

CITY PRO BONO GAZETTE

from the heart of City, for the public good



CITY, UNIVERSITY OF LONDON PRO BONO SOCIETY



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Welcome to Issue 4 of the City Pro Bono Gazette!

We are delighted to present you with the 4th issue of the Gazette, in association with the Pro Bono Society at City, University of London.

This year, the society's aims are centred on access to justice. We have successfully run events with various charities and legal clinics, such as Amicus and Advocate, to equip our members with essential skills and inform them of the pro bono opportunities available. We are also pleased to be working with Sally Gill, Director of City's Community Legal Advice Centre (CLAC) and supporting the LawIRL initiative set up to help students experience the law beyond the classroom and 'in real life'. Furthermore, we have hosted socials for students in order for them to be better connected with each other and professionals in the legal industry. We also look forward to our upcoming Pro Bono Fair held at The City Law School, which will allow our members and CLS students to network with a range of charities and firms in the industry that are passionate about the fight towards equal legal representation for all.

We are very proud of the Gazette team, many of whom have written their pieces on topics that personally interest them. It should be noted that the team have written their articles, completed research into their chosen areas, underwent the editing process and worked on graphic design alongside their studies. We thank them all for their contribution towards this issue and are glad to give them this platform to discuss key topics in the pro bono and commercial awareness sphere.

We hope you enjoy reading this issue!



Kaila Mae Lusabia

President of the City Pro Bono Society



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The Bill of Rights: A War On Women?

By Garvita Surana

After the recent political chaos and the aftermath of Rishi Sunak taking over from Liz Truss, Dominic Raab was reinstated as the Deputy Prime Minister and the Minister of Justice. He was initially at the forefront of removing the Human Rights Act 1998 and replacing it with the Bill of Rights. Essentially, enacting this Bill would give the UK courts legal sovereignty over the ECHR rulings and be able to implement new limitations on the human rights policies in the UK without any interference. Even though Liz Truss paused this process during her relatively short term as Prime Minister (because Raab supported her rival), his resumption of this role can have many negative repercussions on women.

The ruling of the Bill of Rights becoming successful is inherently a war on women – whether this is women's rights or any survivors' rights - and its outcome is almost ironic to its name. Many women's organisations, such as VAWG (Violence Against Women and Girls), have said they are very worried that this Bill will result in institutions failing to take accountability when they are obliged to protect women and survivors. Also, this Bill will further threaten minority groups and members of the LGBTQ+ community who have already faced struggles from the state. It will additionally make it increasingly difficult for both victims' families and survivors to be able to seek their deserved justice by making this process more strenuous.

One of the features of this Bill that actively take away our hard-earned rights to protection is through the introduction of a new 'permission stage' – this forces claimants to first prove that they have been/will be subject to suffering due to their rights being infringed even before they can take their claim to the courts. This stage frankly removes fundamental human rights and actively prevents access to justice, which is already a more significant issue. This then causes a lot of pressure on the victim and their families when they are grieving and can even be seen as an additional trigger when this emphasis should directly be placed on the government.



The Bill of Rights: A War On Women?



Even though pressure should be placed on the police, since it is their 'duty to protect', and the legislation hands them abundant power, a recent report by Baroness Casey published in October 2022 after the outrage of the Sarah Everard case, shows grievous misconduct within the police itself, hindering women's rights and access to justice once again. The report stated that "1 in 5 officers and staff have been involved in two or more cases" and only "1% have been dismissed".

It even displayed a significant difference in the treatment of Black and Asian officers, who are "120% more likely to be removed". Failure to reform the ongoing internal issues within the policing sector itself primarily puts women at risk even more, especially alongside the talks of the Bill of Rights being passed.

Recently, we have seen the police and state's failure to respond to perpetration against women done through the case of both Sabina Nessa and Sarah Everard, tackled with vastly different approaches. An enormous outcry was received in response to the case of Sabina Nessa because of the lack of media attention given to the case compared to Sarah Everard and the police's inability to find the perpetrator sooner.

Even though the passing of this Bill had been abruptly halted, there is a high chance this Bill will once again become the vanguard of Raab's manifesto and will conduct its destructive impact on women's rights, both victims and survivors, which can easily be translated as fundamental human rights. Therefore, it is imperative we remain alert about these potential changes.

Pro Bono's Finest - Sarah Abram KC

By Ahlam Syed

Sarah Abram is currently a self-employed Barrister who works under the King's Counsel. For some years in her career, Sarah was lead counsel in a number of high-profile litigation and arbitration cases across the fields of competition, EU and commercial law. Consequently, she has practised in a number of jurisdictions and in multi-party cases. Due to this, along with her expertise, she raised novel points in law.

In 2021, Sarah won the 'Pro Bono Junior Barrister of the Year' award. Owing to her intense work and commitment as being a Trustee of Advocate, Sarah was able to gain recognition for her diverse work in the Pro Bono community, allowing her to be nominated for this award. Ever since, she has taken on the role of reviewer for Advocate (formerly known as the Bar Pro Bono Unit) where she has reviewed over 150 applications regarding Pro Bono assistance, and matching cases with barristers.

Recently, Sarah's Pro Bono work has included representing the environmental non-governmental organisation, ClientEarth, in Luxembourg. This was an extraordinary achievement because it led to the discovery of the Aarhus regulation being applicable to the European Investment Bank's financing decisions (EIB). Due to this, the EIB had to analyse whether or not the decisions made were amenable with EU environmental law. Additionally, Sarah is part of the UK Bar Competition Silks where she has continuously been involved in the mentoring scheme for prospective barristers. This scheme is aimed at those from underrepresented groups (people from minority ethnic groups, disadvantaged socio-economic backgrounds, LGBTQ+) and has ten sets of leading commercial chambers involved.



Pro Bono's Finest - Sarah Abram KC

In addition to being involved with disputes regarding commercial and competition law, Sarah has commonly participated in other areas as well. For example, class action litigation, FRAND (Fair, reasonable and non-discriminatory) litigation, jurisdiction disputes, and matters involving data/big tech. Examples of her work in these areas can be seen in her unled role in the Rail Fares CPO litigation, and also in the Commercial Court trial of *Acerus v Recipharm*, where she acted as sole counsel for the successful claimant.

Sarah Abram has worked extremely hard in the areas of law she specialises in. For example, in competition law, Sarah has helped her clients by being a member of the Irish Law library which allows her to continue acting in cases before the EU courts post-Brexit. This is inclusive of all areas of competition law, such as dealing with cases regarding cartels, abuse of dominance, and merger control. Recently, she represented purchasers of subsea power cables and manufacturers of trucks or electronics products in proceedings. Due to some of these cases, it helped raise intricate questions regarding jurisdiction, which respective courts had to discuss. Some of Sarah's more specific recent work under competition law is that she acted for Vattenfall. This was based on a follow-on damages claim that was against NKT and Prysmian, with reference to the power cables cartel - the organisation of which the defendants were involved in. In addition to competition law, Sarah has shown diligent work in commercial law as well. For instance, she was instructed to appear for Compañía Sudamericana de Vapores SA in the case *Daimler v Compañía Sudamericana de Vapores SA*. This was a cartel damages claim concerning roll-on/roll-off shipping services.

Ultimately, Sarah Abram has shown vigorous and diligent commitment to the pro bono and legal community as a whole.

So the UN Says We Have The Right to a Clean Planet: Now What?

By Vic Duarte



In October 2021, "43% of adults in Great Britain reported having been very or somewhat anxious about the future of the environment over the past month" (UK Statistics, 2021). After a record-breaking summer heat and a horrific list of recent natural disasters around the globe, it is no wonder so many people experience eco-anxiety: anxiety about the well-being of our environment. On 28 July 2022, the United Nations' General Assembly declared the right to a clean planet a human right, something we can all be optimistic about.

The viewing of the environment's well-being as conducive to the fulfilment of human rights marks a significant spark in interstate cooperation towards protecting the environment. It also marks a massive leap in the development of international human rights law and the obligation states now have towards the planet in tandem with the rights of their citizens. This recognition invites states to think critically about the ways they legislate environmental protection and how they inevitably coincide with the protection of their citizens' human rights. It means states worldwide are recognising the decline of the environment and hoping to do something about it, which is not something we often hear in the news. Is hope different from action, though? Have any pieces of hope turned into tangible change we can trust will cool our planet and eco-anxiety?

So the UN Says We Have The Right to a Clean Planet: Now What?

Fortunately, the answer is yes! Several states are beginning to act on what is known as ecological constitutionalism, or the constitutionalising of environmental safeguards into charters and human rights declarations. Out of the 161 States closely associated with the UN and its newest endeavour to make a clean planet a human right, 150 have taken their commitment to the environment further by changing their constitutions to reflect the rights of the environment, animals, nature and more. This means governments, corporations, and even individuals can now be held civilly, and in some cases criminally, liable for putting the environment in jeopardy, which is a fundamental key in seeking environmental justice. This is already happening, and you may not know about it! For instance, in the Vilcabamba River Case, the Provincial Court of Loja in Ecuador upheld the rights of mother nature, protecting the sacred region. It is amazing to think that an earth that has advocated for the human race for so long is finally getting some advocacy in return, and we should be hopeful about these developments.

On a final note, what does ecological constitutionalism mean for pro bono work? An added layer of advocacy and legal protection for the environment means that pro bono students and professionals can start having a legal impact on environmental cases in their jurisdiction, which is a new exciting and worthwhile endeavour to pursue. Client Earth is just one of many agencies tapping into this potential and, like its title suggests, treating Earth as its legal clientele.

Interested in getting involved or learning more?

Visit <https://www.clientearth.org/what-we-do/>. If you are from a jurisdiction that has yet to adopt ecological constitutionalism, start a petition or send a letter to a local member of parliament to start the conversation. The answer is action.

COVID-19's Effect On Law Firms

By Ahlam Syed

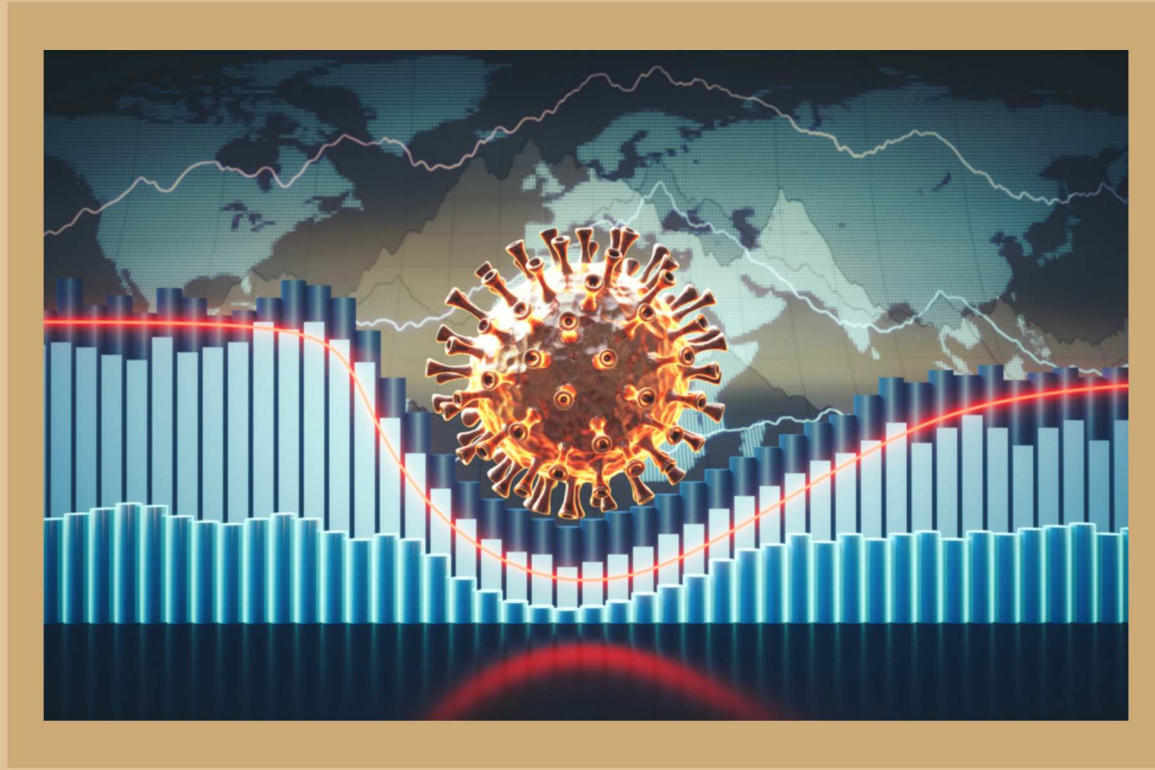
One of the most important issues most lawyers in England and Wales are facing is in terms of insolvency-related litigation within the country - which is prominently depicted through one of the many downfalls of COVID-19. The law market, up until October of 2021, has seen a reduction in law firms from an average of 10,000 to 9,000. When firms collapsed, it had a direct effect on its employees, from stakeholders to bondholders, where it was tedious to recover from - this was especially seen after the global financial crisis occurred. Due to the pandemic, where firms were still able to operate from an out-of-office setting, it meant that many lawyers had to work remotely.

This had a direct negative effect on the UK's Pro Bono community as a whole as many firm charities had to take the decision of moving their staff into at home working. Due to the severity of the pandemic, face-to-face meetings were not possible and this resulted in staff becoming extremely unmotivated in their work. Many felt they didn't have a 'connection' with the clients they chose to represent, and this affected their performance on cases. However, as many have gone back to hybrid or in person working, this has been hoped to change as this return to normal.



The COVID Cash Crunch

By Garvita Surana



Since the COVID-19 pandemic, we have seen a remarkable decline in the UK economy and recently, profit warnings have increased rapidly due to inflation and rising energy costs. Many companies are currently being compelled to deliver profit warnings because they cannot fulfil their expected annual profits due to these factors. Sectors such as the retail and hospitality industries have faced the worst backlash since consumers are forced to spend their money on necessities only and ever-so-rising energy bills. This decline also has a knock-on effect on employment since these companies need to gain more profit to sustain their company and its employees simultaneously.

Not only have these sectors been affected, but in the past few weeks, companies such as Royal Mail and Boohoo have joined this long list of almost 90 companies handing out profit warnings in the past year. These warnings being issued reflect the impact of costs increasing yet the supply decreasing and how these changes continue to create a vast disparity in companies.

As we see companies needing help to uphold their standing in the corporate world, these abrupt changes are the main reason it will also become difficult for companies to do business with each other, which only adds to the current pressure they all face.

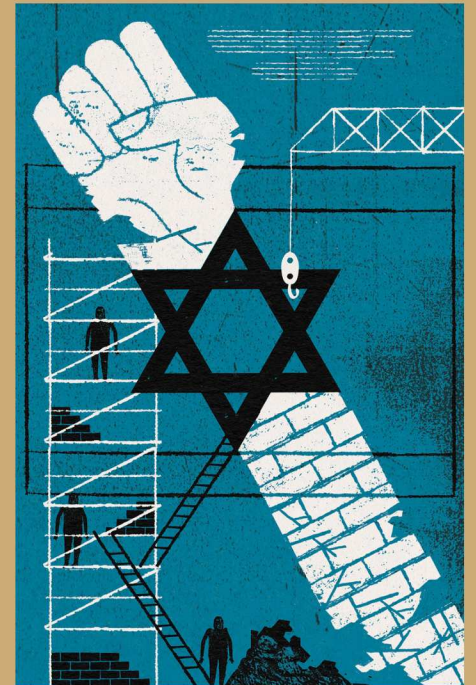
Sorry Ye, The Shoe Ties End Here

By Vic Duarte

After a few recent disturbing, anti-Semitic comments in a long chain of hate speech, Adidas has finally terminated its partnership with artist Ye, most known as Kanye West. In a press release entitled, "Adidas Terminates Partnership with Ye Immediately", the company suggests, "Ye's recent comments and actions have been unacceptable, hateful and dangerous, and they violate the company's values of diversity and inclusion, mutual respect and fairness (Adidas, 2022). However, this is not the first time West has derogatorily spoken about Jews and other vulnerable groups, so what took Adidas so long?

In their statement, the company explicitly states that this termination of their contract with West will result in a short-term financial hit of €250 million. The acknowledgment of this loss seems like a pity party thrown by the company itself when in reality, dethroning the disrespectful and harmful is genuinely the bare minimum. It is clear that action was not taken earlier due to the financial burden of cutting ties with West, despite his unacceptable behaviour.

Companies, especially with influence like Adidas, must be quicker to recognise their role in empowering people who view their celebrity as immunity from consequences. Adidas, and all brands, need to appreciate the role they have in the realisation of human rights and how disciplining celebrities who compromise these responsibilities should be a priority, no matter the cost.



Which one is right for me?

By Ahlam Syed

The main difference between solicitors and barristers is that solicitors typically complete preparation work on cases outside of the courtroom, whereas barristers take cases to court and defend individuals through advocacy. Pro bono work is an important part of both solicitors and barristers' working lives and they can make a huge contribution to society in the process. Here is some more information on both qualifying routes that will hopefully make the decision easier!

The solicitor route:

- Solicitors interact more with clients by advising them on courses of legal action and also essentially taking instructions from them.
- Solicitors also draft up legal documents such as contracts therefore it is important to be concise and have a keen eye for detail (we've seen what happens if not from 1st year contract law!).
- Solicitors can also be involved in a wide range of cases covering a number of areas of law, as opposed to barristers.
- However, the work of solicitors does not have to be limited to out of court work. By undertaking a solicitors advocate course, they are able to obtain a Higher Rights of Audience Qualification allowing solicitors to carry out advocacy in court similar to barristers.



How to qualify:

Prior to 2021, individuals were required to take the LPC and secure a training contract in order to qualify as a solicitor. This is probably a route most people are familiar with, however this is no longer the case. Students may be able to qualify as a solicitor through the LPC until 2032, however, many course providers will stop offering this course as it is being phased out.

As of September 2021, the route to qualifying as a solicitor has changed. Instead of doing the LPC, the Solicitors Regulation Authority introduced the SQE. This means that rather than completing the LPC, students will have to complete two exams; SQE1 and SQE2 and then carry out 2 years of qualifying work experience. Non-law students will also be able to qualify as solicitors by taking the course.

Solicitor or Barrister: Which one is right for me?



The barrister route:

- Barristers only get involved in legal cases when it is necessary for it to appear in court. They represent individuals in court whilst wearing the wigs and gowns.
- This profession requires and also strengthens an individual's oral and public speaking skills. Barristers are also mostly self-employed and work in chambers (however, it is possible for barristers to be employed by the Crown Prosecution Service or the Government's legal department as prosecutors).
- As opposed to solicitors, barristers tend to specialise in one area of law therefore, it is important to be able to understand and interpret law correctly.

How to qualify as a barrister:

In order to qualify as a barrister, students must undertake a postgraduate course known as the Bar Practice Course (BPC) once completing their LLB undergraduate or law conversion course (GDL). This is the vocational component of training and upon completion, individuals are called to the bar by an Inn of Court. Finally, this is followed by a pupillage which is the work-based component of bar training.

Sources

www.thelawyerportal.com/solicitor/what-is-a-solicitor-advocate

www.sra.org.uk/become-solicitor/legal-practice-course-route/transitional-arrangements

www.thelawyerportal.com/careers/difference-between-solicitor-and-barrister

www.barstandardsboard.org.uk/training-qualification/becoming-a-barrister.html

Mid-year tips from the Gazette team

Get work experience opportunities

Any opportunity is a good opportunity! From a mini-pupillage, a placement at a local high street firm or something else entirely, grab onto those opportunities with both hands! Experience is the best way of trialling and testing future job roles, and it will give you the confidence you need before entering the industry.

Understand essay/problem question structure

Half the struggle in obtaining a degree is understanding the structure of the questions you will be asked during the assessment period. Once you have that covered, you can transfer your skills across most of your modules. If you need more clarification, speak to your module leader or Academic Advisor.

Make use of your Feedback & Support Hours

Whether it is a check-in with your Academic Advisor or clarifying doubts with your module leader, Feedback & Support Hours are an invaluable resource. Most CLS staff have at least two contact hours a week dedicated to helping you make the most out of your degree. With no added cost, you have nothing to lose and everything to gain!

Go to insight/open days

Firms and Chambers often host insight/open days a couple of times a year. Take advantage of these opportunities, and you will undoubtedly be able to prove your proactiveness in understanding them and the wider industry when you apply later on.

Get the balance right

Set up a colourful plate for yourself: law school can be daunting and all-consuming, but it is vital to commit to scheduling time in with yourself and other special people in your life. Whether it is a walk through Hyde Park or trying a new dish at your favourite pub, it is so important to invest in life outside of your law student identity.

Get involved in extracurriculars

It is becoming increasingly essential to be all-rounded in the legal industry; academics alone is not enough. Find ways to get involved in extracurriculars on campus, like bagging a position in the running of a society, or your local community, like volunteering. It will also give you a much-needed break from your studies.

MEET THE TEAM

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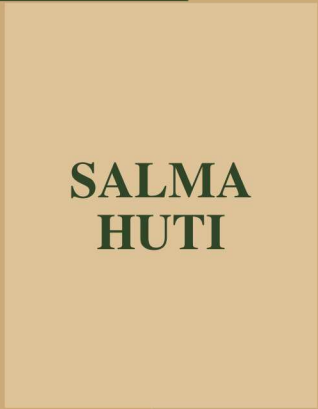
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