



A FARMER'S TRANSITION TO LAW

*Florence Hawker**

Introduction

I don't know about you but whenever I'm driving down a country road with lots of twists and turns and am in a rush – there is often a tractor driving at 10mph (or even slower) in front of a large queue of traffic. This is of course very frustrating and many people think that tractors should just drive on fields close to the roads, to get around. Unfortunately, this isn't practical due to land ownership laws, rights of way, higher fuel consumption in a field compared to a road, soil compaction and an inevitable increase of mud if tractors were to drive exclusively on fields. It would also limit the operation of contractors, who are businesses that provide farming assistance to farmers. If tractors were not allowed on roads, their work would become impossible and farmers would have no job. Therefore, while you sit behind the slow tractor, instead of thinking about how it affects a short part of your journey, remember that with no farmers, there is no food, and therefore no future.

Both agriculture and law are essential to society. Therefore, agricultural law is an important area, which has needed to diversify just as the agricultural sector has had to diversify, in order to deal with the issues and challenges that the sector faces. Agricultural law covers: environmental stewardship, buying/selling agricultural property, farm business tenancies, renewable energy, clawback options, sporting rights and grazing rights.

Does everyone who becomes a lawyer dream of being a lawyer from the age of four? Perhaps some do, but most do not. I imagine there are many small children who dream of being astronauts, footballers, famous singers or actors. For me this wasn't quite the case – I dreamed of being a jockey. Although I have ridden racehorses, the jockey dream went out the window when I discovered that falling from horses at high speeds very much hurt!

My original love for horses grew into a love for agriculture, as the two go hand in hand. When

* Florence is currently in the third year of her law degree

I needed hay or grain for the horses to eat, the nice farmer would let me buy some. When I needed straw for the horses to lie down on, the nice farmer would deliver it. When the pile of horse's poo would get too big, the nice farmer would collect it and use it as manure (natural fertilizer) on the fields for the crops to grow.

From then on, I noticed the hay fields being cultivated, drilled, rolled, fertilized, grown, mowed, tedded, rowed, baled, and picked up. This of course sounds a lot simpler than it really is. Jeremy Clarkson was shocked in his programme, 'Clarkson's Farm'¹ at how much work all this took, leaving aside the vagaries of adverse weather, broken machines and constant maintenance.

Learning On the Job

Since I was a child, I was able to witness the jobs of a farmer, while living in a very small and friendly village in the Cotswolds, where everyone knows everyone. I began working at the local stock farm while still at school. This kept me extremely busy scraping out pens, doing homework, feeding, revising for exams, farrowing, extra-curricular sports and bedding up. I would work around 4 hours in the evenings after school, and also every weekend for around 12 hours. Of course, the hours I spent working were filled with happiness, as there was nothing I enjoyed more than being outside and spending time with the animals. However, I would not be being entirely honest if I said my happiness wasn't worn down on a wet day. And even the best of overalls and wet weather kit can't withstand a snowy January morning.

This is of course in direct contrast with scorching August days where the mornings start at 4am to ensure that the animals are moved in the cooler weather. The rest of the day is a constant rotation between filling water bowsers and tanks, and jumping in and out of a tractor.

You may think that being inside a tractor is a shady cool space. Some tractors have no cab (roof) meaning that come rain or shine, you are completely exposed to the elements. Other tractors have a cab with glass windows, to allow you to see your surroundings. This brings issues in the summer as it creates a glass house. You may decide to open the window to let some cool air in, but this lets in flies who ruin your lunch and a whole load of dust from the field, which has you coughing all day. It's easy to say, get a tractor with air conditioning, to avoid these issues. This would be nice, but will typically cost £250,000, which is of course unimaginable to many farmers and their families, who are facing dwindling profits and mountains of debt.

¹ <https://www.amazon.co.uk/Clarksons-Farm-Season-1/dp/B095RNXQDY>

Working In Agriculture and The Law

In my opinion and from personal experience, having a sow sneeze into your eye should result in compensation! I have researched this throughout my study of employment law and my work in the Employment Work Clinic, and can find no such case.

In the later months of my time working in agriculture, I knew I would soon be attending the University of Plymouth to study LLB (Hons) Law, yet never considered the illegality surrounding my working hours whilst under 18 in full time education, my shocking rate of pay and some of the risks I would inadvertently take.

One memory that strikes me (now that I have studied health and safety law and understand the importance of PPE and risk assessments) is me as a teenager, cutting hedges whilst balancing on a tractor's loader with no safety equipment and nothing to stop me slipping and falling.

Another concern that I now look back on was me crossing public roads in tractors and loaders from private fields and tracks, with no driving licence. Sometimes I would be in vehicles capable of 30mph, with a dolly bale trailer, a tanker or a muck spreader.

The Transition from The Farm to a Law Degree

One of my early memories from when I was seven years old, is writing a letter to Gordon Brown (who was Prime Minister at the time), telling him of an interesting documentary I had watched on BBC2 about the slaughter of sharks in Asia for their fins. I did receive a reply from his office, which assured me that finning sharks in the UK was illegal. This was possibly the first sign of my having a passion for advocacy and justice.

During my secondary school and sixth form years, I was quite opinionated and outspoken, probably due to my flamboyant personality and my love for public speaking and presenting. One particular teacher suggested that I channel this and work towards becoming a barrister. At that point in my life I didn't know there were different types of lawyers with different roles, or that they specialised in different areas of law. If someone had explained this to me, then perhaps I would have understood. However, coming from a working-class background and being the first generation to go to university, I don't think my parents knew the difference between a barrister and a solicitor, let alone the different routes to qualification. I can't say I blame them either, as I don't think this is common knowledge.

The legal profession cropped up again a year or so later in my life, when I asked my dad how

I might become rich when I was older. I spent my teenage years watching my friends go sailing in brand new boats with brand new sails and kit. I discovered that my friends' parents were solicitors in London, accountants and private dentists, which accounted for their wealth and privilege, whereas my boat was given to me as a charity donation by the John Merricks Sailing Trust.²

I was no good with numbers and not a fan of the sciences, so on the recommendation of my teacher and the false promise of becoming rich that my father had instilled in me, I began to research the law. However, I was no further ahead, as I was again incorrectly informed that all barristers live in London. As much as my outgoing, confident nature aligned with the skills that barristers need, there was no way I would live in London. Even a city such as Bristol or Birmingham are much too big for my liking. Therefore, I decided I wanted to be a provincial solicitor, as the bright lights of London were not appealing to me as a horse and farm obsessed girl.

After finding a passion for law, I quickly found laws that I disagreed with fundamentally, both in the UK and abroad. These included the 'bedroom tax' in the UK and the relaxed gun laws in the US, which I still think (as a committee member of the University of Plymouth Clay Pigeon Shooting Society) are ridiculous, since UK legislation was swiftly changed after the Dunblane massacre, whereas in the US there were 44,310 deaths relating to gun violence in 2022.

How I Ended Up at Plymouth University

Ultimately for me it was a toss-up between the University of Exeter and the University of Plymouth. I had the grades to attend both, so I was fortunate enough to be in a position to choose. Although Exeter University is a Russell Group university, I could not walk to a local sailing club, whereas at Plymouth University I could. From Exeter to Exmoor (where I could see wild ponies and go on beautiful walks) is over an hour's drive. However, Plymouth to Dartmoor (where I could also see wild ponies and go on beautiful walks) is only a 20-minute drive. Therefore, with the promise of sailing frequently and wild ponies, I selected Plymouth as the place to build my life for at least the next three years of my life.

Plymouth University So Far

I am currently in my third and final year, which is somewhat terrifying! As a member of the

² <https://www.jmst.org.uk/>

University of Plymouth Law Society, I have completed competitions in mooting, negotiation, and client interviewing, and attended the annual cheese and wine networking event, all of which I shall continue in my third year. I am also a course representative for my cohort (Y3 Law LLB), which I enjoy greatly.

What the Future Holds

As I now enter my twenties and the final year of my law degree, I hope to find work in the commercial property, rural estates, and agricultural departments of a law firm based in the South West. Ideally, I need to achieve this through a training contract, to see which department my interests and skills most closely align with.

I have been accepted to study the Legal Practice Course and Masters (starting September 2024) in order to progress my career. Where I come from, getting a degree is rare, let alone in law, and it is unheard of to study for a Masters. This is because job opportunities in the rural South West are scarce. If you don't want to work outside with horses or farm animals and be paid almost certainly less than you deserve for working on cold winter mornings and boiling hot summer days, there are very limited opportunities. Even if you do choose farm work, you will be mocked for your "lack of success" and told to "get a real job". That's why I chose to take a different path, whilst still maintaining a close link with agriculture.

Conclusion

Hopefully by now you will appreciate why I chose to undertake a law degree at Plymouth University and most importantly, how it's possible to come from any background to get a law degree and enter the legal professional world.