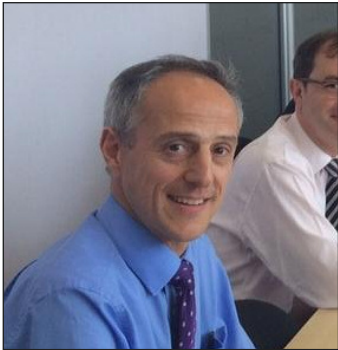


LiverpoolLaw

December 2019

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



Legislative Update

Parliamentary Officer, Jeremy Myers reports on the latest Acts going through Parliament



Leadership and the Law

This month we talk to Jessica Hampson of CEL Solicitors



New role for Sarah Lapsley

Council Member Sarah Lapsley joins Excella Law



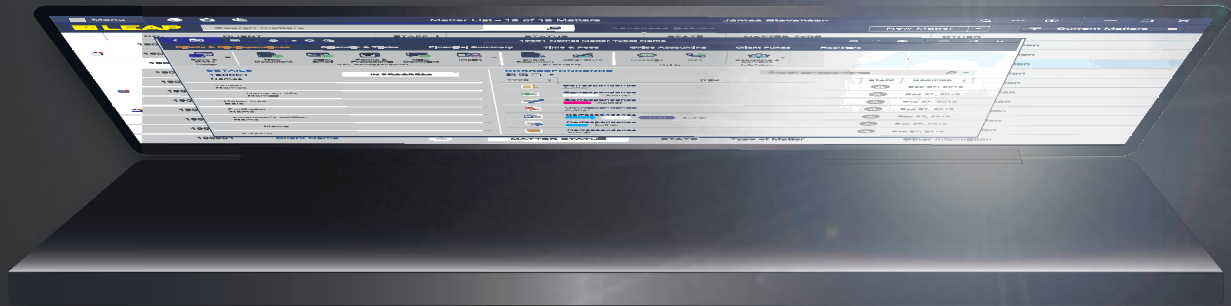
**Liverpool Law Society
Annual Dinner 2019**

www.liverpoollawsociety.org.uk



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December 2019

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Cover photo:
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Photograph by Ray Farley

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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 December 2019 edition of Liverpool Law

We once again have a jam packed magazine for you so grab a mince pie and enjoy.

Unless you have been living under a rock you will have seen that 2019 has celebrated 100 years of Women in the Law. If you have somehow missed it we have an article from Emma Carey this month providing some details. There have been events throughout the year and many still going on this month, such as the exhibit at Liverpool University and WLD events.

In my editorial column I have detailed my journey back into work following maternity leave and shared the difficulties faced as a new Mother. Until I had my daughter I never fully appreciated working Mothers, and Fathers, and all the extra work they have to do raising the next generation. Right now I am frantically typing this column at home with a poorly little one whilst she has a power nap. Her illness means she can't go to nursery and she is contagious (hand, foot and mouth!), so I don't want to risk any of my other family members catching it. My husband has only just gone back to work himself after having flu so, I'm at home.

All work has been completely dropped and left to my very understanding colleagues and clients, but chances are I will catch it too and that's even more time away from my work. I suppose it is difficult for employers not to notice such periods of absence for women, especially if it happens on a yearly/seasonal basis (I really hope it doesn't!). But what can be done?! I think we are making strides in seeing maternity leave and child care issues for exactly what they are- short term gaps in a long term flourishing career. But we have so much work to do on getting women in the Boardroom.

This year we held the men roundtable events and the feedback was great. We need to turn those words into action, sooner rather than later. This month we have a 3 page article on how Liverpool as a City has come on so much in the past 30 years. It was a great article featured in the Gazette and we were given permission to feature it, and the photograph. It can't go unnoticed that the majority around the table are male. Those on the photographs are representatives sent from each of the bigger firms in the City, including my own. I know that our Regional Office Head Steve Peacock is a great Ambassador for Women in the Law as he has been a great help to me personally since my return. Our President Chris Topping is also featured and again, his support for Women in the Law cannot be overstated in such a notable year. I just hope we don't have to wait another 30 years before we see more women on such important photographs.

On that cheery note, I hope you're all set for a nice festive break with your loved ones. Enjoy every second.

Many thanks

Jennifer Powell
Solicitor
Weightmans



Jennifer Powell
Editor

editor@liverpoollawsociety.org.uk

Editorial Committee Dates

All meetings start at 1pm

Tue 21/01/2020 at 13:00
Tue 18/02/2020 at 13:00
Tue 17/03/2020 at 13:00
Wed 15/04/2020 at 13:00
Tue 19/05/2020 at 13:00
Tue 16/06/2020 at 13:00
Tue 21/07/2020 at 13:00
Tue 11/08/2020 at 13:00
Tue 15/09/2020 at 13:00
Tue 20/10/2020 at 13:00
Tue 17/11/2020 at 13:00

Diary Dates

Mon 16 December	Annual Lawyers' Carol Service
Thurs 16 or 23 January TBC	Summit Meeting with Councillors & GC
Thurs 30 January	Newly qualified solicitor, fellow & barrister celebration
Weds 5 February	Domestic Abuse Conference
Thurs 6 February	Joint V meeting (Bristol)
Mon-Fri 10-14 Feb	Great Legal Bake
Weds 12 February	Pathways to the Legal Profession for Year 12s
Mon-Fri 24 – 28 Feb	Justice Week
Weds 26 February	Housing Disrepair Conference
Thurs 27 February	Family Law Judges Forum

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

Deadlines 2020

27th January
26th February
25th March
23rd April
28th May
25th June
27th July
21st August
24th September
27th October
24th November

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



President's Mentions

Where did the time go to? 2019 is nearly over and my time here is almost done.

There has been no let up in the last month which has been a sequence of dinners eaten and events attended. I have been to the annual dinners of Bristol, Birmingham and Southport Law Societies in the last five weeks, as well as several others for professional associations in the city. My dinner jacket has become increasingly tight over recent times! On a diet after 10th December I reckon...

Of course first among equals was our own dinner in the Shankly Hotel. The photos elsewhere in Liverpool Law will pay testament to the great evening had by those who were there. We have had lots of positive feedback about the venue, the food and particularly James Timpson our principal guest!

James was a truly inspiring speaker, he brought a real challenge to us in relation to the way in which we consider those who have been through the criminal justice system. The stories of real people whose lives have been transformed by the opportunity to gain employment within the Timpsons business were heart-warming.

It is fantastic to report that on the night we raised £1497 for my two charities NWLST and LoveJasmine. That sum together with the monies raised at the Annual Awards evening mean that through your generosity we have raised over £2750 this year which will make a real difference to those charities. This sum goes to show how much this Society has compassion for those in need.

Over the last year, as you may know, we have enhanced our relationship with the University of Liverpool Law Faculty. We now have a permanent place on the Advisory Board which has the important role of helping to shape how law will be taught there in the future. So to see so many of the academic staff from the faculty at our annual joint social in the middle of November was a great encouragement. I am hopeful that moving forwards we will be able to work even more closely together to promote the practice of law in our region.

The University were rightly proud to be hosting the 100 Years of Women in the Law exhibition which has toured the country. We continue to champion the role of women in the law and I know that this is something that Julie will be continuing to focus on during her year as President.

Many of you will have seen the article in the Law Society Gazette focusing on Liverpool. It was an encouraging discussion and well reported. It is true that Liverpool has become place to bring your legal business. What was however striking from the photos that accompanied the article was just how much the legal community in

our city is in need of greater diversity.

Alongside the work done on Women in the Law we have been promised that the Law Society are about to open up a new round of applications for social mobility ambassadors. We need to work hard on this as a profession generally and particularly here in Liverpool so that our profession reflects the diversity of our region and that opportunities are open to all.

It was a delight to see that one of the Justice First Fellows from the Merseyside Law Centre, Siobhan Taylor-Ward, qualified as a solicitor in November. Siobhan has been a member of the Young Legal Aid Lawyers national committee, our own Access to Justice Committee and speaks passionately about access to justice.

We are absolutely committed to the Justice First Fellowship scheme. The scheme is funded by the Legal Education Foundation and provides the resources to allow trainee solicitors to practice in social welfare law. As a legal community we need to be supporting this programme financially so that there can be a new generation of lawyers trained to provide advice to the most vulnerable in our region. I have written recently to a number of managers of law firms asking for support and offering to come and talk in greater detail about the Fellowships. If you would like your firm to be involved then please contact the office.

At our November general committee meeting we were addressed by Rae Brooke from the Community Foundation for Merseyside. The CFM are rolling out a new initiative for businesses in Liverpool and the region to commit themselves to doing their bit to tackle homelessness. A more detailed report on the launch event appears later in the magazine. I am firmly of the view that we can do a great deal more to help and I hope that many of you will take up the call to action.

This is my last column as President. It has been a privilege and an honour to be the 192nd President of this Society. Thank you for the support you have given to what we have tried to achieve over the last twelve months and for the occasions when you have challenged us to look at doing things differently.

I wish you well for Christmas and look forward to all the New Year will bring under the Presidency of Julie O'Hare who I commend to you as she leads the Society forwards.

Chris Topping
President

Sponsored by



Helix Highlights

Meeting with Invest Sefton

In mid-November, I met with Kris Swift and Evelyn McCowan of Invest Sefton. After I gave a background to Liverpool Law Society, its members and services, Kris and Evelyn talked about the events and activities they co-ordinate in north, mid and south Sefton over the year for the 8000 businesses that exist in the borough. As Sefton is part of Liverpool Law Society's core area, and about 20 of our member firms are located in the borough, both organisations will look to collaborate and share relevant news and events of interest to those firms and companies based in Sefton. There is information available on their website [here](#) and you can sign up to receive newsletters too.

Be the Business Mentoring for Growth

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

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. 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.

For more information about the scheme, visit the Business Growth Hub website [here](#).

Living Wage Employer Anniversary

I am pleased to say Liverpool Law Society has just celebrated its first anniversary as a **Living Wage Employer** which fell close to the national Living Wage Week (11-15 November). If you follow us on social media, you will have seen a few posts about the week that encourages more business to join the 6000 companies who have been accredited so far.

The Law Society's Regional Forum in the North West

On 26 November, the Society hosted The Law Society's Regional Forum at which the Deputy Vice President Stephanie Boyce was the main speaker. It was a useful event at which Stephanie provided an insight into the aims she has at the time she will be President and what she is currently doing as DVP. Discussions covered a variety of topics including social mobility, mental health and well-being, the SQE, access to justice and in-house lawyers.

I am always keen to hear from members and readers 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**



**Sarah Poblete
CEO**

Liverpool Law Society's New Directors

The Liverpool Law Society AGM took place on Monday 25th November 2019. Members and guests gathered and mingled over a light lunch before the President open formal proceedings of the 192nd AGM.

The election of the vacancies on the 2019/20 General Committee took place during the meeting.

Many people don't realise that LLS is a company limited by guarantee and those elected become directors of that company with the associated duties owed by virtue of that position. The committee consists of between 14 and 27 directors and they must retire by rotation every three years with up to five being nominated for re-election.

This year five existing committee members were voted back on: Eileen Chisnall who chairs the Criminal Practice Committee, Mrs Lindsey Knowles chair of the Employment Law Committee Mrs Naomi Pinder the Non-Contentious Business Committee Chair, Mr Martyn Rodmell In-House Committee Chair and Mrs Gaynor Williams Joint Honorary Secretary of the Society.

We are pleased to announce four new committee members were elected – Professor Warren Barr, Mr Jonathan Berkson, Mrs Sarah Mansfield and Mr John Owens. The President congratulated them and welcomed all to the General Committee.

Call for city region businesses to support Homelessness Business Charter

The President Chris Topping and I attended the launch of the Liverpool City Region Homelessness Business Charter on 20 November. 80 people had registered to attend the event which took place in St Paul's Social in St Paul's Square in the heart of the Liverpool commercial business district. We heard from key people involved in creating the Charter including organisations such as the Community Foundation for Merseyside, the Liverpool Parish Church, Crisis, a former homeless representative and local business leaders.

The Charter is aimed at any size of business. It is designed to be simple to sign up to, with no red tape. It should be helpful and inform users, and importantly the results will be measured in the coming months and years. When a business signs up to the Charter, it is signing up to two commitments:

- 1) Each organisation will have a designated Ambassador
- 2) The organisation will provide support from a menu of options on the Charter

The aim is to have at least 200 businesses signed up to the Charter by the end of 2020. The message was clear: show that the Liverpool City Region cares about its people.

Philip Rooney, a lawyer at DLA Piper and chair of Professional Liverpool, spoke as a voice for the business community. Philip said

that there were three reasons why there should be a response from businesses:

- 1) Spread the word about homelessness and dispel the myths. Businesses should cascade information and motivate people.
- 2) Mobilise the multiplicity of skills that exist to support the work being done by the public and voluntary sectors regarding homelessness.
- 3) Recover lost skills and talents of the homeless.

The Rector of Liverpool Parish Church, Crispin Pailing, encouraged businesses to come together and support organisations that already exist to help homelessness. Crispin emphasized that this is a Liverpool City Region initiative, for businesses in all boroughs to get involved with, and not just the city of Liverpool. There was a representative from the charity 'Local Solutions' in the audience, a charity that helps homeless young people, and she commented that it was a very practical charter in her opinion, and it would help them expand their services.

We would encourage organisations to take a look at the LCR Homelessness Business Charter, sign up and support this initiative. Information and the Charter itself are available [here](#)

Sarah Poblete
CEO
Liverpool Law Society

Legislative Update



The Dissolution of Parliament on 06 November provides a useful staging post to review recently enacted Statutes which might be relevant for Practitioners.

The planned lengthy Prorogation, which was then nullified by the Supreme Court, meant that several Bills were not passed. The lack of enactments was then further affected by the short Prorogation which made way for the Queen's Speech of 14 October.

Hardly had the new Session got underway than the Dissolution took place. The consequence is that several key Bills which might have made progress – such as the Domestic Abuse Bill and the Divorce Dissolution and Separation Bill – fell.

A handful of Acts from the last six months are worthy of note in addition to those delaying the UK's exit from the EU. On the Criminal Law side, the Offensive Weapons Act 2019 covered not only knife crime but also corrosive substances, following the horrific increase in acid attacks. The Wild Animals in Circuses Act 2019 prohibited the use of such animals in circuses and also provided for inspections of circuses.

Those practicing in the fields of mental health and civil rights will note the Mental Capacity (Amendment) Act 2019. It amends the 2005 legislation with regard to deprivation of a patient's liberty where he or she lacks capacity, and the subsequent provision of treatment to be provided. An administrative measure to note was the Non-Domestic Rating (Preparation for Digital Services) Act 2019, which related to HMRC, but highlighted the methods for payment of Business Rates.

We shall await a list of Bills after the Queen's Speech at the start of the Session to be initiated by the General Election.

Jeremy Myers
Parliamentary Liaison Officer

YOU ARE WARMLY INVITED TO THE

ANNUAL LAWYERS' CAROL SERVICE

At 6pm on Monday 16th December
Liverpool Parish Church, Old Churchyard, Chapel Street, Liverpool, L2 8TZ

LED BY SIR MARK HEDLEY

SPEAKER: RICO TICE, ANGLICAN PRIEST AND WRITER, CO-AUTHOR OF CHRISIANITY EXPLORED AND CURRENT ASSOCIATE MINISTER AT ALL SOULS CHURCH

Music from: Formby Brass
Band together with carols and music interludes

Mince pies and wine will be provided in the foyer

ALL THOSE
CONNECTED WITH THE
PRACTICE OF LAW,
AND THEIR FRIENDS
AND FAMILIES ARE
WELCOME



Liverpool Civil & Family Court move to appointment-based counter

With effect from the 18th November 2019 Liverpool Civil & Family Court will no longer operate an open counter service. An appointment only system will be in operation. A ten- minute appointment will be allocated for urgent matters and certain routine work. A longer appointment can be issued if necessary.

To make an appointment please telephone 0151 296 2200
Appointments are available between the hours of 10:00am – 4:00pm.

Urgent work is defined as:

An application or document(s) which meets one of the four criteria below:

1. It requires judicial intervention within 24 hours.
2. It needs to be issued within 24 hours
3. It will reach limitation within 24 hours.
4. The party will suffer significant detriment if it is not registered as being received on specified date and time.

Examples of work which we generally consider urgent are below. The work must still come within the above definition.

High Court
Applications to suspend warrants for possession (property) or control (goods)
Applications for insolvency
Applications for non-molestation orders or injunctions
Collecting orders/papers for service following an urgent hearing
Applications relating to abduction of children
Applications relating to the removal of children
Emergency Protection Orders and Interim Care Orders.

Examples of routine work are:

Swearing Statutory Declarations (traffic enforcements only)
Swearing an Affidavit

The Court will continue to operate a secure Drop Box facility (which is emptied twice daily)

We will not turn you away if your matter is deemed urgent whether you have an appointment or not.

If you have any queries or require further information please contact

Karen Haslem 0151 296 2539
Kate Townley 0151 296 2251

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.

Liverpool County Court

Whilst lawyers and insurers catch their breath after the rush to obtain declarations voiding motor policies by 31 October, I want to acknowledge the excellent work done by our local County Court.

When the deadline was announced, we carried out some due diligence by asking Courts across the country how they were placed to cope with processing a significant number of applications in short order.

The most impressive response was provided by Liverpool County Court who recognised the issues and were prepared to meet demands in respect issuing and listing.

I recognise that our Court system is under significant financial pressure currently and I do not attempt to gloss over the problems we see nationwide, particularly with late adjournments of hearings. However, it is important to note when a Court gets it right. Over the last few months, Liverpool County Court did a very good job; their empathy and professionalism is to be commended.

Liam McGuire
Partner
Weightmans LLP

Consultation Papers referred to committee:

The following sub-committees of Liverpool Law Society are considering responding to these consultation papers. If any member would like to send in a comment, please do so to committees@liverpoollawsociety.org.uk

12/11/2019 Regulatory
(SRA) Corporate Strategy 2020-2023 – closes 23rd January 2019

12/11/2019 Access to Justice
(MoJ) Housing Possession Court Duty Scheme: Towards a More Sustainable Future – closes 3rd January 2020

12/11/2019 Criminal Practitioners
(TSC) Firearms offences consultation – closes on 14th January 2020

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:

Where was the Annual Dinner held?

Please send your answer to editor@liverpoollawsociety.org.uk, no later than 13th December 2019.

Congratulations to David Walmsley of Carpenters for correctly answering the question in the November 2019 edition of 'Liverpool Law'.



Queen Elizabeth II Academy for Leadership in International Affairs - Liverpool workshop

Until recently, my only knowledge of Chatham House was the eponymous rule often in place at professional conferences. However, the Royal Institute of International Affairs as it is more officially known is a think tank focused on increasing dialogue on international issues and facilitating academic research. As part of this aim, it launched the Queen Elizabeth II Academy for Leadership in International Affairs, a programme which offers potential and established leaders from around the world to act as fellows participating in its research projects.

Thanks to an invite extended to the Liverpool Law Society, I was fortunate enough to attend the Academy's first UK regional workshop in Liverpool on 6 November 2019 in my role as MJLD Chair.

At first, it was a bit daunting being the sole practising lawyer in a room of people with either a practical or academic background in international affairs; my sole knowledge of international affairs was from the World section of the papers. However, it was both surprising and re-assuring to learn that 2 of

the fellows who would be speaking with us that day were from a legal background.

Whilst discussing international trends in populism, migration and the climate crisis is not ordinarily on the agenda at the MJLD, it was a refreshing change to be able to discuss those "big ticket items." It was also interesting to see how those issues, which invariably trouble governments rather than the public, filter down to people in everyday life.

For instance, one of the fellows challenged us to use climate change and the climate crisis as the lens with which to view all of our actions. If I was an academic or worked in the field of international affairs, I would think that would be an interesting task when carrying out my research. However, it's a lot harder to find a climate change perspective in my day job as a paralegal specialising in disease claims. That being said, whilst it's hard, it's not impossible.

Just before I began writing this article, I was required to print additional bundles for a trial. The bundles were for medical

records, not all of which were relevant, but they had to be at trial in their entirety so the complete picture was available if the Judge wanted it. Those 100 or so pages had to be reproduced 5 times over to go with the other trial bundles, themselves around 500 pages each. All the documents going into those bundles were stored electronically but all had to be printed off even if they would not all be looked at. It's a hefty environmental impact for just one aspect of a 1 day fast track trial.

Although we work in a hierarchical system, following our various procedural rules, we still have a duty to consider the impact of our actions in complying with those rules on the environment. Whilst it would be good to make the White Book a bit greener in its outlook, until that time comes we should make sure to apply those rules ourselves with one eye on the environmental impact of our actions.



Andrew Ball

For further information on the QEII Leadership Academy, please visit <https://www.chathamhouse.org/academy/about>

Andrew Ball
Chair, MJLD

The Liverpool Law School and the Amicus Project

The Liverpool Law School recently welcomed Mark George QC (Garden Court North Chambers) to deliver a talk to our students on the work of Amicus www.amicus-alj.org in supporting prisoners on death row in the US. Each year Amicus sends legally qualified volunteers from the UK to work on capital cases alongside local attorneys in the US. In recognition of the importance of this work, and of the critical role played by volunteers, the Liverpool Law School has committed to establish a modest bursary to enable one of our own students to complete the training and three month long US placement which Amicus requires of its volunteers. By promoting the participation of Liverpool students in the Amicus project we also hope to reinforce the international standing of our graduates, the global reach of the Liverpool legal community, and our collective commitment to social justice.

For those reasons we would like to establish this bursary on the basis of joint sponsorship by the Liverpool Law School and by one additional supporter from the Liverpool legal community, after whom the bursary would be named.

If you feel that your firm or organisation would be interested in contributing to this initiative we would like to hear from you.

Please email: Jeremy Marshall (Lecturer in Law, The University of Liverpool Law School) at J.Marshall@liv.ac.uk



Civil Evidence and Witness Statements

with Mike Winston

on Friday 10th January, 10am - 4.30pm (lunch included)

Understanding how to use evidence to prove things in the civil courts is an essential skill for all litigators. Being able to gather, collate and structure all types of evidence for use in a civil case in a CPR-compliant manner is often the difference between winning and losing when the matter proceeds to trial.

This highly-practical course will cover in detail:

- Case and issue analysis
- Understanding different types of evidence
- Using/avoiding hearsay
- Using objects or documents
- The civil evidence act checklist
- Proofing witnesses
- Questioning techniques
- Listening techniques

- Proving things using witness statements
- What to include / what not to include in a witness statement
- The requirements of CPR 32
- Relief from sanctions when things go wrong

Competencies: A2, A4, A5, B1, B4, B5, B7 & C1

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

Wow What a night

It was an absolute pleasure and privilege to host one of the VIP tables at the Liverpool Law Society's 192nd Annual Dinner on 7 November 2019.

The venue was the splendid Shankly Hotel (with our President apologising profusely to the Blue half of Liverpool!). We were in the unique rooftop venue known as the Garden of Eden suite, although the recent weather reminded us more of the great Biblical flood.

We were joined by the great and the good, including the Lord Mayor of Liverpool, the Lord-Lieutenant of Merseyside, the High Sheriff of Merseyside, the Leader of the Northern Circuit and various other distinguished dignitaries, which just shows the high esteem in which the Liverpool Law Society is held.

It was wonderful to see the venue packed with over 260 guests, representing all our major local firms and chambers. Together we celebrated being part of a strong, proud and vibrant local legal profession.

All our guests were welcomed by our impressive President, Chris Topping who recounted his experience from his term of office, with humour and insight.

Our guest speaker was James Timpson OBE, Chief Executive of Timpson, Trustee of the Tate and chairs of both the Liverpool Advisory Council and the Tate Enterprises Board. His speech however focussed on his role as Chair of the Prison Reform Trust and what he had learned from visiting so many prisons in the UK and abroad. His passion for this role shone through as did his commitment for giving a second chance to people who had made a previous mistake. He gave several inspiring examples of where his Timpson business had employed former criminals and helped them turn their life around from a life of crime to hope of a positive future.

We also heard from our lovely Vice President Miss Julie O'Hare who shared her exciting plans for her soon to be future role as President of the Society.

Finally, it is important to say



"thank you" to a few special people, without whom such an event would not be possible. Firstly, Sarah, Liz and all the staff at the Society who work tirelessly to support us all daily and plan meticulously to deliver such successful events. Our General Committee who give up their precious time to represent our Members, with particular praise for our committed President Chris Topping and our gregarious Vice President Miss Julie O'Hare. Our long-standing sponsors, Interlink Recruitment (providing the full spectrum of recruitment services) and Midshire (a leading provider of technology solutions for our offices) deserve our genuine gratitude (and hopefully our business!).

On the night, there was a collection for the President's two nominated charities, and we are thrilled to report a fantastic £1,497 was raised for 'Love, Jasmine' and the 'North West Legal Support Trust'.

Thank you all for all your continued support!

Steven 2dolyny,
Joint Honorary Secretary

Photographs by Ray Farley



The President Chris Topping and Vice President Julie O'Hare with sponsors Interlink Recruitment and Midshire





Joint Forum on Access to Advice

The bi-annual Joint Forum on Access to Advice recently met at the Society's offices in Liverpool.

It was a well-attended Forum, attracting representatives from advice centres, law firms and charities – in addition to politicians and members of the judiciary.

The Forum began by hearing from Mary Heery, a solicitor at Merseyside Law Centre. The Centre aims to combat poverty and homelessness by providing free, accessible advice and representation to assist clients to pursue their legal rights, within a framework of equality and opportunity. The Centre has a particular focus on second-tier work, for example by representing clients at social security tribunals. It also helps EU nationals denied benefits at appeal, and supports asylum seekers in their applications (and appeals) for Asylum Support. The Centre has benefitted from the Justice First Foundation through its funding of a Justice First Fellow/Trainee Solicitor. This funding was contributed to by local firms Brabners and Weightmans, and the Society would be interested to hear from any other firms wishing to make a contribution.

Ngaryan Li was next to address the Forum. Ngaryan is a Solicitor at Vauxhall Law Centre in Liverpool. The Centre began in 1973 as community project with the aim of combatting social exclusion through the provision of free legal advice. It works to improve health and wellbeing and to promote equality. The Centre is currently looking to expand and develop as it forms partnerships with the University of Liverpool, Liverpool John Moores University and the University of Law. Ngaryan reported that, year to date, the Centre has received 2,500 enquires, from which 750 cases were

opened, and resulting in the recovery of £1m+ in benefits, and the management of £300,000+ in personal debt. The Centre is short of volunteers and any reader wishing to get involved should feel free to make contact.

Next to speak was Julie Ehlen from Equality and Employment Law Centre (formerly Merseyside Employment Law). Julie reported that the Centre has recently undergone a transformation, both in terms of its name, location (it is now located in Dale St) and staffing. It benefits from two legal aid contracts (providing a discrimination telephone service, and a discrimination face-to face service), however Julie was keen to stress that its services go beyond advice on discrimination, with the Centre willing to provide advice on any aspect of employment law, as well as offering HR services. The Centre has recently taken on a law student and is hoping to attract Justice First Fellowship funding to enable her to train to become a solicitor. Again, anyone wishing to provide funding (or to volunteer themselves) should get in touch.

The Forum was delighted to receive an update from Richard Miller, Head of Justice at The Law Society. Richard began his address by discussing LASPO (Legal Aid, Sentencing and Punishment of Offenders Act 2012). TLS consider the government's review of LASPO is going in the right direction, for example through its work in reforming the legal aid means test. The current test can deny a person funding, despite their falling within the definition of poverty (as provided by the Joseph Rowntree Foundation), and is therefore urgent need of reform. The Review is also looking at exceptional case funding, with Richard highlighting that the Public Law Project can sometimes assist in this area. Finally, Richard reported that unaccompanied migrant children will now qualify for legal aid – a welcome increase in scope.


Richard explained that the sustainability of our legal advice system is under threat in certain areas. An example of this is concerns the criminal law profession, with some counties reporting an absence of any criminal legal aid lawyers aged 35 years or under. One reason for this has been the reduction in legal aid rates relative to private rates.

Another problem is the continued closure of courts. Around half of all Magistrates' Courts have now closed, with a further 60-70 placed at risk. Overall, Richard reported TLS retains good relations with the Ministry of Justice and will continue its work to promote justice. Jeremy Myers (LLS' Parliamentary Liaison Officer) provided his regular report on legislation likely to impact the profession, highlighting the Mental Capacity Amendment Act 2019 and the Offensive Weapons Act 2019. As ever, the Forum was grateful to Jeremy for his timely update.

The Forum concluded and attendees took the opportunity to socialise and network.

The next Forum is scheduled for Friday 1st May 2020 (8.30 – 9.30am) at the Society's offices, and expressions of interest are invited for speakers and anyone wishing to attend.

James Mannouch
Chair – Access to Justice Committee



2020 Costs Conference

on Wednesday 11th March, 9.30am - 3.30pm (lunch included)

We are delighted that this conference has an excellent line up of speakers, who will provide sessions on all the latest issues within the main areas of costs litigation out, book today!

Chaired by Regional Costs Judge Jenkinson

Protecting against claims for solicitor and client assessments
Dr Mark Friston

Default, Sanctions & Conduct in the Costs Process
Gordon Exall

Common Traps and Securing Relief
Professor Dominic Regan

Settlement under Part 36 or otherwise
Professor Dominic Regan

LIP Portal and Extension to Fixed Recoverable Costs
David Pilling

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

Conference for Legal Cashiers & Managers

On Wednesday 20th November we held our annual Conference for Legal Cashiers & Managers.

Sessions began with an 'Anti-Money Laundering Update' from Sue Mawdsley of Legal Risk, followed by 'Helping Law Firms Protect Themselves Against Cyber Fraud' with Neena Shukla from sponsors Lloyds Bank.

Delegates then enjoyed refreshments before Jatinderpal Loyal, Policy Associate at the SRA provided an update on the regulatory changes ahead.

A 'Solicitors Accounts Rules Update' was provided by Andrew Baker of RSM before the last session of the day from Jo Morris – who also kindly chaired the event, with a 'Compliance Update for the finance department'.

Thanks again to sponsors Lloyds Bank and Insight Legal Software, and to all those who attended the event and of course the willingness and co-operation of all the excellent speakers.

As with 2018, this year's event was also a half day event and some of the speakers felt that they had a lot to cram into a relatively short space of time, as did some of the delegates. So, for 2020 we may return to a full day – pop 18th November 2020 into your diary & watch this space as programme builds!

Jo Downey
Director of Education & Training,
Liverpool Law Society



Neena Shukla, Jo Morris & Jatinderpal Loyal

Liverpool Law Society

2020 Housing Disrepair Conference

on Wednesday 26th February 2020, 9.30am till 3pm (lunch included)
Venue: Liverpool Law Society, 2nd Floor, Helix, Edmund Street, Liverpool, L3 9NY

Chaired by Sarah Mansfield & with sessions confirmed so far:

Disrepair: Protocol, Pleadings and Allocation
Gary Lewis, Cobden Chambers

Tips for Tenants
Nina Patel, Jackson Lees Group & Jonathan Davidson, Broudie, Jackson Canter

Defending S.11 claims: Tips for landlords
Josephine Morton, Brabners

Homes Fitness for Human Habitation Act 2018:
12 months on
Louise Murphy, Knox Ellis

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

Liverpool Law Society

Conversion to Family Law Certificate with Safda Mahmood

on Wednesday 12th February, 10am - 4pm (lunch included)

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

The areas to be covered are:

- Essential Skills and Managing Client Expectations
- Marital Breakdown Divorce, Dissolution and (Judicial) Separation
- Funding Family Law Cases, and Drafting Essential Documents
- Financial Orders and other forms of Financial Remedy
- Assisting Unmarried Parties and Remedies available
- Orders for Personal Protection (Non Molestation and Occupation Orders)
- Children Proceedings Disputes between individuals
- Local Authority Applications, Care Orders and Processes

Competencies: B & C

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

Joint Social with Liverpool University

It was such a pleasure to attend the joint Liverpool University and Liverpool Law Society event held in the beautiful Library at the School of the Arts. The event was held to celebrate the start of the new academic and legal year and also to launch the "First 100 years of Women in Law" exhibition.

We were greeted by the Head of the School of Law and Social Justice, Professor Debra Morris. Debra encouraged all solicitors to share their experience with the students and get involved in various activities held by the University. Debra also introduced the "First 100 years of Women in Law" exhibition and was excited to announce that the new home for the School of Law is ready to be unveiled in April 2020, further announcements to follow.



pathways to the legal profession and what is required to progress.

This is an annual event and we hope you can join us next year to meet the new students, discuss current issues with colleagues and university teaching staff and offer your experience and guidance to the students.

"First 100 Years of Women In Law" project is accompanied by a book and a podcast. I would recommend everyone listen to the fascinating stories told by these "first" women themselves and the researches involved in the project.

I would like to thank the University for such a wonderful event and look forward to the launch of the new home for the School of Law and Social Justice at the University.

Nadya Makarova
General Committee Member at Liverpool Law Society
Solicitor at Brabners LLP



Then we heard from the President of the Liverpool Law Society, Chris Topping. Chris spoke about the close links between the Liverpool Law Society and the University. He also spoke with passion about the "First 100 years of Women in Law" project. Women were barred from the legal profession until 1919, despite taking on legal education since the 1870s. There were numerous efforts to join the profession, including the infamous *Bebb v The Law Society* case in 1913. Chris acknowledged that at the time the Law Society was successful in stopping women becoming solicitors. It took the passing of the Sex Disqualification (Removal) Act 1919 to open the legal profession to women. There were a number of inspirational women over the last 100 years who achieved the highest ranks in private law firms and within the judicial system. In the 1950s less than 3% of the new solicitors admitted to the roll were women. Today women constitute close to 51% of all solicitors registered at the Law Society. This progress however has been slow in filtering to the highest positions within private organisations and the judiciary where the numbers are much, much lower. Chris applauded all champions of progress and introduced Julie O'Hare, currently vice president who will be the next president of the Liverpool Law Society. Out of 192 presidents of the Liverpool Law Society there have been only 6 women. However 3 out of 6 have been in the last 6 years so the situation is changing.

After the formal presentation Julie engaged with the students in an open Q&A circle, where the students were able to ask questions about

Leadership and the Law

Continuing our series of articles talking to the leaders of Liverpool law firms. In this edition, Jessica Hampson, Managing Partner of CEL Solicitors gives an insight into her role...

Briefly describe your role as Managing Partner

My role is a complete mix – from carrying out monthly one-to-ones with the team and checking their happy at work, to liaising with clients and progressing our business development programme, it's incredibly varied!

I also run 'claim clinics' with staff and hold a company-wide meeting twice a week to inject some motivation and positivity. Additionally, I am part of the recruitment process and chair our monthly board meetings.

Most recently, I've managed our upcoming office move, which will see us take the entire 12th floor of Twenty Chapel Street in Liverpool, paving the way for our future expansion. From compiling the office layout to selecting which prosecco tap we have (yes, really!), I've thoroughly enjoyed being part of it from start to finish.

What do you like the most about your role?

It has got to be the people – including those who are part of our team and our clients themselves. I love to support the team's progression and watch as they develop their skills and confidence, helping to secure great results for our clients – it's incredibly rewarding.

What are the biggest challenges?

Our standards are exceptionally high, so we are continually challenging ourselves as individuals to step outside our comfort zones and always working towards the next goal.

With our specialisms lying in data breach and civil litigation, it's essential that we stay ahead of the curve in terms of new legislation and emerging trends and this is something that we instill in our team.

What aspects of your firm are you most proud of?

Some of my proudest moments are those when we're able to award paralegals with a training contract and contributing to their journey to become a solicitor. We're always overwhelmed by the sheer talent and commitment shown by our trainees and are excited to have them on board.

I'm also proud that we are a firm that goes above and beyond every day to improve our clients' lives, holding their hand every step of the way and getting to know them as individuals.

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

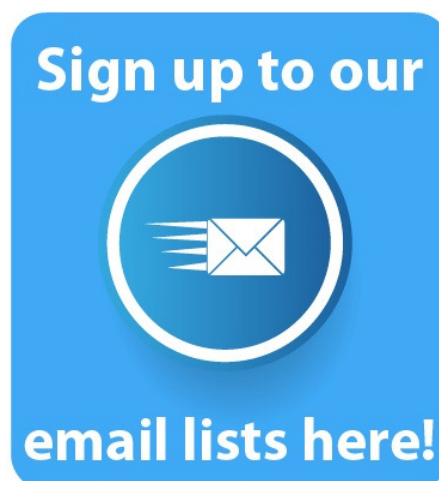
I'd like us to be a real trailblazer for the entire legal industry – I want CEL to set the standard for how law firms should look and act. I believe we are creating a collaborative, creative and safe environment for the best legal thinkers in the industry and I'm excited to see how our team develops. We're aiming to be a Top 50 law firm that authentically puts people before profits where staff have shares in the company, creating a legacy where my children and our team's children want to work.



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

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Vauxhall Community
Law & Information
Centre

News from Vauxhall Community Law and Information Centre

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

Vauxhall Community Law and Information Centre's Relaunch and celebration event took place on Friday 8th November 2019. Due to the announcement of the General Election the Shadow Justice Secretary Richard Burdon was unable to make it. However, Dan Carden, the MP for Liverpool Walton and Shadow Justice Secretary was the keynote speaker, highlighting the important role of the Law Centre in supporting his constituents. Pauline Connolly, the Chair of the Law Centre gave a history of the Law Centre, highlighting the active role played by the Local Community in the Centres development and management of the organisation, Pauline has been a Board Member since the centre was established in 1973.

Julie O'Hare gave a talk on the involvement of the Liverpool Law Society, who too were partners in the setting up of the Law Centre. Julie, Vice President of Liverpool Law Society and a Board member at Vauxhall Community Law and Information Centre gave an indication of the sterling work of the Law Society in supporting the Law Centre in the past and the fact that this will be re-enforced in the future. Ngaryan Li gave an outline of the future plans for the Law Centre, looking to develop and expand service provision in the future as well as looking at new ways of delivering services and seeking partnerships right the way across the private, public and academic sectors as well as a continuing community involvement at all levels within the Law Centre.



Julie O'Hare Vice President of Liverpool Law Society speaking



Flowers presented to Annie Goodman, founder, former law centre adviser and volunteer and Donna Scully from Carpenters Solicitors, who along with the GMB Union kindly sponsored the event.



Alan Kelly opening the event. With Julie O'Hare, Vice President of Liverpool Law Society, Pauline Connolly, Chair of Vauxhall Community Law and Information Centre and Dan Carden MP the Shadow Secretary of State for International Development

Urgent request for Volunteer with Experience of Wordpress/Website Design.

We are urgently seeking a volunteer to assist us with the completion of our website. If you or anyone in your organisation has these skills and could assist us please contact Alan Kelly on alankelly@vauxhalllawcentre.org.uk



News from Merseyside Law Centre

Fighting for equality through social justice to combat poverty & homelessness



This month our housing team attended the Law Centres Network Annual Conference and AGM in Bristol. One of the main focuses of the discussions that took place was the next generation of social welfare lawyers and social mobility within the sector. Our newly qualified solicitor, Siobhan Taylor Ward, led a discussion on this and recruitment, a problem that affects social welfare law well beyond the Law Centres. It was an uplifting and informative couple of days for the team, leaving them feeling inspired.



disrepair and fitness for habitation. If you know anyone who may need assistance with any of these issues please email Project Coordinator and Solicitor Siobhan Taylor-Ward on or call us on 0151 709 0504 and we will look at booking them in for an appointment.



Our 'Our Liverpool' project providing asylum support is helping asylum seekers and vulnerable migrants providing advice and assistance in resolving housing matters including destitution,

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

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Facebook: Merseyside Law Centre

Mersey Soundings

This article by Paul Rogerson on the recent roundtable held in Liverpool appears courtesy of the Law Society Gazette

Since Liverpool was crowned European Capital of Culture 2008, the city has enjoyed a renaissance that has brought commercial work – and law firms – pouring in. Paul Rogerson reports from the Gazette's latest roundtable

It is a 20-minute walk from Lime Street station to Weightmans' HQ in Liverpool's Old Hall Street. This looks a straightforward stroll on Google Maps but, as my app warns, 'real-life' conditions can intrude.

So it is today. Among the first things I encounter are two massive, concrete 'buck teeth' hovering precariously over the coned-off pavement. They are a remnant of the Churchill Way flyovers, longstanding features of the city centre for decades.

As the demolition ball swings, these flyovers are now roads to nowhere.

Such battered monuments to brutalism are symbolic of an upswing in Liverpool's fortunes in recent times. Swaths of this storied city remain under development. As I pick my way past the construction workers and brownfield sites, I note that Liverpool has already changed greatly in the few years since I last visited.

'This is an exciting time for Liverpool,' says Chris Topping, president of Liverpool Law Society and a board member at Broudie Jackson Canter. 'Lots of people are bringing their businesses here. I've been in the city for 30 years and when I first came you could still detect the effects of the second world war.'

Chris Topping, Liverpool Law Society

'What we've seen is massive regeneration. It's been great to see firms which historically haven't been so prevalent in the north-west coming to the city, like Taylor Wessing, Freeths and Napthens. They have brought work in that has benefited us all.'

'I'd echo that,' says Nik White, managing partner at Brabners. 'This room would have looked very different five, or even two, years ago. Having been a fairly staid, static market – certainly for commercial firms – it has been fantastic to see new firms coming to the city. That creates an even more fierce war for talent, but that competition has to be a good thing.'

As Manchester boomed, its neighbour and some-time rival down the East Lincs road had come to appear 'stuck in the backwaters and not really going anywhere,' White notes.

No longer. Napthens, which opened an office on Old Hall Street 18 months ago, is one of Liverpool's most recent arrivals. Although the firm has a string of offices across Lancashire, it is notably absent in Manchester, points out chief executive Shru Morris.

Shru Morris, Napthens

'What we've done in Lancashire was the alternative to Manchester,' Morris stresses. 'The point around, "we're not going into Manchester as the biggest hub for legal services" was what attracted us to Liverpool. Together with the fact you've got a passionate group of people here who want to make it work.'

So what has spurred Liverpool's renaissance? Our roundtable acknowledges what one solicitor describes as the stabilisation of municipal politics, following the turbulent years of a Militant city council in the 1980s. Liverpool City region mayor Steve Rotherham, who last month launched a public consultation on economic planning and development across his domain, is generally perceived to be doing a reasonable job.



But a more significant fillip to the city dates back to 2003, when Liverpool was named a European Capital of Culture for 2008. Liverpool has more museums and galleries than any other UK city outside London. To this can be added the likes of the Liverpool poets, the enduring legacy of a popular beat combo named the Beatles and the Royal Philharmonic. So I am rather surprised to hear there was some nervousness over whether the city would live up to its billing.

It did.

'Capital of Culture was a massive boost,' says Hill Dickinson chief executive Peter Jackson. 'We all held our breath when it was announced, but it showed us at our best, as it turned out, because we pulled it off brilliantly.'

'The year 2008 wasn't exactly very good for other parts of the country. But it certainly led to us not feeling the effects of the recession for a tail period of two or three years. I think that was the first step, to be honest.'

According to the council, Capital of Culture generated 9.7m visitors to the city – an increase of a third – and generated £754m for the local economy. Research by Liverpool University found that 85% of the city's residents agreed Liverpool was a better place to live in afterwards. The Liverpool One project, meanwhile, propelled the City into the top five most popular shopping destinations in the UK.

Perhaps most importantly, as mayor of Liverpool Joe Anderson told the Huffington Post in 2017, the experience dispelled a 'crude stereotype' of a city long past its best.

That momentum has been sustained. Annual private sector-led investment has topped £1bn for the last four years and the city's population is growing again, after falling from over 500,000 in the 1970s to 440,000 in 2000.

I try not to name-check football teams at these roundtables, but it is unavoidable here. Two premier league heavyweights in a modestly sized city (one of them champions of Europe, no less) sucks in an awful lot of visitor spend and helps sustain the city's global profile. 'Planes from Oslo every week,' as one attendee puts it. 'You can't get a hotel room on a Saturday.'

As Liverpool's economy has grown, so has the legal market. Just one statistic, from the legal directory Chambers, can speak for many here. In the last decade, the number of ranked women solicitors in Liverpool has risen by a bullish 16.4%, compared with just 6.2% in London and 5.7% in Leeds. And the legal economies of London and Leeds have hardly been sluggish.

Yet challenges remain. Liverpool certainly outperforms in terms of bringing young people into the city to attend its universities, but some believe it underperforms with regard to keeping them and attracting talent from London. These are works in progress.

Saleem Fazal, Taylor Wessing

Saleem Fazal heads international firm Taylor Wessing's Liverpool office, established just a year ago. 'Tapping into the universities is high on our agenda,' he says. 'We are forming relationships with all the faculties, and not just legal, because we are also strong in technology.'

'Our aim is to encourage graduates to come and work for us. They may become lawyers, they may not. They may do the internships and decide it's not for them. But that kind of thinking has gone on for so long in other regions. We need to bring that here.'

DLA Piper's Nicola Wilding, of the Law Society Junior Lawyers Division, points out that Merseyside Junior Lawyers is one of the biggest associations of its type in the country. But she acknowledges the difficulty. 'Manchester does offer much more opportunity, just because it's a bigger city, especially when it comes to training contracts,' she admits. 'That is an issue.'

Nicola Wilding, Junior Lawyers Division

Membership of Merseyside JLD is open to paralegals as well as trainees, which reflects a modern reality of legal life. 'People do tend to get caught in the paralegal trap, which can weigh heavy on people's minds here,' Wilding adds. 'I've got a friend who's still a paralegal and she's got a 12-year-old daughter. Supporting a family on a paralegal salary compared to a qualified solicitor does make a difference.'

Of course, the paralegal bottleneck is hardly unique to Liverpool. Our roundtable is sceptical about how effective the new Solicitors Qualifying Exam will be in broadening diversity. But where those present do agree is that the role of the junior lawyer is changing rapidly, in part aided by fast-developing technology which can also support income growth.

Founded in Liverpool 42 years ago, DWF is being watched closely after becoming the first law firm to float on the London Stock Exchange's main market in March. The Liverpool office is home to a 'centre of excellence' for motor claims, a real estate team which undertakes City of London work and a strong corporate services and litigation offering, including telecoms.

'At DWF,' says Graham Dagnall, executive partner for the Liverpool office, 'we've actually used technology quite proactively in terms of attracting a certain commercial client to this city. Particularly those do a lot of routine contract renewal work.'

'We've been able to use artificial intelligence to automatically draft a lot of documents, and prepare contract playbooks which the clients can use themselves. That is in appreciation of the fact that you're not going to take that low-level work.'

Thomson Reuters' Practical Law defines a contract playbook as a guide that facilitates the efficient and effective drafting, review and negotiation of contracts. It explains the company's standard and acceptable fallback positions based on a predetermined negotiation strategy. According to one estimate, fewer than one in four in-house legal departments use them, so this appears a big market to aim for.

Dagnall adds: 'In the managed services environment, we have successfully attracted quality work from the UK into Liverpool. This gives you that competitive environment to keep the firm's talent interested, and enjoying the kind of quality work that you might potentially get in London, Leeds or Manchester.'

Another attendee concerned with aggregating nationwide volume work in Liverpool is Ian Cohen, head of personal injury and medical negligence claims at Simpson Millar.

Formerly owned by failed listed company Fairpoint, Simpson Millar was acquired last year by law firm investor Doorway Capital. Since then it has exploited a £50m war chest to undertake an expansion drive that has included the acquisition of Liverpool personal injury practice EAD Solicitors.

Cohen brings a consumer law perspective to the table; and it is he who responds first when I ask where further growth is going to come from in Liverpool's resurgent legal market.

RT LVRPL

'Consumer-wise, we're almost certain it's going to be through consolidation,' he says. 'That's the way the market is going, with all the reforms. Everything has to be to scale. So we are seeing and we will continue to see smaller law firms withdrawing completely from the market, or medium-sized firms specialising and coming out of parts of the market.'

'The other area for us is the untapped legal market, which is worth billions. Nobody's yet been able to crack that. As we get a better understanding of the consumer, the requirements of millennials and so on, we can look to take a small percentage of that and grow our businesses. As opposed to necessarily fighting over the same pool of money.'

Hill Dickinson's Peter Jackson believes that, as Liverpool's talent pool grows, 'there will be growth in stopping the work that currently goes to London from a lot of corporates and commercial entities'. Liverpool City Council still sends work down to London, 'or it did', he adds, 'and there is no reason why that should happen.'

'The higher profile we get as a market, the more chance we have of retaining that work.'

DWF's Dagnall adds: 'That's what we've tried to do: focus on specific centres of excellence or sectors where you can actually attract work into Liverpool. Retail, food and hospitality is a big one and, strangely you might think, telecoms is also big for us here. That fuels your talent pipeline.'

FORTUNA SMILES

Three senior solicitors from DLA Piper have set up a boutique litigation practice in Liverpool – in the same building as their old firm, writes Gemma Slings.

Continued overleaf



Employment Contracts: drafting issues & potential pitfalls

with Emma Tegerdine

on Wednesday 15th January, 10am - 12pm

This course is aimed at legal assistants, litigation executives and newly qualified solicitors whose practice includes employment law.

What this course will cover:

- Written particulars which must be provided under S.1 of the Employment Rights Act 1996
- Holidays
- Mobility clauses
- Recovery of training costs
- Notice
- Restrictive covenants
- Garden leave
- Apprenticeship agreements

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

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

Fortuna Law deals exclusively with high-value business litigation and was founded by Mark Goodwin, former head of litigation and regulatory at DLA Piper's Liverpool office. An ex-legal director at DLA Piper and a former senior associate have also joined the practice. A senior associate from the same firm is due to start at the end of November.

Goodwin, who spent 19 years as a senior litigation partner at DLA Piper, said he founded the business because his team were 'increasingly subject to conflict issues'.

'DLA Piper had a number of very high-value, complex cases which we couldn't do because other parts of [the firm] were acting for the other parties. The bigger the firm got the bigger the issue became.'

Liverpool office building

'With the ever-growing size of the client base and geographical footprint of the larger firms, conflicts of interest in litigation and arbitration matters are becoming more frequent and often it is not possible for firms to find a solution under the applicable conflict rules.'

According to Goodwin, the Fortuna team maintains good ties with DLA Piper and has already received conflict referrals from them.

Goodwin added: 'We are fairly unique – not just in Liverpool but outside London. We have invested £1m so we can do high-value cases. We had to invest heavily in IT and people. Unlike the traditional full-service model, our new firm is highly specialised on business litigation.'

The firm, which began trading in February, says it has already secured instructions with a combined claim value in excess of £750m.

Freeths managing partner Andrew Nichol cautions that in the drive to grow, diversify and tool-up with new tech, firms must not neglect the personal touch. 'In the SME and owner-managed business space, we have spoken to clients and they were all pretty consistent in terms of

what they wanted, which was "service and relationship". They weren't asking for technology. They weren't asking for innovation – bearing in mind everyone innovates in a broadly similar way and will look identical within a short period of time. So the Liverpool message is "relationship-driven, service driven".'

'That's certainly my experience,' agrees Napthens' Morris. 'There are not many situations where we are going through a big tender process. It's generally because we've built up a relationship with the client over a period of time.'

'We won't be the cheapest,' she stresses. 'We may see ourselves up against some of the big Manchester firms but [in those cases] we almost don't even mention price as a differentiating factor. The message is that you're going to get a partner-led service, which if you've never been through a transaction before is really what you want. Somebody to help you, someone to hold your hand through the transaction.'

Taylor Wessing's Fazal makes the point that specialisation need not mean downgrading the client relationship if it is managed properly. 'For us it's all about sector focus,' he says. 'Our clients expect us to be exclusive lawyers, to know what we are doing and help them with their business and understand the processes. But in bringing to their business that sector knowledge, we build trust, which in turn builds the relationship.'

Roundtable Liverpool

Liverpool's legal market appears set fair on many fronts. But can the table identify any threats to growth? One such, I suggest, is that a general increase in prosperity can erode competitive advantage. A city can fall victim to its own success.

One firm alive to this challenge is our host Weightmans, whose antecedents date back almost 200 years and which presently employs 700 people in Liverpool.

'The age-old thing with Liverpool, though it's probably a bit less the case now, is the volume work,' says Steve Peacock, head of Weightmans' Liverpool office. 'That has certainly been very good for Weightmans.'

'We do a lot of volume national employment work [and] for a national client we can only do that in Liverpool because it is our cheapest cost centre. We could not do that work and generate the profit we do from any other city. Manchester and Leeds are way off. That is one plus.'

Yet, Peacock warns: 'It's becoming more expensive in Liverpool and that gap is closing. It's still relatively cheap to do volume work here, but less than it was.'

Brabners' White agrees. Fixed costs and property are still attractive, he notes, adding: 'In terms of people, whereas probably 10 or even five years ago we did have a [pay] disparity between equivalent lawyers in Liverpool and Manchester, we don't now.' Still, there are worse problems to have than deciding how to cope with success.

In conclusion, one must not overlook the fact that Liverpool still faces difficult and longstanding problems, including high levels of deprivation. Yet, to an occasional visitor like me, the city would seem to be catching up (at the very least) with Manchester and Leeds, whose own fortunes started to turn back in the early 1990s.

As Weightmans' Peacock concludes: 'Creating a buzz and a profile around the city makes people want to live and work here. That's a formula for success for any business – but especially law firms.'

This roundtable was kindly hosted by Weightmans and organised by Jo McLeod, the Law Society's head of relationship management – north.

Thank you to Paul Rogerson and the Law Society Gazette for allowing Liverpool Law to reproduce this article



2020 Domestic Abuse & Honour Based Abuse Conference

on Wednesday 5th February 2020, 1pm till 4.10pm

Chaired by Emma Palmer

with confirmed speakers;

Afrah Qasim from Savera UK

Wendy Eves from MSB

Denise Malcolm from Merseyside Police

Vicky Green from RASA Merseyside

To see more information, [click here](https://www.liverpoollawsociety.org.uk)

Taking a strategic approach to Cyber Risk

I'm pretty sure that if you forced ten cyber criminals to sit through an average law firm's IT committee meeting, they'd be turning themselves in to the National Crime Agency before it reached AOB, desperate for some form of stimulus. Either that, or they'd be in A&E having their heads stitched back on after laughing them off.

This is certainly not a criticism of law firms. It is just a recognition that cyber criminals are free spirits, without things like client work, regulatory compliance and ethics to distract them from staying twenty steps ahead of their prey. Even if you are highly attuned to cyber security and, like me, your heart skips a beat whenever Apple sends you a new software download, the reality is we need to fight fire with fire and adopt an array of methods to protect our law firms from losses arising from cyber security breaches.

In our work with law firms across the country, we see the many ways in which firms approach cyber risk. This has led us to the conclusion that a more strategic approach to cyber risk is now required in order to achieve a more robust and comprehensive solution.

Often it is an IT manager who leads the charge when a law firm is reviewing its approach to cyber risk but the ultimate responsibility for this does, of course, remain with the entire management board. So, it's important that all law firm managers are familiar with the key issues regarding cyber risk to enable them to discharge their statutory and regulatory duties when approving a cyber risk mitigation plan for the law firm.

As the incidence and complexity of cyber-related risk increases, some law firms respond by purchasing a standalone cyber liability insurance policy (known as cyber insurance), sticking the policy document in a drawer and hoping never to see it again. But cyber insurance is only one small part of an effective approach to cyber risk.

So, here is our suggested FIVE-STEP PLAN to help you take a strategic approach to cyber risk.

STEP ONE - COMMISSION A CYBER RISK AUDIT

Engage a specialist risk consultant to conduct a cyber risk audit of your law firm's systems and controls to identify and advise on any areas of weakness that could give rise to cyber risk. There are many specialist consultants in the market, some independent and some embedded within the assurance divisions of the larger accountancy firms and insurance brokers. It is worth carrying out a simple procurement exercise to select the right consultant for your law firm and considering taking independent legal advice on the terms of the consultant's service agreement.

STEP TWO - COMMISSION A LEGAL CONTRACT AUDIT

Engage a specialist law firm to review the risk-related contract provisions in your agreements with customers, suppliers, service providers and others to identify and advise on any weaknesses where responsibility for cyber security has been or is being transferred to another party. Relevant agreements may be obvious ones such as IT support contracts or less obvious ones such as those with web developers, marketing agencies and joint venture partners. Use a law firm with proven commercial contract and insurance expertise.

STEP THREE - COMMISSION AN INSURANCE AUDIT

Engage a specialist insurance broker to review your insurance program, with focus on cyber and business interruption risks, to identify and advise on any gaps that could benefit from additional or different cover. If appropriate, the insurance broker will be able to recommend specific cyber insurance products to plug any gaps in your current insurance program. The wording of such policies is critical and invariably benefits from a legal review to assist the



Nigel Wallis

insurance broker in negotiating variations to standard wording to eliminate common flaws and tailor the policy for your law firm.

STEP FOUR - COMPILE A CYBER RISK MITIGATION PLAN

Gather the information from these three audits and use it to put together a comprehensive cyber risk mitigation plan that can be reviewed by your risk consultant, legal adviser and insurance broker. Once approved, the plan can be presented to your management board members. The plan might include recommendations to your board to seek cyber-related accreditations for your law firm ranging from the basic Cyber Essentials to the advanced ISO 27001. The risks highlighted in your cyber risk mitigation plan should be fed into your firm-wide risk register, your business continuity plan and your data protection procedures. Importantly, any cyber risk mitigation plan should be reviewed, updated and tested on a regular basis to keep pace with the emerging risks.

STEP FIVE - DEVELOP A CYBER RISK CULTURE THROUGH LEADERSHIP, POLICIES AND TRAINING

A risk mitigation plan (however well compiled, reviewed, updated and tested) is unlikely to succeed in preventing losses from cyber security breaches if the culture of your law firm conveys the impression that cyber prevention is not taken seriously. Culture is set by the leaders of a law firm, so the message needs to be 'do-as-I-do' not 'do-as-I-say' and that admitting mistakes is a positive not negative behaviour. Putting in place practical and proportionate policies and procedures for the use of information systems will support and enhance this culture. But, most of all, good quality and auditable training of all staff will ensure that everyone understands their obligations to the law firm and to colleagues as well as the consequences of individuals not playing their part.

By following these five steps you should have powerful strategy for managing your cyber risk on an ongoing basis, fulfilling your management responsibilities and, importantly, safeguarding your balance sheet and stakeholders.

Nigel Wallis
O'Connors

River Don Floods: The Cause and Effect of Knee Jerk Decisions

Another slow moving frontal system dumped a month's worth of rain in a day on the hills above Sheffield this month. A headline we are used to seeing across the UK, but as **Tim Champney, Managing Director of Future Climate Info** explains, the way the rivers flooded tells the bigger story of how and why it happened.

We expect deep cyclonic weather systems in the autumn – often they flash through with high winds, but some also drift in from the Atlantic and gently spiral and then pivot as they move across the UK.

As they pivot, they often create a convergence zone along the weather front which can cause a line of heavy persistent rain that appears stationary. This is one reason for the volume of water that fell and then migrated to the rivers across South Yorkshire, Derbyshire and parts of Lincolnshire.

But if we look at the behaviour of the River Don in particular, its profile and how it has been managed over the years, it reveals why we have such extensive, prevailing flooding that has affected downstream communities.

Poor Upland Flood Management

The Don rises in the Peak District National Park. Here and in other parts of the Pennines, government incentives have been provided to landowners to burn and drain moorland to boost game bird populations for grouse shooting. While this can create rural jobs, it has also been blamed for increasing the risk of flooding. The removal of bogs and deep vegetation on the moors has dramatically reduced their capacity to hold water.



Grouse butts and stripped vegetation are common across much of the Peak District. Conservationists want a rapid expansion of rewilding of upper river catchments to slow the flow downstream.

Conservation groups like the Derbyshire Wildlife Trust and Moors for the Future are working hard to restore the moorlands, which were degraded by air pollution from previous industrial activity. They are reintroducing sphagnum moss, which was killed off by poor air quality but can store huge amounts of water. However, the scheme numbers are in the teens when they should be in the hundreds.

Intensive animal grazing leads to short grass and compacted soil, which is less able to absorb and hold water. There are no longer enough trees and plants to absorb rain and stop it from running straight into the river.

On the nearby River Derwent in Derbyshire, fields below the river level remained dry while towns flooded, exposing the problems with our rural land. If fields along the river had been allowed to flood and reduce the level of the river by say 10-15 centimetres, then the Matlock Café would not have flooded and still be happily trading.

In the same way, the absence of anything natural holding back the Don meant that the water moved fast down the steep sided valleys towards Sheffield.

Prioritising Urban Areas Only

In the 2007 floods, Sheffield suffered a double whammy of surface water flooding overcoming drains but also the Don burst its banks and severely damaged the £1bn plus Meadowhall Shopping Centre and surrounding commercial and industrial parks. The reaction, which took 10 years to complete, was to spend £19m on building higher harder flood defences. In the main, they did their job this time around – just. Meadowhall's car parks received some overspill, but there was still significant disruption to trade. The Centre's stores closed for 24 hours, with media headlines of hundreds stranded overnight as they couldn't get to their cars.

Luckily, river levels fell quickly, people got home the next day and Sheffield got on with life again. The defences had done their job and had rapidly funnelled the water away from areas of high population.

The Environment Agency's (EA's) policy has made logical sense for many years, but it has been a series of knee jerk investment decisions on where the floods last happened, to just build higher hard defences to get it away from urban areas. This is true of Sheffield, but also Rotherham and Doncaster through which the Don continues on its journey downstream.

After Doncaster, the Don is in open, flat, marshy countryside. The water table is high at the best of times and the consequence of all this water being pushed rapidly downstream is the inevitable inundation of Stainforth and Fishlake and many of the farms and rural businesses along this part of the river.



**Image courtesy of Doncaster Free Press
Farm outbuildings submerged at Fishlake**

The EA is doing its best, working with stretched funding to protect the most people. That is what it's told to do. Until, of course, a flood happens during a general election campaign.

Electioneering Flood Misery

We are seeing again further knee-jerk reactions to support the often neglected rural land owners, tenants and villagers: making statements to declare this a "national emergency", when it always has been based on wider climate change and that this could happen anywhere in the UK at any time.

Throwing figures of £5bn plus around that aren't specifically costed, nor on defined projects to help all communities rural and urban. Not recognising that past piecemeal decisions have led us to this situation, when simpler, cheaper more natural flood management measures could have taken place upstream.

We now have the unedifying spectacle of hand wringing today for the plight of homeowners and businesses in affected areas (that just so happen to be marginal or battleground seats).

But the election circus moved on. They will leave communities to months of misery drying out their properties. They will leave farmers who are counting the cost of soil, livestock and infrastructure damage, without the ability for many claims against insurance on their land. They will leave rural businesses facing weeks of closure, damaged cash flow and spiralling insurance costs.

These are the victims of a flood management policy that has swung with the wind, not viewed rivers as a catchment but rather a series of fragmented projects funded by different parties in different local authorities.

Understand the Real Flood Risk

Moving into an area with a potential flood risk means that homebuyers and business owners must be more forensic about how it could affect their investment.

As part of the due diligence searches, conveyancers must be able to trust that the data and supporting guidance provides the clearest possible picture of future flooding. This must be based on a close examination of the past extents and best available flood risk models, accounting for climate change allowances and how this could impact on communities.

At Future Climate Info, we build all of this into our **residential environmental reports** and our **commercial environmental reports** so you don't need to get a separate flood report. Not only that, but where a flood risk is identified, you and your client can then access our **specialist flood risk services** to more forensically identify if the risk could affect your client in years to come.

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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										
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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

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

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

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

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

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

Assessed by:

FCI Risk Team

www.futureclimateinfo.com/team

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(1) RRP for residential properties less than 0.25 hectares. (2) These data modules can be purchased as stand-alone products. Commercial reports are also available.

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Liverpool Law Society Employment Law Conference 2019

I had the pleasure of Chairing the Annual Employment Law Conference on Wednesday 9th October 2019 which took place at Liverpool Law Society. This year saw the most packed full programme yet with seven top quality speakers covering varied and interesting topics. As always, the Conference was a success and attended by 30 plus delegates from varying firms and backgrounds.

The day was kicked off with humour and style by Sean Jones QC (11 KBW) providing an update on the most significant developments in discrimination law over the last year ('The Discrimination Rocket'). Sean took Silk in 2012 and continues to specialise in high value and complex cases. It had been seven years since Sean had last spoken at the Conference and we were treated to an excellent update in Sean's wonderful humour filled style. I certainly very much hope that we do not have to wait for another seven years until Sean will join us again.

The second presentation of the day was given by David Campion of 9 St John Street Chambers who gave a valuable and enlightening talk into limitation ('Limitation: The trouble is, you think you have time') covering a full range of issues and setting out common pitfalls which I am sure none of the delegates who attended will now make.

Emma Tegerdine from Gunnercooke gave a practical round up of the most recent Case Law on workers status ('Worker v employee status: where are we and what can we expect?'). She included a useful analysis of the potential impact on worker status of the Good Work Plan which was published by the Government in December 2018 and billed as the 'biggest package of work place reforms in over 20 years'.

The last session before lunch was provided by Employment Judge Neil Buzzard who was appointed as a Fee-paid Employment Tribunal Judge in 2009 and most recently in July 2019 as a salaried Employment Tribunal Judge predominantly based in Liverpool. Since leaving practice in 2001 until July 2018, Judge Buzzard was a lecturer at the University of Law which clearly shone through in his thought provoking talk on the legality in employment law which focused on before and after the *Mirza v Patel* Supreme Court case of 2016.

Lunch was provided at the Conference which gave a valuable opportunity for the delegates to network and catch up with colleagues from other firms.

Thomas Kipling of Matrix Chambers started off the afternoon session in style with a thorough presentation on the practicalities of conducting complex investigations ('Conducting complex investigations: The practicalities'). Thomas is consistently rank in the top pools for employment law in both Chambers and Partners and the Legal 500. We gained valuable insight from his recent experience in a number of internal investigations for premiership football clubs, charities, solicitors firms and large international companies. As with many of the sessions, Thomas gave a really practical and useful talk with many points to be taken away and put into practice by the delegates.

Kevin McNerney from St John's Buildings Chambers gave an engaging presentation on whistle blowing. Kevin likewise gave some extremely useful practice points in terms of drafting and defending whistleblowing cases and went through some important cases on causation. Kevin ended his session with heartfelt guidance on solicitor wellbeing generally which I thought was particularly poignant and well put. We can all be guilty of being too hard on ourselves sometimes and must take time to look after ourselves.

The final session of the day was provided by Martin Mencer of Atlantic Chambers who gave a session exploring some of the latest case law developments in employment law during 2019, particularly focused on discrimination. Martin has a very easy to listen to style and is skilled at explaining complicated cases in an easy to understand manner which, despite being the last talk of the day, kept the delegates engaged in what was an interesting talk.

All of the speakers were really well received by the delegates who got



Chairperson Lindsey Knowles with speakers Sean Jones, QC, David Campion & Emma Tegerdine

involved and took the extra opportunity to ask questions. The quality of the speakers and their topics was excellent. The Conference provided a real mix of practical, informative, interesting and humorous sessions which kept the delegates engaged throughout the day.

I would like to say a big thank you to all of the speakers; it really is appreciated the time that you give to attend the conference. I would also like to say thank you to all those who helped put the Conference together. It really does remain the highlight of the employment law training calendar!

In terms of what's coming up next - I am very much looking forward to Chairing the Employment Judges Forum on Wednesday 11th December 2019 from 5.30pm until 7.00pm. The Forum provides a unique opportunity to interact informally with the regional Employment Judge Parking plus Employment Judges from Liverpool. This is certainly an event not to be missed!

**Lindsey Knowles,
Kirwans
Director of Liverpool Law Society**



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Dispute resolution lawyer Sarah Lapsley joins Excello Law working across the North West and London

Dispute resolution and litigation specialist Sarah Lapsley has joined national, new-model firm Excello Law, working from both Liverpool and London.

Sarah has practiced litigation including personal injury and employment law throughout her career. Her interest in alternative ways of resolving disputes extended to her qualifying as a commercial mediator in 2013.

Sarah has a broad range of experience and has acted for clients in many types of disputes including contract claims, professional negligence, personal injury, CICA claims, contentious employment and settlement agreements, contested probate, partnership and land disputes.

On joining the firm, Sarah commented: "I am delighted to become part of this innovative and

dynamic business where client care and the delivery of legal services to the highest standard, lies at the heart of everything that Excello Law stands for."

Joanne Losty, director at Excello Law, said: "Sarah joins a rapidly expanding team across the country as our innovative and fully agile business model continues to attract senior lawyers looking for greater flexibility, but also wanting to focus all their time on looking after their clients. We are delighted to welcome her to the firm."

In addition to her practice, Sarah sits on Council at The Law Society representing Merseyside's solicitors and is also an active member of the Council Members Conduct Committee and the Scrutiny and Performance Committee at The Law Society.



Sarah Lapsley

Kirwans team celebrate new achievements

Kirwans' employees have been awarded permanent contracts after completing a two-year training programme with the firm.

Carl Nadim and Gabrielle Kitchen, who will now specialise in Crime, Family Law and Dispute Resolution respectively, are celebrating after being admitted onto the roll call of solicitors.

Carl started working at Kirwans in June 2016 and obtained both his Higher Rights Advocacy – allowing him to represent clients in both the Higher and Lower Courts – and Professional Skills qualifications this summer.

Carl practises in general crime, with a keen interest in fraud and motoring cases. He is currently expanding the firm's Regulatory and Licensing offerings for companies being prosecuted by Trading Standards or other government agencies, including driving instructors being removed from the Register and taxi drivers being refused a licence.

Gabrielle Kitchen joined Kirwans in February 2015 and worked within the Criminal department before moving to Dispute Resolution. She has gained experience in a wide range of legal areas including criminal law, prison law, agricultural prosecutions and commercial and civil disputes.

Gabrielle will now be based at the Moreton office as part of the Dispute Resolution team, which offers services including commercial litigation, contract disputes, partnership disputes and property litigation.

The trainee-turned-solicitors follow in the footsteps of colleagues including partner Claire Currie, who began her legal career as a Kirwans' trainee.

Carl said: "Qualifying with Kirwans has provided me with the opportunity to fulfill my lifelong ambition to qualify as a solicitor, and I look forward to supporting clients with my enthusiasm and expertise."

Gabrielle said: "Qualifying as a solicitor has satisfied a long-held aspiration of mine. I look forward to continuing to support and assist clients whilst expanding my knowledge and skill in this new stage of my career."



Natalie Byrne, Carl Nadim and Gabrielle Kitchen

Deputy Head of Crime Natalie Byrne has also been celebrating after achieving Higher Rights of Audience for criminal advocacy which allows her to represent her clients as a solicitor-advocate in the senior criminal courts throughout England and Wales.

David Kirwan said: "Since joining the firm, Carl and Gabrielle have proved themselves to be extremely hard-working, talented members of the team, and I am delighted to be able to reward their efforts with permanent contracts."

"I am also incredibly proud of Natalie, who, with support from her team, has worked so hard to achieve her Higher Rights."

"As a firm that is constantly evolving, we want to give our staff the opportunity to progress too, and it is extremely rewarding to see these employees move on to this exciting new stage of their careers at Kirwans."



FALLEN INTO THE HOUSING ACT REPOSSESSION TRAP?

STEWART TITLE HAS A WAY OUT FOR LENDERS

With nearly half of all new homes in England & Wales being sold as leasehold, ground rents are increasingly giving landlords the chance to repossess homes without giving lenders the chance to seek relief against forfeiture.

For a number of years now, it has been commonplace for long leases (those over 21 years) to contain ground rent reviews, allowing rents to increase and sometimes double every 5 or 10 years. This means that rents can quickly rise to hundreds or even thousands of pounds per year.

Where a long lease contains a rent that is, or is capable of, exceeding £1,000 per year in London and £250 elsewhere, the provisions of section 8 of the Housing Act 1988 apply. In the event of default by the tenant, a landlord can bring statutory possession proceedings without the need to use the forfeiture process and so a lender will not have the chance to seek relief against forfeiture. Many lenders have raised concerns and are unwilling to lend on new or existing leases that could fall into this trap.

Upon consultation with our customers, Stewart Title has developed a solution that offers lenders protection against such potential losses.

With premiums starting from £15 for £100,000 cover, our Forfeiture of Lease (Housing Act Possession) Policy for lenders provides cover against costs incurred or losses suffered by a lender in these circumstances. Cover is available for old and new leases and the policy is available on our self-issue, online Stewart Solution ordering platform.

For more information about this policy, visit stewartsolution.com or call 020 7010 7821.



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Jackson Lees Group COO honoured with national 'Leading Light' award

Joanna Kingston-Davies, Chief Operating Officer of Jackson Lees Group, has received national recognition in the UK's 50 Leading Lights list, a list compiled by the prestigious Women of the Future Programme.

Announced on World Kindness Day, November 13, the Leading Lights showcases 50 leaders who are building a new status quo, impacting others through kindness and creating a culture of kindness and acceptance in business. The campaign seeks to recast the perceptions of 'strong' leadership by reframing kindness as a strength in leadership, and as a quality and currency that empowers positive change.

Making a positive difference through the practice of law is the core ethos of Jackson Lees Group, a firm that challenges the traditional legal model. Being innovative in today's legal and business climate requires disruptive leadership and, in a sector that can sometimes be cold and competitive, the firm believes that the most disruptive leadership is one that is founded on kindness and integrity.

Joanna joined Jackson Lees Group in 2006 and has over 20 years' experience in law firm leadership. Her approach embraces and nurtures change as a positive force. By spending time with staff and encouraging honesty and transparency, Joanna has been able to include all 280 of them in the firm's vision of the future.

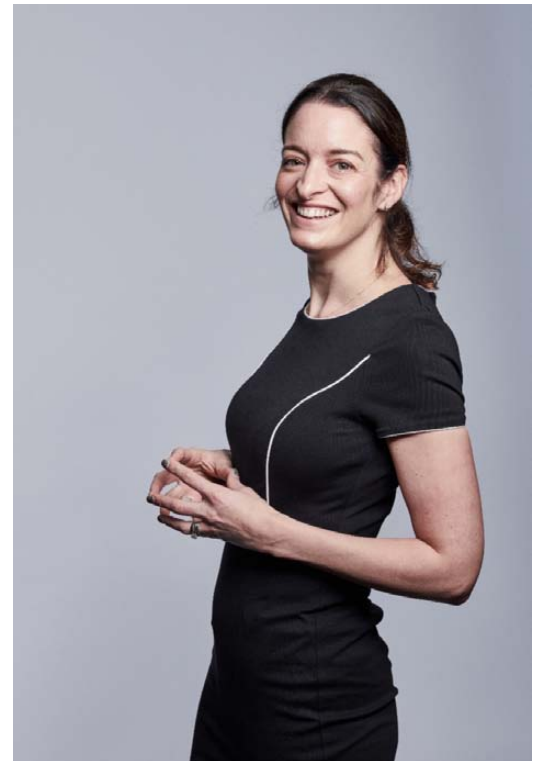
Under Joanna's leadership, the firm has seen the appointment of a Head of Client Experience and Head of Culture & Engagement, bringing the wellbeing of both clients and colleagues to the fore. Creating a positive working environment that supports and enables the wellbeing of its team is a key priority and the firm delivers a number of impactful training and personal development programmes to ensure its people are empowered to thrive.

Joanna Kingston-Davies said: "I'm so honoured to have been recognised alongside these brilliant leaders with this award that recognises the importance of kindness in our working world. Compassionate, empathic leaders can have a hugely positive impact in enabling change and creating environments where people are empowered and inspired to fulfil their potential and it's vital that the UK's corporate culture and its leadership reflects this.

"In today's fast-paced and relatively unstable world, togetherness has never been so important. We are stronger, better and healthier together than alone. A true sense of team and collective responsibility can be so easily nurtured and grown through kindness and compassion in leadership.

"A happy and engaged team will always give more of themselves, be more productive and have more fun! Kindness is good for our mental health and fosters a positive working environment which in turn allows our people to have a much greater impact on themselves, their clients and their communities. We have one core value in our business – making a positive difference – a value based upon kindness which sits at the heart of everything we do."

Brian Cullen, CEO of Jackson Lees Group, said: "Kindness is a core value of our firm and one that is deeply woven into our business culture across all of our operations. We are so proud of Joanna and all that she has achieved. She has been hugely instrumental in



Joanne Kingston-Davies

shaping the amazing culture that we have at Jackson Lees Group and is a wonderful example to our next generation.

"Joanna demonstrates an incredible level of talent and commitment to ensuring we are doing everything possible to create a brilliant working environment and make our firm the very best it can be for all our people, clients, and community. It is brilliant to see her kindness, empathy, and outstanding leadership celebrated with this national recognition."

Broudie Jackson Canter and Jackson Lees are part of the award-winning Jackson Lees Group. The group provides full-service legal solutions to personal and commercial clients and has over 280 employees across six offices in Merseyside and Manchester.

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North West law firm strengthens employment law offering with new team

North west commercial law firm Bermans has recently strengthened their employment law offering with a new expanded team, welcoming four new solicitors to the department throughout 2019 so far.

The firm, which has offices in Liverpool and Manchester, put plans in place to expand their employment team to cope with increasing work loads during the previous financial year.

Bermans Liverpool team has been bolstered by the arrivals of Neil Gouldson, Rachel Giles and Sophie Robinson, all of whom are employment law specialists who have previously worked at established North West commercial practices.

They will assist head of department Adrian Fryer, in dealing with an influx of new Employment Tribunal instructions that the team has received from its commercial clients.

Neil Gouldson has practiced as an employment law solicitor for over 20 years and provides the team with an experienced, safe-pair-of-hands following the recent departure of former partner Nicky Benson, who took up the role of full time Employment Judge in September.

Neil has a particular interest in collective redundancy processes and complex employment tribunal litigation. He is also experienced in acting for GP practices and dealing with 'fitness to practice' hearings within the medical profession.

Rachel Giles had previously worked in-house within the HR Team at Marks & Spencer before moving back into private practice in 2018. She therefore brings a valuable insight into the challenges facing busy HR professionals.

Rachel has a particular interest in guiding her clients through absence management processes and avoiding disability discrimination claims, especially those relating to employees' mental health issues.

Sophie Robertson joins the firm from Napthens in Preston where she undertook her training contract. Sophie's areas of experience include disciplinary procedures, absence management and redundancy processes, as she focusses on helping her clients avoid the traps that can lead to employment tribunal claims.

In addition to the Liverpool recruits, Rob Maddocks has joined the firm as a senior associate with a brief to drive forward the firms' employment law offering in Manchester.

Rob had previously worked at HRC Law and has a particular interest in business restructures and TUPE transfers. Rob has acted for a wide range of clients ranging from OMB's to large national and international companies, however he has a particular focus on owner managed SME's.

As well as working with clients, Rob will also be focussing on developing the firm's employment law website, Praesidium. The website was recently redesigned to create a more modernised and user-friendly experience, giving HR professionals access to an extensive library of HR and employment law advice and templates.

Adrian Fryer commented: "We have seen a noticeable increase in new cases since the ET fees were abolished in 2017. This, coupled with some significant client wins, has meant that we have needed to expand the team to deal with the new work. I've been delighted with how quickly the new recruits have settled into the team and got to know our key clients."



Rob Maddocks, Rachel Giles, Adrian Fryer, Sophie Robertson and Neil Gouldson


Settlement Agreements: tricky issues and what to watch out for
 with Emma Tegerdine
 on Wednesday 15th January, 1pm - 3pm
 This course covers some of the tricky issues around settlement agreements. It considers the legal requirements for a valid settlement agreements, what can and cannot be covered in a settlement agreement, and common problem areas.
 What this course will cover:
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 Future claims
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 Competencies: A2, A4, B3, B4, B6 & B7
 For more information or to book, [click here](http://www.liverpoollawsociety.org.uk)

Hill Dickinson promotes 19 to senior associate

Hill Dickinson is delighted to announce the promotion of 19 lawyers to senior associate, with effect from 1 November.

Promotions have been awarded across all three of the firm's core business groups, with individual practice area promotions spanning corporate, commercial, employment, family, marine and health. The promotions represent the growing strength of Hill Dickinson's individual practice teams and of the firm's overall growth as a full service commercial law firm.

Peter Jackson, CEO of Hill Dickinson, congratulated the new senior associates, saying: 'The opportunity to recognise, through promotion, the diligence, technical excellence and exemplary client care demonstrated by our junior lawyers, is always a personal highlight. These 19 new senior associates are part of Hill Dickinson's future and will help carry the business and, importantly, our values, forward, as we continue to grow. On behalf of their individual business group leaders, their colleagues and our board of directors, I wish them every success as they continue to build their careers with us.'

Seven of the new senior associates have been with Hill Dickinson from the start of their career, having completed their training contracts with the firm. Their progression reflects Hill Dickinson's 'recruit to retain' programme, which aims to build an unrivalled depth of experience and sector-specific expertise at all levels within the firm. Of the 19 promotions, over half are female, which not only mirrors the increasing numbers of women entering the legal profession but Hill Dickinson's ongoing commitment to creating a gender-balanced and diverse leadership team from within its own ranks. The firm has a stated ambition to double the number of women in senior roles by 2024.

The newly promoted senior associates (which includes senior chartered legal executives) are:

Business Services Group

Nicola Brand – Employment Commercial, Liverpool – Senior Chartered Legal Executive*

Jack Delaney – Corporate Commercial, London – Senior Associate

Francois De Lange – Corporate Commercial, London – Senior Associate

Sam Hudson – Corporate Commercial, London – Senior Associate

Rebecca Layton – Corporate, Liverpool – Senior Associate

Sean Lightfoot – Corporate, Manchester – Senior Associate

Sarah McCarthy – Family, Liverpool – Senior Chartered Legal Executive*

Joe Orme – Employment Commercial, Liverpool – Senior Associate

Jon Scally – Commercial Litigation, Liverpool – Senior Associate

Katie Somerville – Corporate, Manchester – Senior Associate

Phil Wallbank – Corporate, Liverpool – Senior Associate

Health Business Group

Rohana Abeywardana – Health Litigation, London – Senior Associate

Claire Christopholus – Health Litigation, Liverpool – Senior Associate

Sion Davies – Healthcare, Manchester – Senior Associate

Chantelle Gough – Health Litigation, London – Senior Associate

Amy Lewis-Clark – Health Litigation, Leeds – Senior Associate

Lydia Shelton – Health Litigation, London – Senior Associate

Marine Business Group

Rosie Goncare, Shipping, London – Senior Associate

Trudie Protopapas, Shipping, London – Senior Associate

In particular, promotions within the health team reflect a period of rapid growth across all of the firm's UK offices and at all levels. To date in 2019, the firm has made nine senior and partner promotions in the health team and welcomed eight new hires, including life sciences and healthtech specialists Jamie Foster, James Lawford Davies, Nils Hoppe, and Eleanor Coets.



Business Services Group



Health Business Group



Marine Business Group

Women in Law: Look how far we've come

Emma Carey, Managing Partner, MSB Solicitors

It's hard to believe that 100 years ago, careers in the law weren't available to women. In fact, they weren't even allowed to study the profession.

As a female lawyer myself and having been the first female trainee solicitor at MSB, I cannot imagine a world in which women are not involved in the legal profession. Since the start of my career, I have been passionate about ensuring MSB provides equal opportunities. It's important not just for our staff, but for our clients.

A whole century later, we have thankfully seen women slowly but surely making their mark in the legal industry. But there is more to be done.

A recent study from the Law Society showed only 48% of women believe there has been progress on gender equality in the last five years, compared to, ironically, 74% of men. This may not come as a surprise to many of us, but that doesn't mean that it should be the norm. Across all

industries, we need to do more to make sure that statistics like this are the rarity, rather than something we expect to see.

Analysis of a recent report by the Solicitors Regulation Authority shows the prospects of becoming a partner in a law firm are still higher for white males than any other group, while BAME women are particularly disadvantaged when it comes to progressing as solicitors. This has to change.

I'm incredibly proud that at MSB, women represent 50 per cent of our firm's board, bucking the national average of 33%. From a personal perspective, in my 19 years working for MSB, having started as a trainee solicitor in 2000, becoming partner and head of MSB's family department in 2005, and most recently taking on the role of managing partner in 2018, I know that I have a responsibility to create a working environment in which everyone can achieve their full potential. This is something that I am passionate about upholding in

my position leading the firm. If we are to address the shocking statistics that still exist when it comes to diversity, we must accept that measures need to be put in place to ensure that everyone has access to opportunities, equally.

Diversity, inclusion and equality are a top priority for us, and we recognise the positive impact that having a diverse team has. That's why we have introduced a number of initiatives such as flexible working and an Equality and Diversity Committee, to ensure that our firm offers equal opportunities for everyone, no matter their gender, race or sexual orientation. I am passionate about making MSB a business which encourages people to bring their authentic selves to work every day, enabling us to provide outstanding support for our clients.

Here's to another 100 years and more of women in law.



Emma Carey

Liverpool  Law Society

Drafting skills for civil litigators

with Mike Winston

on Friday 31st January, 10am - 4.30pm (lunch included)

This comprehensive, highly practical one-day course will teach you how to draft concisely, precisely and with maximum impact both in terms of factually and legally correct, CPR-compliant statements of case.

This course will look in detail at:

- Case and issue analysis
- Understanding the Particulars of Claim
- The requirements of CPR 16 and PD 16
- Using plain English/avoiding legalese
- Unpacking allegations in the Particulars of Claim
- Responding to allegations
- Specialist pleadings
- Statements of Truth-who can sign?
- Part 20 claims:

Competencies: A2, A4, B4, B5, B7 & C1

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

Liverpool  Law Society

Practical Update on Corporate Law

with Chris Beanland

on Friday 17th January, 1.30pm - 4.30pm

The course will cover:

- Whether membership of a secured unfunded benefit scheme amounted to a substantial property transaction
- Transactions with directors, buy back of shares, directors' duties, transactions defrauding creditors
- Share splitting to attempt to defeat scheme of arrangement
- De facto directors
- Remedies for breach of directors' duties
- Share transfers and s.127 Insolvency Act 1986
- Liability of lawyers under SAAMCO principle on corporate matters
- Mohamed v Abdelmamdouh
- Unlawful distributions
- Rectification of SPA and disclosure letter
- Breeze v Chief Constable of Norfolk
- Attribution and one man companies

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

For more information, please [click here](#)

New SRA Standards & Regulations - An Opportunity; Not A Threat

By Nicola Moore-Miller, CEO, Jayva UK Ltd & Jayva US Inc

The new SRA Standards & Regulations came into effect on 25th November. Are you ready for the big switch? There's an impact on your business, on client expectations and on how you conduct yourself professionally, so preparation is essential.

Rather than seeing these changes as a threat, though, these new rules represent a massive opportunity. The guidelines are more outcomes-focused, less prescriptive, shorter in length and use straightforward language; all of which empowers you to make independent decisions about running your business.

In a bid to help you prepare, we're going to explore the changes, challenges and outcomes.

Why new regs?

The new regulations are designed to create:

1. More straightforward rules focused on high professional standards.
2. More trust in your professional judgement.
3. Greater flexibility, allowing you to develop new ways of working.
4. Greater support with guidelines available for consistency of good practices.

The simplification of existing regulations should be welcomed because law firms come in all shapes and sizes. The previous rules were often at odds with what's commercially viable and - for smaller firms particularly - forced costly and complicated practices.

The new SRA Accounts Rules form part of these regulations and concentrate on what really matters: safeguarding client finances and reinforcing the trustworthiness of law firms. The accounting rules are also shorter (with a more explicit definition of "client money"), less prescriptive (with the removal of arbitrary timescales) and more flexible (affording greater trust to act in clients' best interests).

So, with these changes, you can create bespoke ways of working that fits both client need and company resources. Let's face it, the sheer size of the old "rulebook" made it difficult to understand and implement the finer details, often resulting in an unconscious lack of compliance.

The driving force

The drive for new regulations was born of seven underlying principles; these being:

1. Aids the proper administration of justice.
2. Upholds public trust and confidence in the solicitor profession, and in legal services provided by authorised persons.
3. Helps firms act with independence.
4. Encourages individuals to maintain a high level of honesty.
5. Reinforces individual integrity.
6. Promotes diversity, equality and inclusion.
7. Facilitates the best interests of each client.

These all sound very positive, don't they? But some trepidation exists. As with all change, there's a fear of the unknown and concerns that the regulator intends to trip firms up. However, there are many excellent compliance specialists who decode the rules into simple, addressable action points.

But if your firm isn't engaging with a compliance specialist, it's crucial you:

1. Read the new code and principles.
2. Understand the revised enforcement strategy.
3. Recognise your duty to report concerns.



Nicola Moore-Miller
Jayva

Getting ready

Reading the revised rules is much easier now the number of regulations has diminished from fifty-three to just thirteen!

Use this as an opportunity to refine how you do things. After all, who doesn't want greater efficiency, automation and control? The SRA recommends preparation by:

- Reviewing your systems and processes.
- Setting transactional timescales.
- Ensuring staff understand what they need to do.

Of course, "transactional timescales" will vary depending on your firm's size, scale and location. Set your internal timescales in order to affect the new regulations.

Consistency is vital. You can't have a three-day turnaround for cheque receipts one week, for example, then advise another customer that six days is standard a couple of weeks down the line.

Consistency, transparency and accuracy are critical as they reinforce your standing in the industry and get your internal practices shipshape for you and your clients.

Overcoming the conflicts

One frustration that often occurs is the conflicting needs between fee earners and accounting staff. Both have obligations to internal and external stakeholders, but this conflict results in a silo mentality as both groups pursue their personal objectives and fail to align.

This is where addressing the new regulations brings excellent cost benefits. Aligning the wheels of the fee earners and the administrators is one such task that benefits significantly from a review during this transition period.

Analysing your business from a "cradle to grave" perspective, following the client journey from enquiry to archive, can be enlightening. You'll identify and eliminate vast amounts of waste while automating, sharing and streamlining activities through staff and software that are already at your disposal.

The 25th November deadline gives our sector a unique focus; a chance to examine what we do daily and implement a new perspective of continuous improvement.

At Jayva, we determine the best fit for your business while ensuring compliance with regulatory bodies through better use of your existing resources. Remember that our mission statement is to bring together people, processes and technology to add real value to those we serve. We understand that staff training is challenging, but our expertise in the logistic roll-out of dedicated coaching programmes instils positive procedural change. Our approach promotes improved workload management, greater efficiency and assured compliance.



IS YOUR LAW FIRM AS STRONG AS IT CAN BE?

Maximise your resources to hit
the ground running!

PEOPLE + PROCESSES + TECHNOLOGY



Give your firm that kick start and
choose Jayva for the perfect blend
(of people, processes and technology, that is!)

How to set up in business as a Paralegal Practitioner

By Amanda Hamilton, NALP

Paralegals are currently a growth area with lots of demand for their services so now is a good time to set up your own Paralegal practice.

Before you look at setting up a practice, you need have a paralegal or legal qualification or at the very least some paralegal training and as much experience as possible. Then you need to decide whether you wish to specialize in one area of law or would like to be a general practitioner. Clearly, you must have gained relevant legal experience in all these areas first.

Now for the hard part: setting up in practice.

Remember that your clients are consumers of legal services. They want to know that the person offering legal assistance is qualified and competent to do so. It would also help if you were a member of a membership body such as NALP which has been a Paralegal organization for thirty years and is well established in the legal sector.

Membership of such a body will give you kudos and confidence and will, more importantly give your potential client confidence that you know what you are doing. Membership is also confirmation that you have been vetted by the organization and have to abide by its rules, and can be sanctioned if something goes wrong.

Licence to Practise: being a member of NALP entitles you, subject to the requisite qualifications and/or experience and fulfillment of eligibility criteria, to apply for a Licence to Practise in the areas of law in which you can provide evidence of experience. Again, this means that NALP has done its due diligence on you and thoroughly vetted you and your credentials.

Eligibility Criteria to gain a Licence to Practise:

- 1. Qualifications** - you must have a minimum Level 3 qualification and a minimum of three years' experience
- 2. Experience only** – you may not have qualifications but can provide evidence of a minimum of five years' experience
- 3. Professional Indemnity Insurance (PII):** covering you for the work that you do.

So, you have your Licence to Practise, now what do you do?

You should ensure that there is no inference in any marketing for your business, whether via a website or Facebook Page, that you are a solicitor or barrister. This is what is known as 'Holding Out' and is illegal. So, in all your marketing you have to make it clear that you are a paralegal and not a solicitor or barrister. Even if you do not mention this specifically, you may be held accountable if consumers can make an assumption.

You must also be very much aware that there are certain activities you are unable to perform. You must know these 'reserved activities' (as defined by S12 of The Legal Services Act 2007) back to front and ensure that you do not undertake such activities, making it clear in any contract for services with your client, what this means, and what these activities are. For example, you cannot buy and sell property for a client. This requires the services of a solicitor or Licensed Conveyancer who is regulated through the Council for Licensed Conveyancers (CLC)

Apart from the 'reserved activities', you can operate in much the same way as a solicitor, e.g. you can operate as a Paralegal Firm and have partners.

Sole practitioner, partnership or company?

So, you're ready to start... but do you carry on your business in your own name, in partnership with other paralegals or incorporate as a limited company and use another name?

This is entirely up to you, but beware: There are duties you have to comply with if you set up your business as a company. For example, you need to submit company accounts each year, and this may be burdensome (especially if you are just starting out) and costly. For this, you need to employ an accountant and probably a bookkeeper.

As a sole practitioner, you can work under your own name and do not have such legal obligations. However, you would need to submit your annual tax return each year and be subject to income tax on your earnings.

The advantage of setting your business up as a limited company is that your financial obligations may be limited if something goes terribly wrong.

For further advice and assistance on the financial aspects of setting up in business, it is recommended that you get independent financial advice.

Finally, setting up your own Paralegal practice can be very rewarding – but do make sure you follow the advice above to give both your clients and yourself the expertise, confidence and protection that you and they deserve.



Amanda Hamilton



Legal accounts rules: your responsibilities and how to comply

By Julian Bryan, Managing Director, Quill

Where duty of care is concerned, protection of client monies is one of the highest priorities for law firms. As well as financial security being an obvious responsibility, it's a vital regulatory obligation too.

Depending on your specialisms and location, your legal practice will follow the SRA Accounts Rules, CLC Accounts Code or Scottish Accounts Rules. Whilst there are subtle variances between, one thing remains constant: the requirement to ensure your client's money is clearly identifiable as theirs. Typically, this means holding funds in a separate, named client bank account. In some circumstances, your regulator may allow client funds to be held in your office account or you can choose third-party managed accounts (TPMAs) as an option.

To complicate matters slightly, legal accounting regulations are never static; not least the new SRA Accounts Rules which came into effect on 25th November. Staying abreast of the changes and understanding the implications for your business is quite a challenge. Yet it's essential. So, the revised SRA Accounts Rules will be our focus here.

But, before all that, let's stop for a moment to consider the risks to client monies. Economic crime takes many forms – money laundering, financial terrorism and misappropriation amongst them – and you're both tempting prey and a potential weak link in the chain.

The former – tempting prey – is due to the vast sums of money being handled on clients' behalf. The financial services sector, of which law firms form part, facilitates around £90 trillion changing hands every year.

The latter – weak link – refers to vulnerabilities arising from possible limitations in cyber defences. According to the National Crime Agency, the annual cost of fraud in the UK is £190 billion. Thankfully, the 'weak link' situation is changing as our industry becomes more fraud aware and technologically innovative.

It thus follows that you need to put sufficient safeguards in place to protect client money and avoid regulatory breaches. How exactly can you go about this somewhat daunting task? The answer is surprisingly easy: select Quill!

You see, at Quill, we're absolutely committed to accountability to you and accountability to regulators. This accountability promise is an integral part of our branding. Our entire portfolio of software and outsourced services is built to empower you to adhere to accounting rules, meet professional standards, gain accurate financial insights and tighten security.

Our products deliver a whole host of other benefits including gaining performance intelligence to take control of your financial status, undertake cash flow forecasts and grow your business. Where cashiering's concerned, our solutions ensure your client monies are in the right place at the right time.

Ahead of the SRA Accounts Rules deadline, we published a comprehensive list of audit tips for conducting an internal review and updating your office manual in readiness for go-live. This guidance covered important subjects such as how to operate a client account, apply the rule 2.2 exemption to only hold an office account, maintain a breaches register, outline your payment of interest policy, check residual and suspense balances, and make sure your legal accounts software caters for the rules. Take a look at www.quill.co.uk/audit-tips.

Another preparatory resource was our step-by-step SRA Accounts Rules user guide to our Interactive legal accounting system. This useful document was written to take users through each section of the rules in turn, explaining what they mean and who they apply to, with recommendations for putting them into practice and detailed instructions on related software functionality supported by screen shots.

Having undergone notable development these past few months, our Interactive application contains lots of new and enhanced features to assist compliance from warning notifications about transferring disbursements from client account upon receipt of client bills to expansive range of reports which keep your finances on track, for example ledger balances and SRA breaches. Download our user guide from the same www.quill.co.uk/audit-tips web page.

Our latest new software tool is called MoneyChain. We know that making sure money's transferred to the correct client, opposition, counsel or supplier is fraught with risk so we've developed close integration from the e-chit created by your fee earner in Interactive to your online banking software. MoneyChain adds confidence and robustness to the chain of events surrounding the flow of funds through your practice because it:

- Provides real-time alerts of money receipts in to your office or client account thereby saving your cashier from having to constantly log in to your online banking platform*;
- Carries out instant verification of every bank account number and sort code entered against the national database** as soon as a fee earner makes a payment request or payment details have been received;
- Aids the production and uploading of internet banking-ready payment files using these pre-verified account details to save any re-keying and reduce risk of errors when preparing third-party payments;
- Can be operated by our Pinpoint team for outsourced cashiering service clients which means our cashiers prepare outbound payment requests for authorisation by your in-house staff in line with your firm's mandate. Pinpoint and MoneyChain together bring even more time and money saving, and security strengthening advantages.

Read further information about MoneyChain at www.quill.co.uk/moneychain.

We've also launched an exclusive partnership with Shieldpay, one of the leading pioneers in TPMAs. Covered in part 3 of the rules and referenced at the beginning of this article, TPMAs are an alternative to handling client monies directly.

By using Interactive and Shieldpay in tandem, accounting transactions are recorded in the Shieldpay bank account just like any other bank and the corresponding transactions logged on each client's ledger in Interactive. You're given online access to your Shieldpay account to manage and view transactions pertaining to clients' matters. Find out more at www.quill.co.uk/shieldpay.

Finally, we offer a timely reminder that, if keeping up with ever-changing accounting rules and regulations is too onerous, there's always the outsourcing route, as intimated earlier. Not only is our software compliant, our Pinpoint service is too. Our role is to stay up-to-date with sector developments, solicitors' accounts rules included, to ensure our clients comply with regulators. For busy practitioners, it's one less load on your mind.

Why not contact us to talk about accounting rules and regulatory compliance? Email info@quill.co.uk or call 0161 236 2910. We are the legal accounts experts after all.

* Specified banks only

** Extended Industry Sorting Code Directory



Julian Bryan joined Quill as Managing Director in 2012 and was also the Chair of the Legal Software Suppliers Association from 2016 to 2019. Quill has been a leading provider of legal accounting and case management software, and the UK's largest supplier of outsourced legal cashiering services to the legal profession for over 40 years.



Council Member Update

The latest from Council Member, Nina Ferris

This edition of Liverpool Law falls between council meetings, however TLS has been busy in the region. Liverpool was the focus of a Gazette Roundtable discussing the renaissance of Liverpool as a centre for legal work and how new entrants have seen further commercial work flowing into the city. A link to the Gazette article is on pages 18-20..

This week we were happy to host the North West regional forum and welcome I. Stephanie Boyce, the current DVP of the Law Society since July this year. Stephanie gave us an insight into her plans for the next three years as an office holder. Her aim is to understand the pressures on members and support solicitors throughout the country in their practice.

She set out her areas of focus as: social mobility and barriers to entry to the profession; encourage mental health and wellbeing in the legal sector; the SQE to ensure that where it says artificial barriers will be removed that will actually happen; access to justice – legal rights mean nothing if individuals are not able to enforce or access those rights; focussing on In-house as the fastest growing sector in the profession. Stephanie is the first in-house sol for 50 years to be president.

Another focus which ties in to social mobility is a wish for law or at least rights and the importance of the rule of law to be taught in schools at an earlier stage. Finally, but equally as important to look at climate change to help members to reduce carbon footprint. Stephanie hopes to be the voice of solicitors to safeguard the rule of law and enable justice to ensure members are able to thrive. She wants to foster pride within the profession and influence on solicitors' behalf to ensure effective policy so lawyers retain independence. We were then able to discuss with Stephanie what the challenges were in dealing with those aims. TLS is clear that we need to work with local law societies to keep the profession engaged, we have a highly skilled law sector but we need to keep pace with change in technology, regulation and government policy. TLS is a membership organisation and the reason for its existence is to support its members.

There are resources available on the new Standards and Regulations including practice notes on solicitors working in unregulated entities and as freelancers. There are also resources to help regarding requirements for price transparency and TLS is encouraging a light touch approach to enforcement of the very high burden on this obligation.

TLS is asking for a comprehensive overview of SQE as it is concerned about the funding gap as the assessment is not currently covered by student loans. We do not want to reverse the work done over the years on social mobility and access to the profession. It is clear that students don't know about the SQE and how they should prepare for it – it is to be introduced in 2021, which is not that far off.

TLS also wants to work on the public perception of lawyers as fat-cats. It is clear that the public don't fully understand the legal system or how that works which leads to them taking their frustrations out on lawyers. Often it is because they don't have access to advice and so see the lawyer as the barrier to getting what they want or need.

NATIONAL CAMPAIGNS

You will have noticed that there is the small matter of a general election taking place in December. TLS has been lobbying hard to try to ensure that justice is on the agenda and has set out its own agenda.

The Law Society manifesto highlights TLS key policy priorities ahead



Nina Ferris

of the general election. The Law Society is calling on the next government to fix our broken criminal justice system, make the legal system accessible to all, maintain the attractiveness of the UK as a global legal centre and jurisdiction of choice post-Brexit, and ensure the UK leads the way on new technology.

You can read the Law Society manifesto and press release [here](#):

There is also a link on the law society website for you to write directly to your election candidates in your area to ask whether they back our vision for law and justice and to ask about the growing number of issues facing our criminal justice system are preventing vulnerable people from accessing justice. You can use our quick and easy online tool to write to your general election candidates to urge them to support our vision for law and justice. [Click here](#).

The next council meeting will take place on 5th December and we will be discussing amongst other things the Mayson Review and the SRA corporate strategy for 2020-2023. If you have any representations to make on those subjects or would like myself or Sarah Lapsley to raise any concerns on these or other issues, please do get in touch.

Nina Ferris
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[@expotlls](#)



Wellbeing and self-care for Lawyers: for those who work with traumatic material/traumatised clients

with Claiming Space

on Thursday 13th February, 1.30pm - 4.45pm

Topics include:

- Vicarious trauma, stress, burnout and compassion fatigue
- Self-care, coping and strategies
- Attention, focus and mindfulness
- Action plans for you, your team and your organisation

Competencies: A3, A4, C2, C3 & D1

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



Wellbeing and self-care for lawyers: for general practitioners

with Claiming Space

on Thursday 13th February, 9.30am - 12.45pm

Topics include:

- Stress, burnout and compassion fatigue
- Self-care, coping and strategies
- Attention, focus and mindfulness
- Action plans for you, your team and your organisation

Competencies: A3, A4, C2, C3 & D1

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



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.

Contact us

For further details visit
www.liverpoollawsociety.org.uk

Enquiries:

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"This is the third time we have hired the conference room at Helix House and we have **always been impressed**. It's a great venue for an "away day"; **you have all the facilities you need** away from your office but still in the centre of the city." **Alistair Fletcher, Partner at Brabners**

Capacity and daily rates

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The training room has a maximum capacity of 60. This room is perfect for training conferences. We are able to set the room up in boardroom, classroom or theatre style.

Members £150+VAT | Non-Members £175+VAT

Meeting Room

The meeting room has a maximum capacity of 20. This room is perfect for smaller intimate meetings and seminar sessions.

Members £100+VAT | Non-Members £125+VAT

Both Rooms

The maximum capacity for hiring both rooms is 60. Previous clients have hired both rooms to make a larger space for conferences and large-scale training events.

Members £250+VAT | Non-Members £275+VAT

*Monday-Friday 9am-5pm. *Additional charges apply for evening events*



What do you get when you put 120 lawyers in a room together?

It's been quite a year for the environment and for all things green. A year of shifting opinions, of fiercely argued debates, public pronouncements and celebrity endorsements – it seems everyone now has a position on the climate and is taking a stand of some kind. It is certainly getting quite noisy out there and as the election gathers speed, that only turns up the volume. As the end of the year approaches it seemed a good idea to try and take stock, to reflect on what we may or may not have learned and perhaps to draw some conclusions – I hesitate to say lessons – as to where we are now.

The Narrative has changed

The Oxford English and Collins Dictionaries words of the year in 2018 were Toxic and Single Use – it will come as no surprise that this year's words are Climate Strike and Climate Emergency

Those many voices I referred to have helped to shift the narrative – we have moved from climate change to climate crisis. Those of us who talk about the environment are no longer regarded as slightly odd, tree-hugging hippies. We are at last becoming mainstream. The changing narrative is reflected in conversations at local and national level focusing on the need to take mitigating action to halt a climate disaster. People chat about it on the tube and on buses, at work and in the pub. Which is great but what is even better is that over half of the local authorities in the UK have declared a Climate Emergency (although at the time of writing National Government has yet to do so – even though a debate in parliament resulted in favour of doing so back in May), and many umbrella groups from RIBA to the National Theatre, hospitals and schools have declared an emergency. I am delighted to say even a law firm has done so – Bates Wells are the first UK law firm to declare a Climate Emergency.

Words matter but they must be met with actions.

The Action Gap is still here

Over the last year I have spent a fair amount of time chatting to scientists, researchers and specialists, many from The Grantham Institute: Climate Change and the Environment at Imperial College London University, trying to understand the science behind the climate change agenda and what we need to do about it. Back in 2016 the team at Grantham identified an 'action gap' – that is the gap between what the scientific evidence shows what we must do to prevent the worst impacts of climate change and what we collectively, policy makers, governments, businesses and individuals are actually doing. Evidence of this action gap is everywhere from the ever-present disposable coffee cup to the traffic clogging our streets, from the city tower blocks ablaze all through the night to the demands for a new runway at Heathrow to accommodate ever more flights. We are just not changing our behaviour fast enough to make a difference.

We need to do more, faster and with greater effect if we are to halt the temperature rise and keep it below 1.5°.

Lawyers taking action

There are however, some encouraging signs especially across the legal sector. Bates Wells are walking the talk to accompany their declaration. As a firm they have committed to achieving Net Zero by the end of the year and have publicly stated they "Seek to use the law (as it stands and by advocating improvements) to advance and support environmental protection and to protect against environmental degradation and increasing carbon emissions". While other firms may not be making declarations they are thinking differently. The Chancery Lane Project held its promised Hackathon in pro-bono week and the day was a greater success than anyone could have imagined. Over 120 professionals from 50 organisations give over 1100 hours of pro bono time. Firms of all shapes and sizes were there from Magic Circle to Boutique, from Central and Local government, International to national in house teams, from NGOs and Barristers Chambers. I was lucky enough to be a facilitator on the day and the energy, insight, enthusiasm and sheer passion in the room was



inspiring. By the end of the day we had walls and walls of ideas sheets, covered in post-its with radical suggestions and practical actions.

What was most encouraging was that the ten teams moved from problem raising to problem solving and to actual drafting. New laws and contracts were being created, collated and shared by everyone across all disciplines, finance, corporate, retail, planning – the environmental lawyers were in a minority.

Initiatives like the Hackathon just show that if we are willing to think beyond the everyday and to challenge ourselves and our colleagues, together we can effect real change.

Pledges for the Planet

It's way too early to begin to think about New Year's resolutions but perhaps as we approach Christmas we can consider a different kind of gift giving. Why not give the Planet a Present this Christmas. 2020 is the beginning of the 'Decade of Action' the IPCC have told us we only have ten years to get on right trajectory to achieve 1.5 degrees or less. For every gift you give try to give a virtual gift to the earth – be it a pledge or an idea to reduce your climate impact. The bigger and more expensive the gift the more challenging the pledge or idea. So a sweater might equal planting a tree, whereas a pair of expensive earrings needs an acre of rainforest.

Professional pledges are good too – one lawyer in the Devon & Somerset law society suggested firms who are assisting clients with house clearances during probate could suggest that instead of sending unwanted furniture to landfill it could be offered to an upcycling charity. Simple ideas that have enormous impact. My pledge is to try not to fly as 2020 is the year of no flying.

Take heart because together we can make a difference as those 120 lawyers proved. All we need is imagination and a little bit of passion.

Amanda Carpenter
CEO Achill Management

For more information on Achill and our work with the Legal Sustainability Alliance visit our website www.achillmanagement.com



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

Once again Christmas is upon us! Where has this year gone?!

Visitors to Liverpool city centre will of course notice the beautiful Christmas decorations and lights adorning our streets and buildings, thanks in large part to Liverpool BID Company.

The BID's 2019 Christmas campaign comes following a BID investment of nearly £250,000, funded by the 1,500 BID levy paying businesses in the city centre - with the main objective of making Liverpool the place to visit for shopping and leisure during the festive period - one of the most important trading times for our levy paying businesses on the high street.



This year shoppers and businesses can experience a walk-through, 16-metre high artificial tree in Williamson Square, Christmas light decorations on Bold Street, Whitechapel, Castle Street, Cook Street, Chapel Street and Tithebarn Street, and lighting on trees on Church Street, Lord Street, Derby Square, Old Hall Street and Parker Street, including over 2,000 Christmas baubles! We also have the Angel Selfie display on Castle Street and Clayton Square, and the return of the much-loved St Paul's Square Christmas tree - a favourite among the business community in the Commercial District BID, along with the new Christmas tree in Exchange Flags.

And that's not all! Arguably the main highlight this year is Liverpool Light Spectacular - a magical, 50-metre tunnel of light with daily music shows on Church Alley, located in the heart of the Retail & Leisure BID area between Church Street and the beautiful Bluecoat. The BID has worked with The Festive Group to produce Liverpool Light Spectacular - a replica of the world-famous Christmas display which has appeared on the streets of Málaga in Spain, Oostende in Belgium, and Moscow in Russia with massive success.

The BID investment complements Liverpool City Council's investment for the traditional Christmas tree on Church Street and festive decorations in St George's Quarter, Hope Street and other areas of the city centre. Together I think we've done a great job and the city looks positively magical.

It leads me on to wish everyone a very Merry Christmas... and I look forward to seeing you all in the new year!

To find out more about the BID's 2019 Christmas campaign, please visit www.liverpoolbidcompany.com/christmas and to discover what else is going on in the city centre go to www.visitliverpool.com/christmas



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

Professional Negligence

with Abigail Holt, Sarah Jameson & Robert Sterling

on Tuesday 21st January, 10am - 11.45am

The seminar inevitably interrogates the issue of whether the extent of protection of professional people is appropriate and justified.

Solicitors Liability and Damages since Hughes-Holland v BPE Solicitors and Wellesley LLP v Withers LLP

These are two of the most important cases in the last few years, dealing with the particularly in the context of commercial and conveyancing transactions.

the assessment of lost chances in professional negligence cases.

Causation is key to all tort cases, both in terms of analysing liability and also how that translates into the assessment of value of any loss. When such litigation goes wrong then this adds a further twist in identifying liability and value of a claim. The presentation will address the whys and wherefores and illuminate potential traps.

Liability to Third Parties: An analysis into the instances of liability owed to third parties

Clients are at the heart of our professional lives. They are the source of the brief and the one to whom we direct our professional care and attention. However, there are circumstances in which it is possible for solicitors to owe duties to a party alien to this relationship. This talk focuses on this latter duty, and the ingredients which may cause a solicitor to widen their professional care and attention to the third party.

Followed by Questions

Competencies: Robert Sterling - A2, A4, A5 and B2. Abigail Holt - A2, A3, A4, A5. Sarah Jameson - A2, A4, A5, B2, B4, B5

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

Regulation Update



Danielle Best
Weightmans LLP

The latest regulation news from Danielle Best of Weightmans LLP

By the time this article goes to print, you'll already have woken up to the brave new world of the SRA Standards and Regulations being in force. Since there is no grace period, you should already be complying.

Firms should also be prepared for contact from the SRA over the coming months since it has already indicated that it will be carrying out a thematic review in early 2020 and has announced that

- before the end of 2019 it will be doing a sweep of law firm websites to ensure compliance with price and transparency regulations and
- it will be writing to the 7000 firms that fall under the scope of the AML regulations enquiring about the measures in place to combat money laundering and for copies of firm risk assessments. The SRA is also planning targeted, in-depth visits to firms.

If you need guidance or support in any of these areas then please get in touch.

SRA guidance and publications

The SRA has continued to release guidance on the Standards and Regulations intermittently. A recent addition covering conflicts of interest was effective from 25 November 2019 and offers advice on issues including own interest conflicts, client conflicts and exceptions to restrictions on acting where there is a conflict. The guidance can be found using the following link: <https://www.sra.org.uk/solicitors/guidance/ethics-guidance/conflicts-interest/>.

Since last month's update went to print, the SRA has also issued a news release and warning notice on compliance with money laundering regulations after research suggested that a large number of firms were falling short. A fifth of firms were found to have inadequate firm risk assessments which has prompted the announcement that enquiries will

be made of all 7000 firms caught by the regulations. To help law firms get their risk assessments right in advance of contact from the SRA, Pearl Moses, Head of Risk and Compliance at the Law Society, has published a blog entitled 'Getting your risk assessment in order' which provides a good overview of the requirements.

The SRA has also published its Risk Outlook for 2019/20, which outlines the biggest current threats to the interests of clients and includes case examples. The SRA recommends reviewing the Risk Outlook, assessing how the risks might affect your firm and taking steps to mitigate against the risks as much as possible.

Law Society advice and practice notes

The Law Society has also been busy producing new and updated advice and practice notes on a range of topics including an advice note on the Standards and Regulations, which utilises drop down tabs for key areas including the principles, the SRA Badge, the Accounts Rules and reporting obligations. The note can be found using the following link: <https://www.lawsociety.org.uk/sup-port-services/advice/articles/sra-standards-and-regulations/>.

Guidance has also been released by the Law Society in relation to legal professional privilege and professional indemnity insurance requirements for in-house solicitors.

Suspicious Activity Reports

The National Crime Agency (NCA) relies on the legal profession to make Suspicious Activity Reports (SARs), but delays in the process can lead to problems with unaware clients, such as where a defence against money laundering has been sought by a concerned solicitor. In order to try to improve the effectiveness of SARs, the NCA has produced updated glossary codes and reporting routes which can be found on its website.

SDT decisions

Solicitor tried to take unfair advantage of lawyer's mistake

A solicitor has been suspended for six months, with the sanction being suspended for two years, after he ignored an undertaking he had given and sought to take advantage of a mistake made by the firm on the other side of a conveyancing transaction.

In addition, a condition attached to the solicitor's practicing certificate requires the SRA's permission if he wishes to become a manager or employee of a law firm, although he can apply to have the conditions relaxed after three years.

The solicitor acted for a client who was purchasing the remaining equity in her home and in a re-mortgage. A conveyancing firm acted for the building society. The solicitor provided the conveyancing firm with an undertaking 'to take all reasonable steps necessary to assist you in procuring registration of your client's mortgage as a first legal charge and to immediately assist with and satisfy any requisitions carried about by HM Land Registry'.

The matter completed in April 2018 and the mortgage funds were received by the solicitor. The existing mortgage was discharged and the conveyancing firm stated that it had carried out an OS1 priority search in respect of the property. However, due to a 'system issue' the OS1 priority search was not renewed when it expired. When the solicitor realised this, he submitted his own priority search against the property in favour of his client. He then notified the conveyancing firm of its error and sent the conveyancing firm an invoice for £4,459 in respect of legal fees, requiring payment or an undertaking that payment would be made before he would remove the priority search. He sought to resile from his undertaking, alleging a dispute over the date of completion.

The conveyancing firm complained to the SRA which contended to the SDT that the solicitor was in breach of the undertaking. Whilst the SDT accepted that it may have been appropriate to seek fees reasonably incurred from work caused by the conveyancing firm's error, the amount of the fees was stated to be unjustifiable with no meaningful explanation of how they were incurred.

The SDT accepted that the solicitor was frustrated that errors had occurred and that, whilst protecting his client with a new search was reasonable, using it to prevent the conveyancing firm from registering its client's charge was not. It was determined that the solicitor's conduct displayed a lack of integrity and breached other SRA principles including a failure to act in his client's best interests.

The solicitor was also ordered to pay £15,000 in costs.

Solicitor who forged documents struck off

A solicitor who admitting forging documents during an SRA investigation has been struck off. The solicitor, who was also a director at his firm, also admitted forging the dates of legal charges and a mortgage deed after missing the deadline for registering them at Companies House.

The solicitor had qualified in 2013 and had become the firm's MLRO only six months after qualifying. He was appointed as the head of the firm's property department in September 2015. The firm's authorisation was revoked in July 2017. The solicitor's two fellow directors were fined £25,000 and £35,000.

The fine of £25,000 was imposed on the director who was also the firm's COLP and COFA. His supervision of the solicitor was criticised as being abysmal in relation a development project which 'bore hallmarks of being a dubious investment scheme', promising an annual return to investors of up to 18%. During its investigation into the development project, the SRA's forensic investigation officer received three documents which purported to be contemporaneous. All were dated October 2014, but the solicitor later admitted that he had created them on his work computer in April 2016. The solicitor also admitted allowing the firm's client account to be used as a banking facility in respect of the

development project.

The fine of £35,000 was imposed upon a director who was found to have allowed the firm's client account to be used as a banking facility for two further matters and was aggravated by the fact that he had been fined £10,000 in 2012 for similar misconduct.

The solicitor was struck off and ordered to pay costs of £19,660. The two other directors were ordered to pay costs in the sum of £39,300 on a joint and several basis.

Serious misconduct does not always result in a ban

In an appeal of an SDT decision, the SRA asked the High Court to suspend or strike off a solicitor of 29 years for his role in a property transfer that turned out to be a fraud. The SDT had determined that the solicitor was aware of specific risks and unusual features of the property transfer, but failed to make further enquiries. He was found to have acted recklessly and with a lack of integrity and fined £20,000. A 12-month suspension, itself suspended for two years, was also imposed along with restrictions on the solicitor's practicing certificate. He was ordered to pay costs of £23,228.

The High Court determined that a finding of serious misconduct does not automatically require striking off or an immediate suspension from practice, although that will be the appropriate sanction in most cases. The court considered that the SDT had heard and seen the solicitor give evidence, and was in the best position to assess his culpability and the appropriate and proportionate measures that would protect the public and the reputation of the profession.

The High Court did find that the SDT had erred in not aligning the period of suspension with the period of restriction and quashed the two year suspension, replacing it with an indefinite 'suspension of the suspension' order.

Danielle Best
Principal Associate, Weightmans LLP

Overage, Restrictive Covenants & Conditional Contracts

with Richard Snape

on Tuesday 28th January, 1.30pm - 4.30pm

Restrictive covenants continue to cause problems on a regular basis and overage clauses are coming very much back into fashion. The course aims to look at some of the issues involved.

Topics include:

- Enforceability of restrictive covenants against third parties
- Remedies for breach of restrictive covenants
- Enforceability of overage clauses
- The trigger event
- Case law on interpretation
- Enforceability of conditional contracts
- Recent case law on conditional contracts
- Look-out agreements
- Options

Competencies: B

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

Stand and Deliver! Conducting Effective Advocacy in Child Care Cases

with Safda Mahmood

on Wednesday 29th January, 10am - 4.15pm (lunch included)

With more pressure on lawyers to do their own advocacy in family courts, it is necessary to become more confident and able in doing so. This course will equip you with essential tips in being able to conducting advocacy in all aspects of child care cases, ranging from emergency orders, interim hearings, fact finding hearings, and case management hearings.

The topics covered will include amongst others, the following:

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

Competencies: B & C

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

Charity and CSR Matters

Hi everyone

It's December. It's dark, cold and miserable. I hope the CSR pages cheer you up with all of the amazing work going on. Special congratulations to Natalie at Brabners- what an amazing amount raised at the Marie Curie Ball.

Christmas is upon us and there are plenty of ways you can bring some festive cheer to others. You will see Carpenters are once again completing their ruck sack challenge and I've seen first hand what a difference this makes to our homeless at Christmas. I'm pleased that Liverpool Law Society are looking at signing up to the Homeless Charter to assist in tackling this prominent issue. If you would like more details please get in touch. The SBA are also offering a way of clearing your client balances and helping fellow legal professionals at a time of year that is testing for many.

I'm also organising the Weightmans gift wrapping event again, this year in aid of Zoe's Place. We are looking for donations of sensory toys for the children and will them lovingly wrap them all for the children on 9 December in our offices. I've also offered my services to the hospice to help wrap any gifts they receive after 9 December in the run up to Christmas. I think the staff have more important things to worry about than wrapping gifts. If you would like to get involved please do not hesitate to contact me.

As always please send in your submissions of all the wonderful events you hold. I wish you all a Merry Christmas and many happy returns.

Jennifer Powell
Associate
Weightmans

This Christmas, you can transform people's lives by giving residual client balances

Imagine having to deal with the stress of not being able to meet heating bills, or afford new clothes, warm food or a roof over your head. While many of us dream of a white Christmas, winter weather can become a nightmare for some.

Despite the myth of all solicitors being well-off, no one is immune from poverty. Life's challenges such as poor mental health, physical illness, debt, bereavement and redundancy can affect anyone's ability to support themselves financially.

By giving your unclaimed balances to SBA The Solicitors Charity* you can aid fellow solicitors in getting their lives back on track. The money they make from investing your unclaimed balances will help to pay for items many of us take for granted. These include utility bills, groceries, much needed household repairs, and more. They even fund access to services for emotional support, debt and welfare benefits advice and career coaching.

They transform the lives of solicitors in need or crisis at Christmas.

Full indemnities

To assist with your legal obligations, they offer a letter of indemnity for each donation. This means they will issue a refund for all or part of your balance upon request. So, if your client returns to ask for their funds, they've got you covered.

"You have lifted an enormous burden from our family at this festive time"

The Solicitors' Charity beneficiary

www.sba.org.uk



How to donate

To donate, please transfer via the BACS details below:

Sort code: 60-80-08
Account Number: 60621354

Once sent, please let them know by email - martyn@sba.org.uk. They will then check to see if your funds have arrived safely and will issue you with an indemnity letter.

If your donation is over £500, you may need approval from the SRA to withdraw.

Any amount can make a difference. Whether it's pounds or pennies, your help can be life changing for those in need.

*SBA The Solicitors' Charity is the operational name of The Solicitors' Benevolent Association Ltd.

University of Law free legal advice clinic

The University of Law in Liverpool has recently launched a new free legal advice clinic. The clinic is helping ULaw's post graduate students practice their professional skills whilst supporting the local community with as many different legal issues as possible.

In order to assist with a wide range of legal problems, they are looking for Volunteer Legal Professionals to offer remote guidance and possibly more...

What are they asking Remote Guidance Volunteers to do:

The clinic is looking for professionals to confirm they would be happy to receive an email when the clinic receives a case within their area of specialism and the volunteer reply to confirm whether or not they are able to assist on that occasion. Assistance will involve offering help, either via email only, such as considering a draft letter of advice and providing comments/feedback for improvement or also offering an additional telephone meeting with the students to discuss the case. The support is intended to help guide the students in their research and advice, ensuring all necessary matters have been considered and adequately dealt with.

What are they asking Clinic Volunteers to do:

The clinic is also looking for practising professionals to host a regular e.g. monthly term time clinic where they interview pro-bono client and provide advice whilst being shadowed by University of Law postgraduate students, who will then draft the formal letter of advice confirming what was discussed at the interview.

What will the time commitment be?

For Remote Guidance Volunteers, they will contact you with the brief details of a potential case and if you are happy to proceed as a minimum you will receive the information obtained at client interview and a draft letter of advice to the client for you to review, check and comment upon. You may also be asked to participate in a telephone meeting with the students to discuss the case and their research. On occasion you will be provided with case documents and/or an amended letter of advice for review.

For Clinic Volunteers, the regularity and timing of the clinic will be arranged with you in advance. Appointments will be booked for you in that time period and you will be provided with the initial summary of the client problem. You will then be asked to conduct the interview and provide the client with verbal advice during that interview, whilst being shadowed by a post graduate student. The student will take a record of the advice and draft the same in a formal letter. You will be asked to check the advice in the letter matches that given during the interview.

Carpenters' #RucksackAppeal

Carpenters will once again be taking part in this year's #RucksackAppeal! This will be Carpenters third year taking part and they plan on this being the biggest yet! Each year they buy a number of rucksacks which they send out to their teams across all offices, for them to fill as much as possible. They have around 70 rucksacks this year and hope to fill them all! They are giving teams the following shopping lists:

Clothing:	Toiletries:	Food items:	Other items:
New underwear New socks Hat, scarves & gloves Waterproofs Sleeping bag Small pop up tent	Toothbrush & toothpaste Shower gel Deodorant/ Wipes Hairbrush/ Comb Sanitary items Lip balm Tissues Wash cloth Toilet bag	Chocolate/ sweets Crisps Cereal bars Packet soups Drinks Other non-perishable snacks	Food voucher Small gift Christmas card Torch Flask Water bottle Tobacco, papers & lighter

If you or your company would like to take part in this year's #RucksackAppeal but you are unsure of where to start, then please get in touch and they will give you as much information as they can. Send them a message on Twitter (@CarpentersGroup) or drop them an email (Tina – chrh@carpentersgroup.co.uk) and join in the #RucksackAppeal!

What will volunteers get out of this?

Volunteers will get to assist members of the public and the local community who may otherwise not have access to professional advice, whilst also assisting with the training and development of Liverpool's future legal professionals.

Person specification – they would like to hear from: Qualified Solicitors, Barristers, Fellows of the Institute of legal executives with a minimum of 1 years PQE in the area of law they would volunteer to assist in.

They are also happy to hear from unqualified advisors with significant professional experience of assisting the public in a particular area of law.

Application process

Interested? Please contact Lorraine Watkins-Duffett by emailing: probono-liverpool@law.ac.uk

Lawyer remembers beloved father by organising Diamond Ball for terminal illness charity



Brabners lawyer Natalie Dickson remembered her dad in a special way by helping to organise Marie Curie's 60th anniversary Diamond Ball on 19 October 2019.

Phillip Hargreaves - known as "Busty" - was cared for at the Marie Curie Hospice after he was diagnosed with a tumour in his sinus aged just 47, while Natalie, 21 at the time, was in the middle of her legal studies.

Despite undergoing radical surgery and lengthy rounds of chemotherapy and radiotherapy, Natalie's family got the sad news that the cancer had spread to his bones. Phil died on 3rd December 2007 aged 49, two years after his initial diagnosis.

Natalie, now a senior associate at Brabners, said: "The Ball was a great success. We were joined by the Chief Executive of Marie Curie, Matthew Reed and the Lord Mayor of Liverpool, Anna Rothery as well as over 250 guests.

"The Ball was tremendously well supported by all of our guests and all those who contributed to the evening. I'm delighted to say that the event raised over £35,000 which will go towards supporting it's vital work. Having first-hand experience of a loved one being cared for at the Hospice I was honoured to be involved with the Ball and I am very grateful indeed for everybody's effort and support."

Charity Spotlight



**INSPIRING MUSICIANS
TRANSFORMING LIVES**

Live Music Now

Live Music Now is a UK-wide charity founded by the legendary violinist Yehudi Menuhin in 1977. We train inspirational young professional musicians to use their talents for the benefit of those excluded from the joy of experiencing live music. We have a long history of taking music sessions into special schools, care homes and hospitals, including Alder Hey Children's Hospital, and last year we were the finalist in the Royal Society of Public Health 'Health and Wellbeing Awards'.

Live Music Now North West currently employs and trains 35 musicians from a range of musical genres to deliver 800 music sessions in the region each year. Our training gives them specialist skills to engage with our main audience groups:

Children with special educational needs and disabilities

Taking part in regular music sessions is proven to help children with complex needs find new ways to communicate and build confidence. Yet many special schools struggle to provide music sessions for their pupils. Last year, our musicians visited 50 special schools in the region to perform bespoke 'whole-school' concerts and deliver weekly music sessions for smaller groups of children, using music to deepen their engagement in learning.

"Caroline's music sessions are beautiful and the use of the clarinet provoked responses from the children that I am unable to gain in the classroom. She created a calm atmosphere allowing the children to feel comfortable and relaxed." Special School teacher



Older People living with dementia

Engaging with music can benefit everyone's health and wellbeing, particularly older people living with dementia or experiencing loneliness. Yet many care homes do not have the funds or resources to provide high quality music sessions. During 2018 our musicians delivered 400 music sessions for older people in care settings.

"Since the time my wife was taken into care, I have never seen her so happy as when she was enjoying your performance."
And the early career musicians who work with us benefit hugely too:

"Choosing to be a professional musician is a challenging path, but LMN has taught me, in the deepest way, why music is fundamental and universal." Anna, LMN Musician



How can you help?

Every week, we receive far more requests for visits from special schools, care homes and hospitals than we can afford to provide. If we can raise additional funds, we can reach more people in need of our music sessions.

Legacies: do your clients want to create a musical legacy by supporting therapeutic music sessions in a special school or live music performances in care homes?

Charitable Trusts: if you look after charitable trusts that support music, health or education projects, would the trustees be interested in our work?

Fundraising: could you help us raise funds through your company charity day or an individual fundraising project?

Advocacy: could you help us network with businesses to find more potential supporters?

For further information about Live Music Now or to see our musicians in action, please contact Karen Irwin, LMN North West Director karen.irwin@livemusicnow.org.uk 07971 44637. www.livemusicnow.org.uk





NEWLY QUALIFIED SOLICITOR, PUPIL BARRISTER & FILEX CELEBRATION

**DOUBLETREE BY HILTON HOTEL,
DALE STREET ENTRANCE, LIVERPOOL, L1 6BR
ON THURSDAY 30TH JANUARY 2020 AT 6.00PM FOR 6.30PM
THE EVENT IS FREE TO ATTEND**

**CLICK HERE
TO BOOK**

WHAT'S INCLUDED:

ARRIVAL DRINK

CANAPES

PROFESSIONAL
PHOTOGRAPHER TO CAPTURE
THE EVENING

FREE LLS TRAINING COURSE

CERTIFICATE OF
CONGRATULATIONS

Liverpool Law Society would like to invite newly qualified Solicitors, Barristers and fellows from CILEx within the Merseyside Region who qualified during 2019 to join us in celebration of the launch of their legal career.

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

The High Sheriff

Mr. David Steer QC DL

SPONSORED BY...

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Liverpool Law Society, Second Floor, Helix, Edmund Street, Liverpool L3 9NY, DX 14100 LIVERPOOL 1
Please note all bookings are subject to the Society's terms and conditions, visit <https://www.liverpoollawsociety.org.uk/terms-and-conditions>
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News from the MJLD

The second update has come around quickly for the Merseyside Junior Lawyers Division (MJLD) as it has been a busy month across the board. For the purposes of this edition, we'll recap just what has kept us all so busy this month and let you know what we are up to in December.

This month we put on a spectacular event at the Royal Liver Building showcasing the 360-degree view of one of the best and most iconic buildings in the city. With amazing views, what better way to showcase Merseyside other than in-between the birds?

Whilst sipping on the new Bella and Bertie gins, the night provided a great opportunity to all those who attended to. This is something we aim for as a division and therefore it is safe to say that all committee members were happy with how the night panned out.

Laura Moore (Weightmans) on our social committee worked hard securing the venue and we were grateful to secure sponsorship from MSB Solicitors to allow us to put on the event. Thank you MSB and our committee for all making the night happen, as I'm sure many of the attendees can agree, it was a great night.

Our Education and Sports Sub-Committees have continued to grow with new members joining. Our shadowing schemes are continuing to run and we are working towards getting the first of our sports event in the diary for the new year. Meanwhile, you can see what our Chair Andrew has been up to recently in the article on page 9.

And we're pleased to announce that our final event of 2019 will take place on 11 December. Make sure to stay tuned to our social media for further updates on what promises to be a great night! If you don't



already follow us, please see below. 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

Land Registration for Residential Conveyancers

with Ian Quayle

on Wednesday 22nd January, 9.30am - 12.45pm

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

It will examine a number of areas including:

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

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

Sponsored by

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

Reporting to the Lender & other hot mortgage issues

with Richard Snape

on Tuesday 28th January, 9.30am - 12.45pm

Mortgage company requirements and their individual instructions are forever changing. This course aims to look at some of the recent trends and changes.

Topics include:

- Mortgage company requirements in relation to estate rentcharges
- The latest on ground rent
- Valuation issues
- Reporting in relation to planning matters
- Solar panels and the mortgage company
- Mortgage company requirements in relation to fraud
- Japanese Knotweed

Competencies: B

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

News from the WLD



Beauty Bazaar Event at Harvey Nichols

On 22nd November 2019, we held our extremely popular Beauty Bazaar Night at Harvey Nichols where attendees enjoyed a glass of bubbly on arrival with canapes.

Our guests were treated to a variety of beauty masterclasses, complimentary treatments and provided with some gifting advice.

We also held a raffle in aid of our nominated charity this year Help for Heroes. The Winner received a hamper filled with goodies from the different concessions around the shop!

We hope that everyone enjoyed the evening as much as we did! Thank you to our sponsors for the evening, Chadwick Nott.

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. 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.

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Womens Lawyers Division – Merseyside
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Merseyside Landmarks

In this edition we visit Victoria Park in Widnes...

Victoria Park in Widnes was opened in 1900 to commemorate the Diamond Jubilee of Queen Victoria. It was built by the local council with funds which had been collected by public subscription and built on land which had been the Appleton House estate and has been awarded the Green Flag national standard.

The park includes a number of structures and facilities, including formal gardens, a lake, a skate park, climbing boulder, bandstand, cafe, children's play area, tennis courts, butterfly house and the Gladstone Memorial Fountain. The fountain was erected to honour William Ewart Gladstone who served a Prime Minister for twelve years, spread over four terms beginning in 1868 and ending in 1894.

William Gladstone was born in Liverpool to Scottish parents. He joined the Conservative Party under the leadership of Robert Peel, but joined a Peelite faction which had broken away from the conservatives and eventually the group went on to form the Liberal Party.

Gladstone was a popular Prime Minister amongst working people earning him the name "The People's William" or "G.O.M." ("Grand Old Man") and is often regarded by historians as one of Britain's greatest leaders.

Further along Victoria Park is a milestone marker with plaque which commemorates the last Zeppelin air raid of World War I in 1918. All four raids in 1918 focused on the North and Midlands, whereas previous raids the attacks had been concentrated on London and the South. According to reports, the weather caused some confusion and the bombs that exploded over Widnes, Wigan and Ince were actually intended for Sheffield and in the Midlands, Coventry was mistakenly thought to be Birmingham.

In 2018 a statue commemorating one of Widnes's heroes, Sergeant Thomas Mottershead was unveiled in Victoria Park. Born in Widnes, Thomas Mottershead enlisted in the Royal Flying Corps in 1916 and began his pilot training and joined No. 25 Squadron. He saw action in the Battle of the Somme and also took part on a low-level bombing raid on a German anti-aircraft battery which he destroyed. Later he was awarded the Distinguished Conduct Medal for his actions and bravery while attacking the railway station at Samain destroying an ammunition train.



Thomas Mottershead was on patrol in January 1917 near Ploegsteert Wood in Belgium when he became engaged in combat by German Albatrosses. Mottershead was hit and the plane caught fire. He managed to take the aircraft back to Allied lines and crash landed the plane, allowing his observer to escape, but he was trapped in the burning cockpit and was badly burned. He died of his injuries five days later.

Thomas Mottershead was awarded the Victoria Cross for his bravery and was the only non-commissioned Royal Flying Corps officer to be honoured during the First World War. The medal was presented to his widow Lilian by King George V in a ceremony in Hyde Park, London in June 1917.

Victoria Park also has a Grade II listed war memorial pillar which stands over 16m high and which pays tribute to the fallen heroes of WWI. The pillar was designed by Harold E Davies and unveiled by the 17th Earl of Derby in a ceremony in September 1921.

Victoria Park is host to the North West's largest free-admission Vintage Steam Rally each year which draws hundreds of visitors to Widnes who come to marvel at the vintage cars, hand turned organs, vintage models and boats as well as vintage shopping and crafts and a funfair.

For more information visit <https://northwestvintagerally.co.uk/>





S Code	Date	Time	December 2019	Speaker
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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S Code	Date	Time	January 2020	Speaker
S4377	10th	10-4	Civil evidence and witness statements	Mike Winston
S4365	15th	10-12	Employment Contracts: drafting issues and potential pitfalls	Emma Tegerdine
S4366	15th	1-3	Settlement Agreements: tricky issues and what to watch out for	Emma Tegerdine
S4319	17th	1.30-4.30	Corporate Update	Chris Beanland
S4396	21st	10-11.45	Professional Negligence	Abigail Holt, Sarah Jameson & Robert Sterling
S4325	22nd	9.30-12.45	Land Registration for Residential Conveyancers	Ian Quayle
S4301	28th	9.30-12.45	Reporting to the Lender & other hot mortgage issues	Richard Snape
S4302	28th	1.30-4.30	Overage, Restrictive Covenants & Conditional Contracts	Richard Snape
S4358	29th	10-4.15	Stand and Deliver! Conducting Effective Advocacy in Child Care Cases	Safda Mahmood
S4378	31st	10-4.30	Drafting skills for civil litigators	Mike Winston

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



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