

April 2022

Liverpool Law

Liverpool  Law Society

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



**"Liverpool Law Society
stands in solidarity with
the Ukrainian people, the
Ukrainian National Bar
Association and the
Ukrainian Bar
Association."**

*Steven Zdolyny
Liverpool Law Society President*



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April 2022

CONTENTS



4. The latest from the Editor, Jennifer Powell
5. From the President
6. LLS Meetings & Events
6. Consultation Papers
7. LLS Statement on Ukraine
8. Joint V Meeting
9. Home Street Home
10. Hill Dickinson revealed as headline sponsor for Women of the Year Awards 2022
12. Astraea Linksills secures apology from Google to MP at the High Court
14. In House Lawyer's Committee
15. DLA Piper appoints new partner
15. Matt Noon to lead Hill Dickinson's Liverpool office
16. Double Celebrations for Merseyside Law Centre!
17. Vauxhall Community Law & Information Centre
18. How your firm can be more compliant, efficient, and improve thousands of lives!
20. Monthly Costs Update
22. Merseyside JLD
26. Hair strand testing
27. Obituary: Martin Burr Unsworth
28. Liverpool BID Company
29. Weightmans partnered with Everton in the Community
30. Charity Spotlight: Fishingthemind
32. Regulation Update
34. Forthcoming Courses
38. Flood Data Insights
40. Social Media Highlights
42. Are you getting enough sleep?

DEADLINES

25th May
7th June
27th July
25th August
26th September
27th October
28th November



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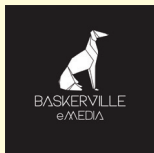
Liverpool Law Society Magazine is produced by and for Liverpool Law Society Members. This is our opportunity to share our news, events and celebrations with our friends in the legal community.

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

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Editorial Committee Dates 2022

Meetings start at 11.00 am

19/04/2022

17/05/2022

21/06/2022

Welcome to the April 2022 edition of Liverpool Law

Welcome to the April edition of Liverpool Law



I tried my very best to avoid mentioning Ukraine in my column last month as there is nothing that can be said that hasn't already and I didn't know where to even start if I am entirely honest. However, now into the second month and with the statement from our own President, who is of Ukrainian descent, it seems amiss of me to not mention it. I have a platform and I should use it for good when possible.

I don't understand the politics behind the War, so I won't attempt to go down that narrative. What I do understand, clearly, is the gut wrenching feeling watching the news and seeing what is happening to the people of Ukraine. The video of the little girl singing 'Let it go' had me in floods of tears as my own 4 year old daughter sings that song. Watching the women with their elderly relatives and young children in prams again struck a chord with me personally with a young baby. It is beyond comprehension what they are going through either trying to flee and leaving behind loved ones or those that are still behind. My thoughts are with them all and I hope it comes to a resolution as soon as possible for all concerned.

There is no possible positive spin to conclude this article with except to say if you are able to help in any way possible please do so. Hug your family and friends that little bit tighter when you can, I know I will be.

Many thanks
Jennifer Powell, Editor
Weightmans
editor@liverpoollawsociety.org.uk

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From the President

The latest from the President, Steven Zdolny

Ukraine

We have all been shocked by the distressing pictures coming out of Ukraine and very much wish to see a rapid end to hostilities. As a descendant of Ukraine and with many extended family members still in Ukraine, I am acutely aware of the pain and suffering caused by this senseless war.

The officers of the Society agreed to issue a statement on the crisis, which is included in this edition of Liverpool Law. In addition, we have sent the Society's statement to the:

1. Russian Ambassador to express our concern and condemnation of the illegal invasion of Ukraine by the Russian Federation; and
2. Ukrainian Ambassador to extend our solidarity to the Ukrainian people.

This is a humanitarian tragedy and I urge all members to help in any way you can. Thank you.

Consultations Update

Following our recent member consultation on premises and training, the Society is continuing to explore options for a sustainable and successful future for the benefit of members. The issues will be considered further at the General Committee in April and once any decisions are taken by General Committee, we shall update our members.

In March, the Society provided its response to the government's proposals to revise the Human Rights Act and replace it with a Bill of Rights. The response was drafted by Chris Topping, a noted human rights lawyer, and former President of the Society. Chris was supported by current directors Jeremy Myers and James Mannouch. A copy of Liverpool Law Society's response is available on our website.

Events Round-Up

It's been great to resume some in person training events. In March, we held the Conveyancing Update, Costs Conference and Employment Law Conference as in person events, and overall had very encouraging attendance.

We also have a varied programme of events lined up for April, including AML for support staff, How to Create Electronic Bundles, Intellectual Property Update, Tax Enquiries, Closure Notices & Discovery Assessments, Criminal Law Update and the MJLD and Society Quiz.

Thank you for all your continued support with our training and events, which is very much appreciated.

March was a busy month with the Joint V meeting, hosted by Leeds in early March, judging the Birmingham Legal Awards, the Insurance Institute of Liverpool Annual Dinner, and the Birmingham Legal Awards dinner. External meetings were also held with a) Professional Liverpool, b) University of Liverpool, c)



University of Law, d) Liverpool John Moores University, e) local MPs and e) Managing Partners.

I attended the General Committee, the Finance & Policy and various Officer meetings to discuss the Society's financial position, training offering and preparations for the 2022 Annual Dinner and Legal Awards. We have decided on 6 awards this year: i) Rising Star Award; ii) Law Firm Award 1-99 Employees; iii) Law Firm Award – 100 + Employees; iv) Outstanding Lawyer Award; v) Outstanding Team Award – Litigation; and vi) Outstanding Team Award – Non-Contentious. I look forward to receiving a large number of nominations to celebrate our vibrant local legal community. I am also very much looking forward to welcoming the 19 schools and 132 Year 12 students and teachers that have so far signed up for our Pathways to the Legal Profession event, scheduled for 27 April. I'd like to say 'thank you' to Weightmans law firm for sponsoring the event, all our expert speakers and for all those involved in putting this event together.

As always, we are looking to you to help build our programme of training and 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

LLS Meetings & events – April & May 2022

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

Start Time	Meeting/Event
12/04/2022 12:30	General Committee
13/04/2022 13:00	Family Business Sub-Committee
19/04/2022 11:00	Editorial Sub-Committee
27/04/2022 13:30	Pathways to the Legal Profession for Year 12s
28/04/2022 13:00	EDI Sub-Committee
03/05/2022 12:30	Finance & Policy Sub-Committee
04/05/2022 13:00	Education & Charities Sub-Committee
05/05/2022 13:30	(F2F) In-House Lawyers Sub-Committee
06/05/2022 10:30	Joint Forum on Access to Justice meeting
10/05/2022 12:30	General Committee 2021-2022

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

Committee	Consultation Paper title	Closing date
Access to Justice	Human Rights Act Reform: A Modern Bill of Rights	19/04/2022
Civil Litigation	Fixed recoverable costs in lower value clinical negligence claims	24/04/2022

Liverpool Law Society's response to Bill of Rights consultation.

The government has committed to updating the Human Rights Act 1998. A consultation seeks views on the government's proposals to revise the Human Rights Act and replace it with a Bill of Rights. The aim is to restore a proper balance between the rights of individuals, personal responsibility and the wider public interest.

Liverpool Law Society provided its response to the consultation on 7 March

2022. The response was drafted by Chris Topping. Chris is a noted human rights lawyer and former President of the Society. Chris was supported by current directors Jeremy Myers and James Mannouch.

The response was drafted from a practitioner's perspective. Some of the questions found within the Consultation are of a political nature and the Society declined to deal with these. Instead, focus

was aimed at those issues requiring an expert view.

A copy of the consultation, which closes at 11:59pm on 19 April 2022, may be accessed [here](#).

A copy of the response is available to view [here](#)

James Mannouch
Chair - Access to Justice Committee



LIVERPOOL LAW SOCIETY STATEMENT ON UKRAINE

The Liverpool Law Society President, Steven Zdolynny, said:

“Liverpool Law Society stands in solidarity with the Ukrainian people, the Ukrainian National Bar Association and the Ukrainian Bar Association. We also stand with the people of the world, who oppose the Russian government’s illegal invasion of Ukraine, in particular, the Russian people and lawyers who are defending the rule of law in the region.

“We condemn the actions of the Russian Federation, which are in contravention of international law. There is no doubt that these actions are a direct threat to the rule of law.

“We extend our deepest sympathies to all those affected by this humanitarian tragedy. As a descendant from Ukraine myself, with lots of extended family still living in Ukraine, I am acutely aware of the human suffering caused by this illegal invasion.”

“Any of our members affected can seek support from LawCare, which offers free, confidential, emotional support to anyone working in the law.”

“Anyone seeking legal support, for example in respect of the UK entry requirements for refugees affected by this crisis, may find details of local firms who may be able to assist on our website: [Find a Lawyer | Liverpool Law Society](#)”

“Anyone who is looking to help refugees affected by this crisis with food, water, shelter, healthcare and protection, can donate via The Disasters Emergency Committee or the Help Ukraine Emergency Appeal organised by the Association of Ukrainians in Great Britain:

[Ukraine Humanitarian Appeal | Disasters Emergency Committee \(dec.org.uk\)](#)

[Fundraiser for Association of Ukrainians in Great Britain \(AUGB\) by Anna Dezyk : Help Ukraine Emergency Appeal \(gofundme.com\)](#)”

2 March 2022

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Joint V Meeting

One of Liverpool Law Society's privileges as a major provincial Society is to be part of the five-strong group along with Birmingham, Bristol, Leeds and Manchester Law Societies. This gives Liverpool a higher profile at Chancery Lane and regular opportunities to share experiences and knowledge with our fellow Officers and respective senior staff.

This year's first quarterly meeting was hosted by Leeds Law Society on 02 March, chaired by Catherine Woodward who currently is the Leeds President. Each Society takes it in turn to set the Agenda for that meeting. Each meeting starts with every participant Society giving a run-down of its activities since the last meeting. Clearly, post-lockdown activity in the administrative, social and training spheres has increased.

Liverpool's February survey of members concerning LLS's office accommodation came at a relevant time. The possible trend towards virtual offices was discussed, and other Societies are considering their current or eventual accommodation requirements. Our President, Steven Zdolny, shared LLS's thoughts and some headlines from the recent survey. Serviced offices and hiring of conference rooms were identified by the participants as distinct possibilities. This could be an area in which LLS blazes a trail.

Next on the agenda was a presentation by Lubna Shuja, national Vice President. Lubna referred to the new arrangements at Chancery Lane for communication with the societies in the regions, a hotly-contested topic in recent months. The war in Ukraine was not far from our minds, and the matter was raised about how some in our profession have been seen as too accommodating to Russian clients. Lubna highlighted how the Law Society had issued a statement condemning Russia's unlawful invasion.

An educational and development charity named Ahead Partnership was given a slot by Leeds LS. Its CEO, Stephanie Burras, explained to the meeting's participants how the organisation supports and helps disadvantaged individuals to develop. Next was an update from Matthew Tomlinson of the University of Law. Matthew spoke about the early experiences of students and lecturers in this initial year's SQE course, and about the first examinations conducted.

The Solicitors' Indemnity Fund's provisions for run-off cover have been an issue of great concern to many practitioners since the closure of the SIF was mooted. Linda Lee, a past national President, gave the clearest exposition which I have read or heard about the run-off cover's purpose and funding. Linda provided powerful arguments to support the Law Society's opposition to the SRA's proposal for closure, and we

await further developments.

Each JV meeting since I joined the LLS officer team has been via Zoom. This has meant that whilst I have enjoyed getting to know counterparts, I have not yet experienced genuine conversation together in a room and breaking bread with those individuals, so I was delighted to find that the next meeting is planned to be in-person.

Jeremy Myers

Deputy Vice President and Joint Hon Secretary

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



Ending homelessness in the Liverpool City Region for good

Homeless Reduction Act – Duty to refer



Sarah Poblete

What is this Duty?

The new Homeless Reduction Act 2017 came into effect in April 2018. The Act significantly reformed homeless legislation by placing a duty on local housing authorities to intervene at an early stage to prevent homelessness in their area.

Additionally, the Act introduced a duty on specified public authorities to refer service users who they think may be homeless or threatened with

homelessness to local Housing Option Teams. This duty is effective from the 1st October 2018.

The duty to refer will help to ensure that local services work together effectively to prevent homelessness by ensuring that peoples' housing needs are considered when they come into contact with public bodies. It provides an opportunity to further strengthen existing partnerships between Wirral Council and other public bodies by providing integrated services focused towards early intervention and homeless prevention

For further reading, see:

- Wirral Council Duty to refer Quick Facts: <https://www.wirral.gov.uk/sites/default/files/all/Housing/Homeless%20Reduction%20Act%20-%20Duty%20to%20Refer%20-%20factsheet%202018.pdf>
- Crisis resource for practitioners page: <https://www.crisis.org.uk/endinghomelessness/resources-for-practitioners/>

Below are some useful links and resources, we would encourage you to look at them.

Crisis Knowledge Hub: <https://www.crisis.org.uk/ending-homelessness/homelessnessknowledge-hub/>

- Homeless Link Research: Our current research | Homeless Link • Liverpool City Region: <https://www.liverpoolcityregion-ca.gov.uk/what-wedo/homelessness/>
- Liverpool Council: <https://liverpool.gov.uk/housing/homeless-or-at-risk/>
- Homeless Link, explore the data: <https://www.homeless.org.uk/facts/homelessness-in-numbers/health-needs-audit-explore-data>
- St Mungos The Dangers of Sleeping Rough: https://www.mungos.org/app/uploads/2017/12/Nowhere_safe_to_stay.pdf
- Street Link Information: <https://www.streetlink.org.uk/>
- NHAS fact sheets: <https://nhas.org.uk/factsheets> & <https://nhas.org.uk/who-we-are>
- National Debt Online Homelessness Fact Sheet: <https://www.nationaldebtline.org/EW/factsheets/PDFs/homelessness.pdf>

Sarah Poblete

CEO and Homelessness Ambassador for Liverpool Law Society

SAVE THE DATE

10 NOV 2022



Law firm Hill Dickinson revealed as headline sponsor for Merseyside Women of the Year Awards 2022

Nominations for 2022 awards officially open following two-year hiatus.

Liverpool headquartered law firm Hill Dickinson has been revealed as the new headline sponsor for the Merseyside Women of the Year Awards (MWOTY) 2022, with nominations for this year's ceremony now officially open.

Hill Dickinson is a full service international law firm specialising in all aspects of commercial law across a wide range of industry sectors. The firm has offices in mainland Europe, Asia and across the UK, including in St Paul's Square in Liverpool City Centre. The MWOTY awards, a much-loved celebration of exceptional women from across the region, will return to the Crowne Plaza in Liverpool City Centre on Friday 1 July, following a two-year hiatus due to the Covid-19 pandemic.

Renowned for shining a spotlight on those women who do not seek the limelight or push themselves to the front, but instead work to make a difference to the people, sectors and communities they serve, the awards have grown in popularity and impact since Founding Director and inaugural 'Woman of the Year', **Ellie Kerr**, took over their organisation in 2010.

Ellie said: "We have waited a long time to come back together and this year's awards are set to be the most eagerly-anticipated and spectacular yet. Over the past two years we have seen some truly incredible women doing amazing work to support their communities, keep businesses afloat and people employed through unprecedented times of difficulty - these awards will be when we honour them.

"It will also be an opportunity to celebrate our own missed milestones, such as our 10th anniversary, which passed in 2020. We are absolutely overjoyed and proud to welcome Hill Dickinson as our headline sponsor for this very special year.

"The firm's commitment to diversity

and inclusion, in particular its work to improve gender balance in the workplace, improving access to the legal profession for people of all backgrounds and ages, and facilitating a safe and inclusive environment that provides opportunities for all is incredibly aligned with our values."

Speaking on behalf of Hill Dickinson, partner **Kerstie Skeaping** said: "The Merseyside Women of the Year Awards celebrate the tremendous achievements and positive difference that women make in business and their local communities.

"As a leading law firm employing 850 people, we are committed to being an inclusive employer that women – and men – want to work for, and our recent Returners Campaign is very closely aligned with the sentiment of these awards – that women in business can help achieve greatness.

"These awards have earned their place as one of the highlights of the awards calendar and we are proud to lend our name to them as headline sponsor."

Nominations for the annual independent awards ceremony are now open, with a range of categories including Arts & Culture, Business Leader, Community Change, Entrepreneur, Inspirational, Social Impact, Women's Group, Business Start-Up, Women Making a Difference, Rising Star and Young Female Apprentice.

The overall Merseyside Woman of the Year 2022 will be selected from all finalists, following a public vote (contributing 50% of the overall score) and being marked by the organisation's judging panel against its criteria, which can be viewed [here](#), contributing the remaining 50% of the final score.

The coveted top prize will be presented by headline sponsor Hill Dickinson.

Category sponsors so far for 2022 include Community Foundation for Merseyside, Courage & Sparkle, Everton FC and Financial Planning Corporation, with opportunities to sponsor categories still available.

The final deadline for nominations is Sunday 24 April. You can nominate online or via email. If you find it difficult to nominate in this way due to disability or other reason, please contact us at nominations@merseysidewomenoftheyear.co.uk or call 07966 308 405.

To nominate, book tickets, learn about category sponsorship or find out more, visit: <https://merseysidewomenoftheyear.co.uk/>

About Merseyside Women of the Year (MWOTY) Awards

The Merseyside Women of the Year awards is an annual event celebrating the achievements of women from across the region, acknowledging and rewarding the business leaders, entrepreneurs, community activists and all-round superstars who are changing and giving extra meaning to the lives of people from Merseyside and beyond.

As well as celebrating women and their achievements, the event aims to leave a legacy of amazing role models to inspire and support future generations of women in Merseyside and the Liverpool City Region.

Ellie Kerr is now the sole founding director, taking forward the 18-year legacy of MWOTY after being its first winner in 2003 and taking over the organisation of the awards in 2010. The MWOTY Awards exist to celebrate the achievements of all women and entries are open to anyone who identifies as a woman or non-binary.

For more information, visit: <https://merseysidewomenoftheyear.co.uk/>



Celebration for new entrants to the legal profession

Wednesday 15th June 2022 at 5.30pm for 6.00pm

Hard Days Night Hotel

Liverpool Law Society's directors would like to invite Newly Qualified Solicitors, Barristers and Fellows from CILEx from the Liverpool City Region and surrounding area who qualified during 2020 & 2021 to celebrate the launch of their career in the legal profession.

What's included?

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All those qualifying will be presented with a certificate of congratulations from

**His Honour Judge Parker QC,
Designated Family Judge for Merseyside & Cheshire**

Members of the Merseyside JLD are also invited to come along to network with senior members of Liverpool Law Society.

This event is free to attend but you must book your place.

[More Info](#)

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Liverpool law firm Astraea Linskills secures apology from Google to MP at the High Court



James Roochove

James Roochove from Liverpool based Law firm Astraea Linskills has secured a High Court apology from Google on behalf of their client Lee Anderson, MP for Ashfield.

Google Ireland Limited (“Google”) today issued a formal apology in the High Court to Lee Anderson the MP for Ashfield, his family and his constituents for an advert displayed on its AdSense platform.

Mr Anderson became aware through a colleague in Parliament that an advert was appearing on the Guido Fawkes website that linked to a fringe campaign group which featured a picture of Mr Anderson next to the headline ‘MP Office protect paedophile’. Mr Anderson instructed Liverpool lawyers Astraea Linskills and Google has accepted that the advert was untrue and has apologised to Mr Anderson for the distress it has caused him and his family.

The apology came after Mr Anderson threatened to sue Google for defamation and a breach of data protection law.

Lee Anderson MP said after the Court hearing:

“I am pleased that Google has publicly apologised in Court and put an end to this

very difficult and distressing time for me and my family. I do however think it is a real shame that it has taken so long for this to happen and that I had to get lawyers involved and threaten Google with legal action to get here.

I remain concerned that Google’s services have been used by my desperate political opponents to smear my good name to thousands of people. I understand there are people who will sink to the lowest levels to undermine me and my work, but to see them being able to use a company like Google to amplify their bile to a massive audience is difficult to comprehend.

The regulation of internet advertising is a really important issue that needs further consideration in Parliament. Whether it’s defamatory adverts or bitcoin scams, we need to make it clear to the big Internet companies making millions in profits from advertising online that they are responsible for the content they choose to display.

I’m really glad Google decided to apologise and acknowledge its failings, but I’m an MP and that took many months and the involvement of specialist lawyers. My constituents and many others will not be in such a fortunate position, but they need to be protected.

Internet companies are happy to take money to display adverts, we need to make it clear they take full legal responsibility for the content of those adverts as well.

I would like to thank my legal team, James Roochove and Amanda Kearsley at the law firm Astraea Linskills and William Bennett QC and Felicity McMahon from 5RB chambers. They have been amazing and I would not have got this unprecedented apology in the High Court without them.”

The terms of settlement are confidential, but include the payment of Mr Anderson’s reasonable legal costs and a joint statement in open court, in which Google

accepted that the Ad was untrue, that it should not have been displayed as it did not comply with the Google Ads policies, and that Mr Anderson suffered distress. Google apologised for the distress caused to Mr Anderson, his family, and for any loss of confidence his constituents have suffered in him as a result of seeing the advert.

James Roochove, Director of Astraea Linskills, said :-

“It’s not every day that Google apologises to someone in the High Court or admits it got something wrong, but Lee Anderson is not a person who tends to back down, even when facing off against one of the world’s largest companies. This case touches on huge questions about internet advertising and I am sure it will focus minds in Parliament, not least as any MP could be the next politician on the receiving end of what happened to Lee.

The last thing our democracy needs is for false and defamatory adverts to be displayed to thousands of people online. It can give fringe groups access to huge audiences and taking legal action against those fringe groups can be an unedifying prospect.

Internet advertising companies need to do more. In my opinion, if it is crystal clear to these companies that they are legally responsible for each and every advert they decide to display it would be a very good start.

James Roochove,
Director, Astraea Linskills
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www.a-l.law

For further details please contact:
Carolyn Hughes – CHPR
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Lee Anderson MP and James Roochove outside the High Court



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In House Lawyer's Committee

The day-to-day life of the in house lawyer is infinitely varied, not to mention the career pathways that lead one to an in house role. The Law Society's most recent statistics tell us that 19.2% of male solicitors on the roll and 26.4% of female solicitors now work in house. Local government and the CPS account for a good proportion of these roles, with educational institutions, business and commerce of all kinds following. In house solicitors are expected to reach around 35% of those on the roll during the next few years.

Whatever kind of organisation we work for, an in house lawyer is uniquely close to their "client" and will often advise on a broad range of legal issues whilst having a deep understanding of the wider business. Flexibility and creativity are essential! A strong ethical dimension is needed as well, in order to properly and continuously navigate the line between employee and adviser. Working in a very

small team of lawyers, or perhaps even as the sole lawyer at an organisation, is a great opportunity for self-direction. However, this combined with the niche nature of the work we do can also mean it is easy to feel isolated.

It was with these features and challenges of in house work in mind that our former Law Society Director, Martyn Rodmell, set up the In-House Solicitors' committee in 2018. Beginning as a means of networking with solicitors in a similar role, it is increasingly focusing on discussing topics of general interest and professional value to in house lawyers. Those of us who are members have so far really benefited from the chance to meet other in house lawyers, exchange views and experiences and take some much-needed time out from busy schedules to focus on key issues for us.

I was honoured to take over the chair of this committee from Martyn when

he retired last year. One of my key aims is to expand our membership so that it reflects all the sectors in which in-house solicitors work. Legal practitioners of all levels of seniority are welcome – the more of us that meet, the greater the support and knowledge we can provide each other. Our meetings take place 4 times a year (currently online), starting with our first one which took place at 1pm on Thursday 24th February, via Zoom. It is just one hour from your day in which to focus on your own development and professional network along with colleagues working in similar roles.

Anyone interested in finding out more, or wishing to join our next meeting, is welcome to contact me r.stalker@ljmu.ac.uk

The date of the next meeting is 5th May 2022 and will be face to face.

DLA Piper appoints new partner to UK Real Estate and Planning team



DLA Piper has strengthened its UK Real Estate and Planning team with the appointment of Sophie Stewart as a partner in its North West Office. She re-joins the firm from Brabners.

Sophie's practice spans the full range of development planning, infrastructure and highways work with a particular focus on compulsory purchase and regeneration work, where her clients are a mixture of public and private sector. Her clients, both public and private, operate in the Real Estate, Infrastructure Construction and Transport and Energy and Natural Resources sectors.

Sophie will be supporting the DLA Piper Planning team on the significant pipeline of work it is currently working on as well as helping to build business in this exciting and dynamic area.

Commenting on the appointment, North West Office Managing Partner, **Mark Beardwood**, said:

"We are delighted to have welcomed Sophie back to DLA Piper. Our Real Estate and Planning teams have been exceptionally busy for some time. Sophie will be a great addition to the team as we continue to build our Real Estate offering at both the global and regional level."

Sophie's appointment is yet another example of the firm's commitment to developing its global real estate offering, following on from a number of partner hires over the past 18 months.



Corporate partner Matt Noon to lead Hill Dickinson's Liverpool office



Matt Noon, partner and head of Corporate with Liverpool headquartered law firm Hill Dickinson, has been announced as Head of Office for Liverpool, a new position that will act as a focal point for local issues, communications and engagement

Hill Dickinson has grown its workforce by around 10% since 2019 and now employs 950 people across nine UK and international office locations, of which over 200 are partners and legal directors. The Liverpool office remains the firm's largest single office location, employing more than 400 people, including most administrative and non-client-facing support services for the firm worldwide.

Announcing the new appointment, Hill Dickinson CEO **Peter Jackson** said: *"Hill Dickinson is an international law firm that I'm proud to be able to say has a strong and unified culture across all offices and countries that we operate in. As we grow our offering and our workforce, we nevertheless recognise the importance of being responsive to local trading conditions and meeting the varying needs of our people and clients in different locations. Matt's appointment as head of office for Liverpool is designed to meet that need."*

Referencing the firm's 'people-first' focus, he added: *"We have always said that to preserve our culture as an employer of choice we need to listen to and bring our people along with us as we grow. Matt has been with Hill Dickinson for many years. He understands our vision and where we are headed, and what we need to do to get there. He is also well known to and trusted by his Liverpool colleagues, as well as those in our eight other offices, and externally to local professional organisations and to our clients."*

Matt Noon added:

"I feel proud to take on the role as head of office for Liverpool, particularly now as we return to office working in greater numbers and rebuild internal and professional networks. Liverpool is my home turf and, as a key employer, we are part of the city's thriving business community. Acting as the focal point for local issues and engagement will strengthen our team and in turn help ensure we continue to provide exceptional service to our clients."

Matt will be supported in the Liverpool office by deputies Joanne Hughes, partner in the firm's Health Litigation team, and Sarah Ainslie, head of delivery and change.

For further information please contact: Annette Parker, PR and Communications Manager, Hill Dickinson Email: annette.parker@hilledickinson.com Tel: +44 (0)151 600 8807

Double Celebrations for Merseyside Law Centre!



In the next few months we have a lot to celebrate at Merseyside Law Centre. We are relaunching our face to face free legal assistance and representation service in two new locations in Dovecot and we will also be celebrating our 5th Anniversary of becoming a Law Centre.

At the beginning of the pandemic we, alongside the rest of the world, had to suspend our face to face services and take them online and over the phone and we know that for many of our clients this proved to be very challenging due to limitations on access to technology and a lack of confidence in communicating over the phone or via e-mail. We know that a face to face service is always the best way to deliver our service and are delighted to announce that we are officially bringing back this service in two fantastic locations in Dovecot. Sessions will be held in The Big Help Project- The Drive and also at Dovecot Multi Activity Centre. We have also taken on a new Triage Co-Ordinator, kindly funded by The Steve Morgan Foundation, who will be a great new

asset to the team. Their role will be to re-establish and deliver essential legal advice and support in the community. This will be a significant boost to the wellbeing of this community, we have been informed countless times about how much face-to-face services have been so missed. We hope to host a launch event for these services next month and cannot wait to resume serving our community face to face again.

Steve Morgan
FOUNDATION

Next month will also mark our fifth anniversary of becoming a law centre and joining the Law Centre Network. Previously to this, we had been assisting the people of Liverpool with their benefit issues since the 1970s. We were formally established as Merseyside Welfare Rights in 1988 and became Merseyside Law Centre in 2017. Like us, Law Centres have existed since the early 1970s and they specialise in defending the legal rights of people in their community. Being in the community

and knowing the everyday issues that affect people allow law centres to deliver a specialist social welfare law service, helping people protect their homes and families. We feel honoured to be a part of this incredible network, working with the best in society and being a part of a collaborative effort to combat poverty and homelessness by providing free, accessible, confidential, quality advice and representation. Our Communications and Engagement officer Sophie Brown has recently been co-opted onto the LCN Executive Committee Group and looks forward to being involved in shaping the future of the Law Centre Network, developing services and bringing a national focus to the services we offer, the services that are increasingly needed.

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

E: enquiries@merseysidelawcentre.co.uk
Twitter: @MerseyLawCentre
Facebook: Merseyside Law Centre



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. #accesstojustice

Slowly getting back to normal

Vauxhall Community Law & Information Centre is slowly returning to “normal” working following the Pandemic restrictions and has begun to open 5 days a week, most weeks for appointments with clients.

Although it is good to see each other after such a long time, we still do have Covid Safe interview facilities



Volunteers Needed

Vauxhall Community Law & Information Centre relies on volunteers for our very existence. We value and support our volunteers, who contribute in so many different ways. Volunteers are embedded in our organisation, all of our Board members are volunteers, most of our staff started their involvement with the Law Centre as volunteers. We are using this page to encourage people reading this article to consider volunteering with us.

Our office is a great place to work, even if you can only come in very occasionally, we appreciate all help given.

Steve Morgan Foundation

The Steve Morgan Foundation has been a funder of Vauxhall Community Law & Information Centre for over 5 years now and initially supported the Law Centre through a really difficult period, ensuring our survival when Law Centres were closing all over the UK. It was great to be invited to their 20th Birthday Celebrations. Happy Birthday and Thank you to all at the Steve Morgan Foundation your help is truly appreciated.

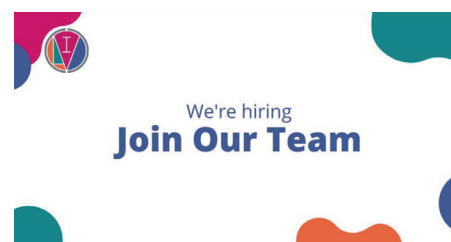


Vauxhall Community Law & Information Centre -Solidarity with Refugees

On Monday 21st March 2022, Vauxhall Community Law & Information Centre, working in Partnership with Asylum Link Merseyside, Refugee Women Connect and Sahir House held an event at St Brides Church in Liverpool and had a number of speakers and artwork displays. The event was well attended and Vauxhall Law Centre Staff Elly Smith, Alice Coles and Siobhan Taylor all played an active role in the event organisation



Steve Morgan Foundation 20th Anniversary Celebration.



Welfare Rights and Advice Caseworkers (x2)

We are delighted to be able to offer these positions which will provide vital support to our existing advice services.

We are based in Vauxhall, Liverpool. Please read the below information to find out more about this position and how to apply. Please download a copy of the job description and person specification below.
<https://www.vauxhalllawcentre.org.uk/vacancies>

Job title: Welfare Rights and Advice Caseworker (x2)

Hours: 35 hours per week

Salary: LA PayScale 5/6 £22,183 - £26,511 p.a. +5% Pension Contribution

Closing date for applications: 4th April 2022 5pm.

How your firm can be more compliant, efficient, and improve thousands of lives!

COVID-19 has proven the longstanding concerns of the legal community to be true.

Insufficient investment has created a fragile, inconsistent level of free legal advice provision nationwide. Frontline charities are handling increasing calls for immediate assistance despite dwindling resources.

Advice deserts are causing people to fall through the cracks, losing their homes, health, families, and livelihoods, often because they cannot access the right support early enough.

Rising energy and interest rates herald further difficulties, with many facing the heating or eating dilemma, few can afford paid for legal advice.

However, access to legal support at the earliest possible stage, is proven to prevent the development and/or escalation of social welfare issues, such as homelessness, unemployment, family breakdown, debt, and poverty.

Your law firm can be part of the solution by supporting the Access to Justice Foundation (the Foundation). The Foundation is the UK's only national charity solely focused on making and strategically allocating essential grants to free legal advice charities who rescue the most vulnerable in your community from crisis.

The Foundation's grantees include Liverpool-based advice agencies, such as Merseyside and Vauxhall Law Centres. **Alex from Vauxhall Law Centre** said: *"I'm really grateful for the funding from the Access to Justice Foundation because it's really helping us in the work we do. We had someone come in, and helped him resolve issues around his PIP, helped with his council tax, as well as his mortgage arrears and some debt advice as well, so it's fantastic!"*

The Foundation has one request, when reviewing client account balance ledgers and residual client balances are found which, despite your reasonable efforts, cannot be returned to a client, we ask you to donate them to us.

SRA Account Rules allow these donations and clearing balances to prevent holding them for longer than necessary meets compliance requirements.

Importantly, an SRA approved indemnity is available for donations, making your donation risk free. We will put the funds to active use and, should a client later be traced, the indemnified donations can be returned to your firm. People without financial means, deserve to be heard, exercise their rights and challenge discrimination. Your support could help ensure those in Liverpool facing the most challenging times, can access the support they most need to do just this.

With your help, the Foundation will raise and distribute urgent funds required to cover the provision of sustainable free legal advice services UK-wide.

To find out more, please contact **Lynne Squires** on **020 4522 8414** or lynnesquires@atjf.org.uk, or complete our call back request form.

Donating your unclaimed residual client account balances could improve thousands of lives by helping us fund free legal advice charities.

Your support would:

Help someone stay in work



Help a family keep their home



Help a person afford to live with dignity



#NoSmallChange

THE
ACCESS
TO JUSTICE
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Among the many elements we offer are:

- Breakfast club (from 7.30am)
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- Holiday club

Alongside academic excellence, our pupils benefit from specialist teachers and facilities (Science Lab, Library bus, Astro Pitch, Tennis Courts, vast outdoor play area).

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EMAIL: enquiries@belvedereprep.com

*'The quality of the pupil's
academic and other
achievements is EXCELLENT'*
ISI inspectorate Report 2019



23 Belvidere Road, Princes Park, Aigburth, Liverpool L8 3TF

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.



Many of us still remember the sleepless nights that followed the 2013 decision in *Mitchell v News Group Newspapers Ltd* [2013] EWCA Civ 1537. This was the unforgettable moment when MP, Mr Mitchell's claim against the Sun newspaper was made subject to a costs order limited to court fees only following the late filing of the costs budget and the impact of CPR 3.14 –

Unless the court otherwise orders, any party which fails to file a budget despite being required to do so will be treated as having filed a budget comprising only the applicable court fees.

There then followed a period of terror (!) when cases were struck out for minor breaches of directions and applications for relief from sanctions were routinely refused. The world then settled down a bit following *Denton v TH White* [2014] EWCA Civ 906. Denton established the now familiar 3-fold test –

1. Was the breach serious and significant?
2. What was the reason for the breach?
3. Consideration of 'all the circumstances of the case'.

Denton led to a collective sigh of relief.

But the importance of compliance did not go away. We have seen a timely and important reminder in the case of *John Fiddler v Dreams Ltd* reported on the Farrar's Building website at - <https://www.farrarsbuilding.co.uk/claimant-files-serves-precedent-h-one-day-late-in-900000-claim-relief-refused-and-claimants-costs-limited-to-court-fees-only/>

This was a personal injury claim arising out of an accident at work. It was initially said to be valued at less than £25k. The claim for special damages was far from clear and there were eventually two unless orders requiring the claimant to produce a proper schedule of losses and also to pay the right fee. The

Schedule of losses exceeded £880k. The case was listed for a CCMC. The claimant served his Precedent H a day late. There was no application for relief from sanctions ahead of the CCMC despite reminders from the defendant. Directions were given and the claimant's costs were limited to court fees only.

About a week later the claimant finally applied for relief from sanctions. The solicitors argued that the breach was not serious or significant. Their reason was that the breach was caused by a misunderstanding of the rules. Not surprisingly, these arguments fell on stony ground. On the basis of Denton test 3 the application was doomed to failure as the application for relief was submitted after much delay by a party who had already been subject to 2 unless orders.

This case is unusual in that there were a series of failures. But the lesson is clear.

CPR 3.14 is a draconian sanction. It hasn't gone away.

But if you do find yourself missing a deadline, apply for relief right away! We have many firms with budgets and will happily assist. But the familiar advice applies – do not leave it until the last minute!

Don't forget that the Small Claims Track Limit will have gone up by the time you are reading this update. This seems to have crept up on many while the profession has been focussed on the far more dramatic whiplash 'reforms'.

The increase came into effect on 6th April 2022 is broadly in line with inflation. The level has in fact been fixed at £1000 for many years. An increase based on inflation alone would have given a figure of about £2000. Indeed, this was the level that was originally proposed by the Ministry of Justice. It was then reduced to £1500. Most commentators agree that this is in fact not unreasonable especially as we have had the lower figure for so many years.

We think that this will do little to stem the flow of practitioners and firms exiting this sector which has ceased to be viable for most. While we are on the subject of Small Claims, the much publicised Official Injury Claims Portal (OIC). This was heralded as a resource to enable litigants in person to negotiate the maze of pursuing their own claims via a clear and simple gateway. The opposite seems to be the case. Initial figures suggest that fewer than 10% of users are in fact litigants in person! Which would rather seem to defeat the object. Indeed, one effect of this is reduction in the overall number of claims being submitted. Some would suggest that this was the intention all along. Time will tell...



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 Philip Nam, Vice Chair, Chartered Institute of Legal Executives (Liverpool)

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

Merseyside Junior Lawyers Division

An Interview with Dr Catriona Wolfenden – Product and Innovation Director at Weightmans



Dr Catriona Wolfenden

Innovation and legal technology are quickly becoming the ‘in’ thing within law, with large and small firms alike pushing boundaries to use new technologies and thinking to improve how lawyers work. Not only that, but the area is a particular focus in interviews and at assessment days. The MJLD interviews Dr Catriona Wolfenden (Product and Innovation Director at Weightmans) in which she talks about her journey in that role

and provides some useful advice for the junior members of the profession.

So firstly, would you mind talking through your background and your journey to the role you are in today?

So, I am probably a pretty good example of a squiggly career. I did a law degree and a PHD and was determined to be a barrister. I completed the bar course, but I struggled to get a pupillage

after getting to the final few candidates numerous times. By this time, I was engaged to somebody who had obtained a pupillage in the north west, so this limited my geographical area. I started at Weightmans 14 ½ years ago on a 6-month temporary contract that I renewed every month for 5 years! I’m now sat here 14 ½ years later still here. I was in the last group of people who could cross qualify by sitting a couple of exams to qualify. I did some costs work and was a team leader, but I think it’s fair to say that my heart was never quite in being a solicitor. I was then given the opportunity to move over to knowledge management, which was much more my style, giving advice and looking at the big picture rather than the day-to-day stuff. From that, I started doing some innovation work alongside knowledge management and I was appointed innovation manager about 4 years ago. I was then able to start building a team off the back of leadings projects and working with clients. I was made a partner in 2019 and have just been promoted to Director of Product and Innovation. None of this was planned and I am, in a job that didn’t exist when I started my career, and I wouldn’t have thought I would be where I am now. I’ve just taken the opportunities that have come my way.

That’s really interesting. Myself, I had no idea that I wanted to be a solicitor or anything like that, so it is weird how things pan out. For those who don’t know, what is innovation and what role does it play within a law firm?

Innovation is looking at the services that we offer to our clients and imagining them in different ways perhaps to be quicker, self-serve or more efficient. It’s not always about tech, but technology is quite often involved. It is looking at the

people, processes and technology and combining them in light of client needs. It's about looking at ways to do things differently. For example, does a lawyer have to sit there and read through hundreds of pages of a lease or is there a piece of technology that can help them, which will in turn free up the time of the lawyer to do the things that they are trained and paid to do, such as giving advice and speaking to clients? Technology is great for doing some of the heavy lifting and mundane tasks of being a solicitor. We want to excite clients and wow our clients so we look to offer services and solve problems that they may not even know they had. We want to be a trusted business advisor by reimagining the way they do things.

So, what does a standard day for yourself or one of your legal engineers look like?

There is not really a typical day, which if you have been a solicitor or worked on the day-to-day legal work, takes some time getting used to! Each day can be very varied depending on whether we are doing tenders, having client meetings, or building tech and problem solving. It is a lot more collaborative than the traditional role of a solicitor as there is lots of involvement with numerous legal and business service teams and clients. We work with the IT teams and our risk and compliance team to overcome various hurdles. A lot of it is listening to people and finding out what their problems are, working out what the cause of the problem is and trying to join up people or clients with similar problems. So rather than working in silos, only listening to ourselves and nobody else, we try and join up where there are similar problems to be solved and we try and work on those things together.

As you know, I sit on the junior lawyer committee in Merseyside, so I'm trying to come at this from a perspective of someone who is quite new to the profession or someone trying to start a career in law. What would you say that those individuals need to know about innovation, and do you have any advice

on how they can embrace the area and help them in their development moving forwards?

Yeah, so innovation has almost become the new commercial awareness question in interviews, and it is pervasive across law firms of various sizes, so it is not just at the larger firms like Weightmans.

The biggest lesson I've learnt is to take opportunities and to not be afraid of things going wrong. I think that's very difficult if you have been to university or are going down the apprenticeship route and you are used to not failing and you are used to everything working out in a prescribed manner. Innovation is all about trying out things and seeing if they work and actually if you are doing innovation correctly, not everything should work out as it wouldn't be innovation if they did! A lot of it is about being curious about the legal world around you, so not just thinking there is only one answer to this question. It is thinking a little more holistically about how we deliver services or how our clients want to receive services. It is trying to use technology where things are scalable or repeatable. It's not being afraid to speak to other people in law firms who do these kind of weird and wacky roles. A lot of firms are getting these kinds of roles and the people in them have got a lot of varied backgrounds and are always happy to share what their day and job looks like.

I think for the younger generation coming through, you're going to be the generation where the business services aspect of law and actual law is much more joined up.

I think you will start to be involved in projects with teams such as mine and others in business services in the kind of way that 10-15 years ago wouldn't happen. We're not asking you to do code or anything like that, but I think it's being able to see different perspectives

and being able to speak and collaborate with people to join it up. So rather than thinking "I'm a lawyer and the answer has to be law" thinking "well maybe someone in data services, business change or innovation could come at that issue from another angle." It's about getting comfortable with that ability to recognise the skills of people from those areas around the firms and knowing how to use them at the right time.

So, if you get the chance, I'd encourage you or any other junior lawyer to get involved with innovation, change or data projects within a firm. People are always keen for others to get involved in testing and piloting new processes and technology and to be involved in discussions. If you ever encounter a problem and think to yourself that there must be a better way of doing something, there usually is. It is about knowing how to escalate those issues to the right people to be able to get them solved.

That's a big part of what your team does, isn't it? It's bridging the gap between the legal day to day stuff with everything else.

Yep – a lot of facilitating discussions. We have people in the team who have case handling experience and have done the day-to-day stuff, but equally we also have people who have science degrees, so they look at things with a completely different mindset. It's that mix of skills which is really important. We have the O shaped lawyer now (very well-rounded lawyers with lots of skills in different areas), after having the I and T shaped lawyer. Clients are expecting lawyers to fit this new model, so from purely selfish reasons, this is how a young cohort is going to get on and progress in your careers. Having lots of different skills in lots of different areas is extremely useful and this will make the next stages of your careers a lot easier.

We see in the legal news now that a lot of firms are offering training contracts specifically in legal technology and innovation, or firms such as ourselves

An Interview with Dr Catriona Wolfenden continued...

(Weightmans) who place traditional trainees and apprentices in a seat within a team such as yours. What is it you think about this and would you recommend a trainee to seek out a placement in such a team?

I think they are a really good way of learning about the business of a law firm. All of the things that you know exist but as a trainee or apprentice you won't know much about, such as tenders, process reengineering and building client facing tech. I think that as you are going to be moving around seats and working in different teams, having that bit of knowledge will be really useful as you progress around the firm. We get people in for 6 months and part of the initial process is getting people used to the fact that there is no time recording and it is okay to fail, so it is much different to a traditional seat. We then get them involved and having a go with the tools and technologies that are in development, problem solving with clients and process mapping and all of that kind of stuff. The seat gives trainees and apprentices really good exposure to other people in the firm who you never know are going to be useful to you in the future across various teams – it is great for expanding your networks. We often deal with senior stakeholders such as partners, so getting your name out with them and networking is very valuable, which would not always be possible sitting in a traditional seat.

Where do you see the next steps coming in the area?

Innovation is a really broad area and is totally driven by client demands. Clients want services quicker, cheaper and faster or new services so we are always working on achieving this and upskilling our colleagues, so they are comfortable talking to clients about this. This is why we have recently launched the WiFi, our innovation academy (Weightmans Institute for Future Innovation) because you are

keen to learn, used to learning and having technology and innovation thrown at you at this stage. It is something we are keen to capture and keen to promote an innovative mindset from the start. We are keen for ideas to come from all areas and levels of the business and hope to see more ideas from the junior end and more willingness to take part, and for that to be seen as a valuable experience rather than doing a traditional legal seat.

Regarding the WiFi initiative, which is an innovation academy at Weightmans. Do you want to talk about that a little bit?

We've wanted for a while to have a rolling innovation programme for trainees, apprentices, paralegals and people from across the business such as in marketing, finance, and client relationships.

It is about upskilling everybody in a little bit of what we do, and this runs alongside your normal day to day job with bite sized webinars to watch at your own leisure. The crucial bit within innovation is to get people together, which is why we will be getting participants together every fortnight to discuss and collaborate, bouncing ideas off each other WiFi aims to equip participants with project management and explores a different theme. We are also running workshops at the end of each quarter to allow people to put into practice what they have learnt over the period. All this is geared towards networking, trying new things, problem solving and dealing with failure. Hopefully when moving around the firm in the future, you will be able to demonstrate these skills and impart that knowledge within the team. It is to give everybody that baseline language

and fluency in all things innovation. We don't want to lecture people, so we hope this is a more interactive way of learning.

That's really interesting. I'm taking part and I'm looking forward to getting stuck in and seeing how things go. I think you've generally covered it before, but as a final question, do you have any final words of advice?

When I started, no one would have imagined that there would be a role of a product and innovation director that a lawyer would have. I think it is important not be steadfast in what you want to do when you enter the profession and to have an open mind.

My advice would be to embrace and enjoy the opportunities that may come your way, as you never know where you will end up.

Thank you Catriona!



Matthew Chorley – Solicitor Apprentice at Weightmans LLP – was speaking with **Catriona Wolfenden**, Innovation Director at Weightmans LLP.

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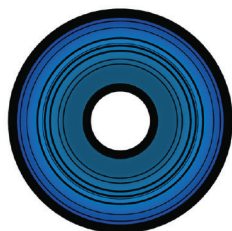
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- People fleeing debt for another reason.

Alternatively, people may need to be traced because money is owed to them. These can be:

- Freeholders whose leaseholders wish to purchase the freehold;
- Missing beneficiaries of estates, both testate and intestate;
- Heirs to unclaimed assets;
- People who have had their homes repossessed or compulsorily purchased.

Or, people may need to be traced because they simply need to sign paperwork. This is most commonly found in the conveyancing sector.

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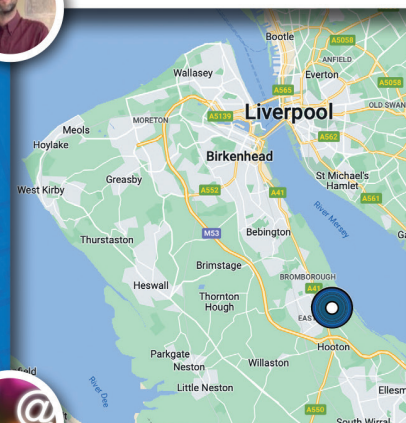
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- Tracing biological parents of adoptees and foundlings.



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Are laboratory cut off levels relevant in hair strand testing in a child protection arena?



Paul Hunter – Technical Director, FTS

In the context of Hair Strand and Nail testing, a cut-off is a level or threshold that is applied to test results by general testing laboratories to simplify reporting and interpretation of test results. Cut-offs are used to divide results into two categories; 'Positive' and 'Negative' or sometimes described by the laboratory as 'Positive' and 'Not Detected'.

When used in legal proceedings, this method of reporting can be very misleading in a significant proportion of cases. This is because a 'Positive' result does not mean it is more likely than not drugs have been used, only that it was found in the sample. Furthermore, when results are reported as 'Negative' or 'Not Detected' this does not mean it is more likely than not drugs haven't been used, only that the drug is either at a lower level than the cut off or it wasn't in the sample. What also adds to the confusion when applying cut-offs to these results is that in a proportion of cases even very regular drug use does not always produce a 'Positive' result or any detectable drug at all.

Quite simply, when cut offs are used to interpret results of Hair Strand testing, the opinions produced on a case by case basis **cannot achieve** the burden of proof required in Family / Civil proceedings; **'balance of probabilities.'**

Why Can Cut Off Levels Be Problematic?

There are many factors that can impact on the presence, levels and profile of drugs in a hair sample and the use of cut offs does not take in to account all of these factors. These can be very common issues such as: hair bleach, permanent dye, straightening, certain shampoos and conditioners, hair style and grooming profile to name a few. The segmental profile of results is also a pivotal factor that influences interpretation in numerous cases - also ignored when applying cut-offs. In addition, and perhaps most surprisingly, factors such as the colour of somebody's hair has a significant impact on detection rates. So, for example having black hair can mean that you are more likely to lose custody of your child compared to having blonde or ginger hair. Ignoring this factor leads to discrimination on hair colour alone when using cut offs to report Hair Strand results. See findings of one of these studies below.

Experience has shown that test results for hair samples, taken in isolation and without a comprehensive

Codeine Concentrations

Black
1134.0



Brown
250.8



Blonde
119.6



Red
66.6



(pg/mg hair)

This study involved controlled administration of the opiate codeine to a group with a range of hair colours. All received the same dose at the same frequency over the same period.

Hair samples covering the period of administration were collected and tested. Results showed that those with black hair had ~10 times higher levels than those with blonde hair and over 15 times higher compared to ginger hair.

The SoHT cut off used to report opiates is 200 pg/mg. Therefore, those with brown/black hair are reported 'Positive', those with light or ginger hair reported Negative.

This is because Opiates (including heroin), Cocaine and many common drugs bind predominantly to the dark pigment in the hair.

Rollins, D. (2004) Role of Melanin in Drug Incorporation into Hair, Presentation, SOHT, Des Plaines, IL

investigation to establish the prevailing influencing factors, provides misleading interpretations in a significant proportion of cases.

FTS do not use cut offs to report results. However, if FTS applied the **SoHT Cut-offs** to results of ~4000 hair samples in cases previously tested by FTS, where drug use has been declared, or where the result profiles and history indicates drug use is very unlikely, depending on the cases in each group, it would have resulted in significant misreporting:

Up to 15% hair samples in cases ‘not’ using Heroin would be ‘**Positive**’

Up to 20% hair samples in cases ‘not’ using Cocaine would be ‘**Positive**’

Up to 20% hair samples from chronic Heroin users would be ‘**Negative**’

Up to 20% hair samples from chronic Cocaine users would be ‘**Negative**’

Up to 60% hair samples from chronic Cannabis users would be ‘**Negative**’

‘The use of cut off’s does not take the numerous influencing factors into account, which means that statistically a person with dark hair using drugs is more likely to lose custody or contact with their child when compared a person with blonde or ginger hair using the same drugs at the same frequency. These cut offs were designed and are suitable for routine commercial, clinical and epidemiological testing, but should have no place in a family court where any findings must meet the appropriate burden of proof; balance of probabilities. In order to achieve this standard a detailed investigation of all influencing factors with appropriate associated data is required before reliable opinions can be made.’

Paul Hunter – Technical Director, FTS

The requirement for this approach is exemplified in the judgment of Justice Jackson – Re H (A child – Hair Strand Testing) [2017] EWFC 641. In this case Justice Jackson considers the accuracy of hair strand testing for cocaine use

and the validity of reporting results below industry accepted cut-offs was questioned and it was concluded by Justice Jackson at Paragraph 47: *“Having considered the evidence in this case, I arrive at the same conclusion as Hayden J in Re R, where (at paragraph 50) he preferred “a real engagement with the actual findings” to “a strong insistence on a ‘clear line’ principle of interpretation”*

“It would be artificial to require valid data to be struck from the record because it falls below a cut-off level when it may be significant in the context of other findings. That would elevate useful guidelines into iron rules and, as Dr McKinnon says, increase the number of false negative reports.”

And at Paragraph 59, point (2) *‘Reporting of data below the cut-off range:’*

“I would suggest that reports record all findings, . . .”

Obituary: Martin Burr Unsworth

It is with sadness that the Directors of Maxwell Hodge announce the death of their very dear former colleague – Martin Burr Unsworth – on 2nd March 2022 – following a short illness.

Martin started working for Maxwell Entwistle and Byrne (now Maxwell Hodge) in its Liverpool city centre office at the age of 17 years, in 1963, as an apprentice. He worked and studied until he qualified as a solicitor, subsequently rising to the position of senior partner.

During that time, Martin became a locally well respected member of the legal profession, specialising in litigation. A considered, intelligent, and thoughtful person, who refused to allow the opposition to goad him, he was able to successfully represent many, many Claimants during his career, in all sorts of

interesting and challenging cases, whilst also defending claims, on the panel for the insurers – Frizzells.

Martin was considered by his peers, and those who worked for him, as a gentleman, ready to help where he could. Those who knew him describe him as approachable, kind, friendly, and always interested in those he spoke to. Martin was a mentor to many Solicitors and colleagues and would often spot potential in someone and work hard to advance them in their careers. Martin retired from Maxwell Hodge in 2012.

Our thoughts are with Martin’s family and friends at this time, particularly his wife – Beryl – his children – Michael and Helen – their partners Sally and John and Martin and Beryl’s grandchildren – Leo and Alice.



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

Building a greener city



Julie Johnson

The living wall installed at Liverpool ONE this Spring is the second to be built in Liverpool city centre in as many years. 27 metres long and two metres high, it joins the 65 metres living green wall at St Johns Shopping Centre, which is one of the longest in the UK.

The living wall at St Johns is part of a five-year Urban GreenUP project working with local stakeholders including Liverpool City Council, Mersey Forest with the support of Community Forest Trust, Liverpool BID Company, and the University of Liverpool, as well as other cities across the world.

Green infrastructure, like living walls, are just one way cities can increase green space in urban areas, improving air quality and supporting health and wellbeing. At Liverpool BID Company, part of our focus on sustainability and community is examining ways in which we can help to make the city greener, but also to support businesses in the city in helping them to explore ways in which they can do the same.

At the COP26 conference in Glasgow last November, much of the attention was given to how countries and their inhabitants can increase their green footprint. At the urban level, cities like Liverpool are impacted by factors like population growth, increased pollution, the reduction of resources. In 2019, Liverpool city region joined local authorities in declaring a carbon emergency and pledging to achieve net zero carbon emissions by 2040.

Projects like living walls are not merely decoration. At St Johns, the wall is filled with over 14,000 evergreen plants to encourage bees and other pollinators. As a visible greening up project, it also raises the profile of city centre sustainability. Raising the awareness of how cities can be built differently to focus on green design, reducing the carbon emissions and impact the climate of both build and buildings is crucial.

Connectivity is a vital ingredient in this conversation.

How we travel around a city drastically impacts its air quality. Encouraging and making greener forms of travel easier to adopt is something that needs both investment and endeavour. The work along The Strand has widened pathways, improving both pedestrian access and safety, it encourages cycling, connecting the routes from South Liverpool and the River Mersey to Ten Streets at the North Docks. For those travelling into work in Liverpool city centre and the Commercial District it makes it easier to choose a more sustainable method of transport.

Like all cities, Liverpool could do more. Investing in open spaces and natural areas, encouraging the development of urban woodlands and sustainable drainage systems can help upgrade both our city and its streets. For businesses, embracing greener planning and design, like green walls and roofs, can help improve sustainability in tightly packed urban areas. It is also a simple way to upgrade an historic building, and our built environment in Liverpool is filled with beautifully designed heritage buildings.

At a business level, sustainability helps to examine how long-term value can be created. A recent survey stated 91% of UK SMEs see sustainability as an important strategic consideration, 45% said the pandemic has made them consider its place in business. The ecological, social and economic environment we all operate in can become a factor in how we plan for the future. Improving processes, saving energy and empowering employees to embrace a sustainable agenda can help to make a business more successful and attractive.

Increasing costs for business can impact on operations, but by examining energy waste, for example, can help to cut bills and spend while also improving sustainability. Working along the supply chain, integrating sustainability into strategic planning can help a business to address the need for change and improve both process and budgets.

The green industrial revolution could see increased investment in the green economy. Low-carbon technology investment, from maritime to retail, can help to transform how businesses operate as well as seeing business lead the way in reducing carbon emissions and embracing a sustainable strategy.

Julie Johnson,
Liverpool BID Company

Weightmans partnered with Everton in the Community

Award-winning law firm, Weightmans, has partnered with Everton in the Community to bring a new and exciting education programme for young children in L4.



Weightmans, who now become an official partner of Everton in the Community, will work together with the charity to launch a pilot programme which will work with young children - from birth to primary school age - to help bridge the education gap exacerbated by the COVID-19 outbreak. Data suggests that children presenting at nursery provision in a number of areas in Liverpool are below their key milestone expectation levels due to the lack of stimulation during lockdown.

The nurture project will tackle education inequality with its delivery focusing on confidence, experience through physical, outdoor and technology learning, as well as skills and knowledge through movement and literacy.

Weightmans has made a generous £15,000 donation towards the project which will also include naming rights to a purpose-built nurture room, within the Goodison Campus. The nurture room will provide aspirational and motivational toys to learn through play.

Weightmans has also committed to providing support through mentoring, volunteering and skills sharing.

On Weightmans' support of the project, **Peter Forshaw**, CSR Partner said: "We are a large employer in Liverpool and we feel it's important to give back to the community we operate in. We have a strong community engagement ethos and encourage all of our people to become involved in volunteering and charity work."

"We believe strongly in the wealth of local talent and nurturing that and these values align perfectly to the work Everton in the Community delivers in our region."

In addition, Weightmans has kindly offered its services pro-bono in support of The Goodison Legacy project – the reimagined community project based at Goodison Park after the Club has moved to a new 52,888 capacity stadium at Bramley-Moore Dock.

Lesley Beattie, EitC Director of Development said: "It's great to have the support of a leading Liverpool based organisation who mirror our commitment to the local community and are passionate to make education accessible to all with focus on providing life changing opportunities for young people. Their support will leave a lasting legacy across the LCR."



Charity Spotlight: Fishingthemind

What is Fishingthemind?

Fishingthemind was founded in March 2021 by Mark Myers. It is a community interest group supporting mental health and well-being, they do this through the power of fishing with organised social meet ups in local parks and fisheries. Equipment and bait is supplied free of charge for people to use.

The aim of Fishingthemind

Around one in five (21%) of adults aged 16 years and over in the UK experience some form of depression (indicated by moderate to severe depressive symptoms). The aim of Fishingthemind is to bring about change with their social meet ups.

How are they funded?

Fishingthemind does not receive funding from the health service, local government or any official body. Instead, Fishingthemind depends entirely on donations, sales from Fishingthemind t-shirts, hoodies, hats, appeals and contributions from supportive members of the public. They seek to secure grants from trusts and the commercial sector to fund ongoing community fishing sessions.

What are the benefits of fishing?

Nothing brings on the sense of being alive and helps to rebuild personal wellbeing like a day spent interacting with nature. If you interact with nature, you become a part of it, and this makes you forget all the worries of the world. When you are away from the strain of daily life and the issues it brings, your brain releases happy hormones known as dopamine which is a great boost to your mental health. Fishing offers you the chance to improve your self-esteem through respect for the environment, mastering outdoor skills and achieving personal goals. This can also play an important role in personal and social development, which also teaches focus and patience which really help with relaxation.

How can you support or get involved with Fishingthemind?

Paul Challoner, Commercial Director at Carpenters Group, supports Fishingthemind and helps to raise donations and fishing equipment.

Paul said: "I got involved in supporting Mark and the group last year and I'm looking forward to getting out with my daughter and our local group this year. Fishingthemind really hits close to home for me, as my daughter finds a day's fishing in the fresh air,



away from negative thoughts and technology really helps with her mental health problems.

A day by the lake is a great place to switch off and immerse yourself in nature. The rush when the float dips or the rod tip bends, floods the body with positive feelings and you can't help but feel the benefits."

Fishingthemind are active on social media with like-minded people sharing stories, pictures, supporting each other and the providing up-to-date information on the latest news and information about upcoming meet-ups.

To cover the vast area they do, they need volunteers from across the country so that more people can be a part of this amazing project. Volunteers will assist in organising social fishing meet ups in and around their local area. Corporate partnerships are always welcomed! Supporting Fishingthemind could be part of your company's corporate social responsibility agenda and it also a great way of engaging and uniting your teams.

You can also support them by buying one of their T-shirts. Wearing one really does bring a sense of togetherness and make people feel part of the project.

You can follow them on: Instagram @fishingthemind, Facebook group <https://www.facebook.com/groups/139314591495032/> Twitter page @fishingthemind

You can also get in touch by contacting Fishingthemind@yahoo.com or by telephone on 07598239685.



Regulation Update

The latest Regulation news from Andrea Cohen of Weightmans LLP



Andrea Cohen

It goes without saying that the world has been shocked by events in Ukraine. The ramifications are huge and while outside the remit of this article, other than those referred to below, we extend our best wishes to those with family or connections affected by the situation.

UK government sanctions

Firms will need to be aware of, and keep on top of, the recent and developing changes to government sanctions following Russia's invasion of Ukraine in February and, if you have not already done so, must review policies and consider the effect of the changes on clients and matters you are dealing with, and, where applicable, review clients against the updated sanctions lists, and consider whether amendments need to be made to ongoing monitoring, particularly prior to completion of a transaction. There are frequent additions to the sanctions list so regular checks should be made. Even if the decision is taken that no further steps are required and the existing policies, controls and procedures are sufficient, this should

be recorded. The SRA has said it will conduct spot checks on law firms to ensure they are complying with the financial sanctions.

Guidance has been published by both the SRA and Law Society and is being updated as matters progress, so any links that would normally be included in our monthly article are likely to be out of date by the time it goes to print. The guidance helpfully includes reference and links to the Financial Conduct Authority (FCA) guidance on the sanctions regime, and the lists and information about the UK sanctions regimes in force which are constantly updated. The SRA guidance confirms that if you use an electronic verification system for customer due diligence and sanctions checks, you should check that sanctions lists are being refreshed with sufficient frequency. It also suggests signing up to receive alerts on the changes on the Office of Financial Sanctions Implementation (OFSI) website.

If you need any assistance, please get in touch.

Recent SRA and Law Society publications

In addition to the sanctions guidance, the SRA has issued updated guidance on 'Conduct in disputes', which includes reference to making allegations without merit, pursuing litigation for improper purposes, and taking unfair advantage; Further guidance also on 'Closing down your practice' and 'Separate Business'. The Law Society has published an article 'Economic Crime Act: what does it mean for law firms?', following the government's introduction of

the Economic Crime (Transparency and Enforcement) Act 2022, brought forward following Russia's invasion, which is aimed at strengthening the UK's fight against economic crime.

Consultations

The SRA is continuing its run of consultations, and following those on financial penalties and Post-Six Year Run Off Cover (PSYROC) and the continuation of the Solicitors Indemnity Fund (SIF), both of which closed in February, and 'building on' its February guidance 'Workplace environment: risks of failing to protect and support colleagues', all of which we have reported on in previous articles, the SRA is consulting on proposed changes to its rules and Codes of Conduct on health and wellbeing at work, to clarify its approach to 'appropriate treatment of work colleagues by the individuals and firms we regulate' and 'a solicitor's health and fitness to practise'. The proposed changes include introducing explicit obligations in both Codes of Conduct to treat colleagues fairly and with respect, and not to engage in bullying, harassment and unfair discrimination and clarify that the SRA can take action to manage risks arising from an individual solicitor's health issues at any point, including at admission stage, and through conditions on a practising certificate or registration. The consultation opened on 4 March and runs until 27 May 2022. Any proposed additional rules would need approval of the Legal Services Board.

Having reported last month on the backlog of cases waiting to be allocated and investigated by

the Legal Ombudsman, there is a consultation on changes to the Legal Ombudsman Scheme Rules. In the foreword, Elisabeth Davies, Chair of the Office for Legal Complaints says 'It is now vital that these foundations are supported by the right Scheme Rules – a set that support the customer experience and drive efficiency is essential to achieving and sustaining longer-term stability. That is what this consultation is about; identifying opportunities to remove barriers which allow us to improve the customer journey and drive forward operational improvements.' The consultation closes on 13 April.

Data security issues

Firms are reminded of the importance of maintaining sufficient information security measures. A law firm was recently fined £98,000 by the Information Commissioner following a ransomware attack. The firm was aware it had issues with cybersecurity but did not rectify the problems and this allowed the hackers to penetrate and exploit the systems. The ICO found the firm failed to comply with GDPR as it did not have multi-factor authentication and when issuing the fine noted 'this personal data breach occurred due to a criminal and malicious cyber-attack that exploited negligent security practices'. The firm had previously failed to achieve the Cyber Essentials standard and had not dealt with the issues, despite holding Lexcel which says firms should be accredited against Cyber Essentials, and another factor taken into account by the ICO was the failure of the firm to meet the SRA standards and account of the SRA advice provided on cyber-security to regulated firms.

Solicitors Disciplinary Tribunal – New Guidance Note

The 6th Edition of the SDT's 'Guidance Note on Other Powers of the Tribunal' was published on 9 March 2022 and includes general guidance on applications by suspended and struck-off solicitors

for termination of a period of suspension and restoration to the Roll and guidance on applications by a solicitor's employee for review and revocation of an Order imposed under Section 43 of the Solicitors Act 1974 (as amended). The guidance points out that each case is fact-specific, and the Guidance Note provides guidelines for applications, but is not intended to fetter the discretion of the Tribunal.

Disciplinary decisions

Fined for sexual comments

A law firm owner who made comments to an interviewee that the SDT considered to have sexual connotations was fined £20,000 and ordered to pay £23,500 costs, after the interviewee turned down the role on the basis it was 'in no small part due to the unprofessional conduct displayed throughout the interview', and reported the matter to the SRA. The solicitor had denied any misconduct and accused the woman of lying, but the SDT said that his comments, questions and conduct were a 'grave departure' from that expected of a solicitor.

Struck off for retaining money paid on account

A solicitor who took £10,000 from a client in relation to a retainer for immigration work was struck off by the SDT and ordered to pay £21,500 costs, following a finding that he acted dishonestly after agreeing to repay the money and then ignoring the client's attempts to contact him. The tribunal said that his conduct was 'a flagrant failure to meet the minimal ethical standards of the profession'. The solicitor did not attend the hearing.

Suspended for false Facebook posts and not being authorised

A solicitor who made a series of Facebook posts which were 'inaccurate or misleading' claiming she had successfully represented clients in court, while not having SRA authorisation and

having a client account with a balance of almost £90,000, has been suspended for six months and subject to a two-year restriction order preventing her from managing any firm. She was also ordered to pay £15,000 costs. In mitigation, she said she hadn't deliberately or knowingly breached any rules but it was due to a 'lack of understanding' about the regulations, having previously worked for the CPS.

Reminder to keep accounts up to date

An owner of a firm has been fined and had conditions imposed on his practicing certificate, including a prohibition to be a COLP, COFA or sole practitioner, and not to hold, receive or have access to client money, and making electronic transfers from office or client account, following his failure to keep the firm's accounts up to date, which enabled a dishonest employee to intercept clients' monies.

The employee had taken around £25,000 from client account, mainly by providing his own bank details rather than the firm's bank details for payment of personal injury settlements.

Struck off for intercepting client's complaint

An 8 years' PQE solicitor has been struck off for intercepting a complaint that was sent by the client and responding to the client twice purporting to be the COLP (having initially acknowledged the complaint from a generic email address), the first time promising to review the file and the second apologising for the delay and confirming action was being taken. She was also ordered to pay £11,400 costs.

The SDT said that while the initial acknowledgement of the complaint may have been 'spontaneous and a panicked reaction', the subsequent misconduct in perpetuating the concealment was a dishonest act. The conduct was discovered when the email was found in a deleted folder and the solicitor was dismissed.

Andrea Cohen
Weightmans LLP

Forthcoming Courses

DATE	TOPIC	SPEAKER
26/04/2022	Intellectual Property Update	Jane Lambert
27/04/2022	Tax Enquiries, Closure Notices & Discovery Assessments	Julian Hickey
28/04/2022	How to create electronic bundles	Philip Nam
29/04/2022	Criminal Law Update (online)	Matthew Hickling
05/05/2022	Financial Orders: Law & Practice	Safda Mahmood
05/05/2022	Cohabitation: Law & Practice	Safda Mahmood
13/05/2022	Directors Duties & Shareholder Remedies	Chris Beanland
17/05/2022	Managing the Conveyancing Risks that PI insurers don't like	Lorraine Richardson
18/05/2022	CQS for support staff	Tracy Thompson
25/05/2022	Compliance Conference	Various
10/06/2022	Civil Litigation Update	Andrew McLoughlin
13/06/2022	Contract & Commercial Update	Chris Beanland
15/06/2022	Time Recording Masterclass	Robert Mowbray
17/06/2022	Developments in Domestic Abuse Law and consideration of the Domestic Abuse Act 2021	Safda Mahmood

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

All courses are online unless stated otherwise

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



Intellectual Property Update: After Brexit & Onwards

with Jane Lambert

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

Intellectual Property Law is changing & 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 & 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.

Relevant to all accountants, tax practitioners & others involved in tax enquiries.

Covering:

- 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

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!*

[CLICK HERE TO BOOK](#)



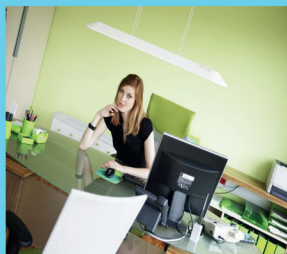
How to Create Electronic Bundles with Philip Nam

ONLINE: Thursday 28th April, 1pm - 2pm

**The guidance has been updated.
The judiciary now know what it wants. Do you?**

Covering:

- Bookmarks
- OCR
- Page Labelling
- Pagination
- Redacting
- Hyperlinks
- Re-Sizing



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.

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



Criminal Law Update with Matthew Hickling

Online: Friday 29th April, 1.30pm - 4.30pm

Suitable for general criminal practitioners, police station representatives and higher rights advocates, this course is designed to bring your knowledge and expertise in criminal practice up-to-date.

The session will include:

- Policing, Crime and Sentencing Bill 2021 – which may be enacted in 2022
- Criminal procedure, Disclosure update, and the new Standard Crime contract
- Offensive Weapons Act 2019 – Sections that are being commenced
- Recent judgments – analysing those relevant to general criminal practice
- Case studies – Modelled on judgments that raise significant practice issues

**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](#)



Financial Orders: Law & Practice with Safda Mahmood
Online: Thursday 5th May, 9.30am - 12.30pm

The course will consider the various factors surrounding financial orders, the developments in the case law & statutory provisions. It will be of benefit to those who seek to be aware of the current themes and developments surrounding this area of law.

The topics covered will include amongst others, the following:

- Charman and subsequent Cases
- Short Marriages and High Wealth Cases
- Periodical Payments
- Inheritance and Gifts
- Cohabitation Cases
- Conduct Arguments
- Nuptial Agreements

& 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 for more information](#)



Cohabitation: Law & Practice with Safda Mahmood
Online: Thursday 5th May, 1.30pm - 4.30pm

This course will be of benefit to those who seek to become more confident with how to run/defend a case through the courts involving trusts of land & Schedule 1 Children Act Matters.

The topics covered will include amongst others, the following:

- Joint Tenancies and Tenancies in Common
- Resulting and Constructive Trusts
- Trusts of Land and Appointment of Trustees Act 1996 – Applications
- Estoppel
- Drafting and Procedure
- Civil Procedure Rules
- Practice following Stack v. Dowden, Kernott v. Jones and Barnes v. Phillips

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](#)



Directors Duties & Shareholder Remedies
 with Chris Beanland

Online: Friday 13th May, 2pm - 4pm

Aimed at both corporate lawyers & litigators who would like an overview/refresher on these linked topics.

Covering:

- Types of director: de jure, de facto and shadow directors
- Powers of directors including authority to bind the company
- Directors' duties
- Directors' duties and restrictions on directors including remedies for breach
- Statutory restrictions on directors (substantial property transactions, service contracts, loans to directors and payments for loss of office)
- Unfair prejudice claims under 994 Companies Act 2006
- Derivative claims
- Disqualification of directors
- Shareholder rights

Competencies: A2, A3, A4, A5, B3, B4, B6, B7 & D3

[CLICK HERE FOR MORE INFO](#)



NEW

Managing the Conveyancing Risks that PI insurers don't like !
 with Lorraine Richardson

ONLINE: Tuesday 17th May, 1.30pm - 4.30pm

This course will look at those areas & will help practitioners to consider how they might mitigate those risks.

Covering:

- Estate management charges
- Escalating ground rents
- New builds – acting on multiple plots
- Buyer funded builds
- Cyber threats

**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 INFO / TO BOOK](#)



Save the Date...

of **Wednesday 25th May 2022** for the **2022 Compliance Conference**

Chaired by Mickaela Fox, Partner, Weightmans LLP & with sessions from:

Andrew Allen - Aabyss; Kate Burt - Legl; Jason Chapman - LeO; Aidan Larkin - Asset Reality & Nicola Watkiss - Legal Risk



**** [CLICK HERE TO SEE FULL DETAILS](#) ****

Sponsored by: **Legl**

SAVE THE DATE

10 NOV 2022



Annual Dinner featuring Legal Awards

Flood Data Insights

Data from a series of Data Insights Reports from Landmark Information has shown the broad extent to which flooding poses an ongoing threat across England and Wales.

The report provides land and property industry professionals with insightful snapshots of rich flood data to explain the true impact risk upon communities across the country. It highlights the local authorities that have the highest rate of properties located in Flood Zones 2 and 3, and reveals that 37 out of the 335 local authorities have at least a fifth of properties in Flood Zone 2 within their jurisdiction.

The report also identifies that more than 27,000 (6.7%) notable Listed Buildings are based in areas deemed to be at the highest Flood Risk parameter (3), in addition to almost 12% of all 200,000 Scheduled Monuments are situated in Flood Zones 2 or 3, which include highly notable buildings like the Tower of London, Hampton Court Palace and Caerphilly Castle.

The new series of Data Insights Reports, which will be published every quarter, will focus on specific themes, from a review of planning updates and the local and national impacts, to uncovering information relating to a range of environmental hazards.

Chris Loaring, managing director of Landmark Information (Legal), said, "According to the Environment Agency, approximately one in every six properties in England are considered to be at risk of flooding. This is forecast to grow as climate change continues to translate into shifting impacts on both current and evolving land use.

"It is no secret that flooding poses a continued risk across our country – whether from surface water floods from heavy rainfall, groundwater flooding, through to coastal erosion and rising sea levels. It is something property

professionals in all sectors need to be highly tuned to.

"We are therefore pleased to share a series of Data Insights Reports that provide valuable and revealing insights derived from our data and help better inform those working across the property industry who can benefit from a clearer view of the future.

Data: the lifeblood of the property transaction

"In the two decades that Landmark Information has been supporting the property industry with vital due diligence, the way the data is captured, accessed, assessed and delivered has shifted.

"From paper-based reports, CD-ROMs and PDF reporting, now the transition is taking us to digital. The reliance on documents and PDFs will ease and we will see an increased appetite for digital data that feed directly into an organisation's existing workflow. Instead of capturing a single moment in time, the data will instead be continuous and provide a current flow of data that is relevant at any given moment in time.

"Flood data, alongside planning datasets, is one of the most dynamic risk types. The data is continually changing, driven by many factors – from local community and infrastructure updates, to the changing picture of the global climate. Having access to data that considers historical flood events while assessing modelled data relating to future impacts offers precise insights that developers and purchasers need, in order to make informed decisions.

"From a legal conveyancing perspective, the way you manage – and access – that

data is critically important to ensure the most appropriate advice is provided. Live data feeds will provide the most up to date picture, and this approach will herald a significant new chapter in the evolution of due diligence in the property sector.

"We are proud to be driving forward this digitised approach and working closely with industry stakeholders to consider how the continued evolution of data feeds can benefit every part of the property industry."



Chris Loaring

Landmark Information has an extensive wealth of data that is used across the property industry, every day, by developers, property lawyers, environmental consultants, estate agents, surveyors, architects and planners to help in confident decision-making and in transactions.

For more information visit, <https://www.landmark.co.uk/news-insights/industry-reports/>.



1 in 6

properties in the UK are
affected by flooding.

Not all flood reports are created equal.

The Law Society Flood Practice Note 2020 identifies that 'The market for flood searches is not regulated. There are different types of searches available with marked variations in the cost, quality, range, analysis and interpretation of data.'

So it's reassuring to know that every single Landmark Flood Risk report that identifies a high risk, is assessed by a consultant leading to more first time passes.

Choose data interpretation, not just data.

Early Bird Entry for British Wills and Probate Awards 2022

Entries for The British Wills and Probate Awards 2022 have opened today as excitement starts to build toward the event on 20th October 2022. This year's event will see headline sponsor Executor Solutions return in a new guise as the re-branded Property Solutions Group.

Launched in 2018 to recognise the work of businesses and practitioners up and down the country in the Wills and Probate sector, the awards are now in their fifth year. 2022 sees the ceremony return to the suitably named "Grand Hotel" in Birmingham on 20th October.

Following the success of The British Wills and Probate Awards 2021, which saw an audience of c.800 people coming together in-person and online to celebrate, the awards will again be hybrid with an in-person ceremony alongside the live stream available through the awards' website.

Alongside some well-established favourites, 2022 sees the introduction of a range of new categories designed to

capture changing work environments, new technologies and innovation, and industry collaboration.

New categories include recognising excellence and best practice in charity and probate collaboration and celebrating the work being done to improve employee experience and customer experience as the sector continues to get to grips with the challenges of working in the "new normal".

The full list of categories is below, or [CLICK HERE](http://www.britishwillsandprobateawards.co.uk) to visit www.britishwillsandprobateawards.co.uk

2022 will see the return of The Today's Wills and Probate Industry Champion, a category nominated and voted for by

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the industry. 2021 crowned inaugural winner Michael Culver after an extensive nominations process. Nominations this year will open in July.

Discussing the return of the awards, **Managing Director at Today's Media, publishers of Today's Wills and Probate, David Opie** said:

"After the successful return of the in-person ceremony last year, 2022 promises to be even bigger and better."

The grandeur of the venue really typifies what The British Wills and Probate Awards is all about and we look forward to celebrating with our friends and supporters from around the industry."

On returning as headline sponsor, **Group Managing Director of Property Solutions Group Barry Mattock** commented:

"We are delighted to be returning as the headline sponsor of the Oscars of the Wills and Probate industry!"

We cannot wait to celebrate with you all again and shine a spotlight on so many incredible individuals and firms across the sector."

A new judging system has been adopted to make the entry and submissions process easier and early bird entry (firms can enter up to 3x categories) is now available at a rate of £129.00 +VAT, available until Friday 24th June 2022.

[CLICK HERE](#) to enter

See highlights of the 2021 ceremony below: embed code (<iframe width="560" height="315" src="<https://www.youtube.com/embed/rMh9K0p5Ovw>" title="YouTube video player" frameborder="0" allow="accelerometer; autoplay; clipboard-write; encrypted-media; gyroscope; picture-in-picture" allowfullscreen></iframe>)

or

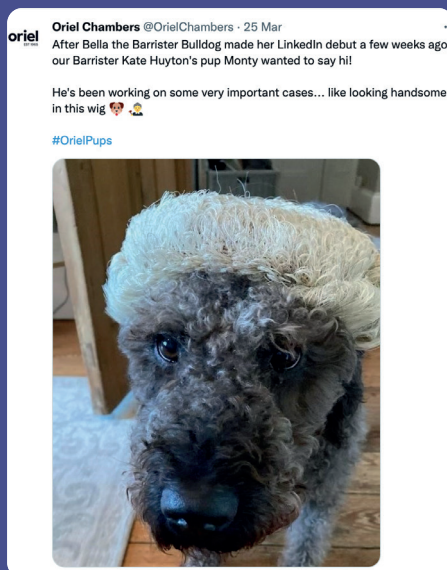
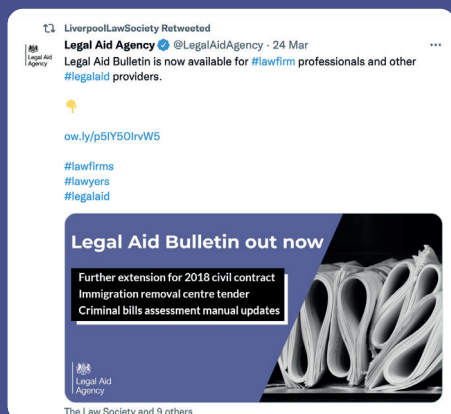
[CLICK HERE](#) to see highlights of the 2021 ceremony: <https://youtu.be/rMh9K0p5Ovw>

BRITISH WILLS AND PROBATE AWARDS 2022 CATEGORIES

- Best Contentious Wills & Probate Team
- Probate Provider of the Year (Regional) – North & Midlands
- Probate Provider of the Year (Regional) – South
- Charity Legacy Probate Collaboration of the Year
- Best Use of Technology
- Best Use of Marketing & Social Media
- Community & Charity Champions
- Innovation & Transformation of the Year
- Solicitor Firm of the Year (National)
- Solicitor Firm of the Year (Regional) – North
- Solicitor Firm of the Year (Regional) – Midlands
- Solicitor Firm of the Year (Regional) – South
- Probate Research Firm of the Year
- Private Client Team of the Year
- Court of Protection Team of the Year
- Young Practitioner of the Year
- Will Writing Sole Practitioner of the Year
- Will Writing Firm of the Year (Regional) – North & Midlands
- Will Writing Firm of the Year (Regional) – South
- Will Writing Firm of the Year (National)
- The Today's Wills & Probate Industry Champion
- *NEW* Estate Planning Consultant of the Year
- *NEW* Legal Supplier of the Year
- *NEW* Outstanding Employee Experience
- *NEW* Customer Service Champion

Social Media Highlights

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





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 SDLT/LTT and
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Are you getting enough sleep?

Sleep is absolutely crucial to our wellbeing. Research shows after people sleep, they tend to retain information and perform better on memory tasks. While we can cope fairly well with a day or two of late nights, regularly getting less than 7 hours sleep has a significant negative impact on performance.



So what can you do to get more and better quality sleep? There are healthy habits you can adopt in order to fall asleep and stay asleep.

Get up at the same time every day

Wake up at the same time every day even when you have had a poor night's sleep. This helps your body find a natural rhythm that will help you go to sleep at night.

Exercise

Research shows that exercise improves sleep and helps sleep disorders such as insomnia. Exercising too close to bedtime though can sometimes inhibit sleep.

Spend time outside

Increasing the amount of time you spend outdoors can improve sleep quality, try and get out for a walk at some point in the day.

Look at your diet

Caffeine, alcohol, sugar, rich food or a heavy meal too near bedtime will affect your sleep. Try to cut down in the evenings or switch to decaf.

Have a wind down routine

Have an evening routine involving reading, having a bath, preparing for the next day. Try calming your mind by focusing on your breathing, or try a

mindfulness or meditation app.

Reduce screen time

The blue light from your phone or laptop suppresses melatonin which affects your sleep. Turn screens off an hour before bedtime and keep electronics out of the bedroom, buy an alarm clock rather than charging your phone by your bed.

Create a sleep sanctuary

Your bedroom should be cool, dark and free from clutter, and your bed should be comfortable and supportive.

Waking up in the night

When you wake up at night, don't allow your mind to start thinking. If you can't get back to sleep get up, go to the loo, do something until you feel sleepy again – but keep the lights low. Reading can help as can writing down your thoughts on a notepad for the next day.

Try not to worry

Whilst having a routine is important for good sleep, try not to worry if life gets in the way and your sleep is affected. It's possible to survive a period of poor sleep with no ill effects.

Seek support

If you are having prolonged periods of interrupted or little sleep lasting more than a few weeks seek evidence based support from a health professional.

If you can't sleep and need to talk contact LawCare for free and in confidence on **0800 279 6888**, email support@lawcare.org.uk or go to www.lawcare.org.uk to access live chat and other resources. We understand life in the law.



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