

Disability in the Legal Professions  
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Thank you for inviting me to speak at this event on disability and law. I feel very privileged to be sitting beside some distinguished speakers as I realise that I have not had the experience that they have had in practice.

There are a few points that I want to make tonight and I guess it all goes back to having a conversation with the individual and talking about far more than just simplistic adaptations.

Reasonable adjustments are more than adequate in the majority of cases, however one has to weigh up the necessity of the law firm to financially compete against others and the severity of someone's impairment. I have yet to see this conversation take place.

If you take me, for example, when I am wide awake I can think and work very hard and to a very high intellectual capacity. However when I get tired I stop functioning and I must be able to take a break for as long as I need to recover. Many people can fight through fatigue with another coffee or perseverance, I cannot do this and results can be catastrophic when I am made to work not feeling right. Everyone in this room probably knows about the huge time demands placed on young trainees as many have to work past midnight if there is a deal about to close. I cannot do this. However, I have managed four legal qualifications and have had academic work published. I can work very well in the right environment but as I have found out, traditional firms often do not cater to those with severe additional needs.

Compare this to my friends who are going into other corporate type industries. One friend is a management consultant in a very reputable firm. He tells me about how almost everyone in his team is either part time or on flexible working. This diverse approach does not seem to have reached the legal world. I find this disappointing.

As people may know, the solicitors regulation authority only requires a training contract to be completed over seven years and the law society seems to be very much in favour of this. However the responses that I get from firms are very different and do not seem to want to depart from the traditional two-year training contract. This means many people are pushed out of law, especially those who do not want to, or physically cannot, commit to two years of intense training. I currently volunteer at Liberty and I know that the trainees there are on restricted hours contracts and go home at 4pm. The need to work longer is entirely commercially driven.

While I am very much in favour looking at different ways of working in the office and reducing time demands, I have just finished a large piece of research for my masters in legal practice on advocacy and the voice.

The voice is a key feature of an advocate who must use his knowledge of law to persuade the court that his client is right. There is substantial jurisprudence over what persuasion is and how much of it is subjective, however I have concluded that the research is fairly non-contentious in that the voice can add a certain level of persuasion to an argument. This stems from Cicero and Aristotle who write substantially on tone of voice and persuasion and often

refer to it as the greatest tool that a man has. In this respect it may present issues of an unfair trial when there is a lawyer who is using his voice in an eloquent and articulate fashion compared to a lawyer who is using an alternative method of speech communication. It is very much my submission that clear research should be carried out in this area, on top of my LLM, to ensure that if advocates who have speech impairments want to deliver their case they can do it on a level playing field with others who may not be disabled, in order to present a fair trial.