

# LiverpoolLaw

January 2019

The magazine for the legal sector in Merseyside and the North West



## Leadership and the Law

Brian Cullen, CEO of the Jackson Lees Group talks to Liverpool Law



## Mental Health Matters

Emma Walker of Leigh Day examines the recent decision by the SDT.



## 'Elite sport can do more to deliver economic prosperity'

Brabners new report into sport and the economy...

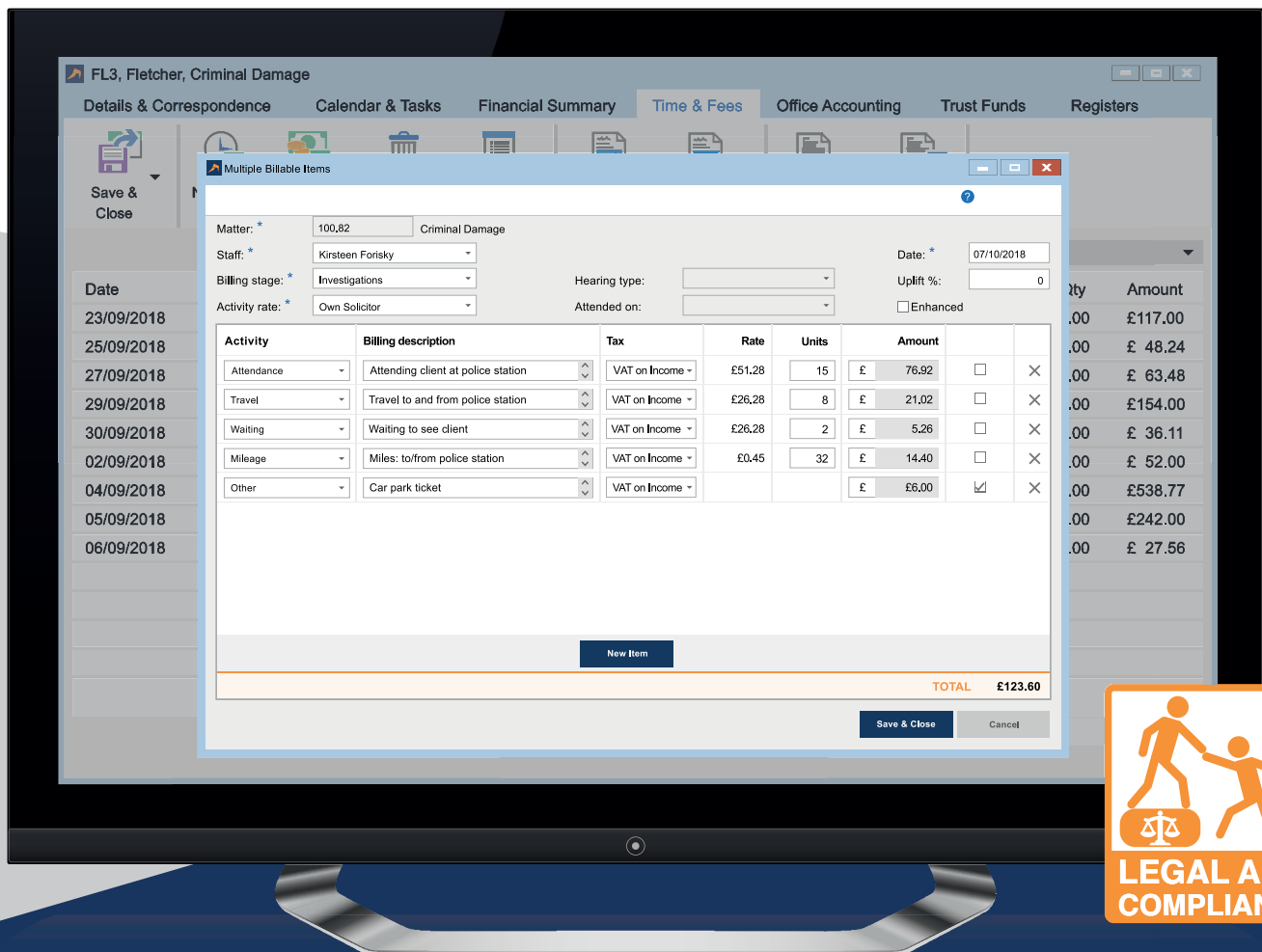


## Chris Topping elected President of Liverpool Law Society

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# January 2019

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# Welcome to the January 2019 edition of Liverpool Law



**Alison Lobb**  
**Editor**

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

Welcome to the January edition of Liverpool Law and a very Happy New Year to you all.

I hope you all had a wonderful Christmas and managed to get a proper break, coming back relaxed, refreshed and enthused and ready for all 2019 can throw at you! It promises to be an interesting year for us all.....

Quite apart from what is going on nationally and internationally, 2019 promises to be another great year for Liverpool Law Society, and indeed for Liverpool Law itself. After the first 12 months as an online only publication, readership has steadily grown and the numbers of visitors to our pages increase every month. We even have readers from the US and from India! Not sure what they will make of some of our articles but they are very welcome.

Congratulations to our new President, Chris Topping, whose picture adorns the cover of this edition, and thank you as always to all those who have contributed. In particular, Brian Cullen, CEO of the Jackson Lees Group who is the subject of Leadership and the Law this month – giving us a non-lawyer's view on running a law firm. Don't forget if you are a Managing Partner, CEO or equivalent and would like to feature in that column then please do get in touch – we

are looking for insights from leaders of all types, sizes and shapes of firms within our region.

This is my last edition of Liverpool Law as editor, and I would like to thank all who have made my second stint in the role so interesting, inspiring and enjoyable. That means the staff at Liverpool Law Society and Julia Baskerville our publisher for all of their hard work; but also all of you for contributing, providing feedback, and even just reading this magazine. I have loved the job, but it's time for some fresh ideas, and so I wish all the best of luck (not that she'll need it) to Jennifer Powell from Weightmans who is taking over as editor. Jen has been looking after our CSR pages for the last year and I have no doubt she will do a great job as editor of the magazine. Please do your best to support her by continuing to contribute your articles, reports and reviews and let her know if you have any ideas for features for future editions.

This is me – signing off!

**All the best**  
**Alison**

**Alison Lobb**  
**Editor**

## Editorial Committee Dates

All meetings start at 1pm

Tuesday 22nd Jan  
Tuesday 19th Feb  
Tuesday 19th March  
Tuesday 16th April  
Tuesday 21st May  
Tuesday 18th June  
Tuesday 16th July  
Tuesday 20th August  
Tuesday 17th September  
Tuesday 15th October  
Tuesday 19th November  
Tuesday 17th December

## Diary Dates

Thurs 17 January LLS Directors' meeting with LCR Local Authority councillors  
Thurs 24 January Newly qualified solicitors, CILEx fellows and pupil barristers celebration  
Fri 25 January Event to mark 100 years of Women in the Law  
Wed 6 February Pathways to the Legal Profession  
Thurs 7 February Family Law Judges Forum  
Mon 18 February Legal Awards entries deadline at 12pm.  
Tues 26 February Housing Disrepair Conference  
Fri 8 March LLS Directors' meeting with MPs  
Wed 13 March Costs Conference  
Wed 27 March Innovation Conference  
Wed 3 April Public Child Law Conference  
Wed 10 April Commercial Property Conference  
Tues 14 May Private Client Conference in conjunction with STEP Liverpool  
Fri 17 May Legal Awards black tie dinner & ceremony

## Deadlines 2019

25th January  
22nd February  
25th March  
25th April  
28th May  
26th June  
22nd July  
22nd August  
25th September  
25th October  
25th November



## **Chris Topping of Broudie Jackson Canter of has been elected President of Liverpool Law Society.**

**He talks to Julia Baskerville about his career and plans for 2019.**



# Meet the President

Born and raised in Southport, Chris came to Liverpool as a trainee solicitor via the University of Sheffield. Whilst Chris studied for his law degree, the miners' strike was centre stage in that city. He says "This was really a defining time for me and my fellow students who could see the injustice of the families (and particularly women) of striking miners in Sheffield city centre being forced to collect money in buckets just to survive. This fuelled my politicisation and reinforced my desire to be involved in social welfare law."

Chris went to the College of Law in Chester for his Part IIs and started looking for a firm to join as a trainee. He says "There were just a small number of firms in Liverpool that offered a range of social welfare law and I was offered a position with Jackson & Canter, and Andrew Holroyd was my principal."

Chris heads up the Actions against Public Bodies department, which has developed a national reputation for dealing with complaints and claims of Police malpractice and he is recognised in the Chambers Guide as one of the leading solicitors in the country in this area of work.

Since the early 1990s Chris has undertaken many cases against the Police. "We like to think that what we have done in challenging the Police has made things better. Some years ago there was a spate of cases relating the misuse of police cautions. We took some of these cases to the High Court and this created changes to the system of cautioning."

Chris joined the Liverpool Law Society Access to Justice Sub-Committee, which was formed in 2011 by the then President, Steve Cornforth. Chris then took over as Chair of the Committee and has organised a number of events, including the 'Mind the Gap' Conference on legal aid and has established the twice yearly Joint Forum on Access to Advice for the local advice sector, other not-for-profit organisations, local authorities, practitioners in private practice and members of the judiciary.

Chris was named Human Rights Lawyer of the Year at the Law Society Excellence Awards in 2016.

2019 sees the return of the Liverpool Legal Awards and Chris says that the first few months of the year his main focus will be on encouraging a broad range of individuals and firms to enter. He adds "There is a tendency for the same firms to enter year after year and I would like to take the opportunity to encourage other firms from Merseyside, large or small, high street or commercial to showcase their talents."

Access to Justice is an issue close to Chris's heart and one he has campaigned on tirelessly for many years. At the time of writing the profession awaits the publication of the LASPO review. Many local law societies, including Liverpool Law Society were involved in Focus Groups, which provided information on the real-life consequences of LASPO to the Law Society so they could compile a report which was submitted to the Ministry of Justice. Chris says "The ongoing issues relating to Brexit could bury the LASPO review but we hope that Liverpool Law Society can be the catalyst to keep the discussion in the minds of the profession, the public and the government. Clearly the primary focus has to be on the absence of legal aid, and the importance of early legal advice, but it is a much wider issue."

Similarly the now-delayed Civil Liability Bill will transform how low-value whiplash claims are handled will have a huge impact on PI firms. The Bill which includes fixed and reduced damages for PI claims, alongside a new £5,000 small claims limit will see many litigants having to run their own claims.

Chris says "The Civil Liability Bill will no doubt have a substantial impact on access to justice for individuals. However we are also concerned that firms that specialise in PI and RTAs in particular will be impacted. As a profession we are good at meeting challenges and adapting, already firms are starting to diversify into other areas of PI such as holiday sickness claims. I do however see our role at Liverpool Law Society to assist firms in what may prove to be tricky times".

**continued overleaf**

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## Meet the President continued...

Social mobility and access to the profession will be another key theme for Chris. He says "The profession is becoming less socially diverse because of a number of factors; many kids from less well off backgrounds are often discouraged by the huge amount of debt they will run up through attending University and also the perception of the profession. That is why I think our "Pathways to the Profession" event is so important. We invite students from a broad range of schools, areas and social backgrounds to challenge those perceptions and hopefully encourage those from less well off backgrounds to consider a career in the law."

The Social Mobility Foundation has recently opened an office in Liverpool. The Foundation is a charity which aims to make a practical improvement in social mobility for young people from low-income backgrounds. Chris hopes that Liverpool Law Society will be able to work with the Foundation to make the legal profession a career that is accessible to all.

In 2019 the profession will be marking "The First 100 Years". The project will mark the centenary of the Sex Disqualification (Removal) Act 1919 which paved the way for women to become lawyers. This initiative was launched as part of Christina Blacklaws, "Women in Leadership" campaign. Chris says there are now more women in legal practice than men, but the top tiers of the profession are still very much male dominated. He says "I have been asked to be a male champion of this cause (if such be needed!) However we need to continue to debate and challenge this and Liverpool Law Society will be running a number of events during the course of 2019."

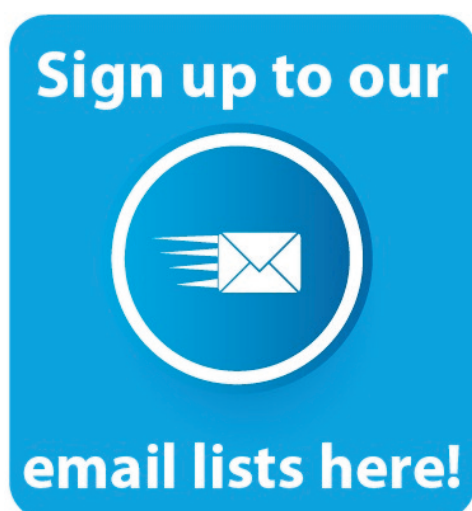
Although Chris takes on the role of President with some apprehension he says he is looking forward to meeting as many members as possible as well as engaging with other professional organisations such as the Chamber of Commerce and Professional Liverpool.

Likewise Chris says that the meetings of the Joint V (the local law societies of Liverpool, Manchester, Leeds, Bristol and Birmingham) continue to be very useful. He adds "These are very valuable meetings, as some of the largest local law societies we face very similar issues and it is encouraging to be able to discuss these issues and gain input from colleagues elsewhere in the country."

Chris is married to Kathryn and they have three 'grown up' sons, Matthew, Sam and Josh.

## Enewsletter 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**



## News from the Sub-Committees

### Access to Justice

The Access to Justice Committee met on the afternoon of 4th December 2018 with Chris Topping as acting Chair.

We discussed the LASPO Review which is a standing item on the agenda for the Committee to consider. The evidence gathering process of the review is still ongoing so the results are not yet published. The Committee agreed to keep an eye on the situation in the next meeting while the results are awaited.

We then discussed the Liverpool Legal Walk which took place on 9th October 2018. Feedback from the walk was good with the walkers enjoying the 'Liverpool' theme and costumes. Fundraising so far has not been as high as in previous years but the donation page is still open until 9th January 2019 if anyone would like to donate: <https://mydonate.bt.com/events/liverpoollegalwalk18>

There was positive news from the Legal Education Foundation Justice First Fellowship. This is a project where funding is available from the foundation to allow students to complete a training contract in social welfare law which not only benefits the trainee but the city in general with social welfare advice being more readily available to the public. A new trainee has been picked to begin a training contract for 2019 with Merseyside Law Centre. There is indication there may be a second trainee in the next year and that Vauxhall Law Centre may even be in a position to offer a further fellowship in the future. If any firms would be interested in supporting the Fellowship project, the Law Society can provide further information.

Finally, the Committee had a very enlightening discussion on Universal Credit and how the imminent rollout by the government is likely to cause hardship for some and increasing strain on free advisory services, particularly the Citizen's Advice Bureau. It was agreed that this was something that needs to be addressed at the director's meeting with Liverpool City Region councillors on 17th January 2019 so that local strategies and the referral pathway can be clarified ahead of the rollout.

**Kathryn King**  
Committee Member  
Access to Justice Committee

**Email:**

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

### Citizens Advice Liverpool to speak to local councillors at Society's meeting

The manager of Citizens Advice Liverpool has accepted Liverpool Law Society's invitation to attend the next bi-annual meeting of LLS directors and Liverpool City Region local authority councillors to provide an update on the roll out of Universal Credit in the area. We understand the roll out was due to commence in last month in Liverpool and members of the Society's Access to Justice Committee are keen to understand how Citizens Advice are going to provide advice to those on UC and to share this information with councillors whose constituents are affected at the meeting later this month.

A report on the directors' meeting with local councillors will appear in the February edition of 'Liverpool Law'.



# Helix Highlights

Happy new year to you. I hope you had a good festive season. The team at LLS headquarters are back, batteries re-charged, ready for another packed year of local law society business.

The five members of staff work closely with the directors of Liverpool Law Society, assisting with the aims of committee chairs, officers and other office holders. The beginning of a new year is a good time to remind ourselves of the Society's purpose. In 2018 we adopted the following:

**Values Statement** - "Promoting the Liverpool City Region as a centre of legal excellence."

**Our vision** - A modern, inclusive, professional organisation to represent, support and promote the practice of law in the Liverpool City Region.

#### **Our mission is:**

- To support and promote member
- To lobby on a wide variety of issues to local and national government and agencies
- To offer a year-round programme of legal training, networking and social events
- To undertake charitable activities
- To promote the practice of law in our region
- To attract and retain talent and clients in our region
- To champion access to justice for all

Being a member of this Society gives members a sense of belonging, being part of a community and enables knowledge-sharing. We have a collective voice, we are stronger together.

#### **Our values**

- The values the Society aspires to are:
- Integrity – doing the right thing in the right way
- Promoting Community – shared ideals through shared history
- Respect – for each other, our clients and the rule of law

And so with a look ahead at what is coming up in 2019, and with an eye on the above, we will strive to uphold the Society's values and mission. Here are a few items of mention:

#### **Pathways to the Legal Profession 2019**

This event aimed at year 12 students will take place on Wednesday, 7th February 2019. President Chris Topping will chair the event. As at late December 2018, 105 students from 12 schools across Merseyside have signed up to attend the free event. The programme is as follows:

##### **• The University route and the benefits of studying for a degree**

by a Lecturer in Law from the School of Law & Social Justice at the University of Liverpool

##### **• The LPC and conversion course for non-law graduates**

by Laura Samaroo, Solicitor, Senior Lecturer in Law and Programme Leader LLM in Legal Practice Lecturer at Liverpool John Moores University

##### **• The Solicitors Qualifying Examination (SQE) and the Training for Tomorrow agenda**

By Carol Draycott, Associate Professor at The University of Law

##### **• Becoming a barrister - TBC**

##### **• The Legal Executive Route -**

By the Liverpool Branch of The Chartered Institute of Legal Executives (CILEX)

##### **• Recruiting both graduates and apprentices for a law firm**

by Jen Hulse, Talent and Development Manager, Hill Dickinson

##### **• Apprenticeships**

By Carol Draycott, Associate Professor at The University of Law

##### **• An apprentice's view**

By an apprentice at law firm Slater & Gordon

#### **Liverpool & Sefton Chambers of Commerce drop in session at Liverpool Law Society**

As many members will know, the Chambers of Commerce offer Liverpool Law Society corporate members a free affiliate membership of the Chambers. Rich Smith, Business Engagement Manager, will be providing an update on what this entails for any members of local legal profession to attend. Following the update, Rich will remain on site to offer a drop-in clinic for anyone who has questions for Rich or would like to know more about what the Chambers of Commerce can do for you and your firm. Keep a look out for further announcements about the event on our website and social media channels.

#### **Training seat exchange**

Liverpool Law Society offers a Trainee Seat Exchange noticeboard free to members as a way of assisting member firms interchange trainees. The aim is to provide more training contracts on Merseyside and beyond by facilitating an exchange between firms who may otherwise find it difficult to offer their trainees the requisite number of seats in both contentious and non-contentious work. Currently there is a trainee from MerseyTravel looking for a seat in criminal or civil, and there is a possibility of them offering a corporate seat. For details and to make an enquiry please [click here](#).

#### **Legal Awards 2019 – deadline approaching – midday 18 February 2019.**

These awards celebrate all the excellent work that is done in and around the Liverpool City Region but only come round once every two years so do take this opportunity to shine. Have you looked at the 14 categories? Prepare your nominations in good time for the Legal Awards. Entries close at midday on Monday, 18 February. For further information and to enter the awards, please [click here](#)

#### **Until next month, Sarah**

**Sarah Poblete**  
**CEO**

[sarah@liverpoollawsociety.org.uk](mailto:sarah@liverpoollawsociety.org.uk)  
**0151 236 6998 Ext 30**



**Sarah Poblete**  
**CEO**



# Directors of Liverpool Law Society for 2019

**There are up to 27 directors of the Society who meet monthly to manage the business of the Society. The Society is proud to have a representative group of directors from a range of small, medium and large firms around the table and looks forward to a busy 12 months under the helm of the new president Chris Topping.**

Outside of the monthly meetings of the 'General Committee', the directors also meet twice a year with local MPs where there is exchange of information, news about bills going through parliament and constituent issues are raised and discussed and parliamentary questions are put down on behalf of LLS members. Separately, the directors also meet with the nominated councillors from the Liverpool City Region local authorities. This again is a useful way of ensuring our members' concerns and issues, including those of their clients, can be raised at one of these meetings. The councillors also come to the Society with matters their constituents are facing and we work together on joint initiatives where there is a common aim.

The Society also has good communication channels with The Law Society, the SRA and the LeO, where members' issues can be raised and matters affecting the legal profession discussed.

On a regional level, Liverpool Law Society is a member of the Joint V, a grouping of autonomous local law societies that meet and discuss common issues affecting membership organisations for legal professionals, sharing best practice. The members of the Joint V are Birmingham, Bristol, Leeds, Liverpool and Manchester Law Societies. United the Joint V have a strong voice nationally, representing over 10,000 legal professionals.

The current directors of Liverpool Law Society who form the General Committee for 2019 are:

## Officers

President – Mr Chris Topping, Broudie Jackson Canter  
 Vice President – Miss Julie O'Hare, Carpenters  
 Honorary Treasurer – Ms Joanne Francis, BLM  
 Joint Honorary Secretary – Mr Steven Zdolyn, EY Riverview Law  
 Joint Honorary Secretary – Ms Gaynor Williams, Bennett Williams Solicitors  
 Immediate Past President – Ms Nina Ferris, Hill Dickinson

## Sub-Committee Chairs

Access to Justice Sub-Committee – Mr James Mannouch, Solicitor, educational establishment  
 Charities & Education Sub-Committee – Mr David Tournafond, Bermans  
 Criminal Practice Sub-Committee – Ms Eileen Chisnall, Levin Solicitors  
 Civil Litigation Sub-Committee – Mr Alum Ullah, Bond Turner  
 Editorial Sub-Committee – Ms Jennifer Powell, Weightmans  
 Employment Law Sub-Committee – Ms Lindsey Knowles, Kirwans  
 Family Business Sub-Committee – Ms Emma Palmer, MSB Solicitors  
 In-House Lawyers' Sub-Committee – Mr Martyn Rodmell, Princes Ltd  
 Non-Contentious Business Sub-Committee – Ms Naomi Pinder, Catherine Higgins Law  
 Regulatory Sub-Committee – Ms Mickaela Fox, Weightmans

## Other post holders

Parliamentary Liaison Officer – Mr Jeremy Myers, Husband Forwood Morgan  
 Public Relations Officer – Mr Stewart McCulloch, Auto Resolutions

## Other Members of the Committee

- Mr John Ballam, FPH Law
- Ms Nicky Benson, Bermans
- Ms Nicola Harris, MSB Solicitors
- Miss Amelia Hayden, Brabners
- Ms Alison Lobb, Morecrofts
- Ms Nadya Makarova, Brown Turner Ross

## Interested in getting involved with Liverpool Law Society?

The specialist committees are a place where members of the Society can come together to discuss current issues, exchange information and best practice, respond to government consultation papers and contribute towards the Society's legal training programme. If you would like to find out more about the work of the specialist committees and/or request to join one or more of them, please **click here**.



**Front row: David Tournafond, Nina Ferris, Chris Topping, Julie O'Hare, Gaynor Williams**  
**Back row: Martyn Rodmell, Lindsey Knowles, Jennifer Powell, Alum Ullah, James Mannouch, Naomi Pinder, Jeremy Myers, Nadia Makarova, John Ballam and Rachel Stalker**



**\*\*NEW for 2019\*\***

### **Introduction to Residential Property Law – Certificated 2 day Course**

with Ian Quayle on 15th & 16th January, 9.30am - 4.45pm  
(lunch provided on both days)

**This course has been designed specifically for support staff, new employees and qualified staff new to residential conveyancing or wishing to change their specialisation.**

**It is intensive requiring delegates to attend both days and is designed with the following aims:**

- To explain key land law principles sitting behind the residential conveyancing process examining residential leasehold and freehold conveyancing
- To introduce the Conveyancing Protocol and the various steps within the residential conveyancing procedure
- To introduce residential conveyancing forms and documentation and basic drafting issues including TA forms, Contracts, Transfers, and Land Registry Forms
- To explain relevant Land Registry procedure
- To identify relevant issues surrounding client care and professional conduct
- To examine what can go wrong and how negligence claims arise

**Competencies:** A1/A2/A3/A4/A5, B2/B3/B4B6/B4 and C1 & C2

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



### **\*\*NEW\*\* Making Tax Digital**

with Jenni Christy

**on Wednesday 30th January, 2pm - 3pm**

Earlier this year, HMRC announced the biggest change to tax compliance in the UK in a generation – the reform to the submission of all tax returns. The starting point for this will be VAT, and as of 1 April 2019 a large proportion of VAT registered businesses will be required to undertake their VAT reporting in a digital format, and file their VAT returns via MTD-compatible software.

With just a few months before MTD for VAT comes in, we will talk you through the likely practicalities for law firms – what needs to change and when. We will also discuss the common queries and concerns that we are hearing, as firms attempt to integrate a new digital tax system into their processes.

**Aimed at:** Finance staff responsible for VAT accounting: legal cashiers, finance managers & practice managers (depending on the size of the firm). Also solicitors but only if they are directly involved in the accounting processes.

**Competencies:** D2 & D3

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

# Leadership and the Law

**Continuing our series of articles talking to the leaders of Liverpool law firms. In this edition, Brian Cullen, Group Chief Executive Officer of the Jackson Lees Group gives an insight into his role...**

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

Firstly it's important to note that we are a Ltd Company and ABS and as such I am a non-lawyer and CEO, as opposed to Managing Partner. We completely disaggregate ownership from leadership and management of the business which we truly believe to be in the best interests of our people, our clients and our shareholders.

My role within the business is to formulate strategy for where we want to go and how we discover, explore and maximise opportunities that arise for the business. I am then ultimately responsible for the tactical day to day delivery of this strategy through a team of wonderful and dedicated people who embody our core value of making a positive difference (#MAPD) to the lives of both our clients and colleagues.

It has been a real source of frustration to me that although I am a co-owner and leader within a law firm that I am prevented from being a full member of Liverpool Law Society because I am not a lawyer. I am delighted that there are moves afoot to change the constitution so that non-lawyers working in the profession can become full members. In a modern progressive profession there needs to be the widest possible participation from all those who are passionate about the law. I genuinely hope that the positive steps being made in this regard by LLS can be replicated on a national level.

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

Everything – I love the variety of what I deal with, from the future gazing and strategic planning to the day to day reality of running a business, from HR to Finance, from Marketing to our legal teams and everything in between.

If I was pushed however I would 100% say that what I love the most is the amazing team that I get to spend every day with and the incredible impact that they have with our clients, each other and the broader community on a daily basis.

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

Momentum is our biggest challenge right now. We have a great culture and incredible people and it's incumbent upon us to keep them interested and busy. We have created a comfort with change so therefore we won't settle for the status quo. We want to innovate, drive and re-invigorate the legal services sector. We want it to be easy to work with us, where we provide perfect solutions to client needs through the appropriate access channels and at a value that is fair.

Most of all, we want to ensure that our core value applies as much internally as it does to our clients. We are working really hard to differentiate ourselves in this way and to make Jackson Lees an incredibly special place for our people to be. Our Training Academy, Social and Staff Committees and approach to employee engagement are all key to this!

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

Without a doubt I am most proud of our people. We have won lots of awards from Human Rights Lawyer of the year to Young Lawyer of the year and everything in between, on both a local and national basis. This is purely down to our incredible people and the passion with which they approach their jobs and careers and more importantly



**Brian Cullen**  
**Group Chief Executive Officer**  
**Jackson Lees Group**



clients. We have some of the best lawyers in the country – we don't measure this on just a technical basis but also on how they deliver the solutions that we provide, be it from helping to buy or sell a house through to families affected by children having suffered catastrophic brain injuries, to our Immigration and Asylum clients that need our urgent assistance.

This is no less evident in our support areas that provide exemplary service to our 'Internal' clients. Our teams embody our value both internally and externally, so our non-lawyer areas also deliver in a big way. We have some massive projects on the go, from Property moves to AI projects to full engagement, recruitment and retention projects and I have never heard a single person in those teams say 'no' when we throw something additional at them!

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

I genuinely believe that this is an impossible question to answer. We are moving to be as agile and dynamic a business as is humanly possible. We believe that to continue to be successful we need to continually evolve and change and not settle for just 'good enough'. We are not a 'lifestyle business' with an equity pot to retire on. We are a business that looks at making a positive difference whilst ensuring that we create shareholder value. We haven't, as yet, gotten to a position to add value to our staff through an employee share scheme, however this is something that is absolutely on our radar. Who knows what the next ten years hold, but it's critical that we see this as a journey together.

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

Come in with your eyes and hearts open. Be like a sponge – not just on technical stuff but on life in general. Stay true to yourself – never lose yourself and who you are. Be authentic and be passionate. Know your "why" – understand what motivates you and stick to it! Never be afraid to stand out from the crowd.

## Occupational Disease Conference

Last month we held our annual Occupational Disease Conference, which was accredited by APIL Training and very kindly chaired by District Judge Lee Jenkinson.

The day began with Judith Peters & Neil Burke of Weightmans, who provided a case law update. Mr Zeitoun then discussed 'Controversies in the diagnosis and quantification of noise induced hearing loss'. After a short refreshment break, Professor Mark Lutman then talked about using the guidelines for diagnosis and quantification of NIHL.

Andrew Pickering of Atlantic Chambers rounded off the morning informing us about some of the aspects of the law on limitation as it affects disease litigation. Delegates and speakers then had the opportunity to network, whilst enjoying a light lunch.

The afternoon opened with Tim Wallis of Pragma who talked about 'Asbestosis – exposure and liability issues'. The final session of the day was from Gary Reynolds of Harrington Street Chambers who told us all about 'Establishing liability in work related upper limb disorder cases'.

Thanks to all those who supported the event.

**Jo Downey**  
**Director of Education & Training, Liverpool Law Society.**



**Neil Burke, Judith Peters, Professor Mark Lutman, Andrew Pickering & District Judge Lee Jenkinson**



### **Practice & Procedure in the Adults' Magistrates' Court**

with Colin Beaumont

**on Tuesday 22nd January, 10am - 12.45pm**

**This course will cover the very latest practice and procedural points in the Adult Court.**

The following items are merely a sample of that which will be covered:

Advising the client at the first listing of the case in relation to credit following the publication of the 'Reduction in sentence for an early Guilty Plea' document published by the Sentencing Council and effective from the 1st June 2017

The 2 circumstances in which the Magistrates' are asked to consider mandatory minimum sentences in their Court

The important case of Dougall and the CPS [2018] EWHC 1367 (Admin)

New Guidelines concerning Bladed Articles and Offensive Weapons – effective from the 1st June 2018

Re-openings under Section 142 of the Magistrates' Courts Act 1980 and the interesting case of The Queen on the application of Lucy Poskitt and Reading Magistrates' Court [2018] EW HC 984 (Admin)

**Competencies:** A1 (a) – (e), A4 (a) (b), A5 (a) – (e), B1 (a) – (c), B5 (a) – (h) & C1 (d)

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



# Newly Qualified Solicitor, Filex & Pupil Barrister Celebration

The White Star Grand Hall,  
30 James Street, Liverpool, L2 7PQ

on **Thursday 24th January 2019** at 6.00pm for 6.30pm

Liverpool Law Society would like to invite Newly Qualified Solicitors, Barristers and Fellows from CILEx from the Liverpool City Region and surrounding area who qualified during 2018 to celebrate the launch of their career in the legal profession.

All those qualifying will be presented with a certificate of congratulations from

**His Honour Judge Goldstone QC,  
The Recorder of Liverpool**

Members of the Merseyside JLD are also invited to come along to network with senior solicitors and members of Liverpool Law Society.

This event is free to attend.

**Information & to book**

**The local legal community:  
professional...proficient...passionate...**



# Thorough investigations can stop medical negligence history repeating itself

The importance of a consistent, best practice approach in medical negligence investigations has been placed under the spotlight of late, as part of the fall-out from the Williams Review, a government initiative set up to conduct a rapid policy review into issues relating to gross negligence manslaughter in healthcare.

The review was sparked by reaction to the high-profile case of Dr Hadiza Bawa-Garba who was found guilty of gross negligence manslaughter in connection with the death of a six-year-old boy at Leicester Royal Infirmary.

The Medical Practitioners Tribunal Service (MPTS), a branch of the General Medical Council (GMC) decided to suspend rather than erase Dr Bawa-Garba from the doctors' register, but the GMC successfully appealed against the MPTS decision, effectively appealing itself and Dr Bawa-Garba was duly struck off. Dr Bawa-Garba appealed to the courts and won her appeal to practise medicine again.

Dr Bawa-Garba had the support of thousands of fellow medics, amidst concerns that the case and the GMC's actions had created a climate of fear amongst the profession and was an example of scape-goating when wider systematic failings were at play.

Recommendations coming out of the resulting Williams Review included removing the GMC's power to appeal its own tribunal, establishing a working group to agree a clear explanatory statement on the law on gross negligence manslaughter and ensuring that improvements are made to the way local investigations into unexpected deaths in healthcare are conducted, and to reduce the likelihood of future incidents.

Having consistent, fair and thorough investigative processes in place when it comes to medical negligence claims across the board, and not just where deaths have occurred is absolutely vital to ensuring justice for injured parties and an effective learning culture in the healthcare system. It is also essential that the quality of medical expert opinion in both civil and criminal proceedings against medical professionals is consistent, and the Williams Review recognises this.

At Jackson Lees, we have a rigorous investigative process in place that enables us to establish if a medical negligence claim is viable and if it has any reasonable prospects of success. Claims that fail to meet our stringent tests are not pursued. Our investigation process involves compiling evidence of the facts of what happened from patients and their loved ones, along with reliable expert reports.

We have our own panel of medical professionals available to thoroughly scrutinise claimant medical records and provide an initial report. These reports are studied in conjunction with witness statements from the patient and their families and, at this stage, if we find there is a claim to pursue we bring in specialist, independent medical experts to advise on the specifics of the case to help us establish what injury resulted from the identified negligence and what damage could have been avoided had the medical professional in question properly discharged their duty of care in providing treatment.

If a case involves loss of sight for instance, we will instruct an ophthalmic surgeon to help us compile evidence and assess what went wrong, or if a claim is related to a GP then we will source the professional opinion of another GP on the matter, from our database of reliable medical experts. In every instance we are highly selective about who we instruct.

The evidence provided by our independent medical experts is crucial to the outcome of claims – it also ensures we do not place extra burden on NHS resources by pursuing unfounded claims and, essentially, it can also help to identify exactly how and when the



**Julia Hurlbut**

safety of the patient was compromised, so the same thing doesn't happen again.

And patient safety is at the heart of everything that has come in the wake of the Dr Bawa-Garba case and the William's Review. By ensuring investigative processes are consistent and medical experts are of the highest possible quality going forward, there will be less room for accusations of scape-goating and the healthcare system can support a lessons-learned culture. In the meantime, it is incumbent upon medical negligence solicitors to apply the most rigorous investigative approach possible when exploring patient claims.

**For more information, please visit: [www.jacksonlees.co.uk](http://www.jacksonlees.co.uk)**

**Julia Hurlbut,  
Head of Clinical Negligence,  
Jackson Lees Group**



# Mental health matters

On Tuesday 13 November, the High Court handed down judgment on three significant appeals brought by the Solicitors Regulation Authority ("SRA") of cases from the Solicitors Disciplinary Tribunal ("SDT"). In each case, the SDT had made findings of dishonesty against a solicitor before deciding that, due to working conditions and mental health considerations, "exceptional circumstances" justified a sanction short of strike-off.

## Why were the SDT decisions wrong?

The High Court allowed the SRA's appeals, quashed the suspended suspensions the SDT has given out and struck-off the three solicitors, concluding that the SDT's sanction in each case was "unduly lenient and clearly inappropriate".

In his judgment, Lord Justice Flaux explained that, when the SDT came to assess whether there were exceptional circumstances relevant to sanction, it did not focus on the critical questions of the nature and extent of the dishonesty and degree of culpability and weigh them in the balance. He continued: "Had it done so, it should have concluded that in none of these cases could the dishonesty be said to be momentary."

He also said: "I do not consider that, in cases of repeated dishonesty and misconduct of this kind, the lesser sanction of suspension (let alone suspended suspension) addresses the risk of harm to the public or the need to maintain the reputation of the profession which, as all the case law since Bolton demonstrates, is the principal purpose of the sanction."

## Evaluating exceptional circumstances

In summary, the judgment expounds the following approach to evaluating whether there are exceptional circumstances that would



justify a lesser sanction than striking off, for cases where a solicitor is found to have acted dishonestly:

1. "The most significant factor carrying most weight and which must therefore be the primary focus in the evaluation is the nature and extent of the dishonesty";
2. Mental health issues (specifically stress and depression) cannot, "without more", amount to exceptional circumstances;
3. Pressure of work or extreme working conditions cannot amount to exceptional circumstances, whether coupled with stress or depression or not.

## Nature and extent of dishonesty

What is meant by the "nature and extent of dishonesty" is indicated elsewhere in the judgment and includes whether the dishonesty:

- Was momentary or perpetrated over a long period of time;
- Repeated or not;
- Was of benefit to the solicitor;
- Had an adverse effect on others;
- Had an impact on the character of the solicitor;
- Had an impact on the wider reputation of the profession, in how it impinges on the public's perception of the profession as a whole

## Left wanting more?

So the High Court's view is that mental health factors cannot amount to exceptional circumstances "without more". Having understood that the primary focus in the evaluation exercise of exceptional circumstances is the nature and extent of the dishonesty, "more" could be taken to refer to, what is described elsewhere in the judgment as, "a moment of madness". The duration of the act speaks to the extent of the dishonesty. Elaborating on this, Lord Justice Flaux explains that:



## Directors' Duties and Shareholder Remedies

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**This course is aimed at both corporate lawyers and litigators who would like an overview/refresher on these linked topics.**

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Unfair prejudice claims under s.994 Companies Act 2006  
Derivative claims  
Disqualification of directors  
Shareholder rights

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

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*"where the SDT has concluded that, notwithstanding any mental health issues or work or workplace related pressures, the respondent's misconduct was dishonest, the weight to be attached to those mental health and working environment issues in assessing the appropriate sanction will inevitably be less than is to be attached to other aspects of the dishonesty found, such as the length of time for which it was perpetrated, whether it was repeated and the harm which it caused, all of which must be of more significance."*

## Work pressures

The High Court accepted that whilst pressure of work or an aggressive, uncaring workplace could excuse carelessness, a lapse of concentration or a mistake, dishonesty of any kind is a different matter "involving conscious and deliberate wrongdoing".

Lord Justice Flaux adds that, in applying the Ivey dishonesty test, the SDT had made findings about the actual states of mind of the respondents and that, despite their mental health issues, each respondent knew the difference between honesty and dishonesty and that what they done was dishonest. Looking at the test in Ivey then,

*"...the fact-finding tribunal must first ascertain (subjectively) the actual state of the individual's knowledge or belief as to the facts... When once his actual state of mind as to knowledge or belief as to facts is established, the question whether his conduct was honest or dishonest is to be determined by the fact-finder by applying the (objective) standards of ordinary decent people. There is no requirement that the defendant must appreciate that what he has done is, by those standards, dishonest."*  
**Left high and dry?**

The Court's analysis does leave open the option that if it were possible to show that the individual being prosecuted was unable to (as a result of a mental health issue) appreciate the difference

between honesty from dishonesty, then it could be that the conduct does not qualify as dishonest. On this point, some commentators have noted that understanding of how mental health can impair decision-making remains low. Some impairments are such that, in effect, they render any consciousness of the honesty, or otherwise, of an act all but meaningless.

The outcome of the appeals has prompted calls for questions of health, including mental health, to be dealt with outside of the disciplinary process. Paul Bennett, who acted for one of the respondents, has noted that the SRA has had powers to make rules to regulate through fitness to practice for more than a decade but has yet to exercise them. He has suggested that *"There is now an enormous credibility test for the SRA to address the statutory provisions and to ensure that as profession we do not discriminate against those with any physical or mental impairment"*. He added: *"It must be hoped that mental health campaigners, charities and the Law Society will now get behind a campaign to ensure the SRA adopts fitness to practise rules, raise awareness of the health issues across the profession and to create a supportive environment to protect the public and promote good mental health practice across the profession."*

## Emma Walker Leigh Day

**Emma Walker is an Associate Solicitor at Leigh Day, working in the firm's Regulatory & Disciplinary team. For over 3 ½ years, Emma worked as part of the team responding to the SRA's investigation and prosecution. In September 2018, Leigh Day launched its own Regulatory & Disciplinary team, in order to advise and support others with their compliance, regulatory and disciplinary needs. Emma forms part of that team.**



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# Regulation Update

## The latest regulation news from Andrea Cohen of Weightmans LLP



**Andrea Cohen**  
**Weightmans LLP**

'The times they are a-changin' – what's in store for 2019?

I hope 2019 has started well for you. I thought I would start my first column by doing some crystal ball gazing and considering what lies ahead of us in 2019.

Bob Dylan will not have been thinking about SRA regulation (or any regulations) when he wrote the lyrics to 'The times they are a-changin', but changing times are certainly what we will face in 2019. I'm fairly sure there will be more, but the areas referred to below are enough to consider as we start the new year, hopefully refreshed from what I hope was a good break for all, and before we've broken all of the resolutions made as we turned the page on our new calendar (for those like me who still have a paper calendar, as well as an electronic one!)

### New SRA Handbook

Whilst at the time of writing, the SRA have not confirmed the date for the introduction of the new SRA Standards and Regulations (no longer to be called the SRA Handbook), the word on the street is that this is likely to be in or around Summer 2019. There have also been rumours that it will be introduced in phases, but again, this hasn't been confirmed, and I, for one, hope that is only a rumour. There will be a new set of Principles (reduced in number from 10 down to 7, 2 new codes of conduct (one for solicitors and one for firms), new SRA Accounts Rules and, overall, a smaller handbook focusing more on ethics. In both codes, outcomes are replaced by standards and indicative behaviours have been removed. While there are no changes of substance, COLPs should start familiarising themselves, and the rest of the firm, with the content of the new codes. I anticipate there will be some changes to the draft submitted to the LSB before the final version is released (the LSB made a number of proposals to

satisfy its concerns), but these are likely to be relatively minor. Embedding the new standards and regulations, ethics and principles in your firm will be key to managing risk and compliance going forward. Going forward, the SRA has said it will produce more guidance based on issues it is seeing, requests from firms, feedback from the professional ethics helpline, etc., so it will be important to feed back to local and/or national law societies, COLP and COFA forums etc., so the SRA knows what issues are causing difficulties when applying the new codes. It remains to be seen how long the guidance to go alongside the Standards and Regulations will be, or how soon the new 'handbook' will be expanded/amended (the 2011 Handbook reached version 21 on 6 December 2018!). The SRA's Risk Outlook Autumn update released on 28 November indicated that it would be the last time it publishes its quarterly updates, and going forward it will be publishing changes in trends as and when they happen through SRA Update, Compliance News and social media channels. Those responsible for risk within firms will need to be on your toes to look out for new guidance as it is introduced.

The SRA Accounts Rules will also be amended, with a removal of detail to allow for greater flexibility, but the emphasis remains, as you would expect, on keeping client money safe and separate from office money. Firms will not need to make any significant changes to their procedures, but COFAs need to understand where the discretion lies. Prescriptive time limits, for example to make certain transfers within 14 days, are replaced by requirements to do so 'within a reasonable time', and the rule on not using the client account as a banking facility is to be amended to "regulated services" rather than "an underlying legal transaction".

Despite robust opposition from the Law Society, which is still

ongoing, the LSB has agreed to the SRA's proposals to permit solicitors to offer unreserved legal services to the public from unregulated businesses and this will form part of the new regulatory approach, as will the facilitation of freelancers to provide reserved legal services without being authorised as an entity, provided that they do not hold client money or employ people, but I don't anticipate the impact to be immediate.

The Compli team will be providing face to face training and workshops on the new SRA Standards and Regulations and what it means for you and your staff, so do get in touch to discuss how we can help embed them in your firm.

### Pricing Transparency

6 December marked the date for the introduction of the Transparency Rules, so those firms affected by the Rules should by now have published on their websites pricing information, details of who is doing the work and the time it is expected to take, but that is only the start. Keeping the information up to date will be required, together with changes in hourly rates, fee earners and scope of work. Under the rules, all firms are required to display their complaints procedures and the SRA digital badge online. The badge was available to download from 6 December, but will not be compulsory to display until Spring 2019 (date still to be confirmed). The SRA have said they will give firms time to comply but it will be carrying out a thematic review to check firms are publishing the right information and will be proactive with those who refuse to comply.

### Disciplinary issues

One of the expected themes for disciplinary cases in 2019 will be sexual harassment misconduct. The SDT in its budget for 2019 sought an increase to accommodate an anticipated



additional 25 cases currently being pursued by the SRA relating to sexual harassment against solicitors, which follows on from the #MeToo campaign and the issue of NDAs. The SRA has asked the country's largest firms to divulge how they deal with and prevent allegations of sexual harassment in the workplace, and has pledged to share examples of both "good and bad behaviour". This revelation forms part of the SRA 'Balancing Duties in Litigation report' published in November 2018 which updates the previous March 2015 risk paper, and includes a section on NDAs and harassment.

The SDT will also announce its decision on whether the burden of proof in SDT proceedings is to change from the criminal to the civil standard following its recent consultation. The SRA has been crying out for change for some time and any such change would be in alignment with most other professional regulators, including barristers, as the Bar Standards Board switches to the civil standard in April 2019. The SDT has said that if it doesn't lower the burden of proof from the criminal standard to the civil standard, solicitors could be seen as being given preferential treatment. However, a counter argument runs that there are serious consequences of a SDT finding for a solicitor and the current high prosecution success rate are good reasons for facts to be established 'beyond a reasonable doubt' in the SDT. My prediction is that the burden of proof will be changed to the civil standard.

We have also seen recent Tribunal sanctions overturned by the High Court relating to dishonesty which arose in circumstances involving wellbeing and mental health issues. These high profile cases have received widespread attention across the legal profession and highlighted issues faced by solicitors working in high pressured environments, especially with reference to mental health and raised concerns regarding wellbeing within the profession.

Commentary following the decision to strike off the three individuals suggested some support for a regulatory requirement that firms have policies and procedures in place to manage mental health and wellbeing. Whether the SRA will act on this and introduce a standard within the new Codes remains to be seen, but even if it does not, from a risk management perspective, 2019 should be a year in which firms review their culture, policies and procedures for creating a productive and healthy working environment and support for their employees who, in turn, should also seek to develop skills to deal with pressure and strengthen their resilience.

The huge legal costs needed by Leigh Day to defend itself against the SRA allegations (estimated at £8m after the SRA's unsuccessful appeal to the High Court) has brought into sharp focus the benefit of insurance cover for regulatory defence costs. If you do not already have such cover, or your existing cover would be inadequate, now is the time to speak to your broker/insurer.

## **Data Protection/ICO**

After the intense activity of 2018 to become compliant with GDPR, I anticipate that attention in 2019 will be on ensuring that the internal systems and procedures are working well. We have already been instructed on a number of data breaches post-GDPR, including, for example, criminal records in a file left on a car roof, reports emailed to the wrong client, and copies of medical records stolen from the boot of a car.

Guidance is still being issued on interpretation for GDPR and this will continue throughout 2019. There has been an increase in DSARs and the number of requests will continue to rise as more people become aware of their rights and seek to exercise them. The ICO is inundated with complaints and data breach reports, in addition to high profile investigations of businesses such as Facebook and Cambridge Analytica, but I have no doubt that we will see some high level sanctions under the ICO's increased powers in the not too distant future. The Privacy and Electronic Communications Regulations (PECR) were amended on 17 December 2018 by the ePrivacy Regulations, and while they were not introduced with a fanfare, mass emails and potential panic, there could be considerable financial consequences as they increase the powers of the ICO to include the ability to fine officers (which includes a director, manager, secretary or other similar officers of a company, a member or partner) up to £500,000. It will be interesting to see how and when the ICO uses this new power, but in my view it will be used as the ICO has been asking for this for some

time, and in the meantime, firms should review their policies and procedures to ensure compliance and check they have adequate D and O/management liability insurance cover in place.

## **Cyber**

It is clear that professional firms are being targeted more than ever before. The SRA's recent Risk Outlook update indicated there had been a 10% increase in the first half of 2018 and there is no sign of this abating. Cyber resilience within firms is fundamental. Awareness training for all staff, not just accounts staff is essential; backing up offline; culling social media activity and cyber liability insurance should all be considered. Now that cyber insurance policies on the market provide better and more effective coverage at reasonable price, purchasing such cover should be considered as an essential part of a firm's cyber security risk management plan.

## **PII/Compensation fund**

The SRA has yet to announce the outcome of its consultation on PII and the Compensation Fund, but it indicated in December that the controversial proposal to reduce the minimum cover from £2m to £500,000 would again be put on the back burner, with priority being given to changes to the compensation fund qualifying criteria. A decision is expected in 2019 which, if the proposed changes were to be implemented, will have an impact throughout the profession.

## **AML Regulation**

It is clear that the Home Office recognises that professionals such as lawyers and accountants are instrumental in the prevention of organised crime, but it warns that they may also be complicit, negligent or unwittingly enabling the facilitation of money laundering practices and the Home Office is committed to prosecuting proactive professional enablers, so we may see more prosecutions in 2019. A number of firms who were the subject of the SRA thematic risk project on AML in 2018 are being investigated and disciplined for not having robust enough systems and procedures in place to prevent money laundering facilitation, and the SRA indicated at a recent conference that its approach is to be really tough, even on firms which have not suffered an AML event; the absence of adequate auditable process will be enough. The SRA published its AML sectoral risk assessment on 2 March 2018 and if you haven't yet done yours, and we know from risk audits we have carried out for clients that this is still a weakness in some firms, this needs to be a key priority for you in early 2019 to avoid the SRA taking its promised tough approach against you.

## **Civil Liability Bill**

The impact of the Civil Liability Bill, whilst likely not to come into force until April 2020, will mean that PI firms will need to take stock in 2019 of the impact that it will have on their business and financial stability. Regrettably, we may see a rise in firm closures, orderly or otherwise, as a result.

## **And finally.....Brexit**

This is where my crystal ball gazing talents run out! Unless something has happened since writing this article to stop it, Brexit is just round the corner. No-one yet really knows what the impact on legal services will be and I am not even going to try and second-guess!

**Andrea Cohen**  
**Weightmans LLP**

# Recoverability of agent fees... the battle goes on

## Andi Barnes of Complete Counsel examines recent costs cases and the recoverability of agent fees

The costs world no doubt hoped, following the Supreme Court decision in **Crane v Canons Leisure Centre Limited** [2007] EWCA Civ 1352, for a definitive binding precedent on the issue of recoverability of external agents' fees as a base cost whether with or without a pre-LASPO success fee. Indeed, a plethora of costs case law was cited and the matter carefully considered with May LJ proclaiming his distaste for the unsavoury flavour of "satellite costs of assessing those costs in the Part 8 proceedings begun for that purpose" and Hallett LJ carefully addressing any potential breach of the indemnity principle and finding none.

However, it appears that the battle goes on with paying parties continuing to dispute recoverability of external agents' fees as a base cost and/or recoverability of a pre-LASPO success fee. The problem appears to have arisen having regard to the starting point cited by May LJ in **Crane**; the definition of base costs given in the Collective Conditional Fee Agreement (CCFA). The Supreme court held the external agents' fees of Costings Limited was work that a solicitor would have been retained to undertake and amounted to base costs suitably incorporated within the CCFA as "charges for work done by or on behalf of the solicitor which would have been payable if this agreement did not provide for a success fee". Furthermore, the Supreme Court allowed a pre-LASPO success fee on such costs.

In **Guy v Morpeth Borough Council** (2006) Case 4ML01218, 9 December 2006 (cited in **Crane**) HHJ Hewitt held the issue turned "on the terms of the CFA and its proper construction" and considered not only the wording of the CFA but also any other terms and conditions that were said to be to be incorporated into that agreement on the definition of basic charges. He held that costs draftsman's work was not recoverable as a base cost as it did not fall within the definition of "solicitor agent" in the CFA and therefore a pre-LASPO success fee was disallowed.

In **Ahmed v Aventis Pharma Limited** [2009] EWHC 90152 (Costs), Master Gordon-Saker, in the detailed assessment of costs to be paid by the Legal Services Commission, considered whether work done by a medical records agency, Medical Clerical Bureau (MCB), could be recovered as a base cost or disbursement. He was satisfied that, work done by MCB sorting and summarising medical records was solicitor's work and therefore recoverable at a higher rate than the sum charged to the solicitor on the basis that "the work done by MCB to sort and analyse the medical records was solicitors' work". In **Ahmed** it was accepted that pagination was not fee earner work and photocopying was a disbursement with charges for photocopying recoverable where they held to be exceptional. The issue of whether a success fee was recoverable did not arise.

The matter of recoverability of MCB's fees was further explored in **CM (as Dependent and Administratrix of the Estate of JM, Deceased) v a NHS Trust** (2018) Case SCCO Ref: BRO 1801402, 5 December 2018 where I appeared for the Defendant paying party; a detailed assessment of costs concerning recoverability of MCB's work as a base cost together with a pre-LASPO success fee. The matter was initially listed for detailed assessment on 12 June 2018 with the success fee having been assessed at 60% but was adjourned, part-heard, by Order of Master Brown for further evidence and skeleton argument "as to recoverability of sums claimed in respect of the work undertaken in respect of medical records by 'MCB' as profit costs and in particular as to whether such work may be charged as if undertaken by a fee earner and, further, as to whether a success fee is recoverable in respect of the same work".

The Defendant put the Claimant to strict proof that MCB's work was a base cost properly recoverable under Shoosmiths solicitor's CFA. The Master was asked to consider, in essence, three questions; 1) Was the work undertaken by MCB a base cost or disbursement? 2) If any of the work was held to be a base cost, could a success fee be recovered on such costs? and, in the event that the work was considered to be a base cost, 3) What hourly rate should such work be recoverable if incorporated into the CFA? Such questions were framed against the background of whether there was breach of the indemnity principle and having regard to the new test of proportionality; MCB having been instructed after the implementation of LASPO.



Andi Barnes

The Master considered the wording of the CFA; in particular the definition given under various sections of that CFA including 'paying us', 'basic charges', how charges are calculated in particular with the use of the words "and other staff" and under charges for advocacy. The Master approached the issue effectively in two parts. First, whether the MCB work could be considered as a base cost recoverable within the terms of the CFA and second, whether there was breach of the indemnity principle. In giving an extempore judgment whilst he considered some of the work undertaken by MCB could be considered to be solicitor work that on consideration of the terms of the CFA and its proper construction, having regard to the indemnity principle, he could not be satisfied that the wording of the CFA incorporated MCB's work as a base cost. He was not therefore satisfied that such work could be recovered as a base cost within the terms of the CFA and therefore a pre-LASPO success fee could not be recovered on such work. The Master did not find pagination and photocopying solicitor's work but held that sorting and analysing records was solicitor's work.

It appears therefore that the battle goes on, however, against the backdrop of the Supreme Court having already expressed a marked distaste for such satellite costs on costs.



# Women in Leadership in Law

'Women in leadership in Law' is the presidential theme of Christina Blacklaws during her tenure as the President of the Law Society of England and Wales. The importance of the project can be underlined by two important statistics – since 1990, women have represented more than 60% of new entrants to the legal profession but they currently only comprise 28% of partners in private practice.

The project will collate current quantitative and qualitative data on women in the legal profession and the judiciary. The data is sourced from almost 8,000 responses to an international survey and over 150 women's roundtable discussions (both domestic and international). A final report will be produced in June 2019 providing information on the identified barriers to women's success in business leadership and best practice solutions to address these issues.

Data to inform the final report is also being obtained from a series of 'Male Champions for Change' roundtable discussions organised by the Law Society between October and December 2018. With engagement and support from men seen as a critical factor in achieving true diversity, these roundtables have been arranged by regional Law Societies across the country with discussions on key issues aided by a bespoke toolkit.

The Law Society roundtable held at Liverpool Law Society took place on 30 November 2018. It was well attended with representatives from Brabners, DLA Piper, Fletchers, Jackson Lees, Keoghs, Knowsley MBC, Morecrofts and Weightmans. Per the toolkit, the key themes for discussion were unconscious bias, the gender pay gap, flexible working and best practice. There was a group discussion on these key themes both generally and specifically on the clear business case that exists for gender balance, with the meeting also covering potential options for an action plan for law firm leadership to tackle the problem.

The discussion was both fascinating and lively. There was a common theme in that all the firms and organisations in attendance were committed to addressing the problem but everyone equally agreed that more needed to be done. An issue that assumed some prominence in the course of the debate was the general structure of law firms and the models of leadership within them; put simply, is the structure fit for purpose in 2018 or compatible with the drive to eliminate barriers to women's success in law? No doubt this issue will form part of the final report when it is available in June 2019.

**Peter Wake  
Weightmans**

## 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.



### Commercial Leases Masterclass

with Ian Quayle on Tuesday 5th February, 9.30am - 1.30pm

The course is aimed at commercial property lawyers who require a review of key features of a modern commercial lease and looking at developments that can assist in the drafting process.

It will explore issues relevant to both landlord and tenant and is suitable for delegates who are experienced in this field or lawyers who are new to this field. Including:

- Using Heads of Term to drive deals forward
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- Using Property Protocols – Alienation and Alterations Protocol
- The City of London Law Society digital Fixed Line Infrastructure Wayleave Agreement
- An examination of key recent case law

**Competencies:** A2, 3, 5, B3, 4, 6 & C1& 2

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



### The Complete Legal Aid Supervisor

with Vicky Ling

on Wednesday 13th February,  
9.30am - 4.45pm (lunch included)

**This course covers everything supervisors need to know. It will qualify a new supervisor who hasn't supervised before under Standard Contract Specification requirements for both the Civil/Family Standard Contract 2018 and Crime Standard Contract 2017. It is also a useful refresher for experienced supervisors.**

#### You will learn about:

- Latest developments in legal aid
- Relevant SQM and Lexcel provisions
- SRA Competence Statement requirements for supervision
- How supervisors qualify and maintain status
- What supervisors need to look for in file reviews
- The main types of legal aid audit, including Contract Manager visits and peer review
- An introduction to the inter-personal skills supervisors need; listening and feedback
- Different approaches to supervision
- Finding the time to supervise

**Competencies:** A3, C1 & C3

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

# Michael Pratt, Family Lawyer celebrates 30 years' service with Maxwell Hodge Solicitors

Congratulations to Michael Pratt, Family Lawyer at Maxwell Hodge Solicitors who celebrates 30 years' service with the company.

Michael commenced his employment as a Chartered Legal Executive with Maxwell Hodge on the 8th February 1988. He has always worked within the Family Department at their Maghull branch. Michael has a wealth of experience within family law and is an accredited Specialist and Member of Resolution.

Michael reported "It has been a pleasure working at Maxwell Hodge for these last 30 years. During that time, I have had the privilege to help people during a crisis time in their lives. I look forward to continuing to do so in the future."

Simon Leyland, Chief Executive and Company Director at Maxwell Hodge Solicitors, reported "Michael has had a long and distinguished career with Maxwell Hodge, and I would like to thank him on behalf of all the Directors for all his hard work over the 30 years he has been with us, and for his loyalty to the firm. Here's to another 30 years!"

The company, which has 8 branches across Merseyside and Wirral offer a wide variety of legal services to clients.

For more information about Maxwell Hodge Solicitors, please visit their website [www.maxwellhodge.co.uk](http://www.maxwellhodge.co.uk)



**Michael Pratt (Legal Executive), Margaret Agnew (Solicitor) & Darren White (Solicitor)**

## **\*\*NEW\*\* Family Judges Forum 2019**

with HHJ de Haas QC, HHJ Greensmith & DJ O'Neill

on Thursday 7th February, 5.30pm - 7pm

Liverpool Law Society is hosting a Family Law Judges' Forum where solicitors, barristers & associates can put their questions to:

**HHJ Margaret de Haas QC, HHJ Andrew Greensmith and DJ Philip O'Neill**

This is a unique opportunity to interact informally with the judiciary. Solicitors and barristers are invited to submit questions in advance, in writing, to the Society's Family Law Specialist Committee.

These will be forwarded to the judiciary so they may fully consider the questions and prepare responses.

If there is time on the evening, Judges may also answer some ad-hoc questions too.

**The closing date for the receipt of questions is 18.01.19.**

The Judges' Forum will last for approximately 1.5 hours.

Refreshments will be available on arrival from 5pm the Forum will start at 5.30pm, attendees are then encouraged to network informally post event (refreshments will again be available).

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

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

## **Intellectual Property Online**

with Sarah Jameson

on Friday 8th February, 2pm - 3pm

**An exploration of the trend in EU law towards greater protection for rights holders and what this may mean for UK law post Brexit.**

**Stichting Brein v Ziggo BV(C-610/15)**  
 Concept of communication to the public  
 Domestic case law  
 Advice to both rights holders and potential infringers  
 How best to manage their rights in the digital world

**Competencies: A2,4&5 and B1-6**

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



# Complete Counsel nominated first preferred supplier of counsel to SPG Law

Complete Counsel, a Liverpool-based barrister practice management service, has today announced an innovative collaboration with SPG Law, a unique partnership of UK and US lawyers which launched in Liverpool in September this year. Operating since 2015, Complete Counsel is managed by Claire Labio and offers a range of services to barristers, including personal practice development and fee collection.

SPG Law heralded its entry into the UK group litigation market by, on 12 November, filing in Liverpool the largest class action ever seen in the English Courts. SPG has initiated a claim against BHP Billiton, an Anglo-Australian mining company, on behalf of 240,000 individuals affected by the Samarco dam collapse in Mariana, Brazil, in 2015. The Anglo-American law firm is set to follow this action with a number of other high-profile group litigation cases in the United Kingdom.

Tom Goodhead, partner and barrister at SPG Law, praised the collaboration: "I have worked with Complete Counsel since 2016 and believe that this pioneering model represents the future for practising barristers in the 21st century. The service is highly responsive, commercially astute and focused on the individual's practice. A barrister prone to becoming frustrated in traditional chambers would find Complete Counsel to be the ideal solution for their practice management.

"Complete Counsel's modern approach to legal practice is fully aligned with SPG's values and operating model. As partners we are working on a number of exciting cases with the barristers at Complete Counsel, having recently instructed Ana Samuel on the proposed transvaginal mesh GLO and Charles Feeny on the proposed litigation surrounding the Essure implant. We very much look forward to a successful future together."

Harris Pogust, one of SPG's US Attorneys, mirrored Tom Goodhead's sentiment saying: "Complete Counsel and, in particular, Claire Labio were recommended to us by Tom. Claire has real drive coupled with a deep knowledge of the legal marketplace and has provided invaluable help and advice to us whilst setting up our Liverpool office. She has high standards and we feel confident that anyone that she would introduce to us would highly suit our needs."

Claire Labio, Practice Director of Complete Counsel, welcomed the announcement: "Having recently completed a two-year pilot scheme where barristers remained in their primary chambers but used Complete Counsel as a 'bolt on' to their practice, this is another indication that our model is appreciated by like minded individuals who see the need for change and progress in the provision of legal services.



**Claire Labio**

"Whilst initially it took a few progressive chambers to allow their barristers to trial this, it has worked well in practice, adding substantially to their earnings. Actors and writers use more than one agency - I see no reason why the Bar cannot do the same. I was fortunate to be approached by some barristers bold enough to tackle the issue with their primary chambers and insist they be allowed onto the pilot scheme. It takes a forward-thinking chambers board to realise the need to allow flexibility in working not just for staff but for barristers too. Sure, there are a lot of sets who like to 'lock down' their barristers to only work through them 100% of the time but I think it's time that mentality changed - especially if that individual feels something is missing from their practice which could be supplemented elsewhere. Chambers which try to operate in this restrictive way run the risk of losing their most innovative and driven members."

## Strategic progress drives successful half year results for Hill Dickinson

Leading commercial law firm Hill Dickinson has today announced strong financial performance at half year (H1) stage for 2018/19.

Representing 9% growth on the same period last year for the current business, the firm billed a figure of £43.6 million against a budget of £41.4 million, in excess of £2.2 million.

Hill Dickinson CEO Peter Jackson said: 'This is a very strong position for the firm and my thanks go to all of our people for their hard work and our clients for their continued support. These results show that the firm is well placed to adapt and deliver in the face of the challenges of the market place.'

'Our strategic objective is to grow a sustainable and profitable business, partnering with clients to provide commercial solutions in

their specialist markets. The past 12 months have allowed us to concentrate on building upon our core strengths, the business, health and marine sectors, and we are now seeing the benefits of this focus.'

'We are seeing progress against our strategic priorities, even against the backdrop of uncertain market conditions. Strong growth in a number of areas including health in Leeds and London, corporate work in London and our global trade and commodities practices' and notable client wins show the resilience of the firm.'

'Our commitment to providing clients with the best possible service has enabled us to grow revenue and profit, investing in the business for the long term. We look forward to keeping up the momentum and building on these results.'

# O'Connors builds the team after another successful year

Award-winning law firm O'Connors Legal Services Limited, which has offices in Liverpool and London, has made two new appointments on the back of another successful year as it continues to build the team for the future.



**Marie O'Grady, John Spofforth and Josh Bates**

Corporate solicitor, Marie O'Grady, has joined the corporate team from Weightmans and is now acting for a variety of businesses providing corporate governance and transactional advice. Josh Bates, who qualifies as a solicitor early next year has also joined the firm and is working across the firm's corporate, commercial and insurance teams.

Welcoming the new recruits to the firm, O'Connors' director, John Spofforth, said: "Attracting and retaining high quality lawyers is key to the success of a legal project management business like ours and we are really delighted that Marie and Josh have chosen to join us so we can expand our offering further as we move forwards. Our strategy is to build a client base of active entrepreneurial clients and grow alongside them by helping them manage risk and seize market opportunities, both nationally and internationally.

"This investment in new people has been on the back of a record year for commercial contract work and corporate transactions, particularly UK acquisitions and cross-border sales. Acquisitions have been particularly strong in our specialist sectors of legal, insurance and technology. Sales have included Essential Cuisine's sale to European food group Solina, Intelipac's sale to Thai packaging giant TPBI, Risk Services (NW)'s sale to US insurance broker Gallagher and Haarslev UK's sale to its global partner.

"O'Connors has won several awards in recent times, most recently Modern Law's national 'Supporting the Industry Award' which recognised our extensive work in advising businesses operating within and with the legal sector."

## Agency and Dishonest Assistance in a Commercial Context

with Arron Walthall

on Friday 8th February, 3.15 - 4.15pm

An analysis of when commercial parties will be found to be liable in equity for dishonest or knowing receipt and the scope of agency in a commercial context

Look at the recent decision of UBS AG v Kommunale Wasserwerke Leipzig GMBH [2017] EWCA Civ 1567 which considers each of these issues along with the broader concept of fiduciary relationships

**Competencies:** A2(d), A4(a) & A4(b)

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

## Practical Contract Law with Chris Beanland

on Tuesday 12th February, 1.30pm - 4.30pm

**This course gives practitioners a reminder of basic contractual principles.**

**It will concentrate on issues that practitioners may encounter in day to day practice.**

**Including:**

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

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

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



# Bermans further develop their sport & entertainment offering

Simon Taylor, a leading sport and entertainment solicitor, has joined Bermans as a partner and head of their Sport & Entertainment team.

Simon, who will be based in Bermans Manchester office, has more than 30 years' experience and specialises in representing clients within the motorsport and festival/event industries providing a full range of legal services.

He has an international reputation within motorsport acting for national governing bodies & their insurers, circuits, clubs, teams, drivers and motorcycle riders. Since joining Bermans, Simon has negotiated contracts for the 2019 season for F1 drivers and team personnel. He also has unrivalled experience of representing clients at hearings before the FIA International Court of Appeal and National Motorsport Courts worldwide.

A nationally recognised expert in the entertainment industry and pre-eminent figure in the licensing and organisation of outdoor festivals, events and concert tours, Simon acts for and is retained by the majority of the country's leading promoters, organisers and venues including Live Nation, Festival Republic, AEG & SJM.

Simon joins former Irish international footballer, now qualified solicitor, Gareth Farrelly, who joined Bermans in March 2018, as they look to develop and expand the team with further new personnel already recruited for early 2019.

Bermans has had links in the licenced property sector, (led by head of Property & Construction Fergal O'Cleirigh) for over 30 years, acting for national brewing companies and others within the licensed leisure sector, dealing with trade agreements, leases, acquisition & disposals and licensing.

Bermans Rebecca Fan and David Tournafond are also specialists within licensed trade acting for hotels, restaurants/bars and other licensed premises.

Simon comments "I have worked at some larger firms but feel the culture and commitment to client service makes Bermans a natural home for me. They are a partner led, independent, law firm with offices in key North West cities, Manchester and Liverpool. They are innovative as demonstrated by their multi award winning dispute resolution product, Escalate, and focused on achieving results for clients. I am looking forward to working with Gareth and other lawyers at the firm and the opportunities that this will bring for both of us as we look to build a specialist team."

Bermans Partner, Phil Farrelly, comments "We are delighted Simon has joined Bermans and his arrival bolsters the depth and experience in



**Simon Taylor and Gareth Farrelly**

the firm. We have been active in the sports and entertainment sectors for some time and the arrival of Simon & Gareth allows us to continue to develop this and build a team to service a grade A client list in these sectors."

## Practice & Procedure in the Youth Court

with Colin Beaumont

on Tuesday 22nd January, 1.30 - 4.30pm

**This course will cover the very latest practice and procedural points in the Youth Court.**

The following items are merely a sample of that which will be covered:

Advising the client at the first listing of the case in relation to credit following the publication of the 'Reduction in sentence for an early Guilty Plea' document published by the Sentencing Council and effective from the 1st June 2017

The 2 circumstances in which the Magistrates' are asked to consider mandatory minimum sentences in the Youth Court New Guidelines concerning the Sentencing of Children and Young People issued by the Sentencing Council and operative from the 1st June 2017

New Guidelines concerning Bladed Articles and Offensive Weapons – effective from the 1st June 2018

The practice and procedure now of a Grave Crime in the Youth Court

**Competencies:** A1 (a) – (e), A4 (a) (b), A5 (a) – (e), B1 (a) – (c), B5 (a) – (h) & C1 (d)

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

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# Bermans secure Bibby Financial Services legal panel re-appointment

North West law firm, Bermans, will extend its 30 plus year relationship with Bibby Financial Services Limited (BFS) as it is reappointed on BFS' legal panel.

Bermans, which provides a full range of commercial legal services, is also a specialist in the asset based lending (ABL) market, acting as lawyers within the ABL sector since 1974.

Bibby Financial Services Limited is an independent financial services partner to SMEs and has more than 35 years' experience in supporting businesses in over 300 sectors.

Bermans, whose ABL specialist lawyers have over 100 years of experience amongst the team, has remained on the BFS legal panel since its formal inception.

During this time, Bermans has, in addition to providing legal services, delivered regular in-house legal training sessions to BFS staff throughout their working relationship in areas such as the legal aspects of invoice finance and recoveries & dispute resolution processes.

Alex Chapman, partner in Bermans Invoice Finance and ABL teams, says: "BFS is a hugely respected business in the commercial finance space and Bermans has worked closely with them over decades and we are delighted that BFS wishes to continue its working relationship with us.

"We believe this re-appointment demonstrates the high quality of legal advice we provide in this specialist area of commercial finance and our enthusiasm to build long-standing relationships with our clients."



Alex Chapman

## Conveyancing Update

with Richard Snape on Wednesday 23rd January, 9.30am - 12.45pm

**Conveyancing continues to undergo major changes and the course will aim to look at the most important changes and their effect on the conveyancer. In particular, ground rents are a cause for major concern and the Court of Appeal's decision in Mishcon de Reya is of extreme importance.**

### Topics covered include:

- Court of Appeal decision in Mishcon de Reya and its consequences
- New SRA and Law Society guidance on Money Laundering 2018
- Law Society and Land Registry guidance on fraud and interim guidance in the light of Mishcon de Reya
- Ground rent issues
- Estate rentcharge issues in particular when reporting to lender
- Japanese knotweed case law and its implications
- VAT on searches
- Responses to enquiries including compliance with the Protocol
- Stamp Duty Land Tax and additional dwellings including changes made by the Finance Act 2018
- First time buyer relief
- Houses in multiple occupation including changes coming into force on 1st October 2018

**Competencies:** B Technical Legal Knowledge

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

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## Commercial Property Update

with Richard Snape

on Wednesday 23rd January, 1.30 - 4.30pm

**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
- 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
- New 2018 CPSE Enquiries
- Recent case law on business rates and empty properties
- Recent case law on assets of community value

**Competencies:** B

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



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# ‘Elite sport can do more to deliver economic prosperity’ - Brabners

A report from independent legal practice highlights need for sport industry to become more commercial if it is to lead economic regeneration of UK communities.

Elite-level sports clubs and organisations need to develop greater commercial maturity if they are to play a more central role in the economic regeneration of parts of the UK, according to a new report by independent legal practice Brabners.

The report, *State of Play: The Future of Sport*, cites the impact of Manchester City Football Club and Lancashire County Cricket Club (LCCC) as best practice examples of how elite level sport can stimulate community and economic growth via investment in stadia and facilities. The increased presence of international cricket at Lancashire’s Old Trafford ground is expected to contribute £84million to the Greater Manchester economy over the next six years.

Robert Elstone led the early phases of Everton Football Club’s new Bramley Moore Dock stadium as the club’s former chief executive. In the report, the current chief executive of rugby league’s Super League says: “The future vibrancy of professional and community clubs requires investment in stadia, but the reality is that it’s extremely difficult to bring a project forward without third party investment or a wider regeneration mix. Tottenham Hotspur’s new home aside, very few stadia of significant scale have been developed recently in the UK without significant ‘special circumstances’ contributions.”

While sport remains a hugely lucrative industry, contributing £23.8billion to the UK economy annually, the report argues that many professional clubs need to become more commercially savvy to maximise their economic potential or attract the right third-party investment.

Launching the report, Lydia Edgar, head of sports law at Brabners, said: “Beyond government funding, elite level sports clubs are a major vehicle for communities to attract investment, develop facilities and improve the overall health of residents. As the business of sport transforms the fortunes of various leagues and clubs for the better, we must strive to ensure that those successes are also for the benefit of the communities they are part of.”

With the UK set to host major international tournaments including the INF Netball World Cup, ICC Cricket World Cup, UEFA Euro 2020 and the Commonwealth Games in the next four years, the report calls on the industry to use the events to deliver positive change both on and off the field.

Maurice Watkins CBE, senior partner at Brabners, said: “These momentous occasions will all provide platforms to champion the impact of sport and create positive legacies that far outreach the events themselves. To maximise its contribution to the economy, it is imperative that the UK sport industry develops a sense of commercial best practice. While many elite sports generate huge amounts of money at the top, the current development and deployment of commercial skills across the industry lacks consistency, meaning that many opportunities are being missed.”



**Lydia Edgar**





# Jordan Coulton of Weightmans named winner at National Apprenticeship Awards



Jordan Coulton, a legal apprentice at Weightmans was named the national winner of the Apprenticeship Awards in November.

Jordan joined Weightmans as the firm's first legal apprentice in 2013 and was also the country's first legal apprentice. He joined the Employment and Pensions team and after one year transferred to the Disease team where he became a Paralegal. Jordan continued his studies with the Chartered Institute of Legal Executives and with the introduction of the Apprenticeship Levy in 2015 enrolled onto the new Level 6 CILEX Trailblazer apprenticeship. Jordan now works in the Regulatory department and his role now involves assisting to prepare matters for healthcare inquests as well as defending practitioners who are being investigated by the General Medical Council.

Jordan is also an Apprentice Ambassador for the North West Young Apprentice Ambassador Network (NW YAAN) and has been involved in many external events celebrating apprenticeships including an invitation from the Minister for Skills to meet and discuss apprenticeships, speaking at conferences and even co-hosting the Regional and National Apprenticeship Awards in 2017. Jordan was recently awarded NW Degree Apprentice of the Year which progressed him to the National Finals.

# Women in the Law UK launches in Liverpool

Thank you to all those who attended the Liverpool Launch night at Harvey Nicholls - a fabulous showcasing of Liverpool's talented legal and business role models. The event showcased inspiring speakers from the North West and then an opportunity for networking and shopping. The theme was confidence, clarity and connection with each speaker finishing with tips on these areas.

Founder and barrister Sally Penni said "we are a collaborative organisation working hard to empower women in the work place. There are so many great organisations in Liverpool that we would love to partner with."

With professional education events, we are happy to support the work of the Liverpool Law Society and Women Lawyer's Division as well as join forces with the opportunities for business development for lawyers.

The speakers were,  
**Alison Lobb, Managing Partner, Morecrofts**  
**Sandra Green, Women Leaders Association,**  
**Sharon Amesu, ex barrister and Exec coach**  
**Nicola Gleave, Worn By Us**  
**Poetry performed by Law Student and Blackstones Moot winner and poet Esther Bukyoe.**

The events aim to encourage and inspire the next generation of lawyers, allowing senior women and junior to learn from each other.

Women in the Law UK is looking forward to celebrating 100 years since the Sex Disqualification (removal) Act 1919 - a 100 years since women were allowed to practice as lawyers.

## January 2019

Our next event is on the end of January.  
 Is Work life balance a fallacy for women?  
 Next steps  
 Please book on [EVENTBRITE](https://www.eventbrite.co.uk)

## April 2019

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Liverpool Law Society

# LEGAL AWARDS 2019

There are **14 Awards** to be won at the 2019 Legal Awards so why don't you and your firm take the time to shine! The awards recognise the inspirational individuals, teams and firms in the region's legal sector and offer firms the chance to showcase the excellent legal work happening in the Liverpool City Region.

## Why enter the awards?

- Receive recognition for your hard work and successes
- Promote your business
- Acknowledge your team



**Entries close at midday on Monday, 18th February 2019.**

[Information & to nominate](#)

[Judging Panel](#)

The Awards are open to members of Liverpool Law Society. Anyone can nominate an individual, team or firm and you can self-nominate. In-house lawyers as well as those in private practice and the public sector can take part.

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Please note all bookings are subject to the Society's terms and conditions, visit [www.liverpoollawsociety.org.uk/terms-and-conditions](http://www.liverpoollawsociety.org.uk/terms-and-conditions) for details. Liverpool Law Society is registered in England and Wales, Company Number 00004302. Registered Office Second Floor, Helix, Edmund Street, Liverpool, L3 9NY. DX 14100 Liverpool 1.



# LEGAL AWARDS 2019

These awards, held biennially, recognise and celebrate the excellence and achievements of the Liverpool Law Society's member law firms and individuals. You can read below comments from previous winners on why you should take part and what it means.

2017 winner Keith Jones (pictured), Director of The Keith Jones Partnership, says "The Liverpool Law Society Legal Awards is a fantastic platform which showcases the legal talents that Merseyside has. We were very proud to be shortlisted in the first place, but to then win the 2017 Small Law Firm Award was a huge accolade for us. To be recognised by our peers in such a manner is very humbling and a great morale boost for the team for their hard work. We were up against stiff competition which reflects the quality lawyers we have in the area.



Having this platform can only help encourage law firms in the area to continue to provide excellent legal services and promote what our legal community can offer on a national basis."



O'Connors won the 'Outstanding Contribution to the Law Award in 2017', with partner John Spofforth pictured collecting the award. Managing Director of O'Connors Legal Services Limited Mark O'Connor commented "We were encouraged to enter the 2017 Legal Awards by a number of our law firm clients who felt we might benefit from some public recognition of our team's work in supporting the legal sector. We are hugely glad we did as our win gave our team a real boost and the publicity led to a significant increase in enquiries from potential clients."

The nomination deadline for Liverpool Law Society's 2019 Legal Awards is fast approaching—make sure you submit your entry/entries by midday on Monday 18 February 2019. For further information and to enter [click here](#).



# Liverpool BID Company

## Our regular update from Julie Johnson, Chair of the Commercial District BID

Once again we find ourselves at the beginning of January with a new year of business aspirations and ambitions to strive for. I am particularly excited to see what 2019 will bring - great work is being done across all sectors right across the region - and I hope for this to continue, resulting in economic growth and prosperity for all businesses and residents of Liverpool City Region throughout the new year.

Here in the Commercial District BID, one of the key priorities for Liverpool BID Company in 2019 will be to capitalise on the investment we have made into the Spatial Regeneration Framework (SRF), set up to safeguard the future development of the commercial district which is a vital component to the city region's economy. Working with our partners at city council and in the private sector, this exciting masterplan will look to attract investment into the area, promote sustainable employment, tackle the lack of Grade A office space in the city, and improve connectivity with other key developments such as Peel's Liverpool Waters.

As we announced before Christmas, the Commercial District BID welcomes a number of new faces to its operating board, and I am looking forward to sitting around the table with them all to hear their ideas and thoughts on how we can build on the great work already done by the BID as we take the city's commercial hub forward.

2019 will also see further work being done with the BID Safety Partnership - which brings additional safety measures to our levy payers, including the two dedicated BID police officers, working in partnership with Liverpool City Council and Merseyside Police. I would also like to see further results from our work with city council and various charities in housing and looking after more street dwellers.

Looking at the wider Liverpool City Region, I hope 2019 brings us continued collaboration between Steve Rotherham, Joe Anderson and key business leaders, all working together for the benefit of the city region, and that the Liverpool City Region Growth Strategy gains traction and keeps business local.

I also wish that during 2019 significant in-roads will have been made into the creation of an amazing new Everton stadium at Bramley-Moore Dock - which will be a great new asset on our iconic waterfront.

**Julie Johnson, partner at Morecrofts Solicitors and chair of Liverpool BID Company's Commercial District BID operating board**



**Looking at the wider Liverpool City Region, I hope 2019 brings us continued collaboration between Steve Rotherham, Joe Anderson and key business leaders, all working together for the benefit of the city region, and that the Liverpool City Region Growth Strategy gains traction and keeps business local.**





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# Willenhall Contamination Appeal Case: Future Traps Await for Developers

The recent appeal decision on the former Willenhall Gas Works ends a ten year saga over who is to pick up the £2.5 Million clean-up cost. The decision gives a rare clarification as to the circumstances in which a local authority remediation notice will be valid.

**Chris Taylor, Commercial Director and Specialist in Land Condition (SiLC) at Future Climate Info explores this critical decision and what this means for future liabilities for commercial property lawyers and their developer clients.**

Willenhall is only the second appeal to have been determined by the Secretary of State in the eighteen years since the current contaminated land regime came into force.

The gas works closed in 1957 and the land sold to McClean Homes (now Jim 2 Ltd) upon which the site was split and a number of homes were built by McClean and another developer, E Fletcher Builders (which has since been dissolved).

In 2007, as part of its wider contaminated land strategy, Walsall Council investigated the land. During the course of March 2012, it determined that two areas on the site had been contaminated with benzo(a)pyrene, a known carcinogen, as well as heavy metals, tars and a gas-manufacturing by-product known as Blue Billy. On this basis, the Council concluded that there was a significant possibility of significant harm.

## Identifying the Polluter

Under Part 2A of the Environmental Protection Act 1990, Local Authorities have a duty to identify 'contaminated land' and highlight that appropriate remediation has not been undertaken. A remediation notice can then be served on any owners and occupiers of the land or any person the local authority considers to be an 'appropriate person'.

The "appropriate person is someone or a business who 'caused or knowingly permitted' the contamination. ('Class A persons') or if not the "causer" or "knowing permitter", owners and occupiers of the site (in this case the residents of the estate), are known as 'Class B persons'.

In this instance, Jim 2 Ltd (considered by Walsall Council as the class A person) secured the quashing of the remediation notice served on them on the basis that the Council unreasonably identified them due to a reliance on an unsound scientific approach. The Planning Inspectorate pointed out that the Council's argument of moving soil around on-site did not constitute that Jim 2 Ltd had created the pollution.

A key point from the enquiry is that when a landowner or developer becomes aware of contamination and fails to remediate this, and/or causes dispersal of that contamination they can become a knowing permitter and therefore a Class A person. Failing to ignore these potential contamination issues could lead to costly remediation liabilities.

A further key point from this is that the original or causer or knowing permitter can cease to be liable as a Class A person if a subsequent owner creates new receptors or pathways for the contamination (e.g. by building housing and introducing residents to the site) which completes the contamination pathway

## Inquiry Outcome

However, Jim2 Ltd was held to have known of the presence of the identified contaminant and had the opportunity to remediate the area, including an undeveloped area that it sold off to another developer.

It had therefore *knowingly permitted* the contamination to be present, giving it primary liability to clean up the site rather than the default liability that affects "innocent" landowners when no primarily liable person can be found.

Theresa Coffey, the Secretary of State who upheld the appeal, agreed that the Gas Board (which no longer existed anyway) was not liable as it had not created any pathways from and not introduced any receptors to the



**Chris Taylor**

contaminant, both essential elements in land being statutorily defined as contaminated.

The most controversial part of the decision is that the Gas Board, which would normally be regarded as the "Polluter" having introduced contaminants to the site, was held not to have any liability because it was not responsible for creating pathways or introducing receptors to the land.

## Clear Warnings for your Client

This sends the clear message that anybody buying or leasing land from a known polluter must address the issue of contamination comprehensively and clearly in the contract.

If potential contamination issues are identified during a land transaction, these must be dealt with at the earliest opportunity to ensure that your client does not become the 'last man standing'.

If your client is aware of the presence of substances that later turn out to be harmful, but do not remediate them, they could become a responsible person under Part IIA as a "knowing permitter" even though they are not responsible for the introduction of the substances to the land.

Equally, if contamination is not fully remediated, or is made worse by constructions works on the land, then your client may be held to have "caused" the pollution. Landowners already know that they bear ultimate responsibility where the original polluters cannot be found, but this case shows that there may be circumstances in which a landowner can be held partially responsible even where the polluter is still in existence.

**Chris Taylor is a Specialist in Land Condition (SiLC) – one of very small number of environmental experts in the UK – that meet stringent standards of professional excellence in the assessment of the condition and remediation of brownfield sites.**

## Clear Insight and Solutions for your Client

To ensure your client has the earliest possible indication of potential risks, a Commercial Environmental Risk Report from Future Climate Info will provide clear, forensic insight on the site history and its proximity to potentially contaminated land.

Follow-on solutions for complex cases including insurance and remediation solutions can also be tailored based on the site's unique situation.

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5, Some Street, Some Town,  
Some County, TEST

**Grid Reference:**  
E: 428818 | N: 423719

**Report Reference:**  
CombinedTest3

**Requested by:**  
slim jim (test)

**Date:**  
05/09/2018

**Report ID:**  
1000105535

**Subject Site**

**Professional Opinion**

1. TERRAFIRMA OFFICIAL CON29M	FURTHER ACTION
<small>Identified coal mining activity:</small> 1.01 Past underground coal mining 1.04 Shafts and adits (mine entries)	
2. ENVIRONMENTAL	PASS
<small>No further recommendations</small>	
3. FLOOD	PASS
<small>No further recommendations</small>	
4. GROUND STABILITY	PASS
<small>No further recommendations</small>	
5. ENERGY & INFRASTRUCTURE	PASS
<small>Consideration(s):</small> 5.20 Power Stations 5.23 Solar Farms	

**Air Quality Index: Some Polluted Areas (See 1.25)**

This page should always be read in conjunction with the full report. The Professional Opinion indicates the potential risks and any other potential issues associated with the property. The results should be disclosed to client and/or lender and/or insurer as appropriate.

A 'Pass' is given if no potential property specific risk has been identified.

A 'Pass with Considerations' is given where there are potential hazards in the locality to bear in mind, or if there are features nearby which some clients might consider could affect them.

A 'Further Action' is given if there is a potential property specific risk and a further action is advised.

In the event of a request to review the Professional Opinion based on additional information, or if there are any technical queries, the professional advisor who ordered the report should contact us at [info@futureclimateinfo.com](mailto:info@futureclimateinfo.com), or call us on 01732 755 180.

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<sup>(1)</sup> RRP for residential properties less than 15 hectares.

<sup>(2)</sup> These data modules can be purchased as stand-alone products. Commercial reports are also available.

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# Courage Calls to Courage Everywhere

The beginning of a new year offers a chance to refresh and rethink. A time for setting new goals, for committing to new resolutions whether personal, professional or environmental. 2019 promises to be another challenging but pivotal year for the environment, with increasingly dire warnings emerging from the IPCC report and the COP24 the Climate Change Summit in Katowice that, unless we all act fast - on a global level - we will be "the generation that blew it", as the Prime Minister of Fiji Frank Bainimarama put it. As outgoing chair of COP23, his opinion matters and it echoes the sentiments expressed by many world leaders at this crucial time for the climate. António Guterres, UN Secretary General, intervened during the summit with an impassioned plea as the talks became distracted by countries (including Russia and the US) trying to downgrade the scientific advice contained in the latest Intergovernmental Panel on Climate Change (IPCC) special report.

"We're running out of time", he told his audience in Poland. "To waste this opportunity would compromise our last best chance to stop runaway climate change. It would not only be immoral, it would be suicidal."

Words - however impassioned - are, however, just words. As I sat down to write this article in the chilly closing days of 2018 (nb. editorial deadlines meant it was penned before Christmas, so forgive me if, by the time you read it, events have overtaken us) I wanted to reflect on deeds and words - on discussion, debate and talk versus calls to

action that result in deeds. A dichotomy famously summed up by the phrase Deeds not Words, coined by Emmeline Pankhurst, leader of the Women's Social and Political Union (WSPU) - better known as the Suffragettes. It was a rallying cry that led to extraordinary acts of political subversion and violence (and, in some cases, extreme physical violence). The Suffragettes engaged in a sustained, well planned and often potentially life-threatening campaign of disruption which ranged from smashing windows, letter bombs, arson attacks in churches, physical attacks on MPs (Winston Churchill was attacked with a horse whip and Asquith had an axe thrown at him - it missed but cut the Irish MP John Redmond on the ear!). This aspect of Suffragette history is controversial. Forcing us to view these often aristocratic, straight-laced Victorian women in a whole new light. Not just placard bearing, hat wearing women dressed in long white dresses and petticoats with sashes, but bomb throwing radicals - some would say terrorists. It's not comfortable.

The Suffragettes were on the receiving end of state sponsored violence in return. The harsh regime of force feeding, involving holding down a woman against her will and forcing a feeding tube up her nose, led to illness and, in some cases, hastened an early death for many hundreds of women over many years. Some received multiple prison sentences and multiple force feedings.

This violence split the suffrage movement and some historians have argued it actively delayed

the granting of the vote. It is interesting that the only female statue in Parliament Square - erected this year and funded in part by the Centenary Action Group - is of Millicent Fawcett, leader of the peaceful Suffragists who campaigned without violence for the vote. Ironically her banner bears the famous phrase "Courage calls to Courage everywhere" a quote taken from a speech in 1920 marking the violent death of Emily Davison, a committed suffragette, killed by the King's horse at 1914 Epsom Derby. So, while we all remember the Suffragettes, our public commemoration is of a Suffragist.

Would women have got the vote without the Suffragettes? Probably - eventually. But the wider question is "Is there ever a justification for civil disobedience in the name of a pressing cause?" A current parallel in my mind is the formation and actions of Extinction Rebellion, a new global climate action movement dedicated to non-violent civil disobedience in order to bring the climate crisis to the fore and to put pressure on government to take action. The founders are committed, mild mannered, passionate academics who are totally convinced that the only way to change views is to protest in a way that causes maximum disruption without endangering life. The campaign is housed by Rising Up which describes itself as 'a new organisation aiming to be a social movement'.

What intrigues me about both Extinction Rebellion and the Suffragettes is the link between direct action and change. Over the Channel the Gilets Jaunes are calling for change with violence and destruction and (in another ironic twist) protesting against fuel duty increases designed to reduce carbon emissions. Here the Extinction Rebellion protestors sit down on bridges singing, waiting patiently to be arrested. Breaking the law - yes, being violent - no. The day I joined the protest the arrests were conducted with courtesy and civility on both sides - the only problem was the police ran out of vans and officers resulting in



many people having to wait patiently to be arrested. The people I spoke to - young and old, students, pensioners, farmers, academics - all felt a little nervous but none the less determined that getting arrested was essential to raising the profile of the campaign. The vast majority of them had never contemplated breaking the law before. Fortunately, they were not facing the prospect of force feeding, just a slightly uncomfortable night in a cell and possibly difficult conversation with their employer on Monday morning.

I am somewhat hesitant in a law journal to advocate law breaking but perhaps now, at this time of climate crisis, it is time for Deeds not Words and for us to call out to courage. To use our individual and collective skills, knowledge, experience, influence and energies in whatever way we can to prevent global catastrophe on an unprecedented scale in humankind's existence. If IPCC scientists are to be believed, we really are running out of time to save the planet. As 2019 dawns I know one of my new year resolutions will be to take action and I promise to keep you updated on my progress!

**Amanda Carpenter**  
Presenter Planet Pod & CEO  
Achill Management

The views in this article are the author's own.







## Relationship Management



## Update from the North Team

# Relationship Management Team North Update

We hope you all had a great holiday and we would like to wish all our members a belated happy New Year

For this first article of the New Year, we thought we would look back at what the Relationship Management North team, Jo McLeod, Claire Quinn and Cath Carter got up to in November and December and share with you some of our plans in the region for the first quarter of 2019.

During the last two months of 2018, we held Male Champions for Change Roundtables in November in Leeds, Liverpool and Manchester. These were part of the Women in Leadership in Law project and invited influential male leaders to give us their views and act as male champions for change. The feedback received from the roundtables has been positive and will form part of the research project which will be available later in 2019. A big thank you to everyone who hosted and attended these events.

In December the Chair and Vice Chair of the Ethnic Minority Law Division attended the Yorkshire Union meeting and met with a top 200 firm to speak to members about the issues around recruiting people from black and ethnic minority groups into the profession and the barriers firms face

The North team represented our members at the Law Society Staff Conference to share with staff examples of the work we do with our Northern members and how we want to continue to increase this collaboration. One of our Northern Committee Members was present for one of the Conference panel discussions, Charlotte Parkinson, Vice Chair of the Junior Lawyers Division.

### January to March in the North

During the first quarter of 2019 we have a number of events happening across the north

#### Brexit: Implications for in-house lawyers Seminar - 16 January in Manchester

With four months to go until the UK leaves the EU, we consider the more pressing issues that Brexit brings for in-house lawyers. Attend for practical guidance on how in-house lawyers can prepare in relation to legal professional privilege, jurisdiction and enforcement of judgments, commercial contracts and financing documents and data protection.

#### Regional Forums Lancashire and Cumbria and Greater Manchester

The dates are now confirmed for our Regional Forums for Local Law Societies, Council and Committee members and other stakeholder groups across the North West as follows:

**Lancashire & Cumbria** 25 January 2019 2 – 4pm at Kings Arms Hotel Lancaster. Hear regional updates from Council Members Joe Egan and Claire Logan and Deputy Vice President, David Greene will be addressing the group on issues from Brexit to SRA Transparency

**Greater Manchester** 20 February 2019 12 – 2pm at JMW

Solicitors. Paul Wilson from our Regulatory Policy team will be speaking to the group

Please contact one of the RM Team if you would like to attend any of the Regional Forums.

#### JLD Forum – 9 February in Liverpool

The Junior Lawyers Division is holding a Forum in Liverpool on Saturday 9 February, working in partnership with the Merseyside JLD. This is one of the regular JLD forums aimed at helping LPC students and LPC graduates secure a training position. More details will be available shortly on the Law Society JLD website.

#### Diversity & Inclusion Forums for 2019

We held Diversity and Inclusion forums in Liverpool, Sheffield, Leeds and Newcastle during 2018 and these will continue for 2019.

The Forums for 2019 are below, dates and venues to be confirmed

**5th February, 12-2pm, Manchester (main theme: Gender Pay Gap)**  
**10th April, 12-2pm, Leeds (main theme: Mental Health)**  
**4th June, 12-2pm, Newcastle (main theme: LGBT+)**  
**8th October, 12-2pm, Liverpool (main theme: BAME recruitment)**

If you are not already part of the Forums and would like to get involved, please either see the link below or let one of the Relationship Management Team know:

<http://www.lawsociety.org.uk/support-services/practice-management/diversity-inclusion/regional-diversity-and-inclusion-forums/regional-diversity-and-inclusion-forums/>

Please email [catherine.carter@lawsociety.org.uk](mailto:catherine.carter@lawsociety.org.uk) if you would like to attend

If you would like to contact one of the North team

**Jo McLeod, Head of Relationship Management - North**  
**M - 07980 725573 E: [joanne.mcleod@lawsociety.org.uk](mailto:joanne.mcleod@lawsociety.org.uk)**

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**M: 07580 977090 E: [claire.quinn@lawsociety.org.uk](mailto:claire.quinn@lawsociety.org.uk)**

**Catherine Carter, Relationship Management Executive North**  
**Mobile – 07812 675150 E: [Catherine.carter@lawsociety.org.uk](mailto:Catherine.carter@lawsociety.org.uk)**

**Twitter @LawSocNorthWest @LawSocYorksNE**  
**Join our North LinkedIn group at <https://www.linkedin.com/groups/12003211>**



**Head of Relationship Management North – Jo McLeod**



**Relationship Manager North – Claire Quinn**



**Relationship Management Executive North – Cath Carter**

# Law Society Council Report

**Charlie Jones is taking a little break this month but this is a summary of the Council Meeting held at Chancery Lane for the last time in 2018 on 5th December.**

There was a packed agenda. Building on the intention of ensuring that Council plays a full part in discussing policy issues relevant to the profession, Council split into groups to discuss the Mayson review of legal services regulation: the key emerging themes will directly influence the Law Society's position in response.

Council also considered a forward planner for its policy debates, noting that the plan is to focus in February on topics in civil justice. On internal matters, Council reviewed a draft governance manual which pulls together in one place all the documentation relevant to the Law Society's recently reformed governance structure.

Ongoing issues around legal aid and access to justice were highlighted. An important part of the context is the significant reduction in the Ministry of Justice's budget, which is expected to reduce overall from its previous level of £10.9bn in 2010 to £6.38bn in 2019-20. Spending on legal aid fell from £2.5bn in 2010-11 to £1.55bn in 2016-17.

The fragility of the criminal legal aid market is compounded by the looming crisis in the number of criminal duty solicitors across vast areas of England and Wales. In 5 to 10 years' time there will not be enough criminal defence solicitors in several regions, leaving many people in need of legal advice unable to access justice.

A consequence of this is that more and more people now have to travel more than 20+ miles to their nearest Magistrates' court, and the number of litigants in person attending both county court and family court has risen significantly in the last five years.

The Law Society's LASPO Four Years on Review contained 25 recommendations, and can be found on our website. Our response and campaigns focus on early advice; means-testing; advice deserts and sustainability of the profession. Our submission also included key evidence and research, including three papers on the means test. Promoting the profession

**Justice Week** is a new initiative run jointly with the Bar Council and CILEx, and it was reported on to Council. The Week was an opportunity to place justice and the rule of law at the centre stage of public and political debate.

Events and activities took place both in London and regionally, including engagement with Members of Parliament, events in Wales, debates led by young lawyers, opening of a law clinic, workshops for students and much more.

Council were also updated on the year-end report from the Solicitor brand campaign, a primary component of the Law Society's work for members, promoting the profession. 81% of members scored promoting the value of using a solicitor as profession as 7 or more out of 10 for importance in our latest member survey.

## Influencing for impact

### Successes

Recent successes were highlighted, including

- **The scaling down of the Flexible Operating Hours pilot**
- **The changes to the domestic violence gateway rules**
- **Our successful judicial review of the Crown Court Fee (LGFS)**
- **The withdrawal of the proposal to close Cambridge Magistrates' Court**

### Parliament

Our ongoing work to influence the legal and regulatory environment was highlighted to Council. For example, in October 2018 the Law Society and its campaigns were mentioned 10 times in the Hansard, 11 written parliamentary questions were tabled by MPs and we received two mentions of our early advice campaign in Justice Oral Questions.

Specifically, we briefed parliamentarians on the:

- o **Civil Liability Bill**
- o **Counter Terrorism Bill on our concerns on legal professional privilege**
- o **Mental Capacity (Amendment) Bill**
- o **A debate on the LASPO review**
- o **Homes (Fitness for Human Habitation) Bill**
- o **Criminal Legal Aid.**

The Law Society was invited to give evidence to Select Committees twice in October:

- o **By the Justice Select Committee as part of a follow up inquiry on Brexit and the justice system.**
- o **By the House of Lords Economic Affairs Draft Finance Bill Sub-Committee on the draft Finance Bill.**

## Practice excellence

### SRA handbook

Now that the LSB has accepted the SRA Handbook changes which will impact on the future of profession, the Law Society will now focus on support and guidance and resources to support members through the change.



## Technology

The Law Society has a strong interest in the impact of technology and data use on human rights. To help us understand this issue, we are examining one specific aspect: the use of algorithms in the justice system, through the Technology and the Law Policy Commission chaired by Law Society president Christina Blacklaws.

Council was briefed on the public sessions being held to allow our commissioners to take oral evidence from experts. Session 3 will be held on 14 February 2019 from 3-6pm at 113 Chancery Lane. This session will focus on what controls, if any, are needed to protect human rights and trust in the justice system. A final report is due in May 2019.

The Society's partnership with Barclays Eagle Labs, providing an incubator for Law Tech start-ups was explained to Council. The space is encouraging co-working and business incubation, collaboration and mentoring. Its event and meet-up spaces will help members become leaders in their field and strengthen the UK's reputation for excellence in the legal services sector.

The Law Society is also facilitating the LawTech Delivery Panel, a team of industry experts and leading figures from government and the judiciary, to help the UK legal sector grow and fulfil its potential. Announced by the Lord Chancellor in summer 2018, the panel is industry led and supported by government.

By identifying both barriers to and catalysts for growth, the panel will provide direction to the legal sector and help foster an environment in which new technology can thrive. The panel will work with industry, government, experts and the legal community, addressing challenges related to regulation, investment and funding, education and skills, legal framework, commercial disputes resolution and ethics.

## Career Companion

### Women in Leadership in Law

In her mid-year update on her presidential plan, the president drew Council's attention to our women in leadership in law programme as well as her priority areas of technology and law (see above), access to justice, and mental health and wellbeing.

She referred to the Law Society survey on women in leadership in law, the largest ever international survey with 7,781 responses. The top barrier to women's progression is unconscious bias. Qualitative research to identify solutions has followed.

230 roundtables with approximately 4,000 attendees have been held over the summer. Domestic roundtables have been undertaken across the country and specific groups (BAME, lawyers with disabilities, junior lawyers, judges) have also been targeted. Approximately 15 roundtables have been held internationally in Africa, North America, India and Europe.

1,500 men's and women's toolkits have been issued. The majority of the top 50 firms have been involved. We started the men's roundtables in November. Men from all sectors (in-house, small and large firms) have taken part including the Lord Chancellor David Gauke who attended to participate and support the initiative. Insights are being put together into report to be launched on International Women's Day in March 2019. An International Symposium is planned for 20-21 June 2019. Bookings will be opening in the early new year.

**Next Council meeting 13 February 2019.**



### Developments in Domestic Abuse Law & Procedure 2019

with Safda Mahmood on Friday 25th January,  
10am—4pm (lunch included)

**This course will provide a good round up of the different law and major changes, so as to provide a comprehensive update on domestic violence legislation and case law.**

The topics covered will include amongst others, the following:

- Domestic Abuse - What protection is available?
- Family Law Act 1996 - Nuts and bolts
- Drafting Orders and Without Notice Orders - What has changed?
- Enforcement - What has changed?
- Changes brought about through the Domestic Violence, Crimes and Victims Act 2004
- Law and practice surrounding Forced Marriage Cases
- Changes to Protection from Harassment Cases

**Competencies:** B & C

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



### **\*\*NEWE for 2019\*\* Advising on Employment Law Issues in Corporate Transactions**

with Emma Tegerdine on Tuesday 29th January, 1 - 3pm

**This course is aimed at employment law specialists who occasionally or regularly provide corporate support and wish to learn more about this area.**

What this course will cover:

- Asset sales v share sales
- The key aspects of TUPE
- Consideration of key case law on TUPE, including a review of the ECJ's recent decision in the Colino Siguenza case on the resumption of activities after a 5 month gap
- Impact of the GDPR
- Common issues which arise during due diligence, including:
  - employment status issues
  - failure to carry out right to work checks
  - changes to terms and conditions
  - historical holiday pay claims
  - enforceability of restrictive covenants post-transfer

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

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

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

# Charity and CSR Matters



## Happy New Year everyone,

I hope you all had a lovely relaxing Christmas.

It takes a while to get back into the swing of things after a nice break so take the time to read up on all the amazing work that took place before the festivities took place.

My own Christmas wrapping event at Weightmans went well so many thanks to everyone who donated and supported the event. We wrapped 130 full gift bags for the homeless, over 300 smelly sets for those in need and countless gifts for children who were in need. I just love seeing everyone roll their sleeves up and get involved and will hopefully be arranging again next year.

Happy reading.

**Jennifer Powell**  
**Solicitor**  
**Weightmans**

## A round of Santa-plause for Carpenters

Over 25 of Carpenters colleagues (and a dog) recently took to the streets to complete Liverpool's 15th Annual Santa Dash.

The course started on Liverpool's iconic waterfront next to the iconic Three Graces, and weaved through the city centre, past Carpenters Tithebarn Street office to the finish line, just outside the Town Hall. The city has held the Guinness World Record for the largest Santa Claus fun run since 2016.

Despite the weather, they joined thousands of others in getting into the festive spirit and taking part by wearing a mixture of either red, blue and even green Santa suits.

All proceeds from the race have gone to Claire House, for their appeal to build a new Children's Hospice in Liverpool.

They hope to build a new £14m state-of-the-art facility to cope with the rising demand for its services.

The team have also set up a Just Giving page for their own fundraising, managing to raise a massive amount of nearly £3,500 including Gift Aid and Civvies day money for Claire House Children's Hospice and Fans Supporting Foodbanks.

A fantastic effort by all of those involved!

### #RucksackAppeal

Over 60 rucksacks delivered to the Charles Thompson Mission, a delivery to Simon Whitter's Scouse Yummies of around 30 rucksacks and their Haywards heath office delivered to Crawley Open House. Nearly 100 rucksacks handed out to those who need them before Christmas! Thanks go to Charlton Grant for the donation towards their appeal.

### Sleepout Success!

Debbie Wade from Carpenters took part in a sleep out in order to raise much needed funds for the Charles Thompson Mission. The Mission looks to help men and women who are homeless, poor and needy, out of poverty. They provide hot food, clothing, toiletries, other basic essentials, along with much love, care and compassion. Debbie can usually be found volunteering at the mission so see's first-hand how much these people need a hot meal or a kind word. After her sleep out Debbie said 'I volunteer at the Mission on a Sunday morning



and I've seen the state of some of our guys who have slept on the street the night before, but nothing could prepare us for sleeping out it was freezing and damp. We really don't know how they survive. Thank you everyone for all the sponsorship it means the world! Debbie has raised an incredible £586.25, with gift aid, for the Charles Thompson Mission, just in time for Christmas.

Staff at Your Legal Friend raised hundreds of pounds for charity after taking part in the BBC's annual Children in Need fundraiser. They wore their pyjamas and onesies to the office for the day and raised over £230 which will go towards helping vulnerable children across the UK.

The firm has also participated in the annual shoebox appeal for Samaritan's Purse, an international relief fund aimed at helping young children, women and those affected by natural disasters.

Julia Bond, HR Advisor said: "We take part in several charity initiatives each year and it's great to contribute to causes like Children in Need and the Samaritan's Purse shoebox appeal.

"Helping charities, both local and national, is a very important part of the culture that we have here, and many of our employees also take part in charitable activities outside the workplace."

Earlier this year, Lee Quinn, Litigation Executive & Department Manager at Your Legal Friend, raised over £10,000 for children's cancer charity Neuroblastoma UK after successfully completing an ultra-marathon through the Amazon Rainforest.



# Supporting The For Ava Foundation

Morecrofts took part in the campaign by The For Ava Foundation to collect advent calendars for children who will be in hospital over Christmas. The firm chose to support the For Ava Foundation as its chosen charity from April 2018.

The For Ava Foundation is a small organisation which raises funds to buy items for 'Be There Boxes' for children who are enduring long stays in hospital. It was founded by Kelly & Mark Stokes following their daughter Ava going through two difficult long stays in hospital after being diagnosed with a rare liver cancer then Acute Myeloid Leukaemia.

Kelly, Mark, Ava (who is now doing well) and her brother Alex all visited Alder Hey and Manchester Children's Hospital to deliver the calendars. They were joined by the BBC and ITV Granada film crews.

So far, Morecrofts have raised thousands of pounds for the organisation from the Merseyside Independent Business Awards, staff initiatives, team fundraising and internal donations.



# Rebecca cycles for Love Underdogs

Rebecca Hughes, a Facilities Assistant from Weightmans LLP, recently completed a 413km cycle from Ho Chi Minh City in Vietnam to Angkor Wat in Cambodia in aid of Love Underdogs, a dog rescue charity where three of her six rescue dogs came from.

Becky cycled between 70km and 85km every day for six consecutive days in temperatures ranging from 34 to 39 degrees with up to 80% humidity! Aside from dealing with sunburn, insect bites, chaffing and lots of off-road, gravelly, pot-holed roads, Becky said the cycling itself wasn't too bad and the miles flew by as the Vietnamese and Cambodian countryside's became a delightful distraction.

Aside from the mammoth cycle, other highlights of the trip included visiting Buddhist monasteries, a trip to the S21 prison camp and Cambodian killing fields and finishing the challenge at the world famous Angkor Wat temple.

Becky has so far managed to raise over £5,200 for Love Underdogs – a dog rescue that improves the lives of Romanian street dogs through neutering, spaying, education, building of Romanian non-kill shelters and rehoming Romanian dogs in the UK and other more animal-loving European countries. Becky has supported the charity after working voluntarily in their Romanian dog shelter and through adopting three dogs from Love Underdogs.

Becky said: "The dogs in Romania are treated appallingly and the work Love Underdogs do is so important in changing these dogs lives. Watching my own dogs change from being scared of their own shadows to happy, healthy (cheeky!) dogs has been so worthwhile. Every dog deserves the chance of a loving happy life and I am so grateful to everyone who has sponsored me or donated to my fundraising page."

**To sponsor Becky's cycle – please donate via her Just Giving page:- [www.justgiving.com/fundraising/becky-hughes11](http://www.justgiving.com/fundraising/becky-hughes11)**



**To find out more about Love Underdogs, please visit their website:- [www.loveunderdogs.com](http://www.loveunderdogs.com)**



Rebecca Hughes

## Co-opted Trustee vacancy

Liverpool Guild of Students are currently looking to appoint a co-opted trustee who will ideally take on the role of their Honorary Treasurer. They are especially keen to receive applications from professionals who have experience in the financial or legal sectors, or who have a strong business background.

Co-opted Trustees are professionals appointed for their skills and experience and can serve up to two four-year terms. This is a voluntary role however reasonable expenses may be paid.

The Honorary Treasurer advises the Chair of the Board of Trustees on financial matters and Chairs the Resources & Audit Committee. For more information see the recruitment pack which can be found here.

To apply you should complete the application form and send this with a copy of your CV to [guildhr@liverpool.ac.uk](mailto:guildhr@liverpool.ac.uk) please place "Co-opted Trustee" in the subject line.

**Applications close on Monday 7th January 2019.**

Interviews are expected to take place in mid-January.



# News from the MJLD

## Our Next Event

Due to unforeseen circumstances the MJLD unfortunately had to cancel the previously announced Christmas Jumper Drinks social at XOXO on 13 December 2018.

Not to worry however, as the MJLD have an even better event planned for 31 January 2019!

Please save this date and come celebrate the end of Dry January with us!

More details of this exciting event will be released in due course. If you would like to attend, please email [sarahmcguinness@msbsolicitors.co.uk](mailto:sarahmcguinness@msbsolicitors.co.uk) to register your interest.



## Alternative Pathway to Law Review and Volunteer Opportunities

Last month the MJLD hosted a very successful 'Alternative Pathways to Law' panel session at the University of Liverpool. The aim of the event was to introduce students to the range of paths that a legal career can take. The panel members included a solicitor-advocate, a legal executive, trainee solicitors from an international firm, a small regional firm, and the CPS, trainees that had moved on qualification, and a junior lawyer that now works as a self-employed solicitor via a number of online legal consultancy platforms. All the attendees reported that they had found the session useful and the MJLD will be looking to recreate the event early next year as part of our national forum in association with the Junior Lawyers Division of England and Wales.

If you would like to join our volunteers list to be informed of speaking, panellist and mentoring roles with the MJLD, please contact [danny.greenland@brabners.com](mailto:danny.greenland@brabners.com).

## National Junior Lawyers Division Forum Event



The MJLD is pleased to announce that it will be hosting the National Junior Lawyers Division Forum for Prospective Trainees. The event, which will be hosted in conjunction with the National JLD, is aimed at 3rd year law students, GDL students, LPC students and those seeking a training contract across the country. Taking place on a Saturday in the first half of next year, we hope that the event will act as a showcase for Liverpool and demonstrate what a great place it is for practising law.

We are currently building our programme of talks but if anyone is interested in assisting with or speaking at the event, please contact [danny.greenland@brabners.com](mailto:danny.greenland@brabners.com)

## Alternative pathways

### 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](mailto:editor@liverpoollawsociety.org.uk)





# News from the WLD

## Happy New Year

We would like to wish everyone a Happy New Year and we hope you all had a lovely Christmas. We have some fantastic events planned for 2019 so keep an eye on our social media and our website for more details.

## Beauty Bazaar Event at Harvey Nichols

On 30th November 2018, we held our extremely popular Beauty Bazaar Night at Harvey Nichols where attendees enjoyed a glass of bubbly on arrival with canapes. Our guests were treated to a variety of beauty masterclasses, complimentary treatments and provided with some gifting advice. We hope that everyone enjoyed the evening as much as we did! Thank you to our sponsors for the evening, 42 Bedford Row.



## Committee Christmas Meal

The WLD Committee attended their annual Christmas meal in December which was held at Mowgli, Water Street this year.

## What's Coming Up?

Our first event of the year will be our 100 Years of Women in Law celebration! 2019 will be the centenary of a landmark piece of legislation that classified women as 'persons' under the then Solicitors Act and enabled female professionals to practice!

Join us on Friday 25th January 2019 at 6pm in The Lodge, The Club House, Liverpool One to celebrate the success of women in our profession over 100 years and to look forward to the next 100 years.

To reserve your place please visit the Eventbrite link below. Feel free to welcome all your colleagues and circulate around any individuals or firms who you think would want to celebrate with us. MWLD members will receive a reduced ticket price of £15 (up to a limit of 10 people from one firm holding a corporate membership), otherwise tickets are only £20.

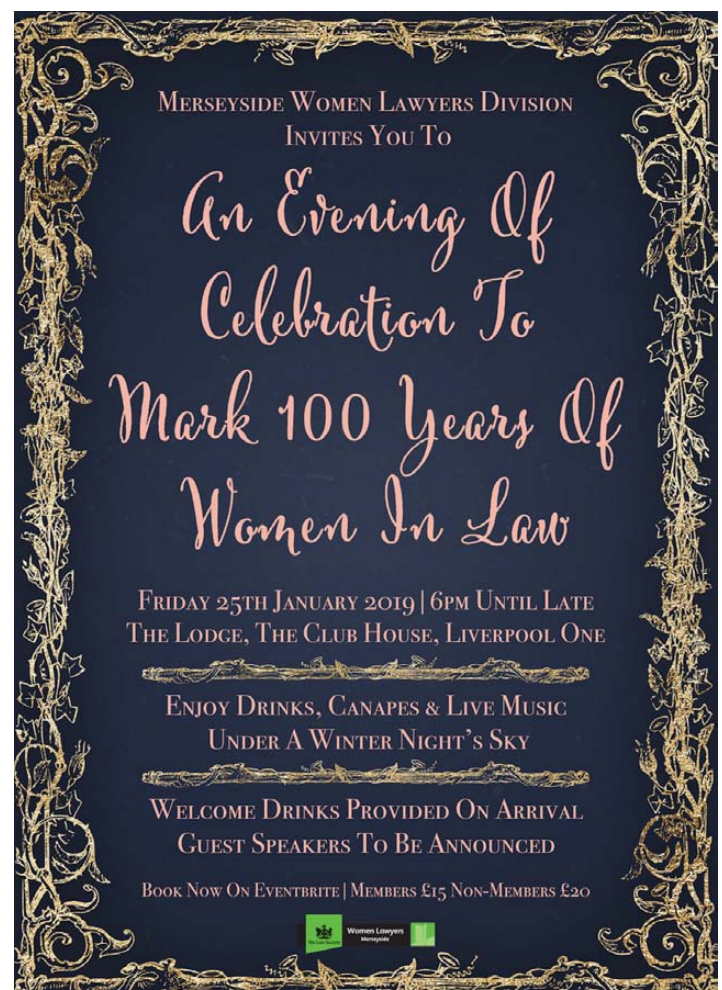
<https://www.eventbrite.co.uk/e/celebrating-100-years-of-women-in-law-merseyside-women-lawyers-division-tickets-52347877912?aff=eprosaved>

## We can't wait to see you there!

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 December 2018 we had 5 minutes with Nicola Hardy, Senior Associate Solicitor at Simpson Millar LLP.

Twitter  
Facebook  
Website  
Email

@MerseysideWLD  
Womens Lawyers Division – Merseyside  
[www.wldmerseyside.co.uk](http://www.wldmerseyside.co.uk)  
[wldevent@gmail.com](mailto:wldevent@gmail.com)



# Charity Spotlight



## Worn By Us

On 20th June 2014 Nicola Gleave's life was turned upside down when she was diagnosed with breast cancer. At 42-years-old and healthy it came as a complete shock. Following her diagnosis Nicola felt a real passion and desire to want to raise money to support cancer charities.

Nicola spoke to lots of different people who wanted to get behind her and support the concept of what she was embarking upon. Worn By Us was established and provided a platform for individuals, retailers and celebrities to donate their unwanted fashion items from wardrobes, or surplus stock, to support a range of charitable organisations close to their heart. Along the way Nicola met many people who had been touched by similar experiences due to illness and who wanted to get involved and join her journey.

Through a campaign involving website promotion, TV, Radio, Newspaper and Magazine interviews, and talks at business events and schools, Nicola generated huge interest and following in support of the work she was doing.

Due to the success of Worn By Us, a new brand The Refashion Guide will be born in 2019 working specifically with key fashion brands and retailers to offer a real and authentic solution for the worldwide problem affiliated with the overproduction and incineration of clothing.

Prominent brands within the fashion industry have a common practice of destroying hoards of unsold goods including

clothing and accessories worth millions of pounds. The Refashion Guide will work with brands and retailers to provide an opportunity to resell, repurpose and upcycle prestige products at discounted prices whilst simultaneously contributing to charitable causes.

### HOW IT WORKS

Step 1 – The Refashion Guide sell stock donated by retailers and designers raising funds for charities and foundations.

Step 2 - Items are received and uploaded to the Refashion Guide collection hosted on its website and made available for purchase.

Step 3 - Items donated by celebrities and individuals are uploaded and made available for purchase under the Worn By Us brand.

Step 4 - A significant proportion of any sale price is donated to the charity nominated by the donor, while the customer receives their newly purchased item.

### Call To Action

**To get involved, support, or donate items get in touch at**  
**[hello@wornbyus.com](mailto:hello@wornbyus.com)**  
**[www.wornbyus.com](http://www.wornbyus.com)**  
**[www.therefashionguide.com](http://www.therefashionguide.com)**



# Merseyside Landmarks

## Continuing our series of articles looking at a number of Merseyside's magnificent buildings and architecture. This month we take a look at Port Sunlight on the Wirral Peninsula.

In 1887, Bolton-based Lever Brothers (now Unilever) began looking for a new site on which to expand its soap making business and purchased 56 acres of land in Cheshire on which to create their factory and village for the workforce. Port Sunlight is now one of the best examples of urban planning in the UK and hasn't changed in over a century. The name "Sunlight" was chosen because it was one of the Lever Brothers' most popular brands of soap.

Over 30 architects created the various buildings and monuments and nearly every period of British architecture is represented through the revival design with a nod to the Arts and Crafts Movement. Each block of houses was designed by a different architect, and included Flemish style homes with bricks imported from Belgium.

William Hesketh Lever provided his workforce with a decent salary and sanitary housing and said that this was a business model rather than philanthropic idea. Rather than share the profits with his workers he preferred to provide them with decent housing and amenities which would promote both commitment and loyalty.

The village is home to more than 900 Grade II listed buildings set in 130 acres of parkland and gardens. William Lever oversaw the building of 800 homes which housed a population of 3500. There is also a cottage hospital, schools, a concert hall, open air swimming pool, church, and a temperance hotel. Lever introduced welfare schemes, and provided for the education and entertainment of his workforce, encouraged recreation and organisations which promoted art, literature, science or music. In 1922 the Lady Lever Art Gallery was constructed and dedicated to William's late wife, Elizabeth.

However, life for the workers in Port Sunlight wasn't completely idyllic. William Lever imposed intrusive rules and implied mandatory participation in activities. The tied cottages meant that a worker losing his or her job could be evicted.

The Bridge Inn, a Port Sunlight temperance "pub" was opened in 1900. Lever, who was teetotal assumed that the Bridge Inn would be "dry" but a petition from the workers forced a vote. Lever agreed, but only if women could participate in the vote and the majority in favour had to be over 75%. Lever was confident that the The Bridge



Inn would remain dry because of the womens' vote, but those voting in favour of a liquor licence was over 80% and he had to concede to the will of the workers.

Competition in the soap industry was fierce and the success of Lever Brothers rankled the other manufacturers. To appease the situation William formed the Soap Combine. However a campaign by Viscount Norcliffe urged retailers not buy products made by the Soap Combine. The press jumped onto the bandwagon and encouraged readers to buy products elsewhere and headlines in the Daily Mail and Daily Mirror claimed, 'Dismissal of employees begins', and 'Trust Soap Already Dearer' along with allegations that Port Sunlight was nothing more than a sweatshop, calling it "Port Moonshine."

With his business failing because of these media attacks, William Lever instructed Sir Edward Carson and two juniors, one of whom was Frederick Edwin Smith, who went on to become Lord Birkenhead, in a libel case against the Daily Mail. The case was heard in Liverpool before Mr Justice Lawrence.

Carson accused Associated Newspapers of conducting a malicious campaign 'with the object of smashing up Lever Brothers.' He called William Lever as his first witness who was so compelling that the defence retracted all evidence the following day and expressed regret on behalf of the Daily Mail. Lever Brothers were given a settlement of £50,000 and a further £40,000 from the newspapers in the group. The victory was celebrated with a day's holiday for the staff at Port Sunlight and William Lever donated the settlement to Liverpool University.

**Julia Baskerville**



## MENTAL HEALTH MATTERS AT WORK

The Organisation for Economic Cooperation and Development estimates that the cost of mental health issues such as stress, depression and anxiety costs the UK economy £70 billion each year.

There is a strong proven business case for organisations to promote good physical and mental health for all staff. It leads to greater productivity, better morale, better retention of staff, and reduced sickness absence.

Research by Mind, the UK mental health charity, shows that more than 1 in 5 people will call in sick rather than admit to a mental health issue, and over 3 out of 10 people feel they can't talk to their manager. Interestingly, the research also shows that over half of employers would like to do more about staff wellbeing, but don't know how.

Here are some tips on how organisations can start to create a culture that encourages people to be open and honest about their mental health, and to access the support they may need.

## Look after others

### Tips for good mental health and wellbeing at work

## PROMOTE A CULTURE OF ACCEPTANCE

Get commitment from senior leaders, this sends a clear message that staff mental health and wellbeing matters – colleagues take cues from how leaders behave

Staff need to know that their mental health is important and that being open about it will lead to support, not discrimination

Develop clear policies about mental health and wellbeing, make sure these are implemented and communicated to everyone

Challenge the stigma that surrounds mental health by signing the Time to Change Employer Pledge ([www.time-to-change.org.uk](http://www.time-to-change.org.uk)). It demonstrates commitment to change how we all think and act about mental health in the workplace

## RAISE AWARENESS

Embed mental health in inductions and training – staff will then understand how mental health is managed within the organisation and what support is available

Make sure the staff handbook/intranet site includes information about mental health policies and the support provided by the organisation

Invite a speaker to talk about mental health during a mental health or diversity event – the lived experience can help to break down stigma and stereotypes

Communication is key: use existing communication channels – staff meetings, blogs, factsheets, top tips, web links, FAQs, posters, noticeboards, staff newsletters

Encourage mental health champions – people at all levels talking openly about mental health sends a clear message that staff will get support and that a mental health issue is no barrier to career development

## ENCOURAGE A BETTER WORK / LIFE BALANCE

Sustained pressure and a poor work/life balance can quickly lead to stress and burnout, reducing staff performance and morale

Monitor workloads to ensure staff are coping and not feeling under excessive pressure

Flexible working benefits both organisations and staff: organisations benefit from increased morale, commitment, productivity and reduced sickness absence – staff feel better able to balance the demands on them from different aspects of their lives

Flexible working can be an important intervention to prevent mental health problems from getting worse and leading to absence – it can also support a phased return to work after a period of absence

Senior leaders and managers can be positive role models for healthier work habits and can encourage staff by leading by example, such as taking lunch breaks and working healthy hours

## PROVIDE LEARNING AND DEVELOPMENT

Staff need to feel valued and supported and that their work is meaningful – foster a positive culture that values all staff by investing in their skills and development, this builds the trust and integrity essential to maintain commitment and productivity levels

Good line management can help manage and prevent stress – help staff who manage others to develop good people management skills

Consider training line managers in how to spot the early signs of mental ill health and how to respond, let staff know that there are people available who are trained to help

## SIGNPOST TO SUPPORT


Early intervention can stop problems from escalating. Mind ([www.mind.org.uk](http://www.mind.org.uk)) Rethink Mental Illness ([www.rethink.org](http://www.rethink.org)) and Mental Health First Aid England ([www.mhfaengland.org](http://www.mhfaengland.org)) all have helpful resources and offer training

If your organisation offers counselling services or Employee Assistance Programmes, ensure all staff know about them and how to access them

Ensure staff know about LawCare and the support available

Call our free, independent, confidential Helpline on  
**0800 279 6888** or go to **[www.lawcare.org.uk](http://www.lawcare.org.uk)**





# How are you, really?

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## Costs in the Criminal Courts with Anthony Edwards



on Tuesday 5th February, 1.30 - 4.45pm

In criminal defence practice it is critical that firms recover the maximum amount properly available to them. This course examines all the critical issues including meeting audit requirements to support claims and is based on the updated text of the LAG publication Fixed fees: costs in criminal cases

The course includes:

General principles including enhancement  
Advice and assistance and advocacy assistance  
Criminal investigations What is a matter  
Magistrates' court proceedings= what is a case.  
what is the correct category; When is there  
series What is a breach for costs purposes  
In the crown court- an update on pages of  
prosecution evidence, special preparation,  
classification and categorisation  
Civil proceedings with criminal legal aid.

**Competencies: A1 B1 D1 D2 & D3**

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

## Stand and Deliver! Conducting Effective Advocacy in Child Care Cases

with Safda Mahmood on Wednesday 6th February,  
10am - 4.15pm (lunch provided)

With more pressure on lawyers to do their own advocacy in family courts, it is necessary to become more confident and able in doing so.

This course will be of assistance to those lawyers acting for parents, children, extended family members and local authorities.

The topics covered will include, amongst others, the following:

Understand good advocacy skills  
Become more confident, despite a 'difficult' opponent  
Effective preparation  
Calling Evidence  
Making good opening and closing speeches/submissions.  
Carry out effective examination-in-chief and cross-examination  
Emergency Protection Order Hearings  
Contested Interim Care Hearings  
Case Management and Issues Resolution Hearings  
Fact Finding Hearings

**Competencies: B & C**

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

## Liverpool Law Society

Training Room



Meeting Room



Both Rooms



### Venue Hire

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

### At Liverpool Law Society we can offer:

Professional working environment  
Refreshments

Lunch ordering service  
Audio Visual equipment

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

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

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



<b>S Code</b>	<b>Date</b>	<b>Time</b>	<b>January 2019</b>	<b>Speaker</b>
S4227	15th & 16th	9.30-4.45	<b>**NEW**</b> Introduction to Residential Property Law – Certificated 2 day Course	Ian Quayle
S4200	18th	1.30-4.30	Directors' Duties and Shareholder Remedies	Chris Beanland
S4246	22nd	9.30-12.45	Practice & Procedure in the Adults Magistrates Court	Colin Beaumont
S4247	22nd	1.30-4.30	Practice & Procedure in the Youth Court	Colin Beaumont
S4167	23rd	9.30-12.45	Conveyancing Update	Richard Snape
S4168	23rd	1.30-4.30	Commercial Property Update	Richard Snape
S4183	25th	10-4	Developments in Domestic Abuse: Law & Procedure	Safda Mahmood
S4206	29th	10-12	An overview of Whistleblowing in Employment	Emma Tegerdine
S4207	29th	1-3	Advising on employment law issues in corporate transactions	Emma Tegerdine
S4215	30th	3-4	Making Tax Digital	Jenni Christy

<b>S Code</b>	<b>Date</b>	<b>Time</b>	<b>February 2019</b>	<b>Speaker</b>
S4271	1st	3.30-4.30	Deeds of Variation	Richard Oughton
S4233	5th	9.30-12.45	Commercial Leases Masterclass	Ian Quayle
S4236	5th	1.30-4.45	Costs in the Criminal Courts with Anthony Edwards	Anthony Edwards
S4184	6th	10-4	Stand and Deliver! Conducting Effective Advocacy in Child Care Cases	Safda Mahmood
S4266	7th	5.30-7	Family Judges Forum	HHJ de Hass, QC, HHJ Greensmith & DJ O'Neil
S4272	8th	2-3	Intellectual Property Online	Sarah Jameson
S4273	8th	3.15-4.15	Agency and Dishonest Assistance in a Commercial Context	Arron Walthall
S4201	12th	1.30-4.30	Practical Contract Law	Chris Beanland
S4231	13th	9.30-4.30	The Complete Legal Aid Supervisor	Vicky Ling
S4211	26th	9.30-3	<b>**NEW**</b> Housing Disrepair Conference	Various



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The logo for Quill Pinpoint, featuring the word "QUILL" in a large, white, sans-serif font above the word "PINPOINT" in a smaller, white, sans-serif font. To the left of the text is a stylized icon of a quill pen, with the word "QUILL" partially overlapping it.