

241108 - Talking Law - Nadia Chiesa - WillEdit

[00:00:00] **Nadia:** Sure, and that's a really good distinction to ask. Jumping ahead a bit to my history, I first qualified in Ontario, Canada as a barrister and solicitor. There's a fused profession there. Yeah, I subsequently [00:00:15] qualified in a number of Caribbean countries jurisdictions, including Turks, where it's also a fused profession.

[00:00:22] **Nadia:** However, as a matter of my practice, I only do courtroom work and disputes. [00:00:30] So do not come to me with a transaction. I wouldn't know what to do. Don't ask me to draft the contract. But when something goes wrong with the contract or the transaction, then I get involved and do the dispute resolution from the beginning because it's [00:00:45] fused here.

[00:00:46] **Nadia:** Um, I do basically from the minute the client comes in the door with the problem. I handle everything. I do all the research, the drafting, the client interviewing and take it all the way to court.

[00:00:56] **Sally:** Wow. I mean, I'm actually quite excited by that. Maybe just [00:01:00] because it's the Caribbean. It works out more exciting.

[00:01:04] **Sally:** Well, Nadia, if I may, let's go backwards then and ask you about your history. How did you qualify to become a lawyer? What inspired you to become a litigator?

[00:01:13] **Nadia:** Um, the question of [00:01:15] why law is a good one. And on tough days, I actually asked that to myself quite a bit. I wasn't one of those people who grew up in a family of lawyers or thinking it was always going to be the law.

[00:01:27] **Nadia:** Um, in Canada, where I did all my [00:01:30] secondary schooling, a little different from the UK, where you don't immediately go from secondary school into your LLB. In Canada, you have to complete a four year bachelor's first at a minimum. So I did my first degree in [00:01:45] journalism actually, and I really enjoyed it, but it was the sort of early two thousands into the middle of the, what are we calling the noughties, Um, when I was wrapping up my degree and I do tend to be a very [00:02:00] pragmatic person and I was, it was very much the death of print media.

[00:02:03] **Nadia:** My specialty was long form writing and editing and I saw magazines collapsing left and right. I was a little behind the trends and I didn't really see the potential in blogs and online yet. [00:02:15] But I realized what I loved most about journalism was putting a story together and telling that story. And so that whole process, I realized, was actually very similar to what lawyers were doing.

[00:02:29] **Nadia:** I [00:02:30] did some part time work throughout my undergraduate studies as an assistant to decision makers at Canada's Immigration and Refugee Board. So I sat in on a lot of immigration cases, I could see the work the decision makers were doing behind the scenes, and I realized, oh, This is very similar to [00:02:45] everything I like about journalism.

[00:02:47] **Nadia:** So towards the end of my undergraduate degree, I realized, okay, I think it'll be law school. Uh, started studying for the LSATs. I took a year off between my degrees and then I started my law studies at Osgoode Hall Law [00:03:00] School, which is a great law school in Toronto, which is where I grew up. Born and bred Torontonians.

[00:03:05] **Nadia:** Um, and then. I was on a pretty traditional track through law school in the beginning of my career. I did, um, quite a bit of work. I [00:03:15] don't think I, I'm surprised I've ended up as a commercial litigator. I did a lot of work in sort of human rights and immigration and those spaces. I was very active at the legal aid clinic when I was in law school and then got a job at a firm.

[00:03:29] **Nadia:** I ended up [00:03:30] spending my whole career at until the last year on Bay street, which would be the equivalent in the UK of like a city firm or a wall street firm in the U S. And I joined them thinking I was going to be an administrative and public law lawyer. Wow. Yeah. Which very [00:03:45] quickly I realized as a, yeah, that wasn't quite for me, but I got some very early on in my articling, which is like pupillage.

[00:03:53] **Nadia:** I was at the same firm and I got exposure to a commercial litigation trial very early in my pupil age. [00:04:00] I think it was a five or six week trial I got to assist on. And that's when it all came together for me. And I thought, Oh, this is what I want to do. I want to be a courtroom lawyer and business transactions are actually interesting when they fall apart.

[00:04:13] **Sally:** I hadn't

[00:04:13] **Nadia:** had exposure to that. [00:04:15] Um, and then it went from there.

[00:04:18] **Sally:** Wow. It's really, really interesting hearing this because, you know, sometimes young people can come to the profession now and have one view about where they want to be, one specialism or [00:04:30] whatever, and that's what they're set on. But actually, it's the exposure to it that can so impactfully help you choose the actual area.

[00:04:39] **Sally:** Is that fair?

[00:04:40] **Nadia:** Absolutely. And I think it's I think you [00:04:45] can only benefit from having exposure to a lot of areas, and I'm actually a very big believer in studying something, if you're able to, that's not related to law, before you get to law. So if you're in a system like the Canadian or US system where you [00:05:00] generally do a different degree first, I think the farther away you are from law, the better.

[00:05:05] **Sally:** Yes.

[00:05:06] **Nadia:** And I'm a big advocate of people taking some time off before they go to law school or their bar course. Um, I think people who come to [00:05:15] the law as a second career or a little bit later in life, all that experience is only going to help you.

[00:05:21] **Sally:** Um,

[00:05:22] **Nadia:** and I've in my previous life in Toronto at the firm I was at, I did a lot of recruitment and hiring of students into our student program and of our [00:05:30] junior associates.

[00:05:30] **Nadia:** And the people we found and hired who generally did the best were ones who had a little more exposure. I was always a little suspicious of students who came in and said, I want to be a, like an M& A lawyer. Well, how do you know that? [00:05:45] You've not had exposure to that. You saw it on a TV show, which is fine.

[00:05:48] **Nadia:** That's lots of people's exposure to lawyers. But I think try a little bit of everything. I, as part of my articling or pupillage, I had to do some corporate work, transactional work, realized I did not like it, but I had to try [00:06:00] it to discover I didn't like it.

[00:06:02] **Sally:** Yes. It's so interesting. It sounds a bit also like common law pupillage, where, which is what I did, what, 20 odd years ago, where I did a bit of everything.

[00:06:11] **Sally:** And, uh, so it sounds fantastic, which leads me really [00:06:15] to ask you, you've answered most of it actually, so maybe just very quickly. Three pieces of advice for somebody entering the profession now, um, uh, by way of a career. So, you know, just a career development field, really anything that, you know, [00:06:30] you've learned that you can share by way of strategies for advancing one's career or overcoming barriers or just an entrance.

[00:06:37] **Sally:** Uh, and I'll come back to that later on when I ask you about career progression.

[00:06:42] **Nadia:** Sure. I think for people who are sort of [00:06:45] right at the law school or junior. lawyer level. So the first couple of years. Yes. I think it's really important as best you can to block out all of the buzz and the hype. This is a job you can [00:07:00] only do by learning.

[00:07:01] **Nadia:** And so in law school, for example, I remember my first term of law school sitting there and I'm not a shy person, but it felt like everyone else had their hand up all the time and everyone else seemed to have the answer and all these great questions. [00:07:15] But then I realized after our 1st set of midterm exams.

[00:07:17] **Nadia:** Those people got very, very quiet all of a sudden. And so I think like a lot of professions, but this profession in particular pulls together people who are used to being at the top of what everything they do [00:07:30] tend to be very confident. And you put a bunch of those people in a room together and they just make each other louder and it's okay to be the quieter one.

[00:07:37] **Nadia:** So just block out that buzz when you're going through law school, the whole recruitment process for jobs. People think that if they don't get the [00:07:45] top spot, then they're never going to have a career. That's not true. There's so many chances in this profession and so many things you can do. I think just block out the noise and try and focus on whatever your goal is.

[00:07:59] **Nadia:** It's really [00:08:00] important. And that's something I used to always remind our students when they were going through the recruitment process, the hiring, the pupillages. And it's something I wish someone had told me. I sort of had to learn it on my own. So that I think is very important.

[00:08:15] And I think also remembering or realizing that nothing is really forever in law.

[00:08:21] **Nadia:** You can start in one practice area and those first couple of years of your career are so flexible and there's so much possibility. So you may start [00:08:30] out doing sort of more courtroom work and realize that no, that's not what you want. And you want to move into transactional work or doing more invest workplace investigations.

[00:08:39] **Nadia:** For example, there's so much ability to move in those. Certainly the first five [00:08:45] years

[00:08:46] **Sally:** of

[00:08:46] **Nadia:** your practice, so you're not locked in, so try a little bit of everything, um, because it's, this is a hard job, no matter where you're doing it. It takes a lot out of you, so if you don't enjoy the work, no matter how much money you're making in this job, it's [00:09:00] probably not going to make up for it.

[00:09:01] **Sally:** Yeah, absolutely. Well, great, great, great advice. Nadia, let's go back to you, if I may. And I love asking this question in your fabulous career, particularly because of where you've started in the journey that you've been [00:09:15] on. Um, I want to talk about some of the cases you conduct, uh, especially there, you know, in Turks and Caicos.

[00:09:22] **Sally:** And you've been involved in, um, some really big cases, uh, dealing LGBTQ [00:09:30] plus. And I wondered if you could share with me a case that's been really great importance or impactful to you? Um, do you have such a case that you could share? Um, sometimes I ask this question and people will say, [00:09:45] Oh, the first case I ever did when I was on my feet and you know, or the first time I won at the court of appeal, or, you know, the case that made me go on to become a Casey or whatever.

[00:09:56] **Sally:** Um, I just wondered if you had a case that was impactful, [00:10:00] um, to you?

[00:10:02] **Nadia:** I. I probably have quite a few and they weren't necessarily all wins or big cases, but I can think of one very recent case and one case very early in my [00:10:15] career that I think led me to where I am now. So that case early in my career, so I had mentioned I started practicing in Toronto, did my school there, started at a firm in Toronto and.

[00:10:28] **Nadia:** I now am a lawyer who's worked in [00:10:30] the Caribbean for more than a decade, and I now live in the Caribbean. So to sort of figure out how that arc happened, I mentioned that I really sort of got my taste for litigation and business litigation during my pupillage. And [00:10:45] during the course of that pupillage, I also discovered that the firm where I was, there was a partner that was doing some work in the Caribbean.

[00:10:52] **Nadia:** It wasn't an established practice group, but this person was doing a couple of cases here or there, and I [00:11:00] put up my hand and said, I'd like to work on one of these cases. I'd always had an interest in international law, but my frustration with law school was, I mean, it's a whole other discussion to have.

[00:11:11] **Nadia:** Law school doesn't really prepare you for practice. But. [00:11:15] Law school I found didn't really offer options for what you could do if you were interested in, for example, international law. It was obvious you could get an, try for an internship at the UN where you're competing against every other law student in the world for two spots.

[00:11:28] **Nadia:** Yes. Or you [00:11:30] could work for an NGO. Wonderful work, but it's very hard to pay rent to do when you're doing those jobs. Yeah, and so I couldn't see where I could fit my international interest in with my private practice interest. Um, and then, as I said, I discovered this partner that was doing some work in the [00:11:45] region and sort of long story short, I effectively convinced that partner to hire me to start a Caribbean practice.

[00:11:53] **Nadia:** And so, yes. And so there was a, I was coming fresh out of my pupil age. At the [00:12:00] time, the partner had a mid level associate, maybe a fifth year, and she was doing some work in the Caribbean as well. And very shortly after I started, she quit to move to another firm.

[00:12:11] **Sally:** Wow.

[00:12:12] **Nadia:** Terrible. I mean, she's had a great career.

[00:12:14] **Nadia:** We've stayed good [00:12:15] friends. But for me, I was like, Oh, no, I'm losing my person. I'm losing the person that's going to teach me.

[00:12:19] **Sally:** Yes.

[00:12:19] **Nadia:** Um, and we were just at the outset of a very big trial that ended up spanning about seven different jurisdictions across the Caribbean in

the US and in the UK. [00:12:30] And it the trial team turned into the senior partner and myself.

[00:12:35] **Nadia:** So it was absolutely being thrown in the deep end.

[00:12:39] **Sally:** Yes,

[00:12:39] **Nadia:** and the deep end was full of sharks. And let's just go as far as we can with that metaphor. Um, and [00:12:45] it ended up really being my first two years of practice. I worked almost exclusively on this very big case and cases in the Caribbean. Um, and that's really sort of where I realized after this first couple of years.

[00:12:57] **Nadia:** Wow. I really like this work and I [00:13:00] really like doing it in this part of the world. The kinds of cases I was getting a chance at were either novel issues or it was very new legislation that had just come out. At the time there was a big, um, there was starting to be a big shift in [00:13:15] company law across the Caribbean, where they were moving away from British models and adapting more modern legislation that fit better in the jurisdictions given their business realities.

[00:13:25] **Nadia:** And so I got to see some of that evolve, get a taste for it. And it was really after [00:13:30] those first couple years in this large case in particular, which we ended up losing and then settled on appeal. Um, but it was very intense litigation in various parts of the Caribbean. And it really showed me this is where I want to establish my career.

[00:13:44] **Nadia:** And [00:13:45] so that case was very impactful because by the time we were finished with that case, I went to my firm and I said, I would like to go back to law school in the Caribbean to get my certification so I can get my rights of audience. And so I applied [00:14:00] and they agreed and so I ended up when I was about in my second two and a half years into practice I went to law school in Trinidad.

[00:14:08] **Nadia:** Wow. And the system for the Caribbean region similar to the UK in that you do your LLB for the Eastern Caribbean [00:14:15] often in Barbados, and then you do a two year law school, and you do it either three schools for the region Jamaica, the Bahamas and Trinidad. I chose Trinidad. Um, and so I moved, I kept working for my firm.

[00:14:28] **Nadia:** I moved my house and my [00:14:30] practice down to Trinidad for about seven months while I went back to law school. And then that

cemented it. And I've been working in and around the region ever since. So I think that was the first really impactful case for me because it just made me realize, yes, this is where I want to [00:14:45] work and this is the work I want to do.

[00:14:47] **Sally:** Fantastic. And can I ask you, did you feel that there was a risk at all? Did you think, or did you just know? Did you think, Oh my gosh, I'm leaving everything I absolutely know to move to, as I'm [00:15:00] saying it out loud, it probably doesn't sound like it was a risk, to move to a hot country and do really interesting legal work.

[00:15:06] **Sally:** Did it ever cross your mind that this would, might be, turn out to be a disaster and then get open?

[00:15:12] **Nadia:** Absolutely. Um, because I [00:15:15] was trying to convince a Canadian law firm with an office only in Toronto to let me go and study. to build a practice that was in all these other countries that the lawyers generally only went to on holidays.

[00:15:26] **Sally:** Yes.

[00:15:27] **Nadia:** Um, anyone I mentioned to when you say, Oh, I [00:15:30] practice Caribbean law, they immediately go, Oh, money laundering. No, not just money laundering. That was just that, like people have very ingrained prejudicial images of what they think it involves being asked even by coworkers. Do you wear [00:15:45] shorts to court?

[00:15:45] **Nadia:** No, I don't wear shorts. It's like saying to Australians, you take a surfboard

[00:15:50] **Sally:** to court.

[00:15:50] **Nadia:** Yeah. Is there a kangaroo at the office? It's the exact same thing. So yeah, I think it was a risk. Um, but [00:16:00] it's one I'm very glad I took. Absolutely. Absolutely. One I'm very glad I took. Um, and I ended up having a Caribbean practice based out of Toronto up until 2023.

[00:16:09] **Nadia:** So in the

[00:16:11] **Sally:** longterm

[00:16:11] **Nadia:** it worked out. It was unusual. Um, but [00:16:15] it, it worked for me.

[00:16:18] **Sally:** Yes, quite, quite. Now, Nadia, one of the things I wanted to ask you is about career progression or leadership opportunities. You mentioned mentorship and, you know, [00:16:30] those sort of things, but really, um, I set up Women in the Law UK, uh, as a women's organization, which is There's all sorts of things, career progression, development, and so on, equipping us really with professional development skills.

[00:16:44] **Sally:** I [00:16:45] understand that you're trying to get a woman in law going in the Turks, um, and Caicos, which I'm very excited about. But I wondered how that came about for you and whether you had any advice on kind of, for women trying to navigate, uh, male, uh, [00:17:00] traditionally male dominated legal spaces or sectors. Is that one of the reasons why you're trying to get a women in the law initiative going in the, in the Caribbean?

[00:17:10] **Sally:** Um, and have you, what advice have you got by way of, um, progression, [00:17:15] uh, career progression for perhaps more established lawyers now like yourself?

[00:17:20] **Nadia:** Yeah, I think the experiences that I and my colleagues at my firm here in TCI have had certainly have spurred us in the sort of the founding and [00:17:30] trying to build women in the law here in Turks and Caicos.

[00:17:33] **Sally:** Yes.

[00:17:33] **Nadia:** Um, because it is a resource that hasn't been here before in any kind of formal capacity because my training and formative years of practice were very much in Toronto. [00:17:45] Where I think like the UK, there were more of those organizations, more of those resources, although I've seen in the span of my career, what was available when I started and what's available now.

[00:17:54] **Nadia:** And it's night and day. And so I'm very happy for, um, younger women, [00:18:00] younger lawyers of color, younger lawyers who identify as queer, what they have available to them now. It's still not perfect. There's still a lot of work to do, obviously, but they have more options. They have more resources available to them that even 10, [00:18:15] 15 years ago were around.

[00:18:18] **Nadia:** Um, I have to say in my first couple of years of practice, I didn't, I was very sheltered. I was within a team where the focus was. We were

very [00:18:30] busy and there weren't very many of us. And so the work, there was no, for example, work going to a male colleague over myself, because I was the only one there I was doing it.

[00:18:40] **Nadia:** So I didn't notice. I think I was able to be a little bit blind to it all for the first couple of [00:18:45] years of practice. And I, but I remember when I was around maybe fifth year, a female partner at the firm I was at at the time telling me, Oh yeah, it's great to be a woman lawyer until you start making money and they see you as a threat.

[00:18:59] **Nadia:** And [00:19:00] that to me has been my experience.

[00:19:03] **Sally:** Yes.

[00:19:05] **Nadia:** As soon as, and this is within a firm culture, which I know can be a little different from self employed in the UK, but within a firm culture. [00:19:15] The firm partners, the men, everyone's very happy to let you do your own thing and keep going until they start seeing you as a threat to what they're bringing in to their clients, to their status.

[00:19:26] **Nadia:** And then my experience has been either they try and [00:19:30] shut you down or they try and make you the poster child for the firm's equality campaigns and diversity campaigns and all of that. And that's when it starts to get difficult, at least in my experience. And that's when you [00:19:45] really need to be your own advocate.

[00:19:48] **Nadia:** And that's something I've experienced at different places I've worked and throughout my career. And I find it very funny that I get paid to go and advocate for other [00:20:00] people. And I think I'm pretty good at it. And if I don't do my absolute best, I'm being professionally negligent. Yet when you go into a meeting as a woman lawyer and you're advocating for a raise, for [00:20:15] paid transparency, for more opportunities, there's a lot of pushback and it really makes people uncomfortable.

[00:20:22] **Sally:** Yes.

[00:20:23] **Nadia:** And I mean, even things like early in my career, I was told a couple of times in reviews, Oh, you asked too many questions. [00:20:30] Well, that's my entire job. My job is asking questions and getting a point across. So I really think you've got to be, and it's taken me a while to learn this, but you really have to advocate for yourself.

[00:20:42] **Sally:** Mentors

[00:20:43] **Nadia:** are important. Champions are [00:20:45] important. But at the end of the day, you're the only one that's looking out for you.

[00:20:50] **Sally:** Yeah. Do you know, I'm writing this down. I feel like I'm, I'm getting professional development, right? Um, a very good friend of mine has three daughters. He's a high profile [00:21:00] Casey. And we were having a conversation.

[00:21:02] **Sally:** It was about women in the law very early on. Probably over agent and tonic. And, um, it had never occurred to him. He said, I don't understand why women lawyers would have difficult exactly as you've described. Um, Nadia would have [00:21:15] difficulty advocating for themselves because they're advocating for others.

[00:21:18] **Sally:** In court, and I was saying to him, no, it's a completely different conversation when you're talking about progression and there are higher stakes, so the treatment is different and indeed the status. So it's really interesting seeing [00:21:30] it from other perspectives, like other people in other countries perspectives and other experiences.

[00:21:34] **Sally:** Of course, it's not all for all. But it's a really interesting, um, uh, dynamic, um, to hear that. And, and a guest of mine on here, Jason [00:21:45] Pitta, he calls it, you've got to be prepared to back yourself. That's what he's saying. And that's what you're saying, isn't it? You know, be your own advocate at the end of the day.

[00:21:54] **Nadia:** Yeah, I like back yourself. That's absolutely it. And I don't think it's [00:22:00] something in the profession we're talking about enough yet. I'm seeing it more and it went from kind of closed conversations. I would have closed office door conversations. I would have with other peers and lawyers who are senior to [00:22:15] me.

[00:22:15] **Nadia:** I've really made it a point when I'm working with more junior lawyers to try and get that message to them and have them talk about it. Um, because it can be very isolating in this profession. And, I mean, [00:22:30] the firms and the system benefits from isolating us. And so you've got to really back yourself. I like that phrase and talk about it.

[00:22:40] **Sally:** Absolutely. Absolutely. Um, can I ask you about, [00:22:45] um, well being now before I move on to some other questions? Like, you know,

what's your favorite book? Who's your favorite legal character? I feel like we need to make a film about your life starting in Canada. And then, you know, having this whole change going into the [00:23:00] wonderful warm sunshine and practicing law there.

[00:23:02] **Sally:** I'd watch it. It needs to be like the quali mobile or something. We've got the new Nardin. Um, But, you know, the truth is the law is tough. The risk is hard to get a [00:23:15] workplace balance. You know, here in England, there's a great charity I support called Lawcare, and it's talking about well being and wellness, um, and looking after ourselves because we can't give it all.

[00:23:25] **Sally:** And so I wondered, What do you do, or what would you like to [00:23:30] do, uh, or what do you do to manage kind of stress, maintaining some sort of work life balance, and work, uh, and mental health challenges, you know, that can occur specific to, um, the legal profession, uh, and the challenges, you know, it [00:23:45] is, uh, not a job for the faint hearted, it is long hours, we're trying to do better, but I'm wondering, what would you like to do, or what do you do, are you going out surfing?

[00:23:54] **Sally:** Going out in shorts as you skip out of the office, uh, you're still in the office now, so you're [00:24:00] clearly not skipping out at, at, uh,

[00:24:02] **Nadia:** To be fair, we've got a time difference here. It's only 2. 30 on a Friday, so not too long a day. No. Um, so sort of well being and health in this profession is something I [00:24:15] have to admit I'm not very good at, or I historically have not been very good at.

[00:24:19] **Sally:** Yes.

[00:24:20] **Nadia:** It's something I'm trying to work on. Um, but yeah, we need, we all need to do better at it. [00:24:30] Um, I will say I see a lot more discussion about it now, which is good because when I was in law school, we didn't talk about it. When I was in my early years of practice, we didn't talk about it, or I should say that when I say we, the profession didn't talk about it.

[00:24:44] **Nadia:** [00:24:45] We talked about it, the associates who are crying behind closed office doors or in the watch room crying to each other. Um, but I think it's tricky because I like to work. When I'm in the middle of a case, I want to work. I want to get the work done. [00:25:00] And it is a profession you can only learn by doing. It doesn't really suit itself necessarily.

[00:25:08] **Nadia:** Oh, it's five o'clock. I've got to leave, but I have court tomorrow morning, but it's five. So I'm at the door. So I think what I have [00:25:15] learned over the years is to be flexible. And what work life balance looks like is not necessarily what it looks like in all the articles you read. Um, it's not sort of, I work set hours every day and I have every weekend off.

[00:25:29] **Nadia:** At [00:25:30] certain times, based on what cases I have, it does mean working six, six and a half days a week, but after the end of a big case or a tough day in court, I'm going to leave the office early. I'm not coming back and working till six. I'm going home. I am going to have a gin and tonic. I [00:25:45] am going to go for a swim.

[00:25:46] **Nadia:** Um, and I think for me, the thing that's really helped throughout my career is having a very strong network outside of the office and a strong network of friends.

[00:25:58] **Sally:** Yes. [00:26:00]

[00:26:00] **Nadia:** And I think it's very, I've been fortunate to have really good friends who have nothing to do with the law, who are from other phases of my life, other stages.

[00:26:08] **Nadia:** Um, And so it's good to have some friends, very close friends who are lawyers, so you can complain to them and vent with them and get [00:26:15] advice from them and they know what you're talking about. But it's also really been helpful to me to have some of my closest people have nothing to do with the law. And it just shows you, it can become so insular in this profession, especially in your early years where it's just [00:26:30] sort of sleep, go to the office, sleep, go to the office.

[00:26:36] **Sally:** So in an ideal world, you, you'd be swimming with a gin and tonic, would you, uh, wouldn't we all, wouldn't [00:26:45] we all

[00:26:45] **Nadia:** be on the beach gin and tonic and what a handbook in the other, that would be my ideal. Quite, quite.

[00:26:53] **Sally:** Now, Nadia, what, do you have a favourite book? I always ask about a favourite um, legal, [00:27:00] um, character and a, and a favourite legal book, if you've got a favourite legal book or just a favourite book.

[00:27:05] **Sally:** I hadn't realised that lots of people write to me all the time and say, oh, I love the book recommendations. It was only something for fun, right?

Oh, sorry. I'm [00:27:15] wondering if you've got a favorite fictional character. Sometimes people will say it's Atticus Finch or, uh, um, Ally McBeal or, you know, or the Legally Blonde character.

[00:27:26] **Sally:** Um, and other times they'll say, you know, some of the lawyers, you know, [00:27:30] Harvey from Suits or whatever. I wondered if you, you have a favorite legal character, um, of recent years.

[00:27:40] **Nadia:** I

[00:27:40] **Sally:** don't.

[00:27:42] **Nadia:** Largely because maybe this is one of my well being tips.
[00:27:45] I decided in law school, I really was not going to spend any of my time with legal media.

[00:27:51] **Sally:** Yes.

[00:27:52] **Nadia:** So I'm the one person who hasn't seen suits. I have seen Legally Blonde many times, excellent film, um, but I [00:28:00] generally don't read legal thrillers or books about the law or watch TV shows or movies that involve the law. I think there's so much else I'd rather be reading, um, and to me that helps keep a little bit of balance or a little bit of a line between my personal and [00:28:15] professional life.

[00:28:16] **Sally:** Oh, I love that. So have you got a non legal book that you love reading or have read that you would recommend? We have a book club. Yeah. We're always looking for decent books.

[00:28:28] **Nadia:** Okay, well, that would be [00:28:30] a whole other, that's an hours long conversation we have otherwise. But the last, best book I read, um, Babel by R.

[00:28:39] **Nadia:** F. Kuang. Unbelievable. It's a speculative [00:28:45] fantasy historical novel, takes place at Oxford. Um, has to do with, it has a lot to do with colonialism and, uh, revolution and how, sort of, how things move on from [00:29:00] colonialism or within colonialism and it's a little mystical and a little fantastical and I couldn't put it down.

[00:29:06] **Nadia:** Wow, I've

[00:29:07] **Sally:** written that down. I love the way that, uh, it's, I know you don't like legal dramas or legal books, but, uh, set in [00:29:15] Oxford reminds me of the Morse books, which, uh, people always go back to Morse. Um, and if there was going to be a legal drama about your life, Nadia, who would you like to play you? Have you ever thought about that?

[00:29:27] **Sally:** I know, actually, I haven't. I know. [00:29:30] Well, I'm looking at you thinking maybe Julianne Moore. I don't know. I'm like, you know, Yeah, if someone was going to write a Because, you know, your story is quite interesting and you're only quite young. So, you know, where the next [00:29:45] chapter might lead you. Yeah, I'm thinking, who would you like to play you in a story about you?

[00:29:52] **Nadia:** I really don't know. I do sometimes reading the papers, look and go, well, I'm a lawyer, but how come I can't be [00:30:00] an Amal Clooney lawyer, because that looks like a very fantastic version of being a lawyer.

[00:30:09] **Nadia:** In my itchy robes with my hair that I've just run out with it wet. I do wonder sort of, how can [00:30:15] we be her?

[00:30:16] **Sally:** I know, I know. It's sort of, you know, your makeup's falling out by midday in my case. Yeah. And you're just looking a bit scruffy. Then you need to put your trainers on. So, so interesting. Nadia, can I ask you then what's next in terms [00:30:30] of the cases you're conducting and where do you want to go with the kind of work you're, you've been doing and leading on, um, in the Caribbean?

[00:30:39] **Sally:** Um, what's next and what type of cases are kind of, I don't mean disclosing any confidential matters. [00:30:45] I'm wondering, what's the big next for you?

[00:30:49] **Nadia:** Um, I think the work that I very much want to continue working on relates to some of the constitutional challenges. I've brought in the reason or I've been involved in.

[00:30:59] **Nadia:** I haven't brought them. I've [00:31:00] been involved in. Um, and you had, I think mentioned a little earlier, my involvement in some of the LGBT cases.

[00:31:06] **Sally:** Yeah. So tell us that. Yes. What

[00:31:08] **Nadia:** are the institutional challenges? Um, so as you may know, and as your listeners probably [00:31:15] know up until very recently, and it is still the case in many jurisdictions, um, but same sex consensual sexual relationships have remained criminal acts.

[00:31:27] **Nadia:** Across the Caribbean and across many parts of the [00:31:30] Commonwealth. We've seen some great movement over the last couple of years, but these were Victorian era laws that were imposed in countries and on cultures that didn't necessarily have these laws sort of coming from their indigenous jurisprudence.

[00:31:44] **Sally:** They [00:31:45] were

[00:31:45] **Nadia:** imposed through the British Empire through colonialism and have stayed on the books until now. I've had the opportunity to be involved, um, with the challenges in the Eastern Caribbean recently. So, [00:32:00] um, I want to say around 2012, 2013, a group of lawyers coming out of the University of the West Indies, uh, Tracy Robinson and now Justice Westman James, among others, Started doing work in Belize and in [00:32:15] Guyana challenging what are called the buggery laws, as well as in Guyana challenging laws that prohibited cross dressing and that were very much targeted at trans persons.

[00:32:26] **Sally:** Yeah,

[00:32:26] **Nadia:** and they started that work. Um, [00:32:30] they still work in those spaces. There was very, they really started the strategic litigation in the region. A number of years later, I was asked to get involved with a group based out of St. Lucia that had brought together some lawyers, [00:32:45] um, from across the Caribbean to bring challenges in five countries across the Eastern Caribbean specifically.

[00:32:51] **Nadia:** And those countries were chosen because they had Constitutions that were modeled in other countries. So these were really set to be the test cases. [00:33:00]

[00:33:00] **Sally:** Yes,

[00:33:01] **Nadia:** and so Barbados was 1 case. I was asked to be involved with St. Kitts and Nevis and Antigua, 2 islands where I had done quite a bit of work. St. Lucia, and then there's a final country.

[00:33:13] **Nadia:** And so [00:33:15] Barbados, I wasn't involved in, but the group was successful there and striking down. The buggery laws were found to be unconstitutional. We were successful in Antigua and St. Kitts, and I had the opportunity to lead the argument in St. Kitts. And that was [00:33:30] really a case for me that. It's hugely impactful, um, both in my development as a lawyer, obviously, and what it, how it changed the law in the region, and striking down these criminal laws doesn't [00:33:45] change it.

[00:33:45] **Nadia:** It doesn't overnight make things better for the LGBT communities, but it's an important step in that direction in securing equal human rights for all citizens in the region. And so the work I've [00:34:00] done with this. This group of lawyers, it's lawyers and, um, human rights organizations, all based in the Caribbean.

[00:34:08] **Nadia:** That's been very important. That's sort of been the key to the ethos is that it is led by the Caribbean [00:34:15] LGBT community.

[00:34:16] **Sally:** Yeah, this

[00:34:16] **Nadia:** is not a group that's coming in. I mean, I've got to recognize I'm a little, I'm an outsider in this. I'm a white Canadian woman, but was asked because of my work in the region to get involved, but it's all been led by the community [00:34:30] by the clients.

[00:34:31] **Nadia:** And so it's been just, I can't even describe it. It's, it's been a wonderful group to work with, wonderful clients to work with. Clients who really have put their safety and [00:34:45] security on the line to put their names on these cases and say that I will be the one who puts my name forward to challenge this law.

[00:34:53] **Nadia:** Um, so to be able to work on those cases and work with this team of clients and counsel has just been, I [00:35:00] think for me, one of the most meaningful cases I've worked on. And so there is a case pending in front of the court in St. Lucia, and there will be another case coming shortly, and it's really work that [00:35:15] I've discovered sort of a passion for and a team.

[00:35:19] **Nadia:** I just love working with clients. Um, who just. I don't want to say inspire me because it sounds cheesy, but to work with such a dedicated team of clients [00:35:30] and counsel has really, for me, made being a lawyer worthwhile in a lot of ways. So I'm excited to continue with this work. I'm also equally excited about my commercial practice.

[00:35:42] **Nadia:** I love geeking out over the company law [00:35:45] developments and seeing how cases are evolving, how case law is evolving in the region. So I'm excited about that as well. But really, I would like to be able to continue doing this kind of constitutional work that I do.

[00:35:56] **Sally:** Yes. And, and it's quite rewarding to be able to [00:36:00] conduct cases that change the law to, to, you know, I don't want to sound a geek either about it.

[00:36:05] **Sally:** Well, I'm a proud geek, uh, or a nerd if you like, but it's really important, isn't it? To take novel points that actually impact. Beyond the commercial [00:36:15] reigns, beyond people's lives, but actually impact people, you know, the law, uh, and the constitution in the country. That's really powerful work. And I, dare I say it, that's what we came to be, to law for, isn't it?

[00:36:29] **Nadia:** I [00:36:30] think so. I think so. And it's, it's To see that this is actually how the law evolves is by people bringing cases and challenges and to be a part of that, and it's not about getting any kind of press coverage or having your name on the case. Frankly, I'd rather just stay [00:36:45] in the office and do all the work than any of the rest of it, because it is, it's interesting, it's complex, they're hard problems.

[00:36:52] **Nadia:** Um, but to be part of the law evolving is. It is what we went to law school for. It's why we got into this. So, [00:37:00]

[00:37:00] **Sally:** yeah, absolutely. Absolutely provide links to all the, all the cases because I've got them here. Um, have you thought about the next stage? What about the bench? Um, and, uh, you know, becoming a judge, being in [00:37:15] charge.

[00:37:15] **Sally:** We don't, you don't, you actually, you're not bad. I was looking at the statistics in Turks. Uh, you're not too bad for women. Uh, judges, I don't say become a judges because you're a woman, what I mean in terms of career progression, have you [00:37:30] considered, um, that as a, an aspect to becoming, uh, as a part of your career progression, thinking about becoming a judge?

[00:37:37] **Sally:** At

[00:37:38] **Nadia:** this stage, not really. I really like doing the advocacy work. [00:37:45] Yes. Um, I could see maybe down the line. It's something I would

think about. Um, I will say I do. The numbers across the Caribbean are pretty good in terms of gender parity on the bench. [00:38:00] Obviously, we, we need more women on the bench, but there have been some very strong.

[00:38:05] **Nadia:** Women judges across the Eastern Caribbean, the Eastern Caribbean Court of Appeal. I now more often than not when in front of the Eastern Caribbean Court of Appeal before panels that are [00:38:15] majority women. I really enjoy that. It's nice to see that change happening. Um, so maybe down the line but for now I like the court work.

[00:38:24] **Nadia:** I like kind of getting into the nitty gritty and building up the cases.

[00:38:29] **Sally:** And [00:38:30] have you thought about, um, any insights you could share with us on the issues of increasing diversity and inclusion in the legal field? Because it is different now and we do have to support the wind. You know, I'm obviously a black woman, uh, [00:38:45] practicing in a different jurisdiction, um, to you and our numbers are improving, but they've still got a long way to go.

[00:38:51] **Sally:** I just wondered if you had any diversity insights, um, to share. Uh, beyond your cases, really, which is another way of [00:39:00] achieving, um, some of the diversities.

[00:39:03] **Nadia:** I think, I mean, what I have noticed in my career and what's been concerning to me is I certainly have seen, you see the numbers and statistics and it's great, but you have to [00:39:15] look at why in law school, at least from, say, the Canadian perspective.

[00:39:18] **Nadia:** Our 50 percent women, but when you get 8, 12, 15 years. Women are leaving [00:39:30] private practice. So I guess what concerns me or what I see the most among my peer group and sort of the stage I'm living is the issues of retention. And there's a myriad of reasons. I think far too many law firms are [00:39:45] quick to say, well, she wanted to spend more time with her family and that's the neat and tidy answer, but that's not often.

[00:39:52] **Nadia:** That's not usually the answer. That's one of the many factors. And we're still in a profession where at least for the next [00:40:00] probably 15 years of my career, it's still going to be very male dominated at the top levels. That's simply just how the system has worked with the ages and what came before. But I really think it's retention and keeping women in private practice.

[00:40:14] **Nadia:** [00:40:15] Particularly in commercial and chancery work. So that's where I think focus needs to be. Um, and then I think it's making sure at law firms, it's more than just, I mean, you know, DEI became the buzzword for [00:40:30] a couple of years and then we've seen everyone suddenly had a director of DEI and suddenly all those positions have been eliminated.

[00:40:37] **Nadia:** Yes.

[00:40:38] **Sally:** Yes.

[00:40:40] **Nadia:** And so it's, it's, and I don't know how firms make a real commitment to that, but it's. [00:40:45] What I have seen from being inside of various firms is there has to be the will inside the firm. It can't simply be, you can't put all the work on a few women and a few lawyers of color and expect them, always at the [00:41:00] more junior end, mind you, and expect them to change a firm culture, to change a profession.

[00:41:06] **Nadia:** So it, I don't know how we do it, but it's, we have to get buy in from, it has to be buy in from the top down.

[00:41:14] **Sally:** [00:41:15] Very, very cool. Yeah. Very important. So, um, listen, what is the time difference between you and I here? I'm thinking about, you know, a trip, a trip out there. I did have a, I thought I was going to have an inquest or [00:41:30] something that I'd have to fly out there.

[00:41:32] **Sally:** Uh, well,

[00:41:33] **Nadia:** there's a direct flight from London two or three times a week, so you are welcome anytime.

[00:41:38] **Sally:** Wow. You're going to get loads of time. Law students or, you know, women at the 12 to 16 [00:41:45] years, you know, the very career stage you're talking about or wanting to come out.

[00:41:55] **Nadia:** I'm

[00:41:55] **Sally:** always happy to

[00:41:56] **Nadia:** chat with anyone who is interested and looking to make a move.

[00:41:59] **Nadia:** I mean, [00:42:00] it seems very ideal and glamorous to move to an island, to be by the beach all the time. It's not always the reality of life, but I think I made a big change a year and a half ago when I decided to leave practice in Toronto and work full time based [00:42:15] out of the Caribbean, make it my home as well.

[00:42:18] **Nadia:** I'm all for other people taking the chance and doing it. So always happy to take calls from people who think maybe this is something they'd like to do too.

[00:42:25] **Sally:** Yes, absolutely. And that is wonderful. We had a conference earlier this year called [00:42:30] embracing change and it's wonderful to be embracing the change and making it work in so many ways.

[00:42:37] **Sally:** It truly, truly is. Well, I can't wait to meet you in person. I'm excited. Nadia, it's been [00:42:45] absolutely wonderful to meet you, to interview you on this podcast, um, talking law. I look forward to hearing how the other cases go, um, in the higher court, the constitutional cases. And I look [00:43:00] forward to hearing more about your work, um, at St.

[00:43:03] **Sally:** Tud's and KCAL.

[00:43:04] **Nadia:** Thank you so much, Sally. It's been such a nice conversation and, uh, as I said, I'm really excited to meet in person now at some point.

[00:43:11] **Sally:** I know, I know. We need to make it happen.

[00:43:14] **Nadia:** [00:43:15] Absolutely.