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Front cover photo of 'Jimmy', the new Liverpool Plinth sculpture. Photo courtesy of the Liverpool BID Company.

To discover more about Jimmy read the latest from Julie Johnson, Chair of the Commercial BID on page 32 DEADLINES 2021

23rd August

24th September

27th October

24th November

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Editorial



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

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

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Welcome to the August 2021 edition of Liverpool Law

Jennifer Powell editor@liverpoollawsociety.org.uk

We have a relatively large magazine for you this month, considering August is usually a quieter time for us with the school holidays. I hope you're all having time out to relax-as best as you can anyway!

I've been a bit busy myself this week with the arrival of my baby boy. Thank you to the editorial team for helping me out immensely this month, as always.

The sub committees that make up the society are a great way to get involved and I would encourage you to where possible. This month we see an invitation from both the family and employment committees for new members, if you are interested please get in touch. They are a great way of sharing knowledge, networking and responding to consultations etc.

Speaking of networking it is great to see we have some actual face to face events in the calendar, including the Walk and Golf day in September. I hope as many of you sign up as possible. We also see a lot going on in Liverpool including the amazing front cover picture of Jimmy!

Enjoy what is left of the summer and keep your articles coming.

Jennifer Powell Editor 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:

11/08/2021 13:00	Future Planning Sub-Committee
17/08/2021 13:00	Editorial Sub-Committee
31/08/2021 12:30	Finance & Policy Sub-Committee
07/09/2021 13:00	Employment Law Sub-Committee
08/09/2021 13:00	EDI Sub-Committee
13/09/2021 13:00	Access to Justice Sub-Committee
14/09/2021 12:30	General Committee
15/09/2021 13:00	Editorial Sub-Committee
16/09/2021 13:00	Future Planning Sub-Committee
23/09/2021 13:00	Civil Litigation Sub-Committee
23/09/2021 16:00	Criminal Practice Sub-Committee
28/09/2021 12:30	Finance & Policy Sub-Committee
30/09/2021 14:00	LLS Members virtual roundtable - Speakers for Schools

Editorial Committee Dates

Tue 17/08/2021 Tue 15/09/2021 Tue 19/10/2021 Tue 16/11/2021

From the President



From the President

The latest from the President, Julie O'Hare

What a difference a month makes! Hope you have all been able to enjoy the recent heatwave and freedom that the 19 July brought about.

It is great to see more people returning to the City even though Hybrid working models now seem to be the new norm. Even though it can be daunting on that first day back in it really does make you appreciate just how much you have missed face to face interaction with your colleagues during lockdown.

At the Society we are also looking at how our new norm should be. We are keen to hear from you, our members, about how you have found our services being delivered remotely and whether you too are keen to get back to face to face training and meetings with us.

This past month has been another busy one here with a number of training events and meetings. We hosted the other members of the Joint V for our quarterly meeting and a number of local Councillors more recently to discuss a number of issues (including online dispute resolution).

I also attended the National Law Society's Presidents and Secretaries conference last month. One of the hot topics was the closure of SIF and runoff cover which we had ourselves discussed at the Joint V meeting thanks to a presentation by Frank Maher. I know that this will be a concern for some of you (and others may be completely unaware of the implications – start your research now if you are a practicing solicitor) and we will keep pressing for more information to disseminate to you all. For the time being the Law Society has produced a brief note which can be found **here**.

Firms will be looking at PII renewals too and may be concerned on the back of Covid and how their firm has adapted and will be looking to adapt going forwards. Again, the Law Society has produced a helpful practice note which you may want to take a look **here**.

It was good to hear that we have done particularly well to keep functioning "business as usual" over the course of the pandemic as some other local societies have not been so fortunate. I honestly do credit the staff and you, our members, for being so tenacious and really coming together as a business community to get through the last 18 months. There will still be some tough times ahead though and so I would urge you all to keep in touch with us. Tell us what we do well and what could be improved so that we truly do deliver the best possible service to you. We are always keen to hear what training (and now that we are not so restricted, social events) you would like to see in our calendar.

Manchester Law Society recently hosted their Legal Awards online – I know that as many of our firms are based in both Cities some of you may have attended and I hear it was a spectacular event so hats off to Matt, Fran and the rest of the team over there and congratulations to all of the winners and finalists!



Julie O'Hare

In the remote world that we have all found ourselves living in recently it will be a welcomed change to get back to these prestigious events in person. With this in mind I really hope to see as many of you as possible at our Annual Dinner and Legal Awards Ceremony in November. Nominations are now open. Visit our website for more information!

As always, you can keep up to date with what the Society is up to on social media and our site. If you don't already follow us on Twitter or LinkedIn then change that today! We post regularly not just about what we have been up to but also what other local groups and associations have on offer.

We have an increasingly popular ED&I committee and have seen a number of events already take place online. We will be sure to have many more to follow. However, there is no monopoly on EDI promotion and so our committee is proud to back initiatives being hosted by other groups and societies. I am happy to inform you that Leeds Law Society are running a D&I conference in September and delighted that we have been invited to join the panel! You can register at: https:bit.ly/3qYuFzN

As the summer holidays start to take over our programme of events will start to slow down this month but we will be back in September rearing and ready to go with our Autumn lineup!

Finally congratulations to Jennifer Powell, Editor of Liverpool Law on the birth of Ronnie. Welcome to the Liverpool Law Society family.

In the meantime, have a great summer and stay safe!

Julie O'Hare President





News from the Sub Committees

Find out more by visiting

https://www.liverpoollawsociety.org.uk/about/committees/specialist/business-committee/

Call for more family practitioners to join our Family Business Committee

Our chair Emma Palmer says 'I would love if more people could join to ensure voices are heard and engaged in discussions. We can do more together than we can individually to enhance the collective understanding and voice of the profession.' Interested? Find out more

https://www.liverpoollawsociety.org.uk/about/committees/spec ialist/business-committee/

Employment Law Committee seeks new members

The Committee is composed of both Claimant and Respondent practitioners from firms of different sizes and also in-house lawyers – all applications are welcome. We seek to influence bodies including the Government, Employment Lawyers Association, the Employment Tribunals and ACAS to take into account the interests of our members when deciding on the policies and procedures which affect our practice on a daily basis. We are often joined by speakers giving informal talks on recent cases and updates; the Committee provides an excellent opportunity for keeping up to date and professional networking. For more information and joining instructions, please see

https://www.liverpoollawsociety.org.uk/about/committees/spec ialist/employment-law-committee/

Enewsletter Sign Up

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

Sign up here



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

Access to Justice

Possible changes to rule 22 of the Upper Tribunal Rules 2008

Closing date: 16th August

In-House & Non-Contentious

HM Treasury fundamental review of business rates

Closing Date: 24th August

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2021 PRIVATE CHILD LAW CONFERENCE

Wednesday 8th September | 12.45pm-4.30pm

This year's must-attend training event for solicitors, barristers & other practitioners involved with private child law. The conference will round-up key developments in law and practice.

Welcome & Introduction—District Judge Phillip O'Neill

Domestic abuse within private law cases Kate Burnell QC, St Johns Buildings Chambers

I'm leaving on a jet plane (if allowed by the court): Tips on the successful pursuit and defence of relocation cases **Ruth Kirby QC, 4PB**

Alcohol Monitoring - making effective and appropriate use of the latest technology in childcare cases Diane Thomas, Alpha Biolabs

International Family Law: A Conventional Approach Teertha Gupta QC, Unit Chambers

Top 10 Private Law Update: to include alternatives to court proceedings Lisa Edmunds, Unit Chambers

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CATEGORIES

RISING STAR AWARD WORK IN THE COMMUNITY AWARD OUTSTANDING LAWYER AWARD LAW FIRM AWARD (1-99 EMPLOYEES) LAW FIRM AWARD (100+ EMPLOYEES) LIFETIME ACHIEVEMENT AWARD

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Employment Law Summer 2021 Update

I recently had the pleasure of Chairing Liverpool Law Society's Employment Law Summer 2021 Update on 30th June 2021. Once again, the enviable line up of speakers did not disappoint! I would like to offer my sincere thanks on behalf of the Society to the speakers for giving up their valuable time to join us in the virtual training room and provide such engaging sessions.

The update was kicked off well by Emlyn Williams from Weightmans LLP discussing the latest in Whistleblowing and in particular the impact of the important Supreme Court decision in **Royal Mail Ltd v Jhuti** [2020] All E.R. 257. The Supreme Court found that if there is evidence that the true reason for dismissal is one which has been hidden from the decision-maker behind an invented reason, the Employment Tribunal must penetrate through the fictitious reason to determine what was the real reason for the dismissal was. Emlyn went on to consider other recent whistleblowing cases and their practical influences in a thorough and detailed review.

Next up was Rebecca Jones from 23ES who provided a comprehensive session on recent headline hitting status cases setting out the background and the fundamentals to status issues. Rebecca reviewed the **Uber BV and others v Aslan cand other [2021]** UKSC5 decision and discussed cases involving worker status that have been decided since Uber. Rebecca gave an insightful update and set the scene for what we might expect to come in this relevant and volatile area over the next 12 months.

We were delighted to be joined by Regional Employment Judge David Franey who provided a detailed update on the Employment Tribunals covering judicial resources, HMCTS administration, pandemic recovery plans, listings and reform. Delegates were particularly interested to hear of the positive and innovative plans for reform moving forward with an increasing use of technology to improve the service for all users.



Lindsey Knowles

Last, but certainly not least, the update was ended in style by David Reade QC with a perceptive and helpfully practical discussion on the burden of proof. The case of **Royal Mail Group Ltd v Efobi UKSC 2019/0068** and the emphatic judgement of the Supreme Court on the burden of proof in discrimination claims was considered in detail having restored the convention that had been disturbed by the ruling of the EAT earlier in proceedings. David usefully explained the useful guidance given by the judgement on drawing an adverse inference while considering other cases to be aware of.

Once again, thank you to the speakers and also to those who joined us for the Update. If any employment law practitioners reading this would like to become more involved in the Society's Employment Law Committee, please do get in touch with me at Lindsey.Knowles@brabners.com – we would love to hear from you.

Lindsey Knowles Brabners LLP Employment Law Committee Chair

TRAINING SEAT EXCHANGE

Liverpool Law Society is delighted to offer the Trainee Seat Exchange free to members as a way of assisting member firms interchange trainees. The aim is to provide more training contracts on Merseyside and beyond by facilitating an exchange between firms who may otherwise find it difficult to offer their trainees the requisite breadth of work.

The Training Seat Exchange, which is open only to member firms of Liverpool Law Society, operates essentially as a noticeboard whereby the firms detail what seat they can offer and also what seat they are seeking. All those listed below are interested in seeking and/or offering a seat. It is up to each firm to ensure that the terms of the training code and contract are met during any exchange agreed. Liverpool Law Society does not take responsibility for any part of the exchange, or observance of the training code or contract by the firm. The exchange must be discussed and agreed between each member firm on an individual basis.

The Exchange is open only to Liverpool Law Society member firms and will be time-limited to 12 months at which point you will be able to renew for the following 12 months at no cost. If you would like to appear on the list, please complete our online form **here**.

Julie O'Hare reports on the latest meeting of the Joint V

On 7 July 2021, Liverpool hosted the quarterly Joint V meeting giving the Officers and senior staff members of Birmingham, Bristol, Manchester and Leeds Law Societies a very warm (virtual) welcome to the City.

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.

All of our societies have remained busy and have maintained hosting events albeit not yet in person. Manchester and Birmingham also shared their news of some great initiatives around mentoring and social mobility which Liverpool will be keen to explore further.

Turning to the issues of the day we invited Frank Maher of Legal Risk to present on the closure of the SIF and run-off cover following his article in the Gazette (Gazette article 28/6/21). When asked what his solution to the problems faced by the closure of the SIF would be, Frank said something with the least statutory change possible (therefore probably via SIF).

It was decided that this topic ought to remain high on our collective agenda and we will provide updates to members when we can.

Our own Joint Hon. Sec, Jeremy Myers brought up the plans for Online Dispute Resolution in, or by, 2023 following the speech of the Master of the Rolls. It was agreed that the we should follow the proposal as it develops so that we understand the context and apply ourselves to the details – sharing the same with our members so that they can then advise and assist clients.

Concerns were expressed with regards to an increase in encouraging Litigants in Person to pursue matters for themselves via online platforms. Not only is there the social impact of the potential for restrictions to access to justice there is also a professional impact on the quality of training for future lawyers in that the work being redirected is work that junior members of the profession (including the Bar) cut their teeth on!

Our Family Business Committee Chair,

Emma Palmer, asked for the return to in-person hearings to make its way to the agenda and all societies agreed it was a different challenge using online platforms not just for hearings but also for mediation and joint settlement meetings. That said, there were some positives to remote interaction with many willing to see CMCs and low level interim hearings remaining online to save on time and expense to Court users – a feeling, I am sure, many of your will agree with!

There was a worry regarding the inconsistency of Courts which all of our members are finding (although I was pleased to report that we have a great relationship with our own local Courts who adopt a sensible approach when it comes to Covid). One issue was with regards to the arrangements for hearings. Our stance is clear. Courts are responsible for providing the links to the remote platform to be used and should be organising for any recordings to be made - not the parties themselves.

Turning to how we expect our members to operate once restrictions had been lifted it would seem that across our geographical areas the hybrid model seems to be the most popular for bringing staff back into the office! The most challenging thing about working remotely, particularly from a local law society perspective? Business Networking! Of course, we all shared the same worry for our junior lawyers, most of whom are "itching" to get back to the office as this is the prime place for developing skills by osmosis!

Our next meeting will be held in October and we would be more than happy to voice your views or concerns to our fellow Joint V – just get in touch!

Julie O'Hare President



EDI Committee



'Legally Disabled' Roundtable Event

Sarah Sharples and Hannah Dowd from MSB Solicitors report on the roundtable event hosted by the Equality, Diversity & Inclusion Committee

Last month, the Equality, Diversity and Inclusion Committee hosted a virtual event, "Legally Disabled". The event reviewed a recent research report from Cardiff University which highlighted significant barriers for disabled legal professionals. A presentation was given to provide an overview of the report and its findings. The floor was then opened for a group discussion and opportunity to ask questions.

The research report explored the career experiences of disabled members of the legal profession and brought to light several limitations, including discrimination, reluctance to disclose a disability and poor use of reasonable adjustments. In the UK workforce as a whole, it is estimated that 3.7 million people or 19% of working adults are disabled. Employing a person with a disability brings a loyal, hard-working and experienced problem solver and this is undoubtedly very beneficial to all employers, not least law firms. A particular aim of the report was to give recommendations to employers regarding the recruitment and retention of those with disabilities. It is critical for the success of a business that disabled employees, both potential and actual, who have the drive to succeed, are given opportunities to reach higher positions.

One statistic which particularly caught our attention was, in the survey of solicitors and paralegals, 60% had experienced illtreatment in the workplace and of these 80% believed it was related to disability. It was observed the most significant illtreatment related to 'poor attitudes/ lack of understanding towards an impairment or health condition'. These statistics make for difficult reading and clearly stress the vital importance of additional guidance, support and an understanding relating to employees who have a disability.

The lockdowns have given opportunities to work from home and participate in online work meetings. This is an example of a reasonable adjustment, which could be essential for a person's job. Employees who have a disability may have found they have been more productive and efficient during the lockdowns as they have not had to endure factors such as travelling to work. Instead, many have used the opportunity to set up a more manageable work area in the comfort of their own homes. The pandemic has shown employers that there are ways to operate differently, and it is possible to implement these changes into their business. Moving forward, employers could be encouraged to use other new ways of working to enable and engage more of their employees.

In the aftermath of the research and its findings, the Law Society has now produced 'Easy Wins' documents. These documents offer recommendations for law firms, whether big or small or inhouse, to make positive changes to improve disability inclusion. You can access the documents by following this link: **Legally Disabled? research – easy wins for disability inclusion** | **The Law Society.** The aim is to improve understanding of the barriers faced by disabled people and suggest steps to embody disability equality into a firm's policies, procedures and organisational culture.



Sarah Sharples



Hannah Dowd

The roundtable discussion made clear the importance of employers understanding the obstacles which people with disabilities face on a daily basis. We feel very lucky to work at an innovative firm which adopts and implements policies and procedures in its everyday practice.

For an opportunity to discuss any aspects of making your workplaces more inclusive for disabled people, you can email lawyerswithdisabilities@lawsociety.org.uk.

Members are encouraged to get in touch if they would like the Liverpool Law Society to repeat the event. As Covid restrictions begin to lift, we may even have the opportunity to meet in person!

Sarah Sharples and Hannah Dowd MSB Solicitors

More support for victims of domestic abuse at risk of homelessness under Domestic Abuse Act?

Before the 5th July 2021 victims of domestic abuse, who were not otherwise a priority (were currently pregnant or had children) had to satisfy a vulnerability test by showing they were more vulnerable than the ordinary person due to domestic abuse. From the 5th July, changes under the Domestic Abuse Act mean that a vulnerability test will no longer be required for any homeless domestic abuse victims.

Due to the Domestic Abuse Act, victims of domestic abuse who find themselves homeless as a result should be prioritised for accommodation from the local authority. Domestic abuse will now be a standalone reason to qualify as needing support and be prioritised for housing.

Further, under the Domestic Abuse Act accommodation such as Bed and Breakfast accommodation are no longer considered safe accommodation for domestic abuse victims. Local authorities should no longer be commissioning support for Bed and Breakfast accommodation.

However, domestic abuse victims will need to prove through evidence that they are victims of domestic abuse. The evidence that local authorities will need will be from health care professionals such as a victims General Practitioner, social services or friends or family of the victim.

There are still therefore barriers to accessing housing for some women. Especially migrant women who have no recourse to public funds. They face insurmountable barriers to accessing support services including housing and refuges. Funding for housing and refuge services are usually met through housing benefit but due to migrant women's immigration status they are unable to access welfare benefits.

Currently the response of local authorities housing teams to victims of domestic abuse and are made homeless can be inconsistent. Hopefully, the changes under the Domestic Abuse Act will mean a more consistent approach is taken in relation to housing and domestic abuse victims. The changes have been welcomed by several domestic abuse charities and organisations. In early June, the government allocated £1.5m in new burdens funding to local authorities across England to carry out homelessness duties arising from the Act in 2021/2022. This is on top of the £125m funding that was allocated in February, to support domestic abuse victims.

Local authorities must still give regard to their duties under legislation and must give reasonable preference to all homeless people regardless of their priority need. Due to this a household homeless due to domestic abuse should be given reasonable preference by the local authority. The changes under the Domestic Abuse Act are promising for the victims of domestic abuse but it is not clear currently whether the Act goes far enough in providing victims of domestic abuse with safe and appropriate accommodation.

For any further information please contact Brook Holroyd on 0151 281 9040 or brookholroyd@msbsolicitors.co.uk



Brook Holroyd



Anti Money Laundering Update

with Matthew Hickling

Tuesday 7th September, 9.30am - 12.30pm

For solicitors, fee earners & support staff who are involved in any way with client files, this seminar will ensure that you are up-to-date with the latest AML requirements, guidance, practice notes & red flags.

Using examples, hyperlinks & videos, the seminar will include:

- What's happening in legal sector regulation
- Recognising risk Red Flags and sector trends
- Identity How easy is it to "be" "someone else"?
- External risks How might we be targeted?
- Internal risks What is our culture and governance?
- Understanding client matter rationale why it's important
- Mitigating risk Managing residual risk Ongoing monitoring
- The importance of proper file notes What they need to do
- File reviews What to look for Educating others
- When risk proxies are hard to identify SAR's, DAML's

Competencies: B

For more information click here

Liverpool Law Society

Clear correlation between air pollution levels and COVID-19-related deaths

Richard Burrows, a Disease Associate at Weightmans examines the link between air pollution, and a higher number of deaths due to COVID-19.

In our recent article **Climate Change and Human Rights**, we considered the issue of air pollution in the context of climate change and human rights. Since this article, coroner Philip Barlow has issued a Prevention of Future Deaths report (PFD) in the tragic case of Ella Kissi-Debrah, following his conclusion at the inquest that "air pollution" made a material contribution to her death. The PFD confirms the coroner's view that there is no safe level of particulate matter and legally binding maximum levels should be lowered in the UK in line with World Health Organisation (WHO) limits. He also called for clearer information to be made available to the public about air pollution levels in their area. You can now read **The Government's response to the PFD report.**

Air pollution has recently attracted further headlines after it was confirmed that in areas of the UK with worse air pollution than others, the number of deaths due to COVID-19 in the first wave of the pandemic has been up to 70% higher than the national average. By contrast, in areas with lower levels of air pollution, in the same period there have been up to 40% fewer deaths than the national average.

The disparity has been attributed to the prevalence of nitrogen oxide, sulphur dioxide (both produced by car engines and heavy industry) and particulate matter 10 in the air. It is unsurprising therefore, that the number of deaths in cities is higher than those in more rural areas.

According to the Royal College of Physicians, there are 40,000 deaths each year in the UK attributable to air pollution. Studies have also shown that 8,000 UK schools are in areas where the levels of air pollution are worse than the recommended WHO limit. Air pollution is a well-known problem in the UK, and its connection with COVID deaths will increase pressure on the Government to tackle the levels of air pollutant and to accelerate the introduction of limits and legislation to enable them to do this.

Research recently published in The Lancet suggests that the link between COVID and air pollution is not exclusive to the UK. Poor air quality index has been connected with the spread of infection across India, with cities where there is over-use of fossil fuels recording a greater number of COVID infections. Air pollution is also cited as a catalyst for aggravating COVID cases and, as has been clear throughout the pandemic, in areas which have not had a substantial vaccination rollout, higher infections inevitably leads to a higher number of deaths.

It is hoped that the response to the study revealing this correlation in the UK, alongside the Government's response to the PFD report, will help to reduce the number of deaths in any future pandemics.



Richard Burrows

Liverpool LawSociety

Liverpool Law Society is an active membership organisation for the legal profession across Merseyside and the wider region. Providing a comprehensive programme of legal training, an active specialist committee system covering an array of practice areas and a range of social and business networking events, it is regarded as one of the leading local Law Societies in England & Wales.

Liverpool Law Society in numbers

2200 individual members from the legal profession

• 200 member law firms, patent attorneys, cost companies, barristers chambers, public and private sector in-house teams

A further 200 non-member law firms, in-house teams, chambers book events with Liverpool Law Society

• 70 legal training courses organised every year

Delegates and members come from Merseyside, Cheshire, North Wales, Mid Wales, Lancashire, Cumbria, Isle of Man and from further afield such as Edinburgh, Huddersfield, St Ives, Wolverhampton, Worcester, York & London

 Solicitors, barristers, legal executives, non-legal managers, practice managers, public officials, in-house solicitors, judges, legal academics, patent attorneys, law cost draftsmen and trainees make up the membership of Liverpool Law Society

2,600 subscribers to the general e-newsletter; 4,075 followers on Twitter; 2,650 followers of LinkedIn company page; 1085 followers on Facebook; 2300+ subscribers to Liverpool Law e-magazine; 56,000 website sessions a year.

> Liverpool Law Society | Second Floor | Helix | Edmund Street | Liverpool | L3 9NY contactus@liverpoollawsociety.org.uk | Tel. 0151 236 6998

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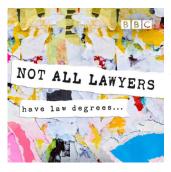
Access to Justice



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.

Our Social Welfare & Housing Solicitor Siobhan Taylor Ward appeared on the BBC's 'Not All Lawyer's Have Law Degree's' Podcast.



Discussing all things housing, Social Welfare Law, and Law Centres! We really recommend sharing this podcast to all aspiring lawyers and anyone interested in social justice. The episode gives an insight into workings of Vauxhall Law Centre and the many ways to get involved in social justice work.

You can listen to the episode on the 'Not All Lawyers' website via the link: https://shows.acast.com/not-all-lawyers-have-lawdegrees/episodes/siobhan-taylor-ward-how-life-changing-is-that

The Liverpool Legal Walk 2021 - Why We Walk...

FOR THE POOREST AND THE MOST VULNERABLE PEOPLE IN OUR COMMUNITY, ACCESS TO JUSTICE IS OUT OF REACH.

We will be taking part in this years Liverpool Legal Walk on the 21st of September. Our team will be raising money for the North West Legal Support Trust supporting fellow advice services. If you're looking for a team and want to get involved in the walk, we are a friendly bunch and would welcome any extra team members who are interested. Please email Development@vauxhalllawcentre.org.uk to find out more.

If you'd like to sponsor us on our walk then we will be accepting donations on our fundraising page here:

https://uk.virginmoneygiving.com/fundraiser-

display/showROFundraiserPage?userUrl=VauxhallLawCentre&is Team=true





Community Justice Fund

We want to extend our deepest thanks from everyone at Vauxhall Law Centre for the further support that we have received from the Community Justice Fund. This support will mean that we can continue to provide quality advice for our community. We are so grateful for the level of support that we have received so far and look forward to continue working in partnership with the fund. Thank you to the individuals and all the workers at the many organisations for making this fund available.

The Community Justice Fund is a joint initiative between Advice UK, Law Centres Network and Citizens Advice and a group of independent funders (the AB Charitable Trust, Access to Justice Foundation, the Baring Foundation, the Clothworkers Foundation, the Dulverton Trust, Esmée Fairbairn Foundation, Indigo Trust, John Ellerman Foundation, The Legal Education Foundation, the London Legal Support Trust, and Therium Access). It is hosted by The Access to Justice.

We welcomed some new furry members of staff last month.

We were surprised to find a new group of volunteers so keen to start their legal career from such an early age! A massive thanks to Rachel from the Cats Protection League for rescuing the litter of kittens and their mum from our centre last month. Whilst we wish we could keep these new adorable volunteers, Rachel ensured us that these kittens will now go on to find their forever homes.





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News from Merseyside Law Centre

Fighting for equality through social justice to combat poverty & homelessness

Merseyside Law Centres meet with the Government Minister responsible for Legal Aid

Merseyside Law Centre Director Janet Coe, our Head of Legal Practice, Mary Heery and Treasurer Mark Weights met with the Minister for Legal Aid in Liverpool on 21st July.

We met with Lord (David) Wolfson of Tredegar QC who was appointed as a minister in the Ministry of Justice on 22 December 2020. David was born in Liverpool and has a keen interest in the work we do in the City.

As a Parliamentary Under-Secretary of State, he leads on a number of legal issues including:

- Courts and tribunals and HMCTS
- Criminal and Civil law and justice
- Legal Aid
- Relationship with the legal profession
- Mediation and Alternative Dispute Resolution

Along with representatives from Equality and Employment and Vauxhall Law Centres, we were given a unique opportunity to discuss the vital work we do and issues and challenges facing Law Centres in this region and across the wider Law Centre Network. We discussed the importance of our interventions to justice outcomes and to wider government aims. The Minister was keen to hear about the holistic services we offer and the positive impact we have on people's lives often resulting in savings for other public services.

The value that Law Centres add by enhancing legal aid with additional assistance we offer makes it more effective, e.g., benefits advice in housing cases and working with and collaborating with other local services. Our early intervention work at community level aims to avoid litigation where it is unnecessary saving costs and getting the best outcomes for our clients.

We also talked about the challenges civil legal aid lawyers face dealing with complex clients, low legal aid rates and onerous contract requirements, difficulties training, recruiting and retaining staff and funding our core services.

The Ministry of Justice via the Access to Justice Community Justice Fund provided essential funding to Law Centres in 2020-21 as part of its Covid response. This money ensured we were able to continue to provide and develop our vital legal services to



Ngaryan Li - VLC, Lord (David) Wolfson of Tredegar QC, Janet Coe - MLC and Simon Brown - LCN

the most vulnerable during the pandemic. We complimented this initiative and very much hope that support for our core services from government will continue.

Following the meeting he tweeted:

Good to meet and discuss with @MerseyLawCentre, Equalityandemp1and VLCLiverpool the importance of early intervention, the advantages of dispute resolution and the crucial work of the third sector. And to confirm that many (if not all) the best ideas come from Liverpool ...

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 Twitter: @MerseyLawCentre Facebook: Merseyside Law Centre Website: www.merseysidelawcentre.co.uk Tel: 0151-709-0504

Flood Insurance: Homes Built after 2009 at Greatest Exposure with Climate Change

Flood Re has done much to support the most vulnerable homeowners in the highest risk flood prone areas of the UK, but it does not cover any residential property built after 2009. Think tank Bright Blue estimates that as many as 70,000 residential properties have been built on flood risk sites since then, rendering them potentially uninsurable. Penny Andrews, Operations and Compliance Director at Future Climate Info, reviews the situation and what the prospects are for their future risk as the climate changes.



The **Bright Blue analysis** was published after extensive flooding in February 2020 left more than 1,000 UK homes flooded, with some areas experiencing the highest rainfall in 200 years. While it is true that many of these properties are in London and currently protected by the Thames Barrier, it has a future effectiveness for only another 50 years based on current sea level rise projections.

Elsewhere, they highlight some 20,000 properties that have no flood protection at all, putting them at high risk of becoming uninsurable. These are in areas including the Humber river basin, Somerset, Lincolnshire and the Fens, the Thames Estuary, the Trent and Soar in the Midlands, Merseyside and Greater Manchester, and the Lancashire coast.

They are outside the facility provided by Flood Re, a scheme launched in 2016 to ensure homeowners in areas of high flood risk can obtain affordable insurance. The scheme has benefited some 300,000 households to date, with some 80% that submitted flood claims seeing their premiums drop by more than half.

But those living in houses built after 2009, however, are at risk of sky-high premiums or being unable to find insurance. They are part of the 10% of new homes built each year in areas of high flood risk, equivalent to National Flood Zone 3, which covers areas with a 1% chance of flooding in any given year. This figure can be misleading now though, as we know such events are occurring with increasing regularity as our climate changes.

But why is this happening when the risks are clear and the insurance position so precarious?

Housing Pressure not Flood Risk Prioritised

Planning Policy Guidance Note 25 (PPG25) was introduced in 2001 in England and Wales, designed to ensure that local planning authorities only permit new property developments in areas at risk of flooding if no other options are available. Greater sensitivity is now placed on developments in flood risk areas to seek effective mitigation measures such as sustainable drainage systems (SuDS) where appropriate to minimise surface flooding and also that the properties themselves have better engineered resilience.

The reality is that the same planning authorities are under pressure to deliver on housing targets and to use vacant sites, often brownfield, as a priority, but certainly level and with good access – and many of these are close to water courses through their industrial legacy.

An analysis in Environmental Research Letters (ERL) in April 2021, found that the majority of homes in high flood risk areas were specifically more at risk from surface water flooding – in fact by up to three times as much between 2008 and 2012

River flood risk had levelled off or reduced slightly in this time, in part due to investment in more flood protection schemes for the most vulnerable. It is important to stress that the Government has made a commitment to invest £5.2bn between now and 2027 on 2000 new flood and coastal defences to protect an additional 300,000 homes.

But it clearly hasn't solved the impact that new builds have had on accelerating surface water flood risk. SuDS adoption has been slow as it is not a mandatory requirement in planning conditions as yet. Some developers also perceive them as an expense that also takes land away from more housing and make the site less viable, although there are many examples of small-scale SuDS like permeable paving that would help reduce the risk of localised surface water flooding.

Councils over-riding Planning Policy

In Wales, more than 2,000 houses were granted planning permission in flood risk areas between 2016 and 2019. While applications to build **2,159 homes on flood plains** were granted by councils in Wales over the past three years, plans for just 246 were rejected. The Welsh Government pointed the finger at local councils in its **planning services annual review**. It said the latest number of approvals - 652 in 2018-19 - showed a "concerning willingness by local authorities" to grant planning permission for residential development in areas at risk of flooding, with 167 in areas with no flood defences at all.

It is this lack of flood resilience built into these developments that causes some of the greatest concern for the future. For the different climate change scenarios, the ERL research found that existing hot spots are expected to be further amplified with more homes that were built between 2008 and 2018 expected to fall into high flood risk areas by the 2050s.

Protect the Most Vulnerable

There are also big issues of social justice at stake. The research identified that the most vulnerable socio-demographic groups that would be affected by increased flood risk under climate change were the *Increasing struggling home-owners* neighbourhood type, including multi-cultural urban areas, many of whom can ill-afford the insurance premiums currently, even if they had been eligible in Flood Re anyway. This can decrease both the attractiveness and property value of a larger area as chances for a full recovery after a flood event also reduce. This could lead to more mortgage defaults due to a combination of decreasing real estate prices and lower chances of financial recovery. There have been calls to extend provision under Flood Re for more properties built after 2009 but this is controversial as it could appear to be incentivising new builds in high flood risk areas.

Last year, The Department for Environment, Food and Rural Affairs (DEFRA) **launched a consultation** on the future effectiveness of Flood Re to seek to "accelerate the uptake of property flood resilience measures. It sought to gain views from stakeholders on whether discounted Flood Re premiums could be applied to those homeowners in the highest flood risk areas for fitting flood resilience measures such as airbrick covers and non-return valves and if the scheme could help fund the install of some of these measures.

The rate of adoption of property level resilience measures is still very low and perhaps Flood Re should be extended to cover the funding of these, together with perhaps more support for those homeowners in properties after 2009 that are most in financial need.

Get the Detail for the Right Flood Due Diligence

Homebuyers may be attracted by a new build for a variety of reasons but may not consider the degree to which it is flood resilient or even if their insurance premiums could be adversely affected by past river or surface water flooding claims or costs.

It is essential to understand your client's flood risk in more detail. FCI Premium Residential environmental reports include all of the key flood risks as required by Law Society revised guidance, and show the highest "floodability" rating in close proximity to the property, a grading system from leading flood risk data analysts, JBA. Used by many insurers to calculate premiums, those areas with a "Black" rating indicates likelihood to be ceded into Flood Re for insurance provision. If a client's property is close to the Black zone but in an area of significant flood risk, insurance premiums could be high or unavailable which could impact on mortgage availability.

Understanding the flood risk in more detail is therefore essential where risks are flagged. It is important to check first with the developer that flood risk has been considered to mitigate and build flood resilience into the project design.

If evidence of compliance with planning conditions relating to surface drainage and flood risk can be obtained, specialist brokers with experience of dealing with properties at risk of flooding should be able to obtain affordable insurance cover.

An FCI **Flood Appraisal** can also be obtained which provides independent expert insight at a property-specific level and includes a manual review of strategic flood risk assessments and planning records in addition to the available models. It is designed to guide and inform all stakeholders within a transaction providing the confidence needed to make informed decisions.

For more information on our **flood risk assessments** in our environmental reports, contact us on 01732 755 180 or email info@futureclimateinfo.com





Further Action for Flood Risk?



FCI Flood App



FCI Flood Appraisal The affordable, property specific review for flood 'further actions'

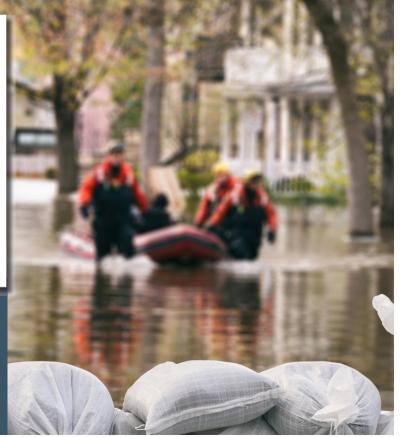
Flooding can have a direct impact on a property and its occupants, as well as on the property's insurability, mortgagability, saleability and value. Understanding the risk is key to giving you or your client the confidence needed to make that important purchase or investment decision.

Starting from just £150 + VAT for a residential property, or £250 + VAT for commercial, our trusted flood experts, Ashfield Solutions Group are on-hand to guide you.

Derived from complementary data sources and flood mapping, coupled with expert independent insight from Ashfield Solutions Group's experienced team, the FCI Flood Appraisal provides clarity, ultimately making those all-important investment or property acquisition decisions that much easier.

For more information or to order, please speak to your reseller or contact us directly on:

- T: +44 (0)1732 755 180
- E: consultancy@futureclimateinfo.com
- W: futureclimateinfo.com/how-we-can-help/residential/ fci-flood-appraisal/



FCI Flood Appraisal

- > Manual Assessment. By a gualified Flood Consultant.
- Professional Opinion. With clear Outcomes and details of Revised Flood Risk.⁽¹⁾
- Property-Specific. Considers additional factors (e.g. Ground Levels, Property Thresholds or the presence of Basements).
- Location Context. Review of available Property Photography.
- ➤ Key Research. Review of Local Authority Records and Planning Applications.⁽²⁾
- Local Attributes. Details of Flood Defences and Flood Warning or Alert History.
- Forward Planning. Advice on potential Redevelopment Constraints & Occupation /Operational Risks.⁽²⁾
- Robust Due Diligence. Complies with the Law Society's Flood Risk Practice Note.
- Clear Recommendations. Given where required for appropriate for Resilience or Resistance measures.
- Outcomes. Summary of potential Impacts, and a clear Insurability Statement.



(1) Where applicable. (2) in relation to flood risk.



Bell Lamb & Joynson Solicitors mark record year with new office move

Bell Lamb & Joynson Solicitors has reported a record year as it marks its 200-year anniversary as a firm.

Following the start of its financial year this July, the North West solicitors has experienced surges in case volume and turnover, up by 56% and 24% respectively since 2019/2020.

The award-winning firm has also increased its staffing by 33% to 56 team members across all of its legal departments covering residential conveyancing, family law, criminal law, commercial litigation and wills and probate to name a few.

The report comes as the firm's Runcorn-based team completes an office move, relocating to a new, upgraded space in Millbank House, close to its original workplace. This new facility will complement its locations in Liverpool and Warrington in terms of servicing clients and providing a positive work environment for the team.

Managing Partner of Bell Lamb & Joynson Solicitors Mike Leeman said: "After what has been a difficult and uncertain period, we are delighted with our end of year results which shows an increase in volume of cases and turnover across all of our departments. Delivering such a high volume of work while the team have been operating flexibly with a mix of home and office working is truly a credit to them and is a demonstration of our commitment as a firm to both our employees and our clients. Over the years we have invested in market leading technology that allows clients to work with us digitally whilst allowing the team to benefit from increased agility across all areas.

"We've always considered ourselves a pioneering firm in this sense, even pre-pandemic, but recent events have accelerated the process and has given us an opportunity to invest further into the digital client experience at the benefit of everyone involved. We've been able to better use our resources to fulfil the work at hand while maintaining our reputation as a firm that puts client care at the forefront."



The Boardroom



Communal gardens at Millbank House

Bell Lamb & Joynson Solicitors' new office space will facilitate staff and client meetings where face-to-face interaction is required while providing a more modern environment to support the firm in maintaining its positive culture, with team wellbeing at the heart of that.

Millbank House includes an open plan workspace, boardroom, interview rooms and a number of breakout areas alongside communal gardens.

Mike added: "Due to the rapid growth of the firm in the last several years, we've invested into our team and in the last 12 months alone have brought on 22 new recruits across all departments including three apprentices. With so much uncertainty surrounding the pandemic and what it would mean for the legal sector, it would have been easy for us to minimise our outgoings and simply get through it, but we believe that investing into people and into technology is worth the risk and for us, that's been the case.

"We're delighted to be heading into our new financial year and our 200th year in business with a positive outlook and a brandnew office location with upgraded facilities for both staff and clients. We're still operating appointments on a pre-booked basis as well as continuing to work with clients remotely but our team have enjoyed having flexible working options, balancing working from home with time in the office with colleagues when required."

Adapting to new ways of marketing post-lockdown

Established in 1987, Estates and Law have been at the forefront of providing bespoke cost-free marketing products for law firms nationwide.

The Poulton-Le-Fylde firm have worked with over 2,500 law firms, providing them with the highest quality brochures which deliver detailed information on the range of legal services offered by the firm. This not only provides an attractive and professionally designed product to give to clients to store legal documentation, but is also the perfect solution to cross-marketing their range of services. As many marketing professionals espouse, marketing isn't just about finding new clients, it's also about retaining the clients you have and ensuring they are aware of all your services.

Estates and Law are continually evolving, looking at ways to improve their service and meet the ever-changing needs of the legal profession. They offer a full range of web, print and design solutions specifically for the legal profession. At the start of lockdown in 2020 Estates and Law recognised the need for online interactive brochures and marketing products which could be emailed direct to clients. Steve Cunningham, the Managing Director of Estates and Law said, "We realised at the start of lockdown that clients would be unable to have face-to-face meetings with their solicitors and so began to offer law firms the opportunity for fully interactive digital brochures which could be sent out to clients at the touch of a



button. We are very pleased this has been an extremely popular and successful option for our law firm clients and when face-to-face meetings resume I think most will continue to request our digital brochures alongside their physical ones to meet the changing needs of their clients who are becoming increasingly tech savvy."

If you would like to know more about the bespoke services for law firms, visit www.estates-law.co.uk or call 01253 892111

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Talk to us today about your **bespoke**, **cost-free** printed brochure or folder

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Broudie Jackson Canter strengthens its Inquests Team

Broudie Jackson Canter has appointed a new Inquest Team Head, to help take the department forward.

Clair Hilder joins the firm from London-based Deighton Pierce Glynn and has more than 10 years' experience in Civil Liberties.

In her new role at Broudie Jackson Canter's Liverpool office, Clair will head up a team of 10, assisting bereaved families following deaths in detention or otherwise involving the state and in associated claims for compensation.

Clair has significant experience assisting families following deaths in prison, in psychiatric detention, under community mental health teams, in an immigration removal centre, and on active service abroad.

Clair has a particular interest in assisting families following deaths in failing prisons. She has been instrumental in bringing justice to the families of multiple HMP Winchester prisoners, who died following self-inflicted deaths; helping to expose low levels of completion of mandatory self harm and suicide awareness training and a lacuna in contracts the Ministry of Justice had with private companies in this respect.

More recently she has acted for two families following deaths in privately run HMP Birmingham where there were 5 deaths in 7 weeks in early 2018. Clair's work led to two prevention of future death reports being sent to HMP Birmingham which at the time of the inquests had been placed under public control; the private contractor ,G4S, was ultimately stripped of its' contract.

Clair, who was previously shortlisted for the Legal Aid Newcomer Lawyer of the Year award in 2014, said: "I'm extremely proud to join Broudie Jackson Canter and head up the inquests team, bringing with me my extensive experience in inquests and civil claims.

"My team will be helping people obtain information about what happened to their loved ones, expose failings where they have occurred and ensure that lessons are learnt for the future. It's really important that people are aware that there is legal aid funding available for representation at inquests involving possible failings on the part of the state and my team will help families obtain this where possible.

"What attracted me to the role was the emphasis on taking ownership for your learning and development. The firm is transparent in relation to which skills are needed to progress through the company, with plenty of training opportunities available.

"I'm looking forward to supervising more junior lawyers – giving them first-hand experience and knowledge, which will help develop them in their careers, and equip them with the skills needed to thrive in the legal sector.

"We are also rolling out a comprehensive training plan for the team, which will bring inquest and civil claims work together as well as recruiting for a paralegal to deal with COVID-19 inquests associated with the important inquiry work other members of the firm are working on, so there's lots of growth in the pipeline."

Clair's work within the legal sector continues outside of her day job, as she is also a member of the INQUEST Lawyers Group



Clair Hilder

Steering Group and takes an active role in advocating for improvements to the legal aid regime funding representation for bereaved families at inquests.

Broudie Jackson Canter, which is a part of Jackson Lees Group, is committed to offering an accessible and friendly service for clients that helps them to know where they stand in relation to legal services without unnecessary formality or confusing legal jargon.

Esther Leach, Managing Director at the Jackson Lees Group, said: "We're thrilled to welcome Clair to the team and we're confident her wealth of experience will make her an important asset to the inquests team, as well as the firm as a whole.

"With a plethora of experience dealing with extremely sensitive and emotional cases, she brings with her a strong skillset in emotional intelligence and her empathy will make her a vital role model to the more junior lawyers and others in the team.

"Her membership of the INQUEST Lawyers Steering Group also made her application stand out to us; it's clear she cares deeply about gaining justice for all. We look forward to Clair beginning a promising career with us and helping to make a positive difference in our clients' lives."

20 www.liverpoollawsociety.org.uk



Raft of promotions at MSB

Liverpool based full service law firm, MSB, has announced 14 new promotions across the organisation, in response to impressive performance in the team and positive client experience leading to business growth.

Eight of the team have been promoted to Associate, including Daniel Pierce and Hannah Jones in the firm's Family team, Thomas Stockton and Andrew Fairman in Social Housing & Regeneration, Conveyancing experts Pauline Mason, Debbie Kerwin and Emma Cunningham and Commercial specialist, Jonathan Alderton.

A further six team members have been promoted to Senior Associate, including Family Solicitors Katie Camozzi, Amelia Thompson and Mary Holmes, John McCreanney in





the firm's Commercial team, Joyce Pink in Costs and Commercial Property specialist, Melissa Bosoboe. Emma Carey, Managing Partner at MSB, said: "I'm so proud to be able to promote so many of our incredible team members after what has been a very challenging year for all of us. They have all gone above



and beyond to deliver

all of our clients, with a

every time.

excellence in legal services for

determination to achieve the

best possible results each and

"At MSB, we're exceptionally

passionate about providing

pathways into the legal

profession and creating







opportunities for people to progress in their careers, so it is fantastic to see so many of our team members excelling and achieving great things. It is true testament to the fact that hard work really does pay off. I look forward to seeing what the future holds for them all."

Liverpool LawSociety
Running Care Cases

with Safda Mahmood

Children Law Practitioners will be aware that there is a need to be aware of the New Best Practice & Public Law Working Party Recommendations. This will have a significant impact on the way in which care cases are run from this year.

There are new forms, the procedure, and new timescales, and you wish to make sure that you are up to date and ready to avoid making fundamental mistakes, going forward.

The topics covered will include amongst others, the following:

- Steps to take Pre-Proceedings
- Working within the requirements of the Revised
 Public Law Outline
- Emergencies Orders and Care Orders
- What to do when contact is an issue
- Essential Steps to take when acting for parents, children, relatives and local authorities
- Type of assessments and timescales.
- Drafting and Effective Preparation
- Threshold Statements and their & more...
 responses

Competencies: B & C

CLICK HERE TO BOOK

Liverpool (Law Society

2021 RESIDENTIAL PROPERTY CONFERENCE

Wednesday 15th September | 9.30am -4pm | Online

Covering:

Managing risk in a changing environment Stephen Ward, CLC

> HM Land Registry Update Leanne Wright, HM Land Registry

Leasehold Pitfalls With Ground Rents Lorraine Richardson, Adapt Law

Making the property transaction easier for all Alison Parsons, Landmark

Anti Money Laundering and Source of Funds Lorraine Richardson, Adapt Law

> After the [SDLT] holiday is over Bill Chandler, Hill Dickinson

The future path and challenges of Conveyancing/ conveyancers - Eddie Goldsmith of You Convey & Stuart Young of The Property Log Book

Sponsored by: Landmark-





Brown Turner Ross strengthens team with three experienced acquisitions, as it gears up for continued growth in Q3

Merseyside-based law firm, Brown Turner Ross has strengthened its team further this month, with the acquisitions of experienced head of civil and commercial litigation Micaela Dempsey, residential conveyancing assistant, Rebecca Rowe and legal secretary, Jayne Rawlins.

Joining Hill Dickinson LLP in 2004, Micaela Dempsey has climbed through the legal ranks over the last two decades, starting as a legal secretary and excelling to become a defendant PI assistant solicitor.

Previously at DC Law, Curtis Law Solicitors and most recently, Farleys Solicitors, Rebecca Rowe has a wealth of knowledge in the legal field, specialising in a range of tasks including contract drafting, mortgage reporting and search ordering / reporting.

Working in an office environment for over three decades, Jayne Rawlins' role will include work on the firm's case management and admin systems, as Brown Turner Ross continues to streamline its operations.

Taking its total headcount to 33 across its Liverpool and Southport offices, the new recruits highlight further growth for the company - after six senior appointments and an office move to The Plaza, 100 Old Hall Street, during quarter one.

Speaking about the firm's new recruits and the plans for a strong second half to 2021, Sam Bushell, managing director at Brown Turner Ross, said:"Rebecca and Jayne both bring an abundance of experience and an extensive skill-set to our team, and I am looking forward to seeing them both excel at Brown Turner Ross as we enter into an exciting period for the company.

"The pandemic has seen us go through a number of positive changes and with eight new starters already through the doors in 2021, we are continuing to show that we are an employer that is looking to expand and flourish, despite the uncertainty that the country finds itself in."

Micaela Dempsey, head of civic and commercial litigation at Brown Turner Ross, said: "Brown Turner Ross has a fantastic reputation in the North West and their work speaks for itself. Every team from residential, to family law and private client at the company is incredibly strong and I am looking forward to working alongside Kevin Ross, Sam Bushell and the other senior members of the team, to ensure we keep going from strength to strength."

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 organisation.

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



Micaela Dempsey

Liverpool (LawSociety Complaints to Compliments

Friday 17th September, 1.30pm-4.30pm with Vicky Ling

Many practices report that they are receiving more complaints since the COVID pandemic. This course will give complaints partners/officers/COLPs confidence in running practical & compliant complaints procedures. It includes real life case studies & round table discussions:

Vicky will cover:

- Working within the Legal Ombudsman's good practice guidelines
- Meeting the SRA's standards and regulations 2019
- Compliant wording for client care letters
- Sharing the load who to involve in complaints handling
- How to prevent complaints by getting things right from the start
- Fostering a positive culture to prevent complaints escalating
- Learning from complaints



Competencies: C2

<u>Click here</u> to book



Corporate lawyer Craig Geraghty joins O'Connors

O'Connors Legal Services Limited, has appointed corporate lawyer Craig Geraghty as an Associate.

Craig joins from the Jersey office of global law firm Bedell Cristin where he handled a wide range of high value off-shore M&A and private equity transactions, as well as business reorganisations, restructures, joint ventures, corporate governance and regulatory work. Prior to that, Craig spent five years at Pannone Corporate in Manchester.

O'Connors provides a unique blend of corporate, commercial, insurance and regulatory expertise to help clients manage the legal and financial risks inherent in strategic projects and transactions, wherever in the world they are doing business. A significant proportion of the firm's work is for legal businesses, insurance businesses and investment funds with the firm representing some of the UK's most well-known, innovative and successful organisations.

Craig's appointment expands O'Connors' capacity to handle a growing volume of corporate projects for the firm's national and international clients as well as bringing valuable offshore expertise to its investment fund and insurance work.

Craig said: "O'Connors presents a really exciting opportunity for me because it occupies such a rare position in the legal marketplace through its unique combination of legal expertise and sector specialisms. I am particularly keen to use my connections, both onshore and offshore, to further expand the firm's geographical reach and help grow the business."



Craig Geraghty

Commenting on Craig's appointment, director John Spofforth said: "Craig is another important and strategic appointment for us as we continue to develop our team and build for the future. We are delighted to welcome him to the firm. Craig has proved he has all the credentials we've been looking for and will add rare skills and expertise as we deliver corporate, commercial, insurance and regulatory solutions and advice to our business clients."

Hill Dickinson advises Buddi parent Big Technologies on £577m stock market float

Leading commercial law firm Hill Dickinson has advised on one of the largest company flotations the London Stock Exchange's AIM market has seen this year to date.

Big Technologies plc, a personal monitoring technology firm led by confused.com founder Sara Murray OBE, was admitted to London's AIM market on Wednesday, 28 July. In the second largest IPO (Initial Public Offering) the market has witnessed in 2021, and the fifth largest IPO in AIM's history, the company raised over £200 million for itself and its shareholders and was admitted to trading with a market value of around £577 million.

Big Technologies provides products and services under a number of brand and trading names. 'Buddi,' the company's best known brand, is a leading, integrated technology platform (including both hardware and software solutions) that enables the remote monitoring of individuals, including vulnerable adults. The company provides services primarily to the criminal justice market, including electronic tagging and monitoring of offenders, to local and national government agencies around the world.

Shantanu Sinha, partner in Hill Dickinson's London Corporate team, led an interdisciplinary legal team to advise Big Technologies on the IPO.

Commenting on the deal, Shantanu Sinha said: "We are delighted to have advised Sara and the company on this next, very exciting, step for Big Technologies. Deals of this scale and magnitude are inherently complex and require a multifaceted approach from a legal perspective. "I am proud to have led a team of colleagues with expertise and specialisms across a number of our different practice areas and offices to provide detailed, comprehensive and seamlessly delivered advice to our client."

Shantanu Sinha was supported by colleagues Jack Delaney (legal director, Corporate), Natalia Fryda (associate, Corporate), Rianne Byott (solicitor apprentice), Sanne Gerdsen and Mariam El Mir (paralegals, Corporate), Laura Marginson (associate, Employment), Mark Weston (partner, IP and Commercial), Emma Collins (senior associate, IP and Commercial), John Dinnegan (partner, Pensions), Georgia Doyle (associate, Property) and Amelia Chung (trainee solicitor, Property).

Sara Murray, CEO of Big Technologies, added: "Working



Shantanu Sinha

with Shan and the team at Hill Dickinson really made the process straightforward for us. Shan is incredibly detailed, taking huge amounts of information and distilling the important facts to present in plain language. He has been an unshakable rock as we navigated this process and I look forward to taking full advantage of his incisive expertise as we grow across the world as a public company".



Taylor Wessing makes a statement at Liverpool's Royal Albert Dock

Taylor Wessing has announced the completion of its permanent office space in the Edward Pavilion building in Liverpool's vibrant and iconic Royal Albert Dock.

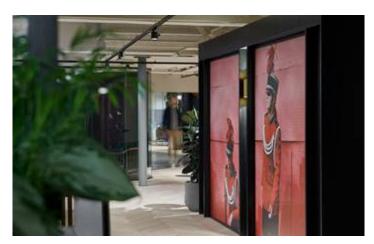
The completion of the project follows the signing of a ten-year lease in February 2020 and underlines the firm's long-term commitment to the city and its communities.

Since establishing a presence in Liverpool in November 2018, Taylor Wessing has built a team of 100+ legal and business experts, and has a growing reputation as an employer of choice for outstanding talent in the region.

The firm's office in Liverpool focuses on delivering a broad range of legal services including corporate, real estate, disputes, finance, private client and trade marks, with more areas of specialism to follow. Working with colleagues across its business operations teams in London, it also delivers critical operations, including data, IT, innovation, finance, HR and business development, digital marketing and design.

UK Managing Partner, Shane Gleghorn, said "We are delighted with our decision to choose Liverpool as the home for our new legal and business services operation. We are a people business and we need a pipeline of talented individuals with a wide range of skills. The depth and diversity of talent in Liverpool and the North West has been fantastic for our business."

Partner and Head of the Liverpool office, Saleem Fazal, said "We are looking forward to settling into our new space. Our Liverpool







team plays a critical role in continually improving the ways in which we deliver legal and business services to our clients and the new space perfectly reflects our aspirations and values."

Taylor Wessing serves the world's most innovative people and businesses and wanted the design of its new office space to be distinctive and inspirational, reflecting their creative culture and long-standing commitment to the arts.

Completion of the office at Royal Albert Dock is well-timed. The firm is also pleased to confirm a new corporate partnership with Tate Liverpool.

Taylor Wessing is already synonymous with the National Portrait Gallery in London and the self-titled international Taylor Wessing Photographic Portrait Prize. Its latest arts partnership with the Tate Liverpool, which is located only a stone's throw from its offices in Edward Pavilion, makes a real statement of its commitment to the Liverpool community and the opportunities delivered from its 'innovation hub' since opening an office in 2018.

Taylor Wessing's office space was created with the expertise and support of international independent real estate consultancy Hollis, ADT Workplace, and Manchester-based interior design studio 'kin, who delivered an interior that showcases cutting-edge technology and space that promotes teamwork and collaboration against a backdrop of imagery from the National Portrait Gallery, which the firm sponsors.

The office space and designs have already started to gain recognition, having been shortlisted for both the North West Property Awards - Fit Out Of The Year category, and the Insider's Liverpool City Region Fit Out of the Year Award.

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Law firm Bermans announce highest turnover in firm's history

Bermans has announced record financial results for the 7th consecutive year, increasing turnover by 6% from £7.4M to \pm 7.85M.

The firm's asset and invoice finance teams continue to go from strength to strength. The Invoice Finance team was ranked first in the Business Money annual review of legal services providers to the sector once again. Work highlights include acting for a selective invoice finance provider in its £20M refinancing with a US investment fund and the successful conclusion of a decade long litigation claim which leading to a recovery in the millions of dollars from an elusive personal guarantor on behalf of a US invoice financier.

The Corporate team, led by Jon Davage, has posted record results with a 40% increase in fee income and has worked on deals with a value in excess of £150m. They included Toscafund's \$25M investment in Voxsmart, the sale of Mission Labs Ltd to Gamma for £46M, a £4M equity investment by Mobeus into Connect Software Group and the sale of Butterworth Spengler to JM Glendinning Insurance Brokers. A key part of the team's growth has been a sustained focus on the TMT sector, cross border M & A and private equity transactions. The team expects a continued high level of activity given the anticipated increase in Capital Gains Tax to assist with meeting the demands on the public purse caused by the Government intervention in the economy as a result of Covid-19. The arrival of Barney Leaf in the Corporate practice area has taken the number of partners to 4 in a team of 10 fee earners.

Employment has continued to build on recent growth and enjoyed record turnover in 2020 / 2021. The team has also now launched a specialist business immigration service to assist clients with the new post-Brexit rules which came into force at the start of this year.

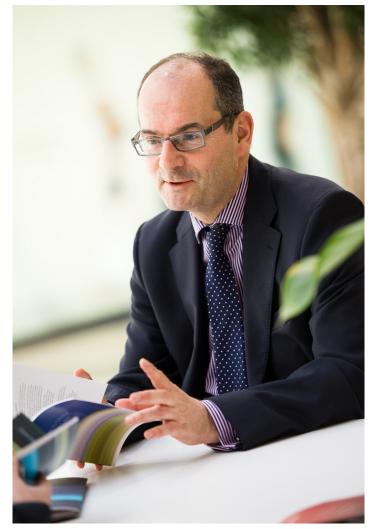
The Property team has also had a very busy year and has seen its turnover increase from £1.1m-£1.3M.

Chris McDonough has retired from the business after successfully heading Bermans commercial contracts team since joining in 2014. Stephen Green joined the firm on 1st June 2021 from Knights to head up the commercial offering as Chris`s replacement.

Also arriving in the last 12 months is David Keenan, who joined Gareth Farrelly in the Sports law team and the forthcoming launch of a dedicated microsite and listing on Law in Sport platform.

Bermans has also launched a Shareholder Dispute Website, a dedicated platform with the aim of providing a roadmap for shareholders and directors through business disputes.

Insolvency and Litigation have maintained a constant level of fees and anticipate a busy 12 months ahead as moratoria restrictions are lifted and business activity returns to normal. The team has delivered several events throughout the year around building robust and effective in-house debt collection processes and this is likely to continue in the next financial year.



Fergal O'Cleirigh

Fergal O'Cleirigh Bermans senior partner comments "It has been a really challenging year for all businesses for obvious reasons and we are delighted with the end of year outcome given that backdrop.

We have continued to attract new clients by virtue of our networking efforts over the years before the pandemic and also by ensuring we have kept in contact with the business community by way of webinars, many of which have been run in conjunction with our key introducers. All of our teams are optimistic about the prospects for 2021/22 and we look forward to continued growth in the years ahead."



CEL Solicitors appoints compliance expert to growing team

CEL Solicitors has appointed a new Head of Legal Standards and Compliance Officer for Legal Practice, as the company eyes up further growth.

Andy London has joined the civil litigation specialist to take on both roles, focusing on maintaining high standards across the firm and helping to drive staff development.

His role will see him act as the 'eyes and ears' of industry body the Solicitors Regulation Authority (SRA), ensuring that the relevant structures and procedures are in place as the company continues to grow.

With more than 16 years' experience in the legal industry, Andy will also work closely with staff to share his skills and support them in achieving their career goals.

Andy, who has previously worked at Hill Dickinson and Keoghs, said: "I qualified as a solicitor fairly late on in my career, after many years of working as a paralegal and a claims handler, but I firmly believe that the route into the industry – or indeed the timing – should not matter when it comes to being an excellent legal professional.

"I was drawn to CEL Solicitors because of its very different approach to training and its 'non-traditional' culture – there aren't many law firms with bars and think swings in the office!

"I'm incredibly passionate about offering the right level of support and training in the workplace, something that the firm's directors had in common with me. It's vital to teach people how to do a job – and do it well.

"If you're a team leader, your focus should be on bringing your team members on and helping them move up and get to where they want to be.

"As well as ensuring the company is compliant with all industry standards at all times, my focus will also be sharing my experience – the good and the bad – to help develop quality solicitors and paralegals for the future and building on what is already an extremely talented and cohesive team."

Located at 20 Chapel Street in Liverpool, CEL Solicitors works



Andy London

with clients across the country, focusing on claims relating to housing disrepair; Japanese knotweed; data breach; financial mis-selling; fraud prevention; and business interruption.

The firm is currently finalising plans to take space on the sixth floor of the building, paving the way to hire a further 120 new team members over the next two years.

Jessica Hampson, owner and director at CEL Solicitors, said: "During the last four years, we've grown exponentially and we're not slowing down any time soon, so Andy's role is essential to ensure that, as we get bigger, we maintain our exceptionally high standards right across the company.

"Our People Before Profits ethos is non-negotiable and is something that we will remain intact regardless of how much more office space we take or people we recruit.

"Andy's passion for developing fresh talent is infectious and was something that we were instantly drawn to – we can't wait to see how he takes forward our team."



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Chambers Prospectus marks new approach to openness and inclusivity in barrister recruitment

Northern Powerhouse set St John's Buildings has launched its first "Chambers Prospectus" as part of a wider campaign to recruit barristers and assist in addressing the current volume of work the set has available.

In what is believed to be a first in the usually secretive world of barristers' chambers management, the common law chambers of 236 barristers spread across four Northern cities has provided details in the prospectus including costs of membership and ongoing fees, the services that are covered by those fees and the quality of work and clerking available to its members and prospective candidates. The impressive document, which mirrors a university prospectus, also includes details about each of the cities in which the set has chambers – Manchester, Chester, Liverpool and Sheffield – in an attempt to attract barristers who may be thinking of relocating following changes to working practices as a consequence of the Covid-19 pandemic, as well as those who simply want a better service and standard of clerking.

Frances Heaton QC, Joint Head of Chambers said "Following a period of sustained success for Chambers, stretching into and beyond the impact of Covid-19, we are ready to continue our growth. We reviewed the services we provide our members and clients to ensure they remained market leading. The review confirmed our view that St John's Buildings has good reason to publicise our exceptional facilities, services and staff team as well as the successes of our barristers. While it is unusual for barristers' chambers to be so open about such matters, we were



Litigating Commercial Contracts with Helen Swaffield

Thursday 30th September, 9.30am - 12.30pm

This is aimed at contentious and non-contentious practitioners and in-house counsel. Always practical with drafting and litigation points.

Covering:

- Formation and interpretation
- Deeds and execution
- Good faith and the exercise of contractual discretion
- Implied terms
- Warranties, third party rights and assignment
- Guarantee and indemnity
- Obligations and endeavours
- Breach of contract and remedies
- Limitation of liability
- Boilerplates



For more information or to book, click here

keen to make the bar look and feel more accessible and this is just one step in that direction."

Richard Norton, Joint Head of Chambers, said "We try to be at the forefront of the modern bar. We see increased openness about recruitment and chambers services as an integral part of that modernisation. While it is common for sets to produce a pupillage prospectus, it is highly unusual in our experience for a chambers prospectus to be produced that includes details such as how you become a member and what it costs to do so. Some at the bar may see this as controversial, but it is our firm belief that where we are leading others will follow and we are rightly proud of all that we have achieved."

Chris Ronan, Chief Executive, said "The prospectus aims to show people what a chambers can and should deliver and that the North of England offers the same opportunities as the south, particularly following the impact of covid and remote working. The prospectus was launched following a pre-planned teaser campaign on Twitter, coordinated so that the prospectus was available before the summer recess. That way we allow prospective members the opportunity to consider whether they are satisfied with what they get from their current chambers. We are confident that we offer an unrivalled service to clients and barrister members and we are happy to discuss that service and membership with members of the Bar or those considering a transfer to the independent bar."



Criminal Law Update with Colin Beaumont Friday 1st October, 2pm - 5pm

This course will update you on the things you need to know in the area of criminal law generally. We all know that we should keep up-to-date with legislation, case- law, statutory instruments and material published by the Sentencing Council but it is just a question of finding the time!

The following items will be covered during the course:

- The Sentencing Act 2020 (or Sentencing Code if you prefer) in force and relevant for anyone convicted on or after 1st December 2020
- The Criminal Procedure Rules 2020 (as amended by the 2021 Rules) in force and relevant from 5th October 2020 – amended Rules (February 2021) and (April 2021)
- The Domestic Abuse Act 2021 received Royal Assent on the 29th April 2021 – those parts in force which are relevant for criminal practitioners
- The contents of the Counter-Terrorism and Sentencing Act 2021 see Section 50 of the Act for those parts which came into force when the Act received Royal Assent earlier this year

& more

Competencies: A2 (a) (d), A4 (a) (b) & B2 (a)

For more information or to book, click here



Liverpool Chamber Affiliate Membership

How your membership will help you stay #WellConnected

Affiliate membership of **Liverpool Chamber** through **Liverpool Law Society** offers a suite of services to boost profile, gain valuable insights and enjoy reduced price attendance to a range of key events.

To request an affiliate membership application form, please email contactus@liverpoollawsociety.org.uk

Upgrade to full membership from just £295+VAT per year to access a wide range of benefits

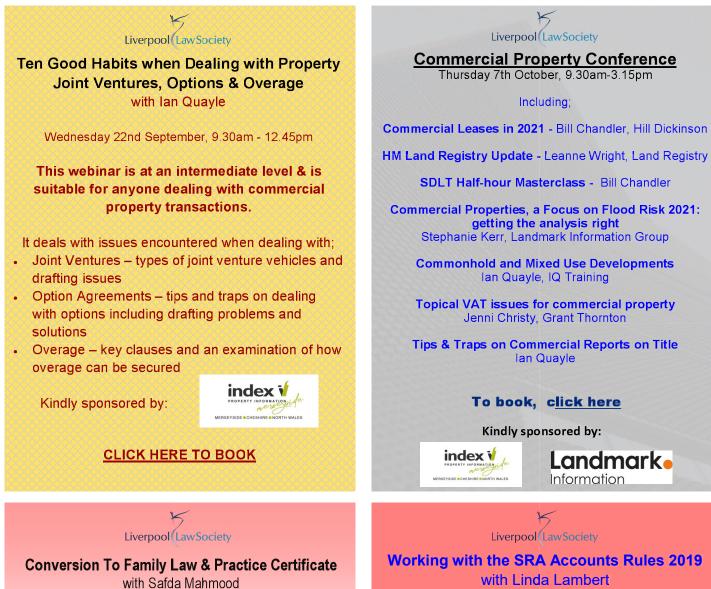
For details on upgrading, and other plans available please contact the membership team via jordan.rhoda@liverpoolchamber.org.uk Affiliate membership includes:

- Company logo and profile listed on the Chamber website
- 2 Member discounts on attending selected Chamber events
- 3 Invitation to Chamber and LLS affiliated events
- 4 View latest member news and events
- 5 Digital membership certificate
- 6 Use of the Chamber logo on your business promotional material

Liverpool Chamber,

Education & Training





Friday 24th September, 10am - 4pm

Level: Introduction/Intermediate

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

The areas to be covered are:

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

Competencies: B&C

Click here to book

Tuesday 21st September, 2pm - 4pm 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!

Internal controls, the COFA both the role & report, and a comprehensive Accounts Manual for procedures, are all a part of ensuring proper compliance. These are even more important since the 2019 Rules are now in place.

Topics to be covered will include:

- Holding of Client monies including Third Party Money Accounts
- Recording and Usage of Client Monies
- Billing and disbursements
- Interest on Client fund
- COFA role including Bank Reconciliations
 - Accountant's Report

CLICK HERE TO BOOK





Calling smart law firms: the tech you DO need, and the one thing you DON'T

When we talk about the top technologies for smart law firms in 2021, what exactly do we mean? Legal practice management software? Online file storage? Cloudbased word processors? Scanners? VoIP phones? Time recording? Online payments? E-signatures? Zoom?

In the modern world, law firms are expected to provide their services in the same way as every other business – at the push of a button. To meet the demands of their clients, law firms are investing huge amounts of time and resources in the smart technologies listed above, integrating every piece of software or device within their organisation from the ground up.

But with hundreds of options out there, each as valuable as the last, identifying what technology your law firm actually needs can be difficult.

Which begs the question: what tech DO law practices need?

Remote working capabilities

Let's start with the obvious. The COVID-19 pandemic has shown us all the value in being able to work remotely with zero obstructions. It's no surprise that those law firms which had already invested in smart technology prior to the introduction of national lockdowns were the same firms which adapted quickest when employees were told to work from home. And when 97% of employees don't want to return to the office full time, it's important that you have the infrastructure available to support their new work habits in the future, whatever their working preferences - home, office or combination.

This goes beyond simply supplying stationery, decent laptops or additional hardware. One of the unfortunate sideeffects of people working from home was that the UK saw a 400% increase in reported cyber crimes during the first wave of the pandemic, so it's crucial that you have a comprehensive cybersecurity strategy in place to protect your employees and your data. Encrypt your remote devices, install anti-virus software and, most importantly, use a VPN (Virtual Private Network) to secure your network from people who shouldn't be in there.

Online payment processes

Chasing fees from clients can be one of the most time-consuming tasks at any law firm, but it doesn't have to be. Using an online payment platform will make it as simple and as smooth as possible for clients to pay their bills first time, every time. Remember, what's better for your client is also better for you, as more on time payments will improve your cash flow and help you budget more accurately.

There are plenty of options out there, such as Legl, GoCardless or Invoiced. For the best results, choose one which integrates with whatever legal practice management software you're using, just like we've integrated GoCardless (and soon Legl) with Quill.

Speaking of Quill...

Legal software

Using cloud-based legal accounts, document, practice and case management software like Quill is absolutely essential for performing all your law firm's daily tasks whilst keeping you fully compliant. The very best legal software gives you all the tools you need to see a case through to completion, from signing initial contacts to locating crucial documents later down the line to submitting invoices. With accurate time recording and straightforward document management solutions, you can be more efficient with your time, and clients can see where their money is going, right down to the last penny.

The sign of an effective legal software is that, once you start using it, you barely notice that it's there. Legal software is the silent hero that works away in the background, removing the headache that comes with endless back-office tasks so that you can focus on doing what your law firm does best.

Email and phone systems

From a client's perspective, this is the most important area you can invest in. It's essential that your clients feel like you are there for them, which means having the communication infrastructure in place to make that possible. Older landline phones



Quill's guide to the essential smart law firm technology in 2021

Discover what smart technologies to invest in, why to go paperless and how you can make the tools you already have at your disposal work harder.





Learn more: www.quill.co.uk/resources/ guide-to-the-best-legal-tech-toolsfor-uk-law-firms-and-lawyers-in-2021





and copper internet connections have a tendency to break at the most inconvenient times, but that is no excuse in today's day and age – especially when there's fibre internet out there!

When choosing your email system, it's best to go with something that complements whatever word processing software or creative suite your firm uses (ie. Outlook with Office 365, Gmail with Google Workspace). But when it comes to your phone systems, you can be a bit more flexible. There are multi-line phones, cloud phones and PBX phones, but VoIP phones are probably the most popular as they allow you to run multiple lines and calls simultaneously over the internet. Each system comes with its own benefits, but again what you choose will generally depend on the demands of your business.

And what's the one thing you DON'T need?

Paper

Okay, we've cheated here a bit, as paper isn't really a technology. But the point still stands – in a modern law firm, paper should be the last thing on your list!

Going paperless is actually a lot easier than you'd first think. It's basically just a case of storing all your important paperwork according to the same organising system as before, only instead of locking it all away in a labyrinth of filing cabinets, you can store, locate and edit it all from within one screen. When clients send in paper copies, scan them immediately, organise them accordingly and then shred and recycle the paper copies once they're no longer needed. Be consistent – by using naming protocols and documenting defined procedures – and diligent with sticking to this process, and you will reap the rewards.

In the short term, this makes it quicker and easier to manage crucial documents. In the long term, it takes up less storage space, reduces operational costs, helps comply with data regulations and is a more sustainable solution in general.

Next steps

All of these technologies are useful in their own right, but the question you need to ask yourself is whether it is right for you. Depending on the size of your firm, the strength of your infrastructure, the type of work you do, and how many employees are working from home, some tech will be more valuable than others.

Start with the essentials: quality legal software. Once your practice is running smoothly, that's when you can start adding in all the bells and whistles which will take you from a law firm to a smart law firm.

This article has been repurposed from the 'Quill Uncovers: Secrets from real partners on the tech you really need' webinar. View for free at www.quill.co.uk/resources/guide-to-the-bestlegal-tech-tools-for-uk-law-firms-and-lawyers-in-2021.

About Quill

Quill helps law firms streamline and run their practice better by providing simple and easy-to-use legal accounting and case management software, as well as outsourced legal cashiering services. Get in touch for more information about Quill's practice management software and outsourced legal services by emailing info@quill.co.uk.

Liverpool (LawSociety

Service Nightmares & How to Avoid Procedural Death - Update on Service Rules & Court /Trial Fee Traps

with Jeffrey Zindani

Thursday 23rd September, 1.30pm - 4.30pm

Missed time limits by civil litigation solicitors are one of the largest sources of professional negligence claims reported to insurers. This timely seminar will guide you through key procedural rules to avoid what the courts have described as "procedural death".

Covering:

- Back to the Future: Why is this Still Happening?
- Covid: Rules and Common Myths
- Limitation and Standstill
 Agreements- Are They More
- Trouble Than They Are Worth?
- Service Rules and Common Errors



& more

<u>Click here to book</u>



2021 FAMILY FINANCE CONFERENCE

WEDNESDAY 29TH SEPTEMBER 2021 | 9.30AM TILL 3.10PM | ONLINE

Welcome & introduction ~ District Judge Baker

Let's Go Get a LSPO!: Maintenance Pending Suit & Legal Services Payment Orders – Approach for Applicant & Respondent Juliet Allen, St Philips Chambers

Non-disclosure issues in financial proceedings Sheren Guirguis, Exchange Chambers

Nuptial Agreements: Best practice, Case law Update and Other Observations Ashley Murray, Ashley Murray Chambers

Revisiting final orders and setting aside Sam Hillas QC, St Johns Buildings

Short Marriages - where are we now? Archna Dawar, St Johns Buildings

Matrimonial/Non matrimonial property: In? Out? Or shake it all about?
Charles Hale QC 4 Paper Buildings

Family Finance Round-Up Alexis Campbell QC, 29 Bedford Row Chambers

Click here to book

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, we gathered on the balcony of the Mercure Hotel to watch the latest sculpture to be unveiled on the Liverpool Plinth. Members of Liverpool BID Company, partner organisations at Liverpool Parish Church and arts organisation dot-art joined to see the new work, created by artist Faith Bebbington.

The work, Jimmy, depicts a once familiar site along Liverpool's waterways. The working horses of the Leeds-Liverpool Canal were once a vital cog in the process of getting goods from Liverpool's docks to the wider North West and UK.

Made from recycled milk bottles, Jimmy was inspired by a working horse the artist once rode as a child. Now, he will stand for the next year, looking out across Liverpool's waterfront and the Leeds to Liverpool Canal at the Pier Head which opened to boats in April 2009 after a £22m extension which took the canal past the city's historic waterfront.

Working horses would tow narrow boats along Britain's canals, and from 1740 were one of the main forms of transportation for goods across the country. In Liverpool, they would help transport produce and goods arriving at the city's docks and up the canal.

Public art allows us to tell stories and provide a different perspective on our streets, on our buildings and in our public realm.

The Liverpool Plinth is designed to provide a literal and figurative platform for artists in the North of England. Selected via Open Call, artists submit their proposal and then a panel chooses their favourite. The winning artist receives both £1,000 and their work displayed on the Plinth for 12 months.

The chance to showcase both our heritage and culture is as important an ingredient in shaping our city as supporting business, in making the environment clean and safe and helping the city to thrive. Public art creates animation in our public realm, making it colourful and engaging, and a more enjoyable place to be.

Yet sculptures like Jimmy, also work to showcase a chapter in our history that many might not know about. The investment in Liverpool's waterways and the canal basin at the Pier Head has transformed this public space in the last decade. It has made it a true destination and the ability to stand in front of the Three Graces, looking out along the



Julie Johnson

River is to stand amidst Liverpool's heritage and culture.

It is a place for people on their lunch break, for families and for friends. It is for visitors and residents alike and the sense that you can visit a beautiful spot and reflect, even for just a moment, on the history and the interactions that took place in the same space is a vital part of integrating our heritage with the modern day.

To have the past and the present work alongside each other is something that art is able to facilitate, and that is why it is such a significant part of the work we continue to do at Liverpool BID.

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

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

There is a lot of talk about Damages Based Agreements, especially after the government shunted thousands of innocent whiplash victims into the small claims court. The recent case of Peter Otto is a reminder that these agreements remain unlawful in some cases. In this case a DBA was wrongfully used in family proceedings.

Such proceedings are excluded from the scope of DBAs by s58 A (1) Courts and Legal Services Act. The case concerned a disputed consent order. Mr Otto entered into an agreement with his client that he would not charge her if he did not recover and would receive 15% of any award. She recovered just under £770k. He subsequently tried to enforce the agreement. He recently found himself before the Solicitors Disciplinary Tribunal. The tribunal accepts that he genuinely believed that he could work on this basis but ought to have known what he could and couldn't do.

The client did not lose any money. Mr Otto was fined $\pm 10k$ with $\pm 29k$ costs.

This is a salutary reminder that there are limits on what can be covered under a DBA.

Interestingly, the client would not otherwise have been able to afford the cost of pursuing an action that was ultimately successful. This begs the question whether the excluded categories of work need to be revised. Although even the USA, the country that we all associate with contingency fees, does not permit such an agreement –

"in a domestic relations matter, the payment or amount of which is contingent upon the securing of a divorce or upon the amount of alimony or support, or property settlement in lieu thereof."

https://www.americanbar.org/groups/professional_res ponsibility/publications/model_rules_of_professional _conduct/rule_1_5_fees/

One can understand the sociological reasons for this. It is unlikely there that this rule will change at any time in the near future.

In other news, the war between checkmylegalfees.com and Slater and Gordon continues. Most readers will be familiar with the former company who have made a business model out of claiming back deductions of success fees from personal injury lawyers. The business was recently hit by a decision of the Regional Costs Judge that, where a solicitor agrees to cap deductions, the client could not subsequently argue that they had not given informed consent to the deduction – **Swan v Slater and Gordon**

https://www.lawgazette.co.uk/practice/cap-ondamages-amounts-to-informed-consent-courtrules/5107930.article

In another case the claimant's solicitors have been granted permission to appeal a 2020 order to repay deductions - **Belsner v Cam Legal Services** [2020] EWHC 2755 (QB). We understand that this is unlikely to be heard before 2022.

Meanwhile, back to the Slater and Gordon case. As part of their opposition to the claims for repayment of deductions the firm has recently applied to stay a number of test cases brought against them. Th argument was all about the claimant's exposure to costs. According to the solicitors, the claimants do not have After the Event Insurance. The former clients face a costs risk within these claims, far higher than any potential benefit. Master Rowley reserved judgment following a hearing earlier in July. It does seem ironic that former clients are claiming that they were not properly informed of possible deductions and then there are arguments in this litigation that those same clients do not have costs protection.

This war is likely to run and run. Watch this space.

If you require help in relation to any costs issues contact Robert Cook at robert@cook-legal.co.uk

Liverpool

Regulation Update The latest regulation news from Andrea Cohen of Weightmans LLP

Summer is in full swing and the school holidays are upon us. Hopefully you will all manage to get a break and enjoy some sunshine if possible, be it with a staycation or a vacation. 19 July was the key date this time round and the promise of great change with restrictions disappearing and the return to our new normal looming.

Cracking down on AML

The SRA has announced that it has fined more firms for failing to fulfil the antimoney laundering obligations, and not completing the AML declaration by January 2020 as required. The firms have been fined £800 each and ordered to pay £600 in costs. This is the second group of fines announced, following the SRA's confirmation in Iune that it had sanctioned six firms for not confirming they had carried out a firm wide risk assessment as required. It is unlikely that this will be the last such announcement of similar sanctions, the SRA having confirmed last year the intention to carry out thematic reviews and visits to all firms within scope of the regulations, and visiting every high-risk firm on a rolling basis every three years. At a recent webinar, the SRA Director of Money Laundering confirmed that the latest thematic review, relating to MLCOs and MLROs, had just started, and they would be reporting on it at the Compliance Officers conference in November, firm visits were ongoing and there

were currently approximately 200 live AML investigations.

As advised previously, you need to make sure you have carried out, and regularly reviewed, your firm wide risk assessment, your AML policies, controls and procedures are up do date and being followed, training is provided to all relevant employees, and an independent AML audit has been carried out.

Are you reflecting enough?

The Legal Services Board (LSB) has recently published research indicating that current competency checks may not be enough to maintain public confidence and develop high levels of competency within the profession. LSB are encouraging career-long competency checks, including spot checks, for all practicing solicitors and have indicated that there is a lot of public support for increased monitoring of ongoing competency.

The Chair of the Legal Services Consumer Panel (LSCP) has stated that it is the LSCP's view that lawyers should have to take online tests every 10 years in order to evidence that they are still competent in their area of work and if it is failed twice, lawyers should have their accreditation taken away.

The SRA has warned against a heavy load of training and activities to check solicitor competency, with the SRA Director of Training and

Education saying that it already considers that training within law firms is very focused, and competency is therefore given frequent thought in the internal training that takes place. Whilst the SRA hold the position that competency checks are important and continuing competence is a "significant regulatory focus", it takes the view that additional requirements ought to focus on high risk areas, rather than take a blanket approach. It is expected that the LSB will launch a formal consultation by the end of the year.

Delay at LeO

The Office for Legal Complaints has published its Annual Report covering April 2020 – 21, with a review of complaints handling. During that period, the backlog of cases to be investigated by the Legal Ombudsman doubled from 2,464 to 4,829, the average time to resolve cases rose from a low-complexity case taking 285 days, from 182 the previous year, a medium-complexity case increased from 281 to 372 and from 526 days to 616 for a high-complexity case, and the cost of dealing with cases increased from £1,927 to £2,798 per case. The Chief Ombudsman said that despite challenges of the year, progress has been made in key areas, towards the end of the year case closures met performance targets and there were cautious signs that staff morale had improved considerably.



Andrea Cohen

Closure of SIF extension to 30 September 2022

Following our report last month of the SRA's decision to extend the date for the closure of SIF, the Law Society has updated its guidance to solicitors to protect themselves against potential future claims. https://www.lawsociety.org.uk /en/topics/professionalindemnity-insurance/closureof-sif. The guidance is broken down into 4 groups, depending on when the practice closed, with Group B, firms that closed between 1 September 2000 and 30 September 2016 facing the greatest difficulties, as they are in SIF, or will be in SIF, by 30 September 2022.

The Law Society confirms it has been 'actively pursuing options' for this group and will continue to engage with the insurance industry to find a solution.

Disciplinary Decisions

Keep an eye out

Two directors of an ABS have been fined £10,000 and £5,001 for failing to oversee an office where a £3.3 million of property fraud was carried out by a partner and a person who passed herself off as a solicitor, using the name of a genuine solicitor. Both directors were located in an alternative office elsewhere in the country, whilst the alleged

Regulation Update

Liverpool

fraud was carried out in London. The London partner opened separate bank accounts, was sole signatory and the directors, one of whom was HOLP and HOFA, did not have access.

While the SRA accepted they were not involved in the fraud, a review of the files and accounts would have highlighted the issues. When they found out about it from third parties, the directors reported the matter to the SRA, made early admissions and made efforts to remedy and rectify any breaches, and the cases were dealt with by way of regulatory settlement agreements, instead of proceeding to SDT.

Two cases of fraud

A solicitor struck off last year has been jailed for three years and four months for defrauding HMRC of around £380,000. The returns filed with HMRC were falsified, allowing an underpayment of SDLT. The solicitor told the SRA that he only took the money to keep his business running as his employees needed jobs. The SDT stated that his conduct was not only damaging to the individual clients, who were now liable for paying interest on the underpaid tax, but also to the profession as a whole, by diminishing its reputation.

In the second case, a partner defrauded HMRC and the firm over seven years, by under declaring SDLT and taking over 200 withdrawals from client account, totalling £2.3 million, and has been jailed for four years. The fraud took place with the help of a client who was also jailed for three years for money laundering.

The partner was struck off earlier this year, but the SDT judgment was withheld until both parties' sentences were handed down in Court. The partner paid personal invoices to himself over 7 years, submitting selfauthorised payment request forms which were completed in his own handwriting; raised false invoices for the client, and over-declared SDLT to clients, but underdeclared it to HMRC.

Recreating documents

The SDT found that a partner had acted without integrity in relation to one aspect of the matter, but allegations of dishonesty and recklessness in relation to backdating letters and allowing them to be attached to a claim were not proven. He was fined £50,000 and ordered to pay £11,400 costs, following a two-day hearing where he admitted recreating letters he thought had already been sent out and backdating them three months. The letters were then attached to a client's particulars of claim for possession proceedings. In evidence, the partner denied signing the documents and knowingly misleading the court or opposition solicitors. The SDT said that recreating documents and not making that clear was 'lacking in integrity, and we are very conscious of solicitors needing to be scrupulously accurate in all they do'.

Keeping accounts in order

A sole owner and manager, whose accounts were described as dire and who failed to keep proper accounting records for eight years, accepted a two-year suspension and £12,000 costs, acknowledging there were problems with the accounting system, including large amounts of client money which were kept in residual balances for a substantial period, and a legacy that had not been distributed to a charity, but there was no evidence of dishonesty or loss of client money.

Accountants reports over a number of years had identified the same issues and breaches of accounts rules. There had been two previous forensic investigations and the owner had assured the SRA that he would sort out the accounting issues but failed to do so.

Lack of due diligence

A firm who acted for a fraudster posing as a homeowner has been rebuked by the SRA, having admitted it failed to carry out proper checks on the prospective seller before the sale took place. The firm asked for, and received, certified copies of his ID documents but the third party had only certified the ID documents were true copies of the originals, without verifying the client's identity and no one at the firm met the client to conduct the enhanced customer due diligence required to verify his identity.

The firm sent the net proceeds to the client and was later contacted by the police investigating suspicions that the sale was fraudulent. The firm notified its PI insurer the following day, but didn't inform the SRA for another 10 months,

The SRA accepted this was an isolated incident, the firm had taken action to mitigate the harm to the buyers and the genuine owner, and there was no evidence of lasting harm. On that basis it considered a rebuke was appropriate because of the low risk of repetition, but a public sanction was necessary to uphold public confidence in the profession.

Unlawful funding agreement and conflict of interest

While the client suffered no financial loss, a solicitor who entered into a DBA in a family matter and then chased the client for costs under it, was fined £10,000 by the SDT and ordered to pay £29,000 in costs, the SDT confirming that he should have known DBAs were unlawful in family law cases.

The solicitor denied the agreement amounted to a DBA, but letters referred to it being a DBA and payment by the client of 15% of any sum. The client was awarded a lump sum payment of £769,000 plus costs and the solicitor sought payment of the 15%, saying that debt recovery solicitors would be instructed if payment was not received. The SDT accepted he had made a "genuine error", but said should have known what funding arrangements could be made with a client.

In addition, he facilitated loans to the client from another client, and while not involved in negotiating terms, drafted the loan documentation, and then acted for the client who made the loans, seeking recovery for non-payment, when there was a clear conflict of interest. The SDT held that he acted with a lack of integrity, but said the misconduct was not serious enough for him to be struck off or conditions placed on his practicing certificate.

Andrea Cohen Compli Weightmans Liverpool LawSociety

News from Merseyside Junior Lawyers Division

This month the MJLD committee have been busy planning our first face to face event of the year! The event was due to be held at The Tempest on Tithebarn on 29 July. However, in true 2021 style the event has been postponed until 5 August due to Covid. The event will be held in an outdoor space on the rooftop to ensure maximum attendance and to make people as comfortable as possible. We are very much looking forward to getting together with all of our members with a lot of time to catch up on. We will be drawing a raffle at the event and hopefully raising lots of money for our nominated charity Paul's Place. Tickets are now on sale with details on our recently circulated posters across social media pages. The event will be a brilliant opportunity to end the year on a high and say goodbye to the committee for 20/21.

We have also opened the election process for next year's MJLD Committee. Applications are in the form of a google form and were circulated to all members. Applications closed on 30 July 2021.

Chelsea Kearns, Chair of MJLD, has recently had a chat with a group of professionals who are interested in creating a 'Future Leaders Network'. The aim of the network is to pull together different leaders from across all professions and create a committee of leaders. The committee would then work together with local businesses, universities and councils to deal with issues affecting us all. An example of this at the moment would be the lack of employment opportunities due to the fall out of the pandemic. This is just an idea at present but watch this space as this has the full backing of MJLD.

Kelsey Ryan



Kelsey Ryan





Liverpool Law Golf Society Golf Day 23 September 2021 at 12:30pm.



The Liverpool Law Golf Society ("LLGS") are hosting the Tripartite Cup competition between the Law Societies of Liverpool, Belfast and Dublin on 23 September 2021 at West Lancs. Golf Club (pictured above).

The format for this competition will be 2 teams of 4 from each of the Societies will compete for the converted trophy which currently resides in our Liverpool Law Golf Society Club House at the Gallery Room at The Racquets Club, Chapel Street, Liverpool.



Pictured above: Brian Lawlor (sec), Jon Berkson (International Captain) and Phil James at Dublin Airport with the Trophy returning victorious to Liverpool. Val Duggins (who made up the 4th player) took a different flight.

As with last year, the format will be the best 3 stableford scores out of the 4 to score on all holes, bar 9 & 18 where all 4 scores will count. The team of 4 with the highest Stableford score wins the trophy for their society.

The format is such fun that, this year the LLGS, for the first time, the Society will run a similar format competition for all interested Liverpool Law golfers to find the best lawyer golf team within Liverpool to be held at the same time and place as the Tripartite cup.

In addition, to run concurrently with the Tripartite Cup and the Team event at West Lancs. will be an individual stableford competition with many great prizes to be won. One score card would therefore score you in 2 competitions. A nightmare for the LLGS's Secretary to compute. West Lancs. Golf Club (https://www.westlancashiregolf.co.uk/) is regularly listed in the top 50 golf courses in GB and Ireland and is a tough links course.

We have kept the costs for the day (to include a 2 course evening meal) to £95 per person or £350, if you are to book a four ball. If you are booking individually, you will be teamed up on the day for the team event. All golfers who are eligible to join the Liverpool Law Society may join in the fun, so if you are reading this you are likely to be eligible to compete.

As we have the benefit of the City Centre club house and we are hosting a prize dinner at 7:30pm at West Lancs. (smart casual dress), we will be running a coach from the club house to and from the golf course. The cost of this will be advised.

If you are interested, please email your interest to the Society Secretary: **Brain Lawlor at: brianlawlor628@gmail.com**

When emailing please provide the following details:

Player (s) name/s, email addresses and handicap/s Whether the coach service and club storage is required.

If you wish to secure your place, as places are limited please make payment to:

Bank: Barclays Bank account sort code account Sort code: 20-10-84 Account: 80561304 Name: B T Lawlor Ref: *your surname*.

Complete and email to: To Brian Lawler - **brianlawlor628@gmail.com**

Please include the following on the LLGS Golf day on 23 September 2021 -

NAME	HANDICAP	Golf club / self-certified	Firm/Organization/Individual

Preferred tee time	Comments
12:30-13:00	
13:00 - 13:30	
13:30 - 14:00	
14:00 -14:30	

Date paid..... Amount £....

Liverpool

Back to life: returning to normality after lockdown



As restrictions lift, many of us will be looking forward to getting back to 'normal', which for some of us will mean a return to the office. Despite restrictions lifting the reality is that we simply will not bounce back to our normal pre COVID-19 selves right away after spending the best part of a year at home. We may have largely forgotten the social norms, behaviours and routines that were once familiar to us and we will have to relearn and remember how to be around people again, how to commute, how to behave in an office, even simple things like how to operate the lift at work or have a conversation may be a challenge to start with. We will no doubt face many challenges on a practical and emotional level.

Feel the feelings

After a year of being in survival mode with a low level (and for some a high level) of stress in the background all the time we have a lot of feelings to process as things get back to normal. Whilst some of these feelings will be positive such as excitement and relief, we are also likely to be fearful, nervous, and anxious of the changes coming and how we will deal with them. We may have residual feelings of grief, sadness and anger for everything and everyone we lost during lockdown. Focus on what you ARE feeling rather than what you SHOULD be feeling – suppressing your feelings and emotions won't help.

Expect to feel tired

It's best to take things slowly and to leave some clear space in your calendar, as once you are back in the office you will initially be very tired and need time to process the change, rest and reflect. On the plus side, our brain thrives on physical activity and novelty, so after a few weeks hopefully you will feel energised as the fog of the last 18 months begins to lift.

Be prepared for setbacks

It's likely that there will some bumps on the road back to ACAS website **38 www.liverpoollawsociety.org.uk**

normality. Recognise that best laid plans often have setbacks, so keep an eye on how you are feeling, how you are coping and be kind to yourself.

Don't rush into any decisions about work

Don't make any decisions about committing to a return to the office full time straight away if you can help it. You need to really think about what's best for you and your situation, everyone is different. Be confident to share your feelings about returning with your line manager or HR. You may not want to work the same hours as before or you might permanently want to request to work at home. Make the new normal work for you rather than defaulting to what used to be.

Look after yourself

Many of us have got into good habits in lockdown and are managing to sleep better, eating right and getting exercise. Try not to let these healthy habits slide once you're back in your usual routine, as they help to keep us mentally and physically well.

Share how you are feeling

Just talking to someone about your worries, a colleague, a friend, LawCare, can help you process your emotions and feel calmer and less stressed. We can all take comfort from feeling similar things as those around us in the coming weeks and months.

LawCare provides emotional support to all legal professionals, support staff and their concerned family members. You can call our confidential helpline on 0800 279 6888, email us at support@lawcare.org.uk or access online chat and other resources at www.lawcare.org.uk

Excellent resources on going back to work are available on the ACAS website





HELPLINE SUPPORT 0800 279 6888

365 days a year

9am - 7.30pm weekdays, 10am - 4pm weekends and Bank Holidays

You can find useful information and resources on our website, as well as download our factsheets www.lawcare.org.uk

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Charity Spotlight Our House Walton Community Hub CIC

Our House is a community group located in North Liverpool who welcome service users from the local community, but that exists for anyone to access. Their goal is improving the quality of life for the local community by combatting social exclusion, poverty, disadvantage and discrimination. They provide a welcoming and supportive environment in which individuals can learn valuable skills and access essential information. They run the Hope pantry where people can buy branded items at a fraction of the retail price. They run accredited courses to improve education and life skills and support with mental health conversations and interventions.

They also run the Eden Gardens, a community garden open to all to enjoy and work together to grow fruit, vegetables and flowers.

Carpenters Group Owner, Donna Scully highlights why supporting the community garden is so important to her. "I grew up in Inner City Dublin in a small 2up 2down house with no garden so I know how important green space is. We had a broken down communal playground which helped but our big oasis was a small park within walking distance where we felt a reprieve from the concrete jungle we lived in. St Mary's Park, Dublin was very small but it was a happy green space we relished"







Carpenters Group supported Our House art exhibition "Blank Canvas" which was held last month.

John Abela-Collins, Co-Founder and Managing Director says "The exhibition was held in recognition of the people that kept all of us going during the pandemic with their creativity – paintings, drawing, poems and books. We provided a platform to showcase their work or to take the opportunity to start something new and find alternative ways to express their emotions and improve mental health"

You can find out more about Our House by contacting: info@ourhouse-walton.co.uk www.ourhouse-walton.co.uk 0151 521 7722



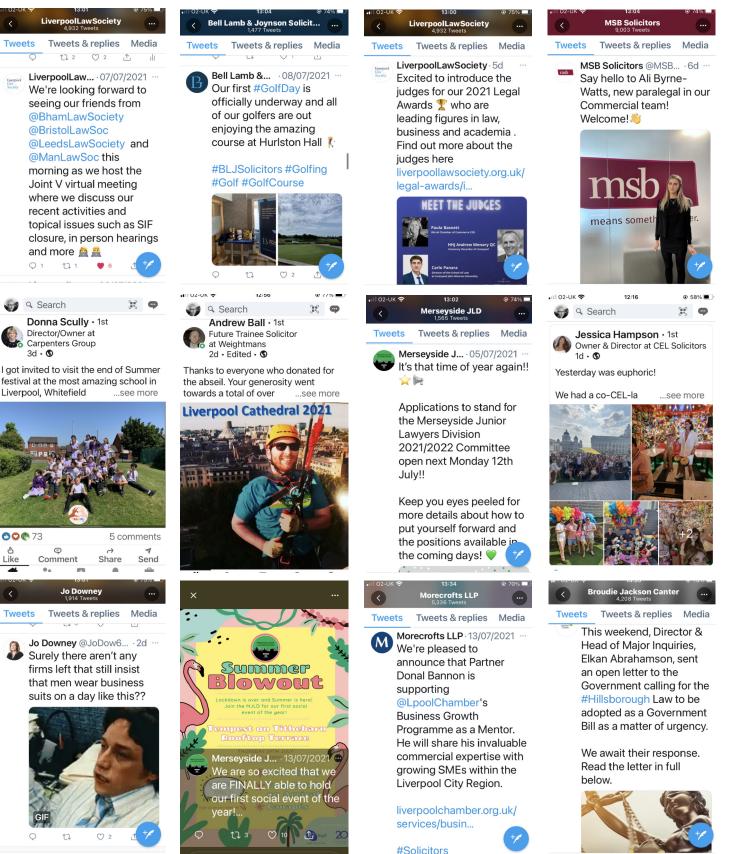


Social Media



July 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



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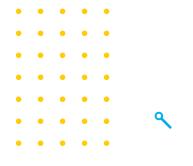
** Training events open to legal professionals nationwide **

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 <u>watch at your leisure!</u>

Some of our forthcoming events are below – for full details, visit: www.liverpoollawsociety.org.uk

Date	Title	Speaker
07-Sep	Anti Money Laundering Update	Matthew Hickling
08-Sep	Private Child Law Conference	Various
10-Sep	Running Care Cases	Safda Mahmood
15-Sep	Residential Property Conference	Various
17-Sep	Complaints to Compliments	Vicky Ling
21-Sep	Working with the SRA Accounts Rules 2019	Linda Lambert
22-Sep	Ten Good Habits when Dealing with Property Joint Ventures, Options & Overage	lan Quayle
23-Sep	Service Nightmares & How to Avoid Procedural Death—Update on Service Rules & Court /Trial Fee Traps	Jeff Zindani
24-Sep	Conversion to Family Law & Practice Certificate	Safda Mahmood
29-Sep	Family Finance Conference	Various
30-Sep	Litigating Commercial Contracts	Helen Swaffield
01-Oct	Criminal Law Update	Colin Beaumont





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