

## The real masters ask the right questions

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I READ recently that geniuses are not born brilliant but are created by extraordinarily hard work. They invest five times as much time and effort to become great as others do to become competent. That kind of sustained effort is what it takes to achieve extraordinary mastery.

I have been involved in training individuals in advocacy, negotiation and mediation for several years. I practised as an advocate and now as a mediator. What is it that separates those of us who are minimally competent from those who are the best at what they do? Those who are really good work really hard at the margins. They know little things make a big difference - and what turns an ordinary performance into something extraordinary is that little "extra".

In my early days at the Bar, I had the privilege to act as junior counsel to some outstanding advocates. I recall the awe in which we held one senior QC. He seemed able to take on the hardest cases and make them appear easy and to turn the most difficult arguments into simple common sense. I learned this was due in large part to prodigious hard work and attention to detail. Every line of questioning was meticulously prepared, with alternative lines springing from the range of possible answers. The appearance of brilliance was, as Edison said, one per cent inspiration and 99 per cent perspiration.

Another outstanding senior counsel would ask just the right question at just the right time in just the right way. Cases are won and lost with such precision. I recall a damages claim when a question put to the key witness could be answered only one way: and that was fatal to the claim. On another occasion, the deletion of two or three words in an apparently obscure section of the written court case fundamentally altered how a court would look at it. He would ask his junior counsel to work with him late into the evening to analyse and distil the arguments. His note-taking and use of multiple colours of ink to highlight and associate key passages and ideas were well known..

What further distinguished these leaders at the Bar was, in addition to being outstanding lawyers and pleaders, they were all courteous and polite.

In more recent years, I have been privileged to work with some of the master mediators. Because mediation is a new profession, these people are often pioneering figures who have stood up for a new way of doing things. They are marked out by their great diligence and personal humanity. For a mediator, analysis and preparation is different in substance from that of a court practitioner.

Here the focus is on the process, the people, the wider issues and finding solutions that may be outside the bounds of a legal case.

However, there is a common thread. What the great masters of advocacy, negotiation and mediation all do is ask great questions. "Questions are the answer," it was once said: but you need to ask the right questions in the right way at the right time. Often, the right question is not the obvious one, but the masters will ask it. Great questions are also simple: it was said of Einstein that he could ask immensely simple questions. Einstein himself said: "The important thing is not to stop questioning."

And he was a genius.