

Unravelling Relationships – 35 Years as a Divorce Lawyer

Episode 1: The Calling: Sharon's Draw to Law

AB	<p>It's one thing to decide to go into law, but another to become a divorce lawyer for 35 years! Suddenly a couple are faced with separation, finding a new place to live, who sees the children maybe and when. Well, whether it's dealing with the effects of infidelity or perhaps simply falling out of love, either way this is not a straightforward process to negotiate.</p> <p>Sharon Montgomery is a Partner and Divorce Lawyer at Crane & Staples Solicitors in Welwyn Garden City. In this podcast 'Unravelling Relationships – 35 Years as a Divorce Lawyer' Sharon will be sharing with you what first drew her to family law. She'll be talking about the kind of cases she's been faced with and how life was when she first qualified 35 years ago.</p> <p>My name's Antonia Brickell. As I've worked as a broadcaster and presenter for most of my professional career it's my job in this podcast to turn the tables and ask Sharon the questions about her fascinating and challenging choice of profession, together with the stories she can tell.</p> <p>Sharon I'm really intrigued, I don't even know where to start there's so much to ask you. What was it like 35 years ago when you first started?</p>
SM	<p>Well, I qualified 35 years ago but at that point I had already spent two years training at a very small firm in Wealdstone in Acton before moving out to Hertfordshire. So, it was a very different world to the world we have now and the situation that the trainee solicitors find themselves in today, very different, different people, different offices, it's very different to now. No IT. Vaguely a telephone with buttons. The secretaries are still using electric typewriters!</p>
AB	<p>That seems almost impossible to fathom these days.</p>
SM	<p>Indeed, indeed.</p>
AB	<p>If you could create a snapshot of how much life has changed be it with a case study, or of someone that you've worked with that just epitomises how things were 35 years ago, what would you say?</p>
SM	<p>I think from a social point of view, not an IT point of view, a social point of view, to show how things have changed, I had a case when I was training, 'articles' it was called then, when the marriage certificate told the whole story.</p>

	<p>So, the marriage certificate said the man's name and then it has your occupation, his occupation was: school caretaker, age: 62, and then the wife had her name, occupation: schoolgirl, age: 16. That couldn't happen now. We were all a bit aghast at the office, but it wouldn't happen now because obviously it would be seen as some kind of abuse.</p>
AB	When you said schoolgirl...
SM	Mm indeed.
AB	...it, it, then it started to sink in, but it sounds like another world?
SM	Absolutely.
AB	This situation then became your clients later on?
SM	That's right, she was my client herself, so her parents had consented to her marrying this man I mean who would do that now? Well social services would get involved, wouldn't they? Astonishing.
AB	Exactly, exactly.
	How usual was it for a woman to study and work in law?
SM	Well on my degree there were about, 20% of us were women, that's right about 20% of us. But when I did my articles, I didn't really know hardly any other women who were at my stage. I mean there were, there were some women solicitors don't get me wrong, but it was unusual and certainly when I first left London and came out to Hertfordshire, my two peers, the two people in local firms that I was closest to at the same stage as me, were both men.
AB	So, the reality of studying and then going on to be a professional lawyer, how was it viewed when you told people what you did?
SM	I think people, most people don't know many solicitors anyway, so I think it's often quite a surprising thing to say that you do. I don't know if people thought it was odd because I was a woman particularly. I think from my background it was certainly considered to be unusual, but it was just something that I'd wanted to do for a long time, so I didn't, perhaps didn't see it in those terms.
AB	And what about as a woman now, how is it these days?
SM	Oh, there's more than half the profession are women, so we've got, we've got three new trainees starting they're all women. I think that law degrees are female dominated so things have changed, it's a sea change, isn't it?
AB	Yeah, and what do you think is attracting more women to law?

SM	Well my theory about me which I think possibly is still true is that law gives you a nice career path that you know if you work hard, you do your exams, if you're bright enough you can do your law degree then do your qualifying exams and you can see a clear career path, whereas perhaps men still even in our modern world are more likely to take a bit of risk...
AB	Mm.
SM	...I mean all the professions, medicine's the same isn't it?
AB	Mm.
SM	...and I think that the young women that we see now certainly that want to be solicitors are usually enormously hard working, very, very focused. But obviously women and men can bring a different thing to the party can't they, so this sounds so stereotypical I don't mean it to be [both laughing].
	I was gonna say. It's quite interesting that you do see that men and women bring different skills and strengths from one another.
SM	It really does sound pretty awful actually.
AB	But how interesting that you do see that men and women bring different skills and strengths from one another.
SM	Absolutely, absolutely. So, the men may be more, again I shouldn't say men have more flair should I but sometimes perhaps in, it's that male female thing we've still got in our society and we're still trying to get over isn't it really.
AB	When you say flair do you mean, I suppose in your experience do you mean self-confidence in a way?
SM	Self-confidence and sometimes the willingness to take risk.
AB	Okay.
SM	So, I think women want things to be more organised and clearer, I don't think you should have to think like that, but I still think that probably is still the case.
AB	I have an image of the world of law being pretty old-school even now. Do you find that there is, it's quite male dominated in how the perception of a lawyer is that [speaking together]?
SM	Yes, yes, I do, I do. I think that people still, if you said to somebody, showed them I think a set of pictures they'd probably pick the white man in a suit, and I think, I find that with, again, with the young solicitors is that the young men come to work in a suit and the clients think they're a lawyer. And the young women sometimes need to have a little bit of thought about what they wear. Not because you have to be attractive, or you have to be fashionable, but you have to look serious...
AB	Hmm.

SM	...and so sometimes you need to say to people if you want your clients to take you seriously you have to wear a bit of armour, you know you have to wear the uniform and look like a lawyer in order to be taken seriously. You shouldn't have to do that but that's just a fact of life you do.
AB	It's just people's perceptions.
SM	Yeah absolutely, and that's always been the way.
AB	So back to you, because of the journey you've taken over 35 years there's so much that you must have experienced. Did, going back to when you first started, was your background academic?
SM	No not at all, not at all. Neither of my parents had any qualifications at all, left school at 15. Mum was a, you know she stayed at home and looked after us, dad had some you know a fairly ordinary job but had a, he fitted tyres but he had a back injury and as a result of that fell into working for himself and realised that he actually liked working for himself and was better at running his own business. And I've looked back over the years and wondered if perhaps that's why, perhaps there's something in the genes there.
AB	Would you say that he was the inspiration, if you were to look at your mum and your dad's strengths what was it that they both had do you think that equipped you to go onto do what are doing now?
SM	I don't think, I wouldn't say inspiration about my father, but my mum was really good at English and very supportive about encouraging about reading and things and that definitely got me into all of that. My dad wanted me to have a, a proper job, to be fair they weren't, they did expect me to have a job, and do well which is you know I think you need some aspiration from your parents don't you?
AB	Hmm.
SM	I think my dad was quite keen for me to be an accountant or a vet or something, and I went to a careers fair with school when I was 13 and they had a stand about solicitors - it captured my imagination, and that's all I wanted to do after that.
AB	Really! What was it that clinched the deal if you like?
SM	I don't know it's really difficult to say, I don't know it just, I fancied doing a law degree that sounded really interesting, I didn't want to just do English or something like that I wanted to do something a bit different. I wanted to do something that would lead to a good job and again that whole 'oh with a decent career path if you, you do A-levels, you do your degree and so on and so forth and you're gonna get there' that quite appealed to me.

AB	I'm really fascinated; if you didn't come from an academic background, say, so your mum and dad didn't go through the whole process of exams and degree, what you chose to do is very formulaic and very academic with lots of training. How did you acclimatise yourself with, with that journey?
SM	I think I fell in at school with other people that were more academic or come from a more academic background than me probably. I think generally speaking quite encouraged at school. I just think again that was a sign of how the world had changed then; the gap between my parents' post-war generation and us is enormous, so I didn't think of it like that really, I just got on with it.
AB	But you're also very good at English.
SM	Well, my mum was really, really amazing you know she, we read voraciously. The encouragement about English was, was always there. I think my parents were bright, weren't academic.
AB	Forgive me if I sound now as if I am being sexist but going back 35 years, why didn't you opt for becoming, I don't know carrying on with English. Why would you choose?
SM	I didn't want to do the obvious thing and my mum wasn't any sort of rebel or a feminist or anything, but my mum was enormously old-fashioned in some ways, but she discouraged me from doing what would have been obvious female occupations. Now, now I can see that I could have been a teacher and I think that I could have been, I could have gone on and been a Head Teacher or you know in something really interesting. But at the time, and this isn't very fair on some very good teachers, I thought it just sounded really kind of 'oh women go and do that, they go and do English and go and become teachers and they sit in a classroom teaching people all day – I'm not interested in doing that.' So...
AB	Isn't it interesting the perceptions?
SM	Absolutely.
AB	And those perceptions have now changed... we would hope?
SM	Oh, I think so because now it's thinking about not where the job starts or where the job finishes. So, you know for example people go into management training programmes for shops, don't they?
AB	Hmm mm.
SM	And they have very successful careers. People go into, you know, all kinds of occupations, the Police, and I think now I would never have dreamt of doing it when I was 16-18, but now I think being in the Police is a fabulous career, for example,

	and part of the reason I think that is because of the amazing Police Officers I've met in my job.
AB	I'm sure because you would have to liaise...
SM	Yes.
AB	...under very stressful circumstances a lot of the time?
SM	Yeah, and I did criminal work for a while as well so, I've met some amazing Police Officers.
AB	Let's go back to your mindset at the beginning. You mentioned earlier on you didn't want to do the predictable which suggests that you are, by nature, very determined and focused. Would you say that's partly why you continued along this path to be a lawyer?
SM	I think I was determined; I think I'd made my mind up. It's difficult because I just did it and I didn't, I don't think I analysed it as I went along. But I didn't change my mind and when I went to do my what was then called The Law Society Finals was the year of exams you had to do in order to, before you could do your training contract...
AB	Mmm.
SM	...they were very difficult exams, and the failure rate was high. I looked around at people that I was studying with and thought, 'look at certain people I'm sure they're gonna pass, and then think well actually if they can pass, I can pass.' So, I just got my head down and just got on with it really. I was, I was determined.
AB	There's determination and focus and then there's experiencing the things that you have in family law. That must take a resilience I think is the word?
SM	That must be true, I mean lots of jobs require resilience. No one cares about how lawyers think their jobs hard let's put it this way. No one's gonna go poor lawyers! Like they might say it's hard being a doctor, but it is, it is a hard job, it's definitely a difficult job. I think lawyers themselves overlook that.
AB	You mentioned that you studied, and you worked in criminal law, why did you opt for family law in the end?
SM	I fell into it, complete accident; I didn't want to do family at all because that was something women would do again you see so I didn't want to do that. So, when I did my degree, I didn't do the family law option. You had to do family as an option in the Law Society Finals. I went to work for a general practice – in those days people didn't specialise at an early stage if at all. So, I went to a small general practice and I started off doing property – everyone did property, so I was doing conveyancing, doing whatever there was that my boss gave me to do and a couple of injunctions came in, couple of women getting divorced and injunctions had those, but I was doing a variety of other stuff at the same time. And then I, we had a small

	office in Acton, and I was sent to Acton to cover the maternity leave of somebody who was there...
AB	Hmm mm.
SM	<p>...so, I went over did that for six months and she didn't come back so I stayed, and that's literally how I ended up doing family law, which is ridiculous really.</p> <p>But I had again you didn't specialise early so when I was first qualified, I did about a third family, a third litigation, so general court work, and a third crime. But in those days that was normal so a litigation department would have, family wasn't its own specialty it was tucked into litigation. But again, I suppose I just liked the family work better, I thought I was good at the family work and then, but I still carried on doing a mix of things for many years, but always predominantly family.</p>
AB	And litigation, forgive me if I'm asking an obvious question, so how would you define litigation?
SM	So, if someone's suing somebody in the county court; small claims. Two companies having a contractual dispute, anything to do with the courts is litigation.
AB	Got you. So it sounds as if it's a fascinating profession to choose, you get so much variety initially?
SM	Oh absolutely. I started work, I started my training and the first week I think I spent photocopying, and then the second week I was put in the back of black cab and sent round the banks in London serving High Court, what's called Mareva Injunctions, on all these commercial banks.
AB	Wow.
SM	Well, you imagine how exciting that was. That was so exciting I just cannot tell you; those are the things you remember, and the client was lovely she thought I was fabulous even though I was just this junior person just running round behind the Barrister really, but that was, that was memorable.
AB	Yes, it's stuff that memoirs are made out of.
SM	Oh yeah, yeah, yeah, definitely.
AB	When you think, if I were to imagine TV shows about lawyers, especially the American ones, they're very suited and booted and high-powered and glamorous and lip-gloss. Has it always been like that?
SM	Definitely not for me. So, our office in Wealdstone was a little tiny sort of shop front in the high street, and the office in Acton was three or, three or four rooms above Ladbrokes the bookies!
AB	Wow.

SM	<p>And the floors were really thin and in the afternoons, you could hear the horses you know the radio underneath '<i>and they're off [sings]...</i>' through the floor! [Both laugh] And then just the next office along, the next shop along underneath Ladbrokes was McDonald's, and I had a really, really tiny little room with a weeny window and the window that overlooked the South Acton Council Estate; the tower blocks that most of my clients came from. So, it was dead glamorous.</p> <p>I have a colleague who went to Slaughter and May and I'm sure her life was much more glamorous than mine.</p>
AB	[Both laugh] It's good character-building stuff as my gran used to say.
SM	Yes absolutely, absolutely.
AB	So, you mentioned those offices, the first few offices and they overlooked the tower blocks that really ended up being the community you served...
SM	Absolutely.
AB	...looking back how did that feel, because there are some raw stories to divorces aren't there?
SM	<p>I think what's not changed is the people, and I think the, that's what I like now and that's what I liked then. So, you do really feel that you're doing something, you're it sounds ridiculous but helping people, but you know what I mean, you're involved in people's lives [speaking together] and it affects people. So you're, the people I was meeting then, so I'd be, oh how old would I have been – 23 when I first started, and, but lots of my clients were that age or younger or not much older than me, and they were going through, they had children, they were getting divorced or they weren't getting divorced they weren't even married, there's loads of injunction work, so you were dealing with real people and you're having to ask people questions about their lives and their personal lives and what they want and what they're trying to do, and help them through the situation, you know you've got legal knowledge but you need to use your understanding of people to, to use the law to help them with what they need. So, I think that's stayed the same.</p>
AB	If this were the ingredients of a cake you were talking about you've got your knowledge, your experience of people, but at this stage you were 23 years old how did you cultivate those skills to build trust?
SM	<p>Oh, I think well, I'm sociable, I don't find it difficult speaking to people; my mother was like this, my mother was twice as sociable – ten times as sociable as me. But I, so I didn't find, I wasn't at all bothered about speaking to strangers - that helps a lot obviously, and I like people so therefore you've got an interest in people and you're interested in what they want or why they want it or, you have to be not judgmental about how people got themselves into the absolutely terrible mess they're in, so those things. I like that, I liked it a lot, I liked the people I met, the people, kind of people never met before in my life, situations I've never understood.</p>

AB	Going back 35 years or 20-odd years, what kind of cases, you mentioned injunctions give, would you give us an idea?
SM	When I got to Acton, I was told that the woman who had been there before me, the one on maternity leave she'd already cultivated this reputation for doing injunction work, and domestic violence injunctions were a relatively new thing then, so we had work coming from, there was a women's sort of resource centre at the local town hall. Erin Pizzey's very first ever refuge was in Chiswick which wasn't very far from us, so that was, it was kind of, there was a lot of that work, nearly all Legal Aid work. And some of that work was really pretty awful. I got a referral from the Police there was a woman who worked at the canteen at the Police Station which was really close to our office, and her husband had hit her over the head with a brick, and she came to the office and she had a whole side of her face was all bloody and everything where, or scabbed up because she would have been in hospital and come out where he'd hit her with a brick. I mean it's astonishing when you think about it.
AB	Doesn't bear thinking about, and of course children are involved as well.
SM	Yeah, absolutely so I did a lot of work about people arguing about children, but sometimes where the children were in very vulnerable positions. I did some care work where children might be taken into care by the local authority. A lot of work as well where the, it wasn't just two parents arguing about where a child would live, but it might be far more to do with real difficulties in their backgrounds or real problems about upbringing or their housing, they could be in very traumatic difficult circumstances.
AB	How do you draw the line between getting emotionally involved, I mean I know that's your job but it's easier said than done, and steering clear of taking what you do more personally or to you personally?
SM	You have to care, and if you're not, if you're really, if you can be really, really completely objective you're in the wrong job. Caring about your clients is what gives you the passion to do the job and to be bothered so that, say it's an emergency to be bothered that you want to try to get your client to court this afternoon rather than thinking tomorrow morning will be more convenient. You have to retain objectivity and you have to tell your clients the bad news, lots and lots and lots of bad news all the time...
AB	Hmm mm.
SM	...about their prospects or what might happen. And you have to get the balance between objectivity and caring about what happens, and there's a balance there and I think that's true, honestly in any kind of legal career, I think if you're doing conveyancing it's still the same thing, you're bothered enough that you need to get your client, you want your client to move house – it matters to your client that they want to move house. It's important to them, but at the same time saying to them 'well we can't move you yet for this really good legal or practical reason', and I still think you have to care, I don't think it's unique to family law by any means.

AB	I absolutely get what you're saying, but those people who are waiting say, for conveyancing law, from that perspective those clients aren't as a result maybe causing harm for one another or to their children. That's the thing...
SM	No, no, no true.
AB	That's the bit that I'm talking about, your resilience there. You obviously have a way of coping and distancing yourself because 35 years is a long time to be doing that isn't it?
SM	Yes, it is, yeah, I've realised that in recent times. People often used say to me - how do you do this work it must be really depressing? It's not depressing at all I don't understand what you mean, why do you think it's depressing?
AB	[laughing]
SM	It's like saying to someone like a doctors isn't it and saying - is it depressing dealing with sick people? Well, no it's not because I'm trying to help people to be better. And it's the same thing if someone comes to you it doesn't mean, they might have chosen to end their relationship and want to get out but they might not be the person that chose, the other person might have chosen it, but either way you're at 'A' and you've got to get somehow to 'B' and you want to help them get there in the best possible way, and you often have enormously – I had the most grateful clients ever when I first started when I was doing Legal Aid work for people that had absolutely nothing - they're the most grateful clients. I mean clients often are generally very grateful, but I think as time goes on, you're more likely to get a thank you or a nice sort of reference or referral or something. But I had a, I remember having a woman that came to see me about some, I can't remember what it was about if I'm honest something not complicated...
AB	Yeah.
SM	...I can't remember, and she was Legal Aid, she didn't pay, and she came back and gave me an envelope with a five-pound note in it.
AB	[gasps]
SM	I know, I know! I gave it back to her obviously, but, I'm thinking, and it was all she probably had in the world, you look on the satisfaction side don't you, what you've done.
AB	Clearly you do because there's a lot to take on board on a daily basis, I'm sure, so at this stage, so 30-odd years ago you're presumably dealing with cases that would have been the first of their kind bearing in mind the roles of women and marriages and the law?
SM	I was thinking about this actually... now we see pension sharing – people sharing pensions as normal, it's been a law for 20 years...
AB	Mm.

SM	<p>...so, we take it, I'm not saying take it for granted there are still people that I meet who don't know that they can have a share of their husband's or their wife's pension. But in the, well it must have been the '90s mustn't it, you couldn't do that then, you couldn't take someone else's pension.</p> <p>But there was a case where a Judge became very 'angry' I think is probably the right word with a husband who flagrantly said 'well you can't take my pension so what can you do about it', and the Judge tried to contort, did contort the law to find a way of trying to take part of his pension, it was a big case at the time, and so we were using that case law for a little while before they introduced the legislation about pensions. And I had a case, I had a case where I was for the wife and her and her husband had their own business and he thought that he, the pensions wouldn't apply. So this is one of the cases, I suppose, where I was first doing cases where there are lots of money, but the solicitor on the other side he and I had done all the injunction kind of you know pistols at dawn kind of work, [both laugh] when we were younger when we worked with clients with no money with Legal Aid work and then we had this case together so it was a, it was a pleasure doing the case with him actually, we were friends for a long, long time. I remember that case really well because that was real cutting-edge stuff, so.</p>
AB	<p>It's incredible to have that portfolio of experiences.</p>
SM	<p>Yeah and that's what you try to pass on though to the younger people that we train because I always say that to them the cases that they're, if they're assisting us in a complicated case, a more difficult case that they couldn't do on their own, I said you'll remember this case you know in 30 years you'll remember this case, you might forget some of the ones in between but then when you start off I think those are the ones you, they really live with you.</p>
AB	<p>Sharon one of the biggest challenges with this podcast is that I'm sure that I could talk to you for hours, but it's just that there is so much to ask.</p> <p>The next episode please join us when Sharon will be sharing how she brings trainees into the fold, and also talking about relationships within the profession – do lawyers get on? And what does it take to really commit to what you do if you choose to be a lawyer? As well as the process, the change of mindset, how your outlook changes? There is so much to look forward to in the next episode of Unravelling Relationships – 35 Years as a Divorce Lawyer.</p>