



# LEGAL PARTNERS BI-ANNUAL MEETING

REED SMITH, BROADGATE TOWER, 20 PRIMROSE STREET, LONDON, EC2A 2RS

12:30PM, 29 JANUARY 2020

## ATTENDEES

### ***IN PERSON:***

Yasmin Batliwala (YB) (A4ID) – *Chair*  
Andrew MacKay (AM) (A4ID)  
Joe Tan (JT) (A4ID)  
Luke McMichael (LM) (A4ID)  
Thomas Istasse (TI) (A4ID)  
Naomi Barnard (NB) (A4ID)  
Stephanie Lynch (SL) (A4ID)  
Naomi Cantor (NC) (A4ID)  
Kristin Bong (Allen & Overy)  
Nikolas Kokkinos (Dechert)  
Gulsah Ekiz (Latham & Watkins)  
Stephanie Biden (Bates Wells)  
Fiona Tregeagle (Davis Polk)  
Mitesh Jagatia (Bloomberg)  
Mia Motiee (Bloomberg)  
Zsofia Young (Lalive)  
Helen Rose (Bristows)  
Sophie Orr (White & Case)  
Jessica Tagg (Reed Smith)  
Rebecca Naylor (Reed Smith)  
Nina Garnham (Shearman & Sterling)  
Sian Croxon (DLA Piper)  
Michael Thorne (Willkie Farr & Gallagher)

### ***BY PHONE:***

Patrick Karanja (A4ID)  
Sam Cottman (Travers Smith)  
Rachel Williams (Morrison & Foerster)  
Victoria Channing (Simmons & Simmons)  
Chris Puttock (Milbank)  
Anish Patel (Three Crowns)

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Sophie Brambley (Linklaters)

Martin Mbugua (PKC Advocates)

Mr Aboubacar (Aboubacar Fall)

## 1. INTRODUCTIONS & WELCOME

- 1.1.1. **Yasmin Batliwala (YB)** welcomed everyone to the meeting and highlighted the Law and Development Training Programme, which is running from January to June 2020. She highlighted that the next module on 9 February still has a few spaces left, anyone interested in registering should contact [events@a4id.org](mailto:events@a4id.org).
- 1.1.2. **YB** also highlighted that A4ID will soon be producing a quarterly newsletter with key updates and case studies that showcase the breadth and impact of A4ID's Legal Partners' pro bono projects. She asked participants to let A4ID know the easiest way for them to circulate the newsletter within the law firm and whether they would prefer to receive digital or print versions. One participant mentioned a preference for digital.
- 1.1.3. **YB** noted that A4ID's Communications Manager will be taking photos during the event and if participants did not want their photographs to be shared they should let her know at [stephanie.lynch@a4id.org](mailto:stephanie.lynch@a4id.org).
- 1.1.4. **Joe Tan (JT)** explained that the new format of the meeting was designed to give A4ID's Legal Partners the opportunity to share their experience of working towards the Sustainable Development Goals and develop ideas for how A4ID can improve its services to better meet their needs. He explained that the three tables and the remote participants would have 10 minutes to discuss each topic on the agenda before moving on to the next question. The three discussion topics were: Climate Change, Rule of Law and Working with A4ID.

## 2. TABLE 1

### **2.1. CLIMATE CHANGE: WHAT NOTABLE CLIMATE RELATED MATTERS (E.G. RENEWABLE ENERGY, CLIMATE FINANCE) ARE BEING CONDUCTED AT YOUR FIRM GLOBALLY, WHETHER ON A PRO BONO OR BILLABLE BASIS?**

- Facilitated by Thomas Istasse (TI)
- 2.1.1. **TI** asked participants what notable climate matters were being conducted at their firms globally.
  - 2.1.2. One participant explained that while their firm's team in Geneva haven't worked on any notable climate matters, there was interest among their younger associates. They noted that the firm has an internal system in which each lawyer records how many miles they fly and who cycles the most. There is an office competition for who travels the most environmentally (strictly business travel). They explained that the

- firm was focused on their carbon footprint. In the participant's previous practice, they worked with Client Earth advising on litigation matters. Most lawyers involved were very keen on continuing that line of work.
- 2.1.3. TI asked whether participants were interested in taking on more climate-related pro bono work in the future.
  - 2.1.4. One participant responded that their firm would be interested in climate-related pro bono projects, but explained that pro bono work taken on within their European office is limited by the law in the jurisdiction that they are based in.
  - 2.1.5. Another participant explained that their firm was not undertaking any climate-related pro bono matters. They noted that the firm has an Environmental and Social Governance (ESG) team advising clients in Europe, who are focused on drafting environmental policies and conducting advisory work on how clients could become more climate aware. Although the firm did not undertake any specific climate work, the firm did conduct work related to climate issues. The firm's London office is focused on sustainability and they are looking at environmental projects. They noted that there is not yet an ESG/Pro Bono team in London, but this is something they are trying to develop in the UK. They continued that the firm had not undertaken any billable work for climate projects in the UK, but there is more opportunity for this in the US.
  - 2.1.6. Another participant explained that they were not sure how much billable work relating to climate matters their firm had undertaken. The firm did however have a Pro Bono team who performed regulatory/compliance work in relation to climate litigation. The participant noted that there was a strong interest in environmental projects within the firm. The firm is looking at ways to mitigate their involvement with clients whose work conflicted with their own environmental goals.
  - 2.1.7. One participant noted that their firm encountered similar obstacles in pursuing environmental projects, and that they had to consider conflicts with their existing clients.
  - 2.1.8. Another participant noted that the nature of their firm's clients meant they could not engage with many climate related issues and they were not aware of any ongoing projects. In terms of pro bono, the firm worked with the Climate Justice Fund. They travelled to developing countries to set up dams, and train local committees to safeguard environmental rights. The firm had also collaborated with Client Earth on several projects. However, in general they had not conducted much climate-related work.
  - 2.1.9. A different participant explained that their firm had made a formal declaration in recognition of the climate emergency. Part of this commitment involved reaching net zero carbon emissions in 2019. Their staff were encouraged to think about their internal environmental impact, both in terms of lifestyle and the firm's activities. They were looking at whether they could decarbonise their employee pension fund. The firm gave employees two extra days off per year, encouraging them to take slower, more environmentally friendly modes of transport when going on holiday (i.e. taking the train not flying). They were taking the climate emergency into account within the firm's strategy. They sought to collaborate with other firms or NGOs in response to the climate crisis. This included using the law as a tool for environmental protection, legal reform or as a mechanism for enforcement. This culminated in a report each year examining the

progress made. In terms of specific initiatives, one project involved working with a consortium of charities with large investment portfolios, who were trying to get a ruling on their investments' carbon impacts. The firm worked with many environmental NGOs and corporate commercial charities. The commitment they had made recognised not only the climate crisis, but also the biodiversity crisis.

## **2.2 RULE OF LAW: HOW DO CORPORATE LAWYERS CONTRIBUTE TO THE SDG 16 TARGET TO 'PROMOTE THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS'?**

- Facilitated by Naomi Barnard (NB)

- 2.2.1. One participant said that their firm furthered the rule of law through: advising and educating their clients on the law, telling them what they needed to do in terms of cross-border transactions, providing relevant and timely advice, and their work with other law firms to create international connections. Personally, the participant did not think of the rule of law as a commercial lawyer; this was more to do with the immigration side of the firm.
- 2.2.2. A different participant noted that their firm held a traditional perspective on the rule of law. They had partnered with Kids Needing Defence to check the legal status of children who fled Syria and conducted judicial review of legal authority decisions.
- 2.2.3. Another participant explained that their firm furthered the rule of law by holding governments to account through the mechanism of international law.
- 2.2.4. One participant added that by ensuring the law is being used effectively and properly, and by making sure countries had effective legal frameworks, the rule of law could be upheld.
- 2.2.5. Another participant stated that the promotion of the rule of law is inherent in the work of lawyers whether they realise it or not. They illustrated their point by referring to advice given regarding director's duties – if they don't know what their duties are, they argued, there will be wealth creation that is incompatible with the rule of law. They furthered their point by referring to their firm's work surrounding the gig economy, including the protection of uber drivers and bicycle couriers who fought for access to workers' rights rather than being classed as self-employed. They mentioned this case was brought pro bono and funded through crowdfunding. Their firm had conducted a lot of work with charities that entered disputes with the Charity Commission and fundraising regulator. They said that the Charity Commission had wide-ranging powers and were increasingly regulating in response to media and political scrutiny. They argued that they were meeting the public perceptions of the role of charities, rather than informing the public on how charities actually operated. They continued that this undermined the rule of law because the Charity Commission had excessive discretionary power; there was no certainty for organisations who didn't know how the law applied specifically to them. Concluding, they maintained that through resisting this improper, poorly thought out, exertion of discretionary power, the firm had engaged with rule of law concerns.
- 2.2.6. **Naomi Bernard (NB)** asked the table how they assessed the effectiveness this work?

- 2.2.7. One participant responded that in terms of metrics, employment disability allowance disputes with tribunals were being used as indicators. They explained that when people go unrepresented, they lose 90-100% of cases. If represented by a lawyer, the success rate increases to 90%. When represented on a pro bono basis against employment/immigration tribunals, people came out with successful outcomes.
- 2.2.8. Another participant said that their firm measured effectiveness through feedback received from clients when they have undertaken director duties training. When directors ask questions it shows they've given it thought. Therefore, effectiveness is assessed not through quantitative means, but rather through the form of a feedback loop.
- 2.2.9. A different participant added that the rule of law can be defined as actions made towards governments, through opposition to the system enforced by the state. They suggested that this kind of work (judicial review, legal education) has the best impact, using the least amount of resources. They concluded by recognising the difficulty in measuring the effectiveness of this, as the rule of law is implicit in everything.
- 2.2.10. Another participant countered that attempts to reframe their work as pursuant of the rule of law would put people off – people don't know what the rule of law is. They suggested that people understand the phrase 'access to justice' – it's the messaging that people struggle with.
- 2.2.11. A different participant believed, however, that their associates preferred the framing as 'the rule of law', especially if it's an international standard they are striving for.
- 2.2.12. Another participant continued (on the Charity Commission overstepping), that they were interpreting the law loosely, requiring that any private interest derived from a charity's work must be incidental. They posited that the Charity Commission requiring charities to operate at the lowest possible cost is too domineering. They saw the Charity Commission react differently whether a charity is in the public eye or not.

**2.3. WORKING WITH A4ID: CREATE YOUR DREAM PROJECT/ASSIGNMENT, EITHER THROUGH BROKERAGE OR THE ROLE UK PROGRAMME, THAT WOULD BE HIGHLY POPULAR WITH YOUR LAWYERS AND HAVE A HIGH IMPACT. YOU MAY BASE THIS ON ANY PAST PROJECT (NOT NECESSARILY WITH A4ID).**

- Facilitated by Joe Tan (JT)
- 2.3.1. JT asked participants what their ideal type of project was.
- 2.3.2. One participant responded that their firm preferred working on two types of projects:
1. Small, self-contained projects that don't take too long; that one person can complete on their own. Having clear boundaries makes it easy to get people to take a project on.
  2. When a project has a wider strategic impact than just assisting a particular organisation e.g. a model document or test piece of litigation.
- 2.3.3. A different participant stated that their firm is small and thus didn't have a designated Pro Bono team. As a result, they preferred small projects with only 1 or 2 people working on them. If they became very busy with other work, they had to start the pro bono work very late at night. They mentioned that they really

enjoy seeing the impact of the projects. They stated they would prefer UK-based projects, where they could go on-site and talk to people.

- 2.3.4. **JT** asked if the participants analyse the impact of their work empirically or more broadly, such as seeing the impact directly themselves. He asked how the participants define 'impact'.
- 2.3.5. One participant responded that they measured impact in terms of rule of law. They referenced their firm's work concerning the gig economy; work that they saw as having strategic impact that shifts the rights people have, rather than just impacting a singular case. Making an impact means performing work that tests or clarifies the law.
- 2.3.6. **JT** then asked: what would you like to see A4ID do more going forward?
- 2.3.7. One participant stated that it's good to receive feedback. They wanted A4ID to touch base later on and have a feedback loop to see what was helpful or what could be more tailored on their end.
- 2.3.8. Another participant reiterated this point. They mentioned that they enjoy seeing their work implemented. Providing an example, they referenced advisory work they'd performed for the European Convention on Human Rights cases, in which they would write memos but never see how they were presented in the brief or in the courts.
- 2.3.9. A different participant restated the importance of closing the circle; physically seeing the impact of the work they are doing.

### 3. TABLE 2

#### **3.1. WORKING WITH A4ID: CREATE YOUR DREAM PROJECT/ASSIGNMENT, EITHER THROUGH BROKERAGE OR THE ROLE UK PROGRAMME, THAT WOULD BE HIGHLY POPULAR WITH YOUR LAWYERS AND HAVE A HIGH IMPACT. YOU MAY BASE THIS ON ANY PAST PROJECT (NOT NECESSARILY WITH A4ID).**

- Facilitated by Joe Tan (JT)
- 3.1.1. One participant explained that their firm does not do many research projects. However, the firm was involved in a research project for an immigration bill. They took this project on because it was topical. The use and impact of the research is key in deciding whether to take on such a project.
  - 3.1.2. Another participant explained that their firm does a lot of research projects, especially where the output results in a tangible impact.
  - 3.1.3. A different participant noted that their firm does a lot of research projects but they often do not have a tangible impact. They want to focus on research projects that have an actual impact.
  - 3.1.4. **Joe Tan (JT)** suggested that research projects that are developed into a report may be ideal for Legal Partners.
  - 3.1.5. One participant responded that A4ID would really need to scope the use of the report and present the information upfront. Pro bono projects need to emphasise the impact for the research projects.

- 3.1.6. JT queried whether Legal Partners could support the development of reports further down the line, including their printing.
- 3.1.7. One participant was not sure if they could get funding for that.
- 3.1.8. Another participant explained that on previous projects their firm had printed a large report, but this was because there was major buy in from the firm. Budgets can be expensive.
- 3.1.9. A different participant said that sometimes well-intentioned research projects can have poor outcomes. They would want to see the research before printing etc.
- 3.1.10 JT noted that Penal Reform International has an upcoming big research project on witchcraft that would be good for Francophone firms.
- 3.1.11 One participant explained that interesting research topics include environmental, conservation, wildlife protection, homelessness, transactional finance, and climate finance.

### **3.2. CLIMATE CHANGE: WHAT NOTABLE CLIMATE RELATED MATTERS (E.G. RENEWABLE ENERGY, CLIMATE FINANCE) ARE BEING CONDUCTED AT YOUR FIRM GLOBALLY, WHETHER ON A PRO BONO OR BILLABLE BASIS?**

- Facilitated by Thomas Istasse (TI)
- 3.2.1. TI asked the table what environmental work their firms were working on.
  - 3.2.2. One participant responded by talking about their firm's ongoing work constructing model legal documents about de-carbonation in the US. The firm were looking to achieve 80% decarbonation by 2050. They had been working on this for over a year and had 20 law firms co-operating with them. Although they were achieving results at state-level (e.g. New York and California), they were looking to bring this to federal-level.
  - 3.2.3. Another participant stated that their firm had a team working on environmental issues for over a year. However, they mentioned that any environmental work needed to have fee-earning capacity in order to be practical.
  - 3.2.4. A different participant mentioned that their firm had one person working on environmental issues with a focus on the corporate, financial and commercial sides. For example, they were advising one of their clients who worked in the mining industry about environmental issues. Although the firm would have liked to have done more environmental work, they couldn't due to conflicts of interest. They continued that most of the time the firm is not comfortable taking cases that have potential to cause conflicts of interest. However, they proposed that a solution may lie in restructuring or rephrasing the projects.
  - 3.2.5. Another participant reiterated this sentiment, that in relation to environmental work their firm had experienced similar issues with conflict of interest. They were looking for micro-start-ups with the assistance of universities (they were working with Imperial College London at the time) to avoid conflicts of interest. They expressed a desire to see the whole (legal) sector do the same.

### **3.3 RULE OF LAW: HOW DO CORPORATE LAWYERS CONTRIBUTE TO THE SDG 16 TARGET TO 'PROMOTE THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS'?**

- Facilitated by Naomi Barnard (NB)
- 3.3.1. **NB** asked the table: How do corporate lawyers promote the rule of law and access to justice?
- 3.3.2. One participant asked for the definitions of the terms 'rule of law' and 'access to justice'.
- 3.3.3. Another participant explained both of these concepts. They elaborated that the rule of law encapsulates the provision of training programmes in developing countries, while access to justice extends beyond mere access to a lawyer and court.
- 3.3.4. A different participant replied that there was a growing trend on the 'access to justice' side because of a local need. In terms of rule of law, Africa was developing at such a speed that the legal framework might not be able to keep up. They mentioned it would be a good idea to have a team negotiating with the government about this.
- 3.3.5. **NB** followed up by asking how law firms determine whether a pro bono project is effective and impactful?
- 3.3.6. One participant responded by enquiring how impact could be measured in regards to the rule of law and access to justice.
- 3.3.7. A different participant commented that their firm was developing a database to help them measure impact.

## **4. TABLE 3**

### **4.1. RULE OF LAW: HOW DO CORPORATE LAWYERS CONTRIBUTE TO THE SDG 16 TARGET TO 'PROMOTE THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS'?**

- Facilitated by Naomi Barnard (NB)
- 4.1.1. **NB** asked the table how their law firms viewed the different SDGs.
- 4.1.2. One participant replied that their firm do not really mention the SDGs in their day to day work.
- 4.1.3. Another participant mentioned that at their firm they discuss the SDGs quite a lot, especially in recent years. They continued that the notion of the SDGs seemed to have grown in importance, especially in the practice area of the law.
- 4.1.4. A different participant responded that their firm's in-house lawyers seemed to be quite aware of the SDGs, and that they had aligned their internal business programme with them. The firm had placed an emphasis on climate action, quality of education and gender equality. Their business strategy was very much aligned with the SDGs. However, they noted that globally it seemed that there was quite a difference in mentality between law firms and the corporate sector in terms of prioritising the SDGs, this may be due to different approaches to corporate social responsibility.
- 4.1.5. **NB** asked participants what they think rule of law projects look like.
- 4.1.6. The table agreed that projects which promote the rule of law could focus on:
  - 1) developing frameworks for anti-corruption

- 2) delivering quality education
  - 3) increasing transparency
- 4.1.7. The table noted that the rule of law did not only affect the corporate activity of a law firm, but also its pro bono work.

**4.2. WORKING WITH A4ID: CREATE YOUR DREAM PROJECT/ASSIGNMENT, EITHER THROUGH BROKERAGE OR THE ROLE UK PROGRAMME, THAT WOULD BE HIGHLY POPULAR WITH YOUR LAWYERS AND HAVE A HIGH IMPACT. YOU MAY BASE THIS ON ANY PAST PROJECT (NOT NECESSARILY WITH A4ID).**

- Facilitated by Joe Tan (JT)
  - 4.2.1. Participants mentioned that the best pro bono projects would be focused on strategic litigation: big and shiny projects, which allow them to communicate the important impacts of their work and draw in significant media attention.
  - 4.2.2. Other important factors that the participants mentioned included the timeline and schedule of the project, reporting and feedback on the impact of pro bono work, the number of hours the work will take and how many lawyers need to be involved.
  - 4.2.3. Not all participants felt that pro bono projects should always be large strategic litigation cases.
  - 4.2.4. Participants also mentioned their interest in A4ID as a matchmaker between its Legal Partners and Development Partners to create pro bono client loyalty, which could be good for the firms in the long run.
  - 4.2.5. One participant stated that their firm was being more ambitious about taking on high profile pro bono work, which received more support internally. This would consequently help the pro bono department to access more funds for future projects. Ultimately, such projects would also bring good publicity to the law firm with regards to new clients.
  - 4.2.6. Another participant mentioned the distinction between US law firms operating in the US, and the UK-based law firms. They noted that UK law firms were beginning to have an increased appetite for high profile pro bono work.
  - 4.2.7. A different participant commented that as a private firm they cannot undertake some litigation, but that they were interested in other projects.

**4.3. CLIMATE CHANGE: WHAT NOTABLE CLIMATE RELATED MATTERS (E.G. RENEWABLE ENERGY, CLIMATE FINANCE) ARE BEING CONDUCTED AT YOUR FIRM GLOBALLY, WHETHER ON A PRO BONO OR BILLABLE BASIS?**

- Facilitated by Thomas Istasse (TI)
  - 4.3.1. TI asked the table whether their firms participate in any notable matters regarding climate change.
  - 4.3.2. One participant replied that their firm had conducted a variety of relevant activities, including their participation in climate groups and the enforcement of environmental regulations internally, as well

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as externally. The experience from this work was useful for their pro bono work, where they had been supporting the development of templates for model laws (linked to climate change/the environment). However, the participant noted that they had encountered the problem of conflicts of interest with pre-existing clients on occasion.

- 4.3.3. TI then asked if the climate related work tended to be fee earning or pro bono.
- 4.3.4. One participant responded that it depended on the projects and entity. They had an algorithm decide whether a project was viable.
- 4.3.5. Another participant explained that their firm did not have a climate change team. However, they did have some commercial projects, but no pro bono projects on this matter.
- 4.3.6. A different participant stated that there was some potential for climate related work at their firm. They operated a micro clean tax and had multiple conversations with universities to scope which climate related organisations needed legal advice.
- 4.3.7. Another participant explained that employment and climate change concerns were booming. There were some possible conflicts. However, their firm tried to be quite flexible, especially when it came to climate change actions. They were hoping to extend their pro bono actions relating to climate change through assisting with the development of green bonds. They did this commercially, but it would soon be available pro bono.

## 5. REMOTE PARTICIPANTS

- Facilitated by Andrew MacKay (AM)

### **5.1. WHAT NOTABLE CLIMATE RELATED MATTERS (E.G. RENEWABLE ENERGY, CLIMATE FINANCE) ARE BEING CONDUCTED AT YOUR FIRM GLOBALLY, WHETHER ON A PRO BONO OR BILLABLE BASIS?**

- 5.1.1. One participant explained that their firm had conducted a couple of climate related pro bono projects, both of which had been brokered through A4ID. This first of these was with ClientEarth: the firm's commercial department had drafted a partner agreement. The other project involved the firm's employment team working on child protection policies linked to the environment. There may be other examples of commercial work undertaken across the firm, but these were examples of projects undertaken on a pro bono basis. The participant believed it was an area that the firm would like to have more exposure to and confirmed that the firm has had conversations about becoming more engaged in climate change work.
- 5.1.2. Another participant noted that their firm were working on a climate related project with another firm and the Sabin Centre for Climate Change Law at Columbia University, New York. A book was published with over 1,000 specific recommendations for what state and local governments could do towards climate legislation. The firms got together and drafted legislation and recommendations to act upon the suggestions made in the book. For example, they wrote models that state governments could adopt regarding the introduction of healthy soils legislation to reduce CO<sub>2</sub> emissions. They mentioned that there

were several other law firms involved in similar projects. While this project took place in the US, the participant said that these projects were universally applicable and could be adopted in many other jurisdictions.

- 5.1.3. Another participant explained that there was also a high demand for climate related work within their firm and it was growing. They stated that they typically experienced greater success with smaller grassroots organisations working on one particular aspect – e.g. working with social enterprises to develop new designs for specific products rather than larger scale climate work.
- 5.1.4. **Andrew MacKay (AM)** asked the participants: whether there were any specific climate related areas or types of projects that would be valuable for A4ID to offer to its Legal Partners?
- 5.1.5. One participant suggested that it might be helpful for their firm, and perhaps also for non-profits, to source projects that could be carried out by financial market lawyers to develop products, social bonds or green bonds that could actually drive change. They observed that it was difficult for non-profits to understand the wide range of financial advice available and what they should be asking for.

## **5.2. HOW DO CORPORATE LAWYERS CONTRIBUTE TO THE SDG 16 TARGET TO ‘PROMOTE THE RULE OF LAW AT THE NATIONAL AND INTERNATIONAL LEVELS’?**

- 5.2.1. One participant explained that they promoted SDG 16 through their work conducting training projects – some of which had been through A4ID – with public defenders in Afghanistan, educating them on how to represent clients on anti-corruption matters. They had also delivered training on the UN Guiding Principles on Business and Human Rights in several East African countries. Moreover, they had worked on a number of projects helping NGOs review draft legislation, for example, they are currently working on a project reviewing draft anti-corruption legislation, brokered by A4ID.
- 5.2.2. Another participant highlighted a flagship rule of law project that their firm had been undertaking, which was focussed on indexing the entire case law of Liberia. The project has been undertaken with Lawyers Without Borders for the past 10 years, and has allowed over 300 lawyers from many offices to engage remotely and in flexible timeframes. Their flagship project was based on the rule of law. The participant noted that indexing the Liberian case law allowed the judiciary to have more access to precedent when deciding cases. This was undertaken by review of a large number of cases each year, putting them into large volumes, and indexing them. Many people were involved in terms of ensuring consistency and the use of correct terminology.
- 5.2.3. A different participant mentioned their firm’s involvement in an expert panel looking at overrepresentation of Black, Asian, and Minority Ethnic (BAME) youth in the criminal justice system and their disproportionate punishment in comparison to non-BAME youth, in preparation for a public report that will hopefully lead to fairer treatment of BAME youth in the long term.

- 5.2.4. **Andrew MacKay (AM)** asked the participants: What measures can law firms take to improve the effectiveness of their pro bono work to promote the rule of law? Is it helpful for A4ID to share their learning on rule of law projects to demonstrate the impact?
- 5.2.5. One participant agreed that it would be useful to get A4ID input on this, and noted that their firm currently relied primarily on relationships with individuals such as prosecutors and local lawyers, to understand what was happening on the ground in Liberia to understand the stories and effect of their involvement on the ground, but that can only happen with good relationships. Any learning tools shared by A4ID would be very helpful.

***5.3. CREATE YOUR DREAM PROJECT/ASSIGNMENT, EITHER THROUGH BROKERAGE OR THE ROLE UK PROGRAMME, THAT WOULD BE HIGHLY POPULAR WITH YOUR LAWYERS AND HAVE A HIGH IMPACT. YOU MAY BASE THIS ON ANY PAST PROJECT (NOT NECESSARILY WITH A4ID).***

- 5.3.1. One participant asked for clarity about how A4ID worked with its Legal Partners on projects.
- 5.3.2. **AM** noted that A4ID primarily worked through its broker service, engaging with its network of over 800 Development Partners (DPs) worldwide to identify and articulate the legal needs of its DPs, and circulating projects to the Legal Partners every Monday. A4ID was always keen to hear from its Legal Partners about whether there were particular practice areas, or jurisdictions, or thematic focusses that were of particular interest to firms, to be able to use this to help shape the conversations with Development Partners.
- 5.3.3. One participant highlighted that their firm would be particularly interested in climate change finance projects, such as climate bonds, green bonds or other variations on that theme, that could engage not just finance lawyers but also commercial and corporate lawyers.
- 5.3.4. **AM** asked participants whether there were any challenges that they faced on the management or coordination of their projects brokered through A4ID?
- 5.3.5. One participant commented that their firm sometimes struggled to place projects where locally qualified lawyers were not available and noted that further clarity on the jurisdictional requirements of a project would be helpful.
- 5.3.6. A different participant noted that their firm would like to see smaller matters circulated rather than larger research projects or cross-jurisdictional projects, as not all lawyers could give so much time to a pro bono project. They suggested the possibility of cutting large projects into smaller pieces that could be allocated to suitable people. They also noted that the A4ID annual contribution was quite difficult to justify internally given how many projects were distributed and taken on. The participant asked whether there were any internal discussions that could be held on that.
- 5.3.7. **AM** noted that A4ID was very focused on ensuring that it provided value to all its Legal Partners, and was happy to follow up separately with the firm on this point.

## **6. SDG SPOTLIGHT: JACQUI HUNT, EQUALITY NOW**

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- 6.1.1. **Yasmin Batliwala (YB)** thanked everyone for their valuable contribution to the lively discussions. She then welcomed Jacqui Hunt, European Director of Equality Now. YB explained that Equality Now is an international human rights organisation which works to protect and promote the rights of women and girls around the world. Jacqui has spearheaded several of Equality Now's successful campaigns, including the creation of a United Nations Working Group to focus on ending discrimination against women in law and in practice. While working for Equality Now, Jacqui was seconded to the United Nations Development Fund for Women on a part-time basis for two years to support the International Women's Commission for a Just and Sustainable Middle East Peace. Prior to joining Equality Now, Jacqui trained and worked as a lawyer with international law firm, Linklaters.
- 6.1.2. Equality Now has been a Development Partner since 2010 and A4ID has worked closely with Jacqui for over a decade. We are proud to support Equality Now's work and are delighted to have Jacqui in attendance today.
- 6.1.3. **Jacqui Hunt (JH)** began by stating that Equality Now had undertaken 20 pieces of work (plus additional sub-components) with A4ID, receiving varied and huge support from A4ID's Legal Partners. A large part of their work required cross-border research involving nationality laws that discriminate against girls. Equality Now are a very legally focused organisation. Consequently, they need strong, accurate legal information to take their advocacy forward.
- 6.1.4. Equality Now had worked with the UN High Commission of Refugees to create a global report regarding nationality rights and the removal of sexist laws. When Equality Now needed to petition a country they referenced these laws, allowing them to make quick, relevant representations. This cross-national approach doesn't name and shame specific countries, rather, it facilitates collaborative work and encourages people to make changes. The immigration laws are difficult to understand, so a strong legal analysis is important.
- 6.1.5. Equality Now also worked with A4ID and its Legal Partners to promote the enforcement of legal bans on female genital mutilation (FGM). This is another cross-border issue, with lots of pushback around the world. Equality Now are presently challenging the law in Kenya around FGM, which is based around cultural rights. There was a case in Michigan where doctors performed FGM on several girls. The doctors were taken to court and Equality Now submitted an *amicus curiae*. One of A4ID's UK Legal Partners helped tremendously and assisted not just with research, but also on ways to push back on religious and cultural arguments. The case was lost in Michigan, however they are looking to challenge the ruling through the federal system. Equality Now has used this case as a learning experience, and have been able to adapt their approach for other jurisdictions around the world, including in Australia, India, Kenya and Lebanon.
- 6.1.6. A4ID has also supported Equality Now to fight against the requirement for survivors of domestic violence to bring private prosecutions against their abusers in Russia. This is very emotionally traumatic, causing huge amounts of pressure as they remain living with the people who have abused them. This resulted in

an important judgment where the UN Convention on the Elimination of All Forms of Discrimination against Women declared that Russian laws requiring domestic violence survivors to bring private prosecutions against their abusers without state support are in breach of the Convention. Equality Now are conducting work on this all across the Eurasia region, where there are very similar laws in place.

- 6.1.7. Jacqui also wanted to give thanks for the administrative element of the pro bono work that had been done. Equality Now has been given a legal health check by one of A4ID's Legal Partners. They did well but needed to tweak their governance, and were given some employment advice. This was useful because they needed to be sure they were offering best practice in employment, in order to attract the best people, but also in regards to fundraising because when putting a bid in they could say that they've already been checked. As a result, Equality Now could raise the money to be able to do these amazing things. They could be confident and get on with the work they needed to do. Equality Now has also received advice from A4ID's Legal Partners on setting up an office in Belgium due to Brexit, to feel connected to the EU for financial reasons, but also in terms of influence.
- 6.1.8. A few years ago, Equality Now wrote a report on laws on sexual violence, initially sampling 30 countries around the world. A4ID helped them to expand the report to more countries and in the end they covered 80 jurisdictions. They wanted a range of countries and sources. Equality Now couldn't do a direct comparison of the laws between different jurisdictions so they looked at trends, which elicited very rich research. They saw that there were patterns across different jurisdictions. They realised that many ex-Soviet Union countries had very similar laws on sexual violence. Their report was the first of its kind for the Eurasia region, and received huge acclaim. This was when they initially identified the issues regarding the requirement for private prosecutions in domestic violence cases.
- 6.1.9. Equality Now are currently constructing a practice manual for prosecutors, investigators and judges in Georgia, in partnership with national law enforcement. They hope this will later extend to Ukraine too. Then they will look to scale it up further.
- 6.1.10. The organisation was just awarded the Finnish Gender Equality prize. With just 50 employees globally, JH highlighted that Equality Now couldn't do all of this work without partnerships and the support they receive from A4ID's Legal Partners.

## AOB

After thanking JH for her interesting talk, YB asked participants to contact JT [joe.tan@a4id.org](mailto:joe.tan@a4id.org) if there was anything that they would like to be on the agenda at the next meeting. She then announced that the next meeting would take place on **17 June at White & Case**.