

January 2020

Liverpool Law



Liverpool Law Society

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



Julie O'Hare elected President
of Liverpool Law Society

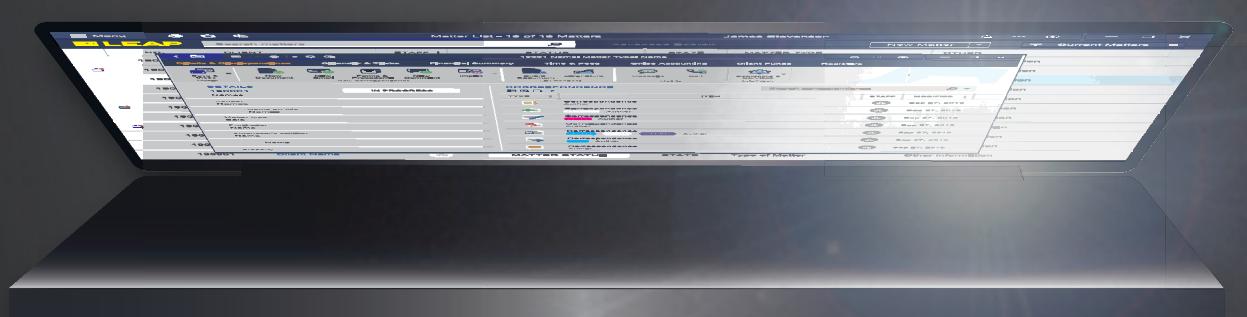
Leadership and the Law
Frank Maher, Managing Partner of
Legal Risk talks about his role

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Society for 2020
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of everything we do

Coming soon



New features and enhanced functionality, delivering
a more powerful user experience.

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Cover photo: Julie O'Hare, President of
Liverpool Law Society



Editorial



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 January 2020 edition of Liverpool Law



Jennifer Powell
editor@liverpoollawsociety.org.uk

Welcome to the January 2020 edition of Liverpool Law.

It feels like I blinked and 2019 disappeared!

This month we have a special look back on 2019 produced by LLS new marketing assistant Emily. You will see from reading this just how much was packed into 2019 and what a great year it was.

I want to take the opportunity to say thank you to our President Chris Topping for helping me through my first full year as Editor of the magazine. I've pretty much winged it so far and your calm demeanour has helped make it relatively stress free.

I also want to say welcome to our new President Julie O'Hare. With 2019 celebrating Women in the Law it seems so fitting that this year the President is female. Julie is a former Weightonian and so it is quite inspiring to see how well she has done and I can't wait to see what she achieves this year.

Jennifer Powell
Editor
Weightmans

DIARY DATES

Thursday 23 January

Directors' Meeting with Merseyside Councillors

Thursday 30 January

Newly qualified solicitor, FILEx & pupil barrister celebration

Wednesday 5 February

Domestic Abuse Conference (half day)

Mon-Fri 10-14 Feb

Great Legal Bake in aid of North West Legal Support Trust

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

Wednesday 12 February

Pathways to the Legal Profession event for 16-17 year olds

Wednesday 26 February

Housing Disrepair Conference

Thursday 27 February

Family Law Judges Forum

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

Meet the President

In this edition Julie O'Hare, the newly elected President of Liverpool Law Society talks about her career and aims for the Society in 2020....

Julie O'Hare of Carpenters Solicitors was elected the 193rd President of Liverpool Law Society 10 December 2019. Julie is a Team Manager of the Defendant Insurance department of Carpenters Solicitors.

Born and raised in Liverpool, Julie's first choice of career was to be an artist and after Sixth form college she embarked on an art foundation course as well as travelling to Italy to paint. However, she decided that art wouldn't pay the bills and went on to study law at Liverpool University.

Upon graduation Julie still wasn't entirely sure about a career in the law and joined a local high street bank. After a few months she realised that law was the career that she wanted to pursue and so joined Mace and Jones as a paralegal. Julie says "I really enjoyed my time at Mace and Jones and it gave me much more of an insight into the legal profession. Studying the law is so different to the law in practise! I then decided to embark on the LPC at the College of Law in Chester."

On completion of the LPC, Julie undertook some work at McLoughlins, a small criminal practice in Huyton. Julie says "I loved my time with McLoughlins and would have loved to have stayed with Pat and his team. However, they could not offer me the same opportunities as a training contract at Weightmans and so I moved Weightmans in 2006 before officially becoming a trainee in 2007."

In 2009 she joined DWF and worked in the anti-fraud team before moving to Carpenters in 2012. Julie was initially the only Defendant Insurance Solicitor in the firm which was almost entirely Claimant based. The Defence team has since continued to grow to over 50 strong.

Whilst at Weightmans, Julie was encouraged by Charlie Jones, an active member of Liverpool Law Society to become involved in the TSG and YSG, which was at the time going through a merger process to what would become the Merseyside Junior Lawyers Division (MJLD). Julie became Social Secretary and was Chair for two years. Through the MJLD Julie attended the General Committee of Liverpool Law Society, she adds "It was like being invited to join the grown up's table!" Julie then joined the General Committee in her own right and became the Society's Social Secretary.

Julie says that the main theme of her year will be a focus on access to justice and the whiplash reforms in particular. She adds "The proposals are very relevant to Carpenters, but will also have a massive impact on local law firms."

After careful consideration, Julie has decided her two chosen charities for her year in office will be the North West Legal



Julie O'Hare

Support Trust and CHICS Liverpool. CHICS Liverpool is a children's cancer support charity based at Alder Hey, Liverpool (although they have a presence on the Wirral and North Wales too). CHICS is run solely by the parents of children who have had cancer. The charity works closely with families who have been affected by cancer, providing information, emotional support and connecting families within the community who are going through similar hardships. Liverpool CHICS is a local charity and would really benefit from our support in 2020.

For the coming year, Julie is looking forward to following in the footsteps of our Past Presidents to continue in building cross networking relationships and working closely with others in the fight for Access to Justice.

Julie would like to thank her firm Carpenters for their support during 2019 when she was Vice President and for their continued support going into the coming year. Julie also would like to thank her family particularly her grandad, Jimmy, for being her biggest champion and role model!

Family is very important to Julie even more so since the birth of her nephew, Austin, who is now 20 months old and a handful!

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Helix Highlights

Happy new year to you. I hope you had a very good festive season. The LLS staff team are back ready for another packed year of local law society business: arranging events, committee meetings and other activities that we hope as many members will get involved with as possible.

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

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

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

Our mission is:

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

Our values

The values the Society aspires to are:

Integrity – doing the right thing in the right way

Promoting Community – shared ideals through shared history
Respect – for each other, our clients and the rule of law

And so with a look ahead at what is coming up in 2020, and with an eye on the above, we will strive to uphold the Society's values and mission statement.

Here are a few items of mention:

Wellness Event where you can learn techniques to help with modern-day stresses of life

If you are feeling in need of rebalancing your work and life, dealing with stresses of modern life, then why not book onto the Wellness event jointly presented by Liverpool Law Society and Merseyside Women Lawyers' Division a bit later this month. There will be mindfulness and reiki techniques, yoga and useful hints and tips from LawCare.

Pathways to the Legal Profession 2020

This event aimed at year 12 students (16-17 year olds) will take place on Wednesday, 12th February 2020. President Julie O'Hare will chair the event. As at mid December 2019, 125 students from 14 schools across Merseyside have signed up to attend the free event. The programme includes:

- The University route and the benefits of studying for a degree by a Lecturer in Law from the School of Law & Social Justice at the University of Liverpool
- The LPC and conversion course for non-law graduates by Laura Samaroo, Solicitor, Senior Lecturer in Law and Programme Leader LLM in Legal Practice Lecturer at Liverpool John Moores University

- The Solicitors Qualifying Examination (SQE) and the Training for Tomorrow agenda By Carol Draycott, Associate Professor at The University of Law
- Becoming a barrister – Hope Lappin, 7 Harrington Street Chambers
- The Legal Executive Route - By the Liverpool Branch of The Chartered Institute of Legal Executives (CILEX)
- Recruiting both graduates and apprentices for a law firm

Training seat exchange

Finally, just a reminder to you that Liverpool Law Society offers an online Trainee Seat Exchange noticeboard free to members as a way of assisting member firms interchange trainees. The aim is to provide more training contracts on Merseyside and beyond by facilitating an exchange between firms who may otherwise find it difficult to offer their trainees the requisite number of seats in both contentious and non-contentious work. For details and to make an enquiry please click [here](#).



Sarah Poblete

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

Enewsletter Sign Up

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

Sign up here



Directors of Liverpool Law Society for 2020

The Society is pleased to have had a contested election at the 2019 AGM to fill the vacancies of directorship of Liverpool Law Society, an indication of a healthy interest in the running of the organisation. We have a representative group of people from a range of small, medium and large firms and educational establishments represented around the table and we look forward to a busy 12 months under the helm of the new president Julie O'Hare.

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

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

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

The current directors of Liverpool Law Society who form the General Committee for 2020 are:

Officers

President – Miss Julie O'Hare, Carpenters
 Vice President – Mr Steven Zdolny, EY Riverview Law
 Honorary Treasurer – Ms Joanne Francis, BLM
 Joint Honorary Secretary – Ms Gaynor Williams, Bennett Williams Solicitors
 Joint Honorary Secretary – Mr Jeremy Myers, Husband Forwood Morgan
 Immediate Past President – Mr Chris Topping, Broudie Jackson Canter

Sub-Committee Chairs

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

Other post holders

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



Front row: Gaynor Williams, Chris Topping, Julie O'Hare, Steven Zdolny and Joanne Francis
Back row: Nadya Makarova, David Tournafond, John Owens, Lindsey Knowles, Millie Hayden, Sarah Mansfield, Nina Ferris, Jeremy Myers, Martyn Rodmell, Warren Barr and Jonathan Berkson.

Other Members of the Committee

Professor Warren Barr, University of Liverpool
 Mr Jonathan Berkson, Bermans
 Mr Paddy Dwyer, DLA Piper
 Ms Nina Ferris, Hill Dickinson
 Mr Carl Graham, DWF
 Ms Nicola Harris, MSB
 Miss Amelia Hayden, Brabners
 Ms Nadya Makarova, Brabners
 Ms Sarah Mansfield, GWL Legal
 Mr John Owens, MSB

Interested in getting involved with Liverpool Law Society but unsure where to start?

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

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

Regulatory
 Consultation closes on 10th January 2020

Consultation on proposed amendments to the Policy on the Supply of Documents to a Non-Party



News from the Sub Committees

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

Access to Justice Sub Committee

Chair: James Monnouch

Increasing Access to Justice in Liverpool

The Access to Justice Sub Committee has been active throughout the year. One of the major initiatives we have been involved with is a partnership project between Liverpool Law Society, Liverpool City Council and Liverpool University. The project, Increasing Access to Justice in Liverpool Project will be looking at researching the third sector advice provision and improving referral networks across the City and should be starting to work in early 2020. Liverpool University are leading on the project and will be working with Liverpool Citizens Advice.

Young Legal Aid Lawyers

Young Legal Aid Lawyers continue to be active across the City and Nationally. A Hustings Event took place on 11th December 2019 in Liverpool followed by a Christmas Social. YLAL continue to lobby M.P.s

Justice First Fellowships

The importance of this project to continuing to support the development of Social Welfare Lawyers is well recognised. Merseyside Law Centre has been fortunate in benefiting from two fellowships and other Law Centres are looking at the potential for fellowships in future years. The first ever Justice First Fellow in Liverpool 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 is a leading light in access to justice both locally & nationally. Congratulations Siobhan.

Local Firms continue to be sought to provide financial support to the Project. Please contact Sarah Poblete if you or your firm are able to help support the Social Welfare Lawyers of the future.

Law Centres

The City now has three Law Centres, the former Merseyside Employment Law, now known as Equality & Employment Law has recently become the latest one, joining Vauxhall Community Law & Information Centre and Merseyside Law Centre.



The Law Centres have been meeting to discuss areas in which joint work may be possible

Citywide Strategy for Fairness & Tackling Poverty Group

The group continues to meet and has been responsible for providing the funding for Increasing Access to Justice in Liverpool Project. The committee provides a direct route in to Liverpool City Council and its partners for all matters concerning tackling poverty across the City of Liverpool and the committee is well represented. The committee is now looking at discussing with the Metro-Mayor the potential for a Liverpool City Region strategic approach to Justice.

Future Events

- Justice Week 24-28 February 2020
- North West Legal Support Trust NWLST Great Legal Bake 10th – 14th February 2020
- Legal Walk – Tuesday 9th June 2020

If you or your firm are interested in attending Access to Justice Meetings, please contact Sarah Poblete at Liverpool Law Society for more details of meetings.

Alan Kelly
Committee Member

Can you help support and prepare the workforce of tomorrow?



ELEVATE
The education business partnership

Elevate EBP need your help to place up to 5 sixth form students from Gateacre Sixth Form in work experience placements within the legal sector for 1 week between 27th – 31st January 2020. Elevate EBP have over 20 years' experience in delivering projects on behalf of funders, who all share the commitment in preparing the workforce of tomorrow by nurturing the talents of the young people in our city. Elevate EBP exist to promote growth in our city, particularly the growth of young people, via organising work experience, business mentoring, employability workshops and so much more! To find out more about the work they do click [here](#)

You could help steer the future career direction of students who are interested in a career in Law. If you'd like to find out more or express your interest please email Joanne Huddart, Head of Employability at Elevate EBP, Joanne.Huddart@elevate-ebp.co.uk.

There are many opportunities to take on a student placement during 2020 with different schools in Merseyside, please see the form [here](#).

MSP have released their 2020 dates for the Annual Workplaces Business Games!

Want to burn off those stubborn Christmas calories? You're not alone!

The good news is that MSP have released their 2020 dates for the Annual Workplaces Business games. If you'd like to boost team morale whilst engaging in some competitive fun, find the dates below. They also have an early bird discount for their main event in April if you book before 31st January!

The first event takes place on 13th February 2020 6.15pm to 8.30pm at St Helens Town Hall, Victoria Street, St Helens, WA10 1HP. *Please note, this particular event is only open to organisations who have staff working in the borough of St Helens.

This event is £29 team entry

The second event (open to all organisations in the Liverpool City Region) takes place on Wednesday 22nd April 2020, 6.00pm to 9.00pm at FireFit, 115 Upper Warwick Street, Toxteth, Liverpool, L8 8HD. This event is £149 team entry OR £119 early bird price if booked before 31/01/20.

The evening consists of teams (5 to 8 people per team) taking part in a variety of exciting beginner-level sports and activities, scoring points for their team in a bid to become the most active organisation in the Liverpool City Region! Businesses of all shapes and sizes attend the event, and no previous experience of sport or level of fitness is required for individuals to take part.

The Business Games is organised by MSP, who promote physical



activity and sport in the workplace as part of their 'Active Workplaces' programme. There are clear business benefits to having a more active workforce, with research showing that active staff take 27% less sick days than colleagues who are inactive. Investing in workplace physical activity also enhances an organisation's Corporate Social Responsibility, reduces staff turnover and improves staff morale, teamwork and communication.

It's perfect for:

- developing teamwork and communication skills
- boosting staff morale
- networking with other organisations
- raising awareness of fun ways to be physically active

For further information about the event or to book your place please visit www.merseysidesport.com/businessgames.

You can also contact the Active Workplaces team on 0151 728 1811 or email activeworkplaces@merseysidesport.com.



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](#)



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](#)



**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.

Ngaryan Li speaker at Feeding Liverpool Conference highlighting Food Poverty in the City



Ngaryan Li, the Senior Solicitor at Vauxhall Community Law & Information Centre was one of the keynote speakers at a conference facilitated by Feeding Liverpool and Mencap. Ngaryan spoke on "Human Rights, the welfare system and the risk of hunger: the landscape for people with learning difficulties".

The impact of benefit changes on the food security of vulnerable people Conference Liverpool- :Organised by Feeding Liverpool & Mencap



North West Legal Support Trust

Vauxhall Law Centre is looking for partners to work on the North West Legal Support Trust's Great Legal Bake, which takes place in the week of 10th – 14th February 2020. If you want to help the North West Legal Support Trust to raise funds and want to work with a Local Law Centre please contact Alan Kelly at the following email address: AlanKelly@vauxhalllawcentre.org.uk



Volunteers

Vauxhall Community Law & Information Centre is looking for volunteers we welcome people with legal, administration and accountancy skills and are particularly desperate for people with IT skills to support us, we are in the process of redeveloping our website and are stuck. Please drop us a line at:

Recruitment@vauxhalllawcentre.org.uk

Even if you are unable to help could you please circulate staff who may not see the Liverpool Law Magazine. Thank you.



News from Merseyside Law Centre

Fighting for equality through social justice to combat poverty & homelessness



This month, our 'Our Liverpool' project co-ordinator and solicitor Siobhan Taylor-Ward writes about some recent fantastic results she has secured for clients.

An 'Our Liverpool' client attended the Law Centre having been refused Section 4 support. He was destitute and sleeping on friend's couches. He is a failed asylum seeker in the UK of Palestinian origin and has spent most of his life in Libya. He has no official documents, is currently stateless and had an application for Stateless Leave to Remain before the Home Office. He received two section 4 refusals both giving opposing reasons for refusal. The appeals were submitted, and the Home Office's attention was drawn to the contradictory reasons for refusal. A hearing was listed. Prior to the hearing date both decisions were withdrawn and as a result of our submissions, Section 4 was granted meaning that our client will receive accommodation and support.

A second Our Liverpool client attended because of serious disrepair in the property he was living in. Asylum Seekers are given property, provided usually by SERCO, on a no choice basis. Amongst the problems were there was a leak from the toilet and the boiler was not working. Serco were not responding to the client's reports. We intervened and found that the property was not licenced as an HMO and reported this to Landlord Licensing at Liverpool City Council. They ordered that the repairs were completed, and a licence was obtained. Weeks later the client returned as the disrepair had reoccurred, it became clear that the Licence was still not in place. We again reported to the council

who have ensured that the repairs were carried out and began criminal proceedings against the landlord for their failure to obtain a valid HMO Licence. We believe this legislation helps to protect private renters and our work highlighting these rights to our clients and pursuing enforcement via the correct channels will help to ensure private renters and asylum seekers in our city have adequate accommodation to make their homes.

A housing client had gone into rent arrears when he lost his job having been hospitalised as a result of mental health problems. Upon his release he struggled to obtain correct benefits advice and spent several weeks with no help towards his rent. His landlord issued possession proceedings against him and an eviction date was set. We were able to assist him in obtaining a significant DHP award which has cleared most of his arrears. We then made an application to the court to stop the eviction and represented him in court to suspend the warrant for eviction on terms which are manageable in his circumstances. This has removed a great deal of stress for the client which is trying to improve his mental health. He said that the pressure relieved by the DHP payment is enabling him to concentrate on sorting out other areas of life in the hope of improving his health and returning to work soon.

Social Media

Follow us on social media

Twitter: @MerseyLawCentre

Facebook: Merseyside Law Centre

Leadership and the Law

Continuing our series of articles talking to the leaders of Liverpool law firms. In this edition, Frank Maher, Managing Partner of Legal Risk LLP gives an insight into his role...

Briefly describe your role as Managing Partner

'Managing Partner' is a slight misnomer because we share the management responsibilities between our three partners. We each have our areas of primary responsibility, but I take particular responsibility for IT and pretty much anything which has not been specifically allocated elsewhere, while our COLP Sue Mawdsley deals with our own compliance and Francis Dingwall, in our Oxford office, is our COFA and finance partner.

As with my partners, my primary role remains fee earning, business development and client relationships. One of the most time consuming aspects is keeping up to date, because there is so much constant change in our specialist areas of practice, professional regulation and professional indemnity insurance for professional firms, and we also need to keep up with what is happening in the areas in which our clients are practising.

What do you like the most about your role?

I enjoy dealing with our clients – mainly law firms – and the challenges they throw at us. Like any other lawyer, I enjoy a win, whether it is fending off an SRA investigation, winning an insurance coverage dispute, or just finding a way to solve a client's problem. And the variety of work we see is surprisingly wide, though I will probably have to wait some time to see another professional negligence claim arising from the death penalty.

There are quite a few law firms in practice which would not still be going if we had not been asked to help them. These include firms which have had rogue partners, leading to regulatory investigations and claims which might exceed the firm's insurance cover, cases where insurers have tried to avoid cover for claims, and cases where insurers had gone bust and the firms initially appeared to be outside the eligibility criteria for compensation from the Financial Services Compensation Scheme but we have found a way round it. And I have enjoyed the travel to far flung parts of the world, particularly a week in Brisbane when it was rather warmer than it is here now.

What are the biggest challenges?

Making people realise that we are a law firm! And that we are not doing box-ticking compliance work, but real law at the sharp end covering a lot of technical law on topics such as legal professional privilege, conflicts for US law firms, anti-money laundering, cross-border regulation of law firms, data protection, and insurance coverage litigation worth well over £100m.

When we set up, there was no competition, and people didn't really understand what we did – there was no SRA, anti-money laundering was new and rudimentary, COLPs and COFAs hadn't been invented, and ABSs were an unknown concept. There is competition now, but we have carved out a niche with our domestic and international client base. We are not alone in facing the Brexit challenge, though it has brought some work for international firms. Sue Mawdsley and I have been admitted as solicitors in Ireland, though whether that will help the firm remains to be seen.

We often face some of the largest law firms whose resources far exceed



Frank Maher

ours. But our profile means we can be nimble so it is not necessarily a disadvantage.

What aspects of your firm are you most proud of?

Building a practice from scratch (16 years ago) from a Liverpool base with a client base comprising over 40 of the top 100 UK law firms, over 30 major US firms, and insurance and law firm clients as far afield as Australia and China. But at the same time, we're also here for the high street firms and have kept many alive in the face of adversity. One advantage of starting a law firm from scratch is that you don't have the legacy issues that afflict most of the rest of the profession – unpaid bills and unbilled wip dating back to the Stone Age, leases on property you don't need, and so on.

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

Advising London offices of Chinese firms on a new Code of Conduct introduced by a new single regulator of legal services providers in England & Wales, and advising retired partners with insurance coverage problems arising from reductions in the amount and scope in the compulsory minimum terms of insurance.

Frank Maher is a partner in Legal Risk LLP
www.legalrisk.co.uk

Meet the Ombudsman

The Legal Ombudsman, Mariette Hughes talks to Liverpool Law about her role...

Mariette Hughes studied Modern European Languages at Durham University and expected that she would travel after graduation, but met her now husband and decided she need a career closer to home and joined The Royal Society for the Prevention of Accidents as an office manager. Mariette administered an initiative which was devised to help families to keep their children safe within the home. When the funding ended for this initiative, Mariette joined Chubb Fire & Safety Group as a contract administrator.

Mariette joined the office of the Legal Ombudsman as an investigator in 2014 and was appointed to the role of Ombudsman, mainly focusing on conveyancing complaints, in 2016 before becoming a Head Ombudsman. Mariette says, “The Legal Ombudsman is very good at offering internal promotions and there are relatively few people who work here who are in the same position as when they started which is one of the reasons why I really love working here.”

On a day-to-day basis Mariette’s role is very much a dual one; firstly her focus is on the operational transformation of the organisation which includes learning from and developing their business processes, staff training and dealing with complaints and law firms. The other aspect of the role is more outward facing; she is responsible for stakeholder engagement, which can mean talking to the press, engaging with local law societies and the legal profession and using this information to develop policy. Mariette adds, “There is so much variety to the role, I go out and meet people and I really like that aspect.”

Mariette says that there are a few key areas that form the basis of complaints to the Legal Ombudsman. Firstly, law firms have to communicate effectively with their clients and that includes not using legal jargon. Their correspondence with clients should be clear and concise and they need to recognise that clients are people and shouldn’t just be viewed as a ‘case’. In addition, she says that law firms need to recognise that some clients have genuine feelings about their handling of the situation and they need to deal with complaints effectively and with sensitivity.

Mariette says however, that a report by the SRA has found that the number of complaints resolved at first tier by law firms has increased, which is a good indication that firms have improved their processes and have been dealing with complaints more effectively.

The SRA recently introduced new regulations which have enabled solicitors to work and offer services outside of the traditional legal entity models, including freelance solicitors. Under the new rules, a freelance solicitor who has been qualified for more than three years will be able to provide reserved legal services to the public. The Legal Ombudsman has worked closely with the SRA on the guidelines, not only for freelance solicitors, but also for the public. Mariette says that many of the same rules apply to freelancers, but the main difference is the level of protection for clients.

As an antidote to dealing with complaints Mariette plays American football. She is a member of the Birmingham Lions who are the current National champions, and she also plays for Great Britain. Mariette says, “It’s a great sport and it helps to channel all my aggression. I have been playing American football for about three years. Prior to that I played rugby for 16 years, but a knee injury put an end to that. However I needed a sport and you can play American football in a knee brace.”



Mariette Hughes

Mariette’s other claim to fame (other than being a Head Legal Ombudsman) is that she won the “Weakest Link” in 2011, taking home the £2000 prize money. She adds, “Anne Robinson was nowhere near as scary as some people I meet on the pitch!”

Mariette is married and has a six year-old son, she lists her other interests as cake decorating, she enjoys singing and has been in a choir and is really very good at playing the recorder. She also likes getting new tattoos.

Julia Baskerville

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.

A look back at 2019 at LLS...

Wow, where has the time gone! 2019 has come to its close, and we'd like to have a look back with our members at the wonderful events and happenings of the Liverpool Law Society and legal community within 2019.

President 2018-2019



First of all, a fond farewell to our 192nd President, Chris Topping, who has been instrumental in making 2019 such a progressive year for Liverpool Law Society. All those who know Chris, or work with him, know of his commitment to make legal aid accessible to all. This year, Chris has made sure Access to Justice has always been on the agenda and has been actively involved in the North West Legal Support Trust, The Vauxhall Law Centre, supporting the Young Legal Aid Lawyers, and also the Justice First Fellowship scheme.

In his year of office, his chosen charities were the North West Legal Support Trust and Love, Jasmine. The NWLST is a charity most of you will know and love, which raises funds and distributes them to organisations that support those who need legal help but cannot afford it, often the most vulnerable in Society.

Love, Jasmine supports family members directly affected by the loss of a child. They provide practical, emotional and respite support and promote self-care to improve the emotional well-being of the whole family. At the Annual Dinner and the Legal Awards a grand total of £2,751.50 was raised for these wonderful charities which has made an incredible difference. Chris and the Society would like to thank everyone for their generosity in donating to one or both of these charities. We would like to thank Chris for his time and dedication over the past year as President.

Newly Qualified, Pupil Barrister and CILEX Celebration 2019

On 24th January, LLS and MJLD members came together at 30 James Street to celebrate the hard work and achievements of all those who qualified in Liverpool during 2018.

Newly Qualified Lawyers, Pupil Barristers, Fellows of CILEX and their guests were welcomed by President of the Liverpool Law Society Chris Topping who urged them to become active members of their local law society, it being a place where they can find a sense of belonging and common purpose.



The event was a great success in welcoming and showing support to up-and-coming Solicitors, Barristers and Fellows of CILEX marking their achievement in the Law that they shared with their peers, friends and families who have supported them during the long route to qualification. The thanks of the Society were given to HHJ Goldstone QC, the Recorder of Liverpool, for handing out the certificates and awards to academic prize winners.

Full photo album is available [here](#)

If you qualified in 2019, or you know someone who did, you can still book on to our 2020 event [here](#) which will be held at Double Tree by Hilton Hotel on 30th January 2020.

Pathways into the Legal Profession 2019



In keeping with the Society's desire to be inclusive and encourage entry to the profession from all backgrounds, students from all schools and colleges across Merseyside were invited to attend the annual event, held for the fourth time, on 6 February 2019.

The President of Liverpool Law Society, Chris Topping, welcomed over 140 pupils and teachers from 15 schools to the Liverpool city centre Marriott Hotel. A panel of speakers from key institutions across the city outlined the various entry routes into the Law – from the traditional university route to the modern apprenticeship route, and other options in between. Dr Thomas Horsley said during the afternoon that “the law is open to everyone”, a message that came over very clearly by all account from the feedback given by the students.

“My experience at the talk today was a positive one, it was not only informative but interesting and helped solidify my choice to do law at university” Yasmin Adam, Student, The Belvedere Academy

The thanks of the Society are given to Slater and Gordon who not only sponsored the event but also provided an apprentice speaker to talk about their day-to-day working life. Thanks also go to the other speakers and organisations supporting the event: CILEX, Hill Dickinson, Liverpool John Moores University, Merseyside Junior Lawyers Division, University of Law, the University of Liverpool and Weightmans. We're looking forward to the event this year on 12th February 2020.

NWLST Liverpool Legal Walk 2019

The Liverpool Legal Walk is an annual event that has continuously celebrated the work of the legal profession and advice sector in protecting individual rights and ensuring access to justice for all. At this year's walk, umbrellas were out in full force! It is fantastic to see the legal community coming together once a year to raise funds for such a worthy cause. The cuts in public funding for advice centres such as Vauxhall Law Centre makes it incredibly difficult to make justice accessible to vulnerable people.



With your help, an outstanding £6362.81 was raised by teams of walkers across law firms, barrister chambers and the voluntary sector. The annual legal walk makes an incredible difference to this charity and social welfare in our community. We hope to raise even more at the 2020 legal walk taking place on Tuesday 9th June. If you'd like to get involved, please register your team [here](#). We look forward to seeing you there!

Legal Awards

Liverpool Law Society's Legal Awards dinner and ceremony took place on Friday, 17 May 2019.

It was a fabulous evening, and showcased the abundance of excellent legal work and talent over the last two years in the Liverpool City Region. The ceremony was hosted by Roger Johnson, the face of BBC North West Tonight. 300 members of the legal profession, sponsors and guests attended a glittering black-tie dinner at the Rum Warehouse. The Awards celebrated the success of firms and individuals alike.



The President of the Society, Chris Topping, congratulated all those who had taken part, saying "It is always great to celebrate the excellent work of the members of Liverpool Law Society and to hear of the impact which lawyers in our region make locally, nationally and across the world. The Awards Evening once again showcased the talent and gave us an opportunity to recognise those doing amazing work in firms both large and small."

The congratulations of the Society go to the winners and our thanks to all the sponsors. Look back at the full photo album [here](#)

The Society would also like to look back at The Law Society Excellence Awards of 2019. It was fantastic to have seen so many of our Liverpool City Region member firms get the recognition they deserve on a national level. Liverpool has become a major player in the business of Law, which has been highlighted throughout 2019. At the Merseyside Roundtables with The Law Society Gazette, President Chris Topping discusses the influx of commercial business in Liverpool since its crown of 'Capital of Culture' in 2008. 'This is an exciting time for Liverpool...' 'Lots of people are bringing their businesses here.' Access the full report [here](#)

Annual Dinner

On 7th November 2019 Liverpool Law Society's President Chris Topping hosted the 192nd Annual Dinner. Over 250 guests gathered at the



remarkable setting of The Shankly Hotel for a yearly event surrounded by good food and wine, and even better company. Whether you are a red or a blue, we hope you all agree the venue was exquisite.

Chris Topping, President of Liverpool Law Society, welcomed members and their guests, and hosted Presidents and Chair People of professional associations, including the Lord Lieutenant and High Sheriff of Merseyside, Lord Mayor Councillor Anna Rothery, our guest speaker James Timpson OBE along with members of the judiciary and civic dignitaries.

Our guest speaker, James Timpson OBE, gave a moving and enlightening speech. It was inspiring to hear about the work James does for the Prison Reform Trust to prevent re-offending, in a world where society often fails. James addresses the terrible surroundings offenders are faced with in prisons, and the need for "decent prisons to help provide self-growth".

We heard from our lovely Vice President Julie 'O Hare who shared some of her exciting plans for 2020, and she thanked our sponsors Interlink Recruitment and Midshire, without them the evening could not have been the grand event it was.

Please find the link [here](#) to the Annual Dinner 2019 official photo album. Our photographer made it his mission to take a picture of every table.

LLS & CNWLS

As the society representing the Liverpool City Region, we are very close to our neighbouring Society, Cheshire & North Wales Law Society. This year, there has been both friendship and competition! In September, we took part in the walk at Hilbre Island. Moving on to October, LLS and CNWLS went head to head in the most anticipated Football match in the legal community... and LLS bagged the win!



100 years of Women in Law

2019 was the centenary of a landmark piece of legislation that classified women as 'persons' under the then Solicitors Act and enabled female professionals to practice. 100 years ago careers in Law were not available to women. Fast-forward to 2019 and women have made their mark in the legal sector. In the Liverpool City Region, and further afield we were reminded of the inspirational women in our industry.

To celebrate 100 years of women in Law, we teamed up with School of Law and Social Justice at the University of Liverpool in holding an evening drinks reception to celebrate the start of the new academic and legal years. This event was used to launch the Exhibition for the First 100 years of Women in Law. The exhibition ran for a period of 2 weeks in November, showcasing the historical stories and biographies of the bold and brilliant 'first women' in Law.

Round up

Amongst social events, dinners, quiz nights, charity work and football matches, the Society hosted 80 committee meetings, over 100 legal training events, the Joint V gathering, and several meetings with MPs, councillors and organisations such as The Law Society. It truly was a busy year! With Access to Justice still firmly within 2020's agenda, we're looking forward to seeing what else Julie O'Hare will bring during her year in office, alongside Vice President Steven Zdolny.

Mansfield: Homes Evacuated after Massive Landslide



Residents living near an old quarry were forced to evacuate their homes for two weeks after a month's worth of rain in a day triggered a huge landslide. As **Tim Champney, Managing Director of Future Climate Info** reports, they have now been allowed to return, but more heavy rain likely through the winter means that the threat remains.

Thirty-five homes in Bank End Close and Stone Bank, Mansfield, Nottinghamshire were affected after part of a cliff that formed the outer edge of old Bell Quarry gave way. Of these, nineteen households were placed in emergency accommodation while Mansfield District Council undertook clearance and reinforcing works.

The incident occurred on November 7th, **after a period of intensive rainfall that saw rivers in Yorkshire burst their banks the same week**. Eyewitnesses reported how the top of the bank collapsed bringing trees and tons of mud and rock down onto gardens. The manager of the local No5 Bistro told reporters how the mud "had covered fences that were 6 foot in height".

In total, some 1300 tonnes of debris has had to be cleared. Residents have been allowed home but told not to go into their gardens.

Risks were known

Col Holmes, who lives in Berry Hill Road at the top of the cliff, said the council had been aware of problems with the cliff since 2017.

"The council wrote to us and said the cliff was unstable but nothing has been done about it," he said. "Luckily nobody was hurt but there is anger among residents. We knew this was coming... and it will happen again."

An original planning application dating from 1999 for the properties at the foot of and parallel to the cliff made little mention of the landslip risk. On revision in 2007, a buffer zone was installed along the cliff as a safety measure.

The Council described the site as "complex" and in a statement said that in 2018 they appointed Fairhurst, a specialist contractor, to assess the site and advise on how to manage it. They said that the only risks that were recognised on the site were of "small scale rock fall."

The council went on to say that "Since their appointment Fairhurst has been actively assessing and surveying the slope. As part of the assessment the council carried out light clearance of vegetation so that an accurate drone survey could take place. These de-vegetation works were not in the vicinity of the slip area."

Emergency Funding Provided

But the buffer zone was unable to mitigate the destruction of residents' gardens as a mudslide was "not anticipated to happen on this scale." Short term remediation works include installing concrete blocks and a temporary stone road behind the houses where the gardens used to be in order to access and clear the debris. Retaining as much vegetation on the upper slopes is key to its overall stability so that it soaks up any future water flow.

The council has had to access dedicated emergency funding from the Government under the **Bellwin scheme**, which provides support across the country in case of disasters or emergencies.

The scheme provides local authorities with financial assistance if they have to spend more than 0.2 percent of their annual budget in response to certain situations. It has helped the council to fund removing the debris. Following concerns from residents about the site's safety, Mr Robinson said the council was confident that "all the correct investigations were completed prior to planning permission being granted".

Residents have also been able to claim £120 from Nottinghamshire County Council's Flood Hardship Fund and £500 from the Government's Community Relief Grant which is being paid to local authorities affected by the extreme weather.

Households will also receive council tax relief for the period of their evacuation.

Is there a Pattern?

To underline how unstable parts of Mansfield are, a second landslide occurred just two weeks later at Rock Hill, only a few hundred yards away to the north of the Bell Quarry area. Part of the property's back garden and a fence surrounding it were taken out by the falling earth.

A wall at the top of the precipice was also destroyed and bits of brick slammed into the footpath at the bottom.

Fortunately no one was walking past at the time and no one was injured.

With further rain forecast in what is proving to be an especially wet autumn and winter for the East Midlands and the North, questions remain about whether other former quarry slopes will become unstable in the area.

Mining History must be Considered

The events occurred a stone's throw from the headquarters of The Coal Authority, which sits in an extensive area of past coal, limestone and sand mining for which Mansfield was renowned.

The quarrying of limestone was a strong, although small, business primarily located on the west side of the town. A tramline enabled the town to export stone as far afield as London where it was used in the lower levels of the Houses of Parliament and Trafalgar Square.

The Bell Quarry site used to be operated by the Mansfield Sand Company, which still operates today in other locations.

Mansfield has seen a large number of housing developments in recent years, especially in the desirable southern, upland part of the town. Avant Homes, Barratt and David Wilson are all marketing properties in sites in this area.



A tractor accessing the debris to the rear of the properties.

Image courtesy of Nottinghamshire Post

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Future Climate Information's environmental reports and Premium Plus CON29 report automatically include a postcode specific subsidence risk rating from our partner Property Assure. This, together with a comprehensive dataset of past historic mining, natural and man-made cavities provides accuracy and clarity on the risks for homebuyers and conveyancers to make further enquiries as part of their due diligence.

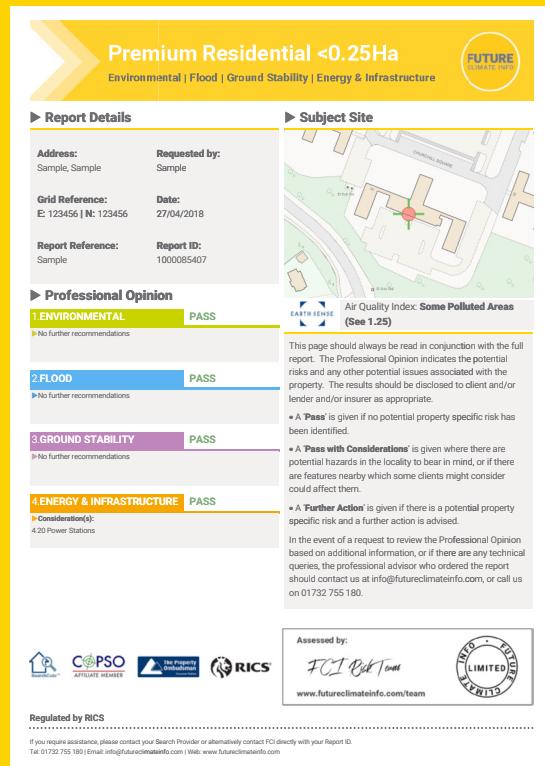
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Here is more information on risks from past mining and ground stability and our reports. Alternatively, contact us on 01732 755 180 or email us at info@futureclimateinfo.com

Main image courtesy of Nottingham Post

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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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Brown Turner Ross boosted by 27.5% increase in half yearly profits

Brown Turner Ross has announced a 27.5% increase in half yearly profits, a 12.8% rise on the figures presented in April of this year.

The firm has proven buoyant during a wave of wider economic instability, reporting year on year increase in turnover, which has increased by 14% in proportion to the same period last year.

All areas of the business have performed strongly, particularly family law, commercial property and private client alongside the firm's civil litigation work.

Brown Turner Ross has been growing over the last 18 months with a series of new hires and three new directors appointed and that expansion has been reflected in its blossoming financial figures.

Speaking about the figures, Sam Bushell, managing director at Brown Turner Ross said: "Brown Turner Ross has had a record half year, and as expected, the figures are really impressive, we have seen a 27.5% increase in profit and a 14% increase in turnover.

"The continued dedication from our highly skilled and equally motivated team is paramount to the success of the firm, along with the support from our loyal and much loved clients."



Sam Bushell

Kevin Ross, head of property at Brown Turner Ross added: "We have made a number of strategic investments in the firm, focusing on our core strengths as a firm in family law, commercial property and private client work. The rewards from these investments are now coming into fruition and this is reflected in our success, which stands the business in good stead for our future work across the Liverpool City Region."



Settlement Agreements: tricky issues & 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 agreement, what can and cannot be covered in a settlement agreement, and common problem areas.

What this course will cover:

Without prejudice discussions and protected conversations
Statutory requirements of settlement agreements
Independent advice
Future claims

Restrictive covenants
Reaffirmation clauses
Enforcement

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

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



Corporate Update 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,

Share splitting to attempt to defeat scheme of arrangement
De facto directors

Share transfers and s.127 Insolvency Act 1986
Liability of lawyers under SAAMCO principle on corporate matters
Mohamed v Abdelmamoud
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](#)

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Look After Yourself

Top 10 Tips for Good Mental Health and Wellbeing



Keep Active

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



Take a Break

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



Sleep is Important

Sleeping well can improve concentration and refresh you



Eat Well

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



Drink in Moderation

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



Keep in Touch

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



Share How You Feel

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



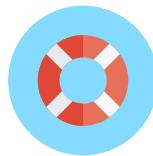
Give Back

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



Be Mindful

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



Ask for Help

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

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BLJ Solicitors attracts new talent as part of team growth

Bell Lamb & Joynson Solicitors continues to attract legal talent to support its growing business.

Following a busy year for recruitment, the North West law firm has welcomed a further five members of staff since November 2019, bringing annual growth of the team up by 122% with a total of 52 employees across its Liverpool and Runcorn branches.

As part of a company-wide strategy to implement modern working practices and keep staff wellbeing at the forefront, BLJ Solicitors is a leading employer in its field, adopting new technologies to streamline processes and aid internal and external communication.

Managing Partner at BLJ Solicitors Mike Leeman said: "We're delighted to have recently welcomed into the team five additional members in areas such as conveyancing, family law and commercial law. Having experienced incredible growth in terms of the volume of work across all departments, we need to match this demand with resource and have increased the size our workforce accordingly to ensure that we can uphold our reputation as a client-centric firm, with customer care at the heart of everything that we do."

"Recruiting within the legal sector can be difficult in this current economic climate but we feel that our focus on staff wellbeing and our dedication to professional and personal development really sets us apart and has enabled us to hire incredibly skilled and passionate employees that we're sure will contribute to our continued growth as we head towards our 200th year in business in 2021. We've always encouraged our team, no matter their level, to get involved in managerial decisions and play a part in discussions about the direction of the business and this approach has really been integral to our success. With this in mind, it's been great to welcome in a number of young professionals who are eager to enhance their careers with our help."

BLJ Solicitors is a multi-award-winning firm that currently deals with over 4,000 matters annually, working with clients from across the region and further afield in criminal law, conveyancing, wills, probate, family law and personal injury to name just a few.

Mike added: "At the end of our last business year, we had reported company growth of 27%. With this in mind, we're already recruiting for two additional positions including a family solicitor and conveyancing fee earner with plans to expand again in the new year.

"We recently welcomed Terry Otty to the team as a commercial litigator and as an experienced solicitor in this field, we are confident that he will be instrumental in helping us to establish this area as a department in its own right to complement our current private client work. We're pleased to say that 2020 is shaping up to be our busiest year yet."



**Rebecca Steventon Conveyancing Paralegal,
Gemma Stenson Senior Family Paralegal
and Sam Austin Senior Conveyancer.**

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 nature 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](#)

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Council Member Sarah Lapsley

sarah@excellolaw.co.uk

It was lovely to welcome Nina Ferris to Council last week, along with a number of other new members. Council benefits so much from the injection of fresh blood, new ideas, new perspectives. The past 18 months have seen unprecedented changes in the way that things are done at the Law Society with the creation of the Board and I for one, feel that Council is benefitting from that already with a more dynamic and focussed agenda. Combined with a diverse, engaged and enthusiastic Council, I am optimistic that 2020 will be a good year for the Law Society.

SRA

Council also welcomed Anna Bradley, who has taken over as Chair of the SRA. Anna presented to Council the SRA's draft proposed strategy for 2020 – 2023. Much work is being done by our President and other key senior figures to develop a closer and more collaborative working relationship with the SRA with a view to strengthening our influence and contribution to the SRA's strategy. All good news in my view and a healthy approach to any working relationship where the parties may have differing agendas.

Professor Mayson's Review of the Regulation of Legal Services I have written previously about this important topic. Professor Mayson's reports (not yet finalised) may not have been requisitioned by the Government but there is a certain inevitability that when the time comes, this detailed piece of research will be influential and so it is vitally important that the Law Society continues to push back on ideas and assumptions that may damage our profession. The work continues and a further response is to be issued, setting out concerns to a multi-layered approach to regulation.

SQE

Since the SRA began to develop SQE in 2014, the Law Society has responded to all four rounds of consultation and the SRA have responded to many of the key issues raised. The inclusion of a degree level qualification and two full working years of qualifying work experience as requirements, were major achievements. We have also been heavily engaged in ensuring the profession is aware of the upcoming change to legal education, working closely with the JLD. An updated SQE overview is available on the Law Society website. I have also referred previously to Alan East's invaluable work in this area. Alan is Chair of our Education and Training Committee . He has issued an excellent series of podcasts focussing on different elements of the SQE, the most recent recorded with Julie Brannan, Director of Education and Training at the SRA, covering the SQE 1 pilot results. Alan's podcasts are

released every 4-6 weeks and aim to provide different perspectives on the SQE's development.

Wales Commission on Justice

The published recommendations of the Commission on Justice reflect long-held concerns that Wales has been historically underfunded and hit harder than England by the cuts to justice funding by Westminster governments over the last decade. Estimated expenditure by the UK government on the justice system in Wales has fallen by a third since 2009-10, although increased funding by the Welsh government and Welsh local authorities has offset some of this. The Commission's recommendations are wide-ranging and the Law Society's Wales office is canvassing members across Wales for their views.

Criminal Justice Campaign

A number of successes have been achieved as part of the criminal justice campaign led by the Law Society launched in January. Highlights from the September/October period include:

- Publishing new analysis on "release under investigation" (RUI), which highlights problems with increased usage. This resulted in wide press coverage in The Express, Daily Mail, Channel 4 News, The Guardian, The Telegraph, The Times and over 115 local news outlets. This was based on new data obtained by the law firm Hickman & Rose and a Law Society paper written in collaboration with members of the criminal justice committee. Following this, the government announced a review of the use of these provisions. The Law Society also met with Diane Abbott (Shadow Home Secretary) and Louise Haigh (Shadow Policing Minister) to discuss the issue.
- We launched a "Write to the Lord Chancellor" e-action calling for action on Legal Aid deserts and criminal justice. 640 members took part.

Promoting the Profession

Council heard that the Solicitor Brand campaign continues to promote the profession with the key qualities identified: honest and honourable, approachable and accessible, experts in their field, client focussed, delivering value for money and adding value to society.

The media relations team here, with the support of experts on staff and committees, achieved a 59% increase in broadcast media

coverage in the year to October 31. The Law Society knows from the member survey that being a strong voice in the media is one of the things that members expect and value.

Working Effectively

Council agreed its annual work plan, having agreed the budget and business plan in September. It also made some changes to the Law Society's general regulations further clarifying aspects of the SRA's independence following changes to the internal governance rules set by the LSB and heard details of the ongoing programme to ensure full compliance with these changes by the required date of July 2020.

A further discussion about the future size and shape of Council was held, with the aim of getting Council's views on the latest stage of the Council Membership Committee's thinking. This was a subject that I dealt with in detail in the November edition of this magazine. This work is designed to ensure that the profession is effectively represented on Council and that the Law Society operates effectively on behalf of its members.

The next meeting of Council will take place on 12 February 2020. My thanks go to Ross Hutchison and his team at the Law Society for producing an excellent summary of the meeting of Council last week, which has saved me an awful lot of time preparing this piece, at a busy time of year.

All that remains is for me to wish all of Merseyside's Solicitors a happy and peaceful Christmas and all the very best for the coming New Year. It is a tough job (or can be), with its rewards but batteries need to be recharged. We are all only human after all.

Sarah Lapsley



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](#)



Introduction to civil litigation

with Mike Winston

on Friday 7th February, 10am - 12.45pm

An up-to-date, working knowledge of the Civil Procedure Rules is essential for anybody conducting civil litigation.

This introductory half-day course will look at:

- Pre-action conduct;
- Issuing and defending proceedings;
- Allocation to track;
- Disclosure;
- Witness evidence;
- The court's case management powers;
- Relief from sanctions post Mitchell and Denton;
- Part 36 and offers to settle.

Competencies: A2, A4 & B7

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 rent charges
- 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](#)

Courses and Room Hire



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](#)



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:
venuehire@liverpoollawsociety.org.uk
Tel: 0151 236 6998 Ext 33
Liverpool Law Society, Second Floor, Helix,
Edmund Street, Liverpool, L3 9NY



We can offer you...

Professional working environment

Refreshments

Lunch ordering service

Audio Visual Equipment



"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

Training Room

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



Liverpool BID Company

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



Julie Johnson

Happy New Year to you all and after a fantastic 2019, we are already gearing up for another busy 12 months at Liverpool BID Company in 2020.

It is difficult to pin-point one highlight from 2019, as there was definitely no shortage of memorable moments during the year, with over £1.5m invested into BID areas, benefiting and supporting over 1,500 BID levy paying businesses directly through a number of key initiatives.

In the spring we marked ten years of the Mystery Shop Awards - a cornerstone of the BID's work with businesses to reward high standards in customer service and support our levy payers by helping them to up-skill their employees. As always, the quality displayed last year by our levy paying businesses was exemplary, with 16 businesses, from across the retail, hotel, leisure and hospitality sectors, scoring 100% and a further 66 scoring 90% or more for their customer service.

Summer brought some of the BID's key events to the city's streets - throwing the spotlight on our amazing levy paying businesses with Celebrating Castle Street and Celebrating Bold Street. Celebrating Bold Street saw throngs of people heading to this iconic thoroughfare to sample its thriving independent restaurant and retail scene; it marked the culmination of the BID's Independents' Week - a campaign to engage local independent businesses, employees and visitors in celebrating the entrepreneurial spirit of Liverpool's growing independent business community. Working in partnership with Liverpool Hospitality Association, the BID also launched the inaugural Chefs Awards as part of its Food and Drink Week, rewarding the shining lights of Liverpool's vibrant restaurant scene for their culinary skills and dedication to the local economy.

In 2019 the BID also unveiled a new sculpture on The Liverpool Plinth at Liverpool Parish Church, Chapel Street. Created by North Yorkshire-based and Egyptian-born sculptor, Sam Shendi, Split Decision explores themes of mental health and depression using multicolour, and comes to the city thanks to a partnership between the BID, the church and city gallery, dot-art, all part of the BID's commitment to enhance the Commercial District BID with thought-provoking, public art.

Liverpool BID Company's Street Rangers hit the headlines in 2019, as featured on ITV Granada Reports for reaching its one year landmark. Thanks to a £250,000 investment by the BID, a total of 20 miles of pavement have been cleaned, 700 stickers and graffiti removed, and 200

private areas made to sparkle again since its inception. Of course this is an additional cleansing and maintenance service to those already provided by Liverpool City Council.

I also hope everyone enjoyed the beautiful Christmas decorations and lights that adorned our streets and buildings during the festive season, thanks to a BID investment of nearly £250,000, funded by the 1,500 BID levy paying businesses in the city centre.

Looking ahead, I am personally excited about what the new year will bring to our city region and the two BID areas, in particular the progress to be made with the Commercial District SRF (Spatial Regeneration Framework), our strong partnership through the MIPIM Liverpool group, as well as the Pall Mall development with Kier Property and CTP, which will provide 400,000 sq ft of much needed grade A office space and potentially create more than 2,000 jobs in the Commercial Business District.

You can also expect the BID to build on the incredible legacy of our 2019 projects, promising bigger and better in 2020. Just watch this space!

For updates on all the latest BID news you can visit www.liverpoolbidcompany.com and on social media

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



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](#)

Regulation Update

The latest regulation news from
Andrea Cohen of Weightmans LLP

'The times they are (still) a-changin'

'The times they are a-changin' – what's in store for 2019?' was the title of the January 2019 column, and writing for this publication in December 2019, I thought it might be worth looking back to see how our predictions fared, and take the opportunity to look ahead into that crystal ball for 2020.

SRA Standards and Regulations

Our predictions in relation to the SRA Standards and Regulations were correct (we didn't have a name then, but it looks as though STaRs is going to stick, if only because it's quicker to type, although the SRA do not like it.). Whilst they were expected to be in force 'in or around Summer 2019', which eventually became 25 November, we do now have shorter codes and a considerable number of new and re-issued guidance which was released over the months beforehand. They were all, rather unhelpfully, then redated 25 November, together with 13 warning notices, with no indication of what, if any, amendments had been made over and above the references to the previous Handbook, outcomes etc. being amended to the paragraph numbers of the new codes and new rules. The Law Society has also taken the opportunity over the last couple of months to release new advice and practice notes, with 35 being released between 25 November and 11 December alone. It's becoming a full time job just keeping up with the 'new' information!

SRA Transparency Rules

The Transparency Rules have caused difficulties for some firms, particularly with the need to keep updating them as hourly rates, scope of work etc. change. As well as dealing with those firms whose websites were not compliant in the first review, the SRA 'web sweep report', also dated 25 November, confirms that it will "conduct regular six monthly web sweeps, reviewing 600 law firm websites on each sweep." The SRA has gone on to say that "while generally these sweeps will continue to look at a representative cross-section of firms, we will also target a higher proportion of firms providing immigration services, until we are satisfied that firms providing services in this high-risk area are complying with our requirements." The SRA also plans to conduct a thematic review during 2020. You have been warned!

The SRA digital badge, compulsory on websites since 25 November, has been in the news recently. A solicitor who believes it to contravene data protection laws has asked the ICO to rule the scheme unlawful, order the SRA to stop mandating the badge and for law firms to immediately stop displaying the badge.

Disciplinary issues

My prediction in January 2019 was that the burden of proof in SDT proceedings would be changed to the civil standard. It wasn't a difficult prediction to make as that would bring the SDT in to line with most other professional regulators, and on 25 November the new

Solicitors (Disciplinary Proceedings) Rules 2019 came into force. They will only apply to those cases certified as having a case to answer from that date, and the 2007 rules will still apply to those certified before 24 November, but heard after then. Unlike the changes to the SRA Handbook, the new rules are longer, with the emphasis on the overriding objective to progress matters quickly and proportionately. It is more than likely that with the change in the standard of proof there will be an increase in referrals to the SDT, with cases listed more quickly than previously due to the additional sitting days available, and we have already seen this with a number of our cases. Last year we advised, in light of the Leigh Day costs, that if you didn't already have insurance cover for regulatory defence costs, or your existing cover would be inadequate, it would be the time to speak to your broker/insurer. If you didn't do it then, you should certainly do so now.

Data Protection/ICO

As predicted, 2019 has seen a focus on internal systems and procedures, and an increase in individuals making data subject access requests. The ICO has published draft guidance for DSARs, which updates the previous code of practice which was last issued in 2017. The draft guidance takes the relevant provisions of the GDPR and Data Protection Act 2018 into account and the ICO will be consulting on this draft guidance until 12 February 2020. The guidance explains when a request might be considered complex (the



Andrea Cohen

volume of data on its own isn't a reason), what to do when the request involves information relating to another identifiable person, and guidance regarding DPA exceptions, including negotiations and management information.

AML Regulation

Last year, we noted that the SRA had warned that firms can expect no let up in scrutiny, following a large percentage of firms who were the subject of the SRA thematic risk project on AML in 2018 being investigated and disciplined for not having robust enough systems and procedures in place to prevent money laundering facilitation. A surprising number of firms had not done their risk assessments, over a year after MLR 2017 came into force, and the SRA announced that in 2019 it would concentrate on trust and company issues as well as conveyancing. True to its word, on 7 May, its latest Anti-Money Laundering Thematic Review focusing on firms offering trust and company services was published, which indicated that while many firms were fully compliant with their AML obligations, the SRA had substantial concerns about a significant minority and referred 26 firms into its disciplinary processes.

The referrals were for breaches of the MLRs and no evidence of actual money laundering or intentional involvement in criminal activity was found at any firm. According to SRA figures, based on the number of investigations, matters have improved as it began 172 investigations about AML compliance in the first three quarters of 2019, compared to 314 in the same period in 2018. In the last five years, the SRA has taken more than 60 cases to the SDT, resulting in over 40 solicitors being struck off, suspended from practice or voluntarily coming off the roll.

10 January 2020 sees changes introduced by the EU's fifth money laundering directive (MLD) being implemented in domestic law, and 31 August is when the first batches of reports required under the EU directive on cross-border tax arrangements must be made. On its website, the SRA says this will mean firms need to update their processes to bring them up to date with new legislation and it will also be changing its processes with changes to how the SRA approves some individuals under the regulations. Under the new AML regime, a listing on the roll will no longer suffice to show that a solicitor is not a criminal. The international Financial Action Task Force is requiring the SRA to inspect 'evidence of suitability' when approving appointments to key roles, which will include a basic DBS check to show that individuals have not been convicted of an offence that would bar them. The roles affected are so-called 'BOOMs' – beneficial owners, officers and managers. There is guidance on the SRA website relating to definitions of positions.

At the date of writing, no guidance from the Legal Sector Affinity Group has been issued, but according to the SRA the main changes to be introduced under the 5MLD are: a requirement for firms to inform Companies House of any discrepancies they find

in records of beneficial ownership; new requirements to register trusts, and more situations where enhanced due diligence must be carried out.

What we do know is that on the basis of its last thematic review, the SRA are writing to 7,000 law firm managing partners in relation to the AML arrangements and firms should be ready in the coming year to have risk assessments called in as part of a rolling programme of checks. The SRA has said it was not satisfied with the cut and paste assessments it had been provided with, or ones dated after the inspection request.

And finally..... Brexit

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

As this article is being submitted before the General Election on 12 December, I am certainly not going to predict whether Brexit will/may happen on 31 January, whether there will be a second referendum, or whether this will be the final heading in 12 months' time!

Andrea Cohen
Consultant
Weightmans LLP

2020 Domestic Abuse & Honour Based Abuse Conference

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

Chaired by Emma Palmer and covering;

Injunctions
HHJ Malcolm Sharpe

An understanding into Harmful Practices
Afrah Qasim, Savera UK

**Domestic Abuse and Honour Based Abuse:
Family Law Perspective**
Wendy Eves, MSB

**Domestic Abuse and Honour Based Abuse:
The Police Perspective**
Denise Malcolm, Merseyside Police

Why people don't disclose
Vicky Green, RASA Merseyside

To see more information, [click here](#)

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](#)

Do we hang up our personal values with our coats when we come to work?

That may seem an odd question but it's one I've often asked myself in my roles spanning the public, private and charitable sectors.

Fundamentally I suppose it's saying: *Do we bring our values to work and apply them to all we do or, like our coats, do we take them off when we arrive at the office and only put them on again when we leave to go home?*

(Just as importantly, does the organisation we work for reflect these values and make it possible for us to apply them? And, can any organisation claim to be truly sustainable if it doesn't? Deep questions for the start of this new decade!).

Law with Ethics

What's prompted these thoughts is a lively discussion between members of the Legal Sustainability Alliance's (LSA) Leaders Group and Task Force at a recent meeting hosted by Hogan Lovells with Sandy Abrahams, Partner at Lux Nova & Partners, who is heading up a new initiative called **Law with Ethics** - a call to lawyers to exercise their own moral judgement and care for the environment in their professional life. The intended result will be a movement of lawyers and firms shifting their services from those client transactions that could have a significant risk of severe environmental damage or risk to human health/welfare. This is not a completely new concept, but one which maybe needs to be given greater profile in the current political, social and business climate. In the context of law, ethics is based on the principles of serving the interests of consumers of legal services, acting in the interests of justice, acting with integrity and honesty according to widely recognised moral principles. A commitment to behaving ethically forms the basis of the standards and requirements set out in the Solicitors Regulation Authority (SRA) Code of Conduct.

Bringing our personal values to work

This commitment is not always easy to consistently apply our personal values in the workplace, particularly when we may not be able to influence what we work on or who we work with. **Law with Ethics** recognises this and will help provide support. In one way or another we are all influenced by those we work with and the organisations we work for. I've had (and continue to have) the privilege of working with a number of colleagues whose values clearly shape who they are and help inform how they do their job; how they treat staff, clients, customers and suppliers; how they respond to neighbours, community groups, members of the public and other stakeholders; how they approach their responsibility as stewards of the assets entrusted to them and of the environment; how they manage to meld being a sustainable business with one that is also profitable. In my earlier career I worked for international industrial gases company The BOC Group. The then Group Chairman, Pat Rich, led this approach from the top – he was insistent that he did not want colleagues to “hang up” their values and personalities along with their coats when coming in to work. He wanted all who worked for the company to behave ethically and be true to their personal beliefs. Pat's leadership was a strong influence on others and helped spread this ethos through the company. It gave staff “permission” to be themselves and, where necessary, call out unethical or inappropriate behaviours.

Stepping up to the plate

The 2020s will be the decade when professional organisations need to step up and take a stronger lead on tackling issues such as the climate crisis. In order to achieve the goal of a sustainable future on a finite planet, the Law with Ethics initiative aims to encourage individual lawyers and the firms within which they practice to broaden their professional duty of care to the environment and wider society. In practice this requires commitments from lawyers and law firms to:

- Divest professional support from transactions that have a high degree of risk of environmental damage/harm to human health or welfare



- Communicate environmental or social concerns with regard to action or inaction when giving advice to clients and challenge unsustainable behaviour and activity
- Inspire and support others to act sustainably and to adopt sustainable and resilient business practices

Although applying to a different jurisdiction and to the application of justice as a whole, the words of Judy Perry Martinez, President-elect of the American Bar Association, resonate:

“The legal profession of lawyers and judges and all those who have the privilege of delivering legal services to the public cannot leave it to those in future years to restore trust in our justice system. It will be too late. We must do our part, individually and collectively, to make the concept of justice a reality for all. This is our moment to get it right. To get it right for those whom we serve.”¹

The legal profession making a difference

As this next decade unfolds, and the time for us to make a real difference on the key sustainability challenges facing our society gets ever tighter, it is even more important that the legal profession and individuals working in it consider the ethics of the work they are doing, together with the ethics of the clients they serve (where they have a choice to do so). Aligned with this, the **Law with Ethics** initiative is a call to lawyers to exercise their own moral judgement and care for the environment in their professional life. This may not be easy. For some individuals it may prompt a decision to change who they work for. Some firms may need to respectfully decline instructions from certain clients. At best it will prompt some discussion about the way decisions are made within firms; about the implications on client work of claiming to be committed to acting sustainably and tackling issues such as climate change; about how the practice of law is applied to help achieve a more sustainable, fairer world for all. It will need every member of the profession to play their part and be guided by their own moral compass. So, as we start 2020, let's all resolve not to leave our personal values on the hook along with our hats, scarves and coats!

Jim Haywood

Director – Achill Management (Hosts of the Legal Sustainability Alliance)
Producer of Planet Pod podcasts (www.theplanetpod.com)
(Please contact jim@achillmanagement.com to be put in touch with the Law with Ethics initiative)

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

1. Journal of the American Bar Association – 9 August 2018
http://www.abajournal.com/news/article/how_lawyers_and_judges_can_help_rebuild_public_trust_and_confidence





NEWLY QUALIFIED SOLICITOR, PUPIL BARRISTER & FILEX CELEBRATION

**DOUBLETREE BY HILTON HOTEL,
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**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

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*Please note, Newly Qualified Solicitors, Barristers and Fellows can bring up to 2 guests along for the evening.

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Please note all bookings are subject to the Society's terms and conditions, visit <http://www.liverpoollawsociety.org.uk/terms-and-conditions>
Liverpool Law Society is registered in England and Wales, Company Number 00004302.

Charity and CSR Matters

Happy new year everyone!

I hope you all had a lovely Christmas and had an opportunity to rest and reflect. If you're thinking about your new years resolutions there are always organisations that need help, especially at this time of year. If you need some inspiration feel free to get in touch and I'm more than happy to help.

This month you will see the amazing work of Simpson Millar and their support for Headway. This is a charity very close to my heart and to see such a huge amount raised is great- well done to all involved. Carpenters have once again had their rucksack appeal and it just keeps getting bigger and better. Having worked alongside Carpenters for a Christmas event a few years ago I have seen some of the essential items put into the rucksacks and first hand how much they are appreciated and needed by the homeless.



The wrapping event at Weightmans was a great success with over 60 gifts bought and wrapped for the children and babies at Zoe's Place. I was an emotional wreck in the shops buying some of the gifts for the babies, just thinking how this could be the last Christmas for some of those in there. I hope the gifts went some way to making it that little bit more special for them all.

Jennifer Powell
Associate
Weightmans



Jennifer Powell

Carpenters Santa Dash

Congratulations to Carpenters who took part in the Liverpool Santa Dash on Sunday 1st December. They had 38 team members, and two dogs, subscribe to the race – one of the largest teams to enter! They have raised £665 so far for Claire House Children's Hospice, with donations still coming in!

Carpenters Director, Donna Scully, also dashed to raise money for Fans Supporting Foodbanks and raised an incredible £1,420!



Carpenters #RucksackAppeal

The 2019 #RucksackAppeal has been one of the most successful yet, with nearly 100 rucksacks being collected from teams across Merseyside. On the 12th of December, Carpenters delivered rucksacks from their Wirral offices to the Charles Thompson mission and on the 19th of December delivered the rucksacks from their Liverpool offices to The Whitechapel Centre so that they could be distributed in time for Christmas.

Law firm staff rally to raise £32,000 for brain injury charity

Simpson Millar attended London event to deliver fundraising cheque to Headway

Representatives from Simpson Millar attended the Headway Annual Awards ceremony in London last week to officially deliver a cheque for over £32,000 which has been raised through staff-led fundraising initiatives throughout the year.

Part of the firm's commitment to its role as 2019 'baton holder' for the brain injury association charity Headway, the money will be used to support its work helping people who have been directly and indirectly affected by brain injury.

The funding efforts from the team across Simpson Millar's network of 11 offices included taking part in 'Go Wild' - Headway's annual Corporate Challenge to take on a variety of grueling outdoor activities including trekking climbing and lake swimming - mince pie mornings, and the quirky #HatsForHeadway event.

The firm also hosted a glamourous masquerade ball at the Hilton Hotel in Liverpool in September, which was attended by more than 140 people and raised in excess of £9k for the charity.

The combined efforts of the staff saw them easily beat their initial £20,000 target.

The Annual Headway Annual Awards at the InterContinental in Mayfair celebrates the exceptional efforts of survivors of brain injury as well as those caring and supporting them.

Ian Cohen, Head of Personal Injury & Medical Negligence Claims at Simpson Millar, said: "It's been an honour for us to support Headway throughout 2019 especially in this, their 40th Anniversary Year. Well done to everyone, both inside and outside of the firm, who took part in our events and who donated essential funds to a wonderful charity."

"The work that Headway do on behalf of serious head injury victims is absolutely invaluable. At Simpson Millar we know that when people suffer life-changing injuries they and their families need a lot of support after an accident and Headway helps rehabilitate those most in need."

"Our own values of being open and supportive of survivors of brain injury and their families are a perfect fit with Headway and we look forward to continuing our support and building our relationship with Headway in the years to come."

Jo Plant, Director of Fundraising for Headway – the brain injury association, said: "We are so grateful to everyone at Simpson Millar who worked so hard and showed such courage taking part in some truly testing fundraising events. It was lovely to see how the whole organisation really got behind Headway to give their time and effort so generously throughout the year."

"To break what was already a difficult target by so much is amazing, and the money raised by their efforts will enable the charity to support many people living with the consequences of brain injury. Thank you to everyone who took part."

Headway is dedicated to promoting an understanding of all aspects of brain injury and to provide information, support and services to survivors, their families and carers. In addition, the charity campaigns to reduce the incidence of brain injury.



(L-R) Ex-England International footballer and Headway supporter Ryan Mason with Simpson Millar's head of personal injury and medical negligence Ian Cohen.

Dealing with default judgements

with Mike Winston on Friday 7th February, 1.30pm - 4.30pm

Default judgments are, at best, an irritation. Dealt with badly, they can lead to serious financial and procedural consequences for your clients. Knowing how to avoid default judgments and, when necessary, how to deal with them in a timely and effective manner is essential for civil litigators. This half-day course will give a comprehensive overview of this tricky area of the CPR.

The course will cover:

- The CPR requirements of rule 12;
- Registration of judgments;
- The effect on lay clients;
- Enforcement – what is it and how to deal with it;
- Regular and irregular judgments;
- Setting aside and varying default judgments CPR 13.2 or 13.3?
- Drafting the application – essential content;
- Drafting the witness statement in support;
- Mitchell and Denton considerations.

Competencies: A2, A4, B4, B5 & B7

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

New Books: Jack Temple Guilty by Bob Moss

Jack Temple Guilty is a legal office drama set in Barcourt Chambers located in the Temple London and tells the story of the daily battles faced by their senior clerk Jack Temple to keep his job and chambers afloat. A barrister's clerk is defined in the book as "a cross between a theatrical agent, a nanny and a pimp". Judge for yourself.

Set between 1995 and 2005 the story highlights the early male domination of chambers that is gradually undermined as female influences become increasingly evident. Jack Temple has to deal with this changing environment as well as whatever counsel and their professional clients throw at him. This includes allegations of drug abuse that threaten a barrister's career and the very existence of Jack's chambers, all spiced up by jealous rivalry and external challenges to his position as senior clerk. For Jack Temple life in the fast lane is both stressful and exhilarating, and he thrives on it all.

Jack Temple Guilty is the middle book in the Jack Temple Trilogy. The first volume Jack the lad covers Jack's early years as a bachelor and barrister's clerk learning his trade. The final volume Jack Temple Not Guilty takes Jack through a period of dramatic change leading up to the present day.

The trilogy is the product of the author's unique experiences both as a solicitor for 15 years then as a senior clerk / practice manager of chambers in London and Liverpool for 14 years.

The books are for those who enjoy a good legal drama and include fans of the TV legal drama series such as "Silk" and "North Square", as well as the box set "Suits", not forgetting the exploits of Rumpole! Former barrister and writer Peter Moffat has been quoted as saying he believes the legal world is such a fertile ground for drama because everybody's under pressure. This is certainly true of life for the clerks in Barcourt chambers, especially senior clerk Jack Temple.

Reviews

"A fascinating insight into the politics and power-games of a barristers' chambers and their all-powerful senior clerk."

Tim Kevan, author of Law and Disorder and Law and Peace

"I enjoyed the read. Good holiday stuff. I recommend it."

David Goddard Senior Clerk at 4 Stone Buildings and President of the Institute of Barristers' Clerks

"I enjoyed the book which is an interesting insight into our work and how the female clerk has developed. I think readers will enjoy it."

Jackie Ginty Deputy Senior Clerk at One Essex Court.

For further details visit
www.jacktemple.co.uk



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:

Which American Football Team does Mariette Hughes play for ?

Please send your answer to
editor@liverpoollawsociety.org.uk
no later than 27th January 2020.

Congratulations to
Sarah Mansfield of GWL
Solicitors for correctly
answering the question in
the December 2019 edition of
'Liverpool Law'.



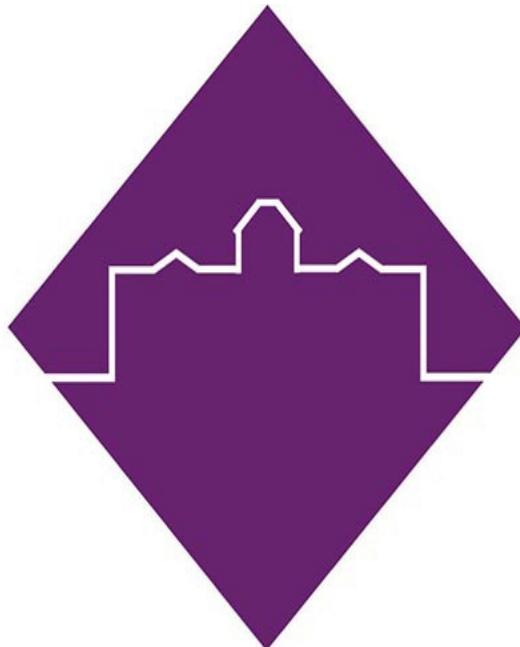
Charity Spotlight

Blackburne House, formerly the Women's Technology and Education Centre (WTEC), was established in 1983 with the aim of progressing women from disadvantaged backgrounds into employment within technical professions – an area in which, at the time, women were significantly under-represented. Our mission is to seek to transform women's lives and encourage their independence through the provision of training & opportunities of every kind in an environment of equality & inspiration. We run innovative and inspirational social enterprises to support and enhance our educational vision whilst benefitting local people and local economy.

Our local community is massively important to Blackburne House; it impacts every element of what we do. Our work is diverse; from supporting women to reach educational goals, to working with community groups and businesses, providing food parcels and bursaries, we simply couldn't do such vitally important work without the help, love and support of the community. Here are some ways you can support our charity:

Book your next event with us. Located in the heart of the Georgian Quarter in a beautiful, Grade II-listed building, Blackburne House offers the convenience of a city-centre location – without compromising on style. What's more, each of our conference rooms combines original features and outstanding decor with state-of-the-art technology and facilities, making Blackburne House the ideal choice for both private and corporate events.

Visit our Bistro, all food is hand prepared on the premises daily, using fresh local and seasonal ingredients, which



Blackburne House Group

means you are treated to something different with each visit. We are proud to provide an imaginative range of vegetarian and vegan dishes and can cater for most dietary requirements, and you simply won't be able to resist our tempting cakes and bakes!

Become a Friend of Blackburne House for just £2 a week, and you'll be entered into a weekly cash prize draw. Upon sign-up, receive a personalised Welcome Pack, including your exclusive set of lottery numbers then merely check each week to see if you're a winner! As well as giving you the chance to win cash (and money-can't-buy) prizes, your contribution will help to fund the crucial work of Blackburne House - from developing our courses to investing in our students, nursery and beautiful Grade II building.

With your support we can continue to flourish for another 30 years and beyond.

**Blackburne House,
Blackburne Place, L8 7PE.
0151 7094356**

News from the MJLD

The Merseyside Junior Lawyers kicked off the Christmas spirit with another spectacular event. This time, at the radio city tower. As some of you may be aware, the MJLD committee have linked up with Cash for Kids as our annual charity to support the lives of the children of Liverpool and surrounding areas. The charity kindly gave us the opportunity to use the exclusive facilities at the Radio City Tower to not only eat minced pies and drink mulled wine, but also kick-start our fundraising for what we all believe to be an important and genuine charity, which helps so many children in all of our neighbourhoods.

Further to our last event, at the Royal Liver Building, the Radio City Tower showcased some more fantastic views of the city. The charity also allowed all of our guests to have an exclusive tour of the studio and despite some height fears, our guests thoroughly enjoyed the bright Christmas lights of Liverpool City Centre. The night also consisted of a raffle to help raise some additional money, so well done to all of our winners!

The venue was very exclusive in that it allowed a limited number of 50 people, so apologies to those who wanted to attend but couldn't. That being said, the exclusivity of the event allowed for an intimate setting for all of our junior lawyers to get to know each other, and catch up with those they already knew. It was the perfect night to combine charity with networking, so thank you for all those who made the effort to attend.

A special thanks also goes to Cash for Kids for allowing us the space to put on such a special night. Also, on behalf of the committee, a massive thank you to Erin Spadafora and Dee Lawless (both Morecrofts), our charity representatives who liaised with the charity endlessly to ensure that the night ran smoothly.

We are happy to announce that as a result of the night, we raised close to £300. Given the exclusivity of the event, the committee are proud of this contribution to the amazing work that Cash for Kids do and we welcome any further support in doing so either via our donation link (found on our social media pages) or at any

of our upcoming events. If you would like to learn more about the charity, feel free to visit their website www.radiocity.co.uk/cashforkids.

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

Twitter – @MerseysideJLD

Instagram - @Merseyside_jld

Facebook and LinkedIn – Merseyside Junior Lawyers Division

Molly Brislen (MJLD Publicity Representative)



Includes conferences

Liverpool Law Society

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



News from the WLD

Happy New Year

We would like to wish everyone a Happy New Year and we hope you all had a lovely Christmas. We have some fantastic events planned for 2020 so keep an eye on our social media and our website for more details.

MWLD Christmas Meal

The WLD Committee attended their annual Christmas meal in December which was held at Queens, Queen Avenue this year.



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.

Twitter

@MerseysideWLD

Facebook

Womens Lawyers Division – Merseyside

Website

www.wldmerseyside.co.uk

Email

wldevent@gmail.com



Women Lawyers
Merseyside



Merseyside Landmarks

In this edition we visit Neston in Cheshire...

The remit for this series of articles was to provide some background and interest on landmarks for members of Liverpool Law Society, both in the City centre, and further afield. This month takes us to Neston in Cheshire which isn't in Merseyside, but is part of Liverpool Law Society's core area according to the Articles of Association.

Neston is a Viking name, deriving from the Old Norse Nes-tún, meaning 'farmstead at/near the promontory' and is mentioned in the Doomsday Book as Nestone. Neston comprises a number of small towns including Great Neston, Neston-cum-Parkgate and Little Neston. The town was granted market town status in 1728 by Royal Charter and was the largest town in the Wirral Hundred in the 1820s.

Neston has 76 designated listed buildings. Five of these are listed as Grade II* and the remaining are Grade II. Most of these are cottages or farms, but also includes Mostyn House School. The school opened in Parkgate in 1855 and was a boarding school for boys run by the Grenfell family.

The chapel of the Grade II school was designed by Frederick Fraser and Warburton and built with red Ruabon brick and the painted glass windows were made by Morton and Co of Liverpool.

A Carillon was commissioned in 1918 to commemorate past students who had died in World War I. When the school closed in 2010, the bells from the Carillon were transported to Charterhouse School according to the wishes of A.G. Grenfell who said "that they may go on speaking to English boys as long as England lasts".

Alumni of the school include Hugh Richard Louis Grosvenor, the 7th Duke of Westminster, the psychologist James Ward and Sir Wilfred Grenfell (1865–1940), son of headmaster A.G. Grenfell. Wilfred studied medicine at London Hospital Medical College and then joined a mission organised by the Royal National Mission to Deep Sea Fishermen to Newfoundland in 1892 to improve the plight of coastal inhabitants and fishermen.

Sir Wilfred founded a number of cottage hospitals on the coast of Labrador and then went on to develop schools, an orphanage and



Mostyn House School

industrial projects throughout Newfoundland. In 1908 Grenfell was travelling by a dog-pulled sled to a medical emergency and was caught in an ice floe for several days without food. Eventually he had to kill some of the dogs to make himself a coat. When he was eventually rescued he ensured the dogs were buried with a headstone that said "Who gave their lives for me."

Grenfell died in 1940. The Sir Wilfred Thomason Grenfell Historical Society was formed in 1978 and the society purchased Grenfell's home in St. Anthony, Newfoundland and Labrador. Now restored it houses a museum and archives. Grenfell also inspired two characters in Canadian literature; Dr. Luke in Norman Duncan's 'Doctor Luke of the Labrador' published in 1904 and Dr Tocsin in Harold Horwood's novel 'White Escino'. He also inspired a Burnley Mill owner to create a new cloth. Walter Haythornthwaite of Burnley, Lancashire designed the 600 thread cloth for Sir Wilfred Grenfell to withstand the wintry conditions on the Labrador coast. It became 'Grenfell Cloth' and continues to be manufactured in the UK.

One of the oldest buildings in Neston is the Church of St Mary's and St Helen's. It was originally built in the 14th Century, but was re-built in 1875 and is a Grade II listed building. In the graveyard stands a sundial from the 14th Century which is inscribed with the names of the church wardens, this too is Grade II listed.

Neston is also home to a Grade II listed K6 type telephone kiosk, designed by Giles Gilbert Scott. Scott was invited, along with two other architects, by the General Post Office (GPO) to submit a design for new telephone kiosks. Scott's design was selected and the GPO's Kiosk No 2 was put into production which was constructed from cast iron with a domed roof. The Jubilee Kiosk which was based on Kiosk No 2 was introduced in 1935 to celebrate King George V's silver jubilee and was known as Kiosk 6.



A Newfoundland postage stamp featuring Sir Wilfred Grenfell

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

S Code	Date	Time	February 2020	Speaker
S4411	4th	2-4	GDPR and the effect on Business Value	Ian Sinclair-Ford
S4387	5th	1-4.10	Domestic Abuse & Honour Based Abuse Conference	various
S4379	7th	10-12.45	Introduction to civil litigation	Mike Winston
S4380	7th	1.30-4.30	Dealing with default judgments	Mike Winston
S4382	12th	10-4	Conversion to Family Law Certificate	Safda Mahmood
S4397	13th	9.30-12.45	Wellbeing and self-care for lawyers - for general practitioners	Claiming Space
S4398	13th	1.30-4.45	Wellbeing and self-care for lawyers - for those who work with traumatic materials / traumatised clients	Claiming Space

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



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