

Sally Penni (00:00)

Hello and welcome to Talking Law, the podcast where you can hear barristers, judges, solicitors, managing partners and more, talk about their lives and careers. I'm Sally Penni, MBE, I'm a barrister at Kenworthy's Chambers in Manchester, the Joint Vice Chair of Association of Women Barristers and founder of Women in the Law UK.

This episode is supported by Interlaw Forum. Founded in 2008, the organisation seeks to promote meritocracy and inclusion for all diverse and socially disadvantaged groups in the legal sector. Find out more at [interlawdiversityforum.org](http://interlawdiversityforum.org)

Today I'm Talking Law with Daniel Winterfeldt MBE, QC. Daniel is a senior corporate and securities lawyer with over 22 years of experience and is currently the Managing Director and the General Counsel for EMEA and Asia at Jefferies, along with a host of other roles and responsibilities. Daniel is an American now living in England and I began by asking him why he chose to move to the UK to peruse his Law career.

Daniel Winterfeldt (02:45):

Okay. So, yeah, so I was born in the states. I was born in Cincinnati, Ohio. My family is Jewish. Three of my four grandparents had left Europe prior to World War II and the, the Holocaust. And they all found their way to the Midwest. I was born there. I went to university at Washington university in St. Louis and had thought about doing a medicine originally and then sort of realized after spending my junior year abroad in Spain, that I was spending too much time in books and, and the medical route before you're a doctor. So let's just say the people who I went to undergraduate with and did pre-med in America were, were doctors full-fledged doctors when I became a partner at a law firm. So it's a much long, it's a much longer path. And I realized that I wanted to be able to travel and work with people and do more international work.

Daniel Winterfeldt (03:38):

So I decided to do law. I applied to law schools and got into Fordham law school in New York city at Lincoln center. So I went to school there from 95 to 98 after my graduation, I worked for two years in New York on wall street and did corporate work and then came over to London in 2000 to work with wild. Got and I was there for almost five years. And I did a mixture of, of, of corporate, including M&A as well as capital markets. And they trained me on doing capital markets work.

Sally Penni (04:14):

Wow. Because actually, your honor, isn't just for diversity. You know, it's like me, people forget that we've got full all time jobs. It's actually for services to the capital markets and, and you know, all the work you've done, you've done there. Which is amazing. Daniel really? So when you came to England, what was it like, you know, from an American point of view, and then also, I want to talk a little bit very briefly about your experiences as a international lawyer in in London.

Daniel Winterfeldt (04:52):

Well, you know as an openly gay man coming to London in 2000 was challenging. It was very, very different from New York. In New York, in the nineties, there were domestic partner benefits at New York law firms. People were openly gay at while in New York, the head of the banking group was openly gay. There were a lot more women partners. Yeah. So, you know, there, there are different demographic

makeups when it comes to things like, like race and ethnicity in the US. So those numbers are higher, so you would've seen more representation earlier on, but it still was very, very different. I felt like I was coming to some place that was quite closed. I'd be in offices of 300, 400 people and there'd be one other out person or two out people. So things were really different in London, 20 years ago than they are now.

Daniel Winterfeldt (05:43):

So I found it challenging. I loved the work. I found clients very appreciative. If you stayed up overnight, you got a thank you note from clients in New York, people were like, of course you stayed up all night. You're my lawyer. So I felt like things here were, you know, it was hard and you worked hard, but people were more appreciative. And you know, I really have grown to love London and London has really developed and evolved over the past 20 years when it comes to inclusion. And obviously from a cultural perspective and architecture and arts, London is an amazing place to be. And I've grown to really love the theater here. I think the finest actors in the world are trained here.

Sally Penni (06:25):

Yeah. Yeah.

Daniel Winterfeldt (06:26):

So I, you know, I feel really blessed to be here and what a beautiful city to just walk around and, and be part of.

Sally Penni (06:32):

Yeah, absolutely. Absolutely. Now, Daniel, I didn't ask you about, you know, you or sexuality, but you are quite open about it and I don't want to focus on that, but I wonder, did that play a part in you setting up the Inter Law Forum and perhaps you can tell us what it is because it's not just about the LGBTQ community, is it? It's 'Inter' for a reason, can you tell us what is, what is, why you set it up and how it came about because it's amazing what Inter Law's been doing.

Daniel Winterfeldt (07:09):

Yeah. So I mean definitely a hundred percent Inter Law started because I was gay as someone who at who had worked to London for eight years when I started it in February, 2008. So we're actually, it's our 14th anniversary this month.

Sally Penni (07:26):

Wow.

Daniel Winterfeldt (07:26):

Which is exciting. But we started as an LGBT+ network. At that point in time, there were only three law firms, with LGBT networks in all of London. And those same three law firms were the only three law firms that monitored sexual orientation. So LGBT was nowhere on the map. And it's very interesting because now people say no one wants to talk about race, but let me tell you something back then, people were running to talk about race and gender. If they did not have to talk about gay lesbian, bisexual or transgender, they really were words. They really were words that people thought did not

belong in the workplace. People would not say the word gay, they would not talk about it. And part of that is generational.

Daniel Winterfeldt (08:11):

About people 15 up and 50 down in the UK have a different view of sexual orientation. And there's this view that it's, it's something that's private, that one doesn't speak about. And that was more prevalent especially among, you know, management and people who made decisions at law firms. So definitely when I became a partner in 2008, having felt isolated, looking up and having no role models also in my private life, I knew almost no LGBT professionals. So I wanted to come out and think, what can we do to change things? What can we do to improve things for the legal sector? And I started going to Stonewall had a workplace champions program where there were quarterly meetings and in those quarterly meetings, they also talked about their work equality index, which measures LGBT+ inclusion in the workplace and the legal sector ranked second from the bottom.

Daniel Winterfeldt (09:03):

And at the time had no employers in the top 100 employers. Oh, so I knew this was a sector wide problem. It was a sector wide issue. And I'd been running the forum for US securities lawyers in London, which brought other lawyers, bankers, the London stock exchange, settlement systems, et cetera, to talk about capital markets issues and how us securities impacts the London capital markets. And I thought, well, if I could do it for capital markets, I could do it for diversity. So there was an Inter Bank and I researched Inter Bank and what worked and what didn't work about Inter Bank and then launched the inter law diversity forum originally called for LGBT networks. And then over time we started doing research. We started going deeper and being intersectional about our work because you know, we, and we did some research early on as well with the law society. I also went around and talked to employers. So I talked to law firms and talk about the fact that they should be launching networks, talk about the fact that they should be monitoring sexual orientation. So it was really kind of a mixture of having monthly meetings to support and bring people together from the grassroots level, working with and helping launch networks and support employee resource groups. And then also working with employers and working at that level.

Sally Penni (10:22):

Wow. And 14 years is a long time. You know, many of us who've set up networks to try and bring about change and encourage change and so on and so forth. It's not easy work, is it? How have you managed to be resilient and be progressive at the same time?

Daniel Winterfeldt (10:41):

Well, you know, I think that, I mean the one thing about inter law is that, you know, I am a benevolent dictator of inter law. So one thing I've done is I run as a, not for profit. So I own InterLaw. I do not get, you know, paid for my work. Yeah.

Daniel Winterfeldt (11:00):

So I so I run it as a, not for profit, but I don't have a complex corporate governing structure that I would have with a charity because honestly I don't, I wouldn't have the time for that. I think that would've killed Interlaw - having to manage a board and, and answer to people. I don't have time for that. So one thing that's great about it is I'm able to ramp up and ramp down depending on how busy I am in my day job. I decide the deadlines, I decide when things are delivered. And I have an amazing, you know, raft of

people over time who, you know, volunteer and support. And now that we have, you know, more of a budget, we have some consultants who are paid and one full-time employee to help support the work we do. But I, you know, I'm able to align my passions with that work.

Daniel Winterfeldt (11:46):

So I've allowed inter law to grow and evolve. So I feel like it's always fresh. It's always challenging me. And I feel like we follow where the profession needs support. So we started LGBT+ at that time, I think it was one of the most silenced, most difficult groups to support and address. We were able to unlock real significant change within five to six years within the legal sector and be part of a huge shift in a transformation. We, we did our research as well. So inside of our research, we started doing LGBT+ research because the law society was doing research on women and ethnic minority lawyers. And we came along and said, can we do an LGBT+ study? And they said, only if you help help us coauthor it. We don't have the resources.

Daniel Winterfeldt (12:35):

So we came along and coauthored that report, those reports were published in 2010, and they're called the Barriers Reports. They're still on the law society's website. And then in 2011, we did research with the judicial appointments commission. Again, they were doing research on gender and race, ethnicity, and we approached them and said, can we do LGBT+? And they said, great, we'll give you the questions. You can do your own report. But we're never gonna be changing our monitoring policy on LGBT+ within your lifetime. And I thought, well, that sounds like a challenge. So that,

Daniel Winterfeldt (13:11):

That research was published in 2011. And actually they changed leadership at the JAC and the chairman wrote the intro to our report. It was launched at the law society. And that day they put out a press release from the JAC saying from that day forward, they would start monitoring sexual orientation. We also had the privilege of reporting into Fairness Norbergers Committee on diversity in the judiciary and we were able to give her the advanced results of our research to feed into her report. So we were actually quoted by her report, I think 12 to 14 times intra our research was quoted and LGBT was mentioned, which was a huge milestone because up till that point, there were no mention of LGBT on the JACs website, none of the previous commissions committees on judicial diversity ever mentioned LGBT. So we were invisible. So for the first time, thanks to Fairness Newberger and thanks to the new chairman of the Jac, we became visible. And we also became a characteristic that was monitored by the JAC.

Sally Penni (14:19):

Yeah. I mean, it, it's amazing really isn't it. And research is hard. You know, we've done some research about why women were leaving the profession. It's quite hard and it's quite difficult to get people to open up and then, then assessing the impact of the research. So I'm really thrilled to see, I saw that those reports were still up and there on the website, in my research for this interview, but I'm also interested in what you've been doing recently, which is a model diversity survey, which is much more recent. Can you tell me a bit more about that?

Daniel Winterfeldt (14:50):

Yeah, absolutely. So the the UK model diversity survey came about because the American bar association is now in its fifth year of running their version of the model diversity survey. We within the

inter law, we did a series of programs for in-house council in our Apollo leadership Institute, which brings together general counsel and senior in-house lawyers to talk about diversity inclusion and culture. And we did a series on how to manage panel firms for better outcomes in diversity and inclusion. And we invited Gretchen Bellamy from the ABA as well as Alan Bryant from Walmart who famously ran their panel, but also was very involved at the ABA working with Gretchen in launching the model diversity survey. So the model diversity survey is set up so that clients sign up the signatories. And then the survey is sent out once a year to law firms who fill it out, enter their data in a system.

Daniel Winterfeldt (15:48):

And once that data's entered in the system, Microsoft created a dashboard that generates reports for clients. So this way in-house teams own the data because often data sits with in-house teams with the procurement team it's owned by legal, they're able to generate reports, they're able to compare panel firms to each other and also track changes over time. So it's a complete revolution in data and transparency and the newest version of the system is intersectional. And it goes much deeper and wider than what the SRA, the simple stats the SRA requires to be reported and placed on people's websites. So we decided, well, why don't we do this in the UK? My concern is over the past, you know, five years as people become more active around diversity and inclusion, sometimes people have lost their way and many of their activities are events or sponsoring awards or sponsoring you know, lists.

Daniel Winterfeldt (16:48):

But these things aren't really changing our profession. Right? You can have as many international women's days breakfast as you want, but in 2012, women were 12% equity partners and in 2019 women only moved to 14%. Yeah. So if you think of all the activity going around women, we are seeing glacial progress at senior levels to moving women in law firms to the highest levels of the career. So we have a, and we still have that major drop off at sort of six to eight years qualified out of law firms and sometimes out of the profession. So we really, and we even have challenges in-house as well. So it's not just a law firm thing. It is a profession issue and it's obviously an issue for Barristers and Judges and judges as well. So we have a lot of work to do within the profession to advance women.

Daniel Winterfeldt (17:36):

So you look at those stats and you think if people were looking at the percentage of equity partners at law firms, would clients have allowed between 2011 and 2019, a 2% change, which even more depressingly my research partner, Dr. Lisa Webley told me is actually within the margin of error. So it's possible that in eight years there was zero shift and change. And I just think if people looked at those numbers and said, we'd like to see 1% a year or 2% a year, you would've seen eight to percent shift instead of two. So I believe that the transparency of the numbers is everything. And also getting in an intersectional way, because we know from our research as well, how much intersectionality can have an impact on people's challenges, they face as well as how much money they make. We see huge differences in our research from that perspective, and also looking deeper at the culture.

Daniel Winterfeldt (18:32):

So looking at things like attrition rates, promotion rates, and really getting down to the nitty gritty of, of what firms are doing. So we license and are exclusively working with the ABA to launch the UK model diversity survey. We have over 30 client signatories signed up, including huge names like Google, Microsoft, Barclays, HSBC, my shop Jeffries amazing dream list of clients. Yeah. The crown estate. And then we have nominate, they've nominated over 120 law firms, 30 are onboarded, 20 are in the process

of onboarding and we're working to get of those into the program. And I think that this will be a shift in a change because people will realize they have to refocus their diversity and inclusion activities on things that actually impact the recruitment retention and promotion of diverse talent. And I do think we're a little bit lost in that space. Yeah.

Sally Penni (19:27):

Do you think actually, the drive, you know, and the stats are even worse when we talk about race and when we talk about the judiciary, because there's so many very good people that JC been doing so much work, it's somewhat depressing when you see the data on paper and there is improvement. Do you think some of these issues need to be business driven? You know, I think Coca-Cola has said, you know, lawyers, they up on the panel, for example, for their work, have to have a diverse background. You know, there's a shift. Do you think business needs to shift it or do you think we need to be thinking about quotas when we think about impact. Cause when you say people have lost their way a bit, I get exactly what you mean.

Sally Penni (20:13):

You know, you can put on glossy shows can't you in glossy events. And then you look at, you know, the number of cases being brought in tribunals, for example, for sexist discrimination or race or whatever, or these, and it's the same firms who are saying all this stuff and it doesn't stack up. So do you think that some of the shift, because the dream list of clients, you know, do you think it has a, from people like Google and you know, all these wonderful HSBC, you know, does it have to be business driven rather than always being, you know, firm driven or chambers?

Daniel Winterfeldt (20:45):

Well, I mean, think about chambers and law firms. One of the problems you have is they don't have developed corporate governance structures. They don't have outside accountability to shareholders. They don't have transparency in data and reporting. So in the absence of that, you can't rely on them to do anything and they're not highly regulated. Right? If you look at a bank, for example, we have regular meetings with the FCA at Jeffries, we are, you know, working and collaborating with them on lots of projects, both you know, some required by law, others voluntary. There is a huge active dynamic when it comes to this space, you know, the regulators work in a completely different way in the legal space. They, you know, the it's, it's a, just a different approach. So I think that in the absence of that and in the absence of corporate governance, think about corporate governance, I'm a capital markets, lawyer.

Daniel Winterfeldt (21:33):

If a company's going to IPO, you know, we, we advise them on what corporate governance requirements are in the listing rules, what best practices people should be looking at having independent non-executive directors, most law firms don't have that. Chambers, don't have that. So where's the accountability and where is the expertise and experience from outside the profession? So to me it's really, really important that we refocus and we reshift people. And I do think that clients have to do it. I think that power and that change has to come from clients. Yeah. I think that we should also be long term looking at the power of regulators and looking at what's done. I think the SRA should be demanding more of law firms. There should be more transparency, more accountability. Another problem I think, is looking at things like systems and procedures. So you know, in a public company, you are testing your systems and procedures.

Daniel Winterfeldt (22:23):

You have internal audit. Law firms don't have internal audit programs or if they do, they're extremely basic, but why aren't people testing, for example, their bullying, harassment, and discrimination policies to make sure that they're fit for purpose and make sure their systems and procedures work. So if it doesn't, if manager does something wrong, is HR challenging that or is HR rubber stamping it? Because they think their job is to improve whatever partners do. There's a lot of work that can be done in the, the corporate governance realm. And I think some of that will have to be mandated by the regulator and by law. And I'm not against things like quotas, but I think that we need to use everything else within our tools now. And I think with this government, that would be a challenging thing to get through, but maybe one day I do also believe that, you know, clients sometimes make the mistake of overly focusing on who does their work.

Daniel Winterfeldt (23:13):

Yeah. So I was talking to a senior black lawyer at a major company who said that, all her lawyers are white. None of her lawyers are diverse who work for her, her firms. I said that's because the law firms take all the diverse lawyers and put them on the client cases for the client to ask for diverse lawyers and everybody else is white. So I think the model diversity survey is important because it focuses on the entire body at the law firm of all the lawyers. And I think if you had to pick and choose what you were going to look at, you should be more interested in the overall makeup of the organization rather than just who works for you. It's a bit too Naval gazing. And a lot of major companies have been doing that for a decade now in the us. And we're not seeing progress. It's not driving change.

Sally Penni (23:56):

Yeah. Yeah. Such an important point. I ought to say though, at the bar we are trying our best and the Bar Standards Board are regulating us. So I take your points, but we are trying our best for a very traditional and aged population, I suppose, across the pond in America, they seem to be ahead with these things. You know, the idea that you would have non-execs at a law firm sounds quite interesting, doesn't it? Or a trade even to bring different eyes. So yeah, it's quite an interesting, interesting point.

Daniel, I'd like to move on a bit and ask you about wellbeing. I know you've got dogs and I know you love Madonna and we are in a profession with long hours aren't we? And for me, I think a load of boxes just arrived actually for a, a case this week late returns, you know, from a solicitor. And we're not great at wellbeing. I know we're doing a lot in bar and then the bar wellbeings trying to do a lot. What do you do for your wellbeing?

Daniel Winterfeldt (25:03):

I jealously guard my sleep. I used to not do that. I used to burn the candle at both ends all the time. Yeah. I really, really do make an effort to get seven to eight hours of sleep a night because without it, you know, I don't function as well. So I do that. I try and eat healthy at least for lunch. So I have a very, I have the same lunch every day, very healthy. I go to Joe in the Juice and get a green juice and a flatbread sandwich with chicken avocado and cucumber. My lunch is 500 calories. I do intermittent fastings. I don't have breakfast. So I think, you know, watching your diet and I try and exercise at least two to three times a week and I try and walk 10,000 steps every day.

Daniel Winterfeldt (25:48):

Wow. I get a chance if I'm in the city, I walk home from the city. I walk as much as I can. So it's really, really important to take care of your health and wellbeing. And **when I was younger, I definitely**

sacrificed my wellbeing. You know, lots of rich takeaways, lots of sitting at my desk all day long and not moving and realised that you're doing yourself a disservice us, but you're actually doing your clients a disservice because you're not at your best, if you're not well fueled and exercised it, you know, you were doing your clients a favour by taking that break, you will come back to your work, more refreshed, more focused and much more productive. And I think that those long hours cultures and law firms are driven by that billable hour. So I think it's important that we check in with ourselves and we really take care of ourselves and you know, it's interesting because you know, people I think people, especially of kind of our generation, you know, we are always helping everyone else first and we don't take care of ourselves and that's really, really important.

Sally Penni (26:48):

Yeah. It's really good. Really good point. You make there actually. Daniel, tell me, are you a reader and if you are a reader of books, I mean, or perhaps you listen to it on audio what's your favorite book and more importantly perhaps do you have a favorite fictional lawyer? And if you don't have a favorite fictional lawyer, if there was going to be a film about your life who would play you?

Daniel Winterfeldt (27:18):

Okay, well, so, so I mean I have a lot of favorite books. I have a bookshelves I'm looking at across the room. I

Sally Penni (27:26):

Can see it very nice.

Daniel Winterfeldt (27:27):

I have to say two books among my favorites. One because it's an incredible work of literature, but also means a lot to me. I have a a first edition of *Beloved* signed by Toni Morrison. She came to my university and spoke and I was able to go to a book signing and meet her. She, wow. My favorite authors, she's from Ohio from very close to where I grew up. And I have a real connection to her as an author. And I think when I was younger, as someone who was, who I knew I was gay, I wasn't openly gay, but I knew I was gay and I felt very, I would grew up in a very conservative place. And I felt like I couldn't be out about who I was there, there wasn't gay literature or role models or anything.

Daniel Winterfeldt (28:17):

And so I think that I often identified with black women and Toni Morrison's books were, are, are very important to me. Growing up as well as *The Color Purple* by Alice Walker, which is also, you know, LGBT as well. Yeah. So those are two really important books to me and the other book that I absolutely love and they just came out with a new movie is *Dune* by Frank Kerber, which is, I mean, it is, it is a work of literature. It is even though it's science fiction and people think science fiction is not literature. *Dune* is literature. It is one of the most beautifully written books. And you know, there's a whole series of five that he wrote. But the first one is absolutely phenomenal and a must read.

Sally Penni (29:01):

Amazing.

Daniel Winterfeldt (29:02):

I've got a lot more, I've got a lot more sitting and waiting for me to read is a book called the choice by Edith Iger. And she is a psychologist and a Holocaust survivor. And the book is called the choice because essentially you can survive the Holocaust and turn into a bitter person or you can choose to celebrate life and support other people. And that's a choice that we make every day. Wow. Really looking forward to reading that. It's an a really inspiring book.

Sally Penni (29:30):

Yeah. I've written that down actually because we've got a book club, so we're always looking for good books. Although I think I'll probably cry through that book. The choice sounds great. Now, Daniel, we do need to hear all your books on there. I think you might. No,

Daniel Winterfeldt (29:43):

That's, that's, I'm done. I'm done with my book list and I was thinking, and I was thinking that I don't know that I have, do I have a favorite fictional lawyer?

In, in the, in the Marvel TV series of Jessica Jones,

Sally Penni (30:39):

Oh yeah,

Daniel Winterfeldt (30:41):

There's a lawyer that's played by the actress from the matrix.

Sally Penni (30:47):

Oh.

Daniel Winterfeldt (30:48):

And I'm picturing her and I can't remember her name. Oh, it'll come to me in a second.

Sally Penni (30:55):

I'm gonna have to look. And I know

Daniel Winterfeldt (30:58):

Her name is Carrie Ann Moss. Oh.

Sally Penni (31:01):

And

Daniel Winterfeldt (31:01):

She's phenomenal. She's yeah, Carrie Ann Moss and she's gorgeous and powerful. She happens to be a lesbian as well. She's just a very interesting character because she's very complex. She's very smart. She's not necessarily good or evil, very complex character, very complex portrayal. And actually quite realistic, I think profession looks like the good, the bad and the ugly. But she was a fascinating character and she appeared in a few of those series.

Sally Penni (31:32):

Ah, I've written her down cause I'd quite like to see, I like Carrie Ann Moss.

Daniel, tell me, I want to talk about careers advice for people coming behind. And I've often said this publicly on podcasts I've been interviewed on - that I'm very concerned about opportunities given COVID. For young people from all backgrounds are all mature people from all backgrounds and your careers, especially interesting, which I've already alluded to. Not least because you are now in house council, which is fantastic, doing interesting work having been in private practice, but also you know, you are a professor at the Hult international business school, teaching business law and ethics equity and inclusion and so on. So I wondered what advice would you, you know, perhaps a tip tips, three tips for somebody starting their career now what, what careers advice would you give them?

Daniel Winterfeldt (32:35):

I think first of all, you should be open to opportunities. One thing I find really interesting is young people that I speak to often have these very, very detailed ideas about what their career should look like. Yeah. We do, we did our virtual internship during COVID. We did 25 classes, virtual classes over five days. And one of the biggest things I found I was deprogramming was this idea that if you didn't get a magic circle training contract, you were failing.

Sally Penni (33:02):

Yeah.

Daniel Winterfeldt (33:03):

So I think people need to be open to many different paths to the profession. You can be a barrister. You can be a solicitor. There's many different paths to get to qualification. There's now the SQE. Or in house training contracts. I think people need to be much more open to opportunities and open to things as they come your way. Don't be so rigid. I met a very junior law student who said, 'I wanna be a derivatives lawyer'. I'm like, and I'm like, 'I don't think you even know what a derivative is. I don't know why you're saying that'. You know what I mean? But I feel the need to develop this very developed idea. And the reality to me is - it all depends on who you work for and not just your employer, but exactly who your boss is.

Daniel Winterfeldt (33:48):

Right? They say people don't leave jobs, they leave managers. So it's really important that you take the opportunities to work with people who value you, who treat you well. And that can sometimes be challenging in the legal profession. So be open, look for people who are good. That's number one.

Number two: be present when you work. Be present when you come to meetings. People find themselves on their phones all the time now. You cannot sit in business meetings on your phone. You should not be sitting in classrooms on your phone or on your laptop, pay attention and take notes be present for whatever it is that you're doing, because that will make you stand out. And that will make people take notice of you. Even be present when you're having conversations with people. It's really, really important, but I think that is, you know, there's a great book called 'The Power of Now', which talks about, you know, being in the present moment.

Daniel Winterfeldt (34:41):

And that I think is something that everyone should really work on. So I think mindfulness is the third part, which is we talked about wellbeing and part of what being is mindfulness, which is being in tune with yourself, being in tune with others. And again, you know, *The Power of Now* is a great book to read and there's another great book called *The Four Agreements* by Don Miguel Ruiz, which is to teach philosophy, which is four rules for living. And again, I think doing a little bit of that work to develop yourself, work on yourself, be in touch with yourself as well as how you interact with the world and with others is really, really important.

Sally Penni (35:18):

Wow. Do you know, even I was writing those down, you know the, because after what, 22 years, this year at the bar, we all need reminders. Don't we of these tips, careers advice often at different levels, even don't we, you know, the advice can often be, be the same.

Daniel I'm, I'm wondering what's next for you? Are you still a member of the American bar association?

Daniel Winterfeldt (35:43):

Yep. I'm member of the American bar association.

Sally Penni (35:45):

Yeah. Interlaw's getting from better to better, you've got these amazing awards and you are doing amazing stuff for Jeffries. You know, I was reading all the recent stuff you've been doing. And and you've been, you know, speaking in a lot of panels and so on and so forth. So I'm just wondering what what's next might a book be, or might you be thinking, managing partner, maybe setting up on your own. Have you got any plans? Are you kind of just happy doing what you're doing?

Daniel Winterfeldt (36:19):

I honestly, I am in my dream jobs. I love my work at Jeffries. I feel really honored to work there. It's a great group of people. It's a great growing entrepreneurial business. It's very, very exciting to be part of it and be supporting the work that they're doing. So I love that. I am really honored to be an adjunct professor at, at Whole Business School. I've always wanted to teach. So teaching is, is something I really enjoy. And I love doing in a more formal way. And, and just continuing with Interlaw and continuing to really try and support individuals while we also work organizations and then work with the regulators, work with the SRA to try and really bring about change in the legal sector and doing projects like *The Model Diversity survey* and continuing our research. So we also published a new research report at the end of last year, based on data on the, on career progressions though. It's cross strand. Yeah. All strands of DNI and social mobility. So the career progression report 2021 came out last year and soon will be collecting data to do an update of that, to look at the impact of COVID on the profession and see where we are.

Sally Penni (37:34):

Wow. That's a big job and a half isn't it. So it's re it's. I really look forward to certainly the impact on COVID as well. And Daniel, just before you go, this has been brilliant. You know, I could talk to you forever. I haven't even asked you about Madonna. We're gonna run outta time. I was thinking, could, could Madonna play Daniel in a, in a, you know, in a Hollywood film or maybe a Broadway production? I don't know, because she's getting on a bit now. Isn't she? Daniel? but my, the question I wanted to ask you about is, is this as well, you are very good at using you know, social media, which we all call a necessary evil don't we? And I just wondered, you know, how you came to embrace that because you

know, sometimes young people, but all sorts of things on there, you know, vomiting, inappropriate dressing, things that might look fun, but of course it leaves a footprint. And so I wondered, you know, whether you had any advice and how you came to kind of embrace social media in a, in a positive way. I don't mean in LinkedIn, you know, where I'm just posting pictures of my dog and articles about the law. But I mean, generally, do you have any kind of tips for young people, especially posting on there and how did you learn to embrace some of the positives, you know?

Daniel Winterfeldt (38:56):

Well, I think it's interesting. I think we're very lucky because we didn't grow up with it, right? Yeah. Yeah. We learn to use it in a conscious way. I think what young people need to do is step outside of it and realize, you know, you're publishing when you put these things up on social media so everyone can see what you're doing. Everyone can see what you're it's, it's almost like you're, you know, it's like an email that goes out to the whole world. So you really should think of it as running a mini blog, really be much more careful about what you post, what you say and how you say it, because it is a reflection of you. So I do think that you have to think before you publish everything, do I want everyone to see this? Is this something I want, I think is appropriate.

Daniel Winterfeldt (39:35):

It says something I think would be fine. And I also think over time you should be reviewing what you have up there. And you know, taking it down or, or deleting things. I mean I think Twitter is a very dangerous space that people should not necessarily, there's a lot of negativity on Twitter. It's a lot of fighting. It's a lot of negativity. I'm not sure what positive things come out of Twitter. I think there can be some connections between people, but I think there's far more negative than positive. It's a space. I don't really go into a lot. I dive in and tweet and then I run away. I use LinkedIn quite a bit. I think people should use LinkedIn. I mean, what LinkedIn is, is an electronic CV. So keep it up to date, make sure you put details about what you do.

Daniel Winterfeldt (40:18):

People will use that and look at you. And then, you know, when you post on LinkedIn, be thoughtful. And then I think in your private life, you can use social media, but just be conscious and aware things like Instagram are completely public unless you lock it. But even then, you know, people have access to it. And things like Facebook as well are, you know, often there's default settings. Now that make things you put up there public, unless you change that. So just be mindful about what you put up and, and be always, I would err on the side of caution, because I think we're in a serious profession and you see some of these kids coming up who call themselves influencers and they're just posting silly videos to YouTube. Which, you know, I wouldn't want those people representing me. It, it really isn't. I think a lot of, some of the stuff that people are doing is not great for their brand long term. So I think people should be thinking about what they can do that enhances their career rather than detracts from it.

Sally Penni (41:12):

Yeah, absolutely. Well, great, great advice. And so come on Madonna, what's your favorite song? Maybe I'll give you a top three. Cause if you've seen Madonna a lot of times, haven't you

Daniel Winterfeldt (41:25):

I've seen Madonna a lot of times. Yeah.

Sally Penni (41:28):

I've never seen her. That's why I'm so jealous.

Daniel Winterfeldt (41:30):

Probably seen her like a hundred times. So I think, well again, it's like picking my favorite book, but off the top of my head I would say Like a Prayer.

Sally Penni (41:40):

Yeah.

Daniel Winterfeldt (41:41):

Vogue.

Sally Penni (41:43):

Ah, yeah, yeah.

Daniel Winterfeldt (41:45):

And

Sally Penni (41:48):

Hmm, you're getting stuck now. There's a song called Cherish, which is a,

Daniel Winterfeldt (41:52):

I love Cherish. That's an amazing song. An amazing video. Yes. And Express Yourself. I mean I just, I can keep going and I love some of her newer, her newer stuff. I really, I really like as well. So she's had some good, good stuff that isn't as well known, but there's a lot, there's a lot of great tracks. She's a great performer and great music. I'm not a fan of her social media. She should take social media advice from me.

Daniel Winterfeldt (42:19):

But I think, you know, look, I, I think she's young still she's 63, but you know, I think the overuse of filters, how can you say that you're embracing your sexuality and embracing being a 63 year old when you filter your picture. So you look like you're 20 that I think is contradictory. So I'm all for her being, you know, embracing herself and be, you know, being empowered and, and open about her sexuality. But I think that she should be more natural. Yes. And embrace being who she is today, which I think is amazing.

Sally Penni (42:49):

Wow. Gosh, she, I, I don't even follow her. I don't even know how to use a filter. Nevermind anything else? See, we're all gonna be desperately trying to look now.

Daniel, it's been absolutely wonderful spending this time with you Talking Law and taking all the advice and hearing about the fantastic thing you've been doing in leading in the law. Thank you so much for coming on Talking Law.

Daniel Winterfeldt (43:12):

Thank you so much, Sally, for having me. It's been great chatting.

Sally Penni (Outro)

A big thank you to Daniel Winterfeldt for Talking Law with me, Sally Penni MBE. And thanks again to Interlaw Forum for supporting this episode. Do visit [interlawdiversityforum.org](http://interlawdiversityforum.org) to find out more.

If you would like to support Talking Law, then please get in touch. You can find me on twitter @sallypenni1 or search for Sally Penni or Women in The Law UK on LinkedIn or Instagram.

I also have two new books available, "Talking Law and Skills" and "Talking Law and Careers", both of which are available on Amazon.

Do make sure you catch up with previous episodes of Talking Law where you can hear my interviews with guests such as former President of the Law society, Stephanie Boyce and QC Jolyon Maugham.

Thanks to our production team, Sam Walker and Michael Blades at What Goes On Media.  
I'm Sally Penni MBE, Bye for now.