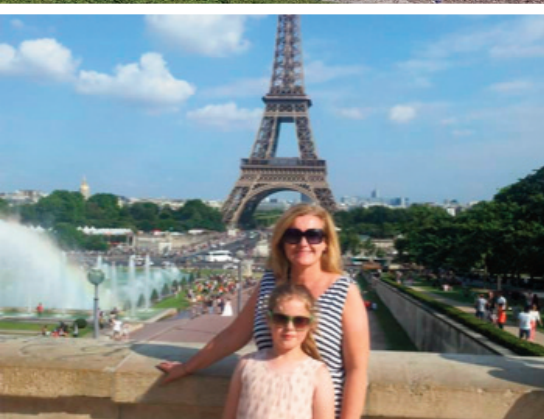
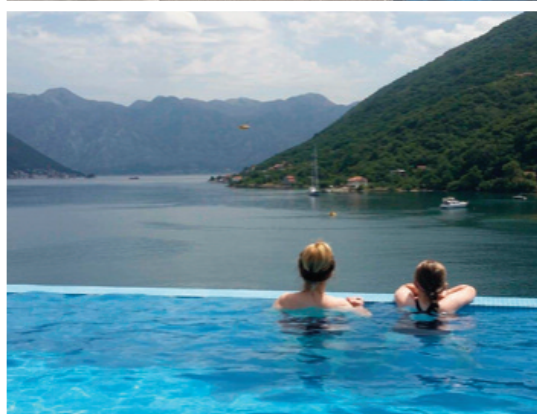
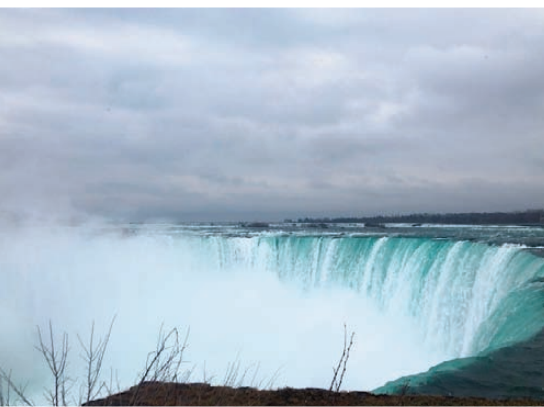
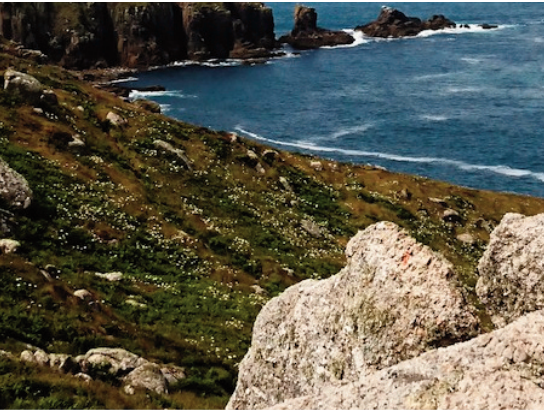


# Liverpool Law

August 2020

Liverpool Law Society

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



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



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Cover picture: Some of our readers holiday snaps. Read the article from LawCare on page 24 on why it's important to take a holiday

## DEADLINES 2020

21st August

24th September

27th October

24th November

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

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

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## Welcome to the August 2020 edition of Liverpool Law

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

This month we have a smaller magazine, which is quite normal for August. I hope you're all taking the time to take a rest. There is a great article from Lawcare this month on the importance of taking some time out, even though we are very limited on where we can go and who we can see still!

If, following your break, you have any ideas on articles please send them in. We are trying to be creative on the editorial committee and this month have a new feature of what you have been reading and watching during lockdown. I honestly don't know what I've been doing with my time and I'm quite envious of all the box sets my friends have watched. But please get your recommendations in. We are also looking to have a future feature on how our future world will look, juggling responsibilities of work and caring for children/relatives. If you are interested in being involved get in touch.

We are also looking for some new charities to feature in our spotlights, if you have any connections with a charity you would like us to include please let us know.

Many congratulations to Siobhan Taylor-Ward on winning the Legal Aid Newcomer award. Very well deserved and so nice to hear some good news during all this chaos. Each month we feature what the Merseyside and Vauxhall Law Centres are up to and how they can be supported. This month you will see that they are on the look out for volunteers in IT and finance, so if you have anyone in mind please let Alan Kelly know.

Many thanks

**Jennifer**  
**Jennifer Powell**  
**Editor**

## DIARY DATES

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

Due to the coronavirus the following forthcoming meetings and events will be online to maintain safe distancing:

6th August	1pm	Regulatory Committee meeting
13th August	1pm	TLS & JV CEO fortnightly meeting
19th August	1pm	Return to Workplace discussion for senior members
26th August	12.30pm	EDI Committee Meeting
27th August	1pm	TLS & JV CEO fortnightly meeting

## Editorial Committee Dates

All meetings start at 1pm

Tue 11/08/2020 13:00  
Tue 15/09/2020 13:00  
Tue 20/10/2020 13:00  
Tue 17/11/2020 13:00

# From the President

## The latest from the President, Julie O'Hare

As we finally start to see the weather change for the better (and lets hope it lasts) I hope that this edition finds you all keeping well and that you are preparing to take well deserved breaks – it's been a long lockdown!

Our training has started to slow down for the summer now too although we will be back with a full programme in September.

We may not be back to our usual social operations but we have continued to keep up with our regular meetings (with a few more to deal with Covid related issues when needed). We have also brought our furloughed staff back on a part time basis.

We saw our follow up "Return to the Workplace" meeting last month and we will be looking to hold another one in the coming weeks. It was interesting to see how our member firms are approaching different ways in which staff are returning to the office although the constant theme during the meeting was the safety and wellbeing of employees and clients.

It would seem that focus at the moment is both the physical and mental health of our members as we are now approaching the sixth month of life during a pandemic. Many firms have been arranging yoga and meditation sessions. It may be helpful to share experiences of different apps amongst your employees so that they can keep physically and mentally fit at home. Please do share with us any that you think would help our wider members.

It has been a struggle for many to stay in lockdown for so many months but for some the real challenge will be adjusting to life after lockdown. There are still so many uncertainties as to what will happen in the coming months which can cause extreme anxiety for those already suffering. It is important and so we all continue being conscious of our individualities and how we adapt at different paces.

Some firms are also going through change at the moment with many staff remaining on furlough and, sadly, consideration of potential redundancies before the end of the year. This is a real concern for me, particularly as those firms finding it tough are at the core of our communities. I have mentioned in previous editions the support that we can offer individuals through the Pritt Fund – please do look at our website for further information. There is also the SBA for anyone in financial crisis <https://www.sba.org.uk>.

Law Centres are also seeing an increase in enquiries and, with calls and online platforms now taking over from drop in clinics, people in dire need of help across the country are looking to utilise their services. These organisations are hard pushed to support their own local communities at the best of times, many with insufficient funding and volunteers. They are now faced with the ethical dilemma of being a service provider to a much wider group with little resources or turning people away. I would urge those that can offer assistance to your local centres to get in touch with them



**Julie O'Hare**

and see how you can help! We also continue to host our Access to Justice forums and hold regular meetings with local groups via our Access to Justice Committee. If you are interested in joining please email [committees@liverpoollawsociety.org.uk](mailto:committees@liverpoollawsociety.org.uk)

On that note congratulations to Siobhan Taylor-Ward on winning the Newcomer of the Year at the Legal Aid Lawyer Awards. Siobhan is an asset to our legal community and a shining example of how well the Justice First Fellowship works!

I have been part of two round table meetings with the Gazette last month addressing the challenges that our member firms have been facing since March and how the future of our local legal landscape is being shaped. I am extremely proud that we have such a strong local Law Society here in Liverpool with a wide range of firms, not only in size but also in practice areas, represented in our membership. It soon became apparent that firms are facing the same issues nationally as we are locally, although I am pleased to say that we do have a very determined membership (and a great sense of community) who have weathered the storm incredibly, adopting new ways of working to ensure business continuity!

From all of the meetings I have had the pleasure of attending this month one factor keeps reoccurring – communication!

continued on page 6

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## President's Column continued

Communication really is key – and it is a two way street! Firms who have had the most success in adapting and surviving have kept their staff and clients up to date regularly but they have also been keen to listen! When people feel more engaged and involved they feel more valued and this should be reflected further down the line with staff and client retention!

Our most recent ED&I meeting brought together the committee with Steven King, Head of Resources at BLM and Sarah Pickerill, Head of People at Carpenters Group. The meeting was centred around recruitment and we will be looking to engage with more of our members in a series of meetings focussing on diversity within firms. Please do join us at the next meeting which will look at policy within the workplace. Again, you can register your interest at [committees@liverpoollawsociety.org.uk](mailto:committees@liverpoollawsociety.org.uk)

My last column referred to the survey being carried out by the national Law Society for BAME members. The survey remains open so please do take part:

<https://forms.microsoft.com/Pages/ResponsePage.aspx?id=ss1OLdFCUEK3lCyvUjcZrY65BNma5odEq1gcXF2Do2hUQVRZNjFKRzBLMUplSzdKQjg5SzY3V1Q4Vi4u>

More recently the Law Society and Bar Council drafted a letter to Carrie Lam, Chief Exec of Hong Kong to speak out against the change to national security law and threat to judicial independence. The letter can be found here:

<https://communities.lawsociety.org.uk/lawyers-at-risk/law-society-and-bar-council-send-joint-letter-on-national-security-law-in-hong-kong/6001191.article#:~:text=Law%20Society%20and%20Bar%20Council%20send%20joint%20letter,Standing%20Committee%20of%20the%20Chinese%20National%20People%E2%80%99s%20Congress>

Liverpool Law Society also feel strongly about the attempt to amend the Basic Law of Hong Kong SAR and we shall also be writing to Carrie Lam as well as the Chinese Ambassador in London to express our concerns.

We have a number of consultations to be responded to shortly and I should be really grateful for our members' input. Both papers can be found on the links below. Please do copy us in to your responses at the earliest so that we may reference the same in our own response. Equally, if you would like to address the papers in part then please do let us have your views in writing so that we can include those.

• Departure from retained EU case law by UK courts and Tribunals  
<https://www.gov.uk/government/consultations/departure-from-retained-eu-case-law-by-uk-courts-and-tribunals>

• Constitutional implications of COVID 19  
<https://committees.parliament.uk/call-for-evidence/165/constitutional-implications-of-covid19/>

Until next month, stay safe!

**Julie O'Hare**  
President

## Siobhan Taylor-Ward wins Legal Aid Newcomer award at the Virtual LALYs

On 7th July, Siobhan Taylor-Ward of Merseyside Law Centre was named Legal Aid Newcomer at the LALYs. Accepting her award Siobhan said: 'I really wanted to help change society. I'd worked with vulnerable people for a long time and I wanted to do my best to help.'

Siobhan was a Justice First Fellow and trained at Greater Manchester Law Centre and Merseyside Law Centre, where she completed her training and qualified as a solicitor.

Congratulations Siobhan!



## Civil Procedure Update

On Thursday 17th September, 10am - 2.30pm (inc breaks)

**This is the annual round up of new cases which change the litigator's approach to practice.**

**With Helen Swaffield who will cover:**

- Fixed costs: the MOJ response to Briggs
- Fixed intermediary costs in multi-track and the end of budgeting
- Issue based costs orders
- Indemnity costs
- Part 36 and Calderbanks
- Service of proceedings
- Amendments to statements of case
- Disclosure – the pilot's future
- Inspection
- Privilege – how not to lose it
- Summary judgment
- Security for costs

**& more!**

**[CLICK HERE TO BOOK](#)**

# Meeting with Councillors

Zoom has come to dominate our working and social lives in the months since the lockdown began in March. As it has enabled us to maintain LLS's schedule of meetings, Zoom was the medium for the General Committee's meeting with Local Authority representatives on 02 July.

The geographical spread was wide, with Councillors Jane Corbett (Liverpool), Paulette Lappin (Sefton) and Steve Williams (Wirral) attending. The significant Officer element was represented by Jeanette McLoughlin (Liverpool City Solicitor). The Authorities' Officer cadre might be an important source of input for our In-House Committee in the future.

LLS's Chair of our Access to Justice Committee, James

Mannouche, updated the meeting. James explained that advice providers had been providing information about how their clients preferred to make contact and be advised. Telephone contact was popular. By way of subject matter, the level of Housing Law advice sought was a steady as was Welfare Law, whilst the need for advice about Contact with children during lockdown had risen. Danny Whittle of the Legal Aid Agency was in contact with James about the actual methods of applying for Legal Aid.

The Access to Justice Agenda item then broadened into a wider conversation. Jane Corbett asked about Debt, Employment and Housing matters and the levels of advice being sought. Lindsey Knowles as Employment Committee

Chair confirmed that ACAS is seeing increased Mediation and that - as yet - a flood of new claims had not materialised.

There was also more detailed discussion about Housing Possession Notices and Benefits being taken into account for Employment Tribunal Awards, on which Sarah Mansfield and Lindsey Knowles respectively were able to confirm key points.

The rundown of Parliamentary business had a number of measures which were relevant for local authorities. In previous meetings, I had referred to the progress of legislation which is now the Divorce Dissolution and Separation Act 2020, providing for "no-fault" divorce. Confirming that it was not yet in force, I suggested that Councillors' constituents might find it helpful. The Coronavirus Act 2020 was too large a measure to summarise at the meeting, so I indicated that it, and its delegated legislation was the source of current emergency measures. I also reminded Councillors that the Public Health (Control of Disease) Act 1984 is a Statute which the Government might utilise for pandemic purposes.

Amongst current Bills there are several measures which I mentioned as applicable to Local Authorities. There is very recent Business and Planning Bill which includes Planning applications, public transport and alcohol licensing. Also for mention were two Bills on technical issues concerning Non-Domestic Rating. To complete the political picture, I reported on the Parliamentary Constituencies Bill, which will maintain the House of Commons with 650 Members, which would amend the Parliamentary Constituencies and Voting System Act 2011,



**Jeremy Myers**

which provided for a reduction to 600.

The meeting concluded with the customary opportunity for the Councillors to raise issues which were of current concern to them or nor needed to be highlighted. Paulette Lappin confirmed the increase in food poverty, and Steve Williams paid tribute to how Council Officers had managed to source Personal Protective Equipment very fast for use by Council staff members.

It is to be hoped that the next meeting, fixed for January 2021, might take place in person. Of course, LLS Members are invited to contact the office with any suggestions for Agenda items ahead of that event.

**Jeremy Myers**  
Parliamentary Liaison Officer



## Commercial Property Update

Tuesday 22nd September, 1.30pm - 4.30pm

Ian Quayle will cover:

### Effective Reporting on Title

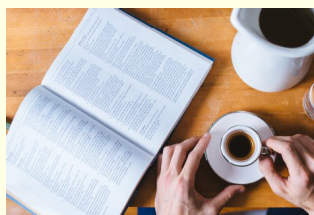
1. What should be reported
2. Dealing with Searches and Enquiries
3. Easements and Covenants – practical issues
4. Formatting Reports on Title
5. Tips and Traps

### Options and Overage

1. Recent Developments
2. Avoiding Traps

### Practice and Procedure

1. Property fraud advice
2. Boundary Disputes Protocol
3. The Law Society model leases
4. Telecommunications Code
5. Recent case law



**Core Competencies:** A1, A2, A4(a,b,c) A5 a,b,c,d,e B3 a,b B7 a,b,c D2, C1, C2, D3 a,b,c,d

[\*\*CLICK HERE TO BOOK\*\*](#)

# News from the Sub Committees

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

## Non Contentious

18th June 2020, via Zoom

Sadly, technology let me down! I tried to log onto the Zoom and was unable to do so, all I could see on my screen were members' faces literally zooming in and out. After ten minutes I succeeded in joining the meeting. We discussed the following;

### 1. COVID-19 Issues:

IT was working ok; work re employment, redundancies, frustration of contracts, lay-offs, increase in settlement agreements, employee enquiries.

One firm have a skeleton staff present. IT is working ok for remote working.

### 2. Training

Jo Downey, gave the following report: "As most of you will no doubt be aware all face to face training ceased in March. We transferred as many of our prescheduled events to online as we could and postponed others.

Those held online so far have seemed to go really well using zoom, although attendance numbers have been down.

LLS has recently taken the decision that there will be no more face to face training events for the rest of the calendar year, so the Private Client Conference which we hold in conjunction with STEP Liverpool which was moved from May to Dec, will now likely take place via zoom – I just await confirmation from STEP Liverpool.

The annual Residential Property Conference will also take place via zoom on 16th Sept – the programme is just being built, but not yet finalized, so any ideas for topics/speakers please let me have them asap!

In the meantime there are some great events scheduled for this month & next and early autumn covering; company & commercial, Res & Com Property & private client matters – I'll circulate a summary list post meeting. In addition, under the management section of our website we have 'managing teams remotely, SAR accounts rules for fee earners etc.

Lastly, don't forget about our 2 offers: 'the unlimited training for 1 person/price' Training Season Ticket\* and the Corporate Offer 'credit bundles'. Details of both the training offers are on website. \*on offer till end of month"

### 3. Hot Topics

#### Charity

One firm gives free advice re matters arising from Covid-19 for charities, they have been very busy, especially re governance, significant membership and election of trustees so e- meetings present an issue; filing accounts and returns, extensions permitted; income down, shops closed. Core work increasing again possibly due to decrease in Covid-19 illness e.g. in care homes.

#### Probate

Professor Debra Morris of the University of Liverpool, attending as

a guest and in her capacity as a member of TLS Wills and Equity Committee (WEC), thank you to Prof. Morris for taking her time to assist in the committee. Debra explained that the WEC is made up of experts who are appointed to the committee, following regular calls for nominations. The WEC advises the Society on matters relating to the reform of the law and the legislative process relating to wills, probate, financial and tax planning, trusts and estate administration and, insofar as it relates to such matters, the law relating to mental capacity and charities; supports the development of up-to-date professional advice and guidance on such matters; reviews and advises on the role, design and operation of relevant accreditation schemes; and liaises with the Society's Private Client Section.

Debra's specialisation is in Charity Law and she heads the Charity Law & Policy Unit at the University. The discussions referred to in the Gazette (1.6.20) relate to the potential change in the law relating to wills, as suggested by some people as a result of perceived difficulties encountered with making wills during the COVID-19 lockdown. TLS was invited to give expert advice to government and discussions were based on the Law Commission 2017 Consultation Paper on wills and TLS response. The matter is now with the Government to decide how to proceed.

#### Property

The Land Registry service is improving, slowly e.g. phone open but reduced hours. Land Reg will accept Mercury Deeds; discussions about accepting non witnessed signatures, but for the future; working on a protocol for consistency in the future. Commercial

There are re issues about force majeure clauses in commercial contracts; corporate deals have dropped off due to Covid, hopefully to return soon.

Date of next meeting – Thursday, 15th October.



**Naomi Pinder**  
Chair

## Consultations referred to Committees

(MoJ) <https://www.gov.uk/government/consultations/departure-from-retained-eu-case-law-by-uk-courts-and-tribunals> - closes 13th August

(Committees) <https://committees.parliament.uk/call-for-evidence/165/constitutional-implications-of-covid19/> -Closes 20 August 2020

(DBIS)) Support in the workplace for victims of domestic abuse - call for evidence - closes 9th September 2020

(SRA) Business Plan 2020/21

# Joint V update

The Officers and senior staff of Birmingham, Bristol, Liverpool, Leeds and Manchester Law Societies, known as the Joint V, have been meeting about every quarter for a number of years to exchange information, collaborate on joint issues and discuss plans for the future. Due to COVID 19, this meeting was held online for the first time in mid-July and perhaps as expected the pandemic, lockdown and slight easing of restrictions were a focus, as were the economic issues faced by the local Law Societies and our members.

It would appear that there are a number of law firms that are unaffected by the coronavirus, at least so far, whilst others have had to change dramatically the way they operate, making use of government support and looking very carefully at

where their income is coming from. For those not on furlough, working from home has become the norm, but now many firms are considering what will the new way of working look like. For some, a hybrid of a few days in the office and a few days working from home seems to be the likely way forward. A minority seem to be considering changing to a virtual office full time, and a few are interested in a return to the workplace, particularly on mental health and well-being grounds as not everyone has a home that adapts well to being an office too.

Each local Law Society gave a round-up of their current situation. Whilst we are all have some similarities, there are also marked differences. For instance, a couple of law societies own premises, whilst others, such as

Liverpool Law Society, rent spaces. Both scenarios have challenges. Some societies operate a rolling subscription year, whilst others have one fixed date for renewal. A lot of events have moved online where possible, but most societies have postponed any large dinners and awards due to be held in the current calendar year to 2021.

It is a challenging time in which to operate, but one that allows for major reassessment and rethink about the services we provide and the purpose of local Law Societies. We are looking forward to the next Joint V meeting which will be held towards the end of September this year where we can reassess once again where we are at.

A few days after this meeting, the Joint V met with the office holders of the Law Society. Simon Davis, David Greene and Stephanie Boyce (President, Vice President and Deputy Vice President) each spoke to us about the main themes and initiatives concerning the Law Society's activities at the moment. These included their Covid 19 assistance to members, Brexit, SQE and Black Lives Matter. They were keen to hear from the Joint V news and feedback from us and our members about their work. David outlined his areas of interest for when he takes over as President in October. They are: rule of law, access to justice, the criminal justice system and IT in the courts. He and Stephanie are currently doing a lot on diversity and inclusion. Stephanie



**Sarah Poblete**

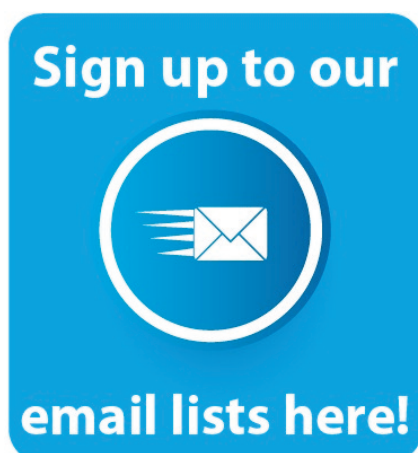
explained her areas of particular interest are in-house solicitors, social mobility and entry barriers to the profession and mental health and well-being. The meeting concluded with a Q&A session and a promise to continue the fortnightly online briefings that began at the beginning of lockdown and have been successful in offering more regular communication between local Law Societies and the Law Society of England & Wales.

**Sarah Poblete**  
CEO  
Liverpool Law Society

## 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**



## Increasing Access to Justice in Liverpool project update

The information below is an excerpt from the interim report produced by University of Liverpool staff Dr James Organ, Dr Jennifer Sigafos, Dr Sophie Wickham, Gordon Dim and Iqra Mazhir. Liverpool Law Society's role is one of organiser and meeting host for the project's Steering Committee. Immediate Past President Chris Topping chairs the Steering Committee, the role of its members being to give oversight to this project

### Executive Summary

In 2019 Liverpool City Council agreed to fund a project to evidence and then seek to combat the severe impact of cuts to access to justice funding, particularly access to free legal advice in Liverpool. The project is a strong partnership between the Council, the School of Law and Social Justice at the University of Liverpool, and Citizens Advice Liverpool (CAL), who won the tender to employ the project's network development manager.

The project aims to interview every organisation in Liverpool that gives free legal advice, and all those that refer people to these organisations. This research will enable us to map and understand advice provision in Liverpool. It will provide evidence of the impact of government access to justice policy in Liverpool, and also the impact of COVID 19 on the advice sector.

The COVID 19 pandemic has led to the project being reorganised. We brought forward the network development and started it alongside the mapping of advice provision. The research has been conducted through online interviews with individual organisations. We have had strong engagement from advice agencies, local support organisations, MP offices, and national charities across Liverpool.

Themes emerging from the first phase of advice provision research analysis are lack of funding, the negative impact

of competition between organisations, the need for diverse organisations, the ad hoc nature of referrals and partnerships at present, the importance of trust, and the variation in understanding of the boundary between information and advice.

The launch of the project in January meant we were ideally placed to get early evidence of the COVID 19 impact on Liverpool in terms of access to justice, which will help planning. Interviewees have described rapid service delivery changes due to COVID 19, with the closure of face-to-face services and considerable efforts put in to reaching people they support. There is a sense that the crisis has temporarily delayed problems and that the months ahead will bring an avalanche of client issues when benefits assessments, evictions and debt collections resume, and as the economic consequences unfurl. Finally, there is evidence of a COVID 19 exacerbated communication and digital divide.

This is a vitally important piece of work for our city and we are pleased to be able to facilitate this happening. If you would like more information then please contact Sarah Poblete.

### 1 – Outline and aims of project

Project Aim – Increase evidence of impact of legal aid cuts and welfare reform in Liverpool, and increase the effectiveness of free legal advice provision in Liverpool.

The resources and knowledge shared and developed in this project will help build a more sustainable legal advice network in Liverpool, and ensure that decisions relating to access to justice in Liverpool are made with a strong evidence base to maximise resources, impact and innovation.

### Progress so far - Months 2-4:

Development of the referral process and system has advanced positively. Extensive work has gone into developing procedure on the addition of new partners to the network, as well as how to work with our city region CA offices in relation to the Liverpool funded project.

Alongside CAL's I.T. Manager, we have created a 'Data Sharing Agreement' & 'Memorandum of Understanding' for partners using Refernet.

### Further Developments

Once the referral group has been established, the "Access to Advice Network" will be developed. The Network will bring together advice agencies and organisations delivering support such as information giving and advocacy that leads to legal advice. Its aim is to increase access to advice and increase the effectiveness of legal help provision through improving networking and referrals within the sector.

### 4 – Looking ahead

#### Research

We will publish a project report at the end of 2020 that will describe free legal advice provision in Liverpool and include policy recommendations to develop access to legal information and advice for people in Liverpool.

#### Network Development

The main providers of advice in Liverpool will be using the referral network to receive and make referrals by the end of 2020.

We will establish an Access to Advice Network, as outlined above, to build collaboration between network users and across the 3rd sector, and implement the training programme.

We must plan for the sustainability of the advice network. This first year is just the start of much needed collaboration between advice agencies that will have a significant impact on access to justice in Liverpool. The rewards will be felt more strongly in future years as the network strengthens, and without further funding the gains in terms of relationship building and improved referral processes may well be lost.

**Clatterbridge Private Clinic leading the way working with medical lawyers in the treatment of Mesothelioma with Immunotherapy. Mesothelioma is a type of cancer that develops in the lining that covers the outer surface of some of the body's organs and is usually caused by asbestos exposure. At Clatterbridge Private Clinic, we have expert consultants who specialise in Immunotherapy treatments for Mesothelioma patients.**

We are the only clinic in the northwest that provides a range of immunotherapy outpatient treatments for Mesothelioma. If you have clients claiming compensation for Mesothelioma due to asbestos exposure, we can provide them with the highest quality cancer care in a modern, relaxing, and safe environment. We can even provide a full breakdown of costs and treatments for you to use to support your client's claim, so they can recover costs from the Defendant or secure interim payments for their treatment.

Our Patient Liaison Team is always on hand to help you and your clients and provide any information they may need. We also have a concierge system in which we can arrange for travel to and from the centre for your client and even arrange for accommodation nearby if they have to travel long distances for their treatment.





**Vauxhall Community  
Law & 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.

### Are Zooms Days Numbered?



We have all had to make Fundamental changes in the way we work as a result of the Covid-19 virus.

Signs are now there that things may slowly be getting back to normal. Quite often, the Covid

emergency has meant that circumstances can change very quickly. Here at Vauxhall Community Law & Information Centre we are looking at the potential for re-opening in the coming weeks and are planning to make our environment as safe as possible for all of our clients volunteers and staff.

Although we are currently all still working at home our advice service is open 5 days a week and our Advice Line on 0151 482 2540 or alternatively we can also support people on email at the following address:- [Advice@vauxhalllawcentre.org.uk](mailto:Advice@vauxhalllawcentre.org.uk)

We have continued to support clients and have recently represented another two clients at Tribunal, over the telephone, the resulting decisions mean that the two clients will benefit from almost £12,000 p.a. between them.

### Congratulations Olivia Cumming



Well done to Olivia Cumming, one of our volunteers who has been with us since 2019 who recently graduated from Liverpool University with a first in Law, a fantastic achievement but not surprising. Olivia fitted in with all staff in the Law Centre and spent time with our benefits adviser,

solicitor and development officer and it is fair to say she will be sorely missed by us all because of her work ethic and flexibility and good humour, Olivia was an asset we are very sorry to lose. Thank you for your fantastic contributions to the Law Centre during your time with us as a volunteer, we really do appreciate your hard work.

We wish you well for the future and all at the Law Centre will miss you.

Olivia is still looking for Employment in a Legal position, if you, or your company can offer any opportunities and would like to contact Olivia, please get in touch with us at [alankelly@vauxhalllawcentre.org.uk](mailto:alankelly@vauxhalllawcentre.org.uk) and we will forward Olivia's details to you.

### A Massive Thank you



We wish to thank all who have given financial support to Vauxhall Community Law & Information Centre over the Covid-19 emergency lockdown.

Your support has been fantastic, it has boosted the morale of our staff and enabled us to continue delivering a service during the emergency

In no particular order, we have received financial support from the following organisations: -

**PH Holt Foundation, GMB North West & Irish Region, Steve Morgan Foundation, Ian Byrne MP, Lottery, Alex Ferry Foundation, Liverpool City Council and last but certainly not least National Lottery Awards for All**

Thank you for your support. It is appreciated

### Volunteers

We are always looking for volunteers without whom the Law Centre couldn't exist in its current form, although it may be difficult in the circumstances, we can provide support in terms of phones and computer software/hardware if required.

We are particularly desperate for people with Accountancy or IT skills to support us.

Please drop us a line at: [Recruitment@vauxhalllawcentre.org.uk](mailto:Recruitment@vauxhalllawcentre.org.uk) or call Alan Kelly on 0151 360 1126

Even if you are unable to help could you please circulate staff in your Finance and IT sections who may not see the Liverpool Law Magazine.

**Thank you for your support.**



# News from Merseyside Law Centre

Fighting for equality through social justice to combat poverty & homelessness



This month we celebrated the fantastic news that Siobhan Taylor-Ward, our housing and asylum support lawyer, was selected as the winner of 2020 Legal Aid Lawyer of the Year Awards in the Legal Aid Newcomer category. Siobhan is the first JFF graduate to win a LALY award, since the fellowship scheme was launched in 2014.

The LALY judges described her as 'a dedicated social welfare lawyer and dogged campaigner for justice in the broadest sense.' Jenny Beck, co-chair of the Legal Aid Practitioners Group, which organises the LALY awards, said: 'I am so proud to have Siobhan as a member of my profession. We are lucky to have her. She never seeks the limelight for herself, but always seeks justice for her clients. The warmth, respect, and admiration that her Young Legal Aid Lawyer and Justice First Fellow colleagues feel towards Siobhan absolutely shone through her nomination.'

After finding out the good news Siobhan said "I am honoured to have been in a category with such amazing lawyers & beyond honoured to have won the Legal Aid Newcomer award. Thank you LALY20 & thank you to my colleagues and clients who nominated me. I am so grateful to be able to do this job."

Siobhan puts her heart and soul into her work and is a true advocate for social justice and such an asset to Merseyside Law Centre. We are extremely proud and know this is just the first of many awards to come!



We continue to be busy giving advice over the phone and by e-mail while our staff work from home, providing advice and assistance on housing, welfare benefits and asylum support

Our current contact details are below so please do pass these onto anyone you think may benefit from or require our services.

**Tel:** 0151-709-0504

**E-mail:** [enquiries@merseysidelawcentre.co.uk](mailto:enquiries@merseysidelawcentre.co.uk)

**Twitter:** @MerseyLawCentre.

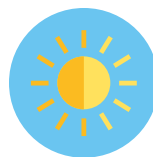
## Look After Yourself

### 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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## The North West Legal Support Trust launches 'Go the Extra Mile for Justice' fundraising campaign to replace 2020 Liverpool Legal Walk

The North West Legal Support Trust (NWLST) together with the Access to Justice Foundation (ATJF) has in July, announced the launch of its new fundraising campaign, 'Go the Extra Mile for Justice', an initiative designed to raise money for free legal advice centres that support disadvantaged people around the UK.

The campaign replaces the 2020 Liverpool legal walk, which the organisers have been forced to cancel due to the COVID-19 pandemic and current social distancing guidelines.

The NWLST are instead asking participants to continue supporting access to justice by signing up to 'Go the Extra Mile for Justice' challenge, a fun virtual fundraising campaign designed for all ages and fitness levels. Participants are tasked with travelling a number of miles in any form they like, from walking to running, skipping, cycling, or even hopping. For every mile they complete, participants can ask friends and family to sponsor a mile each, with a suggested donation of £10 per mile.

The initiative is designed to challenge each participant individually, giving them the flexibility to raise funds in their own time, at their own pace and to suit their own capabilities.

Along with the network of Legal Support Trusts across the UK, the aim is for a combined total distance of 20,000 miles to be covered by the end of 2020 and to raise £200,000.

The annual Legal Walks see thousands of legal professionals – solicitors, barristers, chartered legal executives and many others, along with friends and colleagues take part in 5-10k walks across England, Wales and Scotland to raise vital funds for legal advice organisations across the UK. The NWLST are hoping that as many supporters as possible will take up this new fundraising challenge and continue to show their support for access to justice at this critical time.

The money raised from the campaign will go to Legal Support Trusts throughout the UK, who distribute funds to free legal advice centres in their local area that help people with problems such as housing, employment, benefits, debt and immigration. The money raised in the area of Liverpool will help fund free legal advice agencies across Merseyside and the North West.

In recent years, cuts to legal advice and the closure of local advice centres have had a devastating impact on vulnerable people and disadvantaged communities, a situation that is further



exacerbated by the additional pressure caused by the COVID-19 pandemic. The 'Go the Extra Mile for Justice' campaign will help raise vital funds to cover this funding gap and support free legal advice at a critical time when it is needed the most.

"Postponing this year's walks was a tough decision, especially at a time when legal advice centres are experiencing an increase in demand or their services due to the pandemic," said Laura Cassidy, Development and Fundraising Manager at the Access to Justice Foundation. "We know that so many people in the legal profession are passionate about access to justice, so we're hoping that as many people as possible will join in the challenge and help us raise the vital funds that we would have made during the walks."

"The 'Go the Extra mile for Justice' challenge includes people of all ages and capabilities, letting everyone set their own distance goals and complete them at their own pace. You can do it on your own, in teams, with colleagues, family, friends or even pets. It is fun and for a good cause to help support access to justice and help the vulnerable people in society who depend on these services."

For more information, or to sign up to Go the Extra Mile for Justice, visit: <https://atjf.org.uk/go-the-extra-mile-for-justice>



### How far will you go for justice?

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method



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

## The Ogden Tables & claims for future losses

Friday 25th September, 10am - 4pm (inc breaks)

This comprehensive course looks at schedules of future losses from both the claimant's and the defendant's point of view. All aspects of the use of the Ogden tables are covered, from basic aids & equipment calculations through periodic loss of earnings claims with split multipliers through to dependency claims following fatal accidents.

### Mike Winston will cover:

- Introduction to the 8th edition of the Ogden tables
- Multiplicands and multipliers
- Discounting for early receipt and mortality
- Calculating losses for life
- Calculating losses to a fixed age
- Using the reduction factor tables
- Calculating loss of earnings
- Challenging evidential assumptions & more...
- Using Conner v Bradman in disability claims

[CLICK HERE TO BOOK](#)

## Limitation Update with Nicky Carter

On Friday 11th September, 1pm - 2pm online

Covering:

- **Limitation: problem areas, case law update**
- **Accident or Assault**
  - **33 Discretion what's important?**
- **Prejudice**
- **Delay-length of ,reasons for BXB v Watch Tower And Bible Tract Society of Pennsylvania & Anor [2020] EWHC 156**
- **Cogency of evidence Kimathi v Foreign and Commonwealth Office [2018] EWHC 2066 (QB)**
- **Conduct and diligence of the Claimant**
- **Relevant Disability-Lack of Capacity Mental -Capacity Act 2005**
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Terms:

- The credits may be used by the Liverpool Law Society corporate member firm for any of their staff
- The Credit bundle is non-refundable Offer excludes the Children Panel Qualification 3 day course & limited events when specified Any supporting materials will only be issued to those who have booked on courses which they have unavoidably been unable to attend
- The Society retains the right to cancel or alter the date of courses
- Subject to our usual [terms & conditions](#)

Those who book events but do not attend and don't provide notice of cancellation will have the appropriate credit allocation applied.

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

## Developments in Domestic Abuse

Tuesday 15th September 10am - 4pm (inc breaks)

With Safda Mahmood

There has been a vast amount of change to the law surrounding domestic abuse over the course of the last few years. This course will provide a good round up of the different law and major change so as to provide a comprehensive update on domestic violence legislation and case law.

### Content covered:

- Domestic Abuse – What protection is available?
- Family Law Act 1996 – Nuts and bolts
- Drafting Orders and Without Notice Orders – What has changed?
- Enforcement – What has changed?
- Changes brought about through the Domestic Violence, Crimes and Victims Act 2004
- Law and practice surrounding Forced Marriage Cases
- Changes to Protection from Harassment Cases
- Domestic Abuse Bill 2019 – Changes and Update

Competencies: B & C

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# Bell Lamb & Joynson Solicitors credits technology for success in lockdown

Bell Lamb & Joynson Solicitors has credited the use of technology for its resilience during the UK's lockdown, having recently passed its annual Lexcel practice management audit with exceptional results, highlighting 20 areas of 'good practice'.

The report marks legal providers against required rules and guidelines to promote a quality approach to practice management and client care, praising the North West solicitors firm for its strong security protocol in line with Cyber Essentials, while investment into innovative IT solutions was documented as a notable strength.

Since strict measures around social distancing were introduced in March, the firm has continued to work remotely across all areas of law including conveyancing, having secured ongoing instructions with a 70% increase in June compared to the same period last year.

Managing Partner Mike Leeman thanks a digital approach and implementation of state-of-the-art software for the firm's continued success throughout the pandemic.

Mike said: "We are delighted with the results of our practice management audit which not only highlights our use of technology but also our attitude towards client care and our ability to communicate across teams while remote working, which is something that we have instilled as part of company culture for years now. As a firm, we recognised early on that we needed to adopt a more progressive approach in line with changing client behaviours and expectations. As the world around us became more digital we had to follow suit and that head start has enabled us to successfully navigate the challenges that we've faced as a result of Covid-19.

"Our team are equipped with the right training and the tools to carry on with their jobs from home and continue to support our clients when they need our help the most. Having resources already in place has meant that we've been able to use this time effectively to trial new software and explore opportunities to improve our offering with more advanced ways of working and communicating across the board."

The firm, which has office locations in Liverpool, Runcorn and Warrington, has continued to deliver legal services across all departments including criminal, family and road traffic law and wills and probate despite limitations on face-to-face appointments due to Covid-19.


Bell Lamb & Joynson Solicitors is looking ahead to its 200th business anniversary in 2021 as the team plans for further growth throughout the rest of the year.

Mike added: "Despite being one of the oldest firms in the region nearing 200 years in business, we believe in taking a modern and forward-thinking approach to benefit our employees as well as our clients. Our methods of digital communication between team members made things much easier for us when we were faced with the reality of working from home. Not only has this enabled the team to proactively engage with each other but it means that we can still hold department-wide meetings and offer important training in these unusual circumstances.



**Mike Leeman**

"We believe that this new way of working will change attitudes across the legal sector and we are confident that more firms will implement the use of technology going forward. This is something that we have encouraged and supported for years now and ultimately we would like to see the legal industry become completely paperless in the near future."



**SAVE THE DATE!**

**For the Family Finance Conference 2020**

Monday 30th September  
9.30am-4pm (inc breaks)

District Judge Baker will be chairing this  
must-attend training event for solicitors, barristers  
& other practitioners involved with family law.

Providing a round-up key developments in law & practice and an opportunity to hear directly from some first class speakers.

**Speakers confirmed so far...**

Robert Cole, Broadway House Chambers

Samantha Hillas QC & Archana Dawar, St Johns Buildings Chambers

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# Bermans announce record year end results in 50th Year

Bermans, the commercial law firm founded on 4 February 1970 by Keith Berman, has marked its 50th year by posting a record turnover figure for the 6th consecutive year, with an increase in fee income from £ 6,876,000 in 2018/19 to £ 7,439,000 for the financial year ending on 30th June. The firm had planned a number of events during 2020 to celebrate the landmark date and so far, only an event in Manchester in February has been held but they are still hopeful of hosting a Liverpool event later in the year too.

The Asset Based Lending team, led by Alex Chapman and David Gledhill, continue to enhance their reputation as sector leaders and have seen strong figures in factoring and leasing finance work. Our Invoice Finance team has been ranked #1 lawyers by the Business Money magazine in their annual review of the UK invoice finance sector.

The Insolvency Team, headed by Phil Farrelly made two senior appointments during the year, partner Martin March joined from Knights in February and Senior Associate, James Whittaker, joined in November. Significant instructions include the acting for Quantuma partners Andrew Hosking, Sean Bucknell and Michael Kiely as joint administrators of the Bolton Whites Hotel in relation to its sale, in conjunction with the sale of Bolton Wanderers FC, to Football Ventures.

Barney Leaf and Simon Nolan have also recently joined the Manchester office from Laytons, taking overall Corporate team led by Jon Davage, up to 4 partners and 10 fee earners in total. Barney has extensive experience in relation to acting for international and national venture funds and in the last twelve months has advised on numerous substantial transactions.

The North West Corporate team advised on over £90M of corporate acquisitions, share sales and equity investments during the last 6 months, a record for the team across the North West.

Stephen Chalcraft has also joined the team and is part of a Property team headed by Fergal O'Cleirigh. Stephen is chair of the Greater Manchester Chamber of Commerce Property and Construction committee and brings 30 years' experience in development and housing. He is also active in the education sector. Claire Morris became a partner on 1st July 2019 and has worked on some major transactions including the re-development of the former Cowley Hill works, which is likely to result in the regeneration of 114 acres of brownfield land and the delivery of 1,100 residential units for BXB Land Solutions.

The Employment team, led by Adrian Fryer, has seen double-digit growth for the second consecutive year, with an increase in turnover of 17% in 2019/2020. Rob Maddocks has been recruited to head up the offering in the Manchester office as the team continues to expand. Another busy year is expected in 2020/2021 as the team advises on the inevitable redundancies that will occur when companies adjust to the end of the Government's furlough leave scheme in October.

Gareth Farrelly has been appointed as an Arbitrator for the Court of Arbitration for Sport and has recently been appointed to the Premier League Judicial Panel. The Litigation and Debt Recovery



**Fergal O'Cleirigh**

teams, headed by Nick Harvey, have had another excellent year and have secured a substantial group tax litigation instruction that augurs well for 2020/21.

Fergal O'Cleirigh commented "These results are very pleasing and represent a great achievement given the slowdown in transactional activity in the last quarter of the year due to Covid-19. Looking forward we are optimistic that the recession will be V-shaped and we have already seen signs of a return to normal levels of activity in property, corporate and invoice/asset finance.

"We have spent much of the lockdown trying to offer clients information and advice to help them through the crisis and we have used technology, in particular Zoom, to help achieve this. The events of the last few months will alter the way all businesses operate in the future and have accelerated the increase in remote working, we are focused on ensuring that we continue to communicate effectively and continually with our clients and the wider business community."



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## Road and freight investment critical to future of Northern supply chains - new report

The North of England risks failing to deliver on its economic growth potential without government and private sector investment in road capacity and freight-readiness for rail, according to a new report published by Brabners.

In the new report, Supply Chain: The future of the North, Brabners calls upon manufacturers, retailers and logistics operators in the North to lobby devolved and central powers to ensure future infrastructure investment in the region isn't delayed indefinitely as a result of the ongoing coronavirus pandemic.

According to IPPR North, transport spending in the region per head represents only a quarter of the amount that is spent in London – and significantly less than across the South as a whole. Up to £70billion of investment has been earmarked by Transport for the North for developing strategic transport networks such as the M62 and Northern Powerhouse Rail between now and 2050. However, there are concerns that the economic impact of COVID-19 may slow the speed of investment, which would have a substantial knock-on effect for the growth potential of the region's key export industries, including automotive and pharmaceuticals manufacturing.

The report, which features contributions from key regional investor Peel Group as well as major frontline network users such as leading international metal recycler EMR and food distributor NWF Group, identifies east-west connectivity as a major obstacle to business growth. With road remaining the most affordable but also a congested approach to moving goods in the North, the report calls for improved loading gauges on existing trans-Pennine rail routes. This type of investment would increase the viability of freight transport by rail and reduce the carbon footprint of goods that typically travel by road.

In the report, Brabners also identifies the vital impact of Brexit on northern import and export businesses as they look to capitalise on new international trading relationships through key regional assets such as Manchester Airport and the Port of Liverpool.

Launching the report, Roy Barry, head of manufacturing and supply chain at Brabners, said: "As we face into the economic recovery ahead, it's clear that much of the lifeblood of the North lies in its ports, airports, industrial estates, distribution parks and the arterial routes that serve them. As such, much more needs to be done to make the region's freight and logistics infrastructure fit for purpose and ready for growth.

"The economic impact of coronavirus will undoubtedly be a major obstacle – and much like Brexit, a distraction of government focus – to the future progress of the regional economy. However, in more sure-footed times, we must remember that the ball was firmly placed in the government's court via the 2019 general election, with a clear obligation to deliver on its promise of levelling up the playing field in the UK. Whilst we welcome the new deal recovery plans announced by Boris Johnson, they must translate into an equitable distribution of support measures that directly benefit the regional economy.

"Whatever shape the economic recovery from COVID-19 takes, and in whatever form we leave the EU over the next 12 months (or longer), the region must stand ready to do business and make



the most of the shift in international trading relationships that have traditionally benefitted London and the South. With the right support, the North's private sector – our ports, airports, manufacturers, landowners, property developers, constructors, urban planners and logistics operators – can all lead the way in ensuring this opportunity is taken."

### \*NEW\* Running successful claims for Cyclists & Pedestrians

On Monday 14th September, 1pm - 2pm

With Nicky Carter, who will cover:

#### Pedestrians

- Contributory Negligence and Children
- Age Above 16, Below 4?
- Contributory Negligence and Alcohol
- Allegations
- Defences
- Claims against pedestrians

#### Cyclists

- Vulnerable road users-PI Reforms
- Protective equipment
- Road defects



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- You must be a member of Liverpool Law Society.
- A Training Season Ticket (TST) is an individual ticket and is non-transferable. One must be purchased for each person to whom a firm wishes it to apply. Alternatively please see our Corporate Member Training Offer. Member firms must submit a list of named persons for whom they wish to purchase Training Season Tickets.
- Members can join at any point during the 12 month period, however the TST fee is fixed, it will not be pro-rated
- Training Season Ticket entitlement must be declared at time of booking a course.
- The Ticket is non-refundable and non-transferable.
- Any supporting materials will only be issued to those who have booked on courses which they have unavoidably been unable to attend.
- The Society retains the right to cancel or alter the date of courses. All bookings subject to our usual terms & conditions, see: <http://www.liverpoollawsociety.org.uk/event-booking-terms-and-conditions>.
- Those who book events but don't attend and don't provide notice of cancellation, may be charged.

Apply now [here](#)

## This month in Liverpool Law, we posed readers with the challenge “If we had to go into lockdown again which book, film and album would take with you and why?”



**Sharon Kinsella**  
Legal Clerk in the  
Private Client Team  
Morecrofts LLP

### Book

The Girl on the Train – I’ve read this before but I read it again and again. It grips me and I can’t put it down.

### Film

A Feel good film like The Holiday, Love Actually or Pretty Woman to take my mind off the lockdown for a short while

### Album

Something with a mixture of 80s music to make me happy and to reminisce



**David Richards**  
Trainee Solicitor  
CEL Solicitors

If we were to have another Lockdown I would be reading Robinson Crusoe, the 1719 classic novel by Daniel Defoe. The book is written as an autobiography of the main character, Robinson Crusoe, who set sail on a voyage against his parents’ wishes who wanted him to become a lawyer! The ship is wrecked in a storm and he ends up surviving for 28 years on a desert island, encountering cannibals and mutineers along the way, before finally being rescued. The main theme of the book for me is survival, both physically and mentally. If we were to go into another Lockdown this story would help to give me the mental strength to see it through, encourage me to be resourceful making use of what I have, and act as a reminder that the purpose of the Lockdown is to help us all survive, just like Robinson did!

My album choice would have to be Legend – Compilation album by Bob Marley & the Wailers. There is no profound reason really, other than that I find his music really uplifting and it cheers me up!. That’s what I would want to hear if I was cooped up under Lockdown.

And finally, my film choice would have to be Brian De Palma’s 1983 classic, Scarface starring Al Pacino. I must have watched it at least five times and every time I watch it I enjoy it as much as the last. In my opinion it’s the greatest gangster movie of all time and it would provide some much needed entertainment during Lockdown.



**Victoria Smith**  
Real Estate Solicitor  
Brabners

Just before the country was plunged into lockdown, I went to my local Tesco Extra with one intention; to track down the third book in Hilary Mantel’s Wolf Hall trilogy, The Mirror and the Light. Amazon at that point were rightly prioritising essential deliveries only and my local bookshop had closed its shutters for the foreseeable. So while people were foraging for toilet roll and pasta I emerged delighted with the breezeblock of a book I had been waiting 8 years for, ever since I had devoured Bring up the Bodies, the second book in the dazzling trilogy shortly after it was released in 2012. The Mirror and the Light did not disappoint. In fact once I read all 882 pages, I immediately went back to the beginning to start it again. Mantel’s writing is flawless and her research impeccable. The story of Cromwell’s rise to power against the ruthless Tudor backdrop is well known, but Mantel’s interpretation of the story and stunning prose is incomparable. If I had to go into lockdown again I would in a heartbeat take the trilogy with me. As I write this we are days away from The Booker Prize for Fiction longlist being released. Can Mantel take the prize for the third time? I agree with Stephanie Merritt for The Guardian who said “Taken together, her Cromwell novels are, for my money, the greatest English novels of the century. Someone give the Booker Prize judges the rest of the year off”.

**Nicola Jeanrenaud**  
Solicitor  
Carpenters Group

The bible because, god knows I’d need divine intervention to get through that again!!



**Jo Downey**  
Director of Education & Training  
Liverpool Law Society

I don't read nearly as many books as I used to & a bit embarrassed to say that the airport is really the only place/time I now buy a hard copy book – I do have a kindle & app on iPad but just prefer a book in my hand! Also I'm not really a lounge around pool or beach person, so the journey there & back is when the majority of the reading is done. I tend to like a good biography, auto biography or something light hearted – I'll check out the 'Top Sellers' & any recent prize winners.

I am definitely a music person though & like all sorts – very much depends on my mood & surroundings – a list of likes would take up a full page!



**Julia Baskerville**  
Publisher  
Liverpool Law

I am an avid reader, mainly crime and thrillers - and preferably set somewhere in darkest Scandinavia. I'm not sure why the Scandinavians are so good at writing crime novels, perhaps it's something to do with being in darkness for a lot of the winter. However, the book I have read on numerous occasions isn't a Scandi thriller at all, but set mainly in Paris. "Foucault's Pendulum" by Umberto Eco is a complex book which focuses on the Knights Templar and is narrated by the main character Casaubon. In fact the book made such an impression on me that last time I was in Paris I dragged my family to the Pantheon in Paris just to see the pendulum.

For music it would have to be 'Astral Weeks' by Van Morrison. I have an very eclectic taste in music; from rock, to blues to jazz and have many favourite albums, but Astral Weeks is one that I go back to time and time again and never seem to tire of hearing it.

Finally, my film choice is a difficult one. I'm not a massive film fan and rarely watch anything more than once. But we have a family tradition to watch The Grinch on Christmas Eve, so that would have to be my film choice as it still makes me laugh even though I know exactly what is going to happen!

## Personal Insolvency: A Practical Guide

Friday 18th September, 1.30pm - 4.30pm

Around 100,000 people a year enter a formal personal insolvency procedure. The fall out from Covid-19 is likely to significantly increase the figure. Lawyers of all disciplines should therefore be aware of the mechanics of personal insolvency law.

### Chris Beanland will cover:

- Debtors' petitions (and the new out of court adjudication process)
- Statutory demands
- Creditors' petitions
- Applications to annul bankruptcy orders
- Assets which vest in the trustee
- The matrimonial home
- Preferences and undervalues
- Bankruptcy Restriction Orders
- Debt Relief Orders
- Individual voluntary arrangement

**Core Competencies:** A2 – A5, B3, B4, B6, B7 and D3

[CLICK HERE TO BOOK](#)

## Finding of Fact Hearings in Children Proceedings with Anthony Hand

Wednesday 23rd September, 9.30am - 4.30pm (inc breaks)

This one day seminar will start by looking at the universal law applicable in fact finding within child law. The relevant law will be considered with the context of non-accidental injury, sexual abuse, emotional abuse, domestic violence and parental alienation.

### Content breakdown:

The morning session we will also look at practicalities, drafting statements and schedules.

The second part of the day will deal with advocacy skills within the context of fact finding, with a particular emphasis on polishing practical skills, as well as gaining a thorough understanding of the relevant law.

The aim of this one day seminar is to assist your knowledge on the area of fact finding, build confidence and expertise providing practical pointers throughout.

[CLICK HERE TO BOOK](#)

## Why you need to take some time off this summer

Whilst many of us sadly won't be jetting off on holiday this summer, it is still important to take some annual leave over the next couple of months, even if just for a staycation. Yes we've all been at home for weeks on end, but taking some time off at home is very different to trying to work from home through a pandemic. Most of us are exhausted from carrying the emotional load of the last few months - we all need time to rest, relax, recuperate and reset.

### Reclaim the home

Our homes, once a safe sanctuary from the outside world, have been turned into offices and schools with piles of paperwork, electrical cables and chargers and school books cluttering surfaces. Whilst many of us will be continuing to work from home for a while yet, a break from work will give us an opportunity to clear the decks, to enjoy just being at home and reclaim it as our own space.

### A break from screens

Most of us have spent the last few months glued to a laptop screen and smartphone, whether that's on a Zoom call for work or for social reasons, logging into school portals, or trying to stay in touch with friends and family. Our normal working day would have natural breaks away from screens - meetings, commuting, lunch breaks for example. Working from home and doing everything online has been much more intense. Wouldn't it be nice to step away from the laptop for a week or so? To put your phone in a drawer and go out for the day? To not be distracted with emails, notifications and texts pinging into our inboxes? Also remember, your eyes need a break from all that screen-time, too.

### Time to reflect

Lockdown was an intense period, with many of us surviving not thriving. Now that things have moved on, it offers a good opportunity to reflect on what has happened. How has it affected you? How are you feeling? Are you angry, sad, happy, bored? What would you like to change? Give yourself time to sit or think, or go for a walk in nature, or sit in a café (provided you feel safe) to think and start to process the last few months. It's important to acknowledge difficult feelings rather than try to ignore them. You could consider online counselling or coaching to devote some time to exploring who you really are and what you want.

### Look after yourself

We have had many calls from people who have been working very long hours at home, they've not been looking after themselves and not felt able to get outside or see people and these are the people who have been struggling mentally. Some time off would give you time to restart some healthy habits -



exercising, eating well, and getting enough sleep - to carry forward for the future and boost your mental wellbeing. Read a book, see a friend, daydream, get a haircut, switch off.


### Quality time with loved ones

Whilst you have may spent a great deal of time with your families recently, has it really been quality time? Have you had time to hang out together without work or school looming? Have you found yourself promising 'in a minute' to your children constantly? Are there things you would like to do together but you've not had chance? Some quality time off will help you all to bond and recover from what has been a stressful time.

### Time off will make you better at your job

Research from Sabine Sonnentag, professor of organizational psychology at the University of Mannheim in Germany shows that disengaging from work makes us more resilient in the face of stress and more productive and engaged at work. Having some time off will reenergise you.

**LawCare provides emotional support to all legal professionals, support staff and their families. You can call our confidential helpline on 0800 279 6888, email us at [support@lawcare.org.uk](mailto:support@lawcare.org.uk) or access webchat and other resources at [www.lawcare.org.uk](http://www.lawcare.org.uk)**

A woman with dark hair tied back, wearing a black blazer, is shown in profile from the chest up. She is holding a white mobile phone to her ear with her right hand. She is looking off to the side with a thoughtful or concerned expression. The background is a blurred office environment with wooden paneling and a desk.

# How are you, really?

Life in the law can be tough.  
Call our confidential helpline.  
We're here to listen.

**0800 279 6888**

**LawCare**  
*Supporting the Legal Community*

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

# Council Member's Report



## Council Member Nina Ferris

The Law Society Council met remotely once more on 15 July and continues to have shorter, more frequent remote meetings to focus on the work being undertaken to support our members through the Covid 19 crisis and the work to strengthen the ability of the Society to support our members in the most effective way possible.

### **Covid-19 policy work**

Covid 19 is having a profound impact on Solicitors and the future shape of the profession.

Council heard how the Law Society's membership and policy teams have continued to address urgent issues as well as looking forward to the longer-term impacts on members, their businesses, access to justice and the rule of law. We announced the release of the 'Return, Restart, Recover' campaign.

### **Access to justice**

As with practically every other area of work, the pandemic has dominated and we have focused on member safety and business support. Positive moves included the protocol to ensure that our members' safety in police stations has been embedded in the Police and Criminal Evidence Act codes which gives the protocol added force.

Courts are now required to complete a risk assessment and make it available to users. We are working with HM Prisons and Probation service on how face-to-face prison visits can be safely restarted as well as with the judiciary and other stakeholders on increasing the number and type of face-to-face hearings that can be held in courts.

Meanwhile we are monitoring the longer-term effects of the pandemic on access to justice and the rule of law and contributed so far to inquiries by the Women and Equalities Committee on the impact of people with protected characteristics under the Equality Act, the Housing, Communities and Local Government Committee on homelessness and the private rented sector, and the Joint

Committee on Human Rights inquiry on the human rights implications of the Coronavirus Act 2020.

### **Covid Business support**

Among other issues, TLS has been focused on the accessibility of existing support measures for members – as well as pushing for additional support. We have produced and contributed to guidance to support members in many aspects of running their business during the pandemic including guidance on return to the office and virtual execution. On crucial issues relating to legal aid firms and business rates we have not seen the sort of support from the Ministry of Justice that we would have liked. So, we have stepped up communications highlighting the issues and criticising the failure to act.

### **Criminal and Legal Aid**

One of the things we have pushed for in the context of the support legal aid firms need during the pandemic is the restarting of the pre-existing Criminal Legal Aid Review (CLAR) and work on civil sustainability. We have had meetings with officials to discuss both issues. We have also engaged with the Legal Aid Agency. Meanwhile the stay on possession hearings has been extended until the end of August and the Law Society is currently in talks with the relevant bodies about making legal aid available for tenants once hearings restart.

### **HMCTS**

The court service is conducting an evaluation of the rapid roll-out of technology as a result of the pandemic. We are on a working group overseeing this.

### **Public Affairs**

Council was told of successes in our parliamentary and public affairs work, with the Law Society and its campaigns mentioned in Hansard 17 times and 32 times on social media.

The team organised high-level stakeholder engagement on our priority issues with:

- The Lord Chancellor Robert Buckland QC
- The Justice Minister Alex Chalk
- Profession and Business Services Minister Nadhim Zahawi
- EU Committee Chair Hilary Benn
- Shadow Justice Secretary David Lammy
- Shadow Attorney General Lord Falconer
- Lib Dem justice spokesperson Daisy Cooper and
- Chair of the Housing, Communities and Local Government Committee Clive Betts.

Law Society president Simon Davis made written representations to the lord chancellor, chancellor and housing secretary on legal aid firms, business rates and access to justice.

Just announced as this was going to press was that wills could be witnessed remotely. This is something that has been discussed at length by the appropriate practice committee and will be kept under review.

### Regulation

In addition to our Covid work, work on regulatory issues has continued including influencing in relation to the SQE, engaging on the economic crime levy and responding to the Mayson report as well as preparing to engage on the LSB's three-year strategy.

### Wales

Our response to 'Making Justice Work in Wales' welcomed the Thomas Commission's long-term vision for the future justice and noted that as the body of Welsh law grows, it is important that due consideration is given to the distinct needs of the Welsh public and the legal profession in Wales.

### International Rule of Law

The team has been very active during the Covid period – work has included a joint statement on Hong Kong and a statement on Egypt delivered before the UN human rights council. He also gave oral evidence to the EU services subcommittee of the House of Lords.

### Governance

Robert Bourns, the chair of the Law Society Board, was confirmed in post for a further three years and, that business concluded, much of the remaining time was devoted to the work the Law Society has been doing to support the solicitor profession through the Covid-19 crisis.

One of the effects has been to postpone the annual general meeting (AGM) until October when we hope life will have returned to something more like normality, and to ensure continuity of leadership during this time. Simon Davis will therefore stay as president until then. Of course, that also has implications for council elections which have also been moved back, such that new Council members will take office at the AGM.

Also that month, council will elect a new deputy vice president – the nomination process for which has already concluded – and the existing office holders will each move up a rung as

Simon Davis steps down. As he remarked – by then not only the longest serving president but the one who has spent most time working from a spare room.

### Internal Governance Regulations (IGR)


A compliance statement on the alterations to our regulatory arrangements has now been submitted to the Legal Services Board. Council also agreed further amendments to our General Regulations, which will shortly be published on the website, strengthening the governance support provided to our Board, and confirming the agreed terms of reference of the Membership and Communications Committee. IGR compliance work continues with training implemented for staff and developed for council and committee members as we move toward the establishment of the Solicitors Regulation Authority as an incorporated sub-entity with the Law Society Group.

### New website

The development of our digital platform continues. My Law Society (MLS) and our new website are now live. We will be encouraging existing MLS members to set a new password. The new system has a simpler registration journey and will allow us to generate better data so content can be more tailored and targeted.

As ever if you have any issues that you would like raised with TLS or just want to discuss your membership and what more you feel TLS should be doing to assist, please get in touch.

### Nina Ferris



**Road traffic law for criminal practitioners: a practical guide**

Monday 7th September, 2pm - 3pm

A full set of notes have been written to accompany the presentation – they consist of some 16 Parts and run to 114 pages. The course is extremely practical and will be of interest to anyone involved in the day-to-day practice of criminal law in England and Wales.

**Colin Beaumont will cover:**

- Penalty Points and the 'totting up' system
- Disqualifications – both Obligatory and Discretionary
- Special Reasons
- Some important case-law in this area
- Defendant's Costs Orders
- The Statutory Assumption
- Experts and their Reports
- Drink, Drugs and the Driver

**& much more!**

**Core Competencies:** A1a & b, A2a & d, A4 & b, A5a, B1a, B2a, B3a & b and B5a, b, c & d

**[CLICK HERE TO BOOK](#)**

# Software swap guide: four tips to protecting your data

By Julian Bryan, Managing Director, Quill

The COVID-19 lockdown has forced all of us to be more reliant on technology and embrace working from home. But many legacy IT infrastructures are ill-suited or too outdated to handle all the demands of remote working. Cloud-based software is the solution, but where to start?

## 1. Getting your data back – it's your right

Lots of variables should be considered before you commit to upgrading or swapping software. Not least your data; of which you store vast quantities. Your law practice stores a plethora of important documentation, such as contact, identity, matter and financial – all of which must be handled carefully.

Unfortunately, some providers make it as difficult as possible for clients to migrate their data. And yet, this data is not theirs to hold - it belongs to you. This is unethical as well as being the worst type of client retention strategy there is!

You don't want this to happen to you, especially if you discover the truth about locked data at the time you wish to leave. You shouldn't be denied access to your own property and your supplier has a duty to act as the custodian, not owner, of your data. Enquire about assistance with data extraction upfront.

It's not unreasonable to pay a fee for the service of delivering your data but it should be timely.

Additionally, once the migration has taken place, your supplier should delete your data from their stores otherwise both parties (you and your supplier) will fall foul of data protection rules; the Data Protection Act 2018 and GDPR amongst them.

## 2. Rigorously safeguard your data

With the onset of stricter data protection rules and existing regulatory obligations comes more onerous duties. Heavier too are the fines imposed for non-compliance - both parties could be blamed for any data breach. Glance at legal news headlines and you'll see that leaked data can and does happen.

Your software supplier must follow the right procedures in safeguarding your valuable data. Check for accreditations which evidence sufficient cyber security standards; primarily ISO and Cyber Essentials certification.

Reputable organisations undergo rigorous annual re-certification processes in order to gain these quality marks, so make sure your new supplier carries these endorsements.

As standard, your supplier's security protocol should include at least the following measures:

- password access
- SSL encryption
- firewalls
- penetration testing
- system monitoring
- replication
- physical security measures
- other industrial-strength security protocols
- robust BCDR plans for further reinforcement

## 3. Negotiate the best possible contract terms

We've already covered data export but what about your overall exit strategy?

Don't be rushed into signing contracts without poring over this legally binding agreement. It's the small print that often causes problems. If your supplier is forcefully requesting your signature and you feel pressured to commit against your will, alarm bells should be ringing.

## 4. Ensure Legal Software Suppliers Association (LSSA) membership

The LSSA is the UK body for legal software developers and vendors whose aim is to set and maintain professional standards within the sector.

The LSSA's sets out recommendations relating to data conversion such as extracting data in an industry-standard format within a reasonable timeframe, exporting associated case-related documents, generating reports on current data, supporting trial conversions through mutual supplier cooperation, transforming data to accommodate subtle differences between databases and checking data integrity once converted with any requisite correctional activity.

LSSA membership is confirmation that you'll be well looked after at all stages of the customer lifecycle from acquisition to termination. Suppliers not adhering to the LSSA's standards stand to lose their LSSA accreditation completely. You should apply extreme caution when dealing with companies whose reputation is questionable.

## Summary:

Hopefully our tips will help you easily and painlessly switch to another supplier. Remember that you are responsible for safeguarding your data and the best way to do this is to find a reputable and trustworthy software vendor right at the outset. Use this guide as a starting point, supplement with other pressing questions of your own and you should be well on your way to putting into place your optimal IT set up to cope with COVID challenges and into the future.

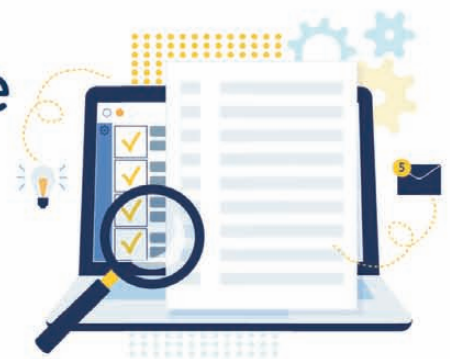


*Julian Bryan is the Managing Director of Quill, which helps law firms streamline and run their practice better by providing simple and easy to use legal accounting and case management software, as well as outsourced legal cashing services. Julian has been an advocate for quality software standards and served as the Chair of the Legal Software Suppliers Association from 2016 to 2019. He can be reached at [j.bryan@quill.co.uk](mailto:j.bryan@quill.co.uk).*



# 8 things to consider before signing a contract

Before making the switch to another software provider, it's always important to read the terms and conditions. Consult this handy checklist of key clauses before putting pen to paper.



## 1. Service level agreements (SLA)

- What can you expect in terms of quality of service from the vendor?
- What remedies are you entitled to if that service level is not maintained?



## 5. Escrow agreement and insurance cover

What if the worst was to happen to your software provider? Would you still have access to the software or would a new vendor hold you ransom? An escrow agreement between you, the escrow agent and your chosen software supplier helps to mitigate this risk.



## 2. Server uptime guarantees

Downtime costs you money so does your host offer a near-to-100% server uptime guarantee? You want to make sure the service is reliable.



## 6. Training options

- How easy is the software to use?
- Are there helpful user guides, instructor-led e-learning and training courses available?



## 3. Technical helpdesk support

Will you be looked after by this new vendor, with first and second-line support backup to solve any technical hiccups that may arise?



## 7. Hidden charges

- Is there a minimum price point and what fees will be added over and above the basics?
- Can you reduce user numbers without penalty?



## 4. Annual price increases

Is your software house building hidden price increases into complex licensing models?



## 8. Contract commencement and renewal dates

What is your notice period and when can it be given in your contract cycle?



For more information, contact us at [hello@quill.co.uk](mailto:hello@quill.co.uk).

## LEAP and Yourkeys break the mould and deliver homebuilders a faster and more transparent conveyancing service

Legal practice management system provider LEAP announces a new technology partnership whereby conveyancers using LEAP software provide their services to property builders via the Yourkeys digital platform. Yourkeys helps to speed up the conveyancing process for home builders by effectively tracking sales and qualifying and onboarding buyers.

By supporting Yourkeys' objectives of delivering greater transparency, consistency and cost-savings to home builders, the partnership with LEAP provides the home buyer access to an experienced collective of 140 accredited conveyancing firms which provide a gold standard service, efficiency through consistency of process, and improved output by fee earner and by firm thanks to the adoption of technology.

This powerful tech partnership quickens the exchange of contracts, delivering home builders efficiencies through Yourkeys' user-friendly platform and providing the buyer peace of mind, knowing that their transaction is being handled by one of over 140 specialist, fully audited, conveyancing firms that are part of the LEAP Best Practice Standard (BPS) network.

The LEAP Best Practice Standard helps law firms achieve and maintain the highest standards of conveyancing, retaining full control and without referral fees. BPS firms receive regular independent audits performed remotely by the Centre for Assessment. These audits provide analysis and reports based on assessments of areas such as client care, anti-money laundering,

risk and compliance. The BPS systems and checks also generate cost savings and efficiencies to the benefit of their clients.

Riccardo Iannucci-Dawson, CEO & Co-Founder of Yourkeys comments: "Our partnership with LEAP is an incredibly exciting development for our clients. LEAP is one of the most innovative and forward-thinking products in the legal space. This partnership will add tremendous value to our housebuilder and estate agent clients to connect them directly and digitally to the best conveyancers in the market."

Yourkeys specialises in providing services to home builders allowing them to qualify and onboard buyers in minutes and track sales progression in real-time directly via system integration. This alliance with LEAP will enable home builders to exchange contracts faster, whilst improving the process for buyers.

LEAP Director of Relationship Development Craig Taylor says "With our work with Yourkeys we are leading the way in conveyancing. This service will alleviate the pain of property developers and purchasers alike, simplifying and speeding the newbuild purchase process."

Communication in sales progression and reconciling conveyancing progress has always been an issue which takes lots of time and manual effort. Yourkeys' clients will send instructions to the LEAP Best Practice Standard law firms and receive real-time sales progression updates as cases move forward.

On being the first of many LEAP Best Practice Standard firms to receive an instruction via the Yourkeys' platform, Sue Shaw-Toomey of Toomey Legal Limited adds "We are proud to be one of the first firms in the country to be able to deliver this faster and more transparent service to clients wishing to purchase a new build property, which we are finding is reducing the stress for our clients of buying a new home."

## TRAINING SEAT EXCHANGE

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

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

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

Liverpool Law Society

### Residential Property Conference

Wednesday 16th September, 9.30am-3pm (inc breaks)

Chaired by Angela Hesketh with sessions from:

- 9.35am** **Stephen Ward, Council for Licensed Conveyancers**—Driving change for the good of the consumer: lessons from the pandemic
- 10.15am** **Ian Quayle, IQ Training**—Rent Charges and Estate Rent Charges and Leasehold Reform
- 11.15am** **Ian Quayle**—Mis-selling leasehold properties, escalating ground rents
- 12pm** **Stuart Young, The Property Log**—Improving the home buying & selling process
- 1.15pm** **Jamie Winch, HM Land Registry** —HMLR Business Strategy & digital transformation update
- 2pm** **Angela Hesketh, Jackson Lees**—Reviewing the effect of lockdown on conveyancers, challenges we have faced, what have we learnt, how have we changed and what the future holds

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# 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**

In July, the new sculpture on The Liverpool Plinth was being installed at Liverpool Parish Church on Chapel Street. The artist, Gail Dooley, had travelled to Liverpool for the day from Yorkshire and was on the raised platform above the street attached authentic sea plastic which forms the base of the artwork. People were walking past, she said, and were calling out to her, asking questions about the artwork and what it meant. In Liverpool, she said, people feel like they have much more of a say and an opinion on public art than they do elsewhere.

The Liverpool Plinth is a project set up by Liverpool BID Company and managed in partnership with city gallery and art organisation dot-art and Liverpool Parish Church. Like the Fourth Plinth in Trafalgar Square, it is, both literally and figuratively, a platform for sculpture and contemporary art. It begins each January with an open call to any sculptor working in the North of England. A panel, made up of people working in different sectors in the city, then makes its choice. The successful work stays in place for twelve months and the artist is awarded £1000.

2020's sculpture is positive for several reasons. First, the sculptor is a woman. Gail Dooley is based in Holmfirth and her work is often inspired by birds and the sea. Secondly, the work itself, Tidal Shame, communicates a strong message. Depicting a ceramic gannet, a sea bird commonly seen in Liverpool, it shows the bird entangled by sea plastic and detritus. Much of the waste was collected from the Merseyside shoreline during the past couple of months.

It is designed to make us think about the impact of tossing a plastic bottle or packaging away. During lockdown, many people were shocked to see the amount of rubbish left on our beaches and in our parks. Take your rubbish home with you, many of us scolded at the TV. We have a beautiful world, Gail Dooley told us, but we humans seem determined to trash it.

The Commercial District BID board which I chair firmly believes in the benefits of public art and the positive contributions to brighten and connect our public spaces. Whether it is during Liverpool Biennial (which has announced new dates for 2021) or during Liverpool LightNight, art helps to animate our streets and squares. These works are entertaining, but they are not simply about making us smile. Many come with an important message, encouraging us to think about the world around us and our place in it.

Outside Liverpool Law Courts is a work by one of this year's Turner Prize winners, Lawrence Abu Hamdan.



**Julie Johnson**

Hummingbird Clock might just look like a special telescope when you see it, but in fact, the tree of binoculars is keeping watch over the Town Hall's clock. It records, second by second, the variation in the buzz made by the electrical grid as a means of counter surveillance. The work was installed as part of Liverpool Biennial and makes us consider human rights, public and private surveillance and security.

Now that many of us are heading back to our places of work, and the Commercial District is getting busier by the week, take a moment to visit its newest piece of public art and consider how, even in the heart of the city centre, you can contribute to keeping our waters clean and safe for wildlife.

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**LinkedIn - Liverpool BID Company**

# Regulation Update

The latest regulation news from  
**Michelle Garlick of Weightmans LLP**



**Michelle Garlick**

I hope everyone is keeping well and looking forward to taking some well-earned holidays over the summer months, even if it is a staycation! It's been a relatively quiet month for regulatory/compliance issues but there are always things to keep us busy so here is an update of some recent developments.

### **SIF extended for another 12 months**

Probably the biggest news story this month is the agreement by the SRA to agree to extend the Solicitors Indemnity fund by a further year. The SRA had previously been determined that SIF would close on 30 September 2020 but it has bowed to pressure as a result of the pandemic and the scheme has now been extended until 30 September 2021. With the hardening insurance market and the SRA recognising that there was limited alternative cover available at present, this extension will, according to Simon Davies, President of the Law Society, provide some breathing space to "enable the SRA and the law Society to work with insurers to try to find a practical solution that will protect former principals and their clients once SIF finally does close to new claims".

### **SRA AML visits**

In last month's column, I mentioned the SRA's consultation on its business plan for 2020/2021 (deadline for it expires on 26 August and in particular its planned visits to high-risk firms in relation to AML. I have had the benefit of seeing some of the detailed findings from visits/audits already carried out by the SRA's AML team and some have resulted in firms being referred on to caseworkers in the enforcement team so it is very clear that the SRA means business! One of the key areas that they are focussing on is the need for firms to carry out an independent audit of their firm's compliance with the regulations. Whilst the audit can be done by someone internally at the firm rather than an external audit, the SRA is stressing that it needs to be independent. How will you comply with this requirement? The Compli team can help so please do get in touch for a free no obligation discussion about our AML audit service.

### **DAC6**

On a separate AML issue, HM Revenue and Customs has recently confirmed that the requirement to be imposed on solicitors to report cross-border transactions bearing the hallmarks of aggressive tax planning to the authorities has been delayed by six months as a result of the passing by the EU of an amendment allowing member states to defer the DAC 6 reporting regime because of the pandemic. HMRC is expected to publish wider DAC 6 guidance shortly.

The Law Society has advised that this extension is a delay only and not a cancellation of reporting requirements so law firms "may be well-advised to continue their work preparing for DAC 6 compliance".

We do of course still await the Legal Sector Affinity Group's (LSAG) guidance on the 5th Money Laundering Directive. The reason for the delay according to sources at the law Society is that as the LSAG covers representatives from across the legal sector, not just solicitors, it is taking longer for the drafting to be agreed. It is hoped that it will be released "in the summer" but it could be a long summer!

### **SRA reports increase in sexual harassment investigations**

The SRA has reported that it is investigating 117 cases of allegations of sexual misconduct with 36 new incidents reported since November 2019. One cannot help but wonder whether the increase is due to the changes in the reporting obligations of COLPs introduced in the new Standards and regulations and of course Christmas party season. It will be interesting to see how these investigations play out given the recent decision in the Baker McKenzie SDT case reported in last month's column.

### **SRA to review solicitor competence**

The SRA has also announced a review of its approach to solicitors' continuing competence following a call for evidence by the LSB. Its intention is to review three "key questions", namely

whether there was evidence of "issues around compliance" with existing competence arrangements, whether the current approach was "effective and targeted where it needs to be", and what could be learnt from other sectors.

## SRA updates its IT system

Anyone who goes on to the SRA's website every so often may have spotted some changes and, according to the SRA, improvements in its IT infrastructure with the first phase being an upgrade to the mySRA portal. It means that application forms for eg applying for a change of entity/new ABS etc are now to be submitted by uploading the forms on to the mySRA system. The SRA's telephone lines including its contact centre and ethics guidance helpline have also now re-opened.

## SRA research into views on Transparency Rules

The SRA has announced that firms will be contacted by researchers shortly with an invitation to take part in an independent review into the impact of the Transparency rules.

## SDT decisions/Disciplinaries

### Failure to supervise

The principal of a law firm has accepted a rebuke for failing to properly supervise a consultant solicitor who worked for her and who had paid £2.25m of property sale proceeds to a third party in addition to a number of other issues of misconduct in conveyancing transactions (for which the consultant had previously been suspended by the SDT for 2 years). The

regulatory settlement agreement stated that the firm's "systems and lack of effective supervision allowed [the consultant's] misconduct to occur".

Supervision is an important aspect of a solicitor's obligations under the new Standards and regulations. Myself and Pearl Moses from the Law Society's Risk and Compliance service discussed the issue in a recent webinar which you can access here <https://register.gotowebinar.com/recording/5501502495207440910>

## Strike off for fabricating grants of probate

A director in a law firm has been struck off after admitting misconduct including authorising unwarranted bills of costs and fabricating grants of probate. She admitted authorising the misallocation of £1.27m in client funds, giving rise to a shortage of £422,000 in the client account, and misappropriating £4,365 to buy herself jewellery.

## Jailed Money launderer struck off

A solicitor in Cheshire jailed for 7 years last year for three money laundering offences has been struck off for helping fraudsters develop a multi-million-pound property portfolio. He was the gangsters 'go-to' solicitor who would carry out property transactions without asking questions about where the money had come from. He was responsible for more than 80 property transactions for various criminals, all of whom were subsequently convicted of offences including money laundering and fraud and he was fully aware that transactions were being made to launder criminal proceeds and was deliberately dishonest in facilitating them.



## SRA Accounts Rules for Finance Staff

On Wednesday 7th October, 9.30am—12.45pm

With Linda Lambert

The course for legal cashiers & finance staff will include a detailed discussion on the changes within the rules, the expectations of our regulator in what should have been done, and the practical implications of such areas as client bank reconciliations and transfers of costs.

Included will also be specific VAT considerations that occur due to the new rules and how they should or could be implemented.

The new SRA account rules should have been implemented within your practice from November 25th 2019 when they came into effect along with new standards and regulations.

Linda will also cover:

- *How fully have the new rules been integrated into the practice?*
- *What training has taken place with the Fee Earners to ensure that they understand the differences that have been created by the new rules?*

**[CLICK HERE TO BOOK](#)**



## SRA Accounts Rules for Solicitors, Fee Earners & Managers

On Wednesday 7th October, 1.30pm—4.45pm

With Linda Lambert

**The half day course designed for Solicitors, Fee Earners & Managers will concentrate on the application of the 2019 Accounts rules and include pointers of where the rules may necessitate further internal discussion on implementation.**

The new SRA account rules should have been implemented within your practice from November 25th 2019 when they came into effect along with new standards and regulations.

Linda will also cover:

- *How fully have the new rules been integrated into the practice?*
- *What training has taken place with the Fee Earners to ensure that they understand the differences that have been created by the new rules?*

**[CLICK HERE TO BOOK](#)**

# News from the MJLD

The time has come where our MJLD chair usually writes a farewell note thanking the committee and the membership for all of their support over the past year. Around this time, we would also be looking back on fond memories of the MJLD ball, however, 2020 hasn't quite gone to plan.

Where does this leave us now? Well this coming month sees the time of MJLD committee elections which will inevitably determine the future of the division. Over the past few years, the division has extended its membership base from primarily solicitors to those who seek a career through other means such as apprenticeships. Not only this, but we have also improved the education aspects of our division through our connections with universities. We now have judicial shadowing schemes in the Crown and Family Courts for students which supplement our existing schemes in the County Court and Magistrates. Our education events are also a regular feature of our calendar year.

Andrew Ball, the MJLD's chair considers the most important innovation to be the committee's creation of sub-committees for all members to participate in. Those sub-



committees, such as our sports and training contract noticeboard sub-committees, have been pioneering new ways for the MJLD to help its members and we hope that this system continues to flourish next year.

So if you are considering applying to be part of next year's MJLD committee, please note that the following places are up for election:

- Charity Representative x 2
- Vice Chair
- Treasurer
- Secretary
- Social Representative x 2
- Education Representative x 2
- National Representative x 1
- Publicity Representative x 4
- Sponsorship Representative x 1

The Election Notice will soon be sent out so if you are already a member, please remember to check your inboxes and make sure that you and your friends are registered to vote! As ever, if you are not already a member, please visit our website or social media channels to find out how to sign up.

If you're interested in standing for next year's committee but not quite sure what it entails, feel free to contact our Chair Andrew Ball or Vice Chair Mark Owen for an impartial chat about what being committee member entails.

Twitter – @MerseysideJLD

Instagram – @Merseyside\_jld

Facebook and LinkedIn – Merseyside Junior Lawyers Division

Molly Brislen (MJLD Publicity Representative)

## **\*NEW\* PAD Applications: A PI Guide**

On Tuesday 29th September, 1pm - 2pm

Be able to use CPR 31.16 to obtain the documents you need to make a liability decision pre- proceedings. Ensure you are up to date on the latest decisions and costs implications whether making an application or facing your opponents application.

### With Nicky Carter, who will cover:

- |  |   |
|--|---|
| • <b>How to obtain key Documents</b>         | • <b>Impecuniosity Document requests</b>        |
| • <b>When to make an application</b>         | • <b>Earnings Details Request</b>               |
| • <b>Key requirements</b>                    | • <b>Non-Party Disclosure – pre-proceedings</b> |
| • <b>Applications by proposed Defendants</b> | • <b>Procedure</b>                              |
| • <b>Medical Record requests</b>             | • <b>Tips for Success</b>                       |
|  | • <b>Costs Recovery</b>                         |

**[CLICK HERE TO BOOK](#)**

# Charity Spotlight



## “This has been a Godsend”

South Liverpool foodbank opened in October 2009, and has supplied emergency 3-day food parcels to more than 50,000 people. We are an independent charity, one of more than 400 within the Trussell Trust foodbank network. Before the COVID-19 lockdown, we operated from eight different distribution centres (Garston, Speke, Netherley, Childwall Valley, Wavertree, Toxteth, Dingle, Dovecot), with food stored and processed within donated commercial warehouse space, supported by 100+ regular volunteers. The need to shield/self-isolate significantly reduced volunteer numbers, and 2 centres are still closed (Wavertree, Dovecot). However City Councillor and MP support in Wavertree led to the opening of foodbank within a new church venue.

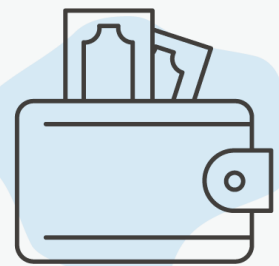
Prior to lockdown, almost all clients arrived with a physical voucher issued by one of our 200+ registered partner agencies, e.g. social services, housing association welfare teams, local or national charities. With many agencies having shifted to home-working, our network has rapidly adapted so that agencies can issue an electronic voucher instead, sending the client a code to bring along. We can't currently offer a hot/cold drink and snack, but we still ask practical questions – for example are there any allergies or food intolerances? What ages are the children in the family? What cooking facilities are available –



some clients are in fuel poverty or living rough. We have adapted our signposting support – we can't sit down with our clients so we have poster displays by the front desk, and leaflets in every parcel. The helplines for Merseyside Law Centre, Citizens Advice, Riverside Floating Support and Liverpool City Council's Citizen Support Scheme feature prominently. We also spend a lot more time on the telephone with agencies and clients contacting us directly, and have delivered many parcels to shielding or symptomatic households.

Each food parcel is nutritionally balanced and sufficient for 3 days. The quantity given varies with household size. All of these store cupboard staples are included:- cereal, baked beans, soup, vegetables, potatoes/mash, tomatoes, sugar, pasta/rice/noodles, cooking sauce, rice pudding/custard, biscuits, fruit, tea/coffee, long-life milk, long-life juice, jam. Soap, toothpaste, toilet rolls, feminine hygiene, nappies, wipes, pet food are usually available too. We have limited supplies of gluten- and lactose-free items, and occasionally halal items. At Christmas and Easter there are festive treats on offer.

THE AVERAGE  
WEEKLY INCOME  
AFTER HOUSING  
COSTS FOR PEOPLE  
REFERRED TO  
FOOD BANKS IS  
JUST £50.



STATE OF  
HUNGER



We have distributed more than 420 tonnes of food since 2009, almost all donated by the local community. This generosity might be large scale – local businesses coordinating a Christmas collection – or small scale – a child buying food with pocket money. We also hold several food collections at local supermarkets throughout the year. Stock levels are much higher than normal at the moment, despite some very busy months. However with high levels of unemployment predicted, we expect the need for our service to increase significantly this autumn.

If you'd like to learn more or get involved, please contact us at [admin@slfoodbank.org](mailto:admin@slfoodbank.org). We are always looking for potential Trustees, but an hour helping sort food is just as welcome.

Nicola Hawkes,  
South Liverpool foodbank co-ordinator

# Tell your secrets to the bees

My grandfather spent his working life in the city, but at heart he was a true countryman, born as he was, at the turn of the 20th century deep in the Essex countryside. As with so many of his generation he never lost that connection to the land which he kept alive through a large garden behind his suburban home. During the war he and my grandmother grew copious amounts of vegetables, kept Bantams (which, due to her keen sense of humour, gloried in such names as Blood Sweat Toil and Tears) and he had beehives. Once of my earliest memories of him is seeing him coming in from the garden and turning to say to me, in his soft voice, 'remember to tell your secrets to the bees'. As a child I always wondered why he said that, it seemed such a strange idea, but as the years passed and my own country childhood became subsumed by London life I forgot for a while the advice about talking to the bees.

I had occasion to recollect his advice recently during a discussion on our Planet Pod podcast with two beekeepers, one with over 30 years' experience, the other a relative newcomer, Kevin, who gave up a successful career in marketing to settle in France, where he and his wife run 13Bees - a bed and breakfast with a beekeeping school attached. His clientele for the B&B tend to be French holidaymakers en route to and from the sea, the beekeepers almost exclusively come from the UK, because the French consider beekeeping to be either a task for farmers run on an industrial scale or a pastime for 'les paysannes' (literally translated as peasants), so they are mystified as to why you would pay money to go on such a course. While the majority of French hives are part of large agricultural operations here in Britain amateur beekeeping is in the ascendancy with more and more of us yearning, and then learning how, to keep a hive of our own. In the decade between 2009-19 the number of healthy honeybee colonies in the UK nearly doubled to over 200,000, prompted largely by the 'Healthy Bees Plan' introduced by Gordon Brown's government.

We know bees are vital to our gardens as pollinators and an essential in maintaining biodiversity and the natural ecosystem, but did you know they contribute millions to the economy? A recent EU report found that bees generate €22bn a year through their contribution to agriculture and directly in excess of €650million a year through the sales of products including honey, beeswax and propolis. Propolis has natural antiseptic properties and the bees use it to coat the inside of the hive to protect it from moisture, wind and microbes, it also makes a great dance floor! Bees communicate with one another by something known as the waggle dance, with different movements indicating the location of different sources of nectar. Coating a layer of beeswax with propolis that then hardens to make a resonating dance floor is just one of the extraordinary talents they have.

The hive is a complex social structure, dedicated to the collection of nectar and production of honey. When the hive is full, too many bees with no more space to pack in the honey, the colony splits and swarms sending a cloud of bees off to search for a new home. Scouts zoom off in all directions to find a suitable tree hole, chimney space, even a post box... but more usually another conveniently placed wooden box. Kevin and beekeepers like him will use a swarm to expand their own colonies, working hard to maintain a sustainable, natural approach to hive management - one that avoids chemicals and too many artificial interventions.

It's become a bit of a 'Covid Cliché' to remark on how we have all reconnected with nature during lockdown, how we have observed and engaged with the environment at home, in the parks, on our daily permitted exercise. Many in the green movement fear this awareness and connectivity will be lost as we return to our offices and workplaces. I am more optimistic. I see signs of real behaviour change, whether its large corporate law firms suddenly realising that they need to take action on climate change or the increasingly popular 'challenges' and initiatives that abound on social media. More than 430,000 people took part in The Wildlife Trust's '30 days wild' campaign in June which encouraged people to take a picture of a different aspect of wildlife and post it on their social media platform. I am sure thousands more did it without posting too. Jim Haywood, Planet Pod's producer and my fellow director at Achill Management has always been a keen photographer but he was amazed by what he saw, heard and smelt when he just took the time to pause... In his words "from a stunning hummingbird hawkmoth hovering to feed above a valerian flower to an amazing harlequin ladybird larva on a helianthemum plant. The referee's



*whistle call of a nuthatch to the high-pitched buzz of a hoverfly. The miniature menace of a jumping Zebra spider on a garden fence to a slinky smooth slow worm basking in the sunshine on a heath trail".* These are some of his photos to prove it. I am sure the RSPB's Wild Challenge and the Big Butterfly Count will prove equally popular.

We all have things to learn from our natural environment and if the pandemic has taught us anything it is that life is fragile, fleeting and we need to treasure one another and our planet while we can. We need to listen more closely to nature. In a recent speech, Lord Deben, Chair of the Committee on Climate Change told a gathering of senior partners and leading lawyers that care for our world and achieving a just transition to net zero is not just an issue of financial or political expediency, it is one of morality. It is our duty as citizens to step up to this challenge and take action now before it's too late. What I find fascinating is that individuals and organisations have already changed. Wellbeing and work life balance are centre stage now: how we work, the hours, the location, the commuting - it's all up for discussion and negotiation. How should we support one another as remote working is no longer a passing trend or the preserve of the freelancer but a new dynamic here to stay.

We need to find a new connectivity because humans are essentially like honeybees - sociable, colony based creatures who are better, for the most part, in teams working together. The challenge now is to find a balance between the needs of our firms, our working life, and our own need for human contact, and the best bits of home working that allows us the time to observe and enjoy the world around us. The discussion has only just begun but my advice as this early stage is not just to talk to the bees but to take time to listen to what they, and the other species who share our earth, are saying back to us, before we make any decisions about the future.

**Amanda Carpenter**

CEO Achill Management and host of Planet Pod

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DATE	TITLE	SPEAKER	S CODE
04-Sep	Learn how to... Create and Manage Electronic Bundles	Philip Nam	S4481
07-Sep	Road Traffic law for Criminal Practitioners: A practical guide	Colin Beaumont	S4482
11-Sep	Limitation Update—S.33	Nicky Carter	S4475
14-Sep	Running successful claims for Cyclists and Pedestrians	Nicky Carter	S4476
15-Sep	Developments in Domestic Abuse	Safda Mahmood	S4385
16-Sep	<b>Residential Property Conference</b>	Various	S4293
17-Sep	Civil Procedure Update with Helen Swaffield	Helen Swaffield	S4410
18-Sep	Personal Insolvency: A Practical Guide	Chris Beanland	S4322
22-Sep	Commercial Property Update	Ian Quayle	S4391
23-Sep	Finding of Fact Hearings in Children Proceedings	Anthony Hand	S4416
25-Sep	The Ogden Tables and Claims for Future Losses	Mike Winston	S4488
30-Sep	<b>Family Finance Conference</b>	Various	S4294
01-Oct	Tell it to the Judge! (am OR pm session)	Emma Taylor	S4417/18
02-Oct	Criminal Law Update Autumn 2020	Colin Beaumont	S4330
07-Oct	SRA Accounts Rules for Legal Cashiers & Finance Staff	Linda Lambert	S4436
07-Oct	SRA Accounts Rules for Solicitors, Fee Earners & Managers	Linda Lambert	S4437
08-Oct	Personal Injury Update	Jeff Zindani	S4404
09-Oct	Private Child Law Update	Safda Mahmood	S4395
09-Oct	Public Child Law Update	Safda Mahmood	S4386

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

# Quill's business continuity assured software & services



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