

Issue 11

How to Get Old Dogs & Darned Horses to Drink That Technological Water

Company Culture Explored
as we enter 2023...



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Meet the Tech Ambassadors



Chrissie Lightfoot
Chair and
Chief Tech Advisor



**Suchheet Amin
(aka Such)**
CEO and Founder, inCase



Chris Williams
Legal Tech Expert,
Betty Blocks



Martyn Best
Managing Director,
Document Direct



Sinéad Sopala
Head of Strategy and
Business Development,
Levi Solicitors LLP



David Wybourne
Head of Legal AI,
Cloud Business



Adam Pope
CEO, Spencer Churchill



Priscilla Sinder
Director, Property Conveyancing
Consultancy (PCC)



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Adversity

Welcome

BRRRRR ... Winter has come. Literally and metaphorically. As bitter cold northerly blasts battered Blighty's shores, The Times newspaper¹ in Q4 officially reported that UK PLC is in recession. The UK is the first major economy to formally enter a downturn since the end of 2021 when the pandemic was still raging. Albeit other economies are not quite here yet, alarm bells are ringing and reverberating elsewhere in the western world as markets wobble and recession looms.

And so begins 2023, and the final chapter of 2022, with yet another blow to life, business, law, and society - all thanks to the economic downturn, inflation, cost of living and energy crises, and Putin's War. We could have seriously done without these major blows in the recovery works throughout 2022 and for the start of 2023, right?

One must only listen to, or read, the various legal, business, or mainstream media's doom and gloom reporting on the recent layoffs and/or hiring freezes at home and across the pond in relation to big tech and law firms. Large companies are usually the last to conduct such a cull (or freeze), so maybe this is a sign of things to come? Law.com International suggests that "a 'worrisome' start to 2023 is expected for law firms".²

And yet, IMHO, I do not believe it is, or will be, as dire as portrayed in the media. Why? Because there appears to be conflicting opinion regarding what may be media conjecture versus what people are actually thinking, feeling, saying, and doing in private. And, in adversity, as of course history teaches us, there is opportunity ...

Albeit this past month *The Naked Lawyer* has succumbed to wearing a few more items of clothing than her usual apparel in an attempt to save on her heating bill (*doffs hat* to her choice of clothing - she is absolutely rocking that sexy Santa onesie!), and in spite of the shaky economic outlook, she appears quietly confident in her (and my) goal to find that "next huge thing" in Law Law Land, and to power through any economic challenge that presents itself. (BTW, if you missed her three articles of this discovery trilogy - 1. 'Winter IS Coming', 2. 'Winter HAS Come', and 3. '2023? Keep Pedalling!' - you can read the full in-depth pieces [here](#).³

Furthermore, my 'Chatham House Rules' chats over the past six months with several LegalTech directors/managers, heads of legal innovation departments and legal ops departments, and partners in top tier/top 50 law firms and boardroom corporations, reveal that they are not panicking either - yet. Far from it! They are actually gearing up to capitalise on the global recession by building further on their combined 'human and machine' foundations and bedrock.

They are continuing to budget and spend on 'must have' LegalTech to help reduce company time and costs, increase effectiveness, and ease pain points while aiding work-life balance for their lawyers - aka keeping things lean internally to support their human lawyers. They are actively allocating monies from their existing financial year war-chest and increasing their next year's budget to deliver 'nice to have' new LawTech products, as to continue building client relationships and loyalty with existing clients, as well as attracting new clients.

Resilience in the face of tough cyclical economic downturns and left-field new challenges requiring further stoicism and adaptation to a new norm, such as global pandemics, is evident. Overall, I'd say the mindset remains positive.

Perhaps the positivity comes from having experienced several crises over the past three decades, with most lawyers having been through these cycles two, three, or even, four times. They have forged an evolving wisdom, culminating in 'old dogs' adapting to new tricks. Who knows? Frankly, it would be fair to say that, across the board, these experienced folks profess to be cautiously optimistic. As for the mid-market, aka SME/SMB and boutique law firms, a number of chairpersons and partners (of varying seniority and from an assortment of areas of the law) confessed to me that there remains plenty of enquiries coming in from clients wanting and needing their legal services. The problem they face is having lost top human talent further up the ivory tower law firm chain, to the 'big boys' flashing eye-watering big bucks in this Wild West-type war of cyclical churn for talent. Meaning, unfortunately, they have to turn away existing, and new, client work which they would normally take on.

Ironically, in a recession, what usually happens is that large corporates, legal departments, and high net worth private client buyers of legal services sometimes come down the legal food chain. That is, those who normally use the 'big boys', Magic Circle, Silver Circle, and Top 20-50, drift to the mid-tier or boutique firms in order to save some spondulicks.

Unfortunately, because the top-tier have snaffled the human talent from the mid-tier, this leaves a gaping human supply void to serve this demand. Until, of course, such talent is brutally kicked out of the top tier nest sometime in 2023/4 if a recession bites harder and longer than anticipated, as buyers flock to the mid-tier, and therefore, the unemployed top-tier lawyers revert to the mid-tier where they originated. And so, the talent war and recurring cycle repeats. Swings and roundabouts.

Understandably, for the mid-market and boutiques, there are mixed feelings in relation to what lies ahead. They are being more cautious, rather than cautiously optimistic, in relation to splashing the cash for expensive human talent and/or budget for 'must have' or 'nice to have' LegalTech and/or LawTech. In the short term, as recession takes hold, the mood is to "wait and see" what unfolds in Q1 2023.

The recession does not deter my or *The Naked Lawyer's* optimism, particularly as I have spoken with a great number of innovative, pioneering, entrepreneurial and intrapreneurial LegalTech lawyers, general counsel, techies, c-suite people (including those at the very top) in ivory tower law firms (large and small) and companies (aka those in the Legal Operations (Legal Ops)/Legal departments), and most importantly, the buyers of legal advice, services, and products. What we have learned confirms our view that there really isn't a better time than the present to evaluate, test, and act on the hypothesis that "in adversity there is opportunity".

Excitable and bubbling with ideas as a result of her recent trip to London for the Legal Innovators conference,⁴ and having absorbed the knowledge shared, engaged in panel sessions, and conversed at length with fellow enthusiastic and curious delegates, *The Naked Lawyer* is happily back amongst her Technology in Law Law Land family for this final gathering of the year.

So, WELCOME, to this positive, hopeful, joyful, and festive feature full of optimism and merriment! When you've slowly recovered from too much celebrating throughout the holiday season, and need to come up with some interesting topics to argue over at the water-cooler in the office, as you tentatively get your feet back under the table and begin strategizing and planning for 2023, we've got you covered ...

Let's crack on with the final Technology in Law Law Land roundtable gathering of 2022, where the ambassadors are in fine festive cheer along with a very squiffy *Naked Lawyer* ... *hiccup* ...

She sooo enjoys her mulled wine and mince pies but there's only so many she can handle before turning super-bouncy and mischievously annoying, like a child in a jungle-gym who has devoured too much sugar. We'd best begin proceedings. We have little control over her sober at the best of times, so with 3 glasses and 6 pies down this ... does ... not ... bode ... well.



Whizz-bang* *Whoosh* *Zing
... Incoming ... The Naked Lawyer
hurled her first muse bomb into
the ring as she wobbled and zig-
zagged along on her Segway to
garner attention in an attempt to
rouse us all to settle down for the
formal gathering.

Inspired and jabbed on by her impulsive, laughable state and comical assault, I appositely mused that one of the topics that kept coming up during our chats and walkabouts since the summer was the mention of "culture". In the face of all the adversity facing the industry (such as the aforementioned recession), one must prepare themselves as best they can in order to prosper. One of the most important foundations a firm can have is a great company culture! However, 'culture' is often party to, or influenced by, several things. For example, how both humans and technology affect it, or how outside factors, be it pandemics, wars, economic downturns/challenges, new laws or changing behaviours, can modify culture in either a positive or negative way. Or how lawyers and/or clients perceive some law firms as having a more 'innovative culture' or 'entrepreneurial culture' compared to others. Obviously, this merits exploration and discussion ...

1. Newsletter: Times Business Briefing, 23 Nov 2022

2. <https://www.law.com/americanlawyer/2022/11/21/for-law-firms-a-worrisome-start-to-2023-is-expected/>

3. Article 1: https://hubs.la/Q01rc_JH0; Article 2: <https://hubs.la/Q01tzydw0>; Article 3: <https://blog.bettyblocks.com/chrisie-lightfoot-the-naked-lawyer-2023-keep-peddling-stick-to-the-facts>

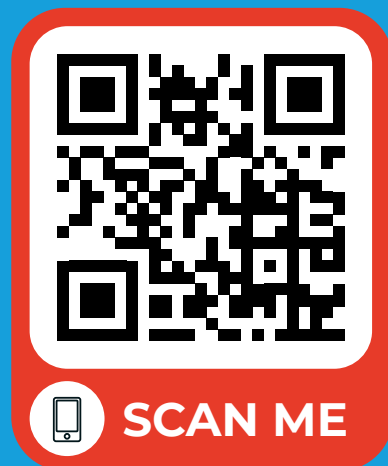
4. Hosted by Richard Tromans together with Cosmonauts





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Turning to the eclectic and boisterous bunch of regular TiLLL ambassadors – and our special guest, Sinéad Sopala, the Head of Strategy and Business Development at Levi Solicitors in Leeds, Yorkshire, co-incidentally an aficionado on the subject of ‘company culture’ *wink* – I kicked-off the roundtable sparring and gathering with a very broad and gentle opening question:

What does company culture mean to you?

Without hesitation, first out of the corner and in fit fighting form is Martyn, a storyteller and one unafraid of stating the truth exactly how it is. He pipes up, with gloves raised and poised for battle, in his uniquely entertaining and larger-than-life-itself way ...

Martyn: The Companies Act 2006 is the current legislation governing the creation of such inanimate, yet legal, entity of a company, the concept of which was introduced in that landmark case, *Salomon vs. Salomon 1896*, which established the principle of corporate personality. So, in starting to address this deep and glorious subject, we have confirmed the existential nature of the question.

Martyn Best
Managing Director,
Document Direct



For me, an understanding begins with re-evaluating René Descartes’ outstanding contribution to philosophy: *Cogito Ergo Sum*, aka “I think therefore I am”. A clearer translation of his definitive statement might be, “I am thinking, therefore I exist”. In his triumphant statement, he convinces himself of his own existence, and rather cleverly. If a human can be absolutely certain that they are thinking, by the logic that it is impossible to doubt the existence of your own thoughts as in the actual act of doubting, you are very obviously thinking, then that human exists.

It only takes one small step to apply that to a corporate entity - if you believe there is such a thing as a ‘company culture’, then there certainly is. Now all that may sound rather complex, but in summary, company culture is the direct compilation of the collective thoughts of us humans.

Crikey Martyn, what a splendid start! Very apt to turn to both law and philosophy IMHO, particularly as I know Such has a penchant for the philosophical aspects in our discussions pertaining to business and the legal world. Immediately Such pipes up ...

Such: Company culture is an emotional experience. It isn’t what is said or done but how it ‘feels’ to someone. Every company has a culture whether it’s good, bad, or indifferent. I’m a firm believer in creating a supportive culture, where people can explore their talents and have the freedom to make mistakes so that they can take bigger strides in their development. That has undoubtedly helped my businesses grow at the rates they have done.

I accept that you have to help shape the culture by acting, saying, and doing certain things but it starts with the leadership team. Everything culture-related flows down from there. If leaders in a business are not engaged with culture, people will create their own culture, which might be good or bad. Importantly, the leaders will lose control of influencing it in a positive way. A company culture will impact the growth of a business AND the bottom line. It unequivocally supports the notion of ‘we are in it together through the good times and the bad’.

Chris: To me, company culture means the attributes, goals, and values of an organisation. The culture is the set of formal and informal systems which connect a group of people within an organisation, and guide the structure and ways of working. By establishing a strong company culture, an organisation creates an ecosystem in which people can thrive.

David: To me, it’s about people within an organisation supporting a shared ethos. I think it can be a bit of a chicken and egg situation, where the values and culture of a company initially come from the founders, with the company then attracting more people who share those values but may also organically change the culture. That’s why M&A can present a problem, or if a company experiences a rapid period of growth and accelerated recruitment, culture can become diluted or even be changed unwittingly.

Culture

People

All interesting views guys. Ladies, what are your thoughts? Please do share ...

Priscilla: Company culture means a genuine team spirit to work towards the common goal of the company, entwined with personal ambition to do well.

A firm can only incorporate a company culture if the management team/board are aware of the firm's vision and know what is required to create a culture. Simply working towards the firm's service level agreements, or bonus structure is not enough; these are things that are inherent within employees to do well at work, but taking the time to understand what the company culture is goes deeper. It means understanding your colleagues and how they operate, knowing their strengths and weaknesses and how this can strengthen or weaken the company culture, and lastly, knowing what the unique factor is that creates that culture.

Why do employees join your firm? What is it that is attractive compared to other firms in the industry? Once you can answer this, you start to understand what your company culture is.

For example, being a niche company in the market like PCC – an outsourced company solely focusing on post-completion work in a conveyancing transaction that helps reduce land registry requisitions whilst allowing law firms to offer a better client care experience to their clients – is built on a company culture of excellent client care service, and on being that complete supportive backbone for law firms after a transaction is completed.

PCC knows the pressure points in a conveyancing transaction and attempts to release those elements from the law firm, so that the experience has a positive effect on all parties involved in a transaction. This is what creates PCC's culture.

The consultants of PCC know that they work within a niche company, perhaps it is not so attractive as working in a law firm yet this is what makes PCC unique, and therefore, the company culture derives from the uniqueness of working in a very niche market.

To conclude - understand what your service/product offers to the market, how you position yourself to stand out in the market, and then tailor your firm's ethics towards this common goal.

Sinéad: Culture is as unique as our DNA, it's the soul and the personality of your business. It's our collective WHY. It's how people interact, it's how people are made to feel, and it turns a group of individuals into a team.

At its best, it is something that develops organically from the top down, it's a living, breathing ecosystem that needs to be nurtured and developing over time, as it impacts all aspects of the business.

I think everyone desires to work for a business that has a strong culture (in one aspect or another), and it's especially important if you want to win the current recruiting war. It starts with words and actions, and ends with making people feel valued, respected, and appreciated – and that's the kind of environment in which I would want to work!

Nicely put, ladies. You mention 'ecosystem', Sinead. I presume the ecosystem involves both humans and machines, therefore ...

Does technology have a part to play in culture?



Priscilla Sinder
Director, Property
Conveyancing Consultancy

Such: Very much so. Communication within a business has a huge part to play in culture. Traditionally, communication would be face to face, in physical meetings, and via email. In today's working environment, where home-working is the norm, using tech platforms to help communication is vital. It is used for posting messages, documents, holding video meeting, polls, surveys, and more. For example, we use Slack and create channels for teams, events, and projects, to name but a few.

Individuals use it for direct messaging. Leaders use it for announcements or team projects. It plays an important role in getting information out quickly and efficiently for all to see (or not, if a channel is made private). For us, this supports 'teamwork' and 'transparency' within the company – two values which definitely shape our culture.

David: Most definitely. Both positively and negatively. Company intranets, for example, can be used to help communicate and build company culture, especially when you've got a distributed workforce across different locations or working remotely. However, it's not easy. If you're going to rely to some extent on technology to strengthen company culture, you've got to have a solid strategy, really understand the impact on stakeholders, and be mindful of the pitfalls.

Chris: A law firm or legal department should regard its LegalTech-stack as the devices and systems which underpin, support, and maintain the company culture. For example, a law firm wants to set up a healthy company culture of open communication, strong relationships, and good work/life balance. This makes an instant messaging platform a crucial element of a tech-stack – a space for instant, fast, informal communication. Meanwhile, a platform which enables asynchronous communication allows employees to answer when they have the time, thus respecting one another's capacity and boundaries. Through functionality, such as a 'status', employees can easily manage others' expectations about their responsiveness. This is how a well-functioning and implemented tech-stack leads to happier employees and healthy working cultures.

Of course, creating spaces in an office where people can sit comfortably and have a coffee with one another, or organising after-work events also contribute to a communicative, healthy company culture. The trick is therefore to combine a tech-stack with other elements to support the company culture.

Oh-oh, talking 'tech-stack' as underpinning company culture may attract some pushback from our friend Martyn, methinks Chris ... Hmmmm ... What do you have to say on this, Martyn?

Martyn: Having declared that it's us humans that create company culture, why are machines now entering the discussion? They are pesky critters and seem to be a regular intrusion into these debates.

Technology does not create culture – people do.

Does it have a part to play (?) – a very semantic take on the question. Well, of course it can help capture, spread, maintain, communicate, and inculcate culture. By all means, let us use any tool we have, but let us not abdicate that vital responsibility we have for the creation of culture.

Suchet Amin
(aka Such)



Culture-creation

We can always rely on you to be candid and oh so human. Love it, Martyn *wink* ... I'd welcome your view, Sinéad, to mediate between these two fellas. Thoughts?

Sinéad: Culture is key to every business's success, and technology plays a huge part in enabling culture within a business.

Technology facilitates culture.

Technology allows us to stay connected. It allows us to create comms platforms that provide touchpoints throughout a business. When people feel that they are part of something, are being engaged in transparent communication, it helps create shared understanding of your firms' goals and establish an authentic voice, and with that, great things can happen.

Internal communications are a key building block to fostering a business's culture and sharing its voice. Technology can play a huge part in helping bolster those comms. Internal communications are all about how information flows through your business. It is about how to keep your employees informed and with virtually unlimited digital resources, tech allows that to happen.

Can you over-communicate in a business? I don't think so. So, seeing your colleagues on Teams, collaborating on WhatsApp, or networking across socials, all means connections which allow you to nurture relationships, and ultimately strengthen culture.

Ahh, so, a difference in opposing viewpoints, aka 1) technology creating culture, and 2) technology facilitating culture. I like that ... Let's get into the nitty-gritty of it now, shall we? ...

What creates a company culture, one that is driven from the top or one that is inclusive, where direction and the company ethos is more of a shared responsibility?

Such: The seed of culture creation, in my view, starts at the top. Leaders are expected to lead, to inspire, to create, and to act. How the leaders conduct themselves naturally creates a culture, whether intended or not, simply because others see what is being said or done and assume that as the norm. The leaders create the rhythm beat to which most follow.

I do believe, however, that everyone has a responsibility to support the culture, by shining a light on others when they are embracing the right behaviours, or equally, when they are not. In our company, we have a set of core values, and provide videos and material to our people. Essentially, these explain what our core values stand for, and give examples of positive and negative behaviours. I pass on the responsibility to hold each other to account equally across the workforce through a few initiatives.

For example, leaders encourage people to nominate a person for our monthly Recognition Award, and the nomination must cite at least one core value with details of why they are being nominated. The whole workforce then completes a poll of which nominees get their vote. Every new employee is welcomed at our monthly meeting by everyone introducing themselves, selecting a core value and then explaining what that means to them. There are others, but I find these two are the most powerful for sharing responsibility on maintaining and influencing culture.

Martyn: Culture, or more critically, its survival, and indeed evolution, must be a shared responsibility of all stakeholders of the entity.

The easiest origin is to credit the founder, but if there is one person who starts a company and its related culture, and is 100% responsible, well that quickly dilutes to 50% upon the addition of that second stakeholder - be they employee, partner, investor, customer, or any other external or internal influence. Well, obviously not precisely 50%, but you get my general drift.

Sinéad Sopala
Head of Strategy
and Business
Development, Levi
Solicitors LLP



The purity of that first vision can quickly be polluted, unless there is absolute and amazing energy, clarity, and communication - by word and action - of what that culture is. In fact, not just energy, but a zealous, manic commitment.

Culture may start at the top, but it quickly becomes a collective responsibility. In fact, changes, or at least influence, in culture will most certainly be driven from elsewhere.

Priscilla: A culture that is driven from the top cannot have shared values or common goals with the rest of the firm because there is no inclusiveness. The word 'culture' means a set of beliefs of an organisation, which is bound by inclusiveness and shared values.

Although direction should be given by the top, this does not mean that values are dictated from the top. If the board/management team provide the outline of the company culture, provide examples, and give the team the leeway to develop these values, then there will be a sense of inclusiveness which is crucial to develop the company culture.

David: Ultimately, I believe, authenticity creates a company culture. You can invest as much as you like in getting consultants to define the brand and company culture, but if it's not authentic no one is going to buy into it. It continually surprises me when senior leadership teams embark on company culture exercises with no consultation with other stakeholders in the business. If you've lost sight of your company culture for any reason, or you want to reinvigorate it, you've got to understand what resonates with employees and customers before you start broadcasting a message that they may or may not agree with.

Of course, you can innovate and improve your company culture but I don't think you can simply impose a top-down idea of what your company culture is without it being rooted in reality. Dial up the good stuff, work on the bad, develop a strategy for getting to where you want to be that's authentic and self-fulfilling.

You mention 'strategy', David. Let's explore this further ...

Can company culture be a barrier to adopting LegalTech? And if so, is this an insurmountable challenge, or is it still possible to introduce new technologies to companies or teams where the culture isn't optimal for innovation?

David: Absolutely. Companies with risk-averse cultures are a prime example of where the adoption of new ways to do things is often met with resistance. The concerns are genuine - what if the change exposes the company to risk? What if the project fails? However, if the culture prevents the company from moving forward, doing the risk assessment, and making informed decisions to take that risk, it can be very difficult to introduce LegalTech.

A company culture that has a mindset of 'we know best', a certain arrogance, can also struggle to innovate because there's a perception that there's no room for improvement. These companies are often the ones with antiquated legacy systems and processes that are a huge drain on their teams' time, simply because they're not open to taking advice from outside the business.

Lack of diversity is also barrier to adopting LegalTech. It's been proven that companies that encourage diversity, that have an inclusive culture, are more innovative than those that do not. I don't think it's an insurmountable challenge, provided you have some LegalTech champions within the business, people who can make the case and understand the barriers within their organisations. They have the inside intel on how to overcome resistance and how to position the change - fear of the unknown is usually at the heart of the issue - in a way that other stakeholders will engage with.

David Wybourne
Head of Legal AI,
Cloud Business



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Martyn: The adoption and success of new technology is absolutely dictated by the culture within a company. The receptiveness and willingness to embrace change is so much more than an issue of company culture, and this is where my Descartes principle strikes right at the heart of the issue.

The fundamental starting point of people is often to resist and fear change. If that primeval emotion has not been discouraged, then it will be at the heart of company culture. Get the human culture right and the company culture will be right.

If the culture is sub-optimal for innovation, then the success rate will be too. It's a sort of "I don't think, therefore I'm not".

Which then begs the question ...

Can technology change company culture?

Chris: There is a symbiotic relationship between a company's culture and its technology: these elements directly influence and change one another. Modern law firms and in-house departments need to be agile and modern, innovative and competitive. To achieve this, an organisation must onboard the right technology.

A growing trend in the legal industry is the implementation of low-code / no-code (LCNC) development. LCNC platforms enable users to build applications with visual drag-and-drop interfaces, and are powerful tools for transforming and empowering a company culture. With LCNC tools, solutions are built by, or in collaboration with, those who are most familiar with the needs of the organisation and its clients: the business. Meanwhile, IT teams can establish full governance and guidance to securely enable rapid application development.

LCNC platforms thus create a company culture of empowerment, innovation, agility, and collaboration. First of all, employees are provided with the tools to independently, and securely, solve their own and their clients' problems. Not only this, but they are provided with full guidance and support from the IT department who train and teach ideation, development, testing, validating, and iterating processes. As a result, LCNC development is a collaborative process where IT and legal teams, which are typically siloed in an organisation, are brought together. Meanwhile, LCNC platforms enable rapid application development where solutions are built in agile development processes, where a prototype is first built and then developed through short iterative cycles using end-user feedback.

Organisations thus become extremely efficient and agile, able to immediately build or amend tools which are required internally or externally. Through LCNC development, innovation becomes a company-wide initiative that is management-led, IT-guided, and in the hands of every employee.

Interesting, Chris! David, you've had experience working with other sectors beyond Law Land and with in-house legal teams. What's your opinion? What can you share with us that may assist the board and our readers further please?

David: Technology has the power to change company culture – positively and negatively. The problem is that to affect change you need to use technology very strategically. You can't simply deploy a solution and expect the technology to improve company culture in the background. In fact, if you do that, you're more likely to see a negative impact than a positive one.

For example, collaboration platforms like Microsoft Teams. They have the power to create a virtual environment that can help build culture, especially for remote, hybrid, and distributed teams. But for that to happen you need people within the business proactively using the platform in a way that builds relationships and models the company culture and values. Otherwise, tools like Teams end up being used much like email or text messaging. Conversations become one-sided and are just about passing on information - not having a free-flowing exchange of ideas, sharing of experiences, and working together.



Chris Williams
Legal Tech Expert,
Betty Blocks

LCNC

Environment

The metaverse has a lot of potential for changing company culture. Its technology creates a virtual environment that feels like an office, such as when using live streaming tools to work on something together or just to occasionally chat, and where other colleagues can effectively butt in without having to formally initiate a conversation – as you do with a chat message or email. But again, it's not a question of just plugging the tech in and letting everyone get on with it, you need a robust adoption strategy if you want to use it to change culture.

So, I think modern workplace technology can help change, build, or enhance culture, but you need to have a plan to get it right. Otherwise, you risk people feeling more disengaged from the business because everyone is 'hiding' behind the technology.

Martyn: I think that the best tech can help influence change, and here I'd bring in my cultural and change hero, Apple, and of course Mr Jobs. Just look at how he, through the trust of the beauty of design, brought technology into everyday life, and then through that use has helped encourage change in many other areas. By removing the obstacles to using tech, it has opened the doors to many more complex examples of tech, such as online shopping and commerce, face-recognition security, phenomenal personal and business interactions, and the development of a multitude of diverse applications.

Martyn Best
Managing Director,
Document Direct



However, I think you can guess my response here – although it's not a whole-hearted *no*. I'd say more that technology, and it's probably a begrudging acceptance, can act as a catalyst for cultural change. That darned horse won't drink that technological water, no matter how hard you drag its change-resistant culture.

**Guffaw* *Raucous laughter* *Chuckles* *belly laughs* bellowed around the ring and room from all.*

Many of us took this 'natural break' to replenish our wine glasses and nibble a few more mince pies, including *The Naked Lawyer* ... but who's counting?



**Whizz-bang* *Whoosh* *Ping*
Ping *Ping* *SPLAT!!!*... Incoming
... A spray of muse bombs festoon
light up the room as The Naked
Lawyer topples from her Segway...*

Oh dear ... Obviously she's had one too many from the office bar ...

Just ignore her guys, she's old enough, and practised enough, to sort herself out ...

Carrying on, all thoroughly energised with a plethora of musings as a direct result of *The Naked Lawyer's* accidental onslaught, I encourage the conversation and input to flow naturally by reconvening and picking up where we left off ...

Is there more to innovation than technology? How does a company culture contribute to innovation?

Chris: The most powerful and successful innovation strategies are supported by the right technology and the right company culture. The right mindset and culture are the foundation of your innovation, while the right tech-stack is what sets an innovation roadmap in motion.

At its core, innovation means taking what is already there and looking at ways to change and improve it. Thus, innovation starts with the ability to look critically at current systems, market trends, and client needs, and spot the opportunities for improvement. This is where the innovation mindset comes in: being able to observe or spot problems, and conceptualise or identify their solutions. A problem-solving mindset is key to innovation projects, and is something an organisation must inspire and train amongst its employees. This could be achieved through workshops, inspiration sessions, or innovation days.

The right mindset and culture also have to be given the space, time, and priority to flourish. We have learnt from our clients that innovation projects regularly end up on a backlog, pushed back by work that takes a higher priority. To avoid this, organisations must make non-negotiable time for innovation projects. Rather than expecting this to happen as part of, or on top of, everyday jobs, proper capacity must be given to innovation.

Another way to realise this is by establishing innovation or multidisciplinary teams, composed of employees from various departments who have innovative ideas and mindsets. These teams take care of the project management element of innovation, and ensure that priorities are in the right place.

Take the example of implementing a low-code / no-code (LCNC) platform into an organisation. Through a visual drag-and-drop interface, LCNC tools empower business users to build internal tools and innovative client-facing solutions. This empowers users to fix their own problems, as well as their clients'. However, without the right mindset in place this technology will not lead to a successful innovation strategy. Instead, a firm should start by teaching foundational problem-solving mindsets, and reserving a set amount of people's capacity for the projects. Additionally, an organisation should establish a fusion team of builders with various levels of expertise who are able to guide and aid one another in the development process. This way, business users have consistent access to all the guidance and resources they need, and never get stuck or discouraged. This is how technology and mindset fuse together to establish a successful innovation strategy.

'Mindset' ... "I couldn't agree more", slurs *The Naked Lawyer* as she waves a half-full Malbec precariously in the air. *hic* *hic* ... "Anyone for a top-up...or a Chablis perhaps?" ... (Typical, she has an expensive taste)

Tsk Tsk madame. Since you are now unburdened of muse bombs, may I suggest you gather yourself together and sit quietly on your Segway. We're all good, thank you. All 'mused out' in fact. Here, have another mince pie to mop up the fluid. *Bless* ...

Turning to the troops, I nod to encourage further discourse ...

Priscilla: Innovation and technology mean two very different things. Innovation can be a new idea that creates a new product or service for the market, and it is the technology that sits upon this new idea that allows the service/product to be implemented into an organisation.

For example, if we take blockchain technology and conveyancing. How can the two work together? This is the innovative idea, and then the implementation of how the staff/organisation will use this piece of technology creates the infusion of innovative technology.

Therefore, innovation comes back to the ethos of what the company culture is and where it derives from. If the idea is provided for from the top but the responsibility of understanding it, sharing it with the team, and developing it as a workable product, this all contributes towards the successful implementation embedded into the company culture.



Priscilla Sinder
Director, Property
Conveyancing Consultancy

Blockchain

Problem-solving

David: My understanding of innovation is that it's about making a positive change - big or small. It's about questioning whether something could be done better, challenging the status quo. So, a culture of curiosity, that asks the question "why are we doing things this way?", that encourages everyone to ask the question "why?", drives innovation. Technology doesn't innovate by itself.

David Wybourne

Head of Legal AI,
Cloud Business



Martyn: Innovation has to be the mother of technology, and its midwife is culture - or something like that.

Culture is a vital element of innovation, or how could anything happen, or should I, of course say, the right culture. Innovation is so much of a more important element to supporting and securing a thriving culture - though I'm not sure which is now the chicken and which is the egg.

Technology is surely just the functional by-product of these elements.

Ooh, I LOVE that analogy, Martyn ... "Innovation has to be the mother of technology, and its midwife is culture." Picking up on your mentioning of 'functional' ...

If your process and systems are merely functional and repetitive why bother wasting time with culture? Why not just deliver a consistent service which clients want?

Martyn: Ah-ha, let us not think that process and functionality are an example of "bad" culture. If your organisation is set up for such consistent functionality, and it is successful, well then, that is its culture. The key is then not losing sight of that, and not allowing the precise focus to be lost. The old General Electric had a super culture of solid, steady growth, good profitability, and sound cash flow, until new so-called innovative, bold management took it away from that "boring" culture and destroyed an icon of British industry. Let's not lose sight of what culture is, because context is also important.

Priscilla: We are humans and providing a repetitive service with no human qualities will lead to a very cold, inhumane robotic service. I fear the conveyancing world is falling into processes and systems where culture can be dismissed as simply working with technology to create a fast service. A fast service that is based on technology and tick-boxing that has pre-determined options, providing standard responses is merely a functional firm. Conveyancing requires more than a functional firm.

Conveyancing is not a simple service that is solely driven by technology and compartmentalisation into square pegs. One needs to provide a client care service based on the company's culture.

A consistent service is delivered through company culture and not through technology or processes and system. These are simply tools that allow us to provide an efficient service, but the client care service is based on the company culture, which needs to be tailored to each client's transaction. Each file is unique. Square pegs do not fit into round holes.

An example of this is where there is a title defect. The process here is to understand what the problem is and try to resolve the problem so that when the client sells the property in the future it is seamless. It could be argued that providing this situation to a high-street firm, and providing this scenario to a factory-style firm, will produce two different answers. It could be argued the former practice will try and resolve the actual problem, whereas the latter may opt for the quicker and cheaper solution, such as an indemnity policy.

We must be careful not to dilute our skills and knowledge. This is what sets us apart from a repetitive service versus one that is based on a company culture.

Such: Culture is predominantly an internal concept. If culture does not inspire or empower the people within the company that deliver the service, the ability for them to deliver a consistent service is compromised. No one wants to work in a hostile environment. But if they have no choice, their commitment and dedication to delivering the best service is massively compromised. They will be thinking, "if my bosses aren't taking care of me, why should I take care of them (or their clients)". Many will have heard of the concept, 'what's in it for me?', it is an important question which I constantly ask standing in the shoes of others. If I can understand what's in it for the person I'm dealing with, I can align myself quicker and help. So, when it comes to our people, what's in it for them when it comes to culture? Well, I'd say job security, support, enjoyment, personal development, personal satisfaction, friendships, community, and much more. Most of these are emotional outputs which have a strong influence over actions. Feed a positive emotional output, you'll get a positive action.

David: What about your people? Don't they deserve to work in an environment that has a positive company culture rather than what sounds like a sweat shop?! From a client perspective, if they just want a consistent service and don't want to have a relationship with your business and people, that's fine - automate all your functional and repetitive tasks and cut out human interactions unless necessary. But if your people are what makes your service great, if you want to build trusted relationships with clients, company culture is everything.

nods *smiles* *murmurings* ... Let's deep-dive into the 'people' element further, shall we? ...

How does culture (including technology) play a part in your recruitment process/probation period/ongoing personal development?

Martyn: Let's assume you have a culture that all believe in and nurture. Let's assume you want to grow and develop, and a key route for that is more resource and more people. In that case, a key priority becomes your recruitment and induction process.

Communication is a massive first stage of that - what is our culture, why is it that, why is it important, how do I contribute, what's our collective consciousness, how do we portray our culture, and very similar veined information needs imparting.

So, I'd turn the question around, and say that culture doesn't play a part in the recruitment process, but that it is the single most important driver of it - it all must start with culture.

And how can an organisation establish a company culture that attracts and retains talent?

Martyn: I'd rather think in terms of how can it identify and attract talent that will fit and enhance the created and developed culture. It's a double-edged sword of course, and what does come first, and this is really the chicken and egg question - especially in a company's formative years.

Chris: The legal industry is in the midst of a huge war on talent. We have noticed that talent is increasingly leaving organisations and jobs because people are:

- Frustrated with the current (slow) ways of working;
- Dependant on others for solving their problems;
- Noticing other industries that are more innovative.

Evidently, the legal industry is facing a workforce with many options and high expectations. Additionally, the modern workforce has started to care about more than a salary and a title. Instead, today's employees care about a job's extra benefits, the opportunities for growth, the colleagues, the internal systems, and the work atmosphere.



Chris Williams
Legal Tech Expert,
Betty Blocks

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So how can an organisation establish a company culture that attracts and retains talent? Especially one which is empowering, innovative, modern, and agile? By leveraging the right technology. This is crucial as modern applicants come from a tech-savvy generation which expects organisations to have tools which simplify and empower their work. The modern applicant wants to be supported to do the best work they can, have an impact in their jobs, and provide the best client services possible. Meanwhile working (partially) from home makes an integrated and seamless tech-stack even more crucial for maintaining a healthy work-life balance.

Oh-oh at the mention of 'agile' *The Naked Lawyer* rolled off her stationary Segway and partook in a spot of 'flexing her limbs' in what I suppose is a prelude to drunken dancing. Goodness, Lord help us. Ignore her please, gang. Let's crack on ...

Does education or experience create a better company ethos? Meaning, does someone with a law degree create a better company culture? Or, is a better company culture created from home-grown employees?

David: That sounds a bit like you're suggesting that uneducated people, or those with limited experience, are culturally illiterate! I know that's not what you mean, is it?! I imagine this is in the context of a law firm. I don't think people with a law degree are any more qualified to create good company culture in a law firm than those without. In fact, diversity is what creates good culture – drawing on experience across a multitude of variables.

Martyn: Where does this law degree suddenly appear from? I'm not sold on the idea that education has the prime part to play in creating company culture. Yes, sure, the more self-aware and experienced you are will play a part in those early stages, but a further key element in a thriving culture must also be diversity. Without that, surely staleness and ultimately extinction will occur.

Priscilla: I will answer this question with an example:

A degree in law will give you an understanding of why contract law is so important in conveyancing. A home-grown employee will also understand the importance of a contract in conveyancing; however, will the home-grown employee know about case law such as *Carlill v Carbolic Smoke Ball Co* [1893] 1 QB 256, and the distinction between offers and invitations to treat or *Donoghue v Stevenson* [1932] A.C. 562, [1932] UKHL 100, 1932 S.C. (H.L.) 31, 1932 S.L.T. 317, [1932] W.N. 139, a solicitor's duty of care that is owed to their client? These are the fundamentals that allow us to be the superb legal representative.

Will the home-grown employee bring such academic depth to the company culture? Perhaps not, but is a law firm built on an academic culture or one that is more practical and that can be seen by the home-grown employees?

I would say it is a combination of both. The employee who is home-grown will be exposed to the company's culture by default. The external employee who comes from a different background will need to adopt the company's culture so that they become part of the culture.

In my humble opinion, I think it all comes down to the individual. An employee will only find a culture that suits them, not the other way around. The employees need to adapt to a company's culture; the company's culture can never adapt to the individual.

Martyn Best
Managing Director,
Document Direct



Education

Personality

Hmmm, an interesting way of viewing the question and explaining your answer to us, Priscilla. Deftly tackled *wink* to avoid potential fisty-cuffs emanating from the possible misunderstanding or misinterpretation in relation to my question (particularly as we have all supped a number of alcoholic beverages and our thinking may be a little foggy). Thank you, lovely lady...

hugs *Ahhs* *smiles* ...

And your final point about “the employees need to adapt to a company’s culture; the company’s culture can never adapt to the individual”, leads me to ask you guys ...

Is culture the same as personality? If there is a driving force in a business, how do you make sure the business isn’t just a reflection of them, which would lead to obvious dangers if they leave, or if personal reputation declines?

David: It’s true that personality often defines culture but it’s got to be more than one person. Company culture needs to be embedded within the organisation so that everyone’s aligned with it. It goes back to the concept of a shared ethos. While personality traits may have helped create the culture, they need to be translated into qualities and values that everyone can identify with and practise in their working lives.

If you’re aware there’s a danger of your company culture being eroded in some way because it’s driven by one individual, I would suggest now’s the time to act and get the business as a whole to take ownership of the culture. Get a team together and make a plan of how to reposition the culture as the company’s, not the individual’s. Returning to my earlier point on authenticity, now’s also the time to review whether your culture is authentic – particularly if that driving force was to leave or suffer reputational damage. Is the personality, values, and ethos that have shaped company culture sustainable without them in the picture?

Martyn: This is certainly an important ingredient and partially related to my earlier thoughts on diversity. A thriving culture needs refreshing and nurturing and it needs champions and vivid examples. It is also those very people who are equally capable of creating competing environments, and so handle with care.

A driving force of a business will surely cast their personality on its culture, as will new energetic and charismatic recruits. You can’t ignore them, and you can’t avoid them – well, I guess you could if you want an easy life – so I guess again that you need to have an awareness of what is happening with that ever-dynamic culture.

So, what if we don’t want an easy life? *wink*

How do you nurture and cultivate a strong culture?

Martyn: Let’s throw some ingredients on the table: communicate, nurture, innovate, respect, consistency, and awareness.

These all need attention and care. But the single most important element is – people. Find, attract, nurture, train, engage, reward, and respect them, and you will be able to create the best culture you want.

Ergo, what are the benefits of investing in company culture?

Martyn: Does this question really need answering? Yes, of course – but the benefits touch upon every single aspect of everything we do. It starts with helping distinguish what we do, it nurtures growth and a sense of belonging, it adds to economic success and helps provide future success, and it fundamentally provides the, as René would probably say, our “raison d’ être”.

Sinéad: There are so many benefits to cultivating authentic culture in a business... building a community of trust, cooperation and respect goes a long way to developing a positive and virtuous culture, as long as everyone (and I mean everyone) “walks the walk”, and is a truly lived experience for all.

Sinéad Sopala
Head of Strategy
and Business
Development, Levi
Solicitors LLP



Strong culture can deliver higher levels of performance across the business from financial gains, elevated productivity, increased customer satisfaction, heightened brand identity, improved employees’ health and wellbeing, and boosted employee engagement and retention.

Getting culture right can be beautiful. Get it wrong, it can be brutal!

Well said, Sinéad. Speaking of beautiful and brutal, we all turn in the direction of the piercing snoring interjected with prrrrrrring Zzzzzzssss to observe her ladyship curled up across her Segway.

Ahhhh ... so cute ... this is what ‘beauty-sleep’ (meaning “peace”!) looks like. We’d best not disturb her. Right, let’s wrap this up gang and escape before she wakes! I have one final question:

What are your predictions for 2023 in relation to company culture being positively or negatively affected by the use of technology for the good of its people, clients, and bottom line, during a recession?

David: I think culture is going to be tested to the max in 2023. For many organisations it’s going to be tough and it’ll be even tougher on employees as the usual scenario in recession is that they’ll be tasked with doing more with less, or the same with less, or more with the same. Technology can help with all these scenarios and by deploying the right tools to help your team, you send a clear message that you value them and are trying to provide a supportive culture.

I think also, in general, companies are more aware of the importance of company culture. Especially as many experienced a negative impact on culture during the pandemic and understand how good company culture can help a business considerably through challenging times.

So, my predictions are that the impact on culture will increasingly be part of decision-making in 2023. In terms of technology, that will mean companies actively exploring solutions that help improve company culture, but also asking the question “how will this technology impact culture?” when exploring solutions that address other challenges or requirements.

Martyn: I’m not sure why 2023 should be any different from any past year on this element. It just is not about technology – it’s 100% about people and attitude. Technology as we call it adds nothing more than a piece of paper, a pen, and a suitably worded memo. Of course, technology can help support the message, and help ensure some better degree of consistency, but if the hearts and minds of your people are not in tune with the culture you are doomed.

Hmmm ... speaking of doomed, with Open AI releasing ChatGPT to the public recently, we can forgive those who may think we may all be doomed now that AI has (arguably) gone mainstream. Because technology can INDEED ‘support the message’ now, literally ...

2023

ChatGPT

I asked Open AI's ChatGPT to "explain how technology may enhance or detract from a positive company culture?". And this is its response (created and received within 2 seconds, btw!):

Technology has the potential to both enhance and detract from a positive company culture, depending on how it is used. On the one hand, technology can facilitate communication and collaboration among employees, making it easier for them to work together and share ideas. This can lead to increased productivity, creativity, and a sense of camaraderie within the organisation.

For example, many companies use tools such as instant messaging and video conferencing to allow employees to communicate and work together in real time, even if they are located in different parts of the world. This can help to break down barriers and foster a sense of teamwork and community within the organisation.

However, technology can also have a negative impact on company culture if it is not used properly. For example, excessive use of technology can lead to employees feeling disconnected from one another, leading to isolation and a lack of a sense of community within the organisation. This can lead to decreased morale and productivity, which can have a negative impact on the overall culture of the company.

Additionally, if technology is used to replace face-to-face interactions and personal connections, it can create a sense of disconnection and disconnection from the organisation's values and mission. This can lead to employees feeling disengaged and disengaged from their work, which can have a negative impact on the company's culture.

Overall, technology can be a powerful tool for enhancing a positive company culture, but it is important for organisations to use it wisely and in a way that promotes collaboration, connection, and a sense of community among employees.

A neat response and summary, IMHO. If I hadn't told you that an AI wrote this text, would you have known or guessed it wasn't me?

chuckles *grins* *smiles* then nervous laughs ensued ... Ssshhhhhhh you'll wake *The Naked Lawyer*!!! ... Too late ... Up she sprang like a gazelle alert to a predator ...

The guys, noting that *The Naked Lawyer* had spied the huge bunch of mistletoe earlier and constantly glanced at each of them throughout the session (obviously biding her time to pounce when the chance presented itself), were like whippets out of the traps. Observing she was a little unstable on her feet having woken suddenly from her 'free bar' alcohol-induced nap, they darted for the exit before she realised their great escape was in play.

Ah-ha... Well played ... The ladies not the gents, that is ...

Conclusion

Outstanding tactics and acting performance by *The Naked Lawyer*!!! *Applause* all round as *The Naked Lawyer* soberly steered her Segway to join Priscilla and Sinéad as we gathered and settled around the Christmas table to mine-sweep the remaining mulled wine and mince pies ...

munch *slurp* *yum yum* *mmmm* *slurp* *sluuurrrrrpppp* *chuckle*

As we jibber-jabbered and gossiped in swapping workplace culture 'horror' and culture 'amaze-balls' stories (as we ladies do), we also contemplated the prospect of AI be(com)ing mainstream throughout the globe, and the legal world, in 2023. There is a great deal more to consider and discuss on this exciting topic in due course, obviously. It would be remiss of the TiLL board to ignore Open AI's stunningly powerful conversational ChatGPT AI system, particularly as it has already been compared to great leaps in the history of human endeavour – from the nuclear bomb to the invention of the internet.⁵

For sure, in 2023 we will inevitably experience a challenging year on many fronts. A global recession together with a New AI Era may ignite a perfect storm which will likely bring further chaos juxtaposed with opportunity, IMHO.

How humankind copes this year and beyond will hopefully come down to a collective, universal, positive survival culture culminating from the many resilient individuals with strong and positive mindsets, attitudes, ethics, values, and morals, who will embrace the best of the human spirit and machine intelligence for the betterment of humankind ... and our fragile planet ...

As Open AI inevitably attracts more of us to experiment and use ChatGPT in our daily and working lives, and many curious folks begin to realise just how brilliant, and what a game-changer, it really is and/or is likely to be (spoiler alert, it is, IMHO), I suspect the "old dogs" and "darned horses" will race and gallop toward the AI spring without any encouragement necessary to gulp the nutritious technological water in their desire to accomplish new tricks during the recession ... *wink**wink*

The Naked Lawyer and I wish you all success, love, and light throughout 2023 and send you positive vibes to get the new year off to a fabulous start. Let's make it count!

By Chrissie Lightfoot
Chief Tech Advisor and Writer to Modern Law
(Chair of the 'Technology in Law Land' roundtable).
Chrissie is an Independent Non-Executive Director and Advisor, a global multi-award-winning Legal Futurist, Consultant, Influencer, Entrepreneur, Lawyer, AI LawTech Pioneer, Strategist, Marketeer, Brand-builder, best-selling author and Keynote Speaker. Founder and CEO of EntrepreneurLawyer Ltd



5. The Sunday Times, 11 Dec, 2022 – Business section – by Danny Fortson – "Big Tech falls behind start-ups in the race for the next big idea".



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