



LEGAL PARTNERS BI-ANNUAL MEETING

MILBANK, 10 GRESHAM STREET, LONDON, EC2V 7JD

4:30PM, 10 JULY 2019

Attendees:

In Person:

Yasmin Batliwala (YB) (A4ID) – *Chair*
Joe Tan (JT) (A4ID)
Luke McMichael (LM) (A4ID)
Thomas Istasse (TI) (A4ID)
Raahat Currim (RC) (A4ID)
Stephanie Lynch (SL) (A4ID)
Adrienne Joy (AJ) (A4ID)
James Warbey (JW) (Milbank LLP)
Paul Ferguson (PF) (Bloomberg L.P.)
Tom Dunn (TD) (Clifford Chance LLP)
Kristin Bong (KB) (Allen & Overy LLP)
Olga Hancock (OH) (Simmons & Simmons LLP)
Tracey Lattimer (TL) (Jenner & Block LLP)
Nikolas Kokkinos (NK) (Dechert LLP)

By Phone:

Sam Cottman (SC) (Travers Smith LLP)
Michael Thorne (MT) (Willkie, Farr & Gallagher LLP)
Rachel Williams (RW) (Morrison Foerster LLP)

1. Introductions & Welcome

- 1.1.1. **Yasmin Batliwala (YB)** welcomed everyone to the meeting and announced the success of the launch of A4ID's ROLE UK programme the previous week. She also announced the induction of a full-time team member based in Nairobi, Kenya.
- 1.1.2. Present from **Pro Bono Legal Services** were **Joe Tan (JT)**, **Luke McMichael (LM)** and **Tom Dunn (TD)**

2. News and Internal admin

- 2.1.1. **JT** began by explaining that all new projects have a one-week window for legal partners to bid on projects. He expanded that if there were multiple firms bidding on a project, A4ID allocates it according to the firm which has had the least projects with us. He expressed that A4ID is open

to changing this system, however noted that no better alternative has been suggested yet and the current system appears to be the fairest way. However, he suggested that in the future, A4ID is considering allowing all firms to bid for outstanding projects without it counting against them in the allocation process.

- 2.1.2. This suggestion was supported by **Rachel Williams (RW) of Morrison & Foerster** and **Sam Cottman (SC) of Travers Smith**, who emphasised that it would encourage them to bid for outstanding projects and that they would previously have been cautious, for fear that it would prevent them from getting a project that they were very interested in.
- 2.1.3. **JT** requested that everyone keep a very close eye on the outstanding section of the Monday list because A4ID is considering piloting this system.
- 2.1.4. **YB** announced that this would be discussed internally and that a decision would be made. She stated that if the proposed system was rolled out, we would reconvene in 6 months' time to review it.

3. Legal Health Check

- 3.1.1. **JT** announced that A4ID would be pushing the Legal Health Check (LHC) as it needs reviewing. He stated that LHCs had not been very popular this month but emphasised their purpose and advantage. He then encouraged attendees to consider taking a Legal Health Check.
- 3.1.2. He stated that Lalive had agreed to take on their first Swiss Legal Health Check. He reiterated the LHCs are not confined to England & Wales, but that they have been done in France, Uganda, Thailand and others.
- 3.1.3. **Paul Ferguson (PF) of Bloomberg L.P.** responded that they had no experience of doing an LHC, but that they would be interested in collaborating with another law firm to do one and see how it worked. He then questioned whether that had ever been done before.
- 3.1.4. **JT** responded by disclaiming that it has not happened yet but emphasised that A4ID does encourage and support it. He gave the example A4ID's HSBC partnership, who have worked in partnership with law firms with successful results. He stated that A4ID would keep this in mind and try to arrange something.

4. Conflict Checks

- 4.1.1. **JT** then moved on to requesting that LPs complete the conflict checks before the allocation day on Monday. He explained that it should only take a few hours and hopefully should not use too many of the LPs' resources but emphasised that it eats into the hours that lawyers have to work on the projects and that if it is not done by this time, it could affect where LPs stand in the allocation process.

5. Finance Projects

5.1.1. **JT** then said that over the past 6-12 months, A4ID has increased the number of projects that A4ID is working on increasing the number of finance projects. He gave the example that in the last 6 months, A4ID has tripled the number of finance projects on offer and that we are continuing on this upward trajectory.

6. SDGs and Geographic Statistics

6.1.1. **LM** then stated that looking at the first 6 months of 2018 as opposed to the first 6 months of 2019, in 2018 A4ID circulated 157 projects and in 2019, A4ID have circulated 246 projects. He explained that if that is broken down per month, every month except January has seen a significant increase in the number of projects. He stated that A4ID has seen quite strong demand from the EU, especially Belgium, Germany and France. He stated that he was aware that some of our LPs have EU departments and that they are interested in channelling more pro bono work to them and directed them to inform A4ID if that was the case.

6.1.2. He noted that A4ID is continuing to see a strong demand for GDPR requests and many IP requests, reviews of online Terms and Conditions, as well as a steady flow of corporate and commercial contracts. He qualified that it was harder to place employment and IP projects and directed the LPs to let A4ID know if they have the capacity for this. He explained that the number of projects has increased and that A4ID has more outstanding projects overall and requested that if LPs have the capacity to take on more projects, to inform the A4ID ProBono team.

6.1.3. He announced A4ID's welcome of a few new climate related DPs and advised that if LPs have the capacity for assisting their projects, they should get in contact with the A4ID ProBono team.

6.1.4. He isolated the regions where A4ID is seeing a lot of activity, with projects coming predominantly from:

- East Africa;
- South Asia;
- the EU and UK;
- and the US

6.1.5. He then explained how A4ID measures its impact in terms of the SDGs and outlined that the main SDGs being impacted are as follows (in order of prevalence):

- SDG 16 (Peace, Justice and Strong Institutions)
- SDG 1 (No Poverty)
- The number of projects impacting on SDG 4 (Quality Education) has also increased

6.1.6. He added that A4ID have had a lot of non-profit tech companies (tech-based Social Enterprises developing education tools in Africa) asking for IP support recently.

7. Impact in Pro Bono Programming

- 7.1.1. **Tom Dunn (TD) of Clifford Chance** then announced that he was going to talk briefly about impact in pro bono (PB) programme planning and hoped to spark a discussion on this area. He explained that he wanted to speak first about the metrics that impact pro bono and how it is measured. He then expressed that he wished to cover why it was important to consider impact when deciding which PB projects to take on.
- 7.1.2. He explained that at Clifford Chance over the last three years, they have been seeking to record the number of individuals who have benefitted from PB work and that they have systems in place to monitor all of the grants they make and where individuals have been helped.
- 7.1.3. He felt that this scheme had been quite effective, particularly as a communications tool. He explained that when they started the process, they were not aware of how many people they helped, and they set a target to help 100,000 people over five years but found that they actually help that number of people every year. He said that they recently helped their millionth individual which they were extremely excited about.
- 7.1.4. He explained that it was more difficult to measure impact through NGOs and that they have looked into converting the value of legal advice into a number of individuals who benefitted but that this has not been very successful due to limited time resources; reluctance of the NGOs to claim direct impacts on specific numbers of beneficiaries; and their need to be cautious about overclaiming the impact of their work. He continued, that they were already hitting their target without measuring this figure.
- 7.1.5. He offered an alternative approach to measuring impact which involved touching on their grant making, which was relevant to their PB work as they always seek to do PB work on whatever they are funding. In those circumstances, it was relatively easy to get measurable impacts on the work they are doing.
- 7.1.6. He then introduced the third area as the more exciting as they have started to monitor their impact through an SDG lens over the last few years and they think that their PB work particularly impacts on SDGs 4, 8, 16 and 17. He continued that they were working on rigorous M&E to measure the impact, which they had been working very closely with the ROLE UK programme team to assess their assumptions and test whether the work had any impact on the SDGs.
- 7.1.7. He isolated that at the heart of their PB work is increasing the capacity of the NGO and enabling them to scale what they deliver the SDGs. Therefore, the metrics they are developing to measure those contributions are centred around the NGO, giving the example of how they increase the NGOs capacity, which is inevitably ends up being a more qualitative than quantitative metric, but they will capture what is necessary for the NGOs to report to them about how they have increased their capacities.

- 7.1.8. He then directed attendees to look at how this contributes to achieving the SDGs. He emphasised that this process had really energised their relationships with NGOs and had led to some really good work. He gave the example of how they are working on a highly targeted project to reduce the number of child soldiers.
- 7.1.9. He said that aligning themselves with the SDGs has had a really galvanising effect with their clients. A lot of their key relationships with NGOs have been going on over several years and they have invested a lot in them. Consequently, they are invested giving them the information, they need in terms of measurable impact.
- 7.1.10. He stated that their two main criteria for selecting projects are:
- Whether the NGO has aligned themselves with the SDGs and;
 - whether they have the reporting capacity that they need.
- 7.1.11. He explained that this is much easier within long-term relationships and increasingly, the work they do is coming under these long-term partnerships, rather than ad hoc projects.
- 7.1.12. He continued that the measurable impact was and continues to be essential in deciding whether to take on PB work and predicts that over time they will dramatically reduce their willingness to work on projects where they cannot measure their impact.
- 7.1.13. **Paul Ferguson (PF), Bloomberg L.P.** responded by saying that if PB projects are too strategic and top down, you would not get individual buy-in and that it is possible to squash the driver of the work. He added that with long-term relationships, the partner can become very dependent on your support. He then questioned **how these challenges could be managed?**
- 7.1.14. **TD** replied by explaining that they are still operating on a relatively small scale and that they have rolled out the approach with 20 organisations and that they still need to show individual initiative and that they will not discount the ad hoc projects as a blanket rule. In relation to PF's dependency query, he acknowledged that it is a challenge and that they do not give away a lot of money. They have found that the sweet spot is grants that are sufficient enough to make and impact but not enough to allow for dependency. He said that he did not think dependency arose as a result of PB work.
- 7.1.15. **YB** responded with the example of a three-year grant from Clifford Chance which enable A4ID to launch its programmes in Africa and Asia, which has allowed A4ID to do huge amounts of work in those regions would not have been thought to be possible before. She explained that A4ID scoped the work, confirmed it would have an impact and now A4ID has a branch in Kenya and are planning to open a branch in Dehli. The grant was only £50,000 per annum for three-years, and A4ID have been able to sustain its impact beyond those three years.
- 7.1.16. **JT** then posed a question to the LPs, concerning a possible work stream opportunity on reviewing ESG policies. He asked whether any law firms currently do this work.

- 7.1.17. He explained that a financial institution has approached him and could provide a pipeline of this work if it would be of interest.
- 7.1.18. **TD** responded that Clifford Chance does some work on this area.
- 7.1.19. **JT** explained that there is a discussion going on about how the SDGs can be used on developing ESG policies, and that he thought it was an interesting area of work, but that he had not seen too much activity on this area and invited LPs who were interested to have a discussion at a later stage.

8. Awareness Raising & Lawyer Engagement

A4ID's Communications Team

Raahat Currim (RC) and Stephanie Lynch (SL)

- 8.1.1. **YB** then addressed attendees by stating that A4ID would like to connect its comms team with their comms teams so that A4ID can promote the great PB work that their lawyers are working on and thus she thought it would be useful to show how A4ID can help LPs more formally.
- 8.1.2. **RC** introduced the comms team, explaining that she had been working with A4ID since the previous year, providing strategic comms support. She then introduced **SL**, explaining that she looks after the technical support, particularly design and that she is the focal point for coordinating comms work.
- 8.1.3. She addressed attendees by stating that some of them may already know that A4ID's comms team develop a number of case studies to promote the work that it does with LPs. She also stated that the comms team want to help LPs and organisations to promote a culture of PB and showcase the good work that they do as part of their CSR.
- 8.1.4. She referred to the case studies, explaining that they are using DFID's methodology for Stories of Change to convey the impact of the work that LPs do. She emphasised that A4ID's comms team wants to help develop effective stories.
- 8.1.5. She then outlined the basic structure:
- Outline the key challenge
 - Describe the role of lawyers
 - What were the outcomes and impact?
- 8.1.6. She emphasised how important it is to flesh out why the work matters. For this, she advised that it is very helpful to get quotes, images and video footage, where possible; as it helps to humanise the work that is done.
- 8.1.7. She gave the case study example of Traidcraft that the comms team have developed. She explained that it covers the context, legal challenge, the assistance provided and the key outcomes and impact.

- 8.1.8. She then requested attendees ask their lawyers to take quality photos, keep a record of any positive feedback, and talk to the comms team about the challenges of projects as it is important to talk about how we can improve the quality of PB work, as well as highlight the successes.
- 8.1.9. She requested that attendees use the comms team and connect them with any communications people in their organisation, so that they could work more closely with LPs to share the great work they have been doing. She added that if they do not already, LPs should follow A4ID on social media and let us know if they ever need support to promote the PB work that they are doing.
- 8.1.10. She then handed over to **SL**, who had some questions regarding feedback for the LPs.

9. Sli.do results

9.1.1. **SL** asked the following questions:

Were they happy with current levels of communication with A4ID?

- **LP** replied 100% yes, that they found the Monday emails useful and that they are happy with the frequency of communication (10 responses)

Did they follow A4ID on social media: (9 responses)

- 22% Yes, I follow A4ID on Twitter (@a4id)
- 22% Yes, I follow A4ID on LinkedIn
- 33% No I don't use social media
- 33% No I use social media, but I do not follow A4ID

Which of the following publications did they read the most: (10 responses)

- 60% The Financial Times
- 50% The Guardian
- 40% The Lawyer
- 20% The Economist
- 20% The Times
- 20% Legal Week
- 10% Role on Friday
- 10% The Telegraph
- 10% The Law Society Gazette
- 0% Legal Cheek

9.1.2. **SL** then addressed the LPs, stating that if they used social media but were not yet following A4ID on Twitter and LinkedIn, to please do so and they will be sharing lots of interesting updates.

9.1.3. **SL** then directed LPs where to find A4ID on Twitter (@a4id) and on LinkedIn (@A4ID – Advocates for International Development).



- 9.1.4. She also emphasised that the A4ID comms team are keen to share updates from LPs on social media and asked that they tag A4ID or drop her a message if they would like help sharing something.
- 9.1.5. She then drew the LPs attention to A4IDs resources page on A4ID and ROLE UK programme websites. She advised that they check on these resources as all of the legal guides, papers and reports are uploaded there.

10. ROLE UK Programme

Adrienne Joy (AJ)

- 10.1.1. **AJ** announced the first year of the ROLE UK programme managed under A4ID has finished and that it was no exaggeration that it was its most successful year to date.
- 10.1.2. She announced that ROLE UK have been able to leverage not just UK expertise, but also more South-South engagement.
- 10.1.3. She explained that ROLE UK have had a lot of events, including the first pilot of Doing Pro Bono, the International Development Way workshop that some LPs may have attended as well as published lots of papers.
- 10.1.4. She continued that ROLE UK is now in its sixth year and are now managed by a DFID cross-programme, called Partnerships for Development; which aims to foster peer-to-peer partnerships across different sectors, as a key approach to development.
- 10.1.5. She stated that consequently, ROLE UK is moving towards this partnership approach to develop more sustained business relationships and support. She added that ROLE UK is also seeking to be a knowledge hub to link the sector to useful resources and knowledge; as well as trying to better coordinate different stakeholders who ROLE UK works with, who are operating in the same space to encourage increased collaboration.
- 10.1.6. She announced that ROLE UK had its launch event last week, which was a good opportunity to reflect on where the programme has been and look ahead to where ROLE UK is going to strengthen the rule of law.
- 10.1.7. She then referred to the strategic forum, which had taken place after the launch event and explained that it is a six-monthly forum open to any stakeholders operating in this field to help ROLE UK shape the programme.
- 10.1.8. She then asked LPs to let the ROLE UK team know if they are interested.

11. Learning & Development and Thought Leadership

Thomas Istasse (TI)

- 11.1.1. **TI** then announced that he was asked to talk specifically about the SDGs at this meeting. He acknowledged that all attendees knew what the SDGs were, but that the role of the law in the

SDGs is often overlooked. He continued by stating that at A4ID, we think that the law and lawyers are critical in the achievement of the SDGs because robust legal systems are key to each of the SDGs. However, he continued that the legal community is not always aware of the goals or their relevance to law.

- 11.1.2. He stressed that the SDGs are not just about governments and international organisations, but that they are about businesses taking ownership of the 2030 agenda, which includes law firms.
- 11.1.3. He then provided a statistic from KPMG, which held that 70% of businesses mentioned the SDGs in their annual reports last year and that they are becoming a key part of business practice.
- 11.1.4. He stated that as **TD** mentioned, the SDGs offer a new, energising approach to PB. He explained that within A4ID's PB legal service, we use the SDGs to track our impact on sustainable development. He continued that A4ID has developed a guide on how to integrate the SDGs into PB legal practice, and that we are working on a legal guide to the SDGs. He explained that that this has been a participatory process and that a lot of A4ID's LPs have been involved in developing these chapters and that we have asked some of A4ID's specialist DPs to review said chapters and that the Learning and Development team are in the process of designing these.
- 11.1.5. He announced that the guide will be published as 17 separate chapters, each linked to one of the SDGs and that they will provide key insight on legal challenges and opportunities for lawyers to contribute and facilitate the achievement of the SDGs.
- 11.1.6. He emphasised that A4ID wants to develop a globally accessible online platform for the guide with the ability for lawyers around the world to contribute. He explained that the platform would be easily updateable and easily searchable for specific criteria.
- 11.1.7. He continued that A4ID is going to publish the chapters independently between October and February and that we will be holding launch events to raise the profile of the guide and the SDGs in general and through this we would like to generate insights and discussions around this and facilitate relationships between legal and development experts to build innovative PB projects around the SDGs.
- 11.1.8. He then asked that the LPs help A4ID by using and sharing the guide and mentioned that we are looking to partner with law firms to promote the it.
- 11.1.9. He then indicated that LPs should let the Learning & Development team know now if they would be interested in being involved.
- 11.1.10. He said that A4ID would like to put together a pilot group with the key players to develop the digital platform and ensure it meets LPs needs.
- 11.1.11. **YB** then responded that this was something that A4ID has been busy working on and that it is up to the LPs to help A4ID push it forward.

AOB



YB then asked LPs to contact **JT** if there was anything that they would like to be on the agenda at the next LP meeting.

She then announced that the next meeting would take place in 6-months' time, a date will be set nearer the time and to let A4ID know whether they would be interested in hosting.

She then thanked attendees for coming and informed them that the presentations would be made available.