

Outsourcing and IT developments in Australia



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Australia is in the process of developing one of the world's most restrictive systems of internet censorship despite the landmark ruling in the recent iiNet case. According to Jeremy Szwider, legal expert and Managing Director of Australian firm Bespoke Law, the iiNet decision will inevitably have ramifications for hosting providers, content providers, online portals and of course, internet service providers.

iiNet is Australia's second largest ISP and was victorious against an alliance of film and television studios. In this case it was claimed that iiNet, as an ISP, allegedly allowed its customers to download film, TV and music illegally over their service. It was ruled that, as an ISP, iiNet was not responsible for what their users do with the services they provide them.

"The iiNet case is currently on appeal to the High Court of Australia and there is some support in the Australian market and industry bodies for ISP's to block certain content and to record the usage of internet users on a routine basis," explained Mr Szwider.

Bespoke Law is a virtual law firm providing a platform for a new third tier of the legal profession. Without real overheads, it operates as an "outsourced extension" to in-house legal departments and business units. It does this via an Outsourced In-House Counsel™ service and alternative fee arrangements. With its virtual platform Bespoke Law significantly reduces clients' legal spend by approximately 30-50%. It also operates in a paperless environment.

Mr Szwider further explained the reasons behind Bespoke Law's expansion on to this new platform: "With the luxuries of technology and online applications, Bespoke Law fosters communication channels with clients that are superior to traditional law firms. In addition to emails, mobile devices and ipads, clients communicate with lawyers at Bespoke Law via Skype, twitter and instant messenger services. The boardroom concept is easily re-created with a mouse click."

Bespoke Law advises a range of clients including web-based businesses, entrepreneurs, telecommunications providers, technology companies and start-ups in relation to information technology, e-business, internet and intellectual property law. The firm is experienced in assisting with communications and IT outsourcing arrangements including advising on the full range of outsourcing opportunities.

Following his General Counsel role at Carphone Warehouse (including an active role in its outsourcing, technology and ISP activities), Mr Szwider has continued his relationship with this UK FTSE 100 telco retailer and has acted for the Best Buy/Carphone Warehouse Group in relation to a master services and support arrangement with Research In Motion (Blackberry). Recently the firm assisted in the sale of Australian group-buying site Spreets to Yahoo! in January 2011 for AUD \$40 million, despite the start-up only launching in April 2010.

Jeremy Szwider, recently received a highly commended award in the Box-Breaker category of the 2011 Annual Lawyer's Weekly Lawyer Awards. The award recognises innovation in the legal profession and singled out Szwider's new business model as part of the fully serviced law firm, Bespoke Law. Despite this recognition Mr Szwider remains grounded and dedicated to maximising the efficiency of his firm:

"The biggest challenge facing the practice of outsourcing is keeping up with demand and ensuring that the focus on reducing overheads and promoting efficiency remains paramount," concluded Mr Szwider.