

STEP JOURNAL

Downloaded on 19th September 2024 - 09:04

Difficult clients

The challenges of acting for difficult clients.

It is a cliché that, in our daily lives, whether in our offices, in social or community involvement, we have to interact with all sorts and conditions of individuals. Some we like a lot, some we respect, some we find downright difficult.

Of course, our clients are also a similar cross-section of our societies and we cannot expect any different range of experiences or emotions. Some are wealthy through luck, either because they inherited or maybe they had a lottery win, some may have had a brilliant idea, and some may have been in the right place at the right time. Others have achieved success by workaholicism, some by sheer bloody-minded ruthlessness. Some may have taken someone else's original idea and exploited it to better effect than the inventor. And I could go on.

We know that when a client comes through the door for the first time and sits down they may have come from a whole range of different sources of introduction. One thing I think would be a minority experience is that the introducer had looked around and thought specifically whether the potential client's personality would fit in with yours or mine as an advisor. Even if they had thought about it, the impression may have been a skin deep one. However, I suggest that when the client does come in we do not say, in effect, 'you must take me as you find me'. We know that we have to deal with servicing what it is that the client wants to buy, rather than what we want to sell.

Given that we are there to tailor a specific solution for a specific client, I hope that we try and go beyond the simple facts of a particular client's situation and that we train our eyes and our ears to probe the influences that unlock the reality of the client's personality. Maybe one day, we will ask clients to go through personality profiling to aid our understanding. However, whether we do that or we do not do that, we have to face the reality that we do not necessarily find that we can like all of our clients as much as we would our best friends.

However, that does not stand in the way of our acting for them. As I thought of the duty of acting for a person that one does not like, I was reminded of a book which had a great impression on my youth. It was a Penguin book called *Six Great Advocates* and was the transcript of a radio series given by the late Lord Birkett in 1961. It was however the final chapter of that book on 'The Art of Advocacy', which made such an impression. I looked up my dog-eared copy and although what he said was in the context of a defence attorney in a criminal case I have always found it helpful and indeed inspiring.

Lord Birkett said: 'Now the plain truth is that when the advocate is pleading in any case, he is not stating his own views, and indeed has no right whatever to do so... The function of the advocate is to present one side of the case with all the skill he possesses.' And of the defence attorney: 'The duty... is to devote himself completely to his task whatever he may think of the charges, ... so that he may watch constantly in the interests of the accused, and say for him all that he would wish to say for himself, were he able to do so.'

Yes, total immersion in doing everything one can for the client, irrespective of personal feelings, but of course always acting with integrity and independence in not advising something that is beyond the law. For approaching it as a lawyer, we must never forget that our duty as an Officer of the Court is

overriding.

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