

LegalWomen

THE UK MAGAZINE FOR ALL WOMEN WORKING IN LAW | SEPTEMBER 2021

FUTURE
LEADER

Leaders: how do you become one?

- Deep fakes
- Working in criminal law
- Making women visible



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COVER INFORMATION

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Contents



5 Welcome

7 LW Recommends

8 LW Blogs

10 Women in Criminal Law

14 Complainer anonymity

16 LW on Leadership

35 The Hybrid Future

36 Deepfakes

38 Women made visible

41 Profile: Suzanne Rice

44 Her Honour Judge Joanna Korner CMG QC

45 The International Criminal Court

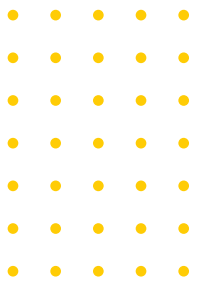
47 Ask LW: Anxiety

50 Book Review



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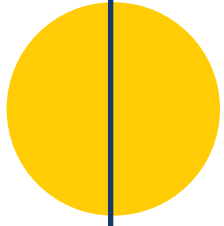
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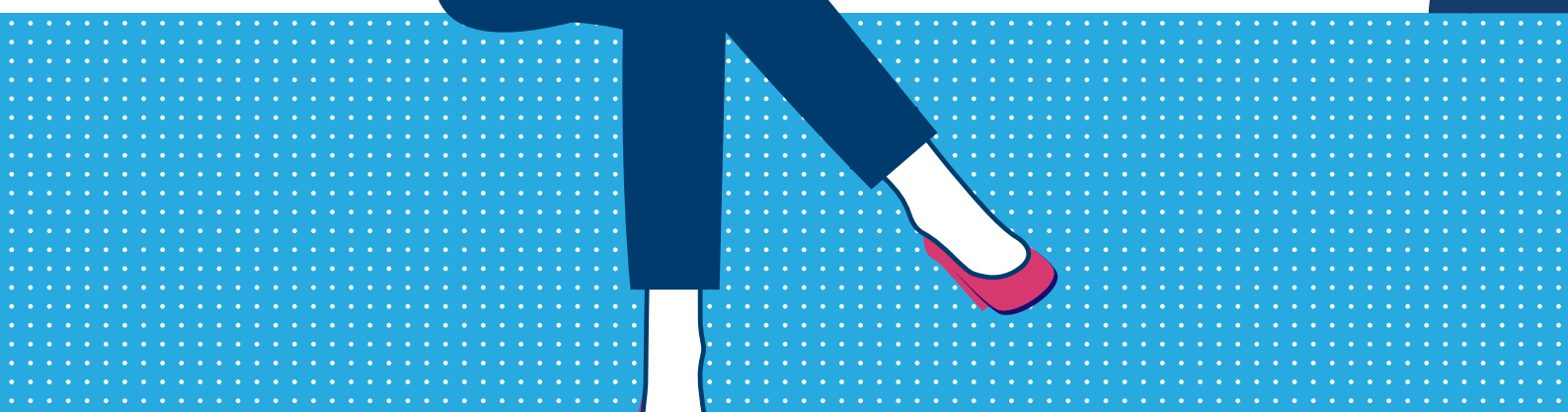
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Coral Hill

Welcome

SEPTEMBER 2021

Styles of leadership have come to the fore during the pandemic. What makes a good leader? There have been accolades for the leadership skills of Jacinda Ardern, the NZ Prime Minister, Gareth Southgate, England's football manager and many more including young leaders, such as, Malala Yousafzai and Greta Thunberg.

LW decided to talk to members of the legal profession at all levels of seniority about their views. A different type of leadership is being provided in many workplaces, sometimes prompted by the pandemic but, more often, it was moving in that direction anyway. There are still many workplaces where a different style is very much desired but, of course, those who felt critical of the leadership style in their workplace, were less willing to give views for publication. As a result, the pages in this edition show many positive views of leadership but, unfortunately, it is not an easy situation for many employees. So, one question we need to address is how to deal with toxic leadership styles. Ultimately, those businesses will lose profitability and it will be more difficult to retain staff, but we all know how competitive it is to get going in the legal profession and many people will feel obliged to accept less than ideal conditions to finish their training or gain a particular type of experience. We would welcome views on how anyone has tackled leadership styles that did not suit the staff.

Crucially, leadership is not always from 'the top' or certainly not always the most senior person. There was a definite shift in seeing the contribution of junior lawyers, as leaders, as being critical to the success of the firm, rather than future leaders because they need to acquire so much additional experience. This was mentioned particularly in relation to social media and legal technology innovations etc. areas where some senior partners did not feel they had the expertise. Some firms were cross-mentoring to improve the spread of different skill sets.

Closely associated with leadership is the concept of the culture of an organisation, how do you create it, how do you make people feel part of the whole and wanting to work for its success? Having an entire workforce working from home shone a spotlight on this. There have been some incredibly positive experiences of recruitment, induction and integration to the workplace, without the individual ever meeting people in person or taking a single step inside the usual building. Equally, some junior lawyers struggled with achieving the access to supervision they wanted. It is much more difficult to phone the supervising partner with a list of queries, than be working in their room and finding a moment, when you know they can speak with you.

As we move to, what many hope, will be a hybrid style of working, there are great lessons to learn from this experience. Journalist and author Harriet Minter talks about this on page 35 and it is an issue LW will continue exploring. Is the world of work structured in the way we want? Flexibility is often seen as a gender issue, as traditionally women have had most additional caring responsibilities, but the last eighteen months has radically changed the view of some of the greatest male traditionalists and men have been open about the pleasures of being with their children at teatime, even if they then need to complete some work in the evenings. More and more there is a demand for some flexibility from all staff. Now is the time for businesses to put their best plans forward. ■

Coral Hill
Founder & Editor

LW magazine is for everyone qualified as lawyers, solicitors, barristers, advocates, judges, legal executives and those working as paralegals, legal secretaries, advisers or recruiters, the list is endless. We welcome the many male champions as readers and contributors.

Our mission is to:

- Provide clear information on gender parity
- Inspire practical initiatives to create real change
- Promote innovation in leadership and practice

Editorial Board

We are delighted to receive advice from the distinguished members of our Editorial Board. Full biographies are available on our website.

ENGLAND & WALES

Christina Blacklaws

Past President of The Law Society of England and Wales. Christina is a multi-award winning published author, speaker and frequent media commentator on innovation and diversity and inclusion.

Millicent Grant QC (Hon) FCILEX

Millicent is a former President of the Chartered Institute of Legal Executives (2017/18) and currently a member of the Institute's Appointments and Scrutiny Committee. Millicent has worked to tackle diversity and inclusion on the legal profession and judiciary, contributing to the Pre-application Judicial Education (PAJE) Programme. She is the only Chartered Legal Executive to be appointed an Honorary Queens Counsel. She is chair of the Knights Youth Centre, an independent youth work charity.

Janem Jones practised for many years as a partner and senior partner in a West Wales firm where she specialised in Family Law, Education Law and Criminal Law. She now works as a consultant for Williams and Bourne as an experienced advocate.

Sally Penni MBE is a barrister at Kenworthy's Chambers, Manchester, whose practice encompasses Criminal (including Cyber Crime) and Employment Law. Sally is a Bencher at the Honorable Society of Gray's Inn, Founder of Women in the Law UK and regular broadcaster of the highly acclaimed podcast.

NORTHERN IRELAND

Karen O'Leary leads Caldwell & Robinson's Family Law practice. Qualified to practice in Northern Ireland, the Republic of Ireland, England, and Wales, Karen is regularly consulted by government and state agencies on legal matters from other jurisdictions. She is a Fellow of the International Academy of Family Lawyers (IAFL).

SCOTLAND

Alison Attack

Past President of The Law Society of Scotland. Formerly, Alison was a member of the Regulatory Committee and convener of the Client Protection Sub-Committee. She was a partner at Lindsays.



Volunteer positions at Legal Women

Currently, all of us are volunteers to get this publication going. If you would like to be involved in:

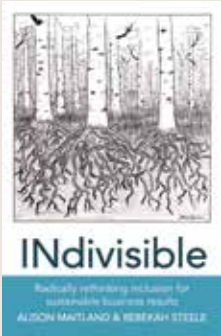
- sourcing and checking copyright on images
- working on events and following up funding opportunities
- writing content for social media, blogs and magazine features

Feel free to email info@LegalWomen.org.uk with brief details about yourself. ■



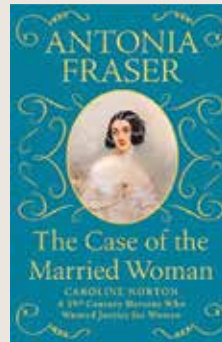
LW | Recommends

BOOKS



INdivisible: Radically rethinking inclusion for sustainable business results by Alison Maitland and Rebekah Steele, is a 'top pick' in The Harvard Business School Faculty Summer Reader 2021.

LW are delighted to host with the Society of English and American Lawyers a discussion with these two authors on 14 September. To reserve your place you can click here: [Events \(legalwomen.org.uk\)](https://www.legalwomen.org.uk).



The case of the Married Woman

– Caroline Norton. This was the scandal of nineteenth-century Britain: the sensational trial of Caroline Norton for adultery. Prevented from seeing her three sons by her husband, she set about reforming the law, initiating the Custody of Enfants Act 1839 and taking some part in the shaping of the Matrimonial Causes Act 1857 and other reforms relating to married women's rights over property.



WFH (Working From Home)

by Harriet Minter | Hachette UK. What is the future going to look like in terms of hybrid work? Will the technology used in the pandemic remain or will everyone drift back to an office environment? Journalist Harriet Minter reviews this and includes practical approaches.



INdivisible: Radically Rethinking Inclusion for Sustainable Business Results

Co-hosted by SEAL and Legal Women

14 September 2021

1:00 – 2:30 PM EST / 6:00 – 7:30 PM BST



Alison Maitland

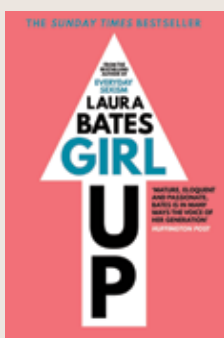


Rebekah Steele

Join us in conversation with the authors of *INdivisible*, a top pick on Harvard Business School Faculty's Summer 2021 [reading list](#) and featured in Forbes and the Financial Times. The interactive discussion will focus on driving inclusion systemically, tangible results, and practical steps for everyone to take.

[CLICK HERE TO REGISTER](#)

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Girl Up written for young women from Laura Bates, founder of the @EverydaySexism Project.

PODCASTS

BBC Radio 4: Pieces of Britney, Ep.1 – Quiet Plans

A series examining the life of Britney Spears and the conservatorship which exists – the key players and the campaign to 'free Britney'.

<https://guiltyfeminist.com>

The Guilty Feminist is an award-winning podcast and live show hosted by Deborah Frances-White. It discusses the big topics for 21st century feminists and doesn't shy away from the insecurities, hypocrisies and fears which sometimes lurk.

FILMS

I Care a Lot | Care a Lot (2020) – IMDb

A scary Rosamund Pyke as a crooked legal guardian for people who supposedly need looking after. How we hope no lawyer is behaving.

Fancy volunteering?

<https://endsexismschools.wordpress.com/our-vision/>

LW | Blogs

We publish blogs throughout the year so please contact us with ideas.

CAREER PLANNING



Orla O'Hagan

Orla O'Hagan describes her legal career encompassing working as a solicitor, Deputy District Judge, District Judge and now a private FDR Judge.

Orla O'Hagan (legalwomen.org.uk)



Sara Carnegie

Sara Carnegie describes the twists and turns in her career. Starting as a criminal barrister, then taking up different roles with the civil service and currently working as the Legal Director at the International Bar Association. Sara talks about the ups and downs and how things have changed for the better.

Sara Carnegie (legalwomen.org.uk)



Jelena Madir

Jelena Madir's unique career combines academia with legal advice to Gavi, the Vaccine Alliance. Gavi's mission is to leave no country behind on immunisation programmes and to ensure equitable and sustainable use of vaccines across the world. Jelena joined as General Counsel in 2019, so it wasn't long before the pandemic hit and COVID vaccinations became a priority.

Jelena Madir (legalwomen.org.uk)



Marta Sánchez Merino

Marta Sánchez Merino explains how she moved from training as a judge in Spain to working in the UK as a Cross-border, Tax Legal and Insolvency Practitioner Assistant.

Marta Sanchez Merino (legalwomen.org.uk)



Rachel Brushfield

Rachel Brushfield looks at what career agility is and how to acquire this competency. Rachel is a career coach specialising in portfolio careers and Founder of Energise.

Rachel Brushfield (legalwomen.org.uk)

OPINION



Domestic Abuse and the Latinx Community – Stigma, Status and Stereotypes – by Christine Warner

Domestic Abuse and the Latinx Community (legalwomen.org.uk)

LEADERSHIP



Adeola Adebajo

Adeola Adebajo, an experienced General Counsel and Company Secretary discusses leadership for in house lawyers.

'The big question, however, is how does the GC of today emerge from the shadows of the support business function into the light, where he or she is at the heart of the business's strategic operation?'

Adeola Adebajo (legalwomen.org.uk)

CAREER CHANGES



Olga Hancock

Olga Hancock, an Australian lawyer, explains how a quirk in the university timetable ended up influencing her whole career. Her interest in environmental, social, and governance (ESG) issues and social justice has informed all her work; no longer a fringe issue but now mainstream at many law firms, companies and investors. Olga herself has moved from law to a role as Senior Engagement Analyst in the Responsible Investment team of the Church Commissioners for England, where she leads on engagement with companies and policy makers on ESG issues.

Olga Hancock (legalwomen.org.uk)

You can find all the blogs on our website www.legalwomen.org.uk/blogs.html



I. Stephanie Boyce

We must pay for justice

It's heartening that the FT is raising the alarm over the criminal justice system. Over the past decade, the Government closed half the courts in England and Wales before technology was in place to bridge the gap. News that five Nightingale courts are to close, despite a backlog, suggests lessons have not been learnt.

Recruiting more police officers, stiffer sentencing and rhetoric about being tough on crime is meaningless without investment across the justice system, including legal aid. And it's not just the criminal courts: backlogs are engulfing the Small Claims Court and the Coroner's Court, where a growing number of bereaved families are waiting more than a year for an inquest. People living below the poverty line are regularly denied legal aid by too stringent a means test, and many others face legal issues such as in housing, employment and family law, with no recourse because of cuts to legal aid.

If the belief becomes widespread that there is little chance of people enforcing or protecting their rights, there is little incentive for less scrupulous people to comply with their legal obligations, which is highly damaging to the rule of law. ■

A letter to the Financial Times

I. Stephanie Boyce
President of The Law Society
of England and Wales

Event success for LLST in 2021

Optimism is building at London Legal Support Trust (LLST) for the second half of 2021. The charity, which raises funds for frontline free legal advice centres in London and the South-East, has successfully organised over 13 virtual and in-person events, including a quiz, a virtual challenge, and walking events this year alone, with more to come.

In May, over 125 walkers and runners from 25 organisations took part in the Walk the Thames event, raising a collective total of £15,000. In June, The London Legal 10xChallenge saw a huge range of creative talent being showcased by over 20 teams and included running, cycling, arts and crafts, baking and walking over ten bridges in London, together raising £19,000!

The highly anticipated gradual unlocking of restrictions meant that the charity was able to host nine 'regional walks' in the South-East of England which collectively have raised an impressive £82,000 for local frontline free legal advice charities.

Not forgetting the pawfect pooches that proudly pounded the park for Legal Walkies in the beautiful Greenwich and Victoria Parks in London on Saturday 12 July. The pups and their owners took on a 5km walk and collectively raised over £3,600.

Pacing through to October

LLST's pinnacle event, the London Legal Walk takes place on Monday 18 October this year. The event sees thousands of walkers fundraise for over 100 frontline free legal advice charities in London and the South-East. With over 300 teams already signed up, the 10km sponsored walk in London is LLST's biggest fundraiser of the year. LLST is enormously grateful to all the sponsors and supporters of the London Legal Walk, without whom the event would not be able to take place.

Why We Walk

The mission of the walk is to raise funds for frontline free legal advice agencies that serve people with a range of problems, many of which could be eliminated with the right legal advice. Sadly, legal issues might cause long-lasting effects on peoples' lives if left unresolved. With the right and timely support from free legal advice centres, the issues could be worked through and problems solved.

What can you do to help?

Register a team or as an individual for the London Legal Walk – The deadline to register is 8 October.

You can sign up via the website [HERE](#) or email the team at signups@llst.org.uk. ■





Women in Criminal Law

Talking to women working in criminal law and hearing their passion about it opened my eyes to a surprising perspective. All of them talked of the exceptional camaraderie of criminal lawyers which makes it a career with professional warmth not common in many other areas of law. I wanted to get a feel for the everyday experience and am enormously grateful to all the lawyers who kindly gave up their precious time to give insights into the highs and lows of criminal law practice.



Mary Prior QC
36 Crime, part of the 36 Group. Head of CSR. Woman of the Year WIL Awards 2020, Tier One Leading Silk Legal 500, Vice Chair of Education, Gray's Inn, Chair of the Midland Circuit Mobility Programme. Co-chair of Women in Criminal Law – Midlands.

Mary Prior QC is part of the change that she wants to see; growing up on an estate in Stoke-on-Trent and attending the local comprehensive yet achieving enormous success in her career. Having completed an LLB, she worked in an industry graduate scheme for a year but it didn't suit and she moved on to be a magistrates' court clerk. Here she covered a mixture of work including criminal law. After six years, her employer paid for her to qualify and she chose the Bar course, as the solicitors' course was fully subscribed. At that time there was no financial support for pupillage so she used her qualification by joining the CPS. This was a great learning curve and experience but when she moved to the Bar, unfortunately her experience as a prosecutor didn't count. So joining the Bar she built up her expertise through criminal defence and family work. Mary says it is 'the best thing in the world' and that she can't imagine not doing regular advocacy in front of a jury.

The Upsides are there's no time for boredom and making a difference by acting, often on behalf of people, who wouldn't otherwise have a chance to have their voice heard. If flexible and resilient to deal with the pressure, it is exciting and an intellectual challenge.

The Downsides are that there are always cases on short notice and that brings late night work and possible disruption to personal plans. Court lists are an obstacle; before the pandemic it was common to have many appointments listed for a similar time, say 10.30, but you might not be heard until later in the afternoon. At the very least a process of 'time not before x' is strongly supported by many of the lawyers. All barristers have their tales of traipsing round the country for appointments which are held late etc. yet the chargeable fees can never justify the whole day out.

There's also an issue with a gender pay gap in criminal law. Typically, women are often allocated sex offences and domestic

abuse work, which is often less well paid than fraud, guns and drugs cases. To influence work allocation there are Bar Council and BSB policies on how this approached in chambers but in reality, there needs to be real 'buy-in' and understanding of the implications of allocating briefs. This also applies to the instructing solicitors/organisations. The CPS has recognised this and is working on a new Briefing Policy to ensure that it instructs across the board. Often this comes down to the granularity of the data. When it is insufficiently detailed, it is difficult to see what is happening clearly.

Does a criminal practice combine well with being a parent?

Mary Prior has five sons and earlier in her career, limited the geographical area where she would work to ensure she could be at home when she wanted to be. As barristers are self-employed, it is entirely reasonable to block out parts of your diary e.g., summer holidays, religious festivals etc. Barristers do this for all sorts of reasons family commitments or to pursue another passion, such as writing a book, a secondment to the SFO or travelling. Of course, personal finances may be a barrier to how easily this can be done. However, in Mary Prior's view flexibility in terms of so many hours or days a week would be almost impossible in criminal work at the Bar.

Mary Prior's key advice is whatever you are doing 'be fully at work or fully with your family'. Anyone considering applications check the websites and consider the retention figures. This should give a good indication of the chambers' policies.

Changes for the future?

Virtual hearings for administrative matters, bail applications and legal argument in many cases are a welcome initiative which should be retained.

Access to Justice

Worrying numbers of representatives have been lost to the profession during the pandemic. Many junior barristers had no work or support and were forced to find alternative employment. Equally pupillages were on hold and so there has not been the usual throughput of new people qualifying. Everyone needs to work hard to rebuild the expertise, ensure there are systems to support parents staying.



Amanda Pinto QC
33 Chancery Lane; Chair of the Bar of England and Wales 2020; Co-author of Pinto & Evans on Corporate Criminal Liability 4th ed 2021; Appointed to the Panel of Recognised International Market Experts in Finance ("P.R.I.M.E. Finance") 2021; Recorder of the Crown Court (part-time Judge in serious crime); Bencher of Middle Temple; Champion of the First 100 Years Project;

Amanda Pinto initially did not choose criminal law but, after

pupillage, she moved to a set which specialised in criminal law and found that she loved advocacy and being in court every day. The attractions of criminal law were the mixture of intellectual challenge and a clear human interest of the work. Whatever the crime it is always of importance to the individual and any conviction has consequences. She enjoyed being quick-witted and having to respond to unexpected changes in court. However, it is clear that it is highly pressured work.

Amanda Pinto also indicates the necessity, particularly as a junior, to get up very early and travel all over the country (although this also contributes to the variety of your week). You don't have quiet preparation time until you are fairly senior, so all preparation is in addition to your court work. When joining the Bar women were not welcomed and there was no element of helping her nurture her practice. Senior women were and are particularly rare. Tellingly, the first time Amanda Pinto had another female silk involved in one of her cases was in 2018 (despite twelve years of practice since taking silk in 2006).

Amanda Pinto feels her best decision was to stop accepting domestic abuse and sex cases. These cases are often offered to women with the view that they will be able to relate well to a female victim or that somehow a female advocate will make the defence of a male perpetrator more credible. It is a very personal choice as some barristers choose to specialise in this work. In developing her practice, Amanda Pinto made herself more visible by writing the book on *Corporate Criminal Liability* and this in turn led to instructions.

Tackling barriers for women

Although barristers are self-employed promoting the chambers overall can benefit all the tenants with an increased flow of work. If everyone in chambers is promoted it is better for the set overall as well as the reputation of the Bar. Many chambers are becoming more structured in their organisation and this can help keep everyone's careers in mind and ensure that they are sufficiently nurtured at the early stages of their career. This creates confidence in the individual which is part of the retention issue. If someone enjoys their career and feels supported, then they are more likely to want to continue (or return if they take a break).

Amanda Pinto emphasizes the importance of detailed data to get a clear picture of how and what is happening to formulate a strategy for change. She promotes:

1. acknowledging the problem
2. quantifying it
3. working on it

Often people think things are progressing better than they are. Although there the Bar Standards Board has rules concerning monitoring and allocation of work, simply presenting a choice of diverse barristers to the instructing body is unlikely to bring about changes in itself. There needs to be an active commitment to promoting those barristers from less well represented groups. The BSB 2020 report shows the inequality of earnings by gender and ethnicity, highlighting the impact of intersectionality is clear. This is acknowledged and quantified. Now it is up to the Bar Council and the BSB to work with the Institute of Barristers Clerks, the Legal Practice Managers Association, Criminal Bar Association and approach those groups that instruct the Bar to make change happen. This can be through liaising for example with The Law Society, the Crown Prosecution Service, the Serious Fraud Office etc.

Amanda Pinto is clear that losing capable women is a disaster for the Bar and society; attracting women to the profession and

retaining them needs to be mainstream. Her advice to all women persevering is 'Stick at it – it's worth it'.

Income-at-the-Bar-by-Gender-and-Ethnicity-Final.pdf
(barstandardsboard.org.uk)



Jemma Sherwood-Roberts
Partner, Constantine Law

Why did you decide to specialise in criminal law?

I always knew that I wanted to work in an area of law that impacted individuals. Criminal law has an obvious direct impact on those involved. It is the only area where I believe you can really lose everything – your reputation, sometimes money, family, friends and at worst, your liberty. I thrive on helping people get through one of the hardest parts of their lives. I always say to take it one step at a time. The end picture can just be too big to handle. For businesses impacted by a criminal investigation, it can bring devastating consequences to its reputation and can sometimes end a business and associated lifetime career. The importance of good legal representation in a criminal investigation cannot be understated.

What are the pros and cons for you professionally and in terms of balancing with the rest of your life?

I have recently joined Constantine Law, which is an agile firm and consists largely of consultant Partners, i.e. we are self-employed experts in our field. This allows me to balance my work and life as I see fit. It is a refreshing way of working – mainly at home but with office space available when required. Unfortunately, I do think that no matter the working structure, being a lawyer inevitably sometimes means working longer hours but with Constantine Law, I can choose when to be Mum and when I need to knuckle down and work those longer hours. The other stressor can be when there are unexpected events, such as police station visits which can last hours. It is important to have a good childcare support network for such inevitabilities!

Do you think there are more obstacles for women than men in advancing as criminal practitioners, if so, what are these?

I think that sometimes there is a pressure on women returning to work after having children, to work as if nothing has changed. They feel that they must be able to do the same hours and offer the same level of flexibility to attend late client meetings, marketing evening events and other spontaneous bookings at the drop of the hat. This is despite having small people to look after at home. Plus they are likely to be dealing with the emotional baggage that the return to office can bring. I have always been lucky in that, even when employed, I was given helpful flexible working patterns which helped. Employers also need to be mindful of the other pressures on working parents. I have recently set up a group called Parents Working in Legal Practice, (www.pwilp.com) which I hope will help us legal parents find useful tools and support. Ultimately, there is no reason why you cannot be a mum and a brilliant lawyer. In fact, I think it probably makes you even more resilient and driven to succeed, it might just need a readjustment in the way you work.

More generally, I do think some firms still struggle with gender equality, but I see many female partners in the industry now and I have never personally felt that my gender has restricted me from progressing in my career.

Continued on next page

Continued from previous page

Are there any changes to practice (in law firms or the courts/chambers) which would help?

Overall, I think this comes down to a question of flexibility and awareness that people are dealing with various situations in life. Traditional structures do not always offer flexibility, and people are just expected to continue working as if their personal life is not affected. I hope that one good thing to come out of the pandemic will be the awareness of the need for a healthy work life balance, with more working from home and more flexibility to be at home with those you love.



Janem Jones and Gwenyth Richards
Criminal law practitioners at Williams and Bourne, West Wales solicitors

The beauty of living in rural Wales for Janem, is walking down to the sea at the end of the day to relax, however, the enjoyment of doing criminal work is tricky to balance, as there are now so few criminal practitioners locally. This means there are ever-increasing calls at unsociable hours, when acting as duty solicitor and (pre-pandemic) frequent travelling around the county. The scenery is magnificent, but the pay is inadequate and certainly doesn't compensate appropriately for driving up to four hours a day.

Ceredigion is approximately 1703 square kilometres with a population of 72,992 and only three duty solicitors available, Janem fulfils one of these roles and is full of praise for her 'outstanding female trainee solicitor' who is already an accredited representative and a committed criminal defence practitioner and so takes her turn on the rota. In the past, there were three times as many solicitors in Ceredigion who participated in the duty solicitor scheme which spread the work more evenly. Typically, solicitors had a mixed practice and acted as duty solicitor perhaps once a month. With the current three



Work-life balance in Wales



Ceredigionshire is a rural county covering 1,703 sq km.

accredited representatives, it means the shifts come round far more frequently: each person is on duty every 3 days from 5.30pm – 9.30am the following morning on weekdays and from 9.30pm to 9.30am the following day on weekends.

During the pandemic, there has been extensive use of online advice to defendants, and when needing to attend court, there have been specific times for each defendant. This has been an extremely welcome innovation, avoiding the wasteful hanging around court for the lawyers and defendants. When the defence solicitor has more than one case, the cases have been listed consecutively, again a significant saving of time. Although this was arranged for the pandemic, it should be seized as an opportunity for the future. Both Janem and Gwenyth believe that more solicitors overall will be attracted to criminal defence solicitor work if conducting police interviews continue online. For female solicitors, this is even more so, as it is often women who have caring responsibilities that make it impossible to travel without careful planning.

Gwenyth intends to continue with a mixture of private client and criminal work after she qualifies in September. She likes the variety of clients and finds criminal law is an insight to human motivation and the workings of society. It's a rewarding part of the job to help people desperately in need and getting to know the reasons behind offending gives her an understanding of crime. In her experience, a very high percentage of the crime is due to social reasons and often carried out to protect their families.

Criminal work may not be particularly well paid, but it does mean there is a steady flow of work as so few other lawyers are currently providing this service. For Gwenyth, it provides an interesting change to the rhythm of her day (and less welcome, sometimes her nights) when something has to take priority. The duty rotas do come round more quickly than Gwenyth would like and she tries to avoid appointments the following day in case she has had to make a round trip to the Aberystwyth police station during the night. As with Janem, Gwenyth loves living in such a rural area and as we are all now acutely aware of the personal wellbeing benefits from being surrounded by nature.



Ann Crighton
Direct Access Barrister

After many years as a solicitor at the CPS, Ann transferred to become a barrister. It was straight-forward given that she had already acquired significant advocacy experience. Rather than stay with a set of chambers, she prefers to work alone managing her own practice. She describes herself as an 'Uber style barrister', in other words, clients instruct her direct and she handles the case from start to finish. It is cheaper for the

client without an instructing solicitor, and without the formality of a set of chambers there are few overheads to be passed on.

Ann specialises in motoring law which is privately funded. As a result, she has fixed dates for hearings in the Magistrates Court and for appeals to the Crown Court. She says this is a massive bonus for anyone wanting to organise their life, unlike those dealing with the uncertainties of 'warned lists'.

Ann believes her business model works incredibly well for niche areas of law and relishes her work. She likes the variety of people she meets and travelling to different places (excluding the pandemic lockdowns) 'If I have any regrets, then it is not becoming self-employed years ago'.



Lloydette Bai-Marrow
Founder Parametric Global Consulting

Lloydette qualified as a solicitor with the Government Legal Service before working with the CPS and then the Serious Fraud Office.

The breadth and depth of her experience as a criminal law specialist put her in a perfect position to found her own business, Parametric Global Consulting.

As with all the criminal specialists LW spoke to, the importance of being completely familiar with criminal procedures and extensive advocacy experience is a must before specialising. Lloydette encourages junior practitioners to be proactive and evaluate their own performance. She would go over her advocacy in her head on the journey home to be sure that she felt she was on a constant upward spiral and says 'it's important to recognise what you've done well and which elements you feel you could improve on'. But she warns 'don't take yourself too seriously or the responsibility will weigh you down'.

Criminal work is long hours and as with any area of law it can become difficult to find time for the other things you want to do in your life. Lloydette loved her work at the SFO and certainly there was a degree of flexibility; at the SFO work was generally concentrated on one or two complex cases for long periods of time so it was quite different from a day in the magistrates court where you might be processing and presenting numerous cases. To achieve flexibility Lloydette recommends ensuring you communicate clearly and manage expectations up and down the hierarchy. If you need to collect your children, simply say so and make sure people know how to contact you if necessary, much better than hoping no-one will notice. Making it clear that you might not be present but you are most certainly working, is an approach many lawyers have transferred to (and of course has been essential during the pandemic), although the difficulty with this approach is it's not healthy to be available on call all the time. This is still an issue the profession needs to wrestle with and, as people cautiously return to offices, it will be interesting to see the approaches to presenteeism and how to keep a level-playing field with others working elsewhere.

For aspiring and junior lawyers, Lloydette's advice is:

- Be bold – why not reach out to someone for a 'virtual coffee' – you might be surprised how receptive even the busiest practitioners can be.
- Join networks (see our suggestions to the right of this page)
- Be curious – read voraciously and follow people or organisations that interest you. ■

Criminal Law: recommended groups to join

Joining groups is an excellent way of widening your network, gaining greater insight of your area of law and acts as a source of support. If you can recommend additional groups to join, please let us know info@LegalWomen.org.UK so we can add the groups to *Communities* on our website.

Women in Criminal Law

Membership is open to any legal professional working in criminal law with groups in London, the Midlands and the North West. It has an education function, support and socialising. There is a database of mentors and mentees, support for 'Lawyers and Little Ones' and a recently formed Race Equality Committee to look at intersectionality issues. The overall is: *'We are committed to providing a voice for the thousands of women who work in the criminal justice sector – connecting and promoting women across the profession.'*

Full details of its mission can be found on the website: www.womenincriminallaw.com.

Women's White Collar Defense Association

The Women's White Collar Defense Association (WWCDA) is a coalition of women lawyers and other professionals who specialise in the white-collar criminal defence field. The WWCDA promotes diversity in the legal profession, facilitates networking and business development, and provides educational programming. Membership of the London chapter is open to senior women lawyers/consultants with a demonstrable track record in white collar defence work. The London chapter also has a Young Professionals group for future leaders in the field. www.wwcda.org.

Women in Ethics & Compliance Global

This group includes personal one-to-one introductions, mentorship programs, writing opportunities, and exclusive events hosted by WEC Global and our members. You must be working, studying, or teaching within the areas of compliance, ethics, integrity, human rights, law, or such related fields. The full eligibility criteria is on the website. www.wec-global.org.

There are also groups not specifically aimed at women which may be worthwhile investigating for your network:

Young Fraud Lawyers Association www.yfla.com
Association of Corporate Investigators <https://my-aci.com>

Being an active member of your professional body also enhances your network and most have criminal law associations. ■



Complainer anonymity: Scots law in need of reform

In many jurisdictions around the world, complainants in sexual offence cases have a right to anonymity.

This is the position in England, Wales and Northern Ireland, where identifying a complainant in a sexual offence case is a criminal offence. Complainants in sexual offence cases are similarly protected in the Republic of Ireland, Canada, Australia, New Zealand, India and Bangladesh.

In Scotland, however, complainants have no automatic right to anonymity. Statutory provisions which apply in England, Wales and Northern Ireland do not apply to Scottish complainants.

The Sexual Offences (Amendment) Act 1992

The Sexual Offences (Amendment) Act 1992 provides lifetime anonymity for complainants in sexual offence cases. Section 1 of the Act states that, where an allegation has been made that an offence to which the Act applies has been committed against a person, no matter relating to that person shall be included in any publication during that person's lifetime, if it is likely to lead members of the public to identify them. Section 2 of the Act then lists the offences to which this Act applies, which includes most sexual offences recognised by the law of England and Wales and the law of Northern Ireland.

It is important to understand that the 1992 Act does not protect Scottish complainants. Scottish publishers are prohibited from identifying complainants in cases elsewhere in the UK. However, no Scottish statutory or common law offences are included in the list of sexual crimes to which a right of complainant anonymity attaches. This means that Scottish complainants do not have the same rights as complainants in England and Wales or Northern Ireland.

Scotland's legislative gap

In terms of the protections available to Scottish complainants, under section 11 of the Contempt of Court Act 1981, an order can be made which allows the court to withhold a name or other matter in connection with court proceedings. However, these orders are not automatic and are not commonly used in sexual offence cases in Scotland. The media is also bound by the Editors' Code. The Code provides that complainants should not be identified by the press 'unless there is adequate justification and they are legally free to do so'. Journalists may therefore be ethically and professionally constrained from publishing information which can lead to the identification of complainants – but ultimately this is simply an ethical code and is not legally enforceable in our courts.

As a result of this legislative gap, the anonymity of complainants in Scottish sexual offence cases is legally precarious.

For example, in 2015, a Scottish newspaper published an article which reported that an accused had been found not guilty of a sexual assault. The complainant was named in the article. He subsequently complained to the Independent Press Standards Organisation (IPSO) alleging a breach of the Editors' Code. He explained that the article caused him significant upset and that his family and friends found out about the incident by reading the report in the press. The newspaper noted that no order had been made under the Contempt of Court Act in this case and that, while it is usual practice not to name complainants, there is no statutory provision which provides for a right to anonymity in Scotland. While IPSO did find a breach of the Editors' Code, this case demonstrates the risks associated with this legislative gap. With no section 11 order in place and no statutory right to anonymity, complainants are reliant on the professional regulation of the media.



express legislative protection for complainant anonymity was recommended. These are positive signs and we are calling on the Scottish Parliament to build on this momentum and to close this legislative gap as a matter of urgency.

Ultimately, we believe that complainers in Scotland deserve the automatic right to anonymity in sexual offence cases, and we will continue to campaign until this is the case.

If you want to learn more about the Campaign or support our work, please visit <https://www.caledonianblogs.net/campaignforcomplaineranonymity/> or follow us on Twitter @Campaign4CA. ■



Seonaid Stevenson-McCabe
Lecturer in Law
Glasgow Caledonian University



Annabel Mackay
LLB Student
Glasgow Caledonian University



Emma Smith
LLB Student
Glasgow Caledonian University

Additionally, the growth of social media has created complex issues regarding anonymity. It is no longer only trained journalists regulated by professional bodies who have the ability to report to a wide audience. In 2018, a Belfast man was prosecuted for violating the anonymity provisions of the 1992 Act on social media in relation to the 'rugby rape trial.' Similarly, nine people were fined in accordance with the 1992 Act for publishing material likely to lead members of the public to identify the complainant in the rape trial of footballer Ched Evans.

While there are criticisms to be made of the 1992 Act in the context of new media, these prosecutions demonstrate that it is possible to rely on the Act to prosecute social media users who identify complainants in England and Wales and Northern Ireland.

In Scotland however, where this statutory protection does not apply, the only way to protect complainant anonymity is, as noted above, through an order under the Contempt of Court Act. In the recent trial of Alex Salmond, such an order was made on the second day of the trial. This meant that two individuals could be prosecuted for violating that order when they subsequently named the complainers on social media. However, it is important to remember that in most sexual offence cases these orders are not made. This results in a significant weakness in complainant protection.

The Campaign for Complainers Anonymity

This legislative gap is why we founded the Campaign for Complainers Anonymity (CCA). The CCA is a collaboration between Glasgow Caledonian University law students and staff. We believe that the current system in place in Scotland is problematic. We are therefore campaigning to change the law.

We launched the campaign in October 2020. Since then, we have built our dedicated campaign website, which plays an important public legal education role on this issue. We have also undertaken comparative research, learning how complainers are protected in other jurisdictions. We are committed to not only changing the law but to learning lessons from other countries, so that Scotland can become an example of best practice.

We are starting to see support for change. In the Scottish Parliamentary election in May, four out of the five main political parties supported some degree of reform for complainant anonymity law in their manifestos. In the recent report from the Lord Justice Clerk's Review Group on improving the management of sexual offence cases, the introduction of



LW on Leadership



Do the best leaders have a natural ability, or can it be learned? At what stage can you demonstrate leadership skills, or if you don't feel you have them now, how do you acquire these skills?

LW asked a wide group of Legal Women these questions and more, to get an insight into what leadership skills are valued in today's world and it's clear that the old style 'I'm the boss' doesn't create a work environment attractive to many, except perhaps the boss! Even then, the reality is that an autocratic style means the business is likely to take a nosedive in profitability due to missing out on new ideas and/or clients sooner or later. So,

listening to staff and actively creating the right sort of team you can lead, gives any business a competitive edge.

The following pages capture the views of Paralegals, former Law Society Presidents, CILEX and its former President; lawyers working in Chambers, In-House, Third Sector (charities, public service etc) and private practice law firms. We would love to know your views; what leadership means to you and the extent to which it measures up in your workplace. Let us know on twitter, LinkedIn or Instagram or if you prefer not to have your name publicised email Legal Women confidentially. ■

Leadership: view from Paralegals

The Quick Read

Paralegals are often brought in for specific projects but the variety in leadership styles was a clear issue for many. The more the paralegal feels part of the team and is brought on board by the leader, the more motivated they are and the more they are able to contribute. As business and technology develops involving new people often results in startling new perspectives.

Paralegals reported demonstrating leadership by spotting ways in which the firm could develop (often technology or resource gaps). Initiative and having a wider view are fundamental leadership skills. Two paralegals who have shown this initiative by setting up networks give their views below.

Lotus Kimona
 Founder of T.P.N – The
 Paralegal Network



What do you value as leadership skills?

Integrity, humility and correction (*flexibility to respond to ideas*). Someone who acts with integrity in what they do as well as expecting you to do the same. I believe a leader is humble, recognising their mistakes and owning up to it when it happens and being able to admit when they are wrong. Also, recognising that their way may not be the best way! Finally, someone who can take constructive suggestions and give constructive suggestions in a respectful manner, bringing solutions and encouragement to team members.

How are these skills nurtured / developed in staff?

There are skills that can be developed in staff with the right policies in place and the right people in management positions. Management that can recognise the needs for each individual and can make decisions fitting for everyone. Allowing staff to grow and opening doors for opportunity within the workplace. Giving them responsibility to showcase their potential and work ethic.

Do you think that the leadership skills valued by senior and junior staff are aligned?

This depends on the company. From my experience, some are aligned and some are not.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

Yes, due to people working from home and being out of the office environment. If no proper measurements were put in place, then there is less support from management. Especially for those who had started training contracts and were being supervised over the phone or not much at all. ■

Mine Toufeq
 Co-founder of Legal Jargon,
 Deputy Chair of Association
 of Women Solicitors
 (London)



What do you value as leadership skills?

- Respect i.e. self-respect and respecting others regardless of differences.
- treating others with dignity, empathy and compassion.
- Having a vision that will make a change, be achievable and is considerate of the wellbeing of the people they work with.
- Passion for their role and team.
- Diversity.
- Ability to influence and motivate themselves and their team.
- Transparency and honesty.

How are these skills nurtured / developed in staff?

- Training leaders on the values and importance of the wellbeing of their staff.
- Listening to concerns and ideas of everyone regardless of the hierarchy.
- Encouraging staff to bring ideas to the table and implementing them.
- Being honest and giving constructive criticism.
- Valuing the team for the strengths and ideas not individual backgrounds.
- Implementing policies to make the workplace friendly enough for everyone, regardless of their background or circumstances.

Do you think that the leadership skills valued by senior and junior staff are aligned?

Yes.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

Yes. I believe what we expect from leadership has changed. A leader is now someone who is flexible and emotionally more in-tune with their staff. A leader is not just required to supervise or set tasks but to come up with more creative ways of working and accommodating staff needs. ■

What makes a good leader?

While women have made up over half of practising solicitors since 2018, the profession continues to be led predominantly by men. The Women in Leadership in Law report from March 2019 found that the perception of unconscious bias was identified as the main barrier for career progression. One of the themes found was that women do not fit into the traditional image of a business leader, which can often hold them back. However, the perception of effective leadership is rather narrow, and does not always match up with the actual traits required to be an effective leader.

As a junior solicitor who is also in a position of responsibility, I feel well placed to offer a helpful insight into what qualities actually make a good leader. I know how I would like to be treated by those who are more senior to me, and I endeavour to exemplify these traits myself. So, without further ado, please see below my top traits of what makes a good leader.

Emotional intelligence

It is vital for leaders to have a good understanding of the people and the company they are leading. Leaders need to be able to identify people's strengths, which allows everyone to work together in a way which benefits the team as a whole. Leaders also need to understand a firm's culture in order to motivate people in a way which inspires them. Leaders should not be frightened of asking employees what they would value, as this provides an all-important insight into your team's culture.

A team is likely to be filled with many different personalities. In order to lead a team on a long-term basis, leaders need to ensure that they do not outwardly take sides, and instead make all individuals feel at ease (unless the matter is particularly serious – see below). By being non-judgmental, leaders can ensure that they care for all the team, not just the most outspoken members.

The confidence to make hard decisions

Sometimes, a leader must face a difficult decision, and it is vital that they have the confidence to act. For example, if a partner in the team commits sexual harassment in the workplace, a leader should be willing to take appropriate action. This may result in negative consequences, such as the partner leaving and their associated workstream falling away, but is necessary to ensure that the team is properly protected.

As leaders are often in charge of strategic decisions, they need to be open-minded. For example, the teams which have flourished most during the pandemic are those with a leadership team which was willing to consider flexible working and embraced the benefits this new way of working offers.

Is legal knowledge necessary?

A good leader's skillset does not necessarily need to have direct relevance to the goals of their team, although this is likely to be useful to understand how the team functions. However, leaders will need to have the confidence of those working below them, and it may be that being a leader in their field inspires those below to trust their decisions.

Does a leader need to be senior?

Many people have leadership skills irrespective of their seniority. As leadership skills are transferable, these may have been built up in a previous career or through other activities.

However, leadership skills are generally refined through experience, and while juniors may have the requisite attributes, they need the experience and opportunity to demonstrate such skills – which usually doesn't come until you are senior. One way to help train junior staff is to provide them with roles of responsibility.

An important element of being a leader is leading by example. For example, the culture of a firm is often led by those at the top. If a CEO demonstrates an acceptance of discussing mental health, perhaps by discussing the difficulties they themselves have faced, it will give their employees confidence that they can speak up about their own mental health struggles. While a leader does not need to be senior, they should have the respect and confidence of those who are being led so that they can properly lead by example.

Integrity

Many people can be effective leaders, but to be a good leader, you need integrity. Leaders often chart the course of an organisation, and by acting with integrity, leaders inspire others to follow in their footsteps. Leaders who act with honesty and loyalty encourage their employees and often have repeat customers.

How to support junior lawyers

Junior lawyers want a leader they can learn from, who supports them and will actively encourage and trust them to try new things. Once a junior lawyer has proven themselves to be capable, micro-managing them is likely to be frustrating and may lead to a decrease in motivation and productivity.

Juniors want to feel supported in a non-judgmental way to allow them the space and opportunity to become the best they can be in the workplace. A junior lawyer should know that they have the support of their leader, and that they can trust them and turn to them should something go wrong. It is the role of a good leader to provide them with that environment.

Do the skills required remotely differ from those in the office?

As all of the above skills listed are soft skills, a leader possessing these skills should be able to fit into any situation. A good leader should therefore be able to lead regardless of whether they are working remotely or in the office. However, leaders should consider if any of these skills are hampered by working remotely, such as communicating with your team, and should actively work to counteract that. For example, if a leader normally speaks to everyone in a team to ascertain their workload, but is unable to do that online, they should make sure that they implement a different method for ascertaining how busy everyone is. ■

Suzanna Eames, Vice-Chair of the Junior Lawyers Division and a Family Associate at Farrer & Co.



Leadership: view from associates in private practice

The Quick Read

Can I be a leader as an associate in practice?

Absolutely, you can demonstrate skills by leading on projects at work, supporting other staff or taking on roles outside work which develop your leadership skills. There were particularly rave reviews from associates about learning how to lead by participating in legal or non-legal committees. Working in voluntary groups requires strong leadership as no-one is obliged to listen to you and will only do so if you develop skills to encourage, inspire and involve people to get things done.

Many associates did not feel their leadership skills were recognised so proving them outside work is empowering. Clearly in some firms there is difficulty in finding the balance between micro-management (intensely disliked) and feeling unsupported. Communication is vital and initiating this conversation is in itself demonstrating leadership.

Thanks to all the associate leaders who spoke to LW.



Caroline Clark
Consultant, Litigation and Regulation/Head of Knowledge at Bellwether Green, Legal Trainer at Kinch Robinson

What do partners in law firms value as leadership skills?

Above all, I think partners in law firms value communication as a leadership skill. Poor communication is the source of so many negative outcomes – conflict, misunderstanding, apathy and demotivation. On the other hand, good and effective communication within leadership breeds success.

Partners in law firms need to be leaders but they also need to be able to delegate leadership by empowering others - by trusting their associates, more junior lawyers and support staff to be leaders in their own right within a law firm. In that respect, partners value individuals who demonstrate good communication skills and also honesty, empathy and self-awareness.

I think the basic matter of “getting along” with the leader is essential. Each person knowing where they stand is important too – this assists in recognising the boundaries on each side of the relationship. Mutual respect is essential. Having these things as a starting point bodes well for effective ongoing leadership.

How are these skills nurtured / developed in staff?

Harnessing a culture of openness and positivity in the workplace is key to nurturing and developing good leadership skills in staff. Recognising the need for explicit feedback and encouragement within the process is essential. This is something that can easily go amiss in the everyday hustle and bustle of a law firm, but it is important and should be consciously remembered and deployed.

Do you think that the leadership skills valued by senior and junior staff are aligned? If not, how does it differ?

It depends. There needs to be a willingness on the part of senior staff to tune in to the needs and priorities of more junior members of the team. Such an approach is very motivating meaning that more junior team members are inspired to deliver their best work with a good attitude. A failure of senior staff to properly contemplate (or remember!) what it is like to be more junior will lead to a disconnect. Whatever the level of leadership, shared trust is essential – one slip-up on that front can be fatal to the

relationship and can have wider consequences for the law firm.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

Yes, definitely. The pandemic has triggered an opportunity for leaders to show their true worth. Successful leadership in such challenging times is hugely valued and will be remembered. The same goes for poor leadership.

I also think that, more recently i.e. compared to when I started practising over 15 years ago, the development of a culture of diversity within law firms has changed the way leadership is viewed and valued. First, there is more recognition of the value that can be garnered from leaders being at all stages of their legal careers. Second, women within the profession are being championed as leaders more than ever before. Lastly, law firms are now generally more committed to leadership being immersed within their wider diversity agendas and they rightly want that to be visible to their clients and competitors.



Laura Uberoi
Senior Associate at Macfarlanes, Council Member of The Law Society of England and Wales

What do partners in law firms value as leadership skills?

One of the queries that often comes up during the partnership process is whether others want to work for you. We are schooled very early on in our careers about the importance of team-work, however a key part of leading a successful team is having people who want to work together and work for you. You cannot pretend to be invested in your team, you have to genuinely care – about the learning opportunities and career development ensuring that they are properly supported and taking ultimate responsibility for the services that your team provides.

Continued on next page

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How are these skills nurtured / developed in staff?

Everyone should be schooled from an early stage about the importance of the team. When I first qualified I worked for a fantastic partner who said to me that I should have confidence in my work because if something did not go to plan then he was responsible and would stand up for me. However, in return he asked that I always take responsibility for the juniors working for me, so that when a member of the team has a question, or mistakes are made (as they inevitably are), the juniors feel comfortable approaching me. It is the first lesson that I now always pass on whenever someone new joins my team.

Do you think that the leadership skills valued by senior and junior staff are aligned? If not, how does it differ?

Over the years I have seen a variety of approaches to what firms across the country view as strong leadership. One of the items that interests me the most is a common approach that many juniors have of believing that they should be aggressive with any other lawyers, or that team work is important with colleagues inside their firms, but that lawyers outside of their firms are “the enemy”. One of the reasons that I became involved with the Law Society was to broaden the network of solicitors so that, first and foremost, we realise that we are part of one profession and to break down the misconceptions of “us” and “the other side”. For me, team-work is not just about the team at my firm working well, it is also about working well with the other firms and professional advisers working on a matter – ultimately this is the most efficient approach for clients, at least on the transactional matters that I work on. As such, whenever a new transaction starts I always pick up the telephone to the solicitors acting for the other counterparties to start building the relationship early – I even had a senior lawyer at a large firm recently comment that I was “friendly for opposing counsel”! In short, I think an early leadership lesson that juniors are now starting to learn is that the key to being a good leader is to building good relationships with everyone that you will work with.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

The advent of the Zoom/Teams call has meant that we see all of our colleagues in a much more human way, because we are now exposed to everyone in their natural environments, often with children / partners / pets wandering around in the background. This has meant that leaders have had to be much more attuned to the other responsibilities and concerns that colleagues are experiencing, even if not immediately work-related. Good leaders have always been interested in their team-mates as “a whole” any way and invested in them to ensure that they reach fulfilment in all aspects of their lives. However, now that daily video-conferencing live from our own homes is an unremarkable event, I think that juniors are realising that it is acceptable to bring their “whole selves” to work and that leaders are looking for this. ■

Associates are less comfortable than partners about publishing their views and here is one set of answers which LW were asked not to attribute. Thank you anyway!

What do partners in law firms value as leadership skills?

Partners value your contribution to the firm. However, often the focus is on technical skill and financials with leadership and management skills being secondary. Consequently, there is a risk of these skills being undervalued. However, it is important for the law firm as a business to have lawyers with strong leadership skills. A great leader will have excellent people skills,

communication skills and management skills as well as being a great lawyer.

How are these skills nurtured / developed in staff?

You learn most of the skills on the job. There is a reason why many people felt like they are losing out on their learning and development during the pandemic. There are many things that we have been unable to learn by osmosis or learn by doing it as part of the day-to-day job. We have also had to learn a variety of new skills in the pandemic. There have been lots of training sessions to help lawyers develop their technical and leadership skills. However, there is only so much you can learn by sitting in a training session on zoom. To properly develop your leadership skills, you need to give it a go and practice them.

Do you think that the leadership skills valued by senior and junior staff are aligned? If not, how does it differ?

As a more junior solicitor you value working with a partner who can inspire you and be a role model as well as teach you great technical skills, people skills and leadership skills. You are looking to your leaders to show you how to be a great leader. Lawyers are often not taught how to be great leaders – but we should all want to be one. However, the more senior you get, you will learn more about yourself as a lawyer and as a person and this will influence your approach to leadership skills and which aspects of the job you enjoy and/or you excel at and which you want to leave to someone else.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

One thing that I think the pandemic has shown is that leadership doesn't always mean being the loudest person in the room or the person who is always talking. Leadership and contribution can take many forms. ■

Would you like to feature in Legal Women?



To advertise in Legal Women, please call **Catherine McCarthy** our Business Features Editor on **0151 236 4141** or email **catherine@benhampublishing.com**.



There was an historic moment in 2018 when the Presidents of the Law Societies of England & Wales, Scotland and Northern Ireland were all women for the first time. (L to R: Christina Blacklaws, Alison Atack, Eileen Ewing).

View from Former Presidents

The Quick Read

Being a leader requires empathy and strategic thinking. The lack of alignment with junior staff often arises from a lack of communication and support. Leaders who live the values of the organisation attract good talent, those recruits in turn contribute and it creates an upward cycle of success. As a leader you have an opportunity to make your voice heard but listening to others is as important to your personal success and the success of the business.



Alison Atack
Former President of The Law Society of Scotland 2018/2019

What should be valued as key leadership skills?

Technical skills are an absolute necessity in a legal firm but critical –thinking skills required for leadership are just as essential. The best leaders know where they want to go, plan how to get there and persuade others to follow. There is an independence of mind and a vision of the future requiring analytical strategic skills, warning of potential problems/solutions, listening and understanding the mood. A clear blue-sky thinker who regularly takes time out to decide how to fight the battle before it even begins and persuade others to follow. It is not necessarily the senior or a manager in the firm but someone with vision, inspiration, motivation and who brings all components together making the whole more valuable.

How are these skills nurtured / developed in staff?

The Human Factor – Leadership focuses on one essential resource, the firm's people, as diverse as possible; ensuring each one has the correct capacity to do the task. The Leader must be a good judge of all team members and know how to motivate, make eye contact, be seen and talk face to face at every opportunity. Leaders will ensure that the objectives are clear and known by everyone who needs to know, with a common purpose of managing excellent client service delivery and profitability, standing back from the detail. Help staff "buy in" by allowing consultation and involvement in the creation of the plan.

Morale and well-being – maintain high morale, self-respect, discipline and confidence, limit undertakings for which the team members concerned are not ready or appropriately-trained. Leaders must also watch their own morale of course and radiate confidence. The Leader should know the team well and talk regularly to them to check their well-being and continued good mental health.

Training for Leadership – a good training regime is essential to nurture the future leaders of the Firm. In my experience this is not given any serious priority at the Degree/Diploma stage, at least in Scotland. I feel there should be more educational emphasis

given to managing a legal firm e.g. cashroom, accounts, budgeting, professional regulation etc. Lawyers en route for leadership roles in some of the larger firms do have a training programme but it is not extensive and mostly comes after the decision to promote has been taken.

Do you think that the leadership skills valued by senior and junior staff are aligned?

I have seen many cases where they not aligned. This is essentially where leadership and the culture of the organisation do not reach out to the staff nor provide sufficient nurturing and training.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

Leadership during Covid has inevitably changed without face-to-face meetings and team events. Usually one of the most important functions of a good leader is the ability to eyeball the team and discuss long-term ideas, look for signs of agreement, unhappiness, mental health and other health worries. However, everyone has adapted to virtual meetings and some people find it easier to voice ideas online rather than in a large Board Room setting.

Good leadership would have in place a Disaster Recovery Plan in any event to deal with IT, communications, personnel, offices etc. but nothing would have prepared businesses for months of lockdown, illness, self-isolation etc. Globally, business including the law has been forced to find alternatives to keep going. There will be a legacy of the use of technology to facilitate flexibility and agility in the future

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Christina Blacklaws
President of the Law Society of England and Wales 2018/2019



What should be valued as key leadership skills?

I believe successful businesses have moved away from the 'command and control' approach to leadership to one where leadership can actively display empathy and compassion, great communication and engagement. The best leaders I know are active listeners who are humble enough to know that there is wisdom from others and savvy enough to understand that they need to focus on elevating that talent in the business. Leaders also need to inspire and have a vision – they need to be creative, purposeful, ethical, strategic and confident. It's a big ask!

How are these skills nurtured / developed in staff?

Great leaders ensure that their people have everything they need to achieve a shared purpose. They can do this by providing inspiration, clarity and direction, empowering their people and being personally accountable for their success.

Do you think that the leadership skills valued by senior and junior staff are aligned?

Not always and this is why clarity, transparency, having the right reward and remuneration systems in place and consistency of leadership are all so vital.

In terms of models, I think the less hierarchical the structure, the better. Great leaders know that they don't have all the answers and have the humility to ask for help and support. This approach really helps to align all those in the organisation.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

One of the positive outcomes of the pandemic has been a greater focus on purpose and values and on people's mental health and wellbeing. Leaders who can 'walk the talk' – living the values of the organisation are talent magnets. If this is combined with a caring, compassionate, engaged and community-minded approach, it makes a winning formula for post pandemic success.

Amanda Millar
President of The Law Society of Scotland 2020/21



What do partners in law firms value as leadership skills?

As a former partner in a small multi-disciplinary firm I saw leadership skills coming from interests beyond the client work. Leaders appreciate there is a business to be run that requires people with a range of skills and interests. I value people who are keen to learn beyond their individual client area, have an interest in their colleagues and the part they play in delivering the needs of the business. I look for curiosity that could lead to strategic thought, a willingness to develop and expand the business as well as an awareness of the need to deliver while looking beyond.

How are these skills nurtured / developed in staff?

Inclusion of staff in appropriate discussions early on will add their understanding of the business and help elicit whether there is curiosity and ambition to become a leader and establish at what level as after all, not everyone can be CEO or managing partner. Skills beyond the legal ones need to be explored and opportunities provided to those with interest or ambition. As all organisations will have a range of personalities, it would be important to the business to show a path for advancement and development of skills, as leaders come in all forms, and it is not always the best leaders who push to get what they want.

Do you think that the leadership skills valued by senior and junior staff are aligned?

I suspect that will depend on whether the current leaders have shown sufficient flexibility to acknowledge that the leadership style they first encountered may not be the most effective now. Junior members of the profession are certainly becoming more aware of what they seek from their career and will often look to a firm's values, and how that sits with their own in terms with whether this a place where they can bring all round value to the organisation and be valued for it when considering applying. Leaders of businesses with clear purpose and meaningful values will benefit from the widest pool of talent.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

As the saying goes you cannot control someone else's perception or thought of you. However, I think that the best leaders, lead by example and good examples flex with the circumstances of the time and their impact on the firm and its values. The pandemic has certainly required a level of leadership and urgent decision making, for some in the interest of survival, beyond what many would previously have expected. Even those with firm bases, inclusive practices and a willingness to face the difficult conversations with clarity, empathy and openness with their colleagues, will have had to meet the additional challenges of enforced changes in work practices, training methodology and enhanced consideration of colleague well-being. Leadership has certainly been more challenging in recent times as the need to change and flex during the 18 months and counting of the pandemic has been relentless, but lead we have and it will continue with hopefully even more acknowledgement that leadership, like life, is a team sport. ■

Leadership: view from CILEx

The Quick Read

Good interpersonal skills and patience have always been important leadership skills but this came to the fore during the pandemic. 'Hearing 'I'm ok' does not mean they're ok'. Working digitally brought about changes and enabled some leaders to emerge, a digital presence brought about greater self-confidence for some and the process of 'raising a hand' means people's contributions are not overlooked in the way that sometimes happens in a board room.

Working collaboratively gives everyone a voice, enhances motivation, delivers effective change and will develop a whole business 'ownership' approach.



Millicent Grant QC (Hon) FCILEx
Former president of CILEx

What do partners in law firms value as leadership skills?

The ability to recognise and nurture potential in those who are managed, to work as part of a team and set an

example in the way they manage themselves and work with others. Good interpersonal skills and patience are also essential as managing individuals and getting the best out of team members can be challenging.

How are these skills nurtured / developed in staff?

Leadership style within an organisation reflects the leadership at the very senior levels of an organisation and should therefore be replicated at department/ team leader level. I have worked in an organisation where management expectations were embodied in the organisation's policies and procedures and relevant job descriptions. This included the duty to ensure that team members are actively developed. It was encouraged in the appraisal and supervision processes with staff being given personal development plans and performance indicators that support this.

Do you think that the leadership skills valued by senior and junior staff are aligned?

They can be aligned at levels appropriate for the organisational structure, personal aspirations and are relevant to the work and demands of the team. Opportunities to develop leadership skills and experience can often be created. Managers can look for appropriate opportunities to delegate work and signpost opportunities. However, those wanting to gain leadership skills and experience can take responsibility for finding it themselves, this can be outside the workplace as well as within the workplace and can include gaining relevant qualifications.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

One of the greatest challenges for a manager has been managing remotely. This includes managing the workload, encouraging teamwork and ensuring that individuals are given adequate support. There is an added demand for flexibility. It has also become even more essential to ensure that a manager's wellbeing is taken care of – adequate breaks, good time management, sufficient social interaction – with work colleagues and others. The pandemic has highlighted the need to develop new and different skills which may serve leaders well as we return to working face to face and being office based.

The following answers represent a collection of views from CILEx members:

What do partners in law firms value as leadership skills?

- Strong communication skills, the ability to articulate messages and share information (verbally, but also via non-verbal methods) alongside the ability to listen and often interpret what is being said by others.
- Influencers that can inspire and motivate, using their own credibility and trustworthiness to encourage others to collaborate.
- Great change management processes and the ability to implement change in collaboration with those around them. It could be argued that legal professionals are not always keen to embrace change, therefore someone who is able to implement and manage change, in the fast-paced world that the legal sector has become, is vital for business success.
- These skills link closely with a positive approach to innovation and the ability and desire to think, and plan for the future.
- Integrity and sound judgement. Valued by colleagues, clients, and the public alike, leading by example and allowing others to grow and achieve.

How are these skills nurtured / developed in staff?

- By involving colleagues in the decision-making process wherever possible.
- Working collaboratively gives everyone a voice, enhances motivation, delivers effective change and a will develop a whole business 'ownership' approach.
- By nurturing these skills from the outset, thought processes will be different, and individuals will be more likely to engage in the business differently and more proactively, compared to simply being told what to do.

Do you think that the leadership skills valued by senior and junior staff are aligned?

- Possibly not in terms of commerciality but would be more aligned in terms of both wanting to be listened to.
- Leadership values are closely aligned and understood. Leadership skills are not linked to seniority, (formally) leadership responsibility is another thing altogether.
- Junior staff are often unaware of the leadership skills that they are demonstrating and may confuse leadership with management. Senior leaders that publicly recognise and nurture those skills, are serving their colleagues, organisation, and clients well.

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They are building an inclusive culture that can recognise the contribution that everyone makes, which may not be linked (directly) to commercial income, but certainly helps to deliver commercial success.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

■ It definitely has changed in order to lead a team without physical presence and keeping a team motivated. For some, with remote working teams this was perhaps an easier transition. Many, who were already, remote workers were called upon to mentor and guide others on how to deal with the transition and the complexities of working in what can often feel like isolated conditions.

- In addition to needing to remain focused on the organisation objectives, client needs and welfare, the impact of being in the midst of a pandemic and resulting change to working practices meant that everyone, but leaders in particular, became increasingly aware of the importance of placing physical and mental health well-being at the top of their, and their colleagues', priorities. Other skills were required in leading and softer skills in providing assurance and keeping up morale was equally as important as commercial skills.
- Providing a balance between delivery of objective and maintenance of good health and well-being can be a challenge. This links back to communication skills: listening, reading between the lines and regular contact. Hearing 'I'm ok' does not mean they're ok.
- Different communications channels allowed for leaders to emerge, perhaps a digital presence brought about greater self-confidence and encouraged greater contribution, more regularly. ■

Leadership: view from Chambers

As barristers are self-employed issues of leadership are different to law firms. LW asked two sets of chambers how this is approached.



Liz Dux
Chambers Director
Littleton Chambers

Liz was the former Head of the Abuse Team at Slater and Gordon. She was awarded the Title of Times "Lawyer of the Week" for her work on the Savile case where she represented 168 victims. She started her career in the law as a trainee at Russell

Jones & Walker, where she remained as a Partner following the acquisition by Slater & Gordon until leaving to commence her alternative career in Chambers management.

What do chambers value as leadership skills?

Excellent communication is at the heart of leading a Chambers both with your members and your staff, as is taking responsibility, decisiveness, showing initiative, leading by example, real knowledge of the job and personal empathy not only with barristers but most importantly with the team you lead and your client base. What is also essential is a true understanding of developments within the legal market and showing an ability to adapt to them. The last year has highlighted the difference between those Chambers who are well lead and have adapted quickly and efficiently to necessary changes and those who have struggled to work differently. At the heart of this leadership is good communication with everyone you work with and ensuring a cohesive, focussed working environment, whilst never compromising on wellbeing or morale.

How, if at all does this differ from leadership for a law firm?

Leadership of a law firm involves less personal responsibility. As an LLP Manager, you tend to work in a team where decision making is much slower and more bureaucratic. There are more options for delegation and defined areas of specialisation.

Managing a Chambers offers no opportunity to abrogate your responsibilities. The buck stops with you. You have to be prepared to roll your sleeves up and deal with all manner of different issues. You might be dealing with a marketing decision in the morning, an HR issue in the afternoon and meeting clients in the evening. That is what I love about the role. I have found the Bar to be a very collegiate atmosphere to work within. The support and encouragement I receive from barristers in my Chambers far outweighs what I was used to in a law firm environment.

How relevant are leadership skills to independent barristers?

A large proportion of our staff have worked in Chambers longer than I have. They are very skilled at their jobs. It is imperative to lead by example and to be approachable and encouraging. It also important to let them teach you when they do better. I have taken great pride in seeing more junior members of staff enhance their skills through on the job experience and training thereby qualifying for more demanding roles. Giving all staff a sense of pride in their work is vital as is treating everyone fairly. Chambers is different to a law firm in that for some roles there is not a natural career progression by way of promotion. Here it is all the more important that staff feel they are developing all the time and that their skills are integral to the successful running of Chambers.

Do you think that the leadership skills valued by senior and junior staff are aligned?

I think all staff value fair and decisive leadership regardless of level. There are clearly times when important decisions need to be made, which may not be popular with more junior staff. In those instances, it is important to be honest and explain the basis for decision making.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

Strong leadership has never been so important as it has in the

last year. It has required an ability to act quickly and take real ownership for decisions made. Never has it been so important to ensure a cohesive and focussed working environment as when everyone is working apart and in isolation. The pandemic has

highlighted how much can be achieved in the most adverse of conditions, provided there is good co-operation and a sense of common purpose. ■



Fiona Fitzgerald
CEO
Radcliffe Chambers

Fiona joined Radcliffe Chambers as chief executive in 2014. She was previously an equity partner at a top 200 law firm and has served as chair of the former Association of Women Solicitors for England and Wales. She is a member of the executive committee of the Legal Practice Management Association and the Bar Council Legal Services Committee.

What do chambers value as leadership skills?

There are two aspects to leadership for us. The first is that of running chambers itself which is in many respects similar to that of a law firm or, indeed, any other business. The second aspect is of the leadership of our individual barristers. We know that the bar is valued for its independence and nowhere is that more obvious than in independence of thought, later thinking, and litigation and commercial strategy. Leadership for barristers can sometimes involve leading teams of people, ensuring they are motivated and delegating work. Other times it involves analytical leadership and creativity of thought.

How, if at all does this differ from leadership for a law firm?

One of the greatest challenges that is unique to barristers' chambers is that each barrister is self-employed. Communication of thought processes are even more important, particularly when everybody is under pressure. As in all businesses, trust is incredibly important, something which was highlighted even more so during the early days of the pandemic. For barristers, whilst they may be part of a chambers, there can be times when we will have a case where we have a barrister on either side of a case and perhaps one of our barristers also sitting as a part time judge mediator or arbitrator. Confidentiality and Chinese walls have to be a fundamental part of how we operate.

How relevant are leadership skills to independent barristers?

The best barristers have leadership skills in abundance but also recognise that sometimes those leadership skills are not required. On occasion a case needs a barrister to take control but other times a barrister is very much part of a team. One of the skills of a good leader is flexibility. That can be flexibility of thought but also of when to lead and when to step back and let others lead. The added value that the bar brings to the legal process is leadership on certain aspects. The best legal teams are those where everyone knows and understands each team member's strengths and works accordingly.

Do you think that the leadership skills valued by senior and junior staff are aligned?

The value placed on leadership skills by senior and junior staff are not always aligned. I know that sometimes as a senior leader I spend too much time thinking about the strategy and growth when really many of our staff and barristers want to know what is going on day to day and also how we see the next few months or years. This has been more important than ever during the pandemic. In fact, we increased our communications significantly during this time as well as finding new methods of communication, including a newsletter and intranet.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

Consistent working from home is not easy for most people and requires different leadership and management skills. Wellbeing and checking in on everyone is an important part of leadership and keeping people motivated has become even more of a key skill. There is no doubt that the best collaboration and ideas generation take place face to face, but we have managed through regular videos calls to recreate that creative environment. ■



Littleton Chambers



Radcliffe Chambers

Leadership: view from In-house

The Quick Read

In-House has had to adapt as elsewhere and wellbeing has also stood out as a key issue for leadership. Glassdoor, a UK job review site, states that *'about 60 per cent of employees now place more emphasis on perks related to physical and mental wellbeing, such as apps, private healthcare and access to online therapy.'*



Tangy Morgan
Senior adviser to the Bank of England and Strategia Worldwide

LW asked Tangy about her role and approach to leadership

My role is to work with the senior leadership bringing a strategic overview of issues that are facing the organisations both internally and externally. I am involved

in activities ranging from helping to give context to priorities and concerns while challenging assumptions, bringing challenge to decisions regarding prioritisation, mentoring senior leadership and speaking on behalf of the organisation.

Unlike the role of the non-executive director that works on behalf of shareholders, the Senior Advisor works with the executive team and provides independent advice. I come to these roles with 40 years (as of 6 January 2021) of experience in the US, UK and international with global organisations in petroleum and financial services.

What constitutes effective leadership post pandemic and how is this impacted by hybrid working?

Effective leadership requires trust between managers and staff and this needs to work both ways. Some organisations are allowing staff to decide what works best for them, others are requiring staff to report back to work, some are allowing teams to decide what works best. Ultimately, some organisations are happy with staff being digital nomads (work from anywhere).

Of course, flexible working in some sectors has been around for a while, think of call centres in the North of England. However, the difference now is that potentially some companies have entire workforces that are now looking to work more flexibly. The situation may be further complicated by companies with global footprints and continuing issues related to variants and resurgence of the coronavirus.

A recent study by McKinsey indicated that 68% of the executive respondents had a detailed vision in place for hybrid work. Although the majority expected employees with non-essential on-site roles to be on-site between 21 and 80 percent of the time (one to four days per week) rather than 100 percent previously.

As we move into a post pandemic environment, reminding staff of acceptable standards when interacting internally and externally is in order. The minimum is a set of expectations for various staffing models.

How can performance be assessed between office-based staff and those working remotely?

If organisations truly sign on to the concept that workers should be able to choose the environment that works best for them, then there should be no difference in assessments (e.g., annual appraisals) for office-based or those working remotely.

The Chartered Management Institute's guide for flexible working makes clear there are 'many ways to do it: working from home, flexitime, compressed hours, jobshares and part-time working'. Other options include annualised hours and term-time working'. That said, I think that there is 'present privilege' meaning that those in the office will (perhaps) have access to senior leadership, develop networks and have more visibility than those that chose to work remotely.

If there are different criteria used for both groups, I believe that will cause issues regarding discrimination and unfairness come time for considerations for promotions, raises and or bonuses. Transparency, setting clear goals and behaviour criteria that is communicated to all staff will be key to getting this right.

How should work culture be assessed when all staff are not under the same roof?

I suggest using tools such as regular staff surveys, townhalls, monitoring productivity levels and retention rates are a start. However, attendance rates and well-being surveys are also ways to assess culture.

Some firms are trialling (and using) technology to track employees' productivity and behaviours. One global consultancy is using technology to track emails, meetings and diaries to change behaviours among managers. I do caution that such tools should be transparent as the potential blurring lines between work and home could be problematic for employers.

The key is for management to make changes and modifications, basically, acting upon the results of any monitoring. Actions speak louder than words and employees will be watching how management takes on the results of any feedback.

Staff retention is an increasing challenge. How do employers meet this?

The expectations of staff are changing and this was happening before the pandemic, George Floyd's murder and climate activism. I suggest that the past year has exponentially accelerated the need for organisations to make changes to well established working practices. One that comes to mind is the 'bringing your whole self to work' or speaking out about mental health issues.

Some suggest that the 'old perks' of office gyms, on-site laundry or subsidized canteen meals might be outdated now. Glassdoor, a UK job review site, states that *'about 60 per cent of employees now place more emphasis on perks related to physical and mental wellbeing, such as apps, private healthcare and access*

to online therapy.'

Millennial employees and young staff just beginning work are more likely to switch jobs because they are not satisfied. Perhaps having coffee or lunch delivered or faster broadband might be more appealing when they are working from home.

To retain the best and brightest, Human Resources and Training Departments will need to be creative and given the resources (finances) to meet the needs of staff comprised of Baby Boomers to Generation Z and the rising Generation Alpha (2010-2024).

You have discussed basing promotion of staff on criteria, such as empathy, understanding individuality and reconfiguring the office workspace. How would this work?

My comments were directed at management skills which will need to evolve from focusing specifically on the SMART (Specific, Measurable, Achievable, Realistic and Timely) well established tools.

Research conducted by Cambridge psychologists at OE Cam suggest that leadership will need to learn to balance between more traditional controls and increase empowerment of team members, recognise their own potential biases among employees that are working in the office and remotely. Also, becoming more of a coach and listening to employees, for example, at the moment, employees' emotional fall-out from Covid.

Gillian Tett, my favourite journalist states that ' we have all become amateur anthropologists' this past year. To me, this means that leadership in organisations must step out of their comfort zones and reimagine the workplace (on-site and remote) to help their employees thrive. ■

Thanks to Charity Mafuba for assistance with this interview.



Nina Barakzai
*Director, Data Governance,
Facebook Office of the DPO*

What leadership skills are valued in-house?

- Leadership skills are focused on how to help others achieve their goals. This is allied to a sense of community, where leaders are encouraged to build engagement on a wider

level than just their own area of influence. The managers are expected to focus on well-being and caring for colleagues and team.

- A significant dimension is that leaders must show up as an ally for diversity and inclusion support and recognition. The view is that leaders should have strong awareness of bringing their best and authentic self to work.

How are these skills nurtured / developed in staff?

- Skills and competencies are set for each level of role and experience. There is an expectation that each person will create their own career and take steps to build their portfolio of skills.
- Colleagues have career conversations each quarter, with the focus and awareness on professional, technical and

personal skills. Progress is self-directed but assisted, with coaching sessions for all directors and for those who shift between Individual Contributor and manager; Once you have attended a career class, there is then an opportunity to sign up for the in company supported mentor program as well as a supported mentor program with external mentors. I did this and found the different levels of internal and external support very valuable for me to take stock and develop. This helped me and helped me help my team, so a double win.

- There is regular support for appraisal, key comms moments and ongoing guidance and messaging
- Focus is on how to offer opportunities to grow at every stage of activity, not just on a time basis e.g. x period in y role. We use accessibility of information through wikis and work groups to help us use collaboration tools.
- This helps everyone to seek out contributions and enables virtual structured brainstorming sessions so that all team members can learn from each other and, once a template is established, functions/teams can widen their brainstorming to cross-functional sessions and so build an advisory approach together
- We have regular cross functional meetings to present problems and gather views and input. As an example, for some policy or escalation meetings, we can bring together 30-60 SMEs to brainstorm challenges and consider options.

Do you think that the leadership skills valued by senior and junior staff are aligned?

- There is a strong distinguishing factor between junior and senior staff, as it is harder to sense check in an informal way when working remotely.
- Where individuals may be experienced in their area of expertise but do not have an understanding of how their new environment operates and who they can call upon, it is more challenging. Here, existing staff can help by making connections virtually, enabling new starters to build those networks.
- The leadership skill of value here is for more development of the soft skills of relationship building, stakeholder engagement and context setting, which will help set each person up for success.
- In this type of environment, tools which help collaboration come into their own, as shared access to documents, virtual whiteboards, workplace chat and video calls allow a range of channels within which to interact on a one to one and group basis.
- On the corporate communications front, building and continuous raising of awareness and consistency of global messaging, together with toolkits and just in time collateral is important. This material is helpful to use in team iterations, recruitment, engagement, team dynamics and collegiate activity.
- Setting clear expectations and identifying who is senior versus junior will be dependent on communication and awareness.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

- Leaders are expected to be empathetic. This applies when acknowledging the pressures which team members may be experiencing which might relate to mental well-being concerns for the team and oneself. Fluctuating moods may impact performance so leaders must be sensitive to such challenges

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- Everyone still needs to get work done, so as has always been the case, each person and especially leaders have to take steps to check in and assess/evaluate/support team members to achieve outputs or deliver advice and guidance to business.
- This may mean greater emphasis on process, use of templates, capture of data to provide key performance indicators and more regular check ins with stakeholders, to get feedback and make sure work is aligned with their goals, allowing for ongoing calibration to adjust quickly and keep moving forward.
- There is greater use of coaching through face-to-face video sessions to help instantly, rather than wait for an appraisal process, as work can easily hit a blocker and get stuck if not supported.
- Easy to spot leader behaviours when all leaders are in place, not travelling. This has a levelling effect, as everyone has same opportunity for access and the leader has more opportunity to operate consistently across all teams in all geographies.
- Video calls for everyone means no difference between being physically present and those on comms links. Less likely for loudest voice in the room to drown out others if leader handles meeting etiquette smoothly.
- Clear when chair doesn't control time, relevance or giving each person an opportunity to speak – shows up skills (or lack of skills) of chair. Rotating chair helps all attendees gain such skills and shows collegiate behaviours. ■

The Pandemic and the “new” General Counsel

The pandemic brought into sharp focus our role as leaders within our companies. Suddenly GCs/CLOs were invited to various “war rooms” set up in companies all over the country as we scratched our heads together with our leadership, at the very unknown problem we had on our hands.

The legal department was super popular. It was pulled into negotiations and disputes relating to scope reduction and early termination of services by our clients. We also had to contend with holding AGMs entirely remotely which was rather problematic for PLCs with hundreds of shareholders. I am sure that we will forever reminisce about that time when the *Force Majeure* clause became the most important clause in a contract.

Alongside these discussions were the various relief measures introduced by the UK government to help companies, employees



and business owners who had been affected by the pandemic. Understanding the ins and outs of *furlough* for example, became a priority, as our leadership needed to understand how that affected the company's operations and bottom line, and there were discussions on how to handle sensitive information concerning an employee who had contracted COVID-19, amongst other matters.

As lawyers, I suspect we thrived in the scenarios mentioned above. Our role as legal advisor plays well to advising, negotiating contracts, and interpreting the law.

However, the true test of our leadership as lawyers arose in another way. Our technical ability was not in doubt. We were however expected to show ourselves as open and sympathetic to the plight of our team members, colleagues and the company as a whole.

So, as the country slowly emerges from the pandemic and our companies make plans to return to "business as usual" – what kind of leaders are we now expected to be?

Having worked almost entirely from home these past 24 months including being onboarded remotely to a new leadership role, I find myself asking – what will I be doing differently post this pandemic? How will my leadership style change?

I have, over the last 2 years, provided legal consultancy in a senior capacity to different sectors and have noticed that the expectation on the legal leadership is not so much the accuracy or perfection of their technical ability, but their ability to rally the troops, keep them going during what was, and still is, a trying time for many.

To be able to deliver on that expectation, we will be relying on some of the skills set out below, that we have discovered or even developed anew as we managed our teams during the pandemic.

- 1. Accepting Uncertainty.** As lawyers, we like certainty and clarity, and we are at our most comfortable when we have all our options mapped out or when we are following a set of known rules. So, you can imagine how much we were tested when the rules and guidelines relating to how we do business changed almost on a daily basis. We were indeed running for the hills! However, I can attest to the fact that the "unknown" has been good for us lawyers. It has taught us how to ask for help without reproach, how to accept that not having all the answers is not necessarily a bad thing and most importantly that lawyers can handle uncertainty just as well as any other business leader.
- 2. Maintaining Relationships.** During the pandemic we worked with colleagues in their natural habitat – at home. We were introduced (sometimes unintentionally) to their pets, loved ones and their domestic lives. We got to know our colleagues as people who have real lives outside of work and by showing each other how we are at home, we have become open and vulnerable to each other. I think we will find legal leadership relying on those links long after the pandemic. Relationships fostered in the most difficult of circumstances are usually the strongest and I do not doubt we will maintain that connection forged at our lowest ebb. We have all been and still are, on a journey together and it would be a shame to revert to "business as usual" and let go of those relationships.
- 3. Showing Empathy.** A number of colleagues were affected by the loss of a loved one and we had to provide some sort of support to such colleagues. It meant being conscious of

how other team members were coping with the loss they have suffered whilst putting in the hours at work and getting deliverables out on time. One to one chat about everything but work was important. I know of a GC who used what was called a "check-in ping" to have informal chats with his team members about anything other than work. It was informal and relaxed, and it showed the legal leadership in a different light – a leadership that cared about its team members.

- 4. Being Present.** The constraints we found ourselves under, forced us to slow down and ended the need for busyness. Mindfulness, the practice of purposely bringing one's attention to the present became even more important. Living in the moment whether it be work related or not, helped put things into perspective and helped us appreciate what it is we do and why we do it. As we went about our work lives and undertook tasks, we questioned why we did a thing in a certain way. We had time to pause and reflect on our processes and productivity and these thoughts gave birth to innovative ways of undertaking our tasks.
- 5. Focus on Deliverables.** One of the biggest surprises of home working is the level of productivity that was maintained. It is now accepted that employees are still able to deliver on time irrespective of their location. The notion that "bums on seats" equals productivity has been discounted and focus has now moved to tracking our deliverables. *Have tasks been completed on time and not how has the task been delivered?* I have had conversations with CEOs who are now full converts and who believe that you do not have to be in the office to deliver your targets.
- 6. Flexibility and the 80/20 rule.** There are going to be times when as a lawyer we will have to "sweat the small stuff". However, we have come to learn and appreciate that during the pandemic perfection was not always required. Insisting on perfection during our most trying time became somewhat insensitive, when (i) "good" would suffice and (ii) the team member is undergoing personal challenges arising from the pandemic. This has made us more flexible in our approach to delivering legal services to the company. The business doesn't always need us to know or cover every single eventuality, all they need is for the risk to be identified and mitigated. Once this is done, then we have provided an adequate service to our client. ■



Adeola Adebajo is the General Counsel and Chief Risk Officer of Contis, a FCA regulated Fintech platform providing payment and processing services to businesses. She has an executive MBA from HEC Paris and is a participant of the business mentorship scheme at the Cherie Blair Foundation for Women.

Leadership: view from ‘Third sector’

The Quick Read

If you work in the charitable sector or public service does this affect leadership style?

The desirable qualities in leaders are very similar to other sectors. Some felt that the alignment between senior management and staff was more unified when working for organisations with clear charitable missions but certainly not all. This largely related to the individual leadership skills in an organisation. However, an issue for some was inadequate funding which resulted in a lack of training and time allocated to building a team. Temporary appointments to more senior roles or ‘acting up’ to another position were highlighted as a key way to develop leadership skills.



Darlene Waite
Solicitor

What leadership skills are valued in public work?

This is wide ranging and will vary depending on the area of public work we are talking about. However generally I think traditional skills, such as strategic thinking, communication, change management planning and delivery, people management

and the ability to influence and persuade are still highly valued. This is not an exhaustive description but certainly these often appear in job descriptions or competencies required for leadership jobs. However “soft skills” are now being given weight and value in leadership roles which previously may not have been the case.

What may be changing is the way that these skills are being applied, for example planning and delivery requires a manager to be able to communicate with staff effectively and persuasively at times and this consists of more than simply telling another person what to do. This is true regardless of the seniority of the parties engaged in the discussion. Similarly, change management requires a good manager to engage with their team, to delegate effectively based on the skills of team members and to communicate effectively ensuring that each member of the team understands their role and how it affects the outcome of the project.

How are these skills nurtured / developed in staff?

Leadership skills are not necessarily developed in staff. Much will depend on the organisation itself and the attitude of the existing senior management, those in positions of power and influence, and whether they recognise the value of nurturing and developing staff. Where staff are developed, I believe this takes the form of:

- Identifying staff with the potential to move into more senior positions through regular one to one meetings and annual appraisals as well as listening to and communicating effectively with team members.
- Sending staff on courses which enable them to develop both the skills they require to carry out a role and building their confidence.
- Allowing individuals to be promoted to more senior positions on a temporary basis so that they obtain relevant experience and are then in a position to apply for senior permanent positions.

- Carrying out all of the above regardless of the protected characteristics of the team members.

Do you think that the leadership skills valued by senior and junior staff are aligned? If not, how does it differ?

When leadership skills between junior and senior staff are aligned, it has the potential to create a very successful team or organisation. Invariably such alignment does not always occur despite claims to the contrary. It will not occur where senior members of staff are concerned only with measurable results such as degree results, ability to speak a foreign language, meet billing targets or attendance at court a specific number of times, to the exclusion of qualities and skills which are less measurable, but yet contribute to the success of the organisation.

By virtue of their position, junior members of staff often tend to have less input in respect of strategic and financial decisions and are required to carry out the tasks set out by senior management. This position could be improved by the senior members of staff eliciting the views of junior colleagues and genuinely taking on board their views as opposed to just seeking their views as a “window dressing” exercise.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

This depends on the unit of measurement being used and the employment sector we are considering. What constitutes leadership and the qualities needed to be a good leader may be changing but not quickly or radically enough. One only has to look at the FTSE 100 companies to conclude that there is still a perception that white men have better leadership qualities than women or black or Asian people (although to be fair in the public sector the percentage of women who occupy leadership positions has increased).

The pandemic has exposed and shone a light on inequalities that we knew existed but which received limited attention. It has also highlighted the importance of the work of women and minority groups. For example, the work of Kate Bingham who is the venture capitalist responsible for securing the Covid 19 vaccine, the team of female scientists who researched, designed and manufactured the AstraZeneca vaccine or the teams of NHS doctors, nurses, care workers and other essential workers (often from minority groups) who were responsible for the care and wellbeing of much of the population during the pandemic.

Some of these essential workers died as a result of contracting the Covid 19 virus. While not being in leadership positions they are undoubtedly essential and arguably it is the fact that such essential workers were not in leadership positions which led to their greater exposure to the virus and their subsequent deaths.

I would like to believe that the pandemic has led to a greater appreciation and respect for those who do not occupy traditional leadership roles though I am doubtful that their sterling efforts will be remembered for very long.



Sara Carnegie
*Director of Legal Projects,
International Bar Association*

What leadership skills are valued in charitable or public work (civil service/police/education etc)?

You need to be decisive, considerate and possess good communication skills to have the greatest impact as an effective leader in my view. In the civil service

and NGO sector, it is crucial to take into account the views of those you work with – both within the organisation and external stakeholders – which makes your approach and decision making more credible and robust. I try to do this across all my project work to ensure that the process and product is more rounded and generally of a higher standard.

You must make every effort to be approachable and inclusive in how you approach your role and how you treat everyone around. Modelling behaviour which you expect others to uphold is also key.

How are these skills nurtured / developed in staff?

People want to see leaders role modelling good behaviour. This has a cascade effect but still needs to be reinforced at all levels. It is important to instil the right values within the organisation through a variety of means such as appropriate training and development for staff, rewarding good work on a regular basis (while ensuring it is not devalued by excessive frequency), ensuring people are thanked on a regular basis and made to feel included. It also means seeking to be transparent and communicate updates regularly so staff feel part of the organisation and respected, addressing bad behaviour promptly and credibly and ensuring there is a safe environment for staff to report and speak up against bullying and harassment.

Do you think that the leadership skills valued by senior and junior staff are aligned? If not, how does it differ?

I think they certainly should be. Trust in leadership is important and staff want to feel that those at the top are being honest, open and fair in their decision making. It is also important to admit where there are problems or mistakes have been made. I find this generates compassion and greater confidence in the long run, ironic as this may sound. Everyone is human and leaders are not perfect, so admitting issues or vulnerability does not demonstrate weakness.

People want security and leaders want to motivate, inspire and retain their workforce, so I believe this is a critical alignment for the successful running of any organisation.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

Yes I think it has to a point although the younger generation of workers expect different qualities in a good leader which was evident pre-pandemic. For example, there was a time when a leader admitting that they had mental wellbeing issues would

have been seen as catastrophic by both management and perhaps some of the staff. Nowadays it is almost encouraged – showing humanity and vulnerability will make others relate to you and is now more likely to inspire greater respect (providing of course that the leader demonstrates the core values and behaviours mentioned above). Likewise, a leader who fails to address poor behaviour or workplace issues will be more actively lobbied to bring about change and will not inspire loyalty from their staff if they are seen to ignore or dismiss concerns.



Elaine O'Connor
Solicitor, Marie Curie

What leadership skills do you value and is this informed by your place of work?

Being able to take ownership of my work but knowing I have support if anything difficult comes up or there is a complaint etc. Transparency, regular communication and opportunities for progression

are key too. Yes, this is informed by my place of work but is what I value generally.

How are these skills nurtured / developed in staff?

By being given work that allows staff to stretch their comfort zone and learn new skills in a supportive environment.

Do you think that the leadership skills valued by senior and junior staff are aligned? If not, how does it differ?

I think there is a more natural expectation in terms of owning work and projects as staff members progress. There would also be more expectation for senior staff to nurture more junior colleagues and supervise etc.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

Personally, I have not seen a change in the perception but then I started a new job seven weeks before lockdown so I have been working in this sector almost entirely during the pandemic. I think generally communication has become more important in leadership so that staff feel connected, valued and supported. This happens in various ways e.g. I receive regular corporate updates but we also make time for end of the week optional catch ups which are more informal but equally as important. ■

Leadership: view from partners in law firms

The Quick Read

Hearing from partners in law firms the two elements that stand out are the importance of communication and trust. It's clear that keeping a team going through the pandemic has involved enormous dedication and being 'more real'. Partners sharing difficult experiences or work issues creates a better work environment for all, including the partner, and promotes team work more than the old-style 'fully in control' mode where no weakness is detectable.



Naomi Pryde
*Partner & Dual Qualified Solicitor Advocate,
Commercial Litigation, DWF LLP (Scotland)*

What do partners value as leadership skills?

I personally value inclusivity, collaboration, a good work ethic, fairness, resilience, empathy and an ability to delegate.

How are these skills nurtured / developed in staff?

I seek to empower my team by giving them autonomy and responsibility. I am inclusive in how I distribute and delegate work. I work hard to foster a team culture - my team work in a collaborative fashion and really look out for each other which is lovely to see. I seek to lead by example. If they see me working hard and behaving with integrity, then the hope is that they will do so too.

Do you think that the leadership skills valued by senior and junior staff are aligned?

Certainly, within my team, I would say so. For me, maintaining a good team culture has been key. I've always encouraged flexible and agile working and so the transition to working from home was not difficult for my team during Covid-19. What was hard was getting used to working more in isolation when there had been a real buzz in the office when we were together and we all discussed our cases.

The pandemic has been hard on everyone in different ways for different reasons. I made sure that the team knew I was always contactable and I understood their particular circumstances. We discussed vulnerability and regularly talk about mental health. Those isolated and living alone had different challenges to those juggling childcare and I tried to strike a balance between regular contact and engagement whilst being mindful of not adding another diary commitment unless necessary.

We had weekly team meetings where we discuss capacity, delegation and share of work, informal team coffee mornings with no agenda to catch up and connect, and ad hoc Friday drinks. We keep in regular touch via social media and I have also kept in touch with everyone individually on whatsapp plus had socially distanced walks with those who live in Edinburgh. I have also sent little things in the post and made sure I recognised key life events – births, deaths and marriages! A lot has happened in the last 18 months! A law firm's assets are its people and it is so important to look after them! I care very much about my team and I try my hardest to look out for them all.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

Potentially I think the pandemic has highlighted the need for good leaders in a business and also shone a light on leaders who are perhaps more self-serving than others. I think there is a real difference between being a leader and being a manager. The pandemic brought with it many challenges but it also brought new opportunities and attitudes to work. I believe if leaders want their businesses to continue to thrive, they will need to adapt to this brave new world we find ourselves in.



Jenine Abdo
*Partner, Head of Children & Public Law
Department, Hutton's Law (Wales)*

What do partners in law firms value as leadership skills?

I think that initiative is key when it comes to demonstrating leadership skills. For example, when I look at a trainee and whether they could be a potential fit in my department, I want to see not only skills to enhance their own knowledge, experience and skill set but also initiative on how the research topics which are complex or challenging will also benefit clients and the team as a whole. Whilst I believe that seeing individual skills is important to show leadership skills, helping your peers at whatever stage of their professional career is imperative to not only get on with their team but to also help and share information. Sometimes this may involve even directing them with pointers or taking tasks away from them to help with their caseload.

How are these skills nurtured / developed in staff?

Speaking from my own professional experience, communication is key to touch base including having both one to one and team catch-up sessions. This gives the opportunity for staff to ask questions. Many feel daunted to ask others or senior members of staff questions but I welcome questions being asked. I then know that my staff are moving forward and dealing with cases and queries correctly as well as my team being happy that they are able to approach me.

Yes it is sometimes difficult to balance and manage such sessions with the other tasks which go on throughout the day especially in the world of family law when a new or urgent case can completely derail and take over your day. However it is so important for a senior member of staff to have these sessions to help bring on their staff/team members.

It is also imperative to encourage extra-curricular activities (e.g. pro bono work/community orientated work/legal clinics) to aid marketing and business skills as the legal world is not just about working on cases and knowing the law especially for those

starting out. Also continuing training and keeping updated on new cases and changes in the law is above all most important. Updates via seminars and courses are key and there are also many free email updates sent out routinely. Social media can also be a good source of information and joining local committees and law societies also is such a good forum for people to grow, network and learn from other.

Do you think that the leadership skills valued by senior and junior staff are aligned?

Each Firm will have their own processes and procedures in which training and appraisals will take place. I use my catch up and touch base sessions but above all appraisal sessions to outline what I expect from my members of staff. The expectations will be different for each staff member depending on their strengths as well as what position they hold in the team. Therefore I like to think that the majority of those who supervise at senior level will be able to relay to the junior members what is expected to ensure their staff grow and develop. Good communication and rapport from senior to junior staff member is key and it is also important to ensure that all leadership skills are identified, congratulated or encouraged.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

As our way of working has changed and we all have to adapt to a new world and in turn a new way of working during the pandemic, some have developed their leadership skills or enhanced them. The pandemic may have shined a light upon some who may not have shown leadership skills but now their skills have come to light. For example people have organised team meetings/gatherings to ensure other members of staff are being checked upon whilst working remotely. Others have shown they can work at home successfully and flexibly ensuring that all work tasks have been completed. I think the legal world have developed and changed so much over the last few year and many, especially those coming into the profession as well as those more junior, know that the profession is so competitive that leadership skills is now what law firms and senior staff members look for when recruiting for their team.



Jane Klauber
Partner, Russell Cooke (London)

What do partners in law firms value as leadership skills?

I think partners have to lead by example and this is very much the approach taken within my firm. Modelling positive behaviour is essential and we cannot expect to garner respect if we hang onto interesting work or contacts rather than providing stimulating work for all our staff. As partners we will have contacts that we have built up over decades and it is important to recognise this and share out opportunities while at the same time encouraging junior lawyers to develop their own practice and nurture their own contacts. Lawyers are generally well-motivated self-starters but everyone needs recognition and praise. It is especially important when juniors start out that partners notice a job well done and show appreciation. As in every aspect of life, people will go the extra mile if they feel that their efforts are valued.

Of course, there are also times when the going gets tough and clients are demanding or the judgement calls are just fine ones. The role of the partner is then to give a firm lead, to have the difficult conversation and to bear the consequences if any. There are times when it is appropriate for a partner to support their staff

without it being perceived as undermining them.

How are these skills nurtured / developed in staff?

Junior lawyers need to be trusted to form appropriate relationships with their clients and they are generally keen to take on responsibility. We encourage our staff to build relationships from the start and by the time they are senior associates, if not before, they may be the 'relationship manager' for some of the clients or referrers they have worked with. They are encouraged to invest in those relationships by having wider conversations. Similarly we encourage cohorts of junior lawyers to work on internal projects whether it is to 'go paperless' or to design an 'away day' and these experiences also provide an opportunity to develop leadership.

Do you think that the leadership skills valued by senior and junior staff are aligned?

I would hope so! My perception as someone who started in the eighties is that younger lawyers are more impatient now and why should they not be? They see that they have good skills and have come through in a more competitive environment than previously. Some of their skills are likely to be more up to date – particularly IT- and they want to be judged on their results rather than having to wait in line. This is not to suggest that experience is not valued but, as in other areas of life, there is a feeling that we are the generation who had it 'cushy' and that we did not have to wait as long to be rewarded and unfortunately there is some truth in that.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

I think the perception of leadership has probably altered during the pandemic. Despite our efforts to keep in touch with our staff (and we have placed emphasis on this), both fee earners and our admin support have had to work remotely without nearly as much reference to their supervisors as in 'normal' times. I think at worst, people have felt over-burdened fielding the usual constant influx of work without being able to offload to colleagues or refer to partners for guidance as readily as they were able to in the workplace.

My impression in my own team though is that people have very much stepped up to the challenge and there have been opportunities for juniors as well as stresses. These have included delivering online webinars to twice the number or more than we ever achieved in a physical setting and therefore increasing visibility and having meetings with a wider range of client contacts than would be usual as senior executives are able to jump on calls that they might have passed up when a couple of hours travelling was involved.



Eilish Cullen
Partner Driscoll Kingston (Liverpool)

What leadership skills are valued by Partners in law firms?

Here at Driscoll Kingston Solicitors we value the following 4 leadership:

Approachability – We operate an 'open door policy/no blame culture'. Both are essential for the successful culture that we pride ourselves on. We recognise that our staff are our asset. It is archaic to operate a law firm where staff are too frightened to approach their leaders if things go wrong and all too often matters are left to fester, ultimately costing the firm money in the long run.

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Strong communication skills – Strong communication skills are essential for building and maintaining a strong relationship between management and staff. Leaders must have the necessary skillset to communicate effectively with a variety of people on different levels and to express ideas and information to those they wish to lead. Finding the right balance of empathy, assertiveness and enthusiasm depending on the needs of the business is key. Equally so, the ability to listen is an underrated skill- a law firm who does not listen to their staff is lacking as a communicator.

Sound Judgment – Sound judgement and decisiveness is the ability to think problems and challenges through logically, weighing the facts and consequences through before making a decision or policy. Making quick and strong decisions can be one of the hardest challenges to a Leader as they must take into consideration both the needs of the firm as an entity along with the needs of individual members. Being able to make sound, reasonable judgments for the entire firm which reflect our core values is an invaluable skillset. It keeps us in a job and allows the firm to run as smoothly as possible.

Collaboration – Displaying a willingness to collaborate and drawing on the skillset and knowledge of others in the management team is an essential leadership trait. Leaders who fail to effectively collaborate run the risk of not being able to recognise the potential of others, let alone join them together for the enhancement of the firm as a whole.

How are these skills nurtured / developed in staff?
Driscoll Kingston have our Management Team as well as our Team Leaders who supervise smaller fee earning teams. It is really important for us to utilise the specific leadership qualities that each of these members has and to work on any weaknesses. Many of the leaders 'coming up the ranks' possess the above qualities but need additional HR and compliance training to complement their skillsets which is something we invest in heavily.

Do you think that the leadership skills valued by senior and junior staff are aligned?
Yes, to a certain degree. From speaking to some of our junior members of staff in relation to what qualities they value in a leader, the majority of them reiterated the need for effective communication and understanding. Leaders who allowed a certain level of flexibility were also valued, helping staff create a good work-life balance which they stated lead to a more positive atmosphere in the workplace. Others respected an 'all in this together' approach when we are going through difficult and stressful times. Thankfully, all of those staff members that I approached felt that these skills were present within our firm.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?
Yes, the pandemic has literally thrown a curve ball to all law firms. Going forward, an essential leadership quality is flexibility and the ability to adapt to change quickly. We all had periods of isolation and working from home, within the firm, and we as leaders have had to adapt quickly and draft new policies. An understanding of the challenges people face when working from home, such as slow broadband speed, childcare issues and staff testing positive for covid, have all impacted on productivity. Being flexible helps staff create a work-life balance which subsequently leads to a more positive atmosphere in the workplace.

Thankfully, we are back at the office full-time now but still allow a certain level of flexibility if needed.



Suzanne Todd
Partner, Regional Divisional Leader (Europe) - Dispute Resolution, Withersworldwide (London)

What do partners in law firms value as leadership skills?

From my perspective, fairness (even if you do not agree with the outcome), honesty, empathy and excellence in your chosen legal field. Other skills are the ability to listen and have ongoing communications to improve the workplace for everyone, show respect and the ability to collaborate.

How are these skills nurtured / developed in staff?

In a law firm it is the combination of on-the-job learning, in-house training and external training. As an associate you have an opportunity to observe different leadership styles and can take the bits that best suit you and blend to create your own.

Do you think that the leadership skills valued by senior and junior staff are aligned?

The reality is that individuals want different things at different stages of their careers but the core skills as far as I am concerned will remain aligned.

Has the perception of leadership changed due to the pandemic (or during the recent past even if not related to the pandemic)?

Yes – there was already a movement within the legal world to make leaders 'more real'. I think that over the last 16 months leaders have had to become more open and share more of their own experiences. This in turn has made them more accessible to those around them. Conscious and authentic leadership is even more important now than it was in the past and sharing our stories (good and bad!) with our teams is really important. ■

LW Social Media Content Writers

Legal Women is active on three sites, Instagram, LinkedIn and Twitter. To produce good quality content and schedule posts is very much full-time work so we would welcome extra assistance to share the burden.

Many thanks to our team Alice Hughes, Charity Mafuba, Agnes Swiecka and Emma Webb. This is a great way to keep up to date with the latest developments, build contacts and exercise social media as a business tool. If anyone has an interest in this please contact Coral@LegalWomen.org.uk. ■



Alice Hughes Charity Mafuba Agnes Swiecka Emma Webb

The Hybrid Future

Whether you've loved working from home for the past eighteen months or found it miserable, there's no denying that our working patterns have changed for good. As businesses realise the money that can be saved on office space, and employees realise how much they enjoy not doing a daily commute, so the switch to a hybrid style of work will become inevitable. And while being able to pick and choose where you work from might seem like the best of both worlds, there's a real danger that if companies don't get it right women will be hit the hardest. So how can we take control of our careers and ensure we get the work-life balance we want without having to sacrifice either promotions or payrises?



In my book, *WFH: How to build a career you love when you're not in the office*, I talk about the importance of taking ownership of your career and why this is even more necessary if you (or your boss) aren't in the office full time. Having a workforce that is split over locations and which spends less time together can mean individuals are overlooked. It's easier for managers to feel like they know what their teams are doing when they're all in the same room and so they can start to favour anyone who's literally in their line of sight. And of course while we might be moving into a new world of work, all the same myths remain: that a woman who works from home does so because she's no longer interested in her career or that requesting specific working hours means that you won't be able to respond to a client's needs.

To get around these myths women have to be prepared to be louder and prouder about their working lives than ever before. For a start, if you're spending less time in your boss's presence than before it means that you have to be clearer with them about what you've achieved and what you want. For most of us the idea of having to repeatedly tell our boss what we've achieved feels soul-destroying but look at it like this, it's there job to know what you're up to. Sending them a weekly email highlighting a few of the key things you've achieved that week is just keeping them informed – and creating a paper trail of your brilliance when it comes to review time.

Unfortunately, women also have to be doubly clear about what they want for their careers. Sadly the myth that working flexibly also means no longer being ambitious for your career, still exists. To counteract this, you need to make sure your boss (and their boss) knows what you want for your career. Make a point of bringing up your future ambitions in your 1-2-1s and keep repeating them until your boss can recite it off by heart. Quite often we assume our boss knows what we want but the reality is that either they haven't given it any thought or they think you want their job. Being upfront about your ambition is always important but even more so if you're going to be working from home on a regular basis.

Of course, this level of self-promotion would be less necessary if we could rely on businesses to manage their hybrid-working policies properly. Any business thinking it wants to move to a hybrid world should also provide training for managers that addresses the differences of remote management. It should also have worked out how it will track promotions and payrises against time spent in the office. If this isn't monitored and measured you can be sure that bias will creep in and those whose actions mimic the boss will be the ones getting rewarded.

If we all work together to get it right, however, this could be a chance to revolutionise work and really make it better for all of us. Whether you want some flexibility in your working life because you have kids, don't fancy a long commute anymore or just appreciate having a bit of quiet time to get work done, businesses that are going to thrive in the coming years should be able to accommodate that. Now it's just a case of waiting to see if they can. ■

Harriet Minter
Journalist, Broadcaster and
#WomenInLeadership advocate

Deepfakes

Much has been written about the threat deepfakes pose to civil discourse, public trust, and political processes. But these manipulated videos can also cause untold emotional and reputational harm at the individual level, and overwhelmingly target women. In this article, Kelsey Farish – one of Europe’s leading legal experts on deepfakes and manipulated media – discusses a few key points to be aware of.

A deepfake is commonly defined by academics and technical experts as a piece of AI-generated audiovisual media which purports to show someone doing something they did not do, but in a manner that is so realistic that the human eye cannot easily detect the fake. In plain English, the word “deepfake” is typically used as a catch-all to describe face-swapping videos.

When the algorithm used to generate deepfakes was first shared online in 2017, it was released as a free software tool that anyone with a bit of technical knowledge could use. Principally, it was used as a means to insert the faces of women celebrities into pornographic films, transforming them into unwilling participants in a novel form of image based sexual abuse (the preferred terminology which includes harms such as “revenge porn”).

Although many deepfakes remain in the realm of sexually explicit videos, they can be used in any context. Some are completely innocent and humorous, or used as a form of political satire. Some deepfakes have even been employed in a therapeutic context, for example to allow individuals to virtually say goodbye to deceased loved ones. In the medical field, Alzheimer’s patients may benefit from deepfake technology, where it enables them to engage with younger versions of themselves and family members.

The above is mentioned because it is important to contextualise the current deepfake ecosystem. Like any technology, deepfakes are not inherently “bad” or “dangerous” – although they can be used for deceptive and harmful purposes, they can also be used for beneficial ends, too. This duality makes regulating deepfakes very difficult in practice, especially when noting the ease with which they can be created. Furthermore, and as many

lawyers will appreciate, just because a deepfake is offensive doesn’t necessarily mean that it is actionable as a criminal or civil offence. For example, a parody deepfake of a politician may be crude or distasteful, but the creator’s rights to freedom of expression may still be protected.

Today, a fairly believable deepfake can be generated using just one photograph of the intended target. In addition to deepfake mobile apps, specialist freelancers even sell bespoke deepfakes for as little as £5 per video on marketplaces such as Fivver. As of June 2020, almost 50,000 deepfakes made available to the public had been detected: by December 2020, that number had nearly doubled. It goes without saying that the age of the deepfake is only just beginning. So, here are a few important things to remember:

- 1. You needn’t be a celebrity to be at risk.** Deepfakes can be used by anyone with motive. This could include a colleague who seeks to hamper your professional ambition, or an (ex-) partner who submits falsified evidence to a family court. More recently, we have even seen cases of a parent seeking to damage the reputation of her teenage daughter’s cheerleading rivals. As with all forms of defamation or harassment suffered online, anyone can be the victim of an unwanted deepfake, irrespective of their celebrity status or public profile.
- 2. Deepfakes are a gendered issue.** As explained above, anyone can theoretically become a victim of a deepfake. That said, women nevertheless account for 90% of deepfake victims and other forms of image-based sexual abuse. Sir Tim Berners-Lee, the inventor of the world wide web, has stated that he believes the “crisis” of gendered abuse online “threatens global progress on gender equality.” Several campaigns and advocacy groups including the #MyImageMyChoice campaign call for tougher laws and policies on this important issue.
- 3. Convincing deepfakes can be made using only one image of the victim.** Unless you have absolutely no



Scarlett Johansson
(image-based sexual abuse)



Gal Gadot
(image-based sexual abuse)



Emma Watson
(image-based sexual abuse)



Tom Cruise
(satire)

Sensity is the leader for research in deep fakes. It reports that of the 85,000 deep fakes that have been detected, more than 90% depict non-consensual porn featuring women.

photographs of yourself online, it would be difficult to argue that you are truly immune from deepfake threats. For many reasons, having photos of yourself online (for example, on LinkedIn or your company's website) is an important and beneficial aspect of modern life – and even just one of these images can be used as the source to generate a fairly realistic deepfake.

4. Be mindful of the quantity of images you share.

Notwithstanding the above, it is always best practice to post personal images (i.e. those just intended for friends and family) only to private accounts, or otherwise limit the quality and quantity of any such images shared publicly. It is also prudent to consider blocking or unfriending accounts which you know may pose a threat.

5. Consider what you might be “teaching” the algorithm.

Deepfakes are so-named because they rely on deep learning, a type of artificial intelligence which “learns” by being “trained” on a data set – which in the deepfake scenario, means images of people. Accordingly, sharing images which show an individual at different ages, such as those used for flashback memes, can provide algorithms with valuable information regarding how people's faces change as they age. This makes deepfakes purporting to show someone at a different life stage all the more realistic. On a related note, it is generally best to carefully consider the relative pros and cons before sharing images of a child's face.

6. Deepfakes may be difficult to control by way of legislation, but social media companies will remove deepfakes that violate their T&Cs.

Legislation specific to deepfakes does not yet exist in the United Kingdom. However, several popular social media companies and websites have officially banned deepfakes from their platforms, or otherwise regulate their dissemination. These platforms include Facebook, Instagram, Twitter, PornHub, and Reddit. If you find yourself the victim of an unwanted deepfake which has been posted to one of these platforms, turn to the take-down procedures or otherwise flag the content as harmful: you should receive a response within a few days.

7. Depending on the content of the deepfake, a criminal or civil offence may have been committed. As discussed above, deepfakes are not themselves “bad” – but they may, by virtue of their content, constitute a civil or criminal offence. Taking these in turn, civil offences may include defamation, malicious falsehoods, misuse of private information, copyright infringement, passing off, and civil harassment. Relevant criminal offences include those under the Malicious Communications Act and Computer Misuse Act, as well as hate speech and criminal harassment. Furthermore, the United Kingdom is currently conducting a review of legislation, and how it can be updated with respect to the sharing intimate images without consent. This specifically includes potential revisions to voyeurism and exposure offences under certain existing statutes, as well as the common law offence of outraging public decency.

It remains an open question as to whether – and if so, to what extent – deepfakes can ever be fully removed from the online ecosystem. Given their possibility to be used for creative and beneficial purposes, as well as their ability to evade detection, this may be unlikely. As such, it is incumbent upon us to be more educated about how to mitigate risk – and to call out or otherwise report harmful content when we see it. ■

Kelsey Farish, Associate, DAC Beachcroft

LW Likes

 Amanda Delbert 
@amandadelbert

This woman is a whole vibe



Dan Ellis @dgellis0907

My god she's good.



Huw Williams @YnysDeullyn

Legal history made in Swansea with first all-female Court of Appeal in Wales.

Women made visible

In the 1940s, when trainee solicitor Joan Rubinstein joined her solicitor father for lunch at The Law Society on Chancery Lane, she was told that women were not allowed in the dining room. This was despite the fact that women were allowed to become members of The Law Society and to train and practise as solicitors, and had been since the passing of the *Sex Disqualification (Removal) Act* in 1919. Rubinstein's father is said to have replied, 'My daughter is not a woman, she is an Articled Clerk!' While it is unthinkable that women's presence in The Law Society would be objected to in this way today, women have remained absent in other ways with most portraits and rooms honouring men. This was an issue raised by *Legal Women* last year (*Issue 1, November 2020*) when it was reported that The Old Bookstore was to be renamed after Carrie Morrison, the first woman to be admitted as a solicitor in England and Wales, in 1922. Over 100 years since women were first admitted, and with women now representing more than 50% of the profession, the time is overdue for the building housing their professional body to accurately represent their current and historic participation in the profession. This is recognised by The Law Society, and, under the leadership of President I. Stephanie Boyce, a project is underway to rename several meeting rooms after notable women lawyers, among them Joan Rubinstein.



Inside The Law Society of England & Wales

Among the 12 women featured are Eliza Orme, (the first woman to obtain a law degree in England and Wales from the University of London in 1888); Gwyneth Bebb (who in 1913 challenged The Law Society's refusal to admit her resulting in the Court of Appeal's decision that women were not persons for the purposes of the *Solicitors' Act 1843*); Maud Crofts, Carrie Morrison, Mary Pickup and Mary Sykes, the first four women to sit The Law Society's final examination in November 1922; and Eirian Evans (the first woman Member of the Law Society's Council).



Picture credit: Christi Hughes

Joan Rubinstein (1921–2017)
Joan Rubinstein was admitted as a solicitor in 1947. Specialising in family law she was opposed to the aggressive and confrontational approach traditionally

taken in divorce cases and in 1982 was a founder member of the Solicitors Family Law Association, now Resolution, later training as a marriage guidance counsellor and psychoanalytic psychotherapist.



I. Stephanie Boyce

Boyce says: 'As part of our 'Shaping our Future' project and the refurbishment of 113 Chancery Lane, we have decided to rename many of the meeting rooms in the building. The First Women Room will celebrate the women who have achieved notable 'firsts' in the legal profession

in England and Wales. I am honoured to be named among them. Chosen by our governing Council and decided by the Office Holders at the time, these 12 women were selected because they have made and continue to make, a significant impact on our profession.'

First Women Room

Gwyneth Bebb (1889–1921) (challenged The Law Society's refusal to admit women).

I. Stephanie Boyce (first President of colour of The Law Society).

Maud Crofts (1889–1965) (first woman issued with a practising certificate in England and Wales).

Eirian Evans (1916–2020) (first woman member of The Law Society's Council).

Carolyn Kirby (first woman President of The Law Society).

Carrie Morrison (1888–1950) (first woman admitted as a solicitor in England and Wales).

Grace Ononiwu (first woman and African Caribbean appointed CCP to West Midlands CPS).

Eliza Orme (1848–1937) (first woman to gain a law degree in England and Wales).

Mary Pickup (1881–1938) (one of the first four women solicitors).

Susan Ridge (first woman Major General and Director General, Army Legal Services Branch).

Mary Sykes (1896–1981) (one of first women solicitors and first woman Mayor of Huddersfield).

Fiona Woolf (first woman President of The Law Society to be appointed Lord Mayor of London).

The First Women Room also reflects diversity within the profession in other ways. Boyce, elected in 2021, is herself the first President of colour of The Law Society of England and Wales; and Grace Ononiwu is not only the first woman Chief Crown Prosecutor for the West Midlands, appointed in 2014, but was also the first African Caribbean Chief Crown Prosecutor when she was appointed in Northamptonshire in 2005.

In addition to the First Women Room there will also be meeting rooms named after Mary Sykes, Gwyneth Bebb and Funke Abimbola (who were chosen by staff of The Law Society) and Joan Rubinstein and Sandie Okoro (picked by The Law Society Council).

Mary Sykes (1896–1981)

Mary Sykes was the youngest of the first four women to sit The Law Society’s final examination in November 1922. She was admitted as a solicitor in 1923 and in 1930 set up her own firm of solicitors, Mary E. Sykes & Co, in her hometown of Huddersfield. A committed socialist, she was elected the first woman Mayor of Huddersfield in 1945 and dedicated to improving access to education and the professions for women.



Sandie Okoro

Sandie Okoro was called to the Bar by Lincoln’s Inn in 1988. In 1990 she requalified as a solicitor and since 2017 has been General Counsel of the World Bank Group. She has appeared several times in the *Powerlist*, most recently in 2021, when both she and I. Stephanie Boyce were named as among the 100 most influential people of African or African Caribbean heritage in the United Kingdom. On being seen as a role model she recalls thinking, ‘I’m certainly not a role model. But then I suddenly realised that you don’t choose to be a role model, you find yourself in that situation and I felt a certain sense of responsibility not to have mystique around it or what I did or my success and to talk about it.’



Interior of NI Law Society



Presidents Gallery
The Law Society Scotland

Of these women Boyce says, ‘They were singled out as they have made a unique and impactful contribution to the profession by advocating for diversity, arguing for women to be solicitors and becoming one of the first four female solicitors. At the Law Society, we want to be at the forefront of equality, diversity and inclusion, and we hope these rooms are just one example of our commitment to that.’

There are of course important discussions to be had about women’s participation, retention and progression within the profession. The representation of women within The Law Society Building matters, as part of this discussion, because research has shown that relatable role-models are important to women, particularly in professions where sex and gender may be seen as barriers to progression. The renaming project is a step in the right direction, and it is good to see three women Presidents of The Law Society honoured in the First Women Room. However, the next step for The Law Society might be to think about how past Presidents are represented within the building more generally.

According to custom, the outgoing President of the Law Society of England and Wales commissions an oil portrait to donate to the Society. Since the millennium very few Presidents have done this. Carolyn Kirby was the first woman elected President of The Law Society in 2002. Her portrait, and portraits of two other women past Presidents, Fiona Woolf (2006) and Linda Lee (2010), are scattered around the building. As yet, there are no portraits of past Presidents Lucy Scott-Moncrieff (2012) and Christina Blacklaws (2019). In contrast at Law Society House in Belfast (home of The Law Society of Northern Ireland)

photographs of every President of the Law Society since its founding in 1922 are displayed, including all women Presidents since the first, Thomasena McKinney, was appointed in 1978. McKinney’s portrait also hangs in the library and as Paul O’Connor, Head of Communications, explains, ‘Our building reflects our past but also our future – inclusive, diverse and embracing change as we move together meeting the challenges and opportunities of tomorrow.’ Similarly in Edinburgh, as Lorna Jack, the CEO of The Law Society of Scotland explains, ‘When we moved to our new, modern offices in the city, we of course wanted to be respectful of the Society’s past and all those who have led the organisation since its formation in 1949. Instead of rehanging the original photos, which varied in style and size, we chose to have them all reprinted and framed in a way that is far more in keeping with the Society’s current home, and better reflects a modern and inclusive profession. Our ‘gallery of presidents’ now has five female Past-Presidents, with four having taken up the role since 2015.’

In both cases, the result is a striking visual reminder of how much the profession has changed and what still needs to be done and is an idea The Law Society of England and Wales might consider as the next step in their commitment to equality, diversity and inclusion and ensuring the building on Chancery Lane reflects the modern profession.

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First Women Presidents

Thomasena McKinney (1918-1987). Thomasena McKinney was admitted as a solicitor in Northern Ireland in 1953. She was a member of the Law Society Council and in 1978 was appointed the first woman President of The Law Society of Northern Ireland, the first woman President of any Law Society in the United Kingdom. Every year an award is presented in her honour to the top solicitor trainee in the year.



Carolyn Kirby

Carolyn Kirby qualified as a solicitor in England and Wales in 1979. In a series of firsts she was the first woman trainee in her firm, the first woman secretary to the Swansea Law Society, and, in 2002, was the first woman President of The Law Society of England and Wales. She advises women following her into the profession, 'Do not be afraid to be the first person to do something, you can act as a role model for others to follow.'

Caroline Flanagan

Caroline Flanagan, the first woman Partner in her firm, was elected the first woman President of The Law Society of Scotland in 2005. Interviewed as Lawyer of the Week in *The Times* she said, 'As a woman, I think I may have a different skill set from the men who have gone before me. In particular, I am told that I am a good listener and communicator. I also have an appreciation that golf is not critical to networking.'

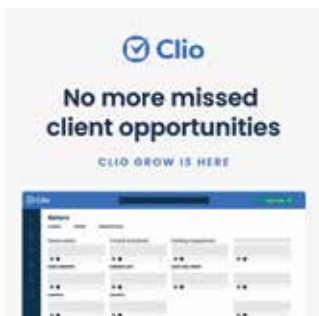


Upon the lifting of Covid-19 restrictions in England and Wales, The Law Society building on Chancery Lane reopened on 19 July. Plans are being made to mark the refurbishment and renaming of the meeting rooms in the near future. ■

Katie Broomfield

Postgraduate Researcher at Royal Holloway, University of London

Make great client experiences your differentiator – introducing Clio Grow



What is your firm doing to find – and retain – clients? Client expectations have evolved, and now more than ever before, clients expect a high level of service from their lawyer. If you're not meeting those expectations, you could be missing out on vital opportunities for your firm.

Client experience counts for a lot when it comes to choosing a law firm. With more than 180,000 practising lawyers in the UK today, your competition is stiff, which means that every contact with a potential client counts. How clients interact with lawyers has changed too. In the modern legal landscape, clients are no longer willing to play phone tag with a solicitor or to spend time chasing a firm that's hard to reach.

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and over 20% more cases every month from February onward in 2020. Firms also saw a large revenue increase, too. In 2019, firms who used client relationship software saw 9% more revenue, per lawyer, with revenue continuing to increase in 2020, reaching a high of 26% more revenue in August.

The right client intake and client relationship management solution could transform the way your firm does business. Take Clio Grow, Clio's legal client intake and relationship management software, as an example. It's designed to make it easier for lawyers to connect with clients. With it, you can:

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See for yourself how Clio can revolutionise the way you connect with your clients at clio.com/uk/legal-women. ■

*All figures taken from Clio's 2020 *Legal Trends Report*.



Suzanne Rice

Suzanne Rice

Senior Vice President of the Law Society of Northern Ireland

Suzanne Rice is the Senior Vice President of the Law Society of Northern Ireland. Suzanne is a specialist family law solicitor at McKeown & Co Solicitors and reflects on her career and roles at The Law Society with Bhini Phagura.



When did you decide to become a lawyer and what were your reasons?

I decided to look at reading Law when I was preparing for my GCSE exams. I noticed I would instinctively reach for the English literature or history text books to study instead of sciences or maths and coupled with a voracious appetite for reading, as well as being from the generation that read John Grisham novels and watched American legal dramas on television, I soon realised the family tradition of medicine wasn't for me and my skill set was better suited to a profession where you analysed evidence, recalled facts and could think on your feet.

How did you decide to pursue that aim?

I grew up in a family where the bookshelves were filled with medical textbooks so my decision to become a lawyer was not influenced by any family traditions and very much saw me setting out on a career pathway with lots of moral support from my family but no family networks or contacts. I spent a few weeks on work experience with both a local Solicitor and a Family Barrister (now one of our first high court female judges) and the experience I gained increased my interest in becoming a lawyer. I had never studied any Law modules before attending university which is why I combined my Law degree with French. I reasoned if I didn't like the Law, I could always fall back on my French degree. As it happened, the reverse occurred, and by my final year I knew my main interest was in working with my Law degree.

When it came to qualifying as a lawyer, I applied for both the solicitor and barrister training course at our Institute of Professional Legal Studies in Belfast. I was accepted onto the solicitor course and placed on the wait list for the Bar. I moved quickly up the wait list and began two weeks of the Bar Course whilst another student was awaiting her final degree classification before going back and joining the Solicitor course.

Two weeks of the Bar course was enough for me to realise a career as a barrister wasn't for me as I preferred the collegiate setting of an Office and the interaction with the client from start to finish in a case.

What was your experience of being a solicitor as a trainee and when qualified?

I trained in a small, provincial firm in Lurgan in County Armagh with one Principal Solicitor. Apart from the Principal, there were no other solicitors in the firm but in Lurgan there is a strong network of solicitor colleagues and I had the benefit of meeting up with other trainees from local firms and sharing our experiences during my apprenticeship which was invaluable. Looking back, I loved my time as a trainee as I was very fortunate to have a 'Master' who allowed me access to all files and threw me in at the deep end from day one always treating me as an assistant solicitor and never as an apprentice.

As a trainee the "hands-on" experience I was given definitely brought a whole new meaning to the term "steep learning curve". When I qualified, I moved to a firm in Belfast where I was able to develop my career in family law. I really benefited from the collegiate working practice amongst the majority of family solicitors which continues to this day. I recall after my first week in court being invited out for coffee by a group of senior family solicitors and that has always stuck with me as such a kind and thoughtful gesture from older colleagues in the profession and was a great way for me to see there is much more to the profession than simply advising clients on their legal issues.

Why did you become involved with your Law Society and how did you and the society benefit from this?

It was really my interest in family law and wanting to do more than just practice family law which is why I joined the Law Society. I was interested to know what shaped and developed family law as, at that time, family law was going through a huge change with developments in alternative dispute resolutions and pilot court projects.

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Most of my colleagues join committees within the Law Society and then put themselves forward for nomination onto Council however I did the reverse and joined Council first with no experience of special interest Committees. For me this worked really well. It allowed me to have exposure on many different Committees and to see how the work of the Law Society blends across many different areas of law. It also allowed me to see the dual purpose of the Society as a representative and regulatory body also and to experience two different types of Committees. As a younger Council member, I like to think I brought a modern approach to legal reform to the Society, helping the Society to tune into the needs of younger members, especially when my formative years as a solicitor came during the recession years, and the struggle junior solicitors had in the profession with job retention.

How and why do you think lawyers should get involved with The Law Society?

I would encourage any solicitor regardless of age, experience or area of practice to become involved in the Law Society because the knowledge and support you receive from your colleagues in the Society is immeasurable and you get to experience the justice system as a whole and not just the area of law you practice in. There are several different initiatives run by the Society both socially and in working groups which allow you to develop your colleague network and legal knowledge and, as a result, the Society works extremely collaboratively with its members and takes great interest in attracting diversity from its members onto Committees and Working Groups from all walks of life. For anyone interested in becoming involved, I would encourage colleagues to join local association groups in their local area or to apply to join committees and working groups within the Society by providing short resumes of their experience and interests.

What was your strategy during your time as President?

I am currently concluding my extended year as Senior Vice President having completed my Presidential year from 2018-2019. When I took over the Presidency, I inherited a blueprint from my predecessors for modernisation and a Society which meets the changing needs of the solicitors' profession. I think each President, has in their own way, uniquely contributed to this framework for change. In my year, the focus on digitalisation of access to justice was a key theme and my greatest achievement as President was seeing how digitalisation allowed solicitors to transition to remote working during the Pandemic.

What tips do you have for junior lawyers wanting to follow your path in the profession?

I firmly believe there is no "yellow brick road" career path for solicitors. The path you choose, is your own path. The benefit of older colleagues is simply to give you signposts.

My main signposts to junior lawyers are:

- be yourself,
- do what interests you in the profession because you will enjoy it more,
- see the bigger picture in the legal community for widening opportunities - recognising and remembering your qualification as a lawyer gives you an enormous skill set which is invaluable in allowing you to explore different employment opportunities, for example, in management, finance and business roles. ■

Did you know?

17 July was International Criminal Justice Day

Thanks to the ICC for this great one-minute video to mark it. <https://twitter.com/i/status/1416469844048887808>

Dame Lilian Charlotte Barker at the National Portrait Gallery

The National Portrait Gallery has images and research on Dame Lilian Charlotte Barker. She was the first British female assistant prison commissioner and spent her whole career dedicated to this work, providing the basis for the modern day female correctional facilities in Great Britain.

About | A Mighty Girl

A Mighty Girl is the world's largest collection of books, toys, movies, and music for parents, teachers, and others dedicated to raising smart, confident, and courageous girls and, of course, for girls themselves! The site was founded on the belief that all children should have the opportunity to read books, play with toys, listen to music, and watch movies that offer positive messages about girls and honor their diverse capabilities.

How to reduce Zoom fatigue

Try to replicate a usual environment by:

- Shrinking the Zoom app window and /or increase the distance between yourself and the screen; continuous eye contact is tiring, and evolution has makes us more alert if sets of eyes are watching us – none of this contributes to being relaxed.
- Hide the self-view window, to reduce distractions
- For long meetings with large numbers of people, use audio only when appropriate, so you can move around your room, e.g. standing and listening to the meeting and looking out of the window to rest your eyes.

We have a 'Shecession'

Recessions usually damage men's workplaces first but COVID is triggering the worst impact on women's jobs for decades. The pandemic has impacted retail and hospitality which are female-dominated and in other areas of work, the impact of caring responsibilities for children or older relatives means that women's economic empowerment is declining with untold damage to the individual women and families but also the economy overall (PwC Women in Work Index). So how come Rishi Sunak mentioned women only twice in his whole Budget speech? To see ideas on how to ensure women's economic interests are taken into account go to the Women's Budget Group <https://wbg.org.uk/>. Now more than ever women need to be involved in decision-making. ■

Legal Indemnity Insurance – It's a Click Away!

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In addition, if you prefer hard copy policies, our legal indemnity insurance '**Pack**' offers the same instant cover and is just as easy to use as GCS Online. Policies are presented logically in a smart, easy-to-use folder.

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To register for GCS '**Online**', to request a GCS insurance '**Pack**' or to view an example list of our policies, please visit <http://www.gcs-title.co.uk/>. To obtain a '**Bespoke/Direct**' quote or for any further enquiries, please contact us using the details below. ■



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Her Honour Judge Joanna Korner CMG QC



HH Judge Korner studied law at the Inns of Court School of Law and then followed a career as a barrister and judge with extensive experience of criminal law in the UK and internationally. This included eight years of experience as a senior prosecutor at the International Criminal Tribunal for the former Yugoslavia, including leading in the cases of Prosecutor v. Mico Stanišić and Stojan Župljanin, Prosecutor v. Radoslav Brđjanin and Momir Talic, and Prosecutor v. Milomir Stakić.

She was appointed as a judge to the International Criminal Court (ICC) as of 11 March 2021 for a term of nine years.

Judge Joanna Korner (icc-cpi.int)

What first drew you to a career in law?

I was not “drawn” to a career in law. My father suggested it as a suitable career for someone who was naturally argumentative. After Bar finals, I was still not convinced I wanted to pursue a career at the Bar and went abroad for a year. I only arranged pupillage as I could not think of anything else I wanted to do. It was pupillage that finally made me realise that this was a profession in which I wished to continue to work.

What have been the high points of your legal career so far?

- Obtaining a tenancy at 6 Kings Bench Walk, then the Chambers of John Leonard QC.
- Taking Silk in 1993
- Working as a Senior Prosecutor at the International Criminal Tribunal for the former Yugoslavia, (ICTY), from 1999-2004 and then again from 2008-2012
- Being appointed a Companion of the Order of St. Michael and St. George (CMG) for services to international law in 2004
- My work as the Chief Legal Advisor to the Prosecutor of Bosnia and Herzegovina (2004-05) to assist in the establishment of the War Crimes Department and my continuing involvement in the progress of war crimes trials in that country through the provision of reports and recommendations.
- Appearing before the International Court of Justice in the case of *Bosnia & Herzegovina v. Serbia* (Application of the Genocide Convention)
- Advocacy training both domestically and internationally and international judicial training

How did your experience at the ICC for the former Yugoslavia (ICTY) shape your career?

Having spent a number of years at the Bar prosecuting and defending in all manner of criminal cases, in 1999 I accepted a job in the Office of the Prosecutor at the ICTY. I knew it would be a challenge and I was not disappointed: my years at the ICTY were the defining experience of my career. I was dealing with historical events, and I knew that the investigations and subsequent trials at ICTY were the only opportunity for any kind of justice to be offered to the victims of these egregious crimes.

- With every case, we were genuinely developing international criminal law: there was little jurisprudence to guide us, save for the relatively small amount established by the Nuremberg/Tokyo Tribunals.
- We had to find new methods of investigation, of obtaining evidence and doing trials. It also gave me the opportunity

to work with all manner of people – not just lawyers – from different backgrounds and appear before judges from diverse legal traditions.

- It shaped my career to the extent that the experience made domestic practice less satisfying and accordingly I took an appointment as a Crown Court judge.

Why did you want to be elected to the ICC?

- The ICC offers the only hope of justice for many victims of the most egregious crimes and I wish to see such victims receive the justice they deserve. I believe my experience can be of assistance in the achievement of that goal.
- The experience, at ICTY, of working alongside colleagues from diverse legal traditions, managing multinational and multi-disciplinary teams, was a fascinating one and is one I wish to repeat.
- The procedural aspects of trials before international criminal tribunals still leave something to be desired; in particular, the delays before and during trial, their length and overall efficiency. A consistency of approach is needed. I hope that my knowledge, gained as an advocate and judge, together with the training activities which I have conducted for advocates and judges over many years, will be of some benefit in attaining that objective.
- Finally, during my years at ICTY I took part in the early years of the development of ICL and would wish to continue to play a part in its development and consolidation.

What are some of the career challenges that you have faced and how have you overcome them?

When I started practice there were relatively few women practising at the Criminal Bar. I was extremely fortunate in that my pupil supervisor, Ann Curnow QC, was one of the outstanding advocates, male or female, practising in crime. She demonstrated that it was possible for a woman to reach the top and acted as a mentor throughout my career. Whilst there were certain judges who were condescending towards female barristers and clients who objected to being represented by a woman, these were rare occurrences. In one sense, being a woman at that time was a positive advantage, in that you stood out amongst a sea of male faces. This aspect was, I believe, one of the reasons why I was given Silk somewhat earlier in my career than my male contemporaries.

What advice do you have, particularly for women, who are embarking on a career in international law?

- Before applying for positions in ICL, make sure that you have a good grounding in domestic law and practice. International Tribunals are not the place to acquire the skills necessary to become a good lawyer.
- Apply for internships and positions which may not, on the face of them, be in your preferred field as not only is the work often more fulfilling and diverse than is suggested by the advertisement, but has the effect of establishing contacts with others working in this area of law.
- The importance of networking cannot be over-emphasised. Accordingly joining organisations working in the field of international law e.g. International Bar Association and attending conferences is highly recommended. ■



The International Criminal Court

What is the ICC?

It is the world's first permanent international criminal court, with its main purpose being to prosecute the most serious crimes under international law: **genocide, crimes against humanity, war crimes and crimes of aggression.**

Defendants are innocent until proven guilty and the burden of proof lies with the Prosecutor

The ICC does not prosecute those under the age of 18 when a crime was committed

Over 123 States are currently party to the ICC's founding treaty, the Rome Statute

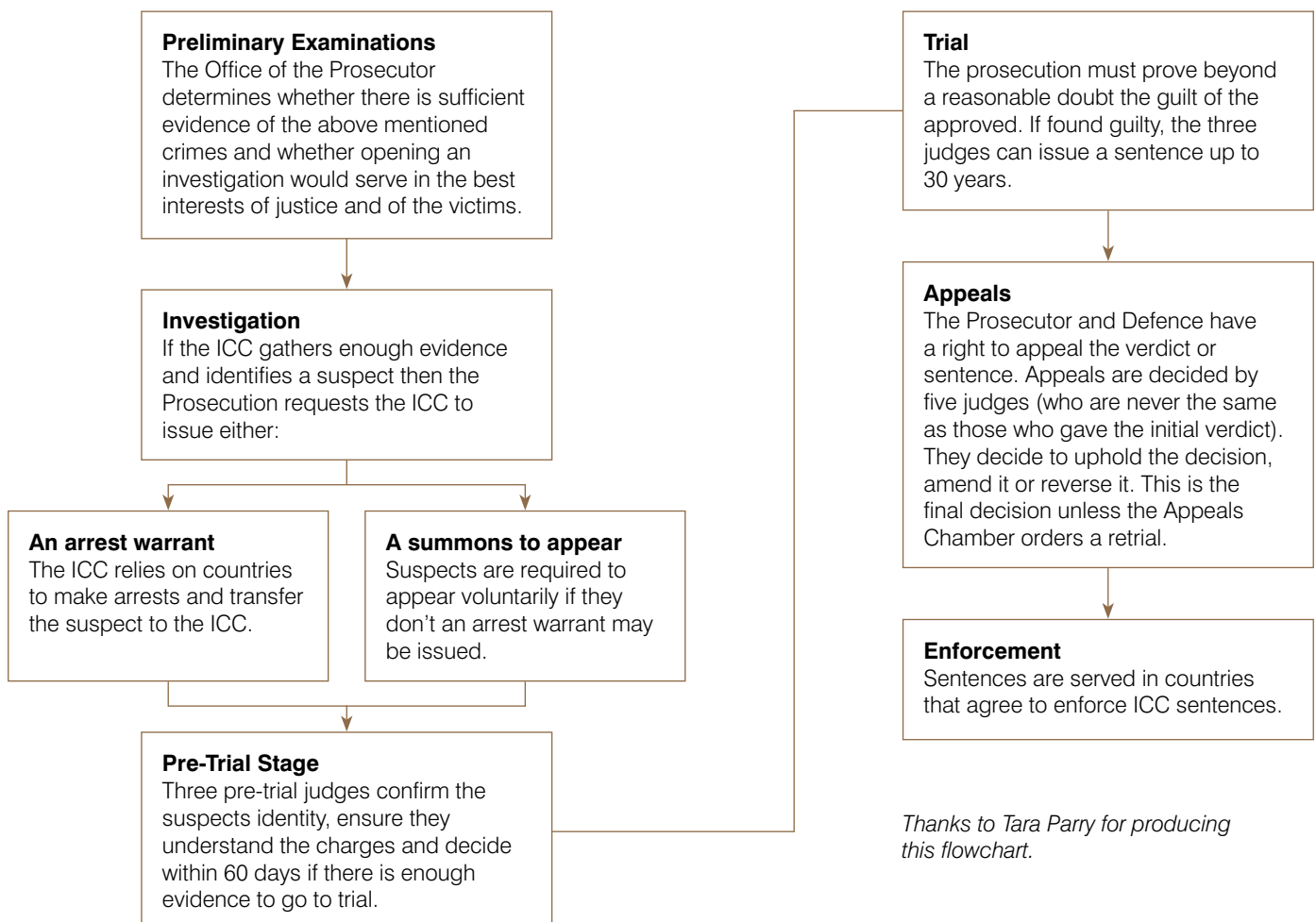
How is the ICC structured?

The Rome Statute established three separate bodies – The Assembly of the State Parties, The ICC and The Trust Fund for Victims.

The ICC has four separate organs:

- **The Presidency** – responsible for external relations with States and coordinating judicial matters.
- **The Judicial Division** – 18 judges in three divisions responsible for pretrial, trial and judicial proceedings.
- **The OTP** – conducts preliminary investigations
- **The Registry** – responsible for non-judicial matters such as security and providing support to the defence and victims.

How are cases progressed at the ICC?



Uninsured Claims arising from second closure of Solicitors Indemnity Fund

The Solicitors Indemnity Fund (SIF) is due to close in September 2021 in respect of supplementary run off cover provided by it.

Insurance policies compliant with SRA requirements for professional indemnity (PI) insurance provide 6 years run off cover for firms which have ceased. The issue is however that legal liability can persist for longer than 6 years before becoming statute barred.

The SIF had been providing protection beyond the PI run off cover, but this is now ceasing and any ongoing liability will not be insured.

The potential gap will be of concern to retired solicitors who could now find themselves liable for historic claims. There is also the issue of personal appointments such as trusteeships or executorships undertaken by employees of firms. PI insurance is typically not bought by individuals but rather by firms, and consequently they will also be concerned once the 6 year cover under PI has passed.

The Law Society is warning solicitors to consider potential liabilities and purchase further run off insurance, but is aware that practitioners may face issues in practice. The UK PI market is currently facing difficult trading conditions, in what has been described as the worst hard market in 3 decades.

The Law Society has flagged that around 10 per cent of negligence claims occur after the six year run-off period, and highlighted conveyancing, probate, child personal injury settlements and matrimonial property as sources of claims. Whilst not as common, the impact of claims arising from personal appointments can be more devastating as the liability is owed by the individual rather than firm. As such, protections such as limited liability company status would not apply. Experts warn that historic claims can be significant even for low value work. "I have seen a multi-million pound claim arise from a personal injury case which had been settled for £2,000, and a £3m claim from a £25,000 conveyancing transaction," said Frank Maher of Legal Risk.

Mark Sommariva of Brunel Professions says: "We're standing by to support former clients and other retired solicitors to find cover. The insurance market is challenging at the moment and the availability of cover will depend on former solicitors' risk records and practice areas."

Brunel Professions is a leading provider of professional indemnity insurance to the legal profession. To find out more call Mark Sommariva on 07980 221468/ 0203 475 3275.



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Ask LW: Anxiety

My firm are asking staff to come in at least three days a week from August with a view to all of us being back in full-time by the end of October. I am getting more and more anxious about it. It's not particularly rational, I'm not a 'vulnerable' person medically, although my parents are in their seventies so that is a concern at the back of my mind. It's more that I've got used to being at home and I prefer it. I've never been extrovert and I just like the routines I have now as well as the extra time to walk my dog instead of travelling to work.

The return to work or, in fact, the return to our former lives, is a difficult issue. The medical profession has highlighted that there are significantly higher levels of anxiety currently and it is clearly documented by the Office for National Statistics. So, to reassure you, this is a widespread issue and whether it is a rational feeling or not, does not in any way diminish your anxiety.

You don't mention the size of your employer, but it seems that there is some planning around the proposed staggered return. The first step will be to see if there are policies in existence and these may have been updated with information about the return. Your employer might have devised the policies with reference to government advice and the guidance from the relevant professional body. Try and update yourself on the relevant factors from an employer's point of view and also consider how this fits with your mental health.

Some approaches you could consider with external bodies:

- Contact your GP to explain how you feel, talking is often helpful in itself and clarifies your thoughts, but in addition your GP might recommend medical treatment.
- Contact your professional body which may have support (typically anonymous call lines)
- Is there support within your firm? Some employers have arrangements with outside bodies that their staff can use for confidential discussions.
- Contact Lawcare (details below)

Your employer

Ask for a confidential discussion with HR or your line manager. You should explain your anxiety. All employers have a duty of care in respect of the mental health of employees. This discussion would enable you and your employer to explore your circumstances and whether additional flexibility would be appropriate. It is probable that this may need to be a series of conversations so that you can fully explain your position and reflect on points made by your employer. If you feel uncomfortable, ask if you can have a friend attend with you.

Factors which you should be ready to discuss include:

A detailed discussion of your work and clients' needs – you might want to prepare a chart showing when clients need to contact you and what method they prefer; consider if it does need some face-to-face element. How frequently do you take on new clients? It is often with new clients that you need to build a relationship and this is helped by face-to-face meetings.

How will you develop your legal skills, or, if you are senior, how will you mentor others / pass on your skills. There is a lot of information that can pass back on forth with modern technology but one element some lawyers have missed is learning simply by listening to others on the phone or picking up suggestions at coffee time when there is no particular agenda.

What is the culture of your workplace? How independently does everyone work and to what extent is teamwork used on cases. If you have your own workload, who is overseeing it and how frequently do you report and using what method? Is the current process the most efficient? Often people have been more profitable because they have been working additional hours, typically the time of their normal commute. However, this is not necessarily healthy, and many firms would be wary of allowing a member of staff to work additional hours instead of being actively involved in the firm. How do you build a relationship with your colleagues, particularly if someone new joins. You should also think about the frequency of training, especially IT matters where you may need the expertise available at the office.

If you are in a small firm and think it would be appropriate for everyone to work at home, be prepared to argue your case. The blog below may help you think this through.

Your employer may have concerns about confidentiality or cybersecurity so you should think about how these are protected if you are working at home. The blogs below may help with some suggestions.

Is there a danger that spending additional time working from home might contribute to your anxiety? You clearly own a dog and go for regular walks (you do not mention if you live alone) so consider what social interaction you have with other people and what places you do feel comfortable visiting. Talking to your GP or Lawcare professionals may help you assess this.

We wish you the very best in finding an appropriate balance. ■

Lawcare is free, independent and confidential. It supports all sectors of the legal profession – solicitors, barristers, barristers' clerks, judges, chartered legal executives, chartered trade mark attorneys, patent attorneys, costs lawyers and paralegals, including those studying and in training. All calls, chats and emails are responded to by trained staff and volunteers who have first-hand experience of working in the law. They can also signpost you to other agencies. Email: support@lawcare.org.uk. Read more about our [peer support programme](#). Helpline Support 0800 279 6888 Monday – Friday 9am – 5.30pm Live chat Wednesday 9.00am-5.30pm.*

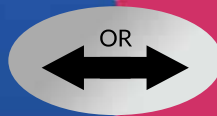
Working from home permanently: the employment law options | The Law Society

Cybersecurity when working from home | The Law Society

COVID-19: Confidentiality and working from home | The Law Society

LEAVE MANAGEMENT MADE EASY

- ✓ I manage staff leave
- ✓ Our staff work the same days or hours each week
- ✓ I may use a spreadsheet to manage my staff leave
- ✓ Our staff have mobile phones
- ✓ Our staff have the same leave holiday year
- ✓ We may offer overtime



EASY EMPLOYEE SCHEDULING

- ✓ I manage staff leave & work
- ✓ We have shift/rota based workers
- ✓ I need a system to help track who's working from home
- ✓ Join brands from around the world
- ✓ Our staff may have different holiday years
- ✓ We may even have staff in different time zones/countries
- ✓ HR and document storage



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In conversation with Johdi Hutchins

As Practice Manager for Galloway Hughes, comprising 23 lawyers and 2 offices, Johdi Hutchins has full appreciation of the financial and compliance-related demands on law firms, and how technology can help. We quizzed Johdi on legal tech so other law firm managers can make the right investments in order to excel...

From your early days at Galloway Hughes to now, describe your tech journey.

Surprisingly, it started with a spreadsheet. In the quest for greater efficiencies, we implemented a practice management system which was very expensive and we only actually used 10% of it. Subsequently, we moved to another pricey system which was equally disappointing and finally to Quill. Quill works. Law firms constantly evolve. Quill listens to its clients and develops its software to meet the sector's changing needs. It's totally future proofed. A completely bespoke system would suit 100% but start ups just don't have the money or time to create this type of set up. Quill is the perfect solution to the problem.

Aside from Quill, what other tech do you utilise?

For tech, we rely heavily on recommendations. We switched to Microsoft Office 365 five years ago and we migrated to VoIP phones around eight years ago following recommendations. These two systems are integral to our drive to electronic working. We've invested in our own fibre to prevent outages as our dependency upon the internet has grown. Our other essential tech is hardware – a fax machine – used for certificates of titles and replies to requisitions. You can't fax to 0800 numbers via email. Although an older piece of kit, it's still got a clear role to play.

Would you describe your law firm as paperless or paper-light?

We're entirely paperless. In our paperless crusade, along with Quill, VoIP and Office 365, we scan everything as soon as it arrives. Important documentation is then stored in a cupboard and shredded if it's still gathering dust after six months. Employees have two computer screens – some three – which assists hugely with paperless working as it's possible to perform multiple typically paper-based actions simultaneously. The majority of our caseload is conveyancing and the Land Registry's registration process is electronic now too. Previously, registration documents and cheque were done by paper and post, taking six weeks. Instead, it's scanned and sent electronically, done in a day. In order to achieve our paperless vision, we documented our processes, including defining naming protocols for Quill's bespoke folders so we avoid needle-in-haystack situations when locating files, and we ensured our staff are well disciplined. Plus, we enforce it strictly.

Did paperless working prove beneficial during coronavirus?

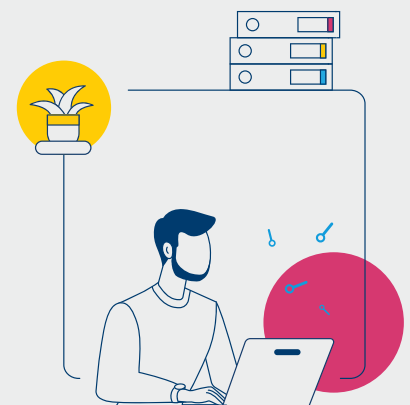
Absolutely. If we have the internet, we can work anywhere. We permitted home working pre-Covid anyway. In lockdown, we accommodated staff preferences for home or office. One-third were furloughed, one-third chose to work at home and one-third opted to work in the office with desks five metres apart for safety. VoIP allowed us to give the office number to clients thereby protecting staff's mobile numbers. On the subject of security, Quill's SMS tool is extremely useful for sending bank account details to clients. When you're dealing with the sums of money we handle, it's an additional layer of protection to make sure monies are transferred correctly. We text updates via the SMS facility to clients on completion day too, as it's often an occasion without landline or internet. It's our tech that powers paperless working.

Can you share a few parting words with other law firm managers reviewing their tech requirements?

Tech makes life simpler and easier. Embrace it! If thinking of introducing change, speak to everyone in the business to ensure the change is worth it and the new procedures improve daily working. There's also compliance with rules and regulations. Software should provide compliance assurance with regards to managing your day-to-day financial transactions. That's what you get with Quill. Finally, speak to others for recommendations. Mine is... join the Quill community. Being a Quill user has contributed to our success. ■

Quill's guide to the essential smart law firm technology in 2021

Discover what smart technologies to invest in, why to go paperless and how you can make the tools you already have at your disposal work harder.

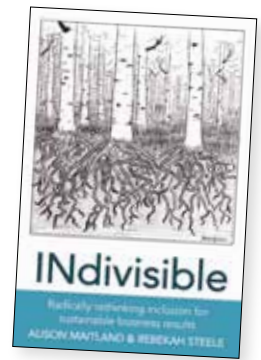


Learn more: www.quill.co.uk/resources/guide-to-the-best-legal-tech-tools-for-uk-law-firms-and-lawyers-in-2021

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Book Review: INdivisible

By Alison Maitland and Rebekah Steele



The fundamental propositions in INdivisible chime completely, with the LW view, that diversity is an essential prerequisite for success of a business or organisation. Studies have repeatedly shown this link but introducing national policies or promoting diversity and inclusion through pledges and aspirations, do not turn them into a reality in the workplace. As this book explains ‘Organizations cannot find breakthrough business solutions by relying on just a few leaders at the top.’

The authors challenge us to see the big picture of inclusion; the ‘who, what, where, why and when’ and provide plenty of examples of how to structure these conversations in the workplace. As well as a coherent argument, it presents clear actions and discussion questions for senior leaders, middle managers, and individuals. When did you last sit down with your team to discuss in detail questions, such as, what’s our progress on inclusion or how is inclusion supporting our relationships with external partners? It’s conversation that many workplaces relegate to an annual survey and/or consider too time-consuming to be worthwhile.

An inclusive culture cannot be imposed on others nor is it enough to attempt to act inclusively in isolation. The authors encompass many of the thoughts from practitioners on leadership in this

magazine, as it proposes that leaders must bring their ‘whole selves’ to work, and ensure we take into account and acknowledge people’s varied perceptions, including our own. Diversity alone does not create an inclusive workplace. It is not simply having many voices in the debate – it means making sure they are heard, understood and acted on with courtesy and consideration.

The book deftly explores the interdependence between sustainability and inclusion: ‘Both require global systemic change. Both also require shifts in behavior, towards our fellow humans and towards preservation of our natural environment.’ The emphasis on sustainability is ‘a way to give greater meaning and purpose to work, providing motivation for employees and building trust with stakeholders such as customers, investors, and communities.’ Faced with such stark realities, the widest range of perspectives and ideas are required to generate better solutions.

It is an accessible and well-referenced book, my favourite type, easy to read but backed up with substantial evidence and research. It captures insights with pithy phrases: ‘Without inclusion, diversity is unfulfilled potential’. ■

Coral Hill

Are you a future consultant solicitor?

Taylor Rose MW is a top 75 legal firm, which operates one of industry’s longest established consultancy programmes. Unlike ‘virtual’ firms, it runs its traditional nationwide legal operations, in harmony with its largely remotely based network of consultants. Interestingly, the majority are experienced female legal professionals.

For those unaware, a consultant solicitor often operates on a self-employed basis but works under an umbrella firm of solicitors, providing their PII and the operational infrastructure for you to service your clients.

We caught up with lead Director, Antony Jaggard to talk us through, based on his experience, who makes a good consultant solicitor. *“If I was sat opposite two lawyers and one said: ‘I’m going to bill £500k a year and I’ve got all these contacts’ – and the other said: ‘I have long established clients that I have developed a good working relationship with, but I’m starting a family and I’m looking for a balance between work and home-life’ – then, subject to their chosen area of law, the person we would probably want to work with would be the person with long established clients. This, of course, comes with an element of trust. We are only interested in going into a relationship with a solicitor who is recommended, compliant with no SRA issues, someone who has experience and has qualified for at least four years.”*

Whilst consultancy is not for everyone, but if you would like to find out more, contact their team now to discuss your potential options and whether the switch is right for you.

Their team operate on a strictly confidential basis and can go through the programme in a few minutes. ■

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Felicity Marsden, Consultant Solicitor & Partner

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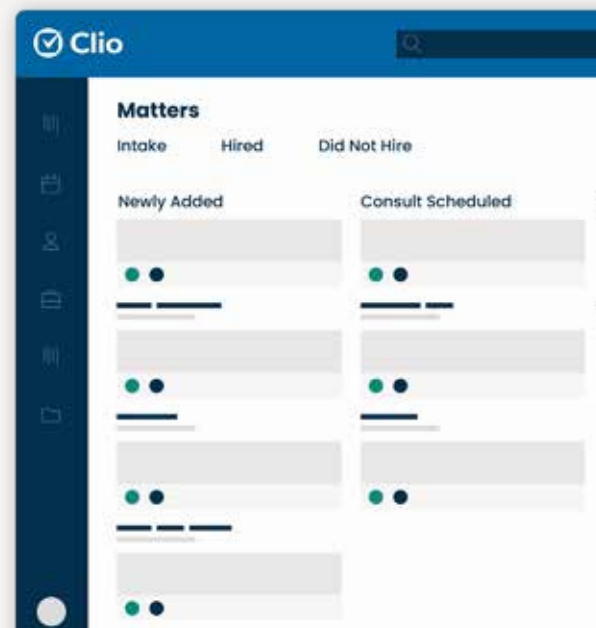


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*Statistics taken from Clio's *Legal Trends Report 2020*. 26% revenue increase observed in August 2020

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