



President's Column

The President's Other Column - The Parasite

*"There's a monkey riding on my back
Been there for quite a while
He says he knows me very well
But he's no friend of mine"
(From Puccini's opera "The Devil came from Kansas")*

You're quite right.

By now I should be "past" not president. I've done my twelve months, but apparently I'm stuck for a little while yet, as it was decided to synchronise the presidential and financial years. I'm now probably the oldest president ever, who's now the longest serving and the only one whose year hasn't and won't include an annual dinner. I'm not convinced that any of those points will look good on my CV. If I had to review the last year, I suppose change has been the driving force. We've changed the format of this mighty organ, changed the web site, changed the membership rules and finally, we've changed the way officers are appointed.

That's the first hundred words, what on earth can I write about next?
Remember the first of my columns, where I bemoaned the professions' general loss of status? I talked about the days when we were respected, simply because we were solicitors. One of my first partners refused to be bothered with a cheque guarantee card. When presenting a cheque, he simply produced his Practising Certificate (they were smaller in those days). His cheques were always accepted.
That was the status of the

profession. We were solicitors and were expected to be honest, decent and trustworthy.

How things have changed. Time was when the only permitted marketing was an entry in the phone book and the reward for good service. That is client recommendation.

Not anymore!

In part IT is to blame. Now we all have web sites and hope our brand will attract attention of the right sort. We may "google ad" on key words or phrases. It has to be done. The internet has changed everything, including the language, it seems.

"Trojan Horse" isn't the four legged, wooden weapon of deceit. Now the phrase refers to a "virus", a diseased piece of software, sent with malevolent intent to hide on your hard drive and send back to its master all your digital discourse and efforts, along with any commercial secrets you may prefer to keep.

"Engine" used to be defined as a device with moving parts which expended one form of energy, in order to produce energy of another kind. But now we have engines with no moving parts, search engines, like "google" with its "google sponsored ads".

I think I've discovered another word with a new internet meaning - "parasitic". It used to mean an organism or animal that lived off another, wrongfully termed "the host". That's a

misnomer, because the host often is unaware of its passenger and almost always gives no consent.

Parasites inflicted on the human race generally live in dark, sweaty places, in an environment they find conducive to the sucking of blood. Others, such as the tape worm, inhabit the bowel where, without light, they repose in that in which they are most at comfort.

Things aren't so different in the virtual world.

What about the internet, that virtual world, which has changed so much of what we do and how we do it? It hasn't changed the fundamental marketing tool, your firm's name and reputation. Now, no solicitor would ever use somebody else's name, in order to build his own client base, would they? Would any solicitor sit on the back of another, wait outside the other's office hoping to intercept clients as they approached the door?

It's sad, but in the virtual world one is doing just that.

Let's suppose a practice wants to assert itself as a market leader, one way to do it is to home in on the web site of one already established as a market leader. Let's say "Blogs and Co" is the market leader in intellectual property rights. Let's say "Hype and Co" want to be market leaders.

One way forward is for Hype and Co to buy a google sponsored ad. They select a "key word" and every time someone googles that

keyword, Hype & Co are featured as a "sponsored ad or link". So if the key word is "Blogs and Co", every time someone searches for Blogs and Co, they're made aware of Hype's existence.

It's not illegal, it's pretty neat and it's cheap marketing. But it's lousy, if you'll forgive that expression.

This is a technologically aware parasite. I've got one living off my firm's name and reputation. Perhaps he's living off yours.

The other day, wondering how our marketing was progressing, I "googled" on "burton copeland". Note, I didn't search for "solicitors" or "criminal lawyer", I searched on my own firm's name, its brand, its reputation.

You may imagine my surprise when along with the entries for my firm's web site and the site of the other firm BCL Burton Copeland, which rightfully bears its name, along with the professional directory sites and so on, I noticed a specific "google sponsored ad" - a firm who proclaimed themselves as "expert fraud lawyers".

I wondered whether this was a keyword error. Perhaps quite innocently they had too wide a keyword. If that was so, I'd expect searches on other well known firm's to produce the same "google ad".

I tried a few (not necessarily yours) and they didn't.

I'm driven to the conclusion that they selected "Burton Copeland" as their



keyword, because they knew of our reputation. They targeted us and the only reason to do that is to suck my firm's lifeblood, its goodwill, to latch on when a potential client is seeking us out.

They clearly believe they themselves have no reputation, so they're riding on ours.

Is that conduct becoming a solicitor? Well, judge for yourself. Google "burton copeland" in the UK and see the result.

Perhaps you should "google" your firm's name. You never know, you may have a passenger, perhaps a former partner never really left.

Anyway, enough of the antisepic! Tricks for the Charity Ball are on sale and are going quickly. Parliament is doing what it does best, taking a holiday and the great British summer is upon us - in buckets!

So some things don't change!

Mike Mackey
President

Engendering change; women in law

While the number of women admitted to law is increasing five times faster than the rate for men*, it is still a male dominated field. Here, four women with significant experience in law give their take on the gender issue.

Cherie Booth QC is one of the UK's leading human rights barristers and has carved out a successful career in law appearing in the European Court of Justice, in Commonwealth countries and as an international arbitrator.

While she can remember a time when many chambers refused to acknowledge women, Cherie says there is still some way to go to ensure equality for both sexes: "It's a simple fact that women are forced to make choices and there shouldn't have to be a rigid distinction between a career and family life. "The two can be compatible if employers adopt a more progressive culture, facilitating flexible working for both men and women. It should be possible to establish a work-life balance without having a huge guilt complex or running yourself into the ground. Having it all might not be feasible, but women can now have a fairly

substantial piece of the pie." Tricia Chatterton, regional director of The College of Law, is an ex-lawyer who still works in the field, but whose attention is now focused on training future law professionals. She comments: "We are certainly seeing more and more females coming into law, with women now accounting for 44 per cent of solicitors. The lack of parity tends to occur higher up the chain, with far fewer female QCs and managing partners in firms, in relation to men. "Salaries are still an issue, with more women graduating with better marks but earning around 15 per cent less than their male counterparts in jobs, which is not a statistic that sits particularly comfortably with me."

The College of Law's intake reflects the national gender split in the sector, with 62 per cent being female.

Although the proportion of female associates promoted to partner level at the top 30 UK law firms has risen from 25 to 27 per cent in 2008, this is still a reminder of the lack of female representation at a senior level.

Nancy Brown is head of real estate at Eversheds in

Manchester. She reflects on positive change in the legal profession over the last few decades and reinforces the need for more flexible working: "The profession has come a long way since I began studying 25 years ago, though there is still more to be achieved. I am a full time working mum and it's fair to say Eversheds is ahead of the game, with females making up nearly a quarter of its partnership. We have the most women in senior legal positions out of the top ten law firms in the UK. There is still more to be done in terms of promoting and retaining women by using flexible working and investing in technology to aid remote working. With the next generation now coming up through the ranks, women are more determined than ever to gain control of work life balance. It's a cultural shift that every level needs to buy in to."

Spinning plates is something Kate Baldwin is all too familiar with. As a former employment lawyer for Cobbe's LLP, Kate set up wealth management company Xenium in 2004 with her partner, is a part time lecturer for The College of Law and is

expecting her second child this November. Commenting on managing a career and home life, Kate said: "Setting up my own business was a solution to successfully achieving a work-life balance, though it is not without its challenges! I have more freedom in my own business and adopt flexible working hours to get the most from employees. We have introduced summer working hours as one solution. There is still more to be done to empower men to work more flexibly given that the percentage of 'stay at home dads' is on the increase and bringing up children is no longer a solely female responsibility."

While all four women agree that a good foundation has been established to promote equality in law, there should be a continued commitment to striving for improvement. Whether it's a glass ceiling or a sticky floor, promoting the female cause is not something that should be done in isolation. Greater flexibility should apply to both genders, otherwise one sex is always in a position of compromise.



Cherie Booth QC



Kate Baldwin



Nancy Brown



Tricia Chatterton

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