

Let's Collaborate with Hannah Holdaway on the working relationships between family lawyers and their clients

SUMMARY KEYWORDS

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SPEAKERS

Hannah Holdaway, Catherine McDonald

Catherine McDonald 00:01

Hello, and welcome to Let's Collaborate a podcast from the Southwest Doctoral Training Partnership. I'm your host, Catherine McDonald. And joining me for this episode is Hannah Holdaway from the University of Bristol. Hannah is researching the exploration of the working relationships between family lawyers and their clients. So tell me a bit more about the research, what is it you're looking into?

Hannah Holdaway 00:24

So I am working as a family lawyer part time, and doing my PhD in family law alongside each other. And my research began because I was really interested in how clients experienced divorce, what's easy for them what's difficult, there's more that's difficult than is easy, and how we can support them and what they need to get the best out of their experience and how they can be ready to negotiate. Because there's a lot of research about emotional difficulties and stress, making it harder for people to negotiate, and to engage with it well, and to make decisions that they can live with for the rest of their life. So I'm researching how lawyers and clients work with each other, what clients need, so that hopefully we can improve the services that we're providing and make sure that we are giving clients what they need to make those positive decisions about their future.

Catherine McDonald 01:20

And can I ask you what motivated you to do the research.

Hannah Holdaway 01:23

So I've been working as a family lawyer since 2011. And always dealing with divorce, financial settlements, and private children law. So arrangements for children contact, that kind of stuff. And I've always just been really fascinated by how my clients behave. Some of them have really kind of constructive amicable positive separations. Some people have really tough stories, some of them have huge amounts of acrimony. Some of them behave in really interesting ways with me, and with their ex-

partner. And I'm just really interested in that huge range of behaviours that I've seen in clients, and generally how people approach the divorce process. So I stopped working a few years ago and did a master's in psychology, because I was really interested in that behavioural side of this work that I do. And that's taken me into the PhD, which is within the law school, and specifically looking at the kind of non-technical law side of their financial settlement negotiations. Wow,

Catherine McDonald 02:31

Wow, it sounds absolutely fascinating. Talk us through the methodology. How are you conducting this research?

Hannah Holdaway 02:37

So I have done a lot of interviews, I've been interviewing lots of family lawyers, people I don't know, all across England and Wales. And I've also interviewed lots of people who are divorcing or have recently finished a divorce. Some of them are pairs, where I've interviewed the client and the lawyer. And they've talked a little bit about each other, but mostly just about their own experience. I've spoken to lawyers, who I haven't spoken to any of their clients. And I've spoken to clients where I haven't spoken to their lawyer, so a bit of a mixture. And with the lawyers, I've been asking them just generally why they do this kind of work, whether they have a particular style, their experiences of working with people who are divorcing, and what they find the hardest thing about their job, and what they find the most positive thing about their job, I've been talking to them about the last case they've done. And with clients, I've been talking to them generally about what then led them into a divorce and what led them specifically to getting legal advice. Because we know a lot of people divorce without ever speaking to a lawyer. And what has been most stressful what's made the process hardest, what's made the process a bit easier than it might have been? I'm really talking to them just about anything in their life that they think is important for me to know.

Catherine McDonald 03:58

The benefits of this research. On one level, sound obvious, but I'd love to ask you, what do you hope to inform or change from this research or with this research?

Hannah Holdaway 04:11

So one of the things that I find really interesting is that there is some research on family lawyers and how they work. There is some research about people who get divorced. There's not much research about those two groups together, and how they work with each other. So I'm really interested in that working relationship that they have, and how people understand each other. My personal view is there's like a constant back and forth and communication that you need for them to both explain things to each other and be understood. I think that's an ongoing process that is really interesting to think about. And I really want to get to a point where we can understand what clients need and how to give them what they need rather than making assumptions about that.

Catherine McDonald 05:01

I wish you all the best of it. It sounds much needed. And it sounds really fascinating. Just before you go, though, I just want to ask one final question. And that is what advice would you give to somebody who's thinking about embarking on a PhD?

Hannah Holdaway 05:15

I would say, if it's something that you've had in your mind, and you are tempted or interested in the idea of doing a PhD, and you've got a particular issue or topic or question that niggles in your brain, I would say go for it. It's such a positive experience, it's quite up and down, there are low points. And there are points where you think I don't know what I'm doing. I don't know if I'll finish. But there are really big highs as well, there are points where it's so rewarding. So I would say if you are interested, go for it, because you've got nothing to lose. And the thing that held me back for a long time was thinking that people who did a PhD were some kind of special genius, and I wasn't like them. And actually, I think a lot of people who do PhD are incredibly clever, but actually, they are often people who just are really interested in one thing, and have the determination to work at that thing for a long time. So you don't have to think that you're not clever enough. If you have the inclination to do it, you can probably do it.

Catherine McDonald 06:19

Such brilliant advice. Hannah, thank you so much for talking to me today. And thank you for listening to this episode of Let's Collaborate from the South West Doctoral Training Partnership. This was produced in collaboration with Research Podcasts, and it was recorded at the SWDTP conference in 2023. And don't forget to subscribe wherever you receive your podcasts.