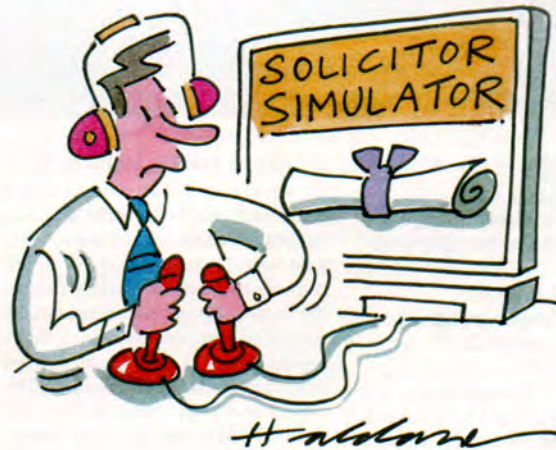


# Fasten your seatbelts

The airline industry is obsessed with safety and training for obvious reasons, but maybe the legal profession should buckle up too, says **Richard Barr**



**“Y**ou’re going too fast. Speed up. Mind that pedestrian. Stay in the lane. Put your foot down. That light is about to turn red.”

I still remember being taught to drive by my father. It was an extremely tense experience, and not one to encourage bonding between father and son. In a short space of time he also taught me a number of bad driving habits that had to be undone by many extra lessons from a driving instructor. That was more years ago than I care to remember.

Last year I was sitting in the front row of seats in a huge A319 Easyjet Airbus. We were at Belfast airport and the doors had just closed. I was nervous, even though I am not a nervous flyer normally. At the same time I had a strange sense of anticipation – a combination of apprehension and excitement.

The plane trundled to the end of the runway and then with a whoosh we shot along the concrete and soared into the air. We soon cleared the Belfast clouds and in bright sunlight cruised over the sea, then across England towards Stansted. At some stage the engines seemed to stop and we appeared to be floating in the air. I wanted to shout at the pilots “You are going too slowly. It will drop out of the air” but I could not. They were safely locked in on the flight deck.

Then the plane came down for a smooth landing and we soon pulled up at the stand.

When the engines were switched off the First Officer (who had flown the plane) came out to ask: “Was that alright dad?”

It is one thing to be sitting beside your son in a car where you can pull on the parking brake or yank the steering wheel if you feel that he is not driving safely. It is rather different if he happens to be flying a passenger jet in which you are one of the 140 or so passengers.

## Triple checking

My son Nick had very sensibly decided to break with family tradition and to do something other than law. He had always been keen on flying, and had flown solo in a Cessna by the time he was 16. In his late twenties he decided to do it for real and he started on the two-year voyage of becoming a commercial pilot – incidentally incurring a debt that makes most student loans seem like petty cash.

**“There should be a place in legal practice for adopting the same safety standards as the airline industry”**

Last year he joined Easyjet and now regularly flies to many European destinations. One of the things I was to learn from his experience is the obsession that airlines have with training and safety. Everything is done by checklist, and pilots regularly have to undergo simulator training where they are expected to cope with more crises in an afternoon than most pilots will encounter in a lifetime. But it works, and as a consequence the airline industry has an amazing safety record.

There is now a move to get doctors (particularly surgeons) to adopt the same techniques, so as to eliminate human error as far as possible.

If we make a cock-up we as solicitors do not put lives at risks, but we can cause a lot of misery, let alone a great deal of grief to ourselves. There should be a place in legal practice for adopting the same safety standards as the airline industry.

There used to be books of checklists for solicitors but they seem to have died out

in the 1990s. With the huge pressures now on most parts of the profession, perhaps it is not the time to bring them back. Perhaps the Solicitors Regulation Authority could redeem itself by issuing them as positive guidance to the profession.

## Too close for comfort

Pilots also have a procedure for anonymous reporting of their cock-ups. In that way near misses can help others to avoid the same mistakes. Would readers be interested in a *Solicitors Journal* cock-up corner? [Now we’re talking - Ed.]

Here is one of my own making. Some years ago I had to issue an application under the Landlord and Tenant Act for a new tenancy. I had peppered my diary with numerous reminders, tied a knot in my handkerchief and pinned a note to my shaving mirror. The only slight problem was that I had entered the reminders for the wrong month. I only discovered my error when there was a note from the court attached to the application stating that they had issued it but it was one day late.

It is occasions like that when the world seems to stop and you hang in mid-air. Fortunately I was saved by the rule book: I found that you start counting your four month period after the day of service – which gave me an extra day and let me breathe again. But it was too close for comfort. The lesson I needed to learn was how to count.

Perhaps I needed my son beside me with a clip board to point out that four is neither five nor three.



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