

# LiverpoolLaw

April 2021

Liverpool  Law Society

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



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21st April

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27th July

23rd August

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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 April 2021 edition of Liverpool Law

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

The positivity continues this month and I am pleased to see so many success stories about how firms and practice areas have developed coping mechanisms throughout the past year and are happy to share them with us all to learn. As one author has said a global pandemic was never included in our Business Interruption Plans! Hopefully we will never experience anything else like this again, but if we do at least we will be better prepared.

It is amazing to see that some firms have not only coped but actually doubled their work force during the pandemic! We have lots of movers and shakers this month and I once again sing my praises for those making a move in a very daunting time. It is encouraging to see that, despite not even meeting teams in person, new recruits have been made to feel welcome and part of their teams. I wish you success and hope that we will all get to meet properly again soon now the restrictions are starting to ease.

It is not yet clear how things will re-open, whether hybrid working is the future and when and how we will return to the offices. There is a clear sense of achievement that we have made it through the worst and brought forward some changes in flexible and agile working that would have otherwise taken many years to come into effect, if at all.

We have the Easter bank holidays and I hope you all find time to properly wind down, switch off the screens and get outside and enjoy. Having just visited the River of Lights at the time of writing I would certainly recommend a visit if you are able to. Not only are they fascinating to see but the success of the event and the turn out also brought a nice sense of normality for me, something I have been craving for a long time.

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

## 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:

13/04/2021 12:30	General Committee
14/04/2021 12:00	Access to Justice in Liverpool Project meeting
14/04/2021 13:00	Family Business Sub-Committee
15/04/2021 13:00	Non-Contentious Business Sub-Committee
23/04/2021 11:00	Past Presidents' Meeting with President Julie O'Hare
04/05/2021 13:00	Employment Law Sub-Committee
06/05/2021 13:15	Finance & Policy Sub-Committee
11/05/2021 12:30	General Committee

## Editorial Committee Dates

All meetings start at 1pm

Tue 06/04/2021  
Tue 18/05/2021  
Tue 15/06/2021  
Tue 20/07/2021  
Tue 17/08/2021  
Tue 15/09/2021  
Tue 19/10/2021  
Tue 16/11/2021



# Meeting with local MPs

On 19 March, LLS held its first zoom meeting of the year with local MPs. President Julie O'Hare chaired on behalf of LLS and there was a strong representation from the region with Ian Byrne MP (West Derby), Derek Twigg MP (Halton) and Margaret Greenwood MP (Wirral West) with representatives Gabriel Apolloni attending on behalf of Dan Carden MP (Walton) and Mark Hoskisson attending on behalf of Mick Whitley MP (Birkenhead).

Chair of LLS's Access to Justice Committee, James Mannouch, reported on the sterling work of advice providers during the pandemic and how, following some initial challenges, providers now seem more able to help their clients with virtual services and even some new positions being filled. Further, the Liverpool City Council project to create a referral network has started to see benefits with the mapping of advice being provided now resulting in referrals which are easing the load on providers. James reiterated that it would be beneficial to see further development of this network across other parts of the region. Margaret Greenwood MP concurred and together, LLS will work with MPs to draft an open letter to the Metro Mayor to enquire around the opportunities for funding in respect of the same. Ian Byrne MP also relayed how a qualified solicitor had been funded at Vauxhall Law Centre to enable more efficient services and suggested the same approach may yield results in other boroughs. The issue of student accommodation was raised in light of increased reports of the lack of reductions to rent and fees despite accommodation not being available.

I gave a brief legislative update beginning with the controversial Police, Crime, Sentencing and Court Bill which at the time of the meeting was at the Committee stage in the House of Commons. Well publicised resistance to the bill has focussed on the perceived fettering of the ability to protest. The passage of the bill has been delayed until later this year. I turned to the National Securities and Investment Bill which is at the committee stage in the House of Lords and still contains a number of provisions which may add administrative burdens to businesses given notification obligations on companies where there is investment by foreign nationals given that the trigger events within the bill are wide enough to capture relatively routine business transactions (such as outsourcings). I also flagged that the Fire Safety Bill had returned to the House of Commons with suggestions from the House of Lords (which included a provision that remediation costs should not be passed on to tenants) rejected. There is some concern that increased costs associated with the remediation of cladding may result in material financial burdens being passed on to tenants who may not have the financial resources to cover the same.

Our next meeting with MPs is scheduled for 15 October 2021 and hopefully our next session will be face to face.

LLS Members are invited to contact the office with any suggestions for agenda items ahead of that event.

**Paddy Dwyer**  
Parliamentary Liaison Officer



**Paddy Dwyer**



## 2021 Commercial Property Conference

Wednesday 21st April, 9.30am-3.15pm (inc breaks)

**Attend from any location at any time. You must pre-book to receive access to the recording.**

Angela Hesketh will be chairing this must-attend training event with sessions from:

**Commercial Leases in 2021:** Bill Chandler, Hill Dickinson

**HM Land Registry Update:** Leanne Wright, Land Registry

**SDLT Half-hour Masterclass:** Bill Chandler

**Commercial Properties, a Focus on Flood Risk 2021: getting the analysis right**

Stephanie Kerr, Landmark Information Group

**Commonhold and Mixed Use Developments**

Ian Quayle, IQ Training

**Impending changes to VAT on commercial property transactions:** Jenni Christy, Grant Thornton

**Tips & Traps on Commercial Reports on Title**  
Ian Quayle

**[Click here to book](#)**

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# News from the Sub-Committees

## Employment Law Committee Responds to Government Consultation

In December 2020 the Government launched a consultation to review the use of post-employment restrictions placed on individuals through employment contracts (restrictive covenants), specifically, the use of non-compete clauses. The consultation was driven by a need for more competition in the labour market post-Covid in the hope that this will assist in boosting the economy by maximising opportunities for individuals to start new work or to set up new businesses. Restrictive covenants are popular and widely-used within employment contracts. They prevent former employees from being able to take advantage of confidential information, client or customer details, strategy plans for the future etc. for either the benefit of a new employer or to set up a competing business. Two main ideas were proposed within the consultation: one being to ban the use of non-compete clauses altogether and the second being to require employers to pay compensation to employees for holding them to a non-compete clause. If the mandatory compensation option is to be taken forward, the Government also proposed increased transparency and a maximum time limit for employees to be held by non-compete restrictions.

### Complete ban on the use of non-compete clauses

The Government, in its consultation paper, acknowledges that non-compete clauses assist in protecting legitimate business interests (such as confidential information, release of which could cause harm to businesses). Nevertheless, they point to California, where the use of non-compete clauses is banned, regardless of whether they are reasonable or not, and which boasts some of the world's most innovative organisations and tech clusters.

It should be noted that this proposal, if implemented, would ban only the use of non-compete clauses, therefore allowing legitimate business interests (protected under other restrictive covenants such as non-solicitation, non-poaching, confidentiality etc.) to remain protected and therefore alleviate business' concerns over departing employees.

The benefits of a total ban on the use of non-complete clauses would include certainty for employers and employees alike, a positive impact on both competition and innovation (with individuals being able to move around more easily) and (hopefully) a knock-on positive impact on the economy. However, on the other hand, risks could include tipping the current balance between previous and new employers in favour of the new employer, potentially causing harm to the previous employer and therefore having a detrimental impact on the economy rather than the positive impact sought.

At present, previous employers can be satisfied that their departing employees are unable to work for a direct competitor for a specified amount of time and, as such, take comfort in the fact that any knowledge in the employee's possession is also more likely to be protected and, by the time they are able to work for a competitor, their knowledge is less likely to be relevant. If that protection was removed and employees were able to move between competitors more freely, previous employers are likely to be a greater risk, even with the protection provided by other

restrictive covenants. The question would also arise as to how effective the other restrictive covenants would be if the employee were allowed to immediately move to a competitor, where they may be tempted to divulge confidential information, where they wouldn't if they were prevented from moving straight away. In light of this, the committee confirmed that it would not support a move to completely ban the use of non-compete clauses and instead preferred the less radical option of requiring compensation to be paid in order to enforce a non-compete clause.

### Mandatory compensation

Non-compete clauses are arguably the most limiting of the restrictive covenants. They are the only clauses that prevent employees from starting new work straight away. All other restrictive covenants, whilst protecting the employer's legitimate interests, do not have such a great impact on the individual. At present, many employers use restrictive covenants as standard, without considering whether they are strictly necessary or reasonable on a contract by contract basis. Requiring employers to pay compensation to employees in order to be able to enforce non-compete clauses would incentivise employers to consider how necessary they are first. Similarly, the longer the non-compete clause runs for, the more compensation the employer needs to pay and so, likewise, the employer will have to think about how long they want the non-compete for to last, rather than using 6 or 12 months as standard.

The committee was in agreement that employers should be required to compensate departing employees for the enforcement of non-compete clauses, on the basis that the present position seems unfair – employees are prevented from starting new work straight away and there are likely to be financial implications in having to potentially wait 6-12 months before they can do so. This creates difficulties in employees being able to move around as freely as they might like to do.

### Supplementary measures

If the Government decides to go with the mandatory compensation option, one of the considerations is how employers can be more transparent about the fact that contracts of employment contain these clauses.

One of the suggestions put forward by the Government is a requirement that employers set out in writing the exact terms of the non-compete clause prior to the employment relationship coming into force. If the individual still chooses to take up employment with the employer, they will know exactly what they are signing up to.

Other options could include requiring the employee to sign a document that is separate to their employment contract confirming that they have read and understood the terms of the non-compete clause (or even go a step further than this and require the individual to have taken independent legal advice on the matter, as is expected with settlement agreements, for example). The downside to enforcing measures as strict as this is additional cost to employers and an increased timeframe in recruitment processes for certain roles.

A second proposal from the Government would be to enforce a maximum time limit for non-compete clauses, rather than being subject to the 'reasonableness' test.



At the moment, in practice, if employers choose to include a non-compete clause for over 12 months, they run the risk that it will be deemed unreasonable and therefore unenforceable. As such, employers have to consider how long they think the restrictions will be necessary for.

By implementing a maximum time limit, the Government runs the risk of encouraging employers to insert non-compete clauses at the statutory maximum, as standard, thereby discouraging lesser terms and potentially having a negative impact on competition rather than a positive one.

In short, if the Government were to implement a complete ban on non-compete clauses, this would be a radical and unexpected move. If, as seems more likely, they implement an overhaul of the process by expecting employers to pay compensation in return for enforceability of non-compete clauses, it will be interesting to see when and how these changes are implemented.

At present, there is no indication as to when these changes might come in, yet the suggestion that they will be used to increase competition and, in turn, assist with the economy post-Covid, suggests that the changes might be on the horizon sooner rather than later.

**Rebecca Cairney**  
Associate Solicitor  
Weightmans LLP

## Consultation Papers

The following sub-committee of Liverpool Law Society is considering responding to these consultation papers. If any member would like to send in a comment, please do so to [committees@liverpoollawsociety.org.uk](mailto:committees@liverpoollawsociety.org.uk)

Civil Litigation  
**Civil legal aid bills consultation**  
Closing date 10th April

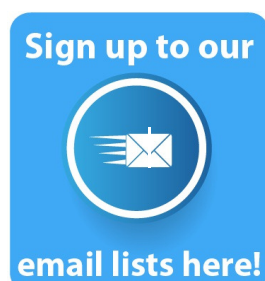
Family /Non-Contentious Business  
**The Future of the New Homes Bonus consultation**  
Closing date 7th April

Crime and Non-Contentious Business  
**Protect Duty**  
Closing date 2nd July

## 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.

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## Sanctions and Defaults with Professor Dominic Regan

*Attend live or watch the recording*

**Far too many practitioners unwittingly fall into default and then struggle to secure relief. In this talk Professor Regan will, amongst other topics, address:**

- The witness statement trap
- Late and incomplete budgets
- DENTON
- Unless Orders
- The timing of applications after OAK
- What evidence is required?
- Can one consent to relief being granted?
- Using Part 36 to mitigate the pain



On Monday 19th April, 12.30pm - 2pm

**For more information [click here](#)**

## Anti Money Laundering Update

with Sue Mawdsley

On Thursday, 15th April, 10am—12.15pm

**Attend live or view the recording**

This course provides an update on the practical requirements of the updated The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 and LSAG Guidance. It also focusses on what we have seen of SRA approach to supervision.

Topics covered include:

- Firmwide risk assessments
- Client/matter risk assessments
- Policies, controls & Procedures
- Training
- Reporting to management
- Independent audit
- SRA engagement
- Any developments on Reporting

**For more information [click here](#)**



## How to develop an international client base and export legal services

On 17 March 2021, we were pleased to welcome Colin Russell and Louise Cross, International Trade Advisers with the Department for International Trade (DIT), Liz Giles, Senior International Campaigns Advisor at the Ministry of Justice and Liz Ward, Director of VirtuosoLegal to our 'Leaders in Law' virtual roundtable for members of Liverpool Law Society.

Colin and Louise shared their insights into the opportunities for law firms in the north to win international business and develop an international client base. Colin spoke about how the DIT can help law firms and others in the legal sector sell their services overseas, provided practical help on the ground and facilitate networking and growing your contacts. Colin suggested the first step would be to understand your own business, your USP, what skills, knowledge and expertise that you have that you can bring to clients around the world. Then once you have identified your area, build connections – formally or informally. Get yourself known, put yourself forward as a speaker at events for instance. The DIT can help you find and build your connections. Colin also advised you to think of where you would like to export your services to. Language(s) spoken and time zones are factors to be considered.

Louise spoke about fully funded advice available to the legal sector, setting up meetings with buyers, trade fair attendance and other event attendance to grow your connections. There are 140 overseas markets where the DIT have a presence and 1400 staff. Louise is happy to have one-to-one calls with anyone interested in finding out more.

Liz Giles from partner organisation the MOJ organised virtual trade missions. Africa is a key market and on 22nd April there is

the next virtual event that you are encouraged to attend. There are one-to-one networking opportunities. There is a focus on in-house counsel. Liz is keen to have feedback from the legal sector as to where the Government can add value to help you export your expertise abroad. Liz's contact details appear below.

Liz Ward, Director and Founder of Virtuoso Legal, is an IP practise based in Leeds, shared her experiences of growing her firm through developing international clients. Brands are looking to get their brands registered in China or US as key markets. The Institute of Exports and Chambers of Commerce all have business connections abroad. Debbie Black from DGB Solicitors who attended this virtual event gives her views below.

There are a number of links that you may find useful and contact details.

**Department for International Trade - GOV.UK ([www.gov.uk](http://www.gov.uk))**

**Welcome to [great.gov.uk](http://great.gov.uk) - export guidance and services**

**Markets - [great.gov.uk](http://great.gov.uk)**

**Internationalisation Fund now open for businesses in England - [great.gov.uk](http://great.gov.uk)**

**Northern Powerhouse Financial and Professional Services 2020/21 ([eventscloud.com](http://eventscloud.com))**

**MOJ**

**<https://www.linkedin.com/showcase/legalservicesaregreat/?viewAsMember=true>**

**[Colin.Russell@mobile.trade.gov.uk](mailto:Colin.Russell@mobile.trade.gov.uk)**

**[Louise.Cross@tradenw.org](mailto:Louise.Cross@tradenw.org)**

**[Liz.Giles@justice.gov.uk](mailto:Liz.Giles@justice.gov.uk)**

**Sarah Poblete**

**CEO, Liverpool Law Society**

## International Trade for the Smaller Firm – a Smaller Firm Perspective



**Debbie Black**

As the owner of a small boutique law firm, positioning itself squarely as a B2B professional service provider, the heading of this event caught my interest. I thought I might

learn a little about the international market and the opportunity it presents.

The line-up of speakers included two representatives from the DIT, a representative from the MOJ's International Campaigns Department and the Founding Director of Virtuoso Legal, a boutique law firm specialising in IP. The first surprise I had was how approachable the speakers were, followed closely by the accessibility of the help that they supply. I came away with the message that there is a very tangible desire to help businesses break into the international market, backed up with practical support. Elizabeth Ward of Virtuoso Legal gave an interesting

overview of the challenges and opportunities from an IP perspective. She highlighted that, "UK law is generally well received internationally. It allows companies a great deal of certainty under contract.

The UK is often used as a forum of choice for international disputes and contracts, even when none of the parties are domiciled in the UK. Our Courts are well respected for being independent and giving fairness in any situation." Elizabeth also highlighted the need for a change in the UK investors market, to avoid ownership of our fantastically innovative products and services companies moving overseas with the associated

loss of revenue and value to the domestic market.

DGB Solicitors run regular virtual boardroom events for our clients and key contacts, and we will be inviting participation by the speakers from this event.

At a time when so many law firms are having to revisit and rewrite their business plans this was a well-timed event indeed. The quality of speakers was impressive, the event was well organised, ran to time and the content was to the point and useful. A great example of online education and networking.

**Debbie Black**  
**Principal Solicitor**  
**DGB Solicitors**



# Meeting of Liverpool, Leeds, Manchester, Bristol and Birmingham Law Societies, the 'Joint V'

On 4th March 2021, the Officers and senior staff members of the Joint V law societies met virtually for one of our quarterly meetings. These meetings provide an excellent opportunity to discuss matters relating to running urban membership societies and the most topical issues facing the legal sector at the current time.

The meeting began with each society summarising the main impact of COVID in our five city regions. Birmingham Law Society's representatives commented some sectors are very busy such as employment, property, corporate/commercial and litigation. Insolvency is not as busy as expected. Most firms now have people back, no longer on furlough. The Bar have seen business and property work increase. Employment is buoyant, planning work initially had a 60% drop but has now bounced back. With crime, court capacity is the main issue and juries. Transport hearings went ahead in person; those tribunals have sat throughout covid. The bar had been fearing a 40 – 60% drop in work but it was only 15% down in 2020 and since January this year, only a 2% drop whilst for the month February 2021 there has been record billing.

Manchester Law Society commented that family, children, employment, commercial and crime work at the bar have all been very busy. Large, multi-defendant criminal cases had not been taking place due to court capacity but now the Manchester Hilton Hotel has a 6-defendant case, but it is the only large criminal court in the North West. They are busy on the transactional side now after a lull in April and May 2020.

Bristol Law Society will no longer have a nightingale court in their premises, HMCTS have given notice they will be leaving. There is an enormous backlog for court hearings. January applications are listed for July, an injunction was applied for in December and there has been no news on it. It now takes 4 – 6 months to get a court listed. There is a bottleneck in family and civil hearings. There is an increase in employment, family, and mortgage repossession work.

Leeds Law Society reported civil cases are going ahead virtually, and it is working seamlessly, no backlog.

Liverpool Law Society reported that more hearings than usual were being heard in Birkenhead and Liverpool courts during lockdown although there is a backlog. There are less claims in debt recovery but more litigation and a big increase in ADR.

With regards to the national roadmap, Birmingham reported offices are all but empty in the city centre, most are remote working. Leeds commented that for firms offering direct to consumer services the roadmap lacks clarity for workplaces. Large firms who are business-to-business practices are intending to work from home until the autumn at earliest, but for business-to-consumer firms, they will want to open to customers as soon as possible. Leeds also commented that the consultancy model will hit high street firms and those with out-dated models. There is a trend for IT investment but also a query over how customers will respond. They are used to video calls and emails, not face-to-face meetings. Work type

makes a difference however as residential property and will and probate lawyers have clients who prefer face-to-face dealings. Flexible working will work for some firms and not for others. Mentoring and training of new entrants to the legal profession is a concern with remote working.

Operationally, all of the Joint V local law societies have made use of the coronavirus government help schemes, whether through bounce back loans, putting staff on furlough or both.

Subscription levels have held up very well for all the societies which is pleasing and critical for our continued existence. All of the Joint V societies moved their own meetings and events for members and delegates online after the first lockdown and many believe they will continue with a mixed offering of both virtual and face-to-face meetings/events even once restrictions have eased. Meetings have, on the whole, been even more well-attended whilst held online than in person.

Liverpool Law Society looks forward to hosting the next virtual meeting of the Joint V in early summer 2021.

**Sarah Poblete**  
CEO  
Liverpool Law Society



## Tax & Trust Update with John Bunker

Tuesday 20th April, 10am - 1pm

*Can't make the date/time ? No problem, booking onto this event means you will receive a link to access a recording of the event at your leisure!*

### Covering:

- conveyancing – joint ownership and trusts of land; with the new guidance and online system due to Any capital tax changes in the 3 March Budget, what they mean for practice and how we might now advise clients
- Advice we can offer clients on mitigating IHT and CGT, ahead of other anticipated tax changes we might expect within the next year; and opportunities worth taking up while still possible
- Focussing on will drafting, variations of estates and trusts and lifetime giving. What still works to save tax and meet client concerns?
- TRS and the new rules for registerable express trusts under 5 MLD: what they mean for estates, life policies, pensions and operate from this Spring 2021
- TRS for 4 MLD: updating existing trusts and the new annual declaration

For more information [click here](#)

## John-Paul Dennis, a new member of the Non Contentious Sub Committee reflects on the past year

I have recently joined the non-contentious committee and it is a pleasure to speak to other legal professionals outside my own organisation and to hear about the challenges and adaptations that they have had to make during this pandemic. I am happy to say that it does not appear to have slowed them down at all.

The profession has always sought to evolve and adapt to ever changing circumstances, but in these worrying times it is more important than ever to be resolute and calm when advising our clients.

As a private client practitioner it has been wonderful to see some of my clients learn and successfully use applications such as Zoom, FaceTime and Teams to communicate with their families and of course to provide instructions and to meet with us, their advisors, digitally.

At no point as a younger solicitor did I ever think I would be taking instructions from a client over a mobile phone.

Of course there are secluded pockets of the nation that have not had as much of an opportunity to reach out digitally. A good deal of the elderly clients that I have spoken to have been impacted greatly and some feel terribly isolated. This has resulted in me spending more time than ever before engaging in small talk with clients and getting to know them and their circumstances better.

I have clients in care settings who have been largely cut off from the outside world and it must be terrifying to be unable to review your affairs and legal paperwork quite so easily. We have of course been trying to innovate and provide access to advice for all of our clients and prospective clients but it has been challenging.

Interim changes to witnessing wills have given a little reprieve with the government taking the decision last year to allow temporary remote witnessing of wills in the shorter term. On the 7th September the Wills Act of 1837 was amended with an enabling power in section 8 of the Electronic Communications Act 2000 to allow video-witnessing of wills.

This has added a further level of complexity and risk which solicitors and firms need to manage carefully. The usual issues of undue influence and capacity still need to be addressed and getting a testamentary capacity report has been problematic with the medical profession concerned with fighting Covid 19 above all else.

Even post budget, clients and advisors remain focussed on potential changes to Capital Gains Tax (CGT) and this has prompted a number of enquiries regarding structured lifetime giving and appointments out of existing trusts.

Changes to the Probate Registry have been ushered forth with little consultation with the legal profession and an excellent registry at Liverpool has been replaced with a centralised online system which still has a lot of glitches and fixes required. As a result, Grant of Representation applications for estates have been delayed and this has placed pressure on conveyancing colleagues trying to get deals over the line whilst there is still a stamp duty holiday.



**John-Paul Dennis**

We have been busier this year than ever before and we have seen an increase in people needing our services but also clients seeing the value in what we do and can do for them. I have in the past felt concerned for what the profession will look like in the future but this last year has shown me that clients need our advice and support more now than ever before.

What a strange 12 months it has been without face to face client appointments, team meetings, networking drinks, mid-morning coffees with contacts or even external CPD seminars which I used to dread but now strangely yearn for....

I am looking forward to meeting with the non-contentious committee in person when we can all gather together.

**John-Paul Dennis**  
**Weightmans LLP**

### 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.





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## Our Year in Lockdown: on the brink

Berkson Family Law was created as Louis Berkson and Globe solicitors in the 1930s. Specialising in private client work Louis Berkson and Stanley Globe made their mark in the City as solicitors who cared about the individual. Charles Peter became a partner in 1989 and joined the Criminal Department and is now the firm's Managing Director. In 1997, the practice went through another development stage and decided to expand and concentrate on Family Law matters including Divorce, Children cases, Financial matters and many more.

*In this edition some of the team members from Berkson Family Law give their perspective on thriving and surviving through lockdown...*

### Charles Peter - Managing Director

#### March 2020

I had a sense of unease walking through Liverpool City Centre on the 11th March. People seemed to be moving more quickly than usual. There were a few people wearing masks over their faces. To me at that time, things appeared as though they were about to change. It was the day of the clash between Liverpool FC and Atletico Madrid in Anfield. A lot of the away fans were roaming the city looking strangely out of place. Shoppers moved away from them as if to avoid being in close contact.

I was the MD of three businesses: Berkson Family Law, Datalaw and a holiday let business. I wondered how I was going to cope with what was coming.

The day after the FTSE kept falling, infections overwhelmed the ability to track them and the rules for foreign travellers were withdrawn.

People describe the feeling as surreal and with good reason. I'm sure that not since September 1939 did we all feel as though something wicked was coming our way. I opened the Business Interruption Plan which no doubt we all have. There was nothing in it that really described what to do in a pandemic. Fires, floods, earthquakes, yes, but not locking down a whole country. Well, at least we had insurance to cover this!

Berkson Family Law was a small practice of 20 people, concentrating exclusively on Family law. We were at the time probably around 90% legal aid work. Whilst we had a PMS, we were paper based and our server was in the office. Not really ideal for what was to come.

We immediately decided to do what we could to allow as many people to work from home as possible within the constraints of the computer system. Within a week, Boris had told us to work from home and the world changed.

There are probably many practices involved solely in legal aid that don't have a vast reservoir of available cash. We are dependent on regular consistent payments from a government agency

without which the practice would fracture. Similarly, we rely on there being a rump of cases moving through the court system regularly. These two things were an enormous worry and not obviously easily resolved. The Bank were supportive and suggested that a Fawltly loan (a name they invented after the acronym CBIL for the government loan) would be forthcoming and should not be too difficult to arrange. That's not quite how it turned out. After jumping through a fair few hoops, we got there 5 months later. Court hearings were being adjourned as far away as 6 months meaning that there wouldn't be many cases to bill.

Despite these financial constraints, it became clear that a lot of practices were furloughing fee earning staff in our area of law. To me this was a mistake. As the weeks went by, our staff began to complain that they were too busy. A wonderful dilemma to have. I believed the answer was to recruit until the new influx of work was properly serviced. In short, we doubled our fee earners over the year.

This was quite a gamble during the worst financial and health crisis in my lifetime but it was an opportunity that was difficult to miss. Isn't that what SWAT analyses are for? I have to say that a pandemic wasn't in our last business plan!

### Adele Schofield - Director

For me the whole build up to the national lockdown had a sense of inevitability as it was becoming increasingly obvious we were following the same pattern as other countries such as Italy and Spain as the month of March progressed. My last day in court was 17th March and I was able to catch up with a friend who is at the local Family Bar and we were in effect the only customers in a bar on St Patricks day, yes in Liverpool unheard of! That was the last bit of normal for some time even though that wasn't really. I was in the office every day up until Friday when I decided to work from home a decision I regret as it was clear from the messages I was receiving from our practice manager that staff were becoming anxious and upset about coming into work the following week. We made the decision the afternoon of



Charles Peter



Adele Schofield

*"Ready for one of my my first video court hearings in early April 2020 Lockdown 1 my hair is a lot longer now!"*



20th March that the office would close at 5pm until we could return safely. I think it's fair to say none of us thought it would be a full 12 months.

Everything became a steep learning curve, Zoom, Teams, remote telephone hearings, how to supervise and support staff in an entirely remote environment. We have I would like to think adapted to the challenges in a timely manner. I have probably had more constructive discussions with my co director and practice manager than I used to have in the office as we have set aside time at the end of each day for the same. I think our staff team have shown resilience in coping with the dramatic shift. I am sure we all miss the personal connections that working in an office bring, but I think we have all found that there are a lot of the changes that we have made which maybe make our work lives better. As a children panel solicitor running an active case load the remote court room I think is likely to stay on some levels as to how we manage cases in the future when "normality" returns and I think the same will be for the office work place.

## **Zoe Teasdale - Solicitor**

I qualified as a solicitor during the pandemic as such my first taste of advocacy has only been via the phone or MS Teams. I spent 12 years training looking forward to the feeling of standing in front of a Judge and representing a client... to my first experience being on MS Teams with the postman knocking at the door and the neighbours doing building work. Wasn't quite how I imagined it. However, at least I haven't got stuck as a cat filter yet .. so I'm taking that as a win!

## **Matthew Rogan - Solicitor**

Home schooling - once the novelty had worn off (and the world had adapted to zoom/teams), it was tough (especially with children of an age where they couldn't be independent). 5am became the new 9am - flexibility was/is everything. I joined Berkson Family Law in July. It was a difficult decision to make to move practices but I felt there were compelling reasons to do so.

Moving firms - life has to carry on as normal but 8 months in I haven't met half of my colleagues. Moving firms isn't straight forward, it has made moving more difficult but not impossible with enough support.

Hearings - initially very difficult as we all got used to it. We adjourned hearings back in March/April which we wouldn't think twice about conducting remotely now. I do miss the drive back to the office/home following hearings. Now I can be playing on the Xbox or hide and seek with the kids minutes after finishing in Court!

Keeping the practice going - Communication is

so important, speak to your team as often as possible.

## **Anna Francis - Chartered Legal Executive**

I would like to say that with regards to moving firms during the pandemic I have had to be very brave! I was off work prior to joining Berksons for over a year after being on maternity leave and then being furloughed with also a threat of redundancy from my previous firm. Not only have I had to get used to new procedures and case management system at Berksons, I have had to get my brain back working again after looking after two young children at home full time for almost a year being in lockdown! It is certainly a new challenge I am faced with having to get used to working for a new firm at the same time as working from home and not being able to get to know anybody!

## **Carole Pattinson - Practice Manager**

Covid virus was sweeping across Europe and it seemed we were waiting for it to reach the UK. Rumours were very quickly gathering momentum. The schools would close on Friday 20th March and this became the pivotal focus. That now seems a distant memory.

We had started to prepare for home working but to roll out changes to all staff at the same time was a challenge. The IT being the biggest concern. No matter what, we needed to ensure all staff could work from home. From ensuring secretaries had foot pedals for dictation to diverting telephone calls to also diverting the incoming post. Requesting a 3 month divert from Royal mail would surely be long enough, wouldn't it? We needed to think differently about every single procedure we previously had in place. From seeing clients face to face, to arranging court hearings via social platforms. Everything could be achieved, we just needed to think about how we resolve this. These processes were taking longer to be begin with whilst we adapted to this new way of working. Not everyone was familiar with using teams or Zoom before lockdown. Now we wouldn't be without it.

The workload has increased significantly during lockdown and we have recruited an additional 11 staff. Interviews, Induction, and training were all completed via Teams and Zoom. This has become the new normal now. It is still not without its challenges though. For every member of staff who has joined the team during Covid this must be very difficult time for them. It is important all our staff feel part of the team, even whilst they are working remotely. All staff are part of a smaller team within the firm. Communication has been key. We have weekly all staff meetings. Small team meetings and supervision meetings. The meetings don't need be long but it is important to check in on all staff.



**Zoe Teasdale**



**Matthew Rogan**



**Anna Francis**



**Carole Pattinson**



**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.

### Refund the Rent Campaign

Vauxhall Law Centre facilitated a meeting with Students Unions from across the City online in March 2021. Gaynor Williams and Sarah Mansfield are supporting Students and their representatives from Liverpool University, Liverpool John Moores University and Liverpool Hope University to look at the potential for legal action to get rent refunds for students who have been hit hard by the Covid Pandemic.

The next meeting of the group will take place in the coming weeks. If you are interested in supporting or would like more information on the subject please contact Alan Kelly via email: - [alankelly@vauxhalllawcentre.org.uk](mailto:alankelly@vauxhalllawcentre.org.uk) or [gaynor@bennettwilliamsolicitors.com](mailto:gaynor@bennettwilliamsolicitors.com)



### Meet the funders

The Third in our series of meet the funders, giving background information on organisations who provide financial support to Vauxhall Community Law & Information Centre.

Liverpool City Council, alongside Liverpool Law Society and the John Moores Foundation working with community activists developed the partnership work that led to the formation of the Law Centre in 1973. In those early days Liverpool Law Society actually took the lead in managing the day to day legal side of the advice provision at the Law Centre. Liverpool City Council provided essential Financial support and since then, have continued to provide financial and other support to the Law Centre.



**Liverpool  
City Council**

Liverpool City Council are currently funding the provision of a full time welfare rights worker whose target clientele is disabled and vulnerable people across the Liverpool City Council area. Additionally, some councillors have provided financial support

from the ward funds which has been a great help in securing the financial sustainability of the organisation

### Debt Advice and Support

Due to fantastic support from one of our volunteers we are now offering a debt advice service on Saturdays if you think you can assist us to develop this service, please get in touch, details at the bottom of the page.



Vauxhall Community Law and Information Centre

## Saturday Debt Advice Service.

We offer free, friendly impartial advice to help you ease your financial worries. If you are struggling we're here to help. We can assist to help resolve your debts, our aim is to put you in a better position to tackle outstanding money owed.



Saturday mornings • 9am - 1pm.  
Call 07394991765

### Volunteering

The COVID pandemic has caused huge difficulties in us at Vauxhall Community Law & Information Centre continuing to deliver our services. (See new debt advice above) Volunteers have been one of our key partners in the quest to provide improved services during these difficult times. We are always looking for volunteers without whom the Law Centre couldn't exist. If you or your organisation can help us, please contact us at [recruitment@vauxhalllawcentre.org.uk](mailto:recruitment@vauxhalllawcentre.org.uk) or you can call us on, on 0151 482 2540, we are a friendly bunch of people and all offers of help are much appreciated. Thank you







# News from Merseyside Law Centre

**Fighting for equality through social justice to combat poverty & homelessness**



We have been recruiting for a Caseworker to join our very successful Our Liverpool project, working alongside our Solicitor Tom Lavin to deliver help ensuring vulnerable migrants, people seeking asylum and those with refugee status get the support they are entitled to get. We look forward to sharing details of our appointment in the next article.

As always, we remain 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 website hits and contacts, e mails and calls are increasing with website visits doubling over the last two months. Since last March we have represented over 70 clients at tribunal and assisted many more before this stage resulting in financial gains for the most vulnerable of over £1.3 million!

We continue to find ways to provide our services and develop in these difficult times and have recently been recognised as a Disability Confident Committed Employer and accredited as a Living Wage Employer.

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

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

**Twitter:** @MerseyLawCentre

**Facebook:** Merseyside Law Centre

**Website:** [www.merseysidelawcentre.co.uk](http://www.merseysidelawcentre.co.uk)

**Tel:** 0151-709-0504

## Demolitions needed after Coal Mine Shaft Collapses Workington House

A whole side of a street is to be demolished in Workington, Cumbria after a mine shaft was discovered under the properties. Tim Champney, Managing Director at Future Climate Info explains the alarming evidence of subsidence which has led to uncertainty and concern over the future, especially for those forced to relocate out of the family home.



The people of Workington have been mining coal and iron ore for over 400 years. As the Industrial Revolution took hold, the town began to expand rapidly as more and more workers arrived to meet the growing demands of its mining industry. By 1802, the people of Workington's mines were producing over 65,000 tons of coal each year. The town's success was built not just on being sat on top of a large store of coal and iron ore. It had its own port which meant that minerals could be transported quickly and easily to all corners of the country.

Hunter Street is an attractive row of stone terraced houses that sits adjacent to the Hope Pit, built in the 1780s. In November 2018, Allerdale council were contacted by residents about localised ground movement affecting one of the homes. Research by the Council using an 1843 map showed that two of the properties were directly above a 180 metre shaft that was part of the pit works.

Over the years, as the mines became no longer productive, they were closed or abandoned. Some were capped with wood, backfilled with mine waste, rubble and soil. Over the centuries the wood has rotted, and underground water eroded the soil and backfill.

### Subsidence Alert leads to Rapid Response

In March 2020, concerned residents attended a public meeting, chaired by local MP Mark Jenkinson, the Council and the Coal Authority (CA) to discuss the findings. They were told that there was no need for concern and that steps had been taken to secure the site, outlining what would happen over the next few months.

Because the issue is due to coal mining legacy, it is the statutory responsibility of the CA to manage, with the first priority to safeguard residents' safety and provide peace of mind.

In short order, they installed monitoring, injected resin foam right above the shaft to ensure loose material could not accelerate the

subsidence from the initial collapse, engaged with residents and stakeholders and undertook two phases of ground investigation to ensure that the geology matched the historical plans.

They determined a wider "collapse" zone of seven houses that would need to be demolished to create a safe working area for treatment of the shaft. They would then need to drill down to the base, grout the shaft with cement, sand and gravel, then put a cap on top.

The CA purchased three of the seven houses through the spring of 2020, tendered demolition works to local contractors and sought planning approval for demolition and to close the road. The drilling, grouting and final reinstatement of the site was targeted for August.

It would not be possible to build on the top of the remediation area once the shaft was filled in, but could be used for parking or public open space, depending on the extent of the site.

The CA was confident that other properties in Hunter Street would not be affected after the remediation.

### Covid Delays Residents' Relocation

Despite the positive feedback about the Coal Authority's response and support, residents being forced to relocate are despondent about the move and do not know when they will leave the street – a problem that has been compounded by the Covid-19 pandemic.

Work to knock down homes has been delayed and The Coal Authority still do not have a date for when the process will begin. So, while the residents know their properties will be bought at some point, lives already in lockdown seem even more on hold for the half of the residents of Hunter Street.

### A Widespread, Hidden Risk

Each Year in the UK an Average of 15 Mine Shafts Collapse. Every week, somewhere in the UK there is a claim made to rectify the damage from the legacy of mining. Around £40 million of damages has been paid out to properties in the last decade – and that is just in coal mining areas.

The Coal Authority record some 150,000 coal mine shafts and other mine entrances, representing 25,000 sq.km of tunnels across the UK. It is thought that there are many potentially more dangerous, shallow older mines that were more informal that have gone unrecorded or are "missing".

Some 130,000 properties are within 20m of a mine entry, so the legacy of mining has a huge impact on our future developments.

With our increasing population and urban growth, residential and commercial property is developing into all areas. Therefore property buyers need to be fully aware of the risks and what lies beneath their proposed investment.



### Will it affect your Client?

Conveyancers are already required to undertake detailed due diligence in coal mining areas by ordering an approved coal mining search based on the CON29M standard format of questions.

To better understand these risks, a **new breed of CON29M report** has been launched by Future Climate Info.

FCI's heritage is founded on coal mining. Our Chairman, Geoff Offen, is a qualified coal mining surveyor, the architect of the very first CON29M search report and co-founder of the standard coal mining search scheme.

The FCI CON29M report and **Premium Plus CON29M**, which includes environmental and coal mining risks in one combined report, now offer a clear, professional opinion for lenders, conveyancers and homeowners alike.

It may be that the risk is minimal and the opinion can give all parties confidence. However, it may reveal hidden risk and an influence that you want to head off before exchange.

Fully compliant and Law Society Approved, it is backed by Coal Authority data and crucially includes a triple tier insurance cover. This unique feature covers your client for:

- Loss of value up to £100K caused by mining features not recorded by the Coal Authority at the time of reporting but later revealed.
- Non-Coal minerals – the only search to include insurance for identified non-coal mining features in the Coal Authority Data which may not qualify for statutory assistance under the Coal Mining Subsidence Act 1991.
- Cheshire Brine screen – with an integrated insurance policy to provide protection for the home buyer..

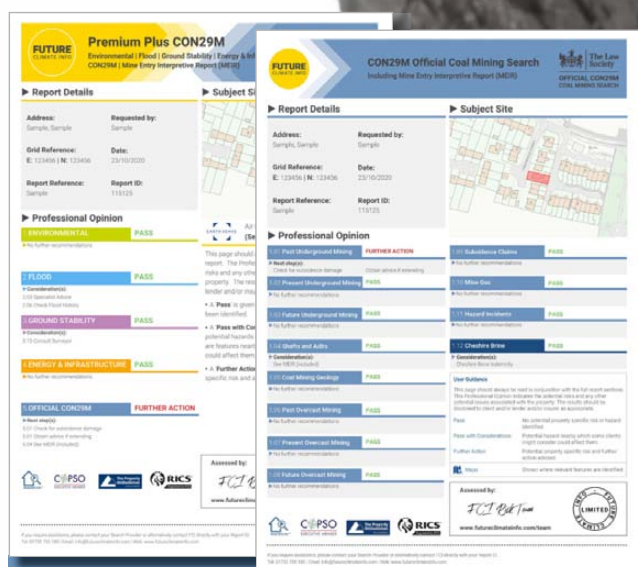
**For more information on Future Climate Info's Mining Search reports contact us on 01732 755 180 or email us at [info@futureclimateinfo.com](mailto:info@futureclimateinfo.com)**

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## Can employers require staff to have a COVID-19 vaccination?

With the national COVID-19 vaccination programme gathering pace, many employers will be contemplating whether they can require, or mandate, that staff are vaccinated against COVID-19. This article considers the main risks that employers, who do not operate in the health and social care sectors, potentially face when implementing a mandatory vaccination policy.

### Will the government make a COVID-19 vaccination mandatory?

The government has said that it does not intend to make COVID-19 vaccination mandatory. Preferring instead to encourage voluntary take up of the various approved vaccinations. More recently, the Council of Europe, of which the UK remains a member, has passed a resolution that urges member states and the EU to: 'ensure that citizens are informed that the vaccination is not mandatory and that no one is politically, socially, or otherwise pressured to get themselves vaccinated, if they do not wish to do so themselves'. The resolution goes on to ask member states to 'ensure that no one is discriminated against for not having been vaccinated, due to possible health risks or not wanting to be vaccinated.' Although this resolution is merely a statement of the Council's agreed political opinion, which does not have legally binding effect, it is worth noting that the UK delegates voted in favour of it.

### Can an employer require its staff to have a COVID-19 vaccination?

Sadly, we do not know yet. Outside of the very few healthcare employers who currently mandate flu vaccination, this is the first time in living memory when employers have had to contemplate requiring any kind of mandatory vaccination policy. The fact that those employers operate in very diverse sectors of the economy, such as manufacturing, transport, hospitality and retail, further complicates matters – what is reasonable in one workplace, may not be reasonable in another workplace.

The legality of mandatory vaccination policies has not yet been tested in our domestic courts or employment tribunals. In the USA, a dispute concerning a hospital's policy that required its workers to have a mandatory flu vaccination was settled out of court, with the hospital giving a binding agreement to review its policy to allow religious objections to vaccination to be made. Although care should be taken when placing too much emphasis on this example because the applicable law in the USA – particularly in the sphere of employment – is completely different to our domestic law.

Some UK employers do appear keen to require the mandatory vaccination of their workforces, so it seems almost inevitable that we may see some test cases in the coming years. However, even when such test cases do start making their way through the legal system, they will almost certainly be determined on their specific facts and circumstances. The early decisions are also quite likely to be appealed, meaning that it may be some time before we have some settled legal principles.

### What are the main legal risks employers face from a mandatory vaccination policy?

The main legal risks that an employer, whose operations are not in the health or social care sector, faces when insisting employees



Emma Ahmed

are vaccinated are:

**Contractual issues:** Employees may argue that a mandatory vaccination policy goes beyond the scope of a reasonable management instruction, and amounts to a change in their terms and conditions of employment, which requires their consent. If employees will not consent, the employer would then need to consider a process to effect dismissal and re-engagement on new terms. That, in turn, carries the risk of unfair dismissal claims. Where 20 or more employees are concerned, the need to collectively consult will be triggered.

**Collective bargaining and industrial action:** Where there is a recognised trade union, a change of this nature may well trigger an obligation to inform and consult the union under a collective bargaining agreement. If agreement cannot be reached, there is the risk of potential industrial action. The TUC has expressed the view that 'unions will want to promote the take up of the vaccine as a way for workers to safeguard their health and the health of others. However, unions should ensure that nobody feels forced to have a vaccine, nor should it be used as part of staff contracts or linked to pay.'

**Constructive unfair dismissal:** Employees, who strongly oppose mandatory vaccination, may argue that the employer has fundamentally breached the contract by trying to force them to have a medical procedure against their will, resign and try to claim that they were constructively unfairly dismissed.

**Discrimination:** Requiring employees to be vaccinated arguably places employees with certain 'protected characteristics' at a disadvantage and therefore exposes the employer to the risk of potential discrimination claims under the Equality Act 2010, including:

- **Disability discrimination:** employees with certain health conditions may be unable to have the vaccine (eg those with certain allergies, or who are immune-compromised).
- **Religion and/or belief:** Those from certain religions may assert



they are unable to have vaccines that use any animal products. It is also possible that ‘anti-vaxxers’ may assert that their opposition to vaccines is a protected belief, although it may prove difficult for such individuals to meet all of the requirements necessary for their belief to amount to a qualifying philosophical belief.

- **Age:** some age groups will not have access to the vaccine for some time, so any policy would have to allow for this. Failure to do so would likely amount to unjustifiable age discrimination.

**Personal injury:** Some commentators are suggesting that employers who insist on their employees being vaccinated may see increased personal injury claims against them by employees experiencing side effects, but we consider that the risk of a successful personal injury claim is low (presuming the vaccine was administered by a third party).

Further risks, specific to public sector employers, are considered in the next question.

### Are there any specific risks for public sector employers?

Yes, the additional risks public sector employers need to be aware of include:

**Human rights:** Under the Human Rights Act 1998, it is unlawful for a public authority to act in a way that is incompatible with a convention right. A ‘public authority’ includes anybody ‘whose functions are functions of a public nature’. Often it will be obvious if an employer is a public authority, but more thought may need to be given to some quasi-public sector bodies, and to private sector bodies undertaking public functions. It may be argued that imposing a mandatory vaccination policy would contravene Article 8 (right to private and family life), or Article 9 (freedom of thought, conscience or religion). A wider consideration of the human rights risks can be found in this article.

**Public sector equality duty:** Under the Equality Act 2010, most public authorities and other private bodies or voluntary organisations that exercise public functions on behalf of a public authority are subject to a general public sector equality duty. A public authority subject to the general duty must, in the exercise of its functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other prohibited conduct
- Advance equality of opportunity, and foster good relations, between people who share a protected characteristic and those who do not

Therefore, to the extent that an individual refuses vaccination upon grounds connected to a protected characteristic (see ‘discrimination’ above), the public sector equality duty may be relevant. However, it is worth noting that failure to comply with the public sector equality duty is enforceable by judicial review; it does not give rise to an individual claim.

### What are the potential benefits of requiring mandatory vaccination?

The government recognises that ‘vaccines are a foundation of our way out of this pandemic and the best way to protect people from COVID-19, potentially saving thousands of lives.’ Having a high level of vaccination in the workforce, will hopefully both reduce the number of staff catching coronavirus, and mean that those who do catch it suffer from a milder form of illness. The main benefits of requiring mandatory vaccination include:

**Health and safety:** Reducing the transmission of COVID-19 in the workplace may help an employer to meet its health and safety obligations. All employers have a legal duty to ensure, so far as is

reasonably practicable, the health, safety and welfare of all of their employees. That general duty is supplemented by specific health and safety duties that apply in particular situations, or to particular at risk employees. There are also additional statutory duties to ensure the safety of staff and visitors on the employer’s premises. Although, at the time of writing, the Health and Safety Executive (HSE) has not yet published any specific advice on COVID-19 vaccination.

**Increased productivity/business performance:** While there are still high levels of community COVID-19 transmission, many employers are suffering from a major impact to productivity and business performance. A significant number of working days are ‘lost’ due to self-isolation and/or sickness. Reducing the transmission of COVID-19 in the workplace, through mandatory vaccination, may reduce the damaging impact COVID-19 has on productivity and performance.

### What can an employer do to encourage voluntary vaccination?

For many employers, this potentially offers a less risky, more employee friendly option. Employers may wish to consider what they are doing to encourage voluntary take up of vaccination. For example, in the TUC’s view ‘it should be expected of employers to allow workers to have the vaccine administered within working hours, or to pay them for the time taken to have the vaccine done.’ Making it easy for employees to get the jab may greatly increase voluntary take-up.

Some healthcare employers have also had success using a ‘carrot’ rather than ‘stick’ approach, by incentivising voluntary vaccination. Some provide individual incentives (eg an extra half day of holiday once you are vaccinated), whereas others offer group competitions and incentives (eg a prize for the team who achieve the highest voluntary vaccination rate). There are no hard and fast rules, each employer can decide its own incentives, provided those who cannot have the vaccination due to a protected characteristic are not treated less favourably (see above).

### Should employers balance the risks versus the benefits of mandatory vaccination?

Yes, an employer should consider the specific risk factors in their workplace, and how far these can be mitigated by other control measures, when weighing up the pros and cons of requiring mandatory vaccination. Factors an employer may wish to consider include:

- Is a mandatory vaccination policy necessary given the nature of the work?
- Are other control measures sufficient at minimising the risk of transmission?
- Is there widespread support or opposition among the workforce for requiring mandatory vaccination?
- In unionised workforces, what are the trade union’s views?
- Can the objectives be achieved in another way eg incentivising voluntary vaccination?
- Do the potential benefits to be gained by requiring mandatory vaccination outweigh the risk of claims?

Although we have sought to highlight the key principles in this article, we recommend that any employer contemplating a mandatory vaccination policy should obtain legal advice tailored to its own circumstances.

**Emma Ahmed**  
**Legal Director**  
**Hill Dickinson LLP**

## New Model Assured Shorthold Tenancy is Pet Friendly!

The Government announced the new Model Tenancy Agreement on the 28 January 2021 which is the Government's recommended (it does not have to be used) contract for use by landlords. This has been published along with accompanying guidance.

Should landlords choose to use the new agreement then they will no longer be able to issue a blanket ban on pets. Consent for pets will be the new default position in the contract and landlords will have to object in writing within 28 days of receipt of a 'written pet request' from a tenant and will have to provide a good reason for the rejection. The guidance confirms that landlords may have good reason for rejection in smaller properties or flats where owning a pet could be impractical or cause a nuisance to other residents. If no response is received from the landlord then consent will be deemed to be granted.

Currently only 7% of landlords advertise pet friendly properties with a vast majority of tenancies specifically excluding pet ownership. Consequently a large number of pet owners in rented property's do not have the consent of their landlord to have a pet and could find themselves in breach of their tenancy agreement, facing the risk of an injunction to rehome the pet or even in some circumstances losing their home.

The UK is a nation of pet lovers with 51 % of the population owning a pet. The number of pet owners has also increased dramatically since the first lockdown in March 2020 with many enjoying the benefits that pet ownership has on their mental health. The changes introduced should make it easier for those pet owners to find suitable homes.

Under the Government guidance tenants should pass a 'responsible ownership' test which could include microchipping the pet, proof of vaccinations, re-worming and de-fleaing and ensuring the pet responds to basic commands. The guidance confirms that a landlord should accept a request where they are satisfied the tenant is a responsible pet owner and the pet is the kind that is suitable for the nature of the property.

Landlords would be prohibited from charging a fee to the tenant in relation to the pet but could make permission conditional on an additional sum towards the deposit as long as the deposit would not breach the deposit cap requirements under the Tenants Fees Act 2019.

Using the template agreement is voluntary but is being recommended as best practice and campaigners are pushing for it to become binding.

**Amy Tagoe**  
**Associate Solicitor**  
**MSB Solicitors' Social Housing and Regeneration Team**



**Amy Tagoe**

**\*\*NEW\*\***

### Outsourcing Legal Services in Practice

Tuesday 27th April, 1pm - 2.30pm

Attend live or watch the recording

This presentation, aimed at Solicitor/Barrister/Cilex Practice Managers and Directors will aim to cover and discuss the following:

**Philip Nam will cover:**

- A reminder of the Legal Services Act 2007 'rules and restrictions'
- What your agreement between the firm and the consultant should cover
- Effective Supervision and Competency (the SRA standards)
- GDPR / Data Protection
- Case Management Systems
- Correspondence and Phone Calls

**[Click here](#) for more information**





# Stamp Duty Land Tax Holiday Extended...

Avoid delays and extra costs by accessing  
our range of policies.

With the announcement of the Stamp Duty holiday being extended until 30th June 2021, Ci are ready to support your Legal Indemnity policy needs.

If you are continuing to fight with backlogs and are weighed down under increasing pressure to move things forward, our policies are here to help.

Register with us or log on to the Ci site now and purchase the policy you need, instantly.

If you have not tried our easy to use online service before...  
now is the ideal time! [www.conveyancinginsurance.co.uk](http://www.conveyancinginsurance.co.uk)

MSB Solicitors has promoted three of its team members to Associate Solicitor. Hannah Dowd, in the firm's Employment department, Melissa Bosoboe, in its Commercial Property team and Nicole Kerr in the Family team, have all been promoted to the position after excelling in their roles and receiving impressive client feedback.

Emma Carey, Managing Director at MSB, said: "The talent that exists within MSB never fails to amaze me, and these three incredible women have gone above and beyond to achieve fantastic results for their clients. They embody everything we stand for at MSB and these promotions are so well deserved, in recognition of their hard work. I look forward to see them continue to flourish in their careers."

## Trio of Promotions at MSB



**Hannah Dowd**



**Melissa Bosoboe**



**Nicole Kerr**

## Kate Burnell takes Silk

St John's Buildings' barrister Kate Burnell QC has been officially appointed Queen's Counsel, strengthening the Chambers' Family Law group which now boasts six QCs – with four specialising in Children Law and two in Matrimonial Finance.

Called to the Bar in 1998, Kate has built a reputation as a specialist in Children Act cases. Regularly representing local authorities, parents, carers, members of the extended family and children, she has extensive experience working with vulnerable clients, appearing at all levels of court.

Kate is one of 116 new Queen's Counsel appointments, made by Her Majesty the Queen on the advice of the Lord Chancellor, Robert Buckland QC, MP, following consideration by the independent Queen's Counsel Selection Panel.

Frances Heaton QC, Joint Head of Chambers at St John's Buildings, said: "Kate's appointment to Queen's Counsel is wonderful news for all of us at Chambers. I have been fortunate to have worked with Kate in a number of complex cases and know without doubt that her success is much deserved. Her legal knowledge, approach to her cases, client care and advocacy are all of the highest standard. The Family Bar is fortunate to have her as we are to have her in our team."

"Following the appointment of Samantha Hillas QC last year, Kate will be the sixth member of our Family group to take Silk. As a Chambers, I am confident that we now boast one of the strongest Family Law teams in the country."

Chris Ronan, Chief Executive at St John's Buildings, said: "It's fantastic to see our first-rate reputation in family law go from strength to strength. Although the pandemic has meant the ceremony at Westminster Hall is postponed, we look forward to celebrating with Kate and the whole of Chambers as soon the Covid restrictions allow."



**Kate Burnell**



## Donna Scully, Director of Carpenters Group, has been announced as one of Insurance Business UK's #EliteWomen2021!



**Donna Scully**

The list is filled with some of the insurance industry's foremost female leaders and Carpenters Group are proud to see that Donna has been recognised for the amazing woman she is.

Donna shared what this award means for her – and for Carpenters Group.

“I am absolutely thrilled and so grateful to everyone who nominated me. As it has just been International Women's Day, I also want to say ‘thank you’ to the brave trailblazers – both men and women who fought, when it was very tough, to get us to where we are now. I took the chances given to me and John and I have always worked hard to ensure there are equal opportunities for everyone at Carpenters Group. To young women staring their careers I would say, follow your dreams. Be yourself because you are unique, there is nobody like you. It will be hard work but believe in yourself and never give up

because you can do anything if you really want to. There are so many great women and men out there to help and support you. Find us, reach out and let's do this together.”

You can read the full interview here: <https://www.insurancebusinessmag.com/uk/special-reports/elite-women-2021/donna-scully-carpenters-group-248087.aspx>

And see the full article and list here: <https://www.insurancebusinessmag.com/uk/special-reports/elite-women-2021-248086.aspx>

## MSB Senior Associate named in Power List

Jack Medlicott, Senior Associate Solicitor in MSB's Secured Lending team, has been named in the Bridging & Commercial Power List 2021, for his outstanding work in his field over the past year.

This year's list recognises people across a variety of roles and multiple areas, who have gone above and beyond during one of the worst years of our time and have been instrumental in keeping the wheels of the market turning.

Jack, who has more than 10 years of experience dealing with all aspects of commercial property and secured lending, was included for his part in MSB completing over £20m worth of loans at the height of the pandemic last spring. This took place while the firm, along with lenders, banks and valuers transitioned to working from home.

Upon introduction of the Mercury signing rules by the Land Registry last year, Jack assisted a number of his lender clients in deciding on their approach to the rules and how they would implement new procedure. The changes and advice allowed a lender client to complete a crucial transaction while the borrower was

subject to strict lockdown rules on the other side of the world.

One lender said that Jack's experience allowed it to modify its legal requirements during lockdown, to ensure that transactions could proceed to completion without delay. His passion for technology also enabled MSB to develop its case management systems internally and integrate directly with the lenders that it works closely with.

This year, Jack is driving MSB's implementation of new procedures and the development of its technology to ensure that its lender clients are market leaders, not only in the products that they are able to offer, but how they are able to navigate through the lending and legal process. For many years there has been a belief that law firms and solicitors delay the progress of transactions – Jack wants to change that narrative by providing clients with a service whereby the bank or lender receives the best possible security to protect their financial position with as little possible interruption to the business objectives of the parties involved in transactions.



**Jack Medlicott**

# Prosperity Law appoints Pamela Chesterman to lead new Planning Team in Liverpool

Specialist Commercial, Property and Employment law firm, Prosperity Law, has welcomed solicitor Pamela Chesterman as their Head of Planning, establishing a new Planning team based in the firm's Liverpool office.

With over 15 years of experience advising on Planning and Environmental law, Pamela has significant experience in both private practice and local authority planning. Pamela worked as an in-house legal advisor to local planning and highways authorities, where she advised on both the performance of statutory duties as well as promoting development or disposing of surplus land as a landowner.

Commenting on the appointment, Jonathan Durkin, Managing Partner, said: "Pamela is a great addition to the team and we're excited about the opportunity this brings to build on our growing Commercial and Property Department, providing a holistic service for our clients and developers. She is hugely experienced and we are delighted to have her expertise and enthusiasm in the office. I look forward to seeing what we can achieve together in the future."

Pamela Chesterman added: "I genuinely love planning and look forward to leading and shaping our Planning Department at Prosperity Law. I pride myself on ensuring that my clients receive a bespoke service to ensure that they get the best and most commercial outcome possible.

My realistic approach to planning means that I often pre-empt the periphery issues that can so often thwart schemes and/or intentions to object. By early identification and strategic planning, outcomes are reached more quickly with fewer obstacles and delays."

Prosperity Law's planning team focuses on all elements of legal work; non-contentious drafting, contentious litigation and



**Pamela Chesterman**

advocacy and negotiation and presentation in an advisory capacity for committees or local authority working/steering groups.

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## O'Connors refreshes its brand identity as its sector work ripples nationwide

Liverpool and London-based firm of lawyers and business advisers, O'Connors, has launched a new digital-friendly brand identity and website as its sectoral work with insurance businesses, legal businesses and investment funds takes its service offering across the UK and beyond.

O'Connors, the trading name of O'Connors Legal Services Limited, was founded in 2003 with the aim of tackling, head on, the issues causing most frustration to businesspeople when using lawyers for strategic and legal advice on crucial projects and transactions.

Today, the firm provides a unique blend of commercial, corporate, insurance and regulatory expertise, positioning it perfectly to support businesses operating in complex regulated environments such as the insurance, legal and funds sectors. This rare combination of technical knowledge and sector experience, delivered by clear thinkers with strong legal project management skills, has attracted clients from across the UK and global financial centres. The firm's international reach means it

can be alongside entrepreneurial management teams wherever in the world they are doing business.

O'Connors Director, John Spofforth, said: "Every business, like a sports car, benefits from regular servicing, to make sure it is running as smoothly as possible. For us, lockdown meant a somewhat reluctant shift from face-to-face to digital engagement with our stakeholders. To our surprise, this won us valuable extra time talking with our clients, staff, and business friends to ensure we genuinely understand their changing needs and are fully geared up to respond to them.

The re-refresh of our brand identity and website ([www.oconnors.law](http://www.oconnors.law)) reflects this feedback. It has also given us the opportunity to showcase more clearly some of the ground-breaking work our team is doing for some of the most innovative and successful businesses in the market."



## Brown Turner Ross celebrates its 137th year with a new office, strong first half results, brand refresh and a host of new appointments

Brown Turner Ross has marked its 137th year by announcing its move to new offices in St. Paul's Square, along with a brand refresh, a host of new appointments and strong first quarter financial figures.

Brown Turner Ross has also increased its headcount by 25% by recruiting six specialists, taking its team to 30, with Natalie Tomlinson (head of housing disrepair), Claire Hamilton (private client solicitor) and Vicki Coulthurst (property solicitor) all joining in senior positions.

Founded in 1884, the firm which has offices in Southport and Liverpool, has also carried out a full brand refresh, which has seen the creation of a new brand marque - to represent the modern and forward-facing vision of the firm.

The company has also recorded strong figures at the start of 2021, with Brown Turner Ross's family matters team in particular recording a 10% uplift in results, compared to this time last year.

Speaking about the recent growth of the company, Sam Bushell, managing director at Brown Turner Ross, said: "I would like to applaud our people who, despite working from home, have shown a true dedication in maintaining client care with real knowledge and skill to achieve our clients aim. As we embark on exit from lockdown, we are in a strong position to grow further.

"These figures, along with our new appointments and rebrand rubber-stamp our reputation for providing a quality service for



**Sam Bushell**

our clients in the Liverpool City Region and beyond. We are looking forward to the future as we look to build on a positive 2020 / 21."

As well as new appointments, the company has also celebrated in the successes and progression of its staff members, with Rebecca Chase joining the company as a paralegal in the private client team in March 2020, before later climbing the ladder to accept a training contract to become a trainee solicitor in November of the same year.

## MSB Solicitors doubles Private Client Team

MSB Solicitors has grown its Private Client team twofold in response to increased client demand, welcoming two new members including a Solicitor and Head of Department to lead the team.

Robert Lee joins MSB as Head of the Private Client Department, specialising in Wills and Probate, Conveyancing of Probate properties, Trusts and Estates, Court of Protection, Powers of Attorney, and Contentious Probate matters.

Robert brings to the role a wealth of experience, having qualified as a Solicitor in 2007. He is a fully accredited member of Solicitors for The Elderly, and has undertaken additional specialist training in older client law.

Also adding to the team is Caroline Chamberlain, who joins as Solicitor in Wills and Probate. With more than a decade of experience, Caroline advises clients across the whole spectrum of private client matters, including Wills, Lasting Powers of Attorney, Probate applications and Estate Administration with a particular focus on complex disputes, including applications to remove trustees; burial disputes; will validity disputes and claims under the Inheritance (Provision for Family and Dependents) Act 1975.

Both Robert and Caroline join the firm's existing Private Client team, which has been led by Solicitors Rafael Donovan and Steven Butchart.

Emma Carey, Managing Director at MSB, said: "The growth of our Private Client team is a direct reflection of the fantastic work that Steven and Rafael have been doing to support our clients, which



**MSB Private Client Team**

in turn has led to increased enquiries and demand for support with more complex issues. I'm incredibly proud to be able to grow this team and welcome two talented individuals with impressive experience, who will further strengthen our offer, to ensure we can continue to provide the best possible services to our communities. I look forward to seeing where it will take us in the future."

The news continues the firm's significant growth over the past year, the success of which resulted in MSB being named in The Times Best Law Firms 2021.

## Liverpool law firm celebrates fourth anniversary with major office expansion

CEL Solicitors is marking its fourth year in business by expanding its workspace and planning future growth, including a massive recruitment drive, on International Women's Day.

The civil litigation specialist is set to take further space at 20 Chapel Street, where it already occupies the 12th floor, having created an office complete with three bars, two 'think swings', pool table and a 70-seater amphitheatre.

Launched in 2017, CEL Solicitors marked its anniversary on International Women's Day (8 March) – apt since it is female-owned – and now boasts a 65-strong workforce, offering expertise across seven practice areas: housing disrepair; data breach claims; Japanese knotweed claims; financial mis-selling claims, land boundary disputes, fraud prevention claims and business interruption insurance.

Now, the national law firm's latest expansion to the sixth floor of 20 Chapel Street will pave the way to hire 120 further members of staff over the next two years.

Jessica Hampson, director and owner of CEL Solicitors, said: "Since launching four years ago, we've gone from strength to strength, growing from just one service line to seven and massively increasing our headcount, which we absolutely could not have achieved without heavy investment in technology and a strong 'people before profits' ethos.

"We created our office at 20 Chapel Street with our team's wellbeing at the core – everything here is designed to foster a collaborative, engaging workspace, from the 'think swings', bars and Banksy artwork on the walls to the



panoramic views over the River Mersey.

"We wanted the office to be somewhere that the team look forward to coming into, so to now be announcing an expansion onto the sixth floor is incredible and will allow us to continue our growth."

The new space on the sixth floor occupies 7,168 sq ft, with fit-out works set to begin next month. Initial plans include design inputs from the team such as a seven metre-long aquarium and further games and chill-out areas similar to the 12th floor.

And, having bolstered its team by 100% during the last 12 months, CEL Solicitors is now looking forward to welcoming new members to its team and increasing investment in tech to help facilitate the company's expansion.

Jessica added: "We're proud that, despite the challenges of the last year, we've managed to expand our team and also add two brand new practice areas to our offering.

"This is a true testament to the dedication, tenacity and talents of the team. We are passionate about securing the very best outcomes for our clients – whether that's a social

housing tenant living in uninhabitable conditions and pursuing a housing disrepair claim, or an individual whose personal data privacy has been breached.

"Working with Barclay Eagle Labs, we're now exploring how we step up our already innovative approach to client handling using technology such as AI – we've previously been dubbed as a 'Scouse Silicon Valley' for our disruptive approach, which

we've really embraced and ran with. I'm extremely passionate about investing in the right tech to achieve the most efficient and high quality outcomes for clients, helping the business to grow, as well as modernising the legal sector which can often be viewed as 'traditional and stuffy'.

"As a firm, we believe that people with passion really can make a difference – and that's what we're doing at 20 Chapel Street...one office at a time!"





# Boyce becomes first Law Society President of colour

Stephanie Boyce has become the 177th president of the Law Society of England and Wales, becoming the first Black office-holder and the second in-house solicitor in almost 50 years to do so.

She takes office at an uncertain time for everyone, but believes conditions are ripe for making real, lasting improvements in the legal sector.

“This is a time of change for solicitors, for their organisations, and for the country. But while solicitors can and do play the role of the trusted adviser, we can also be a force for change,” she said. “The door is open, and the trail is ready to be blazed.”

Stephanie explains how this force for change will drive her three main priorities during her term as president. “My plan is ambitious, but the ambition to secure change is what ensures change.”

As the first person of colour to be president of the Law Society, Stephanie points to the growing diversity within the legal profession – but there is much more to be done.

Law Society research indicates the pandemic has exacerbated inequalities across the legal sector. Solicitors with disabilities, solicitors with caring responsibilities and solicitors from minority ethnic backgrounds continue to face obstacles.

Personal characteristics or an individual’s socio-economic background should not determine how far people can go. Stephanie is calling for genuine equal opportunities and treatment in the profession and judiciary and will work to address the retention and progression gaps faced by many solicitors.

“It is my mission to leave the profession more diverse and inclusive than the one I entered,” Stephanie said.

## Improving access to justice and technology

Stephanie will work alongside solicitors to ensure access to justice and the rule of law are in clear focus as the government lifts restrictions related to the pandemic.

“As we exit this time of crisis, we will do our utmost to secure a justice system which emerges in a stronger position than before – the phoenix from the ashes,” she said.

Recognising how the use of technology has been a lifeline for the justice system throughout the pandemic, Stephanie welcomes the shift towards virtual hearings, but stresses that justice must still be accessible to all, especially those with poor digital skills, disabilities, or a lack of equipment, internet access or financial resources.

## Promoting digital engagement, good mental health and the rule of law

During lockdown, the Law Society has had to engage as never before with our members digitally. This has provided more avenues to reach our membership, improving accessibility and opportunities for engagement.



Stephanie Boyce

In continuation of this, Stephanie announced the launch of our new virtual course, ‘Introduction to Legal Technology’, which explains what lawtech is, the types of technology available for your practice, and how you can use it.

The course is free and available to all members. You can find it on our website through our learning platform.

Stephanie also recognises the great physical and mental strain the pandemic has placed on many solicitors and pays tribute to the myriad of initiatives being developed by law firms across England and Wales.

“Good mental health and wellbeing must be valued and encouraged, and where environments do not facilitate this, change must be realised,” she said. But she points out how the issue of poor mental health has been exacerbated by increasing attacks on solicitors and the integrity of the legal profession.

“We often hear that the rule of law is a fundamental British value – well, it is solicitors that ensure this is so, and they must be able to do their job without fear of intimidation.”

As president, Stephanie will engage constructively with government on proposed reforms to judicial review and the Human Rights Act. “Proposed changes must not weaken our rights and must be consistent with the rule of law,” she declared.

# The 93% Foundation



**Carpenters Group are proud supporters of the 93% Foundation, the first and only network of state-educated university students. Their mission is to level the playing field for students who were educated at state schools, who account for 93% of the population but face exceptional inequality when it comes to obtaining opportunities at university and in the workplace.**

The 93% Foundation is dedicated to connecting, upskilling and empowering student members and in 2021 are hosting their first Employability Week. As part of this week, our Director Donna Scully has been invited to take part in a panel discussion at Liverpool University, to share her story and inspire the students of the Liverpool 93% Club. In preparation for this event, Donna recently turned the tables and interviewed Elle Jackson, President of the 93% Club at Liverpool University.

## Who was your childhood hero and why?

My childhood hero has to be my Mum. No matter what, she would always go above and beyond for me and my sisters to ensure that we had the best we could possibly have. My Mum is my number one supporter in everything that I do and will always be there in any situation. She is a wonderful, strong woman and if I am half the person she is then I'll be happy!

## What's the best piece of advice you ever received?

The best advice I have ever received was from my Grandad and I remember him telling me this so clearly. One Sunday afternoon we were talking about my audition I had the following day for the lead part in the school musical. I remember feeling really nervous and unsure as to whether I was going to go through with it, even though I had been preparing the whole weekend! My grandad said to me, "Look Elle, if it scares the hell out of you, you should probably do it."

That one sentence has given me the courage to achieve so many things, from moving across the world on my own, to setting up the 93% Club and to even jumping out of a plane! Life is all about pushing yourself out of your comfort zone and understanding that you aren't going to grow unless you put yourself in positions that you haven't been in before – even if it might feel uneasy at first.



**Donna Scully**



**Elle Jackson**

Without that piece of advice, I would not have experienced all of the moments that have made me the person I am today and I am so grateful for that. So, if it scares the hell out of you now, I can bet 99.9% of the time you will thank yourself for doing it in the future.

## Which activity are you most looking forward to doing when the pandemic is over?

Travelling! Due to the pandemic, I had to come home early from my year abroad in Australia last and I have since been longing to get back out into the world. Don't get me wrong, this is the most time I have spent in my hometown since I moved to University in 2017, so I am grateful that I have had the chance to spend lots of time with my friends and family back home and enjoy life at a slower pace.



However, I am more than ready for life to go back to normal and to be able to travel more freely and safely. I haven't got any solid travel plans yet, but I am in the process of securing a job to teach English in China for twelve months, which is super exciting.

**Is there a personal achievement from 2020 of which you are particularly proud of?**

Having the courage to set up the 93% Club at Liverpool definitely has to be a personal achievement from last year. As we all know, 2020 was not the greatest of years and I am really proud of how I pushed myself out of my comfort zone and managed to balance it all with the final year of my law degree and part-time work. It was certainly a busy semester, but definitely worth it. It was great to see the development of The 93% Foundation over such a small number of months, from receiving charitable status to establishing the national podcast 'The 93 Talks', which I am incredibly proud to be the co-host of.

Getting my offer to train with a Magic Circle Law Firm is also a personal achievement I am beyond proud of, and if I am honest, it still hasn't sunk in. I couldn't have done it without the support from The 93% Foundation and the constant reminder that no matter what my background, I am capable!

**What would you say to employers who are interested in getting involved in the 93% Club?**

If like us, you are serious about social mobility, we want you on board! The 93% Club Liverpool, as well as the national network has only recently been established, so there is a lot of room for growth and plenty of opportunities to get involved. Your organisation can become an 'Employer Supporter' of The 93% Foundation on a national level, where you will be featured on the website. Similarly, the Liverpool club offers sponsorships and partnerships at a more local level and the chance to get involved through panel events and mentoring etc.

With the foundation being entirely student run, we are always open to external support and the chance to work with different organisations in any industry. Our award-winning network has developed professional development workshops, policy initiatives and outreach activities that have impacted over 10,000 students across 30 universities and we are just getting started.

**For enquiries about getting involved nationally head to our website: <https://www.93percent.club/getinvolved>**

**If you are interested in supporting the Liverpool club specifically, don't hesitate to drop us an email at [93clubliverpool@gmail.com](mailto:93clubliverpool@gmail.com).**

carpenters  
group

Liverpool Law Society

## **\*NEW\* 25 Cases for the Magistrates Court Advocate**

Thursday 29th April, 9.30am - 12.30pm  
With Clive Smith

For the busy magistrates' court practitioner, keeping up with developments in case law is not easy. With both Court of Appeal and Divisional Court cases having an impact, this course is intended as a whistle-stop tour of recent cases which provides practical guidance to the magistrates' court lawyer.

### **Topics covered include:**

- Section 142 – the latest guidance on when and how to use it
- Restraining orders on acquittal – can the court really do that?
- The latest test for dishonesty – where are we now?
- Partial DNA profiles – what's sufficient to raise a case to answer?
- Admissibility of the PET form – when can it be referred to?
- Bad character – what constitutes "unusual behaviour" which makes previous convictions admissible?

[Click here to find out more information](#)

Liverpool Law Society

## **'Proving your case'**

with Professor Dominic Regan

Thursday 13th May, 12.30pm - 2pm

*Can't make the date/time ? No problem, booking onto this event means you will receive a link to access a recording of the event at your leisure!*

There are so many twists and turns when it comes to evidence and proof. This detailed, wide ranging talk will consider, amongst other matters;

- What should my witness statement contain?
- Do I need an expert?
- Problems with a single joint expert
- Documents and the notice of non admission
- What happens if the Judge can't make up their mind?
- Res ipsa loquitor
- The reluctant witness.
- Questions welcome!

[Click here](#) for more information and to book

## Protecting Pollinators – why accountability matters

**While the bee-killing pesticide that had been temporarily authorised will no longer be used in the UK this year, further action must be taken to protect our precious pollinators.**

Bee enthusiasts will have been distinctly aware of the contentious debate surrounding pesticide use in the UK at the start of 2021, with a host of environmental groups, including the Wildlife Trusts and Greenpeace, vehemently opposing the Department for Environment, Food and Rural Affairs (DEFRA)'s emergency authorisation of a harmful Neonicotinoid pesticide. Despite Neonicotinoids (Neonics) being banned totally by the EU and UK government in 2018, the loophole of an emergency derogation was authorised to agribusiness, approving the use of a Neonic pesticide on the sugar beet crop which was viewed by many as fundamentally undermining the ban. <sup>1.2.3.</sup>

After a myriad of grassroots campaigns via online petitions, and the threat of legal action from The Wildlife Trusts, the recent news that the UK will no longer be using the Neonic chemical on sugar beet this year was met with a sigh of relief. <sup>4.5.</sup> However, closer inspection revealed that the colder weather was in fact to thank for this reverse decision, as the sugar beet crop was merely deemed less at risk. This means that emergency derogations could still be authorised in the future, posing further danger to pollinating insects and setting a dangerous precedent.

So, why does any of this matter?

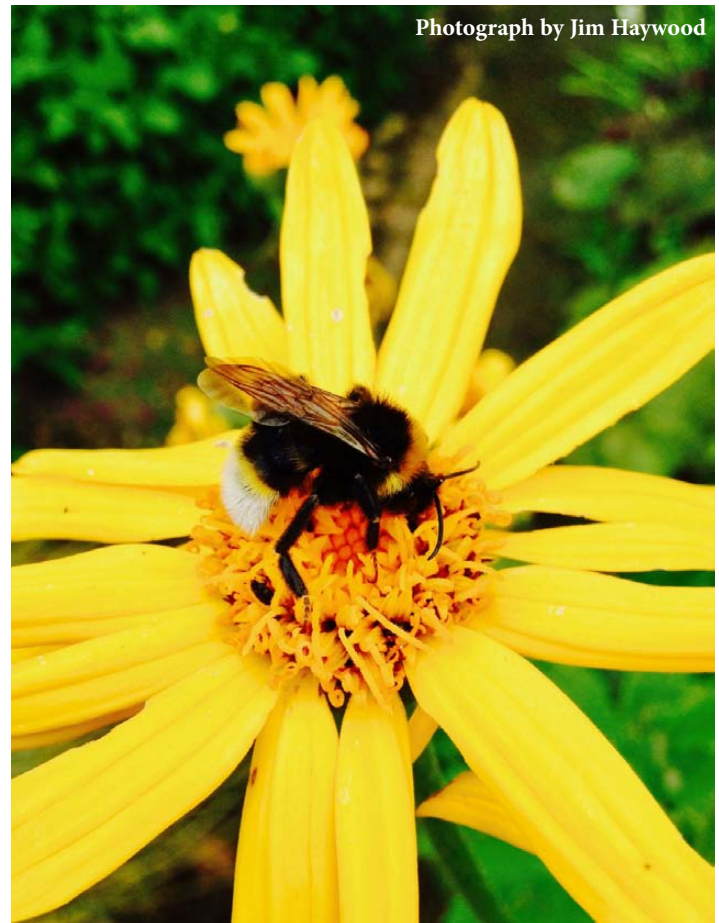
Firstly, extensive research has shown that Neonics pose substantial risks to pollinators, especially wild bees, causing chronic harm, such as reduced cognitive function and foraging techniques, and even death. <sup>6.7.</sup> Unlike contact pesticides, Neonics are systemic, meaning the toxin compounds are taken up by the plant, leaving insects both indirectly and directly exposed. <sup>8.</sup> As Neonics are water soluble, they also often accumulate in soil and can run off into rivers, lakes and other water sources, causing chronic contamination and further environmental damage to insect populations and other organisms. <sup>9.</sup>

Second of all, British pollinating insects, particularly wild bee species, are under severe threat. Analysis of 700,000 naturalist records between 1980 and 2013 has revealed that 1/3 of wild bee and hoverfly species are in decline. <sup>10.</sup> Further evidence reveals an overall decline in wild bee diversity and distribution in the UK, linked directly to pesticide use. <sup>11.12.</sup> This alarming drop in pollinator populations has compounded concerns of biodiversity loss and the consequences this will have on ecosystem function and agriculture and food security in the UK. <sup>13.</sup>

Not only do pollinating insects hold intrinsic value of their own, they are also essential to ecological survival. Did you know that pollination sustains wild plant populations, like meadows and wildflowers, which in turn maintains the biodiversity of our native flora and fauna? <sup>14.15.</sup> In fact, bees are responsible for pollinating 80% of all wildflowers in the UK. <sup>16.</sup> 75%-80% of all global crops rely directly on pollination, with quality and yield being directly affected by pollinating insects. <sup>17.18.</sup> Honeybees are often singled out for their vital food security role, but a diversity of pollinating insects, particularly wild bees, are relied upon to ensure diversity of food products. Pollinating insects are also an integral part of the UK economy, with the services of bees and their pollinators worth an estimated £691m every year. <sup>19.</sup>

The ongoing debate about pollinators and pesticide use reminds us of the importance of accountability and how we can exercise our power via individual action and collective campaigning to bring about change.

Allowing the emergency use of bee-killing Neonics seems to be a dangerous step backwards – not only does it seem to be in opposition to the implementation of the National Pollinator Strategy, but it also relies too heavily on short-term solutions to a long-term problem. <sup>20.</sup>



Photograph by Jim Haywood

It is my belief that through co-operation and innovation the UK could successfully implement a long-term strategy that prioritises sustainable, bee-friendly farming practices and protects existing natural habitats.

One could write an entire article solely on what exactly an alternative strategy to protecting bees and pollinators may look like, but these are just a few ideas:

- Drafting legislation that outlines comprehensive chemical pesticide reduction targets and the reaffirmed commitment to maintaining the existing ban on Neonicotinoids.
- Provision of education for UK farmers to ensure the protection of existing ecosystems and natural habitats including hedgerows, wildflower meadows and water meadows.
- Increased research into the efficacy and improvement of pest management in pesticide free farming
- Provision of education and training for UK farmers to implement sustainable agriculture practices including crop rotation, natural pest control via flower field margins and increasing crop diversity.
- Financial incentives for farmers to create ecological infrastructure targeted towards habit conservation and soil restoration – both which help pollinator diversity. <sup>21.</sup>

So, how can you get involved? Well the good news is that there are also many small steps that individuals can take today to help protect our pollinating insects. If you too would like to see a commitment to the ban on Neonicotinoids pesticides then sign The Wildlife Trusts petition asking to uphold the original ban:

<https://action.wildlifetrusts.org/page/74049/data/1>



There are also small micro-actions that you can do to make your postcode more bumblebee friendly! The Bumblebee Conservation Trust's new 'Bee the Change' campaign is asking people across the UK to pledge to carry out simple, small actions like spotting nearby bumblebees, growing bee-friendly plants, creating wild bumblebee havens, and spreading the #BeeTheChange message with their friends, families and local communities.

Whatever postcode, wherever you live – whether that be in the countryside or a city centre, anyone can take part. To make your Bee the Change pledge online visit [bumblebeeconservation.org/beethechange](https://bumblebeeconservation.org/beethechange).

And finally, change will never come without conversations – so keep spreading the message about the importance of pollinators and how together, we can exercise our powers to protect them.

**Zoë Carpenter is currently studying an MSc in Global Environment, Politics and Society at Edinburgh University and is a freelance researcher for Achill Management.**

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## Drugs Offences, Evidence & Sentencing

Thursday 27th May, 1.30pm-4.30pm

With the Sentencing Council having recently published new sentencing guidelines in relation to drugs, this presents the perfect opportunity to update your knowledge around drugs sentencing. Before getting to sentence however, the issue of evidence in drugs cases will be covered.

Clive Smith will cover:

- Drugs offences – what is the law around psychoactive substances?
- Admissibility of phone evidence – guidance from the Court of Appeal
- Possession – what constitutes possession and what “knowledge” is required?
- Joint possession – multiple defendants in a car: who is in “possession”?
- Aggravation of supply offences – drug dealing around schools
- New sentencing guidelines – “spice”, synthetic opioids and the issue of “harm” under the new guidelines

[Click here for more information and to book](#)

## The Complete Legal Aid Supervisor

Friday 21st & Monday 24th May, both 2pm - 4.45pm

This course covers everything supervisors need to know & inc case study examples. Attending this course will qualify a new supervisor who hasn't supervised before under Standard Contract Specification requirements for both the Civil/Family Standard Contract 2018, Crime Standard Contract 2017, & Specialist Quality Mark requirement D3.2. It is also a useful refresher for experienced supervisors.

Vicky Ling will cover:

- Latest developments in legal aid – including COVID-19 related amendments
- Relevant SQM and Lexcel provisions
- SRA Competence Statement requirements for supervision
- How supervisors qualify and maintain status
- The main types of legal aid audit, including Contract Manager visits and peer review
- The LAA's timetable for resuming audit and contract management activity
- Characteristics of good supervision
- What supervisors need to look for in file reviews

& much more

[Click here for more information](#)

## Traveling, working, studying, and staying in Spain after Brexit: do I need a visa?

2021 is being a year of changes. For British citizens and other UK residents, the Brexit is one of the biggest deals of the year. The exit of the European Union has changed the relationship between UK and the European countries forever. But how does this affect to the British citizens who wants to spend some time in Spain?

### 90-day rule: do I need a visa?

One of the inconveniences of Brexit is the revocation of the freedom of movement for British citizens. After 1st day of January 2021, all British citizens are considered third country citizens for EU countries and they must apply for visa and special permissions to enter in the EU zone.

In general terms, any **British citizen can stay in Spain as a tourist for less than 90 days (in a 180-day period) without any problem.** If you are a citizen from another country, you must check if you need a short-term visa (called as well Schengen visa) to enter and Spain and stay less than 90 days.

**The 90-day rule applies to the total number of days for all countries in the Schengen area.** That means you do not have 90 days to stay in Spain, 90 days to stay in France... if you stay 90 days in Spain, you are not allowed to enter in any other EU country in the current 180-day period.

**Your “90-day-rule” counter comes back to 0 after 180 days.** So, in a period of one year, you have two periods of 90 days to stay in any EU country. In these 180 days, you can use the 90 days freely. You do not need to stay the 90 days in a row. **You are able to come in and go back to UK as many times as you want as far as you do not complete your 90-day period.** For example, you can spend 20 days in Spain and then, go back to UK for one week. Then, you will have still 70 days to spend and enjoy in any EU country!

### Can I stay more than 90 days? Can I work in Spain?

If you would like to spend more than 90 days (in a 180-day period) or like to work, study, or invest in Spain, you will need a visa. Please, keep in mind **you can not apply for residency if you got a tourist visa and there are just a couple of reasons you can convert your tourist visa into a working or residence visa**

There are a lot of different kind of visas but, in general terms, we can talk about:

- Working visas
- Studying visas
- Residency visas (including non-lucrative visa)
- Law of support for entrepreneurs and their internationalisation visas (for investment)

**Each kind of visa has its own categories** (i.e., inside the studying visas, you can find a variety of visas like au pair visa, language assistant, student visa...). Feel free to ask us for more information!

The Consulate will ask you for different documents or information for each kind of visa but, in general terms, you will

need the following documents:

- Visa forms fulfilled and signed
- Original passport
- Two recent photos
- Private insurance
- Medical certificate (not applicable for less than 6 months visa)
- Police Clearance from countries of residence for the last 5 years (not applicable for less than 6 months visa)

But these are just few of the documents you will need to show in the Consulate. **For example, for a non-lucrative visa, you must include some documents proving sufficient financial means for your living expenses and accommodation** (€2,259.60 per month plus €564.90 per each family member). And, for a working visa, you must provide information about your labour contract or your employer. Contact us to obtain further information for each visa type.

### Where can I apply? And how can I do it?

**Applications must be submitted directly to the Spanish Consulate where you live.** There are three Spanish Consulates in UK (Edinburgh, London, and Manchester) and each of them covers a specific area of UK. So, you can only apply in the Consulate that corresponds to your county.

**You must arrange an appointment and go there, personally,** the appointment day with all the documents. They cannot help you to sort out all the paperwork. But, as Spanish Lawyers, we will be more than happy to help you to deal with this long and complex process.

The Consulate must give you an answer within 1 month (3 months for non-lucrative visa) and, if they refuse your application, you can do an appeal and/or going to Court. As Spanish Lawyers, we have more than 15 years of experience helping British citizens to deal with their issues in Spain. And, for 10 years, we were as well the Honorary Consulate of Spain in Liverpool. We have a large and long experience in consular matters.

**Ana Escauriaza, Spanish Lawyer/Abogado**  
**Enrique Sanchez Spanish Lawyers/ Ex Spanish Consulate**  
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# Quill makes document management easier and better with release of DocsHub

- All-new documents hub delivers a unique integration pack between Quill and Microsoft Outlook, Excel, Word and Windows desktop.
- Accessible using any device anywhere, promoting secure file management, efficient time-recording and team collaboration.
- Quill is the only legal practice management software provider that also offers outsourced legal services including legal cashiering, typing, payroll and bookkeeping.

Leading legal software provider Quill is setting out to make legal professionals' document management more streamlined and efficient than ever before through the launch of its improved DocsHub service.

The leading-edge system allows users to create and manage case files, forms, correspondence and other documentation within a one-stop digital repository. Material is stored securely via the cloud, with teams enjoying convenient access at any time and on any device for improved collaboration.

Docshub is seamlessly integrated with popular software including Microsoft Office to facilitate the simple creation, editing and storage of templates, letters and emails. The automation technology creates an "enter once, populate everywhere" process for all legal documents.

It provides a clear dashboard of caseloads and shortcuts to key and recently used documents and emails, while time spent on documents and correspondence is automatically captured for straightforward record-keeping.



By reducing paper use and storage space, DocsHub makes document management environmentally friendly as well as safe and simple.

***"The decision to go paperless is a major step in a practice's journey to going fully digital and in the cloud," said Quill Managing Director Julian Bryan. "What used to take six to 12 months and teams of people to complete can now be done in days, even hours, with Quill's DocsHub."***

The DocsHub service is available to Quill clients for a charge of just £19 per month per user. Quill is providing comprehensive support for the new service through online training, webinars and other resources.

***"Quill is constantly striving to improve processes and workloads for legal professionals, and our new-look DocsHub service will take automation efficiencies to the next level," says Bryan.***

***"Our goal is to strip back the hassles and tedium of document management and time capture, and free practices up to deliver the best possible client service. With so many of us away from offices and seeking new ways to improve productivity and collaboration, this is the perfect time to introduce DocsHub, and we're looking forward to helping our communities make the very most of it - securely - in the months ahead."***

Quill helps law firms streamline and run law practices better by providing simple and easy-to-use practice management and legal accounts software, as well as outsourced legal cashiering, bookkeeping, payroll and typing services.

For more information, visit [quill.co.uk](http://quill.co.uk)



## Paying for family to care

Friday 14th May, 10am - 12.15pm

Good quality care is hard to commission, and increasingly it makes sense for families to provide the care themselves.

**Without advice, the carer may be at risk of accusations of financial exploitation or if they are an attorney or deputy, breaching their fiduciary duty not to benefit from their position. This course is aimed at Private Client and Court of Protection lawyers whose advice touches on the issue of families providing care.**

### Caroline Bielanska will cover:

- When Court of Protection authority is required
- The application and evidence which the Court requires in support
- Written agreements
- Obtaining and using a local authority direct payment to pay family to care



[Click here](#) for more information and to book

## Residential Conveyancing: Completion Day Nightmares

Tuesday 18th May, 2pm - 4pm

This is an intermediate webinar aimed at transactional property lawyers (both residential & commercial property lawyers) exploring what can go wrong at completion and how to deal with those problems.

### Ian Quayle will cover:

- Practical problems: what to do when something goes wrong – avoiding complaints and potential claims
- Notices to complete – tips and traps
- Contractual remedies – contractual interest, rescission and damages
- The Vendor/Purchaser Summons
- What happens to the deposit – Section 49 Law of Property Act 1925
- Lessons from case law

[Click here](#) for more information

## Insolvency Update

On Friday 4th May, 12.30pm - 1.30pm

With **Chris Beanland**

In this hour long course we will review important developments in insolvency law over the last few months. As ever, emphasis will be placed on matters which have an impact on day to day practice.

### Chris will cover:

- Dangers of proceeding with misfeasance claim against non-active director: *Re IT Protect Ltd (in liquidation)* [2020] EWHC 2473
- Challenging appointment of administrator as being for an improper purpose: *Re Hat & Mitre plc (in administration)* [2020] EWHC 2649
- Interaction between Insolvency Rules 2016 and CPR: *Wolf Rock (Cornwall) Ltd v Langhelle* [2020] EWHC 2500
- The rule in *Exp James* and its application to officeholders: *Lehman Brothers Australia Ltd (in liquidation) v Macnamara* [2020] EWCA Civ 321
- Bankruptcy restriction orders: *Official Receiver v Baxendale-Walker* [2020] EWHC 195
- Secured creditors presenting bankruptcy petitions: *State Bank of India v Malliya* [2020] EWHC 96

[Click here](#) for more information

## RTA Claims in 2021: The New Landscape for Low Value Claims

with Jeff Zindani

Wednesday 19th May, 1.30pm - 4.30pm

This will cover the following:

- New Whiplash regulations, CPR and Practice Direction changes and New Protocols for SCT Cases
- Civil Liability Act 2018
- The New Tariff Figures
- Mitigation?
- Key Exceptions: From Kids to Vulnerable Road Users
- Medco: How this Will Work in Practice
- Small Claims Limit for RTA claims and How this Will Work
- New Court Procedure
- Making this Work Profitable: New Retainer Models
- Further Reforms

[Click here](#) for more information



# Digital transformation and the evolving family law

The challenges posed by the pandemic have caused law firms to reappraise the way they work and how they integrate with their clients. One area of law particularly affected is family law. The pressures on people suddenly confined to spending more time at home together have led to divorce applications and break-ups skyrocketing across the UK.

John Espley, CEO of LEAP legal software, details 5 key challenges currently being faced by family law firms and advises on developments in technology that have enabled these challenges to be overcome, enabling effective working and continued provision of this valuable service.

## Challenge 1: Maintaining client contact

Many of those seeking the help of family lawyers during lockdown are in a vulnerable position. Often it is not the right time or place to make private phone calls, so it is necessary for firms to provide their clients a simple, effective, and alternative way for them to get in contact.

Providing a digital gateway and enabling your services to be accessed through an online platform is essential, whether that be via your existing website or a dedicated platform that offers your client self-service capabilities, these portals are assuring client privacy, providing access to valuable information and services and allowing the vulnerable to get in touch when it is the right, and safest time for them to do so.

## Challenge 2: Marketing family law services

With less social interaction caused by restrictions, we have seen a drop in referral rates for many practices as prospective clients are unable to speak to friends offering referral advice.

To maintain a regular flow of incoming business lawyers are having to work much harder and invest more of their time in self-promotion.

Given the last year, a key selling point of firms at present is if they can offer fully digitalised support, servicing the needs of the client remotely. If this is the case, they must make this central to their promotion. It will win them business and help the firm stand out from the competition. At LEAP we invest over £12 million per year developing software that integrates seamlessly with leading providers in their field so that firms can offer their clients tools that provide them a complete and uninterrupted remote service such as video conferencing, secure and personal document sharing and appointment scheduling during these challenging times.

Additionally, you must review your website. Does it look professional? Has it become dated? Is it easy for clients to submit an enquiry? Does it communicate your services well enough? Does it get across the identity that you want to present for your practice? Having spoken to a number of family lawyers recently it was interesting to hear how clients value empathy above everything else. If your firm takes pride in listening to, and understanding the needs of your clients, responding appropriately to their individual requirements and concerns, this is something that you must stress in all your promotion.

We recently launched our own accreditation scheme, the Family Best Practice Standard, which encourages firms to achieve a recognised level of service excellence through their use of our software which ultimately provides real value to the end-user in terms of the service they receive. For firms that have already achieved this accreditation it becomes a fantastic marketing tool, a certification mark that assures new clients that you are who you say you are, and provides them with

confidence that they are dealing with a lawyer who will provide an experienced and competent service.

## Challenge 3: Adapting to legal changes

As practitioners are working remotely, keeping abreast of regular changes in legislation can be a challenge. For our firms, a real benefit has been the availability of a large library of up-to-date family forms and precedents accessible within the software, as well as our integration with By Lawyers. This means family law practitioners need worry less about compliance and benefit from real-time access to current legislation, practice changes and court guidance when working from home.

## Challenge 4: Simplifying the Financial Statement, the Form E.

By way of family form automation, a welcome addition for family lawyers is our latest development streamlining the production of the Form E. Traditionally a very time-consuming process, we have created a new solution within LEAP that simplifies the completion of this usually complicated document, meaning firms spend less time chasing for client information. The real game changer for them is that this powerful app enables the client to complete the details of the form themselves, in their own time, online, and hence with less margin for error. Once complete, this data synchronises with LEAP and enables the production of a Form E for the client to sign electronically before submission to court.

## Challenge 5: Virtual court hearings

Although more streamlined, the move to virtual court hearings has created several issues. Family lawyers have had to adapt quickly to different ways of doing things and technology has played a big part in enabling them to do this. As well as mastering video conferencing technology (don't be like the American "cat" lawyer!) family lawyers have had to get to grips with e-bundles.

Employing a viable tool that enables bundles to be created in line with court requirements has become essential. This fast adoption of e-bundling has eliminated the need for traditional, time-consuming hard-copy bundles, printed in bulk, duplicated and couriered to all parties involved. The pandemic has greatly advanced the way that bundles are collated and used, bringing a long-term improvement to the court process.

Helping firms to adapt quickly to online court hearings, over the past year we have developed integrations with user-friendly, web-based bundling solutions so that lawyers can, using the information held in LEAP, create professional, presentable, and cost-effective e-bundles in minutes not hours.

For the client, having to go to court can often cause anxiety, so remote hearings are welcomed by some as it takes the emotional sting out of the hearing and removes face to face encounters. However for the family lawyer, although a more efficient use of their time, attending court 'remotely' requires instant access to the latest client, matter and bundle information from one convenient location, accessible when needed, which thankfully for them, LEAP affords.

The last year has been incredibly challenging for the profession and it's vital for family lawyers, especially when working remotely, to continue to provide a comprehensive service to their clients. At LEAP we are committed to developing software to help lawyers help their clients and we offer a fully remote implementation to helping law firms start doing so as quickly and as effectively as possible.

[www.leap.co.uk](http://www.leap.co.uk)

# 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**

This month as restrictions ease, there is more to see in our public spaces. Public art has always been a central part of our strategy of placemaking at Liverpool BID Company and 2021 will be no different.

Liverpool Biennial has opened its outdoor programme. The 11th edition of the festival has the theme The Stomach and the Port. While cultural venues remain closed, the artwork that appears in the public realm is available for those within the city to enjoy.

At Exchange Flags, there is a sculpture by artist Teresa Solar, called Osteoclast (I do not know how I came to be on board this ship, this navel of my ark).

Meanwhile, River of Light, an outdoor illuminated art gallery along Liverpool's world-famous waterfront lit from sunset until 10.30pm, spreads into the Commercial District. It is only open to people living locally while restrictions continue.

At Liverpool Parish Church, the panel has just met to discuss the next sculpture that will appear on The Liverpool Plinth. It will be chosen and unveiled later in the summer.

In May, LightNight, the one night only arts festival will return, both online and offline.

Public art has always been an important part of life in Liverpool, and within the Commercial District we feel its importance as much, if not more, than other areas of the city. It adds colour, vibrancy, and brightness. Walking through a public square that has been taken over by art reminds us that creativity can exist everywhere, from the boardroom to the gallery. Some of us might even have found ourselves teaching art during homeschooling!

Our city's creative communities have been hit hard by the past twelve months, and the addition of public artworks and festivals returning, albeit in a different guise than in previous years, feels as though we are regaining a little of ourselves and our distinctive character.

In Liverpool, our annual calendar is punctuated by art exhibition openings, theatre shows, gallery launches, festivals and events. It adds colour and personality to the city, making it attractive both to businesses and their workforce. Living in a city where sculptures will fill the public spaces for several months makes us feel like a city where we value everyone's work, from the artist to the solicitor. That's an important characteristic for any place.

At Liverpool BID Company we invest in art organisations like Open Culture, the producers behind LightNight, Liverpool Biennial and dot-art because we know business wants to



**Julie Johnson**

operate in a city that values its creativity and its creative sector. We know it attracts visitors but we also know it helps achieve a balance.

Cities will always change, and priorities may shift with it, but for us at Liverpool BID we know our Levy Payers value the contribution of the artistic community. Visitors coming to a festival or exhibition will spend money elsewhere in the city. Businesses throughout the Commercial District sit on the boards of artistic institutions and show their support. In cities we operate as ecosystems, each sharing our expertise and our experience across sectors and industries.

The past year has shown us the power of working together, of sharing our knowledge and learning from one another. It makes us stronger as a community.

<https://www.biennial.com/>  
<http://independentsbiennial.com/>  
<https://www.visitliverpool.com/riveroflight>  
<https://lightnightliverpool.co.uk/>

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# Monthly Costs Update



**Welcome to our new monthly update in which we discuss recent trends and developments in Costs Law and Practice. If you feel that there are costs related issues of interest, please feel free to contact us!**

Qualified One Way Costs Shifting was introduced as part of the civil procedure reforms in 2013. It is known, not necessarily with affection, as QOCS. The idea came from the Jackson reforms. It was effectively a trade-off. Insurers said that they would prefer to waive any claim for costs in return for not having to pay ever increasing After the Event Insurance Premiums. The scope of QOCS is limited to personal injury claims. The rules are found in CPR 44.13 and are from clear.

This is illustrated in the recent case of **Sutcliffe v Ali and Aviva** discussed by barrister Gordon Exall in his Civil Litigation Brief – <https://www.civillitigationbrief.com/2021/03/09/a-counterclaiming-defendant-is-not-entitled-to-qocs-protection-that-was-not-what-the-jackson-reform-were-for/>

What happens where a defendant counterclaims in a personal injury claim? If the counterclaim fails does the defendant have the benefit of QOCS? The answer, according to HHJ Gargan in the Middlesbrough County Court was a firm ‘no’.

***‘In my view the defendant is not to be viewed as an unsuccessful claimant in the proceedings as a whole but rather as the unsuccessful defendant in the claim – albeit that he was also the unsuccessful claimant in his own personal injury claim.’***

This clearly makes sense. The whole idea of QOCS was the protect access to justice for victims of accidents, not to allow defendants to avoid costs liabilities.

While we are on the subject of QOCS, what is the position where there is a claim with a personal injury element but is primarily about something else? For example, you could have a s11 Housing Disrepair Claim which includes a claim for injury to health. If the fail claims, does QOCS apply. This is what happened in Commissioner for the **Police of the Metropolis v Brown** [2018] EWHC 2046. This was a claim against the Police for a Data Breach. It included a claim for damages for Personal Injury in the form a depression. This aspect of the claim failed.

At first instant HHJ Luba found that she had QOCS protection because of the presence of the personal injury claim. The Defendant appealed and succeeded. Her claim included a claim other than a claim for personal injuries.

This came within the scope of CPR 44.16 (2) (b) which meant in effect that she did not have the benefit of QOCS as of right and the matter came within the court’s discretion.

Who doesn’t remember the waves of fear that swept through the profession after the case of **Mitchell v News Group** [2013] EWCA Civ 1537. What lay at the heart of that case was the failure to file a costs budget on time. This led to costs being limited to court fees only – a potential disaster for the Claimant’s lawyers. But there was an unresolved question. Did the sanction cover the entirety of the costs or was it limited to future costs only? This has now been clarified in the case of **Hardy v Skeels** that is reported by PIC lawyers - <https://www.pic.legal/cpr-3-14-sanction/>

HHJ Rawlings in **Stoke County Court** found that CPR 3.14 could not therefore restrict the defaulting party’s incurred costs to court fees only, and the sanction only applied to future costs. This is at least some comfort but does not wholly remove the possibly catastrophic consequences of failing to file the budget on time!

Finally, we have previously commented on the case of **Belsner v Cam Legal Services** [2020] EWHC 2755 (QB) in which the High Court disallowed a deduction from a claimant’s damages in a case conducted under a CFA. The court found that in order to consent to such deductions a client would have to have been given detailed information including the amount of costs recoverable from te other party. This raised the spectre of huge numbers of claims against solicitors for repayment of sums deducted. We have heard that on Monday 22nd March 2020 the Court of Appeal gave permission to appeal the decision. Watch this space!

**If you require help in relation to any costs issues contact Robert Cook at [robert@cook-legal.co.uk](mailto:robert@cook-legal.co.uk) or Mike Yassin at [mike@cook-legal.co.uk](mailto:mike@cook-legal.co.uk)**

# Regulation Update

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



**Michelle Garlick**

With Spring in the air, the vaccination programme well underway and the roadmap in place to ease the lockdown restrictions and hopefully return us to some form of normality, I hope you are all feeling positive towards the future. Forward thinking is certainly important in these times and with our regulatory bodies looking towards the future of the legal services market, here is an update on recent regulatory developments.

### Reviews and Comparison Websites

The Legal Services Board (LSB) has recently conducted research which concluded that many consumers view customer reviews highly when deciding on the correct lawyer for their needs. As consumers find it difficult to choose a legal service provider due to the potential high costs, importance of their legal requirements and limited interaction with the legal market, the reviews help consumers make a better comparison of the legal market. According to the research, reviews left on the individual service provider's website were not viewed as favourably as those on independent sites. Further, shorter reviews were seen as less valuable, when considered next to lengthier reviews which provided more detail about the overall quality and monetary value of the services. There has been much debate recently over the usefulness of comparison sites for the legal market. Comparison sites are increasingly used by

consumers for services such as utilities, insurances, supermarkets and general retail. So why wouldn't they be useful for legal services?

The SRA has launched its own pilot of seven comparison and review sites for legal services with CILEx Regulation and the Council for Licensed Conveyancers. Initially, the pilot is focusing on conveyancing and employment law services, with twenty law firms involved. There will be a six month testing period, to determine any issues with making the reviews work for the firms involved and consider what other factors of the legal market could be compared to assist consumers in making their decisions.

In addition to the comparison and review sites pilot, the LSB is considering implementing a single digital register for the legal market where consumers would be able to obtain all the same information about various different legal service providers in one place. The LSB accepts that for something of such complexity, it would have to be rolled out on a basic level first, before being able to provide an in-depth report of each provider. The LSB has suggested that a simplistic version could first be implemented, with basic data provided with information on the complaints procedure for that provider. There would then be the potential that this could be further developed at a later stage to allow consumer feedback on the register. By creating something on this scale, it would enable

consumers to have a view of the entirety of the legal market in an independent manner with wide scale transparency. Like anything though, it would face challenges, such as costs for publishing data, having a standardised approach to published data and potentially compliance issues.

The LSB has yet to confirm whether this proposed single digital register will be created, so it will be a case of "watch this space" and keep an eye out for the Meerkats!

### BSB struggling due to volume of work

The BSB has announced that it is slimming down its business plan for the next year to focus on its core regulatory responsibilities as a result of it struggling to cope with the rising volume of authorisations, reports and disciplinarys and failing to achieve seven of its ten service standards. It stressed in its report to the Board that the quality of decision-making remained high but Covid had had an impact on performance and that there is a need to introduce a new case management system, streamline processes and potentially increase short-term resource to get through the backlog.

### Hardest PII Market for 20 years

Expert brokers are predicting that the profession is facing the hardest PII market since the closure of SIF more than 20 years ago and have warned that insurers are seeking

personal guarantees and demanding that policy excesses be paid into escrow. There is clear resentment of the SRA's approach to the Minimum Terms which requires insurers to pay out on a claim even if the firm hasn't paid its premium/run-off cover and brokers are advising firms with an October renewal date to start preparing early.

### Have you checked your AML Status?

The SRA has confirmed that it is contacting those firms who have said they don't fall within the Money Laundering Regulations to check their status and to confirm that they do not need to be subject to SRA supervision. The 5th money Laundering Directive extended the scope of services which are now captured so do get in touch if you have any queries or need any help in complying.

### Fighting Against Financial Crime

The FACTI Report published by the UN has caused concern for the International Bar Association (IBA) with the suggestion that governments could help to regulate lawyers in a manner to promote sustainable finance and public interest. The suggestion has come as part of the proposals to assist the fight against financial crime.

The FACTI Report provides 14 recommendations to



reform global finance, the most concerning to the IBA being those with the implications that there should be regulation of legal services by the government. Recommendation 6: Enablers recommends that “Governments should develop and agree global standards/guidelines for financial, legal, accounting and other relevant professionals, with input of the international community”. The IBA does not support government regulation of the legal profession, considering it to be key to democracy that the legal profession remains independent from the government. There is strong support from the IBA to fight against financial crime, but the remedy currently proposed by the UN is one which faces criticism and the request to be reconsidered.

The FACTI Report and its full recommendations can be found at <https://www.factipanel.org/reports>.

## Consultancy model to dominate high street/mid-tier in next 5 years

A report published by Arden Partners PLC suggests that the consultancy solicitor model is set to become the dominant model in the mid-tier and high street legal services market over the next 5 years with an estimated 50,000 solicitors working as consultants in firms offering a central infrastructure in return for a percentage of billings but with the balance being retained by the consultant. Whether this is something you agree with or not, what is important is that you have a clear strategy and look at your own business model to see if it is working for you or whether you need to adapt it in any way.

## Disciplinary Decisions

### Reaction to a complaint

The SDT recently heard a matter arising from a solicitor's behaviour following a complaint to the SRA. The solicitor had been informed of a client complaint made against him and reacted by telephoning the client. During this telephone call, the solicitor became abusive and is said to have used rather “colourful” language, whilst attempting to have him withdraw the complaint. The solicitor claimed that his reaction was due to fearing a loss of his livelihood as a result of the complaint and that he was unwell at the time of the telephone call, which impacted what he said. The solicitor agreed with the SRA that someone acting with integrity would not have had such a conversation with the client who had made the complaint and the investigation should have been able to proceed without such interference. The solicitor was fined £10,000 and ordered to pay costs of £6,000.

### Feeling the pressure

Two recent SDT decisions have highlighted that feeling under pressure at work is not a mitigating circumstance for acting dishonestly and in a manner which directly contravenes the SRA's Code of Conduct. In one case, a partner of a national firm misled a client regarding the payment of a settlement sum of £38,000 in relation to a litigation matter. The client had been promised the money would arrive imminently in emails from the partner, but the truth was that initial contact hadn't even been made with the other party. The promises of imminent payment continued for months, until the client complained to the firm. Upon discovery of the actual facts by the firm, both the partner and the firm reported the issue to

the SRA, two days before the partner resigned. At the SDT, it was heard that the partner had in fact made misleading statements regarding payment to a previous client also. The partner's mitigation was that he felt under “extreme pressure” at work and as a senior member of the firm, he couldn't explain his problems to anyone. He was also having personal and medical difficulties during the period of misconduct. The partner agreed to be struck off and pay costs of £4,600. In the second matter, a recently-qualified solicitor faked a decree absolute and misled her client to believe that his divorce was completed, as well as having him pay fees of £1,630 into her personal bank account. She informed the client that such fees were going to be paid to the firm. It was discovered by the client that the court had no documents pertaining to the client's divorce. The decree absolute had been created by the solicitor and she also certified a copy of the document. When she became aware that the client had discovered that there was no record of his divorce, she telephoned the client to insist that the decree absolute was a true document and she should be trusted as his legal representative. The dishonesty in this matter was not found by the SRA until she had already been dismissed by her firm for gross misconduct. Further dishonesty was also found, in that another client had paid fees directly to the solicitor's personal bank account, following the creation and issue of fake invoices. The solicitor's mitigation was that she was worried of losing her job due to being overwhelmed by her workload. Her firm denied that she couldn't manage her workload and claimed that she was well supported. The solicitor agreed to be struck off and has to pay costs of £5,000. Further, upon request of the firm, the

solicitor has agreed to return the money she took from the clients.

### How not to effect an orderly closure

A solicitor has been fined £2,000 for failing to effect an orderly closure of his firm by fly-tipping legal documents containing clients' data on the pavement outside his office. If you are thinking of closing, there is a checklist of things to deal with/people to contact etc on the SRA's website and take advice to ensure the closure is managed in an orderly fashion.

### Reasonable Costs

The SRA has had its costs cut by £54,000 by the SDT in relation to the investigation and prosecution of a married couple, one a solicitor, the other a non-solicitor conveyancing manager. The couple had been investigated for three and a half years resulting in a four-day hearing which determined the most lenient penalties for them, namely a reprimand and rebuke respectively. The SRA's schedule of costs was described by the SDT as “disproportionate”, especially given that the allegations dated back years and could have been reviewed far more quickly. Certain charges were withdrawn during the hearing and could have been done so much earlier on in the investigation. The misconduct itself was found to be as a result of naiveté, rather than maliciously motivated and the SRA's conduct in relation to costs was not proportionate to the circumstances, being £84,000 which was ultimately reduced to £30,000.

**Michelle Garlick**  
**Weightmans LLP**



# News from Merseyside Junior Lawyers Division

## Unconscious bias training doesn't work... not by itself!

Following the uprising of the Black Lives Matter movement last year, more and more businesses have reluctantly accepted that institutional racism is alive and kicking (amongst other prejudices). Whilst some businesses appear to have stepped forward to issue public empty promises or statements of solidarity, others have paused to listen or have looked within in an attempt to identify issues and possible solutions.

There's been a monumental move towards businesses adopting equality, diversity and inclusion (EDI) programmes and policies. For a young(ish), brown, LGBTQ+ woman, let me tell you – it's about time!

But, we have to ask questions... Do EDI training programmes actually work? Do the leaders implementing the programmes truly believe in the content? Is the content quality and does it set realistic outcomes? Most importantly, is it all just for show?

Audre Lorde, the black lesbian activist and poet, famously declared some years ago "the master's tools will never dismantle the master's house." Upon reading this recently, I asked even more questions which has pushed me to do my own reading around EDI training.

EDI training has been around for many years and its creation is widely thought of as a strategy used by businesses to avoid what are now claims under the Equality Act 2010. As a discrimination lawyer, I see in my day job the way in which businesses use things such as poorly designed EDI PowerPoints, shown to their employees years prior to an incident, as a crutch within proceedings.

So, we need to examine the intention of the businesses that implement such training. Is the business pushing EDI training to create equality, or to limit corporate risk?

We can usually answer that question quite easily by looking at what else the business is doing alongside the training and looking at their leadership team. We also need to look to whether the training itself is of a good quality; has it been designed intentionally with narrow goals? Let's be frank, a single training session is not going to change attitudes of prejudice and bias. Prejudice and bias is often deep rooted and complex; it takes much more to change perceptions and create an inclusive working environment. There are lots of things that businesses should and could be doing, if they truly care about equity and the diversity of its workforce. Businesses should be reforming their policies around things such as recruitment and mentoring (to name just a couple!). Most importantly, business leaders should be actively listening to and amplifying the voices of those from underrepresented groups, welcoming different perspectives and diversifying their leadership teams.

Let me be clear, though. I absolutely believe that it is the individual's responsibility to educate themselves and accept that their version of reality is limited to how they experience the world. There is only so much a business can do in an attempt to educate their people and the onus is on us all to keep listening and learning.

In February, the MJLD hosted Emily Driver of Jackson Lees Group, who delivered a talk on unconscious bias. Emily has spent years researching

unconscious bias – the science behind it, the pros and cons of training and what we can do as individuals to combat our personal biases. She has also led a team of people to create training that is to be rolled out across the business, which will be pushed in conjunction with other projects ran by the Group's Diversity Committee.

Emily taught us that some reactions and split second thoughts can be a biological response that lacks any logic. These responses are linked to our lived experiences and what we have been told by society, the media, our parents and our network. Emily opened up about her own experiences and explained that when one of her unconscious biases slaps her in the face, it becomes a conscious one. Emily then works hard to challenge her way of thinking and is always looking to widen her views on various topics that may not directly impact her.

Emily gave attendees some really useful takeaways. In short: check your biases and educate yourself! Emily has provided the knowledge, the onus is now on those junior lawyers in attendance to continue the learning process and push against their biases. Emily's intention is that these junior lawyers will implement the strategies she provided in to their daily lives and start addressing the prejudices around them.

So, is unconscious bias training worth the time? Yes – if the training is thoughtfully designed, if the intentions are right and if training is coupled with other tools. It is vital that an inclusive environment is actively promoted at the same time. Having said this, without individuals accepting the part that they play in creating an inclusive environment, unconscious bias training, like



**Hetal Hathiwala**

anything, can be more hassle than it's worth. I suppose what I'm trying to say is, do more! Don't rely on the basics. Do it because it is the right thing to do, not just a box ticking exercise!

I have said it before and I'll likely say it again, the legal landscape lacks diversity. Partly because the profession seems (and at times is) inaccessible. Also because many law firms in their current state are unable to retain talent from diverse backgrounds, thanks to working environments that are no less than toxic for those from underrepresented groups. I am passionate about diversifying the industry and helping those from underrepresented groups realise that they deserve a seat at the table. I strongly believe that education through story telling is one of the most powerful ways to create more understanding amongst people, and understanding is often what is lacking.

The MJLD's next EDI event will involve more storytelling and will be announced soon, so keep your eyes peeled. If anyone has any questions for me, please reach out.

**Hetal Hathiwala**  
MJLD



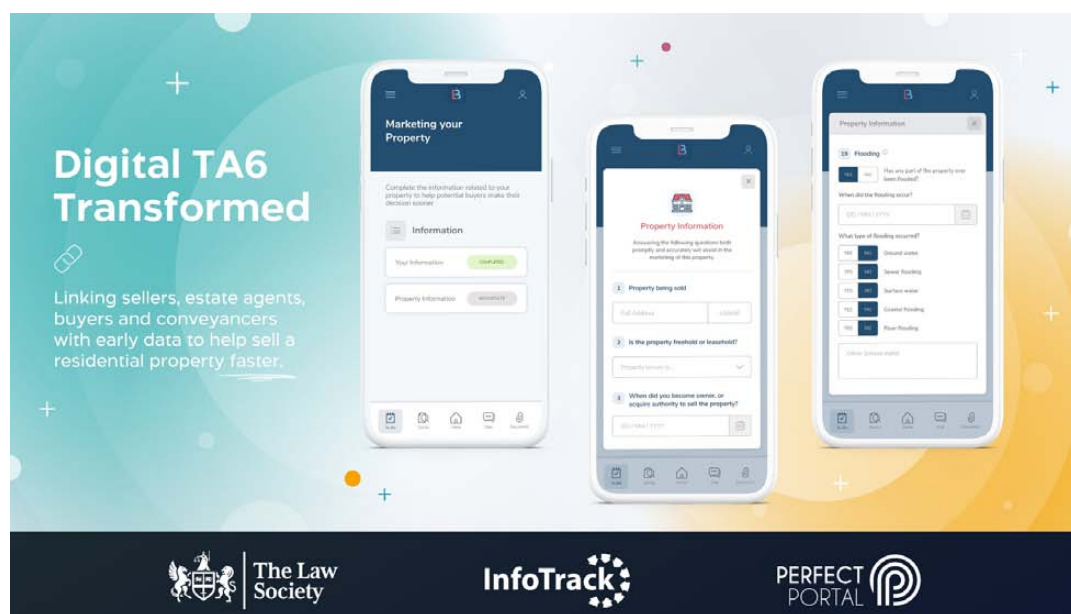
# Digital TA6 transformed by InfoTrack & Perfect Portal to sell a property faster

Just announced: An England and Wales first beta project, from legal technology providers InfoTrack and Perfect Portal. Discover how digital data can be utilised more effectively between sellers, agents, buyers and conveyancers to market a UK property.

Scott Bozinis, Chief Executive Officer at InfoTrack explains, “The Law Society TA6 form is the industry standard for property information, which is part of the sale contract. InfoTrack are the only UK supplier of fully digitised and licenced TA Protocol forms, delivered through our onboarding solution, eCOS. Collecting the key TA6 data when the property is marketed, before an offer is made, will empower estate agents to source suitably informed buyers and bring conveyancers closer to the sellers.”

The Law Society’s, Commercial Proposition Manager, Andrew Moroney says, “The TA6 as a digital form contains crucial information needed at the marketing stage, but until now, as a paper or digital form, collating the data from multiple parties was only possible post offer, after a solicitor was instructed. Working with InfoTrack and Perfect Portal, the key early marketing questions have been identified and made available in what will be known as the TA6 Part 1. In this beta project, Part 1 can be completed by the seller upfront and fed into the full TA6, solving a challenge the market has been facing for many years.”

The essential information



needed to market a property such as compliance with building and planning applications, the supply of services, flooding, common parts shared with neighbours etc. will be included within the TA6 Part 1 questionnaire. All the information a buyer should be made aware of before an offer is made.

Jane Pritchard, Chief Product Innovation Officer at InfoTrack explains “This beta project has ambitious goals. The digital early data solution will speed up the market to sale timeline and collate the property information into a fully completed TA6 through the power of a seamless workflow. Within eCOS, we have created data-driven TA Protocol forms and a dynamic set of onboarding features such as verification of identity, verification of funds, client care signatures and more to facilitate collaboration and enhance the journey for all parties involved in the matter.”

Yvonne Hirons, Chief Executive Officer and

Founder of Perfect Portal adds, “Our software integrates with the estate agents CRM system, Reapit. This allows the agents to offer the TA6 Part 1 questions to the sellers when they are adding their property details into Reapit. The seller will be able to access the questions within their law firm’s mobile app to complete at a pre-instruction stage. This will not only help the seller market their property, but it will also help the law firm’s build stronger instructions from the outset. This is revolutionary; it will help reduce the drop off rate as all parties involved will now have access to the important property information in advance.”

Mike Leeman, Managing Partner at Bell Lamb & Joynson Solicitors comments “Connecting estate agents with the TA6 Part 1 is the holy grail. It captures data very early in the property transaction process to bring together estate agents, solicitors, buyers and sellers in a fully automated digital journey, eliminating our need

for paper, completely.” Paul Lyons, Managing Partner at Lyons Bowe Solicitors adds, “The ability to connect all parties within a digital TA6 is ground-breaking for law firms. By making it possible to reach potential new clients at the marketing stage, transaction processes speed up and instructions arrive earlier.”

The Law Society, InfoTrack and Perfect Portal have made it possible to provide early data when the property is being sold without introducing a new process or statutory changes. “They were excellently placed to facilitate digitisation”, explains Andrew Moroney. “InfoTrack solutions are at the cutting edge of the digital evolution of conveyancing, providing a single source of truth across the transaction and aligning data to achieve many common industry goals.”

# UK's legal community to unite this summer for the return of the Legal Walks

- **The annual Legal Walks are set to return in-person for 2021 - government guidelines permitting**
- **Walks in 2019 raised over £1 million for the UK's free specialist advice charities**
- **Need for support is greater than ever as advice services face unprecedented increase in demand due to impact of COVID-19**

Legal professionals across the United Kingdom are set to take part in a series of fundraising walks this summer and autumn to raise much needed money and awareness for specialist free legal advice services that are at breaking point due to the Coronavirus pandemic.

Taking place on various dates between the 21 June – 21 October 2021, the summer and autumn Legal Walks are a series of annual fundraising events organised by the Access to Justice Foundation (in partnership with the regional Legal Support Trusts and committees) and the London Legal Support Trust, which manages all walks in the South East of England and the London Legal Walk.

The annual events see participants from local law firms, chambers and in-house legal teams come together with local judges and members of the community to walk 5-10K to raise thousands of pounds for front-line legal advice services in their local region. In 2019 the Legal Walks raised over £1M for advice services, but in 2020 the majority of walks had to be postponed due to the Coronavirus pandemic.

The 2021 summer Legal Walks will return to the usual in-person format - government guidelines permitting - with walks taking place in cities across England, including Northampton, Oxford, Sheffield, Carlisle, Doncaster, Reading, Brighton and more. Legal Walks in Scotland, Wales and other major cities across England, including the London, Manchester and Birmingham Legal Walks, will take place in the autumn.

The Legal Walks return at a critical time for the UK's specialist legal advice sector, which has been greatly impacted by the pandemic. Many advice services have reported an unprecedented surge in demand from clients in desperate need of advice in areas such as debt, welfare, immigration, family, housing and employment law. Other services are facing a lack of resource and staff to deal with the level of enquiries and severe financial problems that could lead to their permanent closure.

Organisers are encouraging as many teams as possible to take part in the Legal Walks this year to help raise much needed funds and awareness for the free legal advice sector. These services provide essential help to vulnerable people in the community who often have no other means of getting legal advice, representation, or support.

Laura Cassidy, Fundraising and Development Manager at the Access to Justice Foundation, said: "Prior to the COVID-19



pandemic funding for the free legal advice sector was already lacking. COVID-19 has been devastating for the sector, placing an almost impossible strain on advice services which are at breaking point. Without these services, thousands of people across the UK will be unable to obtain justice.

"The legal community knows more than most about the pressure put on the sector and we know they are passionate about advocating for better services to reach those most in need. The Legal Walks are a great opportunity to raise money and awareness for these services and we look forward to walking side by side with the legal community once again."

All legal walks are being planned in accordance with the latest government guidelines, and it is hoped that legal sector will be walking together in person, from 21 June. The Access to Justice Foundation and the London Legal Support Trust will provide regular updates on their websites in the lead up to each walk and will provide as much notice as possible should any walks be turned virtual.

For information, or to register for the Legal Walks taking place in the North East, North West, Yorkshire, the East of England, the Midlands, the South West, Wales or Scotland, visit [atjf.org.uk/legal-walks](http://atjf.org.uk/legal-walks), or email [lauracassidy@atjf.org.uk](mailto:lauracassidy@atjf.org.uk)

**The Liverpool Legal Walk will take place on 21 September 2021**



# Charity Spotlight

## North West Cancer Research: Putting Merseyside's cancer needs first

While the Covid-19 pandemic has been all-encompassing for the last year, it is easy to forget that every day around 1,000 people are diagnosed with cancer.

In fact, in the North West, you are up to 25% more likely to be diagnosed with cancer than in the rest of the UK. Cancer rates in Merseyside are the second highest in the region, and there are also different cancer patterns here, with many cancers being much more prevalent.

Our recent regional report showed that incidences of liver cancer are 75% higher and we also have extremely high rates of lung cancers, with rates at 59% higher than the national average. Similarly, stomach cancer is also a challenge for the region, with the number diagnosed being 35% higher than the national average and head and neck cancer is 32% higher. It is these specific cancers that place the greatest burden of need on Merseyside and these are the cancers which North West Cancer Research are working to tackle.

North West Cancer Research is a completely independent charity, dedicated to putting our region's cancer needs first, funding pioneering, life-saving research to tackle the cause, improve the care and find the cure for cancer. For over 70 years we have supported the best cancer research, education and awareness throughout the North West and North Wales, investing over £43 million.

Through our research, we have made huge breakthroughs in improving early detection and treatments but there is still work to do in increasing awareness of the symptoms across all age groups in Merseyside. This has never been needed more, especially as everyone's attention has been diverted by the current pandemic.

Awareness and education is a key focus for us a charity and our award-winning awareness campaigns include our annual skin cancer awareness events, our #speakout



campaign targeting head and neck cancer symptoms, as well as our general cancer educational roadshows with local schools and communities.

As part of this, we are working closely with businesses and community groups to provide insights and awareness of cancer. We have partnered with the Liverpool Law Society to offer its members free employee awareness days, which have the aim of raising awareness of specific cancers and helping you to understand the signs and symptoms. Early detection and prompt treatment are essential to saving lives.

We hope that one day we can create a cancer-free future for the region.

To find out more contact Kevin Byrne, Corporate Partnerships Manager on [kevin@nwcr.org](mailto:kevin@nwcr.org) or visit our website <https://www.nwcr.org/>



# March Social Media Highlights

Each month we will be bringing you a selection of the latest social media posts by Liverpool Law Society and its members

**Merseyside JLD** 1,549 Tweets

Tweets Tweets & replies Media Likes

**Merseyside JLD** · 08/03/2021 ...  
Happy  
#internationalwomensday ♀ to all our members!! 🌸🌸🌸

To celebrate we wanted to feature the women behind the MJLD committee who dedicate their time and energy to make sure there's is content, opportunities and a network for the junior lawyers of Merseyside!  
#choosetochallenge



**Vauxhall Law Centre** 942 Tweets

Tweets Tweets & replies Media Likes

**Vauxhall Law Centre** @... · 9m ...  
Sent to our amazing Social Welfare & Housing solicitor @SiobhanTWard today!

The quote reads 'In prosperity it is very easy to find a friend; in adversity nothing is so difficult'

Thank you for all your hard work Siobhan and for your continued fight for #AccessToJustice 🙏



post to our female Officers who are continuously challenging gender norms and stereotypes, and advocating for their place within the Law.  
#ChooseToChallenge

**Happy International Women's Day**

TO OUR US OFFICERS



#CHOOSETOCHALLENGE

**Hill Dickinson LLP** @HillDickinson

Our Liverpool Corporate team has recently advised Bromborough Paint & Building Supplies on the management buyout of the company, an investment backed by Cairngorm Capital. @brompaints #MBO #privateequity #corporate #investment hilldickinson.com/insights/news/...

Tweet your reply

**Carpenters Group (at)** @CarpentersGroup

Our Head of People, Sarah, is running the @LondonMarathon in October to raise funds for @NorthWestCancer 🍷

If you would like to donate to this cause and support Sarah you can do so by visiting;  
[justgiving.com/fundraising/sa...](https://justgiving.com/fundraising/sarah)




Tweet your reply

**Liverpool Law Society** @LpoolLawSociety

Our directors are looking forward to the meeting with local MPs @IanByrneMP @DerekTwiggMP, staff from the offices of @DanCardenMP and @MickWhitleyMP and the PCC representative later today where we'll be discussing issues around access to justice and current bills and more.

11:27 · 19/03/2021 · Twitter Web App

Tweet your reply

**Morecrofts LLP** @Morecrofts

Determination pays...always. Fabulous quote from US humorist Josh Billings for today's #TuesdayMotivation.

#TuesdayMotivation

Be like a postage stamp. Stick to one thing until you get there.  
JOHN BILLINGS

11:05 · 23/03/2021 · Hootsuite Inc.

Tweet your reply

**Legal Services are GREAT** + Follow  
540 followers  
6d · Edited · 📌


It was great to get brilliant insight from **MANCHESTER LAW SOCIETY's** and **Liverpool Law Society's** 'Leaders in Law' event which took place today.

Intellectual property specialist **Elizabeth Ward** at **Virtuoso Legal - Intellectual Property Specialists**, spoke about the need to legally protect the UK's rich expertise in science, technology and the creative industries. 🇬🇧 ⭐

Also great to hear from **Colin Russell** and **Louise Cross** at the **Department for International Trade (DIT)** who highlighted how the government can

**Emma Rittenberg** · 1st PR, Communications & Brand Executive at Carpenters Group 4h · 📌

The #RiverofLight trail looks pretty amazing at night 🌈🌈🌈



30 1 comment

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Double CELebrations today. Happy Birthday to both Liv & Cheryl!! 💕



17:02 · 23/03/2021 · Twitter Web App

Tweet your reply

**Jo Downey** 1,832 Tweets

Followed by Rebecca Louise Lynch, James anderson, gerol...

**Jo Downey** @JoDow6170 · 5h ...  
Working with the SRA Accounts Rules 2019 - don't get caught out. [liverpoollawsociety.org.uk/training-cours...](https://liverpoollawsociety.org.uk/training-cours...)



Tweet your reply



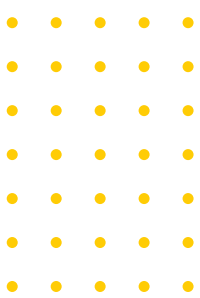
## Training events open to legal professionals nationwide

Attend from anywhere via Zoom software.

Can't make the date/time or need to revisit the training? No problem! Booking onto any of our training seminars & conferences means you will receive a link to access a recording of the event to watch at your leisure!

DATE	TITLE	SPEAKER
15-Apr	Anti Money Laundering Update	Sue Mawdsley
19-Apr	Sanctions and Default	Prof Dominic Regan
20-Apr	Tax & Trust Update	John Bunker
21-Apr	Commercial Property Conference 2021	Various Speakers
27-Apr	Outsourcing Legal Services in Practice	Philip Nam
29-Apr	25 Cases for the Magistrates Court Advocate	Clive Smith
04-May	Commercial Property Update	Richard Snape
06-May	Conveyancing & the family home	Richard Snape
13-May	Proving your case	Prof Dominic Regan
14-May	Paying for family to care	Caroline Bielanska
14-May	Insolvency Update	Chris Beanland
18-May	Residential Conveyancing - Completion Day Nightmares	Ian Quayle
19-May	RTA Claims in 2021: The New Landscape for Low Value Claims	Jeff Zindani
21 & 24-May	The Complete Legal Aid Supervisor	Vicky Ling
27-May	Drugs Offences, Evidence and Sentencing	Clive Smith

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



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