



Nick Freeman

MR. LOOPHOLE – NICK FREEMAN

– Andrew Williams

Lawyer NICK FREEMAN, 55, earned the nickname Mr Loophole from getting celebrity clients such as Jimmy Carr and David Beckham off driving offences

Why did you trademark the name Mr Loophole?

I was labelled 'Mr Loophole', which I didn't like as it suggested something sinister and underhand. I'm neither but, eventually, other people started using the same name. I saw poor quality legal advice offered by people using that name. I needed to protect my reputation and the public.

Why did you want to become a lawyer?

When I was around seven, my dad asked me what I wanted to do. I asked what earned the most and he said lawyers earned £4,000 a year — this was back in 1963 — which I thought was a lot of money. I asked what they did and he told me they argued for a living. It appealed to me.

Was it your ambition to get drink-drivers off their charges?

My ambition was to be the best lawyer I could. As a criminal defence lawyer, my job is to perform as well as I can and get the best results for my clients. As time has progressed, the public has required my services more and more for road traffic cases. It's an area full of legal intricacies and heavily populated with celebrities, who have a tendency to be accused of road traffic offences. They have showcased the work I do by association.

You've successfully defended people who have subsequently committed similar offences. What are your thoughts when they come back to you?

I abhor drink-driving. I don't drink at all, myself. I abhor any form of bad driving as it's dangerous. I don't think lawyers who defend murderers and rapists like murderers and rapists either but, just because you've been accused of an offence, doesn't mean you've committed it. I'm disappointed when they come back because, morally, they may be guilty and they've been acquitted through legal argument. I tell them they've been fortunate and explain that when they're at the legal limit, the chance of them having an accident increases fourfold, but certain clients have come back.

What's been your most ingenious defence?

One of the most memorable was a chap who had four previous convictions for drink-driving — I hadn't defended him on any of those. I looked at the papers and, in my view, he was guilty. I asked what he thought his defence was. He said, just go to court and see if something crops up. The officer gave his evidence and I asked him what the machine displayed when the defendant blew the first time. The officer said the word 'void'. I asked him how to spell 'void'; he told me and, in my view, the word 'void' meant the machine wasn't working properly, while the word 'voided' meant the defendant hadn't provided sufficient quantity of breath. This was a fairly obscure point I'd learned about from reading manuals on holiday. The prosecution got an expert to look at this machine and agreed the word 'void' meant it wasn't working. My client was acquitted. I don't know if the officer meant to say 'void' or 'voided' but it shows the importance of listening to what may come up in a trial.

Any others?

It was another drink-driving case. The officer gave his evidence and looked like he was chewing. I asked whether he was and he said no. I said: 'What's in your mouth?' He said: 'It's medicinal.' So I pointed out that when he'd denied chewing something, he was lying. I asked what it was and he said 'Airwaves', which isn't medicinal, so he was lying again. I asked why he told the court two lies and he said he didn't know. How could the court trust his evidence? We can't be selective about which parts are true and untrue — so my client was acquitted.

If he'd got hammered that night and killed people, would you feel responsible?

No, I'd feel appalled and disgusted. But the people who are responsible are the ones who have made the mistakes involved in that person being acquitted, not the defence lawyer who points out those mistakes.

You seem frustrated by the criticism you receive.

The public have an appetite for justice and they're starved of that sense of justice when they see a case where, from a factual perspective, someone might be drunk, might be driving, but they get off. They might say it's all my fault. When you look deeper, it isn't my fault. The law doesn't require you to be convicted for simply being drunk and simply driving — the law requires more than that. When people are acquitted, it's generally because others have made significant mistakes.

What do you enjoy about your job?

I love appearing in court, arguing the case and spotting points. By highlighting these points I'm increasing road safety. I'm increasing awareness of what the problems are and, with increased awareness, there's a chance they'll be improved.

Andrew Williams

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Nick Freeman's book The Art Of The Loophole: Making The Law Work For You is out now, published by Coronet

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MURPHY'S LAW for Lawyers

- The client who pays the least complains the most
- A proliferation of new laws creates a proliferation of new loopholes
- A firm's meeting is an event where the minutes are taken and the hours are lost
- People who like sausages and respect the law should never watch either being made
- The bigger the firm—the harder they hit
- If the facts are against you argue the law. If the law is against you argue the facts. If the facts and the law are against you yell like hell!

Quotations from 'Murphy's Law', published by Methuen London Ltd. © A Bloch 1977



MEDICO INFO FOR LAWYERS ! Work Stress Doubles Risk of Death

Researchers followed 812 healthy employees (545 men, 267 women) of a company in Finland for an average of 25 years. They gathered data on stress, blood pressure, cholesterol levels, and body mass index by questionnaire, interviews, and clinical examinations. Cardiovascular deaths were calculated using the national mortality register.

They found that job strain (high work demands and low job control) and effort-reward imbalance (high demands, low security, few career opportunities) were each associated with a doubling of the risk of cardiovascular death among initially healthy employees.

High job stress was also associated with increased cholesterol concentrations and body mass index.

In promoting cardiovascular health, the traditional advice has been for people to stop smoking, cut down drinking, eat less fat, and engage in physical activity. These findings suggest that attention should also be paid to the prevention of work stress, concluded the authors.