



L D I A

Magazine, Issue 5, March 2023

A hand is shown at the top of the frame, holding a stack of four light-colored wooden blocks. The blocks are stacked vertically, with the top block being the widest and the bottom block being the narrowest. Each block has a word printed on it in a bold, black, sans-serif font. The words, from top to bottom, are: BELONGING, INCLUSION, DIVERSITY, and EQUITY. The background is a solid, dark grey color.

**BELONGING**

**INCLUSION**

**DIVERSITY**

**EQUITY**



## MISSION

***“Members of the Legal Diversity & Inclusion Alliance (LDIA) commit to build a diverse and inclusive workplace in which everyone benefits from equal treatment and opportunities, irrespective of race, ethnic or social origin, gender or sexual orientation, age, disability, language, religion, political preference or any other grounds of personal discrimination.”***

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# WELCOME

From day one LDIA was determined to combine efforts and share good practices. It is clear that we are stronger - and can make a difference - together. Over the past 4 years we have encountered and achieved a lot. We have raised awareness and started LDIA Lab projects to walk the talk. All this while we keep the following in mind:

- DEI is a marathon, not a sprint.
- DEI is not supposed to be a business case, but should be part of a firm's culture.

Our current issue covers most of our efforts in 2022 and much more. Happy reading!

By Kat Van Nuffel

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# 4th Anniversary of the launch of LDIA

31 January 2023

**The 4th anniversary was not only a celebration of what LDIA has achieved in its early years but also an occasion to focus on the LDIA Lab on promoting greater social mobility in the legal profession in Belgium.**

The fact that the anniversary event was so well attended shows that LDIA members are committed to building more inclusive law firm cultures and, in our own modest way, contributing to a fairer society. We can all do better, and we can learn from and support each other in the process. We can also be smart about making progress by leveraging the good work of other organizations working in this field. We were delighted to have the managing

directors of two non-profit organizations - Be.Face and ToekomstATELIERdel'Avenir (TADA) - explain the great work they do and explore how we can cooperate going forward.

This note summarizes a very rich discussion on the progress we have made to date and what's next in order to get to action.

## **What do we mean by social mobility?**

Social mobility cuts across a great many aspects of DE&I. People at the intersections of marginalised communities often face multiple

layers of disadvantage. For example, sociologist Sam Friedman (author of the Class Ceiling) notes that women from working class backgrounds face a double disadvantage which is greater than the class and gender pay gap put together. Almost universally, these women actively conceal their background at work because there is more stigma attached to women. Add another factor of diversity and the picture worsens. You get the idea.

Navigating unfamiliar behavioral codes and a cultural sense of not quite "fitting in" are obvious barriers to genuine inclusion and often carry with them a large emotional burden. In this sense, diversity is not the same as equality.

### **Who is our target audience - who do we want to help?**

Be.Face asbl (more on them below) works to support students who face certain challenges because of their social, financial, religious, cultural, ethnic or migration background. That broad definition is one that we can work with.

Our target audience is therefore high school and law school students. Our aim is to help open up the legal profession - and the broader business of law - to young people from disadvantaged backgrounds who might find it intimidating or unattainable due to a lack of exposure and lack of opportunity. We want to provide tangible support to help them understand that law

firms employ people with many different skill sets and qualifications, and to feel that a career in law or the business of law is attractive and achievable.

Some LDIA members may want to focus just on supporting law school students. Others are keen to engage with high school students. We aim to craft a flexible programme that allows members to choose how best they invest in the Lab and contribute to our goals.

Some members have asked how they can help refugees and potentially others who are socially disadvantaged. Whilst this is beyond the scope of the LDIA Lab, anyone wishing to support a different charitable cause can reach out to Be.Face who can direct you to the most appropriate non-governmental organisations working on the ground in Belgium.

### **What have we learnt so far?**

Over the last 18 months we've had various meetings, workstreams and discussions and we have explored a lot of very good ideas. We started off with bold ambitions. We wanted to develop a law firm charter agreeing to best practices in Talent to promote social mobility - like not offering unpaid internships. We wanted to set up a tech platform to act as an interface with schools and universities. We haven't given up on these ideas, but we have come to realize that we need to learn how to

walk before we can run. Most LDIA member firms are larger commercial law firms that have the resources to commit to making the project a success and greater DE&I is a business imperative for us. We encourage those members to nominate volunteers to help. We need partner backing and support. We need younger associates (including those who can personally relate to our target audience due to their own backgrounds and experiences) to lead the way and be the front of house on our specific LDIA initiatives.

Above all, we want to be inclusive. If at any point in time a small local firm, or a small Brussels office of an international firm, or an in-house counsel want to join and support our activities, they'll be more than welcome. But at least initially we will focus on getting a programme up and running where LDIA members demonstrate the profession's commitment to making a change.

Rome wasn't built in a day so we want to leverage on what other organisations are already doing in Brussels in this space. In addition to providing direct support to those organisations, there are activities that we can organise that complement the work already underway.

**What are Be.Face and TADA already doing and how can we support them?**

**Sophie Englebort, the MD of Be.Face** gave an introduction to their work.

Be.Face is a small NGO with just 3 staff working with 30 partner companies.

They support students and job seekers, including those from disadvantaged and diverse backgrounds. <https://beface.be/>

Be.Face has a well-established programme to support students as of year 3 of the University bachelor's course (Bright Future program) as well as when they apply for their first job (Job Academy program). In addition to these traditional programs, Be.Face has recently been working with Baker McKenzie and Clifford Change to support law students in their first and second years (BAC 1&2) when the drop out risk is highest. That is done through mentoring, informal peer discussions, and a series of workshops that create a peer network of support and exchange. There are currently about 30 students as part of the BA 1&2 cohort. Associates from LDIA members can volunteer to be a coach which will allow Be.Face to expand the programme for the next academic year. If there is enough support / interest, it is also envisaged to expand this BAC 1&2 program to include (individual) coaching sessions aimed at helping students developing their English language skills. This would allow English native lawyers to valuably contribute to the program whilst helping students meet one of the key requirements to ever be able to join an international law firm after they graduate.



**Pieter De Witte, the MD of TADA (short for ToekomstATELIERdelAvenir)** is a network that involves citizens, civil society and businesses in the integration and emancipation of Brussels' socially most vulnerable.

TADA supports young high school students with weekend schools and workshops with professionals and internships to help them discover the world of possible careers available to them. All staff of LDIA members can get involved by volunteering to give workshops or giving individual homework support. TADA can help LDIA connect to the schools in disadvantaged areas of Brussels and is also open to volunteers to help support its work.

Since Be.Face and TADA are small organisations, we propose a streamlined process where LDIA firms send LDIA a list of volunteers wishing to support either Be.Face or TADA and we will collate that information and channel it to both organisations by the end of May.

### What's Next?

In addition to supporting Be.Face and TADA as best we can, we also want to address our own professional obligations and challenges and work together to define how we can foster a more open and attractive environment that will help us recruit and retain more diverse talent who feel psychologically safe and valued in a more inclusive environment.





We heard about the Bridges Network in the Netherlands that was set up by volunteers six years ago with the aim of encouraging more people from different ethnic backgrounds into the larger commercial law firms. That initiative is now supported by the larger Dutch commercial law firms (many of whom are also LDIA members). They run network events for students from mixed cultural backgrounds and have created a peer platform where those students can reach out for low key assistance and coaching. Bridges also helps educate law firms about DE&I. We can learn valuable lessons from that experience.

**Concretely, in the short-term, the LDIA Lab Social Mobility will focus on three priorities:**

1. organizing a series of events aimed at high school students
2. in collaboration with Be.Face, developing a dedicated mentoring programme for law school students (individual mentoring combined with group workshops bringing together all mentees and mentors)
3. encouraging individual firms to open up more internships to high school and university students of the target group.

**Some excellent advice and learnings from the panel discussion should guide us in the process:**

**LDIA Lab Social Mobility Events**

- our events should be genuinely inclusive - open to participants from different law firms, not "branded" events: our focus is on providing a good experience to our target audience, not marketing - if a law firm volunteers to host an event, that event should preferably involve at least one or two associates from another firm who can add a different perspective
- our events should focus on letting young people learn - few lectures, many stories, helping them develop soft skills on subjects of interest to them, building confidence, providing an experience rather than "teaching" them - helping young students in presenting themselves and their story, preparing a resumé, preparing for an interview are all excellent practical suggestions

We are looking for motivated volunteers (especially associates) from our member firms to form a workstream to plan a series of events.

**By Fiona Carlin, Baker McKenzie, Niels De Waele, Allen & Overy, Philippe Lion, Baker McKenzie**

## Internships

LDIA Lab will organize a session with interested Talent leads and partners to discuss being more structured and generous in relation to offering more and a broader range of internships tailored to the age groups we are targeting. In addition to the more traditional summer student programmes, that may include:

- a short "shadowing" experience ranging from a half day to a couple of days
- short internships of a week or two during the school holidays.

Each experience needs to be tailored to the individual needs of the students in question. It requires planning in terms of support, a buddy, tasks that are within the student's capabilities. Above all, it should be a fun and motivating experience.

Interested LDIA members will develop some basic best practices and a small toolkit to make short-term work experiences easier to organise (e.g., by having a ready-made contract for the schools in question that minimises any administrative burden). Under this workstream, we will continue the conversation that began at the LDIA anniversary celebration about law firm entry requirements. It is clear that a requirement to have an LLM (or an LLM from a UK or US university) is a significant entry barrier to many people from disadvantaged backgrounds.

Member law firms can consider sponsoring a student through an LLM. There is a bigger question about how we move to more inclusive hiring policies that assess students on their potential rather than their grades.

### **A Call to Action - we want to hear from you!**

Are you keen to get involved and make a difference? Let's start small and gain momentum as we go along. Please provide us with a list of volunteers from your organization under the following headings:

- **Individuals wishing to mentor BAC 1&2 students in relation to (a) their studies or (b) their English language skills should communicate their interest to**  
Sophie Englebert  
(sophie.englebert@beface.be),  
Pieter De Bock  
(pieter.debock@cliffordchance) and Philippe Lion  
(philippe.lion@bakermckenzie.com), by May 15th at the latest, so that this initiative can be coordinated for the next academic year.
- **Individuals wishing to help organize LDIA network events aimed at high school students**
- **Individuals wishing to participate in the internship workstream**  
Fiona Carlin  
(fiona.carlin@bakermckenzie.com)  
Niels De Waele  
(Niels.DeWaele@AllenOvery.com)



## Trust as the foundation for successful DE&I work

Imagine teaching someone to ride a bicycle. You explain how it works, give a demonstration, then invite your student to try. Through the process of trial and error that follows, you offer encouragement ("You can do it!"), guidance ("Apply pressure on both brakes"), and hands-on support. Finally they master the skill and ride unaccompanied.

Mutual trust underpins this interaction. You trust that your student is capable of putting in the hard work to succeed. Your student trusts that you can effectively teach this skill and won't expose them to unnecessary harm while doing so.

And importantly, they trust you to honor your commitments. You said you would steady the bike when it wobbles, and you do every time.

Embarking on a DE&I journey is like inviting people to learn to ride a bike. It involves acquiring new skills and interacting with the environment differently. Learning about inclusive behaviors and adopting them as their own. Transforming from pedestrian to cyclist. It's a challenging process that won't happen if individuals don't trust that leaders are capable of cycling themselves and willing to change the status quo.

## 'Trust is the currency of change'

In DEI Deconstructed, DE&I strategist Lily Zheng's new book, they position trust as central to enabling stakeholders at every level in an organization become effective change-makers. They propose three categories of trust: high, medium, low. In a high-trust environment, trust is an abundant resource. Leaders can set the agenda and generally expect colleagues to buy in without fuss. Conversely, leaders in medium-trust environments need to prove their credibility, for instance by setting up collaborations with colleagues who hold less formal power to jointly define and work towards DE&I objectives and work towards them. In low-trust environments change is almost impossible; leaders should focus on increasing the trust level to medium as a first priority. Zheng recommends empowering colleagues with less formal power to take the lead and trigger bottom-up change.

Not sure where your organization falls on the trust scale? Gather quantitative and qualitative data from stakeholders (internal and external) then analyze it to get objective insights. Armed with this, you can determine how best to achieve the outcomes you want.

## How does psychological safety link to this?

Psychological safety is defined as a shared belief within a team that it is safe to take interpersonal risks. In other words, it's the measure of how comfortable people are doing things

like asking questions and voicing discontent. Also, whether people reasonably believe that mistakes and expressing a different opinion won't be held against them.

If trust is the foundation of successful DE&I work, psychological safety is the foundation for trust. When there is psychological safety people can afford to trust leaders - and each other - and reasonably expect that doing so will result in positive outcomes. And because they feel safe to communicate how they truly feel, take risks, and propose ideas, leaders have the input they need to identify solutions that are fit for purpose. They also have the right conditions to support innovation.

## Conclusion

Trust is fragile, requiring consistent effort to build and one wrong move to shatter. It is also a finite resource: a high-trust environment can easily slip into low-trust territory when trust is broken again and again without being renewed. So if you want to create change in your organization, make earning stakeholders' trust a priority. And once you've earned it, hold on to it wisely.

## By Tamara Makoni

Tamara Makoni is an inclusion specialist who helps leaders embed inclusion into processes and systems to empower diverse talent. Based in Brussels, she works with clients in Belgium and abroad as a facilitator, speaker, and strategic advisor, and is founder & CEO of Kazuri Consulting.



# Panel Discussion on Neurodiversity

1 December 2022

## Speakers

- **Chantel Fouche**, Secretary of ADHD, ASC, and LD Belgium and Lead of the ADHD Women Project
- **Emily Rammant**, Business coach at YIN United on inclusive leadership and culture / Neurodiversity champion and author of the book **ABNORMAAL GOED**
- **Muriel Marseille**, Global Chief Risk Officer, Ashurst, Sponsor of Neurodiversity Initiatives in the workplace
- **Koen Deweer**, CEO, Konekt

## Moderator

- **Rosa Oyarzabal Arigita**, Associate, Covington & Burling LLP

**Chantel, Muriel, could you tell us what neurodiversity means for you?**

**Chantel:** To me, neurodiversity means a group of people, who have a lived experience from childhood, through their teens, and have reached adulthood either with or without a diagnosis. Neurodiversity is how different people's brains work, some of them are neurotypical and some are neurodivergent. There is not one agreed definition of neurodivergence. The way ADHD, ASC & LD Belgium defines neurodivergent is people who are autistic, dyslexic, dyscalculic, dysgraphic, dyspraxic, etc. or who

have ADHD – these people may also have co-existing conditions (bi-polar, depression, anxiety). A fascinating part of neurodiversity is that it is invisible to others, and many neurodivergent people spend most of their lives not being aware of their neurodivergence, because they have never been tested and diagnosed.

**Muriel:** For me, neurodiversity, as Judy Singer coined beautifully in 1998, refers to all the many ways in which human brains allow us to think, learn and behave. That is, away from any cultural, social or professional colors one might attribute to a given environment. Neurodiversity, in the context of my professional life, has also always been the silent, invisible human trait which – too easily – escapes diversity initiatives. I have had many conversations with disheartened individuals mostly around two issues: (i) the interview process, usually built just for neurotypical individuals and (ii) the general absence of psychological safety for neurodivergent individuals who have to put up with extra effort and stress to fit in the neurotypical-built world of employment.

As CRO – much like any Chief Risk Officer – I look at the need in today's age to have high performing teams, that innovate and outpace competitive threats, and the outcome is clear: companies which are not promoting neurodiversity are either missing out on talents that would contribute to high performing teams and multiplicity of skillsets; or curtailing their ability to create the best possible experience for

people, clients and communities. Neurodiversity reflects our humanity and the richness of alternative thinking styles. It is the core to ensure businesses perform at their best: it empowers people to be themselves. Neurotypical individuals will grow themselves in opening their mind to stop and think about their own actions and challenge their own unconscious biases. Finally, neurodiversity is a term which supercharges an extraordinary power to fuel a sense of belonging and community in the workplace.

**Thank you both. Emily, you talked about your book -- could you tell us how you got started on it?**

**Emily:** Five years ago my son was diagnosed with autism spectrum disorder and ADHD. That made my husband realise he had the same symptoms. My husband Peter is a very successful professional, active in advertising. He's a creative director. That made us think... what if autism is not a disorder, but just a different way to look at the world? It comes with some challenges, but also with strengths. That's the base idea of our book. We studied ASD, ADHD, dyslexia and OCD and they all have strengths that are not known to the public. People with dyslexia are often great entrepreneurs because they have an holistic view on things. They don't think in words but in images and patterns. They are also very persistent because they have overcome many difficulties in school during their youth.

**What is the biggest message you want to give with your book? It has something to do with 'No negative without positive'?**

**Emily:** The book is a message of hope. We want to destigmatize neurodivergent conditions. What if we were all on the spectrum, going from no symptoms to more pronounced symptoms? If we recognize ourselves in the symptoms of autism, for example, then we experience the negatives as well as the positives.

Sensitive hearing capacities for example can be challenging and differentiating at the same time. This gives interesting information about the context that fits us best. We all need to know better our strengths and have colleagues who compensate our weaknesses. Like Aristotle said: the whole is greater than the sum of its parts.

**This is very interesting, and ties back to the current situation. In this context, I think it may be interesting to hear from you, Muriel, in your experience working at a law firm, could you tell us what structural, cultural, or social roadblocks you see for the inclusion of neurodiverse people as part of the work force?**

**Muriel:** Based on my experience, there is a low level of utilization or employment of neurodiverse talents. I think this is a symptom of a lack of awareness of neurodiversity and the absence of a variety of perspectives entering the corporate world – there, neurodiversity is never really

considered – that forces neurodivergent individuals in the workplace to muddle through in silence, for fear of stigmatization.

There are a number of structural roadblocks – notably around the workforce selection process which is typically designed for neurotypical individuals and prevents neurodivergent individuals from performing at their best. These include, first, the job descriptions, usually filled with jargon or ways of expressing a particular responsibility/task/project. Next, they include the interview process, which is often riddled with psychometric testing and unstructured interviews taking place in environments which might be debilitating to certain individuals with particular sensitivity. As Sofia Neale of Aspergers Victoria puts it, that is the acid test of the 'cultural fit' as opposed to the 'cultural add'. Last, the onboarding and settling in phases – many unwritten rules and expectations in the workplace are something that a neurodivergent individual has no clue about. Writing down these rules and expectations is actually better practice management. Employers have the duty to provide their employees with the best possible environment to perform. Many places have open plan, bright day light, rigid start and end hours which can be less than ideal for some individuals and flare up their anxiety. Policies and procedures are often drafted with 'neurotypical' individuals in mind and can be very confusing or difficult to

<https://konekt.be>





understand for neurodivergent individuals.

There are also a number of cultural roadblocks. Law firms are generally painted as 'slow coaches' in embracing change and being risk averse, filled with highly intelligent individuals with a hyper focus on being right, who bury themselves in reading and writing and are gifted with a sharp wit. For neurodivergent individuals with dyslexia or dyslexic traits, this label can be a complete losing battle they are not willing to enter, and they therefore deny themselves the prospect of pursuing a legal career. Earlier this year, I had the privilege of participating to a panel with a Barrister at No 5 Chambers in London and Chair of Neurodiversity in law. His incredible legal mind and abilities supercharged by his dyslexic traits (incredible analytical, big picture thinking, inter-linkages between disparate concepts) balanced out areas where other dyslexic traits might have ruled out of a legal career had he not met the right people throughout his career. Point being, a law firm which promotes neurodiversity will not only (1) benefit from and attract a large untapped pool of talents and facilitate the removal of structural barriers early on, it will also (2) importantly break internal barriers and integrate the already existing neurodiverse workforce. These individuals will then find the freedom to fully be themselves in the right working conditions, thus boosting not only the individuals' performance but also the law firm's.

It is critical that employers understand their organization and the ailments or prejudices of the corporate culture, in order to effect a change.

Finally, there are also many social roadblocks for the neurodivergent. These are often linked to wider social inequalities and can be exacerbated with associated with an ethnic minority, or gender, or lower social economic background, etc. In the neurodiversity world, there is a real and present disadvantage of 'prejudice squared.' This places many neurodivergent individuals in extremely difficult situations. Promoting neurodiversity in the workplace is important for people to challenge their own unconscious bias and pre-conception. This will help the entire workforce grow and perform. I really like the expression commonly used in performance reviews of having a 'growth mindset' – taken quite literally, this is exactly what people should read into it.

Individuals should be educated on the existing misunderstanding or lack of understanding of neurodiversity. Change will only come from education, education and more education. As Jane Pierce of Autism Forward and David Perkins of AS Mentoring put it, we do not need anything that is overly complicated. Small adjustments are sufficient and these are actually good management practices that we too often take for granted or forget. The immediate results of those adjustments on teams and leaders are positive and

really benefit their personal growth.

**Koen, you work with different organizations, are these road blocks unique to law firms, or do you see them repeat across industries?**

**Koen:** They are not unique. These roadblocks are common to every industry. We are far too focused on 'caring for people' with disabilities. Caring for someone makes us feel good, but becoming a care object... who gets happy about that? Does that make you stronger? People want to be meaningful themselves and take up a visible role in society. That means not only participating, but also taking part in society and helping to decide what that society should look like.

Change has to come from early childhood. For children, interacting with children or others with disabilities comes naturally. They simply ask: how come you speak so weirdly and are in a wheelchair? And then they just go on like there is nothing special about it: do you also like to watch football, or do you also like to travel? As we grow older, we should not think differently.

Chantel, from your perspective, do you have any tips on what employers can do to make the working environment more welcoming to persons with ADHD?

**Chantel:** In my view, employers need to adopt appropriate supportive structures in the workplace for neurodivergent individuals. To do so, they may even replicate the best

practices recommended by organizations such as ADHD Europe. I think that employers should always remember that employees have their own life and families outside work and that they might be experiencing family issues that they may also, inevitably, bring with them at work. For example, employees may themselves be neurodivergent individuals but may also have neurodivergent children or teenagers. Children and teenagers, particularly if they are still in school, need support to flourish and become the best version of themselves, and that may mean extra domestic responsibilities for their parents. Therefore, the easiest thing to do is to ask each employee what they would need to do their best work. If employees can have a more balanced personal and work life, they will perform better. Similarly, we need to improve the situation at school. If children and teenagers get their diagnosis early, and learn to work with their brains, they will have more confidence in themselves. They will probably be better employees in the future or simply have better academic results that will open doors for future employment opportunities.

Women also need special consideration. They often reach adulthood without having an ADHD diagnosis and this may create some risks. Many have been diagnosed with depression and/or anxiety while the underlying ADHD is missed because their symptoms are unlike those of boys and men.

Many women are prone to Premenstrual dysphoric disorder (PMDD) due to severe hormonal imbalances that affect their mood, sleep and appetite; and the situation during the menopause is very similar, due to hormones affecting their health. Low self-esteem and perfectionism is common in high functioning women who have undiagnosed ADHD. This affects their functioning in higher education and adulthood. They may do well at school and university, but they often suffer from burnout. One of the challenges of people with ADHD is the severity of the internalized stigma, including discrimination in the workplace, which can lead to burnout and taking sick leave. Employers should always keep these considerations in mind.

**Emily, this question is also for you -- you talk in your book about the importance of a good environment, could you please expand on it?**

**Emily:** As I said, my husband is an honored creative in the advertising world. That has not always been the case. In some environments where he could be his authentic self, he really flourished. In other environments he did not stay long. In our book we talk about Nikola Tesla, a genius engineer and futurist who invented the design of our modern electricity system. From what we know, he probably was on the spectrum of autism as well and the success in his life always depended on his collaborations.

He had 'Ups' in his career when he collaborated with trustworthy and commercially driven people. He also had 'Downs' when working with Thomas Edison, for example, because Thomas was not that trustworthy. A nourishing environment is key for success.

**These are all very interesting points, and potentially, things that can be accomplished if we put an effort. If we turn it around, Koen -- from your experience coaching businesses, what are effective methods and best practices that you have seen work in high pressure environments like law firms?**

**In other words, what works, what doesn't work?**

**Koen:** What works is creating more awareness. Hence, a key step for businesses is to start from the individual level. Individuals should get to know each other more and receive training on conscious or unconscious biases that might influence their thinking or behavior in the workplace. At the next stage, you can move to the business level and screen your company's practices with the help of experts in order to implement any necessary change in your business. For example, at Konekt, we usually start by screening companies in terms of their 'accessibility.' This does not mean just physical accessibility for people with disabilities, but also means familiarity, usability, affordability, availability, reliability,

and governability (for example, to what extent accessibility is built into the business' internal policies).

What does not work, instead, is going too fast. Companies should not feel pressured to move too fast to the next stage. They should spend some time getting familiar with new concepts and policies at each stage of their screening process and thus create an internal support base able to help, for example, in recruiting and creating a good work environment.

**Muriel, does this resonate with what you have seen within law firms? The audience here knows that the legal industry can move very slowly, and may not be the most welcoming.**

**Can you share any examples of things that in your experience have worked?**

**Muriel:** I think every law firm would benefit from getting help from outside counselling to widen the understanding of neurodivergence in both the operational functions within the firm (HR) and amongst the employee base. Law firms cannot simply ask HR or their employees to deal with these issues without getting any outside support, especially if they are not educated in recognizing neurodivergent traits that an individual may display or is diagnosed with. They should work, instead, with outside professionals to get appropriate assistance in their learning journey. Law firms must pair these learning journeys with ally ship.

Key is to repeat neurodiversity-friendly practices at every opportunity. This can be as simple as having agenda points written down in each meeting invitation or ensuring that colors are complemented with some other coding on the page, to make neurodivergent work easier. Leadership plays an incredibly important role too. If there are leaders in your organization who are neurodivergent and happy to champion it, it is a game changer to the way in which people just simply raise their gaze and think – I am ok, I can succeed. So many strands of diversity have this common driver. Clients expect law firms to focus more on neurodiversity – particularly now due to the increased focus on Environmental, Social and Governance practices – and to take on social initiatives that are real and truly felt by their legal advisors.

**Thank you all. I think I would like to go one step further to discuss stigma, something that may sometimes (as with other invisible conditions), be apparent when we discuss inclusion in the workplace. Have you felt this in the past?**

Muriel: I am sure that every neurodivergent individual would think that there is still a stigma attached to neurodivergence (1) because, if not, they would probably feel comfortable talking about their neurodivergence and seeking the support they need; and (2) because the under-employment of neurodivergent talent that has been proved.

It is essential to challenge any comments made in a conversation that would perpetuate these stigmas. We should reframe the conversation towards being curious and admit not knowing much about neurodiversity and above all be empathetic. Pushing people to have better conversation with individuals to discover who they are is a very important and too often forgotten or under-developed skill.

### Emily, Muriel, what are your tips for employees to address this issue?

**Emily:** There is a growing attention on diversity and inclusion in the business world. My experience with this topic is that it should improve the working conditions for the majority of the workforce, not only for minorities.

Although neurodiversity is the invisible form of diversity, it has a very broad reach. All brains will function better in a neuro-inclusive work context. This starts with physical improvements.

Open offices are good for collaboration, but there's a big need for quiet places where sensory stimuli are minimized to enable reflection. But there's more. When looking at it from an organizational point of view, there are functional elements that can be optimized. For example:

(i) allow silent brainstorming in meetings, to facilitate the discussion with introverts and people that are hyper sensitive to stimuli;

(ii) have written norms instead of unspoken rules;  
(iii) write shorter emails, with clear subjects.

But that's not all. It also comes down to more relational elements like creating a culture of feedback: more dialogue leads to learning and growing. In that sense, inclusion is never a monologue, but always a dialogue.

**Muriel:** Surround yourself with people who are knowledgeable and able to help you and your organization understand how the world might look for the many types of brains out there. Change the things that you can – from the way you work in the office to creating an employee manual to explain the unwritten social rules a neurotypical workforce takes as granted (for example how frequently to shower).

Organize internships for young people who are still studying. Widen the employment pool by transitioning recruitment practices towards a process of discovering applicants. Think about how all these strands pull towards a 'cultural-add' as opposed to a 'cultural-fit.'

**Beyond law firms, there are also steps that we can take as a society to increase awareness of neurodiversity. Chantel, could you please tell us more about the work ADHD Belgium does in the country**



<https://neurodiversity.be/>



**and at EU level? I am aware that you were asked to speak to the Belgian parliament today, is that right? speak to the Belgian parliament today, is that right? right?**

**Chantel:** Correct. Our work dates back as far as 2006 on various initiatives in the mental health, brain and neurological spheres. As founders of ADHD Europe, and because we are based in Belgium, close to the European Commission, it gives us ample opportunities to lobby and join like-minded people to improve the quality of life for those living with neurodiverse conditions. Our network includes Brain Health, Mental Health, and Neurology organizations – it also includes the European Parliament, Research Consortia, and the World Health Organization to communicate the work we do and the work that still needs to be done.

I became an ADHD advocate because I really believe that everyone with ADHD and their families should experience wellbeing, fully participate in society, achieve their full potential and be treated with respect and without discrimination. Due to the injustice surrounding ADHD, and my own challenges, I really want to help others. There is nothing worse than not being able to deal with the situation and slipping into depression, for example.

The most common comment I hear in Parliament, during coffee breaks, from people who first hear about neurodiversity, is that they have this total misconception that ADHD only

affects boys.

Boys are usually diagnosed around the age of seven, while girls often only show symptoms around 13 or 14 after puberty sets in. Girls do not behave in the same way as boys. As girls are not jumping on the table they are not thought to be not hyperactive nor to have ADHD. As girls have ADHD as often as boys; their signs are, being talkative and inattentive. Girls have internalized behavior, which affects their self-esteem and social interactions with friends. In some countries, the ratio of diagnosis for boys compared to girls is six to one.

**Thank you Chantel, that sounds extremely interesting -- and I know some lawyers in this room may be very keen to help you with these endeavors.**

**That leads me to my last point. I think we have talked enough about how you can help law firms improve. What can law firms can do?**

**Koen, how can companies help Konekt?**

**Koen:** Many young people come to us after special education when they are 18 or 20 with drooping shoulders. They themselves do not know what they are good at, they often think of themselves as unable to do anything. They have low self-esteem, little self-confidence and little appetite for the future.

This is because they have grown up in systems that too often focus on all that is not good, on their limitations, on their defects. We call that defect thinking. What we do at Konekt is just focus on the strengths and talents of those young people. We explore how they can use those talents in an appropriate context.

It is not rocket science, but we often get to hear from parents that it looks like they have gained a different son or daughter, one knows what they want, who looks confidently to the future, who is connected to society. So I think that we need better education and support systems, starting from governments to companies. Each of them should foster a culture of inclusion rather than a culture of segregation.

**One last question before we go. If you had one magic wish to change the current situation, what would you change?**

**Chantel:** I would like to encourage anyone reading this article or anyone who thinks that they or a family member might be affected by ADHD or a learning condition to contact us at ADHD, ASC & LD Belgium. Some people are too scared to talk about their struggles and we offer them a safe place to share their experiences and emotions, to get advice and learn that there are similar people in similar situations.

There is no need to feel embarrassed, even if you think or believe that what you hear or say makes no sense to the outside world.

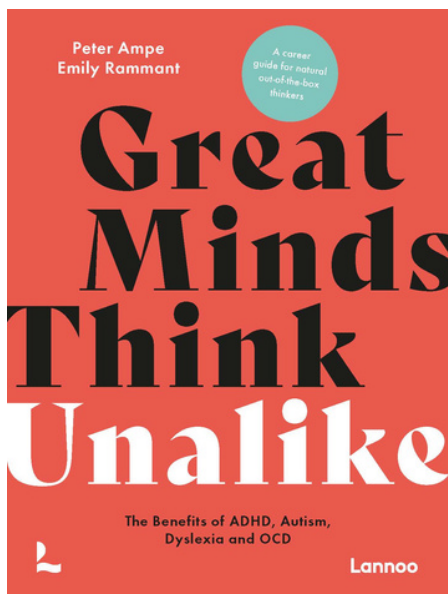
**Muriel:** I would love to see people being more considerate in the workplace when they make requests of one another, being mindful that there might need to be more of a conversation to make sure that they are not creating imbalance or additional stress for neurodivergent individuals. And above all, be empathetic. It is any Diversity and Inclusion Champion's wish that organizations reflect humanity (the whole lot of it).

**Thank you, everyone for this valuable discussion!**

**By Giulia Romana Mele,  
Covington & Burling LLP**



# Executive summary of the book: Great Minds Think Alike



'**Abnormaal Goed**' sheds a new light on neurodiversity by showing how individuals and companies can use it as a competitive advantage. The authors of the book don't focus on the negative symptoms of autism spectrum disorder, ADHD, dyslexia, and OCD (obsessive-compulsive disorder), they point out which superpowers these disorders bring with them.

Neurodivergent individuals see and experience the world in a very different way than neurotypical people. And it's exactly this different view on things what all companies are looking for in these changing times.

Neurodivergent talents can bring innovation to your company and have out-of-the box problem solving skills.

The first part of the book gives an overview of the symptoms of each so-called disorder, we zoom in on the talents that comes with ASD, ADHD, dyslexia or OCD. In the second part it shows which neurodiverse combinations of people are a recipe for success or a recipe for disaster. In the last part about context, the book explains how you can create a neuro-inclusive workspace and offer psychological safety, which is key if you want to harvest from diversity of thought. A neuro-inclusive culture makes it safe to think differently. In essence, the book brings a message of hope for everyone with a neurological disorder, whether diagnosed or just with suspicions of. It's also a guide for companies on how to nurture these unique talents.

## By Lannoo

*'Abnormaal Goed' is now translated in English and will be available on Amazon as of June.*



## There is no inclusion without neuro-inclusion

"Hi, how are you?" my colleague said as we were crossing paths in the corridor.

"Hi, I'm a bit tired but...", I start, but they're already far. Note to myself: this was social chit-chat, they don't care about how I'm doing. How confusing! Why would they ask if they don't expect an answer?

This interaction is representative of how I navigate life in a neurotypical world: confused about social rules I don't understand that everyone else seems to know. A lot of things don't make sense to me, like sarcasm or jokes - why would you say something you don't mean and why is it funny? - and small talk - I don't care about the weather, can you please get to the

point? It's like my social handbook got lost in the post.

You guessed it, I'm neurodivergent. You could say that my brain is wired differently than most people's. When I was younger, I actually thought I was from another planet. That's how the other kids made me feel, so different that I thought I was an alien.

I'm older now, but in more ways than one I still feel like an outsider. "Too blunt", "too dramatic", "too sensitive", "too direct", "too emotional", "too naïve", "too impatient", "too stubborn", I've heard it all, from teachers at school to colleagues at work.

As you can imagine, these comments build up over time and they make you think that you are 'actually "too much", that you don't belong. So, what do you do? You hide. You pretend to be like everyone else to the point of not knowing who you are anymore. You mask. Knowing this, it shouldn't come as a surprise to anyone why neurodivergent people have incredibly high rates of suicide compared to their neurotypical peers.

I know I'm painting a rather gloomy picture here, but, on the bright side, there is a lot we can do as individuals and organizations to shift the narrative.

### **The power of neuro-inclusion**

If you ask me, we should include neurodivergent employees because it's the right thing to do, especially for organizations who care about DE&I. Still, the business case here is easily made. Neurodivergent employees bring unique strengths, talents, and skills, such as original thinking, creative problem solving, attention to detail, entrepreneurialism, intense focus, resilience, passion, courage, and fairness. Aren't these what's needed for innovation and transformation?

Research also shows that neurodiverse teams - teams including both neurodivergent and neurotypical individuals - are 30% more productive, and that inclusion of neurodivergent employees increases team morale, resulting in a positive spillover.\*

And if that's not enough, there are always reputational benefits associated with DE&I efforts.

However, to harness these benefits, true inclusion must prevail. What I mean here is that, to bring their best to work, neurodivergent employees ought to be able to bring their authentic selves to work. We need the workplace to be a psychologically safe space where we feel accepted, respected, and valued, where we won't be embarrassed or punished for a social faux pas or for requesting reasonable adjustments.

### **Neuro-inclusion rhymes with education**

Unfortunately, most organizations are not there yet. I don't know many neurodivergent people who are "out" and visible at work, simply because they fear that disclosing their identity will negatively impact their career prospects and tarnish their relationships with colleagues. They fear that others will not understand or will change their perception based on stereotypes - no, not all Autistic people are good at maths, and yes, you can have dyslexia and enjoy reading books. If you think that there are no neurodivergent employees where you work - well, you're wrong. It's estimated that 20% of the world population has a neurodivergent condition, that's 1 in 5 individuals!

*\*Harvard Business Review: Neurodiversity as a Competitive Advantage*

Still, some studies say that up to 50% of people are not aware of their neurodivergence. So you could be the 1 in 5!

To me, the key to unlocking neuro-inclusion, and therefore neurodivergent potential, is awareness: educate yourself, educate your management teams, educate your recruitment teams, educate your HR department. Most importantly, listen to lived experiences from neurodivergent people. Perhaps you could support or sponsor a neurodivergent employee resource group, or hire a neurodivergent-led organization to train your staff?

### Neurodiversity and equity

Equity is all about providing the resources and opportunities needed for individual and collective success. When talking about neurodiversity, this means applying a neurodivergent lens to all your HR processes, from recruitment and onboarding to appraisal and promotion, and upgrading your facilities to make them neurodivergent-friendly.

Equity goes hand in hand with accommodations/reasonable adjustments/enablers, whatever your preferred term might be. Being part of the neuro-minority is itself already a challenge, and we often feel like our brains are working against us, so some extra support helps to level the playing field. Nevertheless, we may not need

support where you'd expect. For instance, I have great public speaking skills and I don't mind speaking in front of a crowd, but I feel distress if I can't sit at the exact same desk every day at the office. I process information very quickly, but I have a poor working memory. I can focus on a single document for hours straight - to the point of forgetting to execute basic bodily functions - but I struggle to wait my turn to speak in conversations.

You could argue I have encyclopedic knowledge about neurodiversity (or so I've been told), but I can't, for the love of me, brush my teeth without making a huge foamy mess (or braid my hair, or cut my food). It's because, like many of my neurodivergent fellows, I have a spiky skill set. We may be experts in our fields, but we will struggle with basic day-to-day tasks.

On top of that, many of us are hypersensitive to certain senses and/or can get distracted easily. It helps if we can work in an environment that is not too loud nor bright, and if we have a quiet room with dimmed lights where we can take a sensory break. For many neurodivergent people, the shift to remote or hybrid work triggered by the pandemic was a blessing in disguise, allowing us to work more comfortably from an environment where sensory stimuli are controlled, and social interactions are limited: home.

As is clear from the above I hope, we're also more likely to communicate differently and have difficulties with social interactions - at least according to neurotypical standards. Our social battery tends to be lower, partly because we constantly self-monitor in social situations to make sure we're acting *appropriately*.

Organizations can support their neurodivergent staff by offering coaching, career development opportunities, sponsorship, but mostly with basic empathy and understanding.



**By Aurore Lentz**

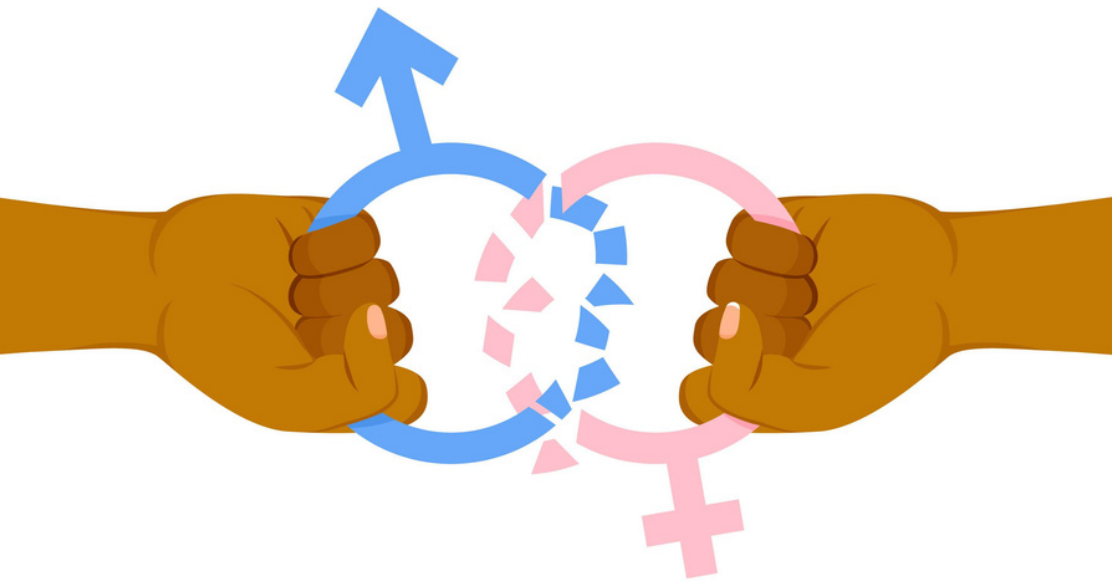
*All opinions are my own.*

<https://www.linkedin.com/in/aurore-lentz/>

## Final word

When it comes to neuro-inclusion, there are three things to remember:

1. If you've met one neurodivergent person, you've met one neurodivergent person. No two neurodivergent people are the same. Just like everyone else, we are unique, and we come with our unique set of strengths and difficulties.
2. Therefore, there is no "one-size-fits-all" in terms of accommodations. Adjustments must be tailored to individuals, it's the only way everyone will be able to access the support they need.
3. And finally, "nothing about us without us". Neurodivergent people must lead the conversation on neuro-inclusion. In fact, there are so many self-advocates out there who, like me, are trying to raise awareness and inclusion. All we're asking for is for neurotypical allies to let us have a platform and amplify our voices.



## What about Gender?

**During one of our bi-monthly LDIA meetings we invited Emmanuelle Verhagen, MBA, CPCC and Diversity & Inclusion professional, Co-active Leadership Coach, intersex & transgender spokesperson and human rights activist, as well as playwright/theatre maker.**

### **Who is Emmanuelle?**

Following a corporate career in international market research, and having co-founded a global brand advisory firm, they are an independent DEI consultant working with a wide range of companies and organizations in their diversity, equity and inclusion programmes. As a certified co-active

coach they design inclusive approaches to leadership for private, public and social profit organizations.

They are also certified as a cultural change consultant enabling values-driven systemic change in organizations. A practice they enhance with their deep democracy facilitation skills. Finally, they bring a voice to the intersex community in their quest to end non-consensual surgery on children born with an intersex variation, a practice that is still very present in our European space. Their actions have led a.o. to including "sex characteristics" as a protected criterion in anti-discrimination laws.

## What about gender?

Gender is a social endeavor. It's a set of learned, copied, mimicked... behaviors that communicate particular messages. Gender therefore is a performance inspired by

- (1) the sex one has,
- (2) the sense of our identity which is informed by the sex we have, and
- (3) our expression of that informed identity in a social context.

As Judith Butler stated in her seminal work "Gender Trouble" (1990): "the gendered self is produced along culturally established lines of coherence". Ergo, gender is not an attribute or something innate, as some feminists like to proclaim, nor is it solely a relationship with the outside world as social constructivists like to believe. It's the expression of a personal lived experience of one's body in relation to the world that surrounds us.

The conflation of sex and gender in our Western society is a construct dating from the infamous Age of Enlightenment. Cartesian dualism has led us to believe that sex and gender are one and the same, that our bodies define who we are, rather than our individual experience of that body. Interestingly enough, in the early days of the Age of Enlightenment, there was still a debate going on about the difference between men and women.

One of the great proponents of equality was François Poulain de la Barre who wrote in "De l'égalité des

hommes et des femmes" (1673):  
Women, when considered from the perspective of principles of sound philosophy, are as capable as men of every kind of knowledge", or in short: "the mind has no sex" (note: this has been scientifically proven).

Somehow this reasoning didn't survive the centuries. Two centuries later we read in Gustave Le Bon's "La psychologie des foules" (1895): "Women [...] represent the most inferior forms of human evolution and are closer to children and savages than to an adult, civilized man".

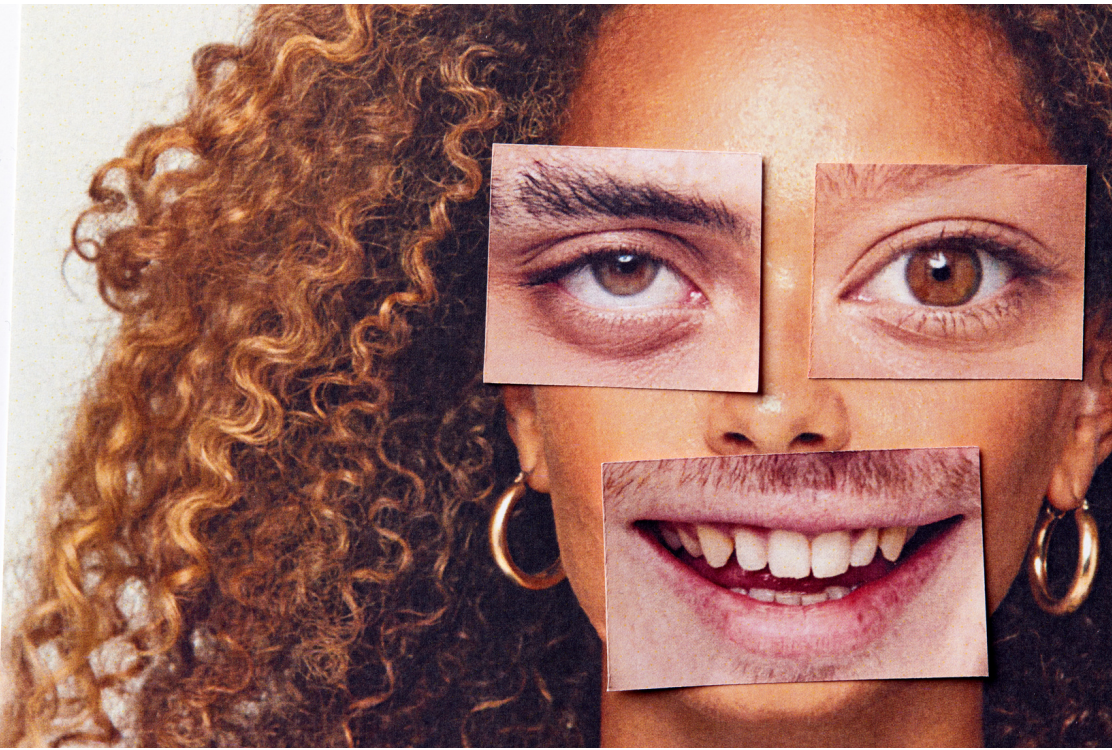
So far, the historical and philosophical reflections are solely binary, upheld by our Western European religious backbone. A line of thought we actively imposed on the majority of the world's peoples. It's easy to find texts like Le Bon's statement on women that invalidate the history, culture, experience of non-western European people and reduce the entirety of the human experience to the opinion of an absolute minority.

Yet, when we listen in on the conversations of other cultures, we discover a wealth of humanity that has never been tabled in our culture. One of the gifts we have found in many different cultures is the acceptance and inclusion of a variety of gender identities and expressions. We've become acquainted with the Samoan Fa'afafine, Lakota Wíŋkte, Navajo Nádleeh, Ndongoan Chibados, Mangaiko of the Mbo...

The list goes on. Look into pre-colonial cultures abundant. Our quest for inclusion of gender experiences that go beyond the rigidity of the binary is a quest to become more human again. To be curious about the other and to build meaningful relationships with the world around us.

The curiosity around pronouns is the easy road in. The next step is to ensure that we become actively aware of how language reinforces the status quo and question what is needed to reduce the barriers for all to be included.

**By Emmanuelle Verhagen**







## International Pronouns Day

Against the backdrop of the International Pronouns Day, which takes place every 3rd Wednesday of October, Actiris organized an event to open a debate on diverse gender experiences that do not enter the binary gender hegemony.

We brought together a panel with people from BPost, Greenpeace, Steptoe/LDIA and Actiris. All brave individuals that navigate, each in their own manner, the corporate world while not feeling at home in the binarity of the daily discourse.

All too often we assume that our Western cultural understanding is universal and that identities that don't

fit the norm are absolute minorities. However, nothing is further from that truth. We saw that a 2015 study in Flanders revealed that approximately 2.5% of the population had an ambivalent take on their assigned gender, meaning that their gender experience did not fit the binary expectation. For comparison's sake, 2.5% is about the population of Ghent. Furthermore, we learned that in a similar study in the Netherlands that proportion increased to 5% of the population (about the size of Antwerp). Also important to note, is that upcoming generations appear to have a much wider range of gender awareness and identity. It will become ever more important for

organizations to be aware of these evolutions and create an organizational culture with the capacity to include these future generations.

An International Pronouns Day is a necessity. The day aims to raise awareness of personal pronouns by encouraging education and mutual respect. It's important to recognize and understand that sharing and using people's chosen pronouns affirms human dignity. Using an inappropriate pronoun can be extremely hurtful, damaging and offensive. This is particularly so towards transgender and gender diverse people.

Offering your pronouns whenever you meet new people is easy to do, shows leadership and sets an example for others. It offers the safety gender diverse people need to be able to express themselves and bring their fullness to the meeting, the workspace, the event...

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**Finally, culture is a lived experience. It is alive and evolving and is sensed in every interaction. Culture is not something outside of us, it is part of who we are.**

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That fact alone is an invitation to infuse our world with what is needed to create peace and safety for those we love. Love is not about imposing rules and regulations, it is about being curious, listening and engaging in a positive fashion with others.

The liveliness of the conversation that developed last October 3rd has inspired us to continue the dialogue and a number of those present continue to gather to discuss and explore further how each of us can work with businesses to develop a more inclusive workspace. If you care to join the conversation and contribute to a braver world, do reach out.

**By Emmanuelle Verhagen,**

MBA, CPCC

ORGANISATIONAL DEVELOPMENT

include | sustain | lead



## World Refugee Day

**On June 21st, 2022, Covington's Brussels Diversity & Inclusion Committee organized a hybrid event for World Refugee Day together with the Brussels-based Legal Diversity & Inclusion Alliance and the NGO Serve the City.**

There were three speakers associated with Serve the City talking to the audience about the situation refugees face in Brussels as compared to other countries. They gave facts and figures about the origin of refugees that arrive in Brussels and their particular needs, the deficiencies in the systems in place in Brussels to receive refugees, and what help exists for refugees. One of the speakers was a refugee from Syria

and who was able to give everyone his first-hand testimony of how he arrived in Brussels and the challenges he faced.

Following the event, a networking session was organized to discuss how we can further support this cause, in particular by providing pro bono legal advice to refugees.

**By Anna Sophia Oberschelp de Meneses, Associate, Covington & Burling LLP**



## Don't give up, simply UP your giving by volunteering

Despite dwindling donations, charities and non-profits like Serve the City, had to brace themselves to face a humanitarian crisis of unprecedented proportions this winter. As the number of homeless and vulnerable people continues to rise in the Brussels region, we at Serve the City, are mobilizing and enabling volunteers to help serve and support them.

Homelessness, in the Brussels region alone, has climbed by a staggering 44% in the last five years to an estimated 6000 people and shows no signs of levelling out. With worsening socio-economic conditions and geo-political instability, the profile of the vulnerable is also changing. Ground-zero associations are seeing a significant rise in families and unaccompanied minors needing aid.

To frame the magnitude of the challenges faced, Serve the City has experienced a two-fold increase in people seeking meals at the humanitarian hub in Brussels: from feeding 350 people a day in early 2022

to more than 600 people a day in November. Compounded with rising costs, each day tests our resilience to withstand financial pressures. This is just the beginning of an increasing trend that we are experiencing in all outreach food centres.

**“It’s extremely worrying. Every week, records are being broken. This is not a trend we want to see”,** says Jeremie Malengreaux from Serve the City.

Unfortunately, this October, the Brussels Times reported the appearance of a mobile health clinic from Médecins Sans Frontières (MSF).

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**“A mobile health clinic was set up by Médecins Sans Frontières (MSF), similar to those normally reserved for war zones. Yet due to Belgium's continued failure to provide shelter to asylum seekers and with the condition of those left living on the streets getting worse, MSF is now also active in the capital”.**

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MSF stated:

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**"We usually don't operate like this but we are now experiencing a humanitarian crisis. We couldn't just sit by and watch."**

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We cannot sit by and watch either. There is an alternative. We believe many people doing small things together can make a difference. So, what if, instead of giving up caring, you simply UP your giving, either by financial donations or by volunteering?

Everyone has the right to seek safety, whoever, wherever and whenever. Through volunteering we hope, you can contribute to achieving that with your talents, skills and time.

Serve the City works in practical ways to help people in need. We do this by partnering with homeless shelters, refugee centres and other associations, allowing our volunteers to help in whichever way they can.

As an organization, we make it our mission to not only know the needs of these people, but to know them by their names. We call this crossing the line. Individual volunteers can easily connect with us via the "Servenow" app and find something that suits them.

As a grassroots non-profit, we have a first-row view of the devastating impact of war and global political decisions.

It is frightening to see that, in the last year, there has been a significant rise

in unaccompanied minors becoming part of this fragile population. The number of children that arrived in Belgium rose from 1220 to 1780 in January 2022 and the number is continuing to grow. Many of these minors are without shelter and are living on our streets.

In addition to the increasing number of vulnerable people, practicalities such as grocery shopping to feed them has become a game of tactics. Test-Achat's standard Belgian food basket, in October, was 15.31% more expensive than the same period last year. Anna, Serve the City's logistics and coordination guru, is rapidly becoming a very astute buyer:

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**"We like to offer a sweet desert to our beneficiaries. It is one of the many ways we can show we care. Recently the cost of a pack of 10 waffles increased from 0.93 euro to 1.57 euro and most recently up to 1.99 euro. It's a never-ending game! I'm constantly tracking the best prices. As soon as I find the best deal, I've been known to empty a supermarkets entire stock!"**

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Let's not give up hope. Giving up and pretending none of this is happening won't help our community members. There is another way.

Our team strongly believes that Serve the City can bring about a revolution, bringing people together to serve each other. If we all care for our neighbors, if we all learn

everybody's name and story, it would help us all cross the line between "them and us". So how can we as a community, step UP our giving?

We may have mentioned this before but a wonderful place to start is by downloading the ServeNow app. This app is a complete game changer. As a Serve the City volunteer, you can easily choose and manage how you participate in each project. Sign-up and cancellation options are at your fingertips. Our projects fall into four basic categories with some great initiatives for all:



From the big volunteer days to volunteer weeks there are plenty of events and opportunities for everyone.

Volunteering isn't just reserved for individuals. We also organize group activities and also coordinate on and off-site corporate volunteering. This is a great way to boost corporate social responsibility in a meaningful way that helps your local community. In 2022

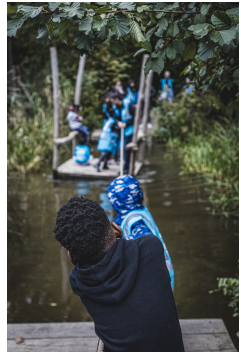
alone, we engaged with over 1000 employees, giving them a successful corporate volunteering experience. Companies continue to generously support our activities through charity dinners and sponsored races to name but a few.

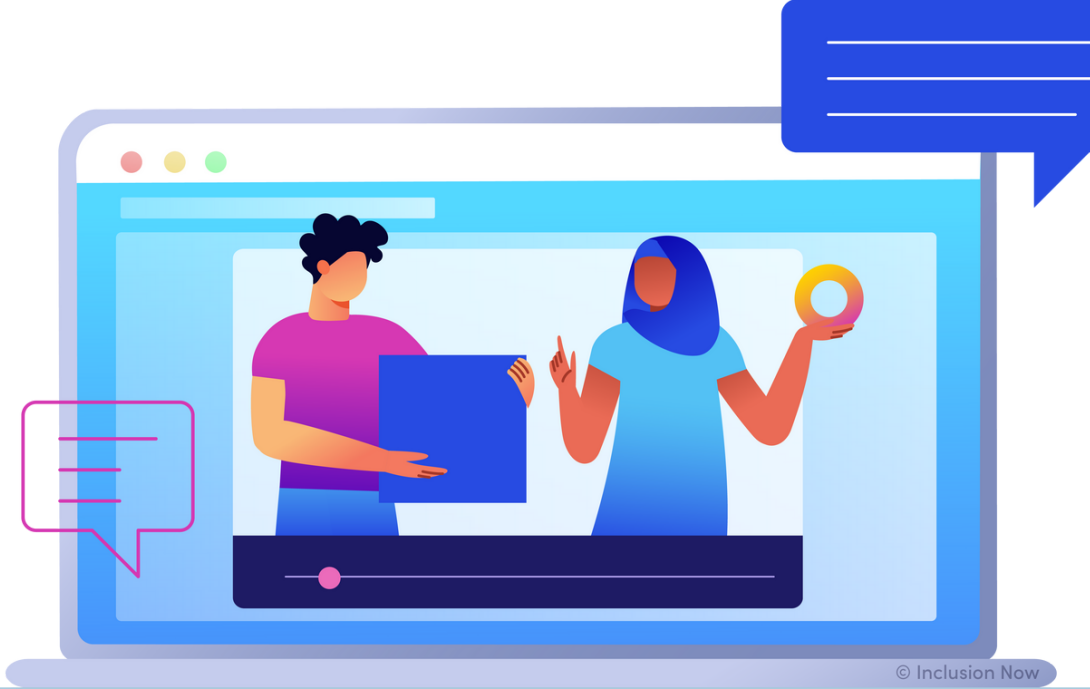
## CSR Testimonial - Patricia Gyurko at Mastercard

"When we contacted Serve the City in Brussels for our team building and global community day activities, we wanted something dynamic, and that's what we got! We dived straight into our activities: gardening at the Little Sisters of the Poor, and painting at Nativitas and CARIA. It was fun, we bonded, and it was an opportunity to give something back to the people who do so much for our community."

On a final note, we all have access to volunteering. It doesn't have to be through an organization like ours. It can be as simple as helping a neighbor in need, maybe filling a shoebox with necessities, providing a tin of food to a local food bank or offering your time to help a child with homework. Each small gesture counts. Many people doing many small things together can make a difference. We hope to have inspired you to care for your neighbor, to know somebody's name and story and to cross the invisible line that separates us.

For more information and contact: <https://www.servethecity.brussels/>





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## Advocating for DEI in 2023

### Sorry, no quick fixes available.

Diversity, Equity and Inclusion (DEI) initiatives have increasingly morphed from one shot actions, set up for compliance purposes, to new corporate buzzwords and then on to mature strategies. Yet the appeal to press for quick wins and fast results is still there. Unfortunately, there are no quick fix DEI initiatives – they require long-term work. Actions merely designed to patch up corporate images without ‘doing the work’ as DEI professionals call it, will not be successful and may even backfire by feeding into the resistance that

inevitably arises when DEI is framed as an issue for minorities. To be clear, inclusion is about everyone.

Changing the status quo of an organization's DEI initiatives is difficult and typically a long-term project. The main reason for the slow progress is that companies often resort to a one-size-fits-all solution. They fail to develop policies and provide the resources required to find and implement appropriate DEI strategies. Michèle Mees, co-founder of Inclusion Now says “you can only move the needle in company-wide DEI implementation by looking at it through the lens of cultural



transformation. There is no other transformation process that is so closely connected to our own values, personal experiences, attitudes and opinions than the DEI journey. That's why Inclusion Now is on a mission to accelerate inclusive attitudes and behaviors."

## **More people than ever are taking on a DEI role.**

Working to create more inclusion, to increase representation of underrepresented groups, to build equitable and fair processes and practices is different from any other job you can have within a company. It is challenging, yet also extremely rewarding. DEI work will help you to deepen your understanding of underlying power dynamics. It will challenge you to revisit your own biases and become more aware of your own privileges or lack of them. Every DEI professional and practitioner, regardless of whether they are taking on this role as a paid position or as a passionate volunteer, will at some point encounter their inner activist.

## **What are key qualities to move the needle on DEI?**

Michèle Mees: "the basic trait that I find extremely valuable is always approaching this subject as a coach rather than a mere service provider. When you work in the DEI space, you awaken your inner activist as you are

driven by the desire to change the way business is conducted, and make the organization more inclusive, equitable, and fair for all. But, to drive results, you also need to find your inner coach to ignite that fire in everyone to help spread that same level of enthusiasm and energy for DEI initiatives."

Pascale Ameye, co-founder of Inclusion Now adds "another beneficial trait is maintaining transparency with clients, which we wholeheartedly endorse. We are not a black box. Nor are we the 'experts who know it all'. We always work in co-creation with our clients and our eco-system of DEI professionals. We share all our methodologies with our clients as we want to be open to feedback so that we can constantly learn from them and accordingly improve our practices. I would say that being open-minded and nonjudgmental can be a key trait for effectively handling these kinds of tasks."

## **What are the current DEI practices in Europe?**

Firstly, in a world where most organizations are convinced that reliable, accurate data is becoming critical to driving DEI decisions, there is an increasing need for data driven initiatives. In Belgium, Inclusion Now is seeing a significant uptake in requests to perform comprehensive DEI Scans. Inclusion Now's DEI Scan methodology, developed in

concertation with our client's objectives, makes a huge difference.

It results in a DEI Index that offers each client clear, ready-to-use guidelines and recommendations for their DEI Strategy and Action Plans, and a dashboard to identify the biggest gaps in their DEI initiatives and to measure progress. An example: a biotechnology company, anxious to avoid the pitfall of setting up ad hoc initiatives, was hesitant to commence its DEI journey. In addition, the company's leadership was not quite convinced that there even was a problem to solve. However, a fully customized DEI scan immediately identified key areas for improvement, with the results directly supporting a new DEI Strategy and Action Plan and ensuring top-level alignment on the as-is situation.

Secondly, there is a clear need for creative customized solutions that spark enthusiasm and that have a community-building component. An example: a Germany-based global chemical and consumer goods company with 52,000 employees worldwide needed a creative, out-of-the-box solution to direct the attention of managers to biases in order to disrupt those biases. By deploying Inclusion Now's innovative Hack Your Bias® online program with an array of customized videos, eLearning assessments and webinars, the organization witnessed company-wide appreciation and enthusiasm towards DEI initiatives. Their employees even ranked the program as the most-viewed and most-liked training

initiative. Similarly, a Belgium based R&D Hub for nano and digital technologies operating with close to 2000 employees globally also greatly appreciated the Hack Your Bias® online program. Our blended and interactive Hack Your Bias® program with online and offline training was voted as the best DEI initiative by that company's employees.

## What are trends for the future?

Moving ahead, Pascale Ameye sees opportunities to build company-wide support for DEI initiatives. She says "companies that are looking to launch their DEI journey can create cross-functional inclusion networks in which employees and leaders from every department can contribute. Additionally, we plan to sharpen our focus on inclusive community building to create as many DEI ambassadors and advocates in the company as possible and assist DEI teams in engaging with all stakeholders."

**By Pascale Ameye and  
Michèle Mees, Co-Founders  
Inclusion Now**



Website: [inclusionnow.eu](http://inclusionnow.eu)

Inclusion Now is on a mission to accelerate inclusive attitudes and behaviors to bridge the knowing-doing gap with state-of-the-art proprietary methodologies and frameworks.



## Legal Helpdesk for asylum seekers: how law firms are helping to resolve the reception crisis

For over a year now, several thousands of asylum seekers have been sleeping in the streets because of Belgium's failure to provide them with the shelter and medical assistance they are legally entitled to under international and Belgian law. To help resolve this crisis, Legal Aid offices, the NGO Vluchtelingenwerk Vlaanderen and several law firms set up the legal helpdesk to help asylum seekers seeking international protection to find access to justice and access to shelter. Margaux Bia, pro bono lead lawyer at DLA Piper and responsible for their displaced people practice, is one of the co-founders of the legal helpdesk, which she manages alongside other

international pro bono projects. During this interview, she explained to us how she became involved in this local project and why this work is so important to her specifically and to the community in general.

### What does the Legal Helpdesk for asylum seekers do?

The legal helpdesk was created in April 2022 to provide legal assistance to people seeking international protection in Belgium. We have assisted more than 5000 visitors, mainly single men from Afghanistan,

Syria, Ethiopia, and Burundi, since the helpdesk opened its doors. All of them come with the same legal issue: a lack of accommodation and medical assistance for the whole duration of their asylum proceedings.

Every weekday afternoon volunteers from 35 law firms and Universities across the country come to the legal helpdesk to provide first-line legal assistance to the people who have been denied access to shelter. We provide information on the asylum procedure and refer the applicants to NGOs who provide emergency services such as food, clothes, and urgent medical assistance. The main goal of the helpdesk is to apply for legal aid for each applicant and connect them with an immigration specialist who can initiate the judicial procedure before the labor court to obtain reception conditions. To have a lawyer appointed, the legal helpdesk has been cooperating with several legal aid offices from the Brussels, Antwerp and Leuven bars (e.g., Bureau d'Aide Juridique du Barreau de Bruxelles ("BAJ") and Bureau Juridische Bijstand van de Balie Brussel en Leuven). Once a lawyer is appointed through the regular pro deo system, they will start an urgent procedure before the labor court that will in most cases order Fedasil to provide shelter to the asylum seeker.

### **How did you come up with the idea of the legal helpdesk?**

Early in March 2022, law firm members of LDIA and other legal actors wanted

to mobilize to assist people fleeing the war in Ukraine and the idea of a legal helpdesk to assist these displaced persons was born. It soon became clear, however, following the implementation of the temporary protection directive, that people fleeing Ukraine would receive a valid temporary permit to remain in Belgium and be granted access to social services.

We therefore conducted a rapid assessment of the legal needs of other displaced people arriving in Belgium and realized that thousands of people were arriving every month from Afghanistan, Syria, Burundi, Eritrea, Turkey or Palestine and that, since October 2021, these people were being left without shelter for weeks at a time. Although the Belgian law of 12 January 2007 provides for reception conditions including shelter to be made available to every person applying for asylum and this for the duration of the asylum procedure, in practice the reception network is saturated and the timeframe to be invited to a reception center has increased from 2 weeks to 5 months. We created the helpdesk in response to this reception crisis and have assisted more than 5000 asylum seekers to date.

### **Who did you cooperate with to start the helpdesk?**

The first thing we had to do was map the needs on the ground and identify the stakeholders already involved and examine how to join forces for a

bigger impact. Vluchtelingenwerk Vlaanderen, who have worked with asylum seekers for many years and understand their needs and priorities, was instrumental in establishing the legal helpdesk.

Thanks to the help of the BAJ, a venue was found and very quickly lawyers such as Jean-Francois Gerard (Freshfields), Ana Sofia Walsh (Fragomen), Claire Devillez (Dayez) and Byron Maniatis (Steptoe) took on a coordinating role to help develop the helpdesk project.

From the start the helpdesk had a broad outreach with over 250 volunteers from 35 different law firms and 40 students from ULB, UCL, KUL and UGent. In the beginning, many practical matters needed to be addressed. Coordination of shifts, interpreters, scheduling the availabilities and training of volunteers, following-up with immigration lawyers, creating a database and launching advocacy and/or strategic litigation work were all required.

More importantly, our role was to ensure a direct client relationship between the immigration specialists and asylum applicants to ensure that the applicants would understand all the steps in the procedure.

**What were your own personal motives in leading this initiative and convincing other lawyers and partners to join this project?**

I always wanted to change the narrative around migrants, asylum seekers and refugees. They all have a different story and different reasons for fleeing their country, leaving everything behind or looking for opportunities for a better life. They are rights holders like any other person in need of legal assistance. As a lawyer, I aim to protect their rights under national and international law, to facilitate their inclusion and to advocate for more protective legislation.

I have been working on projects to help displaced people in Lebanon, Gambia and across Europe. This is the first time that I have worked on a project where people in my own country are affected. People coming to the helpdesk share pictures of their spot at a train station where they spent the night, they share stories about aggression and violence in the streets, they explain when they last ate a real meal, and they admit they have been wearing the same clothes for weeks. They are trying to understand why it takes 5 months to have a roof over their heads in Belgium. Working at the helpdesk brings some clarity to the seriousness and devastating nature of the current situation and highlights the role a lawyer can play in supporting people in such vulnerable positions.

Everyone involved at the helpdesk has been using their expertise, time, and networks to help these right

holders in one way or another. We also provide a space for asylum seekers to feel safe, seen and heard.

### **In terms of the violations of human rights, what is at stake in this reception crisis?**

Some call it the crisis of the rule of law more than a reception crisis. What lawyers and advocates are highlighting is the non-enforcement of court decisions by the Belgian state. More than 7000 court decisions have ordered Fedasil to provide shelter to an asylum seeker, but sometimes it takes up to four months for Fedasil to comply with such an order. Not only single men, but families and minors too have slept in the streets for several weeks.

Belgium has failed to comply with international law and court decisions. The purpose of the helpdesk is not to determine whether asylum seekers have the right to stay in Belgium or not. The purpose of the helpdesk is to protect the rights of those to whom laws adopted by the Belgian state apply. We are advocating for the respect of these laws and treaties. We observe that in January 2023, Fedasil is finally allocating reception centre places to applicants who received a positive decision from the labor court back in August or September 2022. That means that some people have been living on the streets for six months already. It is unthinkable and very hard to explain to a client that, even with a court decision in their favor, they will still need to wait for 4, 5

or even 6 months for shelter.

### **Why are most asylum seekers seeking help at the legal helpdesk, young, single men? What is your reflection on gender aspects in this pro bono initiative?**

Well, it is a tough question but that's the reality we are confronted with. Fedasil prioritizes families, single women, minors, and people with severe medical conditions. However in September and October 2022 there were no centre places available. It is our job at the helpdesk to identify other particularly vulnerable and at risk people. We will refer members of the LGBTQ+ community or victims of torture and trafficking to the right NGOs who provide them with special assistance and accommodation. Of course, an initial medical and psycho-social check-up of persons applying for international protection is the state's responsibility.

### **How would you describe the added value for the legal profession and lawyers participating in the helpdesk initiative?**

You tell me. Beside the fact that we are helping people who are in dire need, we are also engaged with the reality of how people are treated in our own city and country. It reminds us that we all have a role to play in solving this crisis. We can't pretend that we don't know anymore, it's all over the news. Joining such a project is also about meeting amazing co-workers and volunteers who are

willing to work hard to find solutions, try new strategies, find more support. It is great working with people who have the same objective in mind and will bring different ideas and insights to achieve it.

Through the legal helpdesk lawyers get to demonstrate their skills as they are forced to adapt and be pragmatic in various difficult circumstances and while facing systemic barriers. Volunteers learn to be flexible and work independently, coming up with effective and quick solutions. This experience can only make better lawyers.

**What are the losses (costs, lost opportunities, burdens...) that you have experienced or identified over the past year?**

Our initial plan was to organize the helpdesk for three months from April until June, but we are still here and there is still no long-term solution in sight. This of course means that, in some way and despite all our efforts, we have failed. The current situation is definitely not what we expected at the start. We have considered stopping the helpdesk, but the question is what would happen if we did. Those who would be directly affected would again be the asylum seekers who are already suffering too much. Since none of the BAJ or BJB are equipped to have interpreters or a rolling volunteer system in place, we have decided to continue. Without the helpdesk, the situation would revert to an uncoordinated free for all.

We don't know how long the helpdesk will be needed, but we do know that there are still between 2000-3000 people sleeping in the streets today. It would not seem to be an insurmountable problem for the government to provide shelter for these people, but we will have to wait and see how things progress.

**How can interested people join this initiative?**

We are always in need of more volunteers, so everyone is free and very welcome to join. Volunteers can also join one of our working groups, one for which is currently filing procedures before the European court of Human Rights. Since October 2022, the European Court of Human Rights has ordered interim measures against Belgium for failing to offer material reception conditions to over 1100 asylum-seekers.

**By Sam Niyonzima and Louise Janssens, Liedekerke Wolters Waelbroeck Kirkpatrick**

***This interview took place in December 2022.***

**For those interested to join the initiative, please contact the helpdesk coordinators team at [brusselslegalhelpdesk2022@gmail.com](mailto:brusselslegalhelpdesk2022@gmail.com)**

**or [Margaux.bia@dlapiper.com](mailto:Margaux.bia@dlapiper.com);  
[Jean-francois.gerard@freshfields.com](mailto:Jean-francois.gerard@freshfields.com);  
[Claire.devillez@dayez.be](mailto:Claire.devillez@dayez.be);  
[Anasofia.walsh@fragomen.com](mailto:Anasofia.walsh@fragomen.com)**



## BIAS AND PREJUDICE

Racism, homophobia, transphobia, patriarchy and other forms of sociological systems and phobias are part of our society. This is an absolute truth, and we should always strive to become better humans and try to transform our society in a better way. This starts with our workplace. This is what the Legal Diversity & Inclusion Alliance aims to do, and we are here to be allies besides this great initiative.

LDIA commits to build a diverse and inclusive workplace in which everyone benefits from equal treatment and opportunities, irrespective of race, ethnic or social origin, gender or sexual orientation, age, disability, language, religion, political preference or any other grounds of personal discrimination.

### What does this all mean in practice?

First of all, let's talk about bias and prejudice. Bias is an inclination for or against one person or group, especially in a way considered to be unfair (e.g., choosing one candidate instead of the other because that candidate has the same social background as yours).

Prejudice is a preconceived negative or unfair opinion that is not based on actual experience or reason but based on a person's membership in a particular social group (e.g., refusing to hire too many women in the firm because they might get pregnant at any moment, which would result in long months of maternity leave).



We all have biases and prejudices, as every human being and we should not be ashamed to admit to them.

However, what we can (and must) do is first, identify our own biases and prejudicial ideas and second, fight them. A very simple example would simply be to think twice before making a remark to our colleagues (or clients) or acting towards colleagues (or clients) in a way that would be seen as biased or prejudiced.

Besides that, let's open our minds. For years, we have been told the same story, quite often one which redraws the story of a white, male, cisgender, heterosexual and Christian individual. We need to welcome different stories, different backgrounds, different ways of thinking and mostly, different persons.

Our law firms mostly started with white men, but we should work towards law firms made of men, women or non-binary persons, irrespective of race, ethnic or social origin, gender or sexual orientation, age, disability, language, religion, political preference or any other grounds of personal discrimination.

This short article was an introduction to broaden your perspective on diversity and inclusion.

Being diverse and inclusive does not only include tolerance towards others, but also includes the need to tackle our own social biases and prejudices, at our individual level.

**By Juliette Detrixhe,  
Van Bael & Bellis**





# DEI IN THE LEGAL PROFESSION

*24 April 2022*

**During our 3rd Anniversary, Petra De Sutter, Deputy Prime Minister and Minister for Public Administration, Public Enterprises, Telecommunication and Post opened the evening with an inspiring speech about diversity and inclusion.**

*With her approval, we publish a copy:*

*Dear participants*

First, I would like to thank you for the invitation and for giving me the opportunity to share some views on diversity and inclusion. I may not be

very familiar with the world of the legal profession, but as a minister I have some experience with legislative work and anyone who knows me a little, knows that I am an absolute defender of human rights; that I value diversity and inclusion highly.

Therefore, I am honored to be your guest tonight and I am even more delighted to learn that there is an alliance of law firms who are committed to include diversity, equality and inclusion within the legal profession - a world which, I think, is still predominantly a white heterosexual world, just as the political world was until recently.

I can, therefore, only encourage the fact that you are, through this cooperation, raising awareness and that you are trying to set new standards within the legal profession.

We cannot speak about inclusion, without addressing intersectionality. Intersectionality is a theory that states that there are multiple aspects to a person's identity and that discrimination can result from more than one vulnerability, such as race and gender for example.

As some of you may know, this theory has roots in the legal profession. It is Kimberlé Crenshaw, an American civil rights activist and professor of law, who coined the term in the eighties. Of course, the concept of intersectionality was not exactly new, but Crenshaw gave it a definition and introduced it to the world.

To explain the concept of intersectionality - and to emphasize its importance - she often uses the example of the DeGraffenreid vs. General Motors lawsuit. In this case, a group of African-American women argued that they were receiving compound discrimination excluding them from employment opportunities. They contended that, although women were eligible for office and secretarial jobs, in practice such positions were only offered to white women. The court dismissed the case, finding that the employment of African-American male factory workers disproved racial discrimination, and the employment of white female

office workers disproved discrimination based on gender. The court refused to consider compound discrimination.

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**“The particular challenge in the law was one that was grounded in the fact that anti-discrimination law looks at race and gender separately,” Crenshaw said. “The courts’ thinking was that black women could not prove gender discrimination because not all women were discriminated against, and they couldn’t prove race discrimination because not all black people were discriminated against. The consequence of that is when African American women (or any other women of color) experience either compound or overlapping discrimination, the law initially just was not there to come to their defense.”**

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So it was there, in the courtroom, that the idea of intersectionality was coined - as a theoretical concept. And it is an important concept to keep in mind when we think about the barriers for, for example, women, minorities or people with disabilities in the legal profession, when talking about diversity, equality or inclusion.

Of course, creating awareness is particularly important. By talking to each other and creating change in people's minds, we can gradually move rocks in the river.

But in the end, we might need concrete measures to ensure change.

First, there is often a need for role models. Visibility is very important. When we see ourselves presented, we have the feeling that we exist. The idea 'this is not for me' is then an idea that we eliminate. I can imagine that this is also the case within the legal profession. I was told, for example, that, until today, some lawyers remain in the closet, fearing coming out would negatively impact their image. LGBTQI role models can set an example here through normalization. The same applies to persons with a migrant background.

We must set aside the idea that everything social, caring, empathetic is, by definition, linked to women and everything financial, economic, scientific, assertive or ambitious is linked to men. These stereotypes of 'hard and soft' competences are undoubtedly present in the legal profession, depending on the legal discipline or branch of law. Moreover, every so-called 'hard law branch' can use some softness and vice versa.

But of course, that doesn't only apply to the legal profession. There's also, for example, an underrepresentation of women and girls in STEM and science. I recently visited a project in a secondary school where they want to encourage girls to choose science subjects. They do this, among other things, by putting forward female role models from the science sector.

Besides, these girls were meeting in a so-called 'unicorn club' - a playful interpretation of what constitutes 'a

network'. Creating and coming together in networks and alliances is important. I am sure you are convinced of this, as LDIA is such a network as well. And maybe you are also familiar with the concept of the 'old boy's network', where powerful, mostly white, men come together in exclusive clubs to hand out jobs and promotions to each other, for example while playing golf.

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**A network on diversity and inclusion can offer a nice counterbalance to this nepotistic men's club.**

**Moreover, change should not only come from the 'bottom up'. Managers, too, have an important role to play. Because their message has a certain weight and authority, they can also exert influence, by speaking out for more equality.**

**And also the HR policy within an organization or law firm can make a difference - by explicitly focusing on diversity and inclusion. This can be done by, for example, organizing trainings on 'unconscious bias' or by highlighting certain messages on inclusion within the organization.**

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Furthermore, gender equality is also one of my focal points. As a Minister of Public Administration, I notice that there are still too few women in leadership and decision-making positions. In the Belgian federal public administration, for example, only 1 in 4 top managers is a woman.

And I have been told that this is also a delicate issue within the legal profession. At the bottom of the pyramid, things are usually looking pretty good, in terms of female representation, as law schools have been rapidly feminizing in recent years, but of course the problem is set at the top of the pyramid - which is still predominantly white and male.

As in many other sectors, women encounter barriers, such as a toxic work environment or personal doubts, that make them give up or adjust their ambitions. Having many women in law schools does not necessarily lead to a gender balance within the legal profession. So we should not be satisfied too soon.

To address the gender imbalance in Public Administration, we, as a federal government, are organizing leadership programmes, launching campaigns such as 'women in digital' and ensuring that selection juries are more representative (currently, we have ensured that these juries may consist of a maximum of 2/3rds of people of the same gender and we will soon change this to 50/50).

And people often say: we should choose people based on ability, not gender. I agree. The best person should get the job, regardless of gender, color, etc.. But the candidate pool - which is now dominantly (white) male when I look at the procedures in government - should also be representative. And today, to ensure that every candidate pool is

representative of the whole society, we sometimes still need quota. It helps to make boards, committees or assemblies more diverse - as people tend to choose people who are similar to them. Think of publicly traded companies, where there are quotas for the boards of directors. These quotas prove their worth and achieve their purpose.

Moreover, the fight for more diversity is not exclusively a women's fight. In 2014, actress Emma Watson said the following in a speech to the United Nations: **"How can we effect change in the world when only half of it is invited or feel welcome to participate in the conversation? Men, I would like to take this opportunity to extend your formal invitation. Gender equality is your issue, too."**

What she meant was that we need everyone to make change possible, including men. Because they, too, benefit from this fight for more equality. After all, diversity brings a multitude of views and perspectives. And everyone gains from that.

But Emma Watson's quote also pointed out how men too can sometimes be trapped in a straitjacket of stereotypes about masculinity. Think of all the clichés around vulnerability or mental health. Equality and inclusion affect everyone - even those who think they are not involved.

I, also, spontaneously think of our

Prime Minister, who wrote the book 'The Age of Women: Why Feminism also Liberates Men'. This can contribute to the shared and common fight for more inclusion and diversity in our society.

And most importantly: the idea, that this fight is not an exclusive fight of those who belong to an unrepresented group, does not only apply to gender. We can apply it to all forms of diversity - gender, race, disability, etc.

Today, there are still several barriers and obstacles that make it necessary to actively pursue a policy on diversity and inclusion – in society as well in companies, organizations or law firms. And I can imagine that, within the legal profession, specific barriers, inherent to the profession and the sector, play a crucial role, such as the cost of law school, the unconscious fear that one will not feel at home in a world full of

powerful white men, and so on. And I am told that the biggest challenge is still to involve more people with a migration background in the legal profession. The educational waterfall, the lack of social capital that is brought from home or predominantly white male role models – these barriers determine that we are still at the starting point, when it comes to ethnic-cultural diversity and inclusion. But I suppose that all these thresholds will be discussed here today.

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**Inclusion is much more than the mathematical sum of a few well-intentioned actions for different target groups. It is 'the extent to which people feel valued, respected, accepted and encouraged to participate fully in society'. Let us work on that together. Thank you.**

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**By Petra De Sutter**





## 3rd ANNIVERSARY CELEBRATION OF THE LAUNCH OF LDIA

*25 April 2022*

In January 2019, an open letter was published (in the American Lawyer) with the title '**Improve on Diversity or Lose our business**'. During our 3rd anniversary celebration of the launch of LDIA, we hosted a panel discussion entitled '**DEI in the legal profession**'.

One of the topics discussed was why it was so important to companies that law firms commit to diversity and inclusion. **The panel discussion was moderated by Claudia de Castro Caldeirinha**, Senior Leadership Specialist, Author and keynote speaker.

Meet our **impressive speakers** who shared their expertise and experience, plus provided useful insight on

programs and tools used at their companies and organizations:

- **Zoe Kimberley**, Area Counsel, Region South & CEE, AbbVie
- **Luke Vincett**, Diversity & Inclusion Manager, Chambers and Partners
- **Agapi Patsa**, Legal counsel for EU Affairs, Google
- **Romanie Dendooven**, Legal & Corporate Affairs Director, BENEFRALUX at Anheuser-Busch InBev
- **Bart Abeel**, Director, Micro Focus Belux
- **Isabelle Ekierman**, Sagrek and candidate au Dauphinat 2022 chez Barreau de Bruxelles

**Agapi: You have worked in law firms before joining Google. Where do law firms fail and what could be done differently and/or better in your view?**

Issues with both (i) recruiting diverse talent, and (ii) retaining diverse talent. Helping it progress. It is important to actively target specific under-represented groups; partner with diversity organizations; attend law fairs and host events with student law societies at universities with under-represented students.

Realizing the importance of “belonging” through onboarding, employee resource groups, thoughtful mentoring matches and personal development plans. Also fix access to opportunity issues comprehensively.

**Assuming Google has a DEI wish list when law firms pitch for your company to become a client, can you share what Google expects from law firms and why?**

- **We are mindful of who we reach out to within the firms.**
- **We use RFP templates which require DEI information.**
- **We take a critical look at the team that is put together and whether it reflects the diversity that Google values.**

**What can law firms learn from Google?**

- **Increased focus on neurodiversity.**
- **Creation of Disability**
- **Accommodations Team.**
- **Diversity Accelerator Program.**

**What are possible stumbling blocks?**

That workload and DEI initiatives be treated as a BD tool.

**Do you have tips & tricks from your experience, e.g. which programs should be put in place to develop, promote and retain talented and diverse lawyers?**

- Google OC mentoring program.
- Contribution to paying-off student debts.
- Google Legal Summer Institute.

**Zoe: Why should law firms, or anyone, care about diversity, equity, and inclusion? Law firms provide legal advice, so it is not that they need to know the market to sell better products?**

Above all, because this whole subject is about values and behaviors, everyone should be treated with dignity and respect. Whether a law firm employee or client. Speaking from the client side, law firms are the extension of their clients. Great external counsel should be an extension of the internal legal team and/or business; present as a unified team. This includes how we treat one another and diversity.



Our GC expects it of law firms we work with.

Reflecting on AbbVie's position regarding diversity in law, we believe that **“having diverse backgrounds and perspectives helps us to better solve the challenges facing our HCPs and patients”**. This is just as applicable to law firms because for the reasons I have just raised, it is key that they are an extension of their clients.

Its also needed to become a law firm of choice – for both the members of the firm and the clients.

Clients' expectations have changed over the last 5 years. AbbVie has set 6 core pillars and one focuses on the law firms we partner with.

AbbVie has implemented extensive Outside Counsel Initiatives. Launched in 2018 with over 25 of AbbVie's top spend law firms, the initiative began by assessing baseline metrics and creating individualized goals for each firm. “We have set a goal to develop a diverse slate of outside counsel talent by 2023. Seeing good progress”.

AbbVie have set measurable goals for our firms in the US and are looking to do this in Europe in the future. For example, specific targets include:

- **Equal female and male partners serving on legal matters.**
- **Double the minority partners.**
- **A mix of at least 50% underrepresented lawyers serving on AbbVie matters.**

- **Working together to create a more diverse legal profession is in the interests of all, but potentially in the hands of a few, so there is more that can be done by firms although progress has been made.**

**How do you think law firms can advance diversity, equity & inclusion? How to put these values into action?**

There are many ways. There is an opportunity to better shape the legal profession and future proof it.

Starts from the top. Like any effective compliance programme, we need to see partners and boards of management walking the talk.

Leadership on the subject and not “box ticking”. Individuals need to implement goals and be accountable to those goals. It is inspiring to see role models within firms and seeing someone like you achieve recognition. Focus on outcomes and not hours?

I have personally seen some fantastic examples in Europe. Big focus on gender but also broader topic of racial diversity and social mobility. For example:

- **Mentor schemes**
- **Training on unconscious bias**
- **Workshops**
- **Schemes for both men and women returning from paternity and maternity leave**

- **Support for minority groups and access to justice**

It is key to ensure robust plans for development and retention of all talent including minority groups. Also address the so called “pipeline problem” focus on early career talent and interests. Support minority groups through secondments, work experience and mentoring. Consider contextual recruitment.

Partnership between Firms, clients, and groups like LDIA.

### **How and which progress do you feel should still be made?**

I do believe that progress has been made in both the legal profession and industry. The fact that we are here with LDIA today speaks for itself about the importance of the subject. Looking to the future:

- **AbbVie will reflect on its outside counsel initiative and what has been achieved by 2023.**
- **More broadly, there is a need for honest conversations about the hurdles that remain and how to overcome those hurdles.**
- **Continued focus on equal representation in senior management in firms. Continue to break the bias and be open about what is important.**
- **Share best practice and learnings/award excellence.**

- **We all have a role to play and can be part of the solution.**

**Romanie:** *Anheuser-Busch InBev SA/NV, commonly known as AB InBev, is a Belgian multinational drink and brewing company based in Leuven.*

### **Is AB InBev advanced when it comes to DEI, and like Google and AbbVie, does AB InBev expects law firms to do better too?**

At ABI, we have been integrating DEI into our value chain – moving away from only looking at our own workplace and covering our entire footprint. ABI is very committed to incorporating diversity and inclusion as part of the overall sourcing and supplier strategy footprint. This is a journey we have just started but have also accelerated, and during 2022 we will be activating a number of events across our business. The events will take the form of supplier fairs and open-door sessions where we will meet small, medium size companies and, also companies with a DEI background. The goal will be to identify companies that we can bring into our supply chain.

When it comes to law firms, we actively look at D&I policies in our tenders. We see more & more firms also spontaneously including their DEI policies in tenders. While this has not yet crystallized in a “go/no go” set of criteria, we are taking it into

account and need to learn more on how it can determine hiring firms.

**Would you be able to say something about Inbev's expectations towards law firms, why and or what Inbev does as a company re DEI from which law firms could learn?**

What is really important for us when we look at law firms is the cultural fit. We have quite a unique company culture which is based on the strength of our people and is a true meritocracy. We are not very hierarchical and very informal.

On DEI in particular, we are learning and understanding the policies, but also trying to see how it translates concretely into the organization. But we need to do more there.

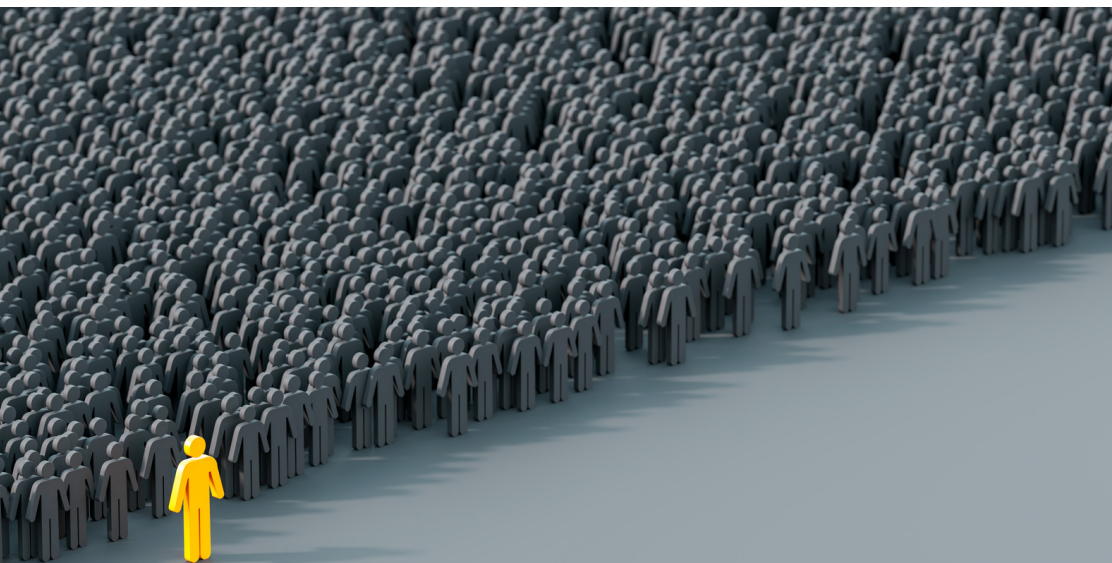
**Would you be willing to share your personal experience, if so, and/or what you have seen in general, what you think should be different, what is 'wrong', where they fail (e.g. the model) and what could be one in your view.**

- **Model:** billable hours as the key KPI vs performance. This is different inhouse. Law firms will be an interesting case study for the future of work as it is very extreme there. Flexibility and ownership of one's schedule are key.

- **Role models:** we underestimate the role of men as role models, esp. in parenthood and how to combine it with work. If only female lawyers are taking up their role as a parent, they risk being isolated as the working mom and fail.
- Or they don't actively take up their role and become one of the boys. Men face the **bias** to remain available also if they become parents, and we need to break that routine. I believe men struggle from that too – there is also a DEI issue to be addressed.
- Role modeling also goes beyond parenthood. What **female leadership** qualities can make it into the law firm world? Are law firms actively developing leadership competencies and which ones should they be? Vulnerability, self awareness, psychological safety
- **Client behavior:** especially in the transactional area, clients are expecting feedback & turning drafts over the weekend or overnight. As clients we need to take up our responsibility by setting realistic targets & deadlines. Of course there will always be the moments when things are on fire and need to go fast, but if they become a standard WOW that's not OK.

- **DEI policies** going beyond the obvious: we see a lot of companies and firms announcing parental leave policies and that's great. But we should not forget that the real struggle often starts after that beautiful policy. Law firms need to take time to understand and dive into the root cause for the glass ceiling, and drivers, both tangible and intangible.
- **Break myths:** there are a lot of myths that can be broken. At ABI, we recently did a survey on parenthood and we found a few very interesting points. For instance, it turned out that parents are more engaged employees than non-parents; and that people who are not yet parents were more worried about being able to combine their work with parenthood. Taking these learnings into account will be very important.
- Watch out for the “**fausse bonnes idées**”. I've had discussions with friends in law firms who are considering creating specific career tracks for people who wish to have a better balance. But what goal do you want to meet with this? Do we mean that lawyers who wish to have a sound family life can never succeed as leaders or partners of their firm that balance and partnership are mutually exclusive?

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