

LiverpoolLaw

November 2019

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



Law Society Excellence Awards

Wins for Morecrofts, MSB
Solicitors and Weightmans



Leadership and the Law

This month we talk to Paul
Barrow of Quinn Barrow



The Linenhall Cup

Liverpool Law Society v
Chester and North Wales
Law Society



Merseyside Landmarks 'Dream' in St Helens

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November 2019

4. The latest from the Editor, Jennifer Powell

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

6. Helix Highlights

7. Raising a glass to "Mr E" - retirement of Anthony Edwards

8. Start of the Legal Year Ceremony

9. Law Society Excellence Awards

12. News from Vauxhall Law Centre

13. News from Merseyside Law Centre

14. Leadership and the Law: Paul Barrow of Quinn Barrow

16. Hill Dickinson marks Women in Law centenary with North West celebration

32. Council Member's Report from Sarah Lapsley

40. Charity & CSR
Carpenters 'wear it pink'

Cover photo:
Dream, St Helens
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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

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Welcome to the November 2019 edition of Liverpool Law



Jennifer Powell
Editor

editor@liverpoollawsociety.org.uk

This month you will see the results of The Law Society Excellence Awards 2019- congratulations to everyone shortlisted, those ranked Highly Commended (including my own firm Weightmans) and of course the winners. It's great to see a great turnout from our region once again. Special congratulations to the former Editor of Liverpool Law Alison Lobb winning Woman Solicitor of the Year! Alison does so much, I honestly don't know where she finds the time, so very well deserved.

This month is Will Aid month. During November firms that have signed up can draft a will for you and/or your partner for £100 or £180 for a pair of mirror wills- which is donated to nine Will Aid charities. I took part last year, since having my daughter I wanted to make sure her needs were covered should something happen. I was amazed at what can be covered- I have been able to include who may care for her (with their agreement!) and include a back up plan too just incase their circumstances change. I have also detailed that the funds can be drawn on before she turns 21 to help fund any educational needs. And it was so easy, literally a 10 minute meeting and a call to pick it up. It's amazing how many people intend to make a will but never get around to it- so here is your reminder. The link is here too- so no excuses!
<https://www.willaid.org.uk/will-makers/find-a-solicitor>

If you need cheering up after reading that then head to the CSR pages, some pink boots will make you smile!

Many thanks

Jennifer Powell
Solicitor
Weightmans

Editorial Committee Dates

All meetings start at 1pm

Tuesday 15th October

Tuesday 19th November

Tuesday 17th December

Diary Dates

2019

Mon-Fri 4-8 November

Thursday 7 November

Thursday 14 November

Wednesday 20 November

Monday 25 November

Friday 27 November

Wednesday 4 December

2020

Thursday 16 January

Thursday 30 January

Wednesday 5 February

Thursday 6 February

Pro Bono week

Annual Dinner

Joint Social University of Liverpool & Women in Law Exhibition Launch

Conference for Legal Cashiers & Managers

AGM at 1pm

Public Child Law Conference

Occupational Disease Conference

Summit Meeting with Councillors & GC

Newly Qualified solicitor, FLEEx & Pupil

Barrister celebration evening

Domestic Abuse Conference

Joint V meeting (Bristol)

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

Deadlines 2019 & 2020

25th October

25th November

13th December

27th January 2020

26th February

25th March

23rd April

28th May

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



President's Mentions

October was a hectic month in the life of the Liverpool Law Society. At the start of the month I was fortunate enough to be at the service at Westminster Abbey to celebrate the Opening of the Legal Year. It was an amazing occasion – full of pomp and ceremony which you may be surprised to hear is not normally my favourite thing. However there were several things which particularly struck me.

It was a great privilege to be at events that day where there were people from all over the world who had come to the United Kingdom to recognise our justice system which is still revered. I spoke with the Presidents of the American, Malaysian and Austrian Bars all of whom had high praise for the practice of law in our jurisdiction. There is much to be proud of as lawyers in this jurisdiction even in these amazingly crazy times.

This was emphasised at lunch in Westminster Hall we heard from the Rt Hon Robert Buckland QC MP, the Lord Chancellor. He promised an audience comprising hundreds of judges (including those of the Supreme Court) that the government would uphold the rule of law. I write this article the day after the Prime Minister has sent an unsigned letter to the European Union requesting an extension to the Brexit deadline, having said that he would die in a ditch rather than do so, thus proving that no one can be above the law.

The most striking part of the day was the sermon delivered by Bishop of London, Rt Revd and Rt Hon Dame Sarah Mullally, granted that she had a captive audience but she took the opportunity to remind a cathedral full of lawyers that

"It is right that we seek to put our best legal minds to discerning what represents justice and democracy in our day. It is right that when there is dispute, we work hard to discern what is best. But what we must not forget is that justice starts with the poor, the marginalised, the weak and the oppressed. It is those who are most vulnerable who desperately need the system to work for them. We must ask: Are all our political and legal wranglings aimed at bringing justice to them?"

How fitting that at the start of the legal year every judge and a good number of politicians were reminded of the importance of access to justice and for ensuring that the starting point must be those at the very edges of our society.

The Joint V Law Societies were all represented at the event and this was a great chance for us to catch up and share our current plans and challenges. We have since continued our discussions at a meeting in Liverpool in the middle of October where we were

joined by Simon Davis the Law Society President. He was very much in listening mode as we talked through issues of social mobility, access to the profession, the new Solicitor Qualifying Examination.

It is very important to us that we maintain and develop our relationships with Birmingham, Bristol, Leeds and Manchester Law Societies – together we have a collective voice which we can use to shape and influence policy on a national level and make sure that the Law Society has to think outside the M25 boundary.

October also saw a fantastic football match between ourselves and Chester and North Wales Law Society. We won 5-0 with Ali Hough being awarded the man of the match trophy. Our thanks go to Charlie Mahoney for organising the team. I was disappointed not to get a call up but having seen the photos of the teams I reckon I would have increased the average age of our team rather too much! If there are organisations who you know about who would be up for a game let us know.

I was invited to attend the service to mark the start of the legal year at Liverpool Cathedral. There were many local lawyers present who were treated to a rendition of "O Happy Day" by Court in the Act (a choir made up of staff from the Queen Elizabeth II Law Courts). They were excellent although one has to wonder if the choice of song was somewhat ironic from a group of people working in the beleaguered criminal justice system! Once again there are photos of the day later in the magazine.

Some of you will have heard the sad news of the passing of David Gee. David practised in Liverpool for many years before becoming a District Judge in the County Court. He was there when I first started in practice and was always seen as a fair tribunal. He had been a Major in 5/8 (Volunteer) Battalion, The Kings Regt and Merseyside Scout County Commissioner, he demonstrated a strong desire to serve others and his community, he will be missed by many of our member who knew him.

I hope that many of you will be joining us for our Annual Dinner on Thursday 7th November at the Shankly Hotel. This promises to be a great evening and I look forward to seeing you then.

Chris Topping
President

Sponsored by 

Helix Highlights

Meeting with the Liverpool LEP

At the end of September, I met with Steve Stuart, chair of the Professional and business advisory group to the Liverpool City Region LEP and Combined Authority. Steve is also an Ambassador for Professional Liverpool and will be known to many of you. The LEP and Combined Authority want to encourage growth in the region and are keen to have good news stories from the legal sector. Steve and his colleague Claire Delahunty are now signed up to receive this magazine which hopefully will assist with providing articles. Steve was also keen to get the views of the legal sector on what the biggest challenges are facing law firms in the region over the next 5 years. I can certainly put you in touch with Steve if you have comments and feedback for him on this.

There is a mentoring programme that has been set up, and Liverpool Law Society has started to communicate this out on our various communication channels.

Finally, the LEP are updating the Baseline Report that LLS assisted with last year for 2020 and they would like our views, opinions and input for that.

New starter



I am pleased to say Emily Hardy has joined the small office team at Liverpool Law Society in a full-time role. Here is a little bit about Emily in her own words:

"I have recently begun my role as Event Marketing Assistant at Liverpool Law Society and I could not be happier! The team have been instrumental in helping me settle into the office and introducing me to the concepts and culture of Liverpool Law Society. My first week has been a busy one to say the least – attending my first Joint V meeting was a day to remember! As part of my role I will be assisting the Accounts Manager Liz Weeks and The Director of Training and Education Jo Downey, to manage both event organisation and social media, as well as developing successful marketing strategies. In addition to this, I will assist CEO Sarah Poblete in sponsorship administration and general office support."

I have recently graduated in July from Liverpool John Moores University with a First Class Honours in Marketing which has bound my love for the city and passion for all things digital! My previous job roles have been highly central to events and hospitality, my last role being Head Host for The Alchemist which has taught me a great deal about event organisation, time management and also dealing with stressful situations. It was the team at The Alchemist that possessed me with the skills and confidence to follow my dreams and take up a proactive role in Event Marketing."

Outside of work I live with my boyfriend and two friends from University by which my other full-time job is looking after them and keeping the flat in shape! In my spare time I enjoy travelling, eating out (which I do too often) and socialising with friends on the weekend particularly if wine is involved!"

I am very much looking forward to getting stuck in the role and learning more and more about Liverpool Law Society."

Emily has made a great start at the Society and I look forward to her developing in her role.

TLS Diversity & Inclusion Forum on BAME

Last month I attended an excellent forum on Diversity and Inclusion organised by the Law Society that had as its main theme BAME. It was attended by about 20 people who all had a variety of roles and responsibilities in law firms of differing sizes. It was interesting to hear from all the attendees about the challenges they have faced, what firms currently do and what other actions and activities are open to us all to increase opportunities and aspirations for those from the BAME community. I will be talking to the Law Society about what assistance and guidance they can give on this subject, and I will report further in future editions.

Merseyside Women Lawyers Division

The President and I had a good meeting with the Chair of the Merseyside WLD, Kirstie Bork. We discussed how we could collaborate on future projects and events. Keep a look out for a wellness event in January 2020 which is open to all - as indeed most of their events are.

Liverpool & Sefton Chamber of Commerce's Economic Business Breakfast

I attended this event on 25 October. There was a presentation on national and regional results for quarter three this year and a broader look into the future. The picture painted was one of a weakening economic outlook indicating there will be challenging times ahead, however on the brighter side unemployment rates are very low. Discussion then moved on to issues facing businesses in the Liverpool City Region such as training, education, skills, infrastructure and investment.

Joint Forum on Access to Advice

The Society is hosting the 6



Sarah Poblete
CEO

monthly Joint Forum on Access to Advice on 15 November. The initial aim of the Forum was to create an arena where those advice giving bodies who were primarily affected by the cuts in Legal Aid that came into effect in April 2013 in civil and social welfare areas could meet and seek to bridge gaps between need and provision of advice. The Forum has sought to co-ordinate efforts in providing advice across the six local authority areas covered by the Liverpool Law Society (Liverpool, St Helens, Wirral, Halton, Sefton and Knowsley) and continues to meet twice a year. Look out for a full report about the meeting in November in the December edition of this magazine.

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

Raising a glass to 'Mr E'

Thursday 10th October was a bit of a sad day here at Liverpool Law Society. It was the date that respected and much-loved speaker Mr Anthony Edwards provided his last ever training event before he retires at the end of this year.

Anthony began his career as an articled clerk in 1972 & qualified in 1974 at the firm established by his Uncle; Thomas Victor Edwards in 1929 and where he remained in practice throughout.

He is acknowledged as one of the UK's leading authorities on police station law and has a well-respected reputation as a leading mitigator of sentence. A former Lord Chief Justice commented that 'if one wanted to have anyone mitigating on one's behalf, one could do no better than instructing Anthony'.

Anthony is always knowledgeable, professional, personal & charismatic and has been providing training for Liverpool Law Society for over 30+ yrs which means he will have trained hundreds if not thousands of local lawyers.

Thanks to those who attended on 10th October and joined us in raising a glass to him. Afterwards Anthony said: "Would you do me a great kindness and pass on to your committee my appreciation of their kindness in supporting the small celebration at the end of the last update and for their kind words. It was very much appreciated. I shall miss the colleagues I meet as I go around the country and Liverpool has always been particularly generous."

The staff, officers & members of Liverpool Law Society will miss him very much and wish him a long, healthy & happy retirement.

Jo Downey,
Director of Education & Training



Calling all Legal Aid Lawyers!

We are asking firms to take part in the Young Legal Aid Lawyers appeal to persuade the government that the current Legal Aid Means Test must be rectified in order to make justice accessible to more people. You don't have to be an YLAL member to make a difference, being engaged in the appeal will help pass on the message to the right people! Sign up to this project to help gather quantitative evidence on the way in which the means test operates in practice.

The more data you provide, the stronger submissions YLAL can make about why the current means test is not working.

For more information or to take part, visit
<http://younglegalaidlawyers.org/projectmeanstest>

Joint V in Liverpool

The Joint V Law Societies met in Liverpool last month and were joined by Simon Davis, President of the Law Society. The Joint V comprises officers from Birmingham, Bristol, Leeds and Manchester Law Societies.



News from the Sub-Committees

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

Non Contentious Sub Committee

This is a summary of our discussions at the meeting of the non-contentious business subcommittee on 17th October.

There were only six members who were able to attend the meeting, so we were in the small meeting room while the Joint V met in the large meeting room and from the sounds emanating from their meeting, it seemed quite lively. Our meeting was also very good and as usual, it could have proceeded for a further hour. As the chairwoman of this committee, I have always endeavoured to finish on time, otherwise no-one can commit to joining as everyone has very busy diaries. I went over by a few minutes, though no more than 5 – I'll try and do better next time!

Thank you to Jo Downey for all her hard work in organising the conferences and seminars. The annual residential conference on 11th September was a sell out and there was great feedback.

The annual housing disrepair conference is due on 26th February, and Jo asked for suggestions re speakers and contents. Possibly include mental capacity issues as these are raised as defence to possession and the burden of proof is on the tenant. This is arguably more significant than fitness for human habitation issues which arise less often in practice. There is also a private client aspect to where the occupant lacks mental capacity and hasn't made LPAs therefore no-one has legal authority until the deputyship order has been made through the Court of Protection. This takes a long time, 6-8 months. The annual private client conference is due on 15th May and is organised with STEP. The officers of STEP are now from the financial side cf. legal, this could freshen everything up but it is important to ensure that the legal side is covered. There was an issue with the quality of one of the sponsored speakers at this year's conference which meant that a valuable teaching slot was diminished.

Jo will create e- groups to enhance and maximise the opportunity to contribute, cf. physical meeting.

Jo is looking to organising a new half day conference on company and commercial law for next year.

Unfortunately, the digital asset seminar was cancelled due to lack of numbers, and H Clarke's elderly client update has been under subscribed. This may be because Mrs Clarke does two seminars each year which cover similar subjects.

The individual and corporate value season passes are available and provide excellent value.

Hot Topics

Charity

Thank you to Graeme Hughes who reported that there is no new relevant legislation. The rules on political campaigning are under scrutiny eg banners for candidates on charity buildings. The annual charity law conference at the beginning of October was successful. The Charity Commissioner has been critical of the actions of Oxfam in relation to their handling of the recent scandal. Labour have announced that they would be looking to remove the charitable status of independent schools if they win the general election (which date is expected but not announced). Realistically this may mean VAT on fees and business rates being payable.

Property

Thank you to Nadya Makarova who provided an interesting and refreshing overview of the property market in light of Brexit. The

values in UK have remained stable while at the same time, values have increased overseas. This has potentially increased the desirability of buying UK property. Eg, M&G has purchased a site by the Gherkin in London for £875M.

There are a lot of properties and sites for sale in Liverpool.

Properties are being designed with the enhancement of mental health as being important.

Surveyors are tending to specialise as the property market becomes more complicated eg mixed use commercial and residential properties.

There are unusual properties on the market eg Martello Towers.

Private Client

Proposed fee increase scrapped: -

I provided an update- the proposed increase in the Probate fees has been dropped altogether.

Delays:-

There are still significant delays in issuing grants of representation, recent experience has been 5 weeks, but this is still way below the standard reached (1-2 weeks) before the introduction of the new computer and is unacceptable. Solicitors can now apply within a digital system but only if they have a HMCTS direct payment account, despite HMCTS stating earlier in the year that this would not be necessary. There was no experience of the system to report. It is noted that the DPR staff have provided a brilliant service over the years and it must be very demoralising to have the efficient system removed and replaced by an inefficient system and to know that the DPRs are being closed down. Information about the stage an application has reached is not relevant, it is the production of the grant itself which is relevant. Yet this is being emphasised as important customer information by the HMCTS reform group.

Attorney grants: -

There is an ongoing problem with attorney grants which are not being produced correctly by the computer, the words of limitation are missing.

Fraudulent use of LPAs: -

There is an increasing incidence of the fraudulent use of financial LPAs investigated by the OPG, this must be the tip of the iceberg as it can only relate to cases where there is a registered LPA (or EPA). There is a lot of unknown financial abuse which happens under the radar completely where there is no LPA at all, and a person's money is simply being used by a third party in an unregulated manner.

Our next meeting 12th December at 1pm where we hope to welcome a guest speaker who will talk about Welsh SDLT.

Thanks to all who attended and contributed to make this an excellent meeting.



Naomi Pinder
Chair

Morecrofts and MSB fly the flag for Merseyside at the Law Society Excellence Awards

The Law Society Excellence Awards took place last month and a number of Merseyside law firms walked away with top awards. Morecrofts were named Private Client Team of the Year and Alison Lobb was crowned Woman Lawyer of the Year. MSB Solicitors were also celebrating as Joanne Dalton was named Practice Manager of the Year. National law firm Weightmans were also highly commended for two Awards.

Head of Morecrofts' Private Client Team, Carol Mason said: "Client satisfaction is of utmost important to us at Morecrofts, and to hear that the judges were particularly impressed with the lengths we go to to make our clients happy is fantastic. This award is testament to the entire Private Client Team at the firm, who work tirelessly to offer an outstanding service in all areas of our work."

Despite the extremely competitive shortlist, Alison Lobb, Managing Partner of Morecrofts took away the Woman Lawyer of the Year. Alison said: "To be recognised on a national level as Woman Lawyer of the Year is wonderful, but I don't hold this award alone. Without the strong women and men around me at Morecrofts we wouldn't have such a fantastic business and ground-breaking firm in terms of what we do."

"For judges to recognise my passion for promoting women in the profession is particularly flattering. I am fortunate to be in the position where I, along with others, can strive to support the many women coming into our profession to reach their potential & achieve partnership or management roles. We are building the legal landscape of the future."

Joanne Dalton of MSB Solicitors was named Practice Manager of the Year. Joanne said, "I am delighted to have won Practice Manager of the Year Award at The Law Society Excellence awards. I could not do my role without the support of my partners, my team and our all amazing staff who have supported me since 2000 when I joined the firm. I truly believe in staff development and have been instrumental in creating diversity and inclusivity in MSB." Managing Partner, Emma Carey added, "Practices and procedures are the backbone of any business and well-run law firm. We are very lucky to have the best. Joanne and I started at MSB around the same time 19 years ago and she has been an integral part of our growth, I could not be more proud and happy that she has been recognised in the national Excellence Awards."

Weightmans LLP also were Highly Commended in two awards; Large Law Firm and Excellence in Learning and Development. Weightmans' Senior Partner David Lewis said: "We were delighted to be acknowledged for our work on some of the biggest cases in England and Wales, our creative and inspiring approach to developing our people, implementing innovative new ways to grow our business and going above and beyond our own roles to help our local communities. We are grateful to our fantastic people for their enthusiasm, passion and commitment to client service which continues to set us apart from our competitors."

Weightmans' Head of Learning & Development Sarah Hardy-Pickering added: "It was an honour for Weightmans' fabulous Learning and Development Team to receive Highly Commended for Excellence in Learning and Development. I am immensely proud of the 12 person L&D team, our firm and the commitment to development we receive from the Board that helps us to make our firm better, faster and happier."

President of the Law Society of England and Wales, Simon Davis, said: "At the Law Society Excellence Awards, we come together to celebrate outstanding success in the sector."

"There are more than 180,000 solicitors in England & Wales: to be shortlisted is to be recognised among the best. To win is a remarkable achievement."



Donal Bannon of Morecrofts collects the Private Client Team of the Year Award



Alison Lobb, Woman of the Year



Joanne Dalton of MSB Solicitors collects the Practice Manager of the Year Award

Start of the Legal Year Ceremony at Liverpool Cathedral



Mr David Steer QC, DL The High Sheriff of Merseyside and Mrs Elizabeth Steer



Vice President Julie O'Hare, President Chris Topping and Jeremy Myers



The Judges
(all photos by Ray Farley)

The Society's AGM

The Annual General Meeting is an important opportunity for full members of the Society to come together not only to conduct formal business but also to reflect on the past year and look forward to the future. Full members will have received (via email in early November) reports about the Society's activities and finances from committee chairs and office holders over the past 12 months. At the AGM itself there will also be a speech from the President, Chris Topping.

Elections for nine places available on the Society's General Committee will take place at the Society's AGM. The meeting will be held at 1.00pm on Monday, 25th November 2019 at the Society's offices in Helix. We look forward to seeing you there.

Liverpool Law Society 



First 100 Years of Women in Law

Two week Exhibition hosted by The School of Law and Social Justice

18th 29th November, Monday-Friday 9-5pm

Eleanor Rathbone Building Foyer, Bedford Street South, Liverpool L69 7ZA

www.first100years.org.uk



School of Law
and Social Justice



Liverpool Law Society and the School of Law and Social Justice

Invite you to join us for an evening drinks reception at the University of Liverpool to celebrate the start of the new academic and legal year.

Thursday 14th November 6pm - 8pm

We will also launch the
‘First 100 Years of Women in Law’ Exhibition

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

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



Following the launch, the **‘First 100 Years of Women in Law’** Exhibition hosted by The School of Law and Social Justice will be available for viewing from:

18th 29th November, Monday-Friday 9-5pm

Eleanor Rathbone Building Foyer, Bedford Street South, Liverpool L69 7ZA

www.first100years.org.uk

For further information please email: slsjmret@liverpool.ac.uk



Vauxhall Community
Law & Information
Centre

VAUXHALL LAW CENTRE RELAUNCH & CELEBRATION EVENT

WHEN

FRIDAY NOVEMBER 8TH – 12NOON – 2.00PM

WHERE

Silvestrian Suites Silvester Street. L5 8SE



CONFIRMED SPEAKERS (OTHERS INVITED)

RICHARD BURGON MP

Shadow Secretary of State for Justice and Shadow Lord Chancellor



DAN CARDEN MP

Shadow Secretary of State for International
Development

EVENT

The Event will be to Celebrate the continued existence & work undertaken by the Law Centre and will look at the wide range of support we have received from across the community. Richard Burgon will be speaking about his plans for Legal Reform including a major boost for Law Centres and restoration of Early Legal Aid Advice, which will help hundreds of thousands of people.

MARTIN LUTHER KING SAID, "LAW AND ORDER EXIST FOR THE PURPOSE OF ESTABLISHING JUSTICE AND WHEN THEY FAIL IN THIS PURPOSE, THEY BECOME THE DANGEROUSLY STRUCTURED DAMS THAT BLOCK THE FLOW OF SOCIAL PROGRESS."



@VLCLiverpool

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**ALL
SUPPORTERS
OF THE LAW
CENTRE
WELCOME**

TICKETS

**Tickets are
free please
order online at
Eventbrite**

@<https://www.eventbrite.com/e/vauxhall-law-centre-relaunch-celebration-event-tickets-76426290091>

**The tickets
are on a first
come first
served basis
so please
order early.**

**REFRESHMENTS
WILL BE
AVAILABLE**



News from Merseyside Law Centre

Fighting for equality through social justice to combat poverty & homelessness



Our Volunteer Co-Ordinator Lorna O'Reilly reports on the impact of our welfare benefits & housing drop-ins...

The austerity programme is still alive and well in the world of social security. Many clients seek advice on the issue of managing their claim and trying to understand how and when they will be paid. A number of issues appear regularly: payment of housing costs can be problematic as the DWP have not been responsible for administering help with rent prior to this and so issues such as liability being shared, or more complex housing situations take a long time to be resolved. This can involve a person's tenancy being at risk and court action being commenced. As we have a Legal Aid housing contract, we can usually assist but ironically the work required to resolve the benefit issue leading to the possession claim is non-remunerable.

The other major area of work is mandatory reconsideration and appeals to the social security appeals tribunals. In line with the national picture we assist people to overturn incorrect decisions on entitlement to disability benefits such as Employment and Support Allowance and Personal Independence Payment and Disability Living Allowance. The Law centre provides personal representation at hearing 2 afternoons per week (on average 4-6 cases pw). The success rate is well into the 80-90% rate and the impact of this is to substantially increase the disposable income of claimants and their families for their care and mobility needs.

Another area of work is challenging sanctions against decisions

around Universal Credit: the sanctions can be punitive leaving people without correct benefits for a period between 14-1095 days

A recent tribunal involved a client with 5 sanctions in total which was overturned successfully but the hardship had already been endured. It is this type of situation which has led to an increase in use of foodbanks. We have also had Merseytravel supply us with travel vouchers which we give in appropriate cases to these clients (no point getting 3 days food supplies if you can't carry it home).

These events do not happen in isolation : people's benefits stopping has a knock on effect on their other benefits and can increase the risk of rent not being paid : we provide a holistic service and will ensure if possible to pre-empt any action by a landlord.

Local law firms Weightmans and Brabners have both generously pledged to help fund our Justice First Fellows. A massive thanks to both firms for their generosity and support. We are reaching out to other local firms for contributions 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

Social Media
Follow us on social media

Twitter: @MerseyLawCentre
Facebook: Merseyside Law Centre

Leadership and the Law

Continuing our series of articles talking to the leaders of Liverpool law firms. In this edition, Paul Barrow, Managing Partner of Quinn Barrow gives an insight into his role...

I was admitted in 1985 and made an equity partner in 1987. I have seen many changes within our legal profession. Imagine a world where solicitors could not advertise their services! That seems a long time ago and legal practice now exists in a very demanding environment. Fee earners have workloads that require both stamina and energy dealing with their clients' instructions within timeframes that have become much shorter and nowadays with the ever present risk of cyber crime.

As a managing partner I am challenged with ever evolving rules and regulations in relation to our legal practice and with the day to day responsibilities of running the practice. Effective leadership requires reasonable delegation and strong relationships with fee earners and support staff, identifying those people who have sufficient ability commitment and enthusiasm to work to tight timetables, achieve fee targets and the ability still to enjoy and flourish in a professional environment.

I take enormous satisfaction from the recruitment and development of fee earners' careers. I have trained and mentored a number of trainee solicitors some of whom have remained with my practice and some who have gone on to very successful careers in other practices.

I still believe that there is a need for the trusted professional advisor. Clients' issues largely remain the same that I encountered 30 years ago. I do worry that some firms endeavour to undercut the costs of their competitors resulting in my view, with a professional service at a cost significantly less that could possibly be viable without the supply of those professional services by inexperienced and unqualified personnel.

Our profession must find a balance to supply professional services that a client values provided by an advisor who has sufficient training confidence and self worth to provide that advice and at reasonable cost.

We remain a small practice and I am proud to say that a significant number of our clients have come from relationships developed over many years. I still represent clients in my 60s that I first met in my 20s!

Some practices continue to grow bigger and bigger but the vast majority of legal practices in Europe consist of no more than 3 or 4 lawyers and nearly 25% of all law firms authorised by the SRA in England and Wales are sole practitioners. We will, no doubt, see a growing polarity between large nationwide practices and smaller firms and perhaps the rise of the freelance solicitor – a recent phenomenon working within a framework similar to the Bar or perhaps in multi disciplinary practices.

Any practice will only grow and flourish with younger fee earners developing client relationships, providing valued professional advice for reasonable fees and within a practice that provides sufficient support and management and ensuring an acceptable work/life balance.

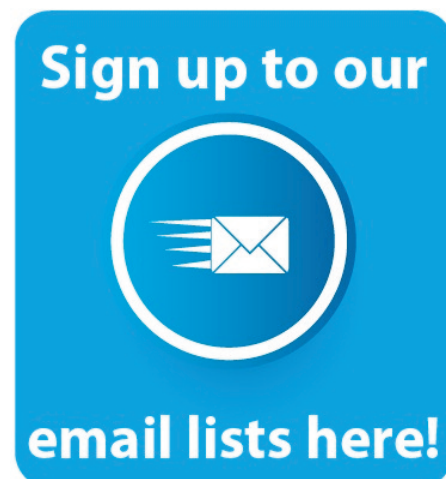


Paul Barrow

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Annual Dinner

We are very much looking forward to the Annual Dinner on Thursday, 7th November and celebrating with you, our members, being part of a strong, proud and vibrant legal profession.

Special thanks to our two sponsors Interlink Recruitment and Midshire, not to mention our guest speaker James Timpson OBE, Chair of the Prison Reform Trust.

We look forward to seeing you all on what will be a very special evening.

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Hill Dickinson marks Women in Law centenary with North West celebration

Exactly 100 years ago, the Sex Disqualification (Removal) Act 1919 was passed, removing the legal barrier to women working as lawyers simply on the grounds of their gender.

The Act was nothing less than transformational, paving the way and – importantly – formally recognising for the first time the equal right of women to study and practise law alongside their male counterparts.

To mark this historic milestone and as part of a year-long programme of activity nationally, leading commercial law firm Hill Dickinson hosted a celebration at the end of September for all of its North West based employees.

Over 200 employees from across the firm's three North West offices in Liverpool, Manchester and Leeds, attended the event at popular venue One Fine Day, in Liverpool, where chief executive Peter Jackson made the welcoming speech.

Peter Jackson said it was right and important for the firm to acknowledge the immense contribution that women had made to the legal profession since 1919 and continue to do so today. He said: 'We at Hill Dickinson work hard to ensure we promote women at partner level and in senior leadership roles. We recognise that while women are now entering the law in equal or greater numbers than men, there are often additional barriers to them staying in the profession, so we have adopted, and actively promote, a wide range of policies and workplace practices that aim to take account of the need, for example, to work more flexibly.

'As a firm, we strive to be, and continually work towards being, a first choice employer whose people at all levels are proud to work for us. We are also committed to the aim of doubling the number of senior women we employ by 2024, whether as partners or in any of the multiple senior management roles across our firm that that keep the wheels going round.'

Commenting on the firm's celebration event, he said: 'In



celebrating the first 100 years of women in law, we are publicly thanking the many inspirational women, past and present, who have chosen to build a career with Hill Dickinson, but equally, we are pinning our colours to the mast and committing to do more. We want the next generation of female lawyers to choose to train with Hill Dickinson because they know we are an employer that is committed to supporting women at all levels in reaching their future potential.'

One of the first ten women to qualify as a solicitor of the Supreme Court of England and Wales in 1923 was Edith Berthen, who joined Hill Dickinson in 1927 and acted as a pioneer for women in the profession.

The legacy of Edith and other early pioneers like her is evident today: between 1922 and 1930, only 101 women qualified as lawyers. By comparison, latest statistics for 2017-18, show 6,478 solicitors admitted to the roll, of which 61.6% were women - a staggering and welcome increase.

Liverpool Law Society

The Police and Criminal Evidence Act 1984 (PACE)

with Colin Beaumont
on Tuesday 26th November, 10am - 12.45pm

The following items are merely a selection of that which will be covered during this half-day course:

- Advising in the area of samples both intimate and non-intimate
- Advising in the area of fingerprints
- Retention or destruction of samples The amendments to PACE brought about by the Protection of Freedoms Act 2012 Schedule 2A of PACE requesting the attendance at the police station in order for biometric material to be taken
- Exclusion of evidence from a criminal trial
- Competence and compellability
- The order in which evidence should be received during a criminal trial
- The removal of clothing, by force if necessary, in order to take photographs of marks, scars, tattoos etc see Section 54A of PACE
- X-rays and ultrasound
- Adverse inferences under PACE as opposed to the Criminal Justice and Public Order Act 1994
- The necessity criteria concerning an arrest and the case-law Released under investigation as opposed to pre-charge bail

Competencies: A1 (a) (b) (c) (d), A2 (a) (d) and A4 (a)

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

Liverpool Law Society Family Finance Conference 2019

The Conference was held on 25.09.2019 at The Marriott Hotel in Queens Square. The Conference, as always, was a great success and attended by 40+ delegates from varying firms and backgrounds. Personally, I felt this was the best Family Finance Conference I have been to so far.

His Honour Judge Greensmith kindly accepted the invitation to Chair the Conference. He provided an update as to recent developments in the Court system relating to family law. It became clear throughout the day how passionate about family law His Honour Judge Greensmith is.

Now to the speakers:-

- Philip Marshall QC (Exchange Chambers) – Philip's talk was about "How to Attack a Pre-Nuptial Agreement". He provided some helpful tips and was very knowledgeable about the entire Pre-Nuptial Agreement process.
- Caroline Bayliss (Excalibur Actuaries) – Caroline's talk was about "Pensions and Divorce: An Actuary's View". Caroline made what can sometimes be a boring subject very engaging and informative.
- Sheren Guirguis (Exchange Chambers) – Sheren's talk was about "Conduct in Financial Remedy Proceedings". Sheren took us back over historic and recent behaviour cases. This highlighted the wide range of "behaviour" and the cross over with criminal law.
- Sally Longworth (Longworth Forensic Accounting) – Sally's topic was about "Irregularities in Company Accounts: What are the Financial Statements really saying?" Sally gave a lesson in creative accounting, why people do it and how to spot it.
- Alexis Campbell QC (29 Bedford Row Chambers) – Alexis' topic was "Maintenance: Where are we now?" Alexis gave a detailed analysis of Waggott and cases heard after Waggott in which Waggott was examined. I found this helpful, particularly the comparison table provided at the end of the talk.
- Archana Dawar (St Deans Court Chambers) – Archana's topic was "Case Law Update". Within this, we received some tips on staying out of prison. Archana discussed some very interesting cases which, despite it being the last talk of the day, helped keep the attendees engaged. A very interesting talk.



The Chair and all speakers were really well received by the delegates. The quality of the speakers and their topics was reflected by the amount of people remaining until the very end. I noticed there was a lot less phone checking and a lot more note taking which was great to see.

The Conference was sponsored by Novitas Loans who did a business card raffle. Rachel Lim was the lucky winner of a bottle of champagne. Many thanks to Novitas Loans for the sponsorship.


I would like to say a big thank you to the speakers, it really is appreciated. I would also like to say a big thanks to those who help put the Conference together, you all know who you are!

I look forward to attending the Liverpool Law Society Family Finance Conference 2020 (Wednesday 30th Sept hopefully!).

Sarah McCarthy (FCILEx)
Hill Dickinson LLP



Sponsors Novitas Loans – Debbie & John.



**Termination of Commercial Leases by the Tenant
inc vacant property issues**

with **Richard Snape**

on Wednesday 13th November, 9.30am - 12.45pm

An ability to correctly terminate a lease by the tenant is essential, especially in the retail sector in the current market. In addition, landlords need to be aware of statutory requirements and business rate issues whilst the property is empty.

The course aims to look at these issues and suggests solutions.

Topics covered include:

- Exercising break clauses and conditions precedent including recent case law
- Serving the break notice
- Options to renew as opposed to breaks
- Peaceable re-entry and the issues for the landlord
- Statutory requirements and insurance issues whilst the property is empty
- Business rates on empty properties including recent case law

Competencies: B

For more information or to book, [click here](https://www.liverpoollawsociety.org.uk)

Environment Bill: Noble Aims but Will it Deliver?



A new environmental watchdog, measures to improve air quality and protect the climate – just some of the eye-catching features of the new Environment Bill that was launched in the Queen's Speech. . Tim Champney, Managing Director of Future Climate info, summarises the key points and gives his thoughts on the prospects for future environmental protections.

Environment Secretary Theresa Villiers has declared that the new Environment Bill "will lead a green transformation that will help our country to thrive. It is designed to place environmental ambition and accountability more clearly than ever at the heart of Government."

But with Brexit still unresolved and a general election imminent, how much of this could realistically be implemented? What has actually been published as specific actions rather than lofty aims? Rather like the rest of the Queen's Speech ahead of a likely election it has left many wondering whether it was anything more than a shopping list of ideals.

The new Bill aims to enshrine environmental principles in law and set out a framework for improvements to air and water quality, as well as measure to cut plastic pollution.

A new watchdog, the Office of Environmental Protection, will be based in Bristol. It will have the power to scrutinise laws, investigate complaints and take enforcement action against public authorities to uphold standards. The regulator's powers will cover climate change legislation and hold the Government to account on the legal commitment to cut greenhouse gases to net zero by 2050, working alongside the existing advisory Committee on Climate Change.

The main aims of the bill are:

- **Improve air quality** - including legally-binding targets to reduce fine particulate matter, PM2.5, and forcing manufacturers to recall vehicles when they do not meet the relevant environmental standards.
- **Restore and enhance nature** - a 'biodiversity net gain' scheme to ensure new houses developments protect and enhance nature. A Nature Recovery Network will establish Local Nature Recovery Strategies and giving communities a greater say in the protection of local trees.
- **Transform waste management** - ensuring producers take responsibility for the waste they create, introducing a consistent approach to recycling, tackling waste crime, introducing bottle deposit return schemes and more effective litter enforcement.
- **Protect water resources** - by increasing sustainable water management through securing long-

term, resilient water and wastewater services in the face of a changing climate.

While the Bill applies only to England, more than half of its measures - such as those designed to drive up recycling rates - are designed to apply across the UK.

Will Watchdog have Teeth?

Environmentalists have welcomed several of the proposals, especially on restoring nature. But they say on other green issues ministers are going backwards - and they're anxious to see details of the new policies. There are concerns that by stepping out of existing, stringent EU rules, such as facing heavy fines for breaching air quality standards, will a new watchdog really hold the government to account.

Under EU rules, for instance, the government has faced heavy fines for failing to meet air quality standards. But Brexit is set to remove the stick that came with these rules. Ministers say the watchdog won't be able to fine the government if it fails to uphold its commitments - but will ensure it is held to account, with the ability to stop projects and hold authorities in contempt of court if they breach environmental standards.

But campaigners fear that the new watchdog could be muzzled, tamed and stripped of funding. And the Government has form on this one. Professor Alex Stevens, a senior member of the Advisory Council on the Misuse of Drugs (ACMD), recently resigned over the alleged "political vetting" of panel members by the government.

Air Pollution: Shift to Local Targets

We need to see more details on policy, which have yet to be released. Air Pollution is a clear case in point. Many parts of the UK breach World Health Organization standards for fine pollution airborne particles. The Government has promised an "ambitious, legally binding" target to reduce small particulate matter, known as PM2.5.

But so far, it hasn't stated what the standards would be, or when they would apply. The WHO annual mean guideline for PM2.5 is 10 µg/m3. Over 24 hours, they have a guideline of 25 µg/m3.

It is encouraging that the Government has said that there is no 'safe' level of exposure for humans. They will also bring forward powers for the government to mandate recalls of vehicles when they do not meet relevant legal emission standards.

Previously, it was forced to improve nitrogen oxides pollution under the threat of fines from the EU. In a briefing document, the Government says one of the purposes of the Environment Bill will be to increase powers to tackle air pollution from sources such as coal and wood-burning at a local council level. It could be argued that this is a way of avoiding national targets and makes it harder to hold the government to account, for example, by cases brought by organisations like Client Earth.

Big Moves on Waste but Climate Commitment Slipping

On waste and recycling management, the package as it stands is set to have a major impact on the sector. There are remaining commitments from Mrs May's government launched in July 2018 on the EU's "circular economy" directive, which would see producers pay 80% of the costs for disposing of the packaging that wraps their goods.

Ministers are also preparing to introduce charges

on single-use plastics, similar to the plastic bag tax. There are also plans to introduce a Deposit Return System and measures for a more consistent approach to what materials are collected from the household.

While the welcome and rapid expansion of offshore wind power infrastructure investment is welcome, at the same time the government seems to be slipping away from its legally binding targets on the emissions that are over-heating the climate.

There are still commitments to aviation expansion, fracking, North Sea drilling, building roads that experts say will generate traffic and cutting support for home insulation and solar.

The Committee on Climate Change (CCC) has rebuked the Government that they're not moving fast enough. In response, the Government says that the new environmental watchdog will have more power over ministers than the CCC.

There are some big steps forward with this Bill, such as legally binding targets, tackling nature decline and a new watchdog to enforce climate law. But for me, the big question is: how can legally binding targets be strong and effective without any remedies (fines)? And without a legal commitment to maintain existing EU standards, can we be really sure that no single regulations will be weakened after Brexit?

There was no mention anywhere I could see about pollution control and land contamination. One can only presume that again there will be more detail on how the new watchdog will work with the Environment Agency on effective regime control and how this is managed through enforcement, permitting, remediation strategy approvals, etc.

There is a concern that the Office of Environmental Protection will not be independent enough. The idea of "government fining government" isn't going to wash, I think and claims that these protections will be "world leading" need to be viewed as rhetorical with the proof being in its delivery.



Tim Champney is Managing Director of Future Climate Info. His background is in environmental consultancy, having worked for many years delivering risk assessments where land or property is being transacted or developed. He has extensive experience of advising clients on operational risk reduction and mitigation, through environmental audits and inspections of commercial and industrial processes.

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Report Details		Subject Site									
Address: Sample, Sample	Requested by: Sample										
Grid Reference: E: 123456 N: 123456	Date: 27/04/2018										
Report Reference: Sample	Report ID: 100085407										
<h3>Professional Opinion</h3> <table border="1"> <thead> <tr> <th>Category</th> <th>Result</th> </tr> </thead> <tbody> <tr> <td>1. ENVIRONMENTAL</td> <td>PASS</td> </tr> <tr> <td>2. FLOOD</td> <td>PASS</td> </tr> <tr> <td>3. GROUND STABILITY</td> <td>PASS</td> </tr> <tr> <td>4. ENERGY & INFRASTRUCTURE</td> <td>PASS</td> </tr> </tbody> </table>			Category	Result	1. ENVIRONMENTAL	PASS	2. FLOOD	PASS	3. GROUND STABILITY	PASS	4. ENERGY & INFRASTRUCTURE
Category	Result										
1. ENVIRONMENTAL	PASS										
2. FLOOD	PASS										
3. GROUND STABILITY	PASS										
4. ENERGY & INFRASTRUCTURE	PASS										

1. ENVIRONMENTAL PASS
No further recommendations

2. FLOOD PASS
No further recommendations

3. GROUND STABILITY PASS
No further recommendations

4. ENERGY & INFRASTRUCTURE PASS
Consideration(s):
4.20 Power Stations

Subject Site

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

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Household names support businesses in the Liverpool City Region through new mentoring programme

Liverpool City Region Growth Hub is working with Be the Business to bring their fully funded Mentoring for Growth programme to Merseyside.

Mentoring for Growth is Be the Business's flagship programme designed to connect business leaders from large, multinational companies with key decision makers and owners from small to medium enterprise (SME) organisations. This connection facilitates knowledge transfer, exchange of ideas, expertise and experience to shape the future direction of an SME. The experience will help deliver a step-change in business productivity.

The programme matches ambitious small and medium-sized businesses with a £2million turnover and above with experienced mentors from some of the UK's leading businesses including GSK, Amazon and the John Lewis Partnership. Some 180 successful matches have already been made across Greater Manchester, Birmingham, the North East of England and London. This figure is set to increase to 1,000 by March 2020.

The Liverpool City Region Growth Hub is responsible for identifying SMEs which could benefit from the programme and then matching them with mentors – selected by Be the Business – from some of England's most productive companies.

Janice Mears, Head of Business Growth at the Liverpool City Region Growth Platform said: "Be the Business Mentoring for Growth is a fantastic opportunity for SMEs across the Liverpool City Region to connect with business leaders from a range of sectors, driving forward productivity and growth of our SME businesses. We are delighted to be involved"



Be the Business is the business-led organisation created to drive up UK productivity and competitiveness. Led by Sir Charlie Mayfield, chairman of the John Lewis Partnership, Be the Business is spearheading a business-led drive to help companies across the UK improve their performance.

If you feel that your business would benefit from Be the Business's Mentoring for Growth programme, or you would like further information, please contact Claire Pedersen claire.pedersen@growthco.uk or call 07407 380235 <https://www.businessgrowthhub.com/btbmentoring>

The eligibility criteria for the programme is: a minimum of 10+ employees in any sector; £2m turnover and the mentee is a key decision maker within the business.

Employment Judges Forum 2019

on Wednesday 11th December, 5.30pm - 7pm

Liverpool Law Society is hosting an Employment Judges' Forum, which provides a unique opportunity to interact informally with the judiciary, where solicitors, barristers and associates can put their questions to; **Regional Employment Judge Parkin plus Employment Judges, Dawn Shotter and Kenderik Horne**



Refreshments will be available on arrival from 5pm and the Forum will start at 5.30pm
The Forum will last for approx 1.5 hours.

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

Insolvency Update

with Chris Beanland

on Friday 22nd November, 1.30pm - 4.30pm

2019 has seen another busy year on the insolvency front.

This course will take practitioners through notable developments from 2019 covering:

- Revisions to the Chancery Guide
- Does s.285(3) Insolvency Act 1986 prevent committal for contempt? – *Bayliss v Saxton* [2018] EWHC 3365
- The interplay between adjudication in building disputes and liquidation: *Bresco Electrical Services Ltd v Michael J Lonsdale Ltd* [2019] EWCA Civ 27
- Dealing with consecutive bankruptcy petitions: *Islandsbanki HF v Stanford* [2019] EWHC 307
- s.245 Insolvency Act 1986 and fixed fee agreements: *Crumpler v Candey Ltd* [2019] EWCA Civ 345
- Can a dividend be a transaction at an undervalue? – *BTI 2014 LLC v Sequana SA* [2019] EWCA Civ 112
- Do non-contractual unpaid barrister's fees vest in a trustee? – *Gwinnutt v Gearge* [2019] EWCA Civ 656
- s. 127 Insolvency Act 1986 and change of position defence: *Dingley v Nisa Retail Ltd* [2019] EWHC 1383

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

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Hill Dickinson strengthens construction and engineering team with two new hires

Two new hires at commercial law firm Hill Dickinson are paving the way to further growth of the firm's Liverpool based construction and engineering team.

Senior associates Joanna Maddocks and Sam Beer have both joined Hill Dickinson in recent weeks, complementing the construction and engineering team's legal services offering with added expertise in areas including public sector, transport, renewable energy and professional indemnity.

Welcoming them to the team, head of the construction and engineering team Alan Pugh said: 'The addition of both Joanna and Sam at senior associate level is a reflection of the growing reputation in our team on a national and increasingly on an international stage. We pride ourselves in the quality of our team who offer a first class service delivering legal advice and strategic guidance as a trusted adviser to clients. We have a sustained growth strategy and I am delighted that Joanna and Sam have joined Hill Dickinson as we continue to build on the strength and depth that our team has to offer across the construction and engineering markets.'

He added: 'Our clients typically operate in what is a hugely competitive sector with high costs and extremely tight margins, so having access to specialist quality legal advice is a critical success factor.'

'Joanna and Sam add both depth and breadth to the work we currently undertake, giving our clients access to a wider bank of expertise and increased resource to handle the legal aspects of all their construction and engineering needs, however complex.' Joanna Maddocks has particular experience in the delivery of transport projects including light rail extensions, guided bus lanes and the construction of transport exchange facilities. She has also advised on the procurement, construction and maintenance of renewable energy power plants with a particular emphasis on onshore wind farms. Her expertise includes advising private and public sector clients on construction and engineering projects together with service and maintenance agreements. She can also provide legal advice and support in respect of public procurement and commercial tenders.

Sam Beer focuses on contentious construction, with a background in professional negligence disputes arising in all sectors of the construction industry. His experience includes advising on disputes relating to waste to energy plants, water treatment systems and cladding. He also provides legal advice and support in respect of



Joanna Maddocks and Sam Beer

general insurance and insurance coverage issues in construction. In his time, Sam has dealt with disputes through litigation, arbitration and adjudication. In addition, Sam has extensive experience of alternative dispute resolution forums, such as mediation.

Hill Dickinson's client base covers the spectrum across the construction and engineering industry nationally and internationally.

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Liverpool Law Society

Conveyancing Update

with Richard Snape on Wednesday 13th November, 1.30pm - 4.30pm

Conveyancing continues to undergo major changes and the course will aim to look at the most important changes and their effect on the conveyancer.

In particular, ground rents are a cause for major concern and estate rentcharges are causing major problems.

Topics covered include:

- The new code for Completion by Post and the aftermath of the Dreamvar case
- The latest on ground rents
- Estate Rentcharges and mortgage implications
- Septic tank charges as of January 1st 2020
- Recent developments in relation to SDLT
- Recent case law on service charges
- Japanese Knotweed enquiries
- Responses to enquiries including Compliance with the Protocol
- Stamp Duty Land Tax and additional dwellings including changes made by the Finance Act 2018
- First time buyer relief
- Houses in multiple occupation including changes which came into force on 1st October 2018

Competencies: B

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

Discrimination Specialist joins Broudie Jackson Canter

Award-winning law firm Broudie Jackson Canter (BJC) has appointed Yara Ali-Adib, a lawyer with experience working on high-profile discrimination cases. She will join the firm's Actions Against Public Authorities department, headed by esteemed human rights lawyer, Chris Topping.

BJC, renowned for its work on major cases including representing 20 families in the Hillsborough Inquests, has recently been awarded a Legal Aid contract to act in cases of discrimination.

In line with its core value, Make a Positive Difference, the contract will enable the firm to support those who have suffered discrimination and to continue providing Legal Aid-funded advice, ensuring that justice is accessible to all.

Yara is a civil liberties activist who strongly believes in ensuring that the Equality Act is upheld and that those who have been subjected to discrimination are able to gain justice.

Her wide-ranging experience includes working on high-profile cases involving sex and disability discrimination.

She said: "Without financial access to justice, the law is simply sentiment. For this reason, I am delighted that we have been awarded Legal Aid Agency funding which can help break down financial barriers and allow us to assist all people who have been discriminated against. The impact of discrimination is highly detrimental to my clients and to society at large. Having Legal Aid funding for these cases is a welcome progress in the fight for equality."

"Broudie Jackson Canter has an incredible reputation as a firm, with a longstanding commitment to delivering justice for all. I am thrilled to be joining this talented team and to work alongside them in representing some of society's most vulnerable."

In her new role, Yara will work with renowned lawyer Chris Topping, who is currently President of Liverpool Law Society.

Chris said: "Yara is an extremely talented and capable lawyer and we're delighted to welcome her to the team. Discrimination is




Chris Topping and Yara Ali-Adib

insidious, it entrenches inequality and enables the abuse of power. We are very pleased and proud to have been provided the means through legal aid to support people who may otherwise lack the resources to seek justice in these cases."

It is illegal to discriminate against anyone due to 'protected characteristics' including age, disability, sex, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, race including colour, nationality, ethnic or national origin, religion or belief, and sexual orientation.

There are time limits in bringing discrimination claims and it is advisable to contact a lawyer as soon as possible.



2019 Occupational Disease Conference

On Wednesday 4th December 2019, 9.30am till 4.15pm

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

<p>Chaired by Judge Lee Jenkinson includes the following sessions:</p> <p>Noise-Induced Hearing Loss: Current Controversies and Trends Professor Jarrod Homer</p> <p>How difficult can it be? CPR35 pitfalls, blunders and catastrophes David Boyle, Deans Court Chambers</p> <p>Acoustic Shock: An Update Dr Andrew Parker, FRCS</p>	<p>The duties of occupiers in tort and contract: squeezing the asbestos liability pips Michael Rawlinson QC, Kings Chambers</p> <p>Occupational Dermatitis for Lawyers Dr Paul August, FRCP</p> <p>Update on Limitation Ruvena Khan, Zenith Chambers</p> <p>Pitfalls in the assessment and diagnosis of HAVS/CTS Mr Ray Cuschieri, Consultant Vascular Surgeon</p>
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Level: Litigator & Senior Litigator / CPD hours: 5.5



****NEW** Complaints to Compliments**

with Vicky Ling

Friday 15th November, 1.30pm - 4.30pm

This half day course will give complaints partners/officers confidence in running practical and compliant complaints procedures. It includes real life case studies and round table discussions.

It includes:

- Working within the Legal Ombudsman's good practice guidelines
- SRA requirements
- Useful wording for your client care letters
- How to prevent complaints by getting things right from the start
- Good client care
- Risk management
- Fostering a positive culture to prevent complaints escalating
- Learning from complaints

Competencies: C2

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

Growth continues at Brabners in a year of investment

Independent law firm Brabners delivered another year of revenue growth in its last financial year (FY18/19), generating turnover of £33.6million (FY17/18: £33.1million).

The results, for the year ending 30th April 2019, were delivered in the second year of the firm's strategic change programme, under the leadership of chief executive Robert White and managing partner Nik White.

Profits before members' remuneration and profit shares increased by 5 per cent to £11.1million (FY17/18: £10.6million) in a year of significant strategic investment. Commercial and operational investments totaled £1.8million during the year and continued more recently with the firm's acquisition of fast-growing Manchester firm, HRC Law, which completed in July.

In the last financial year Brabners continued to diversify and supplemented its fee-earning team with additional expertise and new technology. This included boosting its business development, marketing and finance teams as well as recruiting eight new partners with sector expertise covering real estate, healthcare, charity and private client. The firm also made four internal promotions to partner.

Robert White, chief executive of Brabners, said: "2018/19 was an important year for the firm and it was particularly rewarding to deliver a second year of positive profitable growth, while also implementing considerable investment within the business – investment that will sustain and build our growth momentum in the coming years.

"We have started the new financial year particularly strongly and while we are vigilant given the undoubted uncertainty in the market at present, we also remain hugely positive and well placed for whatever the future may bring."

Nik White, managing partner at Brabners, said: "With our new sector focus in place, and by continuously investing in our people, we are creating an environment for ambitious lawyers to thrive in tandem with outstanding business leaders and sector experts. That positive change is being recognised on both a national and regional level, with us recently ranking top in the Legal 500 table of North West law firms based on the number of rankings and recommendations for our firm and lawyers.

"It is also encouraging to see our growth trend continue in Q1, a period during which we acquired and integrated the resources of HRC Law and launched the Brabners Foundation, our firm's grant-making charity arm.

"This is a really exciting time for Brabners as we continue to reach the milestones set out in our strategic change programme as part of our ambition to become the UK's leading independent law firm."

Brabners has been continuously practising law since 1815. The firm has nearly 400 colleagues including 71 partners.



Robert White and Nik White

Intellectual Property Online: Copyright and Communication to the Public

with Sarah Jameson

on Tuesday 19th November, 2pm - 15pm

An exploration of the trend in EU law towards greater protection for rights holders and how this is applied in domestic courts.

The talk will look at the recent decision in *Stichting Brein v Ziggo BV* (C-610/15) and domestic case law in an analysis of the concept of 'communication to the public'.

The focus will be on how protection of rights holders is evolving in the online sphere.

Competencies: A2,4, 5 & B1-6

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

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St John's Buildings secures duo of appointments to the IAFL

Kate Burnell and Samantha Hillas of St John's Buildings barristers' chambers have been appointed as Fellows of the International Academy of Family Lawyers.

Kate, who was called to the Bar in 1998, specialises in children law, with particular expertise in cases involving complex medical issues regarding injuries and allegations of factitious or induced illness.

Sam, called to the Bar in 1996, has extensive experience of all aspects of financial remedy work, dealing primarily with high-value and high-profile cases.

Formed in 1986, the IAFL is a worldwide association of practising lawyers who are recognised by their peers as the most experienced and skilled family law specialists in their respective countries. The Association aims to improve the practice of law and administration of justice in the area of divorce and family law throughout the world. IAFL Fellows provide legal advice to clients and other lawyers in family law issues in their own jurisdictions and where international issues arise.

Membership of IAFL is by invitation only and involves a rigorous application process, designed to ensure all Fellows have a high-level of expertise.

Richard Norton, Head of Chambers at St John's Buildings, said: "With their track record of acting in complex family law cases, Kate and Sam have a high level of knowledge in their particular fields and are truly deserving of this accolade."



Samantha Hillas

"Three members of chambers are now Fellows of the IAFL - Sally Harrison QC, Kate and Sam. Sally, Kate and Sam are the only members of the Northern Circuit admitted to the IAFL currently. The elections add further gravitas to our already outstanding group of Family Law barristers."

On her appointment, Kate Burnell, said: "I am delighted to have been elected to the IAFL. The platform will provide us with the opportunity to share ideas and learn from



Kate Burnell

high calibre lawyers from across the globe – I look forward to working alongside international colleagues."

Sam Hillas added: "I'm very pleased to be joining the IAFL, whose members have a wealth of experience of international practice. I will certainly be taking advantage of the opportunity to seek assistance and support from Fellows from across the world and look forward to representing St. John's Buildings on a global stage."

Private Client Lawyer Lesley Sullivan joins Excello Law in Liverpool

Lesley Sullivan, a senior private client lawyer and registered Trusts and Estates Practitioner (STEP), has joined new-model firm Excello Law, based in Liverpool. Her specialisms include advising on wills, trusts, administering estates, Inheritance Tax (IHT) planning and Lasting Powers of Attorney. Qualifying in 2008, Lesley previously headed up the private client department at MLP Law.

Lesley advises business owners and high net worth individuals on their personal affairs including IHT planning through lifetime trusts and also incorporating trusts within wills, including trust set up, trust administration and acting as a professional trustee.

In addition to lifetime planning, Lesley administers estates when someone has died which includes advising executors or, taking on the role of a professional executor.

On joining the firm, she commented: "I am dedicated to my clients and providing a great service for them. The Excello business model allows me to focus my time on doing that, with the benefit of greater flexibility and control of my working day, supporting a more healthy work life balance."

Julie Mogan, Excello Law regional director in the north west, said: "Lesley is a great addition to our team in the region. She is hugely experienced and brings valuable expertise for clients across the north west. We're delighted to welcome her to the team."



Lesley Sullivan

Morecrofts continues proud development of young lawyers

Morecrofts Solicitors has welcomed two new solicitors to its fold following the qualification of trainees Kelly Faulkner and Ellie Slater.

Faulkner will continue her career in the employment law team at the firm's head office in Liverpool, while Slater will work in the family law team, based primarily at its Wirral office in Hamilton Square.

The pair are the latest in a long line of young lawyers to develop their careers within Morecrofts, having joined from university. Their ascension coincides with a raft of rotations among the firm's existing trainee solicitors and the awarding of three new training contracts for current paralegals.

The trio of new trainees, Sophie Kearney, Ella Neale and Hollie Randles, have now begun their first six months of training in Morecrofts' family law team, based across Liverpool and Wirral.

Morecrofts has also appointed Aaron Ocquaye and Abigail Moore as paralegals in the private client department based in Woolton and the family law team in Allerton, respectively. Meanwhile, Jenny Lomax has been promoted to paralegal in the Liverpool office and Vicki Cooke has relocated within the firm's property division.

Alison Lobb, managing partner at Morecrofts Solicitors, said: "Our congratulations go to Kelly and Ellie, whose qualification as solicitors is the result of many years of hard work, study and training.

"We have an outstanding crop of current trainees and we are excited to add Sophie, Ella and Hollie to those ranks as they take the next step on their own career journeys towards qualification.

"Morecrofts prides itself on offering unique pathways for young talent and this commitment is evidenced by the consistent progression of our paralegals and other junior lawyers over the course of many years.

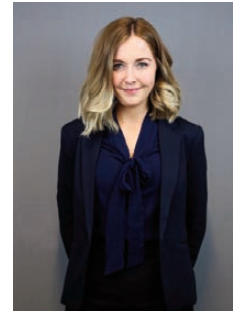
"Indeed, the majority of our partners have risen through the ranks at Morecrofts and we know this gives real confidence to the next generation that they can fulfil their long term ambitions with us."



Jenny Lomax



Kelly Faulkner



Sophie Kearney



Vicki Cooke



Aaron Ocquaye



Abigail Moore



Eleanor Slater



Ella Neale



Hollie Randles

Rhea creates a buzz with new board role

Rhea Munro, who is a family solicitor at Morecrofts, has joined the management board of a Bee Wirral CIC.

The local organisation in Birkenhead was founded in May 2013 by five community workers with more than 80 years' experience in front line delivery .

Through their commitment to servicing the community, they have transformed what was once a decaying community centre into an important community resource for residents and families where they can take part in activities, events and training and receive advice and guidance.

Morecrofts currently provide a free legal drop in once a month at Bee Wirral, which Rhea says has enabled her to witness first hand the sheer dedication of their staff and volunteers and the fantastic services they provide.

She said: "I am delighted to have been invited to join the management board of Bee Wirral CIC, a wonderful organisation who work alongside the community in Birkenhead and the surrounding areas supporting people and families."



Rhea Munro

Liverpool law firm unveils new home at landmark city centre building

Liverpool-headquartered, family-run law firm CEL Solicitors has unveiled its brand new office space as it sets its sights on an ambitious growth plan.

The company, which is currently based at Atlantic Pavilion on the Albert Dock, will take the entire 12th floor of Twenty Chapel Street from November, as it looks to expand its team and increase its presence within the city's legal mix.

Set up in 2016, CEL Solicitors, which specialises in civil litigation, has seen more than a five-fold increase in turnover during the last 12 months alone with the upward curve set to continue.

And its upcoming move signals a new chapter for the business as it looks to further expand its group litigation, Data Breach and property litigation offering to clients and continue to build on its successful property disrepair team.

The new space will have capacity for almost 90 staff, an increase of more than 60 from the company's current office, offering panoramic views of the city, River Mersey and the iconic Royal Liver Building.

It will also house a special 'amphitheatre' designed specifically for team presentations, group activities and social events, while break-out areas will feature table football, lounge space with bean bags and a 'think swing'.

Director Jessica Hampson said: "This is an incredibly exciting time as we look to move into our new home and press on with our plans for expansion. At the heart of our ethos is putting people before profits – it underpins everything we do, from looking after our clients to ensuring our staff are happy at work, and our new office space completely reflects this.

"Since our launch, we've truly gone from strength to strength, which is testament to the dedication and talent of our team. The sectors in which we work are constantly evolving and it is more important than ever before to attract – and retain – the best talent, so our culture, values and environment need to be on point if we are going to bring in the industry's finest and, of course, the rising stars."

In 2018, Jessica was joined by her husband Paul Hampson, previously managing director of Hampson Hughes, to head up the development of new practice areas within the civil litigation field.

As new tenants of Twenty Chapel Street, CEL Solicitors will also have access to the building's mix of amenities, including an on-site coffee shop, cycle storage, showers and bookable meeting rooms.

Ian Murray, Director at Canmoor, said: "Twenty Chapel Street is an extremely sought-after location in the city centre, not only because of its enviable location, but its high quality office space that is home to tenants such as LFC, Barclays and Ernst Young, to name a few.

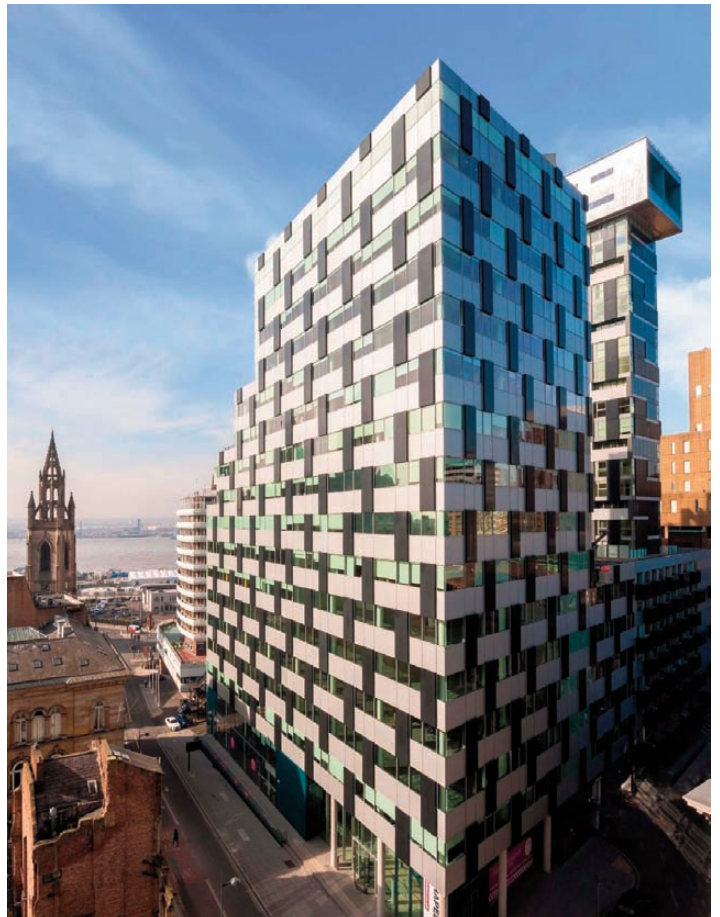
"From the outset, CEL Solicitors had a clear vision of where they wanted to take the business and what they needed from the space in which they would do this, so we're thrilled to have them on board as they move into their next chapter."

Jessica added: "Although we're widening our service offering and continuing to grow, we're passionate about staying true to our Liverpool roots and our values – we want to keep what makes us different to the bigger law firms across the city and champion how our personality makes us stand out from the crowd, and we're confident that our new home will help us do just that."

CBRE acted on behalf of CEL Solicitors and Worthington Owen acted for Canmoor.



Paul and Jessica Hampson



Thousands of people are working as Paralegals without realising it. How to find out if you are one of them – and what you should do.

By Amanda Hamilton, NALP

Many people are working within a company performing certain tasks day in, day out, not realising that what they are doing may class them as a 'Paralegal'.

Why should this matter? Why should you be 'pigeon-holed'?

In this current climate giving yourself a lift up the ladder can help your career and certainly your status within an organization.

There are an estimated 200,000 plus Paralegals working in a variety of fields and for diverse employers, who are unaware that they are 'Paralegals' and can apply for membership of a professional body, giving them status.

Are you one of them?

If you answer the following questions with a yes, then it looks like you are a Paralegal and should be accredited as such:

Do you work for an organization that has you performing a task which has a legal content to it? For example, checking a contract, or working in a housing department of a local authority and being responsible for ensuring that letters are sent out to non-rent payers and/or taking them to court.

Have you ever been given in-house training that includes an element of law or legal knowledge? For example, working in an in-house human resources department and been given training in employment law.

If so, then you are a most definitely a Paralegal.

Paralegals are not just people who have studied law. Being trained to perform certain tasks, like drafting contracts, is important for many companies. They may not necessarily wish

to use the services of a solicitor each time they require such a contract because, economically, it may not be viable. Thus, many will revert to training individuals (non-lawyers) and employ them specifically for the task.

Paralegals are defined as 'persons who are trained and educated to perform certain legal tasks, but who are not qualified solicitors, barristers or chartered legal executives'. Is that you?

In this current legal climate which has changed so dramatically over the past few years, Paralegals have taken on a new significance in the roles they perform. Some do work for solicitors, others for barristers and in-house legal departments, but more and more, Paralegals are working for themselves.

How come? Because they are filling a gap that has been left by the eradication of legal aid. This was means tested funding that used to be available (until April 2013) for anyone who had the necessity to go to court, either to bring an action against someone, or to defend themselves.

Solicitors' and barristers' fees have always been quite hefty, and so now, by default, many people are forced either to represent themselves in court or alternatively, use the services of Paralegals, who charge far less than solicitors, to guide them through the processes.

Although this situation may not assist you if you are working in-house, being recognized as a 'Paralegal' and being part of a professional membership body can thrust you towards a more positive career pathway.

If you did wish to gain training as a Paralegal, there are bespoke nationally recognized qualifications to help you hone your skills and knowledge and push forward. This could even assist you in gaining promotion at work.

So what is it that paralegals can do?

The answer to this question is, virtually everything that a solicitor can do! However, there are certain activities that designated 'reserved activities' and these remain the monopoly of solicitors. For example: automatically having the right to represent someone in all courts, the conveyancing process (i.e. buying and selling property) and some probate activities (i.e. sorting out a person's estate (assets) after they die).

Apart from this, there is plenty of scope for a Paralegal, not only to advise and assist a consumer, but also to gain a Licence to Practise in order to do so.

Has this tickled your fancy?

If joining a professional body or gaining paralegal qualifications interests you, or you want to find out more, NALP (National Association of Licenced Paralegals) can provide more information.

ABOUT THE AUTHOR

Amanda Hamilton is Chief Executive of NALP, a non-profit Membership Body as well as being the only Paralegal body that is recognised as an awarding organisation by Ofqual (the regulator of qualifications in England). Through its training arm, NALP Training, accredited recognised professional paralegal qualifications are offered for a career as a paralegal professional.

See:

<http://www.nationalparalegals.co.uk> and
http://www.nalptraining.co.uk/nalp_training

Twitter: @NALP_UK

Facebook:

<https://www.facebook.com/NationalAssociationofLicensedParalegals/>
LinkedIn -
<https://www.linkedin.com/in/amanda-hamilton-llb-hons-840a6a16/>



Amanda Hamilton

BLJ Solicitors urges legal firms to highlight online wills risk

BLJ Solicitors is encouraging legal professionals to promote the use of legitimate Wills and Probate services following an increasing number of dispute cases around distribution of estates in the UK.

Recent research suggests that over half of the UK's adult population do not have a will in place, and approximately 60% of parents do not have a valid will. According to Jannina Barker, Wills and Probate Fee Earner at BLJ Solicitors, the question of whether a will is valid or not can come down to a number of things; it may not have been updated and signed in accordance with the law or it may have been prepared using one of the many emerging online services whereby there can be question marks as to how robust it is. She is encouraging the region's law firms to make an increased effort to educate clients on the risks of using such unregulated services.

Jannina said: "There is a real concern around the increasing use of will writing services, particularly those online, among those in the legal profession. Not only do they risk making a will potentially invalid and easy to challenge but often, they are prepared by people that are inexperienced and not legally qualified. This can cause confusion and distress later down the line when it comes to dealing with an estate. Following a loss in the family, this additional stress is the last thing that people need in an already difficult and emotional situation.

"Although national trends suggest that there has been a slight decrease in the volume of work for solicitors in terms of preparing wills, what we are seeing is different types of work and assistance required. When it comes to will writing, clients do often appreciate the personal face to face meetings as it gives them the opportunity to raise enquiries and talk matters through before making a decision, all under professional and impartial guidance. On the other hand, firms are now having to deal with more contentious cases which can involve claims

being made against estates and 'lay executors' who misuse their power and go against the terms set out in the will or who simply make mistakes for which they can be personally liable.

"This is often a more complex area of law that goes far beyond what online services can offer. It is important to BLJ Solicitors to continue working with our neighbouring law firms to highlight these risks, emphasising the importance of issuing the correct advice and offering the right representation should an issue arise.

"Unfortunately, it often takes experience of these issues to realise the risk and by that time it's too late. What we really want to avoid is people putting their lifetime of hard work on the line for a "quick and easy" service that may end up causing more problems than it solves. As legal professionals, we need to work together to ensure that we are highlighting this by raising awareness when it comes to the general public's knowledge of wills and the potential pitfalls.

"The future of legal services in the UK is headed in a digital direction but qualified legal practitioners should still be at the centre of this revolution and we are encouraging our colleagues to take back control by reinforcing the key messages around Wills and Probate as a service. Third party websites are gaining popularity because of their perceived accessibility but as legal technology advances we anticipate that we will be able to offer a similar online service but one that is more secure– with real qualified lawyers at the helm to offer advice where it might be appropriate.

"It is not uncommon to see a number of online services set worrying terms and conditions that often do not accept liability for the identity of the person making the will, that person's capacity to make the will, whether they are under any undue influence or pressure to make the will among other things. Without this information recorded it would be easy for someone to challenge the

validity and terms of a will and claims made against the estate under the 1975 Act are more likely.

"One common misconception that we need to disprove is that wills are time consuming and costly to make when using a solicitors' firm. Wills are typically very affordable at a cost of around £100 plus VAT per document and can be completed in as little as two weeks. During this time, we often advise on points that clients wouldn't have considered, including the potential claims and the fact that wills should be revisited annually to ensure that they are still relevant and adhere to clients' wishes.


"Initiatives such as Will Aid Month, which takes place every November, can be a good way to encourage the wider public to consult law firms when making a will. First and foremost we need to be clear in what proper services should involve as part of



Jannina Barker

an awareness raising campaign that could see legal professionals benefit from increased enquiries and peace of mind that their profession is not being undervalued and undermined."

For more information please visit www.bljsolicitors.co.uk



Soft Skills for conveyancers

with Ian Quayle

on Friday 22nd November, 9.30am - 12.45pm

The course will examine how to establish and maintain good client relationships exploring how to communicate with clients from the start of the transaction to its conclusion.

It explores how to deal with client complaints and how communication can prevent negligence claims arising.

It will examine the following issues:

- Setting realistic client expectations – engagement letters and communicating with clients
- Informed consent – providing information to clients in an appropriate and meaningful manner
- Dealing with difficult clients – tips and techniques for dealing with problem clients
- Complaint Handling – how to take the positives from client complaints
- What can cause negligence claims and how to minimise them
- De-escalating problems
- An examination of relevant case law

Competencies: A1, A2, A4, B3, B6, B7, C1, C2, C3, D1, D2 & D3

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

Polymorph techs the overall title at this year's MIB Awards

Technology specialist Polymorph has been named Merseyside Independent Business of the Year at the 2019 MIB Awards, which was founded and presented by Morecrofts Solicitors.

The firm, which is based at The Heath in Runcorn, also scooped the Digital & Technology award and was commended by judges for its Mercury software, which enables naval forces, countries and intelligence agencies to securely share information in real-time and has supported aid vessels to deliver food and reduce piracy.

The awards were presented during a glittering ceremony at the Rum Warehouse, where much-loved Liverpool eatery and gourmet food market Delifonseca also scooped two awards, in the Retailer and Restaurant categories.

Joe Clark, who turned 76 on the day of the awards ceremony, was the toast of the evening when he was named Employee of the Year for his role at Thornton Hall Hotel & Spa in Wirral, while IT provider Doris was named Employer of the Year.

Knowsley Safari Park, Krol Corlett Construction and Your Payroll were among the Knowsley-based contingent to win awards in the Culture & Tourism, Trades & Manufacturing and Professional Services categories respectively.

The Guide Liverpool was named Best Creative Business and Nicola Pink, managing director of Pink Media, was voted Independent Businessperson of the Year. Mindfulness coaching firm Mindfit won the Health & Wellbeing award, Juice Immersive was named Best Start Up and the Community Impact Award went to Northern Power Women.

Morecrofts Solicitors founded and organises the MIB Awards to celebrate the achievements of independent businesses and showcase the enduring impact they have on the regional economy.

Alison Lobb, managing partner at Morecrofts Solicitors, said: "Now in its seventh year, the MIB Awards continues to provide a unique platform to highlight the endeavours of local entrepreneurs and business owners who continue to pursue their ambitions and provide a strong foundation for our regional economy.

"From the incredible Polymorph to the indelible Delifonseca and the inimitable Joe Clark, this has truly been an outstanding year and I must congratulate all of our shortlisted and winning nominees on the



**Alison Lobb, managing partner of
Morecrofts Solicitors**

high calibre of their submissions.

"It has been wonderful to see so many business teams gathering at the ceremony, many meeting each other for the first time, and we hope they will remain part of the ever-growing MIB Awards community for years to come."

The MIB Awards is headline sponsored by Liverpool BID Company and the winners are decided by an independent panel of judges drawn from within the regional business community.



Residential Leasehold Conveyancing for Support Staff

with Ian Quayle

on Wednesday 11th December, 9.30am - 4.30pm (includes lunch)

This introductory level course aimed at support staff or fee earners that are new to residential leasehold conveyancing.

The course includes:

- An outline of a residential leasehold transaction from receipt of instructions until file closure
- An examination of the differences between a freehold and leasehold transactions
- Dealing with landlords - consents, restrictions and notices of assignment and charge
- Key clauses in residential leases
- Advising the buyer of residential leasehold property
- A brief examination of what can go wrong and what can cause complaints and claims

Competencies: A2, A3, B2, B7,C1, D1 & D3

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

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.

Some UK Ltd companies trading in Spain are considering incorporating a Spanish subsidiary or affiliate due to BREXIT

How can you help your clients?

The majority of UK companies who are relocating their headquarters or subsidiaries to Europe due to Brexit, are going to cities such as Frankfurt, Paris, Dublin and Amsterdam, however, a few of them have chosen Spain as their destination, mainly those with commercial interests in that country. British investment in the Spanish economy is growing significantly, according to Spanish government figures.

According to the Institute of Export & International Trade, Spain is an important market and business partner for the UK. "It is the UK's 8th largest export market (9th for goods).

It is likely that you will have one or two clients who might come to you and ask how they should proceed to incorporate a company in Spain. Let's list some key points that might prove of help.

The similar figure in Spain to a UK Limited company would be a "Sociedad Limitada (S.L.)" i.e. Spanish company where the shareholders have limited liability as they do in a Ltd company in the UK.

In most of the cases we are dealing with, the UK company will be the only shareholder of the Spanish company.

To incorporate a Spanish SL by a single shareholder which is a UK Ltd, the main steps will be as follows:

- The board of Directors of the UK Ltd company should agree the incorporation of the Spanish company and appoint an attorney to deal with the whole process.
- The UK Ltd company should obtain a N.I.F. (Spanish Tax Number) to be able to operate in Spain.
- Also, the Directors of the Spanish company, will need to obtain a N.I.E. number (Spanish Tax Number for individuals).
- Name request: the Spanish Companies House will need to approve the intended name for the Spanish company and certify that the name is not in use by another company.
- The Spanish Ltd company shall obtain a provisional N.I.F. (Spanish Tax Number).
- Open a bank account in Spain.
- Depending on the type of company i.e. affiliate or subsidiary, the shareholder/s will have to transfer a minimum of 3,000 Euro as share capital.
- Address registration: all Spanish companies shall have an address in Spain. The address can be either at the premises of the company in Spain, if there is one, or register the company at an accountant's office.
- In most of the cases it is not necessary to take on board a resident in Spain as tax representative of the UK company. This would be required if some circumstances apply e.g. if the Spanish company is going to have a permanent establishment in Spain.
- Sign a i) deed of incorporation, ii) directors role acceptance and iii) articles of association, before a Spanish Notary. The most cost-effective way to do so will be via Power of



Attorney (POA) that can be signed in the UK. This will save the Directors from travelling to Spain for that purpose.

- The deed of incorporation will then be registered at the Spanish Companies House after the relevant taxes are paid.

To comply with the above requirements, a list of documents such as the POA, a certificate of good standing, minutes of the board of Directors, among some others shall be translated and Apostilled.

How long does this take? A prudent estimate of the time to have a company fully incorporated in Spain in normal circumstances would be two to three months.

Can this be done from the UK? The above process can be done in the UK without the Directors traveling to Spain if they appoint a Spanish lawyer to act on their behalf. Exceptionally, some banks may require meeting the Directors in person for the opening of the bank account, but obviously appointing a legal representative qualified in both England and Spain should smooth the process.

Clàudia Font & Antonio Guillen
Partners, Solicitors & Spanish lawyers
Spanish Desk
gunnercooke llp
07788585115
Claudia.font@gunnercooke.com

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10am - 4pm WEEKENDS AND BANK HOLIDAYS

Council Member's Report Update from Sarah Lapsley

Council as the Representative Body of the Profession

Some of you may be interested in the work that the Council Membership Committee is currently doing (when I say currently, I mean over the past three years), reviewing the make-up of Council as the representative body of the profession.

The past ten years have seen unprecedented changes and significantly more practitioners are now women, in-house, junior, working in large law businesses and practicing business law. These changes need to be reflected on Council and months of research and consultation has taken place, focussing on the geographical seats, practice/work type seats and the characteristic/community seats.

Current consensus supports the size of Council (currently 100 seats of which 61 members represent geographical constituencies and 39 members represent special interest groups and areas of practice), remaining broadly the same, which may result in changes to the number of geographical seats and areas served, in order to accommodate more practice areas.

The role and function of Council members is also under review and one option being explored is around the creation of regional forums within existing local Law Society regional structures, which could go some way to optimise existing resources and improve the functionality and effectiveness of Council members.

Concern has been expressed about the presence on Council of automatic seats for external bodies which also represent other law disciplines and debate continues regarding that in the context of the solicitor brand and the strength of the Law Society as a distinct entity.

Significant support has been shown around limiting a Council term to 12 years, despite the impact this may have on corporate memory and the undoubted benefit that long term experience can bring to Council, with further emphasis on ensuring that Council members work in the region and practice in the sector that they represent.

All in all, life as a Council member is set to change, with increased scrutiny on performance and effectiveness in the role but at the same time, a more realistic approach to time and resources.

The revised make-up of Council will better reflect our modern society, with all voices being heard from every corner of the profession.

Fraser Whitehead, who chairs the Committee, hopes to present a final paper to Council in December for approval.

If you would like to contribute to the on-going debate, please contact me - slapsley@excellolaw.co.uk

Mayson Review

If you have been following Professor Mayson's independent review of legal services regulation, you will know that his latest paper was published on 17 September 2019, which he describes as the review's interim report. The final report is expected in early 2020.

The issues forming the basis for future reforms include the following:



1. Concern over inflexibility arising from statutory prescription;
2. Competing and possibly inappropriate regulatory objectives;
3. A set of reserved legal activities that are anachronistic and do not necessarily include all activities that ought to be regulated;
4. Title based authorisation, that leads to an additional burden and cost to the consumer;
5. The unsatisfactory nature of the separation of regulation and representation;
6. Unregulated providers who are outside the current regulatory framework (and their numbers are likely to increase going forward);
7. The anticipated growth of law tech – the delivery of legal services independently of any human or legally qualified interface that is beyond the reach of the current regulatory framework;
8. Gaps in the regulatory framework which expose the consumer and puts some legally qualified practitioners at a competitive disadvantage;
9. Increased concern over the cost of private practice lawyers and the impact that has on the rule of law;
10. Consumer confusion caused by the existence of regulated and unregulated providers and a profusion of differently regulated professional titles; and
11. Inadequate or incomplete consumer protection inconsistent with an expectation that all legal services and those who provide them are subject to some form of regulation and protection.

After reading the above, I am sure that you feel as I do, that the need for reform is made out, particularly given the increasing influence of technology and the opening up of legal services with the impending changes to the SRA rules and the introduction of freelance solicitors.

The Law Society is actively consulting with Council over the Law Society's response. Although Professor Mayson does not require the Law Society to submit a formal response, President Simon Davis will be meeting with Professor Mayson in the near future in order to present Council's views on this dynamic and important topic.

Podcasts

In our increasingly busy world, where we are bombarded constantly with information, I am finding that a less stressful way to keep on top of issues affecting the profession is to take advantage of the podcasts available, which often deliver information in a much more informal and palatable way.

I have been recently catching up on Peter Wright's Introduction to LawTech, Cyber Security and Use of Social Media, available on the Law Society website as well as Alan East's excellent series on the proposed new Solicitors Qualifying Exam. My next train journey is likely to include the SRA's YouTube presentation on the new standards and regulations. I accept that it is not exactly relaxing but sometimes the delivery of information through a different medium can be helpful and can certainly break the tedium of constantly having to read more and more material.

Chief Executive's Report to Council - 3 October 2019

Paul Tennant, the Law Society's Chief Executive, continues to do an

excellent job for the Society working closely with the Board chaired by Robert Bournes, former President who equally continues to impress Council with his business acumen and dedication to the role. It certainly feels like we are in safe hands as a Society, from an executive perspective.

Paul's team continues to focus on the five priority policy themes agreed with Council – access to justice and the rule of law, the role of the profession, technology and the law, civil justice and regulation.

Work continues unabated in other important areas including Brexit, international activities and member experience. The Chief Executive's Report from the October Council meeting, which deals with all of these matters in more detail is available should you want to read it.

Finally, I am delighted that Nina Ferris will be joining me as co-Council member for Merseyside at the next meeting in December 2019 and we have agreed to share this column going forward.

Please, if you have any issues or comments that you wish me to take back to Council or to the Executive regarding the topics covered in this piece or any matters that affect the profession, please email me slapsley@excellolaw.co.uk and I will do my best to ensure that your views or comments are heard.

Sarah Lapsley
Council Member

Liverpool Law Society

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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
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Meeting Room Members £100+VAT Non-Members £125+VAT	12	12	20
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*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

In the latest update from Complete Counsel, we pose some questions to Michelle Fanneran about her career and how Complete Counsel differs from others Chambers



1. You've had an interesting career so far Michelle. Why don't you tell us about your journey.

I'm not from what some might consider a 'standard' barrister background. I grew up in Runcorn on a Council estate and went to a comprehensive school. I spent almost 10 years in the RAF as the first and only woman in my Puma helicopter aircrew role. There were many incredible people around me but there were many days when someone would say, "Nothing personal, Michelle, but I don't think you should be here because you are a woman." I found it extremely tough but I developed resilience and self-belief.

I taught myself my LLB through the University of London External programme whilst still in the RAF then left and did my pupillage in the South West, where I lived until summer 2015.

During that period became a Mum to two very energetic boys and took part in 5 of the 7 legs of the 07/08 Clipper Round the World Yacht Race, having never really sailed previously. I had a very busy PI, CN and costs practice but began to focus almost solely on costs 4 and a half years ago when I moved back to the North West with my family.

2. How does Complete Counsel compare to the traditional Chambers and Clerksroom models?

Complete Counsel offers all the benefits of a well-established set such as practice management from a set of very experienced clerks, diary support, credit control (I'm sure my clients see no difference as compared to a traditional set) but without any pressure to work in the way that is best for the organisation. I have complete control over my diary and in fact my business. There are no politics. We are a close team but we each have our own work and clients and although we help each other out there is no competition between barristers. If I want help to build new work that is available (and very effective) but, ultimately, I have complete flexibility as to how I run my practice. All the benefits of life at the Bar but no nonsense. There are no SLAs or service agreements and even those big clients who have panel barristers will instruct off-panel if they want a particular barrister so there are no down-sides.

3. After moving back up North, why did you choose Complete Counsel over a traditional set in the City and why do you think it is successful? Is it suitable for everyone?

I had no doubt whatsoever that when I moved to the North West I wanted to work from home, have better work-life balance, be in control of my business, build good, long-term relationships with my own clients, take only the work that is right for me and to have all the support of a full clerking structure including practice management, credit control, diary management etc plus offices to hold conferences and the like but without the need to accept compromises by having to pay for the overheads of a building and work in a way that makes life best for the masses. I wasn't prepared to have other people dictate when, where and how I would work. I wanted to work in a way that was best for me.

I saw Complete Counsel as an agile, responsive and highly innovative business providing an efficient and adaptable platform for Barristers who

want to future-proof their practice whilst controlling work/life balance in whichever way is best for the individual.

I expect to see more and more Barristers seeing the benefits of life with a platform such as Complete Counsel and I am very glad I got in early as I don't think such a model works well with very high numbers of members. Ultimately, we are in the service industry and I believe a clerk needs to know the individual skills of the Barristers (s)he is marketing.

It's suitable for everyone who is prepared to take control of their own business and work independently. A Barrister with an established practice or the tenacity to build their own established clients with the help of an experienced clerking team, would thrive.

4. How do you see the Bar developing/changing over the next few years?

I expect a slimming-down of work being sent to the Bar in my area(s) of work. I think there has therefore never been a more important time to take control of one's practice and make a robust business plan that is best for the individual.

5. And finally - How do you spend any spare time you have? What lights up your world?

My family light up my world. This year so far, we have sailed, cycled, climbed Hellvelyn, built rafts on Ullswater, listened to the rain hammering on our tent, spent many hours building Lego, made our annual pilgrimage to our beloved South Devon and I've beamed with pride listening to the boys play piano, cello and, more recently, viola.

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

It is fantastic to see that Liverpool City Council's Cabinet has formally endorsed a Spatial Regeneration Framework (SRF) for the Commercial Business District (CBD) - which could lead to the delivery of up to 2m sq ft of new commercial space in the city centre over the next 15 years. It follows public consultation during the summer months, which had great engagement, and it was made clear by the business community that a new masterplan for the area is needed.

Jointly commissioned by Liverpool BID Company, Liverpool City Council, and other public and private sector partners, the CBD SRF has identified 12 key sites, including Princes Dock and the King Edward Triangle, as areas for potential expansion in a bid to address the district's falling supply of grade A office space and enable Liverpool to compete with other UK and international cities in attracting major companies.

Our investment in the SRF demonstrates the BID's commitment in future-proofing the CBD for the benefit of our levy paying businesses and the wider city economy, driving investment into the area, creating jobs, improving connectivity with other key developments across the city region, and enhancing the area with more green space.

Importantly, the SRF goes a long way in addressing the shortage of high quality, grade A office space, and it is already encouraging to see the ambitious vision for Pall Mall taking a step closer to realisation. The £200m scheme in Pall Mall, with Kier Property and CTP, will provide 400,000 sq ft of new grade A office space and potentially create more than 2,000 jobs in the CBD.

We must not forget where we are currently. We are in a very healthy place that we can only build on. Earlier this year, the BID published its latest Commercial Office Market Review in partnership with Professional Liverpool, which recorded the highest office take-up in the Commercial District since records began. Likewise, 2018 was also a record year for Liverpool City Region as a whole. It is clear the demand is there - businesses want to call Liverpool their home - but we recognise that the CBD has yet to fulfil its full potential. Only by working together with our public and private sector partners and stakeholders across the city region will we get there. A true example of this is our continuous support to the Liverpool delegation in MIPIM and MIPIM UK working with partners to promote and attract investment to the CBD and Liverpool City Region.

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



2019 Public Child Law Conference

on Wednesday 27th November, 9.30am till 3pm
(lunch included)

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

Chaired by Her Honour Judge de Haas QC

Pre-proceedings and s20 Children Act 1989

Margaret Parr, Harrington St Chambers

Hair Toxicology & DNA Testing in the Family Law arena
Katie Laird, Cellmark

Protecting the Article 5 rights of children: Deprivation of Liberty

Shaun Spencer, St John's Building Chambers

Related Family and Criminal Proceedings

HHJ Janet Reaney

Seniors top 10

Mark Senior, St Johns Building Chambers

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

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Regulation Update

The latest regulation news from Andrea Cohen of Weightmans LLP

We are now only weeks away from the SRA Standards and Regulations which come into force on 25 November. There will be no grace period, and the SRA have already indicated it will be carrying out a thematic review early next year. If you need any assistance with training, policies, risk management etc., please get in touch with the Compli team.

SRA Standards and Regulations guidance

Guidance around the new Standards and Regulations has been rather limited and released on a 'drip feed basis', which is not terribly helpful when trying to understand what the SRA expects from those it regulates. In the last few weeks, there has been some clarification of issues that have been of concern, including: the SRA's position regarding firms operating a client's own account, which was troubling those appointed as Court of Protection Deputy or Attorney, under a Power of Attorney, due to the wording of Rule 10 of the new SRA Accounts Rules; the prescribed circumstances in which you can withdraw client money from a client account to pay to a charity; what is meant by 'adequate and appropriate' indemnity insurance for those that want to practice as freelance solicitors, and solicitors in non-commercial bodies providing reserved legal activities, who are not covered by the minimum level of insurance for SRA authorised bodies, and representing clients who lack or lose capacity. By the time this article goes to print, there may well be additional guidance, so keep an eye on the SRA website.

Law Society advice and practice notes

In addition, the Law Society has been busy, producing new and updated advice and practice notes on a range of topics, including: ownership of documents; VAT treatment of disbursements and expenses, which replaces the previous practice note, following recent cases, with the caveat 'We regret the continuing lack of clarity resulting from these decisions and would welcome guidance from the courts and an approach from HM Revenue and Customs (HMRC) that recognises and addresses it'; mortgage fraud; dealing with complaints from prospective clients, and Code for Completion by Post.

Probate fees

It has been confirmed that the government's proposals to raise probate fees have been dropped. In claiming a victory, having been campaigning against the proposed fees, the Law Society noted that significant delays in grants of

probate, partly caused by a rush of applications from those hoping to avoid the proposed fee increase, together with office closures and new technology, remain of concern. The Probate Registry update in mid-October said that delays were down to 4 weeks, provided everything is correct with the application, but there are reports of much longer delays.

Damages-based agreements

Following a minimal take up of DBAs by the profession since the existing regulations were introduced in 2013, a complete re-draft of the rules has been published, with lawyers asked to give feedback on the proposals by 15 November. The proposed new regulations would move to a 'success fee model', allow 'hybrid' agreements, contain specific termination provisions, and expressly allow for defendants to use DBAs.

Professor Rachael Mulheron, who drew up the new regulations with Nicholas Bacon QC, said the re-drafted rules were 'by no means the last word' on the issue, as they have to be submitted to the MoJ and would have to be introduced via statutory instrument, with further consultation.

BSB social media guidance

The BSB has issued guidance to barristers on their use of social media, warning that they could face disciplinary action even if they believe they are using it in their personal capacity, taking the same approach as the SRA, that 'misuse' could diminish the trust and confidence the public places in lawyers, could compromise the requirements to act with honesty and integrity and not to unlawfully discriminate.

SDT decisions

Delay in paying disbursements leads to suspension

A senior partner whose firm withheld disbursements from professional suppliers for considerable periods has been suspended for a year, following an agreed outcome with the SRA.

The SDT heard the firm would have 'significantly exceeded' its overdraft facility had all the unrepresented cheques been presented for payment. The partner allowed a situation to arise whereby client money was misused, and in doing so failed to run the business effectively and in accordance with financial and risk management principles.



Andrea Cohen
Weightmans LLP

In mitigation, not endorsed by the SRA, the partner said too much reliance was placed on key personnel to look after accounting procedures.

Decisions in sexual harassment allegations

The SRA is apparently not satisfied with the SDT's decision in relation to the proceedings against a former Freshfield's partner, with concerns being raised about consistency.

The tribunal fined the former partner (who resigned after the decision was announced, but prior to the sanction) £35,000, without restricting his ability to practise, finding that he acted without integrity when he engaged in sexual activity with a junior female colleague. The full reasons for the finding and decision on sanction will be set out in the judgment, which will be published in a few weeks.

An SRA spokesperson said: 'We welcome the SDT's decision to find that Ryan Beckwith has acted without integrity and in a way that diminishes the trust the public places in him and the profession. On the face of it, given this finding, we are surprised by the sanction. However, we will need to review the tribunal's written judgment when it is published before reaching a view.'

Earlier in the month, the SDT ordered that a Newcastle solicitor should be suspended for 18 months for sexually harassing a junior colleague.

Last year, the SRA estimated it there would be around 25 tribunal

cases related to sexual misconduct to the tribunal in 2019 and there are due to be further hearings in the next few months as prosecutions reach the tribunal.

It is reported that Freshfields have set up a conduct committee, with partners facing an earnings deduction for bad behaviour, and other firms are said to be reviewing their internal policies.

Solicitor who lied about passing exams struck off

A solicitor claimed that he was too scared of the environment in his office and his supervisor to admit he had lied about passing an exam which the firm had paid for. The SDT heard that the firm had funded the solicitor to attend seminars and an exam. He did not take the exam at the end of 2016 as he was not confident he would pass due to not attending some of the training sessions, but kept up the pretence that he had passed for over a year. The tribunal heard that the solicitor came up with a series of excuses for not producing the certificate. Having initially misled the firm, he could not find a way to tell senior colleagues what had happened and said he 'panicked' when asked to update his website biography, in which he included the qualification.

The SDT gave the solicitor credit for offering to pay back the money to the firm and self-reporting to the SRA, but found dishonesty was proved and the working conditions were not a defence. Even if, which was not accepted, he was working in a toxic and uncaring environment, it did not excuse his dishonesty and he was struck off and ordered to pay over £9,000 costs.



From SRA Handbook to the new Standards and Regulations

with Jo Morris

on Tuesday 3rd December, 10am - 3.30pm (lunch included)

This course is a must for compliance officers, compliance team members, fee earners and managers and will cover the following:

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

Competencies: A & D

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



Agency and Dishonest Assistance in a Commercial Context

with Arron Walthall

on Tuesday 19th November, 3.15pm - 4.15pm

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

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

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

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

A silver lining to a No Deal? October 2019

“Stop Ecocide, Change the Law” read one placard in Trafalgar Square during the recent Extinction Rebellion protests. Currently, it’s as if the legal profession is in the spotlight of public life as never before. From the ruling of the Supreme Court in late September on the prorogation of Parliament, to the ethical and legal challenges brought by groups such as Extinction Rebellion and the Friday School Strikes movement, the interpretation and application of law is becoming paramount as society navigates its way through what feels like increasingly turbulent times.

And of course, laws necessarily change over time to reflect changing societal norms. Whatever you may think of fringe movements and protest groups, the question is rightly asked as to whether such people, even if they are on the wrong side of the law, may still be on the right side of history. The notion of law and justice playing a fundamental role in driving sustainability is not new, of course. When the UN’s 17 Sustainable Development Goals were launched back in 2015, one Goal specifically called out the role of justice; target 16.3 is to “Promote the rule of law at the national and international levels and ensure equal access to justice for all.”

There are some ways in which environmental sustainability, politics and the law all join together. Take Brexit, for example. As I write, there is a live debate as to whether or not the Prime Minister complied fully with the Benn Act when he sent an unsigned letter to the EU, while simultaneously sending a separate signed letter arguing against any extension. And wherever the line is ultimately drawn on

such contentious issues, the possibility of the UK crashing out of the EU without a deal cannot currently be ruled out. For the avoidance of any doubt, I voted remain, and I am strongly opposed to a no deal Brexit. Whether in the end we reach such a point or not, however, as an environmentalist I am beginning to see a potential silver lining, and to wonder if there may yet be a positive lesson that we can draw from leaving without a deal. I realise I may be clutching at straws, but bear with me.....

In 2006, the economist Nicholas Stern argued that tackling the climate crisis would require an annual investment equivalent to 1% of global GDP, with the overall costs increasing for every further year of delay. In doing so, he deliberately framed the climate debate firmly in the language of business leaders and economists, in the hope that the prospects of improved returns on investment would galvanise decision-makers and those in positions of authority into action.

As we all now know however, far from reducing in scale since 2006, the climate crisis has only increased, and markedly so. Medium term gains never seem to win out over short-term priorities, and the investment proposal made to the world by Nick Stern was not adopted to any meaningful extent. At the same time, the chorus of voices highlighting the inadequacy of GDP as a measure of success has grown louder, from Tim Jackson’s “Prosperity Without Growth” through to Joseph Stiglitz and the OECD, via David Cameron’s attempts to introduce a new measure of national wellbeing. Most recently, the OECD has hosted a conference for “happiness experts” in Paris in the past month to explore what could lie “beyond GDP”

In the long-run of course, there is no choice to be made between economy and ecology. Every aspect of industry, society and human endeavour is in effect a wholly-owned subsidiary of the natural world; without the benefit of life-giving ecosystems around us, we would not even have oxygen in our lungs, let alone another point or two of GDP. Furthermore, there are huge prizes to be had in terms of job creation, health, wellbeing, and community cohesion by pursuing the various types of Green New Deal currently being advocated. We just need to adopt a slightly more medium-term perspective. Yet despite the tireless efforts of certain groups and individuals, the hegemony of short-term economic gain as measured by GDP has remained dominant. Whatever the issue or debate in public life, short-term economic growth has always won out



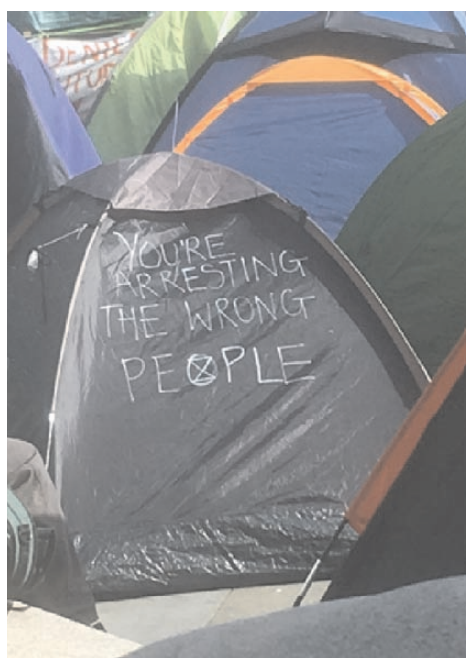
in the end over every other consideration. Elections around the western world have tended to be won by those who best understood the eternal truth that “it’s the economy, stupid.” By which, it seems, people always mean the economy in the next week, month and quarter.

Could this be about to change?

While I’m not going to add to the predictions of how a no-deal Brexit might pan out (if indeed it happens at all), there seems little serious room for doubt now that it would come at a cost to short-term economic growth. And yet the current Government clearly believes that a self-inflicted dip in GDP is a price worth paying, and an outcome that a sufficient proportion of the population will support.

So, coming full circle back to environmental sustainability, here’s my silver lining; if we have to leave the EU with no deal, and whatever the legal wranglings surrounding our exit, at least we will have demonstrated to ourselves (whether willingly or not) that sometimes the economy’s immediate prospects have to play second fiddle to longer-term considerations. Fortress GDP will have been breached by a bigger argument. If we are going to do that in the name of Brexit, might we then be better able to do the same thing again for the much more fundamental goal of transitioning to a low-carbon, one-planet future? And if so, what role might the legal profession play in helping to shape such an outcome?

Stephen Farrant
Consultant
Achill Management
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Charity and CSR Matters

Hi everyone

I hope you're all well.

If you need something to cheer you up today you have come to the right place! We have some great CSR activity this month, and we are now also featuring a dedicated sports page for the results of the football matches going on. Well done to all involved.

I have to say my favourite by far, in the whole magazine, is the Carpenters wear pink campaign and the enthusiastic staff. I would have loved to have been a fly on the wall in the office that day! Those boots- amazing!

Thank you again for your submissions, keep them coming.

Jennifer Powell
Associate
Weightmans



Carpenters 'wear it pink'

Team Carpenters took 'wear it pink' in their stride this year, raising £650.73! Thank you to everyone who took part and the whole team for their fund raising, with a special shout out to our team in Haywards Heath who went the extra mile in pink boots!



THE GREAT LEGAL QUIZ

Wednesday 20 November 2019

A great way to support access to justice

The great legal Quiz raises funds for your local legal support trust

We provide the questions. You raise funds by selling tickets, holding raffles or through donations

Compete locally and nationally with teams across the country

Hold your quiz in your local pub, office, home or elsewhere, for a fun night of general knowledge!

<https://www.atj.org.uk/great-legal-quiz.html>



The Access to Justice Foundation is a company limited by guarantee (No. 6714178) and is a charity registered in England and Wales (No. 1126147) and in Scotland (No. SC048584).

Maxwell Hodge hold “Blooming Great Tea Party” raising funds for Marie Curie

Maxwell Hodge recently hosted a “Blooming Great Tea Party” raising much needed funds for Marie Curie Hospice, who celebrate their 60th anniversary this year.

Five branches of Maxwell Hodge participated in the event – holding cake stalls, book stalls, bottle bola, children’s cake decorating and a raffle was held at each branch also. Their Kirkby branch was also attended on the day by a Body Shop at Home representative who kindly gave her time to offer hand massages and mini facials in return for a small donation to the charity.

It was a very successful day, raising £1,288.12. Claire Banks, Director at Maxwell Hodge recently attended at the Liverpool Hospice to present them with the cheque. Claire Banks said “We are so pleased to have been able to make a contribution to Marie Curie’s funds. They do such a fantastic job. We are lucky to have a hospice in our locality. A colleague of ours sadly passed away earlier this year. He was looked after by the hospice and we are grateful to them.”

Tina Gill, Marie Curie Community Fundraiser said: “We’re very grateful for the support from Maxwell Hodge - they’re helping us to make sure that more dying people get the care and support they need at the end of their lives.”

“Fundraising is a really enjoyable experience - you can do it on your own, with friends or colleagues or as part of a fundraising group, and Marie Curie will support you from the moment you sign up. Anyone interested should call 0151 801 1405 or visit mariecurie.org.uk/get-involved.”

Maxwell Hodge would like to thank everyone who donated raffle prizes and purchased raffle tickets, which all contributed to making the day a great success.



**Tina Gill (Marie Curie Community Fundraiser),
Claire Banks (Director at Maxwell Hodge),
Melissa Pittard (Marie Curie Healthcare Assistant)**

SWACA Ball is huge success

Morecrofts headline sponsored the Sapphire Charity Ball held by Sefton Women’s and Children’s Aid (SWACA) on 19th October. The event, which took place at The Park Hotel, saw 150 people gather for dinner and entertainment to celebrate SWACA’s milestone of 45 years offering their service.

Since 1975, Sefton Women’s and Children’s Aid (SWACA) has been providing specialist domestic abuse support services to the women, children and young people of Sefton who are experiencing, or have been affected by, domestic abuse. Last year, SWACA received over 2000 requests for support from the local area.

An amazing £8,500 was raised on the evening.

Partner at Morecrofts, and head of the firm’s domestic violence team, Julie Waring said: “We were delighted to support this event. I have seen first hand how hard the team at SWACA work to assist so many women and children, and the ball was a fantastic way of celebrating such a milestone, as well as raising vital funds.”



Charles Millett, who is a partner at Morecrofts and trustee of SWACA added: “Having worked with this charity for 30 years, Morecrofts see what amazing work they do. Huge congratulations to everyone from SWACA who worked to put on such a great event.”

SWACA CEO Neil Frackelton said: “As well as raising money, we made some excellent new contacts at the ball. I’d like to thank Morecrofts for their continued support with the charity; not only for the financial contribution, but for the free legal clinics and legal advice they give to us and our Service Users.”

The Linenhall Cup

Chester & North Wales Law Society v Liverpool Law Society

On 12th October 2019, a team made up of footballers from several of the Society's member firms made the short trip down to the Cheshire County Sports Club in Upton to take on a Cheshire and North Wales Law Society XI, in the inaugural contest for the "Linenhall Cup", sponsored by Linenhall Chambers.

We kicked off shortly after 11am on what was a perfect day for a game of football. The opening was cagey, with both teams not having played together before and players finding their feet, but before long LLS found their rhythm and started creating several chances. It didn't come as a surprise that LLS opened the scoring shortly after, with Luke Rafferty's cross being diverted into the net by an unfortunate C&NWLS defender. LLS doubled their lead shortly before half time, with Ian Sheridan latching on to a through ball to smartly finish over the oncoming 'keeper.

C&NWLS started determinedly in the second half, but despite forcing several corners, they only created a few half chances which they were unable to convert. At the other end, Mark Moriarty found space at the back post to nod in from a corner, and cool finishes from Lewis Hough and Charlie Mahoney put the gloss on what was a comprehensive 5-0 victory. After the game, the LLS team was presented with the trophy, with Ali Hough receiving the LLS 'Man of the Match' award. The two teams got together to analyse the game over post-game refreshments and a generous buffet, which were served at the Wheatsheaf in Upton.

Many thanks go to Osian Roberts, VP of the Chester & North Wales Law Society, for impeccably hosting an organising what was a very enjoyable day, and to Weightmans for the kit loan. We are already looking forward to the return leg in Liverpool at some point in 2020!



Man of the Match: Ali Hough



LLS Team:

Patrick Corey (DWF), Elpidoforos Kokkonis (DWF), Michael Burke (SPG Law), Graeme Hughes (Brabners), Ian McQueen-Prentice (DWF), Ali Hough (Brabners), Lewis Hough (Weightmans), Mark Moriarty (Weightmans), Douglas Pyrke (DWF), Luke Rafferty (Keoghs), Ian Sheridan (MSB), Charlie Mahoney (DWF)

Monthly Competition

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

This month the question is:

When did Sutton Colliery open?

Please send your answer to editor@liverpoollawsociety.org.uk, no later than 23rd November 2019.

Congratulations to Charlotte Flanders of GWL Solicitors for correctly answering the question in the October 2019 edition of 'Liverpool Law'.



Charity Spotlight

Report shows value of support for Wirral veterans with health conditions

Employment support for ex-Forces men and women with health conditions on The Wirral will have a positive financial impact for veterans, the NHS and wider society, according to a new report. Research has found that for every £1 invested The Poppy Factory's employability service, which launched in October at St Catherine's Hospital in Birkenhead, the social return on investment now and for the next five years is approximately £4.80.

Veterans who go for treatment at The Stein Centre can now speak to Lynne Evans, The Poppy Factory's Employability Consultant, about career planning, training opportunities, CV writing and job application advice.

The launch of the programme on The Wirral follows a report by PwC UK, which looked at the social value of the charity's service nationally. It found that better job prospects and higher earning potential for veterans holds the biggest social value. Support from The Poppy Factory also resulted in improvements to mental, emotional and physical wellbeing through increased confidence and financial comfort, relief from depression and anxiety and reduced clinical costs, along with increased volunteering, cuts to re-offending and reduced housing benefits.

Deirdre Mills, Chief Executive of The Poppy Factory, said: "It is clear that every penny spent supporting wounded, injured and sick veterans into meaningful and sustained work is an investment well made. And whilst it is important to measure the social value of our specific employability service, we also believe it is important to highlight the continued contribution that our veterans can make to our wider society."

The three-year Wirral pilot project will enable The Poppy Factory to research and address veteran employment needs. It is the first time an



THE POPPY FACTORY

getting you back to work



Lynne at the Wirral with NHS partners

Employability Consultant from the charity has been embedded in an NHS setting. The charity is working closely with health and social care partners in the area, including local GPs, Cheshire and Wirral Partnership NHS Foundation Trust, Wirral University Teaching Hospital NHS Foundation Trust and NHS Wirral Clinical Commissioning Group. Supporting the programme, local MP for Birkenhead, Frank Field, said: "The launch of The Poppy Factory's employability service at St Catherine's Hospital is good news for the many veterans in our community who are living with health conditions and want to get back into work."

"The level of regeneration and redevelopment happening in our area will bring with it many new opportunities for employment, and it is vital that those opportunities are also open to those who have served in our Armed Forces. Local knowledge and connections are key, and The Poppy Factory has the local expertise needed to help our veterans unlock their potential and find new purpose through employment."

The project is funded by The Forces In Mind Trust (FiMT), a £35 million funding scheme run by the FiMT using an endowment awarded by The National Lottery Community Fund.

Veterans looking for employment support can refer themselves directly to Lynne at The Stein Centre, call her on 07387 415429 or email LynneE@poppyfactory.org. Medical practitioners can also refer patients who they feel would benefit.

News from the MJLD

Further to Andrew's introduction of the MJLD committee in last month's edition, I am pleased to take over the role, as part of the Publicity team, of keeping you all up to date with all aspects of the MJLD.

My first update is really homing in on how our new in-house-designed logo came about, and why Cash for Kids has taken its place as our new chosen charity.

So without further or do, on behalf of the MJLD committee, and especially on behalf of my fellow Publicity representatives, we must thank Chelsea Kearns of Jackson Lee's for so cleverly putting together what I am sure we can all agree is a fantastic symbol for this division. Whilst the publicity team agreed that the core colours of black and green should remain, Chelsea's design of the Liverpool skyline provides more of a modern spin to show case what the MJLD is really about. The logo immediately had a great reception from all at our first event and on our social media platforms. So thank you, Chelsea!

In respect of our new chosen charity, Cash for Kids was decided amongst the committee unanimously. It is a local charity which we are sure most of our members are familiar with. Our two charity representatives, Erin Spadafora and Dee Lawless (both Morecrofts), worked hard to liaise with the charity and recently met with Bretta Adlen, a Cash for Kids representative, to get a better understanding of what it is that the charity have achieved and aim to do.

Erin and Dee's findings were that Cash for Kids provides a helping hand to children in Liverpool and surrounding areas. In 2018, they reached 59,873 children across Liverpool, Wirral and the North west. They also granted out £222,772 and over £1,253,464 in product and services, supporting children with various mental, physical or sensory disabilities, with behavioural or psychological disorders, living in poverty or situations of deprivation, suffering through distress, abuse or neglect. We are proud as a committee to contribute to the amazing work that

Cash for Kids do and welcome any further support in doing so either via our donation link (found on our social media pages) or at any of our upcoming events. If you would like to learn more about the charity, feel free to visit their website www.radiocity.co.uk/cashforkids.

Finally, the committee is excited about our upcoming website update, to reflect what was so neatly done in the logo. Be sure to keep an eye out on <https://merseysidejld.org.uk/>.

I look forward to providing more MJLD developments as the year continues. Please remember to follow us on all social media to keep up to date with everything MJLD and our plans for upcoming events. As ever, if you're interested in getting involved with the MJLD in any capacity, please feel free to sign up through our website, or speak with one of the committee members.

Twitter – @MerseysideJLD

Instagram – @Merseyside_jld

Facebook and LinkedIn – Merseyside Junior Lawyers Division

Molly Brislen (MJLD Publicity Representative)



Drink, Drugs and the Driver

with Colin Beaumont
on Tuesday 26th November, 1.30pm - 4.30pm

The following items are merely a selection of that which will be covered during this half-day course:

- How the offence created in March 2015 concerning drugs fits into the existing 'impaired/unfit' regime
- Case-management once a 'not guilty' plea has been entered – the PET form and the recent High Court decisions on the point
- The offences and defences in relation to excess alcohol and drugs
- 'Driving', 'attempting to drive', 'in charge' – an analysis of these terms
- Disqualifications, both discretionary and mandatory in this area of law
- Special Reasons
- The Case-law concerning medical emergencies, shortness of distance driven, laced drinks
- Newton Hearings and the Statutory Assumption within Section 15 of the RTOA 1988
- Failing to provide a specimen other than at a Police Station – Offences and Defences
- Failing to provide a specimen at the Police Station – Offences and Defences
- Who is paying for all of this? Costs Orders and private paying clients
- High Risk Offenders and getting the driving licence back
- The demise of the Statutory Option!
- Needle phobia – the case-law interpreting the meaning of a 'reasonable excuse'

Competencies: A1 (a) (b) (c) (d), A2 (a) (d) & A4 (a)

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



cashforkids



News from the WLD

MWLD Halloween Charity Quiz

Our Annual Charity Quiz took place on Friday 25th October 2019 at FOLK. The Quiz was hosted by Steve Pinder of Simpson Millar.

Thank you to all those who attended and to our kind sponsors Simpson Millar and Searchflow.

We heard from Trevor and Alex from Help for Heroes. Alex shared his story and gave an insight of the importance of the work that Help for Heroes do.

Help for Heroes provides recovery and support for the Armed Forces community whose lives are affected by their service, no matter when they served.

Their aim is to empower Veterans and Service Personnel to look beyond illness and injury. Every penny they raise, facility they run and activity they offer is to help Veterans and Service Personnel reach their potential, regain their purpose and have a positive impact on society.

We had a fabulous evening and raised lots of money by event ticket sales and raffle ticket sales for our nominated charity Help for Heroes.

Sponsorship

MWLD organises a wide range of events throughout the year including socials, networking and educational events such as financial seminars and career progression seminars. The committee is open to suggestions from members, partnerships and sponsors for new events which we may not have hosted previously.

MWLD relies on sponsors which have included law firms, chambers, recruiters, financial advisers and costs draftsmen to fund our events. We are therefore always interested in hearing from local and national businesses who may wish to sponsor our events.

Our events are well attended by a wide range of persons including solicitors, barristers, judges, costs draftsmen, recruiters and financial advisers. Our sponsors benefit from free tickets to attend the event they are sponsoring, presenting and distributing their promotional materials at the event as well as being included on all of the material when we are advertising the event.

If you would like to be involved in sponsoring an event please contact our sponsorship coordinator Amelia Hayden (amelia.hayden@brabners.com).

What's Coming Up?

We have many more events planned throughout the year. Our next event is our Annual Beauty Night at Harvey Nichols which is due to take place on Friday 22nd November. Tickets are on sale now and can be purchased via Eventbrite.

<https://www.eventbrite.co.uk/e/mwld-beauty-event-tickets-77745945215?aff=ebdssbdestsearch>

Make sure you keep an eye out on our website, social media and future issues of Liverpool Law for further details about our upcoming events.

Twitter
Facebook
Website
Email

@MerseysideWLD
Womens Lawyers Division – Merseyside
www.wldmerseyside.co.uk
wldevent@gmail.com



BEAUTY BAZAAR
HARVEY NICHOLS

AN EVENING WITH
BEAUTY BAZAAR, HARVEY NICHOLS

Merseyside Women's Lawyers Division together with Chadwick Nott,
invite you to an evening at Beauty Bazaar, Harvey Nichols.

Enjoy Harvey Nichols Prosecco and canapés in the glittering WOW Bar before exploring all that the First Floor has to offer across makeup, skincare, nails, hair, brows, fragrance and the Harvey Nichols Christmas shop. Discover limited edition Christmas collections, the latest treatments, services and exclusive promotions as you visit each counter for mini treatments and expert advice.

FRIDAY 22 NOVEMBER, 6PM

Beauty Bazaar, Harvey Nichols, 16 Manesty's Lane, Liverpool ONE L1 3DL
Tickets, £25 per person and includes £5 off purchases made in-store that evening.
(Tickets are £15 for Members)

To RSVP please visit the Eventbrite link to secure your ticket

Chadwick Nott



Merseyside Landmarks

In this edition we move to St Helens and look at the history behind 'Dream' sculpture which was installed on the site of Sutton Manor Colliery in 2009

The history of St Helens is inextricably linked with the coal industry and residents of Sutton Manor wanted some form of monument to remember the former colliery which had been at the heart of their community for so many years. Sutton Manor was one of seven sites to be selected by "The Big Art Project", an initiative from Channel 4 which was supported by the Arts Fund, the leading art charity and the Arts Council England, the national development agency for the arts.

Sutton Manor Colliery began operation in 1910 and by 1964 was employing 1400 local people and producing 1500 tons of coal each week. In 1983 the National Coal Board announced a £14 million investment in Sutton Manor with the aim of converting it into one of Britain's most modern collieries.

However just a year later miners throughout the UK went on strike in an attempt to prevent colliery closures. The industrial action nationally was led by Arthur Scargill of the National Union of Mineworkers (NUM) and it was during this year-long strike that Prime Minister Margaret Thatcher attempted to reduce the power of the trade unions. In 1985 British Coal announced that Sutton Manor Colliery was unviable and was scheduled for closure. It closed in 1991 with over 40 years of coal still underground.

Following selection for the Big Art Project, St Helens Council, local residents and fifteen ex-miners became involved in the consultation and commissioning process and the sculpture 'Dream' by Jaume Plensa was selected.

Jaume Plensa is a Catalan sculptor, born in Barcelona he studied art at the "Llotja" School and in the Escola Superior de Belles Arts de Sant Jordi. His other works include the Crown Fountain at Millennium Park in Chicago and Blake in Gateshead, a laser beam that on special occasions shines high into the sky over Gateshead's Baltic Centre for Contemporary Art. Jaume Plensa said "When I first came to the site I immediately thought something coming out of the earth was needed. I decided to do a head of a nine-year-old girl which is representing this idea of the future. It's unique."

Dream consists of an elongated white structure 66 feet (20 m) tall, weighing 500 tonnes (490 long tons; 550 short tons), which has been cast to resemble the head and neck of a young woman with her eyes closed in meditation. The structure is coated in sparkling white Spanish dolomite and cost an estimated £1.8 m.

Dream was officially launched on May 31st 2009. Thousands of people took part, enjoying a traditional Whit Walk to the summit of Sutton Manor, along with performances by the Greenalls and Valley brass bands, and were joined by ex-miners and their families and the guest of honour, artist Jaume Plensa.

Dream is located on the summit of the former Sutton Manor Colliery in St. Helens, close to Junction 7 of the M62 motorway and offers views of the Cheshire and Lancashire plains, out to the Pennines, the Peak District and Snowdonia.

Columnist Janet Street-Porter was highly critical 'Dream' calling it 'one of the "follies of our age"' However, Melvyn Bragg who visited the site in 2011 described it as 'A cultural monument for a class'.

Broadcaster Stuart Maconie visited Dream to record a programme



for Radio 4 about northern men and the bonds between miners. Dream was chosen as the backdrop for the programme because of the area's transformation from Sutton Manor Colliery to the site which now homes the acclaimed artwork. The recording went on to become Radio 4's documentary of the month.

Earlier this year, the people of St Helens celebrated the 10th anniversary of the installation of 'Dream' which included a spotlight illuminating the night sky from the top of the sculpture and attended by guest of honour, Jaume Plensa.

S Code	Date	Time	November 2019	Speaker
S4177	13th	9.30-12.45	Termination of Commercial Leases by the Tenant inc vacant property issues	Richard Snape
S4178	13th	1.30-4.45	Conveyancing Update	Richard Snape
S4364	15th	1.30-4.30	** NEW ** Complaints to Compliments	Nicky Ling
S4273	19th	2-3	Intellectual Property Online: Copyright and Communication to the Public	Sarah Jameson
S4274	19th	3.15-4.15	Agency and Dishonest Assistance in a Commercial Context	Arron Walthall
S4155	20th	9.30-1.30	Conference for Legal Cashiers & Managers	various
S4326	22nd	9.30-12.45	Soft Skills for conveyancers	Ian Quayle
S4205	22nd	1.30-4.45	Insolvency Update	Chris Beanland
S4254	26th	10-12.45	PACE and the Codes of Practice	Colin Beaumont
S4255	26th	1.30-4.15	Drink, Drugs and the Driver	Colin Beaumont
S4148	27th	9.30-3	Public Child Law Conference	various

S Code	Date	Time	December 2019	Speaker
S4222	3rd	10-3.30	New SRA Handbook to the New Standards & Regulations	Jo Morris
S4156	4th	9.30-4.15	Occupational Disease Conference Accredited by APIL Training	Various
S4327	11th	9.30-4.30	Residential Leasehold Conveyancing for Support Staff	Ian Quayle
S4331	11th	5.30-7	Employment Judges Forum	Various

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Save up to 30% on training for your firm - purchase course credits in advance, then simply book **ANY** of your staff, including all support staff, on a wide range of LLS events including conferences, assigning credits as required - easy!

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