

The giving of the law

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Published: October 17 2008 01:51 | Last updated: October 17 2008 01:51

The legal sector's impact on society and the environment is less obvious than it is in many other industries. Lawyers do not operate coal-fired power stations, sell products that might harm people's health or run sweatshops. Nevertheless, there is a growing recognition among law firms that they, too, must engage in corporate responsibility activities.

Michael Littlechild, chief executive and co-founder of GoodCorporation, believes that in this respect, law firms have some way to go to catch up with companies in other sectors. "I'm not sure they are moving much beyond pro bono activities," he says. "And I suspect that a lot of law firms have been dragged kicking and screaming into this arena because they have noticed that their large clients are doing it and it has become standard practice."

The first challenge for legal firms is to identify the areas in which greatest time and resources should be focused. "For lawyers, they're still trying to work out what it means for them to be responsible," says John Blain, the partner at Freshfields Bruckhaus Deringer who leads corporate responsibility initiatives.

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Freshfields has explored this through the process of researching and publishing an audited corporate social responsibility report. In it, the firm explores the role of lawyers and what that means in respect to dealings with clients.

"The law is made up of a changing backdrop of restrictions and values," says Mr Blain. "So, as lawyers armed with this information, you can help guide clients as how to perform their functions in ways that are socially responsible and as the changing values of society expect them to."

Another area for Freshfields is its efforts to become carbon neutral, something for which it achieved certification in May last year.

In focusing on the environment, Freshfields is not alone. Many law firms are cutting down their use of resources such as water, paper and electricity as part of their corporate responsibility activities.

However, Mr Littlechild warns against placing too much emphasis on measures that have limited impact. "It's tempting to do the easy things – and the easy things are recycling and switching off lights," he says. "But the harder things are reducing the amount of transport and travelling and encouraging car sharing – and if you've made a shift in that, that would knock all the recycling into a cocked hat."

Moreover, individual efforts can only go so far, something recognised by DLA Piper. Seeing an opportunity to bring the profession together to tackle climate change, the firm – working with the Prince of Wales and Business in the Community – spearheaded the establishment of the Legal Sector Alliance.

"It struck us that this was an ideal platform," says Elaine Radford, head of CSR at DLA Piper. "Because working in collaboration you achieve much more in a shorter time and with greater impact."

As well as bringing law firms together to work on climate change, the alliance has developed a carbon measurement protocol. The idea is that if firms can be more effective in measuring their carbon emissions, it will become easier to take the most efficient steps towards reducing them.

With 20 founding partners, the alliance is on a recruitment campaign to enlist more firms. For alliance members, while part of the motivation is an awareness of the need to act responsibly – something that fits in with the growing transparency emerging in the profession – there are also business benefits.

"The criteria for working with a lot of big global businesses nowadays is that you have to reflect their values," says Ms Radford. "So there is both that moral and commercial imperative."

As well as mitigating negative impacts, however, more recent interpretations of corporate responsibility include the ability of the private sector to contribute in areas such as access to education, global health or poverty mitigation.

Traditionally, this has been delivered through ad hoc pro bono legal service to charities, non-profit organisations and others. However, as this year's Innovative Lawyers submissions demonstrate, some firms are starting to approach this in ways that are more creative and focused.

Partnerships are one way to extend the impact of pro bono legal services. In December 2007, for example, Mayer Brown joined forces with LawWorks, the pro bono charity, and the Royal Courts of Justice Advice Bureau to offer advice to the public on the benefits and implications of mediation.

For some, substantial involvement has been directed towards one project. One of the most extensive has been that of Allen & Overy, which has for many years worked with education authorities in London's Tower Hamlets borough. In 2005, the firm decided to work with Bethnal Green Technology College, a failing school, to prevent its closure. It saw that, to get back on the road to success, the school needed a complete management overhaul.

Allen & Overy placed a senior member of its own management team on BGTC's governing body to help the school with strategic and management issues such as budget control and curriculum development, and senior staff from the firm worked with the school's management team.

The initiative demonstrated a level of activity and involvement that is unusual for a law firm – and both the school and the firm benefited. A recent report by Ofsted, the UK's schools watchdog, highlighted BGTC's improved standards and achievements, as well as the engagement of the pupils and the dynamism of the head teacher.

For Allen & Overy, the project was a chance not only to raise its standing in the local community but also to give its staff new skills. Junior employees were able to take on greater responsibility at an earlier stage in their careers than would have been possible in their regular jobs.

Law firms have also recognised their ability to pass on their knowledge and experience in places where it is badly needed. Garrigues's Madrid office, for example, has formed a partnership with the World Bank to develop and teach an online accounting course to Latin American judges from commercial courts.

Clifford Chance decided to focus on a group of staff often overlooked when it comes to training and development: the caterers. Its Skills for Life Development Programme is designed to give them literacy and numeracy qualifications, after which they can tackle higher-level qualifications, enhancing their employability.

Other initiatives that make use of the capabilities of skilled professionals have, like the Legal Sector Alliance working on climate change, used the power of numbers, engaging other firms in collaborations to bring about change.

In March 2006, SJ Berwin launched the International Lawyers for Africa initiative, the brainchild of one of its partners, Tim Taylor. The idea is to use the knowledge and experience of top law firms to help build capacity in the legal industry across Africa.

Expert knowledge and experience is certainly needed as issues range from human rights abuses to money laundering and corruption and have to be addressed against a backdrop of political unrest, ethnic clashes and poverty.

"For African lawyers to play a part in complex litigation and other legal matters, they really need the background and training to be able to compete on an equal footing with western lawyers," says Toyin Ojo, IFLA operations director.

Through the initiative, lawyers from African countries compete to be chosen for scholarships that take place in the UK. Leading law firms participate, passing on specialist knowledge through workshops, lectures, seminars and visits to the offices of clients, as well as giving on-the-job training while the visitors are in the UK.

The idea is also to give African lawyers access to a network of peers, not only among the firms they meet while on the scholarship trip but also among themselves.

“We want African firms to be able to stand their ground and work with UK or American firms [in Africa] and not to lose all their work to those firms,” says Ms Ojo. “We want to see Africa up and running.”

When it comes to the responsibility of the legal sector to wider society, however, Mr Littlechild highlights one area where he believes law firms’ performance has been poor. “They need to be much more transparent about their human resources policies and how they’re dealing with their diversity issues,” he says. “Because if you’re not going to tackle that, then you’re not up to the scratch with your clients, who are setting the pace in this area.”

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