

What does effective leadership mean?

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I HAVE heard a concern expressed in recent weeks about the need for effective leadership in the Scottish legal system. There are a number of difficult and contentious issues at the moment. There seems to be some navel-gazing.

I suppose the validity of such a concern depends on what we mean by effective leadership. There are a number of people in what might be described as leadership roles who head organisations or institutions in the law in Scotland. Some fulfil ceremonial functions, some are responsible for discipline, others look after members' interests. Some have extensive powers, others are constrained by committees that render them effectively figureheads. Many are simply overwhelmed by the volume of business with which they are expected to deal and by a lack of resources.

The question posed is: how effective are they in addressing the serious issues facing the system of justice? One of the challenges for any leader is to preserve what is good about the present, while grasping the essence of what is new and necessary for future success - or even for survival. Lawyers may be thought, traditionally, to be conservative in approach. That is a strength. However, in times of rapid change it can also be a weakness. Edward de Bono says that "our traditional thinking methods have not changed for centuries. While these methods were powerful in dealing with a relatively stable world (where ideas and concepts tended to live longer than people), they are no longer adequate to deal with the rapidly changing world of today where new concepts and ideas are needed."

John Maynard Keynes said: "The difficulty lies not so much in developing new ideas as in escaping from the old ones."

For those who are - or would be - leaders in the Scottish legal world, some would argue what we need is strong, visionary and courageous leadership, of a kind that sees and goes beyond mere parochial interests, beyond the present way of doing things, beyond traditions and entitlements. This is leadership that inspires and challenges and risks breaking the mould. All of this is easy to say and difficult to achieve. Most lawyers (and civil servants?) are not taught leadership skills. Some have them naturally, others learn them, while many struggle. Often, the really innovative leaders are to be found at the head of successful organisations or law firms, where their focus is on business results and not on their profession or the system.

Leadership is not necessarily about forging ahead at the front, although sometimes (and that time may be now) that is essential. It can be about enabling others to be decisive, to achieve potential, to develop new ideas. Jim Collins, in *Good to Great*, describes "level 5 leadership" that combines personal humility with professional will. Level 5 leaders are fiercely ambitious for the success of their enterprise, whatever it may be, but not for themselves. They take personal responsibility when things go wrong and give credit to others when things go well.

Really effective leadership is probably rare. It does not occur automatically. It is not easy to do. It can attract criticism and resentment. But its absence has seen organisations, institutions, countries and international initiatives fail.

If it is absent in the Scottish legal system at this crucial time, that absence could seriously compromise the system and ultimately hurt the people of Scotland.