



Lawyering in the time of COVID-19: a Barrister's perspective

The COVID-19 pandemic is creating once-in-a-lifetime challenges and change. For legal practitioners, creating a new work from home routine and establishing boundaries has been the critical first step in establishing a new normal. In this series, we talk to legal practitioners from different sectors of the industry about how they've adapted to the global COVID-19 pandemic.

Here, we talk with **Michael Drummond, Barrister's Clerk at Hemmant's List.**



MICHAEL DRUMMOND
BARRISTER'S CLERK
Hemmant's List

How prepared were you to respond to the current crisis in terms of your "work from home" arrangements and capabilities?

Barristers are different from law firms in that they are effectively sole traders. Hemmant's List members have been very nimble in adjusting to changes in practice such as working from home. Of particular note has been the ability to integrate technology such as online conferencing to ensure that the justice system hasn't ground to a halt like other areas of society. Having a dedicated support like the List Clerk has been a real point of difference.

What do your day-to-day operations look like compared to a couple of months ago?

Perhaps not surprisingly, my day-to-day operations are very similar. The only real difference has been less face-to-face interaction and more tech-based communications such as telephone, email and on-line conferencing.

“ Online hearings, appearances, conferences and significantly - mediations have increased and are being embraced as a valuable alternative to traditional face-to-face interactions. ”

An unexpected benefit has been an improvement in efficiency by removing the 'deadtime' that is often associated with the traditional, face-to-face practice of law such as waiting outside court for one's turn before the Judge. Barristers are obviously at the coal face of these evolutions.

What are the things that are working right now as barristers adjust to this new normal of working from home?

Barristers are experts in communication and well-placed to maintain effective and efficient communication over multiple and evolving mediums. While there will always be some teething problems, especially with change that is forced and unplanned; by and large the transition to on-line hearings, conferencing and mediations has been successful and is already showing benefits which will be sustainable for the long term.

“ ... personal discipline has been critical to make sure we all continue to work to our best. ”

What have been the main challenges over the last few weeks?

One of the main challenges has been synchronising routines. Routines are based on habit forming repetition - go to the office, go to meetings, come home. With the unifying presence of similar routines gone, personal discipline has been critical to make sure we all continue to work to our best. Fortunately, barristers, who work for themselves, are natural self-starters.

The biggest ongoing issue has been the increased reliance on the Internet. The increased usage of the Internet from home, including for on-line conferencing, has highlighted the Australian network's fragility and under-performance.

Mental health is a key concern at the moment with all the changes and uncertainty – are you doing anything in particular to support your own mental health or the mental health of List members?

Again, barristers are by the nature of their profession comfortable with extended periods of solitary work; interspersed with periods of team activity. As such, they have very high resilience. However, the pressures of the current situation and the ancillary economic crisis play on barristers as much as the next person.

What are your best tips for working from home?

Stick to a routine and where necessary create new ones to stick to. Still make the effort of getting dressed and ready to go to work, stick to your 10 am coffee break.

Rudyard Kipling once wrote “If you can keep your head when all about you are losing theirs ... Yours is the Earth and everything in it”. Being as normal as possible, in extraordinarily abnormal times is the key, not just to survival but to success.

“ Being as normal as possible, in extraordinarily abnormal times is the key, not just to survival but to success. ”

How do you think this sudden and unexpected need to work from home will change the way you operate once this crisis is over?

Logically, there will be a return in part to pre-existing routines and processes. In-person cross examination of witnesses may still be a preferred approach. However, accelerated integration of technology, such as online conferencing, will continue as people see the benefits in efficiency and quality of work/life balance.

I expect we will see more variety in forms of communication and interaction, face-to-face when necessary and technology-based when appropriate.

This is the final interview in the series, 'Lawyering in the time of COVID-19'

LexisNexis® Australia sincerely thanks; Amalia Stone, Special Counsel at [Herbert Smith Freehills](#); Leigh Evans, Principal at [Annex Legal](#); Michael Ku, Partner, [MGL Lawyers](#); Meldon D'Cruz, Principal, [Cruz Legal](#); Sami Sara, Partner at [Lawcrest](#); Tomoyuki Hachigo, Co-founder and Principal Lawyer at [Sprintlaw](#); Aaron Taranto, Corporate Solicitor at [Allianz](#) and Michael Drummond, Barrister's Clerk at [Hemmant's List](#) for their perspective and insight on adapting to the global COVID-19 pandemic.

Consider creating a [contingency plan](#) to make your firm crisis-proof and find the latest news, business updates and research materials to keep you on top of the current pandemic crisis at the [LexisNexis exclusive COVID-19 information centre](#).