

# CitySolicitor

THE MAGAZINE OF THE CITY OF LONDON SOLICITORS' COMPANY AND THE CITY OF LONDON LAW SOCIETY



*“Try to be a filter,  
not a sponge.”*

STEPHEN CHBOSKY

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### Contact Us

4 College Hill, London EC4R 2RB

Tel: 020 7329 2173

Fax: 020 7329 2190

mail@citysolicitors.org.uk

www.citysolicitors.org.uk

Twitter @TheCLLS and @CLSC2

### Editor

Philip Henson (ebl miller rosenfalck)

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Maroulla Paul

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Lansdowne Publishing Partnership Ltd

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E: info@lansdownepublishing.com

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## LAWYERS (UN)FILTERED?

*The dichotomy between freedom of speech and political correctness has never been so extreme. Trying to juggle both is no mean feat. We look at how much lawyers – and the profession – are filtered, or not.*

### 7 ACCESS TO THE LAW. BUT WHAT ABOUT ACCESS TO THE PROFESSION?

A diverse profession is needed to fairly represent a diverse society. We examine how (un)filtered access to our profession really is and how much it has changed in the past 50 years.



### 12 SHOULD LAWYERS ZIP IT?

Lawyers and social media; a match made in heaven or something that should definitely be filtered?



### 15 AND WHAT ABOUT MPs?

Is parliamentary privilege a way of giving MPs freedom of speech or is it a means to undermine the Rule of Law?



### 17 HOW FILTERED IS ACCESS TO JUSTICE?

Everyone has the right to advice; irrespective of who they are and what they have done. But do lawyers have their hands tied as to who they choose to act for?

### 19 "FAIRNESS DOES NOT MEAN EVERYONE GETS THE SAME. FAIRNESS MEANS EVERYONE GETS WHAT THEY NEED."

When lawyer Pernille Kruse Madsen looked into the eyes of a trafficked minor in a brothel in Nepal, her life forever changed – as did the lives of tens of thousands of others. We look into the work that Human Practice Foundation is carrying out to change these lives.



## WINE. UNCORKED.

*Looking way beyond red, white and rose into the complex and fascinating world of wine on offer today.*

### 24 PORTE NOIRE — THE WINES. THE DESTINATION. THE EXPERIENCE.

When celebrities put their names to wine, true oenologists cringe. But one celebrity has changed all that with wines that even Jancis Robinson raves about. We experience Porte Noire.



### 27 THE BEST KEPT SECRETS. SHARED. (COURTESY OF CHAMPAGNE COLLECTIVE)

We uncork the low down on how to get the champagnes that you can't normally get!

### 29 GUSBOURNE — PUTTING THE SPARKLE INTO ENGLISH WINES.

A glass of Gusbourne? The fizz that those in the know are drinking. Their Master Sommelier tells us the story behind these English bubbles.



### 31 AND NOW FOR SOMETHING COMPLETELY DIFFERENT. TILLINGHAM.

Natural wines are like Marmite. Love them or hate them. We taste some of the most different out there in a little corner of Sussex that is a piece of heaven on earth.

### 33 CAR COLUMN

Italian rivalries, internet provocateurs and everything in between.



### 34 LIVERY NEWS

A look at what has been happening.



## LEGALLY SPEAKING

Our next episode of our podcast continues the theme of (UN)FILTERED.

And it is precisely that. Scan the code, find it on Spotify or use this link <https://anchor.fm/maroulla-paul>



## editor's letter



OUR THEME FOR THIS EDITION IS A HIGHLY TOPICAL ONE –(UN)FILTERED. WE LIVE IN A TIME IN WHICH WHAT WE SAY IS ALWAYS UNDER THE MICROSCOPE, AND ANALYSED. WE LOOK AT HOW FILTERS [REAL AND SOMETIMES SELF-IMPOSED] CAN AFFECT LAWYERS AND OUR PROFESSION.

As more of us are becoming more vocal on social media, and making more regular appearances, we ask should lawyers be openly expressing their opinions – and their political views? Our lawyers had so much to say on this subject that we have continued the discussion into our very unfiltered podcast!

Prior to the pandemic I used to joke that the posts that you would see on LinkedIn could broadly be divided up into three groups:

- The “*humble brag*” – I/my firm/team [delete as appropriate] have won a case/completed a transaction/been shortlisted for, or won, an award [delete as appropriate].
- The photo outside, or inside, a legal conference – the lawyer posts a photo showing that they are at a conference, and it was invariably thought provoking.
- The “knowledge share” – often sharing a post from a colleague where they share their views on a recent case, or change to the law.

Now our social feeds are full of posts covering the whole kaleidoscope of professional and family lives: from travel to the office, the working at home set up (often with a pristine garden), the activities and achievements of our families (and sometimes pictures of our pets) and responding with a soundbite on current affairs. Does sharing this information make the profession more open and transparent, or does it

create barriers, or reinforce stereotypes? Are we sharing too much, and should we just zip it?

We examine access to our profession. How open is it really? How much has it changed in the last fifty years, and what more needs to be done?

And what about MPs? Does their freedom of speech sometimes hamper and hinder the Rule of Law?

How much do third parties – such as banks and insurers – have an influence on filtering the work we take on?

We look at how one lawyer filtered herself out of our profession to set up the Human Practice Foundation, a charity which is doing the most incredible work in Nepal and in Kenya.

We even give you a taste (sadly, not literally) of filtered and unfiltered wines.

I hope you enjoy both the magazine and the podcast and, as ever, I welcome any feedback.

**Philip Henson**  
Editor  
mail@citysolicitors.org.uk



# LAWYERS (UN)FILTERED?

When we think about everything to do with the Law, it is about access, about rights, about freedom.

Everyone should have access to the Law. Everyone should have the right to free speech.

Everyone should be free from prejudice, from discrimination, from being filtered.

But how true is this when we switch from the Law in general, to lawyers specifically?

We look at all of these issues in relation to our profession rather than political philosophy.

We examine who really does have access to entering our profession, whether lawyers have the freedom to speak their minds, whether MPs' freedom to speak theirs can hinder our ability to deliver fairly and whether third parties such as insurers and banks can filter the work we want to do.

# ACCESS TO THE LAW. BUT WHAT ABOUT ACCESS TO THE PROFESSION?



"Access to justice partially depends on access to the legal profession:

Inequality in access to the legal profession leads to a legal profession not representative of the society it represents."

In 1974, I went to the London School of Economics to study Law. In a year of 80 students, there were only seven females. I was the daughter of a working class, immigrant single parent; again there were probably way less than 10% of us who were not middle class English. There were only two BAME students, both of whom had been to the top public schools. As females we were advised to think about being solicitors not barristers (fortunately for human rights, Cherie Booth, ignored this) and we were told that even then getting articles (as training contracts were called then) would be tough. Bear in mind that this was probably the most radical college at the time and considered one of the finest places to study Law.

Just how different is access to the profession today?

Raphael Mokades is the founder of Rare Recruitment, one of the organisations responsible for broadening and changing the demographic of the legal profession – amongst others.

On its website, Rare says;

"For the last fifteen years we've been trying to make the elite professions more diverse. We've come a long way since then: today, roughly one in five Magic Circle trainees is a Rare candidate."

Raphael says that access is definitely and quantifiably much improved today than it ever was in the past, both in terms of social and ethnic backgrounds. Good year on year data proves this. In top firms the proportion of people from ethnic minority backgrounds is above 30%. Proportionately, people from black backgrounds, who are the most underrepresented of the ethnic

*“It turns out that professional work experience at the age of 18 is a less good predictor of good on the job performance as a lawyer than retail work experience.”*

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groups, is up to between 5–10%. The proportion of people who come from disadvantaged backgrounds – as defined by Rare’s contextual red flags (more on this later) – is up to around a third of most of the top firm’s intakes.

Why has it improved so dramatically?

“Fundamentally, the biggest single change firms have made is to contextualise academic achievement. Previously firms were looking for young people with great A level results, who were set to get an excellent degree and who had done interesting things. What that meant in practice was 3 As, being at one of the better universities, probably someone who had a captaincy in some team sports, who had work experience in some top professional places and who had maybe climbed a mountain or canoed some rivers. Whilst none of this was necessarily wrong – it makes sense that someone who is good academically and is a team leader will probably do well as a solicitor – but with more data you can identify the less obvious data points. It turns out that if you get high grades at a school where the average is two Ds and an E, that is a good predictor of out-performance on the job; of being a more successful, higher billing lawyer four years after qualification. Contextualising not just what people have done but the circumstances in which they did it is very useful.”

Rare has built a system which does precisely that; contextualises achievement in an automatic way so that firms can easily identify high achievers from less high achieving schools. This means different, very bright people are getting access they otherwise would not have had – and, likewise firms to candidates.

There has been a wider shift too. It turns out that professional work experience at the age of 18 is a less good predictor of good on the job performance as a lawyer than retail work experience.

“It stands to reason. We ask not just what work experience someone has had but how they got it. If you see the week at Goldman Sachs was because their Aunty works there, that is less impressive than someone who has found and held down a tough retail job themselves.”

There is also a lot of more subtle stuff that is considered important but could actually prove to be meaningless. We all ‘know’ that a strong handshake and eye contact are good things – but, again, we need to contextualise. If you are, say, a Chinese origin

woman greeting an older, white man, then a strong handshake and eye contact are probably not socially appropriate.

Intonation, dress and social graces also need to be viewed with the right lens. It is potential that firms should be looking for; polish is not relevant – that can come later. Just because someone wears brown shoes, that isn’t a reason not to hire them (just as a plummy voice is not a reason TO hire them). By the time they have qualified, they will have learnt a lot about all of this – and if they haven’t, a quiet word in their ear will do the trick. Someone who may have been dismissed years ago because of his monotone voice, his lack of eye contact, his clothing may actually be the best candidate. It’s all about context, context, context.

“We need to redefine what ‘good’ looks like. It needs to be related to the job. We need to prove that x and y actually lead to better performance. It needs to be fair, obviously fair across gender and race lines – but also class lines. One of the things that our system which measures academic out-performance does is calculates a degree of disadvantage with a number of red flags. It does this by looking at the school where you did your GCSEs, where you did your A levels, your home postcode, whether you received free meals – in all there are 13 data points. If you define what ‘good’ looks like differently, you will hire different people. It’s obvious. We can easily quantify data from before and after contextualisation which is what gives me the evidence to quantify the impact this is having on broadening access.”

Whilst Raphael believes this contextualisation is the biggest single thing firms have done, the second is outreach.

“Twenty years ago we used to hear ‘we would like to employ more of x, but they just don’t apply’. That has pretty much gone. Firms now consider it part of their recruitment strategies not just to look at applications that come in but actively to solicit them from groups of people they think might be interesting and that goes across diversity and talent. More and more firms are now working to the model where there is a pipeline of pre-application targets to woo and these people are being identified as early as four years before they actually want them in order to start building relationships. Outreach has become much more data driven and sophisticated and firms are using tech platforms to reach particular groups without even leaving the office, which makes the process much much wider and way more efficient”

Raphael says the great successes so far in broadening access has been because firms genuinely want to see it happen – and technology has allowed this to happen. These technologies did not exist a decade ago. Today they are there and they are not even that expensive so there is no excuse. Not that firms are looking for an excuse; technology is now simply allowing them to do what most of them have always wanted to do.

Vernon Dennis is the Training Principal at Howard Kennedy LLP. To Raphael’s point, Vernon says the



firm has always been concerned about diversity and inclusion and not just with gender and race but also social economic advantage.

“The first step we took towards a more unbiased approach was we quickly moved away from scoring and rating educational background, particularly A levels. We do not have a minimum requirement. That particularly suits people who may have come to the Law late, possibly as a second career, and this removal of a screening policy has proven to be very effective.

The second element is that we increasingly are doing blind assessments, which is becoming more common in our profession. We remove the name and educational background of the person being assessed and we pose questions which provide us with a score. Everyone is on a level playing field. It is about how they do on the day, not about what has gone before.”

Despite these efforts, Vernon still feels the funnel to this point is not broad enough;

“In the legal profession, a whole load of money, time and effort needs to be expended by those qualifying so whilst firms can do their best in terms of the recruiting stage, what we are finding is a lot of candidates who look very similar and come from similar backgrounds and university education.”

Vernon says a lot of potentially great candidates and future lawyers may simply not apply so he agrees with Raphael that they need to be more proactive in reaching out rather than waiting to be approached. He believes the culture of the profession has radically changed from a very exclusive approach of having to fit in to a much more inclusive and open one. And that shift means firms are not just willing but hungry to do whatever it takes to reach new and different candidates.

Obviously the new Solicitors Qualifying Exam (SQE) was developed with diversity in mind. It is attempting to open up the profession by removing the training contract and having relevant work experience instead. This can be obtained by a number of different sources; one such route is for those who come into a firm by starting off as a paralegal. This way they can be earning a wage whilst they are studying for the SQE which affords greater access to those who have financial hardship.

We spoke to Jatinder Bains, the Graduate Recruitment Partner and Chair of the Trainee Solicitor Committee at Macfarlanes LLP about this.

“It’s all well and good to be a super smart 18 year old who breezes through their exams and gets to a good university, does a Law course and in their second year applies for and lands a great training contract. It’s all rosy – but not everyone has these opportunities. Sometimes things happen, people can make mistakes, face difficulties in their lives or simply be late developers so we think there is a strata of people like this who deserve a shot. Over the past five years



or so, we deliberately say to people applying to be paralegals that we would like them to come with the view of becoming a trainee – this is in contrast to some firms who stipulate that their paralegals can’t become trainees.”

As long as a paralegal has done at least a six month stint and has a couple of really good references from partners at the firm, paralegals at Macfarlanes can apply and immediately get an automatic place at the assessment day. Blemishes in academic careers are not considered a dealbreaker. The thinking is whilst it is great to have the ones who have breezed through life, Macfarlanes are keen to blend that with people who have had it a bit tougher, who are willing to work that much harder to prove themselves.

Whilst firms such as Macfarlanes are offering these great opportunities, as we are hearing half the battle is reaching the people in the first place, letting them know they can access the profession – something which may have always seemed so far out of their

reach, it would never enter their heads to even apply. Macfarlanes work closely with recruiters who inform and educate on these opportunities. They also do a lot of work with students to let them know that if they are not at one of the top universities and if they have found things tough, there is this alternative route into the profession. When they visit universities, they don't just talk to law students but also to, say, members of the Afro-Caribbean Society. It's all about getting a greater number of diverse applicants which can then translate to a greater number of trainee recruits and, ultimately, solicitors and partners.

*“I got to where I wanted with nothing but hard work. I had a difficult childhood and had no support from my parents.”*

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Jat says that apart from the paralegal entry, they have been trying to broaden recruitment more generally beyond the SQE.

“We are consciously avoiding just focusing on the Russell Group universities. We make sure we have relationships with institutions via our Macfarlanes Access Programme. We are looking for that person who needs that opportunity to prove themselves. As well as outreach to universities, we also do a lot with organisations that help to promote diversity like upReach, Rare and Aspiring Solicitors.”

Looking at the demographic of the last few years of trainee intakes at Macfarlanes, the male/female split is around 40–60% which broadly reflects the gender split of law students (a far cry from my LSE days).

On ethnicity it is about 30–35% BAME which is a higher proportion than the population at large but the view Macfarlanes take is that they have a longer term ambition for the partnership to be around 10% BAME but in order to achieve that, they need more than 10% coming in at the start of the system.

“I want to be clear that we are not positively discriminating. Speaking as an ethnic minority partner of the firm myself, if someone were to suggest I got that job on anything other than my merits, that would be offensive. People get promoted because they are good. What firms like ours are trying to do is simply help to level the playing field.”

What makes a ‘good’ lawyer? Jat says that is something that they are constantly working to determine in order to ensure that they are recruiting the right types of people. They are currently working with an organisation trying to understand the attributes that make someone successful at the firm.

“Obviously we start with brain power. We also require an ability to work under pressure – that resilience is really important. Working within teams and working well with others matters a great deal too. We put pressure on applicants during the assessment day to see how they react. We are known for being quite tough and ask that they jump a lot of hurdles in a short time. But I liken that to a typical day in the office where you have to juggle numerous tasks and challenges very quickly.”

Adele Edwin-Lamerton is an employment solicitor at Kingsley Napley LLP and was also Chair of the Junior Lawyers Division of the Law Society (JLD) from 2017–18, during the formative period that the new SQE was being developed. She herself had quite an unconventional journey to becoming a solicitor. This is her story as documented by the Law Society;

“I got to where I wanted with nothing but hard work. I had a difficult childhood and had no support from my parents. I didn't have a desk or computer and moved six times while studying for my degree. I'm not the typical ‘tick box’ training contract applicant, but I am now a solicitor.

I like reading, solving problems and arguing my case. I knew that I wanted to become a lawyer but I didn't have a clue where to start.

My parents didn't have a happy relationship and I don't have many good childhood memories. I was never neglected, but my home was not a pleasant place to be. My dad unfortunately was a lot like my mum's dad; violent and unfaithful. By the time I was seven my parents separated for good.

My mum found being a single parent very difficult and suffered from severe depression. She would tell me all about her money worries and other things I was too young to understand or help with.

It meant I grew up constantly anxious and very worried about the strain I put on her. We lived in local authority



housing and other than my dad buying my clothes, existed solely on state benefits.

By the time I reached secondary school my mother's mental health was getting worse. She flew into rages and was given medication which she often failed to take. My attendance at school suffered as a result. Social services provided some help but because mum was still functioning and doing the shopping and cooking, they left us to it.

At 17 my mother's illness was making her prone to rages and she kicked me out. I went to live at my dad's house and was able to focus on my studies and improve my attendance at school.

I had already been told I was unlikely to achieve my predicted A grades because of my poor attendance, as a result of juggling my mother's needs and my part time job at a supermarket. Neither of my parents had attended school past GCSE level.

My mum wasn't supportive of my studying. My dad would tell me I should go to university but wouldn't actually do anything to help me get there. I ended up with an A in sociology, an A in English literature and a D in AS psychology, which meant I didn't get into my first choice of university.

I moved house six times while I was at university. I didn't have a desk, computer or quiet room in which to study, but I still managed to complete my degree and graduated with a 2:1. I decided to start the Bar Vocational Course part time, with a view to qualify as a barrister. I was working full time as a paralegal during this time and felt completely overwhelmed.

Looking back, I had simply been through too much and was taking on too much, but at the time I was convinced it meant that I wasn't good enough to be a lawyer.

I began to rethink my approach and after taking the time to research my options, I decided I would be more suited to becoming a solicitor. I gained partial sponsorship to do the Legal Practice Course (LPC) part-time so that I could continue to work without feeling snowed under.

This time round I had a desk, computer and a quiet home environment in which to study, and I managed to gain a distinction in my LPC.

I knew that the next step was to apply for training contracts, but I felt disheartened filling in application forms because I couldn't list good A-level grades, a top quality university and the extra-curricular activities the firms required. I thought I didn't fit the mould firms were looking for.

I wished I could write down everything that had happened to me during my studies to explain why I didn't have the time, energy or confidence to participate in moots or debating societies, but there were no spaces for those types of answers, and often I would not complete them as I felt so inadequate.

Eventually, with the help from a good friend and encouragement from my tutors, I made a serious attempt at a training contract application form and was successful. I have been practising law ever since.

Viewed in isolation, my achievements aren't that remarkable but, viewed in the context of my background, I have a lot to be proud of."

Access to the profession was not easy for Adele. It took grit, determination and years. But she is clearly well placed to look at what is being done and what can be done to give more opportunities to potential candidates. She praises organisations like Rare and Aspiring Solicitors who help people exactly like her.

Whilst being a part of the Law Society, the JLD is an independent unit within it, with its own opinions and its own separate voice. Adele tells us that they wholly endorsed the one standard for everyone approach that the SQE is all about; a quasi quality mark of what it means to be a solicitor. Where the JLD disagreed was on routes to qualification. They believed that it was a day dream to believe that the LPC would totally disappear and be eradicated. But funding would be more difficult to access because it was no longer a mandatory requirement. So that would actually restrict access rather than broaden it. The SRA's argument was that people could work and earn while studying but how feasible is that really?

Adele believes it is all too broad and too confusing.

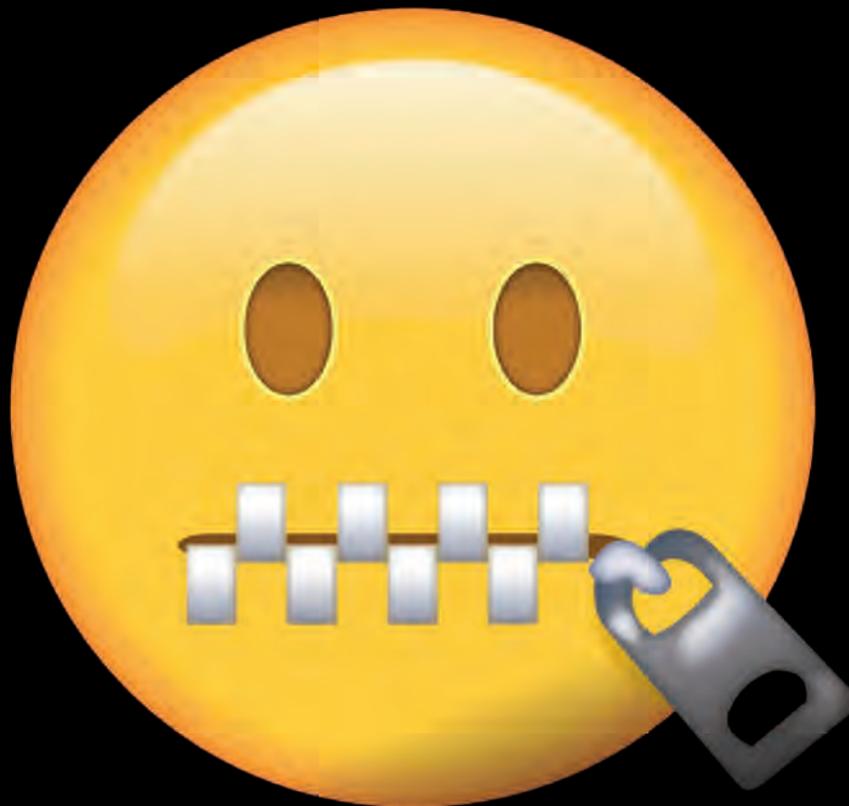
"If you don't understand how you can become a solicitor now, how does having four or five different routes make it any clearer?"

Adele said the JLD believed that the LPC course should have been validated; don't just quality assure the qualification but quality assure the courses. But with the SRA moving away from regulation, this was not an option.

Adele says for access to be truly open the profession needs to "stop tinkering around the edges and get rid of A levels as a requirement. Give someone an aptitude test. The big four accountancy firms do it. So can we."

There seems to be little doubt that the entry level pipeline into the profession is growing and rapidly. This is not anecdotal but data proven. And the more we move away from just looking at exam results out of any context, the broader this will become. However, what happens after people qualify is not so encouraging. Research carried out by both Rare and the Bridge Group shows people from racial minorities and lower socio-economic groups leave the profession more quickly even if they are high achieving and for those that stay, it takes them longer to make partner, again despite being high achievers. Firms are working to change this but it's not an easy fix. But it seems the first step of unfiltering access – or at least only filtering it in the correct and fair way, is well under way.

# SHOULD LAWYERS ZIP IT?



*“Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.”*



**Freedom of speech is one of the rights we are privileged to enjoy in this country. We can rant and rage to our heart's content. We can criticise our politicians openly. But does – and indeed should – that freedom extend to lawyers? Should they be choosing to air their beliefs publicly – on social media for example? Should lawyers even be on social media?**

There's a reason why the Secret Barrister is precisely that; someone who chooses to keep their identity hidden. The Secret Barrister speaks out honestly, frankly and in an unfiltered fashion. But does not do so openly. Is there a risk that if lawyers do speak openly, it can colour their reputation and perhaps hinder their practice?

More and more lawyers are joining social media – and not just the more professional networks like LinkedIn but increasingly Twitter is becoming a favourite. They make it clear that the views expressed (and indeed some are quite explosive) are theirs and theirs alone and not indicative of the firms or chambers and they are getting huge followings. As well as using the platforms for political commentary, some are engaging with the public to help them make sense of laws that might otherwise seem too difficult to grasp. Obviously, Covid springs to mind here. Suddenly out of nowhere the public had not only to contend with the horror of a pandemic but also had to deal with a plethora of legislation and rules that impinged on every aspect of their lives. Fortunately, one lawyer helped them.

That man is Adam Wagner, possibly the UK's leading authority when it comes to Covid laws. He is a barrister with Doughty Street Chambers who has acted in some of the key public law and human rights cases in recent years. He is a strong advocate of free speech and is passionate about speaking and educating on human rights. He is not afraid to speak his mind, to take on politically sensitive cases, and to defend the right to protest both through his words and his actions by taking on cases in this field.

Needless to say, Adam is on social media and is no secret barrister. He has over 122,000 followers on Twitter (or did have at the time of writing, that number will be way higher by the time you read this!) all achieved without ever having starred in a Hollywood film or even made an appearance on Love Island (so far!). How does a mere lawyer get such a following?

Adam says he is no newbie to social media but is one of the original lawyers to

see it as a great opportunity to engage with and help the public.

"I was a pupil in 2008/9 and a couple of legal blogs had just been set up. Blogging was just beginning as a medium; being quite techy myself and someone who knows a bit about how to code, I was intrigued to take a look at the software, Wordpress, and I realised straight away how this could revolutionise everything. Where I had been laboriously coding websites, suddenly all you had to do was write and the rest was done for you. I presented an idea to my chambers to set up a human rights blog – no one else was doing it. Most members of chambers didn't even understand what this meant but the fact that it cost virtually nothing and there didn't seem to be a downside meant it got the green light".

The blog was launched in March 2010 and it took off in a way not even Adam could not have hoped. It filled a gap. Mainstream newspapers had been getting rid of their legal journalists because of cost cutting and human rights was really getting in the news, particularly after the coalition Government when there was quite a lot of hostility towards the European Courts and a movement to get rid of the Human Rights Act, as evidenced by Theresa May who whilst trying to bring in new immigration laws said:

"We all know the stories about the Human Rights Act. The violent drug dealer who cannot be sent home because his daughter – for whom he pays no maintenance – lives here. The robber who cannot be removed because he has a girlfriend. The illegal immigrant who cannot be deported because – and I am not making this up – he had a pet cat."

Human Rights became hot news; as did the blog. Adam confesses to feeling a bit of a fraud as he was quite junior at the time and did not see himself as an expert so he set himself four rules to abide by to make sure he did not get tripped up; use plain English, write short sentences, always make sure you can back everything up with a primary source – link directly to legislation or case study never to commentary – and, finally, correct your mistakes publicly. This created a trusted source.

Adam moved onto Twitter in 2011 and for the first time was writing publicly in his own name as opposed to behind the human rights blog handle. He said he felt terrified. At that point there were very few lawyers on the platform. Adam says his focus has always been his career and so

he stuck to the rules he had set himself for his blog and added one more that he learned from his grandfather – to never humiliate anyone in public.

"I believe if you are genuinely looking for discussions and not just going for individuals, you can say a lot as a lawyer – and survive it. Always write as though a judge is reading it – or your mum. Now I include my children in that. Am I writing stuff I would be happy for them to read? Am I setting them a good example?"

Adam has tweeted a lot about the Human Rights Act, the anti-semitism in the Labour party and – of course – Covid.

"I was already involved in explaining laws to the public and suddenly we were in a situation where new laws were coming out every day that were affecting our lives. It was completely unprecedented that people couldn't even leave their homes without knowing what the laws were; it was like having day to day instructions from the Government. I had to go into turbo charge to explain it all to people – and to comment on it. I think as a lawyer you can do social media but it comes with a lot of pitfalls. In terms of getting publicity it is an inefficient way. But I see it as a big part of what we do. My aim is to help people access the law. Encouraging people to see the law as something which is really important to them; it is not just something technical, something that is in the background, but something that affects their lives. The legal system is as important as the NHS."

Adam sees law and politics as pretty much intertwined. Politicians are law makers. The work he does has a lot of political crossover so he is not one to shy away from such issues. Although he is happy to admit his views are more to the left, his aim in engaging with the public is to inform them on the law.



As well as being on social media, having his own podcast, doing many public talks – and carrying out a highly successful day job of course – Adam also manages to find the time to write. His debut book, which will be released by Penguin on October 13th, is called *Emergency State*. It looks at the two year state of emergency during Covid when the Government effectively took control over the state, making Parliament more or less irrelevant. Well over 100 laws were introduced in that time; laws that were poor quality, too complicated, changed too often. Adam looks at how the Government went too far, leaving the police befuddled as to how to enforce the laws and the public utterly confused and perplexed. He examines the element of corruption that inevitably creeps in when there is too much power; contracts for procurement, unlawful parties and gatherings and even secretly lobbied laws with civil servants having to work all through a weekend to find a way to allow grouse shooting! Truth is definitely stranger than fiction.

Read more about *Emergency State*;  
[www.penguin.co.uk/books/145/1453539/emergency-state/9781847927460.html](http://www.penguin.co.uk/books/145/1453539/emergency-state/9781847927460.html)

One lawyer who has been very much in the media for being very outspoken about his political views is Omar Salem, a former Managing Associate at Linklaters LLP and now Head of Legal at Algra, a fintech which is an ethical finance app, helping people invest consistently with their beliefs.

In 2019, Omar was reported in the press in this way:

“A Labour activist today told how he gave Boris Johnson ‘a piece of my mind’ when he bumped into the PM at the

hospital where his sick baby daughter is being treated.

Omar Salem accosted the PM at Whipps Cross University Hospital in north-east London to complain about the care his seven-day old daughter received after she ‘nearly died’.

Complaining there were ‘not enough doctors or nurses’, the furious father said: ‘This ward is not safe for children’.

Omar is very present on social media. Both his LinkedIn and Twitter accounts have large followings; the latter being over 19,000. Whilst, obviously, Omar had no say in what the media chose to write about him, he has complete control over his socials. What are his views on how outspoken lawyers should be?

When in private practice, Omar saw social media as a means to engage with clients. He thinks it is a useful way of showing you are around in between directly working with them, as well as showing them you are up to speed with knowing what is going on in the areas that matter to them.

“Lawyers were initially a bit uncomfortable about using social media, but now they have got much more used to it. Obviously, you need to be considered about what you say. People use it in quite different ways; some use it to use it as marketing by talking about areas their clients might need legal advice on. Others, like Adam Wagner, use it to have substantive legal discussions. That can be quite challenging as you are totally exposed if you make a mistake but it does provide an important public benefit. Adam explained complex Covid laws that were affecting everyone in a very valuable way. This shows the value lawyers can add through social media.”



With regards to political views, Omar believes everyone has the right to express themselves but they need to be very clear in what capacity they are speaking; whether it is personal, political or on behalf of their firm. Omar chooses to keep his LinkedIn as very work focussed and reserves his personal Twitter account, where he clearly says the views expressed as his own, for his political views.

“What clients want to know is that you are focused on them and what they are interested in. LinkedIn is a natural place to connect with clients. In my new role at Algra, LinkedIn is a way of raising awareness of what we are doing as a fintech start-up. Twitter is different. People can choose to follow me on LinkedIn or Twitter, or not at all. They can filter. I suspect if you cross reference my LinkedIn followers with my personal Twitter account they would be two very different groups of people. It is all about context. If you were an avid sailor, or had some other hobby, you wouldn’t send your clients lots of information about your sailing.”

Lawyers are doing great work by making the law more understandable through their social media commentary. This can only be a good thing for everyone and should be encouraged.

Where they choose to use the platform to express their political views, hopefully as David Gauke champions in the next article, they should be civil but they – along with the rest of us – should definitely have that right to freedom of speech.

**(If you have enjoyed reading this article, here more on this subject in our next episode of our podcast Legally Speaking where we entertain some very outspoken guests! <https://anchor.fm/maroulla-paul>)**





**“Parliamentary privilege grants certain legal immunities for Members of both Houses to allow them to perform their duties without interference from outside of the House. Parliamentary privilege includes freedom of speech and the right of both Houses to regulate their own affairs.”**

This privilege has been the subject of much controversy and discussion in recent years with allegations that it has been abused and is endangering the Rule of Law.

In 2019, the Lord Chief Justice, Lord Burnett of Malden, accused MPs of acting like a ‘one-person court of final appeal’. His very strong attack was in reference to Lord Hain who used parliamentary privilege to name Sir Philip Green, the Topshop tycoon, as the businessman at the centre of harassment allegations.

Lord Burnett said;

Recent events in the United Kingdom brought forth a torrent of criticism from academic and other commentators who considered the naming in Parliament of the beneficiary of an interim injunction, two days after the grant of that injunction and pending a speedy trial to resolve the underlying legal issues, as a straightforward attack on the Rule of Law with no coherent justification.”

Whilst for nearly three centuries, the privilege had never been used in such a

way, this all began to change in the 1970s and is on the increase. Russian oligarchs, footballer Ryan Giggs, athlete Paula Radcliffe have all been named through parliamentary privilege. Even politicians themselves have fallen foul of it, with Sir Leon Brittan being named in 2014.

So, should MPs keep it zipped?

David Gauke has expressed serious concerns about the use of parliamentary privilege to name an individual despite the existence of a court order. He intervened in the Lord Hain exposure of Philip Green and has strong views on parliamentarians overstepping the mark and thereby undermining the Rule of Law.

“I intervened because I thought it was wrong to essentially decide that a parliamentarian is better placed to make a decision than the Judiciary. The Judge had made the decision based on examining all the evidence put before him, whereas Peter Hain was just looking at the headlines. If parliamentarians think that the Law, as it applies to injunctions, for example, should be changed then it is open to them to do

so. But when it comes to the operation and interpretation of the Law, that is a matter for the Judiciary. Obviously, MPs exposing people get a good press, because the media will always side with more information being in the public domain rather than less. Even though this might be a temptation, the Law should be respected and if you don’t like it change it, rather than try and find a way around it. I believe parliamentary privilege should be used with caution. It exists for a good reason, to ensure that proper parliamentary debate is not stifled but to use it as a means to overrule the Judicial process is improper and should be discouraged.”

A lot of parliamentarians come to their decisions to use their privilege in this way from a good place. They can see that there is an inequality of negotiating positions and that the rich and powerful seem to be capable of preventing the less powerful from putting information in the public domain. There is a legitimate debate to be had about that. But David believes the way to deal with this is by changing the Law rather than intervening on a case by case basis.

## LAWYERS (UN)FILTERED

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Unfortunately, not all parliamentarians are trying to level up; some see it as a way of making themselves seem relevant. With some there is a lack of understanding as to what really is going on.

Overall however, David still believes that parliamentary privilege is a good thing.

“MPs need to be able to debate openly without the fear of being sued. They should be able to say quite controversial things; protecting freedom of speech is important. But when it comes to defying court rulings, I find it difficult to think of how that can ever be justified.”

Andy Slaughter is the Labour MP for Hammersmith and also the Shadow Solicitor General. As with David, Andy can look at the debate from two perspectives as he is both an MP and a barrister.

“This is a very topical subject, as we recently had the new Bill of Rights published. Privilege was in the original; there are no proposals to change this in the new one. Clearly, it is an important principle that has been around for a long time and I do not think anyone wants to see it abolished. It is already prescribed in some way; it is an absolute right providing MPs maintain the criteria in which it is operated; that it is in the course of proceedings and that it is subject to the Committee of Privileges. There is a code of conduct as to how it can be used – although this is not always adhered to. The Speaker has a role and there is the sub judice rule.”

It is an important part of our democracy but I equally think MPs should behave responsibly.”

Andy believes that even with the examples we all have heard of, it is an issue that does not frequently come up.

The situation with Russia however has brought with it several incidents. In February this year Liberal Democrat MP, Layla Moran, used her privilege to name 35 Russian oligarchs who she felt needed to be sanctioned. She said;

“There’s a problem outside of this chamber with naming these individuals because many of them have very deep pockets and very expensive lawyers. But I’m going to use my privilege to name them all... because it is important to do so.”

This was generally seen, Andy believes, as something that was quite proper to do. He sees this use of privilege as useful against people or institutions who use their power and wealth to silence. Privilege can be used to level up the inequality of arms.

This incident was quickly followed up when Conservative MP, Bob Seely, told the House of Commons certain major legal firms were in effect offering ‘legalised intimidation’ to oligarchs to silence others and used his privilege to name them.

Andy says the language used was overly strong and says that perhaps the way it was done was not necessarily appropriate but that Seely undoubtedly identified an issue.

“Everyone – including oligarchs – has the right to look to advisors, not just solicitors but the point here is whether the conduct of the firm is appropriate. This leads onto whether we need anti SLAPPs\* legislation. The SRA are taking this whole matter very seriously. There are definitely better ways to deal with such matters rather than the use of parliamentary privilege but in the circumstances I can understand why this was done.”

\*(Strategic lawsuits against public participation (SLAPPs) are legal actions that are taken not necessarily with the goal of winning in court, but which instead aim to intimidate, to induce fear, to tire and consume the financial and psychological resources of the target.

Despite Andy’s acceptance that these incidents were perhaps understandable, he says in the last decade there have been some flagrant and “lurid” abuses of the privilege and cites the Leon Britten example. He sees this as the polar opposite of the Layla Moran example. Between these two extremes, there are a lot of examples in the middle where MPs use their privilege to, Andy believes “crack a nut with a sledgehammer” and perhaps get some publicity for themselves. John Hemming, MP, named Ryan Giggs, he also named the banker, Fred Goodwin, and also being anti secrecy in the Courts named people in proceedings in family courts. It was becoming more like a habit than something to be used as a last resort.

Andy says he cannot imagine a situation where he would use the privilege himself. He sees it as an escape valve and a benefit which should be used very sparingly.

“I think we all understand the sub judice rule, and when we have a debate – the SLAPP debate is a good example – the Speaker always advises us to keep to parameters and everyone tends to stick to them. Failure to do so could cause the collapse of the case and those parameters should apply, even if it is not sub judice. If you are revealing something which if you are doing it in other circumstances would need an application to the court or which puts you at risk of defamation, then you should think very carefully about whether it is right to do so.”

Two somewhat differing perspectives from David and Andy, but where they are in complete alignment is that parliamentary privilege is a good and necessary piece of armour that should only be used in extreme circumstances.

# HOW FILTERED IS ACCESS TO JUSTICE?

“The rule of law is the political philosophy that all citizens and institutions within a country, state, or community are accountable to the same laws. The rule of law is defined in the Encyclopaedia Britannica as ‘the mechanism, process, institution, practice, or norm that supports the equality of all citizens before the law, secures a non-arbitrary form of government, and more generally prevents the arbitrary use of power.’

“Justice enables people to live in security, knowing that they will be protected and treated fairly by the law. Access to justice is a fundamental right in the common law as well as in international human rights law, and is an essential part of the rule of law”

The definitions above are clear and straightforward. The Rule of Law coupled with access to justice are the very foundations our society is built on. Nobody stands above or outside of the law (even amidst the current shenanigans) and everyone has the right to be represented.

This is why lawyers exist, it is their *raison d’être*. Whilst lawyers may well advise clients not to pursue something (as with the recent ‘Wagatha Christie’ case for example), nobody should be denied access to justice. Lawyers

represent people accused of the worst crimes – rape, murder, abuse – to make sure that they are tried fairly. Gender, nationality, religion are all immaterial. In the eyes of the law, we are all equal.

But sometimes lawyers have their hands tied as to what work they can and cannot do; and this can have huge repercussions.

Sanctions are the best example of where this can happen; and how third parties can determine whether law firms can take on certain work. Banks play a crucial role and, to a lesser extent, insurers.

Banks can refuse to process payments because they fear there may be a counterparty bank or a payee that has a sanctioned connection. Even if the law firm can assure the bank this is not the case, banks have their policies and tend to be cautious.

What the US does has a huge impact over here. When the US imposed sanctions on Iran and there was disparity between them and the EU, the UK decided to mostly agree with the US but France didn’t. One law firm recalls a situation where the only way they could be paid by their Iranian clients was, therefore, via French banks. Whilst such a workaround was completely legal, inevitably it leaves a feeling of

discomfort but the overarching principle of access to law must surely conquer all?

Another lawyer speaks of a situation where his firm retained Sudanese lawyers and they were paid by their US office in dollars – and nobody could process the payment.

The impact of sanctions, particularly US ones, has the potential to affect English law firms.

During Obama’s era, the Americans were very active in imposing sanctions on Russia and again whilst Europe did not follow, the UK mainly did. At that stage, China had a totally different view so it would have been possible to advise clients through Chinese offices if a firm had them there. Again this was a completely legal workaround, but far from ideal. The moral dilemma of allowing everyone the right to access justice and following the sanctions is a tough one.

Does a person or entity who is subject to being sanctioned have the right to legal advice?





Surely the answer has to be yes. Just as with anyone else; irrespective of who they are or what they have done. But when you have to use foreign offices to do it, it can have the effect of feeling you are doing something wrong.

Reputation is another factor that comes into play here. Although there is obviously confidentiality between lawyers and their clients, MPs have stepped in sometimes and once something is said in Parliament then the media have a free run and whilst facts may be distorted, the damage is done. In March this year, 'Tory MP Bob Seely told the House of Commons that the legal system had become 'corrupted'. He deployed parliamentary privilege to identify individuals and firms who, he claimed, worked on behalf of Russian clients to silence rivals and critics.' He named specific firms and individuals

Barrister Vishal Misra of Great James Street Chambers said naming the lawyers and their law firms in this way was "reprehensible behaviour".

"Lawyers are not the people that they represent. You wouldn't name a dictator's doctor and start claiming that by providing medical services to a patient they are immoral."

But with the media storm that is being whipped up, reputation may add another filter to the work lawyers take on.

One lawyer at a boutique law firm was in the process of renewing the firm's professional indemnity insurance cover and consolidating its banking arrangements at the time Russia began its invasion of Ukraine and recounted how complex the normally straightforward tasks had become.

Many firms speak of increasingly similar difficulties in these areas, in connection with work that falls into two categories:

1. That which is in relation to sanctioned individuals, which means if firms were to act for them they would need a licence to make that legal. Firms recount speaking to both insurers and bankers about these clients, explaining that if they take such clients on, they would do it in the legally acceptable manner. But often insurers would not cover firms – even if they had a licence. This position has subsequently softened since the beginning of the Russian invasion and they are now taking the approach they will provide cover if the correct legal mechanisms are followed, but it is still a bureaucratic nightmare.
2. Acting for individuals who are not sanctioned but just so happen to be Russian. In this instance, many banks would not take any money coming from Russia, either directly or indirectly. Again, this meant that firms couldn't do any work for these people.

To cut to the chase, it meant that if you happen to be Russian, you had no access to the law here. Whilst the

legal profession was exempt from the ban on providing professional services to Russians that was put into force, the reality was there was a de facto ban. Obviously this is not all banks or all insurers and there has been a softening. But this example shows that access to justice can not just be prevented by governmental decisions but through corporate ones.

Surely the starting point from a legal point of view is that lawyers should be able to take on such work – this is fundamental to the principles of the rule of law and access to justice – and whilst some law firms may choose not to do so, as lawyers, we should be allowed to. If you start to pick a defining feature to exclude – be it nationality or something else – where does it stop?

Access to justice should be available to everyone; regardless of what they have done and where they are from.

It is important for the justice system as a whole that anyone who needs representation is able to secure it. There are instances in litigation where sanctioned defendants are unable to secure representation – the result is that the hearings are adjourned and this is disadvantageous to claimants and other parties, who have legitimate claims against sanctioned persons and find it difficult to pursue action if the defendant(s) have no access to advice.

A senior member of a boutique litigation firm observes that this is not about being pro or anti the sanctioned person. Someone needs to represent both sides so matters can be resolved:

"It is clearly a complex and difficult discussion and issue. The fundamentals of rule of law and access to justice are understood by most lawyers but having to grapple with names being read out in Parliament makes it very difficult. By representing asylum seekers we are labelled activist lawyers. By representing Russians we are labelled as pro Putin. We are not any of these things. We are simply doing our jobs."

It's not just law firms who are finding themselves in difficult situations over sanctions; the insurers and loss adjusters themselves are finding their work very hard to navigate at the moment. They are accustomed to taking legal advice on claims but currently their hands are being tied for various reasons. The payment for that advice is normally taken out of the settlement; if – because of sanctions – they are not allowed to settle, then any payment to a law firm cannot be made. Even where they find a legal workaround to payment, lawyers are wary to give advice because of the ever changing landscape and because – if they do give advice – that advice can be construed as them operating in a capacity as an adjuster not as a lawyer and they may be subject to depositions. This is exacerbated if American sanctions are involved.

What is the answer? If we are to stick to our guns of access for justice, we need to find one – however difficult that may be.



**“FAIRNESS DOES NOT MEAN EVERYONE GETS THE SAME. FAIRNESS MEANS EVERYONE GETS WHAT THEY NEED.”**

*Quite simply, what everyone needs is the opportunity to be educated, to work, to have a home and to have access to healthcare.*

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**However, life is not that simple, is it? For many, these basic human rights are unattainable, leaving them desperate.**

Pernille Kruse Madsen started off life as a show jumping rider on the national team for Denmark, a passion that is all about putting in 100% for a win. From there she went on to become a tax and M&A lawyer in one of the biggest firms in Denmark. She says she loved being involved in the big transactions, but when they were done, she just felt empty. Not dissimilar to what she experienced as a rider. She then went to work as a senior legal counsel for Maersk, flying around the world, advising on deals. She describes it as a “picture perfect life” but something was missing.

As part of her travels, she started visiting NGOs, and a day in New Delhi literally changed her life.

“I visited a sister organisation who were helping Nepalese girls in the red light district who had been trafficked into the brothels. I asked if I could visit the brothels because I wanted to see what was really happening there as I had heard so many stories. It was awful to see. These young girls, minors, were just there waiting for these old men. I was waiting to speak to the owner when one of the girls looked me in the eyes. Her eyes were dead. She had given up. I realised we had all let her down. I had spent a

*“I wanted to make sure the children could grow up in good surroundings, and I believe a school is a way to give a child power to make their own lives”*

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lot of time in Kathmandu and when I contrasted all the parties and big cars and money with what I was looking at in this girl's eyes, it just felt so wrong. I decided at that moment to change my life. To spend it working towards making sure that girls, like the one in front of me, were given a chance."

Education is the key. The lack of it is one of the key factors that lead these girls to finish up in brothels. So, in 2014, Pernille set up the Human Practice Foundation which builds schools and provides work. Since then it has raised \$18.9 million and every cent has been used towards establishing 92 school building projects and reaching 35,805 children with quality education.

"What is really important to me is to actually make change, not just to have project after project. I wanted to make sure the children could grow up in good surroundings, and I believe a school is a way to give a child power to make their own lives. In the remote areas of Nepal and the rural areas of Kenya, which are the two areas the Foundation focuses on, the schools are pretty awful. We work with the government schools; if you saw these places you would be appalled. They look like stables for animals. There are no books. The English teachers can't speak English. We step in to build better facilities, to stock libraries, to provide playgrounds, IT facilities, science facilities – and we train the teachers and the management. We don't just stop at schools. Work and

*"What is really important to me is to actually make change, not just to have project after project."*



education are closely linked. If the parents are not working, they cannot afford for their children to go to school. We try to create income for the parents. There are tea, coffee and potato projects where we help the farmers from seed to production to process to market. The coffees produced are actually sold through Hagen Espresso Bars in London. As a result of the work the parents have, they can afford to send the children to school. This holistic approach is having beautiful outcomes. This has gone way beyond just us; the local involvement is what makes this work succeed."

One of the conditions of the Foundation building is that the community contributes 25% – in some cases it can be up to 50%. They do this by providing skilled and unskilled labour and such like; this gives them ownership and pride. Pernille describes it as a "beautiful collaboration which the world needs more of right now."

The Foundation is responsible for a staggering 85% of the secondary schools

in Taplejung district in Nepal. The schools are distinguished by their blue roofs, which stand out as a beacon of fairness and opportunity and hope.

"We will never go into an area without the local people and the Government supporting us. The parents know and trust us. Now the parents work in the fields on quality production of coffee and tea and they are no longer worrying about how to put food on the table the following week.

The communities are being changed from the bottom up. Not one project has gone wrong or has cost a penny over budget."

To build a school in Nepal is obviously a lot cheaper than to do so in Europe (\$100,000) so the money raised goes further and achieves more. The Foundation operates on a 100% model. The founding partners pay all the administration costs so donations go directly to schools and farmers.

As an ex-lawyer herself, Pernille gets a lot of help from law firms. Some have supported the construction of their own schools and rather than just donating the \$100,000 they remain involved, sending employees to visit and help. Others like Gorrissen Federspiel and Slaughter & May donate their services pro bono.

Pernille recalls when she felt her heart break in that brothel in Nepal and says she never imagined at that moment that she would go on to build nearly 100 schools. With our help that number can be much greater.

To read more about Human Practice Foundation, visit [www.humanpractice.org](http://www.humanpractice.org)

**FOLLOW HUMAN PRACTICE FOUNDATION ON SOCIAL MEDIA:**

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You can also follow Pernille Kruse Madsen on LinkedIn [www.linkedin.com/in/pernille-kruse-madsen](http://www.linkedin.com/in/pernille-kruse-madsen)

If you want to get involved in Human Practice Foundation – write to [partnership@humanpractice.org](mailto:partnership@humanpractice.org)



# WINE.

## uncorked.

*“A bottle of white, a bottle of red  
Perhaps a bottle of rose instead  
We’ll get a table near the street  
In our old familiar place  
You and I, face to face  
A bottle of red, a bottle of white  
It all depends upon your appetite  
I’ll meet you anytime you want  
In our Italian Restaurant.”*

Who recalls those words from Billy Joel from Scenes From An Italian Restaurant? Indeed, who remembers those days when choosing wine was as simple as deciding between white, red or rose?

Today, the world of wine is vast, varied, complex, fun, exciting and delicious. The colour palate on menus has extended to include orange. We have moved not just from the Old World to the New World but now you can choose from most of the world. Beyond conventional, we have natural, organic, biodynamic. We swing between high alcohol to low alcohol. Some winemakers use a wealth of techniques to create the perfect wine; others prefer minimal intervention allowing nature to play its part. Alongside the big players, smaller producers are also now in the game. Last but not least is the explosion of English wines; from non-existent to a Sussex PDO and sparklings that stand shoulder to shoulder with some of the finest French champagne houses.

All this deliciousness is big, big business. In 2021, the UK imported 29 million bottles of Champagne. In the same year,

sales of English and Welsh wines increased to 9.3 million bottles with Brits consuming 96% of these. Demand for our wines is also rising from abroad; Scandinavia is particularly partial to English wines as an 85% year on year rise in 2021 in Norway proved. In the past 8 years hectareage has doubled and is now four times what it was in 2000, with now over 3,758 hectares under vine.

Exciting stuff indeed, albeit a tad more complicated than in Billy Joel’s Italian restaurant. Over the next few pages we are taking you on a wine tour; we start with an illustrious high quality, traditional French champagne and premium rose brand, Porte Noire, then move into smaller champagne producers who rarely export and show you how to get your hands – and taste buds – on them via Champagne Collective. Next, we visit one of the most prestigious English wineries, Gusbourne, who are renowned for their sparkling wines and finally, we try something completely different by venturing into the world of natural and biodynamic wines at Tillingham.

**NB The following articles are best consumed with a glass of wine – or two! The choice of which wine is yours.**

# PORTE NOIRE – THE WINES.

## THE DESTINATION. THE EXPERIENCE.



When Jancis Robinson describes a wine as “obviously superior” then it is safe to say it must be pretty extraordinary. The said wine is the Porte Noire Rose which also just happens to be the wine that Idris Elba chose to serve at his wedding in Marrakech.

Idris’s connection with the wine – and the brand – goes deeper. He is the co-owner of Porte Noire with David Farber, who as anyone who knows anything about wine will tell you is a true expert in the field. Porte Noire is a portfolio of three wines to date but with more in the pipeline. It is also a gastro wine bar, a wine shop and a fine wine room.

Idris has always been a man to go his own way so whilst most “celebrity wines” are enough to make any connoisseur dubious, Idris and David have put their reputations on the line and aimed for – and succeeded – in delivering the ultimate in quality.

It all began in 2018. David and Idris visited Sanger, the highly prestigious viticultural school in Champagne whose ethos is to share knowledge and therefore ensure the continuance of the best methods of champagne making. Sanger began after the war (hence the origins of the name; sans guerre literally means without war) when several serious and important winemakers found they had nobody to pass on their vines – nor their expertise – and so gifted the land to the government on the proviso a non-profit school would be established to make sure the excellence of their labours continued.

David had known and worked with Sanger for a long time and highly valued both their knowledge and their wines so he chose to take Idris there. Idris was captivated not just by the wines but by the back story. The pair decided to collaborate with Sanger to make their own branded Porte Noire champagnes and the

*“Porte Noire is a portfolio of three wines to date but with more in the pipeline.”*

results are two extraordinary expressions; a Blanc de Blancs Grand Cru Vintage, which has received great critical acclaim, perfect for special occasions and a more affordable Petite Porte which is more suitable to everyday drinking.

Why are they called Porte Noire? Quite simply, Idris loves doors. To him they represent opportunity. His movie and music production company is called



Green Door. So when the duo arrived at Sanger and saw a very big metal carved black door made by some local artisan there, the name was born.

The Rose lauded by Jancis is Porte Noire's first still wine and is made in conjunction with another incredible house, Chateau Sainte Marguerite in Provence; it is organic, it is premium and it is perfect.

Idris and David do not compromise. Both the houses they ultimately chose to collaborate with, Sanger and Sainte Marguerite, share their passion and quest for perfection and this is reflected in the three wines.

For both Idris and David, fine wine is as much about the experience as it is about the product. Which is why they have created a destination for wine lovers to go, to taste, to relax, to eat, to buy, to learn. Porte Noire in Coal Drops Yard, Kings Cross is the ultimate experience. Firstly, the architecture and location are sensational. The gastro wine bar, wine shop and fine wine room are set in a traditional, original gasholders building. These iconic, round, metal structures have been renovated to form apartments and, on the ground floor, overlooking the canal with a glorious outside space that makes you feel you are on the continent, Porte Noire has found its natural home. The building reflects the brand; traditional but with a very contemporary twist; quality, style, different.

*City Solicitor* met with David at Porte Noire to taste the wines over lunch and to find out more.



David personally curates all the wines on the list, in the shop and fine wine room at Porte Noire. He also found the location and had the vision for the site, initiating and overseeing every aspect of the design right down to the wine coolers that are a replica of the building itself. David explains Porte Noire is very much his baby and the culmination of 15 years of a complete immersion in every aspect of the world of wine. He can be found at Porte Noire most days, together with his dog, Cooper, both of them greeting customers like old friends. David inherited his passion for wine from his grandfather who had the most extraordinary collection; every Sunday lunch David would go into the cellar with his grandfather to choose a bottle. Even as a small child, he was encouraged to take a sip.

But he never expected to find himself in the wine business. He was a highly successful investment banker with BNP Paribas and then he helped friends launch a fine wines investment business. He found it so fascinating that he wanted to be more involved. Slowly it went from a side line to his full time work; initially advising people how to build a collection, then he started curating for high end consumption wine. He imported directly and then opened the Connaught Wine Cellars in Marylebone, which is a shop and tasting room. From there he went on to partner with Idris to establish Porte Noire.

There is a lot that is very special about Porte Noire. Obviously the three branded wines. They are at the top of their game. Also, as discussed, the very unique location. The shop is a perfect treasure trove for wine lovers – but then there is also the restaurant side of the experience. David – like most French people – believes that wine should be drunk with food. And if you are drinking the very finest wines, then the food has to match up.

The day we had lunch was scorching hot. We sat outside and the breeze from the canal and the very chilled champagne were both equally refreshing and delicious. We tried the Petite Porte which had notes of citrus, pear and, of course, brioche.

We shared several dishes; everything is made from the freshest produce and the finest ingredients; there is no compromise – and you can literally taste the difference. We had chickpea chips which were every bit as delicious as potato ones – probably





*“My highlight was white crab meat on charcoal bread with lardo.”*

more so but so much more healthy. The sea bass ceviche was served with two different corns and tasted like it had come out of the sea that morning. My highlight was white crab meat on charcoal bread with lardo. It literally melted in my mouth and the flavours gently exploded. The steak tartare was stunning quality meat and seasoned beautifully. An asparagus salad refreshed and delighted the palate. Whilst Porte Noire is first and foremost about wine, the food offering does not come second; it is every bit as premium as the wines.

We tried the “obviously superior” rose and even though rose is not my first choice, I would happily drink this nectar all day, every day. 100% organic and vegan, this delicious wine is a blend of grenache and

cinsault and is described as “an intriguing story of passion fruit, peach sorbet, orange peel, pink grapefruit and salty sea spray.” Jancis loves it so much she confessed;

“Thrillingly good. I even finished off the dregs of a bottle that had spent six weeks in the fridge.

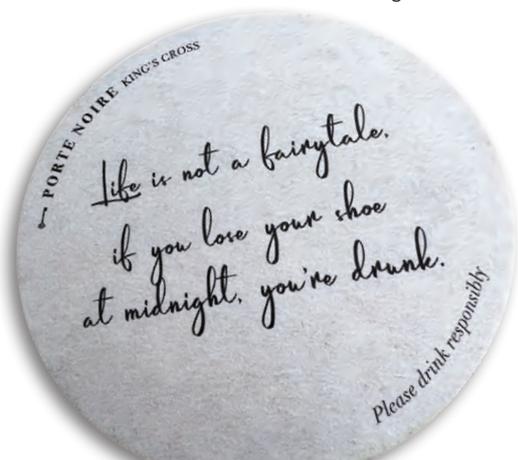
Porte Noire branded wines are not the only wines on selection. David has curated a spectacular list. Alongside the shop there is a fine wine room where David can help you choose something really sensational. As well as being able to take these home, you can select something to drink with your meal in the restaurant at an extremely low mark up. This is increasingly attracting real wine lovers who can choose a really expensive bottle of wine to drink out without having to pay crazy amounts for it.

Despite being the epitome of a fine wine and dining experience, Porte Noire is not pompous or stuffy or intimidating. Cooper is always running around. Humour abounds with Chardognay dog water bowls and coasters that share witty stuff David thinks up in the middle of the night. Staff are enthusiastic, friendly and warm.

If you are a champagne lover or a rose lover, add Porte Noire to your list.

Buy online or, better still, visit the shop, allow yourself to be tempted into the fine wine room by the alluring Tignarellos and Sassicaia, indulge in some delicious fresh, healthy food – or simply share a glass of wine and have a chat with David and Cooper. It’s all so very special, you will feel like a celebrity yourself.

**Porte Noire, Gasholder 10,  
unit A, Coal Drops Yard,  
London N1C 4BY  
[www.portenoire.co.uk](http://www.portenoire.co.uk)**





# THE BEST KEPT SECRETS. SHARED. (COURTESY OF CHAMPAGNE COLLECTIVE)

**We all know Moët, Taittinger, Bollinger, Veuve Clicquot... these huge brands are all synonymous with the word champagne. But there are a whole host of independent grower producers (5,000 to be precise) who are making bubbles the likes of which you have never tasted – and possibly never will – as the quantities they make are mainly for internal consumption and their primary focus is on the art of viticulture and wine making rather than on branding and marketing.**

Mille Holst and Gemma Beck bonded over champagne. They worked together and when the rest of their colleagues went out for a pint, Mille and Gemma always chose a glass of fizz. When Mille went to Champagne for a trip, she sampled some smaller grower producer wines for the first time and says that first sip literally changed her life.

In lockdown, the champagne aficionados concocted a plan; to bring these unknown beauties to the rest of us. Hence, Champagne Collective was born.

Champagne Collective is a highly innovative subscription based service whereby you choose whether you want a monthly or bi-monthly delivery and you receive two bottles (plus some champagne related treats) of delicious unknown grower producer champagne along with tasting and pairing notes written in plain English not jargon. They buy directly from the producers which keeps prices reasonable and the tastebuds excited. There is also an online shop so you can order more of your favourites – if they are still available. This is all about small, special productions.

Mille and Gemma are similarly all about drinking better, not drinking more. It's about quality not quantity. Which is in perfect keeping with the ethos of these small sometimes family run grower producers who are passionate about their craft and treat it like an art. Their whole raison d'être is to produce the finest expressions of their

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## WINE UNCORKED

grapes and the terroir. The results are quite amazing. Each one is different with its own particular characteristics; some are the traditional three grape blend of Chardonnay, Pinot Noir and Pinot Meunier. There are also Blanc de Blancs (100% Chardonnay) as well as my personal favourite, Blanc de Noirs (100% Pinot Noir), Ratafia (a divine fortified champagne aperitif). Each one is delicious.

My first box arrived the day after placing the order. Perfectly packaged in eco-friendly materials, the bottles were nestled in a mesh type casing that stops them breaking even if they are dropped.

The two champagnes were from Baillette-Prudhomme (which is run by three women who are fourth generation winegrowers) in the slopes of Montagne de Reims. The soil is so chalky you can even see chunks of it in the vineyard and of course this contributes to the minerality and delicacy of the wines.

What makes their champagnes super special is the reserve wine. The Brut Reserve blends a minimum of 50% reserve whilst the Memoris and Brut Reserve are only reserve. The results are complex, mature and very precious wines.

The Brut Reserve tasted of summertime and apples and peaches. It was dangerously easy to drink. The Memoris was more dried than fresh fruits, almonds, brioche, cream and a honeyed caramel too. Richer and more complex.



Even riddled by hand, the old fashioned way, this truly is a very special wine crafted with love.

My two champagnes came with a stopper – although it is really hard to refrain from drinking the entire bottle. At £87, this is extraordinary value and a wonderful way to share in some of the best kept secrets in Champagne.

<https://champagne-collective.com>





# GUSBOURNE – PUTTING THE SPARKLE INTO ENGLISH WINES.



When you look at the Gusbourne website, the first thing you read is this.

*“Our vision is simple. We strive to create the finest wines in the world.”*

A couple of decades ago, any English grower and producer would have been ridiculed for such a bold, outrageous statement. But thanks to dedication, determination, hard work and a bit of climate change thrown in, today English wines are right up there. Especially Gusbourne.

Gusbourne has the finest quality Chardonnay, Pinot Noir and Pinot Meunier grapes growing across 90 hectares, 60 in Kent and 30 in Sussex; the different terroirs and microclimates lead to very different grapes which can be blended to produce the very best sparkling wines.

We met with Laura Rhys, Gusbourne’s Global Ambassador. Truth be told, I was quaking in my shoes at the prospect of interviewing Laura who has been a Master Sommelier since 2010 – one of only 267 in the world, of which only 34 are women and only six based in the UK and Europe. Which makes her one very extraordinary and smart lady. But I had no need to worry, Laura was charming, funny,

enthusiastic and in no way condescending about my naive questions.

Interestingly, Laura originally wanted to be a lawyer herself – so in some ways she was always destined to be in *City Solicitor* – but having worked in a restaurant since the age of 14, when it came to choosing her degree, Laura knew her heart was in hospitality. She describes herself as “having fallen into the honeypot.” She started learning about wine through the Wines and Spirits Trust (WSET) and became hooked. Armed with her degree in International Hospitality Management and her WSET Level 3 qualifications, Laura began travelling; exploring the world and the world of wine. She returned to the UK in 2004 and started work at the original Hotel du Vin in Winchester as a commis sommelier and fell in love with being a sommelier. She moved to Hotel TerraVina as their head sommelier and whilst there won two incredible accolades; the Chaîne des Rôtisseurs Young Sommelier of the Year in 2008 and UK Sommelier of the Year in 2009.

It was during her stint at TerraVina that she became a Master Sommelier – no mean feat! From there she went on to be the head sommelier at the Michelin starred La Trompette and it was there she discovered Gusbourne. She adored it instantly and started listing Gusbourne by the glass alongside champagne and was delighted when having sampled both, so many would subsequently choose Gusbourne. Obviously, she visited Gusbourne and met Charlie Holland (head winemaker) and Jon Pollard (the chief vineyard manager) as well as Andrew Weeber (the founder of Gusbourne). Laura says she was “blown away by what they were aspiring to and actually achieving.” Gusbourne echoed Laura’s own quest for quality, for style – but in a down to earth not an exclusive way and inevitably conversations led to them wanting to work together. It is the perfect coupling; Laura is at the pinnacle of her game – and so is Gusbourne.

I asked Laura how she would describe Gusbourne to someone who has never tasted the wines.



"Right from the word go, we have always been trying to strive to make the very best wines we can – world class sparkling wines. We grow and select the best quality grapes, have the most in depth blending process, we are always pushing boundaries, being innovative. What makes us special is that all of the fruit comes from our own estate, we have full control over what to plant in terms of clones, rootstocks etc so we do not only have control over quality but over style as well. I think this vineyard site here in Kent is so special; its location, the soil and the clones we chose mean we get beautiful ripeness and a real generosity to the fruit. Then we have the vineyard in Sussex which is chalk and flint dominated as opposed to here which is clay. The two bring completely different styles of fruit so when it comes to the blending, we can choose the perfect combination of the two. Besides the quality of our vineyards, we are also all about attention to detail and ageing of the wines."

Gusbourne only makes vintage wines so every single one is a representation of that particular year. That being said, they also want to represent the style of the estate and the fruit.

Laura talked me through the four main sparkling wines.

"Our Brut Reserve is a blend of Chardonnay, Pinot Noir and Pinot Meunier, the only grapes planted in the vineyards. When we create this wine it is all about a

wine that is soft and elegant and fruit driven. It really celebrates the fruit we grow here. Our Rose is also a blend of the same grapes. This wine is all about highlighting the red fruit characters, the summer fruit notes and the beauty of stone fruit. Our Blancs de Blanc is always our best expression of Chardonnay, there is always that salinity, that minerality, a pure fruit character – but the 2015 was very different from the 2018 – there is a stylistic theme running through both but we also like to represent the vintage. The Blanc de Blancs is all about highlighting those base wines that really have that energy, drive and ageability, those beautiful citrus, apple notes and, of course, the minerality. Our Blanc de Noirs is the yin to our Blanc de Blancs yang I suppose. It is our best expression of Pinot Noir, wines that have that pure intensity and weight and richness; red fruit characters and a spicy note."

I asked Laura which is her favourite;

"It depends on which day of the week. Which hour of the day! It depends if I'm eating, what I'm eating, who I am with. It changes all the time."

The sparkling wines make up about 95% of production, but we cannot ignore the still wines which whilst a small part of what Gusbourne does are nonetheless a very important part.

"Our still wines are very special to us. Within our vineyards, we have as well as

the champagne clones, a lot of Burgundian clones and set aside certain blocks where we get more ripeness. The harvests are really strict, we drop a lot of fruit and keep the yield really low, monitor it throughout the year and only make a still wine if the structure and flavour profile make sense. The Chardonnay is barrel ferment, mainly old oak – it has a beautiful fruit character with a saline pure minerality. The function of the oak is to bring softness to the texture; it builds body and weight. It has been compared to Mersault and Premier Cru Chablis."

Visiting Gusbourne is a beautiful experience; like the wines, everything about the estate oozes quality and style. Tastings are held either outside or in the Nest, weather depending.

As well as being able to buy the wines at their shop or online, Gusbourne also have a member scheme called Reserved which includes two bottles each of Gusbourne Brut Reserve, Rosé and Blanc de Blancs delivered in two cases of six during the course of the year, discounts on other wines, exclusive access to limited edition, vintage and rare wines and invitations to tastings. It's the perfect way to put some sparkle into your life.

**Gusbourne Estate,  
Kenardington Road, Appledore,  
Ashford TN26 2BE  
[www.gusbourne.com](http://www.gusbourne.com)**



# AND NOW FOR SOMETHING COMPLETELY DIFFERENT. TILLINGHAM.

Human nature seems to gravitate towards tribes. We polarise. The South versus the North. Brexit. Covid vaccinations. Marmite. And the latest to divide us; natural wines. Once a quirky little fad, today no self respecting decent London restaurant would not have some on their wine list. Others are even so bold as to offer nothing else. Terminology like 'orange', 'qvevris', 'unfiltered', 'minimal intervention' are on everyone who is in the know's lips while others screw up their faces declaring they loathe natural wines – which is as crazy as saying you loathe wine full stop. Just as with every wine, there are good and bad natural wines; they come in all the colours, still and sparkling and are as different from each other as conventional wines.

We visited Tillingham, which is “a natural and biodynamic winemaker rooted in the East Sussex countryside”. Whatever your preferences in wine, this place is breathtaking. A 13th century farm of 70 acres, complete with oasts and barns, vineyards and orchards, livestock including mangalica pigs (the kobe equivalent), wonderful views, ancient woodland, – and peace; this place is a little bit of heaven on earth. And the wines are as natural as they can be.

Ben Walgate, whose baby Tillingham is, met me in overalls and took me on a tour in a jeep. His enthusiasm for natural wines and regenerative farming just oozes out of him. He is passionate about championing the practices and traditions of ancient farming and winemaking – but in a progressive way which incorporates science and technology.

After showing me around, Ben took me to sample some of the wines. Some we tried straight from the oak barrels; others we opened bottles. He showed me the qvevri buried in the earth where the orange wine is left for six months. It is then racked and transferred into wooden vats for a further eight months. Then it goes into stainless steel and is bottled by gravity. A long process; the result is extraordinary. For anyone who has not yet sampled the delights of orange wines, this is a glorious expression of the genre. It is described;

“Soft peachy orange in appearance. Fruit, flowers, and delicate spice intertwine, with lychee, earl grey and cardamom. On the palate fleshy stone fruit gives way to a long and grippy finish; hallmark characteristics of the Qvevri vinification.

## WINE UNCORKED



Four different grape varieties (Ortega, Bacchus, Pinot Gris & Muller Thurgau) all destemmed crushed and fermented in Qvevri with different percentages of skins.”

Like most natural wines, orange wines – and the Tillingham Qvevri is certainly no exception – taste completely and utterly different, not just from each other but from any other wine. When sampling these wines, you need to leave all preconceptions and previous experiences behind and just treat it as a whole new experience.

The PN 21 was a gorgeous colour and tasted like Wimbledon in a bottle. All strawberries and fizzy and fresh and peachy.

The Chardonnay 20 was nuts and minerality and lime. Perfectly balanced.

The Traditional Method 17 was the closest to a conventional sparkling wine. Bready, biscuity, floral and citrus, it was delightfully textured.

Tillingham makes a broad variety of wines; but in reasonably small quantities so once they have gone they have gone. We did a vertical tasting of two Cols which honestly tasted like two completely different wines; such is the variation caused by climate and nature.

My favourite was End Grain. Very aromatic and floral. A blend of Muller Thurgau, Ortega, Bacchus and Pinot Gris, it felt both rich and refreshing.

Despite the return to the past in terms of the farming and wine making, the bar, restaurant and pizza place which are also all situated on the estate are as contemporary and cool as the most hip London venue. Everything is uber relaxed and friendly; yet at the same time the professionalism shines through. No detail is left to chance. You feel as though you are in someone’s beautiful home.

Dinner was sublime. Ben poached London chef, Tom Ryalls (ex St John and Moro) and the combination of his extraordinary skills coupled with the sheer freshness and quality of the produce made for an unforgettable meal. I started with duck hearts (as I said, Tom is ex St John!) – my braveness coming from all the wine I had tasted – and I was truly rewarded for my courage. My main was Dover sole which was cooked to perfection and served with the most yummy pink fir potatoes and salad.

Tillingham also has rooms and fortunately I had booked to stay overnight. There are 11 rooms and they are beautifully decorated with a stunning view of rolling

hills. There was homemade shortbread and a carafe of sherry in my room as well as unlimited water. The bed was big and so comfortable and a huge shower was perfectly equipped with eco-friendly divine products.

Breakfast was included in my stay and I was presented with three courses of divine deliciousness; an apple and rhubarb juice, freshly made sourdough toast with homemade marmalade; granola with yoghurt and fruits and the most perfect boiled egg with soldiers. I chose lavender tea and just wanted to stay there all day.

Sadly I couldn’t. It had been the most magical stay. To tour the vineyards and farm, taste the very different and extraordinary wines, have two gorgeous meals and stay in such a beautiful environment felt like the most peaceful and beautiful break from the world. Desperate to take some of it home with me, I filled the boot with a selection of the wines.



**Tillingham, Dew Farm, Dew Lane,  
Peasmarsh, Rye TN31 6XD**  
<https://tillingham.com>



# ITALIAN RIVALRIES, INTERNET PROVOCATEURS AND EVERYTHING IN BETWEEN

Charting how social influence and self-publicity have been used by some of the biggest personalities in automotive history to build brands

By Joel Leigh



Not long after the end of the Second World War, Ferruccio Lamborghini found himself demobbed from the mechanics corps of the Italian Air Force, a veritable wizard of improvisation. In the years that followed, he opened a small repair shop in northern Italy, purchasing surplus military equipment for conversion to tractors, which were much in demand by the local agricultural industry. Business boomed and he soon diversified into heating and air conditioning, his mechanical savvy making him a wealthy man.

Lamborghini went on to buy a number of sports cars with the fruits of his labour, including a Ferrari 250GT direct from the factory in nearby Maranello, but following a repeated failure of the clutch, he arranged a meeting with Enzo Ferrari to share his thoughts, engineer to engineer, on how the problem could be solved.

Ferrari wasn't known for welcoming constructive criticism however and counselled that any issues must be down to the driver, not the car, dismissing Lamborghini with his now infamous parting shot 'Let me make cars. You stick to making tractors.' Lamborghini returned home insulted but fired up to prove his own worth and within four months, he'd built his own small car factory.

Legend has it that the two men never spoke again so we can only wonder whether Ferrari ever conceded that his somewhat unusual brand of customer service had in fact encouraged an unnecessary commercial rivalry, which continues to burn to this day. Ultimately however the customer was the winner in this monumental battle of egos, as the outcome was even greater performance and choice.

Another widely reported and somewhat improbable rivalry involving Enzo Ferrari was that with the fun-loving playboy Henry Ford II, who was unexpectedly thrust into the role of leading his grandfather's company in 1945. Ford famously tried to buy Ferrari out but was rebuffed, which so infuriated him that he invested huge sums of money to beat him at his own game on four consecutive occasions, starting with '24 Hours of Le Mans' in 1966. Known as 'The Deuce', Ford in fact had more in common with Ferrari than he wished to concede, including a string of mistresses and a quick temper. His famous catchphrase? 'Never complain, never explain'.

Also deserving of a mention here is the ex-General Motors executive John DeLorean, who took on the entire US industry with his revolutionary DMC-12 car in the 1970's. The project failed spectacularly in a blaze of bankruptcy, after he was busted by the FBI for his alleged role in a cocaine-selling scheme. Whilst DeLorean extricated himself from that particular rap, the British Government had funded his Belfast car factory to the tune of £54 million by this point, much of which appears to have ended up paying for DeLorean's extravagant lifestyle.

Despite all of this he still managed to secure himself a legacy of sorts, via Hollywood's immortalisation of the DMC-12 as the time machine created by Doc Brown and piloted by Marty McFly in the 1980's film trilogy 'Back to the Future'. Meanwhile HM Government settled quietly with DeLorean's auditors for a fraction of its loss.

More recently, such brand building has been utilised with even greater success through the internet generation's obsession with social media and following big personalities with big opinions, with Tesla's CEO Elon Musk the perfect example of this mien.

In 2018, the Securities and Exchange Commission sued Musk following the now infamous tweet to his 22 million Twitter followers alleging that he'd secured the necessary funding to take Tesla fully private. Within a matter of days and when no such funds materialised, he agreed to step down as chairman of the board for a 3-year period and accepted personal and corporate penalties totalling \$40 million.

More recently Musk's reputation as the king of Twitter looked likely to become reality, after he bid £44 billion to purchase the platform, with a promise to rescind Donald Trump's banishment in the wake of the presidential election and resulting Capitol riots. Almost as soon as his offer was accepted, he reneged on the deal, citing Twitter's allegedly inadequate due diligence; cue another high-profile lawsuit, yet to be resolved.

Musk is unique amongst tech era billionaires in his willingness to engage in these provocations, seemingly impervious to the risk of harming his wider business interests. The New York Times has described him as 'at once a capitalist hero, a glossy

magazine celebrity and a bomb-throwing troll'. He may be having the last laugh in terms of publicity however, given his following has more than doubled in the past year to 104 million, with Musk tweets (Twitter peeps in case you were wondering) in part responsible for the value of Bitcoin and Dogecoin cryptocurrencies skyrocketing in the not-so-distant past. Likewise with GameStop's infamous one-time penny stock after followers acted on his freely dispensed financial advice.

Ironically, his tweets about 'boring bonehead' analysts saw a significant dip in Tesla stock, and he upset a sufficient number of his employees at Space X to cause them to write an open letter describing his behaviour as a 'frequent source of distraction and embarrassment'. More recently he claimed to be buying Manchester United FC, clarifying within hours that this was his idea of a joke and that 'stand-up is my side-hustle'.

Some believe that Musk's image as a convention-defying yet down to earth messiah has been carefully cultivated to drive the value of his businesses beyond all recognised industry norms. Tesla was recently reported to be worth an incredible \$2 million per car manufactured, compared to just \$14.5 thousand per car for the Volkswagen group. Others say that whilst his businesses deliver results today, he's a volatile force with a militant fanbase, some of whom take his schtick too seriously and are closely allied to right wing causes. Meanwhile in Silicon Valley, this approach seems to be working out pretty well for the richest man in the world.

Six decades separate Ferruccio Lamborghini and Enzo Ferrari's battle of egos from Elon Musk's virtual fisticuffs with what can sometimes feel like half the planet. Viewed alongside some of his antecedents' adventures, it's possible to view Musk's social media outpourings as relatively tame. Yet the sheer extent of this entrepreneur's reach and sphere of influence totally eclipses that of his forbears.

Perhaps, as prominent New Age figure Deepak Chopra once said, 'all great changes are preceded by chaos'. Or maybe this is just a case of Musk retracing the steps of his predecessors, back to the future.

**Joel Leigh is the motoring correspondent of City Solicitor and a Partner at Howard Kennedy LLP**

# THE CITY OF LONDON SOLICITORS' COMPANY PRIZE 2022

We are delighted to announce that the Company Prize for 2022 has been awarded to Alexander Westin-Hardy, a Trainee with Allen & Overy LLP. This award is made each year to a Trainee at a City firm who has gained a distinction on the Legal Practice Course and who, based on an essay competition and an interview with the Master and the Chair of the CLLS Training Committee, shows the most promise as a future City Solicitor. Alexander's essay (reprinted below) focusses on the various ways in which City law firms are uniquely positioned to respond to the world-wide climate emergency. The views expressed in this essay are those of the author and not of the firm.



## How should City law firms respond to the worldwide climate emergency?

### 1. EXECUTIVE SUMMARY

In 2019, the UK became the first national government to declare a climate emergency. There is international scientific consensus that, in order to tackle the imminent threat of dangerous climate change, rapid and widespread changes in policy and investment are needed.

Achieving the ambitious target of cutting anthropogenic carbon dioxide emissions to net zero by 2050, however, will require global participation and commitment by governments, businesses and individuals.

This essay argues that City law firms are uniquely placed to respond to the worldwide climate emergency. In addition to catalysing wider cross-sectoral and cross-jurisdictional action, forward-thinking firms that embrace the proposals outlined below may capitalise on new business opportunities.

### 2. SUSTAINABILITY MEASURES

City law firms typically have significant physical footprints to support increasingly

globalised operations, with thousands of employees and multiple overseas offices. Like other large businesses, law firms can implement positive measures to mitigate their environmental impact: improving the energy efficiency of their offices; minimising the amount of waste sent to landfill; limiting international travel; and environmental auditing of their supply chains and service providers. Remote working during the COVID-19 pandemic has inarguably accelerated the adoption of such measures. In international arbitration, for example, procedural and interim matters may continue to be dealt with effectively by way of virtual hearing.

### 3. LAWYERS AS FORCE MULTIPLIERS

Further, City law firms can play a pivotal role in addressing the climate crisis through progressive engagement with policymakers, adopting a climate-conscious approach to legal practice, and endorsing change in other major industries. Common law legal systems are predicated on drawing from the past,

safely maintaining rights and protections by considering what has been done and said before. In the world of corporate law, this legal framework crystallises in the form of precedent documentation. Law firms can advance efforts against climate change by working with clients to draft climate-aligned contracts and standardise environmental safeguards. The Chancery Lane Project, a collaborative initiative between lawyers, has published more than 100 open-source model clauses designed to deliver effective climate solutions. Relevant clauses should be incorporated into law firm precedents and commercial agreements, where appropriate. A contractual approach assures more urgent impact than legislative mechanisms that take time to enter into force. Importantly, the international nature of finance work at City law firms may foster the transposition of environmentally sustainable practices to infrastructure projects in countries lacking prescriptive regulations.

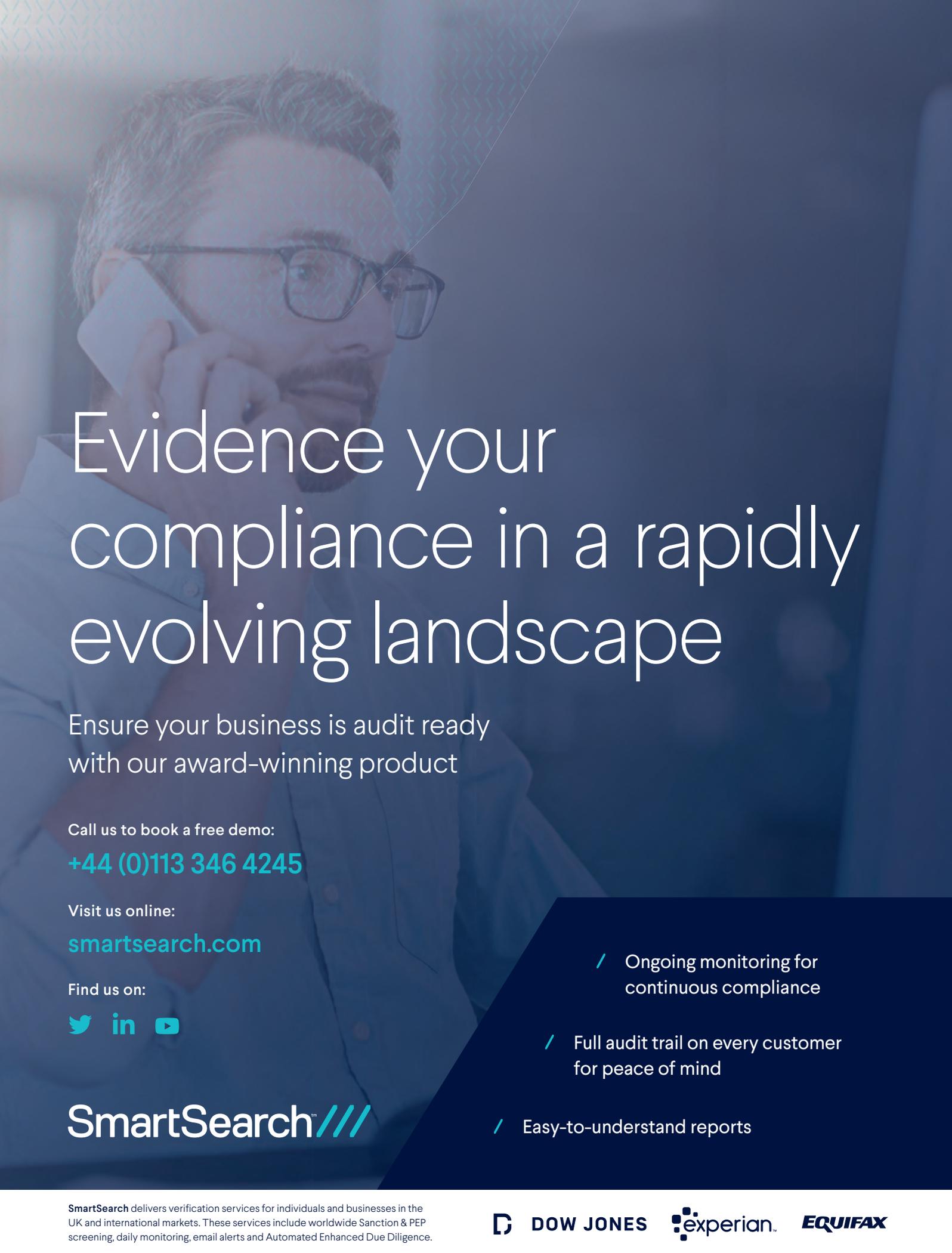
### 4. BUSINESS OPPORTUNITIES

A failure to slow global warming and the necessity of transitioning to a sustainable economy has resulted in a proliferation of climate-related legislation and environmental regulations. Such developments are already affecting client operations and reshaping the nature of legal work in various practice areas. This presents opportunities for law firms: companies need to comply with strict ESG disclosure obligations; certain industries will require advice on climate-related risks and decarbonisation; and climate litigation will increasingly influence both public and private law. Law firms that can leverage expertise in these areas will be better equipped to compete in a net-zero future.

**In case you missed it, the full Report from our recent and very timely Sustainability Dinner is now available to read on our website: <https://www.citysolicitors.org/news/news/sustainability+dinner++report+of+key+themes>**

Highlights include the importance of cross-sector communication on climate change, a call for standardised metrics and a consensus that professional services must lead by example to encourage climate-conscious decision-making by their clients. Livery Companies can also play their part – look out for our next **#FoodforThought** event to continue the discussion.





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