

# Family Law Supervision

What it is and how it will benefit you.



by Helen L Conway

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# What is Family Law supervision?

Family Law Supervision is a relationship and ongoing conversation about your case load activity and experience of work with a professional, trained in both family law and either coaching or therapy.

It is not about monitoring or regulation. Rather it is a personalised form of continual personal development (CPD) that is aimed at supporting the practitioner to work effectively and ethically, to enhance their ability to think reflectively about their work and to process and offload the stress and toxic material inherent to family law. It boosts the psychological capacity of lawyers who spend their days dealing with the raw emotions of others, yet in their formal training get very little psychological training.

Supervision helps you understand the emotional dynamics of the relationships you engage in as practitioners including those between you and your clients, your colleagues, the judiciary and experts.

Family Lawyers are particularly exposed to becoming overwhelmed, tired and disillusioned with their work. The profession has high levels of work-related disorders and illnesses such as burnout, compassion fatigue, anxiety and depression. Self-care skills are as important as client care. Supervision keeps practitioners healthy and engaged with their work, meaning they are able to give their very best service to their clients.

It is suited to paralegals, solicitors and barristers and judiciary from the most junior to the most senior, employed and self- employed.

# What does supervision cover?

Family law supervision can be formative, normative and restorative.

## Formative - getting started

Supervision can be particularly useful for practitioners at the early stages of their career who are looking to develop their knowledge, skills, attitudes and abilities. It can also help those who are moving up through the ranks taking on new responsibilities and positions. Working with a supervisor experienced in the job enables the supervisee to benefit from the educative and mentoring benefits of supervision and to receive one to one advice.

## Normative - getting established

Supervision can also be used to discuss the tricky dilemmas that crop up in the work environment. These might be ethical questions or maybe questions about how to best handle difficult relationships with colleagues or clients. The supervisor can help you work through the varying types of challenges we come across at work and develop your emotional intelligence and reflective capacity to be able to work with increasing levels of maturity and wisdom.

## Restorative - getting renewed

Family law is a stressful profession. We deal with clients at the most emotionally difficult times of their lives and we deal with repeated stories of abuse and harm. We have financial and technological pressures and many feel isolated in their work, in terms of being able to open up and talk about what they are experiencing. Family law supervision can also be about self-care and stress reduction techniques. It is about enabling practitioners to fully express concerns, doubts and fears while also sharing the joy and celebration of strengths and successes.

# What happens in supervision?

At the first session we agree together how we will work, what the supervisee needs from me and what our expectations are. Then we get to work!. At each session the supervisee sets the agenda and is free to bring to the conversation any aspect of their work. There may be personal issues which are impacting on their work that they wish to discuss. We start the conversation by checking in on what happened since the last session. Then we discuss what the supervisee needs to work on in this session, what the ideal outcome for the conversation would be and, if appropriate, what the goal is that they wish to achieve in their work.

I use a number of psychology-based techniques, all aimed at helping the supervisee to leave the session feeling that they understand more about their topic and feeling equipped to take practical steps towards their goal. These include:

- Powerful questioning to elicit new perspective and insights
- Looking at relationship dynamics
- Ways to think reflectively about the situation
- Using personality types to understand others
- Experiments and exercises to practise chosen solutions
- Creating a new vision – who/where does the supervisee want to be in the future?
- Mindfulness and other stress reduction techniques
- Deep listening
- Time and energy management techniques
- Systemic approaches – looking at where the supervisee is in the wider system in which they work and what change can be brought there
- Looking at mindsets, habits and engrained ways of working or thinking
- Discussion to allow supervisees to find their own solutions
- Training your inner supervisor

I create a safe and confidential space where a practitioner can explore their experiences relationships and their responses to them. This collaborative approach can provide the supervisee with the psychological tools they need to thrive in their job.

# Case Study One

*(For confidentiality reasons case studies are fictionalised samples based on what might happen in a real session.)*

Sophie was a trusted paralegal who was in some distress when she requested an emergency session with her supervisor. She had a case with an important deadline coming up in three days and she had been putting off dealing with it. Now she didn't feel she even had time to do the work and she expected the firm would face sanctions for her missing the deadline. She



said she felt 'sick to her stomach' and didn't know what to do.

The supervisor helped her deal with the emergency first. First, they identified why Sophie had been reluctant to work on this file for so long. It turned out that it involved some complicated accounts in a financial remedy case, and she was struggling to understand the facts of the case.

She felt stupid and had been reluctant to tell her boss that she had been unable to do the work. As time passed the panic had built. Applying a solution-focused approach, the coach asked her what would happen if she woke up in the morning and found that by some miracle she did understand the case. In fact, the work itself would only take her an evening to do at home and the panic had been about the immensity of 'learning accounting from scratch'.

Even the thought of asking for help from her boss made Sophie highly anxious and so the supervisor spent a few minutes doing some breathing and mindfulness techniques to help Sophie turn on her parasympathetic nervous system so that she would be able to think more clearly. Then, together, they looked at options to identify someone who could help. Sophie found that she was happy to ask a kind and senior Barrister, whom she regularly instructed, for some help. Together she and Counsel got the work done and filed at court in the nick of time.

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A series of regular sessions were then set up between Sophie and the supervisor in which they talked about the deeper issues beneath this situation. They covered the origins and effect of Sophie's perfectionism and the ways in which she could make different choices to accept she was on a learning curve. Sophie was able to identify a list of skills she thought she needed and areas where she had been 'hiding' her weaknesses. She was also able to list her competences and deal with an element of imposter syndrome she had been carrying.

They also talked about why she felt unable to approach her boss for help. The boss had a small child who was ill and Sophie felt protective of her boss and unwilling to add more burden to her day. They explored where this pattern of protecting others at her own expense came from and why it was not now serving her well. The supervision helped Sophie to see that if she could have some extra training she would actually be able to be of greater assistance to her Boss. Together they formulated the best way to ask for this training and practised the conversation.

Sophie took her request to her Boss who actually apologised for 'taking her eye off the ball' of Sophie's professional development and arranged for her to get the CPD training and in house mentoring she needed.

# How does the individual benefit?

Family law Supervision can:

- Help you gain confidence in your work
- Learn your strengths and weaknesses and how to maximise them
- Talk through particular cases and consider tactics and approaches
- Allow you to check in with your supervisor when tricky situations arise
- Enable you to process the toxic material you are exposed to
- Show you that your experiences are normal and can be dealt with
- Prepare you for the next stage in your career
- Help you build good relationships with colleagues
- Give you techniques to deal with difficult clients
- Help you to set boundaries and form good working habits
- Spot repeating patterns in your life that might be impacting on your work
- Give you a sounding board for your thoughts and feelings
- Allow you to practise difficult conversations
- Enhance your sense of wellbeing
- Give you one to one mentoring as you build your practical skills such as advocacy
- Allow you to discuss ethical dilemmas in a safe confidential space
- Reduce feelings of isolation
- Consider the possibility any transference and counter-transference between lawyer and client
- Help you benchmark your practice against good practice

Although my supervision can contain an element of mentoring the emphasis is primarily on supporting you to find the wisdom and knowledge within you and considering how *you* want to be as a practitioner and what you want from your career.



# How does the employer benefit?

Your staff are valuable assets and it makes sense to take care of them. Aside from the legal obligations you have as an employer doing so makes good business sense.

Imagine you bought a new company car, a nice shiny BMW with lots of potential under the hood. You could, if you wish, just drive it day in and day out at high speed, with no thought to petrol, oil or maintenance, until it falls apart or the engine seizes up. Or you could book it in for a regular service and valet and keep it running as a useful and prestigious asset.

Your people need to be looked after if you want them to serve your clients effectively and efficiently. The investment you make in their supervision is returned with productivity and loyalty. Using an external supervisor allows someone to 'get under the hood' in a way that is not always possible inhouse. Employees may feel unable to reveal all their dilemmas and vulnerabilities to an employer but external supervision provides the safe space for that to happen.

Supervision of your employees can:

- Help you reduce absenteeism and presenteeism
- Avoid infringements of ethical or regulatory standards
- Create a well, enthusiastic and engaged workforce
- Prepare your staff for in-house promotions
- Avoid stress-based claims against the firm
- Enhance relationships within the firm
- Enable systemic issues to be brought to your attention
- Ensure your staff are able to certify continuing competence to practise

And, of course, you as an employer might wish to have your own supervision to gain the individual benefits listed above!

### Case Study Two

Ian's small firm had recently merged with a larger one and he had been promoted to a position managing a team of family lawyers. He was delighted at first but very soon found that he was beginning to sink. He expressed that he was 'running to stand still'. He was working long hours and his wife was complaining that the extra money he was bringing home was not compensating for the loss of family life. He felt like his team just did whatever they wanted and that he was trying really hard but was ineffective. His own boss noticed that Ian was struggling and suggested he discuss matters with a supervisor.



Over a series of sessions Ian and his supervisor looked at the nature of his workload, assessing his workload and work habits. They identified that Ian had taken on a lot of extra work without ever giving anything up. Working on his natural reluctance to delegate and opening up that option meant that he was able to clear his desk of work that no longer fitted his position. However, he loved client work and so, with some

experimentation, he figured out what an ideal mix of file work and management work would look like. He spoke to the Directors of the firm about that and over time they worked towards achieving it.

He then realised that he was finding it hard to identify as a 'manager' rather than 'one of the guys,' particularly as this was not a promotion he had asked for but which had been a surprise that came with the merger. Together he and his supervisor used some coaching techniques to look at what leadership meant to him, what he felt he needed to learn and how to learn it. They worked a little on communication skills with the team but Ian reported that as he became more clear on his role and 'started to wear the hat with comfort' his team naturally started to treat him as their manager.

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Alongside the conversations directly relating to work Ian also began to speak about the fact that there was actually a side benefit to having to work so late all the time. He and his wife had recently become parents and Ian came to see that this too involved a change of identity. He was struggling a bit with his new responsibility and work had become a convenient way for him to limit the parenting he had to do. He loved his child but felt nervous and vulnerable as a new parent. He found the conversations about growing into new roles also helped him at home and he began to spend more time at home as a hands-on father. This pleased his wife and improved their relationship and having his wife's support meant his work at the firm was easier.

# Supervision and Continuing Competence Requirements

The Solicitors Regulation Authority requires all solicitors to reflect on the quality of their practice and identify any learning and development need. This model of ongoing learning matches that in other helping professions, where the skills of reflective practice are made a priority. Family law Supervision is founded on reflective practice and thus aids the solicitors to be able to certify their continued competence.

Similarly Barristers are required to plan and reflect on their practice. CPD is defined in the BSB handbook (rQ130.2) as “work undertaken over and above the normal commitments of barristers with a view to such work developing their skills, knowledge and professional standards in areas relevant to their present or proposed area of practice, in order to keep themselves up to date and maintain the highest standards of professional practice.”

Coaching can provide an activity which Barristers on the New Practitioners programme may wish to count as their required hours. Those on the Established Practitioners Programme may feel supervision is particularly apt to fulfil the categories of ‘working with clients and others’ and ‘ethics, professionalism and judgement’. Sessions can also be used to identify where weaknesses exist that are best dealt with by accessing other forms of CPD.

# What is Reflective Practice?

Reflective practice is more than just giving some thought to an issue. It is the learned skill of studying our experiences in order to improve the way we work. This process of learning through and from experience enables us to gain new insights about ourselves and self and our practice. It is a systematic process that allows us to bridge the gap between theoretical learning and our everyday experiences in practice. Reflective practice aims to equip you to challenge your own assumptions and critically evaluate and if appropriate change (or celebrate!) you own responses to situations.

There are a number of structured and well researched models of reflective practice that I share with supervisees. With ongoing supervision lawyers learn to use these models in the moment in practice to make good decisions 'on the ground' and ensure continual learning.

To enhance this learning, I incorporate elements of mindfulness and somatics into the supervision so that supervisees can reflect by accessing, not only their thoughts but also their emotions and body to give them information about the situations they themselves in, their reactions to them and their decision-making process.

### Case Study Three

Aisha had been having supervision for some time. Having been through some crises at work, she arrived for her session saying that she didn't really have much to talk about and feeling that she might be wasting the supervisor's time. The supervisor invited her to use the session as a natural pause in which she might explore how it felt, physically as well as emotionally and academically not to be under such stress all the time.

This threw up that actually, whilst on the surface she preferred the calm days, underneath Aisha actually felt like she was not 'performing' if she was not firefighting all the time. She felt like it was 'slacking off to be so chill' and that she 'thrived on adrenalin'. She pondered whether actually she brought on of the crises because of this attitude and said 'Maybe it makes me feel good to be making myself feel so bad all the time!'

Her supervisor invited her to compare two examples of similar situations she had to deal with, one when she was under extreme stress and one recently when she was not and guided her through a formal model of reflective practice. Having worked through the exercise Aisha said, with a little surprise, that although she felt calm, actually she could see that there were still a lot of demands on her and that she still did a quality job in a hard case. They then chatted about how being under optimal stress – stress that keeps you engaged but not bored – can be very productive but in comparison to living in the extreme 'red zone' can feel unfamiliar. The session was over and her supervisor suggested some journaling prompts and reflective exercises she could do at home to explore these matters further and support her in her thoughts about how she could really be her best at work without running the risk of burnout.



# How does confidentiality work in supervision?

If an employer is paying for a member of staff to have family law supervision, there is a three way relationship as is common with 'executive coaching'. The employer is responsible for the costs of the session. I agree with each firm who will be responsible for the booking of sessions – the employee/HR department or the individual supervisee. If the employer has particular topics that they wish the supervisee to bring to the supervision these will be agreed between me, the supervisee and the employer at the outset.

However, the actual content of the session with the supervisee remains confidential and will not be repeated or reported to the employer or anyone else. The exceptions to that are:

1. If the supervisee reveals anything that gives me reasonable cause to believe that there is a risk of harm to the supervisee or a third person
2. To assist the prevention or detection of a crime or if I receive information about an offence under the Terrorism Act 2000
3. If the supervisee asks or agrees that I should assist them to discuss a matter with the employers (either anonymously or not as the situation requires)
4. I may bring the contents of these sessions to my own supervision sessions, but I will never reveal the names of supervisee, firm or any detail that could allow the identity to be worked out.

The supervisee is encouraged to bring client's cases to supervision but they need not (and should not) reveal their names or identifying details to me.

# Where does the idea of Family Law supervision come from?

Whilst Family Law supervision is relatively new to the legal sector it has for many years been either a mandatory requirement or a good practice staple for other helping professions such as psychology, counselling, social work, coaching and psychotherapy. It is widely recognised that those working with other people's problems require their own support both to protect themselves and also to ensure that they are able to give continued good service to their clients.

It is not seen as a weakness to need supervision but as a basic tool to be used when working with human distress and other people's psychological trauma or even physical abuse.

In 2018 the Health and Safety Executive identified law as one of the most stressful professions in the UK.

Of the referrals to Law Care in 2019 26% were about stress, 12% about bullying and 12% depression.

A survey of junior lawyers in 2019 found that

- 19% found themselves regularly unable to cope
- 33% said that occasionally they felt that way
- 74% of respondents felt stressed at work
- Of that number 50% expressed their stress as moderate (as opposed to mild or non-existent), 21.6% felt their stress to be severe and 3.2% extreme.
- 77% of respondents felt that employers should be doing more to provide help, guidance and support to their employees.

Providing family law supervision is an excellent way to provide that individualised, context specific support that lawyers, particularly family lawyers, really need.



### Case Study Four

Philip was a salaried partner in a medium sized firm which provided their junior staff with supervision. He had not used the service and came for a one-off session. He sat with his head bowed, looking at his feet, fighting back tears as he spoke. He said that no-one in the office knew he was struggling, but that he needed to pack it all in as he could no longer cope. He felt very low and felt that if he confided with anyone at work his 'reputation would be shot'. He said, "I came to you because you are not allowed to tell anyone and I need to figure out a way to take time off work in a way that will be accepted without anyone knowing why."



The supervisor listened in depth and identified that actually some of the skills Philip needed fell in the area of therapy, which she was not qualified in. They discussed the possibility of her referring Phil to a private therapist for help whilst still offering supervision to deal with the practical aspects of the job that he felt he needed. With his consent she made the referral there and then and they discussed a plan for Phil to take some

time off and how that could be achieved.

Over time, as he felt able, they then worked to identify and deal with the work-related factors that led to what was ultimately diagnosed as depression. Phil ultimately chose to go back to being an associate which allowed him to drop much of the management of office politics, to which he felt very unsuited. With the supervisor he worked through his beliefs and mindsets about work and the initial feeling of humiliation at going backwards which he was ultimately able to see as 'taking control and meeting my needs'. He identified that he hated dealing with office budgets, salary reviews and lease renewals and was a people person at heart. As he recovered he took a mental health first aid course and is now the Mental Health champion for his firm, supporting others in their stress, a role which he loves and which gives him much fulfilment.

# Supervision with Helen Conway.

Why choose me as your family law supervisor?

## I know every inch of the family law profession.

I have over 30 years' experience in family law practice. I have been a paralegal, trainee solicitor, barrister, law lecturer and trainer (at Liverpool University, for commercial providers and the Judicial College). Finally I was a District Judge for over 10 years, mostly in the Family Court but also doing small amounts of civil and Court of Protection Work. I have written multiple law related books, hundreds of articles and am an editor of Butterworth Family Law Service. I retired in 2020 to set up my private practice offering supervision, coaching and training. I maintain close links with the legal profession.

## I know what it is like to need and use supervision.

In 2017 I had a serious skirmish with work-stress related illness. It was working with the professionals who helped me through that I learned they all had regular supervision as part of their professional CPD requirements. On return to work as a Judge I began to do the same. When I then retrained as a coach I also started to work with a coaching supervisor and so I understand its benefits. I remain in regular supervision for my current work as is good practice in the coaching industry.

## I have solid qualifications and experience in coaching

Whilst my family law experience allows me to mentor, I am also fully qualified as a coach, both in behavioural coaching and psychosynthesis which is a transpersonal psychology. This means I am qualified to coach with the whole person at a psychological level not just their behaviour. This is key to achieving lasting change.

I take an integrative approach, drawing on a number of models of coaching including behavioural, psychosynthesis, narrative coaching and systemic coaching.

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I am also a trained mindfulness teacher. In addition, I engage in regular CPD, both formal and self-study, in the fields of coaching and supervision and in particular I have undergone extensive CPD training in somatic coaching for stress and trauma.

In addition to my private practice I work as an associate coach with JSA Psychotherapy in Burnley.

I am fully insured and supervised for coaching, supervision and mindfulness teaching and adhere to the Code of Conduct of the Association of Coaching.

My full qualifications are:

- LLB University of Hull
- M.Phil Criminology, University of Cambridge
- Law Society Finals ( Honours)
- MA Creative Writing University of Lancaster
- Diploma in Personal Development Coaching, TCA
- PgCert. Psychosynthesis and Leadership Coaching, University of Middlesex
- MSBR Teacher Training Qualification, Mindfulness UK.

My charging rates are in line with private barristers fees and depend on the bespoke service agreed with each client. Details of my coaching and training services are available on my website [www.helenconway.com](http://www.helenconway.com)

**To contact me to discuss Family Law Supervision  
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I will be delighted to hear from you!