



## Presidential Year Plan 2018/2019

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### 1. Preamble

1.1 This Presidential Year 2018/19 will be particularly important for our profession, the legal services sector and the justice system. This plan supports the delivery of the Law Society's Business Plan 2017-2018, the Corporate Plan 2017-2022 and the organisation's member offer. Its focus is to enable the Society to be the voice of solicitors, drive excellence in the profession and safeguard the rule of law.

1.2 A number of important consultations and milestones (national and international) will take place during the Presidential Year 2018/19. Some of these reforms aim to change the fundamental core of the profession, the justice system and the environment in which we operate. Others give us a chance to raise awareness and celebrate diversity in the legal profession. These include:

- The country's exit day from the EU will be on 29 March 2019. By the start of the Presidential Year trade negotiation guidelines should have been agreed, including a transition period. The withdrawal treaty should be approved by October ready for ratification (UK and EU) by January 2019.
- Important pieces of legislation will complete their passage through Parliament including the European Union (Withdrawal) Bill, Customs Bill and Trade Bill.
- The General Data Protection Regulation (GDPR) will come into force in May 2018 and there will be an ongoing need to support members to comply and to share best practice.
- The Ministry of Justice's review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) is ongoing.
- The Solicitors Regulation Authority (SRA)'s decision on the Handbook will be issued, which will result in amendments to the Code of Conduct, Principles, Accounts Rules, Practice Framework Rules and Transparency.
- The Financial Conduct Authority will consult on the senior managers regime and the legal function.
- SRA's consultation on personal indemnity insurance (PII) minimum terms and conditions and compensation fund will take place.
- The centenaries of some women being able to vote and all women being able to enter the profession will take place during 2018- 2019.

- The 10-year anniversary of the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the 70<sup>th</sup> anniversary of the Universal Declaration of Human Rights will take place in 2018.

1.3 These consultations and milestones will bring significant challenges and opportunities for the profession, the Law Society and society at large.

1.4 We will continue shaping and leading the discussion on Brexit to ensure that mutual market access and legal certainty are at the forefront of the negotiations. We will promote further our Global Legal Centre campaign and focus our efforts on in-house teams to encourage their use of the law of England and Wales as the governing law of contracts, the use of our courts for dispute resolution and our networks of firms to enable and facilitate their international deals.

1.5 We will continue to lead our pride in the profession campaign domestically by emphasising the work of solicitors and their contribution to the prosperity of the economy, society and our justice system and engaging with all sectors of our membership.

1.6 In addition to this work, during the Presidential Year 2018/19 we will also focus our efforts on raising the profile of the organisation, supporting, promoting and representing solicitors on the following thematic areas:

- Diversity and inclusion: Women in leadership in the law and social mobility
- Technological innovation and the law
- Access to justice

1.7 The areas of work in the Presidential Year Plan are covered by existing budgets (or explicitly mentioned if not) and aligned with the Business Plan.

## **2. Diversity and inclusion**

2.1 The Business Plan 2018/19 states that a key objective is *“to build members' reputation and business by promoting the value of solicitors to the public, businesses and other stakeholders, at home and abroad”* (objective 1) and *“increase levels of member engagement with TLS and levels of awareness of our offer”* (objective 2). These objectives will be delivered during the 2018/2019 Presidential Year by promoting diversity and inclusion in the legal profession and particularly, the contribution of women in leadership in the law and social mobility within the profession.

2.2 This workstream relates to the common core and practice enabler elements of the member offer. It aims to complement our work to “influence for impact”, promote pride in the profession and provide firms and in-house teams with the tools needed to ensure diversity and inclusion.

### **2.3 Women in leadership in the law**

2.3.1 The centenary of women being able to vote and to enter the profession and the 10-year anniversary of the UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) fall within the Presidential Year. The foundations for this work have been laid during 2017 and early 2018, through the Law Society's rule of law programmes and the women in the law workstream, which resulted in a substantive piece of quantitative research in collaboration with Lexis

Nexis and supported by the Women's Interest group of the IBA. (annex 1 – results of the survey).

### 2.3.2 The objectives of this programme are:

- To position the Law Society as a central stakeholder to the debate on women in leadership in the law.
- To be a thought leader with whom all parties (political and non-political) want to engage and become the go-to organisation for our members for guidance, advice and assistance on matters related to women and the law.
- To address matters relevant to women's rights and gender equality domestically and internationally within the legal sector and the judiciary.
- To promote and support gender equality in the legal sector.
- To level the playing field for all women working in law irrespective of role and to include business service professionals and the judiciary.

### 2.3.3 The main activities and outputs which will take place during the Presidential Year are:

- **Academic literature review** – This programme will harness the knowledge gained through academic research of women in the law (domestically and internationally), which will enable us to gain insight, identify best practice and build on lessons learnt. It will take into account the results of our own survey, which was undertaken as part of this programme between November 2017- January 2018, and which produced the largest global survey response rate ever achieved on this issue. We have the financial support of Lexis Nexis and, potentially, the International Bar Association with this project. The final output will be a comprehensive report. This will inform the specific questions to be addressed through the roundtables and will be available by May 2018.
- **Qualitative research and roundtables**– This research will help us gain more in-depth insights into the experience of women in the profession today. A pilot programme of syndicated roundtables will be organised by the Law Society and take place across England and Wales, as well as in other jurisdictions if possible, to supplement the research on career barriers. Leading individuals in the profession, local Law Societies, GC groups and representative bodies have already volunteered to host roundtables. The Law Society will run 10 roundtables and we aim to empower a further 90 women lawyers to host their own roundtables and supply us with the results over summer 2018. We have applied for funding for this project from the IBA which could enable the Law Society to facilitate more sessions.
- **Toolkits** - A core group of women leaders in law support the programme and are developing the toolkits for the roundtables. The first toolkit will provide guidance to deliver the roundtables, clarifying the objectives, agenda, facilitation, and the questions to be discussed in addition to those identified by the individual groups.
- **Call to action** - One of the most important aspects of the roundtables will be the final questions or call to action. Recognising that all the women present have the potential

to be leaders, the Law Society will prepare some packaged opportunities to empower each woman, and each group of women, to consider and possibly take forward a new activity either in their firm or business, within their community, or the wider national or international community.

- There will be 5 specific toolkits:
  - An infographic to enable women to collate data about the women of influence in their firm/ business. We will ask them to send us photos and press cuttings for the First 100 Years archive in the British Library. We are also collaborating on a book to commemorate the centenary
  - An international women lawyers twinning programme to enable women in England and Wales to build sustainable relationships with women lawyers in other jurisdictions
  - An Equal Pay toolkit- best practice and examples of how to successfully change the gender pay gap
  - An unconscious bias toolkit with training and suggested best practice
  - A HeforShe toolkit- the business case and research basis for gender equality, successful examples, influencing skills support to enable women to engage with male leaders in their businesses to promote positive change.
- **Evaluation of the pilot roundtables** - Once the initial UK-based roundtables are completed they will be evaluated to determine the level of success and subsequently whether it is suitable to extend the syndicated roundtables to other jurisdictions. Extending the remit of the project would permit comparisons to be drawn between the various jurisdictions and enable commonalities to be identified. As well as identifying issues and obstacles in the profession, the roundtables will provide insights into obstacles to leadership positions in the profession. This will be available for International Women's Day, March 2019.
- **Evaluation of the 'call to action'**- An impact assessment will be undertaken 6 months after the close of the roundtables to evidence the difference that the activities have made. This will be available for May 2019. We are in discussions with Lexis Nexis and the IBA around funding for this part of the project.
- **Final report and international symposium** - The findings of this work will be put together in a final report that will be made available to all our partners and stakeholders. We will host an international seminar in June 2019 to disseminate our findings and pass the baton on to the international community. Further work will be required to take forward recommendations for positive change, headed by the Law Society. We will aim to make 2019 the 'Year of the Woman Lawyer'. We are in discussions with Lexis Nexis and the IBA around funding for this part of the project

## 2.4 **Social mobility**

- 2.4.1 During the Presidential Year, we will continue to support the existing work of the Diversity and Inclusion team and actively campaign to encourage access to the profession for the best candidates, regardless of their social background.
- 2.4.2 Some of the key activities for the year will be to:

- Promote fair recruitment practices including supporting and promoting more firms to use ‘blind’ and contextual recruitment practices, including supporting the sustainability of the Diversity Access Scheme and the Diversity Charter.
- Encourage law firms to adopt practices to secure fair pay, particularly for internships and work experience.
- Champion personal development initiatives to provide solicitors with the tools to overcome lack of confidence and other barriers.
- Regional coverage: to support solicitors to be able to drive, prioritise and promote fair access opportunities across England and Wales.
- Work with firms, legal businesses and other organisations to support and promote the work of PRIME and other similar initiatives.
- Promote the importance of diversity in the legal profession at all levels and across England and Wales, including the Welsh Government and Welsh Assembly and celebrate the work of our members in furthering this aim
- Increase the visibility of the work of our sections and divisions.

### 3. Future of legal services

3.1 The Business Plan 2018/19 states that a key objective is to “*protect and grow the value of the profession and safeguard the rule of law by influencing the legal and regulatory environment at home and abroad.*” (objective 3) which will be delivered through “*developing a programme of work – currently conceived as the Public Policy Forum – on the effects of AI and transformative technologies to support and guide innovation by members and to innovate ourselves.*”

3.2 These activities relate to the common core, informed source practice enabler elements of the member offer. Particularly, these aim to complement our work to ensure solicitors feel competent in their roles, able to demonstrate value to their clients and be competitive in the market.

3.3 During the Presidential Year, we will continue to support the Law Society’s work on the future of legal services with a focus on technological innovation as a driver of change. The profession has embraced the use of technology in legal practice and it is driving innovation, both in house and in private practice and we will continue to build on this work. To further enhance this work, we are launching a Technology and Law Policy Forum during the presidency. The main aims of the forum are:

- **Platform.** To harness the Law Society’s convening power by offering a neutral platform for academics, policy makers, lawyers and technologists to address pressing legal and ethical challenges of technology.
- **Roundtables.** We will host a series of roundtables with experts and with high profile chairs – which will be part of our thought leadership programme.
- **Report.** We will publish a report that will highlight the issues and suggest potential solutions.

3.4 The first theme that the Forum will address is the intersection of law and human rights. We will explore whether the current human rights framework (which dates largely from the 1940s) is fit for purpose and what human rights law should look like in the context of rapid technological change.

3.5 In addition, we will continue to engage with the developing legal tech start up community to influence the design and development of appropriate products and services for the profession.

3.6 We will also look to support the profession through engagement via roadshows, guidance and access to new technology, to give them the opportunity to make properly informed decisions about technology and their businesses.

#### **4. Access to justice**

4.1 During 2018/19, the review of LASPO will be ongoing, therefore access to justice will continue to be a key focus of the new Presidential Year. This workstream relates to the common core and practice enabler elements of the member offer. Particularly, through our campaigns, policy work and public affairs engagement we will be promoting the rule of law and the integrity of the justice system.

4.2 We will continue to campaign for access to justice and reiterate the responsibility of the Government to provide a fair and adequate system of justice. We will increase the profile of our early advice campaign and the legal aid deserts campaign.

4.3 We will continue making the argument to decision makers that pro bono legal advice must never be viewed as a substitute for a properly funded legal aid system, whilst at the same time supporting the profession to conduct pro bono in different ways and scales.

4.4 We will also provide clarity for people affected by the Grenfell fire and solicitors advising them, providing information and working with a range of stakeholders to ensure those affected have access to justice. As Vice-President I have chaired the Grenfell Lawyer's Forum and I will continue to do so during my term as President. To date, we have:

- Developed a protocol that firms acting for those affected by Grenfell have signed up to, in order to give clients assurances as to what they can expect from their solicitors.
- Drafted a proposal for a bespoke fund to meet the legal needs of those affected.
- Distributed public legal education materials to help those with legal problems following the fire to get the representation and advice they need.
- Engaged with the Public Inquiry to try to ensure lawyers acting for the residents and the bereaved are on a level playing field in terms of resources with those acting for corporate and Government parties.
- Prepared a briefing for solicitors advising victims of the Grenfell Tower fire comprising: Guidance from the Legal Aid Agency (LAA) for providers who wish to access legal aid for victims of major incidents; Law Society update regarding the

impact of lump sum payments from government on legal aid eligibility; and information regarding pro bono advice and pro bono cost orders.

4.5 We will also be seeking to influence the Government on issues raised by the Forum, where appropriate and promote the work of the Forum in the press, where appropriate. In addition to this, we will continue supporting the programme of court reform provided it does not hinder people's ability to access justice.

4.5 To further pursue this aim, we will continue to support lawyers doing pro bono work and continue to put in place the necessary arrangements to provide emergency pro bono support in disaster situations.

## **5. Mental health and well being**

5.1 Mutual respect, inclusion and a celebration of diversity will be watch-words for my presidential year. Whether in law firms, legal businesses or within our own Law Society, working with colleagues, I will strive to ensure that together we can build a more collaborative, understanding and supportive environment for all.

5.2 In 2016, the Law Society's annual PC holder survey found that 97% of the profession have experienced stress in their role and 21% of whom have experienced extreme levels of stress. This is a 5% increase since 2013. When asked what were the causes of this, 52.6% reported workload as the highest indicator, 37% reported client expectations and 20.7% of respondents reported deadlines and targets.

5.3 A survey led by the Junior Lawyers Division last year also showed more than 90% respondents had experienced stress in their role. 26% said that they have experience severe extreme levels of stress. In addition, more than 25% of respondents stated that they had suffered with a mental health problem in the last month (whether formally diagnosed or not) with only 23% telling their employer about it.

5.4 I believe it is important to promote mental health in the same way that we support the physical health of our members. Therefore, during the Presidential Year I will champion the Law Society's programme of work on mental health, wellbeing and resilience in the workplace. I will continue to support relevant research in this area as well as the publication of best practice guidance.

5.5 We will continue to offer solicitors and HR professionals mental health first aid training in both England and Wales. We will support employers to safeguard and promote resilience and wellbeing of employees in the workplace by focusing on support, education, training and culture.

## **6. Shaping our future**

6.1 I will support the work being led by the Executive Team on shaping the future of the Law Society, including being a Culture Code advocate.

I look to all my friends and colleagues to help achieve this ambitious agenda. Together, we can...