



Alison Foster QC



Q Did you expect the legal services sector to change so drastically when you started working in it?

A The changes to my corner of legal services, the Bar, have been astonishing in their number and depth since my days of pupillage in the 1980s. I could never have guessed that a number of them have been of immense benefit to the profession, likewise, the growth of solicitor advocates and of direct access practice must be two of the most obvious benefits to the public brought about by significant change.

As a non-male, non-public school entrant, I was extremely lucky to be a tenant in a relaxed and forward-thinking chambers. I did realise that elsewhere at the more traditionalist Bar, pupils back then did not attend tea, were spoken to but rarely spoke, and that matters of gender and heritage were considered far more important than amongst my close colleagues at (what was then) 2 Garden Court. There have been similar changes in attitude amongst solicitors and we have all realised, thank goodness, how vital the retention of senior women is to the balance and the integrity of law. Some progress, but nowhere near enough, has been made to address the issue of racial imbalance, but the change has been very marked from the 1980s.

Q What has been the key positive or negative impact of the liberalisation of legal services?

A Maintenance of the highest standards of integrity and service are always more difficult with the proliferation of service providers, but the great boon of liberalisation has to be greater public access to the necessary legal skills. The cost of expertise and the increasing complication of the mere mechanics of living have made accessibility to reliable, reasonably priced advice the real goal for legal services provision. I do not know how the balance will be struck in future, but at least we are constantly examining ways in which the law can be more user-friendly, cheaper and quicker. The challenge is to do this without sacrificing appropriate depth, detail and integrity, of course.

Q Who inspires you and why?

A The great legal minds of my time have also, in the most notable cases, been people of exceptional humanity and depth of understanding at the same time as first rate lawyers. I think it is the combination of brilliance and wisdom in such as Lords Dyson, Neuberger and Sir John Laws, for example, that inspires me the most. Their judgments and extra-judicial writing betray a deep knowledge of life, an understanding of culture, and of people, as well as the law - and a real desire to do good. You can't really do better than that. I

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am strongly in favour of acquiring an education in a non-legal subject if at all possible before committing to a life in the law. Each of the people I have mentioned read a non-law degree before they trained for the Bar, and I am particularly inspired by the wider learning that infuses the best judgments and serves to develop law and thought. The realisation that economic changes have made this a far less achievable goal now than it was for me, years ago, is a great sadness.

Q Have you had a mentor? If so, what was the most valuable piece of advice they gave you?

A I am hugely fortunate as there are a couple of people I would always go to if I needed to discuss frankly and in complete confidence a professional or ethical matter. I would count them as my best professional friends and I know I could, if I had to, wake them up at an ungodly hour with an urgent phone call, and they would answer. I have received great friendship and advice over the years, and try my best to “pass on the good turn”; the Bar is exhilarating and rewarding, but it can be very solitary. Good friendships are the best part of it.

As to the most useful advice, it has been this: always take a step back. You must think about your cases, not just work at them. It is very easy when under pressure to become so intensely involved in the minutiae and the details of a problem that you fail to step back in time to see your case or your problem in the round and to think differently, imaginatively and creatively about it.

Q If you were not in your current position, what would you be doing?

A Painting on a beach, barefoot, somewhere. ●

ALISON FOSTER QC is a Barrister and Joint Head of Chambers at 39 Essex Chambers.

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