

LiverpoolLaw

July 2019

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



**Nina Ferris is elected
Law Society Council
Member for
Merseyside**



Leadership and the Law

This month we feature
Julie Mogan of Excella Law



Obituary

**His Honour Judge
Peter William
Gordon Urquhart**

Liverpool Legal Walk 2019



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Liverpool Legal Walk

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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

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

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

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Welcome to the July 2019 edition of Liverpool Law



Jennifer Powell
Editor

editor@liverpoollawsociety.org.uk

This month you will see the pictures of the wet evening for the Legal Walk. Well done to everyone who got involved, it may have been a grim evening but spirits were certainly high.

The funds raised will help people access services which they would otherwise go without due to their financial circumstances. These are extreme cases involving some of the most vulnerable in society and we need to do all we can to help.

To assist with this Liverpool City Council have now provided funding for a working project on access to justice. This is in the very early stages, if you would like to get involved please get in touch. The working party are interested to hear from all those who complete pro bono work, including 30 minutes free advice etc. When successful, will be yet another pioneering project led by Liverpool Law Society and hopefully the rest of the Country will follow suit.

This leads me onto Charlie Jones' challenges which he set for LLS at the Legal Awards and now in his very last article. Charlie has represented the interests of our members for many years as Council representative and he is proud of the fact that LLS have led the way on many matters over the years.

Charlie's first challenge is looking after the mental health of our junior lawyers. This is a hot topic at the minute and you will have seen the larger firms training up mental health first aiders over recent months. LLS are on board with this and have a training course on 15 October 2019 to assist smaller firms and anyone else interested in being trained up.

It is Charlie's challenge on climate change that I would like to accept, with your help. It is the ultimate challenge, one I'm sure many won't take on lightly and it seems something we are quite far from in terms of turning down work. But I think with baby steps we could get there, and get our clients on board with us so we don't have to take this extreme step.

I was astonished to hear on the news recently that over 50% of the packaging used in supermarkets is not recyclable. 50 PERCENT. Surely in 2019 there is something simple we can do about this?

So maybe this month have a look at the packaging when you are doing your shop and picking your lunch. Select loose fruit in a brown paper bag that you will actually eat instead of multi packs in plastic wrapping, this will also reduce food wastage and your pocket- win win!

So baby steps, all ideas welcome, maybe we can feature a climate change corner every month? Some suggestions of what we can do at home and in the office. As always this is your magazine, so let us know what you would like us to feature.

Until next month.

Jennifer Powell
Solicitor
Weightmans

Editorial Committee Dates

All meetings start at 1pm

Tuesday 16th July
Tuesday 20th August
Tuesday 17th September
Tuesday 15th October
Tuesday 19th November
Tuesday 17th December

Diary Dates

| | |
|----------------|---|
| Thurs 11 July | GC & local councillors' meeting |
| Thurs 11 July | Professionals' Dinner in conjunction with the Chartered Institute for Securities & Investment |
| Saturday 7 Sep | Joint Walk with Cheshire & North Wales Law Society |
| Weds 11 Sep | Residential Property Conference |
| Weds 25 Sep | Family Finance Law Conference |
| Weds 9 Oct | Employment Law Conference |
| Thurs 17 Oct | Joint V (Liverpool) |
| Fri 18 Oct | Summit Meeting with MPs, PCC, Lords & GC |
| Thurs 7 Nov | Annual Dinner |
| Thurs 14 Nov | 6-8pm Social with the University of Liverpool |
| 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 July
22nd August
25th September
25th October
25th November

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



President's Mentions

It seemed a good idea to move the Liverpool Legal Walk to a summer's evening in June from its traditional autumnal slot. How wrong we were ... as the photos elsewhere will show it was a night when Noah would have felt at home in his ark. It was the wettest walk we have ever had in the eight years they have happened. The turnout however was amazing with lots of brollies being paraded around the city as we braved the elements to raise money for the North West Legal Support Trust. Particular mention has to go to Steve Cornforth who wore a Liverpool shirt for the occasion much against his principles and as a consequence raising close to £900 at the time of writing. It all goes to show that in this city access to justice is still a priority and long may it remain so.

As President I have been saddened over the last month by the deaths of two former members of the society and great characters. His Honour Judge Peter Urquhart was well known in the legal community as a founder of the specialist law firm Urquhart Knight and Broughton – now part of Morecrofts. Peter became a well-respected judge where he practiced, mainly in the family courts, before retiring in 2001. The other sad news was the passing of Neil Cobley, a familiar figure in the criminal courts in Liverpool and beyond. Neil was the founder and former managing partner of Cobleys.

The General Committee meeting in June was addressed by Professor Michael Dougan from University of Liverpool. He is one of the country's leading experts on the legal implications of Brexit. His talk was somewhat scary as he exposed the almost complete lack of preparedness of the country to leave the European Union. There is still no clarity as to how the United Kingdom will work now that there is devolved government in Scotland, Wales and Northern Ireland; how it is proposed that there will not be a customs border between Eire and Northern Ireland when that is how the world works. There are thousands of pieces of legislation that need to be amended and now almost no parliamentary time before 31st October and no guarantee of a delay to that date even if we want one... The Law Society is providing regular updates to members which will be valuable to members whose business is impacted or likely to be so. <https://www.lawsociety.org.uk/support-services/brexit-and-the-legal-sector/>

As a local Law Society we want to be involved in shaping the way in which the law develops. One of the ways in which we do this on a regular basis is to respond to government consultation papers. Our most recent submission was made on the proposed expansion of the Fixed Recoverable Costs regime. Alum Ullah and our Civil Litigation Committee have spent many hours trawling through the proposals to prepare a balanced and considered response. The government appears to have had little by way of evidence when making the

proposal on the level of fees so it is hoped that they will heed the representations made to them to pause and refine a scheme which could have a yet further damaging effect on access to justice. If you come across consultations that you think we should be responding to as a society do let us know and we can make sure that we are not missing opportunities to make our voice heard.

Last month Sarah Poblete and I attended the Law Society's annual Presidents and Secretaries Conference. It is always encouraging to hear what other local societies are doing. Sarah has written her report which appears later in the magazine. What is clear is that the Law Society are seeking to revamp their "membership offer" as they recognise the threat of losing part of the practising certificate monies which goes to fund their work. They have recently carried out a survey of member so it will be interesting to see what comes out of the review.

One of the crucial roles of the Law Society nationally is to make sure that the professions concerns are heard by government. We hosted the Criminal Justice Roadshow here in Liverpool at the end of June. This comes at a critical time for the criminal justice system which is widely acknowledged to be at, or beyond, breaking point. There are a number of ongoing reviews and consultations which will affect the way in which criminal justice looks in the very near future.

The Roadshow heard from Jelena Lentzos Head of the Criminal Review team at the Ministry of Justice. As a civil servant she could give no promises as to what will happen as a result of the review. However we were assured that criminal practitioners would hear very soon about their Legal Aid Agency contracts.

The Law Society have launched a campaign focusing on the lack of duty solicitors, the restrictive nature of Legal Aid, the problems with closing courts, the lack of proper disclosure and the increasing inefficiencies in the system which means that justice is often being delayed if not denied completely.

For those of us who do not work in the criminal justice system this may seem unimportant or remote. However who knows when it might be us or someone who we know that becomes involved? As a society we have an obligation to make sure that our justice system is fit for purpose. More details are on this link which I urge to read and then sign the petition. <https://www.lawsociety.org.uk/policy-campaigns/campaigns/criminal-justice/>

Chris Topping
President

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Helix Highlights

Presidents' & Secretaries' Conference 2019

I attended this event along with the President of Liverpool Law Society, Chris Topping. It was a good opportunity to hear the latest from the Law Society about their top campaigns, events and activities as well as meeting many of the 42 local Law Societies' representatives who were in attendance from across the length and breadth of England & Wales. My report from the conference appears later in this edition.

Justice First Fellowship – Merseyside Consortium update

As you may have seen from my column in the June 2019 edition of this magazine, Liverpool Law Society is keen to encourage the local legal sector to support and promote the Legal Education Foundation's Justice First Fellowship scheme. Two JFF trainees are currently working at the Merseyside Law Centre where they provide social welfare law, debt and housing advice to those who are most in need.

In order to fully fund the JFF scheme in Merseyside, we need to raise an additional £25,000 over the two years of the training contract. We are putting a plea out there to firms across the region who may be able to support this scheme. So far two law firms have signed up to the scheme and so we have the beginnings of a Merseyside consortium. Will you join them? To find out more about the scheme, please contact me or the **Legal Education Foundation** direct.

Looking for new Directors

Becoming a director and member of General Committee is an opportunity to shape the future of one of the most active local Law Societies in England and Wales. You will make professional contacts and friends, learn about issues facing the profession and other areas of practice, both your own and

from outside your area, and work shoulder to shoulder with other legal professionals, regardless of status and seniority.

We would like to have a Committee which is as representative as possible of the wide membership the Society encompasses. All members of the Society are eligible for election to the General Committee.

Please do have a think if Liverpool Law Society is an organisation you could, and would, like to get involved with. I can put you in touch with one of the current or past directors who will be able to tell you more about the role and their experience with LLS. You have some time to think about this.

The AGM is not until 25 November although candidates who wish to stand for election to become a director of Liverpool Law Society must complete and return the nomination form in October.

Research Project in conjunction with the University of Liverpool and Liverpool City Council

A project is shortly to commence with the aim of increasing access to justice in Liverpool. It is pleasing to know this has come about due to contacts made from attendees at Liverpool Law Society's Access to Justice Committee meetings and the Joint Forum on Access to Advice. The aim is to increase the evidence base of the impact of legal aid cuts and welfare reform in Liverpool, identify legal help provision in Liverpool, and increase its effectiveness in the medium to long term through improving networking and referrals within and across sectors, and developing training capacity. The lead partner will be University of Liverpool, School of Law and Social Justice. Over 12 months 2 people will be employed to manage and coordinate the research, mapping and networking aspects of the project.

Resources will be funded through Liverpool Council, the University of Liverpool, and supported by existing providers of legal help. The President of Liverpool Law Society will chair the Steering Committee and I will sit on this committee too.

Legal Training

The Society arranges a year-long legal training programme. Many of the forthcoming training events appear in this edition and a full list is available on our website here. Our Director of Education & Training is always keen to receive feedback and suggestions for future events or speakers so do please get in touch with Jo Downey who will follow up every enquiry or comment.

Annual Dinner 2019

Looking ahead, tickets have gone on sale for Liverpool Law Society's 192nd black tie Annual Dinner which is taking place on Thursday, 7th November 2019. We are delighted to announce James Timpson OBE, Chair of the Prison Reform Trust, will be a guest speaker at the Dinner. James has been Timpson Chief Executive since 2002 after taking over the role from Sir John Timpson. Timpson has over 1,750 branches nationwide. Working closely with the prison service, Timpson's are able to identify potential candidates within prisons who have the right kind of personality to make it on release working within the business. It's a closely managed process from selection, training and mentoring up to release, with the opportunity to secure employment with the company from walking out the gates. 10% of Timpson colleagues were recruited directly from prison.

Away from Timpson, in his role as Chair of the Prison Reform Trust, James uses his considerable experience to steer this charity. The Trust has a strong track record of driving changes in policy and practice. The Prison Reform Trust (PRT) is an



Sarah Poblete
CEO

independent UK charity working to create a just, humane and effective penal system. The Prison Reform Trust's main objectives are:

- reducing unnecessary imprisonment and promoting community solutions to crime
- improving treatment and conditions for prisoners and their families
- promoting equality and human rights in the justice system.

The Dinner is sure to be a magnificent occasion, held in the Garden of Eden at the Shankly Hotel so do book your table soon. Further details appear on page 9 of this edition. We hope to see you there.

I am always keen to hear from members, readers and delegates 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
0151 236 6998 Ext 30

Criminal Justice Roadshow

The Criminal Law Roadshow took place at Liverpool Law Society on Monday 24th June 2019, staff from across the Law Society lead the session, including our head of Justice, Richard Milller, Ian Kelcey, Co-Chair of the Criminal Law Committee, Vicki Butler Campaigns Manager and Jelena Lentzos from the Ministry of Justice.

We all know that our criminal justice system is at breaking point. Due to years of underinvestment it is facing an avalanche of problems, such as growing shortages of duty solicitors, court closures barriers to accessing legal aid, current fee structure which does not support a sustainable business model and driving a recruitment and retention crisis within the profession.

There are Deserts up and down the country where courts have closed, with no solicitors based in the area; recruitment of newly qualified defence solicitors is diminishing due to the role being undervalued by the state; a large proportion of defence practitioners up and down the country have joined the CPS because they offer newly qualified solicitors £15,000 per annum more than most solicitor firms can offer, in addition to flexible working hours, sickness pay, private health care, generous payment for attending Saturday Courts and a private pension which cannot be matched by private practice. Firms are reluctant to invest in training someone for a minimum of 2 years for them to leave for the CPS as soon as they qualify. The majority of duty solicitors are aged over 50 and with no newly qualified solicitors coming through the system.

In the past, the issues and concerns raised by defence practitioners have been met with a brick wall so most of us who attended the Roadshow were cynical to say the least. However, we are told that there is a "change of mood" and an acceptance that something has to be done.

The Law Society has been making the case to Government for increased spending on criminal justice to help fix the broken system, but need our help.

Ian Kelcey, Co-Chair of the Criminal Law Committee agreed to have someone from the MoJ to "Shadow" him to find out what the average day/night involves as a criminal practitioner. Ian reported that when the person left, he was mentally and physically exhausted, saying that his eyes had been opened to the reality of being a criminal defence practitioner.

The Law society are looking for firms to become involved. They have numerous firms up and down the country who have volunteered, including firms in Liverpool. They now need a firm in Bootle and Wirral. Ian assured us that it does not involve any extra work at all, the person will literally be a "Shadow".

If you want to discuss this with Ian before volunteering, he can be contacted via email:

ian.kelcey@kelceyandhall.co.uk

Any firms wishing to take part are asked to contact Vicki Butler Campaigns@lawsociety.org.uk

Clients being 'Released under investigation' is causing problems for clients and practitioners alike which we are all well aware of. We are asked to provide actual case studies where there have been clear breakdowns in the system or miscarriages of justice.

Please email details to **Vicky.Campaigns@lawsociety.org.uk**

There is no oversight as to who is released under investigation, what offences or how many people who are still waiting for a decision to be made. We will also make a request for this data under the Freedom of Information Act.

It is the Law Society's intention to involve the local media/press/radio to highlight the issues.

The meeting went on for almost 3 hours and a lot of information was exchanged. For full details please visit **www.gov.uk/guidance/criminal-legal-aid-review**.

We are all asked to watch the Youtube video to obtain as many "hits" as we can at **<https://youtu.be/xuTBXvcuMds>**

It is important that we all take this opportunity for our issues and concerns to be heard whilst there is a "change of mood"

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

Eileen Chisnall

Chair

Liverpool Law Society Criminal Practice Committee

MOJ shadowing request to criminal legal aid lawyers

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.

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

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**.

News from the Sub-Committees

Email: committees@liverpoollawsociety.org.uk with any queries or comments

Family Law Sub Committee

The Family Sub-Committee of Liverpool Law Society met on Thursday 13th June.

The Committee discussed the recent encouragement to use telephone hearings in family proceedings. Despite this encouragement being given there was no experience of anybody on the committee having been involved in a telephone hearing other than on one occasion when the parties were all in court and the Judge was not. The Committee remain interested in the use of telephone hearings in family court proceedings and this is something that will remain on our agenda for consideration and evaluation at the next meeting.

Messages from the court have also been received that the number of hearings in care proceedings needs to be reduced. The committee discussed the public law outline envisaging that there would be four hearings in a care case. The perception of committee members was that had been increased with Judges becoming more willing to list a case for review where beneficial. The court had indicated that a more robust approach to listing will be introduced moving forwards.

The court has also reminded family court users of the protocol in respect of re-timetabling cases using C2 applications. The protocol requires a C2 application together with a fully signed consent order of all the parties were appropriate and applicable. This reduces the need for a court hearing and saves court time.

In respect of financial proceedings, committee members expressed that there has been no perception of change since the family finance

changes at court came into affect. Meetings now take place at court with a family finance committee who will address this and feed back at our next meeting to the committee.

On a positive note, our committee heard that our Designated Family Judge, has committed to allowing financial remedy hearings to be listed for the next hearing whilst the parties are in court rather than listing when the order is drawn up. This is a current difference between the way children hearings are listed. This development was very much welcomed by those on the committee who specialise in financial remedy work.

Finally, a new consultation paper on support for victims of domestic abuse in safe accommodation was brought to our attention and will be considered over the course of the next few weeks.

As always, our meeting was of value and interest to our committee irrespective of the type of family work that they practice. We welcome expressions of interest to join our committee by all Law Society members and would invite anybody that wishes to attend to express their interest to Liverpool Law Society. We will next meet on 10th October and I will take this opportunity to thank my committee members for their input and attendance at these meetings.

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



New build Issues for conveyancers

with Richard Snape
on Tuesday 16th July, 9.30am - 12.45pm

The newbuild market is becoming a major area of conveyancing and is undergoing various fundamental changes. In particular, ground rents, which are causing major problems and Help to Buy is a complex area which is being met frequently and is in the process of change. Merseyside is designated as one of the first starter home areas.

Topics include:

- Ground rent issues, CML guidance on ground rents and government consultation on ground rents
- Planning permission issues
- Problems in relation to easements and transfer of part
- Current issues in relation to NHBC
- Community Infrastructure Levy and its effect on the purchaser
- Issues in relation to planning conditions
- Extended completion dates
- The validity of professional consultant certificates after Hunt v Optima

Competencies: B

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

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Divorce & Financial Orders Certificate

with Safda Mahmood
on Friday 12th July, 10am - 4pm (lunch included)

The course will be of benefit to those delegates who seek to put the theory of family law into practice. It will be of assistance to those who are new to this area of law and those who want a refresher.

The areas to be covered are:

- Domicile, Habitual Residence and Nationality
- How Can a Marriage be ended? Breakdown of Marriage
- Void and Voidable Marriages
- Law of Divorce Various Facts
- Bars and Judicial Separation
- Divorce Procedure and On line Divorce
- Children and Families Act 2014 Changes to Divorce Procedure
- Public Funding in Family Cases
- Drafting the Divorce Documents
- Financial Orders
- Type of Order and Procedure
- Financial Order Procedure Family Procedure Rules
- Criteria for Financial Orders
- Consent Orders

Competencies: B & C

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



The Last Post



Charlie Jones

I cease to be one of your joint Council Members at the up coming Law Society AGM in July , to be held at Law Society Hall in Chancery Lane. It has been an absolute pleasure to try and be of help over the last 10 years. I would like to take this opportunity to record my thanks to everyone for having me!

I am really delighted that I will be succeeded by the Immediate Past President of the Liverpool Law Society, Nina Ferris . An excellent choice by the Membership , so well done . I have every confidence that Nina will represent you to a very high standard , and apply all the qualities she displayed and showed us in her Presidential year. Good Luck , Nina , although I am certain you will not need it. I am sure that you and Sarah Lapsley will do an top job . The Members are lucky.

I would also like to take this opportunity to thanks the Liverpool Law Society for the very kind Lifetime Achievement Award bestowed on me at the recent Liverpool Law Society Excellence Awards. That is a very great honour and an honour I appreciate greatly. Awards are not an item I have gathered with any great number over my career , so to receive this Award means a lot – and from such a great local Law Society. Thanks.

To end this small note, I would like to urge the Liverpool Law Society to consider really fronting up on two issues. The first is looking after our junior lawyers, who I believe, and the evidence supports this, are under much stress in pursuing their careers, much more than lawyers of my age ever were. The demands on them are much greater. However, they are loath to admit it for fear of being identified as

weak, or not made of the right stuff, or whatever . Please keep an eye out for this, and be sympathetic. Look out for your colleagues and be willing to help if they might be in difficulty. Contact Lawcare to see what can be done. And of course this is not just for Junior Lawyers - it affects lawyers of all seniority.

The second thing is the Carbon footprint. I firmly believe that our profession can take a lead in identifying how we, and our clients, and our suppliers, can improve on what we can do in this regard. The Liverpool Law Society could set up a group to focus to address it. It is a subject of world wide concern. Our profession could earn much respect with the public by not only being seen to be taking a real interest in what can de done, but actually doing it. I believe this is a real opportunity. For example, we should not be taking clients, or appointing suppliers, unless we are satisfied that they are meeting standards we set for ourselves: I.E....do not take clients/suppliers for financial advantage UNLESS they meet standards that we set.

That is all I have to say. Thanks again for having me and for the Award. I wish LLS all the best in the future and look forward to hearing of great achievement.

Charlie Jones.
Retired Solicitor from Weightmans LLP, and soon to be Former Co Council Member for Merseyside and District.

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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](#)

Nina Ferris elected new Council Member for Merseyside and District

Nina Ferris, past President of Liverpool Law Society will be elected unopposed at the Law Society's AGM this month. Nina will take over from Charlie Jones as one of the council members for Merseyside and District alongside Sarah Lapsley.

Nina Ferris, the immediate Past President of Liverpool Law Society will be joining the Council of the Law Society at the AGM in July. Nina has taken over the seat from Charlie Jones who has retired from practice.

Hailing from Oldham, Nina joined Cuff Roberts as a trainee solicitor in 2003 and qualified in 2005 when she started to specialise in commercial litigation. Nina has been based in the Liverpool office of Hill Dickinson since 2010 and was promoted to Legal Director in 2014.

Nina now deals with contentious trusts and probate disputes, partnership, shareholder and warranty disputes and general commercial dispute resolution. Nina is an affiliate member of STEP and works closely with the firm's Private Client and Commercial teams.

Despite being a busy lawyer and mum to Antonia and Francesca, Nina says that when Charlie approached her about taking over the Law Society Council seat for Merseyside, she agreed to fill his vacancy for the next twelve months until his term ends, to get an idea of the role for future terms.

She says "I want to maintain the relationship between Liverpool Law Society and the national Law Society. It is important that we work with the Law Society on their campaigns and promote them locally. Some of them are very important to members of Liverpool Law Society. Charlie Jones has been a fantastic Council Member for the past 10 years, and has really engaged with members, attended local law society dinners and meetings all around the North West as well as sitting on a number of Law Society Boards and Committees. Charlie really has raised the profile and standing of Liverpool Law Society and the legal profession in Merseyside at a national level."

"I have been involved with Liverpool Law Society for many years, and am delighted to be able to represent Merseyside solicitors at a national level. I want our members' voices to be represented and heard and I think over the years I have developed an insight into the issues that are important to our members. I think it is essential that the Council of the Law Society is reflective of the people it represents and is conversant with the issues that practitioners face on a daily basis. I also believe that the Law Society has been very London-centric and want to show that solicitors in the regions have similar problems, but also have much to contribute."

Nina will attend an induction and meet the other new council members from the regions and specialist groups before attending her first Council meeting. She says "I am interested to discover more about the Council and what it does and finding out what the good things are. I see my role as making our members aware of the work and relevancy of the Law Society, but also ensuring that Merseyside has a voice at a national level. I look forward to working with Sarah over the next year and I am sure I will benefit from her experience of being on Council as well."



Nina Ferris



**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.

All Change at the Law Centre

Vauxhall Law Centre has been undergoing major changes in recent months. We have recruited a Solicitor, Ngaryan Li, who previously worked at Greater Manchester Law Centre, to work alongside David Taylor. In addition, we have also recently two new Board Members who will bring their valuable skills to the Board at Vauxhall Community Law and Information Centre. Julie O'Hare the Vice President of Liverpool Law Society and Defence Team Manager at Carpenters Solicitors and Dr Samantha Currie, Senior Lecturer / Associate Head (Law) School of Law and Social Justice, University of Liverpool.



Julie, Ngaryan and Sammie getting down to business

Meet the New Vauxhall Law Centre Team, Liverpool Legal Walk.

Vauxhall Community Law & Information Centre were proud to take part in the Liverpool Legal Walk 2019 to raise money for the North West Legal Support (NWLST) which funds local advice services. We have in recent years been beneficiaries of financial support from the NWLST. Our new staff Ngaryan Li and Nancy Hatzenboer will be joined our Team, We were also delighted to have Tom McLoughlin, a student volunteer at the Law Centre, who is also President of Liverpool Universities Bar Society. It is still possible to donate to this worthy cause but be quick, the online page

closed on 15th July 2019. Donations can be made by following the link below, thank you.
<https://uk.virginmoneygiving.com/VauxhallCommunityLawInformationCentre>



Vauxhall Community Law and Information Centre Team.

L to R Alan Kelly, Nancy Hatzenboer, David Taylor, Bill Armstrong, Ngaryan Li, Warren Li, Tom McLoughlin

Can you help us?

We are looking to develop our services in future. We need items of equipment such as office furniture, PC's, mobile phones etc. we would be delighted if you or your company could offer us any help in this area.

In terms of our work we concentrate on providing welfare benefits and debt advice at the moment and will be looking in the future to develop our provision to include a variety of new areas of work such as pro-bono work, human rights, housing, immigration, mental health issues etc. We are also currently developing our links and opportunities for partnership work with other third sector providers and other sectors, if you are interested in the potential for joint work with us, please contact us.

The Law Centre is changing rapidly and is looking for support in the development of the organisation in future. Please consider joining our Management Committee. The board

which meets bi-monthly and the meetings last for less than an hour normally. We would appreciate it greatly if you would consider applying to us to be a member of our board and are happy to talk with anyone who could possibly offer support for our work. We are on the up now after struggling to survive in recent years, we would make you very welcome.

If you would like further information or would like to visit us at Vauxhall Community Law and Information Centre, please get in touch with us, via Alan Kelly and we can arrange. The email address is alan.kelly@lawcentre.vnc.org.uk and the telephone number is 07733223440.



Board Meeting Vauxhall Community Law and Information Centre June 2019



News from Merseyside Law Centre

Fighting for equality through social justice to combat poverty & homelessness

Merseyside Law Centre (MLC) is delighted to be making the first of our regular contributions to the Liverpool Law Magazine. MLC was established in 2016 following the demise of Merseyside Welfare Rights (MWR), which had delivered social welfare law advice and representation to the people of Liverpool for almost 40 years. MWR unfortunately fell victim to savage Legal Aid cuts and decreases in funding from a cash strapped Liverpool City Council.

From our modest beginnings MLC continues to grow, now employing 10 full and part-time staff. Despite the on-going challenges faced by the advice sector and charities in general, MLC has ambitious plans to ensure we are at the forefront of delivering access to justice in Merseyside. We aim to be a hub for the delivery of as many services as possible. We offer Welfare and Housing advice assistance and Court and Tribunal representation at our Bold Street and Dovecot offices and deliver services at several outreach venues. In September 2018 we secured a further Legal Aid contract to deliver Housing Advice in St Helens, Halton and Warrington. We host projects such as a Greater Manchester Immigration Aid Unit (GMIAU), SHAP's Advocacy Works and Help Through Crisis/Changes projects and provide Welfare and Housing Advice for Probation/NHS Trust's innovative Resettle project. We offer a high standard of placements for students & volunteers, who assist in providing advice, representation & support to the public.

MLC NEWS

Justice First Fellowship

MLC are currently hosting two, much sought after, Legal Education Foundation Justice First Fellows Tom Lavin and Siobhan Taylor-Ward. Tom began his training contract with Merseyside Law Centre in January 2019. He has an interest in Tenant Rights and Homelessness and has been involved in Tenants Union UK campaigns to improve protections for private renters and increase the provision of Social Housing in Manchester. Siobhan's passion is fighting for access to justice and helping vulnerable, disadvantaged people to access high quality legal advice and representation. She is also committed to the fight to protect the future of the legal profession.

Local law firms Weightmans and Brabners have generously pledged to help fund our Fellows. Thank you to both firms for their generosity and support. We are reaching out to other local firms to also make a contribution so we can continue helping the next generation of social welfare lawyers to receive the training they need. If you would to join the list of local firms supporting our Fellows please email sophie.brown@merseysidelawcentre.co.uk

Liverpool Legal Walk Fun

Merseyside Law Centre were delighted to take part in The Liverpool Legal Walk on June 11th, despite the decidedly miserable weather! We walked to raise funds for the North West Legal Support Trust who

fund local advice services like ourselves, helping the most vulnerable people in society. MLC have raised £190.00 so far and are hoping to have a few late sponsors, contributing to this extremely worthy cause. The link to our sponsorship page is [here](#)

Thanks to everyone who has sponsored us so far.

#Hostile Environment

Earlier this year, along with other Law Centres across the country, MLC received a grant from the Guardian Christmas Appeal Fund. Their appeal focused on supporting organisations that defend the rights of victims of the UK's 'hostile environment' and whose lives are disrupted by the UK's hostile immigration system. We are now delivering our Migrant Advice and Representation project, representing EU migrants who are challenging UC decisions and need help securing or retaining accommodation. This will hopefully make a real difference to many immigrant's lives across Merseyside so a big thank you to the Guardian for their ongoing support to those fighting daily for social justice. For other organisations were granted funding and you can read about the work they do [here](https://www.theguardian.com/society/2018/dec/07/guardian-and-observer-appeal-2018-our-chosen-charities)

As the cuts to Legal Aid continue to bite, we share the legal community's concern and see at first hand the devastating effects this can have on families and individuals suffering hardship. MLC will continue the fight to provide greater access to justice for people in Liverpool and the wider Merseyside area.

Volunteer opportunities

MLC would like to strengthen and develop our governance and aim to recruit new Board Members/Trustees in 2019-20. Please contact us if you think have the talent and skills to help us grow our organisation.

MLC have recently implemented a new case management system and we are seeking a volunteer to assist with data transfer and other tasks in our administration department. If you have excellent IT skills please apply.

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 or call us on 0151 709 0504

Social Media

Follow us on social media

Twitter: [@MerseyLawCentre](#)

Facebook: [Merseyside Law Centre](#)

Changing Free Legal Advice in Liverpool

Cuts to legal aid and local authority budgets have hit the availability of free legal advice in Liverpool hard. At the same time, there are increased demands on advice agencies due to a range of austerity-led reforms, particularly the welfare reforms. As a result, Liverpool City Council has funded an exciting new 'Access to Justice Network and Research' project. Its aim is to combat and understand some of the worst impacts the cuts to free legal advice have had on service providers, communities and people's lives. The resulting access to justice strategy and enhanced legal advice network will place Liverpool at the forefront of developments in legal advice provision in the UK.

A University of Liverpool project last year showed that the cuts to civil legal aid and other sources of free legal advice mean that thousands of people are unable to resolve legal issues, or there is delay in their resolution. In turn, this leads to financial, mental and physical health, and emotional issues. A significant number of people have multiple legal issues at once that combine to exacerbate problems and lead to the most serious possible consequences, such as homelessness and suicide. This new project seeks to address the lack of legal advice through research, practitioner engagement and network development.

The first stage is to map the existing free and legal aid funded providers in the private, public and third sectors. This will highlight the strengths and weakness of legal advice in all the different wards in Liverpool, and start by talking to all organisations that provide advice, legal or otherwise, across the city. Researchers at the University of Liverpool will lead this work.

The second stage will be to develop the existing network of legal advice providers, and their links to other organisations, in Liverpool. Two specific activities, led by a third sector organisation,

will aim to achieve this. First, the project will develop an integrated referral system that engages advice providers from all sectors. This will increase the effectiveness of the remaining advice services through a stronger referral network in Liverpool. Second activity is to identify and maximise training opportunities across the different sectors in all areas of civil law.

The third aspect of the project is the research in to the impact of the legal aid and other austerity related cuts, and welfare rights reforms. This will provide evidence to challenge policy in these areas and inform future decision about legal advice provision in Liverpool.

The partnership between the School of Law and Justice at the University of Liverpool, third sector organisations, and the Liverpool Law Society and its members is a particular strength of the project. This partnership brings together all sectors involved in providing free legal advice, and should ensure a longer-term impact beyond the life of the project.

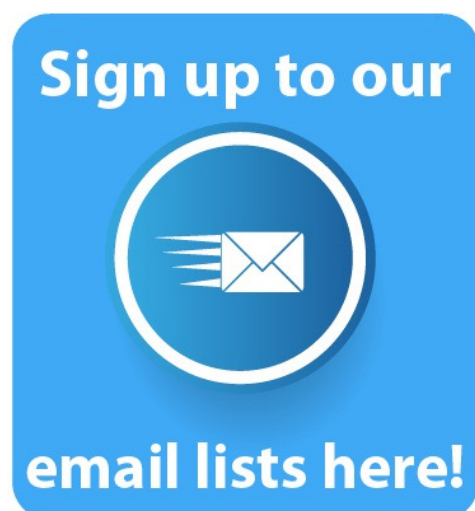
Liverpool Council has funded this major project to mitigate some of the worst impacts of the legal aid and austerity reforms. The resources and knowledge shared and developed in this project will improve access to justice, and help build a more sustainable legal advice network in Liverpool. Clearer identification of the issues that the reforms have caused will ensure that future decisions relating to access to justice in Liverpool are made with a strong evidence base to maximise resources, impact and innovation.


Dr James Organ,
Lecturer in Law,
School of Law & Social Justice,
University of Liverpool.

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





2019 Family Finance Conference

On Wednesday 25th September 2019, 9.30am till 4pm (lunch included)
Venue: Liverpool Law Society, 2nd Floor, Helix, Edmund Street,
 Liverpool, L3 9NY


A must-attend training event for solicitors, barristers & other practitioners involved with family law. Providing a round-up key developments in law & practice and an opportunity to hear directly from some first class speakers

Please note: the supporting materials for this event will be supplied electronically only. A link will be sent to you via email in advance of the event.


Chaired by His Honour Judge Greensmith

| | |
|--|--|
| <p>Maintenance: Where are we now? Alexis Campbell QC 29 Bedford Row</p> <p>Pensions and Divorce: An Actuary's View Caroline Bayliss Excalibur Actuaries</p> <p>Is it really that bad? 'Conduct' in financial remedy proceedings Sheren Guirguis Exchange Chambers</p> | <p>Irregularities in company accounts: what are the financial statements really saying Sally Longworth Grant Thornton UK</p> <p>How to Attack a Nuptial Agreement Philip Marshall QC Exchange Chambers</p> <p>General Update Archana Dawar Deans Court Chambers</p> |
|--|--|


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Liverpool Law Society



Liverpool Law Society



@LpoolLawSociety

Leadership and the Law

Continuing our series of articles talking to the leaders of Liverpool law firms. In this edition, Julie Mogan, Regional Director for Excello Law gives an insight into her role...

Briefly describe your role as Regional Director?

I carry out the role of Regional Director for Excello Law in conjunction with my legal work in the corporate/commercial field. These roles complement each other because in performing my role as Regional Director, I am aware of the challenges and daily stresses many lawyers face and why they may be looking to join a new model law firm like Excello, but I also have a client-facing role and understand client demands for the delivery of high-quality legal advice, access to senior lawyers and greater transparency over pricing.

The role varies from day to day but involves raising the profile of the Excello brand and model within the North West region and speaking with lawyers and other professionals who may want to know more about how it all works.

I also work closely and communicate regularly with our lawyers in the North West, the national board and our marketing team to assist in delivering our central strategy.

What do you like most about your role?

In addition to my own legal work and the face to face client contact which I have always loved, what I like most about my role is the ability to bring a completely different and fresh way of providing legal services to the North West market.

Excello Law is a disruptive business model which provides experienced lawyers with the freedom to practise in a flat structure (no hierarchy) and engage with their clients in the way they wish to without being dictated to. This approach frees up lawyers to practise what they signed up for without the politics and restraints they often experience in other law firms. They are, however, fully supported in all key areas of their work, making any transition seamless for them and their clients.

The outward facing nature of my role also means that I am never tied to my desk and I love meeting new people, especially lawyers who are feeling restricted and frustrated in the traditional model. To see them join us and transform into happy and successful individuals with a great work /life balance is very rewarding.

What are the biggest challenges?

Excello is a law firm that rewards its lawyers in a different way which is, in my opinion, much better and more fair. Our success in recruiting high calibre lawyers also presents the challenge that others will look to imitate us, so we have to work hard to stay at the forefront of how we deliver to our lawyers.

We can't talk about challenges without mentioning the dreaded "B" word and, like any other firm or business, we face similar challenges to others in the current uncertain climate surrounding what is (or is not) occurring with Brexit. However with all challenges come opportunities and I feel more lawyers are turning to our model where they can sustain and build upon their own client base without the risk of what might happen to those clients in a different type of firm. I also sometimes face the personal challenge of there not being enough hours in the day or days in the week to meet all the people I would like to meet and tell them about how great Excello really is.

What aspects of your firm are you most proud of?

We celebrated our tenth anniversary with a huge party recently – it made me feel so proud and happy to see so many genuinely enjoying being in each other's company and saying wonderful things about the firm.



I am proud of my colleagues who have the faith and confidence in themselves to join Excello because it's a bit different and lawyers can often be risk-averse individuals. It is immensely satisfying to watch people progress and hear them say things like they feel "liberated" and "deinstitutionalised".

I take pride in the fact that unlike others we hear of, we don't make empty promises to attract good people; we truly deliver what we say we will and make sure that people are well rewarded for their own work and the work they refer to others within the model. This encourages teamwork and collaboration.

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

It is a timely question as we've just finished celebrating our 10th anniversary having experienced huge growth in the last few years – so more of the same.

We currently have more than 90 lawyers plus a dedicated board and support staff. We have six offices in the UK now, having just opened our new office in Birmingham recruiting fantastic individuals there from the largest firms in that city.

I anticipate that the more visibility lawyers have of our model, the more good quality lawyers we will attract. However, we will not grow just for the sake of numbers and will continue to take only the highest calibre individuals and teams. Growth via quality not quantity is our main aim.

Having won a number of both regional and national awards in recent years (COLBA Law Firm of the Year 2017, Law Society Excellence in Management Award and ABS of the Year 2018 in the Modern Law Awards) I also suspect we shall have many more of those in the "trophy cabinet" in ten years' time.

Last but not most definitely not least, having opened for business in the City five years ago, we are already progressing the exciting expansion of our Liverpool office - so watch this space.

ExcelloLaw.co.uk

Obituary

His Honour Judge Peter William Gordon Urquhart

18th March 1934 - 6th June 2019

My former partner in Urquhart Knight and Broughton Solicitors sadly passed away on 6th June 2019 following an illness after enjoying some 18 years retirement from his appointment to the Circuit Bench so enabling him to enjoy his other passions of his family, art, wine and interest in social support and social justice and equality and fairness to the communities.

Peter was born on 18th March 1934 and as described in his daughters' tribute to him made at his funeral in Christchurch Oxtan on the 24th June 2019, he was a Scouser. He attended Liverpool College but then as an indicator of his future accomplishments he obtained a place at Peterhouse College in Cambridge. After achieving a Master of Arts and LLB he was admitted as a solicitor having been articulated to J Stuart Crook who was also the Wallasey coroner. He then worked with Lovell White and King in Sergeants Inn 1960 to 1962 where in London he met the love of his life namely his wife Caro. Prior to that as ever for a man of his generation he had done national service. Interestingly at about that time he'd also indulged in his love of languages and learnt Russian. As his daughter Jess commented when Peter was in hospital 2 months ago he was being nursed by a young nurse from Russia and incredibly Peter was able to converse in Russian again showing his great memory and abilities.

In 1962 he joined Bremner Sons and Corlett in Liverpool where he also joined a young legal executive named David Lynch. David encouraged him to get on the road to advocacy which over the years he did to extraordinary heights.

His dedication skills and decision-making abilities together with his community awareness was also recognised at that time in other areas. He became one of the 1st solicitor members of the Lord Chancellor's legal aid advisory committee which he served from 1974 to 1980. In 1977 he was appointed to the Equal Opportunities Commission which was just been established to sort out our cultural inequalities. In addition he was one of the 1st care and family solicitors to be admitted on the panel as a care solicitor when they started.

In 1984 after some 22 years of Bremner Sons and Corlett a decision was made to establish Urquhart Knight and Broughton then known as UKB which was one of the 1st boutique law firms using initials as shorthand and specialising in family and criminal legal aid work. His drive passion and knowledge was essential as was the respect that he was held in not only by the then judiciary but by all those working in the social sector relating to care and adoption work.

In 1990 he was appointed a Recorder which as a solicitor in those days was almost unheard of. I recall him sitting not only in family but in the civil jurisdiction where he continued to develop his skills and knowledge. After only 2 years his expertise, direct approach and fairness was appreciated by all and he was appointed as a full-time circuit judge specialising for the family bench which again in those days was unusual. But again it recognised his skills and the need of the judiciary at that time. He also took the lead at one stage for the new Wigan civil and family court. On his retirement he reacted to the moves for civil cases to be dealt with at Manchester or Liverpool instead of the County Courts in Leigh and Wigan and again gave thought and effort to supporting those courts. As HHJ Margaret De Haas QC told me on hearing of his death he had set incredible standards for all of us and he was a very kind man. He was the font



Peter Urquhart at his Swearing In Ceremony

of all knowledge particularly in the care and adoption area.

I also recall that when this new legislation called the Children Act 1989 came into being he led the local law society training. Guy Mitchell a friend and colleague from the days of Guardian work and social work advice gave a fabulous tribute at the funeral acknowledging Peter's elegance, intelligence, dedication and friendliness. Guy explained that in order to gather his knowledge Peter spent a week in the 80s in a social work office just seeing how it worked. He confirmed that when he was first appointed as a guardian ad litem he immediately with glee and satisfaction appointed Peter as the child's solicitor and continued to do so as much as he could recognising the skills and the benefit to the child.

As a solicitor, Peter also acted as legal adviser for independent adoption services throughout the North West in particular for Adoption matters where on his retirement he then became a trustee for that group again dedicating his life and time to such worthy needs. Over the years he has been appointed to various housing association committees reflecting his drive for social justice. He led and supported the arrangement by the local housing associations to develop a welfare benefits team reflecting back on his history of helping and advising people who had such difficulties with his

involvement in Legal Action and welfare advice groups. In 2003 he attended a WI meeting in the Lake District and the Cumberland and Westmorland Herald commented that he gave a very interesting talk on his career and how he explains about the levels of courts and what they dealt with. He had confirmed that his particular speciality was that of adoption which he saw as a positive aspect of law because it meant putting people together unlike care proceedings which usually meant families breaking up. He confirmed the role of the judges was to listen, look at the specific laws laid down and then use their personal discretion about what should follow. Although this was after his retirement it clearly demonstrated why he was held in such high regard during his appointment.

He, of course, made time to have other passions. Obviously, his wife Caro was there and she always supported him but he was blessed with his children, Jess and Nathaniel, and he was so proud of them as they grew in their age and experience. He was an active member of the Bluecoat and as Roger Arden from the Law Society confirmed that he knew Peter well particularly not only through work but through the Bluecoat recognising his commitment there.

On his retirement from the bench there were valedictory speeches made confirming his all-round abilities and positive personality. HHJ David Lynch as the Northern Circuit Remembrancer has kindly contributed to my memories and knowledge of Peter confirming that once he had left Bremner's to join the bar he had watched Peter's career expand and how he was a fine family lawyer and a leading expert on adoptions. He confirmed that he was delighted to be joined by Peter when he was appointed to the Liverpool circuit bench and the photograph attached shows the family celebration at that time.

The funeral was so well supported in the amazing surroundings of Christchurch Oxtown. Many older members of the judiciary were there, former colleagues from adoption matters, old friends and family paying homage and respects to a man who led the way. It

also included former partners from Bremner Sons and Corlett together with myself and Brigid Knight from UKB. Brigid was inspired by Peter and was also subsequently appointed as a member of the judiciary.

Other currently long established lawyers who were members of UKB were there namely Angela Eaton who continues the family law drive together with Mark Senior who completed his articles with UKB but then decided to go to the Bar. I know many others who have contacted me who desperately wanted to attend the funeral but due to work and other commitments it was just not possible. These included Steve Cornforth and Norman Jones as previous presidents of Liverpool Law Society together with HHJ Margaret De Haas QC and David Burrows and indeed old school colleagues of Peter. The list also included Sarah Slater who has confirmed to me that she was honoured to be Peter's last articulated clerk at UKB, and had met up with him recently and how she always found him such an inspiration.

Obviously being able to attend the funeral to join together to celebrate Peter's life, his achievements and drive and importantly recognise the families loss encourages all there to enjoy their passions and recognise their skills can contribute not only to their working life but also to their other interests, passions and community needs.

My personal thanks to Peter for being such an inspiration.

Helen Broughton
Former partner at UKB

Liverpool  Law Society

Conveyancing Issues in the family home

with Richard Snape
on Tuesday 16th July, 1.30pm - 4.30pm

Conveyancing with the family home involves many difficulties. This course aims to highlight the difficulties and their solutions.

The course is useful for both conveyancers and family practitioners.

Topics covered include:

- Obtaining instructions from all clients
- The various declarations of trust available
- Ascertaining money contributions and money laundering implications
- Gifts from parents to children
- Potential undue influence and conflicts of interest between the parties
- Overriding interests and consent forms
- Problems in relation to severance
- Stamp Duty Land Tax and family breakdown
- Transfer of Equity

Competencies: B

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

Sponsored by:



Liverpool  Law Society

Land Registration for Residential Conveyancers

with Ian Quayle
on Tuesday 24th September, 9.30am - 12.45pm

This course is aimed at both residential and commercial property lawyers at all levels. It is designed to reinforce existing knowledge on land registration practice and procedure and to highlight problem areas

It will examine a number of areas including;

- The use of notices and restrictions and how entries on the register can be challenged
- Problems associated with title plans and boundary identification
- Adverse possession – everything you need to know
- Rectification of defective registers
- The Public Register and Exempt Information Status
- Land Registration and fraud
- Electronic conveyancing – what happens next
- Recent Case Law relevant to Land Registration

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

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

International Symposium for Women in Leadership in the Law

On behalf of Brabners, Liverpool Law Society, and Merseyside Women Lawyers Division, I was privileged to attend the International Symposium for Women in Leadership in the Law at the end of June. The two day conference opened with comments from Christina Blacklaws and her progress through this remarkable project which has included roundtables across the country (including Liverpool!) and around the world.

Following this, the first panel up were women lawyer parliamentarians. Chaired by Stephen Denyer, and including Baroness Chakrabarti, Baroness Mary Goudie, Rt. Hon Dame Eleanor Laing MP, and Rt. Hon Nicky Morgan MP. The candour of these women was fantastic; as well as pointing out the ridiculousness of the wearable microphones (designed only for men's suits), they summarised the whole point of the project in a few words: 'you can't be what you can't see'.

The rest of the first day and a large portion of the second day were filled with seminars and workshops, which you will hear more about in the future.

The first day closed with a call to action for the Women In Law Pledge from Rt. Hon David Gauke MP. Details of the pledge and guidance can be found through this link and the pledge is pictured here: <https://www.lawsociety.org.uk/policy-campaigns/articles/the-women-in-law-pledge/>

The Pledge sets out basic actions to promote gender equality in the workplace and the guidance provides suggestions for firms and chambers. I would strongly recommend giving both a read, encourage your firms to sign up, and keep an eye out for our events as we continue the discussion and engagement with this project. The second day started with a panel on unconscious bias in which panellists stated they were sick of making the 'economic' point for equality (as it already has been well proven that equality and diversity produces more work) and implored firms to engage middle management, encourage sponsorship not mentoring, collect data on your equality and diversity figures (if you don't measure it you cannot assess it), and make policies gender neutral (e.g. flexibility is not just for working mums!) to remove the gender biases from policies designed to help all staff.

The panel on intersectionality was very lively. Chaired by Penelope Warne and attended by Siobhán Moriarty, Dr Shola Mos-Shogbamimu, Swati Paul and Lesley Wan. I would suggest you google 'intersectionality'; but as one of the panellists found, the google definition overcomplicates it. Simply put it is a theory which aims to remove the 'other' and provides that we do not tolerate people (their approval is not needed), but instead accept them. This theory requires you to look at the different elements that make a whole person, acknowledging that some of those elements may have created barriers for them, but equally will give them strengths and skills that you may not have. Personally, this was the most impactful panel I attended as it touched not only on gender diversity but diversity as a whole.

We then moved to 'fun and purpose' with Dr Helen Pankhurst discussing role models within the context of celebrating 100 years of women being able to practice law. The panel considered mentors to be your own network and instead promoted sponsorship as a more effective method of promoting women's careers; it is a much more pro-active approach and requires the sponsor to actively promote the person to ensure they get the best opportunities. The take away message from the panel was that your own authenticity is your biggest asset, as nobody can be you better, and that will give you the confidence to achieve your goals.

It was fascinating to hear that the international scene is very similar to the UKs; more women are in the profession, but few are in the senior or leadership roles. Hearing from representatives from Africa, Asia, America, and Europe, all were looking to their governing bodies and



Amelia Hayden



Christina Blacklaws

government to provide more accountability.

The 'male champions for change' panel were eager to change their title as they felt that being called 'champions' for simply human decency and respecting their colleagues was rather a sad state of affairs. Panellists Jon Hayes, Dowshan Humzah, Raj Panasar, and Kieran Pender were very eager to progress the conversation forward, stating that if we waited to say the right thing at the right time, we will all retire first and that it is unrealistic to assume that the younger generation will just be able to push it forward. The panel considered the previous rate of change to be 'glacial' and that the fundamental driver is quality; this is imperative given that clients are now demanding diversity and good working conditions within their service providers and are being drivers for positive change. The panel felt that diversity should be a core policy, but should not stand alone; it should permeate all aspects of the business.

The final panel focused on good practice. The panel highlighted culture to be a huge influence in perceptions of barriers and feeling 'other' in the workplace. Indeed, the panel reiterated that clients are increasingly looking for metrics on culture, equality and diversity and will challenge firms on this. Technology was cited as a game changer and encouraged firms to invest in their tech to enable their colleagues to work how they need and get the best work out of their best asset. This is a much larger subject and I hope to elaborate on it in the future.

The key note speech came from Baroness Kennedy of The Shaws, QC, who openly stated that titles are meaningless: they do not produce a good leader. She impressed the importance of a leadership philosophy with deeper values and sticking to it. Good leaders also will recognise that they cannot do it alone and will look for those to fill their gaps. Transformative leadership is very much the model of the modern working world, which involves the use of traditionally 'feminine' attributes, such as empathy to get the best out of staff. The speech was finished by stating that this is a project for us all, and by changing internal cultures, we make society better.

The conference concluded with some final words from Christina Blacklaws (The Law Society President), Horacio Bernades Neto (President of the International Bar Association), and Simon Davis (The Law Society Vice-President). It was encouraging to see that the project was promised to continue under the next President and that momentum for the project across the board has not been lost, but merely started. In Liverpool we are also looking to continue the momentum and hope that you will continue to engage with us on this imperative subject to our personal lives, businesses, sectors, and culture.

Amelia Hayden
Brabners



WOMEN IN LAW PLEDGE:

a commitment for gender equality across the legal profession

This Pledge is a commitment by signatories to work together to harness the power of gender equality to transform the business of law.

Organisations that sign up to this Pledge are committing to do all that is in their power to build a more equal and fair profession. A balanced workforce is good for business and workplace culture; and is increasingly important for clients.

Given the profile of the legal profession¹, the intended outcome of this Pledge is to achieve gender equality in senior ranks of the profession and amongst those with a leadership role. More broadly, the Pledge reflects an aspiration to see gender balance at all levels across the legal profession, to tackle the gender pay gap and other inequalities that still affect all women in law today, especially those facing multiple layers² of discrimination, e.g. gender and ethnicity or disability, etc.

THE PLEDGE



- Commits organisations to supporting the progression of all women³ into senior roles in the legal profession by focusing on retention of all women and enabling progression into partnership, silk and/or judicial appointment and other leadership roles;
- Recognises the diversity of the sector and that organisations will have different starting points, and should therefore set action plans, objectives and targets that are right for them;
- Requires organisations to publish their action plans and publicly report on progress to deliver against their objectives and targets to support the transparency and accountability needed to drive change.

My organisation pledges to promote gender equality by:

1. Having one named member of our senior leadership team/management committee who is accountable for gender diversity and inclusion;
2. Setting specific gender targets at leadership level and at other levels as appropriate;
3. Considering the differential outcomes for different groups of women at all levels of the organisation e.g. their background, identity and range of experiences;
4. Developing an action plan to achieve gender equality in our senior management and leadership teams;
5. Committing at senior level to tackle sex discrimination, bullying and sexual harassment in the workplace;
6. Committing to tackle workplace culture and bias that may result in differential outcomes in the workplace;
7. Making public our pledge and publishing our targets and action plan;
8. Ensuring specific aspects of pay, reward and recognition of the senior leadership team are linked to delivery against these gender equality targets as applicable.⁴

¹ Law Society: Women represent over 60% of entrants to the legal profession since 1990, and make up over 50% of practising solicitors, yet less than 30% of partners in private practice are women (source: Law Society Annual Statistics). Bar Council: There has been approximate gender parity at pupillage for the last ten years, yet only 38% of barristers are women whilst just 16% of practising Queen's Counsel are women. (Bar Council, April 2019). CILEx: 75% of CILEx members are women.

² This is often referred to as intersectionality, which looks at how other characteristics overlap with gender and impact on the experience of different subgroups, e.g. ethnic minority women, disabled women, women with caring responsibilities, etc.

³ With full regard to their background, identity and range of experiences, including but not limited to: age, gender identity, disability, race, ethnicity, religion, sexual orientation, marriage and civil partnership, pregnancy and maternity, socio-economic background and caring responsibilities.

⁴ Pledge 8 may be deleted for self-employed barristers in chambers.

Women in Law

In this edition of Liverpool Law, we talk to HHJ Judith Bond, a former Southport solicitor, who was appointed a Circuit Judge on the Midlands Circuit on 24th June 2019

Judith Bond took up her appointment as a Circuit Judge on the Midland Circuit last month, yet the law is a very different career from the one she embarked on after leaving school.

Judith worked in horse racing from the age of 18. She worked at the stables of Captain J. H. Wilson in Tarleton, a well-known horse breeder and racer. His daughter is Geraldine Rees, the jockey. Judith was involved in all aspects of caring for the horses, including training, mucking out, accompanying the horses to the racetracks and she also held an amateur racing licence.

Judith says that when she was 27 she decided that she wanted a 'proper' career and started a part-time law degree at the University of Central Lancashire. She completed her training in Preston and worked for 12 months in RTA claims at J. Keith Park Solicitors before joining Carter Hodge in Southport as a court clerk. Judith says working, as a court clerk was a great experience and one that offered real 'hands-on' work. The firm then offered Judith a training contract and she qualified as a solicitor in 2002, and later became a partner in the firm. Judith specialised mainly in civil litigation and advocacy, then moved into employment law and employment tribunals. However, she adds, the change in tribunal fees has meant less final hearings.

A speculative email from the Law Society offering training on how to apply for judicial appointments prompted to Judith to consider how her career was progressing. She attended the course and found that she wanted to pursue a judicial career. Judith was appointed a Deputy District Judge in 2013 in Southport, where she says that the District Judges' Pomfret and Humphries-Roberts were very supportive and encouraging. She became a District Judge in 2016 and from 24th June 2019, a Family Circuit Judge.

Judith says that as a District Judge she heard both public and private cases and some Court of Protection cases. Now as a Circuit Judge in Birmingham she will hear mainly children and family cases.

Judith says that the fact she was a woman never deterred her from applying for judicial appointment. She says, "It never even occurred to me that being a woman could be a barrier to a successful career. Coming from a background in horse racing where I felt that I had the same opportunities as my male colleagues, similarly in the law I have never felt 'held back' by my gender. However, I can see that the Bench may not be as attractive as private practice for some, Judges should be at court to deal with urgent matters even when their list has finished and it can be a challenge to juggle family responsibilities at short notice when lists are booked sometimes months in advance.

Judith was sitting in Derby for a few months where she rented a cottage. Now sitting in Birmingham she makes the daily commute by train from her home in Wigan. Judith says that people often comment that the role of a Judge must be very lonely, but says this isn't the case and there is a lot of camaraderie amongst the court staff and the judiciary. She adds, "In one respect it can be lonely, in that you have to make decisions that have a lasting impact on someone's life. As an advocate you are representing your client and the decisions you make are solely in their interest."

Judith would like to encourage more solicitors to apply for judicial appointments. She adds, "I think that more barristers apply and are successful at interview. I wonder whether this is because they more experienced in the art of advocacy and this comes across at the



interview, but I do think that solicitors have a lot to offer and have a great deal of experience in dealing with people from a wide range of backgrounds."

Judith has always loved horses and dogs. Until recently she had a retired racehorse and a Shetland pony, but she had to part with them as she doesn't have the time to care for them. She also has a border terrier and a young cocker spaniel and enjoys walking them. Judith says that she also enjoys reading; particularly now she has the commute to the Midlands each day!

Julia Baskerville

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Presidents' & Secretaries' Conference 2019

Chris Topping and Sarah Poblete travelled to Chancery Lane last month for a two day conference aimed at local Law Society officers and managers.

There were interesting sessions and timely updates from a number of speakers in the programme. A few things we took note of, which may be of interest to you, are:

• From 25/11/19 freelance solicitors can practice law

• Social media

- o can be used to build trust with your clients and contacts, increase awareness and encourage loyalty
- o make your post visual. Studies show 40% more engagement if you post an image/photo/gif/video with Twitter, look for trending hashtags, you can get more views if you use them
- o Research shows people are more likely to share your message than click on a link
- o Use a full stop if you are starting a tweet with @HANDLE (.@HANDLE)
- o Research over last 10 years shows there are more click throughs on emails than on social media
- o Be careful when taking photographs in offices that no confidential information is in shot

• SQE – the Solicitors Qualifying Examination is coming in in 2021 and the old system will be phased out by 2032. This means there will be a mixed cohort in firms for a number of years on slightly different regimes.

- o There will be no more seat rotation after the SQE comes in
- o Candidates will be able to collect prior qualifying work experience from up to four employers
- o A COLP, or a solicitor on the roll if for example the candidate is working in-house, will have to sign off on the qualifying work experience. They will declare the length of QWE has taken place; they are not assessing the standard or the trainee.
- o There is more information available on the SRA's website about the SQE.

• Technology

- o When someone leaves the business, ensure passwords and accounts are quickly changed and/or closed.
- o Beware when changing your office printers that data is stored on them, everything you have taken a copy of, so ensure the data is destroyed.
- o Look at National Cyber Security Centre website for cyber advice and top tips.

• Brexit

- o A lot of uncertainty around Brexit and reputational damage to the UK
- o Parliament is still working on approximately 700 statutory instruments
- o If Britain leaves with the withdrawal agreement, then the transition period begins (the period was 18 months from March 2019 – but this may change). During the transition period all EU laws apply and nothing changes. During the transition period, a treaty will be agreed.
- o In a 'no deal' scenario, clients will need a UK legal team and an EU legal team
- o GDPR issues – UK will be a third country eg a law firm might have a client in Germany – there will be data issues of bringing data into the UK. Law firms will need to amend contracts.
- o No deal Brexit advice appears on the Law Society's website

• Engaging with Junior Lawyers Division and Universities

- o There is seen to be a huge benefit to local law societies engaging with their junior lawyers divisions to ensure talent retention in the area
- o Junior Lawyers are often keen to be involved in their local law society but we need to consider the pressures on them in terms of time of meetings etc

• The Role of the Law Society

- o There is a desire to work much more closely with local law societies and to ensure the society is not seen as London centric
- o The Law Society provides a huge range of resources which are not always well known e.g access to the law library at Chancery Lane over the phone

• Diversity and Inclusion

- o A huge amount of work has gone on in relation to gender issues and over the next months this will be re-emphasised
- o A new cohort of Social Mobility Ambassadors will be recruited this coming September which will provide a new opportunity for us as a local law society to look at widening access to the profession

Sarah also attended a very interesting break-out session on 'Horizon Scanning' which was about the use of Artificial Intelligence and the use of technology at a high level. In this the presenter, Dr Tara Chittenden, guided us through a thought-provoking talk about challenging and testing our assumptions, rethinking long-term goals, creative problem-solving with AI, and being agile. Her take was that AI can augment human skills and our decision-making capabilities. Tara foresees an increase in co-operation between legal and financial services.

In addition to the formal programme, there were a good number of opportunities to chat informally to other attendees, to hear about what is going on at their local Law Society and exchange ideas and best practice with them which is always useful.

It was a very well-organised event and hats off to the team who managed to change the conference room into a fully decorated black-tie dinner venue and back again within a matter of a couple of hours. Very impressive!

Sarah Poblete, CEO
Chris Topping, President

Missing Will

Does anyone know the whereabouts of the will of
Nikkianne Moody

of Bridge Street, Port Sunlight, CH62 4UW
who passed away on 9th June 2019

**Anyone who has knowledge of,
or is holding the will
please contact Sandra McCrystal on
0151 231 8116 or s.mccrystal@ljmu.ac.uk**

Lewis v Tindale, MIB and another – MIB liability for claims outside the scope of the Uninsured and Untraced Drivers Agreements

David Holt, a partner at Weightmans examines the recent decision in the Court of Appeal in Lewis v Tindale

The Court of Appeal in Lewis v Tindale has upheld the previous decision of Soole J which held that MIB was liable to compensate the victim of an...

The Court of Appeal in Lewis v Tindale, MIB and another (case B3/20182411, judgment handed down on 5th June 2019) has upheld the previous decision of Soole J ([2018] EWHC 2376) which held that MIB was liable to compensate the victim of an accident arising on private land even though this was outside the scope of the Uninsured Drivers Agreement.

For many years, MIB has negotiated its remit with the government by way of various Uninsured Drivers Agreements ('UDAs') and Untraced Drivers Agreements ('UtDAs'). These private contractual Agreements have been concluded at arms length throughout.

The current Agreements, namely the 2015 UDA and the 2017 UtDA, as were their predecessor Agreements, were founded upon MIB being liable for cases where the compulsory insurance requirements of Part VI of the Road Traffic Act 1988 ('the 1988 Act') had not been satisfied. Those requirements included that insurance was compulsory for incidents arising from the use of motor vehicles on roads or other public places. This did not extend to vehicular use where it occurred on private land which could not be said to constitute a public place.

In Lewis, however, the court has held that MIB was liable for private land cases because, following the CJEU decision in Vnuk (2014), it could not be doubted that the 2009 Motor Insurance Directive (2009/103/EC) required insurance cover to be in place for the use of vehicles on private land. Where the insurance requirement was not met, the guarantee body, which Art 10 of the 2009 Directive required each Member State to establish ('the Art 10 body'), was liable to meet the claim.

Art 3 of the 2009 Directive required each Member State to "take all appropriate measures to ensure that civil liability in respect of the use of vehicles normally based in its territory (was) covered by insurance".

The Court of Appeal held that Art 3 and Art 10 created directly effective rights which could be enforced against MIB, the UK's Art 10 body, as it was an emanation of the state.

The conclusion of the court was that, in designating MIB as the Art 10 body, the government had used its discretion in full and MIB was, accordingly, under an obligation to meet the full ambit of the compulsory insurance requirements (as interpreted under EU law, eg. Vnuk) regardless of whether or not the appointed body had contractually agreed with the government a rather narrower remit. The intention was to protect innocent victims in a clear way. This protection was not overridden by the fact that there was no requirement for insurers who provided only off road vehicular use cover to be members of MIB and so such insurers did not have to contribute to the levy to meet any uninsured loss claims arising from private land use.



David Holt

Commentary and analysis

At para 74, Flaux LJ, giving the judgment of the court, said that any issue arising could be "addressed by amendment to the RTA and/or the MIB Articles of Association", but of course any such changes will not be retrospective and so, as it stands, there will remain a potentially large bill for the Members of MIB, ie the motor insurers who provide cover for road/public place use. This additional cost will inevitably filter through to premium paying motorists.

There is an important principle at play here. A private body, namely MIB, has been landed with a potentially significant exposure to claims which it had never contracted to be liable for. It is surprising that EU law is said to require that only one body has to deal with all possible aspects of the guarantee fund role under Art 10. If the primary objective is to protect third party victims, why should it ultimately matter if there is more than one such body from which the claimant can seek compensation (provided the scope of each body's remit is clear) or indeed if the government itself retains some of the compensatory role for itself? MIB's argument that it was only an emanation for the purposes delegated to it, not beyond this, and

that there must be some limit to what a private body agrees in respect of its role, was rejected by the court, but remains an important consideration.

As a result, MIB is seeking permission for leave to appeal from the Supreme Court, leave having, as expected, been refused by the Court of Appeal. At the same time, MIB is seeking an indemnity/contribution from the government because it was the government's failure to comply with the requirements of EU law by way of the original enactment of the 1988 Act or any amendment thereto which has brought about MIB's extended liability.

At para 68, Flaux LJ said:

"The fact that the UK government has failed to legislate for compulsory insurance in respect of the use of motor vehicles on private land and then specifically to delegate to the MIB the residual liability where the relevant vehicle is uninsured can legitimately be described as a breakdown in the system put in place by the government."

At para 75, he added:

"The MIB may well have rights of contribution over against the Department of Transport."

MIB will doubtless rely upon the content of the contractual terms agreed, namely the UDAs and UtDAs. It will maintain that, if it is liable as an emanation, then so too is the government itself and, in that event, given that MIB had no control over the passing of the 1988 Act (or any amendment thereto), the government should provide MIB with an indemnity rather than merely a contribution. Finally and if necessary, consideration would have to be given to the government's liability for Francovich damages. The ultimate outcome may not be known for some time.

If you have any questions or would like to know more about our update, please get in touch with your usual Weightmans contact, or David Holt (Partner).

Electronic Working

From 25th February 2019 it was possible to commence proceedings in the Business and Property Courts in Liverpool electronically using the Ce file system. This became compulsory as from 30th April 2019.

Ce File is part of the HMCTS Reform programme and aims to 'introduce a modern, digital electronic filing system' to the following jurisdictions:

- Court of Appeal – Civil Division
- High Court Queen's Bench Division
- Administrative Court
- High Court District Registries (includes High Court Business and Property Courts, Queen's Bench, Admin Court and UTIAC)
- Central London County Court (High Court Lists only)
- Upper Tribunal: Immigration and Asylum Chamber
- Upper Tribunal: Tax and Chancery Chamber
- Upper Tribunal: Administrative Appeals Chamber
- Upper Tribunal: Lands Chamber
- Employment Appeal Tribunal
- Senior Courts Costs Office
- High Court Family Appeals

The idea behind this electronic filing system is to make the management of claims more efficient. The Ce File service allows users to issue and file documents, pay court fees and review and track their case(s) online – all of this can be done 24 hours a day. You will need to register to use the system and I suggest that you also look at the practice direction that goes along with electronic working – PD510

(<https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part51/practice-direction-51o-the-electronic-working-pilot-scheme#2.1>) and the guidance issued : <https://www.gov.uk/guidance/ce-file-system-information-and-support-advice>

I think we can all agree that a move towards making the management of claims more efficient (and therefore more cost effective to run) is something to be welcomed. My experience of the use of Ce- File in London (Rolls building) has largely been positive- but it has been compulsory in the Rolls building since 2017. The management of cases is dealt with, on the whole, more swiftly and therefore consequently at lesser cost. My experience of Ce File in Liverpool so far is that there are teething problems. Hopefully these will be ironed out swiftly and cases will be managed more efficiently benefitting both the practitioner and the client.

It should also be noted that any proceedings in the Business and Property Courts (in Liverpool), will need to comply with the provisions of the Disclosure Pilot for this court (see Practice Direction 51U-

<https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part51/practice-direction-51o-the-electronic-working-pilot-scheme#2.1>



Kate Naylor

rules/civil/rules/practice-direction-51o-disclosure-pilot-for-the-business-and-property-courts#1), which applies to any proceedings (subject to some limited exceptions) commenced in the Business and Property Courts from 1st January 2019.

This pilot requires a party to provide an Initial Disclosure List of Documents, setting out the key documents on which it relies in support of its claim or defence(s), plus copies of those documents to the other parties, at the same time as the statement of case is filed. The Initial Disclosure List has to be filed at Court and the copy documents have to be provided electronically to the other parties. The Court will then consider whether any extended disclosure is required at the first Case Management Conference. The parties will need to state in writing whether extended disclosure is likely to be required and to prepare a draft List of Issues for Disclosure and the Disclosure Review Document in advance of the first case management conference. The idea behind this disclosure is pretty self evident – parties should be aware of the evidence relied upon from the earliest stage with a view to managing claims more efficiently and aiding resolution at the earliest possible juncture.

Kate Naylor
Associate Solicitor
Morecrofts

Private Child Law Conference

Last month we held a Private Child Law half day Conference, which was very kindly chaired by HHJ Helen Brandon.

The event began with Ginnette Fitzharris, our first of 3 barristers from St John's Buildings Chambers, who provided a 'recent changes & case law update'.

Alan Sanders, Service Manager at CAFCASS then discussed 'High Conflict Cause'. Delegates then enjoyed a refreshment & networking break after which barrister Kate Burnell covered 'relocation'.

The final session was from barrister Rachael Banks, who covered 'public law elements that can arise in private law proceedings'. HHJ Brandon provided a short summary and then, on behalf of Liverpool Law Society, thanked speakers and attendees for supporting, of which I would like to reiterate.

Event is pencilled in for 25th March 2020 – make sure to put it into your diaries!

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



HHJ Brandon, Ginnette Fitzharris, Alan Sanders & Kate Burnell

Personal Injury Conference 2019

The annual Liverpool Law Society Personal Injury Conference took place on 12th June and the event was fully sold out.

The APIL accredited event was chaired by John Hyde, Deputy News Editor at the Law Society Gazette. John kindly agreed to chair for the second year running.

There was no surprise that reforms were on the agenda; Donna Scully, Managing Partner at Carpenters, a regular speaker at the conference, talked us through the proposed changes for 2020 in the first session. The Civil Liability Act still remaining a hot topic.

Charles Ciumei QC, barrister at Essex Court Chambers, then provided a talk on 'using Algorithms to predict outcomes'; the further use of technology in the legal world. Such examples can already be seen in American legal dramas such as 'The Good Fight'. It may not be long before this type of technology is used by law firms in the UK.

Beth Wilson, barrister, then provided a session on the Portal/Stage 3 hearings. A really informative presentation for firms and lawyers which deal with this type of work on a regular basis.

Liverpool Law Society would like to congratulate Beth on her new appointment as a barrister, to local Chambers, Liverpool Civil Law.

David Pilling, barrister at Liverpool Civil Law, provided three informative and engaging sessions on: (i) 2020 Reforms; (ii) HH v Herbert Law, and (iii) Relief from Sanctions. The detailed notes that accompanied the sessions will no doubt be used as a very useful reference for any Practitioners.

Professor Dominic Reagan, provided two afternoon sessions on Costs Management and Part 36/ Settling cases. Also providing delegates



Beth Wilson, David Pilling, John Hyde, Donna Scully & Charles Ciumei QC

with a useful summary of recent case law, in general, Professor Reagan proving to be a very popular speaker wherever he travels.

It can be stated that all the speakers certainly delivered with John Hyde expressing how much he enjoyed Chairing in Liverpool again.

There are huge changes about to take part in the Personal Injury sector and next year's conference will no doubt have some interesting topics.

Thanks to the Liverpool Law Society for hosting, providing the refreshments and lunch, and to Jo Downey, for organising another popular event.

Alum Ullah
Civil Litigation Sub Committee



Alum Ullah and the Chair, John Hyde

Seven Up for Merseyside Independent Business Awards

Nominations are now open for the seventh annual Merseyside Independent Business Awards, including a new category for Employee of the Year.

Businesses can be nominated across a total of 13 categories, such as retail, health and wellbeing, trades and manufacturing and creative business, while there are also awards recognising community impact and best employer.

The winners of each award category – as well as the overall Merseyside Independent Business of the Year - will be announced at a glittering ceremony at Liverpool's Rum Warehouse on Thursday 10 October.

The Merseyside Independent Business Awards were created by Morecrofts Solicitors to showcase the economic impact of the region's independent business owners and leading entrepreneurs.

Alison Lobb, managing partner at Morecrofts Solicitors, said: "Since we launched the MIB Awards in 2013, the number of nominations has increased every year and I've no doubt that that trend will continue this year.

"The awards are famed for giving independent businesses of all shapes and sizes a unique platform on which to shine. We have received incredible feedback from award winners about the impact the victory has had both on their business development and their employees.

"Nominations can be made by businesses themselves or by their advisors, suppliers or other peers, so we would all independent to businesses make this a real celebration of our independent business community."

The awards are headline sponsored by Liverpool BID Company. Its chief executive Bill Addy, said: "We have been headline sponsors of



Roger Phillips, Lyndsey Stanistreet-Tyer (Suites Hotel), Julie Johnson, Alex Hart (Suites Hotel) Ellie Phillips

the MIB Awards for six years and are very pleased to continue in 2019. The event doesn't just showcase the exceptional business in the city region, it gives a great opportunity for networking, showcasing and supporting each other – something Merseyside excels at.

"Each year, the calibre of businesses who enter the awards excels itself, and I look forward to seeing the 2019 cohort of finalists."

To enter the Merseyside Independent Business Awards or for information please visit www.mibawards.co.uk or call event manager Rebecca Keegan on 0151 236 8871.



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New s21 Notice Seeking Possession

For all of us Housing Law Practitioners we are hopefully now aware that as of 1st June 2019 an amended s21 Notice Seeking Possession was introduced and must be used as of this date. The notice is still in the "Form 6A", however has been updated.

What does this mean?

Pursuant to s21 Housing Act 1988, as amended, an Assured Shorthold Tenancy (AST) can be brought to an end with service, by a landlord upon a tenant, a notice seeking possession giving at least 2 months notice which cannot end during the fixed term of an AST. This is known as a "no fault ground", i.e. there does not need to be a breach of tenancy

What has changed?

The Assured Tenancies and Agricultural Occupancies (Forms) (England) (Amendment) Regulations 2019 came in to force on 1st June 2019.

This is a very important piece of legislation for Landlords of residential properties rented out in England, as it introduces an updated version of the "Form 6A" which was previously used as the s21 Notice Seeking Possession



Philip Coburn

since 1st October 2015.

Use of the form is mandatory when relying on s21 Housing Act 1988, and therefore a failure to use the new version is likely to result in any possession proceedings being dismissed. The old version will be a defective notice and this could result in an adverse costs order so the legislation is a must read.

For any further information please contact Phillip Coburn, MSB Solicitors, phillipcoburn@msbsolicitors.co.uk

R&H Fine Wines winner

Kevin Ross of Brown Turner Ross is delighted to have won the bottle of wine or prosecco from R&H Fine Wines for having retweeted the June 2019 edition of 'Liverpool Law'.

And in news from R&H Fine Wines, they have just opened up a bistro next door.

Queens Bistro & Wine Bar, set off Castle St in Queen Ave, next to R&H Fine Wines promoting a market led, ever changing menu along with handmade wines.

It's open Tuesday to Sunday and handily located in Liverpool city centre.

<http://queensliverpool.co.uk/>



Personal Branding Workshop for small firms

The Law Society would like to invite you to a free Personal Branding workshop for small firm practitioners

Monday 8 July, 17:30 – 19:00
(followed by drinks reception until 19:30)
Crewe Hall, Weston Rd, Crewe CW1 6UZ

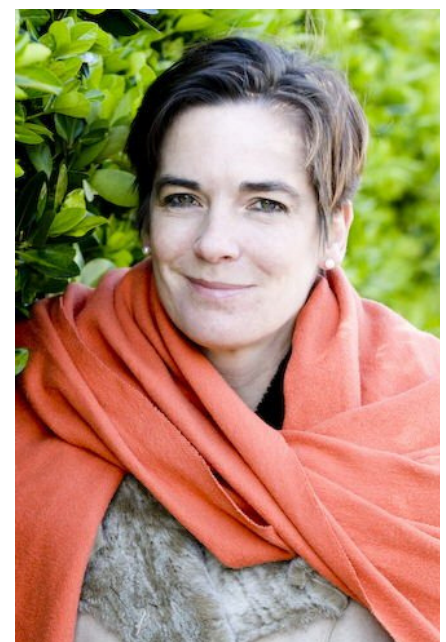
Organised by The Law Society's Small Firms Division and the South Cheshire Law Society, this insightful and practical 1-hour workshop facilitated by Rachel Brushfield, The Talent Liberator, will cover:

- What is a personal brand?
- Why is it a must have for the digital age?
- Examples of personal brands
- How to bring your own personal brand to life
- Action planning

The session will be practical and interactive with plenty of time for networking and sharing and there will be a free draw competition with two prizes to win one copy of Rachel's book 'Smarter Legal Marketing' and a 30 minute marketing mentoring gift voucher.

Attendees will have the opportunity to gain a 20% discount off Rachel's two books for the Law Society, 'Smarter Legal Marketing' and 'Career Management for Lawyers'.

Places are strictly limited. Click [here](http://north@lawsociety.org.uk) or email north@lawsociety.org.uk to book your place now!



Successful Pilot of Family Law Debate for professionals and the public

On Tuesday 18th June 2019, Liverpool John Moores University's Legal Advice Centre (LAC) hosted a sold-out public debate relating to family law issues at the Liverpool Medical Institution. Together with Liverpool University's Law Clinic, and following a suggestion from Her Honour Judge Margaret De Haas QC, the debate was held with the aim of bringing together legal professionals, academics, students and members of the public. The initial debate topic was whether grandparents should have automatic rights to see their grandchildren.

HHJ De Haas QC acted as Chairperson, opening the evening by outlining the current basis on which grandparents may apply for contact through legal channels. The motion was then formally proposed by Mary Mullin, family solicitor and Assistant CEO of the National Youth Advocacy Service, and opposed by Mike Devlin, recently retired as a Partner in family law at Stephenson's. Haley Farrell – Director and Head of Family Law at Jackson Lees – then took the podium as expert witness in support of Mary's proposal of the motion, while Mike's expert witness was Nicola Harris, partner at MSB Solicitors.

All the speakers presented their arguments with great enthusiasm, expertise and with full recognition of the emotive nature of the subject matter. Our speakers spent a large part of the evening answering questions from the floor, ranging from issues of public policy to the complex nature of "modern" families – we were even asked whether the issue of grandparents having a role in the lives of their grandchildren should be the subject of a public referendum! A final vote confirmed that the motion was defeated, with the audience siding with Mike and Nicola's arguments that the existing system was sufficient to protect the rights of grandparents.

Feedback from our audience has been overwhelmingly positive, and the universities now plan to co-host regular debates on family law issues in order to bring together practitioners and the public, and drill down on the legal issues that have the most impact on everyday life in a collaborative and convivial environment.

The event marked the end of a successful year for both clinics. LJMU's LAC students won the national Law School Challenge, raising £5,000 for LawWorks, and seeing off competition from universities such as Cambridge and Leeds. The LAC was also shortlisted for the national Access to Justice Foundation award. The Liverpool Law Family Court Project, which provides advice and



assistance to litigants in person at FHDRA's was shortlisted for the Attorney General's Student Pro Bono Awards in the category of best team and the Anti-Trafficking project won best new student pro bono initiative at the same awards.

We are delighted that this new public legal education initiative for Liverpool has been a success and we are so grateful to all our speakers, and particularly HHJ De Haas QC for chairing. Anyone interested in participating in debates during the academic year 2019-2020, or who has suggestions for topics to cover, should feel free to contact us.

Rachel Stalker, Senior Lecturer & Legal Advice Centre Coordinator, LJMU
r.stalker@ljmu.ac.uk

Lucy Yeatman, Senior Lecturer, In-house Solicitor, Liverpool Law Clinic
Lucy.Yeatman@liverpool.ac.uk



Training Seat Exchange

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

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

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

Preparing for the Law Firm of the Future

The business world is ever evolving with new technology, AI, the Cloud and agile working presenting opportunities, but also challenges, for the modern law firm. Docutech Solutions are at the forefront of this technological transformation and working with a number of leading law firms in the North West...

Manchester-based, Docutech Office Solutions specialise in document technology and security, improving efficiency and costs. The experienced and dedicated team at Docutech Office Solutions get to know your business so that they can offer the right combinations of hardware, support, software and technical services to suit a law firm's specific needs. Which will include the following services, Managed Print Solutions, Legacy Scanning, Document Storage and Retrieval, Managed IT Support, Secure Hosted Mailrooms, Cloud Services and Outsourced Print Solutions which together will deliver a fully secure compliant Solution utilizing existing assets wherever possible with an aim to promote Agile working in any organization. However, Docutech Solutions understand how office technology is changing, know your Customer (KYC) and have released a portfolio of products and services that can support and evolve the modern law firm.

Document technology is evolving. With access to all of the latest technology, Docutech Solutions can guide you to the ideal solution, improving your efficiency, defend against cyber attacks, promote agile working and at the same time, working to a defined budget.

Docutech have been the main partner to Manchester Law Society for over 10 years and have extensive understanding of the modern legal practice. Every client of Docutech Solutions is provided with a dedicated account manager; all their engineers and technical support staff are fully accredited and manufacturer-trained specialists.

Docutech Solutions also offer market-leading IT support services. The team, which is fully accredited to ISO standards, has a thorough understanding of the business landscape and the IT issues that can arise, offering scalable solutions to suit every level of your business.

This support is available 24 hours a day, seven days a week and clients have unlimited access to the expert helpdesk; and there is no limit to the amount of support that can be given. The experts at Docutech can access your systems remotely, quickly and securely to fix any issues and without an impact on your workflow.

With our focus on support we believe we are one of the few companies in today's congested market, to offer genuine transformation, migrating

from your existing legacy environment (while utilizing existing assets where ever possible), to the very latest modern platform with a structured update of hardware, services and support, whilst still working within your existing budget.

As a continued support to local law societies we would like to offer a consultation to discuss if Docutech can assist you with a digital transformation process.

Many business organisations have been, or will be, the target of random, indiscriminate attacks. Companies typically seek to prevent security breaches with layers of defensive mechanisms, including user controls, cryptography, intrusion/detection systems and firewalls. However, new technologies have made it increasingly harder to discover and remove all of your organisation's vulnerabilities and defend against cyber-attacks.

Docutech Solution's 'SecureAnywhere' is the first malware prevention technology to report on its own efficacy at detecting infections and stopping malware. Dwell time reporting gives firm's visibility into any infection on any endpoint within the network, showing when the infection began and how long it has taken Webroot to stop that threat.

Many law firms are now recognising that agile working is empowering to staff, offering them flexibility, optimising performance and promoting positive mental health. Docutech's agile working solution allows your team to use computers and smart devices to work securely from anywhere in the world, all within a secure, GDPR-compliant manner. Using Docutech's complete suite of secure, cloud-based agile-working systems, your staff can edit documents, collaborate on projects, scan, print and talk to clients as if they were sitting at their desk.

Docutech Office Solutions have just released their GDPR Programme, a complete solution for managing and controlling personal data.

Since the introduction of the General Data Protection Regulation (GDPR) on 25 May 2018, there has been a greater focus on data protection and the Information Commissioner's Office has issued some huge fines to businesses for serious security failures and failing to protect personal data.

The Docutech Office Solutions GDPR Programme is designed to be a

complete solution to managing and controlling your personal data. In a world full of cyber threats and digital crime we want to be the safest pair of hands for the life cycle of a document.

The evaluation starts with a consultation on cyber security/GDPR within your business.

We explore where/how you store physical documents. (On-site storage, Off-site storage etc.)
We explore where/how you store digital documents. (On-site server, Off-site server, desktops etc.)
We provide consultation on the current state of policy and staff training. This is ongoing throughout.

From this evaluation we provide a report on the level of data security.

Once this stage is complete, we work with the customer to tailor make a solution for them. This could involve any number of combinations from the stages we offer. The consultation on process / policy and training runs alongside every stage of the solution and provides them with support on improving and maintaining compliance.

Scan and Discover

This stage can provide location information on digital data and collate it into a single point of access.

We can scan all of your physical documents into digital. (True digitisation not just a scan).
We can search your network for the location of any documents. (Desktops, Folders, Mapped Drives).
We can provide a central point of access to all your located files without moving them.
We can provide a search on personal identifiable information from the located files
We can provide information on where the files are stored to aid in locating key personal data.
We can redact personal information from documents without changing the original file.

Storage and Retrieval

This is where the technology sits in the solutions. Providing secure transfer of files. Using the information provided in Stage 1 we can determine what this Stage involves.

We can provide a secure server based in the UK to store documents.
We can provide a secure pipeline to send and retrieve documents to the server through encryption.
We can provide a secure way to send



Jason Dixon, CEO

files from B2B or B2C. (Who, When, Where, What).

Procedure and Policy

This covers the internal ethics of staff at your company; from training staff to enforcing by policy. This is handled by Xyones Mitigate.

We can provide ongoing internal staff training to change the way cyber security is viewed.
We can provide false phishing/scams.
We work with you to develop policies to enforce compliance and best practice.
We help you manage staff competency to identify employees who are a risk.

After every stage is complete, we provide you with an updated Risk Evaluation showing the improvements to managing your data.

Overall Evaluation

Based on the Stages that have been completed, this will be a comprehensive final evaluation.

We provide a certificate of GDPR Compliance.
Through the ongoing consultation, we help with written process.
We provide an in-depth comparison report on how we have managed risk.
We provide ongoing support and recommended steps to mitigate any remaining risk.
We help you maintain compliance as legislation changes.

For further information on how Docutech Office Solutions can help your firm to be compliant call 0844 2596155 or email: admin@docutechsolutions.co.uk quoting reference LL2019

The Future Of Document Technology

THREAT PROTECTION PROCESS

- How do you currently **store your documents and data**?
- Is personal data **redacted** from stored documents?
- What is the process to **retrieve** stored documents?
 - How do you collate an individual's data if they invoke the **right to be forgotten**?
 - What is the **process** of delivering this information on request?
- Would your process be **compliant with GDPR**?
 - Who is **responsible** for this?

Our GDPR Programme is designed to be a complete solution to managing and controlling your documents and data

Contact us today to schedule your free initial risk evaluation

0844 259 6155

info@docutechsolutions.co.uk

Maxwell Hodge Solicitors announce new Family Team Leader

Maxwell Hodge Solicitors have strengthened their Family Team with the appointment of Solicitor Darren White to the position of Team Leader.

Darren, who is a solicitor with over 10 years experience in Family Law will oversee Family work in Maxwell Hodge's 8 offices.

Claire Banks, Director of Maxwell Hodge said: "The Directors are very pleased that Darren has accepted the position of Team Leader. We consider him to be a valuable member of the Team and wish him well in his new role."

On his appointment, Darren said "I am honoured to be leading the family team. Maxwell Hodge have always been known for promoting a caring and understanding environment for our clients. I am pleased to be able to continue to uphold these



Darren White

strong values and to help develop the Team, offering assistance to even more clients."

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

MSB's Joanne Dalton shortlisted in LALYs

MSB Partner and Practice Manager, Joanne Dalton is delighted to have been shortlisted for the prestigious Practice Manager of Year award in the annual Legal Aid Lawyer of the Year awards (LALY).

As the first non-lawyer partner appointed, Jo is an ambassador for internal progression and is an inspiring role model to aspiring lawyers and non-lawyers.

Joanne joined MSB Solicitors in 1999 when the firm consisted of 2 high street offices with 25 members of staff. 20 years later, MSB is a hugely successful 15 Partner, Chambers and Partners listed, Legal 500 ranked, multi award winning firm spanning four sites with over 140 employees. Joanne's dedication has been integral to the firm's growth and success.

During the last 12 months Jo has successfully managed the acquisition of four legal practices and has achieved the seamless integration of those firms into the MSB organisation with no disruption to the existing business. The MSB team have seen an increase in personnel of 41.5% over the past 12 months. Jo has managed this growth whilst continually focusing on her core management functions consisting of finance, information management and security, HR, learning and development, risk and compliance, facilities and business development.

Jo's commitment to MSB's financial welfare, security, staff and facilities ultimately results in achieving positive outcomes for clients.

Joanne said 'I am genuinely so proud to have been recognised and shortlisted for the LALY Practice Manager award. When I joined the firm 20 years ago, then managing partner Paul Bibby said I could progress my role as far as I desired. I have definitely achieved this. I could not have done it without the support and dedication of my amazing team and the support of the Partners'.

Organised on a not-for-profit basis by the Legal Aid



Joanne Dalton

Practitioners Group and now in their 17th year, the Legal Aid Lawyer of the Year awards celebrate those lawyers whose skills and commitment directly improve the lives of vulnerable people.

Emma Carey, Managing Partner said 'At MSB, we believe we go against the grain of most traditional law firms. In times of austerity, we believe access to justice for all has never been more important. We see it as our obligation to promote social and economic justice and make it our mission to truly understand the challenges faced by the communities in which we operate. As Practice Manager, Joanne is the backbone of the firm, effectively managing MSB's critical facilities to ensure the smooth operation of the practice and allowing us as a firm to deliver our services to our communities as efficiently as possible. We all wish her the very best of luck when the winners are announced in July'.

The winners will be announced by Baroness Helena Kennedy QC at a ceremony in central London on 10 July.

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

Hill Dickinson appoints Lorraine Clinton to board

Lorraine Clinton has joined the board of commercial law firm Hill Dickinson. Lorraine took up her role as a non-executive director with effect from 20 May 2019.

Her appointment follows the recent re-election of Hill Dickinson chief executive Peter Jackson for a further four-year term and is part of the firm's commitment towards improving the agility and efficiency of the business, increasing diversity at senior level and making it more responsive to clients' needs.

Peter Jackson welcomed Lorraine in her new role, saying: 'Lorraine's appointment adds a valuable breadth of industry experience to our board as we continue on our path towards targeted growth. As an ex-FTSE 100 global executive, Lorraine's skillset and strong record of achievement across both private and public sector will bring an extra dimension to our strategic planning processes, helping to ensure that we remain the law firm of choice across our full range of practice areas.'

He added: 'As a business, Hill Dickinson is firmly committed to increasing gender diversity in senior roles right across the firm, including at board level. Lorraine's extensive involvement with organisations such as Northern Power Women and Women on Boards UK will help us accelerate that process, ensuring we more accurately reflect business and society and remain fully responsive to our clients' changing needs.'

Lorraine Clinton said: 'I am delighted to be joining Hill Dickinson at this exciting time in the firm's growth strategy and I very much look forward to working with the team to achieve their ambitious goals.'


Lorraine has built her executive career in global manufacturing and construction, including 20 years with Pilkington Plc, and is an experienced portfolio chair and non-executive director who holds



Lorraine Clinton

multi-industry positions across private and public sectors. She is the owner and director of Clinton Consultants Ltd and chair of construction products business DB Group (Holdings) Ltd. She is highly experienced in the development and implementation of strategy definition, major change management, commercial and operational accountability, as well as all aspects of governance and risk.

Lorraine is a passionate advocate of championing gender diversity in the boardroom was named in the 2017 'Northern Power Women list' and the 2016 Cranfield '100 Women to Watch' report.




Sexual Offences Update

with Anthony Edwards

on Wednesday 10th July, 1.30pm - 4.45pm

A review of the current law and concepts with reference also to historic crimes. The main subjects considered are:

- The concepts
- General Offences
- Offences by children and young people
- Offences against children
- Offences against the vulnerable
- Offences in breach of trust
- Familial Offences
- Offences against public "decency"
- Indecent photographs etc.
- Trafficking
- Sentencing
- Historic sexual offences
- Jurisdiction



Competencies: B - Technical Legal Knowledge

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



Corporate Member Training Offer

Looking to make savings on staff training?

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

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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](#)



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](#)



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](#)

Liverpool Law Society

Training Room



Meeting Room



Both Rooms



Venue Hire

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

At Liverpool Law Society we can offer:

Professional working environment
Refreshments

Lunch ordering service
Audio Visual equipment

| *Room capacity and daily hire rates: | Classroom Style | Boardroom Style | Theatre Style |
|---|-----------------|-----------------|---------------|
| Training Room Members £150+VAT Non-Members £175+VAT | 32 | 20 | 60 |
| Meeting Room Members £100+VAT Non-Members £125+VAT | 12 | 12 | 20 |
| Both Rooms 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 Tel: 0151 236 6998 Ext 33
Liverpool Law Society, Second Floor, Helix, Edmund Street, Liverpool, L3 9NY

Breathe deeply but maybe not that deeply

Walk more, take fewer taxis, use public transport especially in big cities: all these are well known suggestions to help us reduce our collective carbon footprint. I, of course, have taken this advice to heart and regularly swap my kitten heels for my trainers to get to and from meetings, regardless of the city I am in. However, of late I have been brought up short and am having second thoughts about my perambulations, thanks to a recent report from the environmental campaigning charity Hubbub.

Partnering with the School of Population, Health & Environmental Science at Kings College University of London Hubbub carried out a research project to assess the real everyday impact of air pollution on the lives of 10 Londoners. The volunteers drawn from a range of backgrounds and professions - among them a Year 5 pupil, a city worker and runner, an HGV driver, a retired librarian and a site engineer - all agreed to wear a sophisticated pollution monitor for a week, gathering thousands of data points which were then analysed by the team at Kings College.

The results brought everyone up short – air pollution is a silent, invisible and potentially deadly threat to Londoners lives, and no doubt if the experiment were repeated in Birmingham, Manchester or Liverpool the results would be just as shocking.

To understand the full implications of the research findings it might help to explore what we mean by air pollution and what the monitors were measuring. Most of the current data on air pollution comes from large static monitoring stations in towns and cities in the UK and while this gives a general picture it doesn't give the level of detail that the Hubbub project provided. Each of the monitors had a small black tube fitted with a filter, which sucked in air and any pollutants in the same way that our lungs do. Air pollution is anything in the air that causes harm, but the pollutants of biggest current concern in the UK are particulate matter (PM) and the gas nitrogen dioxide (NO₂)

A Hair's Breadth

What the researchers want to examine is something known as 'black carbon' (mcg/m³) which in urban areas is most likely to be from traffic. The amount of black carbon in the air correlates to overall PM 2.5 levels, so it provides a good indication of people's exposure to pollution. Particulate matter is all solid and liquid particles suspended in the air. These are both man-made (such as diesel, soot) and natural (such as sea spray, dust and pollen).

The size of particles in the air varies. PM 10 has a diameter of 10 micrometers or less, whereas PM 2.5 has a diameter of 2.5 micrometers or less – and is often described as 'fine particles'. These finer particles are the biggest concern, because they're small enough to be breathed deep into our lungs.

By way of comparison, a human hair is about 100 micrometres, so roughly 40 fine particles make up the width of one strand of hair!

These tiny particles are entering our lungs every day, from where they can pass into the bloodstream, and we have strong evidence that they are causing direct adverse effects on our health. While the London trial showed some interesting variations – the volunteer exposed to the most pollution was not the cyclist out on the streets everyday, but the HGV driver who spent up to 9 hours a day driving around London making deliveries. The second most affected was the construction site manager. Modern offices have lower levels of pollution due to high quality filters and air flow systems, but pollution levels on the tube were high and increased significantly with deeper lines. Most tube pollution came from iron oxide dust and we are yet to know the full health impacts of this.

These results are of course specific to London where the research was carried out, but nationally and globally air pollution is an increasing problem – and, of course, doesn't stop at a country's borders. According to the World Health Organisation worldwide air pollution accounts for

- 29% of all deaths and disease from lung cancer
- 17% of all deaths and disease from acute lower respiratory infection
- 24% of all deaths from stroke
- 25% of all deaths and disease from ischaemic heart disease
- 43% of all deaths and disease from chronic obstructive pulmonary disease



In children and adults, both short- and long-term exposure to ambient air pollution can lead to reduced lung function, respiratory infections and aggravated asthma. Maternal exposure to ambient air pollution is associated with adverse birth outcomes, such as low birth weight, pre-term birth and small gestational age births. Emerging evidence also suggests ambient air pollution may affect diabetes and neurological development in children.

Pollution and the law

Many readers will be familiar with the case of Ella Kissi-Debrah, whose mother Rosamund has been campaigning to have air pollution cited on her daughter's death certificate as a contributing cause to her death from severe asthma. In May this year the family were granted the right to a new inquest. Mark Lucraft QC said: "In our judgment, the discovery of new evidence makes it necessary in the interests of justice that a fresh inquest be held". He said the family's lawyers had argued the new evidence demonstrated there was an "arguable failure" by the state to comply with its duties under the European convention on human rights, which protects the right to life.

Client Earth have been holding the UK Government to account for some time, winning three cases in the High Court where they have challenged the Government on its failure to require action from 45 local authorities with illegal levels of air pollution. These challenges are likely to continue as Client Earth figures show that in 2016 44 UK cities exceeded the WHO guidelines for PM_{2.5}, while in 2017, 37 out of the designated 43 reporting zones in the UK still did not comply with regulations for NO₂. At the time of writing news has come through that the introduction of the UK's first Clean Air Zones in Birmingham and Leeds are to be postponed till July 2020, due to a Government delay in delivering digital systems required to make the zones operational and enforceable.

There is still a very long way to go, and the implications for future cases, court challenges and even class actions by employees exposed to harmful levels of air pollution as a result of their jobs, is clearly a worry.

There are things we can do as individuals (such as choosing less polluted routes to work, or burning less fuel in the home) but the most significant thing we can do is to continue to put pressure on our government at local and national level to ensure that the air we share is clean and doing us good not harm.

For more information about the Air We Share campaign visit Hubbub.com or listen to the Planet Pod podcast on air pollution.

Amanda Carpenter
Presenter Planet Pod & CEO Achill Management





Relationship Management



Update from the North Team

Relationship Management team North activity over the past six months

It has been a busy first half of the year for the north team. We have delivered several key, high profile events, had engagement with over 50 top 200 and small firms, networked with in-house members and had face to face visits with over 20 Local Law Societies across the region.

We have also discussed such things as Brexit, the changes to the SRA Handbook, price transparency, ethics in the profession, diversity and inclusion, risk and compliance and how to join My Law Society.

Here are some of our highlights.

During January and February, we held two of our three North West Regional Forums, bringing together council and committee members, local law society Presidents and Secretaries and stakeholders to address key issues. Deputy Vice President, David Greene spoke at the Lancashire & Cumbria Forum in Lancaster and The Law Society's Regulatory Policy team addressed the Greater Manchester Forum in Manchester.

We have held three very successful D&I forums across the north so far this year. In Manchester in February, Leeds in April and Newcastle in June, the focus was on important issues such as how firms tackle mental health, gender pay gap and LGBT+ issues. We now have a 100 plus member following for the forums and it's growing. The final session for 2019 will be held in Liverpool on 2 October and will focus on Black and Minority Ethnic BAME recruitment and retention.

Early in January, representatives from eight firms in Leeds gathered to hold a Gazette Roundtable to discuss the legal market in Yorkshire. The lively discussion was chaired by the

Gazette Editor in Chief Paul Rogerson and covered a range of topics including Brexit, devolution and the Northern Powerhouse. The representatives also discussed the attraction and retention of talent in the city and across Yorkshire, diversity in law firms and the role of solicitors and law firms in the communities.

During the first half of the year, we have continued our close working relationship with our Law Society communities' colleagues. We ran an In-house Mitigating Risk Seminar at the end of January in Leeds and in February an In-house roundtable in Manchester, focusing on Brexit and the implications for In-house lawyers.

In February our Small Firms Division teamed up with Leeds Law Society to welcome a group of managing partners from small and niche firms across Yorkshire to discuss topics including the changes to the Handbook, mitigating risk generally, and the impact of the new Price Transparency Rules. Our Chief Executive, Paul Tennant welcomed the group and the discussion was led by the Law Society's Head of Risk and Compliance, Pearl Moses, and Chair of the Law Society Small Firms Division, Satpal Roth.

We also held a Brexit roundtable chaired by the Head of our Brussels office, Helena Raulus, along with representatives from the Ministry of Justice and Department for Business, Energy and Industrial Strategy. The roundtable discussion focussed on the impact of a possible no deal Brexit.

Following the successful ethics events in Yorkshire last October, we held two more in May in Preston and Lancaster with our Regulatory Policy team. They were well attended, and the discussion covered the impact of the SRA handbook changes, the

reputation of the profession and ethical scenarios involving technology and social media.

Finally, in June The Law Society's Membership and Communications Committee 'MCC' decided to have their committee meeting in Leeds. Gateleys hosted an evening networking event for members and stakeholders on 10 June and their meeting was held at Leeds Law Society offices on the 11 June.

Since the beginning of the year, we have also had a number of office holders up in the region. In January, the Deputy Vice President, David Greene attended the Lancashire & Cumbria Regional Forum and the Lancaster Law Society annual dinner, in March he spoke at the Cheshire & North Wales Law Society and the Preston Law Society annual dinners.

Vice President, Simon Davis attended and spoke at the Yorkshire Law Banquet in Sheffield in April and the MCC reception in Leeds in June and Paul Tennant The Law Society's Chief Executive, attended the small firms' roundtable in Leeds and visited York in May to address members from Yorkshire Law Society as well as members from: Doncaster, Scarborough, Harrogate and Leeds. He also started off the York Legal walk in the evening.

If you would like to contact the north team please feel free to contact Jo, Claire or Cath

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Cath Carter
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Jo McLeod



Claire Quinn



Cath Carter

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Faster and Smarter

Pro-Vide Law hosts cutting edge Oxford Conference

Pro-VIDE-Law was formed by Charles Feeny and others in 2013. It acts as a focus for training and education activity including the publication of case notes and event information.

Pro-VIDE is hosting a major conference at Wadham College, Oxford, on 11 July. The conference is entitled "Association versus causation: epidemiology versus the law?" The speakers include leading academics Oxford Professors Carl Heneghan and Sandy Steel, and Cambridge Professor Jane Stapleton. The conference will explore the issues surrounding the use of epidemiological and statistical evidence in the proof of causation in the law of tort. This is a controversial area of particular significance in group litigation. The aim of the conference is to promote debate and understanding in this area and hopefully produce some agreed criteria for the application of such evidence in Court. The conference will be chaired by Mr Justice Stuart-Smith.

Charles Feeny said, "I am delighted that we have been able to attract such speakers of high calibre to participate in this event. The audience appears to be a good mix of practising lawyers, academics and scientists. I really hope that we can have a very active debate and hopefully achieve some form of consensus, but perhaps I may be over-optimistic in that respect given the controversy in this area of the law."

Pro-VIDE-Law operates pro bono, but Charles is not oblivious to its role in promoting a clear profile in a specialist legal market. "I have been practising as a specialist in personal injury and clinical negligence for over 20 years. Although I do not like saying it, I have to accept that over that period of time an increasing amount of this work has been concentrated in specialist Chambers in London as opposed to being carried out by local practitioners. This is particularly the case in relation to clinical negligence. I think it is easy to see the reasons why. Regional sets seem to remain multi-disciplinary and there is an emphasis on keeping contributions to a minimum. This has to be contrasted with the specialist London sets where practitioners are prepared to commit a greater proportion of their higher income streams to promoting a specialist practice. Inevitably this creates greater fire power in terms of marketing, network and profile, and also means that the most gifted younger lawyers will apply for pupillage at these sets. On the other hand, the business model of the regional sets tends to lead more naturally to volume as opposed to specialist work."

Claire Labio who manages Pro-VIDE as well as its related businesses, believes a different model has to be deployed to compete with London specialist sets:

"Whilst lean and agile is what might be described as a digital cliché, it does describe our practising model which is intended to maximise the ability to compete in the national specialist market. We run four enterprises in unison being: Complete Counsel, a business that supports barristers, Complete Mediation which supports mediators, Facilitate Expert Solutions which supports experts, and Pro-VIDE-Law our education arm. There is very substantial overlap and interaction between these businesses. Emma Wall, an experienced Clerk who I worked with for many years at a previous set has just joined me and will assist in driving the businesses forwards, building on what we have already achieved and promoting the growth we predict for the next 12 months."

We are passionate supporters of Liverpool as a legal centre. We believe we can compete with the London sets, but we have to be realistic as to what is required in this context. We see the same small pool of people against us in the serious injury and clinical negligence claims - usually from the specialist sets. Our aim is to match them by having a very efficient and responsive service coupled with targeted marketing, networking and profile. This involves cultivating a clear presence in the marketplace and intelligent use of digital marketing. It is interesting that barristers with a national profile like Michael Sherry a tax lawyer and Andrea Barnes a costs specialist have chosen to use Complete Counsel for their practice in the North West."

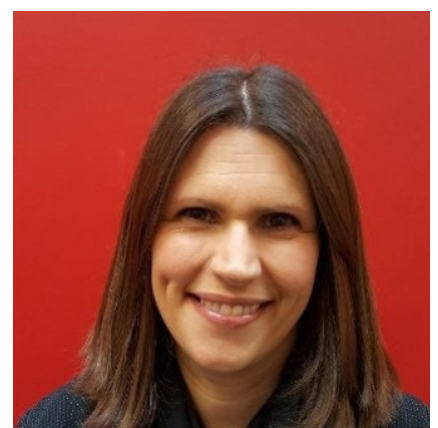
Further details of the Oxford conference can be found on www.pro-videlaw.co.uk



Charles Feeny



Claire Labio



Emma Wall

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

Businesses located in the Commercial District BID will have noticed a brand new art installation that has popped up on The Liverpool Plinth at Liverpool Parish Church (or St Nick's as it is affectionately known). You can't miss it!

Called 'Split Decision', this striking new sculpture is a 4.5 metre, multicoloured, minimalist structure, and for the next year will sit on the famous plinth at the side of the church overlooking Chapel Street and our city's UNESCO World Heritage waterfront.

Brought to the city by Liverpool BID Company, in partnership with the church, and city gallery and art organisation, dot-art, it's all part of the BID's commitment to enhance the Commercial Business District with thought-provoking, public art - creating an attractive environment for those who live and work in the area, and encouraging people from outside to visit and utilise the businesses located here.

The sculpture was selected by a committee including the BID, St Nick's, the Bluecoat, Liverpool Cathedral and dot-art, following a call-out to artists working in the north of England to submit their works for consideration. The new sculpture replaces last year's popular winner, 'Gold Lamé' - a suspended, bright gold car - by Tony Heaton, which was originally commissioned as part of Art of the Lived Experiment for DaDaFest 2014 at the Bluecoat.

Created by North Yorkshire-based and Egyptian-born sculptor, Sam Shendi, 'Split Decision' explores themes of mental health and depression, using colours to express a multitude of emotions and fears that a depressed individual experiences when having to make a decision, but also the hope and optimism that can often be hidden in plain sight. Sam has had works displayed around the world, so it is a real coup to have one of his colourful creations right here in the heart of the Commercial District BID for levy paying businesses, employees and visitors to enjoy.

To find out more about Liverpool BID Company's public art strategy, please visit www.liverpoolbidcompany.com

You can also join the BID on social media: Twitter - @LpoolBIDCompany / Facebook - LiverpoolBIDCompany / Instagram - LiverpoolBIDCompany / LinkedIn - Liverpool BID Company



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

Regulation Update



Andrea Cohen
Weightmans LLP

The latest regulation news from Andrea Cohen of Weightmans LLP

The world of risk and compliance is never quiet, and this month has been no different. With just 5 months to go until the SRA Standards and Regulations come into force (or STaRs as they are being referred to!), the SRA has put the new rules on a Standards and Regulations beta website, <http://ow.ly/VXE550uGaJT>, which has a helpful index, and may, hopefully, have the promised guidance added fairly soon.

Only 25% of law firms websites are compliant with the new rules on price and service transparency

As you will be only too aware, since the beginning of December, firms have been expected to display price and other key information across a range of law areas to assist consumers in choosing between them. In its review of 447 randomly selected law firm websites, the SRA found that nearly a fifth were not compliant at all and 58% were only partially compliant.

The regulator has given the 78 firms that are not complying at all two months to do so before considering enforcement action, and those that are partially compliant have been told to add the missing information and face another web sweep. The most common failing was not displaying information on how to complain. Other areas included not specifying the amount of VAT applied to costs and not displaying information on key stages or likely timescales. SRA chair Anna Bradley said: "Most people struggle to access legal services and find shopping around difficult because of the lack of useful information. Our new rules aim to give people a fighting chance of understanding what they will get for their money. Our checks show that it's a mixed picture at the moment. We can see that most firms are genuinely trying to comply, but I don't think there is any excuse

for those who have done nothing."

Number of law firms shut down falls to 10-year low

The SRA's recently published annual report for 2017/18 showed that the number of law firms shut down by the SRA fell to a 10-year low in 2018, but pay outs to victims of dishonest solicitors have increased.

The SRA paid out on 1,553 claims worth a total of £18.1m, the highest figure since 2013/14, when the fund paid out £23.6m. The average payment was £11,500 and the largest single payment was for just over £820,000. Probate losses are the most common factor behind a compensation fund payment, with this sector costing the fund £5.3m. Conveyancing fraud cost the fund £3.7m. The report highlighted the huge cost, namely £1.3m, of storing the 282,076 files and 400,000 boxes collected from the firms it closed down.

Only 8% of the 11,508 reports received concerning solicitors' or firms' behaviour led to an internal referral for possible disciplinary action or a referral to the Legal Ombudsman. The most common complaint was that a solicitor had taken unfair advantage of a third party, such as a litigant in person.

Meanwhile, Hazlewoods, a business adviser specialising in the legal profession, says more than 500 firms are expected to open next year as lawyers leave larger practices, as the barriers to setting up a business are falling, technology costs come down and serviced offices become more acceptable to clients.

Law Society defends its NDA guidance after criticism

NDA's remain in the news generally, and since releasing its practice note in relation to NDAs

in January, the Law Society has faced criticism from professionals and academics alike.

In March Richard Moorhead, Professor of Law and professional ethics at University College London, argued that the guidance demonstrated an absence of "ethical leadership" and appeared to be "more concerned about asserting the legitimacy of using NDAs than it does about dealing effectively with the risks" and that it was "less restrictive" and "less useful" in its approach to NDAs than the SRA. Crispin Passmore, former strategy director at the SRA, also suggested that the society had put the interests of solicitors ahead of the public interest in the practice note.

However, David Greene, deputy vice-president, has now rebutted 'headline-grabbing' claims that it has failed the public in its approach to the use of non-disclosure agreements, in an article in the Law Gazette, stating: 'Our practice note released earlier this year exists to outline current standards. It does not attempt to make any ethical judgement of NDAs beyond the law, nor to suggest standards as they ought to be...it simply demonstrates the law as it is.' He adds: 'That's because, even among claims of misuse, there are also situations in which confidentiality clauses are entirely appropriate.' Mr Greene also rejected Professor Moorhead's comparison with the SRA guidance stating: 'There is no disparity between our approach and that of regulators'. He also says the Society is working 'on all the issues raised in the current debate' alongside the practice note.

It is clear that there is still work to be done to tackle the thorny issue of NDAs and ensure that the Law Society can successfully tackle the issues raised by the #MeToo debate.

Report calls for end to “macho culture” of chambers

A report conducted by Farore Law, who specialise in discrimination, sexual harassment, equal pay and disability discrimination has advised that there will need to be a culture shift if the Bar is to improve its gender balance. The report, which analyses the recent progression of women in law and other professions in the UK, advised that “current trends suggest the gender balance of practising barristers will never be reached”. The report agreed with the Bar Standards Board’s ‘Women at the Bar’ report that there needed to be a culture change. “The cultural issue does not just apply to the issues of discrimination and harassment, but requires a shift from the macho culture that can pervade chambers and which can mean a demand for high fees being generated,” the report said.

The outlook is better for solicitors. If current growth rates are maintained, there will be 10,000 more female practising solicitors than men by 2022. The report suggests that this may be a result of greater support systems, team structures and more senior female role models. However, whilst the number of women partners in large firms is increasing, there are still twice as many male partners. The report cited the reasons for this as being “gender biases in recruitment and promotion, the use of male-focused activities to develop client relationships and the lack of flexible working”. Similarly whilst there has been an increase in female court judges since 2014, there is a lower representation of women in senior judicial roles. Additionally, “the proportion of women in accountancy remains consistent but very low ... the highest percentage of the Big Four reached just 19%”.

The report concluded: “there have been changes for the good, but much more needs to be done ... Everything possible must be done to retain women, encourage their ambition and to question stereotypical assumptions about women and what drives them... What the Bar, the Big Four and many law firms still seem unable to do is adequately manage their organisations so as to make progression easier for women, attractive to women and welcome for all.”

Survey reveals consumers see technology as key to unlocking access to law

A survey of 1,776 people has revealed that the majority of people in England and Wales think the legal system is not set up for ordinary people and only 50% would seek advice from a lawyer when faced with a legal problem. This survey marks the launch of the Legal Access Challenge, the centrepiece of an 18-month programme being run by the SRA with innovation foundation Nesta.

For consumers, family matters were the most common legal problem (21%), followed by personal injury (12%) and breach of contract/problems with goods or services (11%), while regulation (30%) was the main problem faced by businesses, well ahead of business premises (15%) and tax issues (12%). 79% of those surveyed agreed that it needed to be easier for people to access legal guidance and advice for themselves, with 59% thinking technology could help. Specifically, people considered that a digital service for legal advice would enable them to have a better understanding of their rights and result in cheaper advice. Chris Handford, SRA director of regulatory policy said: “To work in real time with innovators to develop technology will aid our understanding of what the regulatory opportunities and challenges of supporting innovation are”.

SRA/SDT decisions

Trainee solicitor who forged client’s signature banned from profession

A trainee in the London office of a US firm has been banned from working in the profession without SRA approval as a result of forging a client’s signature in a bid to pass off a copy share certificate as the original. She was also ordered to pay costs of £1,600 – the notice indicated that the trainee had appealed the sanction, which increased the costs.

Police station representative attends police station drunk and in possession of cocaine

Another trainee solicitor has been made subject to a section 43 order after he attended a police station while drunk and in possession of cocaine whilst acting as a police station representative. As a result, he cannot be employed by an SRA-regulated firm without its permission. He was convicted of driving a motor vehicle with excess alcohol, and possession of both cocaine and cannabis at Wiltshire Magistrates’ Court. In addition to the section 43 order, he was rebuked and ordered to pay costs of £600.

Probate solicitor took money from estates to keep firm afloat

Over a period of 8 years, a probate solicitor took money from estates to shore up his practice and produced false accounts to clients to hide what he had done. The SRA became aware in late 2015 as a result of the firm’s annual accountant’s report. Their investigation identified improper transfers of nearly £300,000 in total. £59,000 was repaid, leaving a cash shortage of £232,555.

In an attempt to justify the transfers, the solicitor raised interim bills which were never actually delivered to clients, because he had not in fact carried out the legal work. The solicitor admitted initially lying to the SRA about what he had done. In mitigation, he said he was “profoundly sorry” and accepted full responsibility for his actions. He insisted he only ever intended to shore up his firm’s office account temporarily, but events overtook him and he could not put matters right. The SDT heard that the solicitor and the Solicitors Regulation Authority had reached agreement on his misconduct, with the practitioner admitting the allegations against him, including dishonesty. The regulatory agreement stated that he produced false estate accounts in order to mislead anyone reviewing these documents. His initial false representation to the SRA was designed to hide his actions, as he knew the consequences for his career. The tribunal found no exceptional circumstances that could warrant anything but a strike-off. He also agreed to pay the SRA’s costs of £19,000.

Solicitor who repeatedly lied to clients and the SRA struck off the roll

A solicitor misled clients into thinking their cases were progressing, assuring them steps had been taken which he had failed to take, the Solicitors Disciplinary Tribunal heard.

Several complaints were made to the Solicitors Regulation Authority, which told a hearing of the SDT that the solicitor had lied to clients and then misled the regulator during its investigation. The tribunal found allegations of dishonesty proven against the solicitor of 17 years, who did not attend the hearing and was not represented. In its judgment, the tribunal said: ‘Much of the conduct was motivated by his desire to cover up his incompetence and his failure to properly progress matters in which he had been instructed. He had displayed a wilful disregard of his professional obligations in the broadest sense. Further, he had an arrogant disregard of his clients’ affairs.’

The tribunal heard that in a child access case, he told his client that the client’s ex-wife had refused to engage with proceedings, when he had not actually sent her any letters. The client lost a year of contact with his daughter, who wrongly believed her father had not wanted to see her, and he was in debt due to legal fees and suffering from depression. In another matter, he misled a client pursuing solicitors for professional negligence, saying counsel had been instructed when this was not true, and he was ultimately unable to progress the negligence claim.

The solicitor had emailed the tribunal to say he was sorry for any distress or upset he caused, which was unintentional, and he would have run the practice differently with hindsight. He had been suffering significant health issues due to stress at the time of the misconduct.

**Andrea Cohen
Weightmans**

Active Workplaces Business Games

Last month saw the return of the Active Workplaces Business Games, with 18 teams and 120+ participants from workplaces across the region taking part in beginner level, fun and inclusive sports and activities.

The event sees teams taking part in ten sport stations where they work together to complete skills activities to earn points for their team. We put on a wide variety of activities so that there's something to suit everybody, with the event aimed at people of all ages, abilities and levels of fitness.

Businesses of all shapes and sizes came along, including DWF Law, Knowsley Council, Morecrofts, Liverpool ONE and many more. We had some great feedback from workplaces that came along, including:

"I had the best time – there was so much fun and laughter! It's really opened my eyes to the fact that exercise doesn't have to be a boring chore and that you can have lots of fun doing a team sport. I'm so happy I signed up to take part – thank you!"

"It was great fun, and helped our team to bond and celebrate little victories together."

"Thoroughly enjoyed the event – we spent most of the night laughing and we'd love to come again with more teams."

Want your business to see the benefits of physical activity? Put a team down from your workplace for the next Business Games event, provisionally planned in for 6.00pm to 9.00pm Thursday 14th November in Liverpool, by emailing activeworkplaces@merseysidesport.com



Morecrofts with their second place trophy

2019 Residential Property Conference

on Wednesday 11th September 2019

Chaired by Angela Hesketh & with sessions:

Update on Government consultations within residential conveyancing

Angela Hesketh, Jackson Lees

Escalating ground rents

Ian Quayle, IQ Legal Training

Newbuild and recent newbuild issues

Ian Quayle

Sometimes People Aren't Who They Say They Are

Robert Kelly, Stewart Title

Residential landlord and tenant update

Bill Chandler, Hill Dickinson

Land Registry Update

Jamie Winch, Land Registry

Outcome focused regulation

Sheila Kumar, CEO, CLC

Residential Property Case Law Update

Brynmor Adams, Exchange Chambers

FREE to 2019/20 Training Season Ticket Holders [OR](#)

Only 2 Corporate Member Training Offer Credits

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

Sponsored by



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](#)

MENTAL HEALTH MATTERS AT WORK

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

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

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

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

Look after others

Tips for good mental health and wellbeing at work

PROMOTE A CULTURE OF ACCEPTANCE

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

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

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

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

RAISE AWARENESS

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

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

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

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

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

PROVIDE LEARNING AND DEVELOPMENT

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

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

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

SIGNPOST TO SUPPORT

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

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

Ensure staff know about LawCare and the support available

Call our free, independent, confidential Helpline on
0800 279 6888 or go to **www.lawcare.org.uk**

Liverpool Legal Walk 2019

For seven years the streets of Liverpool witnessed the spectacle of about 100 lawyers walking around the ever-darkening October streets of Liverpool after work to raise money for Access to Justice. This year we decided upon a radical change and moved the walk to June to take advantage of the lighter nights and more pleasant summer weather.

In fact, it was the wettest in living memory! Despite the shocking conditions, about 150 us braved the elements and managed to raise over £5000 for the North West Legal Support Trust (NWLST). The Trust raises funds for and makes grants to organisations that provide free legal advice to those in need.

We did break one record this year. For the first time, our walk was reported in the Law Society Gazette before the London Walk that took place the following week. This was largely to a personal rush of blood to the head on my part that led to this being described as my 'Walk of Shame' by many of my close friends and family! A couple of weeks before the walk I announced that if my sponsorship went past £500, I would do the walk in a Liverpool FC shirt.

Within less than a week £800 was reached, mainly from fans of a team that had recently won some sort of European Trophy. My good friends (!) Carpenters Law even went as far as to donate a shirt with a No 6 on the back. And so, it was that I walked the full 5k in the rain, wearing a shirt that I would normally cross the road to avoid. But the exercise raised just under £1k for a good cause.

On behalf of the Trust, I would like to thank the team from Liverpool Law Society for their invaluable help in organising the walk, for the management and staff at Revolution and of course for all the other brave souls who took a drenching for justice! I think we will stick to a summer event in the future and would encourage all member firms to save the date once it is announced.

Steve Cornforth
Trustee
NWLST

To date the Liverpool Legal Walk has raised over £5000 and money is still being donated.



The Lead Walkers



Community Foundation marks 20 year legacy with a focus on homelessness

The Community Foundation for Merseyside (CFM) is celebrating 20 years of giving to the local community.

Since 1999, CFM has managed funds on behalf of a variety of donors including Jamie Carragher's 23 Foundation, the Liverpool ONE Foundation, Hill Dickinson and Peel Ports in order for them to achieve their strategic aims, distributing funds to the causes that matter to them, where there is most need and where it will have greatest impact.

In that time CFM has distributed over £41 million to local charities and grass root charities who provide irreplaceable support to some of Merseyside's most vulnerable people. Whilst a 20-year anniversary presents an opportunity for celebration, CFM decided to use this milestone to reflect on what has been achieved and highlight what still needs to be done. That includes playing its part in addressing the prevalent and unacceptable issue of homelessness and rough sleeping in Merseyside.

At the end of 2018 the Office for National Statistics revealed 62 homeless people died in Liverpool between 2012 and 2017; of those, 17 passed away in 2017.

In April CFM, working in partnership with Revd Canon Dr Crispin Pailing and Liverpool Parish Church, held a conference



Business Leaders Homelessness meeting

at St Nicholas Church in Liverpool, bringing together both mayors' offices, frontline service providers and business leaders to give the audience, of 170 people and organisations, greater insight into the extent of homelessness, the ongoing work to reduce homelessness in the region and finally to consider combined action. During the event a personal case study from a former rough sleeper also left attendees moved and stirred to take positive action for change.

Since the event CFM and Liverpool Parish Church have convened a group of business leaders from Liverpool's city region, including: Steven Connolly, Liverpool ONE Foundation; Emma Carey, MSB Solicitors; Stephen Cowperthwaite, Avison Young; Alistair Cooper, Onward Homes; Philip Rooney, DLA Piper; Denise Banks, Gaskells Waste; David Owen, Investec.

The group is supporting the creation of a Homelessness Business Charter. This charter will promote ways in which businesses can help alleviate homelessness and rough sleeping – whether through responsible employment practices, launching sustainable

initiatives or lobbying to ensure the issue is at the forefront of political agendas and public awareness.

"We're determined to play our part to put a spotlight on the issue, bringing together our strong network of contacts in the business, private and third sector to find solutions to what ultimately constitutes a crisis," adds Rae Brooke.

The homelessness working group will meet again in July. Anyone interested in getting involved should contact ben.roberts@cfm.email / 0151 294 4755. To find out more about CFM, visit:

www.cfmerseyside.org.uk.



Karl Smith speaking at CFM and Liverpool Parish Church homelessness conference



COMMUNITY
FOUNDATION
For Merseyside

Waterloo Festival



Morecrofts attended the Waterloo Festival in Crosby in June, where they played hook a duck with children and gave out more than 400 goodie bags.

The event, which the firm sponsored, is held annually at Crosby Coastal Park, and sees thousands of local families attending. Although the sunshine wasn't out for the entire weekend, the crowds kept coming and the Morecrofts team had a great time.

Associate Solicitor Helen Robins said: "It was a fantastic weekend. Events in communities are so important for local people and to see so many of our clients, friends and their families enjoying themselves was a pleasure.

"We are looking forward to next year."



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](#)



A MIDSUMMER NIGHT'S DREAM

St Luke's Bombed Out Church


Leece Street, Liverpool, L1 2TR

Sat 13th July, 6pm & Sun 14th July, 2.30pm

Advanced tickets: Adult £14, Conc £12, Child £10, Family £44

www.ticketquarter.co.uk | www.oddsocks.co.uk

or tel: 01332 258328

 citizens
advice Liverpool

Brought to you by Citizens Advice Liverpool
and The Bombed Out Church



News from the SBA

SBA Brings Pink and White to the London Legal Walk

Last week, your profession's charity painted the city of London pink and white at its annual Legal Walk. SBA The Solicitors' Charity hosted its very own stand and was joined by former Liverpool Law society President, Richard McCullagh.

The charity made a real effort to stand out to 15,000 walkers by donning pink wigs and offering goodie bags and popcorn. The charity was successful in spreading the message "solicitors, don't sweat it, we've got your back".



New CEO of SBA The Solicitors' Charity



This month, SBA The Solicitors' Charity hired Nick Gallagher as its new CEO. Nick has a wealth of experience of working at legal charities. Nick is delighted to be part of such a worthy cause and looks forward to engaging with supporters.

Why male solicitors should reach out for help

Men's Health

Are male solicitors more reluctant to ask for help when they are in need? SBA The Solicitors' Charity asks this question and explains why reaching out is a sign of strength, not a weakness.

Why male solicitors should reach out for help

www.sba.org.uk



Zoe's Place named Weightmans' Office Charity for 2019/2020

Zoe's Place, Liverpool, has become the Weightmans' Office Charity for 2019/2020 and with it comes exciting opportunities to raise money in a variety of different ways. This can be highlighted by Weightmans FC and their attempts to raise £1,000 for charity through football.

On 22 May 2019, Weightmans FC played their first game of the summer against the University of Liverpool's Law Staff. Despite falling 1-0 and 2-1 behind, goals from Jack Bookey, John Gibney and a screamer from James Hough ensured that Weightmans FC's summer campaign got off to a great start. The team are yet to finish collecting following this game; however, with further potential games lined up, they are confident of exceeding this target.

If you are interested in organising a game against the team, please contact Jack Bookey – Jack.Bookey@weightmans.com.



If anybody would like to donate to this brilliant cause, please visit the following link:
<https://www.justgiving.com/fundraising/weightmans-llpfootballtournament?newPage=True>

MSB is making strides and celebrating Pride

Pride in Liverpool is set to return this year on the 27th and 28th of July, and MSB is preparing to support, march and revel in the festivities.

Last year saw the firm celebrate by transforming its branding with a rainbow logo and taking to the streets of Liverpool and Manchester to march alongside fellow law firm, DWF.

This year, MSB is partnering with Agent and stepping up the celebrations by hosting a Pride celebration at Oh Me Oh My! The firm has recently carried out a series of initiatives to create an LGBT friendly workplace. It was the first private business and the only law firm to attain the Navajo kitemark in 2018. Navajo has seen them introduce a set of progressive policies, including accommodating leave to transition and enhancing same-sex maternity, paternity and adoption leave.

MSB was the only Liverpool firm to participate in the Law Society's nationwide scheme to become LGBTQ+ Mentors. Most recently, the firm has established an Equalities and Diversity Committee, with an LGBTQ+ sub-committee headed by Paula Mansfield, family solicitor and partner. The committee will provide a platform for LGBTQ+ staff to champion diversity and ensure a voice is given to all perspectives at work, with further sub-committees for women, BAME, disability and social mobility.

MSB's commitment to LGBTQ+ inclusion and equality was recognised last year when Managing Partner, Emma Carey, was nominated for the NatWest British LGBT Corporate Ally award. As an LGBTQ+ ally, Emma



Emma Carey

urges business leaders across all sectors to take progressive steps to eliminate LGBTQ+ discrimination by scrutinizing and updating their own HR policies to reflect modern life. Law firms in particular, she believes, should be at the forefront of progressive change as advocates for justice and human rights.

Emma says: "For us, pride isn't just once a year. I'm proud of my staff that are LGBTQ+ community members and allies every day and am incredibly passionate about encouraging other businesses to follow our lead in creating diverse and inclusive

MSB LGBTQ+ Mentoring Scheme

MSB is a full-service law firm, with 13 partners and offices in Liverpool, Allerton and Wavertree servicing its clients nationwide.

The firm is committed to eliminating discrimination and promoting equality and diversity – seeing diversity and inclusion as needing to be at the top of its agenda, until such time as it no longer needs to be.

As part of this commitment, MSB joined the LGBTQ+ Mentoring Scheme as a way of doing more for this particular group and they welcomed the chance to show the legal profession working together. They were mentored by DWF, which also started in the North West of England, and the firms quickly developed a rapport. This meant that the experience has been fun, as well as extremely useful, and the project has been a catalyst to advance D&I at the firm more widely.

What did they do?

- MSB's managing Partner, Emma Carey, took personal charge of the relationship and ensured that the whole firm was committed to making the mentoring scheme work.
- Clear objectives were set at the beginning of the relationship, and progress against these regularly reviewed.
- DWF shared resources and guided MSB on how they could be adapted for a smaller workforce; and was available to bounce ideas off.
- Ensured there was an LGBTQ+ representative on the firm's D&I group.
- Marched together at Manchester Pride, with colleagues able to network with each other.
- Adapted their approach to recruitment, so as to attract more diverse applications.
- Collaborated on community engagement (eg. the Navajo Merseyside & Cheshire LGBT Charter Mark, Liverpool Pride and visiting students in all three Liverpool universities).



Next steps

- Working together on a joint allies event.
- Marching together in Manchester Pride.
- Using learning and ideas from the scheme to help other protected characteristic groups.

"Often it is the big firms which are seen to be doing things in the area of D&I. In fact, all of the work, initiatives and policies can be implemented in small and medium firms too – this does work, and it must." Emma Carey, Managing Partner.

Broudie Jackson Canter hosts Charity collaboration event

Over 40 North West charities have taken part in a special event to boost collaboration and connection across the region's third sector, hosted by North West Law firm Broudie Jackson Canter, part of the Jackson Lees Group.

The event on Thursday June 20th was held at the Everyman Theatre on Hope Street in Liverpool and welcomed charities including Claire House, Liverpool Bereavement Service, and City Hearts - providing a platform for new connections to form and enable more opportunities for collaborative working between third sector organisations.

Broudie Jackson Canter works closely with the region's charity organisations and has a strong track record in supporting and enabling the third sector. The firm's Housing, Social Welfare, Crime, Immigration, Actions against the Police, Family and Inquests and Inquiries teams all work closely with North West charities, providing expert legal support and guidance, when needed.

In a bid to deepen links across the region's charities, Broudie Jackson Canter invited charities which support people across a wide spectrum of needs including domestic abuse survivors, refugee and asylum seekers, homeless people, vulnerable children, and people who have been enslaved.

Esther Leach, Managing Director at Broudie Jackson Canter, said: "I have always been incredibly proud of the work we do here at BJC but seeing it in conjunction with the amazing work done by these charities is phenomenal. Thank you so much to everyone who attended and I look forward to seeing you all again soon."

Rob Lapsley, from bereavement support charity Love Jasmine, said: "Speaking to other charity representatives, it was clear how much Broudie Jackson Canter does in our community



Chris Topping, Esther Leach, Andrew Holroyd & Elkan Abrahamson

and it was also clear how much the community work means to their staff members. It was such a positive evening listening to what is being done in our area and it was a pleasure to be there!"

Chris Topping, Director at Broudie Jackson Canter and President of Liverpool Law Society, said: "We are delighted to have had such a fantastic attendance from so many diverse charities. It is a great encouragement to work with so many really dedicated people towards our goal of making a positive difference. Hopefully everyone who attended went away inspired and with a renewed sense of purpose."

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.



Esther Leach, Managing Director and Chris Topping share a laugh

Charity Spotlight



PAPYRUS
PREVENTION OF YOUNG SUICIDE

PAPYRUS is the national charity dedicated to the prevention of young suicide.

Suicide is the biggest killer of young people - male and female - under 35 in the UK. Every year many thousands more attempt or contemplate suicide, harm themselves or suffer alone, afraid to speak openly about how they are feeling.

Our Vision

Our vision is for a society which speaks openly about suicide and has the resources to help young people who may have suicidal thoughts.

Our Mission

We exist to reduce the number of young people who take their own lives by shattering the stigma around suicide and equipping young people and their communities with the skills to recognise and respond to suicidal behaviour.

Our Beliefs

We believe that many young suicides are preventable. Those who are touched personally by a young suicide have a unique contribution to make to our work. No young person should have to suffer alone with thoughts or feelings of hopelessness and nobody should have to go through the heartbreak of losing a young person to suicide. There are always lessons to be learned from listening to young people at risk of suicide, those who give them support and those who have lost a young person to suicide.

Our Work

SUPPORT: We provide confidential support and advice to young people struggling with thoughts of suicide, and anyone worried about a young person through our helpline, HOPELINEUK.

EQUIP: We engage communities and volunteers in suicide prevention projects and deliver training programmes to individuals and groups. This includes equipping local councils, healthcare professionals and school staff with suicide prevention skills.

INFLUENCE: We aim to shape national social policy and make a significant contribution to the local and regional implementation of national suicide prevention strategies wherever we can. Our campaigning comes from our passion as individuals, parents, families and communities who have been touched personally by young suicide. We press for change in many places using hard-hitting and dynamic campaigns as well as presenting evidence to those in power so that lessons can be learned and learning implemented to help save young lives. For full details of our ongoing campaigns including information sharing, standard of proof and media reporting, visit our campaigns page.

PAPYRUS has been a long standing member of the government advisory groups in England and Wales on suicide prevention matters. We are active members of the National Suicide Prevention Strategy Advisory Group in England and of the National Advisory Group on Suicide Prevention and Self-harm reduction in Wales.

For further information please contact Papyrus at Lineva House, 28-32 Milner Street, Warrington WA5 1AD, call 01925 572 444 or email admin@papyrus-uk.org. Donations can be made via our website <https://papyrus-uk.org/donate/>.



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Changes to CLR11 Land Contamination Guidance Published

The Environment Agency (EA) has published an update to the Model procedures for the management of land contamination (CLR11).

The updated online guidance is built on the principles of CLR11 and the scope, purpose and the framework remains the same.

The original guidance began as a research document back in 2004 and was quickly adopted as the de facto guide for managing the risks from land contamination. In this time it has not been updated, so this is a welcome enhancement that makes it more accessible for all.

Single Remediation Strategy Format

The structure is shorter and more simplified. The explanation of the remediation process has been improved. There is now an emphasis on developing and producing a single remediation strategy, rather than just working through the stages.

This means that the later stages and tiers have been revised and reordered. Stage 2 now focuses on reviewing options appraisal, while stage 3 is about remediation and verification.

It also includes a **Remediation options applicability matrix**. This is a tool to help indicate the broad capabilities of a remediation option and covers common methods that are generally available for particular contaminant-media type combinations.

Better Look and Feel

The look, feel and usability of the guidance have also been upgraded:

- Technical language, terminology and content has been updated, explained and retained where necessary – it is now suitable to novice and professional alike.
- It complies with new accessibility laws – such as compatibility with screen readers, web based, clear and concise.
- Repetition and general background information has been removed to meet GOV.UK publishing requirements
- It is now more user focussed, shorter and easier to understand
- Information on next steps is much clearer, whilst retaining the same referencing system.

The EA is actively seeking feedback so that the new guidance is acceptable to both environmental practitioners and regulators on the technical content and structure for a period of 6 months.

Once the feedback has been incorporated, the existing CLR11 document will then be withdrawn, to avoid confusion over which version to use. None of these changes affect the original purpose of CLR11 or any existing or planned contamination projects.

Our View



The changes have been endorsed by **Tim Champney, our Risk and Consultancy Manager:**

"From a first glance, the LCRM guidance appears to offer a more intuitive

approach to the risk management principles. I expect that the improved accessibility of the guidance will make the market at the early stages of the risk assessment process more inclusive and competitive, which can only be a good thing, whilst helping to improve the quality and consistency of those services offered. Future Climate Info will be actively engaging with the Environment Agency to provide our support and contribution to the import feedback process before the final withdrawal of CLR 11 at the end of 2019.



Our resident **Specialist in Land Condition (SiLC), Commercial Director, Chris Taylor also said:**

"The new guidance seems an excellent step forward, simplifying CLR11 to make the key content more manageable and easy to understand by a wide range of property professionals.

The online format enables quick navigation but still retains the key reference documents which experts may need to refer to during the risk management process. I'm sure there will be some changes following feedback from user groups such as SiLCs, but the current guidance is a solid first step and we look forward to further improvements."

We will be using the framework, together with additional feedback on best practice through our professional links with CL:AIRE, IEMA and CIWEM to support our opinions applied to both our contaminated land risk assessments and FCI appraisals for both residential and commercial property.

Clear Insight and Solutions for your Client

It is important to get detailed assessment at the earliest possible indication of potential risks. A Commercial Environmental Risk Report from Future Climate Info will provide clear, forensic insight on the site history and its proximity to potentially contaminated land.

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

Future Climate Info has also recently launched Fixed Fee Further Reviews. These are a quick, cost effective and robust route to investigate and solve potential environmental liabilities flagged in reports for commercial property. A fixed fee is applied with no limit to the amount of enquiries that can be made

Our experts are able to advise commercial property lawyers on a wide range of re-development schemes on brownfield land. For more information, visit www.futureclimateinfo.com, call 01732 755 180 or email info@futureclimateinfo.com

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Report Details

Address:
5, Some Street, Some Town,
Some County, TEST

Grid Reference:
E: 428818 | N: 423719

Report Reference:
CombinedTest3

Requested by:
slim jim (test)

Date:
05/09/2018

Report ID:
1000105535

Subject Site

Air Quality Index: Some Polluted Areas (See 1.25)

Professional Opinion

1. TERRAFIRMA OFFICIAL CON29M **FURTHER ACTION**

► Identified coal mining activity:
1.01 Past underground coal mining
1.04 Shafts and adits (mine entries)

2. ENVIRONMENTAL **PASS**

► No further recommendations

3. FLOOD **PASS**

► No further recommendations

4. GROUND STABILITY **PASS**

► No further recommendations

5. ENERGY & INFRASTRUCTURE **PASS**

► Consideration(s):
5.20 Power Stations
5.23 Solar Farms

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

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

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

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

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

Assessed by:

FCI Risk Team

www.futureclimateinfo.com/team

Regulated by RICS

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|--|--|--|---|-------------------------|
| TerraFirma CON29M Includes nearby subsidence claims, previously only available at additional cost from The Coal Authority. | Professional Indemnity Cover £10 million Professional Indemnity Insurance. Can be relied upon by the professional parties involved in the property transaction, including the first purchasers and their advisers, and the first purchaser's lender. | Loss of Value Insurance Covers any change in Coal Authority data (Up to £50,000 for the lifetime of the property ownership). | Cheshire Brine Indemnity Policy £50,000 inclusive Cheshire Brine Indemnity Cover: for the lifetime of ownership when the property is within the Cheshire Brine Compensation District. | |

For more information on FCI's suite of products, visit:

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⁽¹⁾ RRP for residential properties less than 15 hectares.

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

Regulated by RICS

Review

Ministry of Sound: The Annual Classical at the Philharmonic Hall

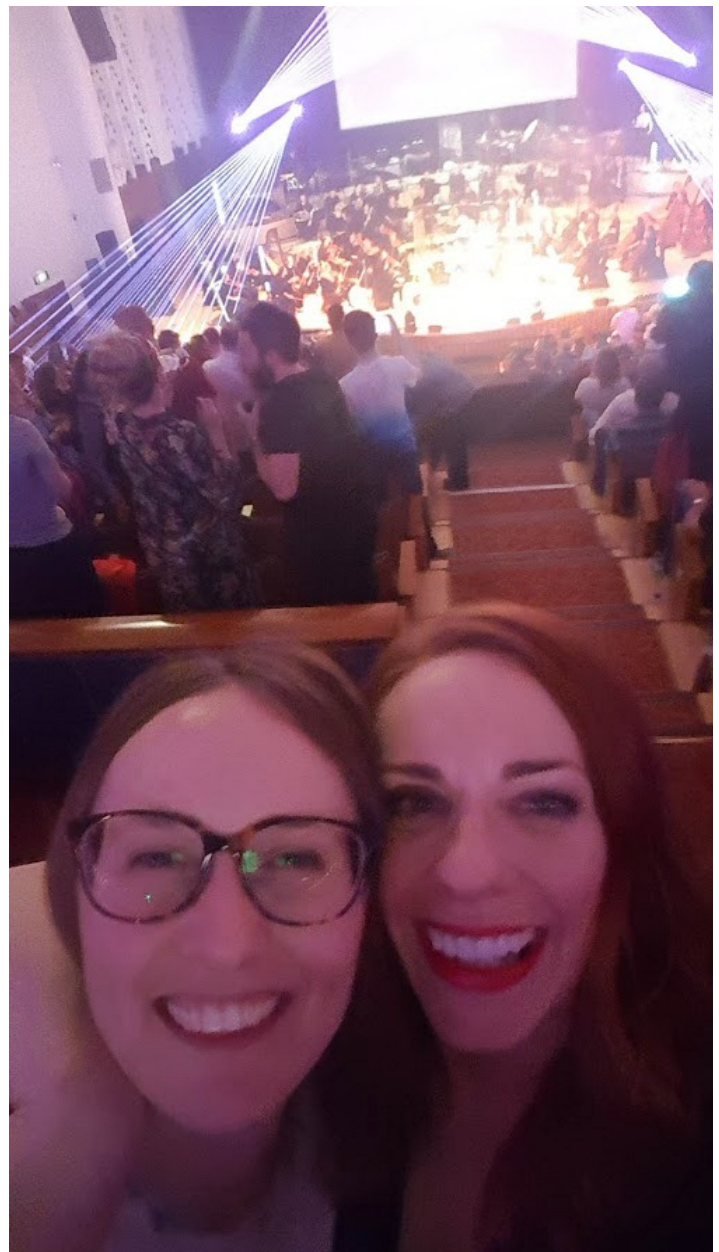
The heady days of the mid to late nineties saw the rise of the superclub. Cathedrals for dance music fans from across the country to see the best DJs. Of course, locals will argue that Cream was by far the best, but perhaps the most famous superclub of that era was Ministry of Sound. From a warehouse in South London grew the dance music behemoth brand that is the Ministry, and what brought the music to the mainstream was the launch of "The Annual".

Mixed by Pete Tong and Boy George and containing the best tracks of the year, no self-respecting student turned up to halls without their Annual CD compilation. It was the soundtrack to most after parties at a time when most clubs and bars were emptied at 2am!

Fast forward 20 years and I like to think of myself as slightly more refined, so the prospect of the Annual re-imagined as a classical music concert sounded ideal. The Crowd at the Philharmonic Hall were of a certain demographic but were ready to enjoy an evening of classical music. The concert was preceded by a DJ and a short film about the making of the ministry with some of the legendary DJs that made their name there including Paul Oakenfold, Judge Jules, Brandon Block and Tall Paul. So far, so refined.

Then the lights went down and the Manchester Concert Orchestra took the stage. From the first bars of Dario G's Sunchyme it was clear that this was Going to be a classical concert like no other. The throbbing bass of the sound system, the lights and lasers, everyone was on their feet. You could see the crowd transported to a time before responsibilities or getting up for work, before kids and mortgages, when the most worrying thing to do was work out what to wear for the next all-nighter and whether you could get a ticket with the remains of your student loan.

The set list was filled with classics from Fatboy Slim through, Paul van Dyk, Mousse T and Moloko to Zombie Nation. By the encore, a rousing rendition of Faithless' Insomnia all hands were in the air



and not a bottom was left on a seat. This was the Philharmonic doing what it does best, introducing classical music to new generations in an accessible way.

By the end of the show we left feeling euphoric and rejuvenated – and yet still at a reasonable time to get back for the babysitters unlike 20 years ago. The perfect night out!

**Nina Ferris
Hill Dickinson**



Book Review

Last Orders, Your Executors' Guide to Your Letter of Wishes By Patricia C. Byron

I first reviewed "Last Orders" in 2010 when Patricia C. Byron first published her book. Since then Patricia has updated the information and the new edition has gone on to become an Amazon bestseller.

Patricia was prompted to write Last Orders after the death of a close friend and her mother and the ensuing disagreements about the funeral, gravestone, flowers and belongings.

"Last Orders" isn't a Will, but is a "Letter of Wishes" which will help families and Executors to deal with practical and personal matters, and wishes of the deceased

The hardback book, which has sections to be completed, guides the reader through the various legal and practical aspects of death, funerals and finances. There is advice on the burial or cremation options, on the choice of coffins, but also on organ donation and Living Wills, or how to record your wishes should you become ill.

There is also a section of what the deceased would like on their gravestone, who should attend the funeral, and if cremated, what to do with the ashes.

Additionally there are sections on the financial aspects of life and death and areas to complete about insurance policies, income, loans, title and property deeds.

The Will deals with many of the financial aspects of the deceased's estate, but what to do about clothes and personal items which may have sentimental value?

I think that we struggle to talk about death, we feel it's awkward, or morbid, or as if talking about it is somehow tempting fate. Yet when we die, do we want our grieving families arguing about the details of the funeral or what to do with ashes? "Last Orders" is a very practical guide to prompting and guiding the discussion with family and friends about what you want when you die.

"Last Orders" with its detailed guidelines and checklist really is the perfect way to start the conversation about death and ensuring that all aspects of the deceased's life are dealt with according to their wishes.

'Last Orders' is published by Stellar Books and available at Amazon and Waterstones.

Alternatively you can order the book directly from www.lastorders.org
Priced at £19.99

Julia Baskerville

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SECOND EDITION

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Your Family and the Executors of Your Will*

PATRICIA C. BYRON

Look After Yourself

Top 10 Tips for Good Mental Health and Wellbeing



Keep Active

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



Take a Break

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



Sleep is Important

Sleeping well can improve concentration and refresh you



Eat Well

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



Drink in Moderation

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



Keep in Touch

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



Share How You Feel

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



Give Back

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



Be Mindful

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



Ask for Help

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

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News from the WLD

Annual General Meeting – 9th May 2019

The WLD held their AGM on 9th May 2019 and welcomed the new Chair, Kirstie Bork, Simpson Millar and the committee members were appointed to the following roles:

Jennifer Mitchell, Simpson Millar (Vice-Chair)
 Amelia Hayden, Brabners (Previous Chair and Sponsorship Co-Ordinator)
 Nadia Rimmer, Simpson Millar (Treasurer and Website Co-Ordinator)
 Samantha Barr, Simpson Millar (Secretary)
 Hannah Scott, CPS (Membership Co-Ordinator)
 Lois Williams, Morecrofts (Charity Co-Ordinator)
 Naomi Fathers, Jackson Lees (Website Co-Ordinator)
 Marisa Fytro, Simpson Millar (Social Media Co-Ordinator)
 Amy Jackson, McKays Solicitors (Events Co-Ordinator)
 Ruth Eardley, Hill Dickinson (Events Co-Ordinator)
 Jemma Ellison, Hill Dickinson (Events Co-Ordinator)
 Sophie Kearney, Morecrofts (Events and Education Co-Ordinator)
 Gladuela Lawrence, JB Leitch (General)
 Elke Kendall, Brabners (General)
 Elspeth Beatty, Brabners (General)
 Rebecca Tucker, Brabners (General)
 Pamela Chesterman, BLM (General)
 Rebecca Dobbs, Morecrofts (General)

Charity of the Year

The WLD are continuing to support Help for Heroes for 2019-2020. Our Chair Kirstie Bork took to the sky on Saturday 22nd June 2019 and jumped 15,000 feet in aid to raise money for this wonderful charity! Kirstie's justgiving page is still active if anyone wants to donate/sponsor after seeing the evidence - <https://www.justgiving.com/fundraising/kirstie-bork1>

There will be also opportunities throughout the year to give donations to the Charity at all of our events.



Welcome Event – 27th June 2019 City Wine Bar

The WLD's Welcome Event was held on 27th June 2019 at City Wine Bar. The Committee would like to thank everyone who attended the Event which gave an opportunity for people to join the WLD or for existing members to renew their membership. The guests enjoyed glasses of prosecco accompanied by mini burgers, onion bhajis and arancini balls. The WLD would like to thank City Wine Bar for being a brilliant venue. Membership can still be sought for those who were unable to attend by emailing wldevent@gmail.com.



What's Coming Up?

Our next event, Gin & Beer Tasting is being held on 25th July 2019 at Love Lane Brewery. More details will be shared on our social media in due course.

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
 Email wldevent@gmail.com

Merseyside Landmarks

In this edition we are back in Liverpool and take a look at the iconic St Lukes 'Bombed Out Church' which was badly damaged during the Blitz in May 1941.

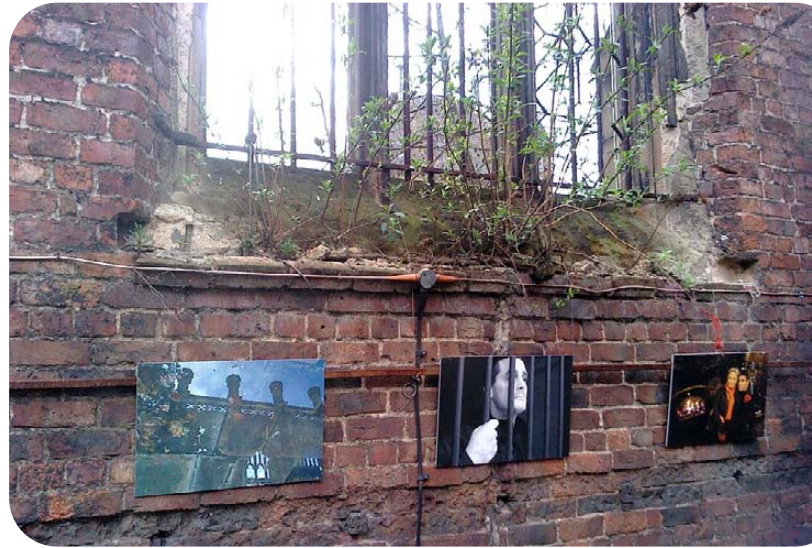
Standing on the corner of Berry and Leece Streets, St Lukes or the "Bombed Out" Church was built between 1811 and 1832. The Church was designed by John Foster and his son, also John Foster who were surveyors for the Liverpool Corporation.

The land itself was donated by Edward Smith-Stanley, 12th Earl of Derby in 1791 with the condition that the land should never be used for any other purpose than that of a church. The plans were amended by John Foster Jr so that the church could also be used as a concert hall as well as a place of worship for the people of Liverpool.

The church became to be known as "the doctor's church" because of its location near to Rodney Street, the home of many doctors and was in constant use as a concert hall until the Philharmonic Hall opened in 1849.

Constructed of ashlar sandstone in a Gothic style, St Lukes five-bay nave, a four-bay chancel and a west tower with porches in between. In the tower the cast iron bell frame remains which was made by George Gilliband.

Outside the church is a Memorial, with inscriptions in Gaelic and English, to the victims of the Irish Famine. This was designed by Derry-born, Aemonn O'Docherty, which has been erected to



commemorate the Irishmen who died as a result of the Irish Famine in the middle of the 19th century and was officially opened by the President of Ireland in 1998.

Liverpool was badly damaged during the Liverpool Blitz in May 1941. Between 1st and 7th 1941 the Luftwaffe dropped 2,315 high explosive bombs and 119 incendiaries were dropped and there were 2,895 casualties.

Liverpool Cathedral was hit by a high explosive bomb which pierced the roof and damaged many stained glass windows. Over 6,500 homes were completely demolished by the bombing and left 70,000 people homeless. Ironically one of the homes that was demolished on Upper Stanhope Street belonged to Alois Hitler, Jr, half brother of Adolf Hitler although he had long since left Liverpool, abandoning his wife and son William Patrick Hitler. William and his mother Bridget Dowling moved to the USA at the start of the war and he was drafted into the United States Navy and was awarded the Purple Heart.

On 5th May the incendiary bomb hit St Luke's Church. Although gutted by the bomb a decision was made that to leave it standing as a reminder of what the people of Liverpool had endured during WW11 and as a memorial to those who had lost their lives. Winston Churchill visited Liverpool immediately after the bombing and commented: "I see the damage done by the enemy attacks, but I also see the spirit of an unconquered people."

The "Bombed Out Church" now serves as a creative hub for the community and is a venue for the creative arts, festival and public events as well as being a wedding venue. It is also home to the 'Finest Hour Sound Archive', which is 135 hours of oral history which recorded the memories of those who witnessed the Blitz in Liverpool.

Later this year the "Bombed Out Church" will host a new food and drink festival "A Taste of Liverpool" and 13th and 14th July, the Oddsocks Theatre Company will be performing their adaptation of a Midsummers Nights Dream in aid of Citizens Advice.

To book visit www.bombedoutchurch.com

Julia Baskerville



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| S Code | Date | Time | July 2019 | Speaker |
|---------------|-------------|-------------|---|-----------------|
| S4239 | 10th | 1.30-4.30 | Sexual Offences Update | Anthony Edwards |
| S4190 | 12th | 10-4 | Divorce & Financial Orders Certificated Course | Safda Mahmood |
| S4173 | 16th | 9.30-12.45 | New Build Issues for conveyancers | Richard Snape |
| S4174 | 16th | 1.30-4.45 | Conveyancing Issues in the family home | Richard Snape |

| S Code | Date | Time | September 2019 | Speaker |
|---------------|-------------|-------------|--|----------------|
| 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 | 2019 Residential Property Conference | various |
| S4331 | 13th | 1.30-4.30 | How to Avoid Procedural Death-Update on Limitation, Service & Court Fee Traps | Jeff Zindani |
| S4328 | 17th | 2-4.15 | The Old and the New: A review of the signifi- cant case law that every Court of Protection practitioner 'needs to know' and an introduc- tion to the proposed Liberty Protection Safe- guards. | 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 |
| 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 | 2019 Family Finance Conference | various |

For full details & to book, visit: www.liverpoollawsociety.org.uk

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