More Than Knowing The Law Transcript

Reframing supervision as the greatest compliment

**Heather:** You're listening to More Than Knowing the Law, the podcast that explores how to minimize risk through building good business culture and approaches presented by the Legal Practitioners' Liability Committee.

Hello, and welcome to More Than Knowing the Law. I'm Heather Hibberd, Chief Risk Manager at the Legal Practitioners' Liability Committee. In this episode, we're talking to Anna Hinder about supervision in the legal profession.

You'll hear about the benefits of good supervision, not just as a risk management tool to deliver quality work safely, but also as a lifelong learning approach that helps both individual practitioners and firms alike. So, if you want to know what good supervision looks like, if you want to improve your own supervision techniques, or you think you may be receiving bad supervision, but aren't sure, listen to our conversation today and you'll come away with a clearer understanding.

Today we're talking to Anna Hinder. Anna is the owner of Searl Street Consulting. She focuses on the development of professionals in professional service firms, having worked most of her in-house career in professional service partnerships and investment banking. Anna holds a Bachelor of Arts with Honors in anthropology, a Master of Commerce and extensive postgraduate qualifications in leadership, human resource strategy and positive psychology.

Anna teaches the leadership and management subject at the University of New South Wales Law School's practice management course amongst many other things. Anna has a focus on organizational culture and appropriate workplace behaviour in the legal profession. And in particular, for today's discussion on supervision. Anna and I have a joint mission to improve the understanding and practice of supervision in the legal profession, not only because it's good risk management in helping avoid mistakes, but it also has other benefits.

Today, I'm delighted to chat with her about what good supervision can look like and what kind of culture firms need to get there. Welcome, Anna.

**02:23 Anna:** Hello, Heather. It's lovely to be with you today.

02:26 **Heather:** Anna, can you start by telling the listeners what attracted you to working with lawyers and supervision?

02:32 **Anna:** Gosh, well, I think like many consultants in the legal profession, I was dragged in without my knowledge. So when I was leaving investment banking, I did a presentation to a conference with our General Counsel at the time, and in the audience that day was HR directors of the law firm. So I was lucky enough to start working with law firms almost as soon as I started this business back in 2003.

I think the main thing that attracted me to the legal profession was its similarity to the types of partnerships that I had worked in. But having said that, there are definitely some nuances and some areas that are different in legal partnerships. And I continue to find those differences really interesting.

03:13 **Heather:** Now, if you ask people in most firms about whether they have anyone who's good at supervision, they usually nod and list off a few names, which makes me wonder, are good supervisors born or made? Does good supervision require a particular mindset?

 3:26 **Anna:** Yes, look, I do think good supervision is made in the sense that most of the firms who would tag a partner or a special counsellor or a senior associate as being a good supervisor, those people themselves have had the great experience of being supervised well, so I think you're made a good supervisor by having had good supervision yourself, I think that's the first thing.

They're also continued to be made across their career by being positively rewarded for being a good supervisor. So it's amazing the power of a "thank you", the power of someone getting promoted and saying, "I learned everything I know from insert partner name here..." I think that sort of feedback on the job across the course of a practitioner's career reinforces and helps them be a good supervisor.

04:14 There are definitely some characteristics that help individuals become good supervisors. So this is the born part. Lots of the research now on personality differences would say that about 50% of our individual characteristics come from our DNA. And so if you're open to experience, if you enjoy talking to people, if you get your energy from people, then I think that makes it a little bit easier to be a good effective supervisor. But it certainly doesn't rule out those who are differently wired. But I think it's definitely helpful to have had the benefits of being well-supervised yourself as you start out.

04:49 **Heather:** I think that's really true. But there is hope for those who haven't had good supervision, I'm hoping you're gonna say?

04:54 **Anna:** Oh, gosh, I have to say yes, not only because I genuinely think that's the case. But I think we continue to develop across the course of our career. And I think those if I flip your question around, I think those that aren't great supervisors today, I'd like to think that it's because they have not been exposed to what good supervision looks like. They haven't had the benefit of working people who are themselves great supervisors.

05:17 And that if they're exposed to the right information, and they talk to people who are good supervisors, and share some of those experiences and tips and things that we're talking about today, that I remain optimistic that some of those, many of those individuals can actually improve their supervision skills, and then experience the benefits of being a good supervisor as well. I remain optimistic. Heather, I hope you are too!

5:35 **Heather:** Yeah, of course. Before we look at the positive side of supervision, can we talk a little bit about what are the risks inherent in bad or no supervision? Why should people continue to listen to this podcast I guess?

5:48 **Anna:** Yes, look, I think there are some pretty serious risks of supervision when it is not done well. The most overriding factor for the legal profession and many legal practitioners listening to this would be aware of this is that it stops the legal profession meeting its requirements to be a self-managing profession. So, self-regulating profession, and at the end of the day, that focuses on providing a very high quality of legal advice to the community.

So that's really the benefit of good supervision. If you're not great at supervision, you can't be confident that you're producing good work for the community or for your clients. But I think the other risk that's inherent in it is that you miss out on an opportunity to develop your team members, you miss out on an opportunity to ensure that things are being done to the highest quality possible.

06:33 And I think the other thing for practitioners who aren't great supervisors, I think there is a level of worry and doubt that perhaps things are going out with errors or perhaps things are being missed. And that's a level of sort of stress and anxiety that I think can be removed by increasing supervision.

06:49 **Heather:** Yeah, they're all good reasons to keep listening, people. So, what are the most important attributes of good supervision then? Let's look at the positive side.

06:58**Anna:** Yeah, look, supervision is an interesting one, I think the first thing to sort of think about is that supervision is an outcome of a handful of skills that sit underneath it. So to be a good supervisor is to be good at analyzing the piece of work, how complex is it? How difficult is it? How much time is it going to take? What are the skills that are required to do a good job on it, then I think following on from that is good delegation skills.

So, that means being able to communicate the outcome that you're looking for, check that people understand it, followed by checking skills to see the work that the other person has done. And then finally feedback to make sure that they are aware of what they need to do differently. The final step, of course, is that final check before it goes out to clients.

07:40 So good supervision is actually an outcome of those four skills that sit underneath it, analyzing the task, delegating the work, giving feedback, and then a final check before it goes to the client.

07:51 **Heather:** And does everybody need to be supervised, we see lots of examples in the firms where mistakes are made, because people thought that that person was a competent Senior Associate. But surprisingly, this mistake happened. Where's the line with what kind of supervision people need?

08:09 **Anna:** Yeah, when you look across supervision across professions, this is a really interesting characteristic of the legal profession. So when I first started working with law firms, I would hear partners and senior associates say, "Oh, I don't have to supervise that person anymore." And having come out of management consulting, which has a bad reputation for a whole range of other issues, the one thing they do do pretty well in the strategy practices is supervision.

08:31 And so I started hearing partners and senior associates, "I don't have to supervise that person anymore", which was a bit of a red flag to me or an interesting area. And then I heard pick two or three, so, "Oh, you know, I'm on my own now, I don't have to be supervised anymore", as if supervision was a bad thing.

So I do approach supervision as something that happens throughout the course of someone's career, I think the type of supervision changes, and I think the focus of the supervision changes. But if you can compare someone fresh out of law school, PLT writing a client letter for the first time, that person is being supervised, and then fast forward that person to 10-15 years' experience, they're working on a complex matter, it has a large number of risks attached to it for the client, important that the firm gets it right, we might see that as a second set of eyes check or a peer to peer supervision check.

09:15 And that's just as valuable and just as important. So I think we can see supervision across the whole lifecycle. And if you compare that to engineering, to medicine, to other professions, they certainly don't seem to have the same sort of, "I'm glad that supervision is over and I don't have to do any more." That I think is much more common in the legal profession. What do you think, Heather?

09:36 **Heather:** Yeah, I think that's true. There's a real lack of understanding that different types of supervision are needed for different types of experience, but that people still need that sort of safety net in various ways and means, and that's not micromanaging. We're not saying it should be micromanagement, but it's providing that safety net, that support that people need throughout their career.

10:00 **Anna:** Yeah, and I think one of the things that kind of happen is that if you start off thinking of supervision as something that's negative or a constraint, it's only there because you don't know what you're doing and then it's easy to see how that sort of progresses across through someone's career saying, "Well, gosh, I'm really experienced, I don't have to be supervised."

But if you see supervision as a part of the legal profession, making sure that it provides good quality advice and good quality work, then it should be seen as a positive safety net, the ICU nurse who gets the orders checked by someone before she administers the drugs doesn't take that as a perception of what she can or can't do. It's just making sure that the health of the patient comes first, rather than the reputation or the perception that someone might be making a mistake.

10:42 So that second set of eyes check that I'm happy to have my work supervised, I want to make sure that I haven't missed anything I want to learn from the experience, I think supervision can be seen as a positive thing that helps professionals develop rather than a negative thing that people can't wait to be taken away.

10:56 **Heather:** And the other thing is that at various stages in our lives, we're all going through issues and in the claims, we see people who, senior people who might make mistakes, if there's a loved one at home, who's going through a health crisis, or there's been a death in the family, a divorce, even if they're moving home and their eye are off the ball, because there's so much else going on outside their workspace. So people will need support at various times throughout their lives and having that second set of eyes, that checking is really important, I think for everyone at various times.

11:31 **Anna:** Yeah, look, I think that's an interesting one. Because as you say, you're in the middle of moving house and the kids are sick, and you've got all this stuff going on, then ironically, that's probably at the point where you are least able to say, "Gosh, I think I need a second set of eyes on this." But it's also probably the point of highest risk where you're likely to miss something or make a mistake.

11:52 And I think that sort of feeds into the interesting things. I think the great thing about law is that it's a very ambiguous type of work for different people for different opinions on almost everything. But the chances are that if you're only relying on your own mind, and you've got all of these life stresses and life things going on, then you can easily miss something. It's not that you're not a good practitioner, it's not that you don't want to do great work for your client. But just things can slip through when the bandwidth of your mind is sort of thinly allocated across a number of things.

Whereas if you say, I've got a lot going on here, I would value a second set of eyes on this, or I'm pretty sure that I've got everything right, but I'm putting the client first and I want to check on it, then I think we can sort of give some backup to those critical times where we might be stretched a little bit thin and we perhaps don't realize it.

12:33 **Heather:** Yeah, that comes back to the culture of the firm, doesn't it, about that people are there to support and not criticize?

12:39 **Anna:** Yeah, look, culture of the firm is a whole other ballgame. But I think supervision systems and the way people's, particularly people's attitudes to supervision and the way senior leaders, role model good supervision, I think that can make a tremendous difference to the culture of the firm and the comfort of people putting their work into be checked or asking someone to take a look at it.

I think the most interesting sort of test of a firms' sort of culture, when it comes to supervision is to have two senior people role-modelling, checking each other's work, that sends a lovely positive message to the juniors or the people who had less experience perhaps, that they shouldn't fear or they shouldn't fear being judged by having their work checked, that there's not a perception that they've done a bad job or a lesser job, it's just these are the systems that we use to ensure that great quality work goes out to clients.

13:29 **Heather:** Yeah, that's a really good point. Can we talk a little bit about the phenomenon that I know I've heard you speak about before about abusive supervision?

13:34 **Anna:** Heather, I was hoping I wouldn't have to talk about that. Thanks for that. Yeah, look, abusive supervision is what it's called in academic world. And I am \*13:45  about whether to re-label the terminology, I settled on just using what other people use in terms of the terminology. But the abusive supervision was a term coined by some researchers in organizational studies.

And they've been looking at how supervision goes bad and how supervisors can use their position and status and power to make the experience of those being supervised, poor or negative. So I've had, I'm a bit of a psycho, I have this sort of interest in half-life between academic and corporate. I've been reading the research on abusive supervision for many years now. But I always was hesitant about talking about it or bringing it to the attention of people because we didn't really know how people recovered from abusive supervision.

14:30  We knew quite a lot about what makes a supervisor potentially abusive, but we didn't know how to help someone who has been abused in the sense of they have worked for someone who was an abusive supervisor. We didn't know how they recovered from it. Just in the last couple of years, there's been some lovely research to show that the way to recover from someone supervising you badly is actually the learn to be a better supervisor yourself.

Now when I first read that I couldn't help but smile because I spend my days teaching people how to be better supervisor. Yep, this is great, but it also makes sense too because one of the characteristics of abusive supervision is that people feel like they can never do a good job. People feel like they're never good enough, sometimes referred to as the set up to fail syndrome.

But what happens is, the person isn't given instructions, they're given work that doesn't suit their skill set. They're made to feel horrible about it. It's people who would say something like, "Well, you should just know how to do that." And then if you've heard that for months, and months and months, you might think, "Geez, I really don't know how to do that." And then you start to doubt yourself, and you get this sort of cycle of abusive supervision.

15:31 So it turns out that one of the most effective ways to recover from let's just say, an experience of working with someone who was pretty horrible, it's actually to learn how to supervise well, yourself. And so what that allows you to distinguish between is your behaviours and how you were performing in the role versus the interaction of that person and how they were supervising you badly.

So yeah, abusive supervision is a tricky little area, I know the terminology itself is pretty loaded. But when I put that sort of sequence of events in front of fee earners, it's fascinating to see the number of people say, "Ah, I can remember being supervised by someone like that", or "I used to, I've been in that situation, I've had that experience, but this is how I've recovered from it." I was sort of hoping you wouldn't ask me about it, Heather, but unfortunately, I seem to have lucked out.

16:11 **Heather:** Well, I think it's important that people recognize that if they have had that experience, that it wasn't their fault. And I think you've said in past that you've had people come up to you having done training and said, "Ah, I now get it. You know, I wish I'd known this a long time ago."

16:27 **Anna:** Yeah, look, it's one of the most common things I hear. I hear two things at the end of sort of workshops that cover this sort of topic. One is, could you please just run the same session for the partners to which I cheekily laugh and say, "You get them in the room, that's the hardest part."

But I very often have people come up to me after a workshop and say, "Okay, now I understand what was going on, I understand why I was made to feel that way." Interestingly, a lot of legal practitioners will say, "I don't think the other person meant it." I don't think they were intending to be as difficult to work for as it was. But it was a pretty awful situation. I'm glad I don't work with that person anymore.

But now I understand what could have been done differently. I think if we can, and this is where our sort of mission comes into play, doesn't it, Heather, I think if we can increase the quality of supervision across the legal profession, if we can raise awareness about what good supervision is, and particularly how it changes across the course of a career, then I think we can reduce overtime these situations were abusive supervision happens.

And that then allows most people to go on and be good supervisors by role modeling the way that they were supervised.

17:31 **Heather:** I agree with that. I think as one firm said recently, it was about giving them a shared language across the firm to understand how to do it well, because most lawyers don't intend to be bad supervisors, they just don't understand how to do it well, and starting with a shared language is a good place to start.

17:48 **Anna:** Yeah, it's been really interesting. I mean, almost from the first time that I started working with law firms, keep in mind that I came out of management, consulting and investment banking. When we use supervision in investment banking, we're talking about the supervisor of a desk or a trading floor or a team. But it has a very unique special meaning inside professions, particularly the legal profession.

And so it is a very special thing. It's a very special type of trust that the community puts in the legal profession to self-monitor, basically says no one other than a lawyer can know whether you've done a good job or not. So that's why we have this system of supervision. But I do think unless it is something that you understand the importance of and or have top of mind that importance of and you have the skills to be able to do it well, it's pretty easy to say, "I don't have time for that, I'm too busy, or just I've hired these smart, bright people, surely they should know how to do it themselves."

18:41 And so anytime I hear that word, should, I think, "Oh, here we go." So yes, we should all be good supervisors. But if we know how to do it, and we know how to do it in a time efficient, practical way, then I think we're much more likely to get high-quality supervision and everyone benefits from that.

18:54 **Heather:** How do you make time for supervision? Because I agree with you, one of the biggest pushbacks is "Oh, we don't have time for that."

19:01 **Anna:** Yeah, it is a tricky one. I'm aware that people listening to this will probably be under the pump. And I'm impressed that you've made probably an hour or half an hour at this point to listen to this podcast, what I would say is that the time you spend supervising his time that you don't have to spend sorting out an issue, sorting out a drama, explaining to a client, why something was missed. And we're still having to go through the time and effort to recruit someone who has left because they were supervised badly.

So good supervision is an investment in time saved rather than all of the time that you would spend on the consequences of poor supervision. So that's the first thing. The second thing I'd say is try and really get good at efficient supervision. By that I mean, efficiently moving through those four steps that we were talking about before. What type of matter is this? How complex is it? What are the risks involved? Right, who do I best give this to, both to be a safe pair of hands and for their development? So, who's the best person to give it to? Then how do I delegate it efficiently, how do I check efficiently and how do I get feedback on it?

20:07 One of those areas I find where lots of lawyers get sort of caught is that their only way of checking someone else's work is to repeat it by doing it themselves. And that is going to make things very, very time-consuming. So when you first delegate a piece of work, my advice would be think about how you're going to check their work. If you're getting someone to do some discovery, if they're putting together a chronology for you, if they're doing a piece of research, guide them or give them instructions about what you would like them to keep a note of, what you'd like to keep a track of, so that when you go to check the results of their work, it's easy for you to check.

So a simple example would be getting someone to do a piece of research, ask them to note down the search terms that they used, and the databases that they went to. So that when you go to check the result of that research, you don't have to put those search terms in yourself, you don't have to think about how you would have approached it, you're checking both the method they've used and the outcome of it. So two things there, think about the time that it will save by doing it well.

I know that's hard when you're busy and under the pump. And you think, "Right now I'm being told to spend more time supervising", and then try and be very efficient with the component parts of those skills that make up good supervision.

21:09 **Heather:** And is there any special advice that you would give for people doing this remotely?

21:14 **Anna:** Remote is interesting. On the one hand, it shouldn't be any different to what you would have done in the office. And that is true if your supervision skills were good, right? So if you were talking to your team regularly, if you were communicating what you needed, if you were checking their understanding of things, if you were giving them regular feedback, and there were good habits and processes for supervising before lots of people were working remotely or working from home, then it shouldn't actually be any different.

Having said that, I know lots and lots of legal practitioners who work on sort of supervision by osmosis, which basically means I'll sit in my office, and you come and find me when you need me. And that, of course, is not a form of supervision that has ever worked well, but it certainly doesn't work well now that people are working remotely and flexibly.

So you have to be very planned, very organized again, take some time to do that. Really thinking about how do I check that this person understands what they need? How do we agree when they're going to give it back to me? And wherever possible, use your firm's systems and processes so that they can help you remember what to do and when, you can't rely on people just walking past and saying, "I've got a question."

And then flip that around. You can't remember to walk past someone's desk, see that they've started a task in a particular way and say, "No, no, no, that isn't what I've asked for." So it does put more pressure on your communication skills and your planning skills. But if you had good supervision skills before, then hopefully they transition quite easily into managing a remote team.

22:41 **Heather:** We call that osmosis the "open-door", which many lawyers when you say, "What are your supervision protocols?" They say we've got an open-door policy. But the courts have been very clear that supervision has to be proactive, and an open-door is not proactive enough, because people don't always know or brave enough to walk through your open door as much as you might think you are approachable and fabulous. Sometimes junior lawyers don't always see it that way.

23:10 **Anna:** Yeah, no and I do hear that a lot in my travels, you know, we have an open-door policy and back to that sort of comparison to medicine, I would say, "Okay, so the person coming in to administer your drugs, you've just recovered from surgery and they're giving you more painkillers, how do you feel about two sets of eyes check versus we've got an open-door policy?

If you think you need to check, come and find us. But otherwise rock on. I think most of us would go, "No, no, I'd like someone else, to have a good system here of whether that person's giving me the right medication." And so if you change the context of a little bit, you start to see how it was easy in the old days, the olden days for an open-door policy, but it was backed up with a culture that said "That can't go out the door unless it's been checked by a partner."

Now, of course, when people aren't in the office, there aren't even too many offices left with doors last time I was back inside a firm's building many, many moons ago. But that idea of saying, "You know, I've got an open-door policy", what it sends is an unconscious message that says "I'm not going to make too much effort when it comes to supervision, you got to make all the effort to come and find me."

24:10 And then if someone is in that tricky situation we were talking about before where they've got a lot of demands on their personal life, they might be experiencing stress or anxiety or depression, they don't know that they should come and ask. And for some people, their capacity to ask is reduced. They might not just feel like they've got the argument in them or they've got the energy, they might not feel comfortable knowing when to interrupt you.

And I've talked to lots of early-stage lawyers who will say "It's all very fine for Person X to have an open-door policy, but when I walk in, I don't exactly get a warm, friendly greeting." I get sort of a grunt, "Why are you here, why shouldn't you know how to do that?" And then they're sort of sent packing. So not only is the door not open, but they're not being warmly received and questions aren't being welcomed.

24:52 Now, I know that can be tricky if someone's in the middle of concentrating on something and that same person for the umpteenth time is coming in and asking you the same question, but unfortunately, that's part of the deal of being a senior practitioner is that you have this responsibility for supervision.

And if you're patient and welcoming of those questions, and hopefully they do get addressed, and you see a better level of performance. So yes, we're not a great fan of the open-door policy. I'm not sure it ever worked terribly well, but it certainly isn't working today.

25:17 **Heather:** And I should say, we're not saying "Don't have an open-door policy." But have something else in there, regular meetings, regular catch-ups, something that gives the person permission to speak to you about the issues that are on their mind. And that shows that you're interested in finding out from them because people don't know what they don't know. And they might not realize that they have missed the point completely.

25:37 **Anna:** Yeah, maybe it's an "all-questions welcome policy", or "even-if-you're-sure come-have-a-chat policy."

25:45 **Heather:** What's the best advice you can give new lawyers coming into the profession, the supervisees, what's their role in all of this?

25:55 **Anna:** Yeah, so I think the first thing I'd say is approach supervision as something that you will participate in, something that you will both do for others and receive from others all of your career, don't see it as a temporary, something that you will grow out of. So I think that's the first thing.

The second thing is pay as much attention to how you are supervised to the supervision techniques that your supervisor users. So if you can be curious about the systems that they use to check your work, if you can be curious about how they delegate to you, if you can be curious about the types of feedback that work for you, then that gives you a starting point to then transition into becoming a supervisor.

So there's lots of points in a legal practitioners' career where they are both supervising the work of others and being supervised themselves. The final thing I would say is just when you think you've got a handle on it by looking at what works for you, and looking at the skills of the person who's supervising you, try and broaden your comparison set so that you don't become locked into a way of supervising that only works for people that are similar to yourself.

27:03 So if you like very detailed instructions are you like taking the file away to look at things before you come back and talk about how you're going to approach something, if that's a style of supervision that works for you, it's not going to be the best style of supervision for others automatically. It might be for some, but it won't be for others.

So really try and then brought in your comparison said about all of the different ways that people supervise. And so I think if you take that natural curiosity about how do I be a good supervisor and how do I make it easy for someone to supervise me, then that really sets you up for success for being a good supervisor throughout all of your legal career.

27:32 **Heather:** So proactive on the supervisory front as well.

27:35 **Anna:** Oh, if only. And I look, I think most people, I'm not sure where it happens, I think sometimes it's conversations at law school, are you still being supervised? Sometimes it's PLT, when you're able to practice on your own. I think there's potential to change the language to how we talk about supervision as being a lifelong thing that the legal profession does, because it's a self-managing profession, as opposed to something that's sort of a shackle that's taken off at a particular point in time.

28:00 **Heather:** Yeah. Can we couple it with lifelong learning, 'cause supervision is about learning and developing as you go, I think.

28:08 **Anna:** Yeah, I think lifelong learning certainly is an issue to be curious about it. I think the other thing that would go in addition to lifelong learning would be this perception that to be supervised doesn't mean that you're bad, to be supervised doesn't mean that you're dodgy, or that you're making lots of errors, it should actually be the greatest compliment to have a peer or a colleague that you respect, take a look at your work and say, "Yeah, this is looking good." That should be the greatest compliment, as opposed to something that people shy away from.

28:36 **Heather:** Are there three things that firms and supervisors can do now to improve their supervision practice, do you think?

28:47 **Anna:** Oh gosh, do I only have three, Heather? That's a bit mean!

**Heather:** You can add more if you want!

**Anna:** Okay, so if I only had three wishes, the first would be to stop language that talks about supervision as something that is a shackle or a restraint or should stop at some point. So to use language that recognizes that it happens throughout the course of a person's legal career.

I think the second thing to do would be to praise and hold up and give recognition to those people that are good supervisors, and be curious and interested about getting them to share their experience and their tips and techniques inside your firm because they've really got a great reputation doing it, so you almost want to sort of copy and paste that into everyone else that you can find.

29:30 And I think the third thing that firms generally can do is really lookout for the worst of the worst supervisors, those abusive supervisors that we were talking about before, take them aside, give them feedback, give them support, help them change, because I think having two really great supervisors and two really bad abusive supervisors, the two bad supervisors count for 10.

And so if firms could reduce really, really minimize the frequency of abusive supervision, even if they took those people back to average or normal or neutral, I think that would make a huge difference inside some firms that really struggle with the worst of those supervisory behaviours, which it's actually very easy to walk past and ignore, but does real damage to people's careers.

30:09 **Heather:** Yeah, no more of "That's just the way he is, or that's just the way she is."

30:13 **Anna:** Yeah. And I think sometimes, now we are getting into fun territory. But I think often the component parts that can potentially make someone high risk of being abusive, they go hand in hand with high performing busy practices. And so really make sure that just because someone's got a big successful practice, and just because they've got high profile clients, and their billables are really strong, that that doesn't make it okay to be abusive in the way that they supervise. So I think it's a really tough thing I'm encouraging firms to do there. But don't walk past that, don't accept that, that still needs to be something that needs to change.

30:46 **Heather:** And one of the things that we do see in law firms is it's almost the partner who sets up their own firm becomes a victim of their own success in that they grow the firm, the sole practitioner grows the firm, and then decides he needs more staff, or she needs more staff, and they put on employees, they might be clerks, or they might be lawyers, and they grow, but they don't actually manage and supervise those staff very well. Have you got some advice for them?

31:16 **Anna:** Yeah, I've been increasingly interested in this group of people. So the senior practitioner, who then starts their own firm, or potentially someone who has five, six years' experience and then decides to go in on their own when they might have not done a lot of supervision in the firms that they've worked in before they started their own practice. And I've certainly been thinking about this a little bit more, since I've been involved in the practice management certificate in South Wales.

And one of the reasons for that, I think, it's really hard to be a good supervisor if you haven't been supervised yourself. Now, it's not impossible to develop their supervision skills, but I think it can be harder to do. So you've got a solo practitioner, their business is just going fantastically well. And they've decided it's time to hire someone, I think at that point, it's really good to sort of tap into organizations like yours, Heather, do some specialist training, and actually learn what it means to be a supervisor.

32:11 Think of it as a set of skills that you need to learn and do that very actively, ideally, before you hire that first staff member. So if they're joining your firm, and you've given them a good induction process, you've really set them up for success, knowing what they need to do, you've made it clear the standards and systems and processes they need to follow, then I think it's much better to put that investment in upfront rather than sort of hoping that they know what to do. And then on they go.

The only exception I've seen where it works really well and increasingly this is more difficult to do is where you hire back staff that you've worked with before because they know you, they know how to mind read you, they know the systems that you like, they know how you like to supervise. But wherever you're hiring someone who's different to you, different experience, complementary skills, and we want diversity in these firms and teams, then really pay attention to that pressure point of your supervision.

And if you can set that person up for success, then I think you will save yourself time down the track. But it's certainly an interesting pressure point for new supervisors. And it's something that I've been thinking about more as I've been working with the Practice Management Certificate, because I think that is a key milestone in many practitioners' careers, you have that restriction removed, all the PMC programs will cover supervision. But I think it's a really good point when you reach that stage in the development of your practice to really refresh your supervision skills, because I think that can make a difference.

33:24 **Heather:** Well, thank you very much, Anna. It's been a pleasure chatting as always.

33:28 **Anna:** My pleasure. I love talking about supervision anytime, Heather, thank you.

33:38 **Heather:** Thanks so much to Anna for sharing her specialized knowledge with us. The key takeaways from this episode are - a predictive factor for good supervisors is often those who have experienced good supervision themselves.

Supervision should not be thought of as a shackle or restraint. Instead, it should be thought of as part of a lifelong learning approach. Good supervisors should be celebrated and firms would do well to find ways to share their tips and techniques throughout their firm to improve practice.

Firms should look out for the worst supervisors take them aside, give them feedback and support to change.

To connect with Anna and discover more resources on this topic. Visit the show notes, link is in the description of this episode. You have been listening to More Than Knowing the Law. And I'm Heather Hibberd. If you would like more information about the topics we have discussed today, and links to helpful resources to manage your risk, visit LPLC.com.au.