



CLERKING DURING COVID-19 AND BEYOND

**BY ZOE MCCAULEY
SENIOR CLERK
GREAT JAMES STREET CHAMBERS
SEPTEMBER 2021**

In April last year, I wrote my first ever article looking at how our Chambers were adapting to working in lockdown. Never did I expect, a year and a half on, to be writing a follow up with those adaptations now a permanent foundation of our 'new normal'.

The pandemic has pushed the Bar to the edge in many ways, particularly the Criminal Bar which was already under immense strain. Since my last article, there was an extensive period of courts not sitting, far longer than was originally anticipated. As a result, the financial burden that Covid placed on Chambers and barristers' was hard hitting. Like other sets, we found ourselves watching our income reduce further each month and, what was initially a novelty, very quickly became a cause for serious concern about the future of our profession as a whole.

In September 2020, I was honoured to be appointed Senior Clerk. It was a bitter sweet moment. The pride I felt as I received a flurry of congratulations was quickly over powered by a sense of trepidation and urgency, knowing that I had a mammoth task ahead.

If I was going to retain my new title... we had to adapt. At this point, I was truly treading water in the deep end.

Our financial difficulties were compounded also by the work of a fraudster, our previous Senior Clerk who has recently been sentenced for his crimes. With a combination of the impact of Covid and the fraud, I found myself with the future of our barristers and 2 other clerks in my hands. With my brain doing overtime, my insomnia kicked in and I found myself scrolling through the accounts at 3am looking for ways to reduce costs.... then it clicked.... most expenses related to our building. The rent, the gas, the council tax, the water, electricity etc. It was an empty building. We had all been working from home since April and our systems had been truly tested as to whether remote working was viable. It was.

The answer was now glaringly obvious. I did the projections, they confirmed that by getting rid of the 5 storey, empty townhouse in the heart of London, we could reduce our outgoings by 54% in one swoop.

Our building had been owned in-house since 2004. Approaching our Head of Chambers with the business plan may have been one of the most nerve-racking calls I have ever had to make. This wasn't a small ask. Not only did I have to persuade him that selling the building would allow us to survive financially, I also had to explain, to a man of 48 years' call, that a Chambers could run virtually. We would be one of the first but, I truly believed it was possible.

The figures and business plan spoke for itself. Alun Jones QC instantly saw the benefits of virtual working and accepted the evidence of the successful trial gifted to us by Covid. The plan was approved by Alun, the Management Committee and voted in favour by all members of Chambers. Together, we adapted the new model to ensure compliance and opportunity for all members. With a lot of hard work and loyalty from all involved, the new structure, which has a limited company at its heart in which all members are offered the opportunity to become shareholders, was launched and we were once again financially stable.

Chambers is now officially a virtual set. We have an office based at 20 Old Bailey, a glass fronted, modern building sat in front of the most prestigious court in the country. This is a shared space with other companies but with full access for our barristers and clients to use the business lounge, private working areas and luxury facilities. Our conference rooms overlook the Statue of Justice and front entrance to the Old Bailey, a far cry from the dusty bookshelves and basement conference rooms of the townhouse we were used to.

The working space seemed familiar only from the binge watching of 'Suits'. My first time walking through the corridors as a Senior Clerk gave me serious 'Jessica Pearson vibes'. However, it isn't all about the facelift. We still had the woes of no trialling and barristers out of court. As I touched upon in my previous article, the clerks had the pressure of finding work that could be done from home, obtaining permission for barristers to attend court remotely and keeping members motivated. For me, one of the most important roles I had was to be aware of each members' mental wellbeing during, what was, the most difficult time of many of their careers.



"It's what you do in the dark that puts you in the light"

-Harvey Specter, Suits

At this stage there were 3 clerks, myself, our junior clerk Jessie and our fees clerk Jo. We were all working ridiculously hard trying to generate as much work as possible and get in any fees that we could chase. At some points, I had worked 18 hours straight, I wasn't eating or sleeping properly, not a single day off and my only focus was making a success of our new company and getting our barristers back in court.

I realised that my new title came with far more responsibility than I had perhaps understood. This is a role that, in addition to the job description, involves acting as advisor, counsellor and friend. This is not something that can be done between 9 and 5. The mobile rings out of hours, catching up with work that I didn't have time to complete during the day and clearing the inbox from the bombardment of evening emails.

Was it exhausting... yes. Was I overwhelmed at times.. yes. But regardless of how hard we had to work during that time, we were grateful to be working at all. We were hearing about clerks being furloughed, some being made redundant and pay cuts. We were lucky, despite all of the worry we faced financially as a Chambers, the clerking team were reassured by the Management Committee and we all felt secure. It was appreciated far more than perhaps those making the final decisions had realised. It was that reassurance that motivated each of us to continue working as hard as we were, determined to survive what was the most difficult time for everyone both professionally and personally.

Whilst Covid still lingers, life as a clerk has changed dramatically for us at Great James Street Chambers. We now operate as a completely virtual clerks' room with all clerks working from home but together on skype each day. We still maintain the atmosphere of a clerks' room and we are able to effectively communicate with each other. Being present with each other, even virtually, has been the key to our smooth transition. We talk all day, we maintain our friendships and we teach each other, all from the comfort of our own homes. There is no travelling in and out of London each day, saving not only money on travel but also precious time. The 3 hours I used to spend travelling is now spent in a far more productive way.

Chambers has not only survived but has thrived under our new structure and management.

Though we did sadly lose a few members of Chambers in our most difficult moments, the majority of our GJS family remained loyal and supportive and could see the benefits of the new structure. They invested their trust and faith in Chambers which allowed us to push forward and build upon what we knew would be, with everyone's support, a solid foundation. The team that we are now could never have existed without that loyalty and I am so grateful for the trust placed in me as the new Senior Clerk.

A year on and we have taken on 15 new members of Chambers, had 2 pupils complete their pupillages, both of whom accepted full membership and employed a further 2 clerks. We have diversified our areas of practice and whilst are still predominantly a criminal and extradition set, we have strong teams in immigration, regulatory, family and civil law with an increased focus on public access. I now have the support of a talented and hardworking clerking team which allows me to share my workload and enjoy a better work-life balance.

Our commission only, pay as you go style, corporate membership has proven an attractive model and Chambers continues to grow and develop organically as we enter a new stage of the pandemic. With restrictions lifted and the backlog of cases longer than ever, our diaries are full and we now find ourselves battling new challenges of organising an overload of work and managing diaries far busier than we have seen in recent years.



18 months ago, we didn't know if we could survive as a set. Today we find ourselves busier than ever and with a renewed passion and drive.

The friendships developed over the years with other clerks and colleagues allows us the support needed to get through the busiest periods. I have noticed that there is far less competition between sets of Chambers and instead, more support for each other, helping one and other to cover work and offers of returns. This is something that I am personally very much enjoying. The culture that seemed to have been left behind as we moved into a more digital world over the years, is now making a come back. As a virtual set, thank you to other clerks no longer come in the form of a beverage in the pub at the end of the day. We are no longer just up the road to meet up with our clerking friends. At 6pm, when the diary is complete and our barristers know what their listings are for the following day, my focus now is to close the laptop and spend the evening with my family. That doesn't however mean that the bonds are not just as strong. Only another clerk will understand the pressure felt on a busy afternoon when the courts have refused all requests, the phones are ringing non stop and the emails are multiplying with every response. It is a job like no other and those who have experienced working through this pandemic will be telling tales to junior clerks in years to come which will start.. 'when we worked through the 2020 pandemic.'

This past 18 months, I have learnt more about clerking than I have over 15 years in my career. I still love every second of my job. I love clerking, I love watching the growth of Chambers and the development of individual practices, I love that I can always pick up the phone and speak to other clerks for support when I need it. It is hard work and it can be all-consuming, we do still work long hours and we are mostly exhausted but... the pride I feel looking back at what we have achieved makes it worthwhile.

Last week we enjoyed an incredible garden party to celebrate our achievements. Standing amongst colleagues and their families, all sharing the same values and aspirations, made me realise that I am no longer treading water. I can swim.



ZOE MCCAULEY

Zoe is an experienced Senior Clerk and manages Chambers, the clerks' room and our barristers. She is responsible for all aspects of business development, practice management, work allocation, fee negotiation and marketing. Zoe manages the day to day operations of Chambers and brings a highly professional approach and service to members and clients. She leads the clerking team with passion and knowledge and is instrumental in developing practices and maintaining strong working relationships within the legal industry.



Great James Street Chambers

020 7440 4949

zoe.mccauley@greatjames.co.uk

