



The Bar Council

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Still Human: The Irreplaceable Value of Clerks

Good morning, everyone and thank you for asking me to speak at your conference.

Conferences such as this often focus on technology, regulation, business development, marketing, recruitment, fee structures, and the countless operational challenges that modern chambers and organisations face. All those things matter.

But today I would like to speak about something different. Building on the theme of this conference: Still Human - I would like to focus on people. Specifically, the extraordinary human value that clerks bring to the Bar and to the individuals who practise within it.

If someone were to ask me what truly distinguishes the Bar from many other professions, I do not believe the answer would be found in a business plan, a new software or diary platform or a marketing strategy. It would be found in relationships. The Bar itself is built on relationships and camaraderie. It is what keeps us going when the going becomes tough. It is what allows us to progress and thrive. But it is more than the relationships between the barristers who work within the profession. At the heart of those relationships are barristers' clerks. Not on the periphery, not in the background but at the very centre.

The best clerks understand something fundamental. A barrister's career is rarely linear. Mine has certainly not been and that is increasingly so for many others. It is a journey marked by ambition and achievement, that is true. But equally it is a path often marked by uncertainty, setbacks, difficult choices, personal challenges and moments of self-doubt. At every stage of that journey, you, the clerking profession are there.

Often quietly, often without recognition but always making a difference. At every stage of a barrister's career, we need you and we understand the immense value you bring and add.

The Beginning of Practice

Let us begin at the start and the first day of a pupil or a newly qualified tenant. Few people arrive at chambers feeling entirely confident. I know I did not. Those joining Chambers or an organisation may be academically brilliant. They may have excelled in advocacy exercises. They may have secured one of the most competitive positions in the profession. Yet many arrive carrying a significant burden of uncertainty. Can I do this? Will I succeed? Will I get enough work? Will I fit in? Will I ever be as good as the people whose names are already established on the chambers' website?

The first years at the Bar can be exhilarating but they can also be frightening. This is where clerks can make an enormous difference. A junior barrister may not always remember the finer details of their first instructions. But they will often remember the clerk who reassured them before a difficult hearing. The clerk who found opportunities for them. The clerk who encouraged them when they thought they were struggling. The clerk who believed in them before they entirely believed in themselves.

We talk frequently about mentoring at the Bar. And rightly so. But some of the most significant mentoring relationships in practice do not carry that title. Many are provided informally by clerks who understand how daunting those early years can be.

I still recall with great fondness my first clerk. Lynne Pilkington. A formidable woman in what was, in the mid-90s, still a predominantly male world. She compromised on nothing, but she cared. She was fierce but she was kind. When I was not taken on as a tenant in Chambers, she provided much needed sympathy and empathy and, when I was appointed as silk, two decades after I wandered into Chambers on my first day as a first six, and long after I had left that Chambers, Lynn messaged to say congratulations. It underpinned the fact that a clerk is for life and not just for Christmas.

Understanding People, Not Just Practices

The great strength of all of you as clerks is not merely commercial intelligence. It is emotional intelligence. The best clerks know their barristers. You know who thrives under pressure. You know who is likely to overcommit. You know who lacks confidence despite being highly talented.

You know who needs encouragement, who needs challenge, who needs protecting from themselves.

You cannot do that by looking at diary entries. You can only do it by understanding people. And this matters because careers are built by human beings, not by case listings. The greatest clerks understand that their role is not simply managing work. It is managing potential.

Supporting Progression

As careers develop, the relationship changes. The newly qualified junior becomes an established practitioner. The practitioner begins to specialise. More opportunities appear. Greater responsibility follows. The work becomes more complex. Expectations increase.

At this stage, clerks frequently become strategic advisers. You help barristers think about the future. Which work should they pursue? Which opportunities should they decline? How should they develop a practice? When is the right moment to broaden expertise? When is the right moment to narrow it?

How should they balance professional success with personal wellbeing?

The answers to these questions are rarely obvious. Yet they have a profound impact on the trajectory of a career.

The most successful clerks do not merely react to developments. You help shape them. You see possibilities that others may not yet recognise. You spot emerging talent and identify potential. And you invest in it.

You also understand the importance of humanity

And nowhere is that humanity more important than when a practitioner decides, for any number of reasons, that a career break is needed.

Historically, many professions viewed career breaks as interruptions. Something to be worked around. Something inconvenient. Something that disrupted progression. Thankfully, attitudes have evolved and continue to do so, and I remain full throated behind that evolution. It inevitably builds stronger barristers and a stronger, more resilient profession. One which doesn't just encourage people to join it but also retains those within it and allows people to thrive rather than just survive.

We increasingly recognise that people have lives beyond work. They have children. They care for relatives. They face health challenges. They experience bereavement. They encounter circumstances that require them to step back.

What matters is how people respond. And once again, you, as clerks are often central to that response. The human approach matters.

A barrister considering maternity leave, paternity leave, adoption leave, caring responsibilities or a period of ill health is often anxious. They may worry about losing work. They may worry about losing momentum. They may worry about returning. They may worry that their career will never quite recover.

The reassurance they receive from a trusted clerk can be transformational. Not because you can remove every difficulty. But because you can help the individual see a path forward. You keep connections alive, plan for a return and preserve confidence.

You can remind someone that taking a break from practice does not mean abandoning a career. That humanity matters. And it is remembered.

Years later, many barristers will struggle to recall particular instructions, but they will remember who supported them during life's more difficult periods.

The Journey Towards Silk

Perhaps nowhere is the relationship between clerk and barrister more evident than in the journey towards silk. Applying for King's Counsel is one of the most significant professional decisions a barrister can make.

It requires confidence, preparation, evidence, resilience and, frequently, courage.

The decision to apply is often accompanied by doubt. All those doubts that one walks into Chambers with on the first day of pupillage are still there and often resurrect even harder at this point in a career. Am I ready? Am I good enough? Is this the right year? Will I succeed?

You, as clerks, will often provide a perspective grounded in both honesty and belief. The best clerks know when to encourage an application. They also know when to advise patience.

You know how to help applicants navigate what can be a demanding and intensely personal process. You have seen careers develop over years, sometimes decades. You understand the advocate, the human being, behind the application. You understand the practice behind the statistics. And you understand the individual behind the professional profile.

When success comes, it is rightly a momentous achievement for the individual barrister. But many newly appointed silks will readily acknowledge that clerks played an important, often pivotal, role in helping them reach that stage.

My own clerk Ade Olojo is here today. Never have I felt prouder than when, on 16 March 2020, I stood outside the Palace of Westminster with Ade on Silks Day. I may have been there in the pantomime costume about to swear my oath, but she had spotted the cases, nurtured, believed, and in an organisation where there had only been 3 previous silks appointed, she was and remains groundbreaking and inspirational in all that she did to get my application over the line. The debt I owe to her, my clerk over the years I built to the application, all the years where she encouraged whilst I doubted myself and whether it could be done, cannot be quantified. She, as with so many other clerks in this room, are the ones who we thank when the notification comes that you are to be appointed. We owe you that debt of gratitude because you were our cheerleader and our coach long before we even decided that Silk was something that might be within our reach. Your humanity helped turn a “what if” into a “OMG I did it”!

The Invisible Contribution

One of the curiosities of the clerking profession is that some of its most valuable contributions are invisible. The workload crisis that never materialised because you intervened early. The professional opportunity created by a carefully judged introduction. The wellbeing issue identified before it became a serious problem. The difficult conversation handled with tact and discretion. The confidence restored after a professional setback.

These things do not appear in annual reports. They do not generate headlines. They are difficult to quantify and fit into a spreadsheet or a data output. Yet they are often the very things that determine whether people flourish and whether they move forwards rather than look back or stagnate.

The Future of Clerking

As technology becomes increasingly sophisticated, some will inevitably ask what aspects of clerking can be automated. Technology will undoubtedly continue to transform practice management. It will improve efficiency. It will streamline processes. It will provide better data. It will assist with diversity and equality amongst briefing so that the gender pay gap narrows and, I hope, eventually closes completely.

Those developments should be welcomed. But technology cannot replace human judgment. It cannot replace experience. It cannot replace trust. And it cannot replace relationships.

A diary system may understand availability and track workloads. You understand aspiration and the importance of wellbeing. A briefing platform may allocate work. You understand and nurture potential. That distinction matters. And it always will.

Conclusion

So, as we look towards the future of the Bar, I hope we continue to recognise a simple truth. Your value is not found solely in managing diaries, negotiating fees or organising practices. Important though all those things are. Your true, innate, value lies in your humanity.

In supporting the nervous pupil. In encouraging the talented junior. In advising the established practitioner. In helping someone navigate a career break. In guiding an

application for silk. In celebrating success. And in supporting individuals through adversity.

In short, you help barristers build careers. You are, to borrow a headline from one of this afternoon's breakout sessions, the human glue to the profession.

You help people build lives within the profession. And you help people sustain lives within the profession when wellbeing can often be overlooked by a busy practitioner.

That is the most remarkable contribution. It is one that deserves recognition and it is one for which the Bar remains deeply grateful.

On behalf of the profession, I thank you for that.