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Interview: Alastair David

'IT IS ALL ABOUT WHAT YOU GIVE TO YOUR EMPLOYER AND WHAT YOUR EMPLOYER GIVES YOU. NORMALLY, I WOULD ALWAYS SAY THAT I AM DYSLEXIC BECAUSE IT IS PART OF ME.'



Alastair David is an attorney practising immigration and employment law in the Cayman Islands. Before becoming an attorney, Alastair practised as a barrister in England and Wales for over a decade taking on asylum and immigration cases. Alastair was diagnosed with dyslexia aged 10. Alastair shares his experience as a neurodivergent barrister and attorney with Emma Llanwarne.

From GCSEs to the Bar course

Alastair was diagnosed with dyslexia when he was ten years old. His school could not figure out why he would spend so much time reading and make so many spelling mistakes. "It was never particularly serious for me for GCSE but at A Level, that was when it really kicked in because I did French. If I couldn't spell in English, there was absolutely no chance of being able to do it in French." It was during his A level exams that Alastair started to get extra time as a dyslexic student.

Alastair explains being dyslexic using examples of his own personal experience: "When I was learning how to spell the word "dog", I would spell it "god" and unless somebody pointed it out to me, I would not be aware of the fact that it was wrong."

At university Alastair was allowed a computer and used different programmes made for dyslexia. During his GDL and Bar course he was also given extra time: "The conversion course involves taking seven exams in seven days and you do Monday to Friday and then Monday to Tuesday. Those exams are three hours long and if you are dyslexic, you get 15 minutes for every hour. Therefore, I was having seven three- and three-quarter hour-exams for seven days in front of a computer screen. While it helped having extra time, I also found that incredibly mentally taxing."

With hindsight, Alastair's ability to focus while being tired was good training for the Bar. When he was in the UK, he would be often up in the early hours of the morning developing arguments and writing skeleton arguments: "Certainly for immigration law, I would be briefed at four o'clock and I



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would be in the tribunals the next day. You are writing a ten-page skeleton argument at 1 in the morning.”

From pupillage interviews to sitting in pupillage committees

Alastair has experienced pupillage interviews both as an aspiring barrister and as an interviewer. For this successful attorney, “Pupillage is all about how you sell yourself.” He advises that if one of the questions involves providing an explanation about a weakness and the strategies to overcome it, neurodivergent candidates should use their condition as an opportunity to sell themselves. Often in Pupillage interviews candidates are asked to “give an example of them overcoming a certain obstacle.” Alastair suggests that he would say explain that he was dyslexic and how it affected him and disclose his technique for dealing with the issues.

Alastair’s experience of sitting on a pupillage committee involved designing questions that will challenge candidates to think on their feet. He remembers once asking a question on dressage: “That’s what being a barrister is, you have to deal with questions you don’t have a clue about.”

For Alastair, there is more stigma attached to certain neurodivergent conditions such as autism than to others. “There is a perception that candidates with autism at pupillage interviews can come across as overly focused. If the members of the committee do not know about the condition or the fact that the candidate was suffering from it, they would not necessarily pick it up just by interviewing the candidate. In order for the candidate to have a fair shot at pupillage interviews, reasonable adjustments need to be made and the committee needs to know about issues that an individual has. You can’t blame a committee for not making reasonable adjustments if they could not reasonably know you have a condition.”

Alastair moved to the Cayman Islands after being recommended for a job by one of his former colleagues. He had to submit his CV and remembers adding that he was dyslexic. However, on advice this was subsequently removed as it was not relevant for the position. It would only take three months working in the Cayman Islands for his employer to say: “You’re dyslexic, aren’t you?” Alastair explains that being aware of his condition, he would always spend hours checking and correcting his written opinions, but when writing emails he would rely on spellcheck. One day there had been an issue with spellcheck and that was how his employer had found out.

Dyslexia: a source of weakness and strength

Alastair defines his neurodivergent condition in the following manner: “I have to do everything with the computer, you cannot read my handwriting, but equally the way my brain works gives me a different way of thinking which is unique.” He further adds, “It is all about what you give to your employer and what your employer gives you. Normally, I would always say that I am dyslexic because it is part of me.”

Reflecting upon being a neurodivergent professional, Alastair says: “As long as people understand the problems that we have, they should also understand that we also come with benefits.” Some of the challenges he faces are not being able to spell properly and problems with short-term memory. He adds “I think you do need a good short-term memory at the Bar. You have to be able to deal with a case on a Monday and get it off your head by the Tuesday. On the other hand, my mind takes me to places that are not obvious.” Some of the strengths that come with his condition are focus, a good long-term memory, and being able to process vast amounts of information very quickly. “The Bar



is better for dyslexics, mature students and people that are not fresh out of college. You cannot be a good barrister unless you are determined, driven and have self-confidence.”

Being a dyslexic barrister

In Alastair’s opinion, there is a lack of awareness about neurodiversity, and when it comes to dyslexia, he believes that there is an element of class involved. “I went to fee paying schools and I think that is one of the problems. It is much regarded as a middle-class issue, it is not like ADHD that covers all spectrums of society, at least when I was growing up.”

Being a neurodivergent barrister has been challenging at times. Alastair shares an anecdote where his dyslexia became the centre of attention for a judge in 2009. He was appealing a conviction for arson and criminal damage from the youth court. Unfortunately, there were spelling mistakes in his skeleton argument. “I had spelled ‘sought’ wrong in the skeleton argument, instead I had written ‘sort’. The judge had a go at me for my spelling mistakes, and even asked me how to spell ‘sought’ in front of everyone in court. The judge said *I do not expect a member of the Bar to spell ‘sought’ wrong*. I said, *I am terribly sorry your honour, but I am dyslexic*. The judge realised he had overstepped, he apologised and we moved on.”

Another situation Alastair describes as being highly stressful for a dyslexic barrister is when the judge asks counsel to draft an order in court. “I was asked to write an order in court which I did not want to do because the judge would not have been able to read my writing and would be able to see that I cannot spell correctly.” He would recommend that all future practising barristers carry a small laptop and portable printer to avoid similar situations.

Fitting the mould at the Bar

Alastair firmly believes in diversity at the Bar: “I do not regard myself as a traditionalist by any stretch of imagination. You should have diversity of people at Chambers, and that means based on race, sex, disabilities and abilities. If you are good enough to do your job, that is what counts. I remember having a client meeting with one barrister who spent five hours asking the client questions until she got all the information out him. I was amazed by her performance that day. I know she is now a QC. She is a QC not because she is Asian, or because she is a woman, she’s a QC because she is brilliant at her job.”

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