

# Kate Sheppard Chambers – a Different Approach to Barristers’ Chambers

By Jacqui Thompson\*



Isabella Clarke and Charlotte Griffin

Kate didn’t have access to conference rooms, private offices and views across the harbour. But she got the job done. One hundred and twenty-eight years after Kate presented her petition in 1893, more people are wondering whether expensive office premises are necessary.

The barriers to working virtually have been whittled away over recent years and Covid proved to be the unexpected champion of remote workers. It graphically proved what many people have believed for several years but most workplaces failed to implement - that it is perfectly possible to run a successful legal practice without a physical, shared space. Today, clients are happy to meet over Zoom, employee supervision is not the issue that many thought it would be, and for time-impooverished lawyers, the work from home option is proving attractive.

However, the concept of shared virtual chambers is different from simply working from home. A virtual chambers shares an identity with colleagues, a set of values and kaupapa, and a sense of collegiality. Members share a connection with each other and are known by the outside world as being part of that chambers. Most importantly, the barristers in the virtual chambers can support and encourage each other.

The bar is now welcoming a new virtual chambers in the form of Kate Sheppard Chambers. It started with the return of Wellington barrister, Charlotte Griffin, from a spell living in Switzerland.

She faced a dilemma. She knew that to build her practice as a barrister, the many advantages of being part of an established chambers were important. Charlotte is the first to acknowledge the help and support of the barristers in her former chambers

when she first went to the bar.

However, she was not sure that a return to the traditional chambers model would suit her life and career aspirations. Charlotte felt that she needed an approach that would allow her to combine all aspects of her life. She wanted to be able to work in the evenings or early mornings when the children slept (as many parents do). She also noticed for many years her need to actually be in an office when running between client meetings and appointments during the day was less and less.

Charlotte had time to make her decision in a more deliberate way than when she first went to the bar. She was aware of the hidden pressures on women wanting to start their own business, and what they had to overcome or ignore or suppress to fit within the existing structures. In the end, she did not join an existing chambers. She was appointed a District Inspector for Mental Health in June 2020 which involves a lot of travel around the Wellington region. The role gave her some time to work out whether she needed a physical office in the city. She discovered that she did not.

Charlotte acknowledges the role of a senior judge in her decision-making process. They, and another female lawyer, were talking about what had to be done to get more women to the bar. The judge pointed out that the reality was that there were more men at senior levels, particularly in the commercial field, and that there were fewer women available to argue the top cases in the appellate courts. The judge thought it was time for that to change and asked what would encourage more women to move to the bar? Charlotte half-jokingly suggested that she could set up a virtual chambers for women. But the judge loved the idea and encouraged it.

This idea took hold and she caught up with her friend and former Crown Law colleague, Isabella Clarke. Izzie had come from a similar background as Charlotte. She was still working for Crown Law and loving it – unlimited court time, and interesting work. Both Charlotte and Izzie speak of the time there with great appreciation, citing its supportive environment and the sense of collegiality. They were all on the same team. However, over the years they had spoken about the future and how it would look for women to be able to work together differently.

Izzie still planned to go to the bar at some stage, so Charlotte suggested that if they could start up their own chambers and genuinely do things differently. It was a big step for Izzie who was happily employed. Charlotte already had a practice that was doing well, but Izzie was going to have to give up the security of her salary, her senior status and the ease of having others deal with her tax or firewall protections etc.

Izzie took some time to mull over the idea. She had been to a six-week course run by Mary Scholtens QC and her life coach sister, Ava Gibson, that focused on senior women lawyers and the challenges that they face. Izzie describes this as having been formative. So, when Charlotte raised the idea of the virtual chambers, it spoke to Izzie as being consistent with what she was thinking about. She also spoke to a (male) QC who was very reassuring and told her it was a good prospect for her. She knew that slotting into an existing set would have been easier, as everything would already be in place. But Izzie felt passionate about what they could do with this chambers in terms of their own lives and, hopefully, in the future for others.

Having decided to create their own virtual chambers, part of the challenge for Charlotte and Izzie was how to make this work so that not only women already at the bar might join them, but also employed women could have the courage to leave their well-paid jobs and take a chance on running their own business. "Because it is wonderful running your own business," Charlotte says. "I could never go back. It gives me a sense of fulfilment in managing my own working life."

A major reason that women do not rush into running their own businesses is that they are afraid that they will not be able to manage financially, especially given the costs of joining a chambers, which can be high. Kate Sheppard Chambers relieves many of these financial pressures. "You don't have to pay monthly rent to be part of the set. If you want to have a child, you can just take a break for a year or two – you do not have to take yourself off the website. You can stay as part of the chambers and bring your baby to our virtual meetings if you want to."

Is it sometimes difficult for women to fit within the traditional chambers model? Charlotte suggests that it may depend on the stage that you are at in your career and your life. A senior woman law firm partner, whose children have grown or who does not have children or other dependents, may not have the same calls on her time during the work-day. She may find it easier to be in the traditional chambers model and enjoy the benefits of a separate office. However, sometimes for women who have young children depending on them, the move to the bar might seem overwhelming

– everything could seem too hard and too risky financially, as they become responsible for paying their operating costs. The impact of financial uncertainty, especially on solo working mothers, can be a real barrier.

This has, historically, resulted in many women (certainly in the civil field) joining the bar at a much later stage of their career, notwithstanding that they may be passionate about litigation and want more court time. (The exception might be criminal law where people will start earlier as there are fewer law firms that do criminal law, and they therefore have to consider the bar or sole practice.)

Both Charlotte and Izzie emphasise that women can succeed in the traditional structures, and these environments are not negative or detrimental. But they want women to have more choice and provide more flexible, and future-looking options that allow for a time in a career when one's home or personal life might need more accommodation. "I love that I can be talking to my clients and then two minutes later be downstairs dealing with family," says Izzie. "It just means that I can weave my career seamlessly into my life. That won't be right for all women. Many women love the traditional office environment and leaving home behind when they walk out the door."

The aim, therefore, was to find a way of working that aligned with their values and gave them the best life they could have in career terms. It was about a choice – a viable alternative to the traditional practice that still incorporated the best of chambers life. And this thinking flowed into the name for the chambers. "We chose the name Kate Sheppard Chambers for everything that she means. Her message is one of advancement of women so they can be all they want to be," says Charlotte.

Izzie expands: "The kaupapa of the Chambers is very much about supporting women to be the best in their career, whatever that career looks like. It is about recognising that there is not just one model of success. For some, it may be about becoming a QC, but for others it may be about having a satisfying litigation practice for the number of hours a week you wish to allocate to it. It is about joining together to help each of us succeed in the way that fits best for us."

Mentoring will be a big part of the approach of the chambers. Charlotte noted that often you can make a positive contribution by helping women see things in a different way. Both barristers agreed that many of the phrases used about women can be extremely demoralising and wounding - for example: "she isn't a team player, she is too aggressive". Often that means they have simply given an opinion in the same matter of fact and forthright terms as others in the room. In their experience, people interpret that differently in a woman than in a man.

But equally women can pull themselves down. They may, for example, worry about putting themselves forward for a role in chairing an event because they might look “too pushy”. Charlotte and Izzie believe that through mentoring, women can help each other to overcome these barriers that are language based, but that stay in the mind and affect actions. Charlotte participates as a mentor in the NZBA Mentoring Programme and is particularly interested in assisting junior women at the bar in this capacity.

Izzie is quick to reassure that the members of Kate Sheppard Chambers will not be hiding in their home offices 24/7. Charlotte notes she’s barely at home during the day – she works remotely from many locations around Wellington daily while blending the demands of her practice and court work with her District Inspector role. They have a hectic schedule of work lunches and meetings. There is a mix of virtual and in person meetings. There has been no real change for their clients who have, since Covid, become used to virtual meetings. It is the best of both worlds.

Charlotte emphasises that you still have to cultivate relationships and do so in meaningful ways so that everyone feels that they are part of a set. This may involve thinking differently about the activities and being more accommodating, but it should still be fun. There is already a Kate Sheppard Chambers WhatsApp group, sharing relevant and humorous articles, memes, and advice. Another challenge is to make the virtual chambers feel “real”. They have invested in the website as well as business cards and the stationery. They have real design concepts that reflect their values. Charlotte and Izzie note the white camellia in their logo – the symbol of women’s suffrage in New Zealand. To them, represents the strive for legal equality and inclusion for all.

A major advantage is the money that might otherwise be spent on physical premises can now be committed to women in the law. Alongside Victoria University, they have established the Kate Sheppard Chambers Scholarship which will be awarded annually for research related to women and the law. They intend to sponsor events alongside other organisations such as Wellington Women Lawyers’ Association. They also want to go into the law schools and talk to students who are considering their future legal career options. “Working at a large law firm straight out of university is not the only path. We want to see young women becoming barristers and pursuing careers in advocacy in their twenties and early thirties – why not? Men have done this for generations.”

Both Charlotte and Izzie are committed to an egalitarian approach. They do not want anyone to feel as if it is “their” chambers – it must belong to all members. They adopted a philosophy of “if we build it, they will come”. That seems to have worked, as

they have been joined by two new members, well known criminal lawyer, Annabel Markham, and Arla Kerr from Whangarei who is experienced in civil and regulatory dispute resolution in New Zealand and London.

Annabel says that the chambers is such a great initiative, and so timely with many lawyers reassessing ways of working after COVID. To have the support and solidarity of like-minded women without the overheads of traditional chambers is the best of both worlds for her.

Having Arla join Kate Sheppard Chambers was significant. From the beginning, Charlotte and Izzie had decided that a virtual chambers should not be restricted to a particular location. Although they and Annabel are in Wellington, there was no reason why they could not have members from anywhere in New Zealand. After all, not being physically tied to a location or office was the foundation of the chambers. They would love to have women from outside the main centres join them and benefit from the kaupapa and support of the chambers.

What happens if someone tries the chambers and wants to move on? “We want Kate Sheppard Chambers to be a haven, but if someone wants to leave after a year and move on to physical chambers, well we think that is marvellous,” says Charlotte. “We will not be offended. We will say how fabulous for you and we hope it is amazing.”

For both barristers, a central concept for the chambers is about passing the baton. They do not want to sit back and nurture their successful careers without passing on their experience and support to others. That tied in with their choice of Kate Sheppard in their name. Traditionally chambers are named after a place or leading legal figure (mostly male for obvious reasons). They felt that in a way Kate Sheppard is a place because the Crown Law Offices where Izzie and Charlotte’s careers were nurtured, are located between Aitken St and Kate Sheppard Place.

However, Kate is also the figurehead of the women’s suffrage movement, and this was a way of honouring her. They feel that in a small but significant way, they are picking up Kate’s baton and remembering the importance of every person doing their bit. They are following Kate Sheppard’s philosophy, as she once said: “We must be ourselves at all risks.” 🗡️

\* Kate Sheppard Chambers website will be available in early May 2021 at <https://katesheppardchambers.co.nz/>. If you want to know more, please contact Charlotte Griffin at [charlotte.griffin@kschambers.co.nz](mailto:charlotte.griffin@kschambers.co.nz) or Isabella Clarke at [isabella.clarke@kschambers.co.nz](mailto:isabella.clarke@kschambers.co.nz)

