

# LIVERPOOL LAW



## **Leadership and the Law**

**Peter Jackson, CEO of Hill Dickinson  
LLP talks to Liverpool Law**

## **New MJLD Committee**

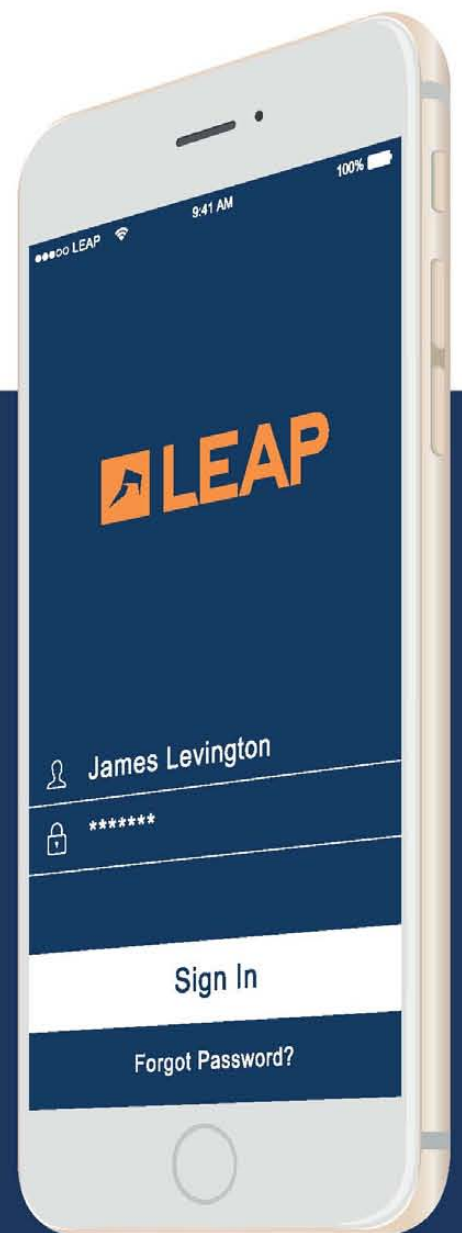
**EY expands global legal managed  
services offering with acquisition of  
Riverview Law**

**Liverpool firms shortlisted in  
Law Society Excellence Awards**

**LASPO Review  
Focus Group**



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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 the September 2018 edition of Liverpool Law

August is always supposed to be a quiet month, when everyone who isn't on holiday spends time catching up with long overdue tasks and getting up to date with everything. However it hasn't been like that this year for me, nor indeed for Liverpool Law Society! We've all been busy and have plenty of news for you in yet another packed edition of Liverpool Law.

I was pleased that I was able to attend the LASPO review meeting for Family and Civil matters on 20th August, it was a very active discussion with plenty of case studies and information sharing, and I am sure the Law Society went away with a lot of material. They started with us, but will be holding similar events around the country and I am sure they will hear many of the same type of tales. I am grateful to Haley Farrell from Broudie Jackson Canter for summarising the details of the civil meeting for us, and we look forward to hearing the outcome of those consultations in due course.

It's great to read about firms growing and expanding in our area, or successes on the local or national stage, and there's plenty of that in these pages. Don't forget to keep sending your stories in – otherwise how will we all get to know about them?!! One of the many benefits of membership of Liverpool Law Society is the opportunity to have your news featured in this magazine, so do make sure you make best use of that. We would like to hear about your news, cases, CSR efforts, opinions, and indeed anything else you want to tell us about. There's the monthly opportunity to win a prize for a review, and I would also really like your feedback on the magazine, what we do well, and what could be improved, and what you would like to see more of. If you feel strongly about contributing, why not join the editorial committee? It's not a major commitment and it's always helpful to have new faces and new views around the table to help form our publication.

I feel as though we're heading toward autumn now at a great rate of knots. There's lots more news and events heading our way, and I look forward to seeing some of you at the Legal Walk, the University of Liverpool Drinks reception, and of course, the highlight of the year, the Annual Dinner.

Until then.....happy reading.....

Alison

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

### Editorial Committee Dates

Monday 10th September  
Monday 8th October  
Monday 12th November  
Monday 10th December

All meetings start at 1pm

### Diary Dates

Wed 12 Sep	Residential Property Conference - waiting list
Wed 26 Sep	Family Finance Law Conference - waiting list
Tue 9 Oct	Liverpool Legal Walk in aid of NWLST
Tue 16 Oct	Joint Social with University of Liverpool
Wed 17 Oct	Employment Law Conference
Thu 1 Nov	Annual Dinner
Wed 14 Nov	Clinical Negligence Conference
Wed 21 Nov	Conference for Legal Finance Professionals
Mon 26 Nov	AGM
Wed 5 Dec	Occupational Disease Conference

### Content Deadlines 2018

24TH SEP  
26TH OCT  
23RD NOV

# President's Mentions

## The latest news from the President, Nina Ferris

Welcome to the September issue of Liverpool Law. I cannot believe that I am three quarters of the way through my year as President. Whilst it has been quiet here over the summer, our member firms have been very busy and I am delighted that several firms have been short listed in the National Law Society Excellence Awards. You will find reports about those firms and individuals in the magazine. It just goes to show what a wealth of talent we have in Liverpool and we really should celebrate this fantastic achievement.

Still to come this year of course is the Annual Dinner and we have now secured fantastic speakers in Sir Geoffrey Vos, the Chancellor of the High Court who makes his second visit to Liverpool this year having opened the Business & Property Courts earlier in the spring, and Paul Smith, Executive Director of Liverpool Biennial. It will be fascinating to hear about the benefits that the Biennial has brought to the city together with some explanations of what it all means.

Finally, I would encourage members to start thinking now about the North West Legal Support Trust Legal Walk on Tuesday 9 October 2018. There is a full report about the legal walk which will again commence in front of the QE II Law Courts. This is the 10th Anniversary of the Legal Support Trust and it would be brilliant to make this the biggest, loudest and most colourful legal walk that we have ever had in Liverpool.

Looking at reports of walks in other cities I note that firms' have really stepped up to the mark to kit their teams out and raise funds for this fantastic charity. As lawyers ourselves, we know that there is a gap in providing advice that cannot necessarily be filled by legal aid and cannot be filled by us. There is a great voluntary sector at work in the Merseyside area and funds raised for the Legal Support Trust together with funds raised from pro bono costs orders will keep those advice centres going in areas of desperate need.

There are prizes this year for the teams that kit themselves out the best so whether you fancy yourselves as the justice league or a human yellow submarine, get your colleagues together and let's be as visible as we can to raise the profile of the North West Legal Support Trust. If you need any inspiration you can look [here](#) and [here](#) to see reports of other cities.

Let's go all out and at least surpass ourselves in terms of numbers and funds raised for 2018!

**Nina Ferris**  
President



**Finally, I would encourage members to start thinking now about the North West Legal Support Trust Legal Walk on Tuesday 9 October 2018. There is a full report about the legal walk which will again commence in front of the QE II Law Courts. This is the 10th Anniversary of the Legal Support Trust and it would be brilliant to make this the biggest, loudest and most colourful legal walk that we have ever had in Liverpool.**

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# Helix Highlights

**For the past few editions I have been introducing you to the team at Helix and now it falls to me to tell you a little bit about myself.**

I joined Liverpool Law Society in October 2005 and became CEO in August 2007, having previously worked overseas in Chile for 7 years where I ran a language institute. In my current role, I oversee the running of the office and the various departments within: membership, representation, training, social & networking events as well as working closely with the President and the Officers regarding the direction in which they wish Liverpool Law Society to go.

Part of my remit is also to maintain links with other Merseyside-based professional bodies such as the Liverpool Society of Chartered Accountants, the Insurance Institute of Liverpool, the Liverpool LEP, the Chambers of Commerce. I am also the main contact for the Society's sponsors of whom we have a considerable number and long-standing relationships over many years.

I attend the quarterly meetings with the other members of the Joint V Association (Birmingham, Bristol, Leeds, Liverpool and Manchester Law Societies) which provide a useful opportunity to share experiences and information about running a membership organisation for legal professionals. I attend the twice-yearly meetings with both local MPs and local authority councillors which Liverpool Law Society hosts,

and I sit on the Access to Justice Sub-Committee and assist with organising meetings and events relating to this area.

Away from the office, I enjoy a number of sports, particularly hiking and cycling, and travelling wherever and whenever possible. I occasionally cycle to work although I admit I am more of a fair-weather cyclist, otherwise my commute is a very reasonable 25 minute walk which is a good way of keeping up my daily step count! This year, I once again helped organise the 20th Wirral Bikeathon, an event I have been involved with since the beginning. It's a family-friendly cycling event that raises money for Bloodwise, a charity that funds research into blood cancers. When not trying a new sport, I try to keep up my Spanish and French by attending informal get-togethers in local pubs.

In other news from Helix, the staff, myself included, have been busy working on the new website over the past few months and I'm pleased to say it is now live. We hope you find the responsive site an improvement on the old website. **If you haven't been on it, why not take a look?**

In July and August, the Helix team also worked closely with the Law Society's North West staff members Jo McLeod and Claire Quinn over a couple of joint events that took place at Liverpool Law Society's premises last month, namely the reception held by the Law Society's Membership and Communications Committee,

and separately the civil, family and crime focus groups for informing the LASPO review to which the wider membership and beyond were invited.

Liverpool Law Society has its own significant network of specialist committees. There are 8 of them which meet between 4 and 5 times a year. For members interested in finding out more or applying to join one of the specialist committees, there is information available on **our website here**.

Please do consider joining one (or more!) of the committees.

**Until next month, Sarah**

**Sarah Poblete  
CEO**

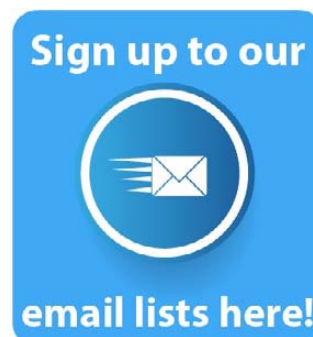
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**Sarah Poblete  
CEO**

## Newsletter Sign Up

Subscribe to our email mailing lists to keep up to date with the latest news, legal training programme and other events from Liverpool Law Society. **Sign up here**



# Liverpool Law Society members nominated in national Law Society Excellence Awards

**Liverpool Law Society member firms and individuals have secured multiple shortlist nominations in the Law Society of England and Wales Excellence Awards for 2018.**

The release of the awards shortlist demonstrates the strength and depth of the legal sector in the Liverpool City Region with MSB Solicitors, Morecrofts, Weightmans, Fletchers Solicitors, Bennett Williams Solicitors and Hillyer McKeown all represented.

Emma Carey, managing partner of MSB, is shortlisted in the Woman Lawyer of the Year category and Jennifer Powell of Weightmans for Junior Lawyer of the Year.

In one category – Medium Law Firm of Year - the region has three contenders on the shortlist - Liverpool-based MSB, Morecrofts, and Fletchers in Southport.

The awards are organised by the Law Society of England and Wales to celebrate excellence. The Society says, "Our awards champion the work of solicitors, from smaller firms to big city players, in-house teams, exceptional individuals, and everyone in between."

Jennifer Powell of Weightmans was admitted as a solicitor in August 2015. Jennifer said, "I am delighted to be shortlisted for the Junior Lawyer of the Year award.

We all work hard and to receive this recognition, especially on a national level from the Law Society, is a real privilege. Thank you so much to everyone who has supported me and good luck to all involved."

Bennett Williams is shortlisted in the Excellence in Diversity and Inclusion category. Gaynor Williams, Partner at the firm, said, "We are delighted to be shortlisted in the category of Excellence in Diversity & Inclusion. When Bennett Williams commenced trading in 2012, diversity and inclusion were part of our core values, so it is very rewarding to receive recognition for our efforts. We are looking forward to attending the ceremony, and hope that all the finalists have a wonderful evening".

Emma Carey, who took over as managing partner of MSB earlier this year, said she was "thrilled" at the nominations, adding: "I truly believe that each and every member of team MSB has made a contribution to us being shortlisted... I couldn't be prouder.

"In the past, one of the biggest challenges for firms in the region was the recruitment and retention of new talent. This collective achievement for Liverpool city region firms is a heartening indication of the strength of the sector and the level of talent outside of London

– it is a real sign of the times."

Morecrofts has also been shortlisted for the coveted Law Firm of the Year in the medium firm category. The firm is up against ten other organisations from across the UK for the award, which recognises professional excellence, staff engagement and development, business improvement and new business development.

Morecrofts' managing partner Alison Lobb, added: "It's a real honour to have been included in this year's shortlist for such well respected and prestigious awards from our national body, and the whole team is elated with the news. We now have a long wait until October when the winner will be announced!"

Nina Ferris, President of Liverpool Law Society commented, "I am delighted that a number of our members have been shortlisted for the national excellence awards. We have been saying for a long time that there is real talent and quality legal work being done in Liverpool and Merseyside and this recognition just proves that. Our legal community does a fantastic job in fostering their junior lawyers and just to be shortlisted is an honour for them. I hope this news will attract even more aspiring lawyers to come to and stay in the city to practice."

The awards ceremony takes place at the Grosvenor House Hotel in London on Wednesday, October 17. Judges include Solicitor General Robert Buckland QC MP, The Rt. Hon. Lord Justice Hickinbottom and Hilary Meredith, chair of Hilary Meredith Solicitors Limited. The ceremony will be hosted by Law Society President Christina Blacklaws and BBC Radio 4 presenter, Mishal Hussain.

If you fancy cheering your colleagues on, tickets for the event are still available through the Law Society website at: <http://www.lawsociety.org.uk/sup-port-services/events/excellence-awards/join-us-at-the-excellence-awards-2018/>

Come on Liverpool.....



**Emma Carey**



**Alison Lobb**



**Jennifer Powell**



**Gaynor Williams**



**Alison Lobb, Gaynor Williams, Emma Carey and Jennifer Powell**



# LASPO Review Focus Group: Civil

On 20/8/2018 legal aid lawyers from the North West attended the first of a series of LASPO Review Focus Groups at the offices of the Liverpool Law Society. The meeting was chaired by Richard Miller, Head of Justice, from the Law Society and facilitated by Richard Smith an independent moderator.

This was one of a series of focus groups being held in August and early September to explore the impact of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) on solicitors' firms, their working lives, clients, and the broader justice system.

The focus group research will provide evidence for the Law Society to submit to a post-implementation review of LASPO conducted by the Ministry of Justice.

The first group covered civil law followed by a group covering criminal law.

The civil group was well attended by legal aid lawyers and other professionals working in the areas of family law, claims against public authorities and immigration.

There was discussion on the impact that LASPO and the cuts to legal aid have had upon our clients, legal firms, the judiciary and other necessary resources.

It was considered that cuts had particularly impacted the areas of

family, immigration, housing and welfare benefits law and to some law firm's ability to continue providing such services.

The consensus was that most legal aid lawyers feel a moral obligation towards our vulnerable clients, in need of urgent legal advice at crucial times lawyers and law firms offering more and more advice and assistance on a pro bono basis as funding is not available. This is resulting in longer working hours for legal aid lawyers. Pro bono work cannot fill the gaps in legal aid.

There was discussion on the impact of other agencies and resources such as G.P's who are often required to provide the evidence necessary to secure legal aid, CAFCASS and M.P's. Lawyers in some cases are still experiencing some difficulties in obtaining compliant LASPO evidence in a timely manner.

It was considered that legal aid cuts have resulted in more people in court acting as a litigant in person, which puts pressure on court resources, often impacts negatively on the chances of resolution between the parties and has in some cases resulted in members of the profession and the judiciary being subject to threatening behaviour. Many litigants in person are often vulnerable in their own right and feel frustrated at the lack of legal assistance that they can access. Concerns were expressed that in the current climate legal aid cuts are likely to deter the lawyers of the future from undertaking legal aid work.

We look forward to the conclusions of the focus groups and the Law Society's evidence and hope that such evidence assists in ensuring access to justice is available.

Haley Farrell  
Broudie Jackson Canter

## Call for members to stand for election at the Society's AGM

Your local Law Society

Full members of the Society will be receiving an email in October with details on how to nominate a member of the Society to become a director. Elections will then take place at the AGM in November.

We would like to have a Committee which is as representative as possible of the wide membership the Society encompasses. All members of the Society are eligible for election to the General Committee, but only Full Members can vote in the election, either in person or by proxy. The nominee must be a member of the Society, be nominated by three members of the Society and serve a three-year term.

The nomination form must be completed and returned to the Society's offices by 5.00pm on Friday 26th October 2018.

Becoming a director and member of General Committee is an opportunity to shape the future of one of the most active local Law Societies in England and Wales. You will make professional contacts and friends, learn from other's best practice and work shoulder to shoulder with other legal professionals, regardless of status and seniority.

The General Committee consists of up to 27 members, who each serve a three-year term. Every year, nine members of the General Committee retire by rotation at the AGM: up to five of those due to retire may be nominated by the Committee for re-election, and the others are not eligible for re-election until the next AGM.

Elections will take place at the Society's Annual General Meeting to be held at 1.00pm on Monday, 26th November 2018 at the Society's offices at Helix. If you would like further information about the Committee please visit <http://www.liverpoollawsociety.org.uk/about-the-society/committees> or email [committees@liverpoollawsociety.org.uk](mailto:committees@liverpoollawsociety.org.uk).

### Professional Negligence Update with Helen Swaffield

on Wednesday 19 September, 10am - 4.30pm (lunch provided)

**This is the essential round up of latest cases for professional negligence practitioners whether claimants or defendants. It will assist in fine tuning advice on duty, causation and loss together with tricky issues and common defences.**

Covering:

- Duty- gratuitous services (Lejonvarn)
- Sharing the duty of care with barristers (Dunhill)
- Continuing duties (Worthing)
- Retainer v duty (Greenhalg)
- Duty v Regulatory backdrop (CGL Group)
- Information v advice (Hughes Holland)
- Duty to warn (Baxendale)
- Loss calculated at the date of trial (LSREF)
- Loss of a chance – new threshold test
- Advice reasonably incidental (Seery)
- Conveyancing fraud (Dreamvar)
- Mitigation



**Core competencies:** D3, C1, B2, B3, B6, B7, A2, A4 and A5

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

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



# SRA's 'Looking to the future' Handbook reform proposals



## To Local Law Societies Presidents

### SRA's 'Looking to the future' Handbook reform proposals

Dear President,

I am writing to you regarding the Solicitors Regulation Authority's (SRA) 'Looking to the future' Handbook reform.

On the 8th of August the SRA applied to the Legal Services Board (LSB) to approve the 'Looking to the future' Handbook rule change proposals.

We are concerned that despite strong opposition from the Law Society and our members, backed up by a substantial body of evidence, the SRA pursues its two controversial proposals to allow:

- solicitors to deliver non-reserved services to the public from unregulated entities;

- individual self-employed solicitors to provide reserved and non-reserved services without sole practice authorisation.

We believe that the proposals will pave the way to far-reaching changes to the way solicitors and their firms currently practise. The proposals erode vital client protections, lower standards, confuse clients and diminish the solicitor brand. In our view the SRA has not provided sufficient evidence to justify such radical changes.

The Law Society continues to oppose the changes, and we wrote to the LSB asking them to reject the SRA's rule change application. Our letter is available on our website.

I encourage you and your members to share your views on the SRA's proposals directly with the LSB. All representations must be submitted by 4 September 2018. The SRA's application is accessible through the link

Thank you for your ongoing support in relation to the proposed reforms, we will keep you updated on developments.

Yours sincerely

**Christina Blacklaws**  
President  
The Law Society



## Appeals – Crown Court – Court of Appeal with Colin Beaumont

on Wednesday 19th September, 9.30am - 12.45pm

The course will be a consideration of criminal evidence. Appeals to the Crown Court on the facts against conviction or sentence (or both) together with appeals by the Crown against Terminating Rulings and appeals by the Attorney General against unduly lenient sentences will all feature as will appeals by way of case stated or asking the High Court to consider the matter by way of Judicial Review. I take the view that all criminal lawyers should at least have a working knowledge of how the appellate system works, including appeals to both the High Court and the Court of Appeal (Criminal Division) and the Supreme Court as well.

You may never go there, but why not take this opportunity to increase your legal knowledge of how the whole appellate system works. You are not going to be an expert after a course but at least you will have an insight into it all.



### Core Competencies:

A1a, A1d, A2 a and d, A4 a and b, B1a, B2a, C2 a, b, d and h

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

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



## Evidence – res gestae – expert evidence – unfairly obtained evidence with Colin Beaumont on Wednesday 19 September, 1.30pm- 4.45pm

The following items are merely a selection of what will be covered during this course:

- An analysis of Section 115 of the Criminal Justice Act 2003 and a working definition of what is and what is not 'hearsay evidence'
- Some recent developments in the area of bad character and the important Supreme Court judgement in Mitchell
- An application to exclude evidence under Sections 76 or 78 of the Police and Criminal Evidence Act 1984
- Competence and compellability in relation to spouses/civil partners/co-defendants
- The half-time submission of 'no case to answer' and the response to it
- The importance of Section 139 of the Criminal Justice Act 2003 – relevant recent case-law
- Res Gestae – an examination of this principle and its application in recent case-law
- Sections 119 and 120 of the Criminal Justice Act 2003 – extremely useful provisions if you are prosecuting!!
- The defendant adopting his police station interview and not testifying at trial – Section 35 of the Criminal Justice and Public Order Act 1994
- A dozen useful things to mention in your closing speech
- The entitlement to 'evidence' and the entitlement to 'unused material which meets the test'
- Relevance and admissibility issues
- Expert evidence and the Criminal Procedure Rules 2015 as amended

**Core Competencies:** A1a, A1d, A2 a and d, A4 a and b, B1a, B2a, C2 a, b, d and h

For further details or to book, [click here](#)

**Venue:** Liverpool Law Society, Second Floor, Helix, Edmund Street,

# Re Y – Supreme Court has clarified process to be followed when a decision is made to withdraw or withhold CANH

The sad case of Hillsborough victim, Tony Bland (Airedale NHS Trust -v- Bland [1993] AC 789), was the first case in which the withdrawal of clinically assisted nutrition and hydration (CANH) was authorised for a person in permanent vegetative state. It held that withdrawal of CANH cases should be brought to court 'at least for the time being and until a body of experience and practice has been built up which might obviate the need for application in every case'.

The question of whether that body of experience and practice now exists was considered by the Supreme Court in An NHS Trust (respondent) -v- Y (by his litigation friend, the official solicitor) and another with judgment handed down on 30 July 2018.

The Supreme Court has clarified the position confirming that it is not obligatory to bring all such cases to court where all the proper procedures have been observed and there is no doubt about what is in the best interests' of the patient.

## Background

Following a cardiac arrest, Y fell into a prolonged disorder of consciousness (PDOC). Two medical experts agreed that Y was in a very low level of responsiveness with no awareness of self or his environment, and that it was highly improbable that he would re-emerge into consciousness. The clinical team and Y's family agreed that it would be in his best interests for CANH to be withdrawn leading to his death within two to three weeks. Y in fact sadly died pending the appeal, but the case continued because of the general importance of the question raised.

## Decision

The Supreme Court has confirmed that neither common law (case law) or the European Court of Human Rights (ECtHR), in combination or separately, have established a mandatory requirement for the court to be involved and for it to decide, upon the best interests of every patient with a PDOC, whether CANH can be withdrawn.

Although application to the court is not necessary in every case, there will undoubtedly be cases in which an application will be required (or desirable) because of the particular circumstances of the case, and there should be no reticence about involving the court in such cases (e.g. where a case seems 'finely balanced', or where there are differences of opinion between treating clinicians, or between treating clinicians and patients' families as to whether ongoing treatment is in the patient's best interests or where a dispute has arisen and cannot be resolved).

The Mental Capacity Act (MCA) 2005 does not single out any sub-class of decisions which must always be placed before the court, and there is no requirement for the official solicitor to be involved in best interest decisions in relation to serious medical treatment. Nor can any requirement to apply to court be found in any post MCA 2005 case law.

Whilst the MCA 2005 code of practice does refer to court applications in these types of cases, it is contradictory and ambiguous, and a code in these terms cannot extend the duty of the medical team. Whatever the weight to be given to the code by section 42 of the MCA 2005, it does not create an obligation, as a matter of law, to apply to court in every case.

As to the ECtHR, the Supreme Court says that the ECtHR has repeatedly set out certain factors that it considers relevant to the question of administering or withdrawing medical treatment, i.e. (a) whether there is the existence in domestic law and practice of a regulatory framework compatible with the requirements of Article 2; (b) whether account has been taken of the patient's previously

expressed wishes and those of people close to the patient as well as the opinions of other medical personnel; and (c) whether there is the possibility of approaching the courts in the event of doubts as to the best interest decision to take in the patient's best interests'. It has held that it has no difficulty in viewing the combined effect of the MCA 2005, the MCA code of practice and the professional guidance (particularly that emanating from the General Medical Council) as a 'regulatory framework', and the basic protective structure which is established by the MCA 2005.

Furthermore, there is no reason to differentiate CANH, which is in fact a form of medical treatment, from any other forms of life sustaining treatment. The fundamental question facing a doctor, or a court, considering treatment of a patient who is not able to make his or her own decision is not whether it is lawful to withhold or withdraw treatment, but whether it is lawful to give it.

Giving treatment is only lawful where it is in a patient's best interests, and doctors who do so reasonably believing that it is in the patient's best interests, are protected under section 5 of the Mental Capacity Act 2005.

## Comments

In reaching its decision, the Supreme Court considered recent important developments in the area, citing the accumulation of years of clinical expertise in treating individuals in PDOC, the development of detailed, professional guidance and the MCA 2005, all of which the court held safeguard patients and medical teams, whilst ensuring public confidence.

The decision provides welcome and long awaited clarification of the law. In reaching her decision (with which other members of the court agreed), Lady Black considered both the narrow legal question, and the wider context in which these decisions must be made. She highlights the desirability of keeping the court out of decisions in which its involvement is unnecessary, and of prioritising a patient's best interests by enabling families to spend their last days with them without being distracted by court proceedings, or burdened by distressing delays occasioned by proceedings.

The decision also rightly acknowledges the practical reality that decisions about CANH withdrawal are often made consensually by doctors and relatives without court involvement where patients are significantly cognitively impaired but not unconscious, for example following stroke.

If the MCA 2005 is followed, the code of practice and regulatory framework observed, there is agreement as to what is in the patient's best interests, second independent opinions are available which support the best interests' decision, life sustaining treatment (including CANH) can be withdrawn/withheld without the need to make an application to court.

We recommend that there is a full note made of all discussions and reasons for decisions reached and more importantly that NHS bodies ensure that healthcare professionals to whom these decisions will fall are well versed with the regulatory framework and in particular the MCA 2005.

**Sharon Thomas - Head of Mental Health and Social Care, Kiran Bhogal - Head of Healthcare & Philip Jones, Paralegal Hill Dickinson LLP**



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# Leadership and the Law

**This month we introduce a new series of articles talking to the leaders of Liverpool law firms. In this edition, Peter Jackson, CEO of Hill Dickinson LLP gives his insight into his role...**

**Peter Jackson**



## **Briefly describe your role as Managing Partner.**

My job title role description changed about 18 months ago from that of managing partner to CEO. As managing partner the role was more of what might be described in a corporate business as COO. In addition to strategic client issues I was also responsible on a daily basis for the operational running the firm. This portfolio was becoming unworkable and it became clear to the business that we needed somebody who had responsibility solely for operational matters. Consequently we brought in a COO and my role was concentrated on strategy, clients and working with the partners. So, I am responsible for leading and implementing our strategy. Since we transferred our insurance business to Keoghs last year our strategy is all about growth and I am responsible for over-seeing and delivering that growth. Linked to that I am now trying to ensure that I am out meeting and talking with clients as much as possible. It's always good to get perspectives on the market from others and also get an honest appraisal of our people and the services we deliver. Finally, I work with our senior people ensuring that we are recognising and taking opportunities and trying to differentiate ourselves in a crowded market place.

## **What do you like the most about your role?**

Meeting and speaking with clients and working with our people. It is truly fascinating to me to learn about other businesses and the sectors in which those businesses operate and thereby gaining an insight into how we might add true value to our relationships with clients. I think

law firms have an awful lot to learn from their clients and that it is important to listen to clients and understand what their challenges are, how they meet them and devising ways in which we might assist them with those challenges.

## **What are the biggest challenges?**

Last year was probably the most challenging for me in my career. As a business we had reached the conclusion that the diverse model we had operated for scores of years was no longer fit for purpose. Changes in the insurance market led us to believe that for our business operating what was largely a volume, commoditised insurance practice alongside a commercial, value driven practice was no longer possible. That led us to the inevitable situation in which we had to find a suitable home for 350 people, many of whom had been part of HD for many years and some of them for all of their professional careers. Fortunately, we were able to do that and with everyone (including our insurance people) believing that it was in everyone's best interest.

Having completed that process our strategic imperative as a business is to grow what remains as HD. The business now hangs together well and there is a common theme emerging as to how we interact with clients and the benefits of collaboration between partners and lawyers in our various disciplines and teams.

Operationally, I believe our major challenge is around the growth of technology, internally at HD, within our client organisations and within society generally. Almost every law bulletin these days contains some



apparent revelation about the growth and use of technology. I think the real challenge for law firms is to work out which aspects of that evolution will actually enable them to provide a better, more effective service to clients. Secondly, it is becoming ever clearer that using technology in a vacuum will not necessarily assist clients. We are seeing more and more the need to work in partnership with clients to ensure that needs are met. Finally, what keeps me awake at night is the prospect of a cyber-attack on the business or a social media attack.

Thankfully, we have never suffered the former but we did have experience recently of a social media issue in which we were involved as a business, not for one of our clients, and what frightened me is the speed at which our reputation as a business was put on the line. Fortunately, we dealt with the issue well and appropriately but the whole episode – which lasted only 24 hours – left me in no doubt that had we got it wrong, we would have suffered as a business. The problem with both cyber-attack and social media attack is that both phenomena can be totally outside of our control, however good our security and governance processes are.

**What aspects of your firm are you most proud of?**

Our people. I am fortunate in that I meet and speak with probably more of our people than most of partners ever do; that is the nature of life in a large law firm. What never ceases to please me is the quality of those people. And the greatest pleasure is to see people start to fulfil their potential and build careers and practices.

**Where do you see the firm in 10 years from now?**

With somebody else running it! Seriously, I think we will be larger and I suspect our geographical footprint will be significantly larger than it is today, both nationally and globally. My own personal belief is that the legal market will see further rounds of consolidation and our challenge will be to determine whether we can sustainably remain independent or whether the market will require us to join forces with a current competitor. I also think that in 10 years' time the partnership model in larger firms will have disappeared (both in its traditional and limited liability manifestations) and I think it inevitable that we will have adopted some form of corporate structure. As a believer in the strengths of partnership I hope that we will be able to retain the cultural and partnerial benefits that our current structure gives us, whilst marrying them up with whichever corporate structure is most efficient from a fiscal and commercial perspective. Will we be owned by a global private equity fund? Who knows?

**What career advice would you give to those starting out in a legal career?**

Every September I sit down and talk with our new trainee solicitors. Every year I get this question. And, for what it is worth, in recent years I have been giving the same advice. First, make sure that you enjoy yourself. Of course, you're here to work and learn, but it should be fun. And if you find during your training contract that you've made a mistake and you aren't enjoying it then, for heaven's sake, say so. Go and do something else whilst you're young enough to do so. Secondly, of course your major task has to be to learn the technical skills of providing legal advice and support to clients. However, start building your professional network now; it's never too early. There are a number of reasons for this. First, however good you might become technically there are few amongst us who could really say with honesty that they are so much better than their competitors that they will attract work because they are the best at what they do. In most branches of the law, technical excellence is a gimee and it is incredibly difficult to differentiate yourself on technical grounds alone. If that is right then the only true differentiator will be a personal relationship.

As the old saying goes, people really do buy people and remember, the guy or girl you play 5-a-side football with now on a Tuesday night might just be a future CEO of Goldman Sachs. Next, develop a real interest in the sectors that your firm's clients operate in. More and more I am told by clients that they want their lawyers to understand their businesses and what drives them. You can't become a trusted adviser to a client unless you really know what is going on in the sector the client works. And finally, don't specialise too early if you can avoid it. I think that the concentration these days on departmentalisation and compartmentalisation is breeding a generation of lawyers who simply aren't as well rounded in the law generally as they used to be.

**If you would like to take part in this series of articles please email [editor@liverpoollawsociety.org.uk](mailto:editor@liverpoollawsociety.org.uk)**

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## North West law firm partner appointed as non-executive director of private equity fund

Stephen Jarman, partner at North West law firm, Bermans, has been appointed as non-executive director of Acuity Private Fund.

Stephen's role will include providing independent oversight and provoking constructive dialogue to the board, whilst bringing a degree of objectivity to board deliberations and monitoring executive management in helping the Fund achieve its purpose.

The award winning fund (voted most recently the Most Innovative European SME PE Fund at the Wealth and Finance Alternative Investment Awards) has revolutionised private equity and claims to have created a unique type of alternative fund to participate in what has been described as "the Greatest Transfer of Wealth in the History of the World."

Acuity provides both the debt and equity to fund the buy outs of mature SME's, providing a solution to a funding gap in a demographic mega-trend and giving access to investors to the returns from this mature SME asset class.

The Fund aims to target business owners born between 1946-1964, also known as the "baby boomer" generation (a generation which is aging), and aims to give this demographic an exit route whilst involving, in many cases, their loyal and longstanding management team who make a small equity contribution.

The culture is to engage with senior managers and employees via co-ownership to remove the 'them and us' syndrome and create a solid foundation for long term and predictable dividend flow.

Stephen Jarman commented: "Because of the financial crisis beginning in 2008, and the lack of acquisition finance available for SME buy outs, many of the baby boomers have been unable to realise the value in their businesses.



Stephen Jarman

"Acuity's methodology allows them to do this whilst trusting their managers who have helped them develop the business to take the enterprise further.

"Such was the brake on SME buyouts following 2008, The European Commission has estimated that, across Europe, 690,000 mature SME businesses need to be transferred to new owners every year between now and 2025, with an estimated value of €27Trillion!"

Acuity commented: "It is a privilege to have Steve Jarman on the Board of the Acuity Fund. He has exceptional knowledge of corporate law in SME M&A and has been prolifically successful for decades in this specialist market."

## MSB Solicitors secures new Legal Aid franchises to help most vulnerable

Fast-growing Liverpool law firm, MSB Solicitors, has reaffirmed its commitment to representing the most vulnerable people in society after securing new Legal Aid franchises.

Despite huge pressures on the UK's Legal Aid system, Liverpool-Based MSB continues to offer an "unwavering commitment to legal aid and access to justice". Since the LASPO act, Legal Aid work in its family department has increased by around 300%.

Now it has won Legal Aid franchises in the categories of Public Law and Actions Against Public Authorities. They specifically cover two broad areas.

1. Judicial Review - challenging the decision of public bodies and that will include:

- Local Authorities, eg social

services refusing assessment of needs of children and adults, Local Government and Social Care Ombudsman Complaints

- NHS Trusts, eg access to treatment, removal of care needs including life support
- Government departments
- Chief Constables/Police, eg complaints procedures under the Local Resolution Process
- Maintained schools/governing bodies

2. Action against public authorities - pursuing damages claims against public bodies including:

- Breach of Human Rights
- Failure/Delay to take in to care
- Abuse in Care
- Child Abuse/Neglect
- Adult Social Services issues
- Delay in adaptations to home
- Wrongful Arrest
- False Imprisonment
- Assault by Police



Emma Carey

MSB managing partner, Emma Carey, said: "MSB is now one of the fastest-growing law firms in the region with a strong commercial focus. But we never forget our responsibility to the wider community and our commitment to Legal Aid work is a key part of that.

"More than ever so many people in society feel they don't have a voice and feel powerless when they come up against officialdom and authority. Through Legal Aid work we stand with, and speak for, the most vulnerable members of our community."



# EY expands global legal managed services offering with acquisition of Riverview Law

EY has announced an agreement to acquire Riverview Law, a leading innovative legal services firm that will support the expansion of EY legal managed services globally. The acquisition will help to enhance and scale the EY Law legal managed services offering and help EY clients to increase efficiency, manage risk, improve service transparency and reduce costs of routine legal activities. Riverview Law has a strong technology practice that uses a disruptive software from Kim Technologies for delivery of its legal services.

The acquisition of Riverview Law will extend the existing EY Law offering and add talent in legal innovation and operating model transformation, as well as further driving the current EY technology approach to legal managed services. The acquisition is led by Chris Price, EY Global Head of Alliances – Tax, who will become CEO of EY Riverview Law once the acquisition is complete and will work closely with the existing Riverview Law leadership team to bolster the EY cross-sector, multidisciplinary approach to legal services that can be scaled to serve EY clients across the globe.

Cornelius Grossmann, EY Global Law Leader, says: “Legal managed services is one of the fastest growing segments of the legal market. This acquisition underlines the position of EY as a leading disruptor of legal services; it will provide a springboard for current EY legal managed services offerings and bolster the capabilities that we can help deliver for EY clients. We recognize the expertise that Riverview Law has in this growing market area, which when married with the global EY footprint and legal understanding will help drive significant opportunities for EY clients.”

EY Law now comprises more than 2,200 law practitioners in member firms across 81 jurisdictions. The acquisition will bring together the international reach and multidisciplinary approach of EY with an award-winning, best-in-class technology provider. The addition of the Riverview Law platform will help organizations to manage legal instructions coming into the function, re-direct work that does not require legal input, triage work that does require legal support to the right team and manage all stages from case opening to case closing, including document creation. Critically, the acquisition also combines comprehensive quality, risk management and dashboard tools and a dedicated client support team that understands the culture, risk appetite and demands of legal services clients, helping them to streamline their legal function so that legal teams can focus efforts on key tactical and strategic legal work.

Chris Price, EY Global Head of Alliances – Tax, says: “There is a need for a greater range of service options in the legal market that provides the right service, with the right quality, at the right price to the legal functions of EY clients. I have yet to meet a general counsel function that is under employed; so providing a simple mechanism to assess tasks, assess the requisite skills to achieve those tasks and allocating internal and external advisor skillsets appropriately while helping the legal function to drive the maximum value and service quality is what we will seek to do. The acquisition of Riverview Law will help enable the creation of an EY service offering focused on doing just that.”

Karl Chapman, CEO of Riverview Law, says: “The legal profession is going through a period of significant global upheaval. Changes in regulation, technology and most importantly customer expectation create an opportunity for a more flexible and customer-centric approach to the provision of legal services. Becoming part of EY is a real strategic fit for our team and is in line with our commitment to deliver world-class service and counsel to Riverview Law clients who



**Karl Chapman**

are at the core of everything we do. As part of EY, we will have even greater resources to help them drive business outputs from their legal inputs. Put simply, we are excited by the next stage in our journey. We believe that the combination of the Riverview Law operating model, operating platform and people, alongside the EY brand, EY clients, existing legal services offering and global scale is a winning formula for the legal market.”

The acquisition, which is conditional on the satisfaction of closing conditions, is expected to complete on 31 August 2018. Riverview Law will be known as EY Riverview Law.

## ATLANTIC CHAMBERS

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# Birkenhead legal trio secure prestigious profession accreditations

Three employees at a Birkenhead-based law firm have recently been awarded one of the highest professional rankings in their specialist fields.

Jenna Hargreaves, Lydia Brindley and Peter Hughes, who work at Your Legal Friend, have been awarded Senior Litigator status by the Association of Personal Injury Lawyers (APIL).

With a combined total of over 30 years' experience in the legal profession, the trio become the latest employees at the law firm to hold this highly sought-after standing. A total of ten members of the team are now APIL accredited.

Jenna Hargreaves, Solicitor and Department Manager in the Personal Injury Department at Your Legal Friend, joined the



Jenna Hargreaves



Peter Hughes



Lydia Brindley

company in 2013 and heads up a team of seven that successfully secures compensation for thousands of victims of road traffic accidents across the UK.

Lydia Brindley, Deputy Head of Clinical Negligence, has been part of the team since 2016, and has particular expertise in

the areas of brain injury, cauda equine syndrome and delay in diagnosis of cancer.

She currently supervises the practise group of cases where patients have received negligent treatment for Chron's disease and ulcerative colitis.

Peter Hughes, Clinical Negligence Senior Associate, has spent close to four years at Your Legal Friend, where he has worked on cases relating to the delay in diagnosis of different types of cancer, including prostate cancer, colon cancer, breast cancer and soft tissue sarcomas.

Colin Gibson, Chief Executive Officer at Your Legal Friend, said: "Jenna, Lydia and Peter are exceptional lawyers who are committed and passionate about helping clients secure the compensation they deserve.

"We invest significantly in nurturing our existing teams and attracting high-calibre talent to Merseyside. The number of APIL Senior Litigators we now employ is evidence of the commitment to quality that runs right through the firm."

Laura Morgan (Director of Clinical Negligence), Sara Stanger (Solicitor - Principal Lawyer and Head of Department), Carly Saxon (Solicitor & Practice Development Lead - Senior Associate), and Solicitors and Senior Associates; Asher Burton, Nick Banks and Mark Thomason, are among the other APIL accredited lawyers in the Clinical Negligence team.

Joanne Candlish, Solicitor and Department Manager is also APIL accredited as a Senior Litigator and specialises in the field of asbestos litigation.

## Astraea Legal doubles in size

The boutique law firm Astraea Legal has doubled in size after just 3 months.

Astraea legal was established earlier this year by directors Nama Zarroug and Matt Reynolds, the practice that provides legal advice and services to high net worth individuals as well as consulting for other law firms has had a stellar launch with tremendous billings growth.

The firm which is based in Liverpool's Avenue HQ has welcomed two new members to its ranks. Mr Jeremy Hawthorn a senior solicitor and High Court advocate joins to bolster the firms criminal defence expertise. While Mr Peter Haney is an accredited police station representative.

Jeremy who has extensive experience in criminal defence has previously held positions with Kirwans, David Taylor and Malcolm Gregg.

"We've been overwhelmed with the launch it's far surpassed our expectations. Welcoming Jeremy



Jeremy Hawthorn

and Peter to the team means we're able to keep up our phenomenal growth for the rest of the year." Commented Nama Zarroug, director of Astraea Legal.

For further information on Astraea Legal please visit <http://www.astraealegal.com>

## 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.



## Partner promotions for senior solicitors at Kirwans

Kirwans law firm has announced the promotion of both senior associate Paul Barnes and personal injury solicitor James Barker to partner.

Paul joined Kirwans in March 2017 following over 25 years of practice in the North East and was promoted to Senior Associate earlier this year.

As a specialist civil and commercial litigation solicitor, his areas of expertise are widespread and include will and inheritance disputes, professional negligence, building and construction disputes, commercial litigation, partnership and shareholder disputes and agricultural law. Paul is also an ADR Group Civil and Commercial Panel Mediator.

Head of Personal Injury James took up his position at Kirwans in 2013 and has since been responsible for the management and development of the firm's Personal Injury department.

He specialises in a wide range of personal injury matters, such as whiplash claims, accidents at work, employers' liability and occupiers' liability, as well as Highways Act and road traffic accident claims.

Commenting on the promotions, managing partner David Kirwan said: "I am delighted to announce the well-deserved promotions of Paul and James to partner as they continue their careers in-house."

"Both Paul and James are supremely knowledgeable and skilled solicitors who have shown great commitment to the firm, and their expertise will be of huge value as we continue to grow Kirwans generally across all the departmental disciplines."

Paul said: "Kirwans is a great team to be part of, and is well-positioned to take advantage of some of the fantastic opportunities currently on offer. I'm proud to be part of a firm that represents its clients in such a professional and ultimately successful way."

James said: "I am very pleased to join the team of partners, and look forward to working with them as we extend Kirwans'



**James Barker**



**Paul Barnes**

reach across the North West and beyond."

So far this year, three solicitors have been promoted to partner level at Kirwans.

In January, employment law specialist Lindsey Knowles was made partner and is now 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.

## Bibby Financial Services chooses Brabners

Independent legal practice Brabners has been appointed to the Bibby Financial Services (UK) Limited panel of external legal advisers as it continues to grow its portfolio of leading North West business clients.

Headquartered in Liverpool, Bibby Financial Services is the UK's leading independent invoice finance specialist. It provides bespoke financial solutions, such as factoring, invoice discounting and trade finance, to small and medium-sized businesses across the UK and currently provides cash flow funding to more than 7,000 businesses.

Bibby Financial Services is part of the Bibby Line Group, one of the largest privately-owned businesses with interests in shipping, distribution, construction and infrastructure services, and retail.

Brabners' appointment to the legal panel follows the hire of commercial litigation partner Phil Sheard, who joined the firm earlier this year alongside his entire finance litigation, debt recovery and enforcement team from Hill Dickinson. The team will provide finance litigation services for Bibby's UK-wide network of subsidiary offices.

Commenting on the appointment, Phil said: "Bibby Financial Services is a long-standing client and one that I am proud to represent. It is fantastic news that Brabners has now been appointed to Bibby's panel. As a team, we've supported Bibby for more than a decade and we are delighted to be continuing this partnership at Brabners."

Last month, Brabners announced revenues had grown by 8% year-on-year as its turnover reached £31.4m in the year to 30th April 2018, following strong growth across its offices in Liverpool, Manchester and Preston.



### Criminal Law Update with Anthony Edwards

on Wednesday 10th October, 1.30pm - 4.45pm

**A 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:

- Policing and Crime Act 2017 continuing implementation especially of Mental Health provisions
- Police powers and retention of criminal records
- PACE Code developments
- New Criminal Procedure Rules and Criminal Practice Directions
- Disclosure
- Insanity as a defence to crime; defences to murder
- The death of Ghosh and defining Psychoactive drugs
- New sentencing guidelines
- Sexual harm prevention Orders
- Rules of hearsay and character
- Costs against a party
- 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

# Record levels of reports of misconduct, connected to financial crime, is impacting the legal services sector.

It has led the Solicitors Regulation Authority (SRA) to call for firms to better protect themselves from dubious investment schemes, money laundering and rising cybercrime as outlined in its annual Risk Outlook 2018/19, which sets out what the regulator thinks are the risks and the challenges faced by solicitors and law firms.

The risks recently highlighted by the SRA are not new threats to law firms says Phil Edwards, Managing Director of QPI, specialist professional indemnity insurance broker to the legal profession. However, he warns firms against becoming too complacent and that escalating risks and resulting claims are forcing some firms to close.

Edwards said: "It's interesting the SRA's come up with a separate report on risk following last year's instructional note to firms talking about investor led building projects and the problems associated with them.

"Much of what the SRA said in their warning notice in 2017 has come true. We've witnessed numerous claims involving investors both from this country and abroad. They've put money into development schemes that have collapsed with investors, some of whom thought they were buying properties, being left with no asset, no home and their money having disappeared. This is the strongest warning so far from the SRA linking three key areas where we are still seeing a growth in claims: money laundering, cybercrime and dubious investment schemes.

"The problem's become particularly prevalent in the last 12 months and was the topic of a recent Panorama programme, which focused on the Northern Powerhouse. This government backed initiative was launched to attract investment and improve infrastructure, aimed at bringing money into the north particularly from the Far East with promises of good returns on investments on these developments, which have either been partially completed or not even started.

The SRA's Risk Outlook 2019 states that "The financial losses for people can be high. If solicitors are involved in such schemes they risk harming public trust in the profession. We are likely to take action including making a referral to the Solicitors Disciplinary Tribunal (SDT). In March 2018 we were investigating 51 reports of investment fraud. There had also been 106 applications made to the Compensation Fund relating to investment schemes, totalling £47.4m since 2015."

With some building sites in the north deserted, millions lost by investors and commercial confidence in the region damaged, Edwards warned firms operating in all areas, to treat these investor led developments with caution. This starts with ensuring all the necessary vetting processes are conducted on clients, developers and investors.

"Firms should make sure they're advising clients properly of all of the risks associated with these types of schemes and are documenting those risks. Some firms we've come across, have even told longstanding clients that if they are not prepared to listen to their advice then they are not prepared to act for them.

"Firms need to be extra vigilant in the work they carry out just to make sure that if something does go wrong, that it doesn't fall back on them. If people lose their money they will want to test out the advice they have been given and merely defending a claim could be almost as expensive as paying the claim itself.

"Firms have to be cautious about whether they want to take on this type of work and more importantly consider whether they are



experienced and knowledgeable enough to mitigate any risks. "The sector is seeing a rise in investor scams, including incidences in the north due to the Northern Powerhouse project pushing for increased investment within the region. Furthermore there is an abundance of opportunities for people to commit money to in growing sectors including the development of student accommodation, nursing homes, care homes and even hotels. However some of these so called investments end up being scams orchestrated by financial criminals.

"All we can do is share our experience of why and how problems are caused together with the impact of that experience when it has gone wrong, identify with firms the conditions under which risks are created and the profile of those schemes, which are likely to raise, or should raise, alarm bells.

"It is not just investments in the north where firms need to be vigilant, it is any area that is being regenerated. So being risk aware is equally relevant in, for example, London, where there are large developments going on with money coming in from abroad including the Middle East, the Far East, alongside individual investors in the UK.

"Schemes can appear as 'normal off-plan purchases' that turn out to actually be high risk investments where the purchaser is effectively funding the development pre-completion. The potential for a purchaser to be left with no property, no money and the developer having gone bust is high."

With the continued spectre of cybercrime with the repeat of similar attacks witnessed over the last three or four years continuing, Edwards stressed the implication is that lessons are not being learnt. He added, with the advent of GDPR, cybercrime also needs to include the theft of data, which though not as prevalent as the theft of funds, is very much a growing threat.

He concluded: "Firms need to be making sure that the cyber risks are identified and dealt with or continuously assessed, rather than thinking that they have dealt with it once and that is an end to it. With all of these rising risks comes the spectre of reputational damage, which is the unknown quantity that can hit hard as well.

"Ultimately we are seeing insurers take decisions where they've dealt with claims from each of these areas the consequence of which being that they are in affect being the arbiter in whether a firm stays open or not. This can affect firms of any size; nobody is immune to these risks because they can impact anyone and everyone. Firms need to heed the latest SRA warnings and take their risk mitigation advice into account. It is all about continuous internal monitoring and control and not being complacent."



## Japanese Knotweed Indemnity Policy Now Available

Whilst the presence of a garden is often something that buyers look for, not all plants are friendly to home owners.

Buyers and especially lenders will always be rightly concerned when a seller's replies to a Property Information Form indicate that there is a risk that Japanese Knotweed ("Knotweed") may be present on a property. This previously ornamental plant has been reported to grow up to 10cm a day in summer and be powerful enough to break through concrete and undermine foundations. Consequently many lenders will refuse to lend or will impose strict conditions when there is a danger that Knotweed might raise its ugly head in a property.

Stewart Title's new **Residential Japanese Knotweed Indemnity Policy** now gives lenders and buyers the confidence they need to proceed with a purchase.

Covering residential properties for a period of 5 years for buyers and the term of a loan for lenders, this new policy provides up to £20,000 of cover against remediation costs necessary to comply with a remediation notice.

The Residential Japanese Knotweed Indemnity Policy is available where the sellers are not aware if Knotweed is present and even where it has previously been treated.

Policies can be ordered via Stewart Title's online ordering platform at [www.stewartsolution.com](http://www.stewartsolution.com) and Bespoke Policies via [quotes@stewart.com](mailto:quotes@stewart.com).

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At Stewart Title, when our clients tell us they have a need, we strive to respond with a solution.

We recently added both a Japanese Knotweed Policy and Fraud Solution Policy to the more than 150 policies that can be ordered via Stewart Online Solution.

It takes just three easy steps to generate a policy for most title issues. For a more customised solution or any help, our Team can easily be contacted through the system.

For more information, visit [stewartsolution.com](http://stewartsolution.com) or contact us at 020 7010 7821 or [solution@stewart.com](mailto:solution@stewart.com).

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# Why we need to work together to grow the Liverpool City Region economy

A new business review recently endorsed by the Liverpool City Region LEP and private sector stakeholders has highlighted growth across Liverpool City Region's Professional and Business Services (PBS) Sector. The review also shows there is a need to focus efforts to improve productivity and future proof growth.

It shows the sector plays a crucial role in the local economy – providing 107,000 jobs across 12,000 companies and contributing £8bn annually in GVA.

Moreover, it's vital to realise the strength and depth of our Professional and Business Services will help to fuel growth across all sectors, in turn supporting an increase in GVA. Professional and Business Services are an enabler for the whole of the local economy.

## Knowledgeable and passionate advocates

Being involved with this project, in my role as Chair of the LCR Professional and Business Services Board, has shown me the passion and expertise we have and, most importantly, the potential to further expand by promoting ourselves in a joined-up way. This exemplifies the need for greater collaboration. If we can encourage more student to business engagement ranging from careers guidance, shadowing, mentors to placements and apprenticeships; then we are better placed to meet future employment needs from local talent pools.

Of course, the publication of the PBS baseline review is only the first step. Now the hard work begins!

This is at the heart of my message: we need your support and input to realise our ambitions to improve skills and talent retention, create more jobs – especially higher productivity roles and to help spread the growth story our City Region has to tell.

We need everyone to be an advocate for our City Region and pass on the great stories – from growth (up by 41% between 2010 and 2017, compared to 23.5% across other sectors) to investment (6 new law firms in the past 18 months, a new Knowledge Quarter, etc.). We have an opportunity to be the City that helps itself.



**Steve Stuart,  
Chair,  
Professional &  
Business Services  
Board**

**Liverpool City  
Region LEP**

To help equip you, as our stakeholders and ambassadors, we encourage you to access and use the infographics on the key sector statistics which can be used in presentations.

## The road ahead

The baseline review also highlights some sobering statistics. On skills we need to improve across the board as resident qualifications are below or near national averages across NVQ levels. I think we start this at primary schools where we can instil confidence, aspiration and awareness amongst our young people. We can support teachers in the provision of careers guidance to ensure pupils understand the infinite variety of jobs available on their doorstep; and that these opportunities are open to them to succeed in their chosen field.

We are developing a pilot with QVC which will help a cohort of year 9 pupils in Knowsley to develop resilience, belief and aspiration to achieve. Importantly the pupils' school tutors who guide them over a three-year period have also undertaken the training, ensuring the topics can be discussed as they develop and the impact assessed. Our hope is to be able to scale this to offer more pupils a chance to develop key transferable workplace skills.

Mentoring and shadowing are other initiatives we would like private sector support to reach as many young people as possible. We are looking for mentors for university students to help them



**This is at the heart of my message:  
we need your support and input  
to realise our ambitions to improve  
skills and talent retention, create  
more jobs – especially higher  
productivity roles and to help  
spread the growth story our City  
Region has to tell.**

develop a hands-on appreciation of the world of work, the expectations and the exciting, global career opportunities they can find in Liverpool City Region. In line with our PBS Board skills' priorities to improve talent retention and increase employer encounters for students we are working with the universities and are looking for volunteers to offer a range of shadowing opportunities for undergraduates starting from Autumn 2018 – Summer 2019.

I'd like to invite you to offer an undergraduate the opportunity to shadow yourself and /or other colleagues. This offers businesses of all sizes the opportunity to take part as it is less intensive than organising a structured work placement of one+ weeks. Yet it offers an insight to different roles the undergraduate may be interested in, as well as experience of a professional environment and the chance to network and make connections.

We know from the City Region Skills Survey 2018 that 22% of PBS businesses offer placements or internships; yet 41% would consider it but never actually do it. We would like to engage with those businesses to help them help our local students and therefore our local economy.

#### Private sector leadership

By highlighting five priorities in our PBS baseline review: promotion of our City Region, skills and talent retention, access to finance and business base, inward investment and commercial space; my genuine hope is to engage with our local networks to get them involved and leading from the front. Public and private sector need to work together to achieve improved outcomes

against our strategic priorities, to the benefit of all and to raise the sector profile on a national and international basis.

#### Together we can achieve more. Collaboration across the City Region has never been more important.

The challenges are wide ranging and we have engaged with stakeholders from across the City Region to present a robust collection of strategic priorities to support careers awareness and aspiration among school pupils, talent retention, improved skills, new jobs, more businesses, improved long-term business survival and increased GVA.

I look forward to meeting more of you and being able to discuss with you the benefits you can bring to our students, employees and employers.

If you would like to get involved or to just have an introductory conversation please get in touch via Claire Delahunty, PBS Sector Manager: [Claire.Delahunty@liverpoollep.org](mailto:Claire.Delahunty@liverpoollep.org)

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# 'How To....'

**My name is George McLoughlin and I am a specialist housing lawyer. I am passionate and committed about trying to help my clients.**

I often find myself, I believe, with justifiable cause, criticising the incumbent Government, regardless of their political persuasion, in respect of their record in helping the most disadvantaged and deserving of tenants.

So I am very pleased to be able to applaud and bring to your attention the 'How to Rent..Guides' produced by HM Government. They are well worth a read.

There are four Guides in the series.

- **'How to Rent'**
- **'How to Rent a Safe Home'**

These are for current and prospective tenants in the private sector.

- **'How to Let'**  
This provides information for landlords and property agents.
- **'How to Lease'**  
This is intended for current and prospective leaseholders.

These are apparently updated regularly. The most recent version of the 'How to Rent a Safe Home' was only updated on the 6th July.

I like both the format and the layout. I like the excellent use of clear language to convey what can be complicated information. They are colour co-ordinated – I even like the various colours!

It explains where tenants will be able to find further information. It explains how to access this by way of 'hyperlinks'.

The obvious problem I foresee is that you need access to a computer and the ability to be able to 'print off' the guides-and, therefore to be able to truly appreciate the colours – just like me.

The guides suggest that if you don't have access to a computer you can ask your local library for help. I thought all the libraries had been shut down due to 'austerity'.

Opps there I go again complaining about the government.

Examples of crucial information that can be found in the 'How to Rent' Guides:

## **Gas Safety Certificates.**

These must be provided by the landlord at the start of the tenancy and within 28 days of each annual gas safety check.

## **Smoke Alarms**

All properties must have working smoke alarms on every floor used as living accommodation.

## **Carbon Monoxide Alarm**

These are required in all rooms using solid fuels – such as a coal fire and wood burning stove

It is the landlord's responsibility to make sure that these alarms are working on the first day of the tenancy.

However, it then becomes the tenant's responsibility to make sure that they carry on working and to replace the batteries where needed.

## **Energy Performance Certificates (EPC)**

A landlord can no longer rent a property that has an EPC rating below E.

A copy of the EPC certificate must be provided to the tenant before or on the day they move in to the property.

## **Electrical Safety**

Landlords have a duty to make sure that electrical installations, (for example, sockets & light fittings) and equipment (for example, cookers) are safe and kept in good working order. If a property is one of 'Multiple Occupation' (HMO) then a 5 year Electrical Safety Check is also mandatory.

The Government in February published a white paper consultation on extending this requirement into the general private landlord sector. I am not aware that they have published a formal response as yet; but I predict some resistance. Hopefully, I am wrong.

I really like the wording of the following two sub-sections, which seems to me to be an 'official'

(HM Government recognition) of the often severe and debilitating ill-health that can be caused by damp and the cold, particularly to the young, old and vulnerable; and, also the increased financial burden on those trying to make ends meet on limited budget or wage.

I will let the wording of the paragraphs speak for themselves:

## **'Damp and Mould**

*Damp and mould can cause or worsen respiratory problems, infections, allergies or asthma. It can also affect the immune system, particularly in young children. Damp also contributes to excess heat loss and puts up heating bills, as well as causing damage to building fabric and contents, including clothes and furniture.....*

## **Cold**

*A cold home is one that cannot be maintained at a temperature between 18 C to 21 at a reasonable cost to the occupier. Excess cold can lead to flu, pneumonia and bronchitis; heart attacks or strokes, hypothermia and even death.'*

- **How to Rent** – The checklist for renting in England  
There is, in fact, a fifth Guide in the series. This is very important. This is for people who are about to rent a house of flat on an assured shorthold tenancy – and have limited security of tenure

The latest version of this one was published on the 9th July. Again it is written in a plain and straightforward [non-legal jargon way] language; and, contains important information about the rights of the incoming tenant, but also their responsibilities.

A landlord must provide you with a copy of this booklet at the commencement of the tenancy.

If you have been paying attention above you will also recall that the landlord is also required to handover, a gas safety certificate, an EPC certificate, and (I know I have not talked about this requirement) prescribed Deposit protection information – so 5 important documents additional to the tenancy agreement.

In basic terms this means that if a



landlord has not provided a tenant with any of the above documents then that landlord cannot evict their tenant unless they have breached their tenancy agreement – if a tenant has not paid the rent then they can still be required to leave by order of the Court.

There is an obvious gap in the series in my view. I believe there is a need to add an additional 'How to Guide' – to explain to a tenant their rights when faced with an intimidating landlord and the threat of retaliatory eviction.

That said there is only limited protection.

It seems clear that if a tenant has placed a landlord on notice of a genuine disrepair claim, and there has not been an 'adequate' response from the landlord, then the landlord should not be able to remove a tenant.

As part of the process the tenant is also required to lodge a complaint to their local authority to investigate the disrepair – with a view to them inspecting and then serving an 'improvement' notice on the landlord. However, as we all know, all local authorities are strapped for cash, and their housing departments have had to face commensurate cut backs. How will this impact on the ability of the Council to be able to respond to such complaints? I fear not very well.

**George McLoughlin is a Solicitor and is Head of Housing Disrepair at Curtis Law Solicitors LLP and a member of Liverpool Civil Litigation Committee.**

**He can be contacted on**  
George.mcloughlin@curtislaw.co.uk

*The above views represent my own and do not necessarily represent the views of Curtis Solicitors LLP or Liverpool Law Society.*





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# Wild at Heart

## When is a bison not a bison? When it's an English White in West Sussex!

For those readers who are familiar with this column you could be forgiven for thinking I am perhaps suffering from a little bit of 'midsummer madness' or aspire to being a Fringe comic - telling somewhat opaque jokes. But bear with me and all will become clear.

A couple of weeks ago, as presenter of Planet Pod, the regular podcast that covers all aspects of sustainability and the environment, I and my colleague Jim Haywood were caught in a late summer downpour at Ebernoe Common in West Sussex where we were recording an outside broadcast edition on re-wilding. Ebernoe Common is an 80 hectare wood owned and managed by Sussex Wildlife Trust which was traditionally a wood pasture where Commoners (those living on or near the common) would have had rights to graze animals and cut wood - rights that date back to the 1217 Charter of the Forest which celebrated its 800th anniversary last year, long outliving its more famous predecessor the Magna Carta. Over the last 30 years the Trust has been gently re-wilding Ebernoe to recreate wood pasture and bring back the traditional approach to woodland management. And this is where the bison come in ...

As we sheltered in the rather beautiful porch of Ebernoe Church we were able to chat to Dr Tony Whitbread, recently retired CEO of the trust and Simon Boyle of Argyll Environmental (Landmark Group) and UKELA, who talked us



through the principles and opportunities of re-wilding, what exactly it is and how it works. Re-wilding is a form of ecological restoration based on the re-introduction of large mammals, fauna or flora similar to those that have been exterminated locally and, by so doing, re-establish a balanced and functioning ecosystem. In essence this approach to land management is about letting nature alone rather managing land for a determined outcome. Very often re-wilding projects have unexpected outcomes. There are two essential forms: top-down and bottom-up, where the latter involves interactions between species that start at the base of the food web with plants and work their way up by influencing populations and communities of herbivores

(the Knepp Estate in Sussex being a prime example). The often more controversial top-down approach starts at the top of the food web, often by re-introducing apex predators such as wolves - as happens in Yellowstone Park in Wyoming and is being proposed by landowner Paul Lister on his 23,000 acre estate Allerdale in the Scottish Highlands. While the principles at Allerdale and Yellowstone are the same, the scale is somewhat different.

### The Trophic Cascade

At 3500 square miles Yellowstone is home to the only natural herd of bison in the US, and for the last 20 plus years has been home to the grey wolf with some unforeseen consequences. The wolves in Yellowstone present a classic example of 'Trophic Cascade' - powerful interactions that can control an entire ecosystem, where a predator can alter or control the behaviour of the next trophic level in the food web. As expected, the wolves at Yellowstone did an excellent job of keeping down the elk numbers, but they also changed their behaviour - the elk started to avoid certain areas of the park allowing trees to return and vegetation regenerated. In turn songbirds returned as did the number of beavers eating and felling trees which created new habitats within the rivers for fish, otters, and muskrats.

The wolves led to an increase in bear numbers - the reduction in grazing by elk on young trees led to more berries and more bears. One totally unexpected outcome however was the impact the wolves had on the river - the regeneration of the forest meant the banks of the rivers stabilised and, combined with a reduction in soil erosion caused by the increase in trees, the rivers become more fixed in their course. The balance of the ecosystem and the physical geography of the huge area of Yellowstone has been transformed by a relatively small number of re-introduced predators.

### Wild Law

Introducing wolves to Scotland is significantly more complicated. Under current legislation (notably the Dangerous Wild Animals Act 1976), the plan would need to be for the wolves to be fenced in.

This is seen as antithetical to the principle of re-wilding. Other legislation also runs contrary to the approach of a less managed environment, such as the requirement to remove dead animal carcasses (EU Regulation 1069/2009 concerning Animal By-Products), thereby not allowing natural predators to scavenge and feed - such as ravens (and, in Yellowstone, bald eagles). If you are interested in the law around re-wilding then do sign up for UKELA's conference on Wild Law scheduled for 21 September in Bristol.

Re-wilding doesn't have to be so controversial - which brings me back to Ebernoe and the bison. The focus on the common has been to let the natural world take its course by recreating the clearings and areas of open grassland that leads to the re-colonisation of the wood by insects, fauna and flora more native to the landscape.

The tree canopy at Ebernoe had been overgrown because of the lack of large natural browsers who graze on saplings and reduce tree density - which is where the bison really do come in. Bison are - as we know - not native to the UK and it is unlikely they could or should be introduced to Ebernoe. So, in order to recreate the impact of the bison, the Wildlife Trust use a small herd of native cattle - English Whites - who are released onto the common a few at a time to graze. Bison in disguise, as it were!



The impact at Ebernoe has been dramatic, with an increase in bat numbers, reptiles, insects, birds and plants. If you ever find yourself in Sussex it's well worth a visit - even in a summer downpour!

For more on re-wilding tune into the podcast on the Planet Pod website ([www.theplanetpod.com](http://www.theplanetpod.com)) or join UKELA's conference on Wild Law 21 September in Bristol ([www.ukela.org](http://www.ukela.org))

**Amanda Carpenter is CEO of Achill Management and Presenter of Planet Pod.**  
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# Annual Dinner 2018 guest speakers

**Liverpool Law Society is delighted to announce the following guest speakers will be appearing at the Annual Dinner on 1st November this year.**

**The Rt Hon Sir Geoffrey Vos, Chancellor of the High Court**

Sir Geoffrey was appointed Chancellor of the High Court of England and Wales on 24 October 2016. He holds responsibility for the conduct of business in the Business and Property Courts. In February 2018 the Chancellor was present at the opening of the Business and Property Court in Liverpool at which he said "There are some very important advantages of bringing together the Commercial Court, the Technology and Construction Court and the courts of the Chancery Division...no case will be too big to be tried in Liverpool....Liverpool has a proud legal history. At one time, its courts resolved some of the biggest and most significant maritime, commodities and trade disputes. We can once again provide state of the art business dispute resolution to Liverpool's thriving commercial centre and its supporting legal community."

Prior to this role, he was appointed a Lord Justice of Appeal in 2013 and acted as President of the European Network of Councils for the Judiciary from June 2014 to June 2016. He was appointed a Justice of the High Court in October 2009. He sat as a judge internationally, in the Courts of Appeal of Jersey and Guernsey between

2005 and 2009, and in the Court of Appeal of the Cayman Islands between 2008 and 2009, having begun his judicial career as a deputy High Court Judge in 1999.

He was the Chairman of the Chancery Bar Association from 1999 to 2001 and of the Bar Council in 2007, having taken silk (QC) in 1993 after a career practising at the Chancery-Commercial bar, both domestically and internationally. He is editor of the White Book.

**Paul Smith, Executive Director of Liverpool Biennial**

Paul Smith has extensive experience of both the arts and business in the UK and the US, having worked with organisations including Bank of America, Abbey National, Belfast Waterfront Hall, The Grand Opera House, and Prime Cut Productions. He has also worked in politics in Northern Ireland and for Arts & Business.

Celebrate being part of a strong, proud and vibrant legal profession at the Society's 191st Annual Dinner. We hope to see many members of Liverpool Law Society at the Annual Dinner on 1st November. For further information and to book, [click here](#).



**The Rt Hon Sir Geoffrey Vos**



**Paul Smith**



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Liverpool Law Society

## *Liverpool Law Society and the School of Law and Social Justice*

Invite you to join us for an evening drinks reception at the University of Liverpool on

**Tuesday 16<sup>th</sup> October 6pm - 8pm**

to celebrate the start of the new academic and legal year

Venue: School of the Arts Library room 115, 23 Abercromby Square L69 7ZG

This event is open to all University of Liverpool Law Staff and Students, Members of Liverpool Law Society, Merseyside Junior Circuit

The event is free of charge: RSVP by [registering your attendance here](#).

For further information please email: [slsimret@liverpool.ac.uk](mailto:slsimret@liverpool.ac.uk)

# Annual Dinner 2018

We are delighted to announce the  
guest speakers are

**The Rt Hon Sir  
Geoffrey Vos**

Chancellor of the High Court

&

**Paul Smith**

Executive Director of  
Liverpool Biennial

*Calling all members of Liverpool Law Society*  
Celebrate being part of a strong, proud and vibrant legal  
profession at the Society's 191st Dinner.

**Thursday 1st November 2018, 6.45pm for 7.30pm  
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A table of 10 is £800 + VAT (£960 inc vat) Individual reservations £80 + VAT (£96 inc vat)  
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Includes a welcome drink on arrival followed by a three course meal, and speeches.

**Dress code:** Black Tie

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

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# More than 19,000 victims of crime supported during first three years of Victim Care Merseyside

Merseyside's Police Commissioner marked the third anniversary of Victim Care Merseyside by holding a special event at which she recognised the service's achievements and explained how a further £3m of support for victims of crime will be delivered.

More than 19,000 vulnerable victims of crime have been supported by the services commissioned through Victim Care Merseyside since it was launched by Jane Kennedy in June 2015. During that time, 15,000 young people have also taken part in group sessions to increase their awareness of exploitation and how to protect themselves, while 4,300 professionals have been trained to increase their understanding of crimes involving in children and what action to take if they fear a child is at risk.

These achievements were recognised and celebrated at an event hosted by Radio Merseyside presenter Roger Phillips at the Holiday Inn on 20th June, at which the PCC also unveiled the services which are now being commissioned until 2021. This includes a new support service for victims and survivors of harmful practices, including FGM, so-called 'honour-based' violence and forced marriage delivered by Savera UK. Support for families who have lost a loved one through homicide or crime-related road traffic collisions at 'The Hub' is also now being provided by Families Fighting for Justice.

Over the next three years, Victim Care Merseyside will also provide more tailored support for victims of hate crime, with care broken down by 'strand', to ensure victims of racial hate crime, sexuality and gender identity-based hate crime and people subjected to hate because of a disability all receive specialist support according to their need.

Victim Care Merseyside will also continue to provide a host of pan-Merseyside specialist services designed to support the most vulnerable victims of crime, including child victims of exploitation – both sexual and criminal, victims of rape and sexual assault, and domestic abuse.

Jane said: "Between 2015 and 2018, Victim Care Merseyside has provided more than 19,000 victims of crime with the specialist support they need to help them to become survivors. When somebody is subjected to a traumatic experience, it is only right they get the best possible care and support to help them on the road to recovery.

"I was delighted to mark the third anniversary of Victim Care Merseyside by not only celebrating its achievements so far, but also by relaunching the service which now includes some new and enhanced support for some of our region's most vulnerable people. Victim Care Merseyside now includes a dedicated service for those who have been subjected to harmful practices, and enhanced support for families who have experienced the most horrific of crimes, murder and manslaughter."



Victim Care Merseyside was established in 2015 to enhance the quality, availability and accessibility of support for victims of crime after the Ministry of Justice handed down the responsibility for commissioning support services to PCCs across England and Wales. It is designed to give victims the best possible help to cope and recover from the after effects of crime, ensuring victims get enhanced support from the first moment they report a crime to Merseyside Police right through to the emotional and psychological counselling they may need to help rebuild their lives.

In 2017, the Commissioner took the decision to carry out a Victim Needs Assessment to review the existing Victim Care Merseyside service and see if further improvements could be made. At the centre of this process were the views of victims and survivors, with surveys and focus groups being held to gather their opinions. The views of service providers were also gathered through a series of workshops, including a session on 'hidden crimes' to explore what crimes may still be taking place undetected and out of sight. This assessment informed the services which have now been commissioned under the Victim Care Merseyside umbrella to run until 2021.

From 2018-2021, Victim Care Merseyside will include:

- A new service to support victims of harmful practices (including FGM, forced marriage and so-called 'honour-based' violence) – Savera UK;
- 'The Hub' advice centre to provide support for families who have lost a loved one to homicide, including crime-related road traffic collisions – Families Fighting for Justice;
- Tailored hate crime support service – jointly awarded to Anthony Walker Foundation, the Citizens' Advice Bureau, and Daisy Inclusive UK to provide specialist support according to strand. It also includes a third party hate crime reporting service provided by Stop Hate UK;
- Vulnerable Victims' Champion service for vulnerable victims of crime and anti-social behaviour – Victim Support;
- Specialist support service for victims of Child Sexual Exploitation and Child Criminal Exploitation – Catch 22;
- Dedicated aftercare support service for survivors of rape and sexual assault – jointly awarded to RASA and RASASC;
- Domestic abuse support service, including support for young people and families – funding distributed to the region's five Local Authorities to enhance their existing services;

Find out more about Victim Care Merseyside by watching this short video <https://www.youtube.com/watch?v=Aov471FKAKE>

Anyone who has been affected by crime can visit independent website [www.VictimCareMerseyside.org](http://www.VictimCareMerseyside.org) for advice, information or to find the best-placed organisations to help them, without speaking to the police.





16:47

Tuesday, 3 April



3m ago

**Boss, The**

Are we going to make the deadline?

Earlier Today



28m ago

**Leslie**

Are we still on for later? xxx



57m ago

**Boss, The**

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# Council Member's Report

## Update from Charlie Jones

**I should like to start this report by congratulating all those in Liverpool and in the North West and the nearer environs who have been shortlisted for the Law Society Excellence Awards. The dinner will be held on 17 October at an all singing and all dancing gala event at the Grosvenor Hotel in London.**

Amongst the many nominees in various awards, included are Bennett Williams Solicitors, Fletchers Solicitors, Ed Fletcher himself, Morecrofts Solicitors, MSB Solicitors, gunnercooke, Hillyer McKeown LLP, Rowlinsons Solicitors, and Jennifer Powell. Forgive me for the moment if I congratulate Jennifer particularly, as she is a young Solicitor at Weightmans and has been nominated in the Junior Lawyer of the year category. Very well done to all nominees, showing that excellence certainly exists in Merseyside and District.

I wish you all well. I hope you all win.

Your Law Society has been in Liverpool recently, in particular, on 13 and 14 August. On Monday 13 the reception took place at LLS that I have mentioned in previous columns. Thank you to many of you for attending, although it would have been good if more could have come. I appreciate it was in the holiday season, but it was as good an opportunity as any to have your say to Law Society representatives from other than Liverpool (i.e. other than me and Sarah Lapsley), and let them know how you feel, and what you feel about. In one conversation I had, two really useful ideas were mooted:

- Concern about trainees because some firms are no longer able to take trainees, (and this will have an impact upon the profession); and
- The fact that the Law Society

should give greater assistance to firms generally with regard to IT (because IT is the way forward and without it firms are going to be in some difficulty and fall behind).

The Gazette is the source of much good information, particularly in its new format. I noticed that the SRA intends to press ahead with its 'multi solicitor brands', allowing solicitors to practice in unregulated firms and enabling freelance solicitors to do more in its application to the Legal Services Board for approval of a new handbook. The Law Society is unhappy about this, and firmly believes that the deregulation agenda is based on flawed premises, and is at the expense of consumers, not for their benefit. As our President, Christina Blacklaws has said 'the misguided proposals now being considered by the oversight regulator fail the litmus test for regulation: they jeopardise the public interest and risk weakening the Rule of Law'.

The SRA's proposals include a rule change to allow freelance solicitors to act outside the protection of a recognised sole practice. How can this be in the public, and therefore the consumer, interest?

The SRA also has given the green light for plans to force firms to publish their prices for certain legal services. The LSB has welcomed this proposal. It says 'this is a significant first step in the SRA's endeavour to improve transparency, through introducing targeted rules setting out requirements for service providers. In the long term, the LSB considers that this should help to promote competition and contribute to improving access to justice'. I do wonder if this is really the case. It is interesting that a recent report from the Legal Services Consumer Panel reported that the proportion of consumers comparing legal service

providers remains unchanged year on year at 27%. Despite efforts to encourage legal service providers to shop around, legal service providers generally do not want to do so. Sarah Chambers, Chair of the Leal Services Consumer Panel, said 'it remains a concern that 7 out of 10 consumers do not shop around in the legal services market. This needs to change if the vision to empower consumers stimulating competition is to be achieved'. I wonder has anyone ever asked the consumer what they really want!

Have you ever been irritated at trying to get into a court, because you have to unpack everything and go through a scanner, rather like an overly aggressive airport search! Have you ever thought that it might be an idea to believe that as you are a solicitor, you do have a proper interest in getting into the court, and your bona fides are positive! Well, some solicitors will be able to bypass security at some courts from September 2018. There is a 12 week pilot scheme allowing accredited legal professionals to have direct entrance to courts and will be piloted in Brighton Magistrate's Court, Maidstone Combined Court, South Walk Crown Court, Tameside Magistrate's Court and Wood Green Crown Court in London. Hopefully, this pilot will be successful and then it can be extended nationally. There will still be random searches, and so there should be.

One of the problems identified at our open evening at LLS on 13 August was that many firms can now no longer afford to take on trainees. I believe this is a real shame and I believe the profession, in the long term will suffer from this. I have suggested that the big wheel magic circle city firms, who despite everything, still seem to be making enormous profits, could in fact contribute to



underwriting the future of our profession by sponsoring trainees in the provinces. Whether this comes to anything in the future, we will see. That said, it is interesting to note that Clifford Chance is now intending to hire 'tech trainees'. This will involve an alternative training contract for would be solicitors with a specialist focus on technology. It will be known as an 'ignite' contract and will offer applicants 'with an aptitude for tech' a route to qualify as solicitors. It is designed for people that have an interest in areas including fintech, Coding and AI, and an interest in how Lawtech and Digitisation are changing the legal working environment. It will run separately to the firm's usual trainee programme. There is no doubt about it.....the times they are a changing!

I note that Adele Edwin –Lamerton, Chair of the national JLD, is very concerned about the way firms communicate, and when they communicate, as to whether they are keeping trainees on after their contracts expire. Well said Adele. We may be running businesses, but we should remember the worry this causes those approaching NQ status, and even more so nowadays as often there is big debt that needs to be serviced. So, I call on all our people in Merseyside and District to have

real consideration for trainees approaching the end of their contracts. Think of them, and not just your business interests. How would YOU like to be treated?

Finally, our meeting in Liverpool at the MCC on 14 August was a success and very interesting. Not least amongst the items of our discussion was the Law Society Skills Academy going forward, and trying to assist lawyers with their development generally, and trying to identify what they need from the Law Society to assist them from a career point of view. This is a very real and substantive bit of work which is taking place at the moment, and the Law Society is being very ably assisted by Joanna Kingston-Davies, from Jackson Lees Solicitors, who is assisting Peter Liver and his team at Chancery Lane in putting this project together. If you would like to know anything about this project, please contact me or Joanna at Jackson Lees Solicitors, so that you can be briefed as to what is

occurring, and also put your input in. I should also like to thank Jackson Lees very much indeed for hosting the MCC meeting for the day, which was very much appreciated.

That's it for now. I hope that you have managed to have a good holiday, and as the year moves towards the darker months, you are refreshed for the fight!

If you support football, I hope your football team does well. If, like me, you are not too fussed about football, I hope you have satisfaction in the other hobbies, past times or interests you have. For me, I hope Ireland and Ulster have a great Rugby season!

As ever, please contact me if you want to discuss anything.

**Charlie Jones. Weightmans LLP. Co Council Member Merseyside and District.**  
01512427919.  
Charlie.jones@weightmans.com

## 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, event, 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**

### Mental Capacity Act Update with Helen Clarke

on Tuesday 9th October, 10am - 1pm

**After this session, delegates should have increased their knowledge and understanding of the MCA 2005 including potential problems and pitfalls and where appropriate practical solutions in the following areas:**

#### OPG Issues

- Round up of guidance and news from OPG
- Procedure and process to apply for Probate on behalf of Donor or P
- Gifting v supporting family needs – when do you require Court approval?

#### Court of Protection matters

- Case law update including Re AR 2018 and Re DMM 2017
- Round up of information and news about the CoP

**Core competencies covered: A1, 2, 4 & B**

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

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

### Client Acquisition, Retention and Dealing with Difficult Clients

with Ian Quayle on Tuesday 9th October, 1.30pm - 4.45pm

**This course is aimed at all transactional residential conveyancers from the most experienced to anyone new to this field. It examines in a practical way how to acquire and significantly how to retain clients. The course explores using case studies and examples from practice how to generate work and how to preserve existing work without spending vast sums on marketing.**

Topics examined include:

- The client as consumer
- What do clients require from conveyancing services
- Effective low cost marketing with a purpose
- The client experience – what keeps clients happy
- Tips on generating added value
- How to retain existing clients – keeping the up firms profile effectively
- We all have had or may still have difficult clients – what can you do to make your life easier?

**Core Competencies: A, C and D**

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

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





## Relationship Management



## Update from the North Team

# What the Relationship Management Team North have been up to

For this month's Relationship Management Team North Update, we thought it would be a good opportunity to let you know what we have been up to and what we have planned over the Autumn and Winter.

### Women in Law Roundtables

As you all know, one of Christina Blacklaws' Presidential plans is promoting Women in Leadership in Law. Across the region during June and July, we held successful Women in Leadership in Law pilot roundtables in Liverpool, Manchester and Leeds.

We are now entering phase two and those women who attended the pilots will hopefully be running their own roundtables using the Law Society toolkit, to contribute further to the national research project. So far, we have six phase two roundtables planned in the North during September in: Manchester, Liverpool, Leeds, Newcastle and Sheffield and one specifically for BAME women in the profession in Manchester.

### LASPO Review Focus Groups

We are holding focus groups with legal aid solicitors in August and early September to explore impacts of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) on solicitors' firms, their working lives, clients, and the broader justice system.

The focus group research will provide evidence for the Law Society to submit to a post-implementation review of LASPO conducted by the Ministry of Justice. In the North, we have organised LASPO focus groups in civil/family and criminal law in Liverpool, Newcastle and Sheffield during August and September.

### Council Member Engagement

We caught up with our Council Members in the North East in March and our Yorkshire ones earlier in the year, and now it's the North West's turn.

We are meeting our Council Members over lunch in Manchester at the end of August and looking at developing more ways we can continue to work together more collaboratively.

### Membership and Communications Committee.

Liverpool Law Society hosted a successful two-day Membership and Communications Committee MCC away day in August, which was attended by over 40 members from across the north region.

### D&I Forum, North

Over the last nine months our Chancery Lane Diversity & Inclusion Team have been travelling the regions with us and holding regional D&I Forums. In the North, these have been held in Liverpool, Manchester, Sheffield and Newcastle. They have been well attended and have opened a useful dialogue on the key issues. The first round of the D&I Forums finishes in Leeds in October, and we will be planning and shaping the next phase of these over the winter months to strengthen the links and widen out the conversations.

### Black History Month

We are celebrating Black History Month in Manchester this year and are working with the Black Solicitors Network BSN North and the Law



### Women in Law Roundtable in Liverpool

Society's Diversity & Inclusion Team to bring an event to Freshfields. Our Vice President, Simon Davis, has agreed to sit on the panel of experts for the event.

### Regional Forums and Meetings over Autumn and Winter

We are planning the second phase of our North West Regional Forums, a platform which brings together North West Local Law societies, special interest groups and Council and Committee members to network and discuss the key issues affecting the profession.

The next one is in Liverpool on 25 September at Morecrofts, and our Vice President, Simon Davis, together with Katherine Mercer, the Head of our Public Affairs Team, will be speaking. After that, we will be in Manchester on 15 November at JMW when a member of our Policy Team will be our guest speaker. There will also be a forum for Lancashire and Cumbria in February 2019, at which we hope our Chief Executive, Paul Tennant, will be speaking.

In Newcastle we are holding a lunch meeting for North East based Law Society Council & Committee Members, Presidents/Secretaries of North East local law societies and other local groups and stakeholders. It will be chaired by the Law Society's Director of Strategic Relationships, Stephen Denyer, and will be an opportunity to network and discuss key current issues impacting the legal services market.

The lunch will be on 31 October, kindly hosted by DAC Beachcroft.

### Other Regional Events

Further events in the region include:

- ☐ Risk and Compliance Autumn Conference on 13 September at Park Plaza Leeds
- ☐ Mitigating risk for in house lawyers in Manchester on 19 September
- ☐ Small Firms Annual Conference on 4 October at Park Plaza Leeds

# National Pro Bono Week and Justice Week

For the past 17 years, the three professional bodies (The Law Society, The Bar Council, and the Chartered Institute of Legal Executives (CILEx)) have been supporters and funders of National Pro Bono Week (NPBW). We have collaborated to organise a week that recognises the contribution that legal professionals make, free-of-charge, to those people and organisations in need of legal advice and representation who would otherwise be unable to afford it.

One of the challenges the legal sector has faced in recent years is that as demand for free legal support has increased due to cuts in legal aid, pro bono is increasingly seen as a way of alleviating problems caused by inadequate funding. Whilst the NPBW team and the professional bodies have emphasised that pro bono is not a substitute for a properly funded legal system, the issues have inevitably become conflated.

The professional bodies are therefore focusing on issues around pro bono during Global Pro Bono Week this year, and are developing 'Justice Week', a new initiative, that will help to craft an attractive and compelling context in which the pro bono story can be told. Global Pro Bono Week will provide the platform for us to engage with stakeholders and Parliamentarians to promote pro bono. Justice Week is intended to boost the profile of justice and the rule of law, helping to place them at the centre stage of public and political debate, as well as enhance public understanding of the function and value of the justice system. Within this broadened remit, a key priority will be to continue to celebrate the pro bono work of legal professionals and to support, guide and encourage those who are looking to undertake pro bono work for the first time.

Global Pro Bono Week runs from 22nd to 28th October. Justice Week will follow immediately afterwards, from 29 October – 2 November 2018.

With a broader scope than NPBW, the combined impact of Global Pro Bono Week and Justice Week has the potential to create an opportunity for the professions to highlight good practice across the sector and to discuss and debate the future of our justice system whilst delivering better recognition of the important contribution of pro bono support.

We are very keen to ensure that firms who have previously been involved in National Pro Bono Week will regard the new Weeks as an opportunity to highlight justice issues as well as pro bono opportunities throughout their firm and the wider pro bono community.

The Law Society, The Bar Council and CILEx remain committed to supporting the pro bono sector and will be providing, as we have before:

## A guide to pro bono support Funding for events, and Publicity on initiatives and areas of concern.

We will also be producing guidance on ideas for events, how to run them and other supporting materials.

We are developing a webpage and a timetable to accompany the new direction of travel for the week. If you would like to run an event please get in touch with Ellie Cronin ([ellie.cronin@lawsociety.org.uk](mailto:ellie.cronin@lawsociety.org.uk)) so that we can make sure it is included in the timetable.

If you have any further questions please don't hesitate to contact the Law Society's Head of Justice Policy, Richard Miller - [richard.miller@lawsociety.org.uk](mailto:richard.miller@lawsociety.org.uk)



## Costs & Funding 2018 with Professor Dominic Regan

on Friday 28th September, 12.30pm - 3.45pm

The decisions keep on coming as do proposed reforms.

This talk will cover all of the big, recent developments.

Issues include:

- More Part 36 developments
- When are costs proportionate?
- The impact of conduct on costs
- Common budgeting errors
- The expansion of fixed costs
- Legal aid v CFA



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

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



## The General Data Protection Regulations in law firms: How compliant are you? with Jo Morris

on Tuesday 2nd October, 10am - 4.15pm (lunch included)

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

An introduction – DPA, GDPR and the Data Protection Act 2018

The SRA Handbook and Code of Conduct in relation to Data Protection

Change comparison:

- Definitions – 27 new definitions in the GDPR
- Principles – out with the old and in with the new?
- Data subject rights – enhanced rights
- Subject access requests
- Data Protection Officer – what will the role entail
- Compliance – the reporting of breaches
- Data Impact Assessments
- Fines

How to start to prepare for the new regime

How you can prevent breaches now

Action plan to help prepare for the future

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

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

# Charity and CSR Matters



Hi everyone,

By the time you're reading this the summer will be nearly over and the kids will be back/nearly back at school. So, you'll have some more time on your hands to undertake some charitable work or- more likely- tell me all about the stuff you are already doing so I can publish it!

Whilst you're at it the deadline for the Law Works pro bono awards is on 8 October 2018 so make sure you get your nominations in. I was amazed to find out this month that I have been shortlisted for a Law Society Excellence Award for Junior Lawyer of the Year. This recognition alone is just lovely, so set some time aside to nominate those wonderful colleagues of yours who have made a difference.

Jennifer Powell  
Solicitor  
Weightmans

## LawWorks Pro Bono Awards 2018

Nominations for the LawWorks Pro Bono Awards 2018 are open and close at midnight on Monday 8 October 2018.

The Rt Hon David Lammy MP will be presenting the awards at the ceremony on Monday 3 December 2018 and giving the annual LawWorks Lecture. The awards event will be hosted by Clive Coleman, the BBC's Legal Correspondent.

To celebrate the tenth anniversary of the Access to Justice Foundation there is a special award. The Outstanding contribution to Access to Justice award recognises the individual, project or organisation who has made a significant contribution to the access to justice field during the last ten years.

The awards celebrate the best legal pro bono activities undertaken by organisations and individuals and the positive impact they have had on those helped. LawWorks would like to hear from everyone who has made a difference.

The categories for the 2018 awards are:

- Most effective pro bono partnership.
- Best contribution by a small firm.
- Best contribution by a firm with an English head office.
- Best contribution by an international firm.
- Best contribution by an in-house team or an in-house solicitor.
- Best contribution by an individual.
- Junior Lawyers Division Pro Bono Award.
- The LawWorks Cymru Award.
- Best contribution by a pro bono clinic.
- Best new pro bono activity.
- Outstanding contribution to Access to Justice

Unless otherwise stated in the award category, to be eligible nominees need to be a member of LawWorks (joining as of 5th October 2018), but the pro bono work does not have to be delivered through a LawWorks project, programme or member of their Clinic Network.

Any firm, clinic or individual can nominate itself or others for one or more of the categories listed. If you would like to make a nomination for more than one category, please complete a separate form for each nomination. The forms can be found on the website <https://www.lawworks.org.uk/solicitors-and-volunteers/get-involved/lawworks-annual-pro-bono-awards>



## Good causes benefit from grand effort by Morecrofts partner

Morecrofts partner David Parr raised almost £1,000 for two local charities by abseiling down Liverpool's Anglican Cathedral.

David was raising money for the For Ava Foundation, which provides much-needed 'Be There' care packages for the families of seriously ill children across the North West, as well as Alder Hey Children's Charity.

The abseil event saw David and other fundraisers descend more than 150ft above the main entrance of the iconic city landmark, cheered on by family, friends and colleagues from the law firm.

Morecrofts is partnering with the For Ava Foundation throughout 2018. Named in honour of six-year-old Ava Stokes, who has twice survived cancer and was required to spend much of her treatment in isolation, the organisation supports children, young people and their families who have a cancer diagnosis or a condition that requires them to undergo a bone marrow or stem cell transplant at Alder Hey or Royal Manchester Children's Hospital.

For further details about the For Ava Foundation, visit <https://mydonate.bt.com/charities/foravafoundation> or follow them on Twitter @forAvaFriends.





## Brabners names Mind as its Charity Partner for 2018/2019

Brabners has named mental health charity Mind as its chosen charity partner for 2018/19 and has kicked off its fundraising target by raising £5,000 from its annual Charity Challenge.

The Charity Challenge took place in the Lake District and is the firm's first major fundraising initiative of the year. It saw teams of employees, clients, friends and family race against each other in a series of gruelling challenges. From kayaking more than a mile and a half around Derwentwater lake to cycling up to 37 miles through the Buttermere Valley. This route saw teams climb more than 4,000ft as they cycled the Honister and Whinlatter passes, before participants hiked a further 3,800ft as they ended the challenge with a nine mile fell walk through Outerside, Craig Hill and Sand Hill.

Mind promotes the understanding of mental health issues and provides advice and support to the thousands of people across the UK who need it. This event is just one of many that Brabners' dedicated charity committee has planned to support Mind and will be followed by a number of sponsored challenges to help the firm beat its annual fundraising target of £25,000. This includes partner Phil Steele running 5km every day for six months.

Lachlan Nisbet, head of the firm's charity committee, said: "Mind does a tremendous job of providing thousands of individuals across the country, both young and old, with expert support and guidance around mental health issues. We're extremely proud that the money we've raised will provide Mind with the vital funding it needs to carry on supporting those who need its help the most, and we're looking forward to continuing our support as we work together to raise awareness of such an important cause."

Sandra Gilbert at Wirral Mind added: "One in four people are affected



by mental health issues, so the work we do to encourage open conversation is more important than ever. Events like this not only help us to raise awareness about such an important issue, they ensure the money raised will allow us to continue to provide services to people experiencing distress. It's really encouraging to see firms such as Brabners championing mental health awareness and we hope to see many more follow in their footsteps."

Over the last 10 years Brabners has raised more than £250,000 for charities including Alder Hey Children's Hospital, Marie Curie, Help for Heroes, Macmillan Cancer Support, Crisis and Guide Dogs UK.



### Commercial Property Update

with Richard Snape on Friday 5 October, 9.30am - 12.45pm

Commercial Property has undergone major changes within the last 2 years. In particular, the last year has seen some very important case law and regulatory changes. The course aims to look at these changes.

Topics covered include:

- Recent commercial lease case law including break clauses, dilapidations and the Landlord and Tenant Act 1954
- Legionnaires Disease Reports
- Recent Village Green case law
- Changes to Planning Permission and The Neighbourhood Planning Act 2017
- Leasehold minimum energy performance standard as of 2018
- The Electronic Communications Code 2017
- Assets of Community Value in the light of Banner Homes v St Albans
- The 3rd Edition Standard Commercial Property Conditions

Core competency: B

Sponsored by



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

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



### Conveyancing Update

with Richard Snape on Friday 5th October, 1.30pm - 4.45pm

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 and the Court of Appeal's decision in *Mishcon de Reya* is of extreme importance.

Topics covered include:

- Recent cases on identity fraud in the light of *Mishcon de Reya* and liability of both buyers and sellers conveyancer
- Ground rent issues
- Mortgagee guidance on ground rents
- SDLT and additional dwellings: latest guidance
- Recent case law on rentcharges
- Recent case law on additional searches
- The Money Laundering Regulations 2017
- The Energy Act 2011 and the Minimum Energy Efficiency Standards
- Leasehold Dwellings Update including Service Charge liability in the light of Grenfell
- Replacing septic tanks under the General Binding Rules
- Mortgage Lender requirements
- Service charge liability post Grenfell
- SDLT and first time buyers.

Core Competency: B

Sponsored by



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

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



**COMPETITION**



**THE LIVERPOOL LEGAL WALK**  
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WIGS, FLOATS AND BANNERS!

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PHOTOGRAPH WITH THE CILLA BLACK STATUE  
PHOTOGRAPH BY A FAMOUS LIVERPOOL LANDMARK (E.G. ST  
GEORGE'S HALL, LIVER BUILDING, MERSEY FERRY)  
PHOTOGRAPH WITH A POLICE OFFICER

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**Tuesday 9th October 2018 - 5:30 pm**



More information: <http://www.nwlst.org.uk/liverpool-legal-walk.html>  
Sign up to walk at <http://www.lsteventregistration.org.uk/liverpool-legal-walk.html>

Please join us for



Walk with us to raise money for free legal advice charities which help those most in need.

THE LIVERPOOL LEGAL WALK



TUESDAY 9  
**OCT**  
**2018**

bit.ly/LivLW18  
#LEGALWALK

## Big Steps towards Legal Accessibility – The Liverpool Legal Walk

On Tuesday 9<sup>th</sup> October 2018, groups from across Merseyside will be banding together to participate in a 5km sponsored walk to help raise funds for local legal advice charities. Supported by the Liverpool Law Society, the Liverpool Legal Walk celebrates the work of the legal profession and advice sector in protecting people's rights and promoting equal access to justice for all, and in 2016 over £3000 was raised by teams of walkers from law firms, barristers' chambers and the voluntary sector. Being one of 40 similar events taking place across the country, the Walk is organised by the North West Legal Support Trust (NWLST), which forms part of a network of Legal Support Trusts that work with the Access to Justice Foundation (ATJF) to facilitate access to specialist legal advice for the poorest and most vulnerable in society.



Last year's walkers were joined by local legends such as Lord Mayor of Liverpool, Councillor Malcolm Kennedy, who said after crossing the finish line "walks and events like this are extremely important... because the kind of people that [local law] centres help are the people who can't afford lawyers". Michael Starke (AKA Sinbad), who also made an appearance in support of the NWLST, was "delighted to come along and be part of such a positive initiative... All our rights are being eroded; we need to fight for things and the only way we can do that is by getting involved". Indeed, the recent cuts to civil legal aid have drastically impacted the legal profession and public services. The additional cuts to local government funding of advice services means many charities are fighting to survive. Some organisations have merged, meaning already tight resources are being stretched over greater distances. More and more frequently, these organisations have had to cease providing services altogether. Vulnerable people like 'Mr. G' have suffered the most as a result of reduced advice services:

*Mr G was the father of a terminally ill teenage boy. He had been refused respite care from the local authority and so was making himself ill trying to continue to work and care for his son during his final months. He sought specialist community care representation and his solicitor secured a package of respite care which enabled him to be with his son as much as possible until he passed away.*

In its tenth year, the ATJF aims to help these people by raising funds and distributing them to organisations that

THE  
ACCESS  
TO JUSTICE  
FOUNDATION

Alongside various Legal Support Trust events throughout the year, the ATJF achieves this through the *It's Not Just Peanuts* campaign (in which law firms donate their unclaimed client account balances) and by receiving pro bono cost orders (which can be ordered when a civil case is won with pro bono help). Thanks to the Foundation's efforts, organisations such as the Vauxhall Community Law and Information Centre and the Liverpool Law Clinic have received the funds necessary to continue supporting the most disadvantaged people in Liverpool.

For more information about the NWLST and to register a team for this important event, be sure to check out the Trust's website at <http://www.nwlst.org.uk/>, and don't forget to also visit <http://www.atjf.org.uk/> to find out more about how you can help those hugely in need of greater legal access!



# Charity Spotlight

## Circus Starr

### Why We Need Your Support



Circus Starr is a not-for-profit charitable organisation – we are a circus with a purpose! We invite local businesses in the towns on our tour to cover the cost of tickets for local children with a disability or in a disadvantaged circumstance to experience an accessible arts event.

This is a once in a life time opportunity for many. Every penny raised helps create an unforgettable Big Top extravaganza experience for children in your community who need it most.



For over 30 years more than 2 million children and their grown-ups have benefitted from our inclusive shows. We connect communities, build self-esteem and most importantly we restore hope in the most magical way.

Join us today and make a difference to a child, like 3 year old Amelia and her family...

A rare form of epilepsy and a hole in her heart causes Amelia to stop breathing up to 15 times a day. Her family lives in constant fear and worry as her health means she can never be left alone.

**This is what her mum had to say:**

*"Amelia leaves the shows so happy. It is so nice for us to have no worries while we are there."*

*"We don't get any respite and sometimes feel so cut off from the world so we all really enjoy and love our time at the Circus."*

Our work would simply not be possible without the fantastic support of business like yours! Join us in making our shows even more accessible for local young people and support your community show today.

**This year's show will be held on Tuesday 25th September 2018, at Kings Parade, Coastal Road, New Brighton, Wallasey, Wirral, CH45 3PZ.**

There are a number of sponsorship, donation and social media packages available for business. For more information click here and <http://www.circus-starr.org.uk/testimonials/case-studies/> to read how your donation could help, or to talk to one of the team please call 01260 288690.

# Depression

This is the first in a series of articles by LawCare, highlighting some of the mental health issues which can affect anyone. This month they highlight depression, including symptoms and treatments...

**Depression is an illness, just as heart disease or diabetes are illnesses, and it is an illness that affects the entire body, not just the mind. One in five people will experience depression at some time in their life, and it's a major cause of alcohol and drug dependency.**

However, it can be successfully treated in the vast majority of cases. Depression is sometimes triggered by traumatic events or prolonged stress, but can happen to anyone and for no apparent reason.

## Symptoms

Depression is characterised by lethargy, anxiety, despair, desperation, poor sleep, lack of motivation, loss of interest in things previously enjoyed, inability to concentrate and, in extreme cases, suicidal thoughts. If you are experiencing any of these symptoms seek help from your GP.

## Treatment for Depression

### Counselling

Counselling has been shown to be very effective in treating depression. Depression counselling should be future-orientated, time-limited and solution-focussed.

Counselling is available on the NHS, although there may be a waiting list. Private counsellors can be found through groups such as the British Association for Counselling and Psychotherapy ([www.bacp.co.uk](http://www.bacp.co.uk)) or United Kingdom Council for Psychotherapy (UKCP)

### Anti-Depressants

The most effective treatment is shown to be competently prescribed and monitored anti-depressant medication, coupled with regular counselling sessions. Anti-depressant drugs were first formulated in the 1950s, and fall into several categories:

- Selective Serotonin Reuptake Inhibitors (such as Prozac and Seroxat) are the most widely used class of antidepressant drugs
- Tricyclic antidepressants (such as Amitriptyline) are used now only when SSRIs have proved ineffective.
- Newer types of drugs, such as NASSAs, SNRIs and NRIs (including Zyban and Edronax) are also beginning to be widely used
- Monoamine Oxidase Inhibitors (such as Nardil) are useful in the treatment of panic attacks, extreme anxiety and phobias

All anti-depressants take between two and six weeks to show any effects. Often the first symptom to be diminished is insomnia, with elevation in mood taking several months to be established. It is important to be aware of any possible side-effects before you begin taking medication.

### Alternative Treatment

NICE (National Institute for Clinical Excellence) currently recommends that GPs do not prescribe antidepressants for patients with mild to moderate depression, but to reserve medication for the most serious and acute cases. For mild depression other treatments are recommended, and for those who prefer not to take medication these may help:

### Exercise

Exercise raises mood as well as increasing fitness, and provides an outlet for negative feelings. Studies have shown that exercising outdoors in a green space is more beneficial than exercising indoors. Fresh air, sunlight and greenery have all been shown to raise mood, so enjoy your garden, local park or the countryside as much as possible.



### Alternative Therapy

Alternative therapies such as reflexology, homeopathy and herbal remedies may help too.

### People and pets

Surround yourself with supportive people who like you. Pets can also be very helpful in providing company and reassurance.

### Relax

Depression is often related to stress, and learning to relax can be key in both overcoming the illness and preventing it recurring in future. From massage to taking up a new hobby to decluttering your life, anything which makes you feel relaxed could be beneficial.

### Avoid Alcohol and Drugs

There is a tendency for some people with depression to drink more, in the belief that alcohol will help to relax them. However it is unwise to drink alcohol if you have depression, since alcohol is a depressant and will worsen your symptoms in the long term. It may also be contraindicated with your antidepressants. Other harmful substances should also be avoided.

### Self-Help Books

There are hundreds of books available which claim to help you manage depression yourself; for example, by teaching you to challenge your negative thoughts, forgive yourself or let go of the need to be perfect. These are complementary to other types of therapy, but can be helpful.

### Contact us

Call LawCare's free, independent, confidential helpline on 0800 279 6888 for immediate support or visit [www.lawcare.org.uk](http://www.lawcare.org.uk)

# Meet the MJLD Committee 2018



## Michael Fagan – Chair

I am a newly qualified solicitor in the Family Department at Broudie Jackson Canter and this is my third year on the committee. I will be on hand to assist the committee and our members to have the best social and educational events possible. I'm passionate about supporting our chosen charity for this coming year and hope we can help them raise a lot of money. I am also excited to work alongside our new Committee this year and hope to bring some amazing events to our MJLD members.



## Hannah Bickley – Vice Chair

I am a Legal Executive at Broudie Jackson Canter within the Family Department. This is my second year on the MJLD committee and I am looking forward to working closely with the other committee members to make this the best year yet with even bigger events and raising more money for our nominated charity.



## Sarah Coakley – Treasurer & Secretary

I am currently a trainee solicitor at MSB Solicitors, working in the Commercial Property department. I am continuing my role as Treasurer and Secretary in this year's committee and I am excited to see what events we can plan for the year ahead.



## Lauren Rattigan – Social Representative

I am a current trainee at DWF LLP and studied at Liverpool John Moore's University for both my LLB and LPC. In my spare time I enjoy yoga and spending time with family and friends. I'm also learning how to cook, which to date is a work in progress. This is my first year on the MJLD committee. Thank you to all who voted for me as social representative and I look forward to meeting you at events over the next year.



## Thomas Stockton – Social Representative

I am a newly qualified solicitor working in the commercial litigation team at MSB Solicitors where I have worked for the past 9 years. This is my second year on the MJLD committee where I have again been elected as a social representative. I am looking forward to the year head and organising many more exciting events for young lawyers in our city.



## Sarah McGuinness – Social Representative

I am a Newly Qualified Solicitor at MSB Solicitors working in the Property Department. I am very grateful to be the Social Representative for the second year running. I studied at Liverpool John Moores University where I obtained a first Class Law Degree. I am looking forward to organising bigger and better events this year! In my spare time I enjoy socialising with my friends and spending time with my nephews.



## Sophia Liu – Publicity Representative

I am a currently a Paralegal at DWF LLP in the Complex Litigation department and I have completed my GDL and LPC at Liverpool BPP. This is my second year on the MJLD committee as Publicity Representative and I am excited to see what events this year will bring. I am looking forward to promoting the MJLD events and engaging with junior lawyers within the community through our social media platforms and networking/educational events.



## Rose McIver – Publicity Representative

I am currently a Paralegal in the Personal Injury Department at Michael Rose & Baylis. I completed my LLP and LPC at Liverpool John Moores University. I am excited to be part of the Publicity Team and help create a bigger presence for the MJLD this year and I can't wait to start working together with everyone on the Committee!



## Joseph Morgan – Publicity Representative

I am a trainee solicitor at BLM in Liverpool. I completed my LLB and LLM at Exeter University and my LPC at BPP Liverpool. This is my first year on the Committee and I was inspired to get involved after attending several amazing MJLD events. I am one of the Publicity Representatives and I am looking forward to working closely with everyone else to make this yet another incredible year for the MJLD.



## Matthew Montgomery – Sponsorship Representative

I am a trainee solicitor at Bermans after having graduated from the University of Liverpool and the University of Law. As my first year on the Committee, I am taking on the position of Sponsorship Representative and seek to maintain the strong relationship with sponsors and attract new support ensuring another fantastic year is delivered for the MJLD members. If you would like to get involved or know any way to assist please do get in touch. I am looking forward to working alongside the Committee and welcoming the new term.



## Mark Owen – Sponsorship Representative

I am a Solicitor in the Clinical Negligence at Jackson Lees Solicitors in the Birkenhead office. This is my first year on the MJLD committee but you may recognise me from hosting the annual MJLD vs Liverpool Law Society quiz last year. In my role as sponsorship representative, I am looking forward to working with the other committee members and to ensure that we have the required sponsorship to continue providing high quality events for the MJLD members



## Danny Greenland – Educational & National Representatives

I'm currently at trainee solicitor at Brabners LLP in Liverpool. I studied my undergraduate at Liverpool John Moores and completed the LPC at BPP Liverpool. I'm looking forward to delivering a calendar of informative events and making sure your voices are heard on a national stage. Please let me know if you have any ideas, concerns or comments about the MJLD, the profession or our educational events.



## Andrew Ball – Educational & National Representatives

I'm currently working in the Disease team at Weightmans and have just completed by LPC part-time, after originally studying the GDL and BPTC. Following last year's success with the Education events we ran, it's great to be re-elected to the MJLD to continue that work. Along with Danny as the co-rep, this year we want to offer up more career focused events and also events that tackle issues that junior lawyers face day-in-day-out. One thing we discussed with the LLS last year was introducing a training contract application clinic and it's something we intend to explore further in 2018/2019. Overall, there's a lot to look forward to this year with Education and we look forward to seeing some of you at our events



## Rebecca Dobbs - Fundraising Representative

I am currently a paralegal within the family department at Morecrofts Solicitors in Birkenhead. I graduated from the University of Liverpool in 2016 and started the LPC in January 2018 part time at BPP. This is my first year on the committee and I am looking forward to working closely with the nominated charity and encouraging members to raise as much money as possible



## Lois Williams – Fundraising Representative

I am currently a Paralegal in the Family Department at Morecrofts Solicitors. I achieved my LLB in 2015 in Liverpool and my LPC in 2017 in Chester. This is my first year on the committee in the role of fundraising representative. I am excited to begin working with our nominated charity for the year and help them raise as much money as possible



# News from the



## Yoga Event

The WLD's "An After Work Stress Reliever Yoga with YinYan" took place on 9th August 2018 at Cotton Exchange.

It was a fantastic event enjoyed by all. The combination of yoga, tai chi and meditation ensured everyone left the event feeling relaxed, stress free and refreshed.

We would like to thank Robin from YinYan for his expertise and providing attendees with techniques that can be used at home or in the work place.



## What's Coming Up?!

Our next event is being held by Wesleyan who are presenting financial seminars on maternity/paternity leave, pensions, ISAs and mortgages. This event is free and will be held on Thursday 27th September 2018 at Brabners, Horton House, Exchange Flags. Registration is from 5.30pm and the event will start at 6pm.

Keep an eye out on our website and social media for further details about our events. The WLD are continuing to update their website with various content including a "5 minutes with..." every Wednesday. In August 2018 we had 5 minutes with Anne Heseltine, Partner and Head of Litigation at Morecrofts LLP and Beverley Bell, former Senior Traffic Commissioner for Great Britain.

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[wldevent@gmail.com](mailto:wldevent@gmail.com)



## Contracts & Commercial Update

with Chris Beanland on Friday 21st September, 1.30 - 4.45pm

This course provides busy practitioners with a practical update on contract and commercial developments over the last year. The course is aimed at both contentious and non-contentious lawyers and will give attendees practical pointers to use in their practice areas.


The course will cover:

- How effective is an anti-oral variation clause
- No reliance clauses
- Entire agreement clauses
- Offer and acceptance and negotiations subject to contract
- Equitable jurisdiction to rectify mistakes in deeds
- Mutual mistake
- Implied obligations of good faith
- Wide ranging exclusion clauses and reasonableness
- Meaning of consent 'not to be unreasonably withheld'
- Construction of contracts and implied terms
- Application of Marks & Spencer v BNP on implied terms
- 'Wrotham Park' damages

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

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

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




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Registration 5.30pm for a prompt 6pm start  
Thursday 27th September 2018  
Brabners, Horton House, Exchange Flags

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# Regulation Update

The latest regulation news from Michelle Garlick of Weightmans LLP



**I hope everyone has had a good holiday. In spite of holiday season, August was a busy month at SRA HQ so here is a round-up of things you may have missed whilst away:**

## **Update on new SRA Handbook – but it won't be called a handbook!**

The SRA has now submitted its application to the LSB for approval of its "Looking to the Future" proposals which will involve a wholesale revision of the current SRA Handbook to make it "shorter, sharper and clearer" and provide greater flexibility in how and where solicitors can practise. You could be forgiven for having missed their submission as in spite of extensive searching, my team could not find anything on the SRA's own website about it! However, the application (on the LSB's website and linked here

[https://www.legalservicesboard.org.uk/Projects/statutory\\_decision\\_making/current\\_applications.htm](https://www.legalservicesboard.org.uk/Projects/statutory_decision_making/current_applications.htm))

does make for some interesting reading (if you are a regulatory geek like me!). The most surprising feature of the application (which includes the proposed Principles (now 7 instead of 6 as the SRA has split duties of integrity and honesty), Codes (x2, one for solicitors and another for firms), rules and also the controversial proposals to allow solicitors to practise in unregulated businesses and individual freelance solicitors to provide reserved activity without being regulated as an entity) is that the SRA is looking for a new name for the Handbook. Its justification is that it wants to "move away from a name that suggests a stagnant rulebook" and which more accurately describes a more flexible collection of Principles, codes and rules.

It occurred to me that a Handbook that has undergone 19 versions is hardly "stagnant" and nor was it a "rulebook" – surely the SRA hasn't forgotten that they moved away from the 2007 rulebook in 2011 when outcomes focussed regulation was introduced (although I accept that there were too many "rules" in it, many of which do not fit with the current marketplace).

The SRA is going to do some "user testing" before deciding on its new name so answers on a postcard please! I've checked the Thesaurus for alternatives – directory, bible, guidance but "Handbook" to me seems the most appropriate unless the SRA wants to consider my favourite – The Solicitors Enchiridion (look it up!)

In all seriousness, the Law Society continues to campaign against the more controversial proposals and Christina Blacklaws has written to the LSB (featured elsewhere in the Messenger). The deadline for comment is 4 September so if you feel strongly about the changes, do make your voice heard by writing to the LSB.

## **Reporting Concerns consultation**

Another opportunity to make your voice heard is to respond to the SRA's consultation recently issued on the question of what is a serious breach and when you should report such to the SRA.

The changes to the Code mentioned above require serious breaches to be reported but the SRA, in discussions with a number of firms, have said that the approach being taken by firms differ. Some will only report to the SRA once a full internal investigation has taken place and misconduct has been proven to the firm's satisfaction whilst others report much earlier. The consultation asks for feedback on whether the current wording of the obligation to report could be made clearer and it gives 4 alternative options.

The consultation is open until 27 September so we don't have long to respond but I encourage all COLPs and COFAs to take a look at the consultation and feed back your views. The consultation is attached here

<https://www.sra.org.uk/sra/consultations/reporting-concerns.page>

## **LSB approves SRA application on Pricing and Transparency**

The LSB has approved the SRA's application for firms to publish their prices for certain legal services on their website, as well as a firm's complaints procedure, how/when to complain to LEO & SRA and the SRA's proposed new digital badge. The consumer services covered by the new rules are residential conveyancing, probate, immigration applications and appeals (excluding asylum), advice and representation at magistrates' courts in relation to summary-only road traffic offences and employment tribunal claims for unfair or wrongful dismissal.

Business services subject to the same rules will include advice and representation to employers in relation to defending employment tribunal claims for unfair or wrongful dismissal, debt recovery up to the value of £100,000, and advice and representation in licensing applications.

## **SRA Issue Updated Warning Notice on Sickness Claims**

Following on from September 2017's warning notice which was aimed at stopping solicitors from helping clients with fraudulent holiday sickness claims, the SRA have issued a further Warning Notice.

The purpose of the revised Warning Notice is to refresh and update to reflect new issues that have arisen. These include solicitors:

- acting where they had no skill in area
- failing to verify the source of the client referral (for example, was it from an authorised claims management company)
- making unreasonable requests for disclosure
- failing to advise clients about what would be expected of them when making a claim

The Warning Notice comes at an appropriate time as the holiday season is coming to an end. A copy of the Warning Notice in full can be found here

<https://www.sra.org.uk/sra/news/press/holiday-sickness-warning-notice-update-2018.page>

## **Solicitors Warned not to use Client Account as a Banking Facility**

The SRA has also issued a further Warning Notice on the use of client account as a banking facility which can be found here

<http://www.sra.org.uk/solicitors/code-of-conduct/guidance/warning-notices/Improper-use-of-client-account-as-a-banking-facility--Warning-notice.page>.

The Warning Notice acts as a reminder that client account should be used solely for the legal services the firm has provided and there must also be a proper connection to those services.

The SRA confirmed in the last year that they prosecuted 20 solicitors

and three firms at the SDT for breaching these rules and the relevant Principles. Three solicitors were struck off and two more suspended, while the SDT also levied £763,000 of fines, including the highest fine ever of £500,000 (Locke Lord).

The Warning Notice comes amidst a clear period of intent from the SRA to show a transparent approach in cracking down on money laundering.

And speaking of Money laundering, the Law Commission has issued a consultation paper

<https://www.lawcom.gov.uk/project/anti-money-laundering/> commenting on the low number of Suspicious Activity Reports being lodged by law firms and that of those, many were technical reports seeking consent to continue with a transaction.

#### SRA's Risk Outlook 2018/19 issued

The SRA has issued its latest Risk Outlook. There are 10 priority risks identified most of which we have seen before but they have introduced 2 new priority risks of managing claims and cyber security. It can be found here <http://www.sra.org.uk/risk/risk-outlook.page>

And speaking of cyber, the National Cyber Security Centre has published its first report on the growing cyber threat to the legal sector. It gives some really useful tips on protecting your firm from common cyber threats – a must read for all those responsible for risk.

<https://www.ncsc.gov.uk/legalthreat>

#### Law firm closures by SRA increase

The SRA has confirmed that the number of law firms closed by the SRA last year rose to 50 (an increase of 35%) as a result of increased accounts rule breaches and indemnity insurance. The number of solicitors struck off fell but the level of fines and suspensions remained about the same.

In its annual report to October 2017, the SRA confirmed that it

received 35,000 ethics queries in 2016/17. The top five concerns were confidentiality and disclosure, the accounts rules, validity of practising certificates, retainers with clients and conflict of interest.

The top three reports of misconduct were incompetent, negligent or delayed client care, taking unfair advantage of a third party and identity theft – either of a person or a firm, including cloned websites.

The top three issues reported by solicitors were identity theft, breaches of confidentiality, and incompetent or negligent client care.

#### Disciplinary news

I don't have much room for cases this month save for mentioning that the SRA has recently made Alan Blacker (aka Lord Harley) bankrupt for unpaid costs of the disciplinary proceedings against him.

#### PII Insurance/renewal

We are of course now in PII renewal season for many firms and sadly we have seen announced that 2 insurers, Libra and Aspen, are pulling out of the market and will not be writing any further business.

See you next month!

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



### Private Child Law Update with Safda Mahmood

on Wednesday 3rd October, 10am - 12:45pm

The course will equip you with a rounded up update on key issues surrounding private children law, with a particular focus on changes throughout 2018. The course is set at a level to benefit those who are practicing in this field, and want to get an update on issues in this field.

The areas to be covered are:

- Parental Responsibility
- Section 8 orders - Update
- Contact (Child Arrangements) and Enforcement – Update
- Children and Families Act 2014
- Child Arrangements Orders
- Presumption of Involvement
- Leave to Remove Applications
- Funding Applications
- Special Guardianship Orders
- Key Case law Update



Core Competency: B

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

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



### Public Child Law Update

with Safda Mahmood on Wednesday 3rd October, 1.30pm - 4.15pm

The course will equip you with a rounded up update on key issues surrounding public children law, with a particular focus on changes throughout 2018. The course is set at a level to benefit those who are practicing in this field, and want to get an update on issues in this field. It will be of benefit to those acting for parents, children, extended family, and local authorities.

The areas to be covered are:

- Removal
- Contact and Children
- Assessments and Timescales
- Public law Outline
- Children and Families Act 2014
- Special Guardianship
- Placement Applications and Adoption
- Threshold Criteria
- Key Case Law Update
- Updates on Statutes and Practice Directions



Core Competency covered: B

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

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



# The next chapter for Liverpool's law students begins

The University of Law (ULaw) is pleased to announce its Liverpool campus, operated within the University of Liverpool is now up and running. Having announced its arrival in March this year ULaw Liverpool now has students studying on the University's Legal Practice Course and Graduate Diploma in Law programmes and already has a waiting list for places commencing in 2019!

Readers will know ULaw to be the UK's longest-established specialist provider of legal education and training. Previously The College of Law, it was granted university status in November 2012. The University's Liverpool students will benefit from all of ULaw's student offerings, including its market leading Employability Service which boasts a strong employability track record of 96% as a result of its prestigious Careers and award-winning Pro-Bono service.

The Legal profession in Liverpool is known to offer a lot of support to undergraduate law students through its close relationship with the University of Liverpool. As a new presence in the City, ULaw is now calling on the profession to help with the development of the post graduate and professional course students.

ULaw Liverpool is looking to expand relationships and seek innovative opportunities across Merseyside and is keen to hear from all Law Society members who are willing to offer some of their time and expertise to support students in any of the following ways:-

- Giving a talk
- Volunteering as a supervisor for the legal advice clinic
- Offering a Shadowing Opportunity
- Offering a work experience opportunity
- Mentoring a student

ULaw is also interested to hear of any organisations, charities or groups in the Merseyside area who may benefit from access to a free legal advice clinic or law related presentations/workshops.

For further details or to discuss please contact our Employability service in Liverpool on 01483 216444 or via [Careers-Liverpool@law.ac.uk](mailto:Careers-Liverpool@law.ac.uk) or [ProBono-Liverpool@law.ac.uk](mailto:ProBono-Liverpool@law.ac.uk).



## Avoiding Negligence Claims and Complaints in Residential Conveyancing

with Ian Quayle

on Tuesday 25th September, 9.30am - 12.45pm

**The course involves an examination of what can go wrong in a conveyancing transaction and how problems and claims can be avoided.**

The topics covered include:

- How property fraud can lead to negligence claims and what is the best approach to avoid problems
- Setting realistic client expectations
- Dealing with replies to TA forms when acting for the seller
- Dealing with searches and replies to TA forms when acting for the buyer
- The issue of informed consent – what does this really mean?
- Transactional issues – title problems and land registration issues
- What causes problems in leasehold transactions
- What actually causes claims
- Recent relevant case law

Core Competencies: A, B and C

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

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



## Family Finance Conference

Wednesday 26th September 2018, 9.30am - 4pm

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

This year's must-attend training event for solicitors, barristers and other practitioners involved with family law. The conference will round-up key developments in law & practice, providing an opportunity to hear directly from some first class speakers.

### Chaired by

HHJ Andrew Greensmith

### Registration & Refreshments

**Protecting your client from the impact of a bankrupt spouse: the legal framework**

Abigail Bennett,  
St John's Buildings Chambers

**Examining Kerman and Akhmedova**

Matthew Brundson-Tully,  
1 Hare Court

### Refreshments

[To book, click here](#)

[www.facebook.com/LiverpoolLawSociety](https://www.facebook.com/LiverpoolLawSociety)  
[www.linkedin.com/company/liverpool-law-society](https://www.linkedin.com/company/liverpool-law-society)  
[@LpoolLawSociety](https://twitter.com/LpoolLawSociety)

### Post Buehrlen v Buehrlen

[2017] EWHC 364 when can you use an expert for evidence on earning capacity?

Lynsey Cade Davies,  
29 Bedford Row

### Interim Sale of the Family Home

Joe Switaliski,  
29 Bedford Row

### Lunch break

**Costs in financial remedy proceedings, and the demise of the Calderbank: good or bad?**

Martyn Bennett,  
Oriol Chambers

### Schedule 1 Children Act 1989: A practical guide

Sam Hillas,  
St John's Buildings Chambers

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<b>S Code</b>	<b>Date</b>	<b>Time</b>	<b>September 2018</b>	<b>Speaker</b>
S4051	19th	9.30-12.45	Appeals – Crown Court – Court of Appeal	Colin Beaumont
S4052	19th	1.30-4.45	Evidence – res gestae – expert evidence – unfairly obtain evidence – etc	Colin Beaumont
S4162	19th	10-4.30	Professional Negligence Update	Helen Swaffield
S4114	21st	1.30-4.45	Contract and Commercial Update	Chris Beanland
S4224	25th	9.30-12.45	Avoiding Negligence Claims and Complaints in Residential Conveyancing	Ian Quayle
S3998	26th	9.30-4	<b>Family Finance Conference</b> <b>**LAST FEW PLACES REMAINING**</b>	Various
S4192	28th	12.30-3.45	Costs and Funding 2018	Professor Dominic Regan

<b>S Code</b>	<b>Date</b>	<b>Time</b>	<b>October 2018</b>	<b>Speaker</b>
S4066	2nd	10-4.15	General Data Protection Regulations for Law Firms: How compliant are you?	Jo Morris
S4092	3rd	10-12.45	Private Child Law Update	Safda Mahmood
S4093	3rd	1.30-4.15	Public Child Law Update	Safda Mahmood
S4036	5th	9.30-12.45	Commercial Property Update	Richard Snape
S4037	5th	1.30-4.45	Conveyancing Update	Richard Snape
S4165	9th	10-1	Mental Capacity Act Update	Helen Clarke
S4225	9th	1.30-4.45	Client Acquisition, retention and dealing with difficult clients	Ian Quayle
S4054	10th	1.30-4.45	Autumn Criminal Law Update	Anthony Edwards
S4100	11th	12-3.15	Credit Hire: All you need to know	Nicky Carter
S4115	12th	9.30-12.45	Wills, Tax & Trusts Update	John Bunker
S4226	16th	9.30-12.45	Property Joint Ventures: an introduction	Ian Quayle

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



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