

ANALYSIS

The business of saving lives

Inside Travers' award-winning domestic abuse prevention work

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Legal Business Awards 2021 Travers Smith CSR

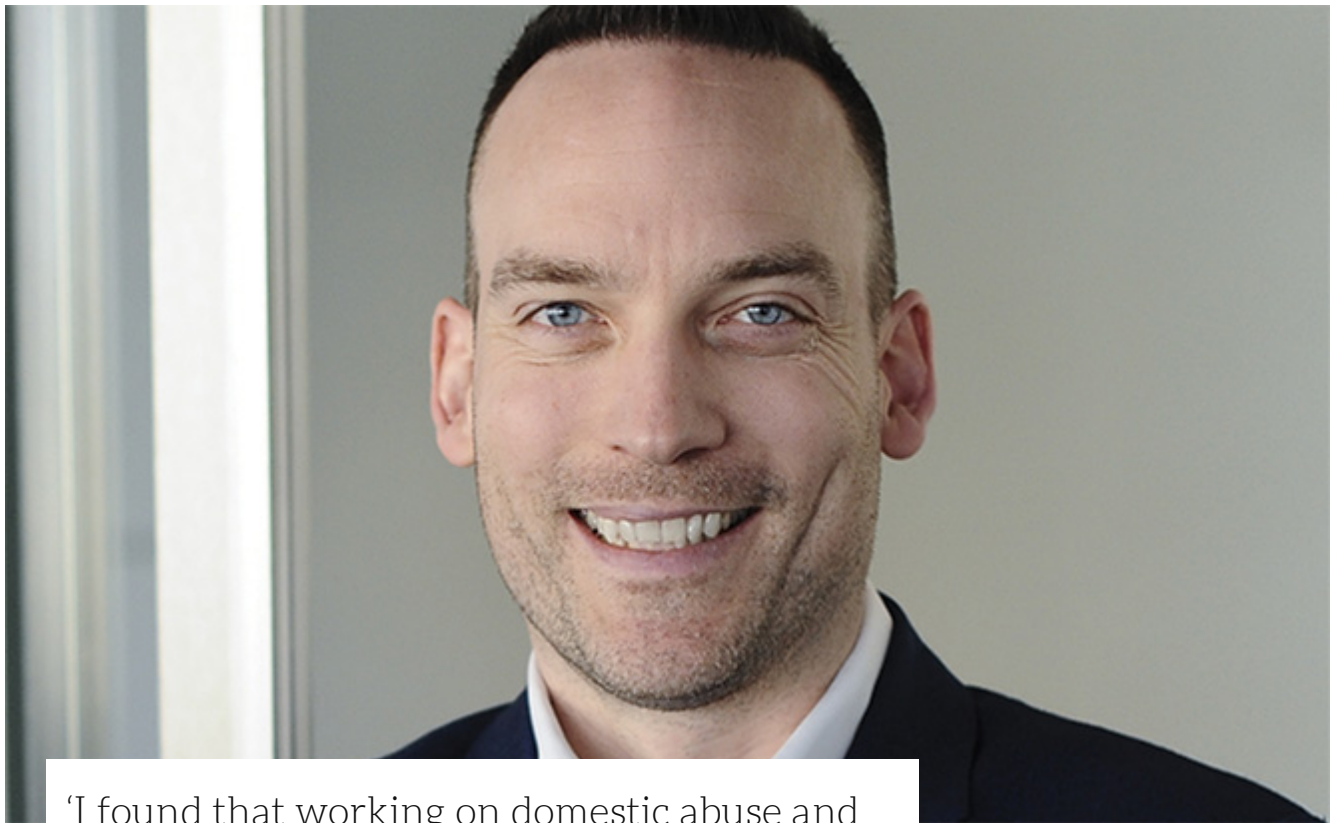
'Every week two women are killed by their partners and three commit suicide due to domestic abuse.'

With such a chilling opening line, it is no wonder that Travers Smith's submission for CSR Programme of the Year at the 2021 Legal Business Awards stopped the judges in their tracks.

Given that this category is among the most hotly-contested of the lot, with around 30 submissions last year, it can be difficult for firms to make their work stand out as genuinely deserving amid a deluge of entries informing us of 'worthy' initiatives.

As we sift through submissions, heartfelt client testimonials always resonate, and in that the Travers entry shone. One victim, helped by the firm's pro bono work, said: 'When you're frightened and stressed it's hard to think clearly and orderly. Having to face and maybe talk in front of the person who has been abusing you is so traumatic I personally go to pieces and get emotional. So having a professional there on your behalf gives you back some power.'

Indeed, recognising a project designed to help sufferers of domestic abuse at a time when Covid restrictions were trapping victims with their tormentors in often life-threatening situations seemed timely.



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Sam Cottman, Travers Smith

In 2020 Travers launched its own Domestic Violence Advocacy Unit (DVAU), taking instructions from the National Centre for Domestic Violence (NCDV), with the firm acting for clients suffering rape, child

abuse, physical violence, control, coercion, economic abuse and harassment and lawyers appearing as advocates in the Royal Courts of Justice and London family courts.

However, the firm is no stranger to this cause, having run a domestic abuse clinic in East London since February 2016. Sam Cottman, Travers' director of pro bono since 2020 and senior counsel, is credited with being the driving force behind the firm's advocacy and advice in such cases.

Speaking with him it soon becomes clear that this is far more than a concern close to his heart. A trainee at the firm, qualifying into the disputes team in 2008, Cottman pursued a commercial career as a litigator by day, while taking on pro bono work on the side.

An illustrious early career by most standards has seen him complete a stint as judicial assistant to Lord Justice Thomas, followed by a secondment at the Serious Fraud Office on a multibillion-pound investigation. On the non-commercial side, Cottman started doing pro bono work in 2006 while not yet qualified, inheriting a death row case in Trinidad, and joining Travers' CSR committee the following year.

His first domestic abuse case came in 2009 when he was less than a year qualified and the intensity and emotion of the experience still clearly resonates after all those years.

'I found myself in at the deep end, doing late-night interviews with a woman who had repeatedly been abused for eight years at the hands of her husband. There was prepping for a mini-trial where the children were giving evidence against the other parent. It was a very intense environment. Among other things, she told me that the abuse was so bad she'd tried to kill herself. He found her and he laughed at her. I remember thinking: "This is not the day job. These are not the corporate clients and the banks I'm used to speaking to, but doing a

good witness statement here is the same skillset and getting it right is even more important.”

‘We went to trial. There was one incident where she said he had smashed a mirror on her. This was one of the incidents we were relying on. His barrister, a professional family law barrister, presented a photo of the mirror, claiming it was in perfect condition on the wall, saying: “Your client’s a liar.” The judge looked at the corner of the photo and saw the frame has been glued back together – that’s what he did after he smashed it on her head. She came and sat next to me and her hand was shaking so violently on the table that it was making a noise. That was the moment I realised how important it was. It was about this woman’s entire mental health.’

Cottman vividly remembers the second case, taking a witness statement over the phone from an 18-year-old woman whose boyfriend had covered her in petrol and tried to set her on fire. ‘I told her that when we get the order she’d have to pay £100 to serve it on the perpetrator, otherwise it doesn’t have any legal effect and offers no protection. She went quiet, apologised, told me she didn’t have the £100 and hung up. That was the reason I started my charity. The first project was to fund injunctions for anybody that doesn’t have £100 to pay for the service.’



Travers Smith wins CSR Programme of the Year at the 2021 Legal Business Awards
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The Cottman Foundation was set up in 2017 on that premise and has a mission statement to combat not only domestic abuse but also human trafficking, physical and sexual violence and knife crime, while protecting child welfare and promoting diversity and equality.

Cottman muses that this venture coincided with a time in his life when he had no real right to have any spare time. 'It was the birth of my second child. I was already not sleeping and working 15-hour days, there was no logic to it. But I found that rather than tiring me out, it energised me to be working on things that I was so passionate about. By 2019, I found that working on domestic abuse and human trafficking cases completely drove me. If I wasn't working, I was thinking about it; if it was Sunday I was reading about it. It was what I was thinking about when I woke up.'

He had run the domestic abuse clinic since its inception alongside Shearman & Sterling, Ropes & Gray, Skadden, Gibson Dunn, Reed Smith and in 2018 started in earnest to develop new teams in the

human trafficking and domestic abuse advocacy space, researching pro bono practices across the City and writing a paper for the partnership board suggesting the firm scale up and professionalise.

It was in 2019 that Cottman had his inflection point, making pro bono his *raison d'être* for good. 'I'd had a lot of success commercially and was shooting for a partnership role but at the same time the partnership decided it was going to create this new role of director of pro bono, so I went into that role in 2020. Now I'm a full-time pro bono specialist and don't do any fee-earning work at all. I'm worth zero pounds to the firm!' he laughs.

The DVAU was born of lawyers' frustrations at not having the opportunity at the clinic to see cases through. 'We wanted to build something where we got referrals from the NCDV, but we take the clients from start to finish, go to court, do all the advocacy. We put a group together to monitor across the entire domestic violence spectrum, from children to men, to refuge, to the elderly. That's when we got a real insight into the spike. As my charity continued to fund injunctions, my feedback forms were also giving me insight on who was coming through the door. I needed basically to build an army of lawyers. A lot of 2021 was spent building that structure and shaping it so it would work for firms that had never done anything like this before. This will be the year that goes live.'

Of course, it would not have been so easy to affect change without the backing of management. Chris Edwards, Travers' diversity and CSR director, came by the newly-created role in 2017 via a diverse career, having been an urban planner by trade and embarking on a mission to shake up the notoriously non-diverse industries of construction, property and real estate.

He sings the praises of the Travers leadership. 'Management is unbelievably committed to D&I. My line manager is Kath Russ – she

chairs our diversity board and we catch up regularly. Edmund Reed has also been committed. It's so important to be supported by senior leaders. It can feel a bit hollow otherwise.'

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Cottman agrees: 'Kath really stepped up these efforts. When she came in it was her day-one priority and in fact, part of her manifesto. She's the real deal.'

For his part, Edwards, engaged in tackling discrimination more generally, has thrown himself into educating employees about safely navigating public spaces following the 2021 murder of Sarah Everard by Metropolitan Police officer Wayne Couzens.

Clapham, where Everard was abducted, was quite literally close to home for many of the Travers staff, making the murder even more poignant. 'It was depressing how normal it is for women not to feel safe going out.'

People talk about toxic masculinity but there are positive aspects in masculinity. A lot of the work is around the role of men in making women feel safe. I look at this from the angle of being a gay man from a working class background, so I'm massively attuned to keeping safe in public spaces.'

Meanwhile, Cottman offers an update on a control/coercion case that was referred to by the judge as one of the worst cases they have dealt with since they had been on the bench.

'I'm very pleased to say that since we won your award we also won that case with a resounding victory for our client. She won tens of thousands of pounds in damages and we also obtained a pro bono costs order against the defendant for £10k+. What is nice about the latter is that it will be paid to the Access to Justice Foundation and then put towards supporting a pro bono brokerage called Pro Bono Connect, which happens to be the brokerage through which we took on the case in the first place. This is likely to be one of the first times a survivor of domestic and economic abuse has successfully taken their abuser to court to recover damages. I'm very proud of that team's success on this one.'

Cottman concludes on an upbeat note: 'This has been a unique opportunity. If I won the lottery I would choose this job.' LB

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CSR Programme of the Year has undergone a rebrand to ESG Programme of the Year from 2022.