



## #MeToo and law firm reputation – the PR response

Working cultures will need to adapt and evolve if reputations are to be preserved, writes Gus Sellitto, managing director of Byfield Consultancy

**I**n its first year, the #MeToo movement has had a profound impact on almost every industry, including the legal sector, shining a much-needed light on how we deal with sexual harassment in the workplace and in wider society.

The days of quietly brushing sexual harassment under the carpet are gone and the media continues to be

relentless in exposing the full extent of #MeToo. More people are coming forward and the movement has become a force for positive change.

In an environment of heightened awareness, how should law firms manage their reputations in response to #MeToo? In addressing this question, it is important to ask how law firms wish to position their firms

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in relation to #MeToo as part of their broader brand and cultural story. Second, firms need to consider the practical steps in planning for, and responding to, a #MeToo allegation or investigation.

### Cultural considerations

Law firms today spend a considerable amount of their marketing budgets on refining their brands by telling the market who they are and what they stand for. Ultimately, building a compelling brand story should reflect an organisation's values and culture in a true and meaningful way. And those values and cultures should evolve and develop in line with the cultural and behavioural changes taking place in wider society.

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world, today. For example, if a law firm says it values developing its lawyers in a safe, supportive, and collegiate environment, is this reflected in its workplace anti-harassment policies? Moreover, are those policies communicated widely internally, with the support of senior management, so that people feel safe and protected in coming forward with complaints?

Firms can take a positive stance in communicating how they are adapting their cultures in response to #MeToo and other movements. Take Deloitte as a shining example of this. Last year, at the height of when #MeToo was in the news, Deloitte's chief executive confirmed the accounting giant had fired about 20 UK partners over the past four years for inappropriate behaviour, including bullying and sexual harassment, and that the firm would adopt a zero tolerance approach to such behaviour in the future.

### Preparation is key

When it comes to responding to a #MeToo allegation or investigation or allegation, preparation is key. A #MeToo complaint and investigation should be planned and rehearsed for in the same way that law firms plan for and respond to other crises, such as cyber-attacks.

Firms should examine carefully historic incidents of sexual and other harassment. Where non-disclosure agreements have been entered into, they should be looked at in light of the latest SRA guidance.

Where an allegation has been made and is being investigated, communications materials need to be prepared, ready to be disseminated at the appropriate time and bearing in mind that while an investigation is underway, those details should remain confidential – as far as this is possible.

A map of all the relevant stakeholders – including the victim and accused, staff, clients, the media, and the regulator should be drawn-up – with communications considered and prepared for each audience.

Scenarios should be played out for how the issue could develop over a defined time period. For example, how will the firm deal with a leak to the media, or respond to an investigation from the SRA? What happens in the event of a complaint to the police or if

the victim begins to air their grievance anonymously on social media, with it clearly pointing back to the firm?

Careful and considered responses to these scenarios can be prepared and firms should involve their in-house PR teams as early as a possible in the planning phase, calling in external crisis PR experts where necessary.

A final word on the accused and victim involved in a #MeToo allegation. While an allegation is being investigated, firms must avoid being pressured into giving a knee-jerk reaction to a media inquiry or to interested parties.

A #MeToo allegation can have a devastating impact on both the victim and the accused, which is why detailed planning and building a suite of communications materials is so important. While the media continues to play an important role in bringing #MeToo and other important injustices into the public sphere, we should also remember that trial by media is a dangerous thing.

#MeToo is causing society to say 'no' to behaviours that may have been tolerated just a few years ago, including in the workplace. Law firms will continue to be judged on how they respond to these changes and their cultures will need to continue to adapt and evolve, in order for their reputations to be preserved. ●