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I have the privilege and honour of being the President of The Will Honour Club by virtue of my age and number of years in practice – over 50 I'm afraid.

The job of TWHC is to act as a referral point to people who want to join the legal profession in whichever jurisdiction they may live. WILL has 380+ affiliates in 73 jurisdictions with 5000 years of experience. There are 40 members of TWHC who are prepared to give their expertise to people who want to join the legal profession whether they are mature people, students who are thinking about it or who have already made up their mind but would like answers to some questions. TWHC is ready to take your questions about being in the legal profession these days and whether it is a good sector for people to join.(1)

I deal with the importance of the **Rule of Law** later in this memorandum but deal with the commercial aspects first and for that purpose, the profession can be divided into four main categories:

1. A small number of lawyers who want to practice law that has social benefit as the objective. So, for example, welfare benefits, immigration, family law, charities and community interest companies that work in the interests of people who are in need, for example people with learning disabilities, autism. There is a charity in the UK called Disability Law Service which is a free legal advisory service for people with any type of disability.
2. Dispute Resolution (Litigation): Some people enjoy the cut and thrust of litigation and the multiplicity of skills required.

It is a fact that litigation is an extremely expensive, slow and anxiety laden way of resolving disputes. The skill of lawyers comes into play to persuade clients to go to mediation because it does not have any procedural requirements, each party gives their case to the mediator and can explain in non-legal language how they see the problem. It effectively puts the dispute back in the hands of the parties before the stage is reached where each litigant has built up a huge costs bill and that frequently becomes an impediment to resolving disputes. Mediation is quicker, cheaper and a more effective way to resolve disputes rather than litigate. For example, there is a specialist dispute resolution organization in London called the Centre for Effective Disputes Resolution (CEDR) where most mediations are over in one day and there is an 80%+ success rate, so as far as clients are concerned there is little to lose and everything to gain.

3. A large part of the profession is business law which involves corporate law, commercial and contracts and also the resolution of disputes which can often be the case where shareholders fall out. Lawyers come into the picture in preparing the documentation so that areas for dispute are minimized and most importantly of all, provides a mechanism for resolving disputes.
4. Property Law: for office buildings and large developments of various types, complicated construction contracts and joint venture agreements. It also includes purchase of residential properties.

The financial rewards in 1 are not significant.

If you achieve a profile in corporate commercial law, the rewards can be very high. In any case, what you are going to experience is a need to work hard after you have finished your exams to deal with the work of clients and keep up with continuing developments in the law. You also need to consider what size law firm you want to enter into and what are the relative benefits for you.

Then there is the growing area of technology and artificial intelligence. Commercial contracts in this area are difficult but very necessary, a software development agreement is an example. There is the consideration of how to incorporate AI into the practice of law and that can be a speedy response provided. Lawyers will still need to adapt the information to the strategy that the circumstances require. There is the possibility that it will take less time to research an issue, but the solicitor is necessary to ask the correct questions so that AI can provide a focused answer. Some young lawyers may enjoy or actively look for a practice where a soundly based knowledge of technology, including AI, is required.

There are three other areas where members have experience, and they may be suitable for people who want to join the profession.

1. Mediation as a method of resolving disputes.

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2. Law relating to the environment and climate change
3. International Trade

TWHC will emphasise how important it is to have a good knowledge of international trade because it is essential for growth, tolerance and respect.

As to the environment, we all know how important is to the continuation of life on this plant. Thankfully there is legislation and it's for lawyers to make clients aware of their environmental risk, their responsibilities and obligations.

The Rule of Law

Human Rights Law is an area which has been in the process of development since 1949 relating to genocide and crimes against humanity. There is nothing more important than preventing or intervening in mass killings. It is a fundamental branch of the Rule of Law and is critical for the wellbeing of humankind. There has to be idealism and there has to be a wider purpose.

There is a seminal book by Samantha Power, who was appointed in President Obama's second term, as Ambassador to the UN entitled 'The Education of an Idealist', a Pulitzer Prize winner. It's an inspiration for young lawyers and how meaningful change can be effected. There is the greatly admired book by Lord Bingham, 'The Rule of Law'. Lord Bingham, who died in 2010, who was an eminent judge in the UK and was described as the greatest judge of his generation.

Samanta Power states on page 271:

"The Rule of Law is an essential foundation for peace and economic development, page 271, Samantha Power 'The Education of an Idealist'"

Lord Bingham's view is that "the Rule of Law must afford adequate protection of fundamental human rights", and that the Rule of Law requires compliance by the State with its obligations in international law as it does in National law.

There is no dispute about the basic rights. They are contained in The Human Rights Act 1998:

- Right to life
- Prohibition of torture
- Prohibition of slavery
- Right to liberty and security
- Right to a fair trial
- No punishment without law
- Right to respect for private and family life
- Freedom of thought, conscience and religion
- Freedom of expression
- Freedom of assembly and association.

The Universal Declaration of Human Rights contains 30 basic individual rights.

An important question is:

What is the relationship between the Rule of Law, elected democracies and the courts and also the role of parliamentary sovereignty and its relationship with the courts? This is not just a question for the UK, it applies in the USA and other territories. It also raises the issue of governments seeing election by democratic methods as an opportunity to legislate as they wish. Courts have an important restraining arm under the heading the Rule of Law and that is an area where there is a demand for lawyers to practice.

International humanitarian law deals with limitations, restrictions and prohibitions on parties engaged in armed conflict.

Samanatha Power's book deals with activism and the mix between politics and the Rule of Law. Lord Bingham's book is a legal treatise about the Rule of Law. They are complementary and taken together, are inspirational.

These books and enactments reminded me why the Rule of Law is so very important and why I became a lawyer.

The downside to becoming a lawyer is increased administration, particularly in the area of anti-money laundering which brings to the forefront the question of ethical practice. Why would you want to help a money launderer, proliferation of arms sales or help establish opaque structures to avoid tax. Compliance is a costly and time-consuming activity and even if you are a junior member of a firm, you

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need to be aware of these issues and apply them fearlessly so that the law is not used as an aid to activities which are, in effect, contradictory with the Rule of Law and its purpose. TWHC lawyers have a huge bank of practical knowledge and experience and, as members of the legal profession, the TWHC wants to make that available to you. Please feel free at any time to contact Lynne Brooke or Robert Oosthout to explain what you would like to talk about and TWHC will match you with an appropriate wise legal head to help you understand why you have the desire and what is your driving motivation to become a member of the legal profession.

Data April 22, 2024.

Lynne Brooke
President of the WILL HONOUR CLUB