

September 2023

# Liverpool Law

Liverpool  Law Society

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



**Liverpool  
Pride 2023**

More pictures on p.14





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# September 2023

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## DEADLINES

Mon, 25th September

Tue, 24th October

Mon, 27th November



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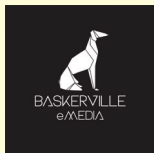
Liverpool Law Society Magazine is produced by and for Liverpool Law Society Members. This is our opportunity to share our news, events and celebrations with our friends in the legal community.

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

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



#### Editorial Committee Dates 2023

Meetings start at 01.00 pm on a Tuesday, except where noted.

19/09/2023  
17/10/2023  
21/11/2023

## Welcome to the September edition of Liverpool Law



I hope you are all well and can breathe a sigh of relief now the schools are back open! This summer I have had an intern sat with me who was offered a place at Weightmans through the Everton in the Community project I have mentioned previously. Aged only 17 it was interesting to spend time with him and try and give him a taste of the work we do, pitched at the right level for his experience. Getting to know him I became entrenched in the whole exam results nerves/excitement and do not

look forward to all that when my children are older. I'm pleased to report he was pleased with his results and is going on to do his A-levels at the college he wanted and is actually picking Law as one of his subjects, so I haven't scared him off! Following agreement with the President and the rest of the Editorial Committee I have invited him to write an article for us on his experience and will feature this in a future edition.

Once again we have a jam packed edition for you to enjoy. We have quite a few pages filled with news of promotions and yet more Award nominations and wins so many congratulations to all. You will also see the deadline for our own Liverpool Law Society Awards is 8 September 2023 so if you still have time when reading this then get your nominations in!

We also have an invitation from the President to apply to join Liverpool Law Society as a Director by 23 October 2023. For anyone interested I would encourage you to join. I have been a Director for 5 years now and have thoroughly enjoyed the role. It is a great opportunity to meet others on the General Committee from other law firms, Universities, law centres and beyond. My role is not onerous and I am able to fit it in alongside working 5 days and having two young children. If anyone would like to have a chat with me about joining please do not hesitate to get in touch and I would be happy to discuss it with you.

Many thanks

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



# From the President

## The latest from the President, Jeremy Myers

In terms of events, the last month has been an inevitably quieter period. There has been some external activity, and it is also a time to stand back and think more carefully: this month I am writing about charity involvement.

The key event was the North West Cyber Resilience Centre (NWCRC) presentation event on 09 August. LLS was represented by our CEO, **Sarah Poblete**, Vice President **Gaynor Williams** and me. A top flight set of speakers included Merseyside Chief Constable, **Serena Kennedy**, Police and Crime Commissioner **Emily Spurrell**, and technical experts.

NWCRC is a collaborative venture including Police Forces. It can be consulted by local businesses, including our practices and the organisations where our in-house members advise. Please do read about it online and assess how your own organisation must try to safeguard its IT safety and prepare for the real risk of cyber-attack and how to mitigate its potentially devastating consequences. Even the most well-prepared outfit can be vulnerable.

We are in the final stages of preparing for the LLS Annual Dinner and Awards event at the Crown Plaza on Thursday 09 November. Many competitors for Awards will be attending and this will enhance the atmosphere. If you are not a regular, then please do give this very convivial evening a try, as you will be sure to see some old friends and colleagues and I hope make new contacts as well as simply enjoying the camaraderie of the evening.

Links with our fellow professionals should be strong and enhanced. As with other professions' Dinners, I was made very welcome when I attended the Dinner of the Liverpool Architects in June. This led directly to communication with the North West section of the Royal Institute of British Architects (RIBA).

I am very pleased to report the result: LLS and RIBA will host a reception on Thursday 30 November at RIBA's NW office at Mann Island, Liverpool. I do hope that many of you can make it to that event, and as the Autumn progresses there will be full details provided about the event and how to book. We can develop mutually helpful links for the future benefit of our clients and our own business development strategies.

Charitable activity is a subject which I have mentioned in earlier months as regards specific communications with particular charities in local terms, and I know that many of you reading this are already much involved in good works as well as acting for vulnerable clients. We are fortunate to have gained by training and experience a set of skills which we can deploy for the benefit of our clients.

My personal feeling is that we can also apply those skills to assisting others less fortunate than us. Such activity is something in which we can be involved to greater or lesser degrees in different phases of our careers according to the ebb and flow of work and personal



commitments. Though not so busy now due to this role, I am happy to write that I have had the opportunity to help with sessions at Liverpool Citizens Advice and Liverpool Community Advice over about fourteen years on and off, and a Primary School Governor for eight years, and currently I am Hon Solicitor to a registered charity.

There are so many opportunities for pro bono work in these and other ways, perhaps doing a spell as an unpaid Trustee of a charity board or a providing a thirty minute consultation without charge. Even where technical legal knowledge may not be needed too often, communication and negotiating experience, plus other "soft skills", can be very helpful. Please do consult the LLS website page on "Volunteering Opportunities".

I do believe that there is a real benefit for practitioners seeking to making a living. This type of work broadens a solicitor's pool of contacts and widens one's horizons, which can only help to build stronger relationships with clients.

There will be many people who will be starting their Training Contracts or Apprenticeships in September. If any happen to read this column, then I hope that this is the start of a long and happy association with LLS. If you are supervising a new person, then please do try to think back to your own start in the profession.

I am looking to seeing and chatting with many of you as the Autumn events develop.

**Jeremy Myers**

President

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



# LLS Meetings & events – September 2023

These meetings and events will be held virtually unless notified otherwise (F2F):

Start Time	Meeting/Event
08/09/2023 12:00	Legal Awards nomination deadline
12/09/2023 12:30	General Committee
13/09/2023 14:00	Local Law Societies' Conference by The Law Society
14/09/2023 12:00	Joint V Meeting - Hosted by Bristol
14/09/2023 13:00	In-House Lawyers Sub-Committee
14/09/2023 16:00	Family Business Sub-Committee
14/09/2023 17:15	LLS Committees' Social
19/09/2023 13:00	Editorial Sub-Committee
21/09/2023 13:00	Future Planning Sub-Committee
26/09/2023 12:30	Finance & Policy Sub-Committee
27/09/2023 13:00	Equality, Diversity & Inclusion Sub-Committee
28/09/2023 13:00	Access to Justice in Liverpool Project Group meeting
28/09/2023 13:00	Civil Litigation Sub-Committee
28/09/2023 14:00	Criminal Practice Sub-Committee
04/10/2023 17:30	Leaders in Law Dinner for LLS members
06/10/2023 10:30	Joint Forum on Access to Advice
08/10/2023 18:00	The Law Society's fringe event around Labour Party Conference (Sun 8 to Wed 11 Oct)
10/10/2023 12:30	General Committee
10/10/2023 17:00	Liverpool Legal Walk
13/10/2023 13:00	Directors' Meeting with MPs

## Consultation Papers

Papers referred to committees:

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

Committee	Consultation Paper title	Closing date
Criminal Practice	<a href="#">Publication: ESOP CP</a>	29/09/23
Regulatory	<a href="#">Reforming anti-money laundering and counter-terrorism financing supervision</a>	30/09/23



# Fletchers Group announces election of new Partners



**Emma Semway**



**Guy Pomphrey**



**Charlotte Mackulin**



**Victoria Marsden**



**Andrew Chadwick**



**Kirsty Thomas-Horton**

**Fletchers Group, one of the UK's leading clinical negligence and personal injury law firms with offices in Liverpool and Southport, is pleased to announce the election of six new Partners.**

Representing a range of departments and locations, the Partners have been elected for their exemplary performance, commitment to the firm's values and innovation in bringing something new to the business.

The new Partners are **Victoria Marsden** (Head of EL/PL), **Charlotte Mackulin** (Senior Solicitor, Serious Injury Unit), **Kirsty Thomas-Horton** (Serious Injury Solicitor and Head of Charities & Partnerships), **Andrew Chadwick** (Head of Costs Resolution), **Emma Semway** (Head of Clinical Negligence, Minton

Morrill office), **Guy Pomphrey** (Senior Solicitor, Clinical Negligence, Minton Morrill office).

Now in its second year, the Fletchers Group Partnership Programme is a core part of the firm's people strategy, and recognises the achievements, dedication, and contribution of its high-performing colleagues.

The new Partners were selected through a robust peer review and multi-stage assessment process carried out by a panel comprising the Group's Executive Leadership Team and a cross section of existing Partners.

They will join the 12 existing Partners and 12 Directors as part of an extended leadership team to take greater responsibility in leading and

driving the business.

**Adrian Denson**, Chief Legal Officer says: "My congratulations to all our new Partners, whose selection reflects the depth and diversity of talent we have here at Fletchers Group. Each one lives up to Fletchers' ethos of meeting challenges with determination, enterprise and creativity. They are all legal professionals of the highest calibre and have contributed in various other ways to add significant value and make a positive difference to the business."

"Fletchers Group is growing from strength to strength, and it is fantastic to acknowledge six talented, successful, and ambitious colleagues in this way. I am excited about their continued successes and contributions to our clients, our people and our business moving forward."



# MSB Solicitors, a leading North West firm, is proudly expanding their team



**The value-led law firm is excited to announce the addition of new talent and the promotion of existing legal experts throughout the growing company.**

**Natalie Jackson** has been appointed as MSB's head of people. Natalie is charged with ensuring the firm continues to be an employer of choice within the region, strengthening MSB's culture and its offering for new and existing employees.

Jackson brings extensive experience to MSB. As a seasoned HR specialist and a Charter Member of the Chartered Institute of Personnel & Development, her expertise includes crafting engaging employee experiences and implementing well-being strategies.

**Steven Milne** has joined as head of IT. His role involves upholding and advancing the highest standards in efficiency, systems, and security for both staff and clients.

With a resounding commitment to cutting-edge excellence, MSB is poised to amplify its legal prowess by strengthening its tech infrastructure.

The firm is also celebrating the promotion of four team members across various departments. **Andrew Fairman** now takes on the coveted role of partner, while **Amy Tagoe** and **Dan Pierce** are newly appointed senior associates. **Helen Schofield** will also be stepping into a well-deserved position as associate.

Furthermore, in line with its commitment to nurturing the next generation of legal professionals, MSB has also recently hired 17 paralegals, and has recently taken on nine new trainees. They are also pleased to announce that 3 of its current trainees have recently qualified.

**Emma Carey**, managing partner at MSB, explained:

*"What a year of monumental growth it's been for us. As we continue this growth trajectory, we're committed to expanding and nurturing our team to provide the most professional and supportive service to our clients."*

*"The lifeblood of MSB is our team, and we're passionate about supporting their aspirations and advancement within our organisation."*

*"Our ethos revolves around investing in the upcoming generation. We are all about fostering rising talent and elevating professionals across all areas of law. Our commitment is reflected in the diverse array of training opportunities we offer across our firm."*

*"We're eagerly embracing the future, growing our regional footprint, nurturing our team's growth, and investing in the vibrant culture here at MSB. Watch this space!"*



# Partner Promotions at Bermans



Alissa Marsh, Mel Morris & Jon Davage

Bermans, a leading North West law firm, have announced two Partner promotions, which will see Senior Associates, Melanie Morris and Alissa Marsh, become Partners.

The promotion reflects the firm's commitment to investing in its future, by supporting and nurturing its people.

The first of the double promotion is **Melanie Morris**, who joined Bermans as a Trainee Solicitor in 2015, qualified into the Property team in 2017 and became a Senior Associate in 2021 before being made Partner on 1 July 2023.

Melanie specialises in property and development finance and plays an integral role in both the success of the property department and the wider firm. In addition to property finance, Melanie deals with a broad range of property transactions, such as commercial and investment property acquisitions and sales, property aspects of corporate deals and development work. Melanie heads up the department's burgeoning property finance team and looks forward to continuing her fruitful and rewarding career with Bermans.

**Alissa Marsh** joined Bermans in 2017 and has worked closely with Legal 500 leading individuals in asset based lending and Bermans partners, **David Gledhill** and **Alex Chapman**. Alissa

has undertaken a broad range of banking and finance work including invoice finance, asset finance and general corporate finance. She is a key member of the team which has been recognised with her promotion to Partner. She hopes to build on the legacy of the team, being ranked as Business Money's number one ABL legal team, for many years to come.


**Jon Davage**, Managing Director commented:

*"Bermans is committed to supporting and nurturing the very talented people we have in the business and so these appointments are particularly welcomed from my perspective."*

*"Having enthusiastic, technically excellent and committed people is a key driver for the next phase of Bermans growth, which we are lucky to have in abundance."*

*"In a technology focused age, personality sets us apart – Mel and Alissa are shining examples of what our message should be – this being the provision of market leading legal services delivered with integrity and personality."*

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**Tel: 020 7730 9224 Fax: 020 7823 3056**

email: [plumley@manderstam.com](mailto:plumley@manderstam.com)

**[www.manderstam.com](http://www.manderstam.com)**








# Burden of Proof – Jones v Birmingham City Council and another [2023] UKSC 27



Daniel Conroy

The Supreme Court decision in the case of *Jones v Birmingham City Council and another* [2023] UKSC 27 has confirmed that the relevant standard of proof when considering anti-social behaviour injunctions is the civil standard, that the Court is satisfied that it is appropriate to grant the injunction on the balance of probabilities.

In the words of Sir Brian Leveson “gang-related violence and the resulting public disorder have become a scourge which affects many cities. It may flow from drug-dealing but is not unusually accompanied by the discharge of firearms or other acts of extreme violence directed at members of other gangs such that entirely innocent members of the public can become caught up in the cross fire.”

## Background

Lord Lloyd-Jones in the case of *Jones v Birmingham City Council and another* [2023] UKSC 27 referred to Sir Brian Leveson’s comments when setting out the background of the case concerning a gang known as the “Guns and Money Gang” (“GMG”) who were known to be active perpetrators of gang-violence in Birmingham dating back to the

1990’s. Following investigations by the West Midlands Police proceedings were successfully commenced against Jones and 17 others who were members of the GMG, or rival gangs, seeking injunctive relief under S34 of the Policing and Crime Act 2009 (“the 2009 Act”) or, in the alternative, pursuant to the S1 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the 2014 Act”).

S34 of the 2009 Act provides that:

- 1 A court may grant an injunction under this section against a respondent aged 14 or over if the first and second conditions are met.
- 2 The first condition is that the court is satisfied that on the balance of probabilities, that the respondent has engaged in or has encouraged or assisted –

- a) Gang-related violence; or
- b) Gang-related drug dealing activity.

- 1 The second condition is that the court thinks it necessary to grant the injunction for either or both of the following purposes –

- a) To prevent the respondent from engaging in, or encouraging or assisting, gang-related violence or gang related drug-dealing activity;
- b) To protect the respondent from gang-related violence or gang related drug dealing activity.

S1 of the 2014 Act provides that:

- 1 A court may grant an injunction under this section against a person aged 10 or over (“the respondent”) if two conditions are met.
- 2 The first condition is that the court is satisfied, on the balance of probabilities, that the respondent has engaged or threatens to

engage in anti-social behaviour.

- 3 The second condition is that the court considers it just and convenient to grant the injunction for the purpose of preventing the respondent from engaging in anti-social behaviour.

Jones applied for his injunction to be transferred to the High Court so that he could seek a declaration under S4 of the Human Rights Act 1998 (“the 1998 Act”) that S34(2) of the 2009 Act and S1(2) of the 2014 Act were incompatible with article 6 of the European Convention on Human Rights (“ECHR”) as they applied the civil standard of proof, on the balance of probabilities, as opposed to the criminal standard of proof, beyond all reasonable doubt.

Article 6 of the ECHR provides that:

- 1 In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law...

At the High Court **Burton J** held that the proceedings did not relate to a criminal charge and the application of the criminal standard of proof did not need to be applied.

At the hearing of the substantive injunction application Judge Wall applied the civil standard of proof and granted the injunctions sought.

Jones appealed the High Court decision to the Court of Appeal who found that the original High Court decision was correct.

The case before the Supreme Court was Jones’ appeal against the decision of the Court of Appeal. Jones had previously argued that the injunction proceedings against him constituted

a criminal charge however it was now accepted that was not the case and therefore the primary issue before the Supreme Court was whether the criminal standard of proof needed to be applied to S34(2) of the 2009 Act and S1(2) of the 2014 Act in order to satisfy the requirement of Article 6(1) of the ECHR for a fair hearing.

### Judgment

The Supreme Court found that the European Court of Human Rights case law did not suggest that in order to have a fair hearing the criminal

standard of proof needed to be applied.

The Supreme Court also found that Parliament had expressly provided within the 2009 Act and the 2014 Act that the civil standard of proof was the appropriate test when seeking an order and therefore *“there is no room for the courts to decide that as a matter of common law fairness the criminal standard should be applied”*.

### Opinion

The Supreme Court’s decision is a positive one for those tasked with

responding to, and seeking to prevent, gang-related anti-social behaviour as the civil standard of proof is a lower threshold to meet than the criminal standard of proof.

The Supreme Court also endorsed Parliament’s decision to adopt the civil standard of proof *“which parliament considered was justified by the mischief which had to be addressed”*.

**Daniel Conroy,**

Associate,  
Weightmans

## Liverpool Law Firm branches out to West Kirby high street



Ian C Free

**Leading Law Firm Gregory Abrams Davidson Solicitors officially opened the doors of its new offices at 19-25 The Crescent, West Kirby earlier this year.**

The Firm offers a full range of legal services including Conveyancing, Medical Negligence and Personal Injury, Wills, LPA’s and Probate, Litigation and Business law through their commercial arm of the business - GAD Commercial.

Gregory Abrams Davidson Solicitors or GAD as they are locally known, have been established over 40 years and pride themselves on their reputation for

delivering, fast, efficient, professional and practical legal advice and friendly service.

GAD’s 98% client satisfaction rating makes it easy to see why their clients keep returning for their legal needs, building trusted and valued relationships with their solicitors.

**Gregory Abrams**, CEO, is excited to be joining the Wirral business community and getting to know local businesses which he believes are the lifeblood of the high street. He played a major role in the ongoing renaissance of Liverpool - he

was one of several prominent figures who promoted the regeneration of Mathew Street and created the Cavern Quarter Initiative which was a blueprint, driving the regeneration of the centre of Liverpool.

Gregory comments, *“I am delighted that we are able to offer our services in the Wirral and to North Wales. Being part of the local business community is important and working together helps to build the local economy.”*

The Firm will be incorporating renowned local Solicitor **Ian C Free** who has been established in West Kirby for over 30 years. Ian, who specialises in Residential and Commercial Property, is Consultant Solicitor at the branch said *“It is a pleasure to be joining a North West Firm with a great reputation, not just locally but nationally too. I am delighted that my staff have joined me in new offices. Our clients will benefit from GAD’s new technology infrastructure and their complement of experienced solicitors who will bring their wealth of knowledge to West Kirby not just in conveyancing but also other areas of law”*.

**For more information about Gregory Abrams Davidson Solicitors visit [www.gadlegal.co.uk](http://www.gadlegal.co.uk) or call into our new branch at the Upper Floors, 19-25 The Crescent, West Kirby or call 0151 625 0000.**



# Liverpool Paralegal Danielle Stevens-Green is a Finalist at the National Paralegal Awards 2023 for Best Family Law Paralegal



The National Paralegal Awards is now in its fifth year, and once again promotes the work and achievements of Paralegals in the UK. <https://nationalparalegalawards.com/2023-finalists/>

Danielle-Nicole Stevens-Green has been shortlisted as a finalist for the National Paralegal Awards for Best



**Danielle-Nicole Stevens-Green**

Family Law Paralegal 2023. The award recognises an individual who can clearly demonstrate exceptional commitment to their work, clients and to the profession. The successful individual will have gained a high level of experience, knowledge and skills to provide an exceptional service to their clients. Danielle is one of seven finalised for this category having impressed the judges.

Danielle joined Maria Fogg Family Law Ltd based in Huyton Village, Knowsley in 2022 as a paralegal and quickly pushed herself to become a Senior Paralegal handling complex domestic abuse cases and undertaking her own advocacy.

Danielle began her LPC and Masters in February 2020 while working full time as a paralegal. During Covid she worked tirelessly maintaining her high standards of client care and excellent commitment to law with her studies. Halfway through her LPC Danielle's dad suddenly passed away. She was extremely close to her dad and was an extremely difficult time in her life, one that not many people experience so young. However Danielle continued to push herself and is now due to qualify as a solicitor in September 2023. We

funded Danielle's SQE2 as we believe in her potential. Danielle has grown in confidence and now undertaking her own advocacy, running her own files and shows a keen interest in helping train her colleagues. Danielle has truly overcome significant personal obstacles showing resilience and strength well beyond her years.

**Charlotte Fogg** director of Maria Fogg Family Law commented "we are extremely proud of Danielle and the achievements she has worked so hard for. I nominated Danielle for the Paralegal awards as we believe her achievements should be acknowledged and celebrated".

The national Paralegal Awards takes place on 14th September 2023 at the iconic Grand Hotel Birmingham. Celebrating the achievements of the best paralegals in the UK.

## BEST FAMILY LAW PARALEGAL

### FINALISTS

- Cheryl Thornley - Puzzle Piece Law
- Colin Brealey - Family Law Decisions Ltd
- Danielle-Nicole Stevens-Green - Maria Fogg Family Law
- Laura Kelly - Shakespeare Martineau
- Melanie Butler - Paul J Watson Solicitors
- Ricky Noble - Tozers LLP
- Stacey Griffiths - WSP Solicitors

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## Morecrofts looks to the future with management “succession” training

**Morecrofts Solicitors has launched a management training programme aimed at “transforming excellent lawyers into excellent businesspeople”.**

Eight senior associates at the firm have taken part in the tailored four-week programme, led by external and internal specialists in a range of topics such as finance, HR and compliance, to equip them to succeed into management roles in the future.

Each was asked to present a business plan for a different area of the business that would not only enhance turnover and profit, but also retain the core values and culture of Morecrofts, which was founded 210 years ago and has six offices in the

Liverpool city region.

**Alison Lobb**, managing partner at Morecrofts Solicitors, said: *“For any experienced lawyer aspiring to take the next step in their career, an ability to look beyond their own area of work, understand what makes a business tick and take a wider view of the legal landscape is invaluable.”*

*“We know management skills are not typically part of legal training, so our new management training programme is bespoke to the professional needs and ambitions of our senior associate team and also to the cultural architecture of Morecrofts.”*

*“Over the course of many years, we*

*have created a legal firm with a unique personality, which empowers young lawyers – male and female – to pursue a successful career and give the very best service to clients, while also maximising their enjoyment of personal or family life. “We want to futureproof this identity and create a succession process that equips the next generation of Morecrofts leaders with the skills to preserve what we have and adapt to the future demands of the legal market. We hope to transform excellent lawyers into excellent businesspeople.”*

The programme was facilitated by **Michelle Howard** and is part of a wider series of training, including Institute of Leadership and Management training for all qualified staff and management.





On Saturday 29 July, Weightmans' colleagues, family & friends took part in the Liverpool March with Pride which started at St George's Plateau and ended at the Pier Head. This year, the march was held jointly with Kyiv Pride, continuing Liverpool's Eurovision legacy and solidarity with Ukraine, where it is currently illegal to stage marches due to the Russian invasion.





# Liverpool Legal Walk – registration for teams now open!

**Date:** Tuesday 10th October, 2023 **Time:** 5.30pm for 6.00pm  
**Start:** The Queen Elizabeth II Law Courts, Derby Square, Liverpool L2 1XA

**THE LIVERPOOL LEGAL WALK GATHERS THE LOCAL LEGAL COMMUNITY AND SUPPORTERS OF ACCESS TO JUSTICE TOGETHER TO WALK 5K TO RAISE FUNDS FOR THE ADVICE SECTOR.**

This is a great opportunity for colleagues to come together and take part in this outdoor event after work. Organised by the Access to Justice Foundation, supported by Liverpool Law Society and sponsored by the University of Law, the money you raise goes towards the most vulnerable in society to access justice and legal advice. The organisations the Access to Justice Foundation supports help:

- Prevent families being made homeless • Prevent destitution
- Allow older people gain the support to which they are entitled
- Support women and children who have been trafficked for domestic servitude or prostitution.

A wonderful £8000 was raised by the 2022 Liverpool Legal Walk fundraisers so a big thank you to all who took part last year and let's match and do even better this year!

## 2023 Lead Walkers

We are delighted the following are supporting the Liverpool Legal Walk as Lead Walkers:

- HHJ Wood KC, Designated Civil Judge for Cheshire & Merseyside
- HHJ Menary KC, Honorary Recorder of Liverpool
- HHJ Hodge KC, Specialist Chancery Judge
- Jeremy Myers, President of Liverpool Law Society

**At the end of the 5K fundraising walk, each walker will have a chance to relax, mingle and network at our post complimentary drinks reception kindly sponsored by the University of Law.**

[Register your team now!](#)

THE  
ACCESS  
TO JUSTICE  
FOUNDATION

Register Now <https://atjf.enthouse.com/cf/2023-liverpool-legal-walk>

Liverpool Law Society  
Supported by



Walk with us this year to support access to justice!  
 Tuesday 10th October 2023 5.30 for 6.00pm  
 Sponsored by:

The  
University of  
Law



The Law  
Society





# ADILA

Annual Dinner featuring Legal Awards

## Annual Dinner 2023

Join President **Jeremy Myers** at the region's premier event for the legal sector.

Hear from guest speaker  
**the Lord-Lieutenant of Merseyside**  
**Mr Mark Blundell**



The Legal Awards ceremony will take place after Dinner.  
There will be an envelope collection for the Spinal Unit Action Group  
charity (Reg no. 1101507)

# 9 NOVEMBER 2023

6.15PM FOR 6.45PM

CROWNE PLAZA, LIVERPOOL CITY CENTRE

MEMBERS £990+VAT FOR A TABLE OF 10

NON-MEMBERS £1,350+VAT FOR A TABLE OF 10

**BOOK NOW**

**S P O N S O R E D   B Y**





Annual Dinner featuring Legal Awards

## ENTER the 2023 Legal Awards now!

Only a few days to go before entries close at midday on Friday 8 September 2023

To enter, simply complete the online form stating the reason for your nomination in no more than 800 words and attach any supporting evidence you wish to include.

## CATEGORIES

- RISING STAR AWARD
- OUTSTANDING TEAM AWARD - NON-CONTENTIOUS
- OUTSTANDING TEAM AWARD - DISPUTE RESOLUTION & LITIGATION
- OUTSTANDING TEAM AWARD - FAMILY LAW
- EQUALITY, DIVERSITY & INCLUSION AWARD
- OUTSTANDING LAWYER AWARD
- LAW FIRM AWARD (1-99 EMPLOYEES)
- LAW FIRM AWARD (100+ EMPLOYEES)

**ENTER HERE**

## SPONSORED BY





# Carpenters Group announces sponsorship of Bolan's Shoes world-premiere

Carpenters Group are delighted to announce their sponsorship of the world-premiere of Bolan's Shoes, produced by local independent film company Buffalo Dragon.

The film features music by the pioneers of the glam rock movement of the 1970s, Marc Bolan's T-Rex, and is designed as a celebration of that decade's culture. However, much like Marc Bolan's own legacy, who died in a road accident in 1977, its glitter is dimmed by the tragic repercussions of a deadly road accident and the question of what might have been. The story celebrates the enduring legacy of childhood experiences and the deep bonds of sibling love.

**Donna Scully**, Carpenters Group Director, said:

*"When we were approached by Liverpool-based, Buffalo Dragon about being headline sponsor for the premier of the wonderful movie 'Bolan's Shoes' and found out they would be supporting 'Sean's Place', it was a no-brainer for John and I. It ticks so many boxes for us with its huge connection to Liverpool, its support of the brilliant work Debbie and the team at Sean's Place do to support mental health in Liverpool and supporting the arts which has taken a huge hit with the pandemic.*

*We've worked with Sean's Place since Debbie set it up during the pandemic so it's wonderful to see them get the platform and support from this project. We at Carpenters Group are very much looking forward to being involved."*

Sean's Place is a local charity dedicated to supporting men's mental health and offers a safe place for men to get social support and therapeutic support in a non-clinical and non-judgemental setting.

The film premieres on Thursday 14th September in Liverpool.

*"Sometimes you meet people and you just know straight away that you're all on the same page in trying to achieve the same thing and do something really special. This was the feeling I got when I meet Donna Scully and her team at Carpenters Group. We are all delighted to be working with them."*

- Terri Dwyer, Buffalo Dragon Co-owner and Bolan's Shoes Producer



# It's time to mediate



Ajith Prasad

**The Ministry of Justice (MoJ) has recently confirmed that mediation will soon be compulsory for civil claims valued up to £10,000 (small claims track), with changes coming into effect during 2024. This will see mediation become more common in most small claims proceedings.**

Compulsory mediation will apply only to specified money claims, but it will eventually expand to all small claims i.e. claims up to £10,000.

In terms of how this will look in practice, a Claimant will bring proceedings in the

usual way, however when a defence is filed and the case allocated to the small claims track, the parties will be advised by the court that they must now mediate. The parties will complete a directions questionnaire (a document used by the Court to determine how to allocate the case) and the claim will move to the Small Claims Mediation Service where mediation appointments will be offered within 28 days.

Crucially, the mediation will be free, and the parties will have a separate 1-hour long telephone conversation with a mediator. If a settlement is agreed, a legally binding formal agreement will be recorded with the court. If agreement is not reached, the dispute will be heard by a judge in the usual way. The judge will be able to impose sanctions on parties that did not comply with mediation. The sanctions could include automatically ruling in one party's favour or ordering that one party pay part or all the other sides legal costs.

There are a number of advantages of

mediation including claims being settled more quickly and at less cost to the parties when compared to litigation. Also, compulsory mediation may remove the stigma of being the first party to propose it, which might encourage more parties to engage in mediation.

In terms of downsides, forcing parties to mediate where it is clear the parties will not reach an agreement may lead to time and resources being wasted.

While compulsory mediation will only apply to cases up to £10,000 for now, it is likely that the MoJ will increase the scope to higher value claims up to £25,000 (fast-track) and possibly those over £25,000 (multi-track).

While compulsory mediation may not be to everyone's liking, it is ultimately a positive step by the MoJ and should help parties resolve disputes more effectively and alleviate pressure in the court system.

Ajith Prasad

## Invitation to 2023 Labour Party Conference fringe event

The Law Society has arranged for a fringe event to take place in Liverpool during the Labour Party's Conference in Liverpool. Members of Liverpool Law Society are warmly invited to attend the event on Sunday 8 October. The event 'How Labour can deliver a system that works for all' will take place in meeting room 4, 18:00-20:00 on Sunday 8 October, at the Leonardo Hotel, 31 Keel Wharf, Liverpool L3 4FN. This location is outside the secure zone so no passes are required. There is no need to register for this event.

## Registration open for Growing International Trade in Services Roadshow

At 10:00-13:30 on Wednesday, 8th November 2023 at Aintree Racecourse, Ormskirk Road, Aintree, Merseyside, L9 5AS

If your company provides legal services or marketing, did you know that they are in high demand abroad? Often UK service-based businesses don't realise that working for international customers is exporting and would not class themselves as "exporters". Whether you are an accidental exporter, or are just looking to get started, join the Department for Business & Trade at their free roadshow to learn how to take advantage of the opportunities available, explore new trends, and get top tips on winning business.

For more information and to register your attendance, please click [here](#).



# Merseyside Junior Lawyers Division

On Friday 18th August the MJLD hosted their annual Ball at the beautiful Oh Me Oh My in the heart of Liverpool's City Centre. The event was brilliantly put together by our Social Representatives Dan Pearson and Beth Walker and kindly sponsored by Liverpool John Moores University, Fletchers Group and BCL Legal.

The event played host to 130 junior lawyers from across a plethora of firms in the city region who gathered together to celebrate their achievements over the past twelve months. The Ball was also the site of the MJLD Awards. There were three categories; being the Legal Excellence Award given to the nominee who demonstrated Legal excellence beyond their qualified years, the Care in the Community Award given to the nominee who has made the greatest impact on the local community, and the Support to Rising Talent Award given to the firm who has demonstrated the biggest commitment to supporting junior lawyers. I want to say a huge congratulations to all those who were shortlisted for the awards as it is a massive achievement and really demonstrates the depth of talent in the Liverpool legal community. We announced the winners on the night with the help of **Jennifer Dean**, lecturer at LJMU. The winner of the Legal Excellence Award was **Natasha Khaliq** of Unit Chambers. Taking home the Care in the Community Award was **Molly Brislen**



of Weightmans. Finally, the winner of the Support to Rising Talent was **In-House Legal Solutions**. It was a pleasure to hand out the awards to the most deserving of winners and a big well done to each of them.

The MJLD has had a great year from the opening autumn social at Lime Street Central, to the MJLD v LLS

Quiz hosted at Bierkeller, and culminating in the MJLD Ball last month. We have also continued our commitment to the future of the Liverpool legal community in working closely with the universities and the local courts in proving marshalling opportunities and workshops on interview skills and the job market. The MJLD remains

committed to championing the role of junior lawyers in our legal community and is proud of the work it does in this endeavour.

*The MJLD will be announcing its new committee in the next couple of weeks and will be back with another exciting social calendar and educational event schedule for 2023-24.*



**DARE YOU JOIN US FOR**

# **FRIGHT NIGHT**



**Saturday 28th October we are inviting you and your team, if you dare, to join us in exploring the site of the former Newsham Park Hospital, reputedly one of the most haunted buildings in the North West, for a Ghost Hunt!**

This sprawling Victorian Grade II listed building in Liverpool now lies derelict but has been the site of an orphanage, hospital, asylum and nursing home during its 138-year history.

Boarded up and surrounded by perimeter fencing, we have 99,000 sq. ft of terrifying corridors and rooms to explore as we enter this building in search of the ghostly inhabitants that still reside here.

**Your entry fee of £30 includes use of ghost hunting equipment including EMF Meters, ghost hunting vigils and experiments such as table tipping and seances.**

**So, will you take on the challenge with us?**

**You can find out more and sign up by scanning the QR code below or you can give us a call on 0151 600 1409.**

**Look forward to seeing you there!**

**SCAN  
ME! >>**





# Merseyside Cyber Security Programme launch event in Liverpool



On Wednesday 9th August 2023 Jeremy Myers, President of Liverpool Law Society together with Gaynor Williams, Vice President, and Sarah Poblete, CEO, attended the launch of Merseyside Cyber Security Programme at ACC Liverpool, Kings Dock Street, L3 4FP. ACC Liverpool is a large conference venue on the Liverpool Waterfront.

Attendees were greeted by apprentices from North West Cyber Resilience Centre and refreshments were made available in the convention centre, where people had an opportunity to network before taking their seats.

The North West Cyber Resilience Centre is supported by Merseyside Police and the Merseyside Police and Crime Commissioner. It is also promoted by the Liverpool City Region Combined Authority, led by the Metro Mayor, **Steve Rotheram**.

The speakers included **Emily**

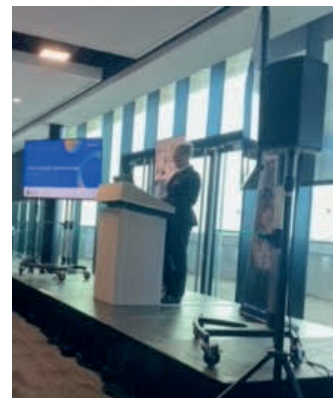
**Spurrell**, Police and Crime Commissioner for Merseyside, **Serena Kennedy**, Chief Constable of Merseyside Police, **DI Dan Giannasi**, Head of Cyber and Innovation and **Steve Rotheram**, Metro Mayor of the Liverpool City Region Combined Authority.

**Asif Hamid MBE**, Director of the Contact Company also spoke of his own experience with cyber-crime, and he highlighted the importance of being aware of the methods used by cyber criminals and having adequate protection in place.



The Cyber Resilience Programme offered by the North West Cyber Resilience Centre is fully funded, by using funds recovered from criminal assets, and businesses can register their interest online at [nwcrc.co.uk](http://nwcrc.co.uk). The aim of the programme is to support 300 SMEs across the Merseyside region, on a first come first served basis, to access training and resources to educate and protect businesses from cyber-crime.

The threat of cybercrime against businesses has quickly grown as cyber criminals use increasingly sophisticated methods and technologies to steal money, information or blackmail business owners. Any business, regardless of their size, is at risk, and a cyber-



attack can be catastrophic.

*Thank you to North West Cyber Resilience Centre, Merseyside Police, The Police and Crime Commissioner and Liverpool City Region Combined Authority for a very well-organised and informative event.*

**Gaynor Williams**  
Vice President



# Shape the future of your local Law Society

**This is your opportunity to use and enhance your skills in working with fellow legal professionals, as part of a team which serves not only our members but also tries to help the wider local community whose members are our clients.**

You could become a director of Liverpool Law Society and have an opportunity to shape the future of one of the most active local and prominent Law Societies in England and Wales. You will make professional contacts and friends, and be at the centre of the work and decision-making of a substantial undertaking: Liverpool Law Society.

We would like to have a committee of Directors which is as representative as possible of the wide membership the Society encompasses. We have over 2500 members from all branches of the legal profession. Please note only full\* members of the Society are eligible for election to the General Committee.

The Society's Annual General Meeting will be held at **1.00pm on Thursday, 30th November 2023 at The Racquet Club**, Liverpool city centre. It will finish by 1:45 pm.

By standing for election at this year's AGM in November, you would become a member of General Committee. The General Committee consists of up to 27 directors, who each serve a three-year term. Every year, nine members of the General Committee retire by rotation at

the AGM: up to five of those due to retire may be nominated by the Committee for re-election, and the others are not eligible for re-election until the next AGM.

The nominee must be a member of the Society, be nominated by three members of the Society and is elected to serve a three-year term.

Members of the Society will receive an email in mid-October with details on how to nominate a full member of the Society to become a director. The nomination form must be completed and returned to the Society by **1.00pm on Monday 23rd October 2023**. Elections will then take place at the AGM in November.

Please feel free to attend the AGM if you are not standing for election. It would be good to meet you and I am sure that you would find it worthwhile to have a chat with a few of the officers and staff team plus some of members attending.

If you would like further information about the Society and the work of the General Committee and sub-committees please visit <http://www.liverpoollawsociety.org.uk/about-the-society/committees> or email [committees@liverpoollawsociety.org.uk](mailto:committees@liverpoollawsociety.org.uk) and we will get back to you.

**Jeremy Myers**  
President

\*Full member

The following persons practising or working in the Area (Area means the City of Liverpool, the Metropolitan Boroughs of Wirral, Knowsley, St. Helens and Sefton; and Widnes and Neston in the County of Cheshire;) (with the exception of the persons referred to in Article 27.1.2 who are not required to be practising or working in the Area but shall have been so practising or working immediately prior to his or her retirement) shall be eligible to be Full Members of the Society:

- 27.1.1 any solicitor who holds a current practising certificate;
- 27.1.2 any solicitor on the Roll who has retired from practice;
- 27.1.3 any barrister;
- 27.1.4 any Fellow of the Chartered Institute of Legal Executives;
- 27.1.5 any registered foreign or European lawyer who is regulated by an Approved Regulator;
- 27.1.6 any person holding a judicial appointment or teaching law;
- 27.1.7 any trainee solicitor;
- 27.1.8 any patent attorney;
- 27.1.9 any licensed conveyancer;
- 27.1.10 any notary public;
- 27.1.11 any trade mark attorney;
- 27.1.12 pupil barristers; and
- 27.1.13 subject to Article 29, any person who is in a senior position at an organisation providing legal services which is subject to supervision by an Approved Regulator and who is approved by the Committee.

## Fight for Francis

**Carpenters Group are launching an appeal as one of our colleagues has a new born baby son who has sadly been diagnosed with Leukaemia. His best chance of survival is finding a donor match for an urgently needed stem cell transplant.**

It's an incredibly upsetting time and we desperately want to find a donor match

for the family. We are circulating details of Anthony Nolan – Saving the Lives of People with Blood Cancer, a charitable organisation matching potential donors and recipients.

Francis's family were given the devastating news on August 9 and told his best chance of survival is having a bone marrow transplant from a donor who is a

10 out of 10 match with him.

### How to get involved

If you feel you would like to try and help find a match please read more about the matching process that Anthony Nolan undertake and consider joining their register to help the Fight for Francis by visiting <https://www.anthonynolan.org/>



# The Law Society asks conveyancers to share their experiences with the Building Safety Act



As you know, [The Building Safety Act 2022](#) was introduced in the wake of safety concerns for occupants of high-rise buildings after the 2017 Grenfell Tower tragedy. The legislation is intended to improve the design, construction and management of higher-risk buildings. It came into force from 1 April 2023. The legislation sits alongside other measures introduced in response to the Grenfell Tower inquiry, including: the [Fire Safety Act 2021](#); [valuation guidance for higher-risk buildings](#) and changes and potential changes to the [UK Finance Mortgage Lenders' Handbook](#) and the [Building Societies Association Mortgage Instructions](#).

We understand why this new legislation and these changes have been causing some confusion and difficulties in the home buying and selling market, and that the complex implications of the legislation and the potential requirements it places on solicitors are significant. We have been listening to the concerns members have raised with us and

our [Conveyancing and Land Law Committee](#), which is made up of solicitors specialising in residential and commercial conveyancing practice. We share many of the concerns raised, including:

- obligations in Part 1 and Part 2 of the UK Finance Handbook and the expectation for conveyancers to take on additional risks
- expectations for solicitors to explain complex requirements from the legislation to lender and lay clients, which may fall outside their current expertise
- possible implications for professional indemnity insurance (PII) availability and cost
- referring clients to suitably qualified persons (if they can be found) will add expense and delays to the process
- buyers' solicitors cannot verify sellers' claims that leases qualify for leasehold protection – for example, they cannot check whether a leaseholder qualifies

because they cannot check how many properties the seller or the previous seller held as at 14 February 2022

We are in regular contact with the Department of Levelling Up, Housing and Communities (DLUHC), PII brokers and insurers, regulators and UK Finance to make sure your concerns are understood. We want to ensure that Law Society members are not exposed to unnecessary risk and to see that the legislation is amended to clarify the provisions which concern members.

To best inform our ongoing discussions, we are **asking conveyancers to share their experiences** with the Building Safety Act. The form to provide this information can be found under 'get in touch' on [The Law Society's webpage](#).

# How subvention funds support business



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



Julie Johnson



**A year ago, Liverpool became the first city to propose an Accommodation BID. Voted for by the city's hotel and serviced accommodation sector, the BID is designed to give the industry a greater say in investment, destination marketing and to support it moving forward. The impact is not only felt within the hotel industry, it has an effect across the city's business community.**

The Accommodation BID is different from a tourist tax, and it is an important distinction to make. Revenue is raised via a levy from within businesses in the hotel and serviced accommodation sector. That revenue, which represents a £4m investment over five years, including a subvention fund of targeted investment. This is designed to attract small, medium and large conferences to Liverpool.

One of the most high profile examples of these this Autumn will be the Labour Conference. Running from 8-11 October, it will see Labour Party members shape the future of the party and its policies, with around 13,000 delegates in attendance.

Delegates stay in the city, which obviously has a benefit for the hotel and serviced accommodation sector. Conferences increase spend in the city centre, with hospitality and retail benefiting.

For business, conferences can support growth, attracting people and ideas, helping to create a thriving business environment and interconnected industries. A recent report into the economic impact of the UK events industry highlighted the importance of conferences, helping to attract foreign investment and promoting expertise. They encourage a knowledge transfer and encourage different sectors to explore how they can work together. Being united by a common purpose, whether that is being based in the same city, shared audiences and products or sectors, conferences and events draw people and knowledge sharing together. In total, the UK events industry is worth £70bn in direct spend. Over £31bn of this total is business events, conferences and exhibitions.

Investing in a subvention fund, supported by Liverpool BID Company, helps to attract these conferences and events to Liverpool. These events can play a critical role in professional development and improving the performance of business. It helps to build a commercial sector in Liverpool, developing and enhancing our interconnectedness. This, in turn, helps Liverpool to be more competitive, to improve our ability to grow and strengthen our economy. While conferences might represent industry coming from around the world, on our doorstep it helps us to learn and understand what our professional neighbours do, what their expertise is and what opportunity we have to strengthen our bonds and work together.

Supporting the attraction of events and conferences to Liverpool undoubtedly has a positive impact on our world leading visitor economy, yet it is also critical in shaping and enhancing our commercial and professional industries, helping to grow our economy further.





## Vauxhall Community Law & Information Centre

The latest news from Vauxhall Law Centre. Providing Access to Justice in the community since 1973.



### BN(O) Advice service launch!

We would like to welcome **Candy Chan** as our latest member of staff as our BN(O) Scheme Caseworker. Candy has been a volunteer with the Law Centre since the start of the year. Before moving to England she practised as a barrister in Hong Kong in general civil litigation and was a part-time lecturer in administrative law. Candy is in the process of qualifying as a solicitor in England and Wales.

Candy will be reaching out to newcomers from Hong Kong in Merseyside under the British National (Overseas) Visa Scheme and laying the foundation for the Law Centre to provide English and Cantonese bilingual free legal advice on welfare and

benefits, as well as housing and renting rights. In the next months, we plan to create bilingual resources available online, provide know-your-rights sessions on what help is available to Hong Kongers who are arriving with the visa condition 'no recourse to public funds', and to take up casework.

More information will be available on our website and social media in due course. As this is a new and uncharted territory, we welcome any input, referral and collaboration from any interested organisation, firm or advice centre. If you know anyone in Merseyside who needs help, please ask them to reach out to Candy at [candychan@vauxhalllawcentre.org.uk](mailto:candychan@vauxhalllawcentre.org.uk).

### Public Talk: 1981 People's March for Jobs



Vauxhall Community Law & Information Centre and Giz a Job organisers would like to invite you to a free talk between Liverpool-based historian **Dr Greig Campbell** and author **Mike Carter** at Bar Casa, Liverpool @ 1pm on Saturday 16 September (see flyer above).

The talk will explore the 1981 People's March for Jobs by delving into Mike's experiences when researching his 2018 book *All Together Now: One Man's in Search of His Father and a Lost England*. Mike's father, Pete Carter, was one of the three principal March organisers and, as part of his research for the book, he retraced the full route taken by the Green Army in May 1981.

The full address of the venue is:

Bar Casa, 29 Hope Street  
Liverpool L1 9BQ

Here's a Guardian review of All Together Now: <https://www.theguardian.com/books/2019/jan/28/all-together-now-one-mans-walk-search-of-father-lost-england-mike-carter-review>

If you plan to attend, can you RSVP to [info@thepeoplesmarch.co.uk](mailto:info@thepeoplesmarch.co.uk). If you have any questions about the event, please don't hesitate to contact project organisers by texting or calling 07585 669 833

### Using the law and Ombudsman complaints processes to combat homelessness in Liverpool

On 16.04.23, Vauxhall Law Centre had a complaint against Liverpool City Council's handling of one of our clients' homelessness cases upheld by the Housing Ombudsman. Our client was represented by one of our Housing Solicitors, **Siobhan Taylor-Ward** after they spent over a year homeless, sofa surfing or in temporary accommodation with their 10-month-old daughter due to Liverpool City Council not providing her with the help she was entitled to. Vauxhall Law Centre's Housing team has started to pursue complaints processes and ombudsman referrals in homelessness cases against Liverpool City Council in a bid to push for systemic change in the way in which the authority manages homeless cases and carries out its legal duties.

We are working to develop these stories further with a view to producing a series of reports on various housing issues in the city. This will include a focus on the treatment of migrants and those speaking English as a second language who are involved with homelessness services as we have seen a high level of potential discrimination and a failure to adapt services to meet the needs of these groups.

The case has received high interest from local press and national law publications for highlighting the ways in which our housing team are combatting homelessness in the city outside of the



courts. Learn more about the case on our website or on ITV's website here: <https://www.vauxhalllawcentre.org.uk/post/vlc-s-housing-team-in-the-press-over-homelessness-complaint-involving-pregnant-mum>

<https://www.itv.com/news/granada/2023-06-01/pleas-of-homeless-and-pregnant-mum-repeatedly-ignored-by-council>

### Team VLC for Liverpool Legal Walk 2023

Why we walk... For the poorest and the most vulnerable people in our community, access to justice is out of reach.

We will be taking part in the annual Liverpool Legal Walk on the 10th October 2023, raising money for

the North West Legal Support Trust supporting fellow advice services. If you're looking for a team and want to get involved in the walk, we are a friendly bunch and would welcome any extra team members who are interested. Please email [Development@vauxhalllawcentre.org.uk](mailto:Development@vauxhalllawcentre.org.uk) to find out more about the centre and why we walk...

If you'd like to sponsor us on our walk then we will be accepting donations on our fundraising page here: <https://atjf.enthuse.com/pf/elly-smith>

### We are looking for pro-bono partners!

If you think you or your firm can support our work please do not hesitate to contact us. We are looking for volunteers with skills in a wide range of areas. We are also looking to develop our Board of Trustees we would appreciate any support your or your organisation could give to us, maybe as part of your Charity or Corporate Social Responsibility work?

If you're a legal firm and want to donate so we can continue to provide advice or take up pro bono cases please reach out. For any enquiries please email us at [development@vauxhalllawcentre.org.uk](mailto:development@vauxhalllawcentre.org.uk). We'd be delighted to have a chat and look at ways in which you can support access to justice in Liverpool.





# Director at Maxwell Hodge Solicitors raises over £600 for Big Help Project!

On Saturday 29th July, Kristina Stoddern, one of the four Directors at Maxwell Hodge Solicitors, stepped out of her comfort zone to participate in the Liverpool Cathedral Abseil to raise funds for Big Help Project.

The company's Huyton and Kirkby branches had nominated Big Help Project to support during 2023.

Kristina wanted to raise £400, which would feed two families for a year via one of their Knowsley Foodbank food clubs. Kristina smashed her target raising a fantastic £615 for the BHP 'Feed a Family' Campaign, which will help support so many people.

Big Help Project were delighted with the amount Kristina had raised, commenting *"Your bravery, by going down the 150 ft Cathedral, will mean we will be able to support and help people that are facing crisis and poverty, thank you."*

Kristina was very grateful for all the donations she received and to those who attended on the day to show their support. What an achievement!







**BIG HELP  
PROJECT**

**Maxwell  
Hodge**  
SOLICITORS

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-  • OPPORTUNITY TO CROSS BORDERS & SHARE COMMON VALUES.
-  • TO INTEGRATE YOUR PRODUCT OR SERVICE INTO THE ACTIVITIES OF LIVERPOOL LAW SOCIETY.
-  • POSITIVE PUBLICITY WHICH HELPS CREATE HEIGHTENED VISIBILITY OF PRODUCTS & SERVICES.

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members of  
the legal  
profession

Liverpool  Law Society



*"Liverpool Law Society has always been a pleasure to work with. The team always go above and beyond to help sponsors achieve their objectives in supporting the Society, always keeping the members at the centre of everything they do."*

<https://www.liverpoollawsociety.org.uk/services/sponsorship/> **ENQUIRE**

# Secure your law firm or charity with a **FREE Cyber Essentials** certification

## Funded Cyber Essentials Programme

Law firms and domestic abuse charities have been included in the sectors that are most at risk of cyber-attacks, qualifying for the National Cyber Security Centre's (NCSC) Funded Cyber Essentials Programme.

This scheme aims to provide vulnerable organisations with help to implement baseline security controls to prevent the most common types of cyber-attack. To qualify for this scheme, organisations must have:

- Under 49 employees,
- Offer legal aid services or operate as a domestic abuse charity
- Does not currently hold Cyber Essentials Plus certification
- Has not been awarded CE+ certification since May 2022
- Is not currently in the process of applying for CE+ certification



Delivery Partner



in association with  
**National Cyber  
Security Centre**

Cyber Advisor




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CONSORTIUM

## GET YOUR FREE ACCREDITATION TODAY

As an accredited certification authority, CYFOR Secure can guide you through this government-backed scheme and help you to ensure that your organisation is protected against cyber threats. Implementing the Cyber Essentials certification controls is recognised by the ICO (Information Commissioner's Office) as one of the many ways law firms and charities are taking action to mitigate the risks they face, especially if those risks are of a low level, and include numerous benefits.

- Improve defences against advanced cyber-threats
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**Contact our cyber consultants  
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# PII Update - Looking ahead to the October renewal season



Brian Boehmer

**The solicitors PII season is now well underway, with many of the leading insurers kicking off proceedings earlier than in previous years, following the reintroduction of early/easy renewal offers for certain longer-standing clients, and a generally wider availability of cover.**

One very disappointing development in the PII marketplace is that, due to a

complicated regulatory process, a much-anticipated new A-rated entrant has advised its broking partners that it will not be able to offer a solution for the legal profession of England and Wales in time for October renewals. Thankfully, this is purely a timing issue; the insurer's commitment to the sector remains, and should be fully operational to access next year.

Despite this disappointing news, our optimism remains. The vast majority of leading participating insurers have an appetite to actively grow their respective portfolios with the addition of new business. Further evidence of this is demonstrated by the return of extended policy periods, particularly for those practices with a desirable risk profile.

Each insurer's appetite for business will naturally vary. In the main, this is typically defined by the following factors: Partner (Director/ Member) numbers, fee income, activity profile, and claims. Some insurers focus on smaller practices, others on larger practices, some like specialist others prefer generalist. Of particular interest to many leading insurers is the level of conveyance work a given practice undertakes, with conveyance caps remaining in force (although these too vary considerably across the marketplace). As such, the market for firms with fee income below £3M and over 35% conveyance continues to be challenging, albeit not impossible for quality firms with a decent presentation. In recent renewal seasons, a number of insurers have also insisted on practices having a separate cyber policy in place. This approach persists, with some insurers refusing to quote without evidence of such a policy, and even applying a premium loading for applicants deemed particularly high-risk.

As a result of these improved market conditions, and despite the inflationary pressures facing insurers, rates within the market have stabilised. Subject to perhaps a consistent area of practice being undertaken, firms with a reasonable claims performance are not experiencing further erosion of their profit. Some are actually benefiting from a concession in the rate applied to their fees, particularly if they have reduced higher-risk practice

areas, or where further risk improvement measures have been articulated and, importantly, shared with insurers.

While it is still early to report on rate and pricing accurately, from what we have seen so far, premiums have not been reducing significantly. The main reason for this is the fact that many SRA-regulated practices have experienced substantial growth in their fee income – a primary driver for the premium charged by insurers.

## New Questions

Each renewal season typically introduces a number of new questions, or sees existing questions refined. This renewal season is no different.

Due to the ongoing Russian invasion of Ukraine, along with the heightened spotlight on AML, varying sanctions-related questions remain. Many of these relate to property work, which continues to be the largest contributor of claims experienced by the legal profession of England and Wales. Questions relating to the Building Safety Act have also been introduced, with insurers seeking confirmation that those active are alive to the changes and the additional risks involved, and have implemented measures to mitigate risk.

In addition to this, some insurers are looking specifically at the lenders involved in conveyance work undertaken. They are seeking confirmation that practices only have a modest exposure (sub 5%) to secondary lenders, defined as those lenders which have not signed up to the UK Government's Mortgage Charter.

## Approach

While insurers have an appetite to grow their portfolios, it is the job of their underwriting teams to deploy capital to deliver a profit. Given the current economic environment, many underwriters will still adopt a level of caution. To capitalise on the improving insurance market conditions, it is recommended that firms take the time to prepare a quality presentation that provides a positive reflection of their practice. As Lockton has advised countless times, this is firms' shop window for insurers, so they must use the opportunity wisely. It is prudent to remember that approximately two-thirds of the legal profession of England and Wales renew at the end of September, so you will be vying for the attention of underwriting teams along with a substantial number of their peers. If you provide the bare minimum and do not share positive news about your practice, how will your representative and more importantly the underwriter know?

The good news is that we have an active market, the leading insurers have an increased appetite for business, but remember their underwriting teams will only have a finite amount of time to undertake their risk assessments. At the time of writing,

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## PII Update - Looking ahead to the October renewal season (continued).

approximately 10-15% of those due to renew have done so already, while 50-60% of the entire SRA-regulated profession renew their insurance in the coming weeks.

With that in mind, make sure your practice stands out from the crowd. Should you have experienced claims, provide a narrative of the situation, along with detail of the measures implemented to prevent their repeat. Simply stating that the fee earner responsible for the claims is no longer with your firm isn't necessarily enough to satisfy insurers. Likewise, if firms only provide the bare minimum, and do not share any positive news with their representatives, then how will the underwriter know? I encourage you to use this opportunity to help your chosen representative(s) to educate insurers about your firm, what you do, and how you do it. Consider the fact that specialist underwriters are not solicitors, and although they will understand risk, and the ramifications of any mistakes, they may not comprehend the intricacies of your specialism entirely. At the same time, no two practices are identical, so articulate why you are better. As they say, perception is not always the reality – an underwriter could always form an opinion which is incorrect. And once opinions are formed, they are much harder to change.

It would also be wise to begin exploring finance options much earlier than you may have done previously, given that the due diligence process at most lenders has increased. Added to that, high interest rates may mean that you need to shop around to get the most favourable terms.

### Representation

Choose your representative(s) wisely, acknowledging the fact that it would not be advantageous to scatter your presentation across the marketplace, as this may dilute the work that you have done to present your practice in a positive light. There is also a possibility that your representative may not be able to reach all the active participating insurers directly, and this may well result in you not being able to achieve the optimum solution possible for your practice.

Before selecting your representative(s), establish which insurers that they can approach directly on your behalf. You simply will not truly benefit from an improving PII landscape should you inadvertently exclude half of the active participating insurers. Likewise, remember that each insurer will have a different appetite to business. Therefore, you need to make sure that you approach the insurers who will be attracted to your practice.

We would welcome the opportunity to canvass the market for all Liverpool Law Society members, or, as a minimum, to provide each of you with a second opinion. We have direct access to more active participating insurers than any of our peers, and will have insurer solutions that your current representatives cannot provide for you, for a broad spectrum of risk profiles.

I do hope that you take up this offer, and wish you all the best.

**Brian Boehmer**

Partner

E: [brian.boehmer@lockton.com](mailto:brian.boehmer@lockton.com)

W: [www.locktonsolicitors.co.uk](http://www.locktonsolicitors.co.uk)

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# Do I have your attention?

**Time management is a total misnomer. You can't manage time. Time will pass. It's what you do with the time you have that matters.**

Where you place your attention is what really matters and that's what I want to talk to you about today.

So, do I have your attention?

## The Analogous Journey: From Timekeepers to Business Navigators

Imagine you're a captain of a vast ship, navigating through treacherous waters toward uncharted territories. The ship's precious cargo represents your expertise, skills, and valuable insights, while the unpredictable sea symbolises the complex and often overwhelming administrative responsibilities that come with legal practice.

Traditionally, you found yourself burdened by mundane yet essential tasks, akin to sailors spending endless hours repairing and maintaining the ship. These duties, such as onboarding clients, document management, reporting on business performance, billing, and accounting, consumed an excessive amount of your time and attention, leaving you with little room to focus on strategic planning, client interactions, and revenue generation—the true sails that drive your legal voyage.

Enter Denovo's Legal Case Management and Accounts Software as the wind that fills those sails. By automating and streamlining administrative processes, the software lightens your load, allowing you to steer the ship with precision and purpose. In this context, time saved is not just a mere commodity; it's the fuel that propels you and your team towards uncharted business-critical territories.

## Redefining Time Management: A Strategic Pivot

Our software doesn't really free up time in the traditional sense; it bestows a strategic pivot that empowers lawyers, like you, to allocate your revitalised time and attention where it truly matters. Consider the scenario of a seasoned solicitor, like yourself, who previously spent countless hours managing case files, tracking billable hours, and generating invoices. With our software at your side, you now find yourself not merely saving time, but fundamentally reshaping your approach to time management.

With the burden of administrative tasks lifted, you can redirect your energy towards cultivating stronger client relationships. You're now able to communicate more effectively, listen attentively to your clients' concerns,

and provide tailored legal solutions that reflect your deep expertise. As a result, your reputation soars, client retention rates surge, and word-of-mouth referrals pour in—an invaluable return on the investment of your newfound time.

Furthermore, our software also paves the way for you to explore uncharted territories of legal innovation. No longer confined to the minutiae of paperwork, you begin dedicating time to devising new service offerings, exploring alternative fee structures, and identifying emerging trends in your field. This shift from working in your business to working on your business amplifies your capacity to generate profit, adapt to changing industry dynamics, and stay one step ahead of the competition.

## Unlocking the Profit Potential: A Paradigm Shift in Legal Practice

Our software acts as a catalyst for a broader shift in the legal profession—a transformation from being reactive to proactive, from transactional to strategic, from time-bound to opportunity-driven. This software doesn't merely save time; it shatters the conventional mould and releases you from the chains of administrative tedium.

In this paradigm, your time is not so much freed up, as you will always allocate your time to other tasks but think of it as your attention being redistributed.

## Elevating Legal Practice Beyond Boundaries

Denovo's Whole Practice Management Software redefines the very essence of time management in the legal profession. This revolutionary software transcends the superficial notion of time saved and extends an invitation to lawyers—a chance to unshackle themselves from the burdens of administrative minutiae and embark on a transformative journey towards strategic excellence.

As a legal professional yourself it's time to embrace this paradigm shift and unlock the true profit potential of your practice. This isn't a matter of saving time—it's an evolution of attention allocation, a reimagining of business priorities, and a roadmap to greater profitability and prosperity in the modern legal landscape.

Just to be clear, this is not some swashbuckling fairytale, it's reality for the hundreds of law firms in UK that we partner with. So, if you want to jump aboard the good ship Denovo and make your life a whole lot easier, email [info@denovobi.com](mailto:info@denovobi.com), call us on 0141 331 5290 or visit our website – [denovobi.com](https://denovobi.com).

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# Regulation Update

The latest Regulation news from Andrea Cohen of Weightmans LLP



Andrea Cohen

Welcome to this month's review of what's been happening in the world of risk and compliance, and what we can expect in the next few months.

## SRA report on managing regulatory risk during economic uncertainty

The latest SRA Risk Outlook was published on 28 July 2023 and considers the issues around managing risk in a period of economic uncertainty, including economic, political, regulatory, and firm behaviour drivers. The report includes:

1. A reminder to
  - obtain an accountant's report within the relevant period and send the SRA any qualified report so it can ensure client money is being kept safe.
  - review your interest policy in light of rising interest rates to remain compliant with SRA Accounts Rule 7.1.
  - report serious financial difficulty.
2. A reminder of sanctions compliance, that all firms are subject to the sanctions regime whatever services they offer, and must have processes in place to identify and know what to do if they encounter a designated person.
3. Reference to
  - the proposed amendment to s1 of the LSA 2007 in the Economic Crime and

Corporate Transparency Bill, which would add 'promoting the prevention and detection of economic crime' to the existing legal services regulatory objectives.

- The SRA proposing to enhance the Transparency Rules
- Ensuring new and ongoing training, and supervision arrangements, in relation to new areas of work
- Remaining vigilant in protecting against cybersecurity threats, including testing at regular intervals
- The importance of firm culture, the SRA reporting a link between poor workplace culture and the risk of unethical behaviour
- the challenges on in-house solicitors in relation to maintaining independence and the SRA's intention to increase its support in upholding their ethical obligations.

## SRA fining powers – on the move again!

With the Economic Crime and Corporate Transparency Bill in its final stages (and likely to receive Royal Assent in September/October), which will introduce a new offence of failure to prevent fraud and give the SRA unlimited fining powers for specific crimes, and the recent calls by the SRA for it to have the power to issue unlimited fines against firms whose solicitors commit serious misconduct (following the recent investigation of immigration lawyers by a national newspaper), now would be the appropriate time for firms to carry out a risk and compliance 'healthcheck', and, if within scope of the money laundering regulations, update the firmwide risk assessment in light of the SRA's latest sectoral AML and Terrorist Financing risk assessment (referred to in last month's update), and carry out an independent audit, if one has not been undertaken.

## SRA review on work relating to

## lasting powers of attorney and deputyships

A thematic review conducted into solicitors' work on lasting powers of attorney (LPA) and deputyships found that firms generally offer a good standard of service. However there are concerns around current and future demand for LPA specialists, highlighting the importance of effective training and supervision arrangements for existing staff.

## An area of possible improvement

identified by the review was in terms of solicitors offering more critical challenge on who an individual appoints as their attorney. For example, considering the financial/ legal literacy of the proposed attorney, in addition to their future health and wellbeing.

## SRA report into NDAs

Following its warning notice published in 2018, the SRA has conducted a thematic review into how NDAs are prepared and the role of firms in drafting and agreeing them. While there was no evidence of firms 'intentionally seeking to suppress the reporting of wrongdoing', the SRA did find examples of 'concerning trends and practices which may inhibit or deter disclosures'. The SRA said it will be running a campaign to review and reinforce the issues and best practice, it has responded to the LSB's consultation on the use of NDAs and will be working with other legal regulators to improve awareness and understanding of the key issues.

## Annual assessment of continuing competence

The SRA's recent report, following analysis of data from reports alleging incompetence, findings from thematic reviews and from wider checks on training and supervision arrangements indicates:

- Most firms ensure employees maintain

competence

- There are weaknesses in how some solicitors and firms maintain competence and deliver competent legal services
- Certain areas are more likely to be the subject of a report, namely residential conveyancing (most common areas related to ethics, professionalism and judgement) and probate
- Demonstration of reflection on practice and addressing learning and developments needs can be lacking
- Some lack awareness regarding professional obligations and specific risks relating to their areas of practice
- Examples of poor supervision have been found through thematic reviews

Over the next 12 months, in relation to residential conveyancing, probate and immigration, the SRA will continue to investigate the most serious cases reported, carry out competence-focused inspections, sample training records, and find out more about firms' supervision arrangements by carrying out thematic inspections and consider enforcement action where it identifies solicitors who are not keeping skills and knowledge up to date and firms who do not have appropriate supervision arrangements in place.

The SRA will be publishing further guidance in 2024 to clarify its competence expectations and remind all solicitors of their competence obligations, including evidencing reflection and keeping knowledge and skills up to date.

### Law Society practice notes

The Law Society has published a number of new practice notes since our last update:

- Conflict of interests <https://www.lawsociety.org.uk/topics/client-care/conflict-of-interests>
- Compliance officers <https://www.lawsociety.org.uk/topics/business-management/compliance-officers>
- Information on letterheads, emails and websites <https://www.lawsociety.org.uk/topics/client-care/information-on-letterheads-emails-and-websites>
- Statutory defences available to asylum seekers charged with document

offences <https://www.lawsociety.org.uk/topics/immigration/statutory-defences-available-to-asylum-seekers-charged-with-document-offences>

### Disciplinary decisions:

#### Struck off for £25,000 client loan

A solicitor has been struck off for his 'completely unethical' decision to accept a loan for £25,000 from a client. The tribunal heard that the solicitor drafted a fake agreement in a 'woolly attempt' to account for the money, purporting that the loan was money on account, with entries put on the client's ledger for £22,000 when the SRA started investigating, and in the recording of the meeting by the client's wife there were several references to a loan. The SDT said that the case was a clear conflict of interest with the solicitor putting his own and the firm's interest, which was close to its overdraft limit of £110,000 at the time, over the client's.

#### Struck off for failing to disclose convictions to new employer

A solicitor has been struck off the roll and ordered to pay £27,000 costs for failing to tell two new employers about previous drink-drive convictions. The tribunal heard that the solicitor was convicted in 2016 for driving with excess alcohol and disqualified from driving for 12 months and was again disqualified for 40 months, two years later. During this period of disqualification, the solicitor breached one firm's expenses policy by making false declarations on expenses claim forms, claiming that he had a valid driving licence, insurance and MOT certificate, drove at least 4 times while disqualified, and later told the other firm that he had not been convicted of any criminal offences, nor subject to disciplinary procedures or investigation, which was not true.

#### Struck off in rare private SDT prosecution

A former managing partner has been struck off in a rare private prosecution before the SDT. The case was brought

by the purchaser of the solicitor's brother's property, who accused him of professional misconduct and dishonesty over his part in the sale by encouraging his brother to lie about the history of complaints and disputes with the neighbours and make suggestions in the seller's property information form which he knew to be false or misleading. The solicitor deliberately did not make his conveyancing colleagues aware of the disputes and allowed the firm to continue to act. The tribunal found the allegations proven and ordered costs of £29,750 to be paid to the prosecutor. The individual referred to himself as a 'reluctant prosecutor' and said that the SRA should have brought proceedings, rather than him.

#### Struck off for procuring false payments from a former client

A solicitor has been struck off for obtaining money to which he was not entitled by visiting a 83-year-old woman's home after he had left the firm and claiming that she owed him £15,000. The woman initially refused to pay, but when he returned a second time she gave him her cheque book and he wrote three cheques, payable to people he knew, which she then signed. The solicitor admitted the allegations, including dishonesty and lack of integrity. The SDT described the conduct as 'misconduct of the most egregious kind'.

#### Struck off for editing client email chain

A solicitor has been struck off and ordered to pay £5,000 costs after admitting allegations of dishonesty and lack of integrity for editing the contents of an email chain with a client to make it appear he had dealt with the client matter more effectively. The tribunal found that the difficulties he allegedly experienced, including personal issues, too large a caseload and lack of support from colleagues did not constitute exceptional circumstances, but added as a general observation that solicitors should 'seek timely and appropriate help before matters escalated beyond their control'.



## Struck off for defrauding council and cancer charity

A solicitor has been struck off after being convicted of criminal offences, including conspiring to commit fraud and conspiring to convert criminal property, and jailed for 2 ½ years. She accepted she had been convicted but denied acting dishonestly. The solicitor had held a senior role at her council employer and chair of the board of a local cancer charity. Together with another person, she defrauded the council of more than £37,000 by having a salary paid to a 'fake' employee, and the charity paid more than £3,000 to a 'consultant' for work that had not been carried out.

## Ban for advising on cemetery plot investment scheme

A section 43 order has been imposed on the owner of a closed law firm, barring him from involvement in a legal practice without the SRA's approval, after he gave

inadequate advice to clients regarding a burial rights investment scheme and the associated risks, allowing the client account to be used as a banking facility, and dishonestly taking a success fee from a personal injury client.

Barred for not disclosing conviction  
A law firm employee who failed to disclose his conviction for possessing indecent images of children has been barred from working in the legal profession without the SRA's prior approval, due to the seriousness of his conviction and the length of time it occurred.

## Rebuked for failing to take client's instructions

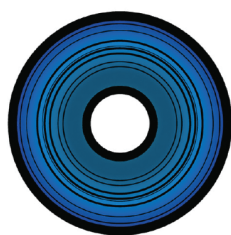
A solicitor who took instructions from a client's partner in relation to preparing his will, without meeting the client or obtaining confirmation that the individual who gave her instructions had the client's authority to do so, has been rebuked by the SRA. The client's

daughter complained to the SRA and said that at the time the will was prepared by the solicitor, posted to the partner to pass to the client, and subsequently signed by the client and witnessed, the client had a terminal illness and was taking medication. The SRA determined the conduct was reckless as to the risk of harm to the client and beneficiaries and a rebuke would deter the solicitor and others from similar behaviour.

## How Compli can help...

The Compli Solicitor Regulatory and Professional Discipline Team can provide expertise and advice in with risk and compliance, AML, disciplinary assistance etc. If we can help in any way, please get in touch at [compli@weightmans.com](mailto:compli@weightmans.com).

**Andrea Cohen**  
Compli,  
Weightmans LLP



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- Directors of insolvent companies;
- Customers or clients with outstanding bills or invoices;
- 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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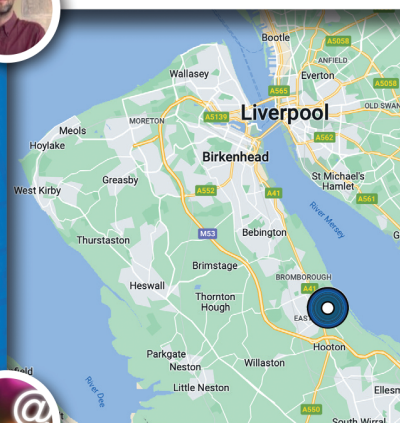
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# Reviewing Your Will: Navigating Changes to the Statutory Legacy Figure



John Paul Dennis

**Making a will enables you to stipulate how your assets, property, and personal belongings should be distributed amongst your loved ones and beneficiaries. A will is the best way to ensure that your wishes are fully respected and carried out after your passing. Without a will, your estate could be subject to intestacy laws, potentially leading to a distribution that may not align with your desires, causing unnecessary stress and conflict between surviving family members.**

A thoughtfully crafted will allows you to appoint guardians for any minor children, select appropriate executors to handle the estate, and possibly minimise the tax burden on your beneficiaries. It is a responsible and considerate act that

provides peace of mind, safeguarding your legacy and the financial well-being of those you care about most.

In estate law and inheritance upon an intestacy (where someone dies without a will) the statutory legacy figure plays a vital role in ensuring that your surviving spouse or civil partner is adequately provided for upon your death.

## What is the Statutory Legacy Figure?

The statutory legacy figure, also referred to as the intestacy legacy or the statutory inheritance amount, is the legal minimum amount of the estate that is guaranteed to pass to your surviving spouse or civil partner, in the event that you die without leaving a valid will (intestate).

On the 5th of July the government passed The Administration of Estates Act 1925 (Fixed Net Sum) Order 2023 increasing the current statutory legacy in cases of intestacy from £270,000 to £322,000. So starting from 26th July 2023, this amount will increase to £322,000, in line with inflation.

The primary purpose of this statutory legacy figure is to provide your spouse with financial security upon your death, without a will. It recognises contributions to your marriage or civil partnership and seeks to prevent undue hardship or financial strain during an already difficult time.

## What is the purpose of the Statutory Legacy Figure and what is its significance for my family?

Without a statutory legacy figure in place, intestacy laws would distribute your estate according to a predefined legal hierarchy, often leaving the surviving spouse with an uncertain share or, in some cases, without many inheritance rights. This figure ensures a reasonable portion of your estate is reserved for them, irrespective of whether you have a will in place.

It is important to note that the statutory legacy figure represents the minimum amount that the surviving spouse or civil partner is entitled to receive. If the deceased person's estate exceeds this amount, the remaining assets will be distributed according to the laws of intestacy or any valid will left behind.

## What do you need to do or consider:

As laws and regulations are continually evolving, it is essential to consult with a legal professional and stay up-to-date with the latest changes to ensure that you and your loved ones are protected.

The first step towards securing your family's future upon your death, would be to plan your estate through a will or trust, ensuring that all of your assets are distributed as you intend. If you have an existing will or trust, we are happy to review this on your behalf, ensuring your spouse or partner are financially cared for, and the remainder of your estate is distributed to your exact wishes rather than leaving an arbitrary sum and a division of assets to be determined by legislation.

*To discuss setting up or reviewing your will with our Private Client team, contact John-Paul Dennis at [JPD@prosperitylaw.com](mailto:JPD@prosperitylaw.com) or call us to arrange an appointment on 0151 909 8657*

# Recent Scientific Developments In Hair Strand Testing And Racial Bias In Current Practices Of Hair Strand Testing



**Forensic Testing Service (FTS) were delighted to be asked to support Sarah Branson in developing her latest, very interesting article focusing on racial bias in some practices of hair strand testing. The article was originally published in Family Law in June 2023.**

Sarah Branson is a barrister at Coram Chambers, specialising in acting for children, parents, and local authorities in the most complex public law proceedings. Paul Hunter is the Technical Director at FTS and is an accomplished expert witness in the field of drug and alcohol testing, with over 20 years' experience developing and running specialist substance-misuse analytical laboratories. This is a summary of what is covered in the article:

The use of hair strand testing for drugs and alcohol has been around for over twenty-five years and is now commonplace in the family courts.

Despite case law setting out its limitations as examined below, a positive hair strand test will often lead to the seemingly irrefutable

conclusion that drugs or excessive alcohol have been consumed.

Often conclusions are drawn about the amount of drugs consumed from the tests alone. A positive drug test in the face of a denial about using substances (or using them at the levels suggested) will lead to professionals, working with that family, to accuse them of being dishonest about their substance misuse problems, lacking insight or being in denial.

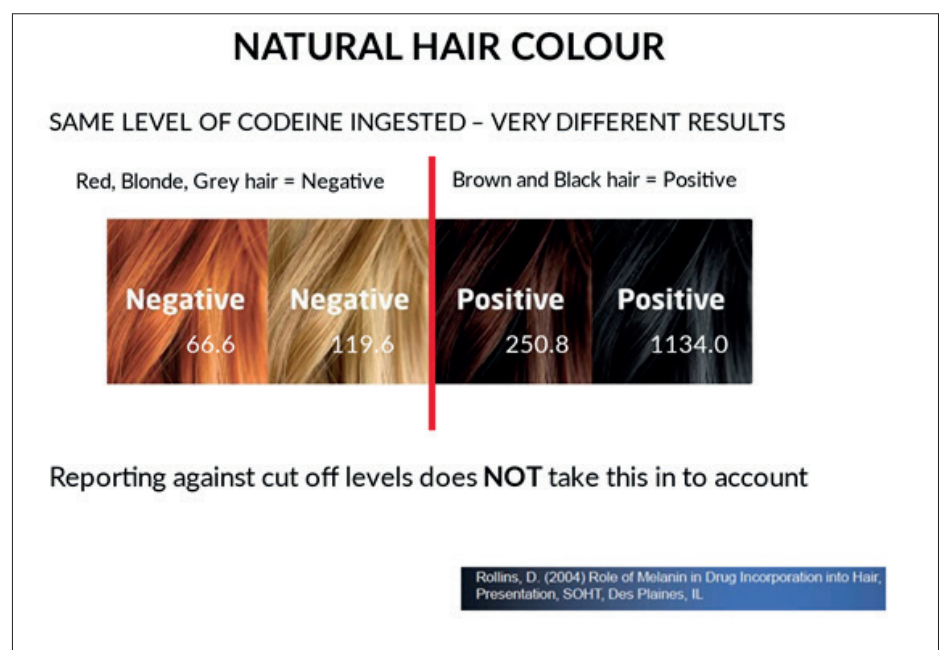
Despite the certainty with which these results are often treated, studies and data accumulated over the past 10 years cast doubt on the reliability of previously drawn conclusions.

This article explores the recent academic research into this evolving scientific field and highlights areas where caution must be exercised in drawing definitive conclusions. It demonstrates that in many cases the standardised use of cut off levels

used for interpretation and reporting hair strand testing, employed by the majority of testing companies, creates a racial bias and therefore caution must always be exercised when results are presented as 'positive' or 'negative'.

FTS has been innovating and leading the way in best practice D&A testing for over 13 years. They do not use cut-off levels providing a complete forensic investigation into all the variables available to help determine the correct decision for the child and the parents. They have their own in-house laboratory which is accredited to UKAS & ISO Standards, and they deliver a gold standard model to support vulnerable children. They are the only laboratory that currently meets the guidance provided by the High Court and TIAFT, delivering the necessary burden of proof for the family court.

The full article can be found on the [FTS website](#) – just search for Sarah Branson.





# Charity Spotlight: Beechley stables



## Surviving and thriving for disabled riders in our community



This is an adult blind rider who has been blind since her late 20s and used to ride racehorses for exercise. Today, she lives in a nursing home and this is her weekly activity and natter session!

Nestled alongside Calderstones Park in south Liverpool is Beechley Stables - a cluster of Grade 2 listed buildings including offices and stabling, a covered arena and a beautiful paddock. From these amazing facilities, a team made up of one full time Manager and Part time groom, with a volunteer workforce aged between 14 and 82 - and not forgetting our six amazing horses - delivers a wide variety of equine related activities to disabled people of all ages. Riding and non-riding activities provide fun and

therapy for all ages and disabilities. The participants are from a wide group to independent riders, wheelchair users with learning disabilities, wheelchair users with life changing injuries or illness, supported living disabled participants accompanied by care workers in single or group referrals, older persons with dementia and age related degenerative conditions such as Parkinsons, School Groups from the SEND provision, Alternative Provision schooling groups, Charitable groups, CAHMS

Team referrals and Merseyside Youth Association funded projects. Sessions are proven to deliver physical benefits, boost confidence, improve communication skills and help to build relationships and reduce isolation. It is the only Riding for the Disabled centre in Liverpool and has a wide catchment area extending as far as St. Helens, Knowsley, Sefton, Widnes and the Wirral.

Alongside the benefits to disabled riders and service users are the volunteering opportunities for able bodied and disabled people. Beechley is a genuinely diverse centre, bringing together people of all ages, backgrounds and abilities. Volunteers know they are making a huge difference in people's lives; they learn new skills, thrive as part of a team, make new friends, enjoy the outdoors (and keep fit) and boost their CVs. Volunteers can ultimately become RDA Coaches, which is a uniquely rewarding challenge, offering the chance to unlock potential in everyone and to inspire participants to achieve their goals.

All in all, an incredible facility for our community. And one which, having suffered numerous threats to its survival is ready, with additional financial support, to the range of services it can offer to disabled people.

### Surviving and thriving

Beechley became a registered charity in 2014. The services had previously been run by Liverpool City Council but, with funding cuts threatening closure and the consequent loss of riding for the disabled, a team of dedicated volunteers took on the challenge of setting up and running the charity. The site was then saved from redevelopment into housing in 2018. Then when the Covid pandemic also threatened Beechley with closure, it was only through the extraordinary efforts of volunteers and support from Covid recovery funding that the charity survived. The spirit to continue to provide



disabled riding in Liverpool burns strong, and after a period of consolidation post-Covid, Beechley is ready to further expand its services.

The post-covid period in 2021 saw up to 50 RDA Groups closing nationally and two riding schools in the Liverpool and surrounding area closing their doors for good. Beechley Stables RDA has risen to the challenge of diversification to try to future proof the charity from the challenges of total loss of income, firstly by increasing their charitable reserves to six months operating costs and by developing new activities based around Mental Health & Wellbeing which aims to focus on the mental health of adults and children, both disabled and able bodied. These courses are bespoke and can be adapted to offer business Wellbeing for Staff Days. Participant staff will participate in activities which promote team building, communication and boost confidence through new challenges using equine activities.

### Routes to funding

Income to cover the monthly costs of around £7,000 is raised in part from charges for RDA riding and horse care activities, along with some general riding and fundraising events held throughout the year. Other income is sought through pony adoption schemes, a Beechley Lottery, Charity Giving sites and other charitable and private donations. Beechley is immensely grateful to those local funders who have provided such generous support. Grant Funding is becoming more difficult to obtain due to ever changing criteria and high demand.

The next steps for growth will require a step change in funding. The only way to increase capacity to provide more services is to have more ponies - each of which costs around £10,000 to purchase including associated veterinary fees and new tack. There are also substantial one-off costs associated with maintaining

a Grade 2 listed building on what, for a small charity, is a large footprint. For example, replacing the lighting in the arena which has been rendered unusable due to corrosion of the light coverings has become an immediate need and will cost in the region of £10,000. The arena guttering also needs replacing due to the heavy rains this year.

Beechley will be taking forward some exciting fundraising initiatives over the

coming months and would welcome any opportunities to collaborate with local individuals and businesses in support of these. Everybody at Beechley is proud of our place and role in the local community and, having survived so many challenges, is looking forward to thriving in the coming years.

**Debbie Hartill**

Chair of Trustees

[beechleyrda@hotmail.com](mailto:beechleyrda@hotmail.com)



One of our adult clients with Downs Syndrome.



# Forthcoming Courses

DATE	TOPIC	SPEAKER
19/09/2023	SRA Accounts Rules Update	Linda Lambert
20/09/2023	<b>Residential Property Conference</b>	<b>Various</b>
22/09/2023	Ogden Tables and future losses	Mike Winston
27/09/2023	<b>Family Finance Conference</b>	<b>Various</b>
29/09/2023	Indemnity, Warranties, Guarantees, and Representations Masterclass	Helen Swaffield
03/10/2023	<b>Clinical Negligence Conference</b>	<b>Various</b>
04/10/2023	Private Client Update	Prof Lesley King
06/10/2023	Contract & Commercial Update	Chris Beanland
11/10/2023	<b>Employment Law Conference</b>	<b>Various</b>
17/10/2023	Trial Advocacy in the civil Courts	Mike Winston
18/10/2023	In introduction to Japanese Knotweed Claims	Michael Krebs
18/10/2023	SQE Insights Roundtable: Making the move to the SQE work for your firm	Dr Giles Proctor & Peter Liver
19/10/2023	Building Regulations and Planning Permission for Conveyancers	Richard Snape
20/10/2023	Personal Insolvency: A Practical Guide	Chris Beanland
02/11/2023	Domestic Abuse Update	Safda Mahmood
07/11/2023	Service Charges: Important Issues for Landlords and Tenants	Peta Dollar
08/11/2023	Stand and Deliver! Conducting Effective Advocacy in Family and Children Cases	Safda Mahmood
10 & 17/11/2023	The Complete Legal Aid Supervisor	Vicky Ling
15/11/2023	<b>Conference for Legal Cashiers &amp; Managers</b>	<b>Various</b>
21/11/2023	Civil Evidence & Witness Statements	Mike Winston
24/11/2023	Insolvency Update	Chris Beanland
28/11/2023	Costs in the Court of Protection	Helen Forster

**Training events open to legal professionals nationwide**

\*ONLINE & HYBRID events are recorded, so if you can't make the date/time, no problem!  
 Booking onto any of our online / hybrid events means you will receive a link to access a recording of the event to watch at your leisure!

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

## Solicitors Regulation Authority Accounts Rules Update

with Linda Lambert

**Live online: Tuesday 19th September, 1.30pm - 4.30pm\***

This online course is aimed at **cashiers, head cashiers & COFA officers** wanting to refresh their approach or to understand what is meant by applying compliance to the SRA Accounts Rules.

**Whether you are new to the legal accounts profession or been involved for years, a sound knowledge of both SRA Accounts rules and other compliance issues will assist you in the decision making that will occur in all types of legal practice.**

This course aims to equip you with that knowledge.

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

[CLICK HERE FOR MORE INFO](#)

## 2023 Residential Property Conference

Wednesday 20th September | 9.30am - 3.40pm  
Hybrid - Attend in person or online

**Chairperson**  
John Jones, Jackson Lees

**Leasehold Enfranchisement**  
Katherine Whittle & Sarah Howe, Brabners

**HM Land Registry Latest Updates**  
Leanne Wright & Pam White, HM Land Registry

**Improve and evidence CQS compliance with ease using digital solutions**  
Lisa Edwards, InfoTrack

**Transforming the home buying and selling process**  
Stephen Ward, CLC

**Climate Change in Residential Property Transactions: Understanding future risk and how to advise for best practice due diligence**

Sally Redman, Landmark Information

**CQS 2023 Update**  
Tracy Thompson, Tracy Thompson Associates

**Residential Conveyancing from a Landlord's/Managing Agent's Perspective – help us to help you**  
Rob Denman, JB Leitch

**A litigator's perspective on boundary disputes and rights of way**  
Andrew Leakey, Jackson Lees

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[More info](#)

## Ogden Tables and claims for future losses with Mike Winston

**Friday 22nd September, 9.30am - 4.30pm (lunch included)**

**Venue:** Oriel Chambers, 14 Water Street, Liverpool, L2 OSA

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

**The course takes delegates from the absolute basics through all the major calculations required in a PI claim including more advanced uses of the Ogden tables in calculating bereavement and dependency awards in fatal accident and disease claims.**

What you will learn:

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

[CLICK HERE FOR MORE INFO](#)

## 2023 Family Finance Conference

Wednesday 27th September | 9.30am - 4pm  
Hybrid - Attend in-person or virtually

**Chairperson**  
District Judge Sheren Guirguis

**Transparency in the Financial Remedies Court**  
Sam Hillas KC, St John's Buildings Barristers' Chambers

**Litigation Friends in Family Proceedings**  
Emma Spruce, 4 Paper Buildings Chambers

**Intervenor**  
Eve Horren, Unit Chambers

**Financial Remedy Applications and Capacity Issues**  
Chris Wagstaff KC, 29 Bedford Row Chambers

**Improving Communication for Co-Parents**  
OurFamilyWizard

**Financial Remedies Update**  
Michelle Burley, St John's Buildings Barristers' Chambers

**Navigating section 37 MCA 1973: when and how do we use it?**  
Tom Hynes, Oriel Chambers

**The Impact of Domestic Abuse in Financial Remedies**  
Margaret Parr, 7HS

Sponsored by



[More Info](#)





**Indemnity, Warranties, Guarantees,  
and Representations Masterclass (online)**  
 with Helen Swaffield on Friday 29th September, 1.30pm - 4.30pm

For commercial and corporate practitioners who are seeking to have a fuller understanding of key parts of their relational contracts and their SPAs. It includes examples of recent cases and updated materials.

Course outline:

- Warranties
- Purchaser
- Seller
- Key points for SPA disclosure and data rooms
- Wording which is an exclusion of liability
- Wording towards increasing their power as performance guarantees
- Representations
- Their role and remedy in the contract



**& More....**

Can't make the date/time or need to revisit the training? No problem, booking onto any online or hybrid event means you will receive a link to access a recording of the event at your leisure!

[CLICK HERE TO BOOK](#)




**2023 Clinical Negligence Conference**

Tuesday 3rd October | 9.30am - 4.15pm | HYBRID - Attend in person or online

Sessions confirmed so far:

- Back to basics: Cerebral Palsy claims**  
 Matthew Stockwell, Exchange Chambers
- Secondary Victims in Clinical Negligence Claims**  
 David Pilling, Civil Law Chambers
- Medico-legal aspects of Limb Ischaemia inc amputation claims**  
 Christian Taylor, Exchange Chambers
- Fundamental Dishonesty and Exaggeration in clinical negligence claims**  
 Gemma McGungle, 18 St John Street Chambers
- Legal Update 2023**  
 Aneurin Moloney, Gatehouse Chambers
- A&E / Emergency Care**  
 Professor Alan Fletcher, National Medical Examiner for NHS & Consult in Emergency Medicine at Sheffield
- Missed Cancers in General Practice**  
 Dr Jonathan Lieberman



**Private Client Update**  
 with Professor Lesley King

Wednesday 4th October, 9.15am - 12.15pm\*


This **online** session will provide a review of current issues in Private Client Practice. It will focus on good practice & avoiding pitfalls.

The content will depend on developments during the rest of 2023 but is likely to include:

- The latest on the trust register:
- Which trusts are excluded?
- Should you change your will drafting?
- Duties in relation to discrepancy reporting
- Getting the best out of online probate
- A look at errors in will drafting in recent cases
- Means tested benefits and legacies in the light of FSS v LMS and F v R

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

[CLICK HERE FOR MORE INFO](#)




**Conveyancing & the Family Home**  
 with Richard Snape

Tuesday 12th September, 1.30pm - 4.30pm

Conveyancing with the family home involves many difficulties. This course aims to highlight the difficulties and their solutions. **This online course is useful for both conveyancers & family practitioners.**

Topics covered include:

- The various declarations of trust available
- Gifts from parents to children
- Potential undue influence and conflicts of interest between the parties
- Overriding interests and consent forms
- Problems in relation to severance
- SDLT Issues



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

[CLICK HERE TO BOOK](#)

## 2023 Employment Law Conference

Wednesday 11th October | 9.30am - 3pm | **HYBRID - Attend in person or online**

*The conference will round-up key developments in law & practice, providing an opportunity to hear directly from some excellent speakers. For delegates attending in-person, lunch will be provided with the opportunity to network*

### TU and industrial action inc Minimum Service level legislation

Stephen Pinder, Stephen Pinder Employment Law

### The law of discrimination in relation to menopause

Tom Wood, St Johns Buildings

### Tribunals Update

Regional Employment Judge David Franey

### Neurodiversity in the workplace

Snoof, The Brain Charity

### If we took a holiday, took some time to celebrate!

Lorraine Mensah, Complete Counsel

### The up to date employment lawyer

Daniel Northall, Littleton Chambers

[More information here](#)

## Trial Advocacy in the Civil Courts with Mike Winston

on Tuesday 17th October, 9.30am - 4.30pm

**Venue:** Oriel Chambers, 14 Water Street, Liverpool, L2 OSA

**This one-day course will cover all the essential elements for solicitors who wish to improve their ability as an advocate.**

**Likewise, solicitors and other lawyers who only appear in chambers will find the techniques taught and discussed to be useful in their day-to-day practice.**

This course will look in detail at:

- Case and issue analysis
- Developing case theories
- Signposting and structuring legal submissions
- Delivering opening speeches
- Questioning techniques
- Examination-in-chief
- Cross examination
- Re-examination – when to do it?
- Closing speeches – why should you win?

**Competencies:** A2, A4, B4, B5, B7, C1

**[CLICK HERE FOR MORE INFO](#)**

**\*NEW\***

## Introduction to Japanese Knotweed Claims with Michael Krebs

Wednesday 18th October, 11am - 12.30pm

**This online seminar is aimed at those starting on the knotweed journey or contemplating it.**

Covering:

- The two Court of Appeal Network Rail cases, including constructive knowledge
- Claims against local councils, surveyors, vendors and neighbours
- Diminution in property value, herbicidal treatment and other heads of loss will be covered in damages and expert evidence

**\*Can't make the date/time?**

**No problem, booking onto this event means you will receive a link to access a recording of the event at your leisure!**

**[CLICK HERE FOR MORE INFO](#)**

## Building Regulations & Planning Permission for Conveyancers

with Richard Snape

Thursday 19th October, 1.30pm - 4.30pm

Building regulations have become of major importance for conveyancers who require a knowledge of this area. In addition, planning permission is of major importance and has undergone fundamental change.

**Topics covered include:**

- ⇒ **Building regulation enforcement periods**
  - ⇒ **Changes under the Building Safety Act 2022**
  - ⇒ **Some specific areas eg. solar panels, septic tanks, conservatories, drains and sewers**
  - ⇒ **Planning permission enforcements periods**
  - ⇒ **Planning permission and proceeds of crime**
- & more ...**

**Competencies:** B

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

**[CLICK HERE FOR MORE INFO](#)**



## Personal Insolvency: A Practical Guide with Chris Beanland

Friday 20th October, 2pm - 4pm

Aimed at: Fee earners in any legal discipline whose practice may encounter personal insolvency.

**This online course aims to give lawyers from any background practical guidance on personal insolvency.**

The course will cover:

- Debtor petitions
- Statutory demands
- Creditors' petitions
- Applications to annul bankruptcy orders
- Assets which vest in the trustee
- The matrimonial home

Competencies: B

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

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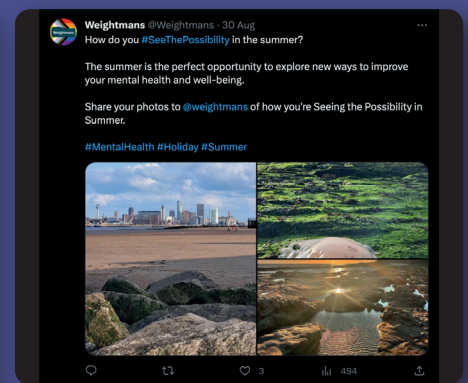
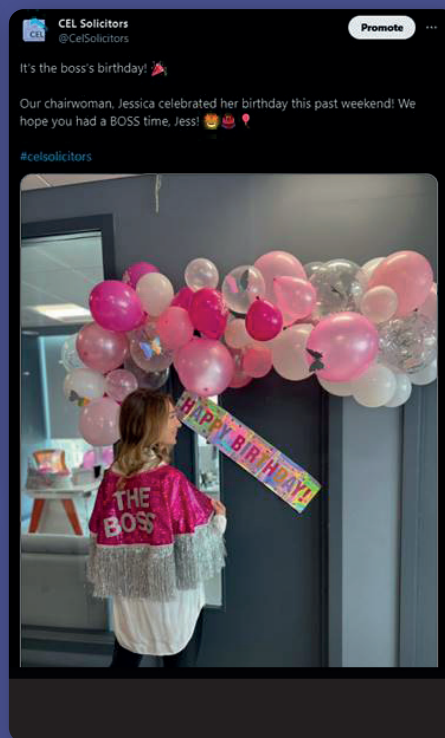
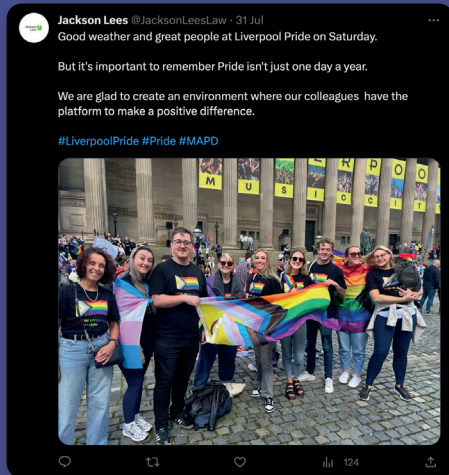


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# Social Media Highlights

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



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



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