

# LiverpoolLaw

August 2019

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



**Jeremy Myers reports on the July 2019 meeting with councillors**

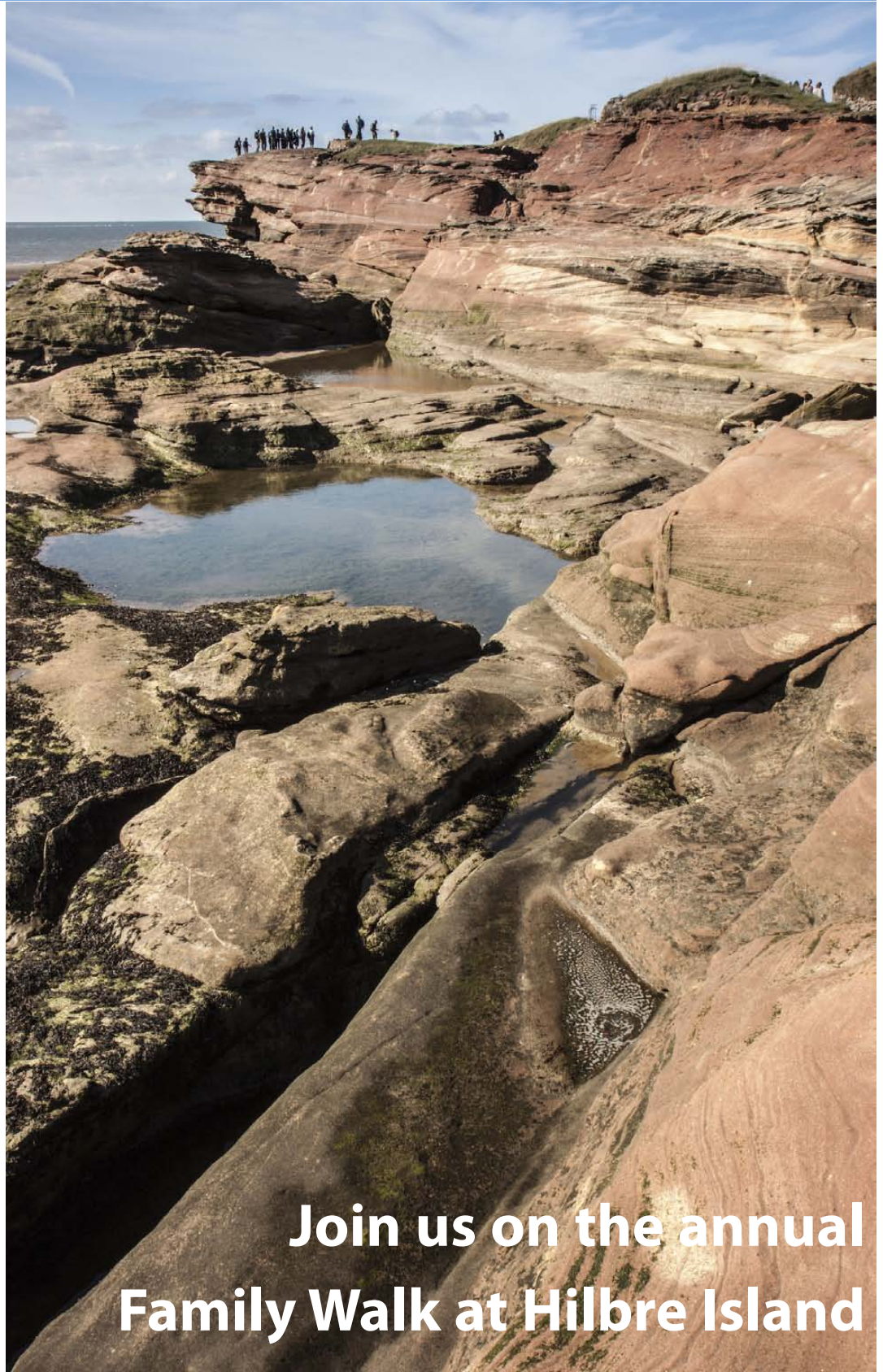


## **Leadership and the Law**

This month we feature Mike Leeman of BLJ Solicitors



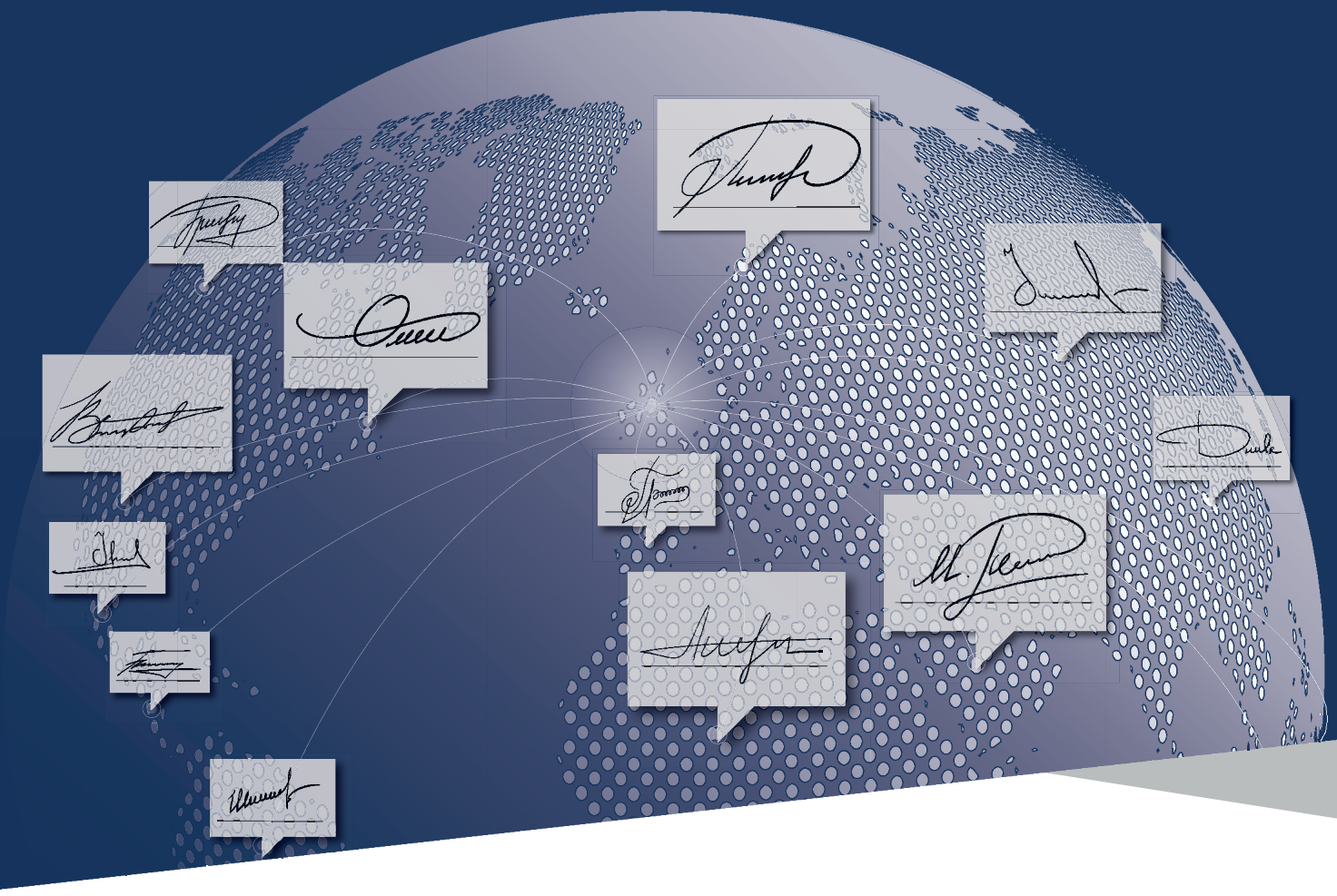
**Liverpool lawyer targets teens with new careers programme**



**Join us on the annual Family Walk at Hilbre Island**

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





## Obtain client signatures anywhere, anytime

Secure, simple to use paperless technology from LawConnect allows your clients to digitally sign documents from anywhere in the world. This eliminates delays and drives efficiency.

- ☑ Share documents securely
- ☑ Track the progress of your documents
- ☑ Collaborate in real time
- ☑ Receive proof of completion in a instant

**Impress your clients, improve productivity and future-proof your law firm.**

# August 2019

**4. The latest from the Editor, Jennifer Powell**

**5. President's Mentions  
The latest from Chris Topping, President of Liverpool Law Society**

**6. Helix Highlights**

**7. July 2019 meeting with local councillors**

**11. Liverpool lawyer targets teens with new careers programme**

**12. News from Vauxhall Law Centre**

**13. News from Merseyside Law Centre**

**14. The Role of the Magistrate - can you help?**

**15. Leadership and the Law: Mike Leeman of BLJ Solicitors**

**16. Personal Injury: The Discount Rate**

**20. A New Pathway to Domestic Surrogacy**

**25. Jackson Lees Group named as one of the UK's 1,000 most inspiring companies**

**39. Carpenters Charity Football & Family Fun Day**

**Cover photo:  
Hilbre Island**



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

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

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

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

**Published by**

**Baskerville Publications Limited**

Apt 327 Holden Mill  
Blackburn Road  
Bolton  
BL1 7PN  
Email:  
[j.baskerville@jbaskerville.co.uk](mailto:j.baskerville@jbaskerville.co.uk)



Like us on Facebook  
[www.facebook.com/LiverpoolLawSociety](https://www.facebook.com/LiverpoolLawSociety)



Follow us on Twitter @LpoolLawSociety



Join us on Linked In  
<https://www.linkedin.com/company/liverpool-law-society>





# Welcome to the August 2019 edition of Liverpool Law



**Jennifer Powell**  
**Editor**

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

I hope you're all enjoying the weather and taking a well earned rest at some point over the holidays.

As always this is a quieter month for submissions so we have a slightly smaller version for you. It was discussed recently whether the magazine is getting too large now it is digital (whereas we were previously limited on content in paper format). Your feedback on this is welcome, as always it is your magazine so we want to deliver what you want.

This month you will see plenty of movers and shakers detailed. We enjoy seeing where everyone is up to in the legal community and being on the pulse so please do keep them coming.

We are certainly on the pulse in the Civil Litigation World this month, you will see an article on Declaration proceedings and the imminent 1 November 2019 deadline and also both a claimant and defendant perspective on the new discount rate.

Happy reading.

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

## Climate corner

So last month I set the challenge of reducing your plastic packaging. I'm pleased to see some of the supermarkets have set the same objectives too. Keeping with the theme of how us lawyers can help I thought of single use products. As a mother of a baby still in nappies I'm not quite ready to take the extreme step of abolishing them yet personally, however, small changes we could all make to reduce our reliance of single use products could on mass make a huge difference. I think reusable cups for our morning coffee could be our next challenge. Walking into the office in the morning, I see all of the coffee shops brimming with us all needing our caffeine boost to kick start the day. Many of these shops have taken the initiative of offering discounts to those using reusable cups so you will quickly recoup the cost of investing in one. Having a look online you can get them relatively cheap and to suit your personal taste rather than a branded cup and then at least you will know it's clean and hygienic- another win win!

## Editorial Committee Dates

All meetings start at 1pm

Tuesday 20th August

Tuesday 17th September

Tuesday 15th October

Tuesday 19th November

Tuesday 17th December

## Diary Dates

Sat 7 Sept	Joint Walk with Cheshire & North Wales Law Society
Weds 11 Sept	Residential Property Conference
Weds 18 Sept	Leaders in Law Dinner (members' only)
Weds 25 Sept	Family Finance Law Conference
Weds 9 October	Employment Law Conference
Thurs 17 October	Joint V (Liverpool)
Frid 18 October	Summit Meeting with MPs & directors of LLS
Thurs 7 Nov	Annual Dinner
Thurs 14 Nov	Joint Social with the University of Liverpool
6-8pm	
Weds 20 Nov	Conference for Legal Cashiers & Managers
Mon 25 Nov	AGM at 1pm
Fri 27 Nov	Public Child Law Conference

**For further information on any of these events, please view our website or contact the Society.**

## Deadlines 2019

22nd August

25th September

25th October

25th November



## The latest news from Chris Topping, the President of Liverpool Law Society...



# President's Mentions

August already! A time to look back, to look forward and then to take a breath!

### Looking Back

Tuesday 30th July 2019 was the seventieth anniversary of the passing of the Legal Aid and Advice Act 1949. It is not controversial to say that the Legal Aid system is under more threat today than at any other time in its history. The Justice Alliance have published a pamphlet called "Legal Aid Matters" with contributions from a wide variety of people who have first-hand experience of the Legal Aid system and what it has done.

At the launch of the pamphlet on 18th July Richard Burgon MP (the Shadow Minister for Justice) said

"No society can call itself legitimately civilised if a person is denied access to justice because of a lack of means. We need to celebrate legal aid as much as we do our NHS"

Whether you agree with all of Richard Burgon's politics is irrelevant here, no one involved in the law should be afraid of campaigning to achieve access to justice as an universal right.

Such an anniversary comes at a very salutary time as we are told by the Ministry of Justice that in 2013/14 there were 94 law centres in the country and today there are 47. The closure of Lambeth Law Centre in London the most recent high profile closure.

Here in Liverpool we have two amazing Law Centres and regular readers of the magazine will know how much we at Liverpool Law Society are committed to the work that Law Centres do

We are keen for every member to play a part in supporting the placing of a trainee solicitor with the Merseyside Law Centre under the Justice First Fellowship Scheme. We already have two firms who have committed to providing funds to them over the next two years, and others considering, but we are some way short of our target of £50,000.. If you or your firm can assist with any amount however small please contact Sarah Poblete at the LLS office.

### Looking Forward

Julie O'Hare and I were delighted to be invited to go to meet with Simon Davis, the new Law Society President with other representatives from the Joint V Law Societies.

We had a series of informative briefings on the current work of the

international section (dominated by Brexit!); the plans for Pro Bono Week (4th -8th November) and Justice Week (24th-28th February 2020); on the rapidly evolving work of Law Tech and Artificial Intelligence; the development of a Major Incident Plan to ensure that the response of the legal community to a disaster such as Grenfell Tower or London Bridge is effective and co-ordinated.

We also met with Paul Tenant the Chief Exec who introduced us to his new Executive Team. Louise Hanson is the Executive Director of Member Experience who is tasked with ensuring that The Law Society nationally is delivering what members need and want. Tom Fothergill is the new Chief Operating Officer responsible for putting in place the infrastructure to ensure that plans can be effectively delivered.

There appears to be a radical scene shift going on at Chancery Lane and the Chief Exec seems to have managed to align the plans of the society with those of the office holders. These are changing times and the Law Society is being driven to ensure that it is an organisation that is fit for and relevant to the practice of law in the twenty first century.

### Take A Breath!

Way back in the day when I was an articled clerk (read trainee solicitor!) time used to stop in August.

The court rules provided that time did not run in August so people could go on leave without the worry of being struck out for non-compliance with some pre-emptory order. Looking back with the rose tinted spectacles it now seems like it was a gentler, kinder era. Certainly August was a very quiet month and if you needed Counsel to go to court in an emergency situation you had to search long and hard.

The world in which we live now is 24 hours a day 7 days a week and we seem to have lost that understanding of the importance of downing tools and taking a proper break. I hope this summer that you will have chance to take time to rest and re-energize.

If you return to work invigorated and ready for a new challenge in September why not join other members of the society and our friends from Chester and North Wales Law Society as we walk out to Hilbre Island on Saturday 7th September at 10.15 a.m? More details on the website.

**Chris Topping**  
President

Sponsored by



# Helix Highlights

## Member solicitor appears on BBC North West Tonight TV News

Liverpool Law Society was contacted to provide someone who could appear on TV and comment about a recent case regarding a domestic abuse victim, focusing on how much time the victim had to make a decision about plea, why it was so short and the level of support and advice this person would get at the time. Ian Sheridan, a member of the Society's Criminal Practice Committee and solicitor at MSB, was asked to speak on behalf of Liverpool Law Society. Ian went to Media City, Salford, and appeared on the red sofa on Friday 19 July, interviewed by Roger Johnson. The Society's thanks go to Ian for answering the call!

## Leaders in Law Dinner

Invitations have been sent out from the President of Liverpool Law Society to leaders at Liverpool Law Society member firms, companies, chambers and in house departments to invite them to a private dinner in September. This is an annual event which receives good feedback from the attendees who appreciate being able to discuss common issues with their peers in a private setting. If your firm does not appear to have received an invite (sent to the Chief Executive, Managing Partner, office head or equivalent), then please contact the Society at [socialevents@liverpoollawsociety.org.uk](mailto:socialevents@liverpoollawsociety.org.uk)

## Liverpool & Sefton Chambers of Commerce free affiliate membership

Corporate members of Liverpool Law Society can benefit from affiliate membership of the Chambers of Commerce. This type of membership includes member discounts on attending Chamber events, company profile listed on the Chamber website and more. Full details and how to apply appear here

## Training seat exchange

Liverpool Law Society set up the Trainee Seat Exchange (a free service to member firms) 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. The exchange is essentially an online noticeboard whereby the firms detail what seat they can offer and also what seat they are seeking. For further details please [click here](#).

I am always keen to hear from members, readers and delegates



**Sarah Poblete**  
CEO

so do please get in touch with any queries or comments you may have.

**Until next month, Sarah**

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



## Private Children Law: 2019 Update

with Safda Mahmood on Tuesday 1st October, 10am - 12.45pm

**The course will equip you with a rounded up update on key issues surrounding private children law, with a particular focus on changes throughout 2019. It is set at a level to benefit those who are practicing in this field and want to get an update.**

The areas to be covered are:

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



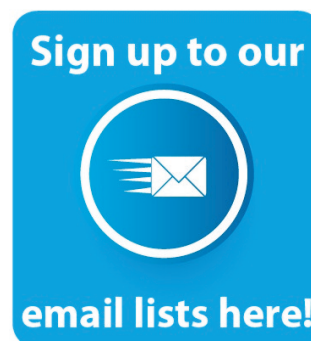
Competencies: B

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

## 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**





# July 2019 Meeting with Councillors

This is my regular report to give Members a flavour of the issues discussed, and some details of recent legislation highlighted, at our twice-yearly meeting.

The range of notified people was extended ahead of this meeting by reference to Group Leaders and Chief Executives of Local Authorities. On this occasion, it did not lead to increased numbers. This brought LLS to wider notice and might lead to larger attendances when Councillors become familiar with this notification.

A set of LLS Directors met a range of the City region's representatives: Cllrs Jane Corbett (Liverpool), Paulette Lappin (Sefton), Paul Lynch (St Helens) (a first-time visitor) and John Stockton (Halton). They were joined from the Officer side of Local Authorities by Gary Wormald, Solicitor in the City Council.

LLS's Non-Contentious Business Committee Chair, Naomi Pinder, gave a briefing on the new digital system for issuing Grants of Probate and of Letters of Administration and the consequential delays, plus how they can affect Clients. Naomi also referred to centralisation of the Probate Registries involving the closure of the efficient Liverpool office.

Our President, Chris Topping,

turned to the subject of Criminal Justice, following a June 2019 Report published by the national Law Society. It highlighted many of the current problems facing the criminal justice system, including Court closures and how they affect Litigants in Person plus the declining number of those taking part in the Duty Solicitor scheme, and he explained the concept of Release under Investigation (rather than Bail). Cllr Lappin suggested that the Report could form the basis of Motions to be tabled at the coming Autumn's conferences of Trade Unions.

James Mannouch, Chair of the LLS Access to Justice Committee, reported that the Government's reply to the LASPO Review is still awaited. James highlighted various initiatives proposed by the Government to assist Litigants in Person, such as through GP surgeries, in addition to the range of Legally Aided Clients due to be reviewed by reference to the financial criteria.

The legislative round-up is an important feature, as I believe it highlights for the Councillors recent legislation which can affect their work and their constituents. There were three 2019 Statutes which I mentioned. The Civil Partnerships, Marriages and Deaths (Registration etc) Act 2019 concerns wider registration duties of Local Authorities. The Non-Domestic Rating

(Preparation for Digital Services Act 2019 HMRC's role in Business Rates, and the Parking (Code of Practice) Act 2019 which could affect Planning matters as regards private parking facilities.

Cllr Stockton asked about progress of the Leasehold Reform Bill, a Private Member's Bill introduced by Justine Madders MP (Ellesmere Port & Neston) and previously monitored by LLS. I confirmed it had not been enacted and was later able to check - and to inform Cllr Stockton - that it awaits a House of Commons Second Reading despite having been scheduled for such in January 2019. Its prospects appear bleak.

Some thought was given to how the meetings might develop on future occasions. It is vital for LLS and our visitors that the meetings evolve and are helpful to all involved. The LLS Future Planning Committee is about to consider up some ideas raised by the Councillors.

If LLS Members have suggestions about how our relationship with Local Authorities can develop, helping our Clients and the Councillors' constituents, our General Committee is keen to hear.

**Jeremy Myers**  
**Parliamentary Liaison Officer**



**Jeremy Myers**

## Lend your support to the Criminal Justice Campaign

In the July edition of Liverpool Law, Eileen Chisnall reported on the Criminal Justice Roadshow held in Liverpool which highlighted the crumbling state of the criminal justice system. Years of underinvestment have created growing shortages of duty solicitors, court closures, legal aid deserts and a fee structure which does not support a sustainable business model and driving a recruitment and retention crisis within the profession. There are a number of ways you can get involved:

The Law Society is part of a working group engaging with the MoJ and LAA on the Criminal Legal Aid review (<https://www.gov.uk/guidance/criminal-legal-aid-review>). The review is intended to be a 'root and branch' review of the criminal legal aid fee schemes.

As part of this, the MoJ and LAA staff have volunteered to 'shadow' solicitors' firms and barristers' chambers around the country in order to get a better understanding of the issues and challenges you face. The number of days the MoJ person spends at a volunteer firm's office is for the firm and the MoJ to agree, but it would be great if they could see a range of work - i.e. the office admin as well as courts and police stations.

If you would like to know more or to take part in the scheme please contact The Law Society's Policy Adviser on criminal legal aid, Alice Mutasa on 020 8049 3714 or via email [Alice.Mutasa@lawsociety.org.uk](mailto:Alice.Mutasa@lawsociety.org.uk).

If anyone would like to hear from someone with first-hand experience please contact the Co-Chair of the Law Society's Criminal Law Committee Ian Kelcey. He has already had an MoJ volunteer in his office in Bristol for a few days so can tell you how it went: [ian.kelcey@kelceyandhall.co.uk](mailto:ian.kelcey@kelceyandhall.co.uk)

In addition, The Law Society are keen to receive case studies, clients (can be anonymised) who are willing to talk about their case and their experience of the criminal justice system. Please contact Vicki Butler, the Law Society's Campaigns Manager, for further details at [campaigns@lawsociety.org.uk](mailto:campaigns@lawsociety.org.uk).

The full details for the Criminal Justice Campaign can be found at <https://www.lawsociety.org.uk/policy-campaigns/campaigns/criminal-justice/>

# News from the Sub-Committees

Email: [committees@liverpoollawsociety.org.uk](mailto:committees@liverpoollawsociety.org.uk) with any queries or comments

## Non Contentious Business Sub Committee

The Non-Contentious Business sub-committee (NCB) continues to be well attended and as ever, I thank everyone for their interest and contribution to our discussions. There are a number of different issues at the moment which are of great interest and relevance to our members. This is such a diverse area, covering matters ranging from wills and probate, to mental capacity, to company law, to property and all areas which are essentially non-litigious.

At our June meeting, Graeme Hughes very kindly attended and delivered an excellent and thoughtful presentation about charity law and practice.

Graeme outlined the main developments in this ever expanding area of the law and there followed a discussion, a number of solicitors serve as trustees and Graeme provided reassurance that provided trustees act with honesty and integrity and uphold their fiduciary duties, the Charity Commission is not seeking to impose a personal liability.

Graeme has now joined the NCB in his capacity as a charity law expert.

Thanks to Jo Downey for all the meticulous planning she puts into training, she again encouraged members to use social media to publicise events. The Private Client Con was largely a success, and Jo is now looking to organise next year's event.

The last Housing Disrepair Con was sold out and Jo is looking at the 2020 Con and Jo welcomes input re the speakers and agenda. We have a standing item called Hot Topics and these covered the following matters at June's meeting;

Private Client: Probate delays are 8 weeks and rising, they are increased where the long IHT form required ie higher value estates; if there is a sale, a contract for sale can be sent into the DPR with a date pencilled in and the Grant will be issued in time; there is no sign of the backlog being dealt with expeditiously; there was no experience of the solicitors' pilot; concerns have been raised by the Chair with TLS and thanks was given to our Council Member Sarah Lapsley for enabling this to happen. The Chair received a reply from TLS President but the President declined to give consent to share the thread.

Concern was expressed re this refusal. TLS are supporting the change to digital where the system works well, this support relates to all areas of HMCTS. Consultation takes place behind the scenes. The Chair's comments and a proposal for LLS NCB and TLS Wills and Equity Committee to link positively and suggestions have been made to the Wills and Equity Committee but the Committee has not met recently, no date of the next meeting has been provided. The question is whether or not the massive delay in granting probate is the new normal, as suggested by the justice minister Paul Maynard when he stated, "the system is working as it should", in TLS Gazette, 17th June.

The NatWest and RBS are introducing a digital probate service for solicitors, at the present, it is fine to use the postal service, there is no time frame for the replacement of the postal service with the digi-service, other than in the "near future".

There was an HMCTS webinar about the digi-probate service on 4th July between 5 30 – 7 30 pm. Details are on the LLS website. This has not been adequately publicised.

TLS Law Library provides a very good service.

Property; the Land Registry have stated that from 20th September they will not accept documents where the attestation states that a company has "signed", it must say "executed". This may be an issue concerning mortgagees who use standard form including the word "signed...." Thank you to Bill Chandler for his expertise and enthusiasm for property law.

The new Law Soc Code for Completion by post was introduced in May which seeks to address (inter alia) the issue of property fraud. The Fragrance Shop judgment at first instance concerning the LTA 1954 adopts a pragmatic view and favours landlords, this is being appealed.

Thanks to all who attended and the next meeting is on 17th October at 1pm.

**Naomi Pinder,**  
Chair



### **\*\*NEW\*\* Costs Reforms Update**

with **Professor Dominic Regan & David Pilling**

on Tuesday 3rd September, 1.30pm - 4.45pm

**Yet more costs reforms are coming!**

**This seminar will identify what is coming, when  
& the likely impact upon practice.**

#### **Issues include:**

- Road traffic
- Fixed Costs generally
- Clinical negligence work
- More QOWCS;
- Damages based agreements
- The impact of the online Court

**Competencies: A2, 4, 5, B2, 3, C2 & D3**

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





Liverpool Law Society

# *Annual Dinner* *2019*

We are delighted to announce the guest speaker is

**James Timpson OBE**

**Chair of the Prison Reform Trust**

*Calling all members of Liverpool Law Society  
and their guests*

Celebrate being part of a strong, proud and vibrant legal  
profession at the Society's flagship event.

**Thursday 7th November 2019, 6.45pm for 7.30pm**  
**Garden of Eden, 6th Floor, The Shankly Hotel,**  
**60 Victoria St, Liverpool, L1 6JD**

Includes a welcome drink on arrival followed by a three course meal, and speeches.

**Dress code:** Black Tie

A table of 10 is £800 + VAT (£960 inc vat)  
Individual reservations £80 + VAT (£96 inc vat)

There will be a collection on the night for the President's nominated charities 'Love, Jasmine' (Registered Charity no 1169397) and the 'North West Legal Support Trust' (Registered Charity no 1131529).

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

Kindly sponsored by



# New President of the Law Society inaugurated

Simon Davis has taken office as the 175th president of the Law Society of England and Wales in a ceremony at Chancery Lane, London.

"It is a great honour to be able to serve as Law Society president. As I take up this role, I am highly conscious of the challenges and opportunities we face as a legal profession and as a society," Simon Davis said.

"As we hover on the edge of Brexit we are facing either a No Deal - or a Deal that leaves the future for the legal sector, and professional services more widely, to be negotiated from scratch.

"Whatever happens we must ensure bridges with our European colleagues are maintained and citizens and corporates are reassured that the strengths and openness of English law and jurisdiction will remain.

"The role of the solicitors' profession in upholding the rule of law will be an essential theme of my year, at a time when the rule of law is under serious threat after years of under-funding in the justice system and legal aid."

Simon will continue with the high profile campaign led by Christina Blacklaws for greater diversity and gender equality, with 23 December this year being the centenary of the law removing disqualification of women from the legal professions.

"I also intend to focus on ensuring our profession continues to make the most of developments in legal technology and on the ethical issues involved in the use of algorithms.

"I am extremely grateful for the opportunity to serve in this role at this pivotal time for the country and the profession. I will be working to make a difference, promoting the law of England and Wales globally, lobbying for resources to fix the broken criminal justice system and helping solicitors equip themselves in this fast-changing technological era."

Simon Davis is a senior litigation partner at the London office of Clifford Chance.



Simon Davis



## 2019 Employment Law Conference

On Wednesday 9th October, 9.30am till 3.45pm (lunch included)

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

---

**Chaired by Lindsey Knowles & with sessions;**

<p><b>The Discrimination Rocket</b> Sean Jones QC, 11KBW</p> <p><b>Limitation: The trouble is, you think you have time</b> David Campion, 9 St John Street Chambers</p> <p><b>Worker v employee status: where are we and what can we expect?</b> Emma Tegerdine, gunnercooke</p> <p><b>Illegality in employment law</b> Employment Judge Neil Buzzard</p>	<p><b>Conducting complex investigations: The practicalities</b> Thomas Kibling, Matrix Chambers</p> <p><b>Whistleblowing</b> Kevin McNerney, St John's Buildings Chambers</p> <p><b>Employment Law Update</b> Martin Mensah, Atlantic Chambers</p>
---	--

**Previous attendees of this annual event say:**

"Very impressed - engaging speakers & helpful handouts"

"Enjoyed it, nicely pitched and informative"

"Really good with excellent speakers - thank you"

"Very practical, useful and well organised"


"Useful conference, invaluable yearly refresher. Good selection of topics"

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

 Liverpool Law Society

 Liverpool Law Society

 @LpoolLawSociety




## Criminal Law Update with Anthony Edwards

on Thursday 10th October, 1.30pm - 4.45pm

The course will include consideration of:

- New legislation for 2019 including the major changes by the Offensive Weapons Act 2019
- PACE Code issues; CPS guidance on the prosecution of the mentally ill
- New Criminal Procedure Rules and Criminal Practice Direction 2017
- BCM forms, witness summonses, and other procedural issues
- Homicide and other offences
- Discount for guilty plea
- Sentencing Guidelines
- Mental Health disposals
- Victim surcharge
- Confiscation
- Evidence: hearsay; bad character
- Defence costs orders
- Legal aid issues; Graduated fees including page count



**This will be Anthony's last ever event in Liverpool before he retires at the end of the year, so please do come along & support**

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



# Liverpool lawyer targets teens with new careers programme

An award-winning Liverpool lawyer is set to launch a new programme to encourage Merseyside teenagers to consider a career in law from the age of 13.

Christina Millan, who is an Associate and Corporate Solicitor at law firm O'Connors based in Old Hall Street, won the 'Rising Star Award' at the 2019 Liverpool Law Society Legal Awards.

She was recognised for her work to increase awareness of law as a career amongst young people from Black, Asian and Minority Ethnic (BAME) backgrounds, as well as her corporate expertise.

Her next project – The Legal Step-Up Programme – has received the full support of The Liverpool Law Society.

"There's a very defined process to enter the legal sector and if you miss the boat in terms of grades and subject choices, you can find yourself excluded from traditional entry routes," said Christina, who has played a key role in the successful delivery of the Black Lawyers Matter Project at the University of Manchester.

"Career insight days tend to be held for 17 to 18-year-olds, but we need to be focusing on inspiring students from as young as 13 so they can consider the exciting opportunities and careers in law that are out there and – importantly – recognise what they need to be doing now to be successful.

'At that age, there is still an opportunity for young adults to work on their grades, take up extracurricular activities and make informed choices around work experience placements to improve their chances. The Legal Step-Up Programme is designed to give them the knowledge and confidence to do that."

Christina intends to form a Steering Group in the autumn with representatives from a host of organisations – including the Chartered Institute of Legal Executives (CILEx), the University of Law, local university representatives, students and other law firms.

"It's exciting to see this dream of mine take shape," added Christina, who is a graduate of the University of Liverpool. "From a diversity perspective, BAME candidates only represent approximately 16 percent of the total population on the roll of solicitors. If the profession wants to be at the cutting edge of business development and in tune with its client base, then it needs to be representative of all demographics of the wider population.



**Christina Millan is pictured with her 'Rising Star Award' at the 2019 Liverpool Law Society Legal Awards.**

"My programme is designed to help young people from whatever background, race, gender or orientation to know what they need to be doing now to get ahead of the game. I want Merseyside to be a shining beacon for inclusive law practice and to attract and retain the very best talent from our local schools and youth organisations."

The Liverpool Law Society has been vocal in its support for The Legal Step-Up Programme. Chief Executive Officer Sarah Poblete said: "Christina is a 'Rising Star' of the legal profession who impressed our awards' judges with her commitment to widening participation into the legal sector at a grassroots level – particularly for BAME candidates.

'As a Society, we are proud to work positively with the Merseyside education sector and to have supported a number of careers initiatives. The Legal Step-Up Programme will build upon that work and we share Christina's vision for engaging young people aged 13 and up in the legal sector, which is a critical juncture of their academic career."

**To express interest in The Legal Step-Up Programme or the Steering Group, contact Christina on 0151 906 1006 or email [christinamillan@oconnors.law](mailto:christinamillan@oconnors.law)**

## Save the date Family & Friends Walk

Keep Saturday 7 September free for the joint walk to Hilbre Island, West Kirby by members, friends and family of Cheshire & North Wales Law Society and Liverpool Law Society.

Further details will be released **here**





**Vauxhall Community  
Law & Information  
Centre**

# News from Vauxhall Community Law and Information Centre

**Our regular column from the team at Vauxhall Community Law and Information Centre who support the local community and promote access to justice.**

Hi this is Ngaryan writing my first article in Liverpool Law Magazine. I recently joined VCLIC as their senior solicitor after managing Greater Manchester Law Centre for the last 2 and a half years. It has been a great pleasure taking the helm from David Taylor who has done a magnificent job over the years keeping the centre going and providing high quality legal advice. Did you know that he has a 100% success rate at his tribunal appeals in the last 12 months?...

## News from Vauxhall Community Law & Information Centre



**Sue James, Fulham & Hammersmith Law Centre & Ngaryan Li VCLIC**

Our regular column from the team who support the local community and promote access to justice.

So what have we been up to?

### Celebrating 70 years of Legal Aid

This month sees the 70th anniversary of Legal Aid. Our Senior Solicitor, Ngaryan Li was invited to a celebratory reception hosted by Richard Burgon MP in Westminster. It was heartening to see so many legal aid providers in the room still fighting for access to justice. We were happy to hear that Richard Burgon MP would like to see fully funded Trainee Solicitors in every Law Centre to inspire the next generation of Legal Aid lawyers as well as expansion of the Law Centres Network across the country.



**Richard Burgon MP and Lord Bach**

### Closing of Lambeth Law Centre

It is very sad to hear that we have lost another Law Centre. After nearly 40 years of service, Lambeth Law Centre was forced to close its doors earlier this month citing financial pressures. This highlights the serious financial pressures all Law Centres face with cuts to Legal Aid and funding for services drastically reduced. There are many people now in South London who are unable to access much-needed advice. We must not let this happen and this is why we need your continuous support to keep the Law Centre movement going.

### Changes at VCLIC

We are currently in the process of developing new services and our website so please watch this space over the coming months... Our services currently centre around Welfare Benefits and Debt issues. We help people with all aspects of their benefit claims including benefit checks through to representation at Tribunal hearings. Our Debt advisor will help with issues up to bankruptcy proceedings.

We are looking for experienced volunteers who can help us to strengthen our services.

We are always seeking new project opportunities working jointly with other organisations, so if you would like to discuss this further, then please contact Ngaryan Li or Alan Kelly at [advice@lawcentre.vnc.org.uk](mailto:advice@lawcentre.vnc.org.uk)

### Can you help us?

We are looking for volunteers to help us tidy up the law centre. We need items such as chairs for our waiting room, other office furniture, PC's, mobile phones etc.

We would be delighted if you or your company can offer us any help.





# News from Merseyside Law Centre

**Fighting for equality through social justice to combat poverty & homelessness**



## Our Liverpool Project

We are thrilled to announce that Siobhan Taylor-Ward, our JFF trainee, had her first success with a client she represented as part of our 'Our Liverpool' project this month. With the funding we have received from 'Our Liverpool' we aim to help vulnerable migrants, people seeking asylum and those with refugee status get the support they are entitled to get.

## Merseytravel Community Support

As part of their community support work, Merseytravel have kindly given us free travel passes, to help clients who struggle to afford transport to court dates or advisory sessions and also help our volunteers get into work. It will make a big difference to many people's lives so we would like to say a big thank you to them.

## Volunteer opportunities

MLC are still on the hunt for new Board Members/Trustees to strengthen and develop our governance and are also seeking admin volunteers to help with a newly implemented case management system and other admin tasks. The new case management system is an industry standard for advice-giving organisations so it would be a great opportunity for someone looking to gain experience in this field. Please contact us if you think have the talent and skills to fill these positions.

If you would like any further information, would like to make a donation to support our work or volunteer at MLC please contact [sophie.brown@merseysidelawcentre.co.uk](mailto:sophie.brown@merseysidelawcentre.co.uk) or call us on 0151 709 0504

## Social Media

**Follow us on social media**

**Twitter: @MerseyLawCentre**

**Facebook: Merseyside Law Centre**

# The role of the Magistrate

If you feel you have what it takes and want to find out more, check out [www.gov.uk/become-magistrate/apply-to-be-a-magistrate](http://www.gov.uk/become-magistrate/apply-to-be-a-magistrate)

The office of magistrate is an ancient position dating back to Liverpool's days as a small fishing village. Richard I originally appointed 'keepers of the peace' to enforce the laws of the land but by the mid-14th century, the Justice of the Peace Act had come to fruition. This permitted every county to appoint members of the community with "power to restrain the Offenders, Rioters, and other Barators, and to pursue, arrest, take and chastise them according to their Trespass or Offence."

Today we magistrates take a less physical role when volunteering our energies into the administration of justice, but we are still right at the heart of the process. We deal in summary justice with typical cases including such matters as motoring offences, theft, assaults

and handling stolen goods; more serious offences are sent to the Crown Court.

When sitting on the bench we play a vital part in protecting our communities, however, many more are needed and right now Merseyside is seeking to appoint a whole host of new JPs to sit within its courts.

When discussing the role, it often surprises people to learn that magistrates are not required to have any legal qualifications, but must possess the ability to listen, weigh up evidence, reach logical conclusions and above all, have plenty of common sense. We do of course receive training and we are always guided in the ways of the law by national Sentencing Guidelines and a qualified legal advisor, but ultimately, the final decision is ours.

The time commitment isn't too onerous. Magistrates are expected to offer at least 14 days a year and be aged between 18-70, but many are able to sit more when their schedule allows. By law, your employer must allow you time off work to serve as a magistrate. Many allow time off with pay, but if your payments are deducted, you may be eligible to claim an allowance in addition to travel and subsistence.

This year Merseyside is looking to recruit into the Criminal Court and for the first time ever, directly into the Family Court where magistrates have the opportunity to make life-changing decisions for families across the region. You may arrange for a child who needs to be protected to be taken into care, help separated parents make important contact arrangements, enforce maintenance orders or make court orders that seek to prevent domestic violence. No two days are ever the same and you will have the chance to make a real difference in improving the lives of young people and their families.

There is no stereotypical magistrate and we come from all sorts of backgrounds. Here in Merseyside we have teachers, NHS staff, university students, local government workers, lawyers, customer service staff, retirees, and even a deep-sea



**Daniel Longman JP**

diver (plus many more).

The diverse experiences of our JPs reflect real life society and the decisions made in court, but do be sure to check for potential conflicts of interest listed on the official government website. Applications for the Criminal Court are being accepted indefinitely whilst those seeking to sit in the Family Court have until September 30 to apply.

If you feel you have what it takes and want to find out more, check out [www.gov.uk/become-magistrate/apply-to-be-a-magistrate](http://www.gov.uk/become-magistrate/apply-to-be-a-magistrate) and follow @Cheshmerseymag on Twitter or on Facebook.

**Daniel Longman JP**

## MEET THE MAGISTRATES



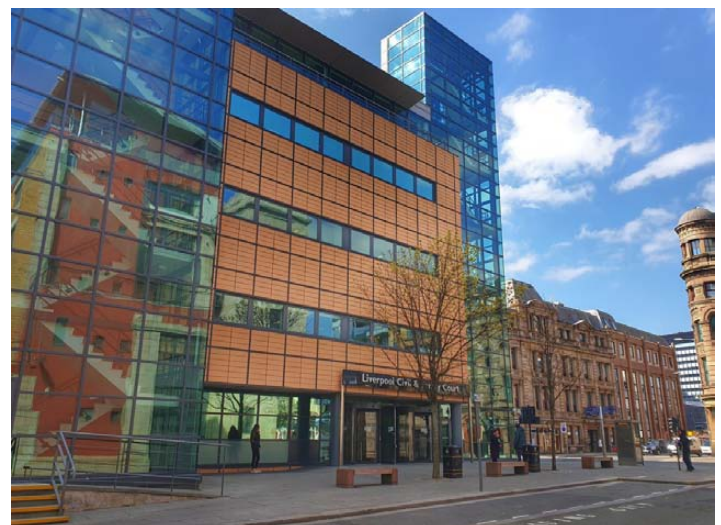
**We are volunteer members of the judiciary who make decisions in criminal and family courts.**

**We're all ordinary people.**  
Anyone aged between 18-70 can sit as a magistrate and you don't need any formal qualifications as full training is provided.

**Travel and subsistence is paid**  
and if you are employed you are legally entitled to take time off for the role.

**Could you offer 14 or more days a year?**

Find out more at [GOV.UK/become-magistrate](http://GOV.UK/become-magistrate)





# Leadership and the Law

**Continuing our series of articles talking to the leaders of Liverpool law firms. In this edition, Mike Leeman, Managing Partner at Bell Lamb and Joynson Solicitors gives an insight into his role...**

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

As managing partner at BLJ Solicitors I oversee operations across our three branches in Liverpool, Runcorn and Warrington; and adopt a very hands-on approach that ensures my visibility and integration into most areas of business. Aside from managing day-to-day processes I'm also very involved in elements such as HR and business development. Business development in particular has been a significant focus for me, since I took on the role in 2017. Since then, I've worked tirelessly to reinvent the firm and bring it firmly into the modern age with the introduction of technology and modern working practices that see us leading the way in a somewhat traditional industry. In the three years since we started on that project we're almost entirely paper-free as a result of our team efforts and we are able to communicate with clients online including through our own branded mobile app.

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

My role offers fantastic diversity in terms of the people I work alongside and the tasks I'm involved with, all of which has presented an opportunity for me to learn skills in all matter of subjects.

As managing partner of BLJ Solicitors I like to think of myself as a custodian of the brand itself, which is almost 200 years old, and I find myself very protective over the legacy of the firm. I'm excited to be a part of its continuing journey and my role to develop the business and bring it forward in line with best industry practice is something that I take very seriously and the results that we've seen this far have been incredibly rewarding.

I also feel very privileged every day to work with a team that are passionate and enthusiastic about their roles and share the responsibility of developing the reputation of BLJ Solicitors as ambassadors for the firm.

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

As much as diversity is one of the biggest appeals of the role it's not without its challenges.

We employ 44 individuals across three locations over a number of different departments and we pride ourselves for our diverse team, but it's my role to ensure that I tailor my approach to suit each employee individually in order to get the most out of them, engage them and encourage them to achieve success. I believe that by supporting your team, collaborating with them and investing in their training and personal development, the results for the firm will naturally follow. However, different people require different management and it's my responsibility to identify what will work best.

In addition, we as a firm strongly believe in access to justice. We deal with a significant amount of work that is funded by legal aid and that comes with challenges around how to provide high standards for low returns, whilst often dealing with the most vulnerable in difficult circumstances.



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

I'm so proud of the advancements that we have made as a firm when it comes to technology. BLJ Solicitors has been a pioneer as a traditional high street practice for the legal and conveyancing sector when it comes to embracing technology that enhances the overall client experience.

Our shift to digital solutions was momentous but the team united in support of the planned developments and wholeheartedly embraced the change. As a result, the firm has reported 50% growth since first investing in IT solutions in July 2016. As a criminal lawyer at heart, it is particularly pleasing that this growth and reinvention includes the criminal department, at a time when austerity and falling volumes has had telling impact on this area of work.

As well as customer facing technology, BLJ Solicitors places a high emphasis on improving the working environment for its entire team and successfully uses a digital approach to do this. I'm proud of the firm's stance on staff wellbeing and we champion this through an online support hub that provides access to guidance and advice on professional or personal issues with total confidentiality and anonymity.

## **Where do you see the firm in 10 years' time?**

I hope that the future continues to bring success for BLJ Solicitors, and my personal goal is to see us as a highly regarded specialist private client firm. As part of this, I'd like to see us expanding our reach both digitally and physically in terms of client location. We've already seen noticeable growth in terms of our demographic. In addition, we have aspirations to become a national firm offering a widespread service, made possible by the use of technology that enables us to work remotely with clients whilst still offering the best possible quality of service across all areas of law.

More details on BLJ's app are on page 25 of Liverpool Law.

# The Discount Rate

**Last month the Government announced the new discount rate for personal injury cases. Welcomed by some, but not others, in this edition we look at both sides of the discussion**

## The impact of the announced change to the Discount Rate to both injured parties and those compensating

As we all know, the purpose of compensation is to put the injured person back into the position that they would have been in but for the accident.

The role of the Claimant lawyer is to try to ensure that the injured Claimant receives the right amount of compensation that will meet their identified needs for as long as needed. Equally, the role of the Insurer's lawyer is to ensure that the compensation will be adequate yet not excessive.

For those seriously injured the compensation has to reflect the return a Claimant could expect over time if the lump sum amount were to be invested and so a calculation is applied to the compensation proposed using the Discount Rate.

### What is the Discount (Ogden) Rate?

The Ogden Discount Rate is a calculation used by the Courts to apply to lump sum damages payment received by seriously injured Claimants in order to ensure that their predicted future losses are adequately covered during the course of the rest of their life.

The calculation is a means to assess what net rate of return (or discount) a Claimant might receive if the received lump sum in damages is prudently invested. In other words, the amount of damages that the Claimant receives, is adjusted to account for the interest that they would be expected to earn on the lump sum of damages received.

The reason for the calculation is to ensure that the Claimant receives sufficient compensation to cover any future loss of earnings, care and other financial needs. In order to properly calculate the financial needs, a number of factors are considered including age, gender, mortality rates to establish the correct multiplier and then the current discount rate is applied to the calculation.

### Changes to the Discount Rate

From time to time, the discount rate is reviewed by the government, taking into account various political and economic factors.

Before 20 March 2017, the discount rate was +2.5%, which therefore meant that the amount of the damages received by a Claimant was reduced by 2.5% after the calculation had been applied.

Historically, this rate reflected the likely return available on the lowest risk investments of index linked gilts. It was considered that injured parties should not be expected to engage in high risk investment activity yielding higher returns (or losses) to ensure protection of the vital funds needed for their care or other future losses.

Following the financial crisis of 2008 the value of gilts began to fall and it became even more apparent that there was a significant risk of Claimants being undercompensated because the investment of their lump sum would not generate a return anywhere near 2.5%.

Claimant Lawyers and organisations such as APIL and MASS did a tremendous amount of work to try to persuade the Government that the rate should be revised to better reflect the reality of the returns that Claimants investing in low risk investments would receive.

On 20 March 2017, the discount rate was significantly adjusted to 0.75%, which meant that rather than being discounted, the damages

received by Claimants were uplifted. This resulted in Claimants receiving higher lump sum awards.

Those representing Claimants welcomed these long overdue changes. The impact on high value personal injury cases was dramatic. Claimants who had suffered life changing injuries were now receiving more realistic levels of compensation and it gave Claimants reassurance that the money would last long enough to pay for the care and other financial losses.

However, it was a blow to those compensating Claimants and insurers advised that premiums would have to go up to meet these significantly higher awards.

The Government promised a further detailed review.

### Further changes

Recently lobbying on behalf of both Claimants and Insurers had resulted in an expected change of somewhere between +0.5 - 1%.

However, after much consideration the Ministry of Justice recently announced that from 5 August 2019 the new discount rate to be applied will be -0.25%.

### How will this effect Claimants?

Put simply, when receiving a lump sum settlement payment, a Claimant will now receive slightly less than they would have done before 5 August 2019 (e.g. for a claim worth £1,000,000, the Claimant will now receive £1,025,000 rather than £1,075,000).

When receiving a lump sum award, a Claimant still runs the risk of running out of money, should they live longer than expected, there are changes in inflation or tax, or they simply make some bad investments. The change to the Discount Rate may therefore see a rise in the popularity of Periodic Payment Orders, and to a lesser extent Provisional Damages Orders, being sought.

The fact that many Defendant Insurers were delaying making settlement offers on larger cases, pending the introduction of the new discount rate, may also see a glut of offers being made by Defendants and Claimants receiving acceptable settlement offers.

Claimant lawyers have been awaiting the revised figures with some trepidation and while this change is bad news for Claimants it is certainly not as bad as it might have been had the rate moved to say 1% as some had predicted.

### How will this effect Defendant insurers?

The level of lump sum payments will be slightly lower going forward.

In the short term, the fact that the Discount Rate has not been adjusted as much as expected means that insurer reserves may have to be adjusted upwards and insurance premiums will have to be increased to cover this.

In the longer term, when the new rate has been financially accounted for the price of insurance premiums will fall in coming years.

The Government has confirmed that the Discount Rate is due to be reviewed again in 5 years time.

In the meantime, fighting for justice for injured people will continue.

**Contributions by Carol Hopwood, Head of Serious & Catastrophic Injury and Paul Smith, Manager of Serious Injury Defence at Carpenters Limited**



## The discount rate, fair compensation and a predictable ABI response

I have written before about the discount rate. It is an extremely important part of our system of compensation for injured people, despite its rather understated name. In short it is a principle that tries to ensure that victims are not over or under compensated. The rate is what an award of damages is assumed to earn over a long period of time.

The idea of compensation is to put the victim in the position they would have been in, but for the incident.

For example; Alan, who is 45, has an accident at work. He is so badly injured that he will never work again. He earns £20k a year and would have worked to 65. He has lost 20 years earnings at £20k. But if he wins his case, he does not simply get 20 x £20k - £400k. Because that would not be fair on the insurers who pay the damages. Alan would be receiving money now that he would not otherwise have earned for many years. If he was to put that money on deposit, it would earn interest and he could end up with a lot more than £400k in 20 years' time. So, the number of years that he actually receives is calculated by reference to what his money might be worth at that time. This can be even more important for victims who require high levels of care for life.

For many years, the assumption was that the money would earn 2.5% per annum. A victim is assumed to place the money in sensible, safe investments. This significantly reduced the amount of any lump sum that the insurers pay out. The £400k would be discounted to less than £350k. So it is important, for all concerned that we get this right. Whilst the rate was 2.5% there was a huge risk that money would run out, at a time when real interest rates were nothing like that amount.

In 2017 the government dropped the rate to -0.75%. This was a huge relief for victims and led to far more realistic awards of damages. It also led to a predictable outcry from the insurance industry who were having to pay out more money. Their powerful lobby led the

government to promise a review of the rate. We have all waited with eager anticipation for the news of what the new rate is. Any significant increase, in the current economic climate, would have taken us back to the bad old days. I have pessimistically been predicting an increase to 1%, particularly in the light of the present government's affection for their insurer friends. It was a pleasant surprise therefore to see that the new rate is -0.25%. It could have been better, but we expected far worse! I am never slow to criticise this government, but they have got this one, at the lower end, of just right.

The reaction from the ABI was swift and predictable. Their director General, Huw Evans says – "This is a bad outcome for insurance customers and taxpayers that will add costs rather than save customers money. A negative rate maintains the fiction that a claimant and their representatives will knowingly choose to invest their damages in a way that would guarantee losing them money. This will remain the lowest Discount Rate in the Western world, leaving England and Wales an international outlier at a time when we need to boost our attraction to international capital."

Note that he claims to complain on behalf of insurance customers and taxpayers and not his members' shareholders. Most citizens would agree that a modern system of justice must ensure that people who need care for life do not need to worry that their money might run out. He then, rather bizarrely, seeks to compare the rate with that of other countries. Why would the assumed rate of interest earned on damages in this country have anything to do with other countries? I don't expect the volume to be turned down any time soon. Equally I doubt if we are going to see another review unless a new PM has a rush of blood to the head. Mind you....

I do hope that this rate now stays at the same level for a very long time so that victims and their representatives can plan for the future with some level of certainty.

**Steve Cornforth**

## Amendments to Road Traffic Act 1988

You may already be aware of the impending change to section 152 of the Road Traffic Act 1988 and the mechanism of obtaining a declaration to void a motor insurance policy from inception. The introduction of The Motor Vehicles (Compulsory Insurance) (Miscellaneous Amendments) Regulations means insurers will not be able to seek a post-accident section 152 declaration and avoid a policy they have issued, irrespective of the existence of the MIB and the alternatives that it offers. Insurers will still be free to void policies of insurance prior to any accident.

The relatively short and looming deadline of 1 November 2019 (in a legal context!) is likely to place increased pressure on our already stretched court system, with insurers seeking to obtain a declaration before it is too late. Only declarations obtained prior to 1 November will be effective. It will not be enough to have a declaration claim in progress on that date.

From our close working relationship with the courts we have developed a system to give our clients the best chance of securing the declaration in time. Similarly, FOIL's initiative to streamline the refund process in respect of the historical overpayment of additional claim issue fees is a good example of a constructive working relationship with the court system.

For our clients, this has to be the best approach. We recognise the pressure that the court system is under at present. We are very conscious of how hard the court staff work. Sometimes, meeting the court staff and discussing the issues face to face is the best approach. Both are then better able to use empathy to smooth the potential bumps in the road.

**For more information please do not hesitate to contact Liam McGuire on [liam.mcguire@weightmans.com](mailto:liam.mcguire@weightmans.com) or 0151 242 0889.**



### Civil Procedure Round Up Autumn 2019 with Helen Swaffield

**on Friday 11th October, 10am - 4pm (lunch included)**

**This is the latest CPR changes and a review of key procedural developments over the year. Suitable for all types of litigators and a good opportunity to look at key topics in depth.**

**Covering:**

Pre-action protocols  
ADR and settlement  
New Disclosure rules  
Part 36  
Fixed costs- The Briggs Review  
New Enterprise courts  
Precedent H  
Security for costs  
Summary judgment  
Striker/abuse of process  
Evidence  
Experts



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

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

# Social Housing and Starter Tenancies

The long awaited Judgment was handed down by the Court of Appeal on 10th July 2019 in the case of **Livewest Homes Limited v Sarah Bamber [2019] EWCA Civ 1174**, dismissing the tenant's appeal and finding in favour of Livewest, a Private Registered Provider of Social Housing.

The Court of Appeal considered the application of ss.21(1A) and (1B) Housing Act 1988 when the tenant argued that there should be an additional pre-condition of a 6 month notice before the Housing Association could use the s21 mandatory ground to seek possession where it had granted an Assured Shorthold Tenancy for a fixed term of 7 years.

The first year of the tenancy was a 'Starter Tenancy' and the agreement was headed as "Fixed term tenancy agreement (Assured shorthold with starter period)".

During the starter period, the fixed term could be brought to an end with a 2 month notice, in accordance with s21 Housing Act 1988. This notice was indeed served by Livewest due to Miss Bamber's alleged repeated breaches of her tenancy.

The Court of Appeal had to determine whether Livewest needed to comply with ss. 21(1B), i.e. to serve 6 months' notice containing the information set out in ss. 21(1B)(b), where they

had exercised the break clause within the Starter Tenancy.

The Court of Appeal held that ss. 21(1A) and (1B) only apply where the landlord seeks possession using the shorthold ground after the end of the term of the tenancy. The effect of the 2 month notice served on the tenant was to bring her fixed term tenancy to an end before the expiry of the full term, and by s5(2) Housing Act 1988 a statutory periodic tenancy arose.

Therefore, Livewest had in fact met all of the necessary pre-conditions before using the shorthold ground for possession.

Whilst this is a good result for Private Registered Providers of Social Housing, notice should be taken of the Court of Appeal's comments that careful drafting of the tenancy could have made the position more clear.

The Judgment means that Private Registered Providers of Social Housing can continue to include starter periods in fixed term tenancies without the concern of having to give 6 months' notice.



**Philip Coburn**

**Phillip Coburn, Senior Associate Solicitor, MSB Solicitors**  
phillipcoburn@msbsolicitors.co.uk

## How to Avoid Procedural Death-Update on Limitation, Service and Court Fee Traps

**with Jeff Zindani**

on Friday 13th September, 1.30pm - 4.30pm

**Missed time limits by litigation solicitors are one of the largest sources of professional negligence claims reported to insurers. This seminar will guide you through key procedural rules to avoid what the courts have described as "procedural death".**

*The seminar will cover the following:*

- Limitation and Standstill Agreements- Are They More Trouble Than They Are Worth?
- Service Rules and Common Errors
- "Last Known Address"-Case Law Guidance
- Supreme Court Guidance on Service by Email.
- Are You Under A Duty to Warn Your Opponent of a Mistake?
- Applying for More Time for Service-Elephant Traps Explained
- Court Fees and Abuse of Process-Latest Guidance
- Trial Fees and Automatic Strike Out

Competencies: A2

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

## Residential Conveyancing Nightmares with Ian Quayle

on Wednesday 2nd October, 9.30am - 12.45pm

**This course is aimed at transactional residential property lawyers at all levels.**

**It is designed explore practice, procedure and the law when problems arise in residential conveyancing transactions.**

The course will explore

- Problems with title – what is a good and marketable title and what can be done when title is defective – disclosing defects and using title indemnity insurance
- The sellers duty of disclosure – advising the seller on completing TA forms, liability for misrepresentation and misdescription
- The Issues with classes of title when dealing with registered land
- Dealing with defective residential leases – varying leases and the jurisdiction of the First Tier Tribunal (Property Chamber)
- Problems at Exchange and Completion
- Key Features of the Standard Conditions of Sale
- An exploration of relevant case law

**Competencies:** A2, B2, B7,C1, D1 & D3

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



# A medical emergency: how pensions are impacting the NHS

Recent press coverage concerning senior NHS staff and their pensions has again highlighted the difficulties that can arise for high earners and their pension saving plans.

It has been reported that hospitals have had to cancel operations, cancer scans are going unread for weeks and waiting times for patients are increasing exponentially, with waiting times already the worst on record, as consultants cannot afford to work beyond their contracted hours.

Changes to pension rules in 2016 have meant that rising numbers of consultants are receiving large bills linked to the value of their pension. It has been reported that some have had to remortgage their homes to pay the extensive tax bills. All of this has the potential to have a significant impact on the NHS.

Dr Tony Goldstone, a consultant radiologist and clinical director at Hull University teaching hospitals NHS Trust has stated: "The pensions catastrophe is an existential threat to our NHS. We're only just beginning to see the impact of these taxes. The stark reality of the pensions taxation is now becoming abundantly clear."

Since 2016, those who earn more than £110,000 a year have faced new limits on how much they can contribute to their pension savings. These complex rules mean that charges can be unpredictable if the individual goes over their allowance.

The system works by the Government giving tax relief on contributions to pension schemes, and allows up to 25% of the benefits to be taken as a tax free lump at retirement.

There is no limit on the amount of pension savings that an individual can build up, but there is a restriction on the amount of pension savings which a person may build up in a tax beneficial environment. There is also a tax charge if the total value of a person's pension fund is more than the lifetime allowance.

It is estimated 4% of the UK population is impacted by issues connected with the lifetime allowance.

The lifetime allowance for the 2015/16 tax year was £1.25 million, this was reduced to £1 million for the 2016/17 and 2017/18 tax years. The lifetime allowance for the 2018/19 was increased to £1.03 million and 1.055 million for the tax year 2019/20. The level set by the government in respect of the lifetime allowance is subject to political and economic forces.

Any pension savings above the lifetime allowance are subject to the lifetime allowance charge which is currently set at 55% if the excess is taken as a lump sum, or 25% if taken as income with income tax at the individuals marginal rate also being payable.

At MSB Solitors, our team has noticed a stark increase in instructions from clients who are being stung by the financial penalties that have come as a result of these taxes. Our experts have built up an impressive network of financial advisors, pension experts and actuaries in order to help our clients navigate the often complex pension issues that can arise.

**John Owens**  
Senior Associate at MSB Solicitors



**GCS**  
GUARANTEED CONVEYANCING  
SOLUTIONS

It's a  
**NO-BRAINER!**

There are many good reasons why over **20,000** conveyancing professionals trust us with their clients' legal indemnity insurance needs.

Order one of our insurance 'Packs', register 'Online' or call us to find out why it's a **no-brainer!**

Visit [gcs-title.co.uk/LP](https://gcs-title.co.uk/LP)

 [gcs-title.co.uk](https://gcs-title.co.uk)  01435 868050  
 [underwriters@gcs-title.co.uk](mailto:underwriters@gcs-title.co.uk)

# A New Pathway to Domestic Surrogacy

**Paula Mansfield, Family Partner at MSB has noticed a significant increase in clients seeking advice on surrogacy. In addition to Paula's expertise, PMC Law have recently joined MSB, increasing their knowledge in this complex area with specialists Pauline McNamara and Caroline Hamilton.**

## **Paula reflects on the potential impact of proposals for reform:**

The Law Commission has acknowledged that the law relating to surrogacy is in need of reform.

The current law does not reflect the wishes of the surrogate and the intended parents. Presently, the law only recognises the surrogate mother who has given birth to the child as the legal parent of the child (and their spouse) and who automatically acquires parental responsibility on the child's birth.

However, there has been a campaign for a change in the law and the Chair of the Law Commission, Sir Nicholas Green, has deemed the current law 'not fit for purpose'.

Under the proposals, the current system would be replaced so that the intended parents would become recognised legal parents upon the birth of the child and would immediately acquire parental responsibility. The surrogate would still have a short period to raise any objections they may have to the intended parents becoming the recognised legal parents at birth.

Within the current process it can take several months for the intended parents to be granted a parental order during which time they cannot easily make decisions about their child's life.

There would be new safeguards put into place to ensure that those intending to enter into a surrogacy arrangement will receive counselling in addition to independent legal advice.

The current proposals do not recommend any changes to the payments received by the surrogate this being 'reasonable expenses only' and therefore this will not be effected.

However, the reforms will create a national register which will enable the child born under a surrogacy arrangement to access information about their origin.

The current requirement for there to be a genetic link between the intended parents and the child will also be removed to open up the process to couples who have so far been excluded due to fertility issues.

Finally there will be provision for international surrogacy arrangements to be recognised.

The Law Commission's consultation closes on 27th September 2019.

**Paula Mansfield**  
**MSB Solicitors**



**Paula Mansfield**

Liverpool Law Society

## **Probate, Administration & Court Of Protection: A Practical Guide**

with Safda Mahmood

on Friday 6th September,  
10am - 4pm (lunch included)

**This course will assist you in becoming more  
confident in this area of law and practice.**

- Benefits in Wills
- Administrative Clauses
- Intestate Succession and Family Provision
- Inheritance Tax Issues and Residence Nil Rate Allowance
- Grants and Inland Revenue Accounts
- Obtaining Probate
- Lasting Powers of Attorney and Procedure
- Advance Decisions
- Deputyship and Deprivation Cases

**Competencies: B & C**

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



# Hill Dickinson promotes life sciences and healthtech capability as Medilink corporate partner

**Leading health law firm Hill Dickinson has entered into a partnership agreement with Medilink North of England Ltd, the representative body for the healthcare technology sector, as part of its strategy to promote the firm's fast-growing and specialist capability in healthtech and life sciences.**

The three-year agreement was announced at Medilink's Global Medical Device & IVD Regulations conference on Tuesday 9 July, which was held in Hill Dickinson's Liverpool office.

The agreement sees Hill Dickinson become a corporate partner of Medilink and the exclusively recommended provider of legal services to Medilink's North of England network of members, spin out companies and inward investors.

James Lawford Davies, a partner at Hill Dickinson, whose specialism is life science regulation and litigation, said: 'Entering into a new partnership with Medilink North of England is a reflection of our commitment to life sciences and health technologies. We're delighted to be working with Kevin and his team, and we look forward to getting to know their member companies and helping them take their products to market in the UK and beyond.'

He added: 'The healthtech and life sciences sectors span a huge range of rapidly advancing technologies and these are markets we know and understand well. This knowledge, together with our multidisciplinary approach to navigating the often-complex legal issues that can arise when dealing with new technologies, means we are able to handle sector-specific, as well as commercial, IP and all related aspects of a project under one roof.'

Kevin Kiely, chief executive of Medilink said: 'We are really pleased to announce our partnership with Hill Dickinson, to provide our members with a first rate legal service with a difference – a culture within the firm of genuinely wanting to help businesses to succeed, not just through the provision of commercial legal services but also through advice on investment and regulation. With a shared ethos, we look forward to working with Hill Dickinson to add real value to members.'

As part of the deal, Hill Dickinson will have a dedicated micro site on the Medilink web portal, allowing enquirers direct access to advice and services from the firm and its growing team of healthtech and life sciences experts. These include:

**Rob McGough**, Head of Commercial Health, and specialist in providing advice on development of strategic priorities and new and innovative ways of delivering care.

**Michael Bennett**, Head of Corporate and Commercial (London), advising clients on flotations, reverse takeovers, placings, open offers and dual listings. Michael and his team recently worked on the interpretation and application of the laws in the UK in relation to medicinal cannabis and advised on the first medical cannabis investments by a UK listed company on AIM and on the first medical cannabis IPO in the UK since 2001.

**Michael Corcoran**, Corporate Partner, working primarily with high growth private companies and companies with relatively small market capitalisation, including in the life sciences and technology sectors.

**James Lawford Davies**, Partner, specialising in life sciences and healthtech regulation and litigation, with a particular interest in advanced therapies, tissue and cell based therapies, and devices.

**Jamie Foster**, Partner and Corporate Commercial Lawyer, specialising in the health and life sciences sectors including advising clients on commercial and regulatory frameworks for healthtech, medtech and biotech start ups.

**Prof Nils Hoppe**, Consultant, specialist in life sciences and healthtech, with particular expertise in biobanking, cell and gene based technologies, regenerative medicine and bioethics.



**Kevin Kiely and James Lawford Davies**

**EXCLUSIVE OFFER TO MEMBERS ONLY**

Liverpool  Law Society

**UNLIMITED TRAINING FOR ONE FIXED PRICE**

**Leading specialists**  
 Practical experience  
 ~ high quality courses ~  
 training record on demand

.....

**Attend an UNLIMITED number of Liverpool Law Society's legal training events from 1st June 2019 until 31st May 2020 for £395 plus vat per person**

A list of training events is available at  
[www.liverpoollawsociety.org.uk/training/](http://www.liverpoollawsociety.org.uk/training/)  
*Offer excludes the 3 day Child Law Accreditation course & occasional events when specified.*

**Apply now for the 2019/20 Training Season Ticket and start booking!**

**For an application form, [click here](#)**

# North West law firm report record financial results

**North West law firm Bermans has announced record financial results for the fifth consecutive year, with the firm reporting an increase in turnover of 15% from £5.95M to £6.85M for the financial year ending on 30th June 2019.**

The firm has benefited from growth in all practice areas, with the transactional departments (property, corporate and invoice/asset finance) continuing to perform strongly despite the uncertainty in the economy.

There has also been a significant increase in activity in the employment department since the abolition of tribunal fees in 2017. As a result, Robert Maddocks will join the employment team this month, to head up the team in Manchester. Robert Eakins is also set to join the commercial team in Liverpool to work alongside head of department Chris McDonough.

These new recruits follow on from the recent arrival of Simon Taylor who has a great reputation

and client base in the motor sports and music industries. Since joining Bermans, Simon has negotiated contracts for the 2019 season for F1 drivers and team personnel and is retained by leading promoters, organisers and venues including Live Nation, Festival Republic, AEG & SJM.

As a further boost to the firm's reputation in the field of sports law, Gareth Farrelly, a former Premier League and international footballer has this week been appointed to the Court of Arbitration for Sport as an Arbitrator.

On the litigation front, the firm's dispute resolution product, Escalate, which provides a fully funded and insured no-win no-fee solution for commercial disputes, has won awards from The Lawyer, The Law Society, Legal Week and British Accountancy/Accountancy Age. Richard Moose, an experienced litigation lawyer has been recruited to assist with the caseload generated by this initiative. Claire McDonnell has

also recently joined the litigation team in Manchester.

The continued success of the property team has been reflected in the promotion of Claire Morris to partner.

Fergal O'Cleirigh, partner and head of Property, commented: "Claire joined Bermans in 2006 as a trainee, she is an excellent lawyer and has a great reputation in the North West property industry.

It is important that we grow the business so that opportunities for career progression are there for lawyers like Claire who join the firm at an early stage in their careers, we will also continue to look to recruit lateral hires who share our values and ethos.

2020 will mark the 50th anniversary of the founding of the business in Liverpool by Keith Berman and we look forward with confidence to marking that with another successful year."



**Fergal O'Cleirigh**

## The Old and the New: A review of the significant case law

### Protection Safeguards

with Rebecca Clark

on Tuesday 17th September, 2pm - 4.15pm

**This course is aimed at Court of Protection practitioners at all levels as well as practitioners who find themselves on the fringes of the Court of Protection.**

#### *What this course will cover:*

A review of the important health and welfare case law with an emphasis upon how the principles should be applied in practice.  
What we should expect from the new Liberty Protection Safeguards and how they will differ from the current Deprivation of Liberty Safeguards regime.  
A review of the fringes of the Court of Protection and its overlap with other jurisdictions.

**Competencies: A2, A4, A5, B & C**

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

## Road Traffic Law for Criminal Practitioners

with Colin Beaumont

on Wednesday 18th September, 10am - 12.45pm

**This course has been specifically written to appeal to anyone involved at any stage whatsoever in advising clients on the criminal aspects of road traffic legislation.**

*The following items and more will be covered during the course:*

duties under the Criminal

Procedure Rules 2015

Advising generally in the area of penalty points

The offences covered by the Duty Solicitor scheme under your 2017 Crime Contract

The Drug Driving offence and the guidance published by The Sentencing Council

Advising generally in the area of alcohol and driving

Advising generally in the area of mandatory and discretionary disqualifications

Exceptional Hardship what you can and cannot argue Special Reasons

Disqualification as a sentence rather than as an ancillary order

Disqualification until test passed an area fraught with difficulties

Probationary Drivers and the Road Traffic (New Drivers) Act 1995

Driving whilst disqualified some traps for the unwary

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



# Jackson Lees Group named as one of the UK's 1,000 most inspiring companies

North West law firm, Jackson Lees Group, has been named as one of the London Stock Exchange Group's '1,000 Companies to Inspire Britain' for the second year in a row.

The report identifies the UK's most dynamic and fastest growing small and medium-sized enterprises (SMEs). The report looked at average annual turnover growth rate over a three-year period, at SMEs with revenues in the £6m to £250m annual turnover range.

This year's report features companies from a diverse range of sectors and regions, reflecting the entrepreneurial drive seen across the country, with over two-thirds of the companies appearing on the report for the first time.

The leading 1,000 companies named in the report recorded 108% annual average revenue growth, and collectively generated almost 96,000 jobs over the last two years.

Jackson Lees Group is one of 12 firms on Merseyside recognised in the report.

Brian Cullen, Chief Executive Officer at Jackson Lees Group, said: "Making a positive difference to our people, clients and communities is what drives the Jackson Lees Group. To continue doing this, our business must be successful and sustainable. Our inclusion within this prestigious listing, alongside some of the UK's most dynamic businesses, is a wonderful acknowledgement of our talented, dedicated team and their wholehearted commitment to the business and we're delighted to have been recognised."

The Jackson Lees Group is an award-winning firm made up of Broudie Jackson Canter and Jackson Lees. The Group provides a full-service legal solution to personal and commercial clients and has over 280 employees across six offices in Merseyside and Manchester.



**Brian Cullen**

## Gareth Farrelly appointed by the Court of Arbitration for Sport

**Gareth Farrelly, solicitor and former professional footballer has been appointed as a Court for Arbitration for Sport (CAS) arbitrator effective from 2019 until 2022.**

Gareth, a litigation and sports lawyer with multi award-winning North West law firm, Bermans, has been officially appointed to settle disputes at the CAS, concerning the decisions of federations, associations or other sports-related bodies on an international level.



**Gareth Farrelly**

The Court of Arbitration for Sport is an international quasi-judicial body which settles disputes associated with sport through arbitration. CAS has around 300 arbitrators from 87 countries with specialist arbitration and sports law knowledge.

During his time at Bermans and his legal career, Gareth has been involved in numerous transfers and disputes concerning current and former players, including a leading Court of Arbitration for Sport case which resulted in changes being made to the rules.

Gareth's other main focus at Bermans, is working with and advising sports people and high net worth individuals on poor advice received on investments/mis-sold financial products including tax avoidance schemes.

Gareth is also a member of the Football Association's Judicial Panel and sits on both the Chairman's Panel and the Football Panel. He is a member of Sports Resolutions' independent Panel of Arbitrators and Mediators.

Gareth Farrelly said: "I am humbled to be appointed as a Court for Arbitration for Sport Arbitrator – it is an incredible honour.

I had a case there in 2007 and I always aspired to go back. I look forward to sitting with and learning from the best sports law arbitrators and lawyers in the world.

I am incredibly grateful to all those that have assisted me along the way."

# 'Exceptional 2019' continues for Brabners Housing & Regeneration Practice

Leading independent legal practice Brabners has been appointed to the legal panel of Together Housing Group, one of the largest housing associations in the North of England.

Together Housing manages almost 37,000 homes across Lancashire and Yorkshire, developing and enhancing communities in areas including Rossendale, Blackburn, Wakefield and Sheffield. The Group was created as the result of a merger between Twin Valley Homes, Chevin, Housing Pendle, Great Vale Homes and Pennine Housing in 2016.

Brabners joins Together Housing's panel as part of a four-year framework that will see the firm's Housing & Regeneration practice provide legal counsel on issues including housing litigation, employment law, property law and governance.

The appointment follows significant tender wins for Brabners in recent months. These include securing places on the legal panels of housing associations Progress Housing and Great Places Housing, which manage an additional 30,000 homes between them. Brabners' dedicated Housing & Regeneration team currently supports more than 90 associations across the UK.

Peter Barlow, head of Brabners' Housing & Regeneration practice, said: "As one of the largest housing associations in the north, Together Housing has developed an outstanding reputation for having a positive impact on communities across the region. As well as sustainably building 300 new homes last year, it continued to go above and beyond by supporting tenants into employment and investing in community projects that make a real difference.

Suzanne Gregson, a partner within the Manchester team, said: "Having previously worked with the team at Together Housing for over ten years, I have every expectation that this will prove an extremely positive relationship as we continue to build on what has already been an exceptional 2019 so far."

David Pearce, head of business assurance at Together Housing Group, said: "Following an extremely competitive process we are delighted to confirm that Brabners have been appointed to our legal panel. We look forward to working with Brabners as part of the wider panel over the next four years."



**Peter Barlow**



## **Abuse of Process/Hearsay/Bad Character**

with Colin Beaumont

on Wednesday 18th September, 1.30pm - 4.30pm

**This course has been specifically written to appeal to anyone involved at any stage whatsoever in advising clients on the criminal law.**

*The following items and more will be covered during the course:*

- Unconscionable delay rendering a fair trial impossible – possible abuse argument
- Manipulation of the criminal justice process – possible abuse argument
- Loss of evidence rendering a fair trial impossible – possible abuse argument
- The leading case-law in the area of abuse of process
- An examination of the statutory regime under the Criminal Justice Act 2003 concerning hearsay
- Admission of evidence under the Res Gestae principle (including the 999 call)
- Hostile witnesses
- An examination of the statutory regime in relation to bad character

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

## **ATLANTIC CHAMBERS**

With over 60 members Atlantic Chambers is able to offer a wide range of expertise within our specialist practice groups.

**Civil Litigation including Clinical Negligence,  
Family, Chancery & Commercial, Crime,  
Employment, Proceeds of Crime & Public Law**

**4-6 Cook Street, Liverpool L2 9QU  
T 0151 236 4421 F 0151 236 1559  
DX: 14176 Liverpool 1.  
E-mail: [info@atlanticchambers.co.uk](mailto:info@atlanticchambers.co.uk)**



# BLJ Solicitors leads the way in legal tech with new App launch

Bell Lamb and Joynson Solicitors continues to pioneer the use of technology in the legal sector with the launch of its newest conveyancing app.

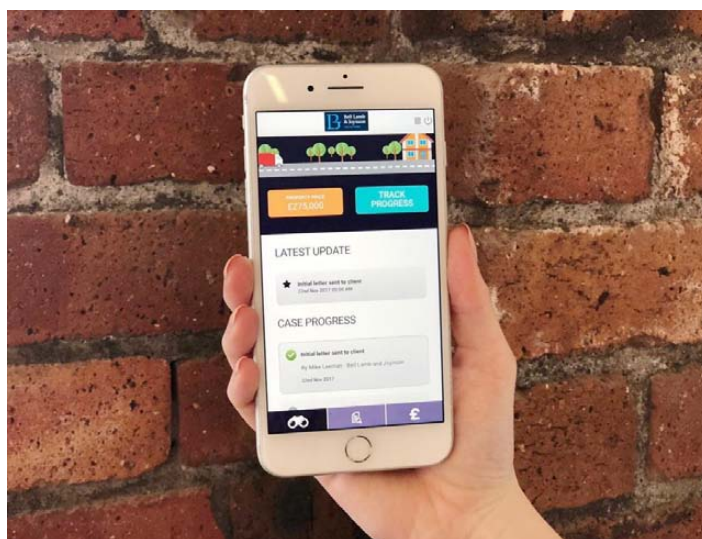
The North West legal firm has integrated its latest case management tool into day-to-day operations following wider financial investment into digital software across the whole firm since July 2016.

With managing partner Mike Leeman driving the firm's digital expansion, BLJ Solicitors has experienced 50% growth within this three-year period, with conveyancing as a department up by 100% in terms of volume of cases.

Managing Partner at BLJ Solicitors Mike Leeman said: "We are excited to launch our case management app, which we hope will modernise the process of buying and selling property across the residential property sector. Completing a property transaction is often a stressful time for people and we hope that by simplifying each step with push notifications at every stage we can continue to be totally transparent with our clients and offer a service that is efficient and accessible. We've had a similar service in place online for a while now and this app will offer the same streamlined, user-friendly platform so that clients can keep up to date whilst on the move.

"The launch of our app comes at a time of much-needed change within the legal sector as we see more emphasis placed on the use of technology in every day working practices, for both internal and client facing communication. We've seen first-hand the commercial benefits of implementing a digital strategy with the aim to become a completely paperless firm across all departments in the near future. We're already well on our way and as a result we've seen rapid growth of the business in terms of the amount of work we undertake, the geographical location of clients and revenue, which is up by 28% compared to this time last year."

BLJ Solicitors, which operates from a trio of locations across Liverpool, Runcorn and Warrington, currently deals with over 2,000 residential property related cases each year and was one of the first legal firms to champion price transparency having introduced instant, accurate



online conveyancing quotes in 2016 ahead of recent regulatory reforms.

Mike added: "There have been significant changes within the industry with the introduction of new regulations that means firms have to comply with price transparency. It's something that we've been practicing for years now and we believe it has been a contributing factor into the continued success of BLJ Solicitors. Alongside this, the Ministry of Justice recently committed £2 million to help support new and emerging technologies in the legal sector and we hope that this will encourage more firms like ourselves to consider the digital tools available to help bring the industry into the modern age.

"As a firm we're hoping to inform and educate others on the benefits of technology and price transparency and as part of this I recently delivered a seminar as part of the Conveyancing Best Practice Masterclass series, offering practical advice to colleagues within the field on how to maximise potential in these areas."

## Sarah Mansfield promoted to Partner

Guy Williams Layton LLP are delighted to announce that Sarah Mansfield has been promoted to Partner from 1 July 2019.

Sarah is a 22 years PQE lawyer specialising in Landlord and Tenant Law, Leasehold Law and Property Disputes and is an experienced advocate acting primarily for land and property owners, landlords, leaseholders, property managers, property agents, management companies, social landlords and property developers.

Sarah is a member of the Liverpool law Society sub-Committees for Civil Litigation, Non-Contentious Law and Regulatory matters; a Trustee of Merseyside Water Rescue, a charity based in the Albert Dock; a Power Boat Operative, PADI qualified diver and a qualified nurse. In her spare time, (if she has any) Sarah enjoys sewing, making clothes, restoring old furniture, painting and attending gigs.



**Sarah Mansfield**



## Relationship Management



## Update from the North Team

# This is your Library

This month we thought we would profile The Law Society's library service, explain what it is, what it offers and how it can add value to your business.

### You don't need to be in London to use the service:

Established in 1832, the Law Society library provides members with free access to one of the most comprehensive printed collections of law material in England and Wales and the team can use major legal research databases on your behalf.

It provides three key services to members of the Law Society to support their legal research needs: a free enquiry and research service, access to a vast collection of legal resources and a same day document delivery service.

### 1. Law Society library research service

The Law Society librarians respond to around 9,000 member enquiries each year, covering a wide range of legal queries from providing point-in-time legislation, locating precedents, searching for case law and parliamentary material to finding journal articles. They can also trace past solicitors and law firms to help locate lost wills and deeds.

Enquiries come from members working in all types of legal organisations - from sole practitioners to Top 100, in-house, retired and government - and from many different locations across England and Wales and beyond. The team receive most of their research enquiries by telephone and e-mail so it does not matter where you are based you can use the service.

There is no charge for the vast majority of research carried out by the team of experienced law librarians. Charges only apply if research takes longer than 30 minutes and you will be notified well in advance if that is likely to happen. If you need some research help please contact the library service on 020 7320 5946 or [library@lawsociety.org.uk](mailto:library@lawsociety.org.uk)

Telephone and emails enquiry lines are open 9am to 5pm Monday to Friday.

### 2. Collection service

The printed law collection is one of the most comprehensive in England and Wales and has material not readily available elsewhere. It is a reference only collection made up of:

- Precedents - including EF&P, Atkins and textbooks i.e. Tristram and Coote
- Law Reports - as well as a range of law reports for England and Wales, we have collections covering other British jurisdictions and a small collection of Commonwealth law reports
- Legislation - public general acts, local and private acts, plus access to both original and amended legislation
- Journals - a large collection of journal indexes and legal journals



- Parliamentary - House of Commons papers from 1801 and Hansard debates from 1804
- Commentary - an extensive collection of up-to-date practitioner textbooks and looseleaves to find commentary relevant to your query

The library has access to Lexis, Lexis PSL, Westlaw, Justis and Parliamentary Information Online (PIO) which we can search on your behalf.

### 3. Document delivery

Lawdocs is the library's reasonably priced pay as you go document delivery service. Fast and efficient, if you need legal information in a hurry, we can provide you with copies of Precedents, Law Reports, Legislation, Journals articles and law book extracts the same day or within the hour. The documents can be scanned and emailed straight to your inbox. We can also provide some content directly from databases. Alternatively, copies can be posted, sent by DX delivery or faxed. The service is often used when documents are required for current judicial proceedings.

**Please call us on 020 7320 5946 or email [library@lawsociety.org.uk](mailto:library@lawsociety.org.uk) 9am to 5pm Monday to Friday**

**You can also refer to our Online library catalogue to check what titles we hold and find answers to common research queries <https://wv-tls.olib.oclc.org/webview/>**

You can also follow us on Twitter - @LSlawlibrary

Please try out our services this is what one satisfied client said.

***"The Librarians are exceptionally helpful both here on site and with telephone enquiries"***



## AI for the Legal Sector

### Free event 26 September 2019

**Could AI or data science enhance your legal practice? Want to increase productivity, validate decisions and save time and money but not sure where to start or where to go next?**

The Hartree Centre, a specialist data science facility funded by the UK government providing innovation to industry in various technologies associated with complex data processing, has arranged for a free workshop aimed specifically at the legal sector.

This workshop focuses on how Artificial Intelligence (AI) and Data Science can enhance the legal sector including building systems that learn to extract information from case documents, automated redaction of specific elements of text, modelling regulations and directives for compliance and other complex tasks, and automated decision-making systems that model the judgements of domain experts.

Further details available **here** on this free workshop.

## Monthly Competition

**Do you want to be in with a chance of winning a bottle of wine from R&H Fine Wines?**

This month the competition is changing and we shall be asking a question, the answer to which will be contained in the pages of this edition of Liverpool Law (we have ways of making you read the whole magazine!)

This month the question is:

**Who is the guest speaker at Liverpool Law Society Annual Dinner?**

Please send your answer to [editor@liverpoollawsociety.org.uk](mailto:editor@liverpoollawsociety.org.uk), no later than 20th August 2019.

The winner will be announced in the September edition.



### **\*\*NEW\*\* Cryptoassets & Estate Planning with Leigh Sagar**

on Thursday 19th September, 9.30am - 12.45pm

**This course would benefit lawyers, financial advisers, accountants, trust officers and other private client professionals.**

Covers;

- Digital assets
- Blockchain and distributed ledger technologies
- Cryptocurrencies
- Commercial crypto-tokens and tokenomics
- Fiduciary administration of crypto-assets
- Fiduciary investment of crypto-assets
- Taxation of cryptoassets
- Cryptoasset succession
- Drafting for the digital estate



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



### **Contract and Commercial Update**

with Chris Beanland

on Friday 20th September, 1.30pm - 4.30pm

**This course will explain the past year's developments in a straightforward manner and will give busy practitioners practical tips on the impact of developments in relevant areas of practice.**

The course will cover (but isn't limited to):

- 'Agreements to agree'
- Implying terms into an agreement to make it sufficiently certain so as to be enforceable
- Carrying out work before concluding a contract
- Losing the right to claim for loss of bargain when terminating under express contractual provision
- Implied obligation of good faith in 'relational' contracts
- Penalties: *Nosworthy v Instinctif Partners Ltd*
- Frustration and Brexit
- Apparent authority of a bank manager to write off debts

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

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

# Leave nothing but footprints

**By the time you read this you may already have packed your suitcase for a summer holiday, or may perhaps be getting out your laptop to book a last-minute break. Travel operators, airlines and hotels have all reported a significant increase in last minute bookings following the decision to delay Brexit till 31 October. Up until that announcement the travel industry had experienced a decline in European and International travel, down as much as 7 percent, despite heavy discounting and cheap late deals.**

This decline went into sharp reverse as the great British Getaway weekend took off – excuse the pun – on the 20th & 21st July this year with a staggering two million passengers flying out of the UK over the weekend and 8800 planes jetting out of Gatwick on the Friday alone. This upsurge may be good news for the tour operators and the airlines, but it is terrible news for the planet.

While many estimates put aviation's share of global CO2 emissions at just above 2 percent, a figure the industry itself generally accepts, others say that is only half the story. One leading academic, Stefan Gössling, a professor at Sweden's Lund and Linnaeus universities and co-editor of the book 'Climate Change and Aviation: Issues, Challenges and Solutions', cites other significant aviation emissions such as nitrogen oxides (NOx), water vapor, particulates, contrails and cirrus changes as causes of additional warming effects.

*"The sector makes a contribution to global warming that is at least twice the effect of CO2 alone," Gössling says, suggesting an overall contribution of 5 percent "at minimum."*

Chris Goater a spokesperson for the International Air Transport Association is quoted as saying that the science behind this so-called 'radiative forcing' is "unproven". What is not in dispute, however, is that every year we see an enormous increase in air travel, and although only 3% of the world's population ever take to the skies this still means in 2016 the estimated number of air passengers was 3.7 billion according to figures from the International Civil Aviation Organization.

## Who is flying?

The picture in the UK is mixed: it reflects the efforts that businesses are taking to reduce their climate impacts by cutting back on flying coupled with a rise in personal flying. The Department for Transport report that business travel is in long term "general decline" and now makes up just 12% of our plane trips abroad, while demand for leisure flights surged by 185% between 1990 and 2007. Given that half of the UK population don't fly at all it is interesting to note that 15% of the population are responsible for 70% of the flights. This has led to groups calling for an air tax levy on frequent flyers – to help offset the costs and impact of climate change caused by air travel.

We are constantly being told to 'leave nothing but footprints and take nothing but photos' when we travel but it can be hard to know where to start. I must confess that until recently I was a bit confused about the different options out there for holidays, muddling up my eco-tourism with my sustainable tourism labels and just trying to do the right thing. What are the differences and what choices can we make? A couple of quick definitions to get us started courtesy of the Rainforest Alliance.

**Ecotourism** is defined by the International Ecotourism Society as: "responsible travel to natural areas that conserves the environment and improves the welfare of local people." The key principles are minimizing impact, protecting biodiversity, building environmental awareness, and respecting local culture. Typically, the primary attractions for ecotourists are flora, fauna, and cultural heritage.

**Sustainable tourism** businesses support environmental conservation, social development, and local economies. Sustainable businesses focus on conserving water and energy, supporting community conservation projects, recycling and treating wastes, hiring staff from the local community, paying them just wages and providing training, and sourcing locally-produced products for restaurants and gift shops.

Trying to have more sustainable holidays doesn't mean necessarily



booking yourself into an 'off grid' hut half way up a mountain, although this article is being penned from an eco-lodge on Islay which affords the most incredible views across the Mull of Kintyre and boasts a turf roof among its other credentials. One way to start is to ask yourself if you need to fly at all. Or, if slow travel might be an alternative, can your journey be part of the holiday itself?

## To offset or not to offset?

While environmentalists all agree that carbon offsetting is no substitute for not creating the carbon caused by a flight in the first place, as you may well have booked your trip already and flying may be part of it, one step you could take immediately would be to mitigate your carbon. There are many conflicting views and schemes out there, with some airlines offering their own, and huge variations between individual airline calculations of a flight's carbon footprint.

Rather than get bogged down in offsetting, my recommendation would be instead of buying a carbon credit, or an airline offset, make a donation to a recognised organisation working to prevent deforestation. Top of my list is Cool Earth who work with indigenous communities on the frontline of deforestation – just £60 saves an acre of rainforest. Cool Earth's efforts have not just kept the trees standing, built schools and supported local growers, so far over the last five years they have locked in 230 million tonnes of carbon.

Flight over, donation made, and you have arrived, why not ask your tour operator or hotel about their sustainability policies or check out to see if they have a Global Sustainable Tourism Council certification.

Then once you return rested and refreshed, why not calculate your carbon footprint using one of the many free online calculators (WWF has a great one). This will give you a carbon footprint for all of your activities, not just your holiday travel. From there you can set some goals for the rest of the year and better still, plan your sustainable holiday travel for 2020.

But wherever you go and whatever you do, have a happy and restful holiday.

<https://www.coolearth.org/>  
<https://footprint.wwf.org.uk/#/>

**Amanda Carpenter is CEO of Achill Management and presenter of Planet Pod a regular podcast on all matters environmental.**





# SUPER CHARGE YOUR WORKLOAD

**Take off time. Lots of time.**

Slash the time it takes to do post-completion tasks to just five minutes, thanks to **supercharged InfoTrack technology** that pre-populates data fields and submits and manages results for **SDLTs** and **AP1s**.

It's intuitive. It's easy to use. And your workload? You'll charge through it.

[infotrack.co.uk/supercharge](http://infotrack.co.uk/supercharge)



Faster and Smarter

# Council Member's Report Update from Sarah Lapsley

## The Value Of Your Membership

I thought I would summarise an excellent document drawn up by TLS about the value of membership.

The practising fee is split between the Law Society, the SRA and other regulatory bodies.

The PC fee is split -30.7% to TLS, 52.8% to the SRA and 16.5% to other regulatory bodies.

TLS receives just over £214 per year from each member annually equivalent to £4.12 per week.

Of that £4.12 per week, £1.16 goes towards the work TLS does protecting the rule of law. Seeking to influence Government and other bodies who shape the law and legal market.

46p helps promote the profession at home and abroad – Find a Solicitor Directory, "Solicitors, Here to Help" media campaign and other promotional activities.

87p helps to keep members up to date through the Gazette, daily email update and app, My Law Society, Professional Update and other e-newsletters.

83p goes towards helping members serve their Clients in the form of practice notes and guidance, podcasts, webinars, roadshows and events, helplines covering practice advice, anti-money laundering and pastoral care and the library service.

Finally, 80p is spent on supporting careers through online tools, bite sized e-learning and events, career companion, tackling unfair barriers to entry into the profession and specific support for under-represented groups.

## Women In Leadership In Law

I spent a fascinating two days in June at the International Symposium organised by Christina Blacklaws (Immediate Past President) and what a great success it was. Drawing together the results of TLS survey into Women in Leadership in the Law, from 2017/2018, the event offered a sparkling array of speakers and seminars that were informative, entertaining and at times, shocking.

12,000 professionals contributed to the original survey to understand the key issues that affect women in law and 225 roundtable discussions took place in the UK following that, involving around 4000 people.

The main reason identified as the barrier to career progression was bias. Not, as people often and mistakenly assume, because women want to put their families first and choose to take a back seat because they have children (although some do of course). Or because it is impossible to fill the vacuum left when a senior person takes maternity leave (another common misconception that supports bias). The source of bias often extends to areas where people may not even have contemplated, such as client entertainment (eg rugby or cricket), a fundamentally unfair system of allocating work, networking opportunities that take place outside normal business hours, the mirror effect (identifying a successor as someone who "looks" like you). All fascinating stuff.

One of the clear themes at the symposium was the success of flexible working arrangements, for men and women. The growing success of



virtual law firms was seen as a reflection of that, along with some amazing and innovative schemes being implemented by some of the top law firms in the country. Working from home is no longer frowned upon and viewed with the suspicion that it was.

Another topic that attracted significant air time was bias against LGBT+, BAME and disabled Solicitors and we heard first hand from women at home and abroad who have suffered prejudice. We were introduced to the concept of intersectionality, (disadvantage by multiple sources of oppression including race, class, gender identity, sexual orientation, religion and other identity markets including their appearance) – and from remarkable women who had overcome discrimination and run successful careers.

Economists, business development leaders and practice managers told us about the good business case for equality and diversity, where clients not only expect the statistics in the firm to be fair, but are asking for that information before they instruct. And of course, the obvious point, "no firm can be successful if it leaves 50% of its talent at the door".

Mental health, handling stress, optimising cognitive performance, tackling imposter syndrome, calling out bias, identifying role models, use of mentors and sponsors – all these topics had time allocated to them in seminars and panel debates.

Of course, there was lots more and I've only scratched the surface here. Suffice to say, TLS have produced a number of documents that provide excellent tool kits and practical advice to tackle bias in an objective and effective way and so please let me know if you would like me to source that material for you.



## Freelance Solicitors

From November 2019, freelance Solicitors will be able to deliver legal services direct to the public. They will be self-employed, practise in their own name, and be engaged directly by their clients. Freelancers will not be permitted to employ any staff if they are providing reserved legal services to the public but there will be no such restriction if they are providing non-reserved legal services. Therefore, a practice that consists of non-reserved work means support staff and fee earners can be employed.

A Solicitor qualified for more than three years can provide reserved legal services but those with less than three years may only provide non-reserved legal services. There will be restrictions on holding client money which means freelancers may not hold proceeds of sale or court fees.

Freelance Solicitors will not need to purchase PII to the same level as other Solicitors which will invariably create an unequal playing field. Freelancers offering reserved services will be required to hold "adequate and appropriate" insurance as compared to a regulated firm, where the SRA's minimum terms and conditions must be met. Freelancers practising non-reserved work will be under no regulatory obligation to purchase PII, although wisdom dictates that they would be wise to do so.

The SRA recommend that regulated firms apply for the SRA's digital badge to put on their website, which freelancers doing reserved work may apply for but not unregulated firms or freelancers doing non-reserved activity, to try and set the firm apart from the competition.

These changes are due to come in on 25th November 2019 and TLS has said that help will be provided before then with roadshows and seminars, new and revised practice notes, blogs and magazines, podcasts webinars, e-learning and publications so worth keeping an eye out for that.

## The Solicitors Qualifying Exam (SQE)

It is worth reading a letter that the Junior Lawyers Division at TLS recently issued to the Government demanding a review of the LSB's decision to approve the new "super-exam" which they say will lead to a lowering of professional standards. The exam is due to be introduced in 2021 and will be split into two parts – SQE1 – multiple choice testing legal knowledge and SQE2, practical assessment.

Alan East, assistant Professor, senior law lecturer, Council Member and Chair of the Education and Training Committee at TLS, recently held a seminar in Coventry to discuss the impact of the new exam and he is about to issue a podcast each month on this very subject which I understand will be available on TLS website. Alan is happy to speak to anyone who is interested in this subject.

## Changes to Council

Council continues to debate changes to its makeup so as to create a sovereign body at TLS that better reflects the profession as it looks today, rather than twenty years ago when it was last reformed. A revised position paper will come before Council again in October and it is hoped that the changes proposed will be approved. We can look forward to more seats for women solicitors, in-house, less than 10 years qualified and business lawyers. Combined with the changes are proposals to improve Council's engagement with members by the provision of staff who would work with Council Members and the creation of regional structures that formalise the process. Watch this space. The process of review began in 2014 and has failed on more than one occasion but the mood in Council has altered and the appetite for change has grown particularly since the creation of the new board. This year therefore could well see some significant changes that better reflect the body of members that Council now represents.

**Sarah Lapsley**  
Co-Council Member for Merseyside

## Creating a Culture of Cyber Awareness

with Tom Lyes on Tuesday 17th September, 10am - 12.15pm

**Those that would specifically benefit from attending are:**  
Managing Partners, Directors, COLPs, COFAs, Residential & Commercial Property Lawyers, Private Client Lawyers & Compliance departments.

In 2018 60% of law firms reported a security incident, while the SRA highlighted 287 scam alerts. At any one time there are 1400 criminal organisations targeting the legal sector according to HM Government.

**It is critical that law firms adopt a culture of cyber awareness. The biggest risk to your business from a cyber point of view is your staff and leaders should drive the cultural behaviour needed to fight cyber crime.**

In this seminar from Tom will discuss how cyber fraud is not restricted to your property department and applies across your whole business. Adopting a top down approach to cyber crime mitigates your risk from interception of funds and email modification fraud, protecting your business from the financial and reputational damage of a cyber incident.

**Competencies: A3, A4, A5 & D3**

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

## The Complete Legal Aid Supervisor

with Vicky Ling

on Friday 4th October, 9.30am - 4.45pm (lunch included)

Supervisors are the key to a successful contracting relationship with the Legal Aid Agency. You have to have at least one and they are your first line of defence against audit problems.

This course covers everything supervisors need to know.

**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 and C3**

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

# Demouilpied and West – A definitive approach to reasonableness and proportionality in relation to ATE premiums?

The long-awaited Court of Appeal judgment in **Suzanne West v Stockport NHS Foundation Trust and Lee Thomas Demouilpied v Stockport NHS Foundation Trust [2019] EWC A Civ 1220**<sup>1</sup> ("West and Demouilpied") was handed down on 17 July 2019. The appeals raised several specific issues arising out of the respondent's successful challenge to the amount of the ATE insurance premium recoverable by the appellants. By common consent, the issues also raised several wider points relating to reasonableness and proportionality and the proper approach to the assessment of costs. The appeals led to a fact-finding hearing before two assessors which resulted in an Assessors' Report being provided to the Court of Appeal for the purposes of the appeals. The Judgment was broken down into 13 sections. Section 1 gave a brief introduction to the appeals and a breakdown to each subsequent Section as follows:

Section 2	-	Uniqueness of ATE insurance premiums in clinical negligence post 1 April 2013
Sections 3 & 4	-	The factual backgrounds to the appeals.
Section 5	-	Wider concerns that had arisen.
Section 6	-	The Assessors' Report (also at Annex 1).
Section 7	-	The substantive issues between the parties.
Section 8	-	Reasonableness.
Section 9	-	Proportionality post 1 April 2013.
Section 10	-	The approach to costs assessments generally.
Section 11 & 12	-	Conclusions on both appeals.
Section 13	-	Way Forward.

The Court of Appeal identified 6 issues to address namely <sup>2</sup>:

- i) How should a reasonableness challenge to an ATE premium be made and resolved?
- ii) Is a proportionality challenge limited to a consideration of the circumstances of the case in question pursuant to CPR 44.3(5), or can it go wider and deal with "all the circumstances" in accordance with CPR 44.4?
- iii) If the ATE insurance premium is reasonable, should it also be subjected to a proportionality assessment?
- iv) Taking account of the answers to (a) - (c), what is the proper approach to a costs assessment as regards reasonableness and proportionality?
- v) Applying the answers to issues (a) - (d), should the appeals in either West or Demouilpied (or both) be allowed?
- vi) What is the way forward for future challenges to the reasonableness of ATE insurance premiums?

In addition to the substantive issues the Court of Appeal identified the following wider concerns:

1. the Court of Appeal was concerned that an issue such as ATE which ought to be the subject of clear guidance was being dealt with on an ad hoc case by case basis <sup>3</sup>.
2. Some of the assessments had been the result of the subjective reaction of the judge without reference to objectively ascertained comparables <sup>4</sup>.
3. The respondent's repeated reliance on "burden of proof" <sup>5</sup>.
4. The respondent's reliance on "so-called comparables" <sup>6</sup>.

The insurers, on behalf of the appellants, asserted that in the case of block-rated policies it is essentially inviolable and should always be regarded as reasonable and proportionate. On the other hand, the respondents asserted each case was different and each District Judge or costs judge should be left to work out the answer as to reasonableness and proportionality in each case. The Assessors' report allowed the Court of Appeal to formulate guidance between the two extremes that was not open to the first instance judges in the present cases.

So, what was the conclusion given the diametrically opposed stances of the appellants and the respondent?

## Reasonableness

First, the Court held necessity should be disregarded, considering the change in law.

Second, in the case of a bespoke policy, the challenges to the ATE are relatively wide. For example, it would be open to challenge the policy on the basis that the risk was wrongly assessed, and it may not be the case that expert evidence would be required.

Third, so far as block-rated policies are concerned, the opportunity to challenge will be much more restricted and expert evidence would be required. Reasonableness and recoverability should not be dealt with on a case by case basis but by reference to the general run of cases and the macro-economics of the ATE insurance market.

Fourth, it is for the paying party to demonstrate a substantive issue as to reasonableness. This should not discourage challenges on reasonableness, but those challenges should be resolved based on expert evidence and analysis rather than assertion and counter-assertion.

Finally, a simple comparison between the value of the claim (or settlement sum) and the amount of premium paid is not a reliable measure of reasonableness. To do so would ignore the basket of a wide range of cases that make up that ATE premium.

## Proportionality

The court considered whether it was applicable at all. First, the Court held that a line by line basis could still be carried out as to proportionality of a particular item. Second, where a premium had been assessed as reasonable, either because it was not challenged or the paying party had not demonstrated a sustainable challenge, such premium cannot then be assessed as disproportionate. Third, ATE premiums, like Court fees, VAT and other properly incurred, unavoidable costs should be left out of account when considering proportionality as a whole.

The Court of Appeal allowed the appeals in West and Demouilpied. Does this now give definitive explanation on the approach to reasonableness and proportionality in relation the ATE premiums? Submissions on Supreme Court permission have been adjourned pending further written submissions. Watch this space.



**Andrea Barnes**  
Complete Counsel

1. [https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2019/1220.html&query=\(demouilpied\)](https://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2019/1220.html&query=(demouilpied))  
2. Para 48 West and Demouilpied supra.  
3. Para 28 West and Demouilpied supra.  
4. Para 29 West and Demouilpied supra.  
5. Para 30 of West and Demouilpied supra.  
6. Para 31 of West and Demouilpied supra.



# Liverpool BID Company

## Our regular update from Julie Johnson, partner at Morecrofts Solicitors and chair of Liverpool BID Company's Commercial District BID operating board

Julie Johnson is business operations partner at Morecrofts Solicitors and chair of Liverpool BID Company's Commercial District BID operating board. Liverpool BID Company represents the interests of 1,500 levy paying businesses in Liverpool city centre, across Retail & Leisure BID and Commercial District BID. The aim of the BID is to bring added value to its levy payers and build on the core services already provided by Liverpool City Council and Merseyside Police, ensuring both BID areas are clean, safe and attractive to visitors and investors alike.

With summer in full swing, the Liverpool BID Company team has been hard at work creating and organising some of our key events and initiatives of the year - throwing the spotlight on our amazing levy paying businesses and their respective locations.

Once again, Celebrating Bold Street became the talk of the town, and you could not go on social media or online without seeing images of the street packed with smiling people enjoying all that this iconic destination has to offer. It was great to see the street pedestrianised for the day, allowing visitors to get up close and to mingle with the amazing local businesses and pop-ups. It is a commitment of the BID to fly the flag for its levy paying businesses, in this case - the independents, and showcase Bold Street as the go-to destination in the city for quirky and unique shops and restaurants. I would personally like to congratulate all those who worked so hard to make this event, once again, a huge success, and a true highlight in the city region's event calendar. Liverpool is famous world-wide for staging top class events, and Celebrating Bold Street has certainly flourished over the years to sit among them.

The event was the culmination of Independents' Week - a campaign to engage local independent businesses, employees and visitors in celebrating the entrepreneurial spirit of Liverpool's growing independent business community. It is thanks to the likes of Mowgli, Trattoria 51, Wongs, Dig Vinyl and Matta's International Food that give our city its unique identity and that should be bolstered and celebrated.

A thriving independent scene is key to the continued success of Liverpool's high street - and there is lots to be excited about in the city, for example, over at Metquarter, which sits within the Retail & Leisure BID, and the news that renowned independent designer boutique, Cricket, has committed to open a flagship store at the scheme, which is just fantastic!

The BID is also playing a key role in the recently launched High Street Task Force, set up by central Government to revitalise high streets and town centres country-wide - further proof of the BID's commitment to Liverpool's own high streets. In his other role as chair of The BID Foundation - the industry body for BIDs (Business Improvement Districts) nationwide, the BID's



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

chief executive, Bill Addy, will work alongside the Institute of Place Management at Manchester Metropolitan University and a consortium of experts to deliver support to local authorities and communities who want to transform their high streets as they battle against changing consumer habits.

**To find out more about what Liverpool BID Company does please visit [www.liverpoolbidcompany.com](http://www.liverpoolbidcompany.com)**

**You can also join the BID on social media:**

**Twitter - @LpoolBIDcompany**  
**Facebook - LiverpoolBIDCompany**  
**Instagram - LiverpoolBIDCompany**  
**LinkedIn - Liverpool BID Company**

# Regulation Update



**Danielle Best**  
**Weightmans LLP**

## The latest regulation news from Danielle Best of Weightmans LLP

**It's safe to say that the introduction of the new SRA Standards & Regulations will be just around the corner once we all get back from our summer holidays. Please come and join us at one of our training seminars in September and we will help to prepare you for the changes. We are holding sessions in London, Manchester, Liverpool and Leeds and it would be great to see you there! Further details can be found using the link below:**  
**<https://www.weightmans.com/events/compliance-seminar-new-sra-standards-rules-and-regulations-ev884/>**

### **Solicitors Disciplinary Tribunal (SDT) expects increased caseload in 2020**

Time will tell whether the number of solicitors being struck off or sanctioned in other ways will increase following the introduction of the new civil standard of proof at the end of the year, but the SDT has confirmed that it expects the number of cases referred to it to increase sharply.

This is probably not good news for those who are critical of the current disciplinary regime which sees solicitors struck off more regularly than those in other professions. 2018 saw 80 solicitors struck off with the ultimate consequence likely to be the end of their legal careers. The SDT's annual report confirms that extra training on the new standard will be provided to tribunal members and clerks, so we would hope that serious sanctions will continue to be applied only when it is fair and necessary to do so. The report also confirms that tribunal staff have received extra training to deal with vulnerable witnesses ahead of an expected increase in the number of sexual misconduct cases.

### **Effective complaints procedures work!**

The SRA has revealed that the proportion of complaints about poor service resolved internally by law firms without reference to the Legal Ombudsman has passed 80% for the first time. The figure rose from around 19,000 in 2012 – the year when figures were first collected – to over 22,800 in 2018. The data suggests that larger firms are more likely to resolve a complaint which the SRA considers is likely due to them having the resources to deal with complaints. Our view is that having a well thought out Complaints Policy that is followed whenever a complaint is received is key to early resolution, minimising costs and preserving a firm's reputation.

### **Is a big shift in the way solicitors work on the horizon?**

Interesting times lay ahead as the ways in which solicitors can work will open up for those who do not want to be part of a traditional law firm. The new Standards & Regulations will come into force on 25 November 2019 and will introduce a new category of solicitor called independent solicitors

who will be able to work freelance. A recent SRA guidance note suggests that they could join forces in set-ups similar to barristers' chambers where the chambers provides administrative and business support, or they could see clients from a 'maintained office' where the host provides reception and other administrative and secretarial services.

### **SRA aims for more transparency**

In a news release, the Chair of the SRA, Anna Bradley, has set out her plans to make sure its board is working in an open way and is accountable to its core stakeholders. She has stated that the SRA will publish more in-depth board meeting minutes and that the SRA is looking at publishing a statement on how decisions are made as well as what can and cannot be published and why. The Legal Services Board (LSB) previously raised concerns about the lack of transparency at the SRA following the closure of its board meetings to the public and press. Whilst these proposals will hopefully give more insight into the workings of the SRA, it remains to be seen whether the LSB will be satisfied that enough is being done.

### **SDT decisions**

Two solicitors have been fined £10,000 each plus costs of £11,800 on a joint and several basis following various failures in the running of their firm including making payments from client account for disbursements when there were insufficient funds, making incorrect payments from client account, failing to carry out proper reconciliations of the client account meaning that shortages were not identified and failing to maintain properly written up accounting records. They were also found to have paid prohibited referral fees and had failed to provide clients with accurate information regarding the financial/other interests of referrers. Unsurprisingly, the respondents were also found to have failed to carry out their roles as COLP and COFA adequately.

The result could have been worse for the respondents had it not also been found that accounts rules breaches were primarily the result of sloppiness with no loss to individual clients and payments of prohibited referral fees were not done with specific intent and had not involved a breach of trust. The respondents also made good the shortages on the client account and had taken steps to ensure future compliance.

### **Restoration to the roll refused for solicitor struck off in 1995**

The applicant was struck off the roll in 1995 having been found guilty of failing to maintain properly written up books of account, placing his own funds in client account, using client funds for his own purposes and drawing funds from client account otherwise than in accordance with the rules. Whilst the applicant had not been struck off for dishonesty,



his actions were serious and had resulted in a £73,000 payment out of the Compensation Fund. In addition, on two occasions he had worked without the approval of the SRA and had failed to disclose to one firm that he was a struck-off solicitor which resulted in a criminal conviction.

Whilst the SDT commended the applicant's charitable work, they decided that he had not demonstrated rehabilitation and had shown a reckless disregard for the rules on more than one occasion. It was not therefore appropriate to restore him to the roll.

### Solicitor used client monies to prop up firm

A solicitor found to have been withholding funds totalling £69,000 that should have been used to pay disbursements including counsel, experts and others has been struck off and ordered to pay £9,000 in costs. The funds were used to support the firm which was closed down following the SRA's investigation. The solicitor had a history of breaking the Solicitors Accounts Rules, having been prosecuted in 2009.

### Solicitor struck off for misleading court, insurer and regulator

A solicitor who lied to potential insurers on an application for judicial review and followed this up by lying to his regulator to avoid disciplinary action has been struck off. He was also found to have filed false medical evidence and an inaccurate witness statement in order to secure an adjournment of disciplinary proceedings. In 2009 the solicitor had also received a severe reprimand as part of a regulatory settlement

with the SRA, but he failed to declare that in a proposal form sent to insurers. He claimed that the he believed that the information he gave to the insurers was true, which was rejected by the SRA. He was also ordered to pay £35,667 in costs.

### Solicitor suspended following backdating and fabricating documents

A solicitor has avoided being struck off and instead has been suspended for nine months and ordered to pay almost £7,000 in costs after charges of dishonesty were dropped against him. The solicitor had instructed his secretaries to fabricate and backdate a number of letters, attendance notes and other documents. One worker was instructed to create as many as 41 documents after a file was requested by a firm of solicitors who had taken over the case. A further eleven documents were created after a file (for which there was no paper copy) had been selected for a Legal Aid Agency audit. It was not alleged that the documents were false, nor that the events did not occur.

The SRA accepted it was a case of putting the file in the order it should have been and the tribunal accepted that the motivation was to satisfy the audit process and senior partners. There had been no financial advantage to anyone and no client was disadvantaged.

**Danielle Best**  
Principal Associate  
Weightmans LLP

## 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.

## Public Children Law Update with Safda Mahmood

on Tuesday 1st October, 1.30pm - 4.15pm

**The course will equip you with a rounded up update on key issues surrounding public children law, with a particular focus on changes throughout 2019. It will be of benefit to those acting for parents, children, extended family, and local authorities.**

The areas to be covered are:

- Removal
- Contact and Children
- Assessments and Timescales
- Public law Outline and Timetable
- Leave Applications and Secure Accommodation
- Placement Applications and Adoption
- Special Guardianship
- Threshold Criteria
- Key Case Law Update
- Updates on Statutes and Practice Directions

Competencies: B

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

## From SRA Handbook to the new Standards and Regulations

with Jo Morris

on Wednesday 4th September, 10am - 4pm (lunch included)

**This course is a must for compliance officers, compliance team members, fee earners and managers.**

It will cover the following:

- The Principles – from ten to seven – what stays, what goes and what has been moved elsewhere
- Not one but two! The new Codes of Conduct – one for the solicitors, registered European lawyers and foreign lawyers and one for the firm
- The SRA Accounts Rules – after twenty one years the accounts rules have been given a major update and are less restrictive
- An overview of the rest of the new standards and regulations
- Getting ready – what are we doing to prepare for this new way of working including:
  - Reviewing of your policies, procedures and documentation
  - Reviewing and implementing changes in regards to the accounts rules
  - Training of your staff on all areas of the new regime
  - Making the transition from old to new

Competencies: A & D

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

# Charity and CSR Matters



**Hi everyone,**

The sun has brought out the best in us all!

The CSR pages have been a bit quiet lately but I'm pleased to see your submissions are now coming in thick and fast- keep them coming please. There's so much amazing work going on in the legal World and I want you to be able to broadcast it. Not only is it good for staff moral and firm profile but it is a good platform for the charities too, especially the smaller ones.

You will see we have a Trustee vacancy this month at Housing People, Building Communities. This sounds like an amazing charity helping people to get onto the property ladder. If you have the time and relevant expertise please get in touch.

The Wirral dragon boat race has also been announced, it is to be held on 7 September. I have taken part in this event numerous times and I can assure you it is a great day. You can bring along the family (including the family dogs!) and they can cheer you on. I have to admit I expected the boat to be more of a rowing type boat, my ignorance completely, but it is more of an upper body thing. Trust me if I can do it, anyone can! Headway is a charity close to my heart and I hope you can all get behind it. Sign your team up asap, you won't regret it.

**Jennifer Powell**  
**Weightmans LLP**



The Liverpool based charity Housing People, Building Communities are looking to enhance its Board of Trustees and create Advisory Groups as it moves on to new projects. It is specifically looking for people with expertise in Legal, Finance and Construction. Legal would benefit from experience in Social Housing, Housing Associations, communities and Charities

Finance would benefit from experience in mortgage lending, leasehold, project finance, fund raising, related grants, related tax and insurance

Construction would benefit from experience in modular housing, off-site construction, small developments and energy efficiency. The roles are voluntary and carry no salary or related expenses and normally require attending a monthly weekday Trustee Board Meeting or ad-hoc Advisory Group meetings.

Housing People, Building Communities is a multi-award winning charity whose focus is on helping those who wouldn't ordinarily be able to afford to own a home of their own and have a comprehensive procedure for selecting families. Before being accepted as home partners they had to already live or work in the city or have strong family connections. They had to be willing to give 500 hours of their time towards creating these unique communities, in exchange for their deposit (sweat equity). They had to have sufficient income to secure a mortgage to buy ideally a 50% share of their new home.

The first project, completed in 2017, built 32 affordable family homes on land donated by the Catholic Archdiocese. The charity will have completed the second phase by the end of October 2019 to convert the adjacent derelict St Bernard's church, again donated by the Catholic Archdiocese, into 11 town-type houses within the external structure. In addition on adjoining land they have constructed a detached house and four apartments. These have been done in conjunction with one of the leading Housing Associations in the North West. Upon completion, the project will have provided 48 new homes and provided affordable housing to over 150 people who otherwise would not have been able to obtain their own home.

The Charity is now embarking on new projects in and around the area and region in conjunction with Local Authorities, Housing Associations, etc. and is looking to enhance the expertise and experience of its Board of Trustees and create Advisory Groups as and when required.

If you are interested in applying or would like to find out more about the trustee position, please contact

**Liza Parry, Chief Executive**  
**Email - [liza@hpbc.org.uk](mailto:liza@hpbc.org.uk) Mob - 07817 066084**

## Weightmans Charity Golf



A team of 4 from Weightmans, John McArdle, Kev Brown, Martin Green and Jake Whewell, took part in the Caldys Golf Club charity golf day in aid of Wirral Hospice St John's.

Weightmans managed to win the overall competition by one point (!), winning a trophy and a few other prizes at the presentation dinner. The trophy was presented by retired Judge His Honour John Roberts.

An amazing £3,730 was raised for the hospice so it was a successful day all round.

**John McArdle**  
**Weightmans LLP**



## MSB celebrate Mandela Day

The 18th July marked Mandela Day, the official day declared by the United Nations to commemorate Nelson Mandela's life, globally, every year.

This year, MSB pledged to take part in the #My67Minutes challenge, an initiative created by Mandela8 that encourages people to give up 67 minutes of their time in a way that celebrates and provides reflection on Mandela's life - a minute for each year of he spent fighting for social justice.

Staff across MSB spent the eve of Mandela Day baking dozens of cakes to guarantee a smile of the staff and beneficiaries of charities and organisations across the City. The firm selected organisations that represent vulnerable groups in our society and committed to promoting their invaluable work on social media. Cakes were hand delivered to The Big Help Project, The Whitechapel Centre, Liverpool Community Advice, The Asylum Link, Centre 56 Nursery, The Cotton Street Project, South Liverpool Domestic Abuse Service, Al Qhazali and local refugees.

MSB proudly sponsors Liverpool charity, Mandela8 to help realise its vision to see a permanent artwork installation and performance space in Toxteth's Princes Park. The project has been designed by Wayward and reflects poignant moments in Mandela's life - it will be situated on an island in the park, symbolising Mandela's incarceration on Robben island. Melissa Bosoboe, Solicitor at MSB sits on the Mandela8 working group. Melissa praised the initiative saying, "This is a fantastic project for our firm to be part of to commemorate Nelson Mandela and Liverpool's link to South Africa in standing up against apartheid." Earlier this year, Mandela's daughter, Dr Makaziwe Mandela and granddaughter, Tukwini Mandela visited the City and viewed the progress of the project. Managing Partner at MSB, Emma Carey was asked to deliver a speech. Reflecting on the visit and this year's Mandela Day, Emma says, "After having the privilege of speaking before the Mandela family in February, I feel compelled to keep up



the momentum and capture the spirit of kindness and giving in our actions as a firm. Commemorating Mandela's 67year fight for equality and social justice, reminds us as lawyers and agents for justice that we must keep on fighting."

#Mandela8My67Minutes

## Carpenters Charity Football & Family Fun Day

On Sunday 14th July, Carpenters held their annual Charity Football Match against RSA Motability with the added addition of a Family Fun Day this year to raise money and awareness for Whizz Kidz Charity.

Held at Victoria Park in Tranmere, the day included bouncy castles, food vans, beat the goalie, and much more as well as Carpenters annual football match against RSA. There was a big turnout and Carpenters and RSA raised a great amount for the charity!

This would not have been possible without the invaluable support of the fantastic volunteers and helpers. Also, a big thank you to the visitors and spectators.

Carpenters have raised a fantastic £1,000 for Whizz Kidz Children's Charity.



## Take part in the Wirral Dragon Boat Race Festival!

The Wirral Dragon Boat Race Festival takes place this year on 7th September at West Kirby Sailing club to raise money and awareness for Headway Wirral.

Headway Wirral is a local charity that works to improve life after brain injury. Through a range of frontline services it provides support, services and information to brain injury survivors, their relatives and carers. They work closely with health and legal professionals and provide guidance on such matters as social services and financial support.

The Dragon Boat Festival is Headway Wirral's single biggest fundraising event of the year and has become instrumental in their continued service to the public of Wirral. This will be their seventh year and their aim is for it to continue to grow and to raise much needed funding. The focus of the event is all about having fun, and past years have indicated that that is what you will have as a participant. As with any 'race' there is a competitive edge, with some teams taking it more seriously than others! However, the focus is on taking part and enjoying yourselves, whilst at the same time helping a good cause.

Registration for 2019 Dragon Boat Festival is now open and you can register your team now on the website! Spaces are filling up quickly so don't take too long to get your team together and register.

Carpenters said, "It's an absolutely fun packed day with great comradery and all for such a worthy cause"

Register your team here: <http://www.wirraldragonboat.org/register>

# Charity Spotlight

## Beechley Stables RDA needs your help



Beechley Stables RDA is a self funding registered charity, based in Liverpool, and a member of The Riding for the Disabled Association (RDA). Our principal aim is to provide recreation and therapy, through riding, to promote the health and wellbeing of disabled people.

The riding stables are based on Harthill Road, Calderstones, and have 8 horses and ponies, some of which you may have seen grazing in our paddocks. The stables have been providing riding for the disabled since 1989, most of that time run by Liverpool city council. Since 2015 the stables have been run entirely by a volunteer led charity and relied on voluntary donations to keep going.

We are looking to secure the future of disabled riding at our historic stables and need personal donations and corporate sponsorship. Riding means a great deal to the disabled users, in many cases it is their only recreational activity. Please support us. Full details of what we do and how to donate are available on our web site:

<https://www.beechleyrda.org.uk/donate/4579148171>

We are turning for help to our local community and hope that you may be able to make a donation, however small.

**Yours faithfully**  
**Ralph Dunne**  
Chairman of Trustees



Beechley Stables RDA is a charity funded by its own activities and the generous support of local people and businesses. Most grant funders are reluctant to give money for core costs and prefer to fund projects, so public donations are vital.

If you would like to support the charity there are a number of alternative methods.

Regular giving can be made via standing orders or through CAF (see below), both attract gift aid if you are a U.K tax payer. You can also give through Payroll giving (Give as you earn) which comes out of your pay before tax is paid (please contact your HR department for details).

One off payments can also be made on line or by cheque (Beechley Stables RDA), both attract gift aid.







## Grow your LinkedIn network and generate more clients

with Rachel Tombs

on Friday 27th September, 9.30am - 12.45pm

**This is a practical course that will guide you through the essential building blocks on how to grow a powerful network of clients/strategic alliances, brand, and continual book of business using the LinkedIn platform.**

Attendees will need to bring a fully charged laptop, iPad or tablet so they can make tangible improvements to their LinkedIn profiles as the course progresses.

### By the end of this course you should:

- Feel confident about developing a personal or commercial LinkedIn presence that delivers results in a timely and effective way
- Have learnt how to generate new leads for your business
- Appreciate why LinkedIn has to be a central feature of your marketing strategy

Competencies: C1, C3 & D3

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



## Networking – Online and Offline Working the room physically & digitally

with Rachel Tombs on Friday 27th September, 1.30pm - 4.45pm

### Covering:

#### Offline Networking

- Preparation – How to research attendees in advance of the meeting or event, in order to make sure you speak to the right people.
- Master the art of listening and body language – what you don't say is just as important as what you do.
- The elevator pitch or '60 second' introduction – How to draft and deliver the perfect pitch that provokes a question and engages your audience.
- Follow up – Why time is critical, and how to use personal emails to request further meetings and continue the conversations that you started.

#### Online Networking

- How to use online networking tools to expand your network of contacts and generate business.
- Which online platforms should you use?
- How to find and identify people you should connect with.
- How to make a 'cold' approach and increase your chances of engagement.
- Developing your relationships and raising your brand.

Competencies: C1, C3 & D3

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



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

# A Partnership to be proud of

Liverpool-based law firm, MSB Solicitors, has collaborated with DWF Law to promote the power of collaboration in tackling diversity and inclusivity in the workplace, and is encouraging other businesses to follow their lead.

Since 2018, MSB has received mentoring from global firm, DWF Law, through a scheme run by the Law Society. Set up alongside the Solicitors Regulation Authority and Stonewall, the scheme offers small and medium law firms the opportunity to receive free mentoring on developing their approaches to LGBT+ inclusivity.

This ground-breaking firm mentoring scheme facilitates the sharing of good practice in the solicitor's profession, sharing best practice and providing guidance about creating an LGBT+ friendly workplace.

The mentors, all of whom are top performing law firms in the Stonewall Workplace Equality Index, provide their mentee firms with an average of two hours of free support and guidance every month. Firms are encouraged to share ideas and experiences, which will feed in to guidance the Law Society is looking to publish so as to benefit other firms.

As part of the scheme, MSB's managing partner, Emma Carey has taken personal charge of the relationship with DWF Law and has ensured that the whole firm is committed to making the mentoring scheme work. Through advice and guidance from DWF Law, MSB has adapted its approach to recruitment, helping to attract diverse applicants, making the firm a more inclusive place to work. The firm has also established an Equalities and Diversity Committee, with an LGBTQ+ sub-committee headed by Paula Mansfield, family solicitor and partner.

Emma Carey, Managing Partner of MSB Solicitors, said: "Pride is not just a celebration, it's symbolic of an ongoing struggle and a chance to stand together as one. I hope that our collaboration with DWF to tackle this issue and show solidarity, acts as a catalyst for other organisations to follow our lead. After all, we are stronger together."

Since the start of the relationship, the businesses have marched together at Manchester Pride. This year, they have held a Pride Connect event together with marketing firm Agent, bringing together Liverpool's business community to launch Pride in Liverpool, before marching in this year's parade.

Sarah Charlesworth, Diversity and Inclusion Manager at DWF, added: "Taking part in Pride and celebrating LGBT+ rights is an important reminder that businesses have a responsibility to take action, not just words. At DWF, we're delighted to connect with



**Sarah Charlesworth and Emma Carey at Pride Connect**

other businesses in Liverpool – recognising the power we can harness to progress LGBT+ equality together.

"Our partnership with MSB has been a fantastic way of sharing the experience and knowledge that we have gained over the years. Being able to pass this on to other firms is a fantastic way of supporting them to put initiatives in place, helping to create more inclusive and diverse workplaces."



**Members of MSB Solicitors at Pride Connect**

**Liverpool Law Society**

*\*\*Includes conferences\*\**

## Corporate Member Training Offer

Looking to make savings on staff training?

**Would you like to save up to 30% on training for your firm?**



**Well now you can with our Corporate Member Training offer**

Purchase 10 course credits in advance for only £800+VAT or purchase 25 course credits for only £1,800+VAT.

**Then simply book ANY of your staff, including all support staff, on a wide range of LLS events, assigning credits as required - easy!**

Any training event up to 3 hours in duration is 1 credit, anything over 3 hours up to one day is 2 credits, including our full day conferences.

**For further information or to apply, [click here](https://www.liverpoollawsociety.org.uk)**





# News from the WLD

## Gin & Beer Tasting, Love Lane Brewery 25th July 2019

On 25th July 2019 the MWLD hosted a Gin & Beer Tasting event at Love Lane Brewery.

We would like to say a big thanks to 7 Harrington Street for sponsoring our event.

Love Lane Brewery is in the heart of Liverpool's Baltic Triangle, in a renovated old rubber factory.

Guests arrived at 6pm and received tokens for 2 drinks and 3 beer or gin tasters. We had an introduction to the brewery just before 7pm which followed with a tour of the Gin Distillery and Brewery. The tour was informative as we discovered the history of Love Lane beers and their brewery.

After discovering how their beer is made, each guest took part in either a gin/beer tasting session. There was also a fun filled quiz following the tour and guests were provided with clues along the way.

At 8pm guests received proper chip butties, spinach, chickpea and sweet potato sausage rolls and buttermilk fried chicken with fried onion mayo. We then finished off the night announcing the winner of the Quiz, Joshua Baker who received a Love Lane Brewery voucher entitling him to a 3 course meal, gin or beer tasting session and a tour of the brewery for two people. There were also smaller prizes of prosecco, free drinks and free tasters given away by a draw to some lucky winners.

Thanks to all those who attended this fantastic event!



## Charity of the Year

The WLD are supporting Help for Heroes for 2019-2020. There will be opportunities throughout the year to give donations to the Charity at all of our events.

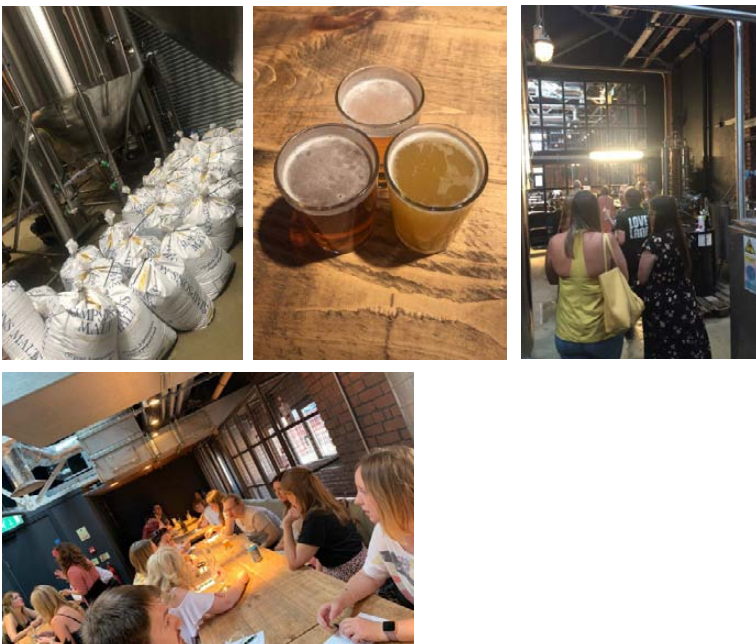


## What's Coming Up?

We have many more events planned throughout the year. Our August event is being finalised and details will be shared on our social media shortly.

Our July event was a sell out so make sure you keep an eye out on our website, social media and future issues of Liverpool Law for further details about our upcoming events.

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



# Merseyside Landmarks

## We are back to the Wirral this month and take a look at Hamilton Square in Birkenhead...

Hamilton Square in Birkenhead has the most Grade I listed buildings outside of London. It boasts 62 Grade I listed buildings and Birkenhead Town Hall is Grade II listed. Designed by Edinburgh architect, James Gillespie Graham, the Georgian square was commissioned by William Laird, the Scottish shipbuilding magnate. The Square was named after his mother-in-law, Mary Hamilton.

The population of Birkenhead was just 110 in 1801, but when Laird established a boiler works and then a shipbuilding yard, the population grew to almost 3000. Laird then commissioned James Gillespie Graham to build the Square which would become the focal point of the growing town.

Laird wanted Hamilton Square to be designed along the same lines as Edinburgh, with wide avenues and Georgian town houses lining the street and Birkenhead's first market was established on the Square.

Hamilton Square is now a conservation area and a number of plaques record significant events. Just off the square on the corner of 22 Argyle Street and 1 Price Street a green plaque commemorates the large number of Irish migrants who came to Birkenhead during the Famine of 1845-52. No 63 Hamilton Square was home to John Laird (son of William Laird) who became Birkenhead's first Member of Parliament. He served from 1861 to 1874 and was also Deputy Lieutenant of Cheshire and Justice of the Peace.



At 42-44 Hamilton Street, another plaque marks the home of Sir Henry Tate, the sugar refiner, and this was also the location of his first grocery shop.

Born in Chorley, Henry Tate moved to Liverpool when he was just 13 and became a grocer's apprentice in Liverpool. By the age of 20 he had served a seven-year apprenticeship and set up his own grocery store which he had expanded to six shops by the age of 35. In 1859 he sold the grocery business and became a partner in John Wright & Co a sugar refinery. Ten years later he took control of the company and renamed it Henry Tate & Sons.

Tate was a millionaire, but also a philanthropist, making frequent donations to numerous charities and educational establishments, including Liverpool University and the Hahnemann Hospital in Liverpool. The Tate Britain is named after Sir Henry. He donated his collection of paintings and £80,000 towards the cost of construction of the gallery.

In 1883 work started on the construction of Birkenhead Town Hall. The building was designed by the architect, Christopher Ellison. The building was constructed of Scottish granite and sandstone from Storeton and was completed in 1887.

The designs for the Town Hall included a council chamber, offices, with a concert hall and function rooms known as the Assembly Rooms. The clock tower which dominates Hamilton Square is 200 feet tall and has four faces. A fire in 1901 damaged the clock tower and it was rebuilt and the new design included a stained glass window which depicts the visit of Edward I to Birkenhead Priory in 1277.

At the rear of the Town Hall was Birkenhead's Magistrates' Court which is now known as Wirral Magistrates Court.

The centre of Hamilton Square includes the Cenotaph and a statue of John Laird. He died at the age of 69, after a riding accident and is buried in the grounds of Birkenhead Priory. The statue was sculpted by Albert Bruce-Joy after an appeal was made for donations. When the statue was unveiled in 1877 over 2000 people joined the ceremony.

**Julia Baskerville**



MR. JOHN LAIRD, OF BIRKENHEAD.



**Attend as many of the below as you would like, plus MORE**  
**for only £395 plus vat with our**  
**2019/20 Training Season Ticket - MEMBERS ONLY OFFER**

For details see: <http://www.liverpoollawsociety.org.uk/society-news/latest/good-news-training-budgets>

<b>S Code</b>	<b>Date</b>	<b>Time</b>	<b>September 2019</b>	<b>Speaker</b>
<b>S4373</b>	<b>3rd</b>	<b>1.30-4.45</b>	<b>Costs Reforms Update</b>	Professor Dominic Regan & David Pilling
S4219	4th	10-4	From SRA Handbook to the new Standards and Regulations	Jo Morris
S4191	6th	10-4.30	Probate, Administration & Court of Protection: A Practical Guide	Safda Mahmood
S4152	11th	9.30-4.15	<b>2019 Residential Property Conference</b>	various
S4331	13th	1.30-4.30	How to Avoid Procedural Death-Update on Limitation, Service & Court Fee Traps	Jeff Zindani
S4372	17th	10-12.15	Creating a culture of Cyber Awareness	Tom Lyes
S4328	17th	2-4.15	A review of the significant case law that every Court of Protection practitioner 'needs to know'	Rachael Clark
S4252	18th	10-12.45	Road Traffic Law for Criminal Practitioners	Colin Beaumont
S4253	18th	1.30-4.30	Abuse of Process / Hearsay / Bad Character	Colin Beaumont
S4374	19th	9.30-12.45	Crypto assets and Estate Planning	Leigh Sagar
S4204	20th	1.30-4.30	Contract and Commercial Update	Chris Beanland
S4325	24th	9.30-12.45	Land Registration for Residential Conveyancers	Ian Quayle
S4153	25th	9.30-4	<b>2019 Family Finance Conference</b>	various
S4370	27th	9.30-12.45	Grow your LinkedIn network and generate more clients	Rachel Tombs
S4371	27th	1.30-4.45	Networking – Online and Offline. Working the room physically and digitally	Rachel Tombs

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

## INTERACTIVE

Practice  
management &  
accounts software

## PINPOINT

Outsourced  
cashiering  
using Interactive

## PRECISION

Outsourced cashiering  
on any software

## PAYROLL

Outsourced  
payroll service

## BOOKKEEPING

Outsourced  
bookkeeping service

## TYPE

Outsourced  
typing service

Don't puzzle - choose Quill

0845 226 2587 | [info@quill.co.uk](mailto:info@quill.co.uk) | [quill.co.uk](http://quill.co.uk)

 **QUILL**  
*accountable to you*