

## Lisa Lacob

Lisa is an established senior junior with a general commercial disputes practice. Areas of expertise include Banking & Financial Services, Civil Fraud, Insurance and Professional Negligence.



I am writing this from my “study” (now also operating as the home-schooling and family media centre) during the coronavirus lockdown. It’s fair to say that working flexibly and juggling practice with family life has taken on a new complexion in the past few weeks, but more about that in a bit.

The story of my career to date is in part a cautionary tale. I have made a number of choices along the way which (with hindsight) I might not have made, but it does have a happy ending. Although there are undoubtedly lessons to be learnt, I feel very optimistic about life at the Commercial Bar for female barristers in the 2020’s.

I applied for pupillage seven years after completing my law degree in South Africa (which itself takes six years). The story of why it took so long to begin my career as a barrister is not for these pages, but it meant that when I started pupillage, I was already quite a few years older than my fellow pupils. I knew that I wanted to start a family and that I didn’t have time to build a practice at the Commercial Bar before doing so. One way or another, the two were going to have to happen simultaneously.

I went on maternity leave a couple of months after taking tenancy and one consequence of this is that I was able to take a full year’s maternity leave without any concern about my practice moving backwards or losing touch with solicitor contacts. I suspended my practising certificate and I had virtually no contact with chambers while I was off for that year. Looking back, I am startled that I had the confidence to think this would all work out. Confidence is probably the wrong word!

I began my practice in July 2006 with a one year old. I decided to work Monday to Thursday and as my nanny worked until 6pm, this meant that I needed to leave work at 5pm on the four days I was working. I was still adjusting to life with a baby (who regarded sleep as entirely optional) and felt pretty disconnected from chambers. I thought that as my working hours were restricted, the right thing to do was to work as hard as possible during those hours and so I chose to forego attending any seminars, Inns events or chambers in-house talks and the like. Any legal journals I received were tossed in the bin – I simply didn’t have the time.

I was very busy during my first two years in practice. My work was largely mainstream banking work – for the most part, acting for banks and other lenders in claims concerning breaches of loan agreements, enforcement of loan security, mortgage fraud, disputed repossessions, undue influence claims and professional negligence claims against valuers arising out of mortgage transactions. I was doing around three county court hearings a week and I did a number of small trials. Work was good, but I didn’t feel like a member of chambers, or part of the wider commercial Bar, in any real sense. I also didn’t do any led work or otherwise work with anyone else at chambers. I realise now that, as

important as it is to get into court (and cover the cost of a nanny!), it is also detrimental to long-term practice at the Bar to be so isolated. I could have given up 30% of the work I was doing and put a couple of hours a week into writing an article for the chamber’s newsletter or attending a conference or even getting involved in pupillage recruitment simply to feel more a part of things, but at the time I was focused on getting through the work on my plate within my limited working hours. At this time, chambers (and the Bar generally) were not so aware of the difficulties that female members of chambers face juggling the early years of motherhood with a commercial practice. Now, things are quite different with flexible working and maternity leave policies that positively encourage members to maintain their engagement with chambers throughout their maternity leave, and support and encourage returners (both financially and vis-à-vis practice development) on their return. There is also recognition from law firms and corporates of the value of primary carer barristers, which bodes well for the future.

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What kept me going those first years was one simple thing: I loved the work itself. All of it: getting a mass of jumbled up papers and putting them into some sort of “legal order”, identifying the key issues, teasing out the winning arguments, looking for the piece of evidence which would reframe the case, legal research, working closely with my solicitors to formulate a case strategy and anticipate the other side’s next move, the advocacy, dealing with points on the hoof in court, having real ownership of a case – and I was building a base of happy clients. The time I’d spent doing other things before the move to the Bar was also very helpful in allaying any concerns that I’d made the right decision. As I had worked in places where I’d been very much at the centre of things and hadn’t had to juggle my work with family responsibilities, I knew that at the end of the day, having work that really engages you trumps all of that. I was also working very efficiently and (mostly) on my own terms. I knew I could only get work done between 9am and 5pm four days a week and then after 8pm when my daughter went to bed for a few hours, so I didn’t waste any time. I often worked late at night, but working during the day on weekends simply wasn’t an option for me. Without any extended family in the UK, my husband and I were all my daughter had and I knew that our family time had to take priority. I remember doing a successful trial in Leeds shortly before my daughter’s 2nd birthday and feeling like the queen of the world on the train trip down because I had managed the delicate balancing act of preparing for the trial without sacrificing time with her. I may even have punched the air somewhere between Sheffield and Luton.

When I went on my second maternity leave in late 2008, I decided to take a full year off again. The real struggle for me came after that. When I returned to work at the end of 2009 (again, on the four days a week basis), I was no longer eligible for baby junior work and I became acutely conscious of how far behind my colleagues I was. The intervening banking crisis meant the market had started to feel very competitive and I didn’t really know where I fitted in at chambers. I hadn’t been involved in the sort of high-profile cases that allow you to market yourself effectively as a specialist in an area. My confidence was being eroded and at that stage, although there were two other women at chambers balancing work with childcare, discussions about the challenges of being a primary carer were not happening in the way they are now. I was also managing a different set of family responsibilities than before. I now had one daughter at home with a nanny and another who had started a nursery attached to the school which (all being well) she’d be attending until sixth form and so I felt it was important to be a part of her school life. It was easy to block out one-off school events in my work diary to make sure I didn’t miss a sports day or a school play; what was much harder was trying to manage my diary generally so that I had quality time with both my daughters, while trying to build a good self-generating practice for a mid-level junior barrister. I felt very torn and generally disheartened about life at the Bar.

### The story gets better...

I was offered my first piece of led work in 2012, seven years into practice. Around this time the interest rate hedging product misselling claims started taking off and I began to do a lot of high value misselling work on the Claimant side. I had a mix of led cases and claims of my own and was often up against very strong barristers acting for the banks, which meant I could

measure my written and oral advocacy against well-regarded banking silks and senior juniors. This made all the difference in the world. For the first time, I had a leader praising my work – which was a huge confidence boost – and an area in which I felt I had a market reputation. I felt ready to step up and apply to be a pupil supervisor and I started to find my voice in chambers. At the same time, 3VB began to focus more on equality and diversity initiatives and there was a growing awareness of this issue and a real willingness on the part of leaders and practice managers to support primary carers in their practices.

In 2016, my father developed sudden early onset dementia. I was now torn between my kids, work and supporting my parents in South Africa in very difficult circumstances. Practice was busy, but I recognised that I needed to take a break and (with the support of the heads of chambers) I took a few months off. It was undoubtedly the right decision.

I have now been a mother and a barrister for 14 years. I have never done this job without a piece of my heart (two pieces since 2008) at home. I cannot imagine it any other way. My daughters do not see a sharp distinction between home-life and work. They will never doubt that it is possible to balance the two and I feel that this is an enormous gift to them. There have been a number of times when work has been temporarily derailed by a family crisis or when work has caused one (the split chin which put my younger daughter in hospital as I was in the midst of a heavy pleading – completed at her bedside before the anaesthetic wore off – or the client conference with Dora the Explorer on repeat in the background or the relisted urgent injunction when I collected from school four hours late), but I believe that this has all made me very resilient and able to work in a way which accommodates the unexpected.

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### And that takes me to where we are in early April 2020...

Now that the whole legal world is operating from home, I have seen my instructing solicitors balancing files on the kitchen table and apologising for the fact that they have apple puree dripping down their shirts (I say shirt; I mean pyjamas) and asking if they can review documents when the kids are in bed because they are “just so very loud”. It does seem that we are all flexible workers now! While managing home-schooling and household chores (magnified with everyone at home 24/7 and no childcare) alongside practice presents a challenge, I am thankful my kids are now old enough to do most of their work without assistance and that we already had a proliferation of screens at home. Last week I had a full day remote summary judgment hearing and while my leader was making submissions (and I was muted), I was able to help my younger daughter quickly log into her geography lesson and “strongly encourage” (quite loudly) my teenager to get out of bed; it felt like the ultimate working mum moment! (When our opponent sprung a new argument on us in the course of his submissions, I was also able to quickly check the relevant legal principles on Westlaw, identify useful passages of Chitty and send those to my leader while the hearing was ongoing, but that is all for another remote hearings seminar).

The day the schools closed with little warning, I had to rush to collect all my daughter's GCSE art materials while arranging another remote telephone hearing directly with the judge, but for a primary carer, this strange mixing of family and work life feels very familiar. I believe that all of us are going to have to rethink our old ways of working (Is it really necessary to fly to a client meeting which can be done by zoom? Can this half hour court hearing not take place by telephone?). Those of us who have been working flexibly all this time are well-placed to adjust to these changes.

*Called to the Bar in 2004, Lisa has been recognised for a number of years as a Leading Junior in Banking and Finance by both Chambers UK and Legal 500. She is described as “very clever, very quick and very commercial”, “organised, clear in her written advice and pleadings and an effective advocate”, “persuasive in court, great to work with and someone with a very commercial approach”, “a lively advocate, enthusiastic, and a good communicator”, and as someone who “goes above and beyond to achieve the desired result” and has “the great attribute of being both legally astute and commercially savvy at the same time”. Instructing solicitors have described Lisa as “very passionate in everything she does”, “highly responsive” and “a highly skilled senior junior who has a huge wealth of knowledge when it comes to banking and finance disputes.”*

*Many of Lisa's cases are high value substantial commercial, banking or financial services disputes, often with significant international and/or fraud elements. Lisa has extensive experience of large complex group litigation claims. Her background working as a non-contentious banking solicitor in a leading global law firm and in the structured products team of a bank, means Lisa has particular experience of syndicated lending, securitisations and complex derivatives instruments, including interest rate hedging products and structured foreign exchange products.*

*Lisa also has significant experience of interim injunctions, recently acting for both applicants and respondents in applications for urgent injunctive relief, including domestic and worldwide freezing orders, search and seizure orders, orders to enforce restraints of trade covenants and proprietary injunctions.*