

Chloe O'Brien: COVID and 'the new normal'



Temporary measures

In early April in London, we were nearing the end of the third week of working from home. Favourable bets had been laid on a May return to work date – the end was in sight. Phrases like 'temporary measures' and 'when we're back to normal' were said often and in earnest.

Nevertheless, I was anxiously checking news of home as Australia had gone from droughts to bushfires to Covid-19 and it felt as if the country was being completely battered. Although disasters are a seemingly inevitable part of life, even the most resilient of communities and legal advice providers would be worn down by this relentless series of events.

At work, a colleague and I were putting together a 'Climate Emergency and Pro Bono' panel for the UK Collaborative Plan for Pro Bono. We had contacted Gabriela Christian-Hare and Sally Embelton of the Australian Pro Bono Centre to speak about the upcoming *Pro Bono Guide to the Climate Crisis* the Centre was due to publish. We met on Zoom (still quite novel at that point) and exchanged scenes of Sydney and London.

A few weeks later, the situation in the UK had significantly worsened. Working from home orders had been extended and daily Covid-19 cases were peaking. It was apparent that a 'return to normal' was becoming increasingly distant. Community organisations and legal advice centres had shut their physical offices, and businesses were making difficult decisions.

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Uncertain times

At the end of April, I was placed on furlough leave. I was utterly dismayed at facing months in a small apartment in stringent lockdown conditions, unable to do my job. The strict furlough regulations and non-compete conditions made it difficult to undertake other pro bono work in London, and together with an emotional draw towards home, I booked a flight to Australia.

So it came to pass that I was once again speaking to Gabi - this time from a hotel quarantine room in Melbourne - having reached out again to volunteer for the Centre. I was delighted to meet the team and dive in. I began working on a *Pro Bono Guide for Individual Lawyers*, a publication that provides a range of pro bono opportunities for lawyers to undertake

in a personal capacity. The Guide also serves to inspire lawyers to follow their passion and find pro bono opportunities that match their personal skills and interests.

I also spoke to pro bono leaders to find out details of how they had innovated and adapted their practices in the face of the Covid-19, and played a small role in the publication of the *Pro Bono Guide to the Climate Crisis*.

The new normal

Whilst working on these publications and speaking to lawyers across Australia and the UK, it became clear that despite remote-working



IMAGE BY DICSON / UNSPLASH



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IMAGE BY A. NIESCIORUK / UNSPLASH

challenges and reduced staffing at some law firms, the legal profession was expertly and swiftly modifying modes of service delivery to meet need.

The shift to remote-working has significantly expedited the use of technology in law. Whilst there are some considerable challenges associated with purely remote services, on the whole, ‘the new normal’ represents exciting opportunities for the profession. The major benefits are that there are a greater number of opportunities available for lawyers to donate pro bono expertise from wherever they may be located, and the conditions for participating are less onerous (e.g. reduced travel time), resulting in more lawyers volunteering.

The introduction of telephone/video advice and virtual secondments allow lawyers to support organisations they previously thought were geographically barred. Technology has also enabled organisations to foster increased collaborations (e.g. through the use of shared software) and the need for streamlined services has meant that some firms have begun making legal resources available online.

Challenges and opportunities

The justice gap is at risk of widening as the effects of Covid-19 continue to devastate communities across the globe. The focus has now shifted from ‘temporary measures’ to ‘the new normal’ and the legal profession and communities have shown a remarkable capacity to adapt under both conditions.

I was extremely encouraged when working at the Australian Pro Bono Centre and gained a deep insight into the extraordinary breadth of work being done by lawyers and organisations across Australia and the world. Whilst Covid-19 has presented unprecedented challenges, it has also given rise to exciting opportunities. The legal advice sector will face the ongoing global challenges with professionalism and compassion, and the opportunities will be leveraged to ensure that individuals’ and community legal need is duly met. ■

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Chloe O’Brien is a lawyer in the Pro Bono team at Simmons & Simmons in London. She is responsible for managing the practice across Europe, Asia and the Middle East. Chloe volunteered at the Australian Pro Bono Centre during a period of furlough leave in mid-2020. Prior to joining the Pro Bono team, she worked in the Litigation & Arbitration group at Simmons and she has also worked in prosecution teams for the United Nations Mechanism for International Criminal Tribunals and the United Nations Assistance to the Khmer Rouge Trials. Chloe is qualified in England & Wales and NSW, Australia.