

January 2024

Liverpool Law

Liverpool  Law Society

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

**Welcoming
our new
President,
Gaynor
Williams**



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January 2023

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Fri, 23.02.24
Mon, 25.03.24
Tues, 23.04.24
Fri, 24.05.24
Tues, 25.06.24
Tues, 23.07.24
Tues, 27.08.24
Tues, 22.10.24
Tues, 26.11.24



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*Cover image: Gaynor Williams, the
President of Liverpool Law Society 2023-24*

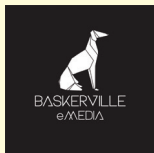
Liverpool Law Society Magazine is produced by and for Liverpool Law Society Members. This is our opportunity to share our news, events and celebrations with our friends in the legal community.

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

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Editorial Committee Dates 2024

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

16/01/24
20.02.24
19.03.24
16.04.24
21.05.24
18.06.24
17.07.24
20.08.24
17.09.24
15.10.24
19.11.24

Welcome to the January edition of Liverpool Law



Happy new year to you all. I hope you had a lovely Christmas and time to rest and recuperate.

With the new year we have a new President and my congratulations go to **Gaynor Williams**, I look forward to seeing what she achieves this year as set out in her first column. My thanks also go to Immediate Past President **Jeremy Myers** who has been a great support with the magazine. I know one of Jeremy's aims was to see more collaboration from firms to help others and I think he has achieved that, a great example being in this month's magazine of the Christmas jumper competition between Brabners and MSB- really made me smile reading that column, good effort from all!

You will see we have a jam packed calendar of events for 2024 and I encourage you to join into as many as you can, whether that be the training courses on offer or the social events arranged. Quite soon we also have the Newly Qualified solicitors event which I would ask you send your staff to. It is a lovely celebration of their achievements and a nice way to start off the year.

We have the list of Liverpool Law Society Directors included this month and I would encourage anyone looking to get more involved in this new year to reach out. You can join committees and have a say or you can even just send across ideas and thoughts if you don't have the time to commit to meetings. This is your society and we want to hear from you- including in this magazine.

Happy reading.

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

Welcome to new members

We'd like to give a warm welcome to our new members who were approved for membership at December's General Committee meeting. There were 21 individuals from the following organisations:

- | | |
|--------------------------------|-----------------------|
| • 7 Harrington Street Chambers | • JMW Solicitors |
| • Bond Turner | • Provenio Litigation |
| • DWF | • Taylor Wessing |
| • Glenville Walker & Partners | • Unit Chambers |
| • In-House Legal Solutions | • Valentine Duggins |

Liverpool Law Society's membership now exceeds 2,580 individuals from 175 law firms, barristers' chambers, and other organisations with legal professionals in the Liverpool City Region and beyond.

From the President

The latest from the President, Gaynor Williams

I am honoured to be President of Liverpool Law Society ('LLS') and I am looking forward to the year ahead.

Sarah Poblete, CEO and her team, together with the Officers, Directors and Committee members of LLS are all vital to the success of LLS and I am very lucky to be surrounded by such friendly, hard working, professional people.

Past President **Jeremy Myers** was an excellent mentor in my year as Vice President, and I am very grateful for him imparting his knowledge and guidance about the workings of LLS. I am also grateful for the past Presidents that have supported my journey towards becoming President, and I promise that I will do my very best to make my year a success.

A little bit about me, I am a mother of 3 'adult children', 2 dogs and a cat. My 'adult children' are classic 'boomerangs' and after they all left home pre covid (resulting in me crying for days), they then returned to the 'nest' mid covid and are still with me and my husband Arfon (known as Harry). Some of you will meet my family at events we have planned.

My career in law commenced as a trainee legal executive in 1997, and I was lucky to work at various firms in the Liverpool region, with colleagues who remain my friends today. I gained knowledge in debt recovery and civil litigation before I qualified as a Legal Executive. I practised as a Legal Executive for a number of years before carrying on with my studies to qualify as a Solicitor in 2011. I opened my law firm, Bennett Williams Solicitors, with my business partner, **Richard Bennett**, in 2012.

In 2017 I applied to become a committee member with LLS, and I can say 'hand on heart' that it is one of the best decisions I have made. It is a very welcoming and friendly society, and when I first attended the committee meetings I would listen in awe, because we really do have the very best talent in our region. I became Joint Honorary Secretary in 2018 and enjoyed my role for 3 years before becoming Vice President in 2022.

One of my objectives this coming year is for the society to continue to be member focused, we offer the very best of training courses, and we have been working hard to put on events to enable the hard-working lawyers in the region to have a good time. Please take a look at what we have planned for 2024 and come along.

I am also keen to increase our membership and I would ask members to help me to do this, feel free to invite a friend or fellow lawyer to join LLS, or to talk (or email if easier) to me or any other Officer about what LLS has to offer.



I am also passionate about charity work, and this is something the society has committed to for many years, with the assistance of the hard working Universities, Liverpool John Moores University (LJMU), University of Liverpool and University of Law.

Jeremy Myers worked very hard in his year to forge stronger bonds with outside organisations such as Merseyside Police and Crime Commissioner, Merseyside Police and welfare organisations. I plan to build upon this, and to encourage lawyers at local authorities and other third parties to join the society.

My first official engagement in 2024 is a "celebration for new entrants to the legal profession" at the Hard Day's Night Hotel, Liverpool, on 24 January 2024 at 6pm. HHJ Cadwallader has kindly agreed to hand the Certificates of congratulations to the newly qualified lawyers. This is always a very enjoyable evening, and a chance for junior lawyers to make new friends.

I look forward to meeting lots of people in the coming year but if anyone reading this wants to contact me direct or speak to me about the society or my plans, please feel free to do so.

Gaynor Williams
President

president@liverpoollawsociety.org.uk

LLS Meetings & events – January 2024

Start Time	Meeting/Event
09/01/2024 12:30	General Committee
11/01/2024 13:00	Future Planning Sub-Committee
16/01/2024 13:00	Editorial Sub-Committee
18/01/2024 13:00	LLS Directors Meeting with LCR Councillors
24/01/2024 18:00	Newly Qualified Lawyers Celebration Event
25/01/2024 13:00	Civil Litigation Sub-Committee
25/01/2024 16:00	Criminal Practice Sub-Committee
30/01/2024 12:30	Finance & Policy Sub-Committee
30/01/2024 16:00	AI & law firms event with LJMU & Liverpool Chamber of Commerce
31/01/2024 13:00	EDI Sub-Committee
01/02/2024 13:00	Access to Justice Sub-Committee
05/02/2024 13:00	New pathways and funding opportunities with the SQE
06/02/2024 13:00	Employment Law Sub-Committee
08/02/2024 12:00	Joint V Hybrid meeting (hosted by Leeds Law Society)
08/02/2024 13:00	In-House Lawyers Sub-Committee
13/02/2024 12:30	General Committee
14/02/2024 16:00	Family Business Sub-Committee
15/02/2024 13:00	Non-Contentious Business Sub-Committee

Liverpool Law Society has a number of committees covering specialist areas of law which meet regularly throughout the year allowing members of Liverpool Law Society to discuss common issues, respond to consultation papers and contribute ideas towards the Society's comprehensive legal training programme.

Our committees are: Access to Justice; Civil Litigation; Criminal Practice; Employment Law; Equality, Diversity & Inclusion; Editorial; Family Business; In-House Lawyers; Non-Contentious Business and Regulatory committees, which are open to all members of Liverpool Law Society. To enquire about your membership status and/or being co-opted onto one of the above committees, please email committees@liverpoollawsociety.org.uk

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Consultation Papers

Papers referred to committees:

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

Committee	Consultation Paper title	Closing date
Crime & Family Business	Defining child to parent abuse	07.02.24
Crime	https://www.gov.uk/government/consultations/murder-sentencing	04.03.24

Consultation Paper responses submitted by Committees:

As part of Liverpool Law Society's role to represent our members, the following committee has responded to the consultation paper listed below. The Society is very grateful to the committee for all their hard work, which is all done on a voluntary basis.

Committee	Consultation Paper title
Regulatory	The Office for Legal Complaints (OLC) Consultation on the draft 2024-27 Strategy and Business Plan and Budget for 2024/25

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A Triumph for Excellence: Paul Crowley & Co Clinches Prestigious Award



Jenna Gall Head of Conveyancing and the triumphant Paul Crowley & Co team show off their 'Property Law Firm of the Year' award.

Paul Crowley & Co are delighted to announce they have been named 'Property Law Firm of the Year' at the YM Liverpool Property & Business Awards 2023. The awards ceremony, hosted by Claire Sweeney at the Crowne Plaza Hotel in Liverpool, celebrates the achievements of leading figures in the Liverpool City Region's property and business sectors. As a five times previous winner of this prestigious accolade, Paul Crowley & Co impressed the panel of judges with their level of service, dedication and expertise in the field of property law.

Julie Jones from the Liverpool law firm commented 'Going up against such well respected competition, it is wonderful to see our conveyancing team achieve this recognition, consistently delivering outstanding results, their dedication, hard work and exceptional performance sets a high standard for everyone on the team ensuring the best outcome for our clients.'

The award reflects the firm's continued development in its staff. Since the commencement of the Law Society's

Conveyancing Quality Scheme, Paul Crowley & Co have been re-accredited each year for the past 12 years, assuring clients, lenders and all parties involved, that they will act in accordance with a 'gold standard' of competence.

By consistently meeting and delivering on these high standards, Paul Crowley & Co have been instructed to act on a variety of complex residential and commercial conveyancing transactions.

Jenna Gall, Head of Conveyancing says; *'The team and I thrive on complex out of the ordinary property matters, our excellent rating on trust sites are testimony to our exceptional level of knowledge, efficiency and effective service provided to our clients, standout qualities that once again have made us a notable recipient for this award!'*

This award is not just a recognition of the firm's past achievements but also an indication of their unwavering commitment to their clients, it is a celebration in the pursuit of excellence that Paul Crowley & Co embodies.

Morecrofts creates five new partners



Carly Philp



Eleanor Cockrell



Rhea Munro



Michael Lamb



Peter Pownall

Morecrofts Solicitors has promoted five of its senior team to partner.

Senior associates **Carly Philp, Michael Lamb, Eleanor Cockrell, Rhea Munro** and **Peter Pownall** will all become partners in the firm from 1 January 2024.

Eleanor Cockrell and **Rhea Munro** are members of the firm's award-winning family law team, which has a higher number of solicitors on the Law Society Children Law accreditation scheme than any law firm in the North West.

Carly Philp leads the firm's personal injury and clinical negligence team, while **Peter Pownall** is head of the firm's residential and commercial property department and **Michael Lamb** is a senior private client solicitor specialising in wills, trust and probate. Both **Eleanor Cockrell** and **Carly Philp** began their careers at Morecrofts as paralegals before becoming trainee solicitors and qualifying within the business.

Morecrofts has created a bespoke management development programme providing a pathway to partnership for its senior team members in the past 12 months. All fee-earning staff are able to choose hybrid working and two of

the new partners have developed their careers while working part-time.

This latest series of promotions takes Morecrofts' partnership, including members and non-members of the LLP, up to 15, led by managing partner **Alison Lobb**.

She said: "Our five new partners are all specialists in their chosen fields and each has added so much to the firm and to our clients during their time here. Becoming a partner is the next natural step on their journey and I have no doubt they will continue to grow as both excellent lawyers and leaders of the firm."

"We are proud of the pathways we give to our young lawyers at Morecrofts, so we are understandably delighted to see two former trainees reach partner level. I congratulate all five of our new partners and I am excited to see how they will positively impact our firm in years to come."

Morecrofts is headquartered in Liverpool city centre and has five further offices across the city region in Woolton, Crosby, Wirral, Prescot and Allerton, which recently celebrated its tenth anniversary. The five new partners will join as non-member partners of the LLP.



Pathways to the legal profession

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

Date **6th March 2024**

Moderator **Gaynor Williams**

Time **1.30pm - 3.30pm**

Venue **President of Liverpool Law Society
Online**

Programme

The University route, costs and the benefits of studying for a degree by a Lecturer in Law at The School of Law & Social Justice at the University of Liverpool

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

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

The Legal Executive Route by Lydia Jones, Business Development Representative, CILEX (The Chartered Institute of Legal Executives)

Apprenticeships by a tutor at the University of Law

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

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

A solicitor apprentice's view by a Solicitor Apprentice at Weightmans

Jackson Lees welcomes new family law solicitor



Victoria Richardson

Jackson Lees solicitors are pleased to welcome a new family law solicitor into their expanding team.

Victoria Richardson will be bringing her 25 years of expertise to the firm,

which covers the Liverpool and Wirral areas, as she takes on the role of solicitor and team leader. She has previously represented clients in all areas of family law with regards to divorce, separation, financial issues, children disputes and cohabitation agreements. She has also been involved in a number of high-net-worth cases dealing with a significant number of experts from a varied background.

Speaking of joining Jackson Lees Group, Victoria said: *"I am so delighted to have the opportunity of joining a firm with such an excellent reputation for client care and also for looking after their employees."*

"It also means that having spent some considerable time working away from the Merseyside area I have returned and been fully welcomed with open arms."

Victoria will be offering clients a *"down to earth, sensible approach"* to any dilemmas that they present her with. Her aims are to help them resolve their issues as quickly and as easily as possible.

She added: *"It is my job to take their stress away. I love getting to know my clients as it's through this relationship that I learn how to assist them best as in family law there is no 'one size fits all' approach. Clients should be treated as individuals."*

Haley Farrell, Deputy Managing Director and Head of Family Law, said: *"We are absolutely delighted that Victoria has joined our expanding family team. With her vast experience in family law, passion for helping others and making a positive difference, we have no doubt that Victoria will fit right into Jackson Lees Group."*

Personal Injury Conference

On 6 December 2023, Liverpool Law Society held its annual Personal Injury Conference, at the impressive premises of Taylor Wessing, along the Albert Dock (Edward Pavillion).

In what was an excellent, modern setting, the conference delivered a busy schedule of speakers, who were experts in their field. Delegates were able to attend the conference in person, and remotely (hybrid).

The conference was chaired by HHJ Howells, who introduced the delegates to each speaker as well as imparting her own thoughts and expertise on various topics. There was a roundup of key developments in law and practice.

Chris Barnes KC, from Exchange Chambers, provided a fascinating talk on variable periodical payments. Followed by Stu Hancock, from Carpenters, who navigated his way through an OIC Portal Update.

Pankaj Madan, from Exchange Chambers, provided us with an insight to FND (Functional Neurological Disorder). Yaqub Rahman, from Oriel Chambers, explored the top of Causation and Novus Actus (when hospital treatment goes wrong in PI claims). It was very insightful to be taken back to the basic principles of causation, and that various examples (and case law) of how the courts have interpreted it.

Ann Allister, from Carpenters, provided a joint discussion with Sarah Mir, from DWF, on the importance of collaboration in serious injury and cases where the issue of fundamental dishonesty was raised. Sarah, provided us with an example of a case she worked on where the solicitors for the claimant refused to adopt a conciliatory approach and failed to heed the allegation or act upon the fact that that fundamental dishonesty was raised. She explained, that unless there is cogent evidence, such an issue would not be before the court.

Ann and Sarah, experienced in dealing with high value personal injury cases, explained that it is within the interests of all those concerned to adopt a collaborative approach to the case. Such advice, of course, should not be confined to cases where the value of damages is higher.

The event was kindly sponsored by Frenkel Topping, who kindly provided a talk in respect of investments for vulnerable clients.

It was also a delight to discuss other topics with the speakers, on an informal basis, during the various breaks we had at the conference.

Finally, thanks go to Joanne Downey who organised the event on behalf of Liverpool Law Society

Alum Ullah
Solicitor
Bond Turner



Law firms go head-to-head in festive charity competition

Two leading law firms went head-to-head in a Christmas jumper competition to raise funds for charity.

The team of family lawyers at both firms donned their most outrageous Christmas attire to support Save the Children, a charity close to their hearts, while an independent judge carefully assessed the festive ensemble. The winner, which was judged by the 2023 President of Manchester Law Society **Nick Johnson**, was MSB Solicitors.

Emma Palmer, Partner at MSB Solicitors, echoed this sentiment, stating, "At MSB

Solicitors, we believe that every child deserves a chance to thrive and be happy. Our commitment towards ensuring the well-being of children stems from our fundamental belief in justice and equality. It was an honour to participate in the Christmas jumper competition and come together to support Save the Children in their mission to create a better world for children everywhere."

Cara Nuttall, Partner in the family team at Brabners, said: "As a firm dedicated to making the difference to the communities we work in, supporting the welfare of children is something that resonates deeply

with all of us at Brabners. We were thrilled to square off with MSB Solicitors in this fun and friendly competition, knowing that together, we can make a real difference to the lives of vulnerable children across the globe."

The annual Christmas jumper competition is not just a fun-filled event but also a beacon of hope for children in need. Through their commitment and donations, MSB Solicitors and Brabners aim to make a lasting impact on the lives of children, ensuring they have access to education, healthcare, and protection – vital pillars for a brighter future.

Directors of Liverpool Law Society for 2024



The Society's main committee is made up of up to 27 directors, all practising lawyers or lecturers in law. We have a representative group of people from a range of small, medium and large firms, in-house department lawyers, and educational establishments.

Outside of the monthly meetings of the 'General Committee', the directors also meet twice a year with local MPs where there is exchange of information. News about bills going through parliament and constituent issues are also raised and discussed and parliamentary questions are put down on behalf of LLS members. Separately, the directors also meet with the nominated councillors from the Liverpool City Region local authorities. This again is a useful way of ensuring our members' concerns and issues, including those of their clients, can be raised at one of these meetings. The councillors

also come to the Society with matters their constituents are facing and we work together on joint initiatives where there is a common aim.

The Society also has good communication channels with The Law Society and the SRA where members' issues can be raised and matters affecting the legal profession discussed.

On a regional level, Liverpool Law Society is a member of the Joint V, a grouping of autonomous local law societies that meet and discuss common issues affecting membership organisations for legal professionals, sharing best practice. The members of the Joint V are Birmingham, Bristol, Leeds, Liverpool and Manchester Law Societies. United the Joint V have a strong voice nationally, representing over 16,000 legal professionals.

The current directors of Liverpool Law Society who form the General Committee from December 2023 – December 2024 are:

Officers

President – **Ms Gaynor Williams**,
Bennett Williams Solicitors
Vice President – **Mr James Mannouch**,
University of Law
Deputy Vice President & Joint Hon.
Secretary – **Ms Sarah Mansfield**,
Cullimore Dutton
Honorary Treasurer – **Ms Emma Palmer**,
MSB
Joint Honorary Secretary – **Mr Alum Ullah**, Bond Turner
Immediate Past President – **Mr Jeremy Myers**, Husband Forwood Morgan

Sub-Committee Chairs

Access to Justice Sub-Committee – **Mr James Mannouch**, University of Law

Charities & Education Sub-Committee – **Mr David Tournafond**, Morecrofts
 Criminal Practice Sub-Committee – **Mr Paul Kilty**, DPP Ltd
 Civil Litigation Sub-Committee – **Mr Jonathan Berkson**, Bermans
 Editorial Sub-Committee – **Ms Jennifer Powell**, Weightmans
 Employment Law Sub-Committee – **Ms Lindsey Knowles**, Brabners
 Equality, Diversity & Inclusion Sub-Committee – **Ms Nina Sahu**, Hill Dickinson
 Family Business Sub-Committee – **Ms Haley Farrell**, Jackson Lees Group
 In-House Lawyers' Sub-Committee – **Ms Rachel Stalker**, LJMU
 Non-Contentious Business Sub-Committee – **Mr John-Paul Dennis**, Prosperity Law

Regulatory Sub-Committee – **Ms Mickaela Fox**, Weightmans

Other post holders

Parliamentary Liaison Officer – **Ms Lauren Cannon**, In-House Legal Solutions
 Public Relations Officer – **Ms Millie Hayden**, Brabners

Other Members of the Committee

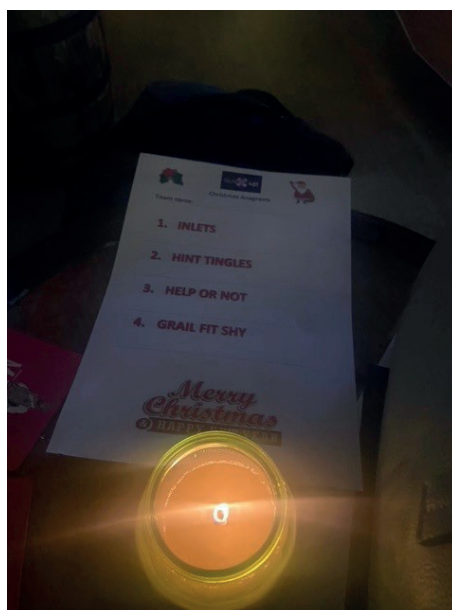
Ms Pamela Chesterman, Irwin Mitchell
Ms Nichola Halpin, Liverpool University
Hospitals NHS Foundation Trust
Ms Nadya Makarova, Burd Ward
Ms Lorna Mitchell, University of Liverpool
Mr Anthony Neild, JMW Solicitors
Mr John Owens, MSB
Ms Nicola Walker, University of Law

The General Committee looks forward to a busy 12 months under the helm of the president, Gaynor Williams.

Interested in getting involved with Liverpool Law Society but unsure where to start?

The specialist committees are a place where members of the Society can come together to discuss current issues in your area of practice, exchange information and best practice, respond to government consultation papers and contribute towards the Society's legal training programme. If you would like to find out more about the work of the specialist committees and/or request to join one or more of them, please click [here](#).

Liverpool Chamber of Commerce and Liverpool Law Society joint social pub quiz night at Scruffy Murphys, Liverpool



On 29 November 2023 Liverpool Law Society and Liverpool Chamber of Commerce held a joint social pub quiz at Scruffy Murphys, 25 Harrington

Street, Liverpool, L2 9QA. Scruffy Murphys is an Irish American pub, with wooden décor and old whisky barrels utilised for tables. The pub serves a varied range of alcohol and it has a snack menu with classic American snacks such as hot dogs.

The event was well attended by local businesses from the Liverpool city region and members of Liverpool Law Society. The pub quiz was accessed by downloading a quiz app and the quiz master was able to ask questions and immediately see how the quiz teams were doing, and their ranking.

Although the Liverpool Law Society team did not win the quiz, they came a respectable 7th, and this was a good achievement considering there were large teams competing. Alum Ullah, joint Honorary Secretary, was an asset to the society's team and it was

down to his quick thinking in the final rounds of the quiz, that bumped us up the rankings. After the quiz the attendees were able to relax in the comfortable surroundings and get into the Christmas spirit.

This was the third joint event held this year with Liverpool Chamber of Commerce, and it was a good opportunity for local businesses to meet local lawyers, and to join in the fun event.

Thank you to our President Jeremy Myers, Officers and Directors and everyone who attended the joint networking event. A special thank you to Liverpool Chamber of Commerce for helping to make the event such a success, and Scruffy Murphys for hosting the event and making it so enjoyable.

Gaynor Williams
 President

Society's AGM held 30 November 2023



The 2022-23 Officers of Liverpool Law Society

The Liverpool Law Society's 196th AGM took place on Thursday 30th November 2023 at the Racquet Club in Liverpool city centre with the then President, **Jeremy Myers**, opening formal proceedings by welcoming all to the meeting. On the social side, members attending enjoyed a convivial time with light refreshments before the meeting began.

As with previous years, the election of vacancies for General Committee took place during the meeting and this year four existing committee members were voted on to continue for a full term of office (three years) were:

- **Ms Mickaela Fox**, who is Regulatory Committee chair
- **Mr Myers**, who is Immediate Past President
- **Ms Rachel Stalker**, who is In-House Committee chair
- **Mr Alum Ullah**, who is Joint Honorary Secretary

There were also a further four nominations from the wider membership, and we are delighted to welcome as directors of Liverpool Law Society:

Ms Pamela Chesterman, **Ms Nichola Halpin**, **Mr Anthony Neild** and **Ms Nichola Walker**.

As most of you will know, Liverpool Law Society is a company limited by guarantee and those elected become Directors with the associated duties owed by virtue of that position.

The committee consists of between 14 and 27 directors and they must retire by rotation every three years with up to five being nominated for re-election.

The Hon. Treasurer spoke about the Society's accounts ending 31 May 2023. **Dr Emma Palmer** explained the Society "The Society's income is drawn primarily from membership subscriptions, training delivery, events and sponsorships. Happily, memberships remain steady and the annual awards and dinner was a huge success. More challenging are the training and sponsorship positions. Post Covid, our

professions' training appetite has changed. More members are seeking remote training, something the Society now offers as well as hybrid and in-person training. With this change comes reduced sponsorship opportunities as whilst members prefer remote training, sponsors prefer in-person training. The combination of the realisation of cost savings, the positive attitude towards identifying and embracing the changing needs of our profession, and creating and seizing opportunities that arise all promote a positive outlook for the future of the Society."

Finally, the outgoing President **Jeremy Myers** gave his address to the members where he reflected on the past 12 months. Jeremy commended the Vice President, **Gaynor Williams**, and said "I have felt so honoured to be entrusted with this role and to represent Liverpool Law Society (LLS) within our City and more widely. Thank you for giving me that opportunity. First, within the Society, we have done much more with one another, We all can learn so much from one another in good company.

Second, we have extended our horizons, helping us to be more rounded individuals and solicitors, including with the Chamber of Commerce and fellow professionals as well as accepting many invitations.

Third, we have tried to develop the concepts of giving back to the wider community, as described. Our Society's charity linkage work is an idea which I am grateful to Gaynor for being able to continue next year."



Members attending the AGM

“Town hall” Meeting – Wednesday 06 December



Jeremy Myers

One of my last events as President of LLS was the online “Town Hall” meeting hosted by The Law Society (TLS) for engagement by local Law Society officers and staff teams from around England and Wales. The event is usually held twice annually and this time was wholly online unlike the hybrid one I attended in London in May 2023. Around fifty one people participated, numbers oscillating as the event progressed.

The event began with a wide briefing by **Nick Emmerson**, TLS National President since October 2023. Those of us active in their Joint V provincial Societies meetings know Nick from his days as Leeds President. He is a very effective voice for the provinces and especially the North.

There were two main points in the briefing. First, TLS had made submissions to the House of Commons’ Justice Select Committee on the subject of CILEX’s plans about seeking SRA regulation. Second, TLS’s Judicial Review was due for Hearing in the High Court.



Nick Emmerson

This concerns the funding decision on Criminal Legal Aid, and now we shall await the decision.

Participants had been given their “homework” ahead of the meeting. One organisation I had not previously discovered is the Small Business Commissioner, established on 2016, mentioned in TLS’s Green Paper of “Proposals for a 21st Century Justice System”. Details can be found at <https://www.lawsociety.org.uk/topics/legal-aid/share-economic-evidence-to-shape-civil-legal-aid-reform>. We were placed into virtual breakout rooms in groups of about a dozen. We discussed the Green Paper’s component parts such as an online diagnostic tool, the role of ADR and the level of IT capability enjoyed by possible lay users of a partly electronic system for civil justice.

Comments which had emerged in the breakout sessions were then fed into a plenary session by group leaders. Meanwhile, LLS specialist sub-committees are looking at the Green



Richard Atkinson

Paper and a response will be prepared shortly for sending to TLS.

The final session involved a discussion of Access to Justice. There was then a wrap up by national Vice President **Richard Atkinson**, which helped the wider membership to get to know Richard. An online forum can never be quite as effective as an in-person event but it helps all concerned to save travel and hospitality and so is very understandable. I felt personally that we missed the opportunity for wider Q&A sessions that can be pursued when people are in the same room, to cover a broader range of topics.

Julia Pitman in the TLS staff is leading on the Green Paper and can be contacted if members would like to contribute more directly. I believe that the next “Town Hall” meeting in Spring 2024 will be hybrid and no doubt will take up some of the themes covered this time, as well as enabling some effective networking.

Jeremy Myers

Newcomers - can courts grant final injunctions that prevent persons, who are unidentified, from occupying land?



Karen Neald

What decision did the Supreme Court come to?

On 29 November 2023 the Supreme Court delivered judgment in the case of *Wolverhampton City Council and others v London Gypsies and Travellers and others*.

Who are so-called newcomers

Newcomers is a term for unidentified and unknown persons who may set up unauthorised encampments on local authority land. The unknown persons may describe themselves as Romani Gypsies, Irish Travellers and New Travellers.

38 local authorities have obtained a number of interim injunctions and then final injunctions between 2015 and 2020 against newcomers designed to prevent Gypsies and Travellers from camping on local authority land without permission. At the time the injunctions were granted, the Newcomers had not yet camped, or threatened to camp on local authority land, so injunctions were addressed to 'persons unknown'. The injunctions were granted without notifying other parties and the interests of Gypsies and Travellers had not been represented. Once obtained, copies of the injunctions were displayed on relevant sites.

Wolverhampton CC v London Gypsies and Travellers

The appellants in this case represent the London Gypsies and Travellers, the respondents represent the councils.

The High Court discharged an injunction order in favour of Wolverhampton CC obtained in 2018. Following a review, it was determined that final injunctions could not apply against newcomers who were not parties to proceedings at the date the injunction was ordered, except on a short-term, interim basis. The court gave the appellants representing the Gypsies and Travellers permission to intervene so that their interests could be represented. A series of orders were made discharging newcomer injunctions obtained by local authorities.

The case reached the Supreme Court after the Court of Appeal allowed an appeal brought by Wolverhampton County Council and reinstated the previous injunction order.

The Supreme Court decision

The Supreme Court had to determine whether courts have the power to grant injunctions against persons who are unknown and unidentified at the date of granting the injunction and who has not yet set up encampment or threatened to. The Supreme Court unanimously dismissed the appellants' appeal, holding that the court has the required power. However, it was held that:

- this power can only be exercised where there is a compelling need to protect civil rights or enforce public law that is not already adequately met by other remedies,.
- as newcomers are not notified, injunctions should only be made subject to procedural safeguards to protect newcomers' rights. This involves advertising widely so that those affected are given a fair opportunity to make representations before the injunction

is granted and once it is granted, the newcomer's right to apply to court to have it varied or set aside must be advertised clearly,

- Applicant local authorities will be obliged to comply with a strict duty which requires them to disclose to the court any matter which a newcomer might raise to oppose the making of the order, due to the fact that newcomers' interests are not represented in the hearing, and
- Newcomer injunctions must not be for a disproportionately long time period or wide geographical area.

Reasons for the decision

The Supreme Court decided that newcomer injunctions are generally granted in circumstances where the affected Gypsies or Travellers are unlikely to have any right to set up encampment on the area in question. They are designed to prevent access where the usual process of eviction or injunction is inadequate, for example, when by the time proceedings are commenced, the original group will have left and been replaced by a new group, against whom the proceedings are of no effect.

It was highlighted that a court's power to issue injunctions is unlimited due to the remedy's equitable origin. However, they reminded courts that whilst newcomer injunctions are valuable and proportionate in appropriate cases, they should not be granted in every case, and courts must adhere to the conditions stated above.

Karen has specific expertise in removal of trespassers, housing disrepair and other housing management related topics.

Karen Neald

Principal Associate
+44 (0)151 242 7928
karen.neald@weightmans.com

The background of the entire page is a dark blue field filled with stylized, colorful fireworks in shades of yellow, orange, red, and white. The fireworks are scattered across the top, sides, and bottom of the page, creating a celebratory atmosphere.

CELEBRATION FOR NEW ENTRANTS TO THE LEGAL PROFESSION

Wednesday 24th January 2024 at 5.30pm for 6pm
Hard Days Night Hotel

Liverpool Law Society would like to invite Newly Qualified Solicitors, Barristers, Chartered Patent Attorneys and Fellows from CILEx from the Liverpool City Region and surrounding area who qualified during 2023 to celebrate the launch of their career in the legal profession.

What's included?

✓Arrival drink ✓Canapes ✓Professional photography ✓Training voucher

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

His Honour Judge Cadwallader
Judge of the Business and Property Courts in Liverpool

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

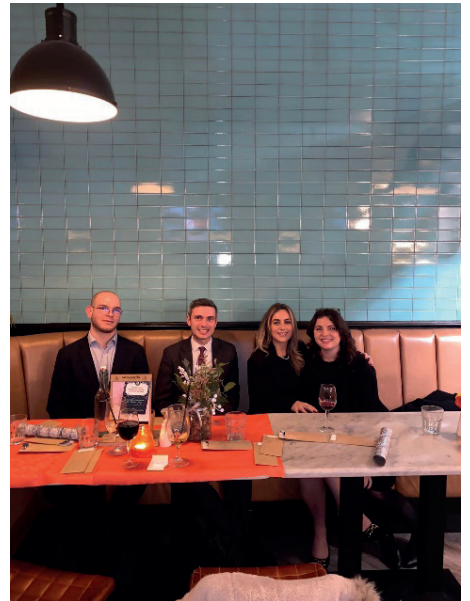
This event is free to attend but you must book your place.

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[Book Your Place Here](#)

MJLD Christmas Event



December is an exciting time for the MJLD Committee and on 13th December 2023, the MJLD welcomed its members to our Christmas get together. The event was held at Nova Scotia and was kindly sponsored by St Johns Buildings Barristers Chambers, without whom we would not be able to have the opportunity to bring together the junior lawyers of Merseyside, as we are funded entirely through sponsors.

The event was a huge success in which we saw 40 of Merseyside's junior

lawyers, paralegals, legal executives, trainee and qualified solicitors gather for a Christmas themed celebration. The event was an excellent opportunity for like minded junior lawyers to catch up and network, whilst enjoying the delicious food. Representatives from St Johns Buildings Barristers Chambers also came along to join in on the festive fun.

Overall, it was a great event with a fantastic turn out and we would like to thank all of our members for coming along, as well as Nova Scotia for

hosting and our generous sponsors, St Johns Buildings Barristers Chambers.

The MJLD encourages all junior lawyers to join our network, which will play host to a number of exciting social events throughout the next year. We will shortly be announcing our January 2024 event, so keep an eye out for more details.

If there are any enquiries regarding the MJLD, membership, sponsorship or otherwise, please contact MJLD Chair, Jemma Castell at Jemma.Castell@pinsentmasons.com.



Planning for success

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



Julie Johnson

January is always a time of optimism and planning. At Liverpool BID Company it is when we think about what we want to achieve, what will our levy payers need to see, how can we deliver for them. To do lists, planners, crisp diaries; there is a reason we stock up on stationery in this month because turning a new page feels like a chance to embrace the future. This year we will reflect on 20 years of Liverpool BiD, so while we will look back, we will also take the opportunity to shape the city of the future.

As we start 2024, many of us hope that the challenges of the past will ease for many. For businesses this has been a tough time. How do we plan amidst uncertainty? You draw on what past successes have taught you. What kind of city do we want to be?

Liverpool BID was one of the very first in the country. A pilot project to introduce business improvement districts saw Liverpool lead the way. The decade of the 00s was one where Liverpool sought to learn lessons of the past and look forward.

Our world leading cultural sector has seen us top charts and create global



brands, like Cream, and it was with ambition that we put our hat in the ring - successfully as it turned out - to be European Capital of Culture in 2008. The city held a powerful aspiration to be a place to live and thrive. And BID was part of that, to create a city centre that would be a destination for visitors and businesses alike.

As Liverpool BID has evolved and grown from its beginnings, we can reflect on two decades where our levy payers have supported the city and, with civic pride, helped it transform. We are safer, more prosperous and determined. We are a city known across the world for our creativity and innovation.

Ambition does not stop there. Yes, we will mark milestones this year alongside our twentieth anniversary - including

the first year of the UK's first operating Accommodation BID. We still have work to do supporting business across the city centre and have plans to cast a spotlight on our most vibrant of industries. There will be Pancake Races and networking walks. There will be music and singing to give us cheer on what is traditionally the most depressing of the year as we rebrand "Blue Monday" into "Yellow Monday".

We will continue to champion and be a voice at the table for our levy payers, helping them to continue to succeed in Liverpool. We will be asking how they want the city to transform for the next generation and how they want to leave their mark.

Because that's the thing about success, it always leaves you looking forward, not back.

EDI Committee Meeting November 2023

On behalf of Disability History Month, we had the pleasure of two Speakers; Chris Seal from The Law Society and Ryan Kelly from the Disabled Solicitors Network.



Chris Seal



Ryan Kelly

Chris is a former solicitor, who is a Diversity and Inclusion Adviser, and the Neurodiversity and Disability Lead for The Law Society, and was kind enough to speak briefly about this role.

Ryan is an in-house Solicitor at a gaming company, as well as a member of the Disabled Solicitors Network. **Ryan** is registered blind, but in his own words 'not in a stereotypical sense'; meaning he did not regularly use a cane or have a guide dog. As such, his disability is one he deems 'demi-invisible'. **Ryan** discussed how hot-desking can be an issue for him; as given his sight limitations he would learn where everyone sat so he could find the person he needed to speak to; which he is unable to do when people no longer

sit in the same place each day. Similarly, screen sharing and/or small screens can cause issues. **Ryan** confirmed that he does what he can to mitigate the impact of his disability on both himself and his colleagues, but questions whether the onus should be entirely on the disabled person to mitigate.

Ryan highlighted that there are limitations to disabled people entering the profession from as early as the application and interview process. For example, if an interview is remote, one should take into consideration colour contrasts and screen functionality. Also, how time limits on an application can be prejudicial to certain disabilities; be it a neurodiverse person and subsequent concentration issues, or for someone like himself, who may have to take longer to read through the application, due to for example needing to change the font size and/or colour contrasts. Even on the job, there are issues that impact disabled staff that someone may not think of unless it directly affected them. From the more obvious things such as office accessibility, to ensuring that Away Days and Team Events are entirely inclusive. Being disabled is an ongoing process, so there should be regular reviews/catch-ups to see if the colleague would benefit from any other assistance, or generally if there was anything else the company could do to ensure the member of staff could work to their best capability. The link between disability and mental health should also be taken into account.

Ryan pointed out the lack of disabled role models in the legal profession. He concedes that Paralympians are inspirational, but not directly relevant in everyday life to people who are not working towards a sporting career. It would be beneficial for their to be more disabled representation in the legal profession; especially in Senior positions.

In respect of what companies could do to assist their disabled staff (and hopefully result in encouraging such people to join their company in future), **Ryan's** main

points were to think outside the box, ask questions and to embrace the differences; that everyone has their own nuances and to ensure everyone feels included.

Returning to **Chris Seal**, he spoke about people having the right motives and intentions, wanting to be inclusive and wanting to say the right thing to disabled people. Following on from what **Ryan** had mentioned about the lack of role models, he confirmed that people do not expect to find disabled people in the legal profession.

The Law Society have created reasonable adjustment guidance for law firms to make it easier to relate to disabled people and put them at ease. **Chris** went on to assure that The Law Society is happy to give talks on accessibility guidance which builds on their reasonable adjustment guidance. He spoke about a recent event they did with Bristol Law Society; which linked with Nottinghamshire Law Society for their members to attend also by hosting a hybrid roundtable event. The Law Society are engaging with law students, hosting roundtables, and networking with EDI groups. In addition to the Solicitors Disability Network, there is a Society of Visually Impaired Lawyers and a Legal Neurodiversity Network. **Chris** confirmed membership is open to anyone nationwide, and they are open to suggestions if anyone had any ideas to put forward.

As the meeting came to an end, the Committee discussed future meetings, and the President suggested not having a Speaker every month which developed into a discussion of how regularly meetings should be held. The agreement reached was that moving forward, our EDI meetings would be every other month.

Happy Holidays from the Liverpool EDI Committee; we look forward to what is to come in 2024!

Amy Rachel Planche
– Solicitor at Carpenters

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Committees Social at City Wine & Bar, Liverpool



On 23 November 2023 there was an informal in-person get-together for Liverpool Law Society sub-committees and their members. This was held at the City Wine Bar, in Liverpool city centre. Although this was an event in

November 2023, the City Wine Bar had set up the venue for Christmas, with Christmas decorations and lots of twinkling lights. This helped the attendees to get into the Christmas spirit and enjoy a drink. It was a chance for all members of all ages to come together and catch up with old friends and new, in an informal setting.

Feedback was positive and everyone agreed that the social event should take

place again in 2024, this way members can meet face to face and get to know each other better. Although online meetings are convenient, they can be restrictive when trying to speak to people on a one-to-one basis. Look out for the next date and venue in your emails in the New Year, and come along.

Thank you to Sarah Poblete and the team at Liverpool law Society for helping to arrange the evening, and thank you to Haley Farrell, chair of the Society's Family Business Sub-Committee, and Alum Ullah, Joint Honorary Secretary, for making the idea a reality.

Gaynor Williams
President





There are over 10 million people in the UK living with arthritis. No two people experience arthritis in the same way.

Arthritis Action has worked tirelessly for over 75 years to ensure people living with arthritis gain the knowledge and confidence to self-manage their condition and live life to the full. Whether that's a warm welcome at one of our local groups; someone at the end of the phone to provide advice; a tailored nutritional plan; or a consultation with one of our clinicians.

Gifts in wills have been critical to our work and are the only way we will be able to reach the increasing number of people living with arthritis.

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LJMU



On 27 November 2023, Deputy Training Principal, Alum Ullah, who is also Joint Honorary Secretary, at Liverpool Law Society, attended an event organised by Liverpool John Moores University.

The Legal Professional Event took place in the Liverpool John Moores University (LJMU) Legal Advice Centre, located on Hardman Street.

Alum was included in a panel of 6 speakers, ranging from Barristers, solicitors, and trainees, who answered questions and provided some insight into the routes of qualification. The panellists provided their advice on the many challenges that can be faced en route to qualification and the skills required to succeed.

So what was the best tip from all of the panellists? "Do not give up". There may be times you do not get exactly what you want but if you work hard at something, there is no reason you cannot achieve it. Panellists discussed other skills, such as communication, and working as part of a team. The focus was that there are

many skills you can use which are not legal, to advance a career in the law, such as organisational skills and great customer/client care.



It was great to see so many students in a packed room, who were provided with an opportunity to network and engage.

Alum had an opportunity at the end of the talk to discuss the Anexo Academy and the great work done at his firm, Bond Turner in promoting a new generation of legally qualified staff, who are well supported, and provided with the tools and training to succeed. He also discussed how his own work with the Liverpool Law Society gave him an opportunity to meet many legal professionals from many backgrounds,



appreciate the work they do, and work in collaboration with them.

Thanks go to **Ifunanya Sonia Ahanonu** for her hard work as LPE co-ordinator and to the many members of LJMU Law Society for organising the event. **Professor Carlo Panara**, who is Director of the School of Law at LJMU was there to support the event.

The event was hailed as a success: **Alum** looks forward to working closely with local universities and providing any assistance he can for the new generation of lawyers, through his continued work at Bond Turner and Liverpool Law Society.

Alum Ullah

LEGAL ROLES IN LIVERPOOL



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Commercial Property Solicitor

Liverpool

Leading Liverpool law firm is looking for a Solicitor to join an expanding commercial property team. The successful candidate will ideally have a minimum of 2 years PQE. On offer is a competitive salary plus other benefits including city centre parking.

Contact: Rebecca - r.davies@clayton-legal.co.uk

Housing Disrepair Solicitor **Liverpool City Centre**

City Centre based law firm are looking to add a Housing Disrepair Fee Earner/Solicitor to their expanding department. Knowledge of Housing Disrepair is preferable although not essential. Excellent benefits package inc. bonus scheme & flexible working.

Contact: Chris - c.orrell@clayton-legal.co.uk

Private Client Solicitor

Wirral

Highly respected multi-service law firm with offices across Merseyside, seek an experienced Private Client candidate to join their team in the Wirral area. Role would suit Qualified Solicitor or Chartered Legal Executive with at least 3 years PQE. Competitive salary.

Contact: Justine - j.forshaw@clayton-legal.co.uk

Criminal Solicitor

Liverpool

Established firm in heart of the city seeks Criminal Solicitor due to a period of continued growth. The successful candidate will benefit from a £35k base salary along with lots of opportunities for growth & professional development.

Contact: Leanne - l.byrne@clayton-legal.co.uk

Plot Sales Executive

Liverpool

Award-winning & reputable Liverpool firm is looking for an (ideally qualified) Licensed Conveyancer, Legal Executive, or Solicitor to join their team. Will consider NQ to 2 yrs PQE. Competitive salary + other benefits including hybrid working.

Contact: Rebecca - r.davies@clayton-legal.co.uk

Legal Advisor - Credit Hire

Liverpool

A leading provider in insurance and legal services, seeks Legal Advisor to join their expanding credit Hire department; A good working knowledge of the CPR, case law and legislation is an advantage. Fantastic benefits package on offer.

Contact: Chris - c.orrell@clayton-legal.co.uk



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Vauxhall Community
Law & Information
Centre

Our regular column from the team at Vauxhall Community Law and Information Centre who support the local community and promote access to justice.

Exciting Opportunities in Social Welfare Law – Join our team today!

We have 3 new, exciting opportunities for anyone interested in a career in social welfare law. We are currently recruiting in our Housing and Welfare Rights team. If you're interested in working in the third sector and have a passion for social justice please take a look at our vacancies page on our website:



Job Advert

Migrant and Asylum Seeker Housing Caseworker

Vauxhall Community Law & Information Centre is a small community-based Law Centre and has been in existence since 1973, we provide advice of welfare benefits, public law and housing issues.

Hours: 35 hours

Salary: LA Payscale 5/6 £26,421 - £31,364

p.a. +5% Pension

Closing Date: Wednesday, 10th Jan 2024 at 5pm

[apply via our website](#)



Job Advert

Housing Caseworker

Vauxhall Community Law & Information Centre is a small community-based Law Centre and has been in existence since 1973, we provide advice of welfare benefits, public law and housing issues.

Hours: 35 hours

Salary: LA Payscale 5/6 £26,421 - £31,364

p.a. +5% Pension

Closing Date: Wednesday, 10th Jan 2024 at 5pm

[apply via our website](#)



Job Advert

Welfare Rights and Advice Caseworker

Vauxhall Community Law & Information Centre is a small community-based Law Centre and has been in existence since 1973, this post will support older people in our community, especially those who may be sick, disabled or belong to other vulnerable groups of people.

Hours: 35 hours

Salary: LA Payscale 5/6 £24,496 - £31,364

+5% Pension Contribution. The post is initially until 31/12/2024, additional future funding is being sought

Closing Date: 14th January at 11.59pm

Your benefits and the law: an introduction to Welfare Rights - Mondays, 6 - 8pm from 22nd January 2024.

We were delighted to hear that an introduction to welfare rights law course will be taking place later on in January. This course is vital to ensuring that more people join the sector which is so desperately needed.

There will be 10 weekly meetings on Monday, 6 - 8pm, starting from 22 January.

This comprehensive Welfare Benefits short course is designed for anyone aspiring to advance their careers in casework, including volunteers and professionals seeking a deeper understanding of the benefits system.

This course covers all essential aspects, including an overview of the benefit system, non-means-tested and means-tested benefits, Universal Credit, illness and the Work Capability Assessment, disability and benefits, housing benefits and costs, migrants' rights to benefits, rights to benefits of EU citizens post-Brexit, and other pertinent issues.

Expert instructor, Ruth Knox, will

provide you with a solid foundation in welfare benefits, ensuring you gain the knowledge and skills necessary to navigate the complex landscape of social support. By the end of the course, you'll possess the confidence and expertise to make informed decisions and positively impact the lives of those in need.

Enrol today - <https://www.liverpool.ac.uk/continuing-education/choose-your-course/philosophy-courses/yourbenefitsandthelaw/>

If you'd like to sponsor one of our volunteers we'd greatly appreciate the support, giving a volunteer the opportunity to attend this course means that they will gain an invaluable experience and will also increase their ability to apply for further opportunities that arise at the law centre. Please email development@vauxhalllawcentre.org.uk if you'd like to sponsor a volunteer.

Can you help Vauxhall Law Centre?

At Vauxhall Community Law & Information Centre volunteers are the backbone of our organisation, their dedication to supporting our work and commitment to promote access to justice during the cost of living crisis has been immense. We get support

from our volunteers in many different ways:-

- Our Board are volunteers, providing support and strategic direction for the organisation
- Volunteers assist with our advice provision and representation
- Volunteers help us with publicity, administration and fundraising, our legal walk was supported by many of our community supporters and helped us raise over £1,300

If you think you, or your company can support our work at Vauxhall please don't hesitate to contact us. We are looking for volunteers with skills in a wide range of areas such as Financial Management, HR, Technology, Fundraising, and Advice. If you have any skills and would like to get on board with us please drop us a line at recruitment@vauxhalllawcentre.org.uk

Please consider using volunteering as a means to meeting some of your company's Corporate Social Responsibility commitments and supporting the local community.

We look forward to 2024 and wish all of our supporters and readers a Very Happy Christmas and a Prosperous New Year!

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Council Meeting Report December 2023

From your Council Member, **Nina Ferris**



Nina Ferris

I travelled to London for the last TLS Council meeting of the year. Chancery Lane was looking decidedly festive as we descended for what was a heavy agenda of business given the recent issues in regulation, which the President and Chief Exec gave evidence on to the Justice Committee at the beginning of December.

Axiom Ince

We were assured that the developing

situation has the full attention of TLS who have said that there should be full accountability after an investigation. In October 2023, the Solicitors Regulation Authority (SRA) intervened to close law firm Axiom Ince Ltd to “*protect the interests of clients and former clients of the firm*”. At the time of the announcement there was an estimated £64m gap in clients funds and it was rumoured that the SRA would be seeking an additional levy on all solicitors to cover the shortfall. However, in November 2023, the SRA clarified that it would not be calling on solicitors to make an additional in-year contribution to the fund. This decision is being kept under review considering further interventions or other unforeseen events.

On 5 December 2023, the Legal Services Board (LSB) said at a Justice Committee Session on the regulation of the profession that it is exploring options for an independent, objective review of the events leading up to the SRA’s intervention into Axiom Ince.

TLS recognises and shares the serious concerns of its members relating to the collapse of Axiom Ince and is actively monitoring the situation and will ensure that those responsible for managing the

situation are clear about the concerns and interests of members.

Based on TLS’ analysis and review of media commentary the key issues for the profession are:

1. Understanding and making public the events leading up to the collapse of Axiom Ince
2. Ensuring accountability of those responsible for such events
3. Maximising recoveries in respect of losses
4. Ensuring that no greater call is made on the Compensation Fund than is necessary and appropriate
5. Ensuring that all appropriate lessons are learned
6. Seeking any changes to regulatory arrangements as may be required to implement those lessons and that these are appropriately consulted on.
7. Ensuring that all steps are taken to avoid damage to the solicitors’ profession as a whole.

Ensuring that consumers do not lose out is essential for public confidence in the system and in the profession. However, any increased levy on the profession should be a measure of last resort and all efforts must first be made by the appropriate regulatory and prosecuting bodies exercising their powers to recover funds for redressing consumer losses.

TLS would support an investigation by the LSB as oversight regulator to consider whether lessons should be learned to ensure that a similar crisis does not happen again.

Update on AI

The advent of AI is upon us, but there is a wide spectrum of understanding of the risks and opportunities that AI and particularly generative AI present to firms and clients both in terms of cyber risk, and also data protection. There is new guidance material available on the TLS website to assist even





the most preponderous users of new technology. TLS is one of the leading voices in thought leadership in AI in the legal sector and has invited various representatives to form a working group who are at the cutting edge of development of AI. The findings and guidance are available [here](#).

Litigation

TLS has intervened in the Merthyr Tydfil appeal, where the Court of Appeal was considering when and how the court should intervene to pause legal proceedings or order parties to take part in other dispute resolution processes. TLS intervened as this affects one of the pillars of our strategy in access to justice. The judgment reflects TLS' reservations in that it recognises that, in some circumstances, it may be contrary to a party's right of access to the courts to compel them to engage in a non-court based dispute process first. Read more about the case and why we intervened [here](#).

TLS is also continuing to fight for fair funding and to safeguard everyone's right to independent legal advice at all stages of the criminal justice process. You can read more about TLS Judicial Review of the government's decision not to implement the full uplift in funding recommended by the independent review into criminal legal aid [here](#).

Wales

Lord Thomas of Cwmgiedd, chair of the

commission on justice in Wales gave us a whistle stop tour of how Welsh and English law has diverged despite being part of the same jurisdiction. Wales has had a legal code of its own for quite some time not just since devolution. Since the establishment of the Senedd in 1999 the law making ability of the Welsh Government has increased so that it now has primary legislative powers.

Why is this relevant to LLS members? Despite falling within the same jurisdiction, Wales has considerably different legislation in relation to many things on which we are advising our clients, most prominently land and landlord and tenant and family proceedings. Parts of the Children Act do not apply in Wales. Wales also has its own primary legislation in respect of housing, education and health and social care. Given we are only 30 miles away it is likely that elements of Welsh law may impact on advice that we are giving to clients, perhaps without us knowing that there is a difference. It has some different tribunals and its own Cafcass.

A major issue is ascertaining what is the law of Wales. This is not easy because there is Wales only England only legislation that governs both. The Welsh government has embarked on a process of codifying those areas where Wales has its own law making powers. Mark Davies, chair of the Wales Board spoke of the need to recognise differences and to support members practising in Wales

and cross border to reduce the risk of lack of understanding or giving incorrect advice. He was clear that there should not be a separate law society for Wales, but an increased acknowledgement of Welsh law to avoid the significant repercussions for those affected by getting wrong advice.

Carey Street

Finally we discussed the Law Society's property portfolio and the future of Carey Street. For those who don't know the society has a heritage property in Carey Street, which contains living accommodation for the President when they are working in London. It also houses various reception rooms which have been used over the years for smaller receptions and private meetings with politicians and senior judiciary as well as with leaders of industry.

It has been able to be used previously by members for meetings, but this has fallen out of use more recently, not least as there are some upgrade works necessary to bring the building up to modern standards. There was some initial debate about whether keeping such a heritage asset fits with the modern brand of the profession or whether it harks back to outdated notions of holding heritage property. We await further information on the potential for refurbishment to bring it back to use, but in the meantime it would be good to hear members views on whether they want to "love it or list it"!

Finally, after a long and productive meeting, we attended the Council Christmas Dinner, where no less than 8 past presidents were in attendance after recently leaving the council after serving their 12 year terms, including Robert Bourns who has retired as the first Chair of the TLS Board after his term came to an end. Many of you will have met Robert as he has attended a few LLS Dinners over the years in his roles as president of Bristol LS and when he was President of TLS.

As always if there are any questions or issues you would like to raise, please get in touch.

Nina Ferris

Nina.ferris@hilldickinson.com

Charity Spotlight - Byrne Avenue Baths



BYRNE AVENUE BATHS

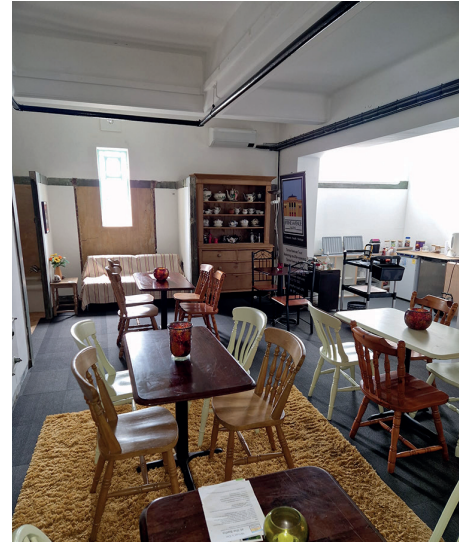
We all remember Bagpuss – old, tired, a bit raggedy round the edges “but Emily loved him”.

Byrne Avenue Baths is very much the Bagpuss of our community. From the outside this 1930s building looks a little rundown and in need of a large injection of TLC. But everyone in the community loves it. In fact they love the Baths so much that when the local council closed it down in 2009, a group of local people set about saving it. After a false start or two, the word came back that the council had decided to bulldoze this beautiful art deco style building in order to build flats. The rescue

mission stepped up its game and applied to Heritage England for listed status. The application was a success and the Bath is now Grade II listed. A community asset transfer application followed and after a lot of “discussion” the group, who were by then Byrne Avenue Trust, a registered charity, got the keys to Byrne Ave in August 2017, along with a 99 year lease.

Unfortunately 10 years of closure and neglect had taken its toll. Theft, vandalism, water damage and a squatting troupe of pigeons had all combined to leave the building in a terrible state. Undeterred the Trust set about fundraising to restore the first areas of the building so that it could be re-opened to the public as quickly as possible. Fundraising and grant writing ensued, both with success. Work began on restoration in January 2020, just in time to be stopped by Covid regulations. Despite all this, and only 12 months behind schedule, Byrne Avenue Baths reopened its doors to the public in January 2022.

Because of the size of the building it was decided to split the restoration into two phases. Phase 2 which includes the pool itself and our unique Slipper Baths is yet to begin. However, Phase 1 of the



Our Café

restoration has been completed. This includes a large sports hall, a unique and fully equipped community room, and a new café on the ground floor. The sports hall is now the home of Wirral Trampoline Club and Birkenhead Comets cheerleading squad. Both groups meet regularly to provide healthy activities for local young people. The café is open six days a week for anyone passing by and for those parents doing the child taxi run. The community room is very busy. The large multiuse space hosts anything from training workshops to fundraising events. Our Murder Mystery nights are particularly popular – an evening of interactive theatre combined with a two-course meal cooked on the premises.

However what the charity is most proud of is the work that it does within the community to look after those who are less fortunate or who are being hit by the current Cost of Living crisis. This is the second winter that the Baths has been open, and the second winter that we have run three initiatives.

Grub Hub offers people a free hot meal once a week. Funded by the national Household Support Fund we are able to ensure that local people receive a hot meal at least once during the week. We



The Baths today



The Community Coat Rack

also provide them with a bag of everyday household essentials, such as toilet rolls and shampoo, meaning that they can use that money to heat their homes or provide food for the family.

The Community Coat Rack is a very simple concept. Throughout the winter, we put out coat racks and people donate coats that they no longer wear or which the children have grown out of. In turn people who are in need of a coat can then come in and take one.

The Christmas Shop is a similar concept. Throughout December the shop is open and the community donates toys, cuddly toys and books which their children no longer need. These are then available free



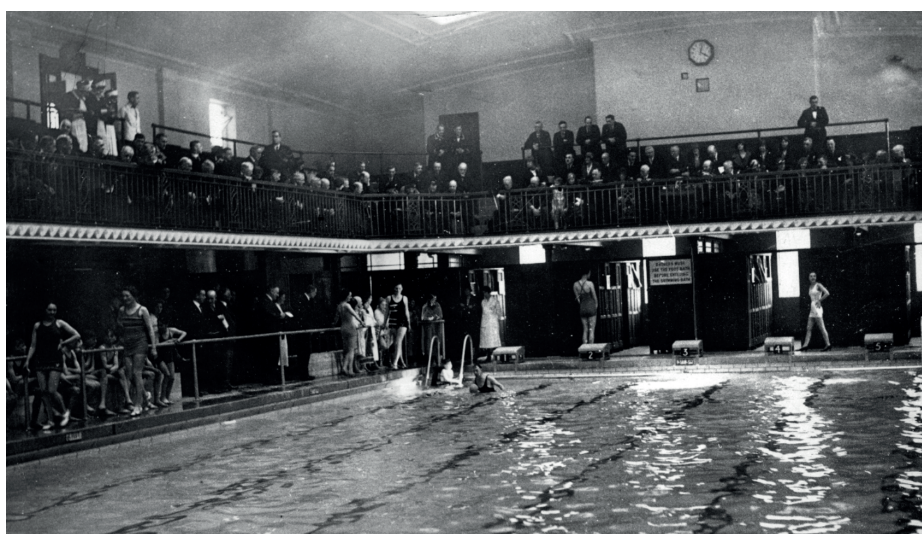
of charge to anyone within the community who needs them. No questions asked. In the first year that we did this we estimated that we helped 150 children to have a better Christmas. At the time of writing it seems that we will be helping just as many if not more this year. On top of this we donate soft toys to the local dementia care home for their residents.

A lot of what we do at the Baths is free. This means that the fundraising continues. We rely on donations and room hire to bring in the money to keep the lights on and the building warm. So next time you are looking for a space for a training day or a workshop, please consider your local community centres. We can often offer a unique high-quality

experience and you have the benefit of knowing that you are not only getting good value for money but you are supporting your community.

Byrne Avenue Trust has a very simple tag line, which encompasses what it does - Community: Health: Heritage. Officially, we provide local people with sporting opportunities, community activities and social events whilst preserving the history and heritage of our beautiful building. But what we actually do is we provide a warm welcome, safety, support, and hope.

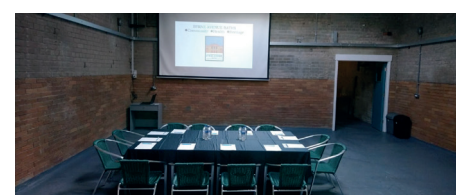
Jane Richards
CEO, Byrne Avenue Trust



The Baths in the 1930s

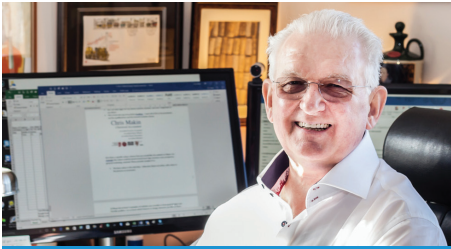


The Baths when first built



The Community Room

Mediation: have the floodgates finally opened?



Chris Makin

On 29 November the Court of Appeal gave its judgment in the long-anticipated case of *Churchill -v- Merthyr Tydfil County Borough Council* [2023] EWCA Civ 1416. It started life as a simple dispute between an individual and a council over Japanese knotweed, but assumed such importance that there were no fewer than seven bodies admitted as interveners: the Law Society, the Bar Council, CMC, CEDR, CI Arb and two housing association bodies.

So what was the case really about, and does it change the way civil and commercial mediation disputes are to be handled in future?

The basic case

This was ever so simple. There was an outbreak of the horrible Japanese knotweed on some spare land owned by the Council, and it encroached onto the garden of a Mr James Churchill. As we know, this knotweed is extremely invasive and very expensive to remove.

This council, and many more, had a Council Complaints Procedure, and when Mr Churchill's lawyers sent a letter of claim to the Council, they were asked why they had not used this Procedure. Churchill's lawyers persisted, and issued proceedings. The Council applied to the court for a stay, and for costs, to allow the Procedure to be followed.

The district judge decided he could not order such a stay, being bound by the decision in the well-known case of *Halsey -v- Milton Keynes General NHS Trust* [2004] EWCA Civ 576 where Dyson LJ said "...to oblige truly unwilling parties to refer their disputes to mediation would be to impose an unacceptable obstruction to their right of access to the court" and that this would offend Article 6 of the European Convention on Human Rights, which establishes the right to a fair trial.

Why does this matter to mediation?

Dyson LJ's words have long been interpreted

as saying that for the court to order a stay for mediation to take place, and especially if a party was unwilling, would offend a citizen's right to a fair trial. The courts have tried to encourage mediation as much as possible, mainly by threatening costs orders against those who refused to mediate, and even *Halsey* itself had a checklist of situations where a party was at risk on costs if they declined an invitation to mediate. But no such forms of "persuasion" have been entirely effective.

Churchill was a curious case to provoke so much interest about mediation, because it didn't concern mediation as we know it. This Council Complaints Procedure was arguably not even independent, since it was conducted by a council employee, and all mediators know how important it is to be, and be seen to be, independent. But in the judgment there was talk of this Procedure, early neutral evaluation, negotiation etc and especially mediation, so this Procedure was seen to be near enough to a form of Alternative Dispute Resolution (ADR) for it to be taken as an example.

Back to main principles

The main judgment was given by Sir Geoffrey Vos, Master of the Rolls. Also on the bench was Susan Carr, the new (and first ever) Lady Carr of Walton-on-the-Hill, Lady Chief Justice. So this was an impressive bench. The judgment was unanimous.

Turning back to Dyson LJ's words above, one would have thought that they were unambiguous: imposing "an unacceptable obstruction to their right of access to the court", and therefore contrary to Article 6.

This court thought different. There was lengthy discussion (the court avoiding the Latin where possible, though it surely still has its uses) of the difference between *ratio decidendi* and *ratio obiter*. As lawyers very well know, *ratio decidendi* is an argument which is central to the issue and determinative of the court's decision, whereas *ratio obiter* is merely a superfluous comment which is not central to the case.

The court decided that Dyson LJ's words were *obiter*, not central, just a side comment, and therefore this court was not bound by them. The court did indeed have the power to order a stay for mediation to take place. It follows that all inferior courts will be bound by the precedent that parties may be ordered, willing or otherwise, to follow a method of ADR before they can have a trial.

So now what?

At 74i), Vos MR said that "[9]-[10] of *Halsey* was not part of the essential reasoning in that case and did not bind the judge to dismiss the Council's application for the stay of these proceedings." At 74iii) he said he would not "...lay down any fixed principles as to what will be relevant to determining the question of a stay of proceedings..." so the trial judge could decide what he may order.

74ii) is worth quoting in full: "The court can lawfully stay proceedings for, or order, the parties to engage in a non-court-based dispute resolution process provided that the order made does not impair the very essence of the claimant's right to proceed to a judicial hearing, and is proportionate to achieving the legitimate aim of settling the dispute fairly, quickly and at reasonable cost." One will recognise that the last few words come straight from CPR Part 1.

By this time, Japanese knotweed had lost its relevance. The important issue is that all the interveners had won, because litigators are no longer bound by *Halsey*; the court can indeed order a stay for ADR to take place. Mediators at last are going to be busy. The barrier of *Halsey* has gone, and we get back to what Lord Woolf intended with his Civil Procedure Rules launched on 1 April 1999. *Plus ça change, plus c'est la même chose*.

Biog: Chris Makin has practised as a forensic accountant and expert witness for 30 years, latterly as Head of Litigation Support at a national firm. He has given expert evidence about 100 times. He also performs expert determinations.

Chris is a fellow of the Institute of Chartered Accountants where he has served on the Forensic Committee, and as an ethical counsellor; he is a fellow of the Chartered Management Institute, a fellow of the Academy of Experts where he serves on the Investigations Committee, and a mediator accredited by the Chartered Arbitrators. He practises as a mediator, from his home in West Yorkshire and his rooms at 3 Gray's Inn Square, London WC1R 5AH, telephone 020 7430 0333. He has mediated 100+ cases so far, on a huge range of subjects, with a settlement rate to date of 80%. For more see his website with videos:

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Chris Makin

Chartered Accountant
Accredited Civil Mediator
Accredited Expert Determiner

Chartered Accountant with 20+ years experience as Forensic Accountant and Expert Witness at national firm partner level; Mediator for 10+ years: High settlement rate. See website for more details, including mediation scale of fees.

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- Employment
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- Inheritance Act and ToLATAs

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- Business & Share Valuations
- Matrimonial Valuations
- Partnership & Director Disputes
- Professional Negligence
- Criminal & Commercial Fraud Investigations
- Personal Injury & Fatal Accident
- Drug Trafficking etc. Asset Tracing & Confiscation
- Section 994 Disputes
- Director Disqualification
- Expert Determinations



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www.chrismakin.co.uk

Connect with Dr. Heather Harris MBBS FRCS FRCR

Consultant Radiologist



Dr Heather Juliet Harris is a Consultant Radiologist based in Chesterfield, Derbyshire

She has extensive knowledge of general radiology and radiology practice including policies, procedures, IR(ME) R, IRR17 and day-to-day issues working in a radiology department in a District General Hospital. She was governance lead for 5 years and clinical director for 3 years. She has attended the coroners court on behalf of the hospital on a number of occasions to present an overview of the radiology in a case. She also has experience of writing reports for complaints and incidents.

Her work covers general radiology with subspecialist areas of interest of gastrointestinal and hepatobiliary imaging, urology, non-vascular intervention and emergency work. She has experience working for an outsource radiology reporting company from 2014-2019. Dr Harris is a Technical Assessor for UKAS, assessing for the Quality Standard for Imaging, and also undertakes work for the Parliamentary Health Ombudsman.

Dr Harris has undertaken medicolegal work since 2020 and has written over 70 reports, all for the claimant. She is able to take on work for the defendant. She has attended 8 conference calls and attended the coroners court as an expert witness. She currently accepts work from the UK including NI Ireland, and the Republic of Ireland.

Training

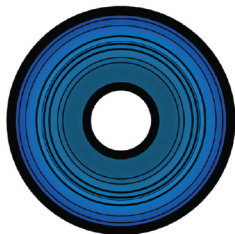
Medico-Legal Expert Witness Essentials Course, SpecialistInfo, Birmingham, 21.11.18 – 5 CPD credits
Clinical Negligence Course, Specialist Info, Online, 21.01.21 – 5 CPD credits

Membership

GMC, Royal College of Radiologists, Royal College of Surgeons of England, BMA, MDU.

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

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Some of our services are chargeable to you or your clients, while others are paid for by the people we find.

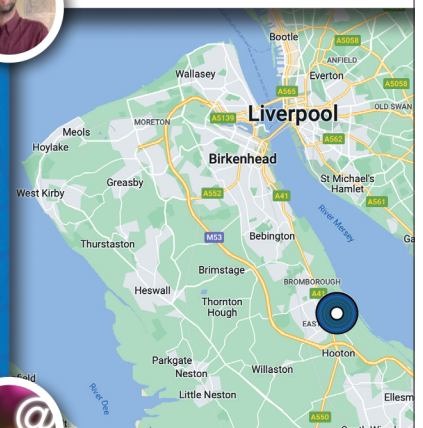
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Regulation Update

January 2024

The latest Regulation news from Andrea Cohen of Weightmans LLP



Andrea Cohen

Happy New Year! As in previous years, as we start 2024, we've done a bit of crystal ball gazing, which is always a worthwhile risk management task to help firms plan, prepare and budget for the year ahead (and reviewed how well our predictions were for 2023!), and also provide our usual overview of what has been happening in the last month in the world of risk and compliance, and some recent disciplinary decisions.

AML, Sanctions and Economic Crime

As last year, this area remains top of the list, and we don't believe it's going to lose its top-ranking position any time soon. Last year we predicted an increased number of SRA AML visits, guidance on proliferation financing, concerns with financial stability and fraud, and increased cyber-attacks, and we have seen all of those 'in action', particularly recently with

Axiom Ince and CTS. We do not predict that those events will be any the less prevalent in 2024.

Changes to MLR

The Money Laundering and Terrorist Financing (Amendment) Regulations 2023, which come into force on 10 January 2024, amend the MLRs so that EDD on domestic PEPs is to be lower than foreign PEPs, as they are seen to be a lower level of risk, unless there are other high risk factors present. Domestic PEPs refer to people with public functions in the UK, so would not apply e.g. to PEPs in Crown Dependencies.

Changes to money laundering and terrorist financing controls in high-risk third countries

HM Treasury has published an advisory notice on money laundering and terrorist financing controls in high-risk third countries <https://www.gov.uk/government/publications/money-laundering-advisory-notice-high-risk-third-countries-2/hm-treasury-advisory-notice-high-risk-third-countries>. As at 5 December, Bulgaria, Cameroon, Croatia, Nigeria, South Africa and Vietnam have been added to the list, and Albania, Cayman Islands, Jordan and Panama have been removed.

As a reminder, enhanced client due diligence and enhanced ongoing monitoring is required in any business relationship with a person established in a high-risk third country or in relation to any relevant transaction where either of the parties to the transaction is established in a high-risk third country. This change therefore provides a good opportunity for firms

to review their CDD policies to check they meet regulatory obligations, and to consider the risk levels of different client and matter types.

It is expected that changes to the high-risk third countries list will continue to be a trend in 2024, so it is worth keeping an eye out for updates.

Changes to the UK sanctions list

Between the start of December and the time of writing this update, more than 250 new designations have been added to the UK sanctions list. These include 173 transfers from the Iran (Human Rights) regime to the Iran sanctions regime, 45 new designations under the Russia sanctions regime, 18 under the Belarus sanctions regime and 16 under the Global Human Rights sanctions regime.

Designations were also added under the Syria sanctions regime, the Iran (Human Rights) sanctions regime, the Counter-Terrorism (International) sanctions regime, the Haiti sanctions regime, and the Cyber sanctions regime.

You can expect more changes in the months ahead.

Economic Crime and Corporate Transparency Act 2023 (ECCTA 2023)

As we reported last month, ECCTA 2023 received Royal Assent on 26 October and introduced a number of changes, some of which have come into force, with the majority expected over the next few months, but (as at the date of writing) there is no current date set for the other changes to come into force and the majority will

be implemented through secondary legislation. The Companies House changes will need increased resources and operations, but it is anticipated that some changes e.g. the power to query or reject information filed with it; revisions to the company names regime, and the requirement for companies to provide the registrar with an email address will come into force in the next few months.

The failure to prevent fraud offence will require guidance on the adequate procedures defence. We were correct with our 2023 predictions and the SRA now has unlimited fining powers under the ECCTA for economic crime offences, and this will be on the agenda for the SRA.

Addendum to the 2023 Legal Sector Affinity Group (LSAG) guidance

The LSAG has updated its AML guidance to account for recent developments by publishing an addendum to the 2023 edition of the guidance ([Anti-money laundering guidance for the legal sector: addendum](#) | The Law Society). It includes guidance relating to: the Economic Crime Levy, which is payable if your annual turnover exceeds £10.2 million; discrepancy reporting under regulation 30A of the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017; the requirement to register overseas entities wishing to buy, sell or transfer property or land in the UK with Companies House; changes in company due diligence introduced by ECCTA 2023, and; source of funds information and client due diligence.

In relation to the continuing challenges posed by AML, sanctions and economic crime, we suggest the following practical steps are taken:

- Review your policies and training in relation to preventing fraud and AML. Can you/should you update an existing policy/should you create a new, separate policy/should you have an overarching economic/financial crime policy under which all policies

such as AML, Anti-bribery, Criminal Finance act, Modern Slavery, fraud would sit.

- Review your FWRA and all policies, controls and procedures (PCPs). Have you got a FWRA that is in line with R18 requirements? Are your PCPs up to date: do they refer to the correct MLR, SRA sectoral risk assessment, latest publications/links, LSAG guidance etc.? If not, that is a giveaway that they have not been reviewed for some time. Are they relevant to the firm, or just template copies? Do they comply with the MLR requirements? Do you have processes in place? Are you carrying out CDD /EDD when required, source of funds/source of wealth checks etc., and documenting the findings?
- We have seen an increased number of SRA AML visits, and increasing fines being imposed for MLR breaches, so now is the time to carry out an independent audit/arrange your next independent AML audit.
- If the work you undertake is outside the scope of MLR, ensure you have processes in place so that you are not in breach of PoCA and the sanctions regime, by carrying out sufficient CDD checks on clients, including checking sanctions lists.

Legal Ombudsman (LeO)

2023 saw significant changes to LeO's scheme rules, including reduction in time limits for bringing complaints to it and the discretion to dismiss a complaint in certain circumstances which required changes to Terms of Business/client engagement letters/final complaint response/website and those will require a further update on 22 January 2024 when LeO's address changes to Legal Ombudsman, PO Box 6167, Slough, SL1 0EH.

LeO has published the third edition of An Ombudsman's View of Good Costs Service which outlines LeO's position on what constitutes good costs service, and it also contains a range of worked examples which provide insight into how the LeO resolves complaints in this area.

The risks of using 'AI' in the legal sector

The SRA has published a Risk Outlook report on the use of artificial intelligence in the legal market <https://www.sra.org.uk/sra/research-publications/artificial-intelligence-legal-market/>. The report shows the growing trend of AI use in law firms: at the end of last year, three quarters of the largest solicitors' firms were using AI, nearly twice the number from just three years ago.

In light of the more frequent use of this technology, the SRA warns of its risks. For instance, AI can have biases, which could harm efforts to increase diversity in recruitment processes, and bias in criminal litigation could lead to miscarriages of justice. There is also the risk of errors: language models such as the ever-popular ChatGPT have been known to draft legal arguments which have included non-existent. It has also recently been highlighted that there is a real risk of litigants in person unwittingly using these false cases <https://www.legalfutures.co.uk/latest-news/litigant-unwittingly-put-fake-cases-generated-by-ai-before-tribunal>. There are also privacy risks, for example if law firm employees input confidential information into an online AI.

Whilst machine learning and other such systems pose advantages in terms of costs and speed, law firms using this technology need to be on their guard to check for errors and compensate for any potential biases. The SRA recommends ensuring all staff understand how such tools operate and that firms can explain their use to clients. Remember that – as with other IT systems – firms remain responsible and accountable for the outputs from any AI they use.

Changes to STaRs

There have been a number of amendments to STaRs, [SRA | Minor amendments to our Standards and Regulations | Solicitors Regulation Authority](#), including changes to pro-bono work outside

Regulation Update continued...

a firm, administering oath outside employment, cessation of owner approval, and deeming approval of solicitors. Expected changes to the Accounts Rules, including how money on account of costs should be dealt with, have been put on hold as a result of Axiom Ince, with the SRA saying it was necessary to review consumer protection arrangements, including risks to client money, so we expect to see changes, and possibly more major changes than anticipated, being introduced in 2024.

New practice notes and guidance

Law Society practice notes

The Law Society has published two new practice notes since our last update:

- Rejecting un-remunerative publicly funded criminal work <https://www.lawsociety.org.uk/topics/criminal-justice/rejecting-un-remunerative-publicly-funded-criminal-work>
- Fiduciary roles and retirement or departure from practice by a private client practitioner <https://www.lawsociety.org.uk/topics/private-client/fiduciary-roles-and-retirement-or-departure-from-practice-by-a-private-client-practitioner>

You don't need a crystal ball to know that we can expect to see further Law Society practice notes and SRA guidance over the next 12 months!

Whilst it is impossible to anticipate and cover everything that firms will have to face in relation to risk and compliance challenges in 2024, we can safely predict that, as always, we will be kept very busy indeed!

Disciplinary and regulatory decisions:

There have been further fines issued for breaches of AML regulations and the SRA Transparency Rules.

Firms fined for AML compliance failures

A firm has been fined £7,900 as it

did not have in place a compliant firm-wide risk assessment (FWRA) nor compliant policies, controls and procedures between 26 June 2017 and March 2023, and another fined £3120 for using a general risk assessment rather than a FWRA, which was not bespoke to the firm and did not address key AML risk factors and policies and procedures were not compliant. In neither case was there evidence of harm to clients or third parties, no financial benefit and low risk of repetition. Both firms rectified the documents and co-operated with the SRA.

Two firms fined for breaches of the SRA Transparency Rules

Two firms have each been fined £750 and ordered to pay costs of £150 for failure to publish the information required by the SRA Transparency Rules. The firms in question had failed to remedy their breaches after being given notice and reasonable time in which to do so.

Senior client development manager given section 43 order for sexual harassment.

A former law firm employee has been banned from being employed at a law firm without SRA approval after admitting to sexually harassing a female colleague at a work event which involved an overnight stay at a hotel. He was also ordered to pay costs of £600.

Solicitor fined over £9,000 for acting where there was a client conflict.

A solicitor has been fined for acting where there was a client conflict and for failing to provide adequate advice to one of the clients in respect of entering into a bare trust in relation to investment in land. The client lost £150,000 on the failed developments, which led to a finding that the solicitor's actions had caused harm. The client might have reconsidered investing had she received proper advice.

Solicitor fined over £1,500 for drunk driving

A solicitor struck a stationary police car and gave a breath sample to the police which showed her to be more than three times over the legal limit. On top of her criminal conviction, the SRA fined her £1,547.85, a reduced amount in light of her financial hardship. She also agreed to pay costs of £300.

How Compli can help...

The Compli Solicitor Regulatory and Professional Discipline Team can provide expertise and advice on risk and compliance, AML, disciplinary assistance etc. If we can help in any way, please get in touch at compl@weightmans.com.

Andrea Cohen
Compli,
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University of Chester celebration of Women in the Law a huge success



Justine Watkinson from HM3.



Mrs Justice Yip and Ruth Sutton from the University of Chester meet with delegates.



Students and delegates engaged during the event

The University of Chester's event, celebrating the achievements of women in the law over the past 100 years, has been hailed a huge success.

The Women in Law event was held on Wednesday, November 8 at the University's Wheeler Building and featured presentations from High Court Judge **Mrs Justice Yip**, **Justine Watkinson** from HM3 Legal, **Emily Littlehales** from Celtic Law, **District Judge Wendy Owen** and **Rachel Kelly** from Hill Dickinson LLP.

The event was organised in conjunction with the Judicial Office and the Cheshire and North Wales Law Society to celebrate the past, present and future of women in the law with the aim of inspiring both legal practitioners and university students.

With over 100 delegates in attendance from across Cheshire, the North West and even as far afield as Sheffield the session featured contributions that looked at how the role of women has developed over

the hundred years since **Dr Ivy Williams** was first admitted to the Bar.

Speakers looked at how they had overcome barriers to become successful solicitors, barristers and members of the judiciary over the course of their careers.

Ian Bowden, Senior Lecturer and Solicitor Advocate, remarked on how pleasing it had been to see so many people come together to celebrate diversity, equality and inclusion.

He added that the afternoon was *"truly a celebration that showed what we can achieve when we bring together inspiring speakers, legal professionals and those at the start of their legal journey."* He added that the event *"looked at the journey so far in the last 100 years. In our next event, we will now be looking ahead to the next 100 years"*.

For details of the next hundred years event, in conjunction with The Law Society, please visit [here](https://www.liverpoollawsociety.org.uk).

6 key reasons why SME law firms should develop a sustainability strategy for 2024

As environmental, social and governance (ESG) issues become a priority for businesses the world over, sustainability and ESG planning are important considerations for SME law firms. According to the Sustainability Accounting Standards Board (SASB) who identify key areas of ESG risk by market and discipline, there are a number of concerns that SME law firms should be considering including environmental ones over power and resource usage, carbon emissions, issues around data security, diversity, equity and inclusion, employee recruitment and engagement, business ethics, professional integrity and governance.

Though these concerns may sound like they apply more to big business and large corporate law firms, more than 90% of global companies are SMEs, and are responsible for 60–70% of global emissions. In the UK, almost 50% of law firms are small firms and a further 30% are medium-sized firms.

As we look forward, here are six reasons why SME law firms should develop an ESG strategy.

1. To keep ahead of upcoming ESG and sustainability legislation

Although smaller businesses and smaller law firms are not yet specifically bound by ESG legislation, the landscape is changing quickly with the introduction of the new ESRS which will impact SME law firms and other businesses working for larger Europe based companies. All these businesses will be asked to submit detailed data on environmental and social performance. The UK mandatory climate disclosure, TCFD, is now transposed into UK law. SME law firms and other businesses supplying large UK firms will be required to supply detailed climate risk data.

2. To help recruitment and attract top talent

2022's Global Student Survey by education company Chegg found that 39% of UK students see climate change as one of the top issues for their generation, and Gen Z employees attending job interviews are now regularly starting to ask about green

credentials. Deloitte's 2022 Gen Z and Millennial Survey similarly found that climate change and protecting the environment is the number one concern of Generation Z, and the number three concern for millennials. These generations in particular value employers that prioritise ESG because it demonstrates that the company is committed to making a positive impact on society and the environment. By 2025, millennials will make up around 75% of the total workforce. Law firms focusing on their ESG initiatives will be seen as more innovative and forward thinking and attract and retain the best talent.

3. To attract more clients and boost firm reputation

Top business executives are now committed to environmental sustainability, with more than 80% of business leaders concerned about climate change and are determined to take serious action. Customers prefer to select businesses with strong sustainability credentials, and this includes service industries such as law, even smaller law firms. Some UK law firms are already very much ahead of the curve and have become Certified B Corporations – a status which not only means that everyone can see they are serious about the environment, but will also ensure their firm is more likely to attract and win lucrative business in the future. Clients view law firms that prioritise ESG as more socially and environmentally conscious, and want to instruct and work with law firms that share their values. This alignment can foster trust between the client and the law firm and improve overall client experience.

4. To increase business profits

Successful sustainability planning by SME law firms requires reducing the duplication of work, the resources used and the energy used when running a practice. This not only contributes to cutting costs but supports increased productivity and profit. The right thing for people and planet can also be the right thing for business profit. The financial and environmental effects of digitalising paper documents in the legal sector – a study funded by the European Commission Low Carbon

initiative and the Liverpool City Region – found that medium-sized law firms could save around £400,000 every year and reduce carbon emissions.

5. To create future opportunities

As we go forward and the upcoming ESG legislation starts to greatly affect sole traders and small businesses, commercial clients will be looking to their lawyers to support with the governance aspects of ESG and sustainability planning. There is an opportunity for SME lawyers to introduce extra ESG expertise to their suite of services and provide extra services to their business clients to support ESG planning.

6. To reduce risk of fraud and ensure compliance

Improved governance by SME law firms, as part of an effective ESG strategy, ensures compliance and helps protect against fraud. For example, the recent Bank of England Market Guide looking at CHAPS payments noted that using legal software with an effective document sharing portal can support a significant reduction in APP (Authorised Push Payments) fraud during property transactions by providing a safe alternative to email. Using this type of document portal may initially be seen as part of an efficiency drive, supporting good governance, but a huge added benefit is the potential reduction of APP fraud. Over half a billion pounds was lost to this type of fraud in 2022 alone. Using legal software to create efficiencies such as this helps the environment and also puts an SME law firm's mind at rest that they are reducing the serious risk of data breaches and fraud.

Download our latest whitepaper to understand how LEAP's software can help with sustainability and ESG planning and measurement.

Gareth Walker,
CEO, LEAP UK



Forthcoming Courses

DATE	Event
16/01/24	Making applications in the Court of Protection
17/01/24	Reporting to the Lender and Hot Mortgage Issues
19/01/24	Introduction to Wills and Probate, and Connection with Family Law
24/01/24	Current and Future Legal Leaders: Managing your law firm business or legal team
30/01/24	Artificial Intelligence: current developments for professionals & the lawyers of the future
31/01/24	Highways issues and development
05/02/24	New pathways and funding opportunities with the SQE
07/02/24	Housing Conditions Conference 2024
09/02/24	Essential Statutory Wills Update
27&28/02/24	Probate & Estate Administration - Introduction and Refresher
01/03/24	Financial Orders: Law & Practice
01/03/24	Cohabitation: Law Practice
06/03/24	Costs Conference
08/03/24	Managing and Mitigating Directors' Conflicts under the Companies Act
12/03/24	Personal Injury Update

To comply with the SRA's [Code of Conduct for Solicitors, RELs and RFLs](#), all solicitors must keep their professional knowledge and skills up to date. Liverpool Law Society courses will help you maintain an up-to-date understanding of relevant law, policy and practice.

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

For full details, visit: www.liverpoollawsociety.org.uk



Making applications in the Court of Protection

with Helen Forster

Live online: 16th January, 1.30pm - 4.30pm

This online session will provide you with the latest practice & procedures to enable you to make applications in the Court of Protection, and give practical advice to assist in making this area of law a sustainable part of your business for the future.

What You Will Learn;

- Overview of the Court of Protection and their Authority
- Procedure for making applications and the Mental Capacity Act 2005
- DOLS requirements
- COP3 changes
- Fees, fee remission applications, and retrospective claims
- Making Urgent Applications in the Court of Protection
- Other applications you may come up against; Statutory Wills, trustee applications, and the death of P

[CLICK HERE TO BOOK](#)



Reporting to the Lender &

Hot Mortgage Issues

with Richard Snape

Live online: 17th January, 1.30pm - 4.30pm

Reporting to the mortgage company is a perennial problem for the conveyancer. **This online course selects some issues & discusses solutions. In particular the Building Safety Act 2022 is causing major problems.**

Topics covered include:

- Conflicts of interest and valuation issues
- Leasehold issues and lender requirements
- Some specific areas:
- Japanese knotweed
- Solar panels
- Planning issues, and flying freeholds
- Building Safety Act 2022 and Lender Requirements

[CLICK HERE FOR MORE INFO](#)



Introduction to Wills & Probate,

and Connection with Family Law

with Safda Mahmood

Live online: Friday 19th January, 10am - 4pm

This online course will equip you with the essentials in terms of principles of wills & probate, and as to how it links into other areas of law, particularly family law.

The areas to be covered are:

- Requirements for a valid will
- capacity and formalities
- Witnesses and types of gift
- making changes to wills
- Revising and revoking wills
- Clauses to assist children
- Family provision claims
- Divorce, dissolution and wills
- Intestacy and contentious probate

& more ...

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

[CLICK HERE FOR MORE INFO](#)



Current and Future Legal Leaders: Managing your law firm business or legal team

Wednesday 24th January 2024 | 9.30am - 3.35pm

Hybrid - Attend in-person or online

A conference for anyone who is, or is striving to be, a leader in the law: Practice Managers, Managing Partners, General Counsels/Chief Legal Officers, Heads of HR, Finance and Innovation, Heads of Legal Tech, CEOs, those with management responsibilities and those preparing or aiming for a managerial legal position.

The Business of Law

Joanna Kingston-Davies, MAPD Group

Leading your firm for the future: Incorporating climate change risks and opportunities within your business strategy

Sally Redman, Landmark

Develop a leadership presence in the legal sector

Kelsey Greenaway, Dale Carnegie

Embracing neurodiversity in the workplace

Lee-Anne Crossman, Hill Dickson

Managing workplace mental health

Elizabeth Rimmer, LawCare

Agile working: best for business, employees or both - or neither?

Gaynor Williams, Bennett Williams, Alison Lobb, Morecrofts & Jeremy Myers, Husband Forward Morgan

Looking outside of the law: Lessons from sport on culture

Gemma Ellison, Heart Leadership

Our Iceberg is melting! An introduction to value-based pricing

Shaun Jardine, Big Yellow Penguin

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[Book Here](#)





Artificial Intelligence: current developments for professionals & the lawyers of the future

Tuesday 30th January, 4pm - 6pm
Venue:

Do you know what AI is and what it can do for your business?
Does the mention of it fill you with dread or turn you off –
would you rather it was someone else's problem?

Many professional service firms are already using AI in its
various forms & it is promised to revolutionise the world of
work & make our businesses more efficient, in the not so
distant future.

**This in-person event is for legal & business
professionals, students & anyone in industry interested
in AI & its implications for professional practice.**

FREE FOR MEMBERS (£10 NON MEMBERS)

[BOOK HERE](#)

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Highways Issues & Development with Hannah MacKinlay

Live online: 31st January, 2pm - 4pm

**Access to the highway is crucial for any new
development, but working out whether land has
appropriate access is not straightforward.
Local search and land registry records can be
misleading. Ransom demands from third parties can
destroy development value. Getting any of these wrong
will result in negligence claims.**

*This **online** course will look at:*

- Where is the highway boundary? Not where the LR red line shows.
- Local search replies & enquiries of highways authority
- Creation of highways – Dedication of highways and failed s.36s
- Ransom strips and vision splays
- Stopping up

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

[CLICK HERE TO BOOK](#)



New pathways and funding opportunities with the SQE

with Dr Giles Proctor

Monday 5th February, 1pm - 2pm

SQE Roundtable Series with The College of Legal Practice: New pathways & funding opportunities with the SQE

The introduction of the SQE continues to
open up new pathways and funding
opportunities for law firms.

In this **online** SQE roundtable, the College will
share examples of how graduate apprenticeships
and non-traditional law conversion courses can
help increase access to the solicitor profession
and offer funding opportunities for firms to support
their SQE candidates.

FREE to Members / £10 Non Members

[CLICK HERE TO BOOK](#)



The 2024 Housing Conditions Conference

ONLINE Wednesday 7th February

For more details, [click here](#)

Essential Statutory Will Applications with Helen Forster

ONLINE: Friday 9th February, 1pm - 2.30pm

The Court of Protection is often just seen as managing the appointment of deputies, however, it is so much more than that. It has numerous powers to make decisions in cases where a person lacks capacity, further extended by the 2017 regulations.

The Court of Protection can make decisions to alter the intestacy rules and put in place a will for a person lacking capacity, known as a statutory will. Delays are caused when the process is not followed correctly, often increasing costs which cannot be recovered on assessment by the SCCO.

This online session is aimed at Court of Protection and private client practitioners. It will explain the procedure for making a statutory will and provide you with practical tips on the pitfalls and issues surrounding statutory wills, helping you to ensure your applications are processed smoother and faster going forward.

What You Will Learn:

- When a statutory will is required
- The information required to make an application
- The statutory will process
- Current case law and issues

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

Probate & Estate Administration: Introduction & Refresher with Rebecca Roscoe

Live online: 27th & 28th February, both 9.30am – 4pm

A great refresher for experienced practitioners & a must for NQ's & Paralegals.

This online course uses a mixture of practical case studies & group discussions to ensure the maximum benefit from this two-day course.

Day 1

- Overview, PRs, initial steps, the validity of the Will
- Checking the Will and intestacy
- IHT part 1 (valuations, successive charges, taper, apportionments)
- IHT part 2 (grossing up, nil rate bands, transferring nil rate bands)

Day 2

- IHT recap – completing the IHT400
- Applications for the Grant – online & paper
- Administering the estate, dealing with debts
- Claims against the estate & post-death variation

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

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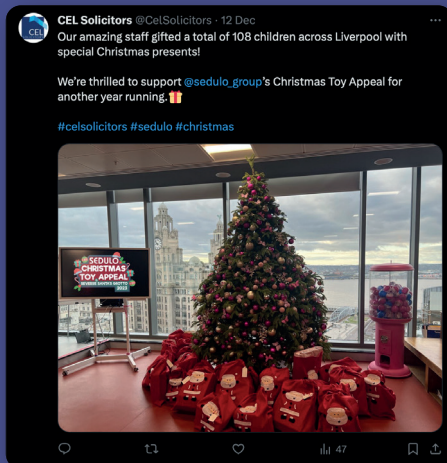
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Social Media Highlights

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, clearly labelled 'Social Media Page': editor@liverpoollawsociety.org.uk



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