

Physical distance still matters, despite technology

In-house counsel ensure we don't confuse convenience with effectiveness, writes Tim Wilbur



EDITOR'S DESK

By [Tim Wilbur](#)

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One of the lasting impacts of the pandemic will likely be how we use technology to overcome distance. While most of us are keen to return to in-person interactions, and the instantaneousness of email predates the pandemic, COVID has made physical proximity seem almost irrelevant.

When we rely on tools with no friction, though, there are risks that we confuse convenience with effectiveness.

[Yonni Fushman at Aecon Group](#) and his team worked almost entirely remotely during the pandemic crisis. “The person you’re looking for is just one click away, rather than having to walk around the office asking if anyone has seen them,” he says, “But that also means everything has become more transactional because you’re mostly just talking to the people you need to talk to about some specific task.”

For Fushman, that has meant ensuring his team engages in more meaningful ways, like social gatherings.

The conveniences of digital communication have also dramatically impacted the external parts of running a business.

“There are very few examples where deals can’t get done because of the pandemic,” [Karrin Powys-Lybbe at Torys LLP](#) says. “It’s really quite remarkable how well companies and the market have adapted.” Companies rapidly evolved to a climate of virtual meetings and e-signatures to allow deals to continue during lockdowns and travel restrictions.

While these conveniences have removed barriers to cross-border business, local customs and laws still matter.

“Too often, companies engage in buying businesses in a different jurisdiction without really thinking about their tax position and how funds are going to flow, so structuring a transaction is really helpful,” [says Mark Redinger at Dickinson Wright LLP](#).

Jurisdictional concerns can also add complexity to the procurement of technology. In-house counsel may face challenges in creating compliant contracts, so a keen understanding of the digital platform and local law is necessary.

“Technology is a funny thing because it often makes our lives a lot easier, and it makes business a lot easier,” [says Robert Percival at Blake Cassels & Graydon LLP](#). “but it’s complex and figuring out what’s going on and asking the right questions is part of the challenge.”

While technology has helped us overcome distances, in-house departments are still there to ensure we ask the right questions when we do.