

March 2022

# Liverpool Law

Liverpool  Law Society

THE MAGAZINE FOR THE LEGAL SECTOR IN  
MERSEYSIDE AND THE NORTH WEST

LIVERPOOL LAW SOCIETY MARKS

## INTERNATIONAL WOMEN'S DAY

8.03.22



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# March 2022

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25th March  
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 25th May  
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 27th July  
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 26th September  
 27th October  
 28th November



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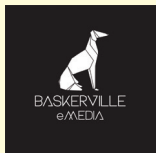
Liverpool Law Society Magazine is produced by and for Liverpool Law Society Members. This is our opportunity to share our news, events and celebrations with our friends in the legal community.

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

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Tel: 0151 203 0440  
[simon@baskerville-e.media](mailto:simon@baskerville-e.media)



#### Editorial Committee Dates 2022

Meetings start at 11.00 am

15/03/2022

19/04/2022

17/05/2022

21/06/2022

# Welcome to the March 2022 edition of Liverpool Law



## Welcome to the March edition of Liverpool Law

I would like to say spring is on its way and we can start getting excited for some sun and holidays...but at the time of writing it is miserable and we are quickly making our way through the alphabet of storm names!

I hope things make a quick improvement as we are starting to see more face to face events detailed within the magazine that are happening across the City. If you can please get down to as many as possible and send in any articles and photographs to us to feature.

This month I had the pleasure of attending Vauxhall Law Centre with one of our new publishers, Simon. It was so nice to meet people face to face who I had only previously seen virtually. (The hot coffee was a nice treat too- that doesn't happen very often on maternity leave!). It was also good to meet people we had featured in the magazine and hear first hand about all of the amazing work that they do. I had an idea of the kind of cases they can help with but their plans for the future and helping even more people sound inspiring. I look forward to reading some of their case studies in future so our readers can get a true understanding of the work they, and our other law centres, do on a daily basis. If you can help out in any way please do reach out to them.

I've also been reaching out to some local charities this month so we can feature them in our Charity Spotlight pages, if you have any you would like me to contact please get in touch.

## Many thanks

Jennifer Powell

Editor

**Weightmans**

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

# From the President

## The latest from the President, Steven Zdolny

### Member Consultation Update

Many thanks to the 74 members that responded to our recent consultation on premises and training, which aims to ensure the Society has a sustainable and successful future for the benefit of members. There were a range of varied and insightful comments, which will help officer deliberations.

The consultation responses have been collated and were presented to the Society's Finance and Policy Committee at the end of February and will be considered also at the General Committee in March. Once any decisions are taken by General Committee, we shall update our members.

### Update on SRA Consultation about Post Six Year Run-off Cover and other Consultations

Thank you to those members that provided input to assist in formulating the Society's response to this SRA consultation paper on PSYROC. The Society's Regulatory Committee met to discuss the consultation and has submitted its response. This very much aligns with The Law Society's response, which was also helpfully shared in advance with our Society, but also has local expert practitioner input.

The Society also submitted a response to the SRA consultation on financial penalties and other consultation paper responses included Housing Legal Aid, Delivering Justice for Victims, Reforming the Leasehold and Commonhold Systems and the Human Rights Act Reform.

### Events Round-Up

A number of in person events that we had planned in February have had to be postponed due to covid. For example our Pathways to the Legal Profession for school Year 12s is now a virtual event, scheduled for 27 April.

On-line events have continued as normal, and I had the pleasure of chairing an event headed 'How to manage your firm and workforce in a digital future' on 17 February. This was an interactive session, expertly led by Doug Hargrove, MD for Education and Legal at Advanced. The virtual roundtable event covered how to achieve successful implementations, what you should consider relating to the impact of remote working including training of new staff, the impact on your people's mental health and the importance of creating a security-minded culture to deal with cyber-attacks.

I also attended the General Committee, the Finance & Policy and In House Lawyers Committee meetings in February. In addition, we have also held a number of Officer meetings to discuss the Society's financial position, training offering and preparations for the 2022 Annual Dinner and Legal Awards.



March also promises to be a busy month with the Joint V meeting, hosted by Leeds in early March, judging the Birmingham Legal Awards, meeting with Professional Liverpool, meeting with local MPs, the Insurance Institute of Liverpool Annual Dinner and the MJLD and Society Quiz.

Following survey responses, the Society is also looking forward to offering members and delegates a return to some face-to-face training courses in our city centre premises in Edmund Street. The first being the Costs Conference on Wednesday 9th March, followed by a Conveyancing Update by Richard Snape on Tuesday 15 March, and we hope you can join us. There will be some measures in place for everyone's safety and well-being when attending face-to-face events at our premises, details of which can be viewed on our website.

As always we are looking to you to help build our programme of training events, so please do let us have your ideas, comments and suggestions so that we can ensure we cater to your needs.

Until next time, stay safe and happy reading!

**Steven Zdolny**

President

[president@liverpoollawsociety.org.uk](mailto:president@liverpoollawsociety.org.uk)



# LLS Meetings & events – March 2022

These meetings and events will be held virtually unless notified otherwise:

Start Time	Meeting/Event
08/03/2022 12:30	General Committee
15/03/2022 11:00	Editorial Sub-Committee
17/03/2022 13:00	Future Planning Sub-Committee
18/03/2022 13:00	Meeting with MPs, PCC, Lords and Directors of LLS
24/03/2022 13:00	Civil Litigation Sub-Committee
24/03/2022 16:00	Criminal Practice Sub-Committee
25/03/2022 17:00	April Liverpool Law Deadline
29/03/2022 12:30	Finance & Policy Sub-Committee
30/03/2022 13:00	EDI Sub-Committee
31/03/2022 18:00	Merseyside JLD & LLS Quiz
05/04/2022 13:00	Employment Law Sub-Committee
07/04/2022 13:00	Access to Justice Sub-Committee
12/04/2022 12:30	General Committee

## Update on Liverpool Law Society meetings and training courses format

The Society, following careful consideration and examining responses received to our format surveys, is looking forward to offering members and delegates a return to some face-to-face events.

Liverpool Law Society will host some face-to-face training courses in our city centre premises in Edmund Street, the first being

the Costs Conference on Wednesday 9th March, followed by a Conveyancing Update by Richard Snape on Tuesday 15 March. We will still continue to offer online training courses to suit the needs of our delegates, many of whom now have a hybrid form of working and have told us they wish to continue to receive training online.

It is also intended that on occasion some committee meetings will be held face-to-face. Whilst many of our committee members

say they find online meetings convenient and easier to attend, they would still like to be able to meet up in person some of the time and therefore the Society will offer this flexible approach to meetings.

There will be some measures in place for everyone's safety and well-being when attending face-to-face events at our premises. Details of these measure can be viewed on our website here: <https://www.liverpoollawsociety.org.uk/contact/>

# Consultation Papers

## Papers referred to committees:

The following sub-committees of Liverpool Law Society are considering responding to these consultation papers.

If any member would like to send in a comment, please do so to [committees@liverpoollawsociety.org.uk](mailto:committees@liverpoollawsociety.org.uk)

Committee	Consultation Paper title	Closing date
Access to Justice & Non-Contentious Business	Consultation on the introduction of tenant satisfaction measures	3 <sup>rd</sup> March
Access to Justice & Civil Litigation	Human Rights Act Reform: A Modern Bill of Rights	8 <sup>th</sup> March

## Joint response to consultation paper:

The Access to Justice and Civil Litigation Committees submitted a joint response for the Housing Legal Aid: The Way Forward consultation paper before the closing deadline of 20<sup>th</sup> January 2022.

# Home Street Home – seeking to end homelessness in the Liverpool City Region



Ending homelessness in the Liverpool City Region for good

## Focus on StreetLink



Sarah Poblete

**StreetLink exists to help end rough sleeping by enabling members of the public to connect people sleeping rough with the local services that can support them.**

If you are concerned about someone over the age of 18 that you have seen sleeping rough in England or Wales, you can use [this website](https://www.streetlink.org.uk/StreetLink_HomePage) to send an alert to StreetLink. The details you provide are sent to the local authority or outreach service for the area in which you have seen the person, to help them find the individual and connect them to support. It is important to note that if you think the person you are concerned about is under 18 please do not contact StreetLink but instead call the police.

StreetLink is a website, mobile app and phone service for England and Wales, which enables people to send an alert when they see someone sleeping rough

to connect that person to local support services that can help to end their homelessness.

StreetLink itself is not an outreach service or an accommodation provider, nor is it an emergency service. It is the link between someone sleeping rough and the independent local services available.

StreetLink is a non-profit organisation managed and delivered by Homeless Link in partnership with St Mungo's. It is principally funded by the UK Government (Ministry of Housing, Communities and Local Government), with additional funding from the Greater London Authority (GLA) and the Welsh Government. This funding does not represent any form of government endorsement of advertisements associated with StreetLink.

Find out more [https://www.streetlink.org.uk/StreetLink\\_HomePage](https://www.streetlink.org.uk/StreetLink_HomePage)

### Rough Sleeper: signposting guide

The following information has been provided by Home Street Home about what you can do if you meet a rough sleeper:

- Call Always Room Inside on: 0300 123 2041
- Give details of local One Stop Shop and explain to ask for a homelessness assessment (Relief Duty)
- Be a friendly ear
- Just have a conversation
- Talk about the local night shelter
- If you would like to purchase an item

ask what they would like e.g. sandwich, coffee etc.

- If you are worried about a rough sleeper and feel they need medical attention call 999

### Sarah Poblete

CEO and Homelessness Ambassador for Liverpool Law Society

**AS A BOARD MEMBER OF WIRRAL ARK, YOU COULD HELP BREAK THE VICIOUS CYCLE OF CIRCUMSTANCES THAT IS HOMELESSNESS. INTERESTED?**

Not having a home can make it difficult for people to find a job, stay healthy and maintain relationships. It can also increase the chances of addiction and experiencing physical or mental health problems. The longer you are homeless the more difficult it will be to get back on your feet. Problems rapidly become more complex. Anti-social behaviour, involvement with the criminal justice system and acute NHS services become more likely.

**Wirral Ark is recruiting for a Board Member from the legal community. If you are interested in becoming part of our governance team then please visit our website for further information, [www.wirralark.org.uk](http://www.wirralark.org.uk) or call Vice Chair, Mel Godfrey for further information on 0781 005 3743.**

*We are a Company Limited by Guarantee and board positions attract no remuneration.*

# Equisafety

**Former successful BBC Dragons' Den entrepreneur, Nicky Fletcher from Equisafety, has won a passing off and trademark Infringement case against Battle, Hayward & Bower Limited t/a Battles, a multi-million pound manufacturer and distributor of equestrian products.**



**Nicky Fletcher**

In a David and Goliath case, Nicky was able to convince the court that Battles had infringed the "Mercury mark" that has been endorsed by World and Olympic champion, Charlotte Dujardin.

Equisafety creates new exclusive, performance high visibility designs, works

closely with the manufacturers, for high quality and sells through their own web site, shows and traders. Equisafety is passionate about promote the safety of horses and their riders, by making designs customers want to wear. Many designs don't even look like safety items, more like high fashion. Equisafety is the famous for the POLITE range, worn by thousands of riders. In 2015, Equisafety began promoting and selling its brand new Mercury range, starting with the now infamous 'Mercury Jacket' and later expanding the range to include leg boots and rugs.

In 2019, Equisafety became aware that Battles, a competitor of Equisafety, was taking unfair advantage of the reputation Equisafety had worked hard to build by was using the name 'mercury' to market identical goods to its customers. As this was likely to cause confusion, Equisafety sent a cease and desist letter to Battles. In response, rather than stopping the sale of its infringing products, Battles increased its product range leaving Equisafety with no alternative but to take legal action so as to protect its intellectual property rights. Following a Trial in the High Court in October 2021, a Judgment was handed down that Battles activities did constitute passing off and that it had infringed Equisafety's Mercury trademark.

Nicky comments "We spent a lot of time and money developing and researching the Mercury range and we weren't going to stand by and watch a larger competitor benefit from our ideas unchallenged. I am a passionate believer in the value of design, and this is a lesson to all small businesses like us to protect themselves and ensure they use good advisors to help protect them. It has been a stressful time for all in the business but now we have won we plan to push forward by investing in expanding the team and developing more innovative products.



**Claire McDonnell**

Claire McDonnell, Senior Associate in the Litigation team at Bermans, who acted for Nicky says: "This is a fantastic result for Equisafety and sends out an important message to other SMEs to not be afraid to take on larger companies who are riding on the coat-tails of a



**The Mercury Jacket**

trademark you have spent time and money promoting. Intellectual property rights are valuable assets of your business, and it is important that you take steps to protect them. You can do this by registering your rights and ensuring that anyone infringing those rights is stopped as soon as possible. Intellectual property can be a complex area of law and so I highly recommend that businesses take legal advice regarding their rights at the outset."

Equisafety was founded in 2001. The company started in Nicky's spare bedroom and grew into the World's largest equine high vis specialist. She was Head Designer for a multi-million pound Workwear clothing company and noticed a gap in the technical performance of equestrian high viz sportswear and she used her MA qualifications in design to produce bespoke ranges.



**Mercury Range High-Vis**

The company designs and makes clothing and accessories for the equestrian, cycling, motorbike and canine markets and has ambitious plans to develop new brands in 2022. Nicky has recently secured a contract with UVEX in Germany for the international rights in the UK, USA and Australia for their Tocsen, helmet protection. This

provides a button that activates an emergency signal (text messages to emergency services and loved ones) should a rider fall after 30 seconds if not deactivated. She is also launching a brand-new web site, that will be the largest Equine Safety web site, stocking everything safety, from Back protectors, to safety stirrups. [Equisafety.com](https://www.equisafety.com) is going big!



# Astraea Linskills relocates to Castle Street

## Boutique Law firm acquires prestigious offices in the heart of the commercial district



One of Liverpool's fastest growing Law firms, Astraea Linskills, has relocated to prestigious new offices at 14 Castle Street, right in the heart of the city's commercial district. The boutique law firm have purchased the first-floor offices giving them 1,850 sq ft of prime location space and more than doubles the previous offices they occupied at Avenue HQ, St. Paul's Square.

The stunning new offices are set amongst some of the city's most architecturally impressive buildings and are a stones throw from the neighbouring historic Town Hall. Newly refurbished, with state of the art, cutting edge technology and comfortably housing 24 staff desks with room to grow, as well as a large well-equipped private board room that can seat up to 10 people, the premises are the next step in the progressive law firms expansion plans.

The Legal 500 practice has seen caseloads across all departments increase in excess of 100% over the past 18 months and the move will allow them to better serve their local, national and international client base. Astraea Linskills offer an expansive range of services ranging from all aspects of regulatory investigations, criminal, civil and commercial litigation as well as commercial property law, family, private client, electoral, welfare benefit, motoring and licencing law.

**John-Paul Dennis**, (above) Chief Executive, said *"This move is the next stage of strategic growth for Astraea Linskills and allows the company to build on the solid foundations that the Directors have laid to this point. It will provide our talented team with a welcoming, comfortable and productive workspace. We look forward to becoming part of the bustling Castle Street community as we execute the next phase in the companies expansion plans"*

Astraea Linskills have offices in Liverpool and London.

**www.a-l.law**

Liverpool Office: 2nd Floor, 4 St. Paul's Square, Liverpool. L3 9SJ

Tel: 0151 236 2224

London Office: 8 St James's Square, London, SW1Y 4JU

Tel: 0330 128 1660

# Changes in divorce and civil partnership legislation

by Evie Niblock [Evie.Niblock@weightmans.com](mailto:Evie.Niblock@weightmans.com)



## The Divorce Dissolution and Separation Act 2020 introduces no fault divorce with effect from 6 April 2022 and the detailed rules governing the changes have now been published – Family Procedure (Amendment) Rules 2022.

The new law applies to marriage, civil partnership and nullity but this article concentrates primarily on dissolution of marriage and civil partnerships.

### Key dates to note:

There will be a period of time allowing for HMCTS to make the relevant changes to take into account the updated legislation between 31 March 2022 and 6 April 2022.

If a divorce petition has been started, it will need to be submitted on the online portal, or the paper petition will need to be received by the court, no later than 4pm on 31 March 2022 or it will not be processed. An application under the new law will then need to be filed after 6 April 2022.

Urgent applications that need to be considered after the deadline of 4pm on 31 March 2022 and before 6 April 2022 will be accepted and issued where possible if received by post or sent to [onlineDFRjurisdiction@justice.gov.uk](mailto:onlineDFRjurisdiction@justice.gov.uk) (the inbox will not be monitored after 3pm on 5 April 2022).

### Headline changes are as follows:

- **Grounds** – the only ground is irretrievable breakdown of the relationship supported by a statement but no allegations of fault or further evidence are required.
- **Application** – the procedure and all relevant procedural steps (i.e. applying for the conditional or final order) can be commenced by either one of the parties to the relationship or by both. A court fee is payable to issue the application.
- **Timescales** – the Act introduces a minimum 20-week timeframe between lodging of the application and applying for the conditional order. The six week and one day delay between the conditional order and final order remains. This increases the absolute minimum timescale to 26 weeks and one day.
- **Service provisions** – service by first class post and personal service are still permitted but court service by email is now the default position. Where service is effected by email by the party commencing the process (rather than the court) that party must also send to the respondent's postal address a notice confirming service of the application by email.
- **Change in terminology** – much of the archaic language has been replaced as follows:

Present Terminology	Terminology with effect from 6 April 2022
a. Decree of Divorce/ Dissolution	Divorce/Dissolution Order
b. Divorce petition	Application
c. Decree nisi	Conditional order
d. Decree absolute	Final order
e. Defended divorce/ dissolution	Disputed divorce/ dissolution
f. Statement of reconciliation	No change, but surprisingly, still required if applicant is legally represented <b>Rule 7.3</b>

- **Costs:** as fault has been removed, costs applications are likely to be rare, but they are still possible.

### Process - summary

Detail is still awaited, as is the publication of the new court forms. However, the process is understood to be as follows:

Application issued by one or both parties	
Application is served by the court, or by the parties, within 28 days	Apply for an extension of time to serve if there is failure to serve within 28 days
Once served, the respondent has 14 days to file an acknowledgement of service	If they intend to dispute the proceedings, they have a further 21 days to file an answer
Assuming that the proceedings are undisputed:	
One or both parties can make an application for the conditional order provided there is a minimum of 20 weeks since issue, and provided service has been successful and the timescale for filing the acknowledgement of service has expired	
One or both parties can apply for the final order provided that a minimum of six weeks and one day has elapsed from the date of the conditional order	

### Potential problem

#### Joint applications

Solicitors will need to consider carefully whether to accept a request by two parties to a marriage wishing to lodge a joint application and wanting one solicitor to act for both of them. This could cause issues with potential conflicts of interest if difficulties arise later with regard to financial arrangements or the arrangements for children. Further guidance to solicitors is anticipated.

#### What are the implications if service does not take place within 28 days?

If the applicant does not serve within 28 days then provision is made for the applicant to apply for an extension of time to serve. When considering that application the court must consider all the circumstances including whether the court failed to serve the application, whether the applicant has taken reasonable steps to comply with the rules and whether the applicant has acted promptly. There is a concern that if the court felt that the applicant had deliberately delayed in serving the paperwork, the court is restricted in what it can do. It is feared that the legislation is drafted such that even in those circumstances, the court has no power to extend the minimum 20week period to conditional order, provided that service takes place at least 14 days before, and no notice to dispute the proceedings has been given. Will there be no consequences for the less scrupulous applicant who deliberately delays service of the application which means that a respondent could potentially have as little notice time as eight weeks before the final order is made?

#### Timing of applying for the final order and possible impact on finances

The new rules also suggest that in certain circumstances the respondent can apply for the conditional order. We are waiting for clarification, but if correct, this may have significant financial ramifications for the applicant if the divorce/dissolution is then finalised by the final order prior to a financial order being made by the court, especially if there are issues regarding the occupation of the family home, pensions/insurance policies in play. Legal advice should be sought at the outset of the proceedings, ideally prior to the proceedings being issued to avoid adverse consequences such as loss of rights of occupation of the family home, spousal benefits in pension provision or insurance provision.

#### Disputed cases

As fault has been removed from the process, the only basis for disputing cases will be on the grounds of an issue as to jurisdiction of the court or the status of the relationship.

#### Judicial separation and nullity

The new process includes revision of the process for judicial separation and nullity claims too, but that is beyond the scope of this article.

#### Summary

Further guidance, including publication of the new court forms, together with clarification of the online process, is still awaited. Family law professionals are busy watching this space, and more information will be shared as soon as it is available.



# You're invited to The Good Business Festival

As a business embedded in Liverpool City Region, and one with a huge focus on doing the right thing, I know you and the team will be pleased to see The Good Business Festival taking place in Liverpool this March.

We are reaching out on behalf of the festival to businesses to ask them to get behind what is an important showcase for LCR – the first big in-person event in the region since the pandemic.

Major brands and inspiring leaders from business, media, music and academia are taking part in what is the world's largest responsible business festival. Across three days of events running from 22 - 24 March 2022, Liverpool will be in the spotlight and showcasing presentations, panel discussions, workshops and knowledge sessions that explore how businesses of every size and sector can prosper by being purpose-led. Registered guests can also enjoy a series of exciting social activities and entertainment, from live music performances to comedy shows.

The topics covered include housing, ethical consumerism, sustainable transport and ethical investment, as well as a focus on the young trailblazers who are designing sustainable systems for the future.

Specific sessions that might be of interest to you include:

- 'The Un-data-bles' takes a closer look at the gender data gap and how businesses can help to make a world that works for everyone, not just men.
- 'Making it Count – the power of your pension' examines the business case for sustainable investing and the practical steps on how to align your pension with your values.
- 'Horizon scanning' where experts will forecast the next five years and what the future might look like
- 'The only option is action' which focuses on how businesses should react to a changing set of social ethics and opinions
- 'Making it Count' explores what's next for crypto, challenger banks and the fintech economy

There are no entry fees – the event merely asks for a charitable donation for each ticket purchased. Tickets can easily be obtained via the website.

The festival programme is being added to all the time and you can keep in touch by visiting [www.thegoodbusinessfestival.com](http://www.thegoodbusinessfestival.com). We would also be grateful if you could show your support by following us on our social media platforms and sharing our content, so we can get as many people as possible to become part of the festival.

Twitter: @goodbizfest

Facebook: /goodbizfest

Instagram: @goodbusinessfestival

Please let us know if you have any questions and we look forward to welcoming you in March.

**THE GOOD  
BUSINESS  
FESTIVAL**  
March 2022

**THE GOOD  
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March 2022



# *Liverpool Business and Property Courts Forum*

## CONTENTIOUS PROBATE AND REPLACING PERSONAL REPRESENTATIVES

Date: 24<sup>th</sup> March 2022

Time: 17:00 - 18:30

Online meeting by Zoom

*We are delighted to invite you to the next in our programme of events for Liverpool Business and Property Courts, chaired by HHJ Cadwallader.*

*Speakers will include Karina Champion from Oriel Chambers. Nina Ferris from Hill Dickinson and David Green from Atlantic Chambers.*

*Topics covered will include:*


- *The preliminaries to a contested probate dispute*
- *The substance of a contested probate claim*
- *Removing personal representatives*

*The talks will be followed by a forum discussion*

*The Forum website is at [www.lbpcf.co.uk](http://www.lbpcf.co.uk)  
To book your place, please register on [Eventbrite](#)*







# How are you, really?

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# Liverpool Chamber and Morecrofts launch new legal team

**Liverpool Chamber has launched a new bespoke legal team for its members, in conjunction with Morecrofts Solicitors.**

The joint project will give Chamber members immediate access to a range of Morecrofts legal services, including commercial, property and employment law as they bid to plot their recovery from the pandemic.

The Liverpool Chamber Legal Team will be operated on a 'triage' basis, whereby a dedicated team of Morecrofts lawyers will be on hand to receive enquiries from Chamber members and respond to them in accordance with their urgency and complexity through an initial free consultation.

Morecrofts Solicitors is a strategic partner of Liverpool Chamber and this new relationship reaffirms the

growing connection between the two organisations, which are both headquartered in the Cotton Exchange building.

**Alison Lobb**, managing partner at Morecrofts, said: "We are pleased to embark on our new Liverpool Chamber Legal Team and we look forward to supporting members across a range of matters."

*"As organisations begin to look ahead and plan for the future, they will undoubtedly face challenges and questions that require the support of qualified legal expertise and we are delighted to put our team at their disposal."*

**Paul Cherpeau**, chief executive of Liverpool Chamber, said: "We speak to businesses in the Liverpool City Region every day who are facing a myriad of challenges around the effective recruitment of people, complicated tenancy and property issues or accessing funding for their recovery or growth projects."

*"Having dedicated legal support on hand, referred by the Chamber and handled expertly by Morecrofts, will give them an extra layer of certainty and reassurance as they explore new markets or expand their footprint."*

Chamber members requiring legal advice should contact [BusinessTeam@morecrofts.co.uk](mailto:BusinessTeam@morecrofts.co.uk)





# Local firms invited to celebrate 20 years of the **Liverpool** **Business Fair**



Liverpool BA is delighted to be welcoming local companies and organisations to take part in the twentieth anniversary of the Liverpool Business Fair, which returns to Liverpool Football Club from 10.30am-3pm on Tuesday 22nd March 2022.

Liverpool BA Director **Tony Haines** commented "We wouldn't say it feels like yesterday but it certainly doesn't seem like 20 years since we held the first Liverpool Business Fair in March 2002 at Liverpool Town Hall. We held the event there for a number of years before moving it to Liverpool Football Club in 2012.

*We really appreciate the participation of hundreds of exhibitors and thousands of visitors in that time and they have all played their part in making the event a friendly and popular way of making some great business connections. And we would love to see lots of companies from across the region coming to join us at the 20th anniversary of our flagship event."*

The event is free to visit and will feature a Business Exhibition showcasing companies from a wide variety of Business Sectors, as well as a range of business support elements such as: Workshops & Demonstrations; Business Clinics; Ask the Expert; Business Advice & Information; Business Start Up Advice; Networking Sessions and lots more.

Workshop topics will be covering a range of issues including Turning Contacts into Customers, Slaying Imposter Syndrome, Getting the Most out of LinkedIn and Getting your HR back on track in 2022.

And for those companies wanting a higher profile, there are a wide range of exhibition and sponsorship packages available.

For more information about Liverpool Business Fair 2022 or to book online visit <https://liverpoolbizfair.co.uk/> or contact Liverpool BA on 0151 709 8932 if you have any queries.

*Liverpool Business Fair is supported by Wild Thang, Business Connect and Elite Business.*



## 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.**



### Debt Advice Service

Vauxhall Community Law & Information Centre is stepping up its debt advice service. In addition to our part time adviser and Saturday morning debt advice service we have now recruited a full-time debt adviser,

We can help with:

- Utility arrears such as gas, electricity and water Council Tax arrears
- Including support to apply for a Council Tax Reduction.
- Rent and mortgage arrears
- Catalogues, credit cards and payday loans
- Bailiffs
- including how to deal with a bailiff, what are your rights and assistance with the bailiff complaint procedure.
- Long-term options for your debt problems
- We will provide referrals if needs be
- Problems affording your essentials bills check
- We will provide a possible benefit check and debt management
- Working with you to maximise your income capabilities
- We will provide a possible benefit check or check your financial capabilities



### Dead Pigeon Gallery

Vauxhall Community Law & Information Centre have been collaborating with the Dead Pigeon Gallery for some time now. We are due to have some remodelling work done on

our premises in the near future and will be working closely with the Dead Pigeon Gallery to incorporate some gallery space in to the re-modelled Law Centre.

The Law Centre is delighted with the collaboration which is part of our overall strategy to broaden out our links with the wider community across the Liverpool City Region

Vauxhall Law Centre Staff and volunteer at their first face to face Team meeting since the Lockdown ended recently. Great to be back in the office and not online!



*Left to Right Bill Armstrong, Sarah Pollard, Alan Kelly, Elly Smith, David Taylor, Alex Feery, Nancy Hatzenboer, Jade Skilling, Ngaryan Li and Ruth Knox.*

### Thrive Hub for Young People



Vauxhall Law Centre recently met with Thrive. Thrive provide A 'safe space' coffee shop for care-experienced young people to meet with people who may be able to provide them with support. In its first year thrive provided the following support:

- # 24 young people into work
- # 753 visits: 396 young people, 184 support workers
- # 365 young people attending careers events
- # 97 young people referred to partners

The Law Centre is looking at the potential to provide support to Thrive service users who may need advice and assistance on benefits, debt and housing issues



# Merseyside Justice First Fellows

## An update from the Legal Education Foundation

**There have been four Justice First Fellows in Liverpool, three at Merseyside Law Centre and one at Vauxhall Law Centre.**

Two Fellows are currently on the scheme, Samantha in her second year at Merseyside Law Centre and Alex just starting in his first year at Vauxhall Community Information and Law Centre. Alex is Vauxhall's first Fellow, although Ngaryan Li, Senior Solicitor and Centre Director at Vauxhall Law Centre, has experience of supervising Justice First Fellows in her previous role at Greater Manchester Law Centre.

Two of the Liverpool Fellows have graduated. Siobhan Taylor Ward is now working as a solicitor at Vauxhall and is heavily involved in wider strategic work. For example, she has contributed to creating the Social Welfare Solicitors' Qualifying Fund. Through the fund, over £100,000 raised from over a dozen London city law firms will provide grant funding for the

BARBRI SQE preparatory course and the SQE 1 and 2 exams to help experienced advice workers in the sector to qualify as solicitors.

Tom Lavin, the second Fellow at Merseyside Law Centre is now working as a Housing Solicitor at Citizens Advice. This focus on what happens to Fellows after their time on the scheme is important. Of the 88 Fellows that have completed the scheme, 90% are successfully working as lawyers in roles using law for public benefit – 77% are working in specialist social welfare not-for-profit agencies, private firms or chambers and 13% are working in government or courts settings. In summer this year, the Fellowship's first residential summer school will be held bringing together all 120 Fellows on the scheme.

**Matthew Smerdon**  
CEO, The Legal Education Foundation

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# CALL TO SUPPORT THE JFF IN MERSEYSIDE

## Building a Merseyside Consortium

### WHAT IS JFF?

The **Justice First Fellowship** scheme is run by the **Legal Education Foundation** (Reg. Charity 271297). It funds a number of social welfare trainees across the country, including some in Merseyside.

### BACKGROUND

Legal aid and other public funding cuts have had implications both for those wishing to pursue a career in social welfare law and for those who need legal advice and representation in those areas.

Liverpool Law Society is supporting the **regional consortium model** which aims to partially fund Fellowship training contracts through a collaboration involving private practice firms and other local organisations.



### CAN YOU HELP?

In order to fully fund one **Justice First Fellow** for a training contract, we need to raise an additional £25,000 (£12,500 per year for two years).

Are you willing to pledge £2,500 per year for two years to contribute towards the 2 year training contract of a social welfare law trainee?

Sponsoring a JFF is not just about helping promising lawyers to train in their chosen field, Through supporting a Fellow's work, sponsorship directly helps the hundreds of clients that Fellows serve in the course of their training.



The LEF and Society's **thanks** go to local firms **Bermans**, **Brabners** and **Weightmans** for signing up to the Merseyside Consortium and funding JFFs in the Liverpool City Region.

Find out about the JFF scheme [here](#).

To find out more about the Merseyside Consortium, contact [Sarah Poblete](#).

# Monthly Costs Update

Welcome to our 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.

As we are writing this update, the Court of Appeal has completed just over a day's hearing in the case of *Cam Legal Services v Belsner*. It is clear that it raises fundamental issues in relation to solicitors' retainers and what will be required to show that clients have consented to deductions from their damages. In fact almost as soon as we signed off this paragraph the new came through that the Appeal judges have adjourned the appeals for consideration of wider issues and that the matter will be back before them, if possible, before the 31st July.

As a refresher of the issues in *Cam v Belsner*, they concern s74 (3) Solicitors Act 1974 which says –

*"The amount which may be allowed on the assessment of any costs or bill of costs in respect of any item relating to proceedings in the county court shall not, except in so far as rules of court may otherwise provide, exceed the amount which could have been allowed in respect of that item as between party and party in those proceedings, having regard to the nature of the proceedings and the amount of the claim and of any counterclaim."*

In other words, your costs are limited to what you recover. But there is an exception in CPR 46.9 (2)

*"Section 74(3) of the Solicitors Act 1974 applies unless the solicitor and client have entered into a written agreement which expressly permits payment to the solicitor of an amount of costs greater than that which the client could have recovered from another party to the proceedings."*

This has led to most firms including a suitable paragraph in their retainers such as –

*"This agreement expressly permits us to charge an amount of costs greater than that which you will recover or could have recovered from the other party(ies) to the proceedings and expressly permits payment of such sum. This part of the agreement is made under s74(3) of the Solicitors Act 1974 and Civil Procedure Rules 46.9(2) and (3). Insofar as any costs or disbursements are of an unusual nature or amount these costs might not be recovered from the other party(ies)"*

In the High Court, Lavender J found that such consent had to be 'informed'. He found that there was no such consent here where there a notional risk that the costs could exceed the value of the claim.

This is at the heart of the appeal before a strong Court of Appeal made up of the Master of the Rolls, Flaux J. and Arnold LJ.

Whatever the outcome, the decision is likely to be set the scene for retainers between solicitors and their clients for the foreseeable future – after July! There is some irony in this as the number of simple personal injury cases is collapsing following the whiplash 'reforms' of 2021.

While we are on this topic it is worth looking at the Liverpool County Court case of *Szelgievicz v LL Barrowcliff Ltd\** in which judgment was handed down on 11/01/2022. This was another case in which a client was seeking recalculation of a success fee on the basis of alleged absence of informed consent. The argument here revisited the familiar case of *Herbert v HH LAW Ltd* and the need for a risk assessment in setting the level of a success fee under a CFA at 100%. The solicitors had set out in the CFA, detailed information about potential deductions. In particular, they capped any such deduction at 25% and went on to say –

*"This means that... you will always receive at least 75% of your compensation, and in many cases our clients will receive considerably more than this."*

The client argued that notwithstanding this the level of success fee was not justified because there was no 'risk assessment' on the file. The solicitors put forward evidence that there had indeed been an assessment of the risk, albeit that the document itself could not be located, as this was their normal practice. They also referred to the clarity provided by the guarantee. DJ Baldwin, regional costs judge, accepted that the client knew exactly what was being deducted and the reasons –

I am entirely satisfied that the Claimant was informed that there would be a 100% success fee payable by her, should the case be won (capped at a maximum of 25% of relevant damages) and that the 100% success fee reflected a comprehensive number of factors, as set out at Schedule 1 to the CFA, including an individual assessment of the risks of the case.

This is clearly a reasonable judgment. On these facts it seems clear that the solicitors had gone to great lengths to make it clear to the claimant what would be deducted and that she had fully understood this agreeing to the terms.

We suspect that these claims against the profession will be with us for some time but also hope that the Court of Appeal in *Belsner* will provide some certainty for the future.

\* [https://costsbarrister.co.uk/wp-content/uploads/2022/02/JB-G80SE214.jmt .pdf](https://costsbarrister.co.uk/wp-content/uploads/2022/02/JB-G80SE214.jmt.pdf)



# MSB makes inclusivity pledge ahead of International Women's Day



**International Women's Day is a day to reflect and to celebrate how far we have come. We need to be proud that the legal profession has better gender diversity. It is also a day to reflect on how far we have to go in the fight for equality.**

If we are to achieve true equality, we need inclusion, and that's why MSB have introduced a series of policies to support inclusion and equality within the firm.

After what had been a difficult couple of years for all, our female lawyers excelled, and we celebrated International Women's Day 2021 with three promotions to Associate level. Throughout the year a further four female lawyers were promoted to Associate, five promoted to Senior Associate and one obtained Partnership.

In early 2021 Associate Employment Solicitor, Hannah Dowd, presented to Managing Partner Emma Carey on a new and improved Maternity Policy. Along with the firm's Paternity Policy and Antenatal Appointment Policy, the firm prioritises better financial support for parents and is committed to creating an environment where no members of staff feel they have to choose between a family and their career.

More than four years since the #MeToo movement took the world by storm, we recognise that a 2022 workplace should feel very different to that of 2018. It is the responsibility of all employers across the country to pick up the baton of the #MeToo movement and to end workplace harassment and abuse. Fundamental to achieving a diverse workforce that can be celebrated, is achieving an environment where everyone feels safe. MSB has a Sexual Harassment Policy which enforces a strict non-tolerance of any form of sexual harassment in the workplace and to reassure staff that any feelings of discomfort or unease will be listened to and treated seriously.

We had been working on a Domestic Abuse policy when the videos and images of Manchester United Footballer Mason Greenwood's abuse surfaced on social media. MSB, recognising the impact this topic can have particularly on those who are

suffering with or who have previously suffered from any form of abuse, introduced the policy later that week as priority. The policy outlines the many ways in which MSB is able to support those suffering from abuse, and that reports of abuse will be treated sensitively and seriously. The policy also outlines MSB's zero tolerance for employees who are perpetrators of domestic abuse.

Managing Partner Emma Carey has also introduced a Menopause Policy to MSB. Health and wellbeing have become a priority for all employers, particularly in the legal sector, due to recognition of the effects the fast-paced, high-stress nature of the work can have on employees. Surprisingly, or perhaps unsurprisingly, menopause support isn't often spoken about and is infrequently discussed in conversations about health and wellbeing, despite it being a sensitive wellbeing concern. Understanding that not everyone is familiar with the effects of Menopause on those experiencing it, the policy introduced by MSB explains the different stages of menopause, symptoms that may be experienced, the support offered by the firm and the reasonable adjustments that employees can expect the firm to make for them.

When the world was thrust into lockdown, the legal sector achieved what for years had been unimaginable: homeworking. Now in 2022, the legal sector looks much different for both men and women with the added flexibility of working from home to better suit parental responsibility or caseload needs – or both! In 2020, MSB introduced a Homeworking Policy to better support staff, offering the benefits of flexibility and structure.

As a firm, MSB is constantly reflecting on its policies and practices and as it effectively introduces new, more progressive policies, it is important that an environment is created where policies are understood, and where all employees feel they can rely upon the policies introduced.

In celebration of International Women's Day 2022, our friends across the legal sector can expect to see the faces of MSB women light up our social media pages as we commit ourselves as a firm, as lawyers and as women to #BreakingTheBias.

# Merseyside Junior Lawyers Division

## This month the MJLD have been busy sorting out our schedule for the year ahead!



**Amanda Sime**

This month MJLD have been focusing on our chosen charity, Refugee Women Connect. This brilliant charity works to build safe lives in the UK for all women refugees, asylum seekers & survivors of human trafficking.

- A donation of £10 could provide nappies for a refugee baby for one week,
- A donation of £25 could provide a one-to-one information session, with an interpreter, to help an asylum-seeking woman understand her rights and entitlements and prepare for her Home Office interview,
- A donation of £100 could provide one-to-one mental health support for a whole month for a woman recovering from trauma.

Our goal this year is to raise £1,000. Our fundraiser at City Wine Bar on 24th February raised over £600. We at MJLD, and all those at Refugee Women Connect, are so grateful to all who attended, donated raffle prizes, bought raffle tickets and purchased art directly from the charity.

In celebration of International Women's Day on Tuesday 8 March 2022 Merseyside Junior Lawyers Division representatives Jessica Jones, Erin Watkinson, Eve Burns & Beth Walker conducted a series of podcasts interviewing inspiring women in the Liverpool legal profession. We support the theme of #BreaktheBias and encourage diversity and inclusion within the legal sector and in doing this we wanted to showcase the best of the Liverpool legal profession.

Our members range from student membership (undergraduate to post graduate), right up to 4 years PQE and they were keen to hear about the barriers the women may have faced in the course of their career, and the resistance they have shown in overcoming them. We had a really successful morning interviewing;

**Frances Molloy** – *Tyred Campaign*

**Alison Lobb** – *Managing Partner at Morecrofts*

**Jane Sampson** – *Solicitor Advocate and Consultant at MSB*

**Natalie Dickson** – *Partner & Family Lawyer at Brabners*

**Hannah Bickley** – *Associate Director & Deputy Head of Family Law at Jackson Lees Group*



**Julie O'Hare** – *Solicitor & Head of Defence Team at Carpenters*

**Nina Sahu** – *Legal Director at Hill Dickinson & and Chair of the Equality, Diversity and Inclusion Committee for Liverpool Law Society.*

Please stay tuned for the release of the podcasts on both Youtube, Spotify and across our socials!

**Amanda Sime,**

Trainee Solicitor at Canter Levin & Berg Solicitors









# Transfers from Defined Benefit schemes under the spotlight

**From time to time IFAs, when carrying out a pension review for a client, will come across an obvious case of mis-selling. While pension transfers into a SIPP and investments in esoteric and unregulated products are obvious, pension transfers from Defined Benefit schemes should also be a cause for concern.**

On 30 March 2021 the FCA stated “It remains our view that it is in the best interest of most consumers to stay in their Defined Benefit pension.”

Having established a trigger point for pension mis-selling quite naturally the IFA will want to do everything possible to assist their client to recover their losses.

**Paul Higgins**, a solicitor who runs Pension Justice, a law firm that helps its clients recover money lost to pension mis-selling, says: *“Even if a client is advised to transfer their Defined Benefit scheme to blue-chip standard funds, a client might still be eligible to make a claim for compensation. A Defined Contribution pension is dependent upon the performance of the Stock Market whereas a Defined Benefit scheme is not and has guaranteed benefits attached to it. We are living in uncertain economic times. The Stock Market is volatile, there is a threat of war in Ukraine, inflation is on the rise, taxes are increasing and we are only just recovering from the Covid pandemic. All of these factors will have an impact upon the performance of funds that are invested in the Stock Market and could result in a pension investor suffering a significant loss if they have transferred from a Defined Benefit scheme to a Defined Contribution scheme”.*

Pension Justice has successfully pursued claim to the FSCS on behalf of a client against Hyde Financial Management (known initially as Imperial Wealth Management Ltd, authorised by the FCA). Hyde Financial Management advised Mr M.K. that it was in his best interests to take his money out of his extremely valuable and secure British Steel Defined Benefit pension scheme and open a personal pension with Prudential.

On the advice of Imperial Wealth Management Ltd Mr M.K. transferred £373,555.01 from his Old British Steel Defined Benefit pension to his personal pension with Prudential. Following the transfer Imperial Wealth Management Ltd received an initial commission of £5,603.33.

Pension Justice was able to recover £54,408.69, which was the maximum recoverable in this case. Fortunately, Mr M.K. did not lose his entire investment because since transferring his British Steel Pension to Prudential, the Prudential pension had increased in value.

Paul from Pension Justice also said *“We have recently had similar successful results with various other clients who were advised to transfer away from their Defined Benefit schemes. Mr M was persuaded to transfer out of his extremely valuable Defined Benefit pension with the Johnson Matthey retirement scheme. Mr M was advised by Philip Pryke of Capital & Income Solutions Limited to transfer his Defined Benefit pension from the Johnson Matthey scheme to a Defined Contribution pension scheme with Royal London which was the worst advice possible. Despite this Philip Pryke paid his company Capital & Income Solutions Limited the sum of £6,500.00 in commission. We subsequently made a claim against Capital & Income Solutions Limited to the FSCS and recovered the sum of £53,841.71 compensation on his behalf. We are currently working on other cases where clients have transferred out of the British Steel Pension Scheme. Our advice to IFAs is to check with new clients who have a personal pension as to whether they took money out of a Defined Benefit scheme as there could be a potential case of mis-selling”.*

Pension Justice is extremely experienced in obtaining financial redress for its clients and has recovered millions of pounds on behalf of their clients. They often work with IFAs, who refer clients after discovering that previous advisers have given poor advice.

*“We frequently have referrals from IFAs where clients have lost their entire pension after being given bad advice by a previous adviser. In most cases, we have been able to obtain significant compensation for clients”*

- Paul Higgins

Any initial advice that Pension Justice gives clients is entirely free and without any obligation. If they accept instructions, they work on a No Win, No Fee basis so that a fee is only payable in the event of a successful outcome.

Under current regulations, an IFA that enters into an Agency Agreement with a firm of solicitors can refer up to twenty-five cases in any 3-month period and be paid a referral fee. Referring IFAs would add value to their relationship with their client and take comfort from the fact that their client was in good hands. Any compensation recovered could then be invested on behalf of the client, thus preserving the relationship between the IFA and the client. Any referral fees could be remitted to the client or applied to enhance the services provided by the IFA to the client.



# Pathways to the legal profession

Liverpool Law Society is pleased to host this online event for all schools across the **Liverpool City Region**. It is your chance to learn about the different ways it is possible to pursue a career in law. A degree in law is not the only way to enter the profession; for instance apprenticeships are becoming more widely available and popular.

Date **27th April 2022**

Moderator **Steven Zdolyny**

Time **1.30pm - 3.30pm**

President of Liverpool Law Society  
Venue **Zoom**

## Programme

**The University route, costs and the benefits of studying for a degree** by Dr. John Tribe, Senior Lecturer in Law at The School of Law & Social Justice at the University of Liverpool

**Going into Law having a non-law degree** by Laura Samaroo, Solicitor, Senior Lecturer in Law and Programme Leader LLM in Legal Practice Lecturer at Liverpool John Moores University

**The Solicitors Qualifying Examination (SQE) & what LPC** was by Nicola Walker, Campus Manager – Liverpool & Chester at The University of Law

**The Legal Executive Route** by a Chartered Institute of Legal Executives representative

**Apprenticeships** by Melanie Williams, Programme and Student Lead for Graduate Apprenticeships at The University of Law

**Becoming a barrister & life in the Law** by Isabella Denn-White, Pupil Barrister, 7 Harrington Street Chambers

**Recruiting process for both graduates and apprentices at a law firm** by Denise Wright, Early Careers Adviser at Weightmans

**A solicitor apprentice's view** by Emily Todd, Apprentice Solicitor at DWF

# The University of Law and Hill Dickinson sign partnership to deliver 'bold and innovative' graduate solicitor apprenticeship programme

The University of  
**Law**

HILL DICKINSON



Carolyn Morgan

**The University of Law (ULaw) and Hill Dickinson have signed an exclusive partnership to support and develop the firm's next generation of junior lawyers with the launch of a tailored, block-release graduate solicitor apprenticeship programme.**

In a bold and innovative approach to training and development of its early talent, Hill Dickinson is replacing the firm's more traditional trainee model with the launch of a graduate solicitor apprenticeship programme. From March 2022, rather than the more traditional trainee intake, Hill Dickinson's future joiners will join a graduate solicitor apprenticeship programme to study for the SQE at

ULaw, before starting work at the firm as solicitor apprentices.

*Carolyn Morgan, Director of HR at Hill Dickinson said: "We are keen to build on our excellent partnership with ULaw to develop a programme that supports our future solicitors to develop to their full potential. We also recognise the need to rethink how we attract the next generation of Hill Dickinson lawyers so that our people fully represent the diversity of the communities we serve. For us, that has meant starting with a fresh approach to training and we believe this partnership can deliver that."*

The Hill Dickinson graduate solicitor apprentices will study at ULaw on a block-release programme combining blended learning with weekly face-to-face tutor support. Before starting in the office, the apprentices will study towards and sit SQE 1 in addition to participating in a tailored, sector-focused 'Hill Dickinson Plus' programme to get them ready for their practice groups.

Hill Dickinson's new intake of graduate solicitor apprentices will join the firm in December 2022 and will be supported with regular workplace visits by a qualified solicitor skills coach as they prepare to sit SQE 2 during their Qualifying Work Experience.

During the programme, The University of Law will provide subject-specialist support to Hill Dickinson's graduate solicitor apprentices with supervised tuition, guidance and feedback from the university's team of qualified solicitor tutors. One-to-one guidance and support will also be given by expert skills coaches for the duration of the programme with regular visits by the university's skills coaches to the workplace.

*Ceri Evans, national programme director apprenticeships at ULaw, said: "We are delighted to be welcoming the first cohort of Hill Dickinson's graduate solicitor apprentices onto this truly innovative and bold programme. We have developed a tailored programme for Hill Dickinson to match the firm's sector focus. Studied through the vehicle of a simulated law firm, to reflect life in a large commercial firm, the new cohort of Hill Dickinson's graduate solicitor apprentices will develop their core technical and sector-focused knowledge during the programme alongside the development of key professional skills and behaviours."*

*"We are passionate about apprenticeships and the benefits that they bring. We are proud to have partnered with Hill Dickinson for over a decade and are very excited by the opportunity to continue our partnership to develop the trusted advisers of the future."*



# Council Member's Report

from Councillor Nina Ferris



Nina Ferris with Paul Singh

## Strategic Planning

2022 marks a time of change at TLS as we come to the end of our three year corporate plan and begin looking at how to best support solicitors over the course of the next three year plan and into the future. This was the basis for the strategic planning event (SPE) held as a hybrid meeting at Chancery Lane and by Teams between Council and the TLS management team at the end of February.

We received presentations from the insights, policy and engagement teams about the key economic and market trends impacting the legal sector as well as the policy and political factors that will influence the work that TLS must do as well as the likely economic and technological landscape in which our members will have to operate.

We also looked at the feedback from members from a recent survey of TLS' current member offering and how successful the organisation had been in its key pillars of activity being: the voice of the profession; facilitating member to member engagement; providing reliable expert information, providing training, promoting the solicitor brand and building sustainability. We looked at key themes including access to justice, the rule of law, regulation, supporting members businesses and a modern and diverse profession.

We then split into discussion groups to talk about the "big issues" and how those can be addressed and what work TLS should be doing to best assist and promote its members. Feedback will go into forming the plan to be debated further by Council at the May meeting. Before then there will be further consultation with the membership more generally over the coming two months to inform the corporate plan and the strategy of TLS in what remain challenging times for many of our members.

I would urge you to take part in any survey or consultation and tell TLS what it is that members really want.

The meeting was a great example of robust debate and sharing of ideas, facilitated by being held largely in person, which meant it was also a chance to catch up with colleagues and meet many of the new council members elected at the end of last year.

## Diversity Access Scheme


Talented trainee solicitors are invited to apply for a place on the profession's Diversity Access Scheme (DAS). Recruitment for the 2022 cohort is now open until 20 April 2022. DAS aims to help improve social mobility and diversity in the legal profession by supporting people who face exceptional social, educational, financial or personal obstacles to qualifying as a solicitor.

To date, the scheme has supported more than 260 talented awardees to pursue their career ambitions. It's open to those looking to complete the Legal Practice Course (LPC) or the Solicitors Qualifying Exam (SQE) who need help with funding, accessing real work experience opportunities or meaningful mentoring and might otherwise struggle to get the support they need to succeed. More information is available on how to apply here [Diversity Access Scheme | The Law Society](#).

As ever if you have any issues or require support, or wish to discuss what else TLS can do for you or your firm as a member, I can be contacted at [nina.ferris@hilldickinson.com](mailto:nina.ferris@hilldickinson.com).

*Thanks to Paul Singh employment lawyers CM for the photo.*

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# Liverpool BID Company



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



**Julie Johnson**

**Liverpool's economy is seeing confidence return. As part of our regular data reports, Liverpool BID Company receives quarterly information about how the city centre's economy is performing and it provides a valuable insight into what the city centre needs to thrive.**

Liverpool city centre's economy saw over £743m spent in Q4 2021 seeing the city almost return to pre-pandemic levels of spend.

£2.1bn is spent each quarter in Liverpool City Region's economy, with spend covering retail, hospitality, business, food, drink, motoring, services, business and health. 2021 saw a marked return to pre-Covid levels with the city's economy, but more work is still to be done if the city is to rebound fully as recovery continues.

Liverpool city centre's mixed economy is reflected in where money is spent. Retail and the high street in Liverpool city centre saw the biggest increase in spend compared with Q3, outperforming the national average. Clothing sales saw an increase in Q3 and was in line with the national average. Restaurants were down slightly on Q3 and sat below the national average.

The data shows that the city centre's recovery has been steady, but there is still work to do. The focus of Liverpool BID Company has to be on understanding what drives the economy and how it can be supported. Confidence is key for 2022 and beyond and we need to be mindful of what may be holding people back.

Liverpool's strength comes from its mixed economy and what we are seeing is the need to focus on those areas that need an injection of confidence. How businesses are returning to the city centre, adapting and adopting to more flexible ways of working means the city is having to adapt to new rhymes and behaviours.

Events we are co-funding, like Taste Liverpool, the food and drink festival to coincide with the Queen's Jubilee Weekend in early June, will show the breadth of offer in our food and drink sector attracting visitors to the city. Arts events and theatre programmes will again showcase the rich cultural life of the city, adding both animation and character.

At the start of this new year, as we begin to plan the next financial year, conversations are filled with the hope, passion and commitment to help Liverpool to succeed. Our ability to work together has always been a strength. For business there is much to navigate, and still much uncertainty. Yet knowing that there is confidence returning to our economy helps us to be able to plan for the future with a greater degree of resilience and surety.

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# SAVE THE DATE

# 10 NOV 2022



# ADILA

Annual Dinner featuring Legal Awards



# Bullying in the legal workplace

**Bullying is a type of abusive behaviour where an individual or a group of people create an intimidating or humiliating work environment. Legal professionals who contact LawCare for support often cite a difficult boss, being spoken to in a disrespectful way, micro-management or being sidelined or undermined in front of colleagues, returning to work after illness or a period of leave and feeling that the firm want to get rid of you, being expected to take on work that is beyond your experience or competence and then struggling with it, and racial or sexual discrimination.**

Some types of bullying can be defined as harassment when someone is targeted related to their age, disability, gender reassignment, race, religion or belief, sex and sexual orientation which violates a person's dignity or has the purpose or effect of creating an intimidating, hostile, degrading, humiliating or offensive environment.

Sadly bullying behaviour is common in law firms. We all know of someone who shouts and slams doors. Someone who says you are not tough enough for the job. Someone who sends threatening emails. Bullying can lead to a range of mental health problems such as stress, anxiety, depression and can cause an individual to make mistakes, go on extended sick leave or leave the law entirely, so it is vital to nip it in the bud. A bully can have a huge impact on recruitment and retention of staff and the reputation of the firm, and can lead to intervention from a regulator.

## There are practical steps firms can take:

### Leadership and culture

Creating a supportive and inclusive environment where staff feel that poor behaviour is not tolerated and that complaints are taken seriously and followed up is key. Senior partners and managers should make it clear that the firm has a zero-tolerance approach to harassment and bullying behaviour. This message should be regularly communicated and visible to staff. A senior member of staff and a member of the HR team should be designated as the main contact point for any member of staff that wants to raise a workplace harassment or bullying concern. Staff need to feel that they can trust the firm to address concerns and respond sensitively, quickly and non-judgmentally.

### Policies

The firm should have clear and updated policies on harassment and bullying, how to make a complaint and whistleblowing. All staff should know about them and have access to them.

### Training

All managers should be trained in the firm's relevant policies and procedures, equality and diversity and antidiscrimination legislation. Every member of staff should understand their rights as well as their responsibilities to others. In order to find out what the staff think, an anonymous staff survey should be carried out each year with some questions about any potential experiences of harassment and bullying

so the firm can identify concerns and address them. Staff who are leaving the firm should also be asked why they are leaving, as this may signpost to harassment or bullying as a reason.

### Act on complaints

It is not easy to make a complaint or be the subject of a complaint. Firms should take complaints seriously and deal with them in a timely, non-judgmental and sensitive way making sure the firm's relevant policies and procedures are followed. Support, such as counselling, mediation or further training, should also be provided to those involved—both to the person making the complaint and the person being complained about.

Firms can signpost to LawCare—we provide free, confidential, emotional support, peer support and resources via our support service on 0800 279 6888, email [support@lawcare.org.uk](mailto:support@lawcare.org.uk) or go to [www.lawcare.org.uk](http://www.lawcare.org.uk). We have listened to many lawyers sharing their experiences of bullying behaviour and harassment during their legal careers. We will listen with empathy and help the individual work out what steps they need to take.

## By becoming a Friend of the Actors' Benevolent Fund you will be supporting those in the profession that have fallen on hard times

Founded in 1882 by the great actor manager Sir Henry Irving, the **Actors' Benevolent Fund** supports actors, actresses and stage managers experiencing hardship because of injury, illness or old age.

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**020 7836 6378**  
**[actorsbenevolentfund.co.uk](http://actorsbenevolentfund.co.uk)**

Registered charity number 206524

# Charity Spotlight: The Rainbow Trust

More support coming to Liverpool for life-threatening children



SUPPORTING FAMILIES  
WITH A SERIOUSLY ILL CHILD



*Rainbow Trust Family Support Worker Brodie Stockwell with Pola Gapska*

**Liverpool families caring for a child with a life-threatening or terminal illness, will soon be able to access more support thanks to a new service opening in the area by leading charity, Rainbow Trust Children's Charity.**

From Monday 14 February the charity will be actively recruiting for its new care team which will provide vital support to families who have a child with a life-threatening illness. The service is thanks to generous funding from The Kentown Wizard Foundation which has provided three years funding to establish the new care team. The exciting expansion is helping to mark Rainbow Trust's 35th anniversary.

Rainbow Trust supports families who face the very real possibility that their child might die. Many struggle to cope on a daily basis so Rainbow Trust Family Support Workers provide a much-needed lifeline to these families to enable them to make the most of their time together, offering them emotional and practical support for as long as it is needed.

Rainbow Trust has six existing care teams across England and this is the first time it will have a permanent presence in Liverpool.

The most recent research\* on the prevalence of childhood illness indicates that in Liverpool and the surrounding areas (Cheshire/Liverpool/North Wales region) there are more than 3,000 families caring for a child with a life-limiting illness.

Rainbow Trust's existing North West care team covers much of Greater Manchester, Lancashire and Cumbria but has only been able to provide support in Liverpool when families from these locations are staying in Alder Hey Hospital for their child's treatment. The new Liverpool care team will now offer support to families living in the city and well as expanding across the North West and into North Wales.

**Margaret Ingram** CEO of The Kentown Wizard Foundation: *"Rainbow Trust is a charity we know well and hold in high regard. The support they currently offer across the country is a lifeline to many, who without it would be left feeling more isolated than ever."*

*This grant will enable the charity to extend its reach and provide valuable support to many more families in the North West of England and Wales. It is support like this, offered to families often feeling overwhelmed by their circumstances, that makes a real and significant difference to their lives."*

One parent who understands the impact of the new Liverpool care team is Olena Veitaite whose seven-month-old daughter, Pola Gapska, was treated in Alder Hey Hospital in January for life saving heart surgery.

**Olena**, from Blackburn, is sharing her story to help raise awareness of Rainbow Trust's expansion into Liverpool and to encourage local families with a life-threatening or terminally ill child to reach out to Rainbow Trust if they need help.

Olena's daughter Pola was born in June 2021 with Downs syndrome and a hole in her heart. The cardiac condition, called atrioventricular septal defect (AVSD), had been diagnosed when Olena was five months pregnant. Olena and her partner Michael Gapski were told that Pola would







need surgery once she was six months old to repair the heart. They were referred to Rainbow Trust by Nina McCallion at St. Peter's Hospital in Burnley.

Olena says: "Pola's heart did not have the barrier that hearts need to have so all the blood was mixing and not pumping correctly around her body.

"On 17 January Pola's operation was scheduled at Alder Hey to mend the hole in her heart. The surgery was at 9am. As she was put to sleep, we gave her a kiss and were told the operation would take six hours. But by 5pm after hearing nothing we were told the doctor wanted to speak to us.

"The doctor explained the operation had been very complicated and Pola had had difficulty breathing because of pulmonary consolidation, meaning there was some blood in her lungs. She had to spend ten days in intensive care, initially with an open chest and on breathing machines. It was incredibly hard.

"On 27 January she opened her eyes – it was amazing and we cried constantly with joy. Gradually she became stronger and the tubes were taken out of her belly and step by step she was getting better."

Since September 2021 the family has been supported by their Rainbow Trust Family Support Worker, Brodie Stockwell, after being referred to the charity for help from the hospital.

Olena says' "I think I would have gone crazy without Brodie! At first, she helped me with travel to the hospital, but her support became so much more than just picking me up and dropping me off. I could ask her advice, I could speak openly with her and share all my worries. Over time we became more and more comfortable with Brodie and now she feels like a part of the family.

"When we were in hospital Brodie would accompany me on the ward as only one parent was allowed because of COVID-19. I was sleeping at the hospital and only swapping with Michael so that I could eat meals. It was exhausting and having Brodie was such a support.

Pola was finally well enough to come home on 3 February. Olena says:

"As we opened the front door carrying Pola, Michael and I looked at each other and started crying with happiness and relief. We were so thankful that we were coming home with our baby.

"We love Pola so much and throughout it

all Michael and I have always tried to keep positive and Brodie has been such a help."

Olena adds; "For families living in Liverpool with a really ill child, Rainbow Trust's new Family Support Workers will be such great help. I think any families should not be scared to ask for support, it is not shameful to show that you need extra help. For us, Rainbow Trust have given us more strength so we can be strong for our baby."

Rainbow Trust Chief Executive **Zillah Bingley** says, "For several years we have been aware that there are a number of families in desperate need for the type of support Rainbow Trust provides in and around Liverpool. Rainbow Trust has supported families attending Alder Hey for treatment, like Pola's family, but until now we have not been able to fund a new team in the area.

"Thanks to the incredibly generous donation from The Kentown Wizard Foundation this is now a reality. We look forward to working alongside the existing palliative organisations in the region to ensure that our new team can complement the existing support and together make sure that families receive the full care they require."

For further information about Rainbow Trust visit [rainbowtrust.org.uk](https://rainbowtrust.org.uk)



# Regulation Update

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



Michelle Garlick

I hope everyone is keeping well and coping with the weather we've had recently?! The past month for me has involved drafting of responses to two SRA consultations; the proposed increase in fining powers and the problem of what to do about post six year run off cover and the SIF and thank you to those of you reading this column who have offered your views. The SRA's proposals in relation to both have been criticised so far by the Law Society and other key stakeholders and it remains to be seen to what extent the SRA takes notice!

### Law Society opposes SRA's proposed increase in fines

The Law Society has opposed proposals by the SRA to increase their fining power from £2,000 to £25,000. I. Stephanie Boyce, Law Society president, has suggested a threshold of between £5,000 and £7,500 was appropriate, based on an analysis of fines imposed over the last three years.

Boyce said "Increasing fining powers by more than 12 times the current limit isn't appropriate. The proposed substantial increase to the threshold would potentially include many more serious or significant

*cases which currently go before the SDT and where full reasons for its decisions are transparently set out in written judgements and published on the SDT website. Our members have concerns about the SRA acting as investigator, prosecutor and judge without independent scrutiny". Further, Boyce said "At a time when access to justice is a real issue, the SRA must take care that the introduction of further regulatory burdens does not lead to unintended negative consequences, particularly for consumers of legal services".*

The SDT has also responded negatively to the proposed increase, commenting that it could create an increased risk of miscarriages of justice, although it has accepted a small increase to no more than £7,000. It questioned some of the SRA's reasoning based on reducing delays when the SDT last year listed 96% of cases for substantive hearing within six months of issue.

### Post-six year run off cover (PSYROC) and SIF

The Law Society's response to the SRA's PSYROC consultation has been published with clear support, also backed by the Legal Services Consumer Panel, for a "negligible" additional £240 levy on firms and strongly opposing the SRA's proposal to close the Solicitors Indemnity Fund (SIF). The concern expressed by both the Law Society and the LSCP focussed on the consumer protection which would be lost if SIF closed without another alternative offering a similar level of protection in its place. The Consumer Panel has invited the SRA to "think again". Let's hope that it does!

### Legal Ombudsman's delay in publishing its decisions

The Legal Ombudsman's governing body, the Office for Legal Complaints, has

approved a recommendation made by Paul McFadden, Chief Ombudsman, that full ombudsman decisions be published on its website. Mr McFadden has, however, estimated that the Legal Ombudsman will not be able to start publishing decisions before the end of 2023/24, when he considers "operational stability" will likely have been achieved. Mr McFadden said: "Given that implementing this project will bring resource requirements and have an impact on operational performance (including a direct impact on forecast case closure levels), we recommend delaying full implementation until a point at which case closures and business stability will allow this".

As the backlog of cases waiting to be allocated and investigated by the Legal Ombudsman continues to grow, the Legal Ombudsman remains under close scrutiny. The Legal Ombudsman needs to carefully weigh up the need to improve performance levels with the need to improve its transparency. Watch this space!

### A warning for law firms over "wholly unreasonable workloads"!

The SRA has warned law firms that imposing "wholly unreasonable workloads or targets" on their staff may result in disciplinary action. The SRA has said it had received concerns and complaints that ranged from "systemic bullying, discrimination or harassment" to ignoring complaints and "exerting pressure to take short cuts or act unethically".

The SRA have said they are unlikely to take action on a "one-off complaint", unless it was "particularly serious in isolation". They have said they are likely to take action where there was "evidence of a pattern of the abuse of authority by senior staff that has been left unchecked by the firm" or a complaint of discrimination, victimisation



or harassment not dealt with by “*in a prompt and fair manner*”.

In February 2022 the SRA released the results of their Workplace Culture Thematic Review, which included a survey of 200 solicitors and other law firm workers and interviews with 12 law firms. 25% of the solicitors asked said they would be uncomfortable reporting “*unacceptable behaviour concerns*”. The SRA said law firms should “*do everything they reasonably can to look after their staff’s wellbeing in the workplace*”.

This is a warning which all firms need to take seriously to ensure their culture does not lead to further scrutiny by the SRA.

### Guidance and practice notes

In addition to the [Workplace environment: risks of failing to protect and support colleagues - Guidance](#) and case studies referred to above, the SRA has published:

- [Sole practitioners and small firms regulatory starter pack - Guidance](#)
- [Administering oaths or statutory declarations outside your normal practice](#)
- [Advising on leasehold provisions including ground rent clauses - Guidance](#)

and the Law Society has issued an updated practice note ‘Responding to a financial crime investigation’ and a guide ‘Source of funds’

### SQE update

The results of the first group of candidates part one of the Solicitors Qualifying Exam (SQE) has been published, with a pass rate of 53%. Giles Proctor, the chief executive of the College of Legal Practice said this pass rate is viewed as “*low*” by the students.

Speaking at a Westminster Legal Policy Forum conference on legal education and ongoing competence, Mr Proctor said students needed to understand “*how different*” the SQE was to previous courses, with its “*very wide syllabus of 13 areas of*

*law*”. He described it as a “*very different animal*” to the Legal Practice Course. Julie Brannan, director of education and training at the Solicitors Regulation Authority (SRA), said earlier in the seminar that the regulator was “*not planning any immediate changes*” to the SQE until “*successive sittings*” had taken place.

### Disciplinary Decisions

#### Barrister fined for “*hysterical woman*” comment in court waiting room

A male barrister has been reprimanded and fined £500 after he described his opponent, a legal executive, a “*hysterical woman*” and said that women are “*intemperate*”, to the opposing counsel in a waiting room at Worthing County Court. He said a witness statement drafted by the legal executive was the work of a “*hysterical woman*” and told the tribunal that “*this was just fact*”.

Tribunal chair Jonathan Glasson QC said: “*This case is not about “policing the personal opinions of barristers” as a matter of generality. It is concerned with the question as to whether or not expressing sexist and discriminatory language, in the course of a discussion outside court in a public waiting room and in the context of a discussion with a fellow barrister, is of such seriousness so as to amount to misconduct*”.

The barrister had expressed his intention to appeal against the decision, saying he is being “*persecuted for expressing inconvenient truths*”.

#### Solicitor struck off for seven years of unpaid disbursements

A solicitor who used payments for settled personal injury cases to prop up his own business and failed to pay outstanding disbursements for seven years has been struck off. The tribunal was told that the solicitor’s failure to maintain accurate records meant the SRA could not be sure of how much money was owed – it could be anywhere from £46,000 to £800,000. The solicitor was made bankrupt on

30 April 2018, the day after the firm’s administrators reported their concerns about unpaid disbursements to the SRA. The SRA began a forensic investigation of the firm in January 2020 and it reported in July 2020. The SDT approved a regulatory settlement agreement in which the solicitor admitted he had acted dishonestly and that he should be struck off.

#### Rebuke overturned following SRA’s serious procedural error

The Solicitors Disciplinary Tribunal has revoked the SRA’s decision to rebuke a solicitor after finding a “*serious procedural error*” was made in the disciplinary process. In July 2021, a solicitor was rebuked over an unpaid court order. The solicitor appealed and the tribunal allowed his appeal, ruling that the adjudicator had not given sufficient reasons or explanations for the finding of professional misconduct. The tribunal concluded: “*Any finding of professional misconduct is a serious matter for that individual and fairness dictates that where such a finding is made, the basis for it is clear in order that it can be understood and, if appropriate, challenged*”.

An interesting case particularly in light of the SRA’s consultation to increase its fining powers mentioned earlier. It is essential that the SRA’s internal disciplinary process is seen to be fair and transparent and these types of decisions do not help the SRA’s cause in persuading the profession that they have achieved this.

### Covid bounce back ban

A fee-earner has been barred from the profession after making misleading declarations on the successful application for the maximum ‘bounce back’ loan which he transferred into his own bank account and a company in which he was sole director and shareholder. The SRA said he had acted dishonestly and made a section 43 order. He cannot work for a regulated firm without written permission from the SRA.

**Michelle Garlick**  
Weightmans LLP

# Forthcoming Courses

DATE	TOPIC	SPEAKER
08 <sup>th</sup> March	The New Law Divorce Law 2022 (online)	Safda Mahmood
09 <sup>th</sup> March	<b>Costs Conference 2022</b>	Various
11-March	Private Child Law Update	Safda Mahmood
11 <sup>th</sup> March	Public Child Law Update	Safda Mahmood
15 <sup>th</sup> March	Conveyancing Update	Richard Snape
17 <sup>th</sup> & 18 <sup>th</sup> March	The Complete Legal Aid Supervisor	Vicky Ling
22 <sup>nd</sup> March	CQS for support staff (online)	Tracy Thompson
30 <sup>th</sup> March	<b>Employment Law Conference</b>	Various
01 <sup>st</sup> April	AML for support staff	Matthew Hickling
07 <sup>th</sup> April	Fraud under the 2006 Fraud Act (online)	Olwen Davies
26 <sup>th</sup> April	Intellectual Property Update	Jane Lambert
27 <sup>th</sup> April	Tax Enquiries, Closure Notices & Discovery Assessments	Julian Hickey
29 <sup>th</sup> April	Criminal Law Update (online)	Matthew Hickling
05-May	Financial Orders: Law & Practice	Safda Mahmood
05 <sup>th</sup> May	Cohabitation: Law & Practice	Safda Mahmood
13 <sup>th</sup> May	Directors Duties & Shareholder Remedies (online)	Chris Beanland
17 <sup>th</sup> May	Managing the Conveyancing Risks that PI insurers don't like (online)	Lorraine Richardson

**\*\* Training events open to legal professionals nationwide \*\***

ONLINE events are recorded, so if you can't make the date/time, no problem!

Booking onto any of our online events means you will receive a link to access a recording of the event to watch at your leisure!

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





## Private Children Law Update

with Safda Mahmood

ONLINE: Friday 11th March, 10am - 12.45pm\*

**This online course will equip you with a rounded up update on key issues surrounding private children law.**

*The areas to be covered are:*

- Parental Responsibility
- Section 8 orders – Update
- Contact (Child Arrangements) and Enforcement – Update
- Children and Families Act 2014
- Child Arrangements Orders
- Presumption of Involvement
- Leave to Remove Applications
- Funding Applications
- Special Guardianship Orders
- Key Case Law Update

**Competencies: B**

*\*Can't make the date/time or need to revisit the training? No problem, booking onto this event means you will receive a link to access a recording of the event at your leisure! The link will be sent within approx 72hrs of live broadcast & be available for approx. 3 months, to view as many times as you wish.*

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



## Public Children Law Update

with Safda Mahmood

ONLINE: Friday 11th March, 1.30pm - 4.15pm

**This online course will equip you with a rounded up update on key issues surrounding public children law. It will be of benefit to those acting for parents, children, extended family & local authorities.**

*The areas to be covered are:*

- Removal
- Contact and Children
- Assessments and Timescales
- Public law Outline and Timetable
- Leave Applications and Secure Accommodation
- Placement Applications and Adoption
- Special Guardianship
- Threshold Criteria

**& more...**

**Competencies: B**

*\*Can't make the date/time or need to revisit the training? No problem, booking onto this event means you will receive a link to access a recording of the event at your leisure! The link will be sent within approx 72hrs of live broadcast & be available for approx. 3 months, to view as many times as you wish.*

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



## Conveyancing Update with Richard Snape

Tuesday 15th March, 1.30pm - 4.30pm

**Venue: Liverpool Law Society, 2nd Floor Helix, Edmund Street, Liverpool, L3 9NY— places will be limited**

**Conveyancing continues to undergo major changes. In particular, estate rent charges continue to cause problems. In addition, the External Wall System (EWS) certificates in relation to cladding are causing major problems.**

**Topics covered include:**

- The Help to Buy Scheme, First Homes and the new Model Shared Ownership Lease
- Estate rent charges
- The Leasehold Reform (Ground Rent) Bill 2021
- Competition and Markets Authority investigation of ground rents
- The Fire Safety Act 2021
- EWS1 Certificates and cladding
- Recent case law
- Solicitor's undertakings after the Supreme Court case of *Harcus Sinclair v Your Lawyers* (2021)
- Planning permission changes

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

**Sponsored by**



## The Complete Legal Aid Supervisor with Vicky Ling

ONLINE: 17th & 18th March, both 1.30pm - 4.30pm\*

This online course covers everything supervisors need to know and includes case study examples. **Attending both parts will qualify a new supervisor who hasn't supervised before under Standard Contract Specification requirements for both the Civil/Family Standard Contract 2018 and the new Crime Standard Contract 2022.** You will learn about:

- Latest developments in legal aid
- Relevant SQM and Lexcel provisions
- SRA Competence Statement requirements for supervision
- How supervisors qualify and maintain status
- The main types of legal aid audit, including Contract Manager visits and peer review
- The LAA's timetable for resuming audit and contract management activity

**& more ...**

*\*Can't make the date/time or need to revisit the training? No problem, booking onto this event means you will receive a link to access a recording of the event at your leisure! The link will be sent within approx 72hrs of live broadcast & be available for approx. 3 months, to view as many times as you wish.*

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



## **\*\*NEW\*\* CQS for Support Staff**

with Tracy Thompson

ONLINE: Tuesday 22nd March, 10am - 12pm\*

**Recent changes to the CQS standard brought about a new onsite assessment regime which accredited firms will be subject to as part of demonstrating their compliance with the CQS Scheme Rules.**

**A key requirement of the CQS Scheme is that practices must have a training policy which must include ensuring that relevant members of staff are aware of the Core Practice Management Standards and the ways in which the practice complies.**

**The session will look in detail at;**

- The format of the onsite assessment
- Key requirements of the Core Practice Management Standard (CPMS)
- Ensuring the policies and procedures of CQS are being followed within your practice and how you can support fee earners in demonstrating compliance.
- Key areas of The Law Society Conveyancing Protocol (2019 Edition)

*\*Can't make the date/time or need to revisit the training? No problem, booking onto this event means you will receive a link to access a recording of the event at your leisure! The link will be sent within approx 72hrs of live broadcast & be available for approx. 3 months, to view as many times as you wish.*

[Click here for more information](#)



## **Employment Law Conference**

Wednesday 30th March, 9.30am-3.30pm

Chaired by Lindsey Knowles

**Legal update on key cases, and practical impact upon Tribunal cases**

Stephen Pinder, Stephen Pinder Law

**ACAS Update**

Tony Lowe, ACAS

**Disclosure & Admissibility in the Employment Tribunal**

David Flood, St Johns Buildings Chambers

**Pandemic recovery, Reform and the ET of the future**

REJ Franey

**Anonymity in the ET in the MeToo era and the use of NDAs/confidentiality clauses in settlement agreements (to include an update on recent case law in this area) and the entitlement to access witness statements, pleadings and documents**

Thomas Kibling, Matrix

**Virtual Hearings**

Sean Jones QC, 11 KBW Chambers

**ET disclosure and the interplay with the exercise of the right of subject access – a DPO's practical perspective**

Helen Littlewood, Weightmans LLP

**This is a 'face to face' event so places will be limited - Prompt booking recommended**

[CLICK HERE TO BOOK](#)



## **Anti-Money Laundering for Support Staff in Law Firms**

with Matthew Hickling

ONLINE: Friday 1st April, 10am - 1pm

**This seminar is designed to help you; as an important member of the team; to work effectively with fee earners to help address the risks that the firm faces every day.**

**Covering:**

- Understanding Money Laundering – Keep it simple – Please!
- Threats – The crimes that generate the proceeds of crime
- Risks – How law firms are used by criminals to launder money
- Vulnerabilities – Looking at the exposure of your law firm
- Law and Regulation – The national and international picture
- Red Flags – Learning from the (usually bad) experience of others
- Working together – Keeping the right records and file notes

**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!**

[CLICK HERE FOR MORE INFO](#)



## **Fraud under the 2006 Fraud Act**

with Olwen Davies

ONLINE: Thursday 7th April, 1.30 - 4.30pm\*

**This online course – aimed at prosecutors, those defending and police station representatives – takes you through the Fraud Act 2006. It will look at the ingredients of the common offences, case law and what goes wrong from both the prosecution and defence point of view.**

**Topics include:**

- Mens rea since R v Barton
- The main offences
- A quick look at related offences
- Allocation
- Common evidential issues
- Ancillary orders on conviction
- Sentencing Guidelines

*\*Can't make the date/time or need to revisit the training? No problem, booking onto this event means you will receive a link to access a recording of the event at your leisure! The link will be sent within approx 72hrs of live broadcast & be available for approx. 3 months, to view as many times as you wish.*

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## Intellectual Property Update: After Brexit & Onwards

with Jane Lambert

ONLINE: Tuesday 26th April, 10.30am - 12pm

Intellectual Property Law is changing and adapting. Practitioners in commercial/company law as well as commercial litigators should ensure that they remain up to date and aware of the very latest developments in IP.

This session (with Q & A) will deal with the following issues:

- The legal consequences of decoupling the UK economy from its closest market with the aim of developing new markets elsewhere.
- Managing new technologies such as the Meta-verse, Commercial Space Exploration and Artificial Intelligence.

& much more

Competencies: B

*\*Can't make the date/time or need to revisit the training? Booking onto this event means you will receive a link to access a recording of the event at your leisure! The link will be sent within approx 72hrs of live broadcast & be available for approx. 3 months, to view as many times as you wish.*

[CLICK HERE TO BOOK](#)



## Tax Enquiries, Closure Notices & Discovery Assessments

with Julian Hickey

ONLINE: Wednesday 27th April, 10am - 1pm\*

HMRC is subject to strict limits on how and when they open tax enquiries and how tax assessments can be raised following the end of an enquiry period. This session examines the framework and the limits placed on how assessments can be used against taxpayers. **It is relevant to all accountants, tax practitioners and others involved in tax enquiries.**

*Covers the following matters:*

- HMRC enquiry powers/requirements for a valid enquiry
- How to conduct an enquiry/common pitfalls
- Disclosure of documents during an enquiry
- HMRC information powers during an enquiry
- How to obtain a Closure Notice

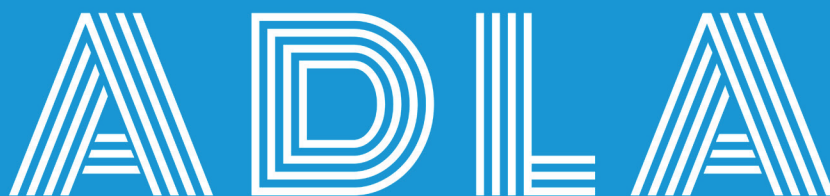
& more

*\*Can't make the date/time or need to revisit the training? No problem, booking onto this event means you will receive a link to access a recording of the event at your leisure! The link will be sent within approx 72hrs of live broadcast & be available for approx. 3 months, to view as many times as you wish.*

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# SAVE THE DATE

# 10 NOV 2022



Annual Dinner featuring Legal Awards

# Ask the expert, with Ishbel Straker

With February behind us there I have been inundated with relationship problems coming into my clinic. The pressure of this month is immense and this is not because it is the only month we show an ounce of care for our partners but because this is the month we are bombarded with what the world expects and what other people are supposedly doing. I have spoken frankly before about the unique pressure those in the legal profession experience when it comes to maintaining healthy relationships but let's revisit this.

Following last month's column, we opened up the platform to you as readers coming forward and asking questions that you would not normally have the opportunity to ask so here we have the first one we have chosen *"how do I maintain a healthy relationship and progress in my firm?"* I have no doubt some may have golden nuggets of tips for this reader, others may be saying in a defeatist manner that you can't, my response is the two go hand in hand.

According to the Mental Health Foundation, relationships help us stay well, both physically and mentally. People who are more socially connected to friends, family or their community are happier, physically healthier and live longer, the charity says, with fewer mental health problems than those who aren't so well connected. Being happily married or in a stable relationship impacts positively on mental health. Research has found that high marital quality is associated with lower stress and less depression. However, single people have better mental health outcomes than people who are unhappily married.

However, what is important to note is that recent studies from Ireland and the USA have found that negative social interactions and relationships, especially with partners/spouses, increase the risk of depression, anxiety and suicidal ideation, while positive interactions reduce the risk of these issues.

So what we are saying is that it is not any relationship at any cost, it is healthy relationships that will empower you mentally and therefore support and encourage growth. Talk to your partner about the goals you have as individuals and as a couple/family. Do they align? If not, how do you get them to a place where they do? We have to not see this as an either-or situation but more as a good relationship, which in certain seasons of your career will mean that sacrifices may need to be made, will be the fertile soil that will enable you to reach the professional goals you desire.

My advice is to communicate, ensure you are both coming from a flexible standpoint but most importantly, regardless of the goal, first and foremost, you are prioritising your relationship throughout.

I look forward to hearing and answering more of your questions next month.



Ishbel Straker

**Ishbel Straker, RMN, INP.**  
CEO Clinical Director Istraker Consultants  
Clinical Lecturer, Edge Hill University

Ishbel Straker • Charitable Radio  
T:01517067912 - M:07876767006  
W:[www.istrakerconsultants.co.uk](http://www.istrakerconsultants.co.uk)  
A: Horton House, Exchange Flags, Liverpool, L2 3PF

PA: Esther Allen  
[Admin@istrakerconsultants.co.uk](mailto:Admin@istrakerconsultants.co.uk)

If you have any questions for Ishbel, please contact her at [Admin@istrakerconsultants.co.uk](mailto:Admin@istrakerconsultants.co.uk), heading the email 'Ask The Expert'.





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# 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



**Rachel Stalker**  
@StalkerLawMU

Solicitor & CLE Programme Leader, LJMU School of Law. Founder of the Legal Advice Centre. Director at Lpool Law Soc, trustee of Aspire Lpool. All views my own.

📍 Liverpool, England 🌐 [lmu.ac.uk/LAC](https://lmu.ac.uk/LAC) 📅 Joined June 2013

2,871 Following 1,254 Followers

Follow

**Weightmans** @Weightmans · 1h

We've worked closely with police for years to help them fight violence against women and girls. VAWG is not a new phenomenon, but the spotlight is on it once again. Let's fix it.

Find out how we can help forces: [weightmans.com/landing-pages/](https://weightmans.com/landing-pages/)

#VAWG #stopviolenceagainstwom



Public protection and violence against women and girls

Helping forces to protect women and girls from violence

**Elkan Abrahamson** @ElkanAbrahamson · 27 Jan

Enough is enough. We have been fighting for the immediate start of the [CovidInquiry](#) alongside [CovidJusticeUK](#), and we won't stop until Boris Johnson is facing up to his actions. [CovidInquiryNOW](#)



[jacksonlees.co.uk](https://jacksonlees.co.uk)


Why the Covid-19 Public Inquiry must start now | Broudie Jackson Can... Inquiry solicitor and long-standing public inquiry expert, Elkan Abrahamson, explains why the government's delay on a statutory ...

**LiverpoolLawSociety** @LpoolLawSociety · 25 Feb

Content from the Good Business Festival will be available online and on demand. Find out more 📺

**The Good Business Festival** @goodbizfest · 22 Feb

Grab a snack and tune in to our On-Demand service, where you can watch and learn from our library of good business content whenever and wherever you want. Don't miss @junesarpong in conversation with Lady Maréme Jamme and @VCSECrownRep. [thegoodbusinessfestival.com/on-demand/](https://thegoodbusinessfestival.com/on-demand/)



#GOODBIZFEST 22-24TH MARCH

Jo Downey Retweeted

**Simon Cox** @SimonFRCox · 39m

Calling Ukrainians and their family in UK! We now have a special website to access free immigration advice on how to stay legally in UK or reach UK: [advice-ukraine.co.uk](https://advice-ukraine.co.uk) with more info and background

**Simon Cox** @SimonFRCox · 26 Feb

Calling Ukrainians arriving at UK borders without a long-term UK visa! If you have any problems at immigration control, and you don't have/can't get a lawyer, my DMs are open this weekend. Me & colleagues will find you a lawyer to help you stay in the UK til it's safe to leave.

Show this thread

**Percy Hughes & Roberts** @PHRsolicitors · 25 Feb

Being an executor of a will can seem like a daunting prospect at what can already be a difficult time. Before you agree to becoming one, find out more about some of the key duties an executor is expected to carry out after a death.

#Probate #Executor



[phrsolicitors.co.uk](https://phrsolicitors.co.uk)

The Ten Key Tasks for an Executor

Before you agree to becoming one, find out more about some of the key duties an executor is expected to carry out after a death.

Jo Downey Retweeted

**Law Society Gazette** @lawsocgazette · 6h

Hundreds of students will have qualification as solicitors delayed following regulator's announcement that they will not be able to take both parts of professional exam this year:



[lawgazette.co.uk](https://lawgazette.co.uk)

Students face long wait for SQE2 exams

Hundreds of students will have their qualification as solicitors delayed, the Gazette has learned.

**Hattons Solicitors** @HattonsLaw · 10 Jan

To get the year off to a good start, and to announce the arrival of our new Head of Private Client, Natasha Cave, we are offering 10% off Wills and more. See here:



[hattonslaw.com](https://hattonslaw.com)

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**MSB Solicitors** @MSBSolicitors · 26 May 2021

INTRODUCING: THE JOURNEY!

We're so excited to have launched our very own podcast series, where our Partners share the incredible journeys they have been on to get to where they are today.

Take a look at the first episode, here: [msbsolicitors.co.uk/the-journey/](https://msbsolicitors.co.uk/the-journey/)

#TheJourney



The Journey

If you have an interesting tweet to share, why not send it to us: [studio@baskerville-e.media](mailto:studio@baskerville-e.media)



# News from the EDI Committee – February 2022

By Amy Rachel Planche, Carpenters Limited

The Committee met this month for further discussion in respect of our upcoming Conference in May. Last year's events were entirely online; consisting of a discussion of how to be an Ally in the workplace and disability in the workplace. Our hope is to broaden the scope for this year's conference; not only for it to be in person and over an afternoon rather than several separate webinars, but also to cover more topics under the EDI umbrella. A particular issue discussed by the Committee during this month's meeting was the consensus that the concept of dealing with how the return to an office environment impacts on Mental Health, Gender Issues and Disability would be topics that we would like to address at the Conference. As such, if any readers have any recommendations of a potential speaker to cover such an issue, please let us know!

As February is LGBTQ+ History month, the Committee also had the pleasure of several members speaking about relevant issues; Olivia Parrington of DLA Piper discussed her involvement with IRIS; which is a global resource group within her firm whose aim is to promote awareness of LGBTQ issues throughout their global offices. The team also provides pro bono assistance and representation to LGBTQ+ NGO's and individuals on issues such as immigration and

discriminatory laws (such as in housing) for trans persons and asylum seekers. The firm also hold events and encourage staff to be visible allies. We would be interested to know how other firms address the issue of inclusion of their LGBTQ+ employees; with hopes that sharing such knowledge (possibly at our upcoming Conference – please let us know if that sounds like something you would be interested in!) will allow us all to become more inclusive.

Then Laura Keane from In House Legal Solutions provided a summary about QPOC – which is a national organisation for Queer People Of Colour who aim to provide an inclusive space for discussion in respect of the cultural, political and social ramifications of their position in the world. In House Legal Solutions are working with QPOC to hold an open day for their members interested in the legal profession. Visit their website <https://qpocproject.co.uk/about> to find out more!

With International Women's Day taking place in March, at our next meeting, we will be looking forward to a talk organised by Rachel Kelly-Brandreth of Hill Dickinson. We would appreciate if members would share with the Society what their firms will be doing to address IWD.

## Obituary: Brian Morris



Many local lawyers will be sad to hear of the loss of Brian Morris, who passed away in January 2022 aged 92. Brian joined Twigg and Co in the 1970s

having previously worked with Charles D. Munroe. Twigg and Co merged with my former firm EAD, in 1985. I worked with him as a colleague until his final retirement in 2012 – therein lies a story!

It is fair to say that Brian was an all-rounder. He was an expert in almost all areas of law. I used to call him 'my solicitor'. He was an expert in Private Client and Property Law and for many years, was a familiar face in the licensing court. But his knowledge of the law and of lawyers seemed to have no boundaries. I worked with him from when I joined EAD in 1991. Throughout almost all of that time he battled with severe eyesight problems. He always used a microfiche reader for what were often long and complex documents.

He was always a particular help to the firm's trainees and younger lawyers and was always happy to share his knowledge

alongside many anecdotes.

In about 1997 he decided that it was time to retire. We had a party. I presented him with a ship in a bottle – he was an expert in Liverpool's maritime history. We all bade him an emotional farewell. It was a surprise to see him at his desk the following morning. He said that he just had a few things to sort out and was here for a few hours. The hours ran into days, the days ran into years and so we carried on until he finally retired at 83. It is a mark of his character that he said in his farewell speech that he was definitely going this time and was looking forward to taking up skiing, which he did.

Brian was one of those old school solicitors who knew everything and loved to help. He was a one off and we may not the likes of him again.

Steve Cornforth

# Protecting Transaction Funds

**There is no doubt, we are set to live with ongoing impact of COVID 19 for years to come. For the legal industry, the consequences of the pandemic have already reshaped the working environment. Law firms have wisely reevaluated processes and are employing new technologies to digitize workflows and manage remote communication. However, these changes have offered new opportunities for cyber criminals with altered working practices introducing potential vulnerabilities and therefore an increased risk of fraudulent activity.**

Criminals have gone online and have become more sophisticated and experienced than ever before, deliberately, and increasingly targeting conveyancing firms due to the regular large sums of money transferred on the completion of property purchases.

As a result, since the start of the pandemic, there has been a rapid rise in scam alerts and fraud attempts. For example: in the past year, according to SRA data there has been a 27% increase overall, in scam alerts when comparing 2021 to 2020. In 2021, 91% of all scam alerts relate to some sort of impersonation. Email is a growing risk with 48% of all 2021 alerts related to fraudulent email activity compared with 21% in 2020.

The repercussions of cyber fraud can be devastating for the client and law firm, so Lawyer Checker's goal is to help organisations embed risk and compliance culture within their own practices. We believe firms need to adopt an ethos of awareness across the firm to mitigate the risk of fraud. Staff need to understand the risks and have an insight into what can go wrong, so every day processes can be updated in line with the dramatically increasing threat.

We know that one of the main risks is criminals impersonating other law firms to obtain monies sent between purchasing and vendor parties. They can easily intercept phone calls, redirect and replace posted communication and hack into emails, with the objective of attempting to divert funds into their own accounts. It's easy to miss the slight alteration of a single digit in a sender's email address and suddenly a conveyancer has been supplied with a fraudster's bank account details instead of the law firm they believed they were working with.

Although nothing is 100% guaranteed, defense strategies can be put in place to safeguard every transaction. Lawyer Checker was set up 11 years ago and now employs 28 staff who are experts in cybercrime prevention.

Lawyer Checker's service validates the destination details of the recipient bank account of the solicitor receiving funds for every property transaction quickly and easily. Lawyer Checker is a web-based solution and can be accessed from any location 24/7 at the click of a mouse, supplying an audit trail for law firms as well as ensuring due diligence by adhering to the SRA Code of Conduct for Solicitors (SCCS) 4.2 - to safeguard client money and assets.



Lawyer Checker's unique algorithm checks details against ten different databases in real time. It integrates with SRA scam alerts and safeguards transactions against human error and typos while also providing the most up to date information. All frequent and infrequent results are processed through the latest NatWest tracker to check bank account details. We have verified over 4000 accounts and reported back on incorrect details.

Reports are low cost and can be attributed as a disbursement. Included are two searches: one which is usually completed at the start of the conveyancing process, plus a further check just before the funds are transferred. Lawyer Checker's unique algorithm ensures there have been no new alerts during the interim. This is key with transaction times now taking longer and ensures the search is fully updated, making it easy and cost effective to mitigate risk of fraud during the transaction.

The majority of our search results are returned within five minutes. For those that require further research (because of an infrequent or unknown result), we work to an SLA of four working hours, but these are often returned much faster, generally within the hour. PDF reports can easily be saved to the case file, removing the stress for conveyancers to demonstrate due diligence for auditing purposes.

We also offer Consumer Bank Account Checker which, as its name suggests, validates the destination of funds for the sale of a property for customers. Covering most UK bank accounts and powered by Experian, this cost-effective check is another part of law firm's armour against cyber criminals.

Over the last 18 months we've seen a steady uplift, and 15 of the top 20 conveyancers are now using us. The question is: can your firm afford not to?

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

**Emily Haskey,**  
Operations Manager, Lawyer Checker,  
A Dye & Durham Solution



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# Are your money transfers safe?

Cyber criminals have conveyancers in their sights, owing to the high value of money involved.

## We can help.

Safeguard against fraud interception when sending money to other conveyancers, and ensure you're mitigating risk with Lawyer Checker.

To find out how to protect your firm, visit [lawyerchecker.co.uk](http://lawyerchecker.co.uk) today.

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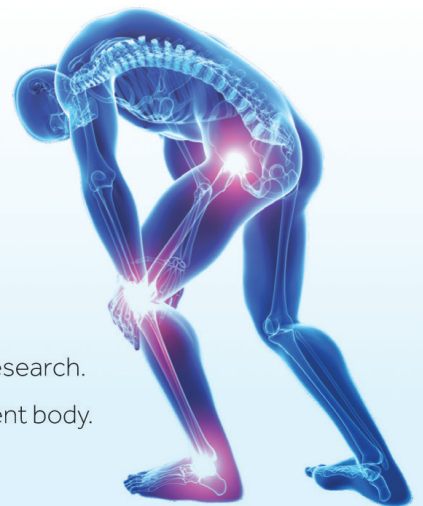
# CAN YOU HELP US FIGHT PAIN?

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Chronic Pain affects people of all walks of life, 43% of the population suffer from chronic pain. Research costs money, and there is always an urgent need to provide more funds for more research.

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