

# Pathways to the Legal Profession

# LIVERPOOL LAW

**News from the  
Sub-Committees**

**International Business  
Festival 2018**

**Igniting the arguments -who carries the  
can for the Liverpool Car Park Fire?**



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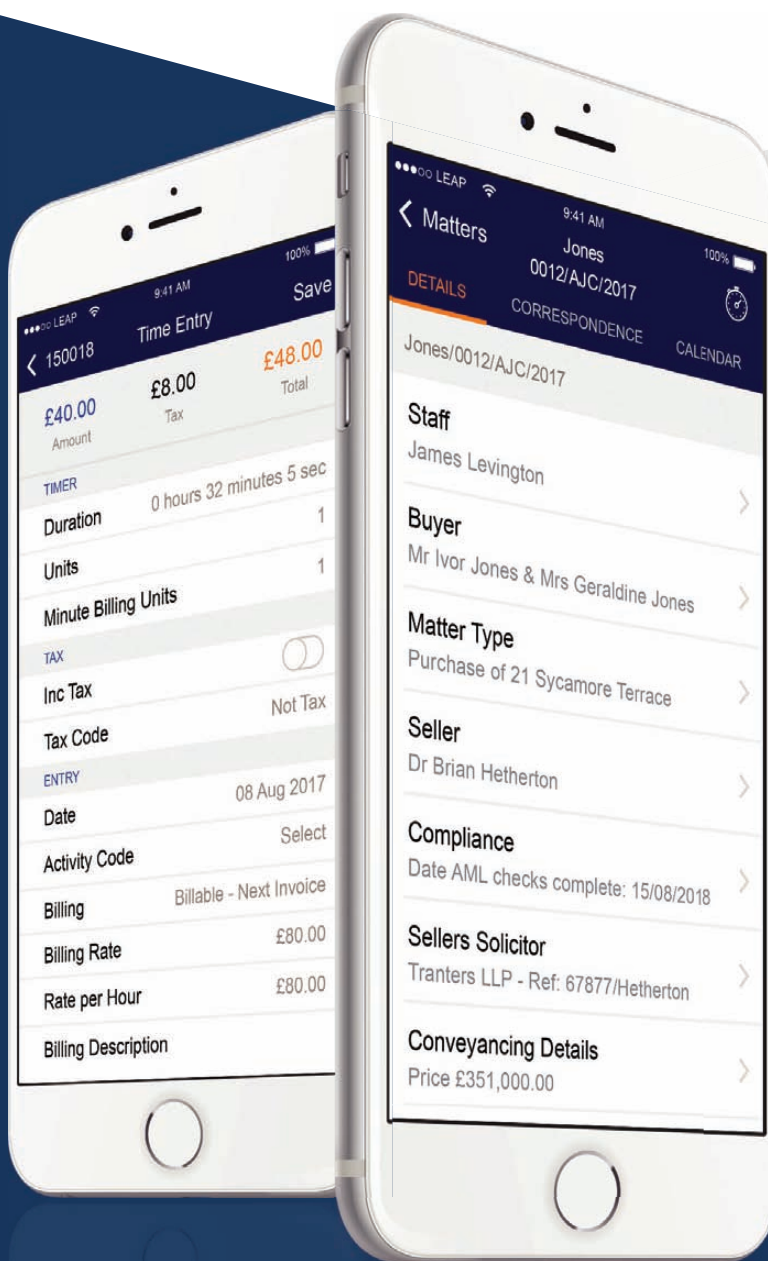
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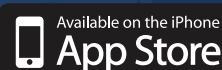
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## Liverpool Law Needs YOU!

Liverpool Law Society Magazine is produced by and for Liverpool Law Society Members. This is our opportunity to share our news, events and celebrations with our friends in the legal community.

All members' contributions to Liverpool Law are warmly welcomed. Please send your article (and photo captions where possible) or request for further information, or assistance to the editor at [editor@liverpoollawsociety.org.uk](mailto:editor@liverpoollawsociety.org.uk)

Photographs should be provided in the highest resolution possible to ensure a good reproduction.

The views and opinions expressed in Liverpool Law are those of the individual contributed and not those of the Liverpool Law Society.

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Welcome to our March edition.

Spring is in the air (as well as snow) and I actually managed to leave work in daylight last week! Only once, mind, but it's progress.....

There are two events I'm looking forward to in March. On page 12 you can read more about the Conkerton Lecture. This event only takes place once every few years and is a unique opportunity to hear the Master of the Rolls speak. It takes place in the Council Chamber at Liverpool Town Hall, which is an amazing venue, and is not to be missed!

On 22nd March Liverpool Law Society Members and our MJLD counterparts come together for our annual quiz. The LLS team have won this for the last three years and we need you to help us keep our hands on that trophy. If you haven't entered a team yet, there's still time – although do bear in mind that it is usually over subscribed, so you might need to get in quick. I look forward to seeing many of you at both these events.

In this issue you will find an update from The Law Society North Regional team. We have encouraged them to publicise more about what they do for our members, and in our region. We

## Welcome to the March 2018 edition of Liverpool Law

hope this will become a regular feature. If there's anything else you would like to hear about, from the Law Society, or generally, then do let us know.

Finally, some great news is that anyone who wants to do so can now sign up to receive the email notification and link to Liverpool Law through the Liverpool Law Society website. Members still benefit from the ability to have their articles published, and to contribute generally, but it was decided that the Society, and our members, would benefit from making the magazine more accessible to all. Please tell people in your firms to go to the website and sign up, so that everyone who wants to can read the magazine, whoever they may be. If you're reading this because someone else has forwarded it to you, and you'd like to get the link sent direct, then just click [here](#).

Happy reading – don't forget to send in your contributions and note the deadline dates below.....

**Alison Lobb**  
Editor  
[editor@liverpoollawsociety.org.uk](mailto:editor@liverpoollawsociety.org.uk)

### Editorial Committee Dates

Monday 15th March  
Monday 9th April  
Monday 14th May  
Monday 11th June  
Monday 9th July  
Monday 13th August  
Monday 10th September  
Monday 8th October  
Monday 12th November  
Monday 10th December

All meetings start at 1pm

### Diary Dates

Fri 9 March	Directors' Meeting with Liverpool City Region MPs
Wed 14 March	Costs Conference
Thu 15 March	Conkerton Lecture by Sir Terence Etherton MR
Thu 22 March	Merseyside JLD and LLS Quiz night
Wed 25 April	Public Child Law Conference
Sat 28 April	It's a Knock-out Competition
Tue 15 May	Private Client Conference in conjunction with STEP Liverpool
Wed 23 May	Compliance Conference

### Content Deadlines 2018

29TH MAR  
13TH APRIL  
28TH MAY  
28TH JUNE  
27TH JULY  
23RD AUG  
26TH OCT  
23RD NOV

# President's Mentions

## The latest news from the President, Nina Ferris

Where did February go? The shortest month has flown by as it has been very busy at LLS with committee meetings, Joint Five, diversity forum and dinners, not to mention the pathways event at the town hall for over 100 students with an interest in the law. All of these events are covered in this month's Liverpool Law.

We were also involved in the planning of the launch of the Business and Property Courts here in Liverpool. The B&P Courts are the new name for the specialist lists of the High Court and the purpose of this is designed to make the courts more accessible and user friendly and to show that the high court is somewhere that businesses can get their disputes resolved effectively and with specialist judges. The courts include the commercial court, technology and construction court and the various parts of the chancery division including companies, insolvency, property, probate, revenue and intellectual property.

The B&P Courts were originally launched at the Rolls Building in London before being extended to Manchester, Birmingham, Leeds, Bristol and Cardiff, with the possibility to extend the courts to Liverpool and Newcastle. LLS along with the Bar in Liverpool lobbied for that extension and the B&P Courts were launched in the Chancery court in Vernon Street earlier in February.

The Launch was attended and presided over by Sir Geoffrey Vos, the head of the Chancery Division of the High Court. He gave a speech confirming that the idea of the courts launch in Liverpool was to allow parties to have their disputes resolved locally. One of the benefits of the new court will be the ability for specialist judges to be deployed flexibly to hear cases in their local courts, rather than have the cost of the parties and their advisers having to travel further afield. He spoke of a super highway between London and the regions for justice.

We also heard from Mr Justice Barling, the Vice Chancellor, who will be sitting more frequently in Liverpool to hear more cases as well as Mr Justice Popplewell, representing the commercial court and Mrs Justice O'Farrell, one of the leading Technology and Construction Court judges. Mark Cawson QC spoke on behalf of the barristers of the Northern Circuit and mentioned how Liverpool's long heritage as a commercial centre should be continued.

I was also honoured to be able to speak on behalf of the solicitors of this city to say what the B&P Courts mean to us. In my view, it was essential that the B&P courts should be extended to Liverpool.



Liverpool is an important component of the Northern Powerhouse. We all have business clients from small companies and landlords, to large corporates with global reach. They have complex and technical legal needs and disputes. We have the legal talent here to service these clients, but this may be lost if their disputes have to be resolved elsewhere. If there is no court here to deal with their disputes, what is to stop them seeking advice from a firm elsewhere in relation to all of their needs?

Liverpool has a rich history in commerce. It has several fine educational establishments that turn out great candidates that firms here want to attract and retain. We need to be able to offer those people the right quality of work and show that that work can be done locally before local courts. I am happy to say that we will be able to do this for now.

The Business and Property Courts will, we are assured, be properly resourced: the CE File system will be introduced later this year so that all papers can be dealt with electronically; there will be an applications day in Liverpool, not just in Manchester; the specialist judges will be deployed to hear cases here; and cases issued out of London for no apparent reason may well be transferred to a regional centre. As with any matter, we must make use of this resource if it is to grow and be of real use and I would encourage all practitioners to issue any specialist claims out of Liverpool, if that is the convenient forum for it.

The Business and Property Court in Liverpool Brochure (to which we at LLS have contributed) will be available on the gov.co.uk website soon.

**Nina Ferris**  
President



Launch of the Business & Property Courts



## Meet the New Directors of Liverpool Law Society



**David Bushell**  
**Brown Turner Ross**

Born in Liverpool, David Bushell attended Liverpool John Moores University and was one of the first students to go to the College of Law at Christleton Hall in Chester.

David trained with Brown Turner Compton Carr & Co in Formby and has now been qualified for more than 40 years. David moved to the Southport office of the firm and has remained there ever since. David took over the firm of Brown Turner Compton Carr in 1986 and in 2008 the firm merged with Malcolm J Ross.

David began his career specialising in crime work, but after 15 years changed to high value divorce cases. He says "I came to the conclusion that I was becoming too old for crime work, who wants to be called to the police station on Christmas Eve?"

David says he joined the General Committee as he thought he would like to give something back. He adds "Liverpool Law Society is an excellent forum for the exchange of views between members and can help solicitors with both professional and personal issues - unlike the national Law Society which is becoming too distant from the membership."

David describes himself as a "ball watcher" spending his spare time watching football, rugby, cricket and golf.

He has three daughters; Sam Bushell, also a solicitor, another is a Headteacher in Huyton and the other a Chartered Accountant.



**Sam Bushell**  
**Brown Turner Ross**

Born and raised in Formby, Sam Bushell attended Anglia University and the College of Law in Chester before joining her father, David Bushell, at the firm of Brown Turner Compton Carr & Co.

Sam qualified in 2002 is now Director and Head of Family Law and specialises in matrimonial finance, acting for high net worth clients. Sam is also a member of the Law Society's Family Law Panel, a member of the Merseyside Collaborative Law Group and a member of Resolution.

Sam joined the General Committee of Liverpool Law Society. She says that the world of law, and family law in particular is constantly changing and evolving and wanted to become more involved with the work of the Committee.

Sam had been a member of Southport Law Society, but says that she wanted to be a part of a larger legal community and Liverpool Law Society is a modern, expanding and dynamic society which has a lot to offer its members.

Sam is married to Kevin Ross, another partner in the firm and they have a four year old daughter. Sam says that she has little spare time as most weekends are spent taking her daughter to children's birthday parties. When time permits, the family like to travel and enjoy skiing and also travelling around the picturesque villages and towns of Provence.

# Joint V

The Joint V? It sounds like it must be some sort of secret club!

In fact it is not nearly so exciting but it might be rather more useful! The Joint V is a meeting of the five largest local Law Societies – Birmingham, Bristol, Leeds, Manchester and ourselves. The concept is that all five of us being city based societies encounter similar issues and challenges so that in meeting together three times a year we can share ideas and provide a level of support.

We met for the first time this year at the beginning of February with a packed agenda. The morning was taken up with the business of the day, the afternoon with speakers and presentations (more of which from The President!)

Bill Barton, the President of Leeds Law Society explained that he had met with both the SRA and LSB, they are keen to engage with local Law Societies, to have Chatham House discussions. We are hoping that a meeting with Crispin Passmore from the SRA can be arranged to begin a process whereby the Joint V might have a seat at the table in the pre-consultation stages of discussion. Where the SRA are perceived to be aloof and out of touch with the profession we can be a catalyst for greater openness then this must be a step forward.

We had an interesting discussion about how membership works for each society. At present Leeds members are all solicitors, but they are keen to broaden their membership. Birmingham have

already opened up their membership and their perception is that they are richer for their diversity and inclusiveness. The debate here in Liverpool has been similar and we are looking to try and include those who are involved in the practice of law in our area. (More of that to follow in the coming months.)

There were some innovative ideas around the room. Birmingham have started a series of lunchtime talks from their city leaders such as the Chief Constable and the Chief Executive of the Birmingham Royal Ballet.

Leeds organised a conference to showcase the work of the legal profession to local businesses. <http://leedslawsociety.org.uk/events-training/past-events/the-leeds-conference-14-june-2017/> In the light of our forthcoming International Business Festival is this something we could and should do here?

The Joint V are all strongly of the view that there are lots of things that a local Law Society can do for the profession, we can however only do them if everyone gets involved. There is no point in us putting on events on if they are not what members want.

The Liverpool Law Society is not a talking shop – we are here to provide support across the region for everyone involved in the law but we need to hear from you.

**Chris Topping**  
**Vice President**



Speakers Natalie Lamb,  
Nina Ferris and Tricia Chatterton

## Liverpool Law Society held fourth Pathways to the Legal Profession event for Year 12 students

In keeping with the Society's desire to be inclusive and encourage entry to the profession from all backgrounds, students from all schools and colleges across Merseyside were invited to attend the information-giving event on 7 February 2018. The Lord Mayor of Liverpool, Councillor Malcolm Kennedy, welcomed over 130 pupils and teachers from 22 schools to the Liverpool Town Hall.

A panel of speakers from key institutions across the city outlined the various entry routes into the Law – from the traditional university route to the modern apprenticeship route, and other options in between. Directors of Liverpool Law Society were also present during the refreshment break to be on hand to answer any of the young adults' queries.

The thanks of the Society are given to Slater and Gordon who not only sponsored the event but also provided an apprentice speaker to talk about their day-to-day working life. Thanks also go to the other speakers and organisations supporting the event: BPP, CILEx, Hill Dickinson, Liverpool John Moores University, Merseyside Junior Lawyers Division, University of Law, the University of Liverpool and Weightmans.

**David Tournafond**  
Education & Charities Committee Chair  
Liverpool Law Society



**Council Chamber at Liverpool Town Hall**

Much positive feedback was received from the students and teachers who attended the event:

*"It provided a great deal of information quickly and succinctly. It was very enjoyable and helpful. All the speakers were helpful and friendly."*

**Merchant Taylors' Boys' School student.**

*"Great experience"*

**Greenbank High School student.**

*"The people who have spoken at the event are incredibly knowledgeable and able to provide advice regarding law and careers associated with law"*

**Holly Lodge Girls' College student.**

*"The experience today has been essential in providing information about law. The speakers were incredibly inspirational"*

**Sacred Heart Catholic College student.**

*"Very informative."*

**West Kirby Grammar School teacher**

*"Great venue and the stands and people on the stands were useful and insightful and easy to talk to."*

**Birkenhead School student.**

*"I learnt a lot about the different routes into law and got a chance to ask questions to solicitors. I really enjoyed the event and feel that it has broadened my knowledge of law in general and as a career choice"*

**Upton Hall School FCJ student.**



**Students visiting exhibition stands**



# News from the Sub-Committees

Email: [committees@liverpoollawsociety.org.uk](mailto:committees@liverpoollawsociety.org.uk) for further information

## Access to Justice

The committee met the afternoon of 5th February 2018. The new Chair, Steve Cornforth thanked Vice President Chris Topping for his work as chair over the last five years.

We then discussed the LASPO Review which is likely to dominate much of the Committee's work over the next year. Although there is no clear date, it is expected that this will be published by the government at about the end of April 2018. We considered the results of the recent survey which provides useful statistics in relation which the numbers of legal aid contracts and matter starts. This will form the basis of our response to the Review.

We also discussed the Legal Education Foundation Justice First Fellowship. This is a project where funding is available from the foundation to enable students to complete a training contract or pupillage in an error of social welfare law. The training is funded by the foundation. Merseyside Law Centre has applied to become a host for such training. We agreed that it was important that Liverpool is involved in this initiative and we will do all we can to encourage the support of the local profession.

There was then a general but very useful discussion about the need for more local awareness of what legal aid support is currently available. It was agreed that this was an important issue for further discussion by the committee.

Finally, the Chair mentioned the 2018 Legal Walk which is scheduled for 9th October. We want to have a major drive to encourage the profession to become involved – particularly the bar and judiciary. Members should make a note of the date. More information will follow.

**Steve Cornforth**  
Chair  
Access to Justice Committee

## Family

Report on the Family Business Sub-Committee meeting on Wednesday, 14th February 2018

The family sub-committee met on 14th February 2018. It was a very well attended meeting with 18 people taking time out of their busy days to attend. At family sub committee meetings we discuss changes relevant to our practice, the impact they have and discuss solutions to any problems faced. The sub committee enables issues to be voiced and fed back through member interaction with other court user groups for resolution. We also liaise with Liverpool Law Society to ensure the training conferences put on by the Society remain relevant and interesting to our members. Our committee members find this a useful process and we encourage other family practitioner members of Liverpool Law Society to join us.

At the most recent meeting we heard that HHJ Bancroft has moved to a judicial post in Lancashire, DJ Sykes has been appointed as a Circuit Judge in Chester and Clive Baker and Christine Bispham are now HHJ Baker and HHJ Bispham. We wish them well in their moves/appointments.

In children cases, the time taken for s7 reports to be completed is now 10.4 weeks with some delay occurring because CAFCASS or the

relevant local authority are not being made aware of the direction for a report. Practitioners can resolve this delay by ensuring within the court order that a direction is made for a party to proceedings to send the order to the relevant agency.

We discussed applications for adjournments in both children and financial relief cases. The more detailed these applications are, the more likely they are to be dealt with by way of paper applications. In order for the court to ensure proper case management of family cases the judiciary cannot agree an adjournment without understanding the reason behind the request. It is important that these applications are detailed.

We await the roll out of Resolution online training in domestic abuse. Our very own Deb Choudhuri was involved in the development of that training and voicing part of it. We look forward to seeing it!

Liverpool Law Society is putting on some great events and I would urge you all to book on these as soon as possible. The public law children conference has an amazing line up of speakers on captivating topics including non accidental injury cases, substance misuse, deprivation of liberty cases, special guardianship orders, practical issues on mental health difficulties and recent case law updates. It promises to be a very informative day.

The private law children and financial relief seminar programmes are being finalised and details will hopefully be available soon. Please do look on social media or the Liverpool Law Society website for updates on these courses.

Looking forward, we are meeting again on 11th April. If you would like to join us please email [committees@liverpoollawsociety.org.uk](mailto:committees@liverpoollawsociety.org.uk)

**Emma Palmer**  
Chair of Liverpool Law Society Family Sub Committee  
MSB Solicitors

## Non Contentious

Our guest was Emilie Bensmihen a French Avocat working for Buckles Solicitors and based in London and who specialises in French Wills and Inheritance law.  
E mail address is [Emilie.Bensmihen@buckles-law.co.uk](mailto:Emilie.Bensmihen@buckles-law.co.uk)

Emilie's presentation was very interesting and the contrast with English law is stark. Emilie was clearly an expert in her field and looked at the position of a UK National who owns a holiday home in France. The questions concerned the reasons why that individual should make a French Will in respect of the French property.

Since 2015, it has been possible under Brussels IV to expressly select the choice of law which should apply to the Will and this should be included in the Will to avoid any chance of uncertainty after the person's death.

If the choice of jurisdiction isn't made in the Will, private international law applies meaning that the devolution of French realty is dealt with under French law. French law does not share the concept of testamentary freedom and instead has forced heirship. For example, if the person has two children 66.6% of the estate is reserved and they may dispose of 33.3% only in their Will. The % of the disposable estate depends on the number of children. If there are no children the forced heirship rules mean that the spouse shares the estate with the deceased's parents (ie: their in-laws). Another reason to make a French



Will is minimise inheritance tax which is payable by the beneficiaries in French law and the rate depends on the relationship to the deceased. Again, this is different to English law.

In France, civil partnerships are available to all couples and are not limited to same sex couple as in the UK. However, the inheritance rights enjoyed by married couples in French law are not shared by civil partners. The formalities concerning execution of Wills is different. Estates are administered by the Notaire so the concept of executors and trustees doesn't translate at all.

Emelie's overview of the position highlighted the differences and the need to obtain expert advice in relation to French law.

The Chair thanked Emelie for her time which was appreciated greatly by all present.

Other discussions included:

- the refund of LPA fees; the procedure is easily accessed on the GOV. UK website. General steps should be taken to raise awareness among clients who have made LPAs with firms eg info on the firm's website and links to the Gov website and the phone number which is used where the donor doesn't have a bank account. There is a duty on professional attorneys to claim the refund which is always paid to the donor. (A replacement attorney only counts for this purpose if they are acting). This is not a service for which we can expect payment.
- fractional investment but it was agreed that these are very early days and matters are uncertain and detailed discussion was not possible.
- GDPR was discussed briefly and the procedures appear very complex

### Training

Angela Hesketh volunteered to liaise with Jo Downey re the commercial property conference in spring 2019  
Two half day courses were suggested re elderly client matters for property lawyers (eg capacity, undue influence) and family law for property lawyers

The next meeting is on 19th April 2018.

**Naomi Pinder**  
Chair

## Criminal Practice

The first meeting in 2018 was well attended.

On the agenda was training/conferences. A common complaint from Liverpool lawyers is that we often spend half of our day travelling to and from courses outside the city. This was raised at the last two criminal practice sub-committee meetings. Jo Downey, LLS Director of Education and Training, is more than eager to provide whatever courses we need but she needs to know what courses in particular we would like and what times we would like to attend.

One such course is the Advocacy and the Vulnerable Training which was developed in conjunction with the Bar to help solicitor advocates and barristers strike the balance between advancing their client's case effectively in court whilst ensuring vulnerable witnesses are not subjected to undue stress. The only courses available are in Manchester, Birmingham and London. Jo has contacted Clive Smith who is a barrister and a lead facilitator undertaking training for both defence and prosecution practitioners on the 'vulnerable witness' courses run by the Inns of Court, Circuits and the Law Society. Clive had to seek permission from TLS but they have now agreed that they will provide this training in Liverpool on Friday 6th July 2018, 9.30am till 12/12.30pm but only if we have a min of 6 delegates. The course will be advertised on the Law Society website but it will help if you email jo directly if you or any member of your firm will be attending. [jo@liverpoollawsociety.org.uk](mailto:jo@liverpoollawsociety.org.uk).

The Court users' committee reported on the following:-

Since the last meeting when the issue of late entry and late production of clients at Walton prison was raised with the Recorder and the head of PECS (prisoner escort and custody service), John Weate asked for the profession to email him with any experiences and observations in relation to this and he will take it up further with the court users' committee. John reports that nobody has contacted him in relation to ongoing problems with Walton or Altcourse and it seems that the situation has improved. If this is not the case, please email John directly and he will raise the matter further. [john.weate@rmnj.co.uk](mailto:john.weate@rmnj.co.uk)  
With regard to the new DCS system for multi-handed cases, this is being piloted in 3 other courts and for once, Liverpool is not a pilot area. At present the time table for the national roll-out is expected on 19th March 2018.

Receipts into Liverpool Crown Court are falling (more so than national). Chester Crown Court listing has now equalised out with Liverpool so the arrangement for listing Chester cases in Liverpool will discontinue for the time being. Should problems occur in the future it can be put in place again.

There has been meetings between the judiciary and the probation service where it is accepted that the follow up on orders and breaches has not been good. Plans are in place to improve this which are likely to see more breach cases before the court. In cases where there is an adjournment for a PSR which cannot be done on the day such as DV or sexual offences where other enquiries have to be made, could advocates please ask the judge/probation to see if the interview can take place there and then. The Probation service will usually do this and it avoids having to make appointments which are then missed.

The judiciary had a presentation by the courts mental health team and found it to be very informative. It was suggested that arrangements should be made for a similar session with defence practitioners so that we are aware of the extent of the work that they do and the help they can provide. The Recorder indicated that requests for psychiatric reports may not be approved if sufficient assistance can be given by the on-site team. Please bear this in mind.

The Recorder has also asked to remind the profession with regard to the endorsement to be put on unsigned defence statements. Finally, the Criminal Practice Committee are arranging to meet with Emily Spurrell, Merseyside Deputy Police and Crime Commissioner at Liverpool Law Society on a date to be confirmed. If any members of the profession want to attend the meeting, or if anyone has any specific issues they want to raise, please email me directly at [Echisnall@levinslaw.co.uk](mailto:Echisnall@levinslaw.co.uk)

**Eileen Chisnall**  
CHAIR

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# Diversity and Inclusion Event

## 7th February 2018 Overview

Weightmans LLP hosted the Diversity and Inclusion North Regional Forum on 7th February 2018. In addition we held an event to mark LGBT History Month and a review of the Diversity and Inclusion Charter which consisted of a talk by Jane McDonald, from The Law Society, on the current state of the legal profession with regard to the D&I Charter. This part of the meeting was attended by the D&I North Regional Forum members plus other members of Weightmans who have expressed an interest in the firm's and the profession's strategy for D&I.

As was discussed at the meeting Weightmans is in a similar stage in their D&I strategy as The Law Society. Jane McDonald advised that The Law Society is embarking on a five year program to achieve the desired levels of diversity and inclusion and they are currently at the 'Awareness Raising Stage'. Many of the firms around the table, including Weightmans, agreed that they too were at the beginnings of their strategies and in the process of raising awareness. Weightmans has recently formed their own internal forum to include a wide variety of employees and owners to work together on a strategy to improve our diversity and inclusion.

Before breaking for an informal lunch and networking opportunity we heard from Matthew Jones. Matthew is a solicitor in Weightmans'

Real Estate team in our Leeds office. He gave a heartfelt account of his experiences of working in various law firms, pre and post qualification, and the occurrences of everyday prejudice that he endured as a gay man working in the law. It was enlightening to many of the attendees how seemingly innocuous, ill informed comments can affect a person's psyche and how this could be avoided through education, communication and signposting for minority members when they join a new firm. The comments from Matthew were entirely transferable to apply to candidates and employees from any minority group whether it be women, members of the LGBT+ community, those with disabilities or members of the BAME community. In the ensuing conversation practical options were discussed to facilitate the improvement of recruitment processes, induction processes and employee care programmes to reach our goals of working in a more diverse and inclusive profession.

In the following Diversity and Inclusion North Regional Forum meeting we heard from the forum members around the table, and via a call in from Reed Smith, practical advice for ways to improve our Diversity and Inclusion policies and discussed problems in common with achieving our goals.

The next meeting will take place in Sheffield in April.

**Pippa Marler**  
Recruitment Adviser  
Weightmans LLP



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**Criminal Law Update with Anthony Edwards**  
on Wednesday 11 April, 1.30pm - 4.45pm

**The criminal law update is a 6 monthly review of all developments in criminal law from statutory change to investigations, law, procedure, sentencing, evidence, costs and legal aid.**

Subjects for the update include:

1. Policing and Crime Act 2017 continuing implementation especially of Mental Health provisions
2. Police powers and retention of criminal records
3. PACE Code developments
4. New Criminal Procedure Rules and Criminal Practice Directions
5. Disclosure
6. Insanity as a defences to crime; defences to murder
7. The death of Ghosh and defining Psychoactive drugs
8. New sentencing guidelines
9. Sexual harm prevention Orders
10. Rules of hearsay and character
11. Costs against a party
12. Litigators' and advocates' fees including page count



**For more information or to book, [click here](#)**

Venue: Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool L3 9NY





## Merseyside Junior Lawyers Division vs Liverpool Law Society Annual Quiz

on  
**22 March 2018**  
**6pm - 9pm**

The Merseyside Junior Lawyers Division and the Liverpool Law Society invite all of their members to the highly anticipated and hotly contested MJLD vs LLS Annual Quiz held at Revolution, St Peters Square, Fleet Street, L1 4DQ.

Will the Liverpool Law Society retain their title for the fourth year in a row?

Or will the young guns from the MJLD finally come of age and knock the LLS off their throne?

The winning team will have both the bragging rights and (hopefully) the joy of leading their members to victory in the battle between the junior and senior members of the legal profession.

You will receive a free welcome drink upon arrival and food will be served during the Quiz.

Please email [SarahMcGuinness@msbsolicitors.co.uk](mailto:SarahMcGuinness@msbsolicitors.co.uk) to register your team.

The price will be £10 to enter a team, or if you are entering individually, it will be £2 per person. There is a maximum 5 people per team.

If you are registering individually, we will ensure that you are allocated to a team.

All proceeds raised from the ticket sales for the event will go directly to the MJLD's nominated charity, Clatterbridge Hospital.

We would like to thank our kind sponsors  
Think Legal Recruitment.

## Launch of Social Mobility Report Young Legal Aid Lawyers: Social mobility in an age of austerity

Young Legal Aid Lawyers wishes to invite you attend the Liverpool launch of our updated Social Mobility Report Young Legal Aid Lawyers: Social mobility in an age of austerity

In December 2016 we completed a survey of our membership, over the past year we have spent time looking at the data and researching the current state of social mobility in the legal sector and most specifically in the legal aid sector.

We have now produced a report on our findings and drafted a number of recommendations. The report will be launched in a series of local meetings held around the country, a list of the various meetings can be found at <http://www.younglegalaidlawyers.org/meetings>

The Liverpool launch will be held on 13 March 6-8pm at Liverpool John Moore's University, Redmond's Building, Brownlow Hill. Our key note speaker will be our very own Liverpool Law Society VP, Chris Topping and a second speaker will be announced shortly.

We are inviting all interested parties to attend, not just the usual Junior lawyers and students who make up our core membership. During the meeting there will be an open floor discussion on our findings and recommendations. Though in some areas the picture we found was very bleak we hope our report can be a catalyst for positive outcomes and a move towards improving social mobility in the sector. We would, therefore, like to encourage those of you who have an interest in social mobility and/or the capacity or desire to help improve things for the future to come along, hear about our findings and take part in our discussion.

Should you wish to attend please visit the **Eventbrite link** to book your free ticket (you can also sign up to the **Facebook event** here for any updates) and I would also be grateful if you could let me know of your intention to attend by emailing me with your name, organisation, position and whether you have any involvement in any social mobility initiatives at the present time.

Please feel free to contact me with any further questions.

**Siobhan Taylor-Ward**  
YLAL Liverpool and Social Mobility Subgroup Co-chair  
[SiobhanTaylorWard@gmlaw.org.uk](mailto:SiobhanTaylorWard@gmlaw.org.uk)

## Training Seat Exchange

Liverpool Law Society has a Trainee Seat Exchange service. The purpose is to assist member firms and member in-house legal departments interchange trainees. The aim is to provide more training contracts on Merseyside and beyond by facilitating an exchange between firms and in-house departments who may otherwise find it difficult to offer their trainees the requisite number of seats in both contentious and non-contentious work.

The Training Seat Exchange, which is open only to members of Liverpool Law Society, is a free, online service. Details of what seat a member firm can offer and what seat they are seeking appears. The exchange must be discussed and agreed between each member firm on an individual basis.

If you would like to appear on the list, please complete our online form at [www.liverpoollawsociety.org.uk/training-seat-exchange-form](http://www.liverpoollawsociety.org.uk/training-seat-exchange-form) and the Society will be in touch with you.

**REVOLUTION**



# The Conkerton Memorial Lecture

## 15th March 2018 at Liverpool Town Hall

In March 2018 the Conkerton Memorial Lecture will take place at Liverpool Town Hall, and will be given by The Right Honorable Sir Terence Etherton, Master of the Rolls. There is no charge for attendance, and all members of Liverpool Law Society are encouraged to come along.

The Conkerton Memorial Fund is administered by Liverpool Law Society in memory of John and Mary Conkerton, in recognition of their contribution to the furtherance of legal education in Liverpool, and was created with the specific intention of bringing together the Legal Profession and students of law at the two Universities of the City. John and Mary Conkerton are still fondly remembered by many practitioners throughout Merseyside, having taught many of them, initially on the Finals Course at Liverpool Polytechnic (now Liverpool John Moores University) and later on the Degree Courses at Liverpool University.

After they both died in 1979, the Conkerton Memorial Fund was established in 1980. Every few years since then the Conkerton

Memorial Lecture has been organised by Liverpool Law Society. Past high profile lecturers include Lord Scarman, Sir Frederick Lawton, Sir David Napley, Mrs. Barbara Mills QC, the Honourable Mrs. Justice Arden, Miss Cherie Booth QC, the Honourable Mr. Justice Ryder, The Rt Hon Lord Justice Leveson, The Rt. Hon. Lady Hale DBE PC, Justice of the Supreme Court of the United Kingdom, the Rt. Hon. The Lord Neuberger of Abbotsbury, the President of the Supreme Court and in 2016 the Rt. Hon. Lord Dyson, Master of the Rolls.

The Conkerton Memorial Fund has in the last four years also helped to fund the Legal Pathways Event; run by the society for year 12 students, to educate and inform them about different routes into the Law.

The lecture is always a highly prestigious occasion and it is a real privilege for members of the profession in this city to hear from some of the greatest and most highly respected legal minds of our time. We would encourage all who can make it to attend and take this unique opportunity to hear from the Master of the Rolls.

# Business leaders look to the future at the 2018 International Business Festival

Being in business means looking to the future. Whether you are planning a new product launch, expanding into a new market or investing in talent or technology, it is important to consider what challenges and opportunities lay ahead. A business can only thrive if it prepares for what's to come and embraces change.

The future of business is a central theme of the 2018 International Business Festival and its main stage will host some of the world's most influential business leaders discussing the most important issues of here and now. The centre of the Festival experience, the Futures Stage will host industry experts and thought leaders from a range of high-growth sectors, covering everything from manufacturing to life sciences to the creative industries.

Needless to say, nobody can predict the future, and this is what makes being a business person today equal parts exciting and challenging. Delegates at the 2018 Festival will leave armed with information and inspiration from some of the most highly respected and influential speakers from across the globe.

The Futures Stage will host an array of global innovators and influencers including:

- Carolyn Fairbairn, Director General, CBI
- Amanda Murphy, Head of Commercial Banking, HSBC
- Jurgen Maier, Managing Director, Siemens
- Cherie Blair CBE QC, lawyer, women's rights campaigner
- Wayne Hemingway MBE, Designer and founder of Red or Dead

Topics up for discussion will reflect the diversity of the Festival and the



business world. Audiences will hear Anthony Behan of the Artificial Intelligence Unit at IBM discuss how businesses can embrace artificial intelligence. BBC Business Editor Simon Jack will explore the productivity puzzle and Stefan Stern, Director of the High Pay Centre, will look at the role of human workers in the economy of tomorrow.

The Festival has enabled more than half a billion pounds in trade and investment since it launched in 2014, and the last edition of the event helped some 500 UK companies secure exports worth in excess of £87 million at the 2016 event. These credentials, paired with the calibre of speakers confirmed across a diverse range of sectors, make the Festival a must-attend event for SMEs looking to grow.

**The International Business Festival takes place in Liverpool from 12-28 June 2018. Our members can access an exclusive discount on day tickets and festival passes by visiting [www.internationalbusinessfestival.com](http://www.internationalbusinessfestival.com) and using the code FEST11 at checkout.**



# Conkerton Memorial Lecture

## The Master of the Rolls, The Right Honourable Sir Terence Etherton



will present the 11th Conkerton Memorial Lecture on Thursday,

15th March 2018 at 5.30 for 6.15pm at Liverpool Town Hall, L2 3SW

on **Civil Justice Reform after Jackson**

**The Master of the Rolls is the Head of Civil Justice  
and the second most senior judge in England and Wales.**

In January 2001 Sir Terence Etherton was appointed a High Court Judge, becoming Lord Justice of Appeal in 2008 and Chancellor of the High Court in 2013. Shortly after being appointed Master of the Rolls in October 2016, Sir Terence was one of the three judges forming the divisional court of the High Court in proceedings concerning the use of the royal prerogative for the issue of notification in accordance with Article 50 of the Treaty on European Union (the Lisbon Treaty) (*Santos and Miller, Applicants v- Secretary of State for Exiting the European Union, Respondent*).

Prior to becoming a judge, he had competed on the British sabre fencing team and qualified for the 1980 Moscow Olympics. He boycotted the Games in response to the USSR's invasion of Afghanistan.

**This event is free to attend and open to all members of the legal profession and students of law, be it undergraduates or those on LPC or GDL courses.**

Please note photographs will be taken at the event and used in Liverpool Law Society magazine, on our website and our social media. If you have any concerns regarding this, please speak to a member of staff.

For enquiries or to book a place/places please [click here](#).

Please note all bookings are subject to the Society's terms and conditions, visit [www.liverpoollawsociety.org.uk/general-terms-and-conditions](http://www.liverpoollawsociety.org.uk/general-terms-and-conditions) for details. Liverpool Law Society is a company limited by guarantee, registered in England and Wales, Company Number 00004302.

Registered Office: Second Floor, Helix, Edmund Street, Liverpool, L3 9NY | DX 14100 Liverpool 1

# Igniting the arguments -who carries the can for the Liverpool Car Park Fire?

**New Years Eve is meant to be a time of celebration and often fireworks! However, on 31 December 2017 the owners of approximately 1300 vehicles had no reason to celebrate – with their vehicles destroyed by the huge fire that engulfed the local Liverpool Echo Arena car park. A fire so devastating that over two months on the car park is still deemed unsafe to enter.**

The fire has resulted in claims worth around £20m being paid out to motor insurance customers. Fortunately for those affected these claims have been dealt with swiftly with most, if not all insurers waiving their excess.

There are many questions that remain unanswered and given the destruction of potential evidence, some questions may never be capable of answering:

## How did the fire start and who is responsible?

The early indications are that the fire may have emanated from a Landover and that this had been converted to “a different fuel arrangement” a fact alluded to at a recent council meeting by Liverpool Mayor Joe Anderson. This is yet to be confirmed and the precise cause will only become clear after a full investigation.

## Who has the potential liability - Common law of negligence

- There might be liability on the manufacturer of the Landover for a defect in the vehicle, or a servicing garage for defective maintenance and/or on the vehicle owner for failure to maintain their vehicle.
- To succeed in imposing liability on any of the above, it would be necessary to establish that a duty was owed to other car park users, that there was a breach of that duty and that the consequences caused by that breach were foreseeable. The most likely cause appears to be a failure by the vehicle owner to keep the vehicle properly maintained and/or the suggested change in the fuel arrangement.

## Will there be any recovery prospects – will insurers be able to get their money back for claims paid out?

- A breach of a condition in the owner’s policy to keep the vehicle maintained will still leave the insurer of the Landover as RTA insurer and liable to meet the Third Party insurers’ claims. However, after paying out their own policyholders, recovery from the vehicle insurer cannot at this stage be guaranteed for the other insurers.
- The insurer of the Landover may well be reviewing the disclosures/representations from the owner of the vehicle made at inception/renewal to see if there is any scope for seeking a declaration under s.152(2) of the RTA 1988 to avoid the policy from the start – if the Landover owner failed to disclose a change in fuel system at inception of their policy the insurer could seek a declaration that the policy was void from inception.
- If such a declaration was obtained then that insurer would become Article 75 insurer and could rely upon clause 6(1) of the Uninsured Drivers’ Agreement 2015 to avoid liability for the third party insurers’ subrogated claims.
- Also, the insurer could bring a claim against their policyholder in contract.



## Other recovery options? Interesting soundbites but unlikely prospects!

- In terms of other potential avenues for seeking a contribution, interestingly there is some suggestion from Merseyside’s Chief Fire Officer that sprinklers (had they been fitted within the car park) could have contained the fire and at least slowed its progress. The ACC, the company which owns and runs the arena, has confirmed that the car park is council owned. The council have been quick to assert that the car park complied with all appropriate building regulations and safety standards.
- It was also suggested that limited fire engines were present at the outset of what appeared to be a “containable” fire. This avenue seems unlikely but further investigation will no doubt be undertaken to establish the potential or not for any contribution from Merseyside Fire and Rescue Service but this seems very unlikely to be a successful option.

We will be waiting with anticipation (as will the insurer of the Landover and others) for the conclusion of the fire investigation which will no doubt inform the next move for insurers and whether any recovery prospects will be worth pursuing.



**Jonathan Hodgkinson**  
Weightmans

If you would like to discuss this further please contact Jonathan Hodgkinson, Partner at Weightmans on 0151 242 6900.





## SOCIETY STRUCTURE & COMMITTEES

- 27 directors on main LLS committee
- 267 committee members on 13 committees doing important work, responding to consultation papers, sharing knowledge and best practice.
- Any member of Liverpool Law Society can ask to join a committee, you do not have to be a director of the Society.



## LLS in numbers

2000 individual members from the legal profession

235 corporate members (law firms, barristers' chambers, in-house departments, costs lawyers, patent attorneys etc.)

## INTERACTION & REACH

- 285 'Find a Lawyer' online visits/month to member firms listings on LLS website
- 30 phone calls/day from enquirers seeking legal advice & referred to member firms
- 3,550 receive e-newsletter
- 1,300 LinkedIn followers
- 3,190 Twitter followers
- 750 Facebook followers
- 51,000 website sessions a year



## MEMBERS

- 5 new corporate members and 154 new individual members joined during last year.
- 88% of members are based in the Liverpool City Region, 12% come from outside this area.
- Solicitors, barristers, legal executives, non-legal managers, practice managers, in-house counsel, judges, legal academics, patent attorneys, law cost draftsmen & trainees make up the membership.

## DELEGATES

- 80 training events / year
- 1,510 delegates attended training events last year
- Delegates come from Cheshire, Merseyside, Lancashire, North Wales, Mid Wales, Isle of Man, and further afield places such as Wolverhampton, York and Shrewsbury.

Liverpool Law Society | Second Floor | Helix | Edmund Street | Liverpool | L3 9NY  
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 Founded 1827 Incorporated 1869 No 4302 Registered In England

[www.liverpoollawsociety.org.uk](http://www.liverpoollawsociety.org.uk)

[www.linkedin.com/company/liverpool-law-society](http://www.linkedin.com/company/liverpool-law-society)



@LpoolLawSociety



[www.facebook.com/LiverpoolLawSociety](http://www.facebook.com/LiverpoolLawSociety)



## Kirwans creates new partner and associates in latest promotions round

Kirwans law firm has made a number of promotions across its Liverpool, Wirral and Southport offices.

Employment law specialist Lindsey Knowles has been made partner, and will manage the Southport office while continuing to lead the Employment Law department.

Lindsey has extensive experience of advising both companies and employees on a wide range of employment law matters and joined Kirwans in October 2016.

Her promotion will see her leading the growth of Kirwans' Southport office, while continuing to oversee the expansion of the employment law offering as well as helping to develop firm-wide growth.

A further move has seen dispute resolution and litigation solicitor Paul Barnes promoted to senior associate. Paul's areas of expertise are widespread and include commercial debts, building and construction disputes, contract disputes, partnership disputes, agricultural disputes, professional negligence and possession proceedings.

Paul's new role will see him continue to work on business development in order to expand on all areas of dispute resolution.

Commercial property solicitor Lisa Evans has been promoted to associate. Lisa deals with all aspects of commercial property work for a large number of private and commercial clients, and has overseen large commercial property transactions across the North West and London.

Criminal defence solicitor Leanne Kennedy has been appointed to the Crime Management Team. Her new role will see her provide additional professional support services to the rest of the team.

Another member of the Crime team, solicitor Natalie Byrne, has been awarded the role of deputy head of crime in recognition of her emerging management skills.

Gabrielle Kitchen has been



**Lindsey Knowles**



**Paul Barnes**

promoted to prison law supervisor and will add to her current duties of representing clients at adjudication hearings and before the Parole Board by developing the firm's Prison Law offering.

Finally, Annie Thomas has completed her legal training contract with Kirwans and is now a qualified solicitor within the Private Client department.

Managing partner David Kirwan said: "We are immensely proud of these remarkable members of staff and are delighted to see them move into their new roles. We are all now looking forward to further growth of the Employment, Dispute Resolution, Commercial Property and Crime Departments."

## Raft of promotions for Birkenhead Law Firm

Birkenhead-headquartered law firm Your Legal Friend has promoted 18 members of staff across several departments, amounting to over 10 per cent of its workforce.

The promotions include Aileen Wood, Faye McKee, Jay Singh, Katarzyna Kacprzak, Klaudia Ksiadz, Monika Kruszynska, Eliza Kubik and Dominika Szejko who have gained Paralegal status.

A further two employees have successfully completed apprenticeships and gained promotions to permanent positions. Zoe Hazlehurst is now a Legal Cashier in the accounts team and Nathan Mason has been successful in gaining a permanent position within the Service Desk Team.

John King has been promoted to Group Marketing Director and Sam White also successfully completed an apprenticeship to become a Marketing Assistant. Other promotions include Holly Coogan to Fixed Costs Negotiator, Kate Avery to Assistant Fee Earner, Lauren Acton to Senior Legal Cashier, Mike Ivory to Senior Costs Negotiator and Stephanie Smith becomes a Legal Assistant.

Lydia Brindley has become Deputy Head of Medical Negligence to cover maternity leave. Lydia will work alongside Your Legal Friend's Director of Medical Negligence, Laura Morgan, to support the department's rapid growth.

The strength of the medical negligence team has been further bolstered by Mark Thomason and Carly Saxon becoming accredited as APIL Senior Litigators and Sara Stanger being appointed to the Law Society clinical negligence panel.

Your Legal Friend has also seen five employees hit milestones in their long-standing service to the firm including 10 years from Claire Dunning, Eileen Williams, Julita Zubowicz and Jane Cooper. Gaynor Neish has reached her 20-year anniversary at the company.

Colin Gibson, Chief Executive Officer, at Your Legal Friend said: "Although we've made several key hires over the past 18 months, we're also an organisation that firmly believes in growing from within and we consistently invest in nurturing, developing and rewarding our employees. It's a particularly high number of promotions across several levels and this is down to the individuals' hard work and the environment the team creates for everyone to succeed. It is also testament to our culture that we have several members of staff who have been with us for over ten and twenty years. Congratulations to them all."

Founded in 1983, Birkenhead-based Your Legal Friend offers a range of legal services and advice to the victims of personal injury and negligence. It employs over 200 people and has supported around 200,000 clients over the last 30 years.





## Mixed Use & Residential Tenants' Rights

with Peta Dollar

on Wednesday 21st March, 1.30pm till 4.45pm

This session will look at the statutory rights enjoyed by residential tenants and how they impact on owners, buyers, sellers, commercial tenants and mortgagees of mixed use properties

It will include:

- Tenants' rights of first refusal under the Landlord and Tenant Act 1987
- Enfranchising houses under the Leasehold Reform Act 1967
- Collective enfranchisement of flats under the Leasehold Reform, Housing and Urban Development Act 1993
- Rights to manage under the Commonhold and Leasehold Reform Act 2002
- Service charge rights under the Landlord and Tenant Act 1985

Relevant section of competency statement: A and B

Sponsored by:



For more information or to book, [click here](#)

Venue: Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool, L3 9NY



## Selling Land to Developers

with Peta Dollar

on Wednesday 21st March, 9.30am - 12.45pm

Developers are professional buyers of land – so your seller client is at an immediate disadvantage in dealing with them.

This session, which will look at all types of transactions from sale of a back garden to sale of thousands of acres of farmland, will look at the main issues to consider when selling land to a developer, including:

- Conditional contracts versus options versus promotion agreements – which is best for the seller?
- Exercising options – whole or part?
- Overage traps
- Exceptions and reservations
- Future protection for the seller – restrictive covenants and easements

Relevant section re: competency statement A and B

For more information or to book, [click here](#)

Venue: Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool, L3 9NY



Steve Cornforth  
Consultancy  
for lawyers

Steve Cornforth was formerly Senior Partner in a well known Liverpool firm and is a Past President of Liverpool Law Society.

Since establishing this consultancy he has

- Successfully obtained an ABS licence for an established CMC,
- Advised in relation to mergers/take over
- Advised on retirement issues
- Advised numerous firms on compliance issues,
- Provided training on Clinical Negligence, HAVS and NIHL, Professional Negligence and Blogging for lawyers!

To discuss any of these matters or other management/training need visit -  
[www.stevecornforth.com](http://www.stevecornforth.com)

Or ring Steve on - 07736925355



# TITAN North West Regional Organised Crime Unit issues conveyancing fraud advice

TITAN, the North West Regional Organised Crime Unit, are urging estate agents, solicitors and home buyers across the region to be alert after a number of scams which have left solicitors and clients suffering significant financial losses.

Conveyancing Fraud is committed by criminals who hack into e-mail chains between sellers, buyers, solicitors and their estate agents. They wait for the right time, usually on the day of sale completion, then send a spoof e-mail informing interested parties that funds should now be paid into a different account and provide details of an account under their control.

In one recent incident in the North West a home buyer transferred nearly £200,000 to their conveyancing solicitor. The solicitor then received an e-mail purporting to be from the same individual asking for it to be transferred to a different account. The funds were duly transferred only for the solicitor to learn that this account was under the control of the fraudster.

In order to prevent similar offences, TITAN Regional Cyber Crime Unit are keen to ensure that the following Cyber Protect advice is distributed as widely as possible:

## Protection advice

- Ensure all staff, not just finance teams are aware of this fraud.

- Always verify email payment changes to financial agreements with the organisation directly using established contact details you have on file. If called ask the caller to give you a main switchboard number for you to be routed back to them. Alternatively, hang up and call them back using established contact details you have on file.

- Have a system in place which allows staff to properly verify contact from their CEO or senior members of staff; for example having two points of contact so that the staff can check that the instruction which they have received from their CEO is legitimate.

- Always review requests to change 'one off' payment requests. Check for inconsistencies or grammatical errors, such as a misspelt company name or a slightly different email address.

- Ensure computer systems are secure and that antivirus software is up to date.

- Review password protocols and ensure those that are used are strong, as long as possible and contain a combination of letters as well as numbers and symbols.

- Do not use the same password for more than one application. If one application is compromised others become immediately vulnerable.

For further advice on cyber security follow @cyberprotectUK  
Visit [www.actionfraud.police.uk](http://www.actionfraud.police.uk)

## Liverpool Law Society

### Training Room



### Meeting Room



### Both Rooms



## Venue Hire

Liverpool Law Society's premises are **fully equipped** with modern technology. **Complimentary WiFi** access is included. The Society is situated in the heart of Liverpool's commercial business district, and is well-connected to the train and road network. The Society is a two minute walk from Moorfields train station (Old Hall Street exit) and there are several NCP car parks nearby.

### At Liverpool Law Society we can offer:

Professional working environment  
Refreshments

Lunch ordering service  
Audio Visual equipment

*Room capacity and daily hire rates:	Classroom Style	Boardroom Style	Theatre Style
<b>Training Room</b> Members £150+VAT   Non-Members £175+VAT	32	20	60
<b>Meeting Room</b> Members £100+VAT   Non-Members £125+VAT	12	12	20
<b>Both Rooms</b> Members £250+VAT   Non-Members £275+VAT	44	32	60

\*Monday to Friday, 9.00am to 5.00pm. Additional charges apply for evening events.

Enquiries: [roomhire@liverpoollawsociety.org.uk](mailto:roomhire@liverpoollawsociety.org.uk) Tel: 0151 236 6998 Ext 33  
Liverpool Law Society, Second Floor, Helix, Edmund Street, Liverpool, L3 9NY

# Corporate legal functions and law firms are on the brink of structural change

## The direction of travel is clear

This month sees the start of a new series of articles from Riverview Law on Technology and the Law

Legal market culture, which is moulded by tradition and law firm models that reward hourly billing, hardly encourages or embeds a general understanding of the value that technology and data can bring to liberating lawyers, helping decision making, improving customer service, refining processes and evolving operating models. With some exceptions lawyers tend not to understand technology, data, data layers, data integrity or operating platforms. Why should they? Well, businesses do. Legal operations do. Customers, whether internal or external, are increasingly demanding the benefits that flow from the better use of data and technology.

Tellingly, we have seen a significant divergence in the last few years between law firms and corporate legal departments. With some notable exceptions, law firms are slow adopters of models and tools that capture data and help them tell actionable stories that increase quality, speed up decision making, manage risk and reduce costs. At the same time In-house legal departments are embracing data and technology opportunities with the zeal of the convert PRECISELY BECAUSE it increases quality, speeds decision making, manages risk and reduces costs! It enables them to do more with less at a time when budgets are under pressure and demands on their services are increasing.

Put simply, corporate legal departments have the drivers for change. Their organisations are under intense margin and competitive pressures, while law firms, many of whom are still making excess profits, do not. Their organisations are demanding quicker response times and data driven decisions.

This thirst for data by In-house legal teams, and the consequential adoption of technology, is and will have a significant impact on department legal operating models, law firms and the structure of the supply chain. This inevitability is highlighted by a simple example. 'Triage' is one the most powerful words in the corporate legal dictionary. It is the foundational layer that drives not only a game-changing data strategy but the entire legal operating model. Triage makes sure that the right work is undertaken by the right people, at the right time and at the right price, whether that work is done internally or externally.

Because triage captures the data automatically we see our corporate customers start, quickly, to re-allocate work. It is amazing how often the data highlights experienced In-house team members working on matters that are mid or low complexity while work they can, should and want to do is being sent to expensive external law firms. By allocating the work properly, In-house morale increases because the team is working on more challenging matters. Net costs reduce because expensive, hourly billing, third party law firms are replaced by a combination of self-service, In-house team members and/or fixed priced managed services providers handling the volume day-to-day work. The data allows corporate legal functions to answer what, in reality, are pretty fundamental questions; how many matters do we have live today, where did they come from, what is their risk profile, who is handling them, what is their status ...?

In this context legal is no different from any other function in a business. If you ask a Finance Director equivalent questions they can answer immediately; what is our net cash position, what is the rolling three month cash-flow and how does it compare with budget, how is our capital expenditure tracking against forecast ...? If you ask a Sales Director what the sales pipeline looks like they comment on the number of opportunities in the pipeline, by product, country, business

unit, who is handling them, what the status by opportunity is and their forecast for the next week, month, three months.

Legal does not have an operations platform. Finance, HR, Sales all have a range of platforms to select from; SAP, Oracle, Sage, Workday, Salesforce ... Legal is not just a poor relation it is actually in a worse position. It has a series of point solutions which do not talk to each other (matter management, e-billing, document review ...).

This is why our business model is built on the Kim technology platform. An enterprise-wide solution that enables, for all work-types, instruction intake, self-service, triage and allocation, case management, collaboration, approvals, repository, search and real-time and trend dashboards. Kim helps Riverview Law industrialise its business and operating model. Kim helps Riverview support its global customers.

Legal functions and law firms are not immune from these trends. Corporate legal functions and law firms are on the brink of structural change. The direction of travel is clear. What a great time it is to be in the legal market!

**Karl Chapman**  
Chief Executive  
Riverview Law

 Liverpool Law Society

### Personal Insolvency: A Practical Guide with Chris Beanland

on Friday 23rd March, 1.30pm - 4.45pm

**Around 100,000 people a year enter a formal personal insolvency procedure. This course aims to give lawyers from any background practical guidance on personal insolvency.**

The course will cover:

- Debtors' petitions
- Statutory demands
- Creditors' petitions
- Applications to annul bankruptcy orders
- Assets which vest in the trustee (including rights to litigate and damages)
- The matrimonial home
- Pensions and insolvency
- Income payments orders
- Preferences and undervalues
- Bankruptcy Restriction Orders
- Debt Relief Orders
- Individual voluntary arrangements



Chris Beanland

**Level:** intermediate **Competencies:** A2, A3, A4, A5, B3, B4, B6, B7, D3

**For more information or to book, [click here](#)**

**Venue:** Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool, L3 9NY

# Charity Spotlight



## John Goore Charitable Fund

For nearly 350 years, the John Goore Charitable Fund has been supporting those in need in the village of Lydiate in Merseyside.

Established in 1669, four years after the Great Fire of London, John Goore bequeathed in his will that £335 be invested, along with his estate, with the interest to be left to help the poor in the township of Lydiate. That is the equivalent of £29,300 in today's money!

Interest from the money invested was distributed to the poor on an annual basis on the religious feast days of St. Thomas and St. John.

As the years went by, the trustees realised that the objects of the charitable fund needed to change to reflect local need at that time. Throughout the years, the objects of the charity were becoming obsolete, lacking in usefulness or even impossible to achieve.

By the mid 1800's it was becoming difficult to distribute funds to the poor in the area, as the number of those considered poor continued to fall. The focus then switched to education, with the fund paying a 'fair rent' to the school for meeting space and storage of the deed, making the school more or less free to attend.

In 1991, the net income from the charity's investments and real estate started to exceed the sums the trustees find themselves able to dispose of, despite exhaustive efforts on the trustee's part.

In 2009, the John Goore Charitable Fund approached the Community Foundation for Merseyside to manage the finances and to take advantage of the government's match fund scheme. This resulted in an initial £150,000 endowment being set up with the Foundation, which now stands at £500,000.

In 2017, the trustees discussed with the Community Foundation with concerns over the lasting legacy of the fund. Knowing that it was to be left in safe hands, it was agreed that the whole John Goore estate would be transferred over to the Community Foundation for Merseyside, to have sole trust of the fund.

Since 2009, the Community Foundation has effectively distributed over £96,000 to projects in Lydiate, honouring the wishes of John Goore himself whilst maintaining his lasting legacy.

From that one philanthropic gesture of John Goore in 1669, the fund now stands at well over £500,000, in addition to land valued over £200,000. This will continue to help the less fortunate in Lydiate for hundreds of years to come.

To find out more about legacy giving, please contact Rae Brooke on 0151 232 2410 or email [rae.brooke@clfm.email](mailto:rae.brooke@clfm.email)



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<b>S Code</b>	<b>Date</b>	<b>Time</b>	<b>March 2018</b>	<b>Speaker</b>
S3993	14th	9.30-4.40	<b>The 2018 Costs Conference</b>	Various
S4084	16th	10-12.45	Financial Order: Law & Practice	Safda Mahmood
S4085	16th	1.30-4.15	Cohabitation Law Practice	Safda Mahmood
S4045	20th	9.30-12.45	Road traffic law for Criminal Practitioners: a practical guide	Colin Beaumont
S4046	20th	1.30-4.45	The Duty Solicitor at the Police Station	Colin Beaumont
S4020	21st	9.30-12.45	Selling land to developers	Peta Dollar
S4021	21st	1.30-4.45	Mixed Use & Residential Tenants Rights	Peta Dollar
S4113	23rd	1.30-4.45	Personal Insolvency: A Practical Guide	Chris Beanland

<b>S Code</b>	<b>Date</b>	<b>Time</b>	<b>April 2018</b>	<b>Speaker</b>
S4053	11th	1.30-4.45	Spring Criminal Law Update	Anthony Edwards
S4138	13th	10-4.30	Introduction to Wills and Probate with Family Law	Safda Mahmood
S4059	17th	10-4.30	Intro to the General Data Protection Rules	Jo Morris
S4026	18th	9.30-12.45	Conveyancing Update	Richard Snape
S4027	18th	1.30-4.45	Affordable Housing, Right to Buy and Help to Buy	Richard Snape
S4096	19th	12-3.15	Psychological Injuries-Review	Nicky Carter
S4129	20th	9.30-12.45	An introduction to Clinical Negligence litigation	Steve Cornforth
S4107	20th	1.30-4.45	Practical Contract Law	Chris Beanland
S4130	24th	9.30-12.45	Advanced Clinical Negligence	Steve Cornforth
S3994	25th	9.30-4	<b>2018 Public Child Law Conference</b>	Various
S4137	27th	2-3	Costs Budgeting	Andrew Hogan

For full details & to book, visit: [www.liverpoollawsociety.org.uk](http://www.liverpoollawsociety.org.uk)

# Council Member's Report

## Update from Charlie Jones

Since my report last month I have attended a Civil Justice Committee Meeting and also a Council Meeting. The clinical summary of the council meeting is included elsewhere in this edition. Council met at Chancery Lane for the first time in over 12 months. There has been a substantial roof problem in the Council Chamber which had been subject to extensive and long ongoing repairs. Since that time, we have met in the BMA, and also the ICAEW Hall in the city. If nothing else, it has been interesting to find out how those other 'professional' bodies work: in reality they are not that different from our own organisation.

In the Council Meeting we discussed at some length an update from the Council Membership Committee, which is looking into the composition of Council, as I have explained in previous articles. This is a touchy subject, which many council members seem to get quite agitated about. Nothing has yet been agreed or decided upon, and trying to get all council members to agree on all or a little of any change is nigh on impossible. In many respects, it is YOU that needs to give your views because it is your Council. Fraser Whitehead, the Chair of the Council Membership Committee, attended the last Joint V meeting which was in Liverpool at the beginning of February. He gave a verbal update to the officers of Leeds, Liverpool, Birmingham, Manchester, and Bristol. It is an important subject. Please feel free to contact me to discuss further. You would be very welcome.

The new Governance changes will be coming into force very shortly. I am about to attend the last meeting of the Membership Board and will thereafter be attending meetings of the Membership and Operations Committee. The new 'Board' has been elected, as have the non-council member places on it, and the 'lay' membership. The non Council member solicitor places

have been allocated to Penelope Warne and Vicky Lockie following an extensive search process. Penelope is Senior Partner and Chairman of the UK Board at International Firm CMS. She has previously set up her own law firm as a sole practitioner practicing English and Welsh, Scots and European Law. Vicky, who trained at Clifford Chance, was Associate General Council for Strategy and Strategic Initiatives at Education Company Pearson before leaving in 2017 to set up consultancy VBL.

The two lay members are Judy Craske and Bill Butler. Judy is a former RAF Squadron Leader and HR and Facilities Management Specialist at companies including Universal Sodexho. Bill is a Public Sector trained Accountant who was formerly Chief Executive of the Security Industry Authority and is currently a non-Executive Director of the Gang Master and Labour Abuse Authority.

They will join 'The Board', which will also include 3 council members – Mark Evans, Michael Garson, and Peter Wright and be chaired by former President Robert Bourns. We wish them luck.

You will have seen that the SRA's plans for the super exam seem to have stalled. In an unusual state of affairs, rather than giving the SRA the green light for the SQE, the LSB gave itself an extra month to consider proposals, telling the SRA to go away and come back with more information. Indeed, to anyone who has been following the gestation of the SQE, this will come as no great surprise. Getting answers from the SRA to key questions has been a thankless task, on this or anything. How much will it cost? How will it improve access to the profession? How will high standards be insured and even raised?

GDPR will soon be amongst us soon. Literally! Should you fear GDPR? My advice is that you should. If you have not already investigated it fully, I would urge

you to do so before it is too late. The clock stops on 25 May when the EU's General Data Protection Regulation (GDPR) comes into force. The reality that the sensitive nature of the information held by law firms makes them potential targets for hackers. Firms do not just need to guard against the threat from criminals, they should also be aware of the risk from their own staff. The Law Society has been giving assistance on this matter, and continues to do so. You will be able to find out information on the Law Society website. For example, do all firms need to appoint a Data Protection Officer? The answer is no, but all firms should at the very least consider it.

Many of you may have read that the SRA has recently been making its pitch to be the single regulator in relation to our profession, thereby replacing the Society as the overarching regulator of the SRA. A decision would be made by the LSB. The Society has stressed to the LSB that the primary objective should be to maintain stability and confidence in the Justice System. It has been pointed out that English and Welsh Law is one of the countries greatest exports and it underpins the domestic economy. It is crucial that confidence in the legal market is maintained, particularly at this time as we go through Brexit. As the President Joe Egan says 'Given the pace of change, the LSB should ensure any future regulatory changes are only introduced on the basis of robust impact assessments and rigorous analysis, to ensure that consumers can access justice and are protected when they do'.

For my part, my concern is the President's reference to 'impact assessments'. While solicitor's firms regularly have to undertake impact assessments to establish whether or not new initiatives will have a beneficial effect, Governments and Government Boards rarely do so. To them impact assessments appear to be an anathema. They tend to make change without assessment, and



then observe the impact some years later! ( and blame it on others ). Therein lies the irony. Governments and Government organisations could actually learn something from the way we run solicitor's firms. My other concern is who will ultimately regulate the Regulator, or will the SRA be self regulating ?

That is all for now. I look forward to hearing from any of you who have anything to discuss: it is your Society.

**Charlie Jones:**  
**Weightmans LLP.**  
**Co Council member for**  
**Merseyside and District.**  
**DD 0151 242 7919.**  
**Charlie.jones@weightmans.com**

# Law Society Council meeting summary

**Council met on 7 February in the Council chamber in 113 Chancery Lane. Council's next meeting in March will be in Manchester, recognising that the Society represents solicitors across England and Wales.**

## Changes to governance for 2018

Having in December passed amendments to the General Regulations giving effect to the agreed new governance structure, Council in February agreed further General Regulation amendments to bring an end to the existing four Law Society Boards. A further consolidation of changes is planned for March 2018.

Council also approved the appointment of the four external members of the Board: Penelope Warne and Vickie Lockie (solicitors), and Bill Butler and Judy Craske (lay members). The Board's first meeting will be on 20 February. This programme of change marks the Society's determination to organise its governance in a way that is as effective and efficient as possible. A further aspect of this is the planned Council strategic planning weekend in April, to enable Council to discuss the Society's strategy ahead of the budgeting process and the new Presidential year.

Council also approved the change in status of the Technology and Law Reference Group which would now be designated as a full 'Committee' recognising the increasing importance of its remit.

## Lobbying on Brexit

The Society's ongoing work on Brexit was reported to Council. This included regular meetings with ministers and officials, the submission of written evidence to two of the key select committees, and a number of one-to-one meetings with relevant backbench MPs. The Society was also briefing MPs and peers on three key bills including the EU (Withdrawal) Bill, and was closely involved in the work of the Brexit Law Committee and the Professional Business Services Council's Mutual Market Access Group.

## Rule of law

Council has recently, at each meeting, been having a general debate around an important issue. This time, Council discussed the Law Society's work on the rule of law internationally, which involves ensuring the governments exercise their authority in line with a legal framework that assure individual freedoms and is based on clear objective laws and a diverse, competent and independent legal profession. This includes a number of programmes, including lawyers at risk, business and human rights, professional capacity-building, women and the law, and governance (anti-corruption). In discussion, Council members re-affirmed their commitment to this vital area of work as a striking example of the Society bringing together the expertise of our members and standing in solidarity with lawyers across the world.

## Legal aid

Council heard about the Society's campaign calling for the re-introduction of legal aid for early advice, which has attracted substantial media coverage as well as support from all parties, including a commitment from the Labour front bench to re-introduce legal aid for early advice in family law cases as a direct result of the Society's campaign. The Society had also been working closely with the Ministry of Justice to broaden the range of evidence that can be used in domestic abuse cases and ensure that victims of abuse can access legal aid.

## Wales

It was reported that the Law Society had been referenced in two evidence sessions of the National Assembly Finance Committee on the

progress of devolution of fiscal powers, with praise from the Wales Audit Office for the quality of engagement between the Welsh Government and the Law Society.

## International engagement

Council noted that the Society had been represented at the World Trade Organisation ministerial conference in Buenos Aires as part of an International Bar Association delegation on international trade in legal services, and that a number of meetings and briefings had taken place with officials from governments of several key countries. We had also been represented at the Opening of the Legal Year in Hong Kong, and at the first UK Ministry of Justice international legal services working group meeting of 2018, following which we met with Ministry of Justice officials to discuss the Society's campaign to promote the law of England and Wales as an international jurisdiction of choice for dispute resolution.

## Regulation

Council had the opportunity to note and discuss the Society's response to the Legal Services Board's consultation on the Internal Governance Rules, which focused on the need for greater clarity so as to help approved regulators and front-line regulators carry out their respective duties effectively and make it easier for the public to understand what they do. Council also noted the Society's response to an SRA consultation on price and service transparency, which included consumer research which suggested that simply making more information available was unlikely to improve client choice. On the consultation on the SRA's handbook reform, Council was pleased to note that the Society was maintaining its position that flexibility for practitioners should not come at the expense of clients.



## **\*\* General Data Protection Rules \*\***

with Jo Morris

on Tuesday 17th April, 10am - 4.30pm (lunch provided)

**The 25 May 2018 is a very important date for your diary in relation to data protection.**

**The new GDPR was passed in May 2016 which means that the new obligations and procedures must be in place by 25 May 2018**

This course will help to guide you through the changes looking at both the Data Protection Act and the GDPR considering the following:

- The SRA Handbook and Code of Conduct in relation to Data Protection
- Change comparison
- What have you done so far to prepare for the new regulations
- Action plan for moving forward
- The ICO and the Article 29 Working Party

**For more information or to book, [click here](#)**

**Venue:** Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool, L3 9NY



## Conveyancing Update with Richard Snape

on Wednesday 18th April, 9.30am - 12.45pm

Conveyancing continues to undergo major changes and the course will aim to look at the most important changes and their effect on the conveyancer. In particular, ground rents are a cause for major concern.

### Topics covered include:

- Recent cases on identity fraud in the light of Mischo de Reya
- Ground rent issues
- Changes to Right to Buy in England including the Housing and Planning Act 2016
- SDLT and additional dwellings
- Recent case law on rentcharges
- Recent case law on additional searches
- Help to Buy ISAs
- Flood risk insurance as of April 2016
- The Money Laundering Regulations 2017
- The Energy Act 2011 and the Minimum Energy Efficiency Standards

Aimed at property professionals and fee earners involved in both contentious and non-contentious property work

After the event, delegates will have an increased knowledge of the subject matter and be updated on current issues, case law and statutory provisions and to be able to apply the knowledge gained in the better provision of a service to the client.

Satisfying Competency Statement Section: B – Technical Legal Practice

Venue: Liverpool Law Society, 2nd Floor Helix, Edmund Street, Liverpool, L3 9NY

For more information or to book, [click here](#)

## Introduction to Wills and Probate with Family Law

with Safda Mahmood

on Friday 13th April, 10am - 4.30pm (lunch included)

The course will equip you with the essentials in terms of principles of wills & probate and particularly as to how it links into other areas of law, particularly family law. The course will be of benefit to those delegates who seek to get an understanding of this area of law.

The areas to be covered are:

Requirements for a valid will  
Capacity and formalities  
Witnesses and types of gift  
Making changes to wills  
Revising and revoking wills  
Clauses to assist children  
Family provision claims  
Divorce, dissolution and wills  
Intestacy and contentious probate  
Introduction to probate and administration  
Grants and carrying out probate



Competencies: B and C

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Venue: Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool, L3 9NY

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## Relationship Management



## Update from the North Team

Welcome to the Relationship Management Team for the North. We are: Jo McLeod, Claire Quinn and Cath Carter.

Our remit is to engage with members across the North of England including, the North West from Chester to Whitehaven, all of Yorkshire and the North East.

### Meet the team

#### Head of Relationship Management North Jo McLeod



Jo has worked for The Law Society for over 17 years. She has a wealth of knowledge and experience of the legal sector and fully understands the needs of members across the north region.

Jo had this to say about her role "My role is to oversee the work of the North Relationship Management Team. Between the three of us we cover a vast area and a huge number of stakeholders and finding creative and new ways to engage can be both challenging and rewarding."

#### Relationship Manager North Claire Quinn



Claire joined the Relationship Management Team in June 2016. Before that, Claire was a Partner at Irwin Mitchell in Manchester in the Real Estate Team. Claire has a good working knowledge of the profession.

Claire said "Through our work, we engage with members on a diverse range of issues including pro bono, diversity & inclusion, regulatory affairs and much more. One of the most enjoyable aspects of the role is working with solicitors who demonstrate such a pride in the profession."

#### Relationship Management Executive North Cath Carter



Cath has been with The Law Society since May 2015.

Quote from Cath "I enjoy the role, no two days are the same; one day I can be at my desk working on developing our social media presence across the regions and the next I can be with the Policy team at a roundtable discussion with top 200 firms, or at a Local Law Society Committee meeting."

### What we do

Relationship Management, as the name suggests, aims to build closer and stronger relationships between individual members, local law societies and legal firms of all sizes with The Law Society. Meeting people face to face is the best way to build relationships, and gives us an opportunity to raise awareness of the Law Society and what we offer our members.

### Our focus is to:

- Develop strong relationships with members across the north to better represent their views, promote national Law Society initiatives, products and events.
- increase members' awareness of Law Society services and activities, and forge partnerships and strategic alliances with key external stakeholders, to add value to members' businesses.
- provide intelligence and feedback from the membership, which feeds into the development of products, services and policy.
- support and deliver local events for members.

### Council Member support

In addition to the Relationship Management Team your Council Members can provide a vital link to The Law Society and would welcome you contacting them. They are your area's representative for the profession so get in touch with them. For Liverpool, they are Charlie Jones who is based in Liverpool and Sarah Lapsley based in Southport.

### Our work in Liverpool

Liverpool is one of the team's key cities, with over 2,500 members, seven of the north's top 200 firms and one of the Joint Five Local Law Societies. Liverpool also has a vibrant legal network of special interest groups and stakeholders.

Engagement in the city is crucial to our work. As a key hub of legal activity we work very closely with all our stakeholders there and work to enhance those relationships.

### What we have done in Liverpool over the last six months

- In September we held the first of our new North West Regional Forums for Liverpool and Cheshire. This brought Local Law Societies, Committee and Council Members and special interest groups together to network and discuss key issues for the profession
- In November Liverpool Law Society hosted our Regulatory Affairs Team for a roundtable discussion with members of the profession on the SRA Handbook and Transparency consultations
- Claire Quinn regularly attends the Liverpool Law Society Committee meetings
- We have visited three top 200 firms across the city
- In February our interim Chief Executive, Paul Tennant, visited Liverpool to speak to legal firms and members
- We recently held our second Disability and Inclusion Regional Forum at Weightmans on 7 February which was attended by 20 people and proved a very lively debate on key issues. Importantly the event launched the 'State of the Profession' data.

### What we have planned in Liverpool over the next six months

- We will be in Liverpool over the summer during the International Business Festival to encourage women members to take part in our Vice President, Christina Blacklaws Women in Law Roundtable focus groups
- We will continue to participate regularly in the Liverpool Law Society Committee meetings
- Our Head of Diversity & Inclusion will be speaking at a Liverpool Law Society conference in May
- We are making plans for our Regulatory Affairs Team to return to Liverpool for another roundtable.



# Charity and CSR Matters



Hi everyone,

I've had my baby girl now and settling into Motherhood well so far. I'm going to keep up the article whilst off so keep your submissions coming. If you can please send your submission (of roughly 400 words) and any photographs to [j.baskerville@jbaskerville.co.uk](mailto:j.baskerville@jbaskerville.co.uk)

Many thanks

Jennifer Powell  
Solicitor  
Weightmans

## Pro Bono Service at The Brink

I'm sure you've heard the story before: Lawyers are the only ones who can provide pro bono legal services, and the need has never been greater, funding for legal aid is nowhere near sufficient to meet the need. Funding from the Legal Services Commission (LSC) is continually under attack, and current funding levels are millions less than the original funding levels. Even with the generous and critical support of bar foundations, law firms, corporate legal departments, and individuals across the country, many legal aid programs still do not have sufficient resources to meet the need. There are nowhere near enough legal aid programs or staff to handle the client demand.

The need is now greater need for professional bodies (legal and none legal) to provide free advice services to the vulnerable and disabled due to their human rights being significantly affected by government cuts to disability benefit(s) and government reforms including the introduction of Universal Credit which is causing poverty and homelessness.

Linskills Solicitors provide a free and impartial service to The Brink. The Brink is a well known support network for the employed and unemployed to help and support adults with addictions whether it is alcohol, drugs or other substances. The Brink is non judgemental and support provided when required.

To be honest, before this, I had not thought much of pro bono. Services was something important and of interest to me. Due to a personal matter I made contact with The Brink in order to provide a free and impartial advice to services users and members of the public in Merseyside, providing a pro bono service dealing with all benefit enquiries, claims for benefits, appeals and free representation at HM Court & Tribunal Service.

Set up by Action on Addictions, The Brink is known, to many, as retreat for the recovering. This has built a strong podium for recovering addicts to immerse themselves back into mainstream society which shatters any predisposed thoughts customers might have of such a predicament after visiting. A non-alcoholic bar, with 73% of their employees in recovery themselves, The Brink is certainly extra ordinary and at the forefront of modern philanthropy. Despite people beligin you need an exclusive membership to walk through the doors, The Brink's benevolence stretches to all walks of life.

Best of all, The Brink is a recovery social enterprise, which means that all our profits go directly back into the community to fund support for those who have suffered through alcoholism and addiction.

We are the founders of a free legal advice clinic at The Brink Liverpool. It runs once a week. If you have a court case listed on pro bono day, you may be able to get help with presenting your case.

The pro bono service is with the support of my Manager Mr. Julian Linskill who is willing to provide the support to the vulnerable and disabled in Merseyside. Steve can be contacted at Linskills Solicitors on 01512362224 or email address [steven.lunt@linskills.co.uk](mailto:steven.lunt@linskills.co.uk)

## Maxwell Hodge Solicitors raise funds in aid of Local Charity

Maxwell Hodge have presented a cheque to Mac House after raising in excess of £3000 for the charity.

On receiving the cheque, Gill Wilson, Fundraising manager at Mac House, said "We are delighted with the fundraising efforts of Maxwell Hodge. The monies raised from the quiz enable us to support more families who have a child with a life threatening or terminal illness."

Mac House offers free accommodation to families and carers who have children staying at Alder Hey Hospital and there are no limits to how long or how often families can stay. The 84 rooms are funded purely from voluntary donations as Mac House does not receive monies from any other sources. £25 will pay for a room for a family for one night. The cost of accommodating a family for one week is approximately £175 and the annual running costs of the House amount to £600,000.

Over half the children cared for at Alder Hey come from outside Liverpool as far afield as Staffordshire, North Wales and the Isle of Man. With more than 300 beds for sick children, Ronald McDonald House provides parents with accommodation for over 2000 families each year.



L-R: Natalie Allcock, Darren White (Solicitor), Kelly Monaghan (Solicitor) and Gillian Wilson (Fundraising Manager at Mac House)



# Morecrofts bake for charity

The team at Morecrofts held three bake sales as part of the Great Legal Bake, which took place this week (Feb 12 – 16).

The bake saw a team of staff don their chef hats and put their baking skills to good use, whilst others participated by purchasing and enjoying the delicious treats.

The bake was to raise vital funds for the North West Legal Trust.

Paralegal and baking participant Rebecca Lacey said: "I participated in the great legal bake to raise money for those who are most in need of legal services but are unable to afford it. The bake also raises awareness that not everybody is automatically entitled to funding, even if they have a disability, elderly or have very little disposable income."

Morecrofts have been long supporters of the North West Legal trust and their work with legal advice charities. They regularly take part in their fundraising events such as the Legal Walk and the Great Legal Quiz.

Managing Partner, Alison Lobb added: "I'm really proud of everyone who took part in the bake, there were some brilliant efforts. It's great to raise money for such a great cause and of course the cakes were a tasty bonus."



## Affordable Housing, Right to Buy and Help to Buy

with Richard Snape on Wednesday, 18th April, 1.30pm - 4.45pm

Help to Buy and other equity loan schemes are frequently met in conveyancing and the volume of work involved presents particular problems for the conveyancer. Shared ownership and affordable housing schemes continue to arise on a regular basis. In addition, new affordable housing schemes such as the starter homes initiative are coming into force as are lifetime ISAs. The course aims to look at the conveyancing implications of the various schemes.

Topics covered include:

- Help to Buy reporting to the client
- Help to Buy documentation
- Requirements for membership of Help to Buy scheme
- The equity loan and reporting to the mortgage company
- Other equity loan schemes
- Shared ownership leases
- Reporting to the mortgagee on shared ownership leases
- SDLT implications
- Starter homes initiative
- Help to Buy ISAs
- Lifetime ISAs

**Aimed at property professionals and fee earners involved in both contentious and non-contentious property work**

Delegates will have an increased knowledge of the subject matter and be updated on current issues, case law and statutory provisions and to be able to apply the knowledge gained in the better provision of a service to the client

**Satisfying Competency Statement Section: B – Technical Legal Practice**

Venue: Liverpool Law Society, 2nd Floor Helix, Edmund Street, Liverpool, L3 9NY

To see more information or to book, [click here](#)

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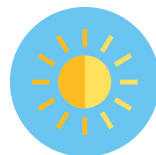
## Look After Yourself

### Top 10 Tips for Good Mental Health and Wellbeing



#### Keep Active

Find a physical activity you enjoy and make it part of your life, you will feel better and boost your self-esteem



#### Take a Break

Use your lunchbreak to get away from your desk. Step outside for just a few minutes, it can re-energise you



#### Sleep is Important

Sleeping well can improve concentration and refresh you



#### Eat Well

A balanced diet rich in nutrients is good for both your mental and physical health



#### Drink in Moderation

Stay within the recommended alcohol limits: heavy drinking affects brain function and can cause disease



#### Keep in Touch

Maintain good relationships with friends, family and your wider community: strong connections can help you to feel happier



#### Share How You Feel

Talk about your feelings, it can help you cope with problems and feel listened to



#### Give Back

It has been proven that giving – time or money – can make you feel valued and give you a sense of purpose



#### Be Mindful

Mindfulness – positive emotions and paying attention to the present – can help you enjoy life more



#### Ask for Help

Asking for help is a sign of strength, and can lead to the right support for you, whatever you're going through

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# Health & Wellbeing Event at Jackson Lees

With research suggesting 90% of junior lawyers experience too much emotional or mental pressure at work, it has never been more important for those in the legal profession – regardless of age or rank - to take more care of their mental health.

With that in mind, The Jackson Lees Network (which serves to stage social and educational events for employees) held its first Health & Wellbeing event of 2018, with practical tips and advice from expert speakers in the fields of: yoga (Angela Hesketh of YogaShack); mindfulness (Roy Owen); healthy eating (Sam & Rob from FitFood Shack); and fitness (Adam, personal trainer from JD Gyms).

Attendees were treated firstly to an informative and practical talk from Angela about the benefits of yoga, and how it can help to overcome the everyday stresses of the legal profession. Angela outlined her own path into becoming a teacher of yoga, and how beginners can expect to find their feet in its practice. There was an exercise in focus (as per the photo attached which deceptively appears to depict the tamest ever 'rave'...) which highlighted just how easy we can lose focus in the modern world.



Next Roy provided an insight into the mind, and how we can lose track of the self amid the clamour of our thoughts. Outlining just how important it is to take time to clear our minds and take some time for ourselves, Roy raised the question "If your car was running out of fuel would you think you were too busy to fill it up?". The audience were then led through two guided meditations, providing the most prolonged period of silence in an open-plan office in some time! Sam and Rob from FitFood Shack then sought to dispel some common misconceptions about food and nutrition – covering everything from carb 'do's and don'ts', to macronutrients and the occasional indulgence! The guys were open and honest about the misinformation we all receive about what we eat, and how even research from trusted sources like the NHS website, can reinforce some poor decisions we all make in respect of food.

Closing the evening last but not least, was Adam from JD Gyms. Adam expertly walked the audience through his own journey into health and fitness, and the impact not only on his physical but his mental health alike. Adam outlined the difficulties he faced in getting in shape, and shared how best to overcome obstacles we all face, answering audience questions on all things exercise as well.

From all at Jackson Lees we would like to thank the speakers and all that attended!





# It's a Knockout

There are less than two months to go to our charity It's a Knockout tournament. This month we focus on the two charities that will benefit so that you can see where the money will be going and to encourage you to get a team together and get down to Riversdale Road on 28th April!



KIND believes in investing in the future – our children. Which is why, since 1975 we have been working with and for disadvantaged children and families from across Liverpool and greater Merseyside; working tirelessly to find new and imaginative ways to help them cope with the effects of poverty and disadvantage.

Over the last 43 years our ethos has never changed – we believe that all children have the right to be the best they can and that it is our role to help facilitate this by providing experiences, activities and services which show them that they and life can be different and that they and life can be better.



Our work consists of a child centred approach designed to enable each child to achieve their potential in a caring, structured and supportive environment. We offer a rounded service that helps children and their families tackle the effects of poverty and disadvantage through our:

- Tailor made educational activities and projects at our state of the art SEED Centre
- Summer Residential Breaks in the countryside
- Annual Christmas Hamper and Toy Appeal
- Practical year-round support

In doing so we help children to:

- Overcome disadvantage
- Improve their self-confidence
- Develop their education and skills
- Think creatively
- Live healthily
- Develop a sense of social responsibility

We can be KIND thanks only to the compassion and generosity of our

friends and supporters. 92 pence out of every pound donated goes directly to fund our activities. There are local children and families who need our help now more than ever. With your backing we can inspire, empower and support them to create a better, more positive future.



THE CLATTERBRIDGE  
CANCER CHARITY

The Clatterbridge Cancer Charity will be familiar to many of our members. With cancer now predicted to affect one in two people, there has never been a greater need to fund research. The Clatterbridge Cancer Charity is the only dedicated charity for patients and research at The Clatterbridge Cancer Centre.

CCC wants to help to transform cancer care for people right here in our area. From ten operating sites across Merseyside and Cheshire we make almost 221,000 patient contacts to over 30,000 patients a year, offering pioneering chemotherapy, radiotherapy and proton therapy treatments.

We're now embarking on a journey to change cancer care for the better, by expanding our services into the heart of the population we serve and progressing even further with the ground-breaking research and therapies we undertake.

Last year, work began on building Liverpool's first cancer hospital in the heart of the city, backed by our £15m appeal, which will also ensure significant investment in our Wirral site. It will also help us to improve patient experience, fund vital research into the latest therapies and innovations in cancer treatment.

You can be part of this incredible journey, by joining us and raising cash for this once-in-a-generation opportunity!

More details of how to enter can be found on the LLS website. Its not just for lawyers, the more the merrier! We are also looking for sponsors for this event so if you are interested, or know someone who may be, please get in touch with the LLS office or [nina.ferris@hilldickinson.com](mailto:nina.ferris@hilldickinson.com).



## **CALLING ALL LEGAL & PROFESSIONAL SECTOR FIRMS ARE YOU UP FOR A CHALLENGE?**

Can your team beat the rest in the modern day version of the classic BBC TV spin off It's a Knockout?

Sign up and take part on **Saturday 28th April 2018** at Riversdale Merseyside Police Sports & Social Association, Aigburth to find out!

Knockout Roadshow is a mixture of race games and games that require skill and judgement at the end of the inflatables to gain points. Some of the games that await you are: Bungeeing, Throwing, Building, Scrambling, Challenging, Bouncing, Balancing, Jumping, Singing, Dancing, Splashing, Conquering, Testing, Skill and Judgement.

**After costs all proceeds from entry fees and sponsorship will be donated to The Clatterbridge Cancer Charity and KIND**

To book [click here](#)

**Deadline for entries is Wednesday 11th April 2018**

**£500 minimum per team to enter**

**Up to 10 people per team**

(£150 deposit required when booking)

**Join in and have some fun!**

**All money raised will be donated to**



Registered Charity Numbers: 1051727 & 518985

Liverpool Law Society, Second Floor, Helix, Edmund Street, Liverpool L3 9NY, DX 14100 LIVERPOOL 1

Please note all bookings are subject to the Society's terms and conditions, visit [www.liverpoollawsociety.org.uk/general-terms-and-conditions](http://www.liverpoollawsociety.org.uk/general-terms-and-conditions) for details. Liverpool Law Society is registered in England and Wales, Company Number 00004302.



# Clipper Race 2017/2018 Update Report



Having left Liverpool in August 2017, the Clipper fleet is now on the leg from The Whitsunday Islands to Sanya in China. This is the seventh leg of the Race, and as I prepare this report the leader is 133 nautical miles from the finish. Liverpool Clipper currently occupies 7th position on this leg, 136NM behind the leader, and 276 NM from the finish. The 6 placed yacht, Visit Seattle, is just 25NM ahead, so they will be trying to make inroads.

In the legs so far, Liverpool's results have been mixed. On the race from Liverpool to Punte Del Este they finished 9, followed by results of 5, 8, 10, 10 and then 3 (and on the podium). After 6 legs they were lying in 9 place, on 34 points, with the leaders Sanya Serenity Coast and Quindao tied on 63 points. So there is quite a lot of work for the Liverpool crew to do, but they have proved with a finish of 3 in the last leg into The Whitsundays that they can do it, and they have not yet played their Joker, which entitles a team to have double points from the one race they use that Joker in. Doubtless they will play it when they think they can get maximum points, and we wish them well.

The fleet started off with 12 boats. Unfortunately Greenings, with whose Skipper I shared a table at the pre race dinner at Liverpool Marina Yacht Club last August, hit a reef unexpectedly off South Africa, and the yacht very sadly had to be withdrawn from the race as the damage was so serious. Be in no doubt, this is a serious and very competitive yacht race. Greenings, despite having to replace their Skipper, due to injury, on the leg to Punte, had already taken maximum points from the first 2 legs.

Tragically, a crew member lost his life on the race. Simon Speirs, a retired solicitor from Bristol, and a member of the crew of the yacht Great Britain, went overboard on leg 3 on the way to Australia. He was recovered, but had not survived. I am sure that you will all join me in expressing sympathy to a fellow lawyer, to his crewmates, but most particularly to his family and friends. Our thoughts are with you.

There are 7 more race legs to go, as the yachts race from Sanya to Quindao, then across the Pacific to Seattle, then to Panama, through the Canal, and then up the east coast of the USA to New York before coming west to Derry-Londonderry, and then back into Liverpool in July this year: make a date and go and see the yachts finish in the River. They are expected on about the 28 July. It will be quite a spectacle in our city. Good Luck Liverpool Clipper. We wish you good winds, good sailing and a safe passage.

Charlie Jones.  
Weightmans LLP

**They are expected  
on about the 28 July.  
It will be quite a  
spectacle in our city.  
Good Luck Liverpool  
Clipper. We wish you  
good winds, good  
sailing and a safe  
passage.**



# Book Review

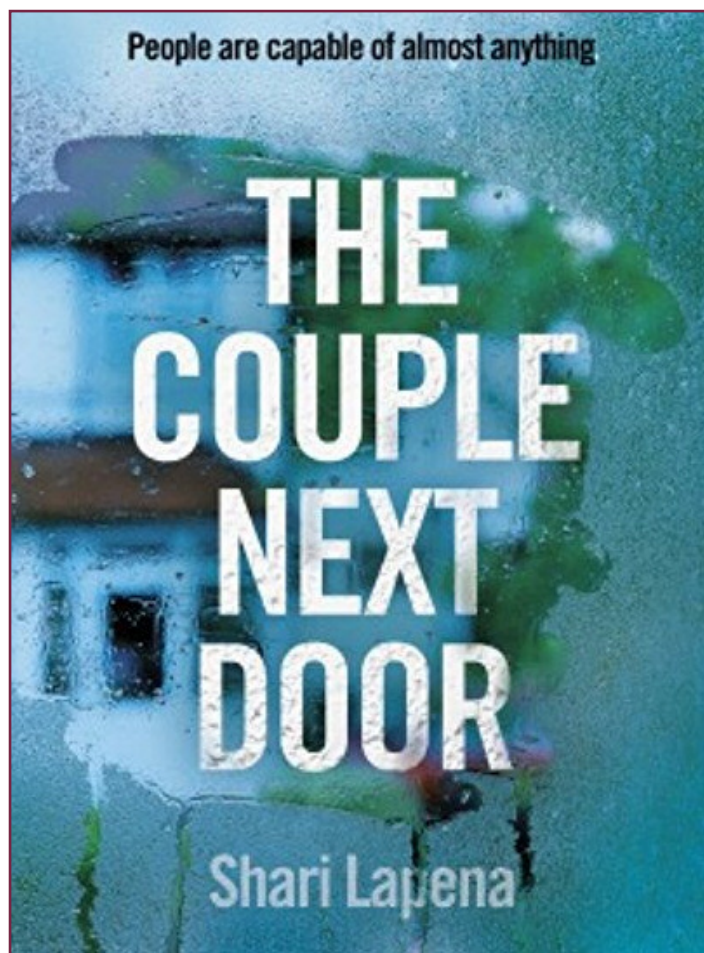
## David Walmsley of Carpenters reviews "The Couple Next Door" by Shari Lapena

Whilst away for half term with my wife and kids, I picked up a book a friend had passed onto us called "The Couple Next Door" by Shari Lapena. It looked a decent read being a thriller based around crime and mystery and it centres around a couple who are let down at the last minute by their babysitter but the neighbour who is hosting the dinner party has advised no children. The wife is persuaded by her husband to leave Cora, their 6 month old baby daughter, but they agree to return home alternately to check on her every half hour and to take a baby monitor with them, after all it's only next door. When they get back home after 1am, the baby has gone.

The police are called and the investigation starts. The detective, Rasbach, is strong character and initially suspects the parents may have been involved in the baby's disappearance. As he questions them, the neighbours, the wife of the couple next door, the plot starts to unfold. Why was a car was seen driving with its lights off down the back alley at around 12.35am and there appears to be no evidence – neither footprints nor DNA - of anybody else having been on the premises? How could any third party have taken the baby? The maternal grandparents are multi-millionaires and there is a suspicion of a potential kidnapping.

The plot twists and turns and there are a few surprises along the way – cracks in relationships, a loosened bulb in the light at the back door, secret CCTV footage, affairs, double-crossing, hidden mobile phones, judgmental grandparents, businesses in decline, and the effect of all the pressure on the couple as the police close in on what exactly happened. Why they left the baby, why the mother was away for about half an hour and returned with tears in her eyes, did she accidentally drop or worse still deliberately hurt her baby? Many of the characters have skeletons in their closet which the thorough detective and his team are keen to explore.

It is a little over 300 pages of easy reading. It is well-written and I struggled to put it down because I found it to be very gripping. It has some great hooks and twists, some of which are difficult to predict, unless perhaps you have a furtive imagination or have seen everything in the arena of criminal practice – unlike me.



**Don't forget to submit your reviews  
You could win a bottle of wine or prosecco**

All you need to do is write a review of a movie, gig, festival, book, concert, play, album or favourite box set and each month one will be rewarded with their choice of a bottle of prosecco, red or white wine, very kindly supplied by R&H Fine Wines of 12 Queen Ave (just off Castle Street) Liverpool.



Send your entries to  
[editor@liverpoollawsociety.org.uk](mailto:editor@liverpoollawsociety.org.uk)

# News from the

## MJLD does Mowgli

On Thursday 22nd February the MJLD hosted their first ever event at the fabulous Mowgli on Water Street, which was made possible by the kind sponsorship of Law Costings. The evening allowed for relaxed networking over a sit down meal, with members treated to drinks and a sharing menu (including the famous Chat Bombs and Mowgli Chip Butties!).



## Upcoming Events

Upcoming events include the annual MJLD vs LLS quiz taking place on 22nd March in Revolutions St Peters Square. Our quiz master for the evening will be Mark Owen from Jackson Lees Solicitors. Entry is £10 per team or £2 per person which includes your arrival drink and food.

The MJLD is also pleased to announce that our Annual Charity Ball will be taking place on Saturday 19 May 2018 in aid of Clatterbridge Cancer Charity. With our headline sponsor Thornton Legal and also kindly sponsored by University of Law and 7 Harrington Street Chambers.

## Psychological Injuries - Review with Nicky Carter

on Thursday 19th April, 12pm - 3.15pm

**This course is aimed at all PI and Clinical negligence practitioners who may find a claim for psychological injuries is part of a physical injury claim or may be the only injury sustained. Who can recover and what evidence is important?**

The Court of Appeal case of Taylor v Novo in March 2013 is an important development and its consequences are examined. Including:

- Psychological Injuries and recovery
- Psychological and physical injuries together
- Witnesses and observers
  - o The bystander test
  - o Threshold requirements Primary and secondary victims RE (A Minor) v Calderdale and Huddersfield NHS Foundation Trust (QBD, Goss J, 12 April 2017, [2017] EWHC 824 (QB))
  - o What does it mean?
- Rescuers
- Protection from Harassment Act 1997

Venue: Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool, L3 9NY

FOR MORE INFORMATION OR TO BOOK, [CLICK HERE](#)

The Merseyside Junior Lawyers Division presents...

**The Full Length & Fabulous Charity Ball**

**Saturday 19 May 2018**

**THE SHANKLY HOTEL**

**60 Victoria St, L1 6JD**

The MJLD cordially invites you to attend our evening of Charity fund-raising for Clatterbridge Cancer Charity. Drinks reception starts at 6:30pm on the stunning "Garden of Eden" rooftop terrace, with a glass of prosecco on arrival. Prepare for an evening of glamour, awards, drinks and fine dining. Entertainment will be provided by Neil Noah & sensational international band, Six15.

All in the aid of...

**THE CLATTERBRIDGE CANCER CHARITY**

£50 per ticket or £500 per table of 10.  
Please complete the attached form and send to  
[SarahMcGuinness@msbsolicitors.co.uk](mailto:SarahMcGuinness@msbsolicitors.co.uk)

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**7 Harrington St CHAMBERS**





Women Lawyers  
Merseyside



# ANNUAL CHARITY QUIZ

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through terminal illness



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*Arrive By 6pm*

*Raffle Prizes*  
*Sharing Platters*



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Payment details, Account: 50192791, Sort Code: 20-51-43, Quote your name as ref.

Email: [widevent@gmail.com](mailto:widevent@gmail.com)

Venue: The Everyman Theatre Bistro, 5-11 Hope Street, L1 9BH



# Regulation Update

The latest regulation news from Michelle Garlick of Weightmans LLP



**This month's update will again be dominated by some interesting disciplinary decisions which have been released recently. The examples make for really useful case studies to raise awareness of the risks involved in every day practice. Before looking at these though, here are some other developments over the past month or so:**

## **Law Society Group issues its Gender Pay Gap report**

Many of you will have had to go through the process of collating and publishing the mean and median hourly rate pay for female and male colleagues and the Law Society has just published its own statistics for the combined group covering both the Law Society and the SRA. Its mean difference was 11.1% whilst its median was differential was 5.6% which is quite a lot lower than the current UK median pay gap.

## **SRA Considering Split from The Law Society**

The argument over separation and independence of the SRA from the Law Society continues to rumble on with the SRA stating in the past month that it believes it should become an independent entity as the current structure has caused 'a steady stream of disagreements about independence'. The CLC has also called for the LSB to support the maximum possible separation between regulatory and representative bodies. The responses have been provided as part of the LSB's review of the internal governance rules (IGRs).

## **Report Highlights Level of Personal Injury Cold Calling Complaints**

A report that updated the recent SRA board meeting confirmed the SRA received nearly 300 reports of personal injury law firms either paying illegal referral fees or being involved in cold-calling.

The report refers to measures the SRA has taken including the updated warning notice on the risks in personal injury work, which I have commented on in previous monthly updates.

The SRA report confirmed there remains some bad practice among some personal injury firms, especially relating to their relationships with work introducers and other third parties.

## **ABSs now exceed 1,000**

Research has been released showing that more than 1,000 ABS licences have now been granted by the various regulators. The research carried out by IRN Research in its report "UK Legal Services Market" revealed that just under 700 of the ABS licences had been granted by the SRA, followed by 326 issued by the ICAEW, 61 by the CLC, 40 by the Intellectual Property Regulation Board and 6 by the BSB. It also found that whilst the number of law firms has not fallen significantly (a fear that many thought was possible when ABS was first introduced), many have reduced costs and staffing, with some having dropped under-performing practice areas. It also forecasts that by 2021, the turnover of legal

services companies is expected to reach over £40bn, representing growth of 22.7% from 2017 to 2021. Good news then, save for those in the personal injury market where only a minority of firms interviewed reported volume growth.

## **PIL premiums**

Reports this past month have revealed a soft insurance market with firms taking advantage by securing 18 month PIL policies at favourable rates.

## **And so to the disciplinaries!**

### **Solicitor Avoids Strike Off Despite Texting Imprisoned Client**

Angelina Hudson, a criminal solicitor has been suspended for 18 months by the SDT and ordered to pay £3,230 costs for texting a client 102 times whilst her client was in prison.

Ms Hudson was arrested by Nottinghamshire Police for communicating via electronic means with a prison inmate and pleaded guilty to the offence at Cambridge Magistrates' Court who sentenced her to a suspended four-month prison sentence.

The tribunal was of the view that the appropriate sanction for Ms Hudson's actions fell somewhere between a strike off and suspension. However they held that a temporary ban was a proportionate and sufficient sanction as the content of the messages were not inappropriate as they amounted to reminding her client of court deadlines, appearance dates and meeting times.

The Law Society provide guidance on contacting inmates by mobile phones and a copy of the guidance can be found at:

<https://www.lawsociety.org.uk/support-services/advice/practice-notes/communication-with-prisoners-by-mobile-phone/>

### **Former Asons Principal to Face SDT Charges**

Kamran Akram is to face a disciplinary tribunal over allegations of acting where there was a conflict of interest and of inflating costs.

The SRA intervened into Asons in March 2017, three months later the regulator also shut down Coops Law, an offshoot company set up before Asons was closed who had reported a £2.1m loss for the year ending 31 May 2016.

### **Strike Off for Solicitor who Lied During his own Divorce Proceedings**

The SDT struck off Mr Chaudhary, a partner at Oxley & Coward in Rotherham and ordered him to pay costs of £29,000.

During his own divorce proceedings, Mr Chaudhary falsely

stated that the proceeds of sale of the building had been invested in a failed property venture. The SDT was of the view his misconduct fell within the dishonesty test and there were no exceptional circumstances.

Mr Chaudhary admitted breaching various of the SRA principles and to acting dishonestly.

### SRA adjudication panel decision criticised

I was very interested to see a High Court decision this month which criticised the SRA's adjudication panel decision not to allow an oral hearing of a would-be solicitor who had been found by the panel to have acted dishonestly when she failed to declare that she had previously been the subject of a County Court judgment. Rizwana Yussouf appealed the refusal to admit her as a solicitor – she argued that she thought the question relating to CCJs only applied to debts that had not been satisfied – and the High Court agreed with her that the panel was wrong to deny her an oral hearing and ordered the panel to consider her application afresh. On a general point, the judge stated that the SRA should hold oral hearings for character and suitability applications “when material facts are in dispute which cannot be fairly resolved on the basis of documentation available or when a significant explanation or mitigation is advanced which needs to be heard orally in order to fairly determine its credibility”. It will be interesting to see whether the panel will now have an eye on this judgement when making other decisions – I have been involved in cases where the SRA has not properly presented its case, or there are factual errors/differences of interpretation which need explanation by way of an oral hearing and yet their process does not generally allow for oral hearings to take place. The SRA may need to take a look at its recently revised enforcement strategy and processes in

light of this decision.

### So what does upholding the rule of law mean?

Another interesting case this month has been decided in the SDT regarding whether a criminal conviction automatically means a breach of Principle 1 – to uphold the rule of law. This is something I have argued with the SRA on on other cases but the SRA have always held firm and insisted on a breach of Principle 1 in any regulatory settlement reached and the costs of fighting it were too prohibitive. It was good to see therefore a solicitor, Alastair Main (convicted of sexual assault whilst at a Christmas party), arguing the point at Tribunal. He did however admit to breaches of Principles 2 and 6 for which he was suspended for 2 years.

### SRA to appeal Sovani James SDT decision

And finally, I reported last month on the ground-breaking ruling of the SDT which decided not to strike off a solicitor for admitted dishonesty due to the exceptional circumstances of her mental health caused by the pressure she was put under by her firm to meet billing targets. Well, its not over yet for Ms James because the SRA has decided to appeal it.

That's all for this month - stay compliant!

**Michelle Garlick**  
**Weightmans LLP**



## Practical Contract Law with Chris Beanland

on Friday 20 April, 1.30pm - 4.45pm

**This course gives practitioners a reminder of basic contractual principles. The course will concentrate on issues that practitioners are likely to encounter in day to day practice.**

The course will include:

- Formation of contract (including 'agreements to agree' and 'subject to contract')
- Implied terms
- Excluding liability
- Terminating contracts: principles and pitfalls
- Damages (including agreed damages and penalties)
- Execution of contracts
- How courts construe contracts

**Aimed at Lawyers and fee earners who want a reminder of basic principles or an update on this pervasive topic.**

**It will provide lawyers and fee earners with a reminder of basic principles and an update of recent important changes in this area.**

**Competencies:** A2, A3, A4, A5, B3, B4, B6, B7, D3

**Venue:** Liverpool Law Society, 2nd Floor Helix, Edmund Street, Liverpool, L3 9NY

**For more information or to book, [click here](#)**



## The Duty Solicitor at the Police Station with Colin Beaumont

on Tuesday 20th March, 1.30pm-4.45pm

The following items will be covered during the course:

- The current position in relation to pre-charge bail under the Policing and Crime Act 2017
- The circumstances in which a breach of bail conditions is now an offence
- The billing of police station work under Part 9 of the 2017 Standard Crime Contract – Specification document
- The new requirements under the Crime Contracts for maintaining the status of being a Duty Solicitor
- Dealing with insufficient/inadequate disclosure in serious matters
- The advice you must give to any client in relation to the acceptance of a caution
- Pre-prepared statements – who owns them? You, the client, the police officer
- 100 things you really ought to know when advising at the Police Station
- Advising on samples – both intimate and non-intimate
- The difference between 'adverse inferences' and 'comment at trial'
- The appropriateness, or otherwise, of 'opening statements' made by yourself
- Inadvertently lifting 'the veil of privilege' as opposed to 'breaching a confidence'
- Justifying your advice at the Crown Court trial
- 3 things when advising a 'no comment' interview
- The client's room for manoeuvre in relation to an interview

### Core Competencies:

A1a. A1d. A2a. A2d. A4a. A4b. B1a. B2a. C2a. C2b. C2d. C2h.

**For more information or to book, [click here](#)**

**Venue:** Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool, L3 9NY

# The Challenges and Opportunities facing North West Law Firms in 2018

Despite the ongoing environment of geopolitical uncertainty, UK law firms remain optimistic about their growth prospects. That's according to new research from specialist recruiter, Clayton Legal, which reveals that 66% of firms are looking to increase headcount over the next twelve months to contend with increased demand for their services.

The research, The Challenges and Opportunities facing Legal Firms in 2018, which surveyed over 10,000 law firms also found that while firms are optimistic about headcount growth, skills shortages are the top challenge facing legal practices with 67% concerned that access to talent could hamper growth. In addition, staff retention was ranked as the second biggest challenge (20%) demonstrating that while firms may be optimistic about growth, talent management strategies will be business critical to ensure practices have the right people to service their clients effectively.

Clayton's research also offers an overview of the top opportunities facing firms in 2018. Technology came out top (48%) followed closely by expansion (36%). Interestingly, the recruiter's research reveals that Brexit was seen as both an opportunity (8%) and a threat (4%) which is perhaps reflective of those firms which specialise in areas, such as litigation, that will

likely experience increased workloads in both the lead up to Brexit and afterwards as new legislation is implemented.

**Commenting on the research, Lynn Sedgwick, Managing Director of Clayton Legal commented:**

"Overall, there is still caution in the air amongst UK law firms relating to not only the talent landscape, but also the geopolitical environment. So while firms must respond to these challenges accordingly, it is clear that, on the whole, practices are optimistic about the future. And with the legal profession evolving at a rapid rate, changing employee expectations, client demands, technology and external factors look set to alter the very nature of the jobs and skills required. Firms that embrace and respond to these changes through the development of robust, forward thinking strategies, will succeed in 2018. However a failure to do so will almost certainly be detrimental to firms' success".

**To request a full copy of the report, contact [marketing@clayton-legal.co.uk](mailto:marketing@clayton-legal.co.uk) or call Lynn on 01772 259 121**



**Clayton Legal**  
Recruiting talent, building the future



**Lynn Sedgwick, Managing Director at Clayton Legal**  
[ls@clayton-legal.co.uk](mailto:ls@clayton-legal.co.uk)  
**01772 259121**



## Road Traffic Law for Criminal Practitioners: A Practical Guide with Colin Beaumont on Tuesday 20th March, 9.30am - 12.45pm

The following items will be covered during the course:

- A 'not guilty' plea having been entered – duties under the Criminal Procedure Rules 2015
- Advising generally in the area of penalty points
- The offences covered by the Duty Solicitor scheme
- The 'new' Drug Driving offence and the guidance published by The Sentencing Council
- Advising generally in the area of mandatory and discretionary disqualifications
- Exceptional Hardship – what you can and cannot argue
- Special Reasons
- Disqualification as a sentence rather than as an ancillary order
- Disqualification until test passed – an area fraught with difficulties
- Probationary Drivers and the Road Traffic (New Drivers) Act 1995
- Driving whilst disqualified – amendments to legislation
- Disqualification and custodial sentences – clarification of the law in this area
- The cases you really ought to know about – R v Needham etc

**Core Competencies:** A1a, A1d, A2a, A2d, A4a, A4b, B1a, B2a, B5a, B5c, B5d, C2a, C2b, C2d, C2h

**Venue:** Liverpool Law Society, 2nd Floor Helix, Edmund Street, Liverpool, L3 9NY

**For more information or to book, [click here](#)**



## An Introduction to Clinical Negligence Litigation with Steve Cornforth

**on Friday 20th April, 9.30am - 12.45pm**

**This course is aimed at those who are new to Clinical Negligence work or who require a refresher. The course assumes a basic knowledge of civil litigation law and procedure**

The course will cover:

- Breach of Duty – including Bolam/Bolitho, Montgomery
- Causation
- Limitation
- Screening on new cases
- Investigation
- Drafting Statements
- Practice and procedure



**Competencies:** A2, A3, A4, B1, B3, B6 & B7

**For more information or to book, [click here](#)**

**Venue:** Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool, L3 9NY



# RECRUITING TALENT, BUILDING THE FUTURE



## PROCLAIM DEVELOPER

## LIVERPOOL

A law firm in East Liverpool is looking for an experienced Proclaim Developer to join their IT Team. You must have 4+ years experience. Salary, up to £45,000.

Contact Grace Bolton: [g.bolton@clayton-legal.co.uk](mailto:g.bolton@clayton-legal.co.uk)

## RESIDENTIAL CONVEYANCER

## LIVERPOOL

An established, successful and growing High-street Practice, is looking for a Residential Conveyancer. The role will consist of dealing with the Sales and Purchase from initiation to completion and manage a caseload of Residential matters. Must have a minimum 2 years PQE.

Contact Dannie Moore: [d.moore@clayton-legal.co.uk](mailto:d.moore@clayton-legal.co.uk)

## INDUSTRIAL DISEASE SOLICITOR

## LIVERPOOL

My client is a national law firm specialising in Personal Injury and Clinical Negligence claims. You will be conducting a variety of Industrial Disease cases and you will be responsible for successfully running cases through to issue proceedings through to settlement. You will be proficient in drafting key documents including Schedules of Loss.

Contact Leanne Taylor: [l.taylor@clayton-legal.co.uk](mailto:l.taylor@clayton-legal.co.uk)

## FAMILY SOLICITOR

## BIRKENHEAD

A specialist Multi-Service law firm, is seeking to appoint a Family Solicitor to deal with a mixture of Legal Aid and Private Funded work. The successful applicant will have Care experience. Applications also welcome from NQ+ Solicitors.

Contact Lauren Connors: [l.connors@clayton-legal.co.uk](mailto:l.connors@clayton-legal.co.uk)

## LITIGATION SUPERVISOR

## LIVERPOOL

My client, is looking for a Litigation Supervisor to manage a team of Fee Earners, to ensure they meet their KPI's, monitoring case progression and reporting all to management. You are required to have at least 5 years experience within Litigation and a minimum of 3 years Management/team leader experience.

Contact Leanne Taylor: [l.taylor@clayton-legal.co.uk](mailto:l.taylor@clayton-legal.co.uk)

## COMMERCIAL CONVEYANCER

## LIVERPOOL

My client is a reputable and established Law Firm based in Liverpool City Centre. They are seeking to appoint an experienced Commercial Conveyancer to manage a caseload of Commercial files from start to finish. The role will appeal to an experienced Conveyancer who will have at least 3 years experience in a similar role.

Contact Dannie Moore: [d.moore@clayton-legal.co.uk](mailto:d.moore@clayton-legal.co.uk)

## COSTS DRAFTSMAN

## LIVERPOOL

Based in Liverpool City Centre, this position is with an in-house firm. You will ideally have 3 years previous Costs experience dealing with Personal Injury, Clinical Injury and also Family Law.

Contact Matthew Walwyn: [m.walwyn@clayton-legal.co.uk](mailto:m.walwyn@clayton-legal.co.uk)

## SENIOR LITIGATION EXECUTIVE

## LIVERPOOL

My client, is a claimant firm looking for a Senior Litigator. You will have experience of managing a caseload of litigated claims and cases which have exited the RTAS portal. A minimum of 2 years experience with thorough understanding of the CPR. The role will offer exposure to higher value and multi-track matters.

Contact Leanne Taylor: [l.taylor@clayton-legal.co.uk](mailto:l.taylor@clayton-legal.co.uk)

## SOLICITOR ADVOCATE

## NEWTON-LE-WILLOWS

My client is a specialist Personal Injury law firm. You will be a Solicitor Advocate with a minimum of 5 years PQE. You will manage a case load of files which include Stage 3, Applications, Trials and Disposals. You will be a confident individual with strong technical knowledge of RTA claims and strong Advocacy skills.

Contact Leanne Taylor: [l.taylor@clayton-legal.co.uk](mailto:l.taylor@clayton-legal.co.uk)

## PRIVATE CLIENT SOLICITOR

## LIVERPOOL

A long established and well-respected law firm, is seeking to appoint a Private Client Solicitor join their accredited Family Department. The successful applicant will be a Qualified Private Client Solicitor with 1-5 Years PQE and have Trust experience.

Contact Lauren Connors: [l.connors@clayton-legal.co.uk](mailto:l.connors@clayton-legal.co.uk)

## CONSTRUCTION SOLICITOR

## LIVERPOOL

An award winning International law firm, is seeking to appoint an experienced Construction Solicitor. The role will involve dealing with a wider range of construction matters covering Construction & Engineering contracts, Drafting & Negotiating building contracts and carrying out due diligence. You will also have experience of undertaking Dispute Resolution work.

Contact Leanne Taylor: [l.taylor@clayton-legal.co.uk](mailto:l.taylor@clayton-legal.co.uk)

## PLANNING/ENVIRONMENT SOLICITOR

## LIVERPOOL

Our client, a Legal 500 firm, are seeking to appoint a Planning/Environmental Solicitor (NQ-3 Years PQE). The role will involve handling your own caseload covering: Water Law, Contaminated Land and Climate Change. The successful candidate will be experienced within either the Environmental or Planning Sector.

Contact Dannie Moore: [d.moore@clayton-legal.co.uk](mailto:d.moore@clayton-legal.co.uk)

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