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Perspectives on Crisis Management

Law Department Management

While the COVID-19 pandemic is still with us, and the earlier lockdowns highlighted the risk of letting our guard down too early, it feels like we are finally starting to see glimmers of light at the end of a long, dark tunnel. As the prospect of a slow return to greater “normality” becomes more realistic, I’ve found it valuable to pause and take stock of what I’ve learnt, what worked well, what could have gone better, and where I need to update my worldview.

For the last decade or so, a significant part of my role has involved business continuity and crisis management, and the pandemic has provided a rich vein of learnings on business continuity — a (hopefully) once-in-a-lifetime opportunity to observe the effectiveness of crisis management and business continuity techniques and approaches over an extended period. So, what are the takeaways?

Your understanding of the situation is always imperfect

Businesses, markets, economies, and even more so global pandemics are intensely complex systems, and it is simply not humanly possible to have a completely accurate view of what is happening. Obviously, you need to form a working model of these systems to inform your decisions and actions, but it is critical to keep testing that model against observed reality and updating it as new data arises. Last year, I heard Rob McLean, director emeritus of McKinsey, talk about the importance of “epistemic humility” in leadership. It’s a great expression — you are less likely to be blindsided when you are conscious that you don’t know what you don’t know, you know that some of what you think you know is wrong, and you are constantly testing your worldview against the incoming data.

But keep moving forward anyway

An awareness that your information is imperfect can be disabling, particularly for lawyers who are trained from an early age to be terrified of having missed something. In a crisis, you must keep moving forward — if you wait for perfect information, you will likely sustain a lot of damage that you could have avoided with a few well-judged bets on what was happening and what was needed. Dr. Michael Ryan, executive director of the World Health Organization Health Emergency Services Programme, captured it well in comments last year when he said, “Perfection is the enemy of the good when it comes to emergency management. Speed trumps perfection ... The greatest error is not to move. The greatest error is to be paralyzed by the fear of failure. If you need to be right before you move, you will never win.”

Manage the stakeholders’ expectations

People like consistency, and there can be a tendency in companies and the broader community to think that if a plan had to be changed, then errors were made in the original formulation of the plan. If I’m embarking on a major project during “peace time,” the stakeholders have a right to expect that plans will be comprehensive, consistent, and well-designed. However, no one on the planet has the prescience to build systems and plans that will anticipate all changes and developments in a dynamic and uncertain environment like a global pandemic. You can buy yourself a lot more space with your stakeholders by unashamedly naming up-front that reality will inevitably diverge from the plan, and that the plans will inevitably pivot based on the latest developments.

Complex reality can be overwhelming

Keep breaking the problems down into bite-sized pieces: situations like pandemics don’t come as neatly packaged problem-statements — they come as an intertwined, overwhelming mess with lots of different issues competing for attention. One of the most valuable skillsets from legal training is the ability to stop, tease an issue apart, and give priority to the issues that need to be solved, then unraveling them in a logical order. When you’re faced with a problem you can’t solve, take it apart and work out which bits you can answer.

Taking on other people’s problems takes a toll

Look after yourself: sometimes the legal role can involve being the repeat-player in some of the worst bits of everyone else’s lives, trying to absorb the fear, uncertainty, and doubt, and turn it into calm, measured decisions. That takes a toll, and that toll is only exacerbated in a situation like a rolling pandemic over many months, where you also have to worry about your own economic situation and the health and safety of your family. The key takeaway for me is to allow yourself to be a vulnerable human as well. Make sure you consciously build time and habits for recovery. As the expression goes, “Fit your own oxygen mask before helping others.” It’s natural to want to help, and lawyers are trained to solve other peoples’ problems, but you won’t be any use to anyone if you don’t invest in keeping yourself functioning.

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