

Blue sky thinking

Keith Plowman reports on cloud technology & the road to GDPR compliance



IN BRIEF

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Although steeped in traditional practice methodology, the legal sector continues to rise to the challenge of delivering a modern justice system and digital courtroom. Contrary to common perception, barristers' chambers have often been quick to adopt modern working practises, including the use of IT. Lately that 'early adoption' has been spurred on by the General Data Protection Regulation (GDPR), a law that every organisation must abide by.

The Information Commissioner's Office (ICO) has made it very clear that reducing data held on paper and the associated risks is a key focus. We've previously read about barristers losing important documents or failing to secure client data properly and, with the GDPR now in force, we expect that incidents like these will not go unnoticed by the ICO.

Security

Under the GDPR, no set of chambers or barrister can ignore the need to work in a secure manner that protects their documentation and data. We knew technology would support our chambers' drive towards GDPR compliance, which is why we use Advanced's MLC V fully integrated mobile toolkit. It is designed with barristers in mind, helping with all aspects of their work and, with built-in cloud capabilities, enables secure remote working and centralisation of data and documentation.

We previously had a heavy paper practice—in fact, we'd frequently have trolley loads of documentation—and a lot of data was also held independently by barristers on their hard drives. Data was encrypted but held in silos, so there was no single system that barristers could use to access new instructions, input their written work or communicate with clients and the courts.

All of our information can now be accessed centrally through the toolkit within secure partitions to ensure the barristers and assigned clerks can only access details on the cases they are working on. Having all written work entered digitally as well as our documents stored securely in the cloud means barristers are avoiding the use of less secure, locally stored data or paper.

Of course, people are generally wary of changing working practices, but the GDPR isn't something that can be ignored or forgotten. Thankfully, most people have seen the immediate benefits of the toolkit. It's giving a barrister everything they need to manage their practice for the duration of a case, from the initial case review right through to court presentation or the delivery of advice to the client.

Transition

To support the transition any sceptical barristers were given a short training session to show its ease-of-use. Even the less technical savvy asked why they didn't have the MLC toolkit ten years ago.

We also provided barristers with an informative guide and checklist on the GDPR as the deadline approached. It meant that barristers didn't spend unnecessary time worrying about the GDPR, and therefore wouldn't miss out on client work or fees.

The buck stops with the barristers (as data controllers) and they could still be fined by the ICO if they're non-compliant or if there is a breach but, for our chambers, we see barristers as an asset we can't afford to waste. We recognise that we need to protect these assets, so we put in the groundwork so that the barristers could concentrate on what they do best—advising and representing their clients.

Beyond helping us adhere to the GDPR, we have been taking advantage of all of the other benefits of working in a digital environment. The cloud is enhancing how our clerks and barristers work together. For example, our barristers can now work securely in the chambers' environment wherever they are, creating and saving their work while liaising with the clerks and sharing drafts with their clients. Furthermore, our clients can get a faster response to their instructions meaning an improvement in client service levels.

Time keeping has improved drastically too. Using the cloud-based mobile toolkit, barristers are able to easily record time spent on each case anywhere and at anytime. The assigned clerk can see it instantly too within the MLC system, so there'll be no missed or late bills.

Efficiency

Crucially, it will also improve our relationship with solicitors. After all, even an isolated incident of chambers sending a bill months after a case has been completed can be ruinous and create significant friction. The solicitor might not have the funds to pay the bill after that time and, in other cases, the clerk decides to write the money off to preserve the relationship and the solicitor is never even aware of the additional work. We wanted to address this inefficient approach and, thanks to embracing the cloud and mobile technology, we have. Put simply, the technology pays for itself as we expect fee income to improve considerably as inefficiencies are ironed-out.

We now work and practise in an increasingly digital world and the best way to operate a legal services business efficiently is through the use of technology.

While the cloud and mobile solutions will never replace or transform all of the services that barristers can offer their clients, they will help them adapt to the continued digitisation of the legal system and adhere to the GDPR. If they don't invest in them for the processes they can change, barristers will lose clients and fall behind the curve; and it's in all our interests to make sure that never happens.

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