the Solicitors Disciplinary Tribunal in *Ebhogiaye v SRA* (2013).

The Law of Legal Services is an excellent addition to the library of anyone concerned with legal regulation.

Reviewer: Richard Clayton QC, 4-5 Grays' Inn Square