

Triple Helix

By Elizabeth Cruickshank

I would like you to imagine a tall immaculately dressed woman d'un certain age as the French would say sitting comfortably in the Law Society Reading Room telling you about her life and her foreseeable future. **Fiona Woolf** is comfortable surrounded by the magisterial portraits of Law Society presidents because she herself has sat on the Law Society Council since 1987.



Variety

Listening to Fiona Woolf is rather like viewing a series of multi-synaptic connections as the conversation flows seamlessly from AWS and Law Society concerns through music, fashion and languages (Fiona has worked in 4 languages, having started to learn French at the age of 3) to electricity privatisation, the Channel Tunnel and then back again through a different set of mental pathways to the Law Society. This could be exhausting, but such is the gentle intellectual energy of the woman who will soon become only the second woman to be chosen as President of the Law Society that time passes only too quickly and amusingly.

Fiona has one other distinction unlikely to be repeated for some time. She will be the first President of the Law Society to have served also as Chairwoman of the AWS.

Serendipity

Fiona presents her life as one of fortunate happenstance which disguises her hard work and a determination to overcome what might be perceived as probable difficulties by others. Being a female solicitor in Bahrain in the 1980s could have been difficult, but "it was actually a huge advantage to be

a woman because I was the only woman of my seniority running anything in a male dominated ex-pat community. I was in huge demand for dinner parties, especially at the French Embassy and I found myself on all sorts of Embassy lists. And it also gave me the opportunity to steep myself in banking and project finance, and to learn about practice-building and administration by managing 5 lawyers, one paralegal and an equal amount of support staff."

As Fiona narrates it the acquisition of

this very useful set of skills was not particularly planned or foreseen, but the result of decisions made by other people with her best interests at heart. At the age of 3 she was sent to the Institut Francais in Edinburgh, where her parents had moved on her father's appointment as Head of Virology at Edinburgh University. By the time that she graduated to 'proper school' at the age of 5 she could speak French without the trace of an English accent.

At secondary school in Edinburgh her love of the sciences was encouraged by her teacher Miss McLaren, who also recommended Keele as a good place to study Chemistry and Geology "because Miss McLaren's brother was a student there." The socially savvy Fiona also found the prospect of a four year rather than a three year university course a very attractive one, particularly as the first year at Keele had a large Liberal Arts component. "Music is a big feature of my life. Singing in choirs and opera groups has been the backbone of my social life." It was a chance conversation in a pub in Keele with a professor of Law who also had a passion for music that led to her attendance at first year law classes, and subsequently to a BA degree in Law and Psychology.

After graduation in 1970 Fiona set off for London and articles with Taylor and Humbert in Gray's Inn which by various stages has now metamorphosed into international firm Taylor Wessing on Victoria Embankment. The young articled clerk who started her legal life doing Settled Land Act 1925 conveyancing for the Duke of Bedford's estate later became a world expert in electricity systems restructuring for which she received a CBE. "No, I didn't find it difficult to get articles in London because our next door neighbour in Edinburgh was George Cockburn, the Chairman of the Rules Committee of the R&A Golf Club in St Andrews. He was a partner at Shepherd & Wedderburn in Edinburgh and he gave me an introduction to Taylor and Humbert. My starting salary was £500 per annum, which just about paid for my rent and bus fares; I'm afraid that there were constant phone calls to Edinburgh asking for financial help!"

Dealing with chaps and cultures

Fiona does not recall any particular difference in the way that she was treated as an articled clerk or a young solicitor because she was a woman, "although," she says thoughtfully, "there was one occasion when I stood up after being interviewed by a man who told me that, 'don't take this the wrong way but I really don't think that I could go to a meeting with clients with a woman of your height.'" Fiona is 6 foot tall.

In the Far East her height has certainly got her noticed. She has been asked in a lift, "What's it like up there?" and the beds in Japan, she notes, "are very short." In 1994 she went to Japan to represent English solicitors in relation to GATT's Uruguay Round because she was the Chairman of the Law Society's International Committee. It was the first time that legal services were considered, and the discussions took place in Japan "because Japan was fighting us hardest." The Japanese were not used to dealing with women lawyers, and Fiona says with a smile, "we all sat down as quickly as we could."

Fiona feels that it is very important to try to understand the specific cultures of different countries because as a lawyer you need to make an effort to put people at their ease and to understand how they make decisions. Cultural understanding will enable you to know how to open conversations and to demonstrate that you are competent and experienced; by

listening carefully to other people you will be able to satisfy their legal needs. Maybe women have to try a bit harder in some cultures but "I have always tried to extend the hand of friendship to my clients and to put them at their ease. Even if at times it can feel a bit scary. I have always thought about the potential relationship quite deeply before I meet a new client." When she says matter of factly that "the world has treated me very decently," it is perhaps because she herself has tried to show the same concern for the world.

Scientific metaphor

Fiona herself referred to the relationship of her career as a lawyer and her career as a Law Society Council member as a sort of double helix, being a reference to Watson and Crick's momentous discovery of the structure of DNA which they had deduced while she was at school; her two careers have developed and intertwined together. However, there is a third strand, not of equal importance, but in some ways of equal interest.

When Fiona decided in 1973 to replace 'mainly theoretical' SLA conveyancing with company/commercial work she moved to Coward Chance in the City, where she met Diana Benjamin and Rosalind Bax (Rosalind was chairwoman of the AWS). Coward Chance must have been prodigious talent-spotters because Rosalind became their first female equity partner and Diana a partner in Kingsley Napley. A 'natural joiner' it was inevitable that Fiona should become part of the AWS envelope-stuffing brigade at a time when it had around 200 members and was still charging an annual subscription of 2 guineas. It had only recently given up differential subscriptions for 'town' members and for 'country' members.

By the time that Fiona became Chairwoman in 1979 more substantial opportunities were opening up for women lawyers (she herself was made a partner at McKenna & Co in 1981). Her challenge was to get the Law Society to stop thinking of the 1919 Club as a sort of 'women's tea club' and to take the AWS seriously as a group of women who had much to contribute. "The Law Society had a great deal of respect for women like Eva and Rosalind which helped enormously." What was equally important to Fiona was that change was being implemented by a group of friends who wanted to attract more members and to put on more serious events, particularly with other women's organisations both domestic and international. Friendship is a concept that returns many times in her conversation as colleagues seem easily to make that transition with her from work to social relationships.

Indeed Fiona's membership of the Law Society Council came about because of the AWS. In 1987 she received a phone call from Theresa Grant-Peterkin (another AWS Chairwoman) who said that "for the first time ever, the AWS has been asked to suggest a possible candidate for the Council. Will you do it?" Fiona was by this time well enough established (she was a partner at McKenna's) to be taken seriously and so agreed. However, at interview it appeared that there was a mismatch of expectations. "They were looking for someone who they expected would be a specialist in Family, Housing or Social Security law because she was a woman. But I was none of these. And when they asked me what did I know about the Council I had to admit that the answer was 'not a lot really'."

Not only was she given the Company Law seat on Council but not too much later she became the natural choice as Chairman of the Law Society's International Committee.

Company commercial

The decision to give up the mainly theoretical aspects of the law for the more practical was to have a profound effect on her career and her life, “although it’s sometimes difficult to know why things interest you.” Having been sent off as a young trainee to research the consequences of trading on a Sunday when this was a prohibited activity, she came back proudly with a disquisition on the theoretical legal position. “But how many inspectors does the Local Authority have? And do they work on Sundays?” she was asked. The importance to the client was the likelihood of the law being enforced, not the actual letter of the law, and whether therefore it was worth taking the risk. “That was a very important and enlightening lesson for me.”

What really changed the direction of her career was being sent to Bahrain. When she returned in 1985 she was thrown straight into the Channel Tunnel project (remember that she speaks French), where she was involved in negotiating the Concession Agreement and Treaty. “As a result of this I was branded with a ‘Major Project’ label.” And serendipity struck again when an old client, the Electricity Council, recommended her to Northern Ireland Electricity who were applying for a grant to build a power station. This gave Fiona “a couple of months training in power system operation, so that I became the only lawyer in private practice who knew how the lights stayed on.”

(It was incidentally this knowledge which impressed her back-packing step-daughter in Guatemala when she explained how her work would reduce the number of power interruptions.) All this led in 1988 to a recommendation to the newly appointed Chairman of the National Grid by the head of the Legal Department of the CEBG whom she met at an IBA Conference in Sydney. As a result she was appointed to act for the National Grid Company plc without a beauty parade which has subsequently resulted in her working in 38 jurisdictions and for 25 governments on electricity privatisation projects restructuring and regulation. This involved a “whole bunch of trading rules and codes and incentives for the use and development of infrastructure. It enabled me to bring together and to build upon projects and energy practice involving a global team of 100 lawyers.” That sounds very much like what she will be doing as President of the Law Society.

As well as coming to grips with the whole raft of privatisation legislation and implementation, as chair of the International Committee of the Law Society she was involved in pushing for practice rights for UK lawyers all over the world. This was “manageable” says Fiona, because “if you are able to plan ahead properly you can fit your own practice in with Law Society work.” The difficulties came with one particular Energy Minister,” (Fiona is diplomatic enough not to name him), “who used to phone up on a Thursday afternoon, demand a meeting on a Monday which meant that I had to fly out on the Sunday, and then cancel the meeting on the Monday morning.”

Promotion

Fiona is very frank in saying that one of the prices that she paid for her ‘double helix’ career in Law and the Law Society was not having children of her own and not marrying until later in life. And yet it was her husband Nicholas, a widower with two teenage children whom she married in 1990 who was instrumental in pushing her that little bit further in her public career. “In 2004 I was thinking of resigning from the Council

because I had been there since 1987 and was its longest serving member. Then the Clementi Review was announced. It was apparent that that would be a tremendous catalyst for change. I had long felt that the Law Society was a very large place where people were doing some very good stuff that the profession didn’t know about and was not interested in. The Clementi Review was a huge wake-up call. When I realised that it created an opportunity to review the representation side of things I decided to put my hat in the ring to go on the Main Board. However, as we drove through France on holiday after I had put in my application my husband suggested that I ought to finish off the Law Society.”

By ‘finishing off’ he meant that she should run for office on the Council, with the intention that she would eventually become President of the Law Society. Her assessment was that she was still busy with CMS Cameron McKenna and had not chaired an active committee since the mid 90s. “I was persuaded by Kevin Martin and several other Council members, and to my surprise I got through on the first ballot.”

The Law Society and the AWS

Fiona recognised that change was inevitable. Although all the attention has been on the split between regulation and representation, she feels she has been given “a great opportunity to present a new market-oriented Law Society to the profession.”

In Fiona’s view the Law Society groups have a twofold purpose. As well as the provision of attractive practical services in terms of both training and pastoral care they can also participate in knowledge-sharing. By providing fora for debate they can enable the Law Society to communicate with their members and to obtain their input. “The AWS can therefore help to create a virtuous circle with the Law Society whereby the Law Society stands up for women solicitors and says to its stakeholders, especially the profession’s regulators, that the Law Society represents their interests and can and does obtain their input, so that if the AWS flourishes then so will the Law Society.”

Funding is clearly very much an issue for both the Law Society and its recognised groups, as there may well come a time when representation will need voluntary subscriptions to some extent. The NOP findings from market research with the profession indicate that compulsory payment for this representative work will be acceptable. Therefore in order to ensure that the Law Society appeals to many more sectors of the profession than it does at the moment, it must be careful not to enter into direct competition with its recognised groups. This is particularly important in connection with training programmes; each should support the other.

Cometh the hour...

Cometh the woman perhaps?

Asked what advice she would offer to young women lawyers Fiona starts by stating that “I had a lot of opportunities presented to me and I never really turned any of them down.” Just when I wonder whether she has misheard the question Fiona turns on a sixpence and adds quietly, “We cannot afford the luxury of negative thinking and we have to believe that we will rise to the challenge. We need to have confidence in our skills and experience and in our own intelligence and motivation.” And then she smiles, “Don’t worry about being a woman and don’t wear black all the time.”