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Inside this issue...

Special Xmas Screening of Wonka



MFL: Trends and future risks



ED&I: Models of Disability



The Manchester Law Society Ambassadors Meeting:

A Platform for Networking, Learning and Collaboration

Having invited member firms and chambers to nominate a Manchester Law Society Ambassador representative, the inaugural meeting of the Ambassador's Group took place on the 8th of November 2023, at Manchester Hall.



The purpose of the first meeting was to hear a bit more about what the Society has been doing and to set out the vision for the future of the Society and of engagement with Ambassadors.

The meeting also allowed the Ambassadors to socialise with Council members and MLS Advantage firms and to see where they might play a future role in Society activities. The event was a tremendous success, with more than 80 attendees and some delicious sharing platters and drinks. The fact that it went

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From the President

Nick Johnson, President

This will be my final column as president and so I take the opportunity to reflect on the year.

As I write this column what immediately strikes me is how quickly the year has gone and how it has been an honour and a privilege to serve MLS. During my year as President I have come to realise how well respected MLS is regarded and the important work it does. We are here to represent all those who work in delivering services to the legal market and are very much aware of the responsibility this involves.

This year we have been working on our new web site and MLS app which will be launched in the new year. This will improve our engagement with our members and the outside world and gives us a modern face.

We have also introduced our Ambassador role with our member firms which I encourage you all to support and to allow people within your firms to volunteer and support them in this.

Our educational programme has been strong this year with a regular calendar of events. I can see next year we have plans in place and already we are starting to work on a number of conferences and in particular one on Al where the Master of the Roles has agreed to support. We have also continued to work with our MLS Advantage partners and I thank them for all they do.

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During my year as President I have come to realise how well respected MLS is regarded and the important work it does

I would like to thank all our council members for their hard work and for the time they spend on volunteering. The work they do is so important to the Society. I have also been fortunate to work closely with our officers and the team at MLS who have been so supportive and allow me to enjoy my year. It has been a privilege to represent you all.

Next year will have its challenges. We have the fallout from Axiom and the role the SRA played in this which is likely to result in some reflection. There is also the agenda surrounding CILEX members being regulated by the SRA and this may lead to a debate over simplifying and reducing the number of bodies who regulate the legal profession. I have all the confidence that MLS will take an active role in this.

On a final note I thank Fran, Carla and Chandre for the work they do and ask that you support David Anderson as your President next year who I have the upmost confidence will be a success.

Messenger



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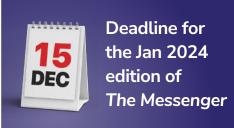
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Send your stories to messenger@ manchesterlawsociety.org.uk



Upcoming Events

Tuesday, December 05, 2023 Council and AGM

Wednesday, December 06, 2023

Communications Committee Meeting

Thursday, December 07, 2023

President's Council Dinner

Tuesday, December 12, 2023
COLP, COFA & MLRO Forum Meeting

Tuesday, December 12, 2023
Membership and Social Committee
Meeting

Tuesday, December 12, 2023

Employment Law Committee Meeting

Wednesday, December 13, 2023
Civil Litigation Committee Meeting

Wednesday, December 13, 2023

Webinar: The Art of Networking: Leveraging Personal Branding to Expand Your Legal Connections and Opportunities

Tuesday, December 19, 2023 MLS Officers Meeting

Friday, December 22, 2023
MLS Office Closes until 2 January 2024





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Special Christmas Screening of Wonka

Our friends at *By Parallel* are holding a Christmas Signature Event on Monday 18th December at *Everyman Manchester St John's* .

They are hosting a private screening of the new Wonka Film which will start at 2.00 pm.

The film is taking place in the smallest screen, seating 58 people, which is decked out in tones of brushed gold and mustard with the picture house's signature 'comfy seating', on deep sofas with plump, matching cushions. And you can even order food and drinks to your seat. What's not to love?

Why not come along to start your Christmas off in style in this luxurious picture house with nods to Old Hollywood glamour throughout?

The ticket price is £15 per person and must be pre-paid.

Please email *alison@byparallel.co.uk* 1 to book your tickets but be quick as this will sell out!!!





Transforming the Civil, Family and Tribunals Justice System

By David Anderson, St John's Buildings

On the 20th November, the Ministry of Justice and Courts and Tribunals Judiciary set out their "shared vision statement" for transforming the civil, family and tribunals justice system at a launch event at the QEII Conference Centre in Westminster. The meeting also acted as a launch event and introduction to the new Online Procedure Rule Committee (OPRC), which was described as "a committee to provide governance and develop data standards for the new system."

The vision included, as the Master of the Rolls Sir Geoffrey Vos set out, increasing access to justice by allowing disputes to be resolved more quickly, online, at proportionate costs and "without legal advice wherever possible". This final statement will perhaps be the most worrying for Messenger readers, although that was also the vision for the Official Injury Claims Portal, a portal in which 93% of users remain legally represented, in part due to the complexity of the service.

While the ambition of the vision set out was clear, the timeline for achieving it, or even the ability to achieve it, is not. Sir Geoffrey suggested that he looked forward to meeting attendees again in 5 years' time to toast the successful delivery of the vision.

The stated intention of the OPRC is to build online and offline connections between different parts of the system to enable people with legal disputes (purchasers of legal services) to "resolve their problems earlier and at less cost. For example, through mediation or online dispute resolution." This is to be achieved by creating a single online place that directs people to online solution to resolve their problems. Solutions that, say those on the OPRC, already exist, including an array of mediation providers and organisations such as ACAS. The OPRC will create the infrastructure and connections to funnel people towards those organisations, with the ability to return into the court system should the dispute remain unresolved.





Speakers at the event confirmed the seriousness with which the Ministry of Justice and Courts and Tribunals service are taking this reform. The session was hosted by the Director of the Ministry of Justice and the opening address was given by the Lord Chancellor, Alex Chalk MP, who was followed by the Lady Chief Justice and the Master of the Rolls. Also in attendance for a panel discussion were the President of the Family Division and the President of Tribunals confirming the support of the Senior Judiciary in each of the civil and family court jurisdictions.

The work of the committee is in its infancy, but those who wish to find out more can "Discover the new Civil, Family and Tribunals Ecosystem" by going to www.kumo.io/moj/



mjp-ecosystem ☑ . Perhaps worryingly, when I attempted to do so this morning the site could not be reached and was described by my browser as "Not secure". No matter what the future holds, Manchester Law Society will continue to investigate and report such developments to our members, seeking to represent their interests and the interests of justice at every opportunity.

Leonard Curtis appointed Joint Administrators of Axiom Ince Limited

On Thursday 26th October 2023 Neil Bennett, Alex Cadwallader & Andrew Poxon were appointed as Joint Administrators of Axiom Ince Limited ("Axiom" or "the Company").

The Company, which traded as a firm of solicitors, was subject to an Intervention by the Solicitors Regulation Authority (SRA) on 3rd October leading to it ceasing to trade. The SRA has appointed three firms of solicitors as its Intervention Agents.

The Administration will operate independently from the work being carried out by the Intervention Agents but the Joint Administrators will liaise with the three firms to share knowledge as to the previous trading history of Axiom.

The Joint Administrators will deal with the closure of the business of Axiom, realise its assets and report to creditors amongst other matters while the Intervention Agents will continue to deal with the affairs of the clients of the firm.

The Joint Administrators recommend that all clients of the firm continue to contact the relevant Intervention Agent the details of which can be found here - https://www.sra.org.uk/sra/news/axiom-ince-intervention-information/.

All relevant parties will be contacted by the Joint Administrators and their staff in due course.



Public Affairs Update: The Law Society of England and Wales



Joe Ferreira, Head of Public Affairs and Campaigns, writes

The Law Society's public affairs and campaigns team is at the heart of our work influencing the government, parliament, and key stakeholders in the UK. We are pleased to provide the following update on the latest developments.

The King's Speech

King Charles III officially opened a new session of Parliament with the delivery of the King's Speech on 7 November 2023. The King set out the government's legislative agenda for the final session before the next general election. The speech, drafted by the government, unveiled a total of 21 Bills, 6 of which were carried over from the previous session of Parliament. The full speech and government briefing can be found here.

Prior to the speech it had been speculated that crime and justice would play a leading role in the government's plans- which proved correct. The King spoke about "safeguarding the health and security of the British people" and that the Government would legislate for tougher sentences and greater police power. Several Bills were announced in this area including the Criminal Justice Bill, which will cover a wide range of measures from compelling defendants to attend court hearings to strengthening criminal action against the sharing of intimate images; the Sentencing Bill, which will legislate tougher centres for those committing the most heinous of crimes and ensure those convicted remain

in custody for the entire duration of their sentence; and the Investigatory Powers (Amendment) Bill which will look to amend powers in the previous Bill around things like end-to-end encryption.

The Law Society welcomes the return of the Victims and Prisoners Bill, especially measures to provide an Independent Advocate for victims following major incidents, and to enhance victims' access to justice by putting the Victims' Code on a statutory footing. However, proposed changes within this Bill to the Parole Board are likely to add complexity and delay to its decisions, while provisions to give the Secretary of State powers to usurp its decision-making will override the common law principle that decisions about liberty are for the judiciary.

Those Bills of relevance to the Law Society and our members that fall outside the realm of crime and justice include the Leasehold and Freehold Bill and the Renters (Reform) Bill. On the former, the Law Society broadly supports efforts to reform leasehold conditions and ensure fairness in the housing market. Primary concerns surround the conditions under which a leasehold can occur, redress for leaseholders and transparency in listing. For the latter, again, the Law Society broadly supports the ambitions of the Bill to reform the rental market, however, without investment in housing legal aid and the courts, the Bill will not achieve its aims and may lead to

an increase in backlogs. This would leave landlords and tenants alike unable to enforce their legal rights.

Party Conferences

The Law Society has a full programme at each major party conference. Our presence at the party conferences provides the opportunity to meet, engage, build new working relationships, and reinforce those longstanding relationships with politicians from each party.

At the Liberal Democrat Party conference our focus was on meeting MPs and prospective parliamentary candidates (PPCs) to hear their priorities for the upcoming manifesto and general election. We held a fringe event focused on 'Law and liberalism: finding Britain's place in the world' where Richard Atkinson, our then deputy vice president, was joined by the Liberal Democrat Justice spokesperson Lord Marks KC and former MEP Irina Von Wiese. Interesting conversations were had with MPs and PPCs on the need for the justice sector to prioritise asks around civil and criminal legal aid.

We then attended the Conservative Party's conference, at which the centrepiece of our programme was our fringe event held in collaboration with the Society of Conservative Lawyers and the Bar Council which featured the Lord Chancellor, Alex Chalk, the Chair of the Justice Select Committee, Sir Bob Neill, and our immediate past president, Lubna Shuja. Lubna spoke out against the attacks on lawyers from ministers, including the prime minister himself, and said that all lawyers should be able to represent their client without undue pressure from the state. She also spoke about the need for sustainable legal aid, and how the problem of legal aid deserts is starker than ever.

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Our main fringe saw our then vice president, now president, Nick Emmerson speak at a packed panel event

Lastly, we attended the Labour conference and hosted a busy programme of stakeholder events and meetings with Labour shadow ministers and stakeholders. Our main fringe saw our then vice president, now president, Nick Emmerson speak at a packed panel event discussing Labour's vision for justice alongside the Shadow Lord Chancellor, Shabana Mahmood and Shadow Attorney General, Emily Thornberry. Emmerson outlined the need for investment in civil and criminal legal aid while calling on the sector, politicians, and individuals to engage with our recent paper putting forward proposals to reform civil justice. We also organised a roundtable that brought together members with the Shadow Economic Secretary to the Treasury, Tulip Siddiq MP. This focused on the vital role law firms play in the UK economy, how our leading role as a global legal centre can be maintained and what Labour's vision for professional services looks like.

Autumn Statement

The Autumn Statement is due on 22 November which is one of the final opportunities for the Chancellor of the Exchequer's to set out the government's fiscal plans prior to the next General Election. The Law Society have submitted representations which have laid out the value and power of legal services and the

Continued on page 12



need for the government to invest in the legal profession to unleash the power of legal services to boost the UK economy.

Legal Services are worth £60 billion annually to the UK economy, with a strong legal services sector underpinning a strong economy across the board. The package of reforms we are calling for are designed to build on the existing economic strengths of our profession while unleashing the latent productivity and economic potential of the sizeable SME segment of the legal services sector, all at minimal cost to the government. By implementing the changes and policies outlined in our submission, legal services, from the high street legal practice to the global law firm, can rapidly be unleashed to help drive innovation and widespread economic growth across all our communities.

Immigration - Illegal Migration Act

In the summer the *Illegal Migration Act* oreceived royal assent and is now law. Throughout its parliamentary journey, we have spoken out against the bill's unworkability, and its incompatibility with our international obligations. Through our campaigning we managed to achieve the inclusion of legal aid provisions that ensure the provision of civil legal aid services for those in receipt of a removal notice. The bill originally made no mention of legal aid. Following our campaigning on legal aid, the Government will open a consultation into immigration legal aid fees.

On 15 November, the Supreme Court ruled the government's policy to deport asylum seekers to *Rwanda* is unlawful, backing the Court of Appeal's judgment. Prime Minister Rishi Sunak has said he will introduce emergency legislation on the Rwanda asylum plan. We shall be monitoring the situation as it develops and will, where needed, speak in support of our

members in the immigration asylum sector should they face undue criticism for the work they do on behalf of their clients.

Criminal Legal Aid

The Law Society applied for permission to bring a judicial review challenge ♂ against the government over criminal legal aid funding following their decision not to increase criminal defence solicitors' legal aid rates by the recommended minimum 15%. We believe the government's decision not to implement the key recommendations of the Bellamy review is irrational, lacking reasons, and is in breach of the constitutional right of access to justice. The High Court has granted permission on all three grounds. Hearing dates have been set for mid-December 2023 and a judgement is likely to occur in the early New Year. It is our hope that the decision will be ruled unlawful and force the Ministry of Justice to revisit their decision and uplift fees in a more sustainable and appropriate manner.

We have continued to campaign on the sustainability of the criminal justice system, providing evidence on the decline of criminal duty solicitors and *projections* decline that show the widescale collapse of duty solicitor schemes across England and Wales is ever more likely.

21st Century Justice Project

In March 2023, we kicked off a three-year project to look at the problems facing justice in England and Wales and explore practical changes to make sure the system works effectively, now and in the future. We've engaged with decembers in the field, members of the public, small business representatives and consumer groups to think about what they want and need from our justice system. We have now developed fresh ideas for practical, affordable changes to our civil

justice system that could save the system £72million over a five-year period.

On 9 October, we published the 21st Century Justice Project Green Paper, 'Proposals for a 21st Century Justice system' and are seeking wider feedback on the questions raised within the paper to assist us to refine our proposals in advance of producing a White Paper in Spring 2024. Responses to those questions of most relevance to you can be submitted to *campaigns@lawsociety.org.uk* ☑ by Friday 5 January 2024.

Al in property roundtable

Throughout the past year, there's been a huge buzz surrounding PropTech, and Artificial Intelligence (AI), with the emergence of technologies such as ChatGPT and other generative AI's. However, knowing how to harness and adapt to using these tools is not always straightforward - to say the least.

In November, in partnership with our friends at Manchester Law Society, SearchFlow held an AI in property roundtable over lunch at the beautiful Manchester Hall. It was wonderful to hear how the industry is adapting towards this emerging technology, and to get a deeper understanding of where there are challenges, and where further support is required.

Upon reflecting on our conversations on the day; Al has a long way to go in earning the industry's trust. At least for now, humans still need to have the final sign off on work to mitigate the risks of hallucination and protect rapport and reputation. But despite this hesitancy, it is also apparent that there are solutions out there to aid the sector with this journey - Landmark's latest market research indicates that people are willing to invest in these solutions, with an average of 13.5% of revenue expected to be invested in digitisation in 2024.

If the investment in making AI becoming more reliable and trustworthy is there, we as a society understand that this change is inevitable – so perhaps the question is instead, how do we work in tandem with such technology? As a starting point of consideration, AI is likely to free solicitors up from tedious, lengthy, admin – and allow them to focus on evolving to work more efficiently and think outside the box on how best to serve their clients.

Whilst this technology is still in its infancy, there will of course be valid concerns on how the legal profession will harness its powers effectively, appropriately, and proportionately. However, there are untapped benefits to working towards a future where businesses integrate Al – however great or small, and as ever, the journey does not need to be travelled alone – whether that means obtaining the views of your peers or seeking advice from a third party.

Certainly, as a company, we will continue to speak with the industry to understand how we can support them through this transitional era and as a part of Landmark Information Group, we are fortunate to be able to have access to unrivalled data which allows us to offer an open ear to new concepts or ideas that we can build upon to assist our customers.



Navigating the winter wonderland: a guide to thriving in the holiday season

'Tis the season to be jolly', but let's be honest – the winter holidays can sometimes feel more like a whirlwind of stress and chaos, and in the current economic and global climate, it may not feel like a time of celebration. It's easy to feel overwhelmed.

Here are some easy steps you can take to help you manage during this festive season.

- 1. Master the art of prioritisation: The key to a stress-free holiday season is to prioritise. It's time to let go of the idea that everything must be perfect. Make a list of your top priorities the activities and traditions that truly matter to you and your family and friends. Focus your time and energy on these, and don't be afraid to delegate tasks if they don't have to be done by you.
- 2. Set realistic expectations: The holidays are not a scene from a movie. Real life rarely matches the perfectly decorated homes and flawlessly orchestrated dinners we see on screen. Accept family and friends as they are even if they don't live up to all your expectations.
- 3. Learn how to say 'no': It's okay to politely, but firmly, say no invitations or requests that will cause you unnecessary stress. Your mental health should take precedence over obligations that don't bring you joy.
- 4. Create boundaries: Setting boundaries is crucial during the holiday season. Communicate openly with friends and family about your limits, whether it's about presents, parties, or even the length of a family visit. Establishing clear boundaries helps manage expectations and ensures that you have the time and energy to enjoy the festivities without feeling overwhelmed.
- 5. Make the most of the holiday season and take a break: Resist the urge to check emails and work during the holidays. This is a time for relaxation and recharging, so try to fully disconnect from work.
- 6. Practice self-care: Amid the hustle and bustle, don't forget to save some time for yourself, this could be a quiet





evening with a book, a brisk winter walk, or a relaxing bath. Taking care of yourself is not a luxury but a necessity, especially during this demanding time of year.

- 7. Embrace flexibility: The holiday season rarely goes exactly as planned so be prepared to adapt to unexpected changes. Whether it's a last-minute change in plans or a shift in the weather, having a flexible mindset will help you navigate the season with ease.
- 8. Connect with others: The holidays are about connection, so make an effort to strengthen your relationships. Reach out to friends and family members and go to those social gatherings that foster a sense of community. Connection and shared experiences can be powerful antidotes to holiday stress.
- 9. Reflect and give thanks: Take a moment to reflect on the positive aspects of your life; this could be work related or about the people you love and the experiences that have shaped you.
- 10. Plan for post-holiday recovery:
 Acknowledge that the period after the holidays can bring a sense of letdown.
 Plan activities for this time to help ease the transition back to normal work life.
 This could include planning a weekend getaway, starting a new hobby, or simply allowing yourself some downtime to recharge.

Managing and thriving during the winter holiday season is all about being kind to yourself and giving yourself space to find balance. By setting priorities, establishing boundaries, practicing self-care, and embracing flexibility, you can navigate the festivities with a renewed sense of joy and fulfilment.



Remember, taking a break is not only beneficial for you but can also improve your overall productivity and creativity when you return to work. Enjoy the holiday season and make the most of your well-deserved time off.

Cheers to a happy and stress-free holiday.

At LawCare we know that for some people the holidays can be a difficult time. If the thought of Christmas is causing you concern and you can to call our free, independent, and confidential helpline. It is open throughout the holiday period except weekends and bank holidays. Call 0800 279 6888 or visit www.lawcare.org.uk ©



Hormone Replacement Therapy for menopause symptoms

Hormone replacement therapy (HRT), if you are to believe everything you read in the media, is now the panacea for all things menopause and every woman should be on it. Yet it has the ability to strike fear into many women and there would still appear to be confusion and contradictory opinions amongst the wider medical profession, including GPs.

The purpose of my article today is to provide some of the background as to why HRT appears to be so divisive and to provide purely factual information so women can make their own informed decisions as to whether or not they wish to proceed with HRT.

Lisa Wright manchesterlawsociety.org.uk Let's begin with exactly what it is and why it seems to divide opinion so much. HRT is a prescribed form of oestrogen and progesterone treatments (and occasionally testosterone) that are used to replace a woman's own naturally produced sex hormones. These hormones start declining during perimenopause, ultimately finishing at significantly lower levels post menopause. In 1991 the largest ever randomized clinical trial of HRT (the Women's Health Initiative study (WHI)) involving 68,000 women was carried out in the US, with the results published in 2002. The purpose of the study was to look at the overall health effects on women taking estrogen only HRT, or combined HRT compared with women taking a placebo. The study was stopped prematurely in light of findings of safety issues within the group of women taking combined HRT.

The findings showed a small increased risk of breast cancer, heart disease, stroke, and blood clots for those women on the combined HRT regime. Unfortunately, the results were given to the media first and the medical profession afterwards, resulting in very negative headlines about HRT risks globally. Subsequently the findings of this study have been redefined, clarified and some results haven proven to be inaccurate (e.g., the fact that the women in the study averaged 63 years of age and were mainly 10years post-menopausal was not identified as being a limitation of the study etc). The lack of media follow-up on many more positive HRT studies and the redefining of the WHI study meant that the damage had been done, with many women stopping HRT, confusion amongst medical

professionals and media induced fear of starting HRT amongst women.

If you are considering HRT to help resolve your menopause symptoms then it's helpful to understand the different types (50+ combinations) that are available and three main ways in which you can take it. Oestrogen can be taken in a variety of ways, either orally as a tablet, transdermally (i.e., via your skin) by using patches, gel or a spray, or via an implant. Oestrogen can also be used "locally" using small tablets, pessaries, or creams inserted in the vagina to help specifically with genitourinary syndrome (of) menopause (GSM). Oestrogen is typically combined with progesterone unless a women has had a hysterectomy, in which case she would only be prescribed oestrogen. This is because oestrogen alone can lead to thickening of the womb lining (endometrium) and longer term increases the risk of uterine cancer, so combining oestrogen with progesterone protects the endometrium and reduces that risk. The most common form of oestrogen used is 17 betaestraldiol which has the same molecular structure as the oestrogen produced by the body. The progesterone that can be taken orally via capsule, is a micronized progesterone (branded as Utrogestan) that is also classed as "body identical" i.e., as it mirrors the progesterone your body produces. Women could also choose to have the Mirena coil fitted as this release's progesterone directly into the uterus.

I just want to touch on "compounded bioidentical HRT" which are is not the same as body identical hormones and are usually very expensive as they are made to order based on individualised blood tests. However, such hormones unlike the body identical HRT prescribed by your GP, are not licensed or regulated. All the menopause societies are equivocal in their opinion

that women should not use compounded bioidentical hormones for these reasons.

HRT is a very individual and personal choice and is well documented to effectively help relieve a number of menopause symptoms. If you do have concerns as to any increased health risks (such as breast cancer) that may have been associated with it, then the Women's Health Concern (the patient arm of the British Menopause Society) have produced a very useful infographic. It compares a variety of life style factors with HRT in terms of breast cancer risk and this can be found here ...

Your GP should also consider lifestyle factors (weight, diet, activity levels, alcohol consumption, smoking etc), any pre-existing medical conditions and your family history when discussing HRT with you and when determining the appropriate prescription. And, as with any medication, the first prescribed dose and combination of medications may not necessarily be the right one, so you should always review your HRT after an initial 3 months with your GP to see if an increase or decrease in dose is required or even a different combination of treatments.

If you would like to read more about HRT prior to seeing your GP I would recommend the following sources:

The Balance menopause website ☑ has a library with key topics already tagged (i.e., HRT) and is fully searchable.

The Women's Health Concern ☑ (the patient area of the British Menopause Society) has plenty of useful factsheets and infographics.

(*For the purpose of this article where menopause is used it is defined as both the perimenopause and menopause phase of life.)



Where to go for mental health crisis support this Winter

A mental health crisis is when you feel at breaking point, and you need urgent help.

You may be feeling extremely anxious; feeling suicidal, or self-harming; you may also be hearing voices, or feeling very paranoid.

If you or someone you know experiences a mental health crisis this Winter, or needs urgent mental health support, there are a number of mental health crisis services across Greater Manchester that you can turn to. They can be really valuable alternatives to attending A&E departments, which can become very busy over the Winter period.

NHS 24/7 Mental Health Crisis Helpline

The NHS 24/7 mental health crisis helpline is for people of all ages who need urgent mental health support for themselves or someone they know. They are available free of charge, day or night, 365 days per year.

Run by experienced mental health professionals, they will:

- Listen to you and help you work through immediate problems
- Work with you to find ways to move forward or suggest ways of working
- · Give you information about, or refer you on to, other services that may be helpful.

If you live in Bolton, Salford, Trafford, Manchester, or Wigan, call 0800 953 0285.

If you live in Bury, Oldham, Rochdale, Stockport or Tameside, call 0800 014 9995.

Other helplines

These services offer confidential support from trained volunteers.

Call 116 123 to talk to Samaritans 2, or email: **jo@samaritans.org d** for a reply within 24 hours

If you're under 19, you can also call 0800 1111 to talk to Childline 2. The number will not appear on your phone bill.

Crisis Cafés - Bolton, Manchester, Salford, Trafford, and Wigan

Community spaces known as 'Crisis Cafés' or 'Listening Lounges' offer a safe, comfortable, and confidential environment for anyone over the age of 18, who is feeling low, anxious, struggling with negative thoughts, or just wants to talk to someone during evenings or weekends.

The spaces offer support and advice from trained mental health workers in a relaxed environment.

They are delivered by voluntary community and social enterprise partners, supported by Greater Manchester Mental Health NHS Foundation Trust (GMMH).

An individual who previously accessed support at one of the Crisis Cafés said,

the team were "calming and reassuring" and finding the service was "just what I needed at just the right time."

Locations, opening times, and contact details for the Crisis Cafés and Listening Lounges in Greater Manchester are as follows:

Bolton Listening Lounge

YMCA Bolton, 125 Deansgate, Bolton BL1 1HA

Open: Monday to Sunday, 3pm to 10pm

Contact: Please call 01204 917 739 ahead of your visit, or email **boltonll@gamily-action**. **org.uk** ♂ or **visit the website** ♂.

Harpurhey - No.93 Crisis Café

No.93 Harpurhey Wellbeing Centre, 93 Church Lane, Manchester M9 5BG

Open: Monday to Friday, 8pm to 1am, Saturday and Sunday, 3pm to 1am

Contact: Please phone ahead of dropping in, call 07778012838 or 0161 271 0339, or email *GMMHCrisisCafe@gmmh.nhs.uk* ♂

Manchester City Centre - Recovery Lounge, in partnership with *Turning*Point ☑

Open: Monday to Friday, 5pm to 12am, Saturday and Sunday, 3pm to 12am **Contact:** Call 0161 238 5249 from midday onwards until 12am, every day.

Salford Listening Lounge

Open: 24-hours a day, every day, and referrals for Salford residents can be made by health care professionals. More details here 2.

Trafford - Bluesci at Night Crisis Café, in partnership with *Bluesci* ♂

Old Trafford Resource Centre, 54-56 Seymour Grove, Manchester M16 0LN

Open: Monday to Friday, 7pm to 2am, Saturday and Sunday, 5pm to 2am

Contact: Text or call 07933 882743, or email *crisiscafe@bluesci.org.uk* ♂

Wigan - Mental Health Support Hub

Lea Baker Café at Atherleigh Park, Atherleigh Way, Leigh WN7 1YN

Open: Monday to Sunday, 4.30pm until 11pm

Contact: If you are a Wigan service user, please contact your care co-ordinator or call Atherleigh Park reception on 01942 636 300 to check availability.

Other local services – Bury, Oldham, Rochdale, Stockport and Tameside

Bury - BIG in Mental Health ♂ is an independent charity run by, and for people with experience of mental and emotional distress. They help anyone experiencing a mental health crisis. Their groups are free to attend and don>t require a referral.

Continued on page 20



Oldham -

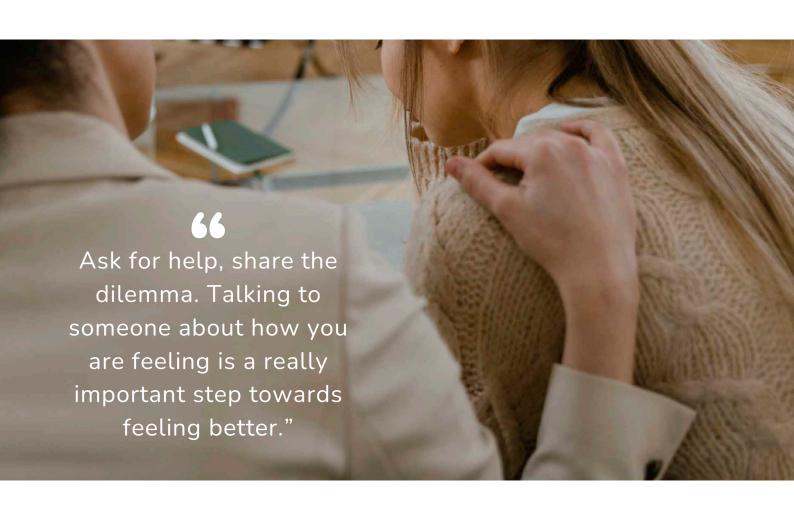
Tameside, Oldham and Glossop (TOG)
Mind ♂ provide a variety of services to help
with mental wellbeing; counselling, guided
wellbeing services, Tameside Wellbeing Hub,
peer support, low-level drop-in sessions for
anxiety management.

Listening Space (provided by Mind) ☑ is a walk-in service for any adult in Oldham experiencing mental health difficulties. You can receive help and advice from peer support workers, or just have a calm space to attend to feel safe.

Rochdale - *Listening Lounge* (*provided by Mind*) is a walk-in service for any adult in Rochdale experiencing mental health difficulties. You can receive help and advice from peer support workers, or just have a calm space to attend to feel safe.

Stockport - Making Space/Open Door ☑ is a service for people aged 18+ in Stockport. They offer you support via telephone, video calling and face to face at their safe haven in the town centre. There is also an Open Door 24/7 helpline which provides emotional support whenever you need it. Call 0800 138 7276.

Tameside - SAFE Tameside ☑ is a service for those looking for urgent face-to-face mental health support. You can get help and advice and meet others with lived experience of mental health in a safe, relaxed and friendly environment.



Self Help

Practical advice for anyone who may be feeling overwhelmed or struggling to cope.

Dr Miranda Budd, associate network director for psychological therapies at Pennine Care NHS Foundation Trust, said:

"Ask for help, share the dilemma. Whether this is from someone within your personal life or a professional, talking to someone about how you are feeling is a really important step towards feeling better.

"Don't be by yourself. Sometimes when we don't feel so good, this can be hard. It may feel like you want to avoid others, places and people. However, even if you don't feel like it, often being with someone else can help to lift your mood.

"A change of scenery can also help. Go outside for a walk, the change in temperature, some fresh air and a bit of exercise can be beneficial.

"When you are feeling calmer, it's a good idea to make a plan for if, and/ or when there is a next time you aren't feeling so great. Sharing this plan, or even creating this plan with an important other in your life can also be a good idea- so they know how to help when you are struggling."

Dr Zainib Khan, Trainee Psychiatrist at Greater Manchester Mental Health NHS Foundation Trust said:

"If you feel that you are struggling with your mental health, make sure you tell somebody. These things can make you feel so lonely, and can compound upon your mental health worsening; and it's in sharing our problems that we feel we're not so isolated. So speak to somebody, whether

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Society as a whole puts pressure on us to be very productive and be the best in what we do... But it's also so important to rest."

that's a family member, a friend, or a colleague, because it will really help.

"Society as a whole puts pressure on us to be very productive and be the best in what we do, in terms of exercise, what we eat, what our house looks like and what our job looks like. But it's also so important to rest. If you've got a broken leg, you rest. If you've had a heart attack, you rest. And if you're struggling with your mental health, you need to rest. It's about putting yourself first, and making sure you're eating and sleeping well, and taking that time to reset."

If you have seriously injured yourself, or feel that you can't keep yourself safe, call 999 or go to A&E.

Find more details about Crisis Care services for Bolton, Salford, Trafford, Manchester and Wigan residents, *here* ♂

Find more details about the mental health services available this Winter for Bury, Oldham, Rochdale, Stockport and Tameside residents, here &

Find further online mental health support and resources *here* 🗗



Are you scared of the dark?

Our brains are hard wired to protect. Our brains crave certainty. When we feel certain at home and at work we feel happy. Our bodies are pumped full of happy hormones such as Oxytocin, Serotonin and Dopamine and it feels good!

When we feel uncertain, our brains go into 'protect' mode. We no longer have the happy hormones. Instead, we're filled with the stress hormone of cortisol and this makes us go into survival mode.

We've all lied in bed in the dark, a little scared. We're scared, not of what we can see but of what we can't see. Our brain knows that something is wrong, and a trickle of cortisol runs through our body. Due to this uncertainty, it goes into overdrive and the dressing gown hanging from the back of the door suddenly turns into a ghoulish ghostly figure, ready to pounce!

How much certainty do your employees feel? I've worked with tons of teams down the years. The teams that got the best results were always the ones who worked in a culture where the manager hid nothing. In other words, they instilled a transparent culture – a culture where every individual felt certainty. They were kept up to date about what was happening in the team, they understood their objectives and the part they played in the team, they felt psychologically safe. As a result, they brought their best selves to work each and every day.

Sadly, not all teams are like this. Teams that feel unsafe and uncertain wonder around the office not really sure about what's going on. They feed off their managers' apprehension and uncertainty. Due to cortisol, employees are in protect mode and see the negative in everything. A vague



answer from their manager could get them thinking "What's he up to?", "Why won't he give me a straight answer?", "He's trying to get me out of the door". The manager isn't trying to get them out of the door, he was just a manager with zero communication skills which led to the seed of doubt being planted due to the uncertainty.

Do you provide enough certainly for your team? Are you allowing their brains to go into 'protect' mode? If the answer is yes, maybe it's time you created more certainty. Don't leave your team second guessing or you'll really struggle to create an open culture of certainty and mutual trust.

Here's some tips from me:

- Involve your as much as you can.
- Update them where necessary.
- Don't be vague, be honest.
- Pick up on behaviours linked to uncertainty and nip it in the bud

lf you want a chat about how we can help your management/leadership skills, contact Mike on mike@ potentialunearthed.co.uk Tel 07825301660





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James Akrigg
Conference Chair

Click here for more information

Regulation **Update & News**

By Andrea Cohen, Compli, Weightmans



As 2023 draws to a close, we provide a short overview of what has been happening in the world of risk and compliance over the past month. As this is the last publication of 2023, we wish you all a good break over the Christmas holidays, and best wishes for 2024.

Economic Crime and Corporate Transparency Act 2023 (ECCTA 2023)

The long-discussed Economic Crime and Corporate Transparency Act (ECCA) 2023 received Royal Assent on 26 October earlier than previously anticipated - and introduced a number of changes, including Companies House reform, broader reforms to clamp down on misuse of corporate entities, crypto asset reform, and two developments to business crime in the UK: the introduction of a failure to prevent fraud offence, and a change to corporate criminal liability by expanding the class of persons to include 'senior manager'.

The failure to prevent fraud offence imposes a criminal liability on a large organisation (having at least two of the following: turnover over £36 million; balance sheet total over £18 million, and more than 250 employees) that fails to prevent fraud intended to benefit the organisation. Small and medium sized organisations are exempt for now, but the Act does include power for the requirements to be changed.

An organisation will have a defence if it can prove that it has 'reasonable' procedures in place to prevent fraud, or it was not reasonable to have any prevention procedures in place. An Impact Assessment carried out by The Home Office highlighted a distinction between 'reasonable procedures' under the failure

to prevent fraud offence and 'adequate procedures' under the Bribery Act 2010. Whilst 'reasonable' has been identified as placing a lesser burden on organisations than 'adequate', it is as yet unclear how this distinction will work in practice.

Of major significance to those regulated by the SRA, the Act removes the £25,000 financial penalty limit for the SRA in relation to the economic crimes, which follows closely on the increased SRA fining powers introduced in July 2022.

In the realm of AML, ECCTA 2023 introduces two small exemptions to a money laundering offence to reduce the level of unnecessary Suspicious Activity Reports by effectively only making them relevant, in many situations, where the criminal property is worth more than £1,000.

While some of the provisions have come into force, the majority are not yet in place e.g. the Companies House changes will need increased resources and operations, and the failure to prevent fraud offence will require guidance on the adequate procedures defence. There is as yet no word on when this guidance will be issued, so watch this space in 2024.

In light of the forthcoming changes, we recommend that firms take a proactive approach by reviewing policies and training in relation to preventing fraud. Can you/



From just over 3,000 online surveys, 55% of individuals and 60% of SMEs who use legal services reported proactively comparing prices and services of legal services providers before engaging a specific supplier

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?

SRA Transparency Rules report

The SRA has published a three-year evaluation of its Transparency Rules &, which were introduced in 2018/19. From just over 3,000 online surveys, 55% of individuals and 60% of SMEs who use legal services reported proactively comparing prices and services of legal services providers before engaging a specific supplier, up from 46% and 48% two years ago. Only 42% of the 271 firms surveyed said they were publishing all the required information on their websites. The SRA confirms in the report that it is now conducting spot checks in this area, and that it is finding that most firms are not compliant, even when they have declared that they are. As a result, we strongly recommend that you take the time to check your firm's website is compliant with all of the SRA Transparency Rules, particularly as the SRA has just published details of the first fixed penalty notices of £750 issued against firms for failing to comply with transparency rules, namely failing to publish information on costs, service levels and the credentials of lawyers, and if they continue not to comply with the rules, they could potentially face a further fixed penalty of £1,500.

While fixed penalty fines are limited to transparency rules for now, the regulator has put forward the idea of expanding them for failures to complete mandatory anti-money laundering and diversity data returns.

Axiom Ince intervention and its impacts

Following the issues regarding Axiom Ince, the suspension of individual practices of 3 of the directors and subsequent intervention in the business as a whole, together with considerable criticism from the profession, the SRA published a statement of on 14 November. The matter is being investigated by the Serious Fraud office and seven people have been arrested. The SRA has now raised the potential 'need' for changes in the levies raised on the profession to keep the Compensation Fund viable, with a potential shortfall in client account of £66m leading to claims on the Fund that at present has only £18m available. In her reflections on the October Board meeting, the SRA Chair, Anne Bradley, said that it is likely the SRA will increase the levies after years of keeping them stable, and that a move to an interim

Continued on page 26



collection is currently under consideration. The proposal has met with considerable opposition from solicitors.

New practice notes and guidance

Law Society practice notes

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

- Freelance solicitors ☑
- Criminal prosecutions of victims of trafficking ♂

Disciplinary and regulatory decisions:

In keeping with the SRA's focus on AML, this month's decisions notably include a number of which relate to anti-money laundering obligations, including one reported very recently involving an agreed outcome of over £100,000 penalty and costs:

Firms fined for AML failures.

Three firms have been fined a total of £18,245 for various breaches of AML regulations, which included failure to have a compliant firm-wide risk assessment (FWRA) in place, failure to have client/matter risk assessments on file, failure to have sufficient regard to the SRA's warning notice on FWRAs dated 7 May 2019, and failure to have compliant policies, controls and procedures in place.

In the most recently reported case (at the date of writing), a national firm agreed to a penalty of £101,357 and £1350 costs, for breaches of MLR, including not having source of funds information or CDD documentation on a matter, conflicting information regarding beneficial ownership and a potential link with an entity subject to UK sanctions. The firm had self-reported

In keeping with the SRA's focus on AML, this month's decisions notably include a number of which relate to anti-money laundering obligation

and there were procedures and controls in place, although they were not followed in the matters in question, and the SRA confirmed there was no suggestion of the involvement of money laundering or financial crime.

Ex-solicitor fined for failure to undertake proper client due diligence.

A former solicitor who was struck off in 2009 has been fined £6,750 and ordered to pay costs of £1,350 after failing to carry out adequate client due diligence (CDD) while working as a consultant. He also failed to apply enhanced CDD and enhanced ongoing monitoring in relation to transactions involving precious metals from a country identified as high risk in the firm's AML policy, resulting in a high risk of money laundering.

Solicitor struck off for dishonesty.

A solicitor has been struck off for holding himself out as a partner and misrepresenting to a close friend that she had been offered a training contract at his firm, providing untrue statements to his employer about his employment history and withdrawing monies from a client account. The Tribunal found dishonesty proved in respect of all three allegations and ordered him to pay costs of £17,489.

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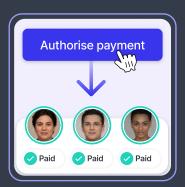
We collect KYC and conduct due diligence on all parties, scale depending on characteristics.



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Family solicitor struck off for misconduct committed at three different firms

A solicitor has been struck off for a laundry list of misconduct, including denying she knew a process server she instructed outside work (when he was the father of her child); instructing another process server (the father of two of her other children) not based locally, in breach of Legal Aid guidance; dishonestly submitting inaccurate expense claims; submitting false/misleading CVs with inaccurate details of previous jobs, and conducting reserved legal activities through an unauthorised company owned by the process server she denied knowing.

The misconduct covered a total period of six years and took place while she worked at three different firms. She was ordered to pay costs of over £74,000.

Two solicitors struck off for misuse of client money.

Two solicitors have been struck off for failing to ensure that disbursements were properly paid using payments received from the Legal Aid Agency on settled cases, resulting in debt owed to the third-party suppliers in excess of £647,000 at the time their firm went into administration. They were each ordered to pay costs of just over £6,500.





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From page 1

The Manchester Law Society Ambassadors Meeting (continued)

on long past its intended conclusion is a testament to that success.

We are all familiar with aspects of the tireless work Manchester Law Society undertakes for its members. This publication is a regular reminder of effort and success. The work includes arranging a comprehensive training and socialising programme, lobbying the Law Society, SRA, Bar Council, Bar Standards Board, Legal Ombudsman, ICO or myriad of other regulators we all have to manage, seeking out member discounts, explaining regulatory decisions and requirements and representing Manchester's legal community nationally and internationally, to name but a few.

It cannot do that work without the selfless work of its members and its managing Council. Council members are drawn from member firms and chambers throughout Manchester, representing a wide breadth

of those who make up the Society membership. While those on Council see the effort on a weekly, or perhaps daily basis, the Society was conscious that there are member firms with whom the Society does not have sufficient contact so as to ensure their views are understood and fairly represented. It was with this background that Fran Eccles-Bech recommended that the Society engage with an ambassador from each member firm and create the Ambassador Group.

The purpose of that engagement is threefold: -

 To enable the ambassador to get more engaged with Manchester Law Society business and effectively feedback that activity to their firm or chambers, selecting the most relevant parts depending on the firm's primary interests.

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We are all familiar with aspects of the tireless work Manchester Law Society undertakes for its members. This publication is a regular reminder of effort and success





- 2. To give the society an active group of local lawyers that it could turn to for feedback on issues with which the society and professions are faced, whether that is responding to consultations and lobbying, determining where to focus education and training or getting feedback on things like website or Manchester Messenger content.
- 3. Welcoming in a new crop of lawyers and their staff teams who will go on to join committees and Council and influence the direction of the Society.

The vision for the Ambassador Group is that it will be a networking and thought-leadership generating group, where members can share views and ideas with MLS and with each other.

Nick Johnson, the President of MLS, gave a short speech at the inaugural meeting, introducing the Officers and setting out the structure of the Society's committees, introducing some of those involved at the coal face. It was evident that Manchester has a thriving legal community that is

working very hard to enhance our place as the second legal city. This magazine is a testament to all that the community is doing and displays how the legal profession is thriving in our city. Our annual legal awards is the biggest in the country. Our local Law Society one of the best supported and most influential and the vision for the Ambassador Group is that it will assist the future growth of the Society. In supporting this vision, Nick explained, the Society would be releasing a new website and members' app in 2024, providing access to the latest information from MLS and the member offers that are negotiated, from cloud IT to theatre tickets!

The Society can only thrive with the support of its members and the Ambassador Group is an opportunity for members to drive the Society and its success. If your firm has not already nominated an Ambassador please do so and provide those details to ChandreMay@manchesterlawsociety.org. uk 2.

The inaugural meeting was a great success and will be repeated in 2024.



THEEUROPEANCÎRCUÎT CROSS-BORDER ISSUES IN **CIVIL LITIGATION**

7 DECEMBER 2023

17.15 REGISTRATION, 17.30 START, FOLLOWED BY Q&A & DRINKS AT 19.00

COURT 47, MANCHESTER CIVIL JUSTICE CENTRE

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Victims of crypto frauds commonly complain about the law not doing enough to help them keep up with fraudsters and chase after their assets abroad. Lawyers today need to know how to use the law to negotiate the complexities that arise in any legal case involving a party in another jurisdiction.

The rules for serving proceedings abroad or enforcing judgments of foreign courts can seem daunting and unwieldy. Brexit has created further difficulties, where the UK is no longer within the scope of the EU instruments governing such matters. Further, the increasing divergence in the rules that apply in the UK and in the EU, especially perhaps in relation to sanctions, creates new challenges.

There have been a number of recent positive developments in the UK's position on these issues. The UK recently signed the Singapore Convention in respect of the enforcement of cross-border mediation settlements, a positive development in tune with the new mediation mandate for small claims track matters in England and Wales. Speculation is also rife that the UK may sign the Hague Judgments Convention 2019. English and Welsh lawyers have been helped by new gateways in the applicable Civil Procedure Rules that facilitate serving disclosure orders in other jurisdictions, as well as by creative alternatives to service being developed by judges, including permitting service on persons unknown, service by NFT and service on directors of UK companies resident abroad.

With these developments in mind, it is a good time to take stock of cross-border aspects of the civil procedure in England and Wales and further afield. Come and hear from our panel of experts – including Mrs Justice Sara Cockerill, Gerard McDermott KC, Paul McGarry SC, Jemma Fleetwood and Paul Johnson – as they make sense of the complex cross-border issues that can arise in civil litigation.

VISIT OUR WEBSITE FOR MORE INFORMATION www.europeancircuit.com/events/

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Barristers, students, clerks and members of the judiciary come together to enjoy an LGBT+ social event

On Thursday 2 November, the Northern Circuit joined forces with the organisation Freebar to host a social event for LGBT+ barristers, clerks, students, the judiciary and their allies. FreeBar is a network aiming to foster inclusion and support for LGBT+ people working as and with barristers. It was held at Nine St John Street Chambers 17 in Manchester.

The event was a melting pot from the most junior to the most senior. Bar students and pupils were able to enter a supportive space in which they could meet LGBT + people in practice and experience the social side of the Northern Circuit. Barristers ranged from those who had just obtained tenancy, to all levels of seniority and call, which meant attendees had the opportunity to catch up with old friends, as well as make new connections.

It was invaluable for the barristers and bar students attending the event to feel such solidarity from clerking teams. Clerks shared their experiences such as dealing with homophobia from members of the public who had visited chambers.

The event was well supported by senior members of the Bar and judiciary. Special thanks go to leader of the circuit Jaime Hamilton KC for his attendance, as well as Mr Justice Fordham, HHJ Hilary Manley, HHJ Richard Pearce and HHJ Suzanne Goddard KC. It was interesting to hear from such experienced voices, including on judicial training, changes to the Bar and LGBT+ issues when presiding over a court room.

The Northern Circuit is proud of its LGBT+ community and proud to have been able to welcome prospective new members in such





a supportive environment. If you would be interested in attending future Northern Circuit LGBT+ and allies events, or joining forces to hold one, please do let Clare Calder at the Northern circuit know and you will be added to any communications. The relevant email is admin@northerncircuit.org.uk.

If you would like to find out more about Freebar and/or get involved in their work, you can visit their website freebar.co.uk [3]

This article is written by Isabel Baylis, Equality and Diversity Officer at Nine St John Street and member of Northern Circuit and FreeBar, who helped to coordinate the event.



Family lawyer celebrates thirty years of service

Jackie Price (inset), a partner in the family department at *Stephensons* ♂, is celebrating 30 years of service assisting families and individuals with their legal needs.

Having originally joined Stephensons as an office junior in 1993, Jackie studied for

her A levels, LLB (Hons) and legal practice course in the evenings at Liverpool John Moore's University whilst working full time. In 2003, Jackie went on to qualify as a solicitor, initially working in the firm's personal injury team before moving on to specialise in family law.

Over the course of her 30year career, Jackie, who lives in Leigh and is based

at the firm's Manchester office, has helped hundreds of families and individuals

navigate the complexities of the legal system. Her work covers all aspects of family law, with particular focus on complex children matters. Jackie has an outstanding reputation, and is one of a very small number of solicitors in the country who hold accreditation with both Resolution and the

Law Society's Children Panel.

Victoria Gethin, partner and head of the family law team at Stephensons said: "Jackie is a superb family lawyer and her contribution to the firm has been immeasurable. Her hard work, determination and empathy have seen Jackie recognised as one of the regions most respected family specialists both with her peers and her clients. I,

and everyone at Stephensons, wish Jackie many more years of success."





Glaisyers ETL moves Manchester HQ to landmark Spinningfields address



Glaisyers ETL &, has relocated its Manchester headquarters from St James's Square, near the town hall, to landmark premises at 3 Hardman Street in the city's Spinningfields business district.

The firm has taken a ten-year lease, with the option to extend by another five years, on a 9,580 sq ft office previously occupied by the property consultants Lambert Smith Hampton. The landlord is Mapletree Europe Income Trust (MERIT), a fund managed by Mapletree, a global real estate development, investment, capital and property management company committed to sustainability that is headquartered in Singapore.

Glaisyers ETL has been a fixture of Manchester's professional scene since 1974 and has grown both organically and through a series of mergers in the intervening years. In 2018 it underwent a management buyin backed by the international professional services network ETL Global, led by the firm's current executive partner David Jones and managing partner David Marlor, who tragically passed away earlier this year.

Commenting on the move, Mr Jones said, "Since 2018 we have evolved from a regional stalwart into a national force with a growing international reputation and have just been recognised once again as a leading firm by the Legal 500. This move into high-class offices in the heart of the city's financial and business district is testament to what we have achieved in the past five years despite



Peach Law raising money at the Night Shine Walk

Here at Peach, as well as being committed to our clients by providing a firstclass, flexible employment law and HR service, we thrive on teamwork and are passionate about giving something back to charities and good causes close to our hearts.

a global pandemic and what can politely be called 'interesting times' economically.

"At Glaisyers ETL we are great believers in flexible working, and our early investment in IT systems to enable home working allowed us to see out the pandemic relatively seamlessly. However, we also believe passionately in the importance of face-to-face collaboration, team camaraderie, and hosting clients and business partners in a professional environment that reflects the exceptional quality of our team and our legal advice – and that is what these new premises will provide."

Glaisyers ETL, which earlier this year opened a new office at The Plaza on Liverpool's Old Hall Street, currently has a headcount of 72. Its new Manchester office can accommodate up 100 staff.

The move was coordinated by Glaisyers ETL's projects and business solutions manager Sean Edwards and management team, including people and organisational development manager Janet Westwell and finance and business services manager Carolyn Smith, supported by their property consultant Josh Levy of JLMcr Property Consultancy.

This year we've chosen to support Cancer Research. We've all been or know someone who has been affected by cancer, including one of the Peach Team and so we're taking part in some fundraising events to raise money for this worthwhile cause.

Early detection and treatment are key alongside having fantastic support from your employer and colleagues.

On Friday 13th October the Peach Law Team completed the 10k Night Shine Walk



The legal aspects of the move were handled by Glaisyers ETL's legal 500-listed commercial property team. James Devany of JLL acted on behalf of Mapletree.

Mr Jones continued, "I would like to congratulate my colleagues on making the process of moving in as hassle-free as possible. Having a great management team who have been able to keep the business running smoothly throughout the relocation process is a huge asset to our firm and means our lawyers have been able to get on with doing what they do best at what could otherwise have been a potentially disruptive and distracting time."

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Early detection and treatment are key alongside having fantastic support."

in Manchester raising money for Cancer Research.

It was an amazing evening which was made even better as we raised a staggering £1,680.



Stephensons' family law team shortlisted for prestigious award

The family law team at *Stephensons* ✓ has been shortlisted in the prestigious Lexis Nexis Family Law Awards 2023.

Stephensons, with offices in Manchester, Wigan, across the North West and in London, has been nominated in the Family Law Firm of the Year: North category. The nomination follows the firm being recognised as a tier one family law firm by the Legal 500.

The Family Law Awards brings the family law community together for its biggest night of the year, celebrating excellence in the profession. Now in its twelfth year, the Family Law Awards were launched in 2011 to recognise the important work of family

lawyers and celebrate their successes and achievements.

The shortlist of firms nominated for awards this year was chosen by a judging panel made up of the heads of the Family Law Bar Association, Resolution, the Association of Lawyers for Children and the Chartered Institute of Legal Executives, along with Family Law editors and publishing professionals.

Commenting on the shortlist, Victoria Gethin, partner and head of the family law department at Stephensons said:

"Naturally, we are absolutely thrilled to have been shortlisted for this award. Every single member of our team plays a vital role



in supporting our clients and guiding them through what are often very challenging circumstances. They do that with sensitivity and the utmost professionalism. I am delighted that their talent and hard work has been recognised alongside some of the North's finest family law firms."

The Family Law Awards will be held on Monday 27th November 2023 in London.

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The Family Law Awards brings the family law community together for its biggest night of the year, celebrating excellence in the profession."

Stephensons shortlisted for three Legal 500 Northern Powerhouse Awards

Stephensons ☑, has been shortlisted in three categories for the forthcoming Legal 500 Northern Powerhouse Awards.

Victoria Gethin, Partner and head of the family department at Stephensons is nominated for Lawyer of the Year. In the firm's crime department, Correna Platt, Partner is nominated for Crime Lawyer of the Year. Stephensons is also shortlisted for Private Client Firm of the Year.

The Legal 500 Northern Powerhouse Awards is now in its second year. They recognise the array of legal talent across the North, North West and Yorkshire & the Humber, celebrating their achievements over the past year.

The ceremony will take place in Leeds, at the Royal Armouries Museum on Wednesday 13 March 2024.

Launch of Civil Recovery of Criminal Property

On 19 December 2023, 23ES will host the Launch of Civil Recovery of Criminal Property. This Oxford University Press publication was authored by two of Chambers' academic associates Professor Colin King and Professor Jen Hendry and is the first empirically informed investigation of civil recovery in the Jurisdictions of Ireland and England and Wales.

Professors Hendry and King will present an overview of their work.

The event will be of interest to practitioners, academics and students and will take place at 23ES Chambers, 41 Spring Gardens, Manchester, M2 2BG

All are welcome to attend and the event will be followed by a networking and drinks reception.

Book your place at events@23es.com ☐



DWF builds on social mobility commitment with new programme and inclusion in Social **Mobility Employer Index**

DWF I has announced the launch of a Social Mobility Programme after the success of its Ethnic Minority Programme in 2023. The news coincides with the business' inclusion in the Social Mobility Employer Index once again.

In the report released today, The Social Mobility Foundation has named DWF as one of the top 25 businesses in its annual Social Mobility Employer Index, where the business was commended for its work with young people, routes into employment, and advocacy at board level.



We're incredibly proud to once again be included in the Social Mobility Employer Index."

Louise Rogerson, chief people officer, said: "We're incredibly proud to once again be included in the Social Mobility Employer Index. We continually strive to create an environment that provides equal opportunities for advancement for all of our candidates and colleagues to fulfil their potential."

As part of its commitment to promoting social mobility, in 2022 DWF developed its Ethnic Minority Programme to provide individuals from ethnic minority backgrounds with mentoring and skills sessions ahead of a paid work experience scheme and ultimately, to increase

representation of people from ethnic minority backgrounds in the legal sector.

After the completion of the five month scheme, which saw six participants attend skills sessions and receive 1-2-1 mentoring, 100% were offered training contracts with DWF.

Now, a Social Mobility Programme has been introduced alongside the Ethnic Minority Programme to provide opportunities to individuals from diverse backgrounds, and will follow a similar format of completing live legal works, group projects, and attending practice group presentations to build the skills necessary to become a trainee solicitor.

To qualify for the programme, candidates must have been educated in a state school non-selective comprehensive, had free school meals from a state school, or spent more than three months in local authority care. Positions are available in DWF's Birmingham, London and Manchester offices.

Seema Bains, partner and Head of the Diversity and Inclusion Leadership Group at DWF added: "We couldn't have asked for better results following our first year of the Ethnic Minority Programme. That all participants received training contract offers is not only a testament to its success, but more importantly, demonstrates their dedication and value to the legal profession. We look forward to replicating this with the Social Mobility Programme to create a more diverse and inclusive environment for all within the legal sector."

ISO27001 Accreditation a first for St John's **Buildings Chambers**

On the 22nd November, St John's **Buildings** ☑ barristers' chambers received confirmation that it has achieved ISO 27001 certification, the international standard for information security, making it what is believed to be the first barristers' Chambers in the country to achieve such accreditation.

ISO 27001 certification enables the chambers to demonstrate to clients, barrister members and regulators that they have taken significant steps to proactively manage information security risks and to protect data. Obtaining the standard is the next phase in St John's Buildings' rigorous approach to IT security, which includes maintaining Cyber Essentials Plus certification and a variety of other tools designed to give clients peace of mind when instructing the chambers.

We have taken a proactive approach to information security, recognising the confidential nature of the information we hold."

Frances Heaton

Joint Head of Chambers, Frances Heaton KC commented "We have taken a proactive approach to information security, recognising the confidential nature of the information we hold and the trust put in us by our clients. Achieving and maintaining ISO 27001 accreditation confirms our commitment to ensuring client data entrusted to us remains secure."

Chris Ronan, Chief Executive of St John's Buildings, said "Obtaining ISO 27001 certification was a natural progression in ensuring our excellent information security management system was accredited and independently audited. It has always been our goal to lead the way on information security, enabling us to provide reassurance to clients that we can be trusted with the most sensitive data and the most high profile and confidential legal matters."

It is the chambers' belief that meeting the ISO27001 and Cyber Essentials Plus standard will, in the not too distant future, be a common requirement when instructing barristers.





Professional liability for Solicitors: Trends and future risks

2023 trends: the story so far

Wills and probate

For private client solicitors, 2023 has so far been a year for claims by disappointed beneficiaries. The COVID-19 pandemic led to a steep rise in the number of wills being made. Of course, it follows that more wills will lead to more claims, but the inherent difficulties in taking instructions during lockdown has led to a disproportionately high number of notifications to PI insurers. Against the backdrop of a cost of living crisis, beneficiaries are more prepared to enter into disputes with their advisers (and each other).

Fraud

Dishonesty within the legal profession continues to be a source of high value claims. Whilst insurers have the protection of a fraud exclusion, in April 2023, the PI market was somewhat surprised by the Commercial Court's decision in Discovery Land Company LLC v AXIS Specialty Europe SE [03.04.23]. The case concerned a two partner firm and considered whether one had condoned the dishonesty of the other. Despite making some highly critical findings about the actions and honesty of the 'innocent' partner, it was held that he had not condoned the substantial thefts by his partner from client account. Insurers were, therefore, left to pick up the bill for losses arising from the dishonesty.

Changes to the regulatory landscape for 2023

On 27 June 2023, the Law Society issued

guidance on the impact of climate change on solicitors, which includes guidance on: • Advice given to clients in relation to greenwashing. • How climate change physical and legal risks may be relevant to legal advice. • Issues to consider regarding the interplay of legal advice, climate change and solicitors' professional duties.

The guidance is welcomed as it will help solicitors mitigate claims for negligent client advice related to climate risks, disclosure obligations and greenwashing.

In April 2023, the Legal Ombudsman Scheme introduced three key changes to the Scheme Rules:

- Scheme Rule 4: The time limit for bringing a complaint was reduced to no later than one year from the date (i) of the act or omission complained about or (ii) when the complainant should have realised there was cause for complaint. Previously, these time limits were (i) six years and (ii) three years.
- Scheme Rule 5.7: There are now additional circumstances in which the Ombudsman can dismiss or discontinue a complaint, including where a complainant has not suffered 'significant' loss, distress, inconvenience or detriment or where the size or complexity of a complaint, or the behaviour of the complainant, means the complaint requires a 'disproportionate' use of the Ombudsman's resources.
- Scheme Rule 5.19: If neither party to the complaint provides 'any substantive reasons' for disagreeing



with the investigator's case decision, the Ombudsman will now have discretion to consider it resolved.

Predictions for the second half of 2023 and beyond

ESG

Lawyers can expect to face claims for breach of the duty to warn their clients about potential climate risks, for example, in property transactions where there is a risk of flooding.

Cyber

Lawyers undertaking conveyancing transactions remain particularly susceptible to cyber-attacks such as phishing and business email compromise. In the knowledge that conveyancing solicitors frequently handle large sums of funds with a wide number of parties, threat actors deploy these types of attacks to impersonate legal professionals, tricking email recipients into diverting funds or leveraging further lateral access and credentials across a system. The risk of either the client or the professional falling victim to these types of attacks typically peaks when pressure on time and resource for completions is high, with the



pressure often resulting in the breakdown of organisational controls including confirmation of bank details or scrutiny of suspicious emails. Unlike the 'traditional' form of business email compromise, where threat actors would look for immediate ways to monetise the email account, we are also now witnessing a new iteration of this type of attack, which poses increased (data protection) regulatory exposure to firms. We also expect claims will be brought against lawyers advising clients on achieving B Corp status (companies verified by B Lab to meet high standards of ESG performance), as well as those advising on corporate governance issues (e.g. drafting money laundering, bribery & corruption and D&I policies). Professional liability report 2023: Trends and future risks 9 Unfortunately, the risk of complex cyber-attacks such as ransomware also remains, with increasingly common remote working practices meaning that computer environments and their perimeters cannot be as closely monitored, whilst any lack of multi-factor-authentication facilitates a significantly increased risk.

The recent MOVEit compromise affected a number of law firms that use the software. As law firms use more third party technology and software, third party/ supply chain compromises become more of a risk and client data is, potentially, exposed. In 2022, the SRA warned that Artificial Intelligence (AI) will make phishing contacts and other false communications more credible, and some threat actors now impersonate individuals by telephone and email. On a simpler level, misuse of law firms' names in text and WhatsApp messages (Latham & Watkins (London) LLP) and telephone calls (CMS Cameron McKenna Nabarro Olswang LLP) has been reported in July 2023.





ΑI

The recent advent of generative AI (deep learning models which generate high quality text) has the potential to transform the legal sector by increasing efficiency and reducing costs for professional firms when undertaking legal research, drafting contractual clauses and giving legal advice. However, these benefits also introduce significant risks to the profession, particularly whilst AI tools remain in their infancy. Those risks are magnified when lawyers seek to rely upon open AI platforms that have extracted data from multiple unverified sources. Firms that fail to introduce appropriate safeguards that include human oversight to authenticate the Al-generated content can expect an increased exposure to PI claims.

Retainer management

Post-pandemic working has created the perfect storm for pure process error claims. Junior lawyers (particularly at smaller firms) are exposed to increasing workloads and pressure to meet financial targets, whilst receiving less supervision due to hybrid working patterns. This has led to more claims arising from missed court deadlines, delays in registering documents and failure to progress cases and transactions.

manchesterlawsociety.org.uk

Buyer-funded developments

We continue to see claims relating to the collapse of 'buyer-funded developments', which have been the subject of many warning notices from the SRA in recent years. The financial problems associated with COVID-19 and increased cost of finance have contributed to the failure of these schemes, which are often highly leveraged to non-traditional lenders, increasing the prevalence of such claims.

Inadequate PI cover

An economic squeeze means that many firms are considering reducing the level of their PI cover to cut their insurance spend. The 'claims made' nature of liability policies, combined with claims inflation (the trend of rising insurance costs due to more litigation, claimant-friendly judgments and higher damages awards) means this is not a decision which should be taken lightly. The solicitors' minimum terms make lawyers an easy target for claimants."

Special thanks to Kennedys Law LLP

Everyone at MFL Insurance Group Limited would like to wish you all a Merry Christmas and a Prosperous New Year!

Should you need any further information or advice please contact Julia Whittle, Development Director at MFL Insurance Group on 0161 2377731 or by email at jw@mflinsurance.com for more details on MFL Insurance Group visit www.mflinsurance.com



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MLS' Charity Partner:

We Love MCR Charity – December update

Sadly, we had to postpone our highly anticipated We Love MCR Sponsored Firewalk earlier this month, acting on guidance from our expert providers on 2nd November.

The safety of our fundraisers had to take precedent and the unpredictable wind gust speeds from Storm Ciaran posed a risk to both participants, and passers-by on the evening. The good news is we've worked hard to reschedule the Firewalk with all our event partners, and we're delighted to now confirm the rearranged date for your diaries is Thursday 25th January 2024.

The fantastic 7 brave 'soles' in the Manchester Law Society Team ♂ are leading the fundraising, with an incredible current total of over £3,600! If you want to join them you can, as we have released new spaces for the rescheduled date – just *click* this link to register

and scorch away the January blues with a truly unique event while supporting Manchester causes.

But it wasn't all bad news and postponements in November! We Love MCR awarded £37,000+ of funding to 9 ambitious young Mancunians and 6 exciting community projects across the city through our two main funds.

One of those young people is aspiring lawyer Zara* from Moss Side, who hopes to join the MLS family in the future. She is currently finishing her Foundation Law course whilst undertaking work experience at a criminal defence company, and is planning to complete a Masters degree and her SQE. She has got this far whilst sharing a room with her sister, in a low income household, and having no IT equipment of her own to study. We awarded Zara an £1,149 grant from our Rising Stars Fund for IT equipment and noise-cancelling headphones, support which will ensure she is as well-equipped as her peers to break down her barriers and succeed in her chosen path.





Other November Rising Stars included a plasterer from Hulme, plumber from Withington, computer scientists from Harpurhey and Moss Side, and a talented young singer/rapper from Gorton – as ever the ambitions we fund are as diverse as the communities that call Manchester home.

And those communities still need funding from our Stronger Communities Fund to keep breathing life into our neighbourhoods with the vast array of projects and volunteer groups we support. The activities our funding made happen in November included:

- Blossom to provide mental health activities in Wythenshawe Park for 12 months, particularly Meditative Yoga, Forest Bathing, Foraging, Beginners Gardening, Natures Medicine Chest and mindfulness
- Our Space to send 20 young people, and their carers, who do not attend mainstream school due to SEND needs to Ghyll Head Outdoor Education Centre in the Lake District, addressing a lack of services in South Manchester
- Matriarch MCR CIC to deliver a free postnatal 'drop-in' service at Harpurhey Wellbeing Centre, providing emotional and practical support by creating a safe space for mums to share their needs.

If you want to learn more about our grants, and the heart-warming stories they create from our communities and Rising Stars, then keep an eye on www.welovemrcharity.org and our socials. Thanks to Manchester Law Society for the continued support which helps make these stories happen, and a very merry Christmas and Happy New Year from the We Love MCR Charity Team!







PCS Partners with Manchester dementia charity

Private Client Solicitors & has announced a partnership with a leading dementia charity to aid the growing number of families across the region affected by the condition.

The arrangement will see Private Client Solicitors draft wills for those helped by Together Dementia Support (TDS) ☑ and their families on a pro bono basis.

Founder and Managing Partner Tasnim Khalid has described how the move demonstrated the firm's desire to "put our skills to use where they are the most needed".

"Dementia is a quite horrible disease, robbing hundreds of thousands of people across the country of the ability to perform even basic tasks.

"As we know from our own families and friends, it also takes an immense toll on those caring for people diagnosed as having the condition.

"Managing their everyday lives and financial affairs can be a real challenge, so we are only too delighted to do what we can to alleviate some of the anxiety which it can create.

"For almost a decade, Together Dementia Support has been providing valuable support to men and women with dementia and their carers across Greater Manchester.

"There are few, if any, organisations undertaking this kind of vital work across the North West.



"I hope that individuals who might benefit from our advice might in turn make their own contribution to allow TDS to continue its efforts and, therefore, help many families cope with the effects of dementia."

Ms Khalid described the initiative as "an important commitment" by Private Client Solicitors to back Together Dementia Support's mission to tackle the impact of the disease.

The latest figures published by the National Health Service show that 475,573 people across England and Wales were diagnosed as having dementia in September.

They included 60,177 individuals living in the North West, roughly half of whom are in Greater Manchester.

However, the NHS admits that if those who show dementia symptoms but have not been diagnosed may put the true figure at more than 87.000.

Together Dementia Support was founded in 2014 by its Chief Executive, Sally Ferris, following her research about how best to help those living with dementia.

Ms Ferris has worked with older people in Manchester, Trafford and Salford for more than 35 years in the NHS, local authority social services and the voluntary sector.

Since its launch, TDS has supported more 1,000 dementia sufferers and their loved ones at various venues across Manchester and Trafford throughout the year.

In addition to social group sessions involving walking, arts and crafts activities, the charity offers one-to-one home support.

A recent study by the University of Salford concluded that TDS had been of substantial support for participants, with its support exceeding their expectations.

Ms Khalid outlined how Private Client Solicitors and Together Dementia Support will host the will clinics on the third Thursday of every month at the charity's head office in Hulme's Kath Locke Centre.

Anyone wishing to take up the facility is advised to contact the charity in advance to book an appointment.

Ms Khalid explained her belief that it was important for Private Client Solicitors (PCS) to play a "valid community role".

It comes after a remarkable second year in business for the firm which has seen it complete a clean sweep of the legal profession's most prestigious rankings.

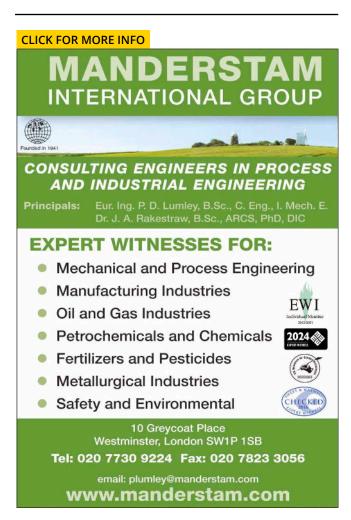
66

Since its launch, TDS has supported more 1,000 dementia sufferers

Just weeks after featuring in the Legal 500 classifications, it has been commended as one of the country's best 250 law firms by The Times.

It follows PCS' retention of its place in Band One of the Chambers and Partners High Net Worth Guide for the second successive year.

Ms Khalid was also named among a "new generation" of 100 female entrepreneurs listed by the Daily Telegraph and NatWest.





Excello Law welcomes two leading construction and engineering law specialists

Excello Law ♂ is delighted to announce the addition of Andrew Rimmer (pictured, left) and Helen Daley (right) to its rapidly growing team of lawyers. Both renowned for their expertise in construction and engineering law, Andrew and Helen bring a wealth of experience to Excello Law. Andrew and Helen have joined Excello Law as a team, having worked closely together for the last four years.

With over 30 years of experience in construction disputes and transactions, Andrew Rimmer has a comprehensive background working in various national, regional, and boutique law firms across the UK. His extensive knowledge and expertise in construction law make him a valuable addition to Excello Law. Helen's primary focus centres on construction adjudication, further enhancing the firm's capabilities in this specialised field.

Chief Operating Officer Jo Losty expressed her enthusiasm about the latest additions, stating, "We are delighted to welcome Helen and Andrew to Excello Law. Their vast expertise aligns perfectly with our commitment to empowering entrepreneurial lawyers and reshaping legal services to meet the growing client demand for efficiency and cost-effectiveness. At Excello Law, our experienced commercial and corporate lawyers, combined with cutting-edge technologies, deliver highquality services nationwide. We prioritise the recruitment of only the most exceptional lawyers. With offices in London, Manchester, Liverpool, Leeds, Birmingham, Nottingham, Leicester, Stoke-on-Trent and Chester, Excello Law continues to expand its presence and capabilities."



Helen Daley shared her thoughts on joining Excello Law, stating, "I am delighted to join Excello Law as I want more freedom to work the way I want to work, so I can focus on what I enjoy most: working with clients and achieving the best results for them. I also wanted to preserve the close working relationship I have with Andrew Rimmer, who I worked with at my previous firm."

Andrew Rimmer, commenting on his decision to join Excello Law, mentioned, "Excello was recommended by a friend who knows the firm well. He said Excello is fair and decent, known for its integrity and reputation."

Julie Mogan, Excello Law's Regional Director for the North-West, commented, "We are thrilled to have such distinguished lawyers joining our exceptional team in Manchester. Excello Law's commitment to providing exceptional legal services, combined with the addition of Andrew Rimmer and Helen Daley, further solidifies our position as a leading force in the field of construction and engineering law both in the North-West and across the UK."

JMW launches commercial road transport team with recruitment of two partners

Full-service law firm responds to operators' overwhelming need for specialist legal advice in heavily regulated sector

JMW Solicitors 2 has launched a specialist commercial road transport team with the recruitment of two partners who are highly regarded leading lawyers in the sector.

Laura Hadzik and Scott Bell have each been appointed partner and co-head of the new team. They bring with them more than 30 years' combined experience advising commercial vehicle operators of all sizes across the haulage, coach and bus sectors on the licensing and regulation of commercial vehicles.

The move to JMW is something of a homecoming for Laura, as some years ago she was a senior associate with the firm. "I'm so pleased to return to JMW," she said. "There's no other law firm quite like it: it has a unique culture that respects and promotes entrepreneurial spirit, and I know our new offering will be welcomed by many clients".

"Commercial road transport is the lifeblood of the UK economy; however, the logistics and passenger transport sectors are incredibly heavily regulated to protect road safety and harmonise competition - expert legal advice is key to finding the way through the many layers of legislation and guidance whilst allowing operators to focus on actually managing their business."

Scott added: "We're looking forward to continuing to provide clients across the country with our market-leading offering. There are many challenges facing the

sector, from alternative fuels to the acute and ongoing driving and maintenance skills shortage. With our industry expertise and sound understanding of the operational needs of the sector, we will be able to help clients navigate these complex issues."

Laura and Scott will be supported in their new roles by the expertise and experience of JMW's existing team including Graham Small, Derek Millard-Smith, Paddy Boyers, Hojol Uddin and Charles Stansfield as well as the wider full-service offering that JMW can provide to support clients' business needs nationwide.

Managing partner Marc Yaffe said: "We are seeing sustained demand from the commercial road transport sector as operators adapt to the constantly changing environment in which they work. We are known for our ability to attract the best legal talent and so it is a great pleasure to welcome two such high calibre recruits as Laura and Scott to JMW. I am confident they will be a huge asset to the firm."





Bromleys welcomes the next generation of lawyers

Bromleys Solicitors & have been servicing the needs of Ashton under Lyne and Tameside and the wider community for in excess of 185 years.

They are pleased now to welcome the next generation of lawyers into the firm. Bromleys believe that members of staff are their greatest asset, meaning that there is a lot of time invested into their employees and their personal development within the firm. You can see evidence of this in their long tradition of training and developing all members of their firm, providing them with exciting prospects and progression opportunities.

Paul Westwell started as a trainee at Bromleys and is now currently the managing partner. Olivia Bell also began as a trainee and is now the firm's family care team leader, whose team was recently recognised in the Legal 500 for their expertise. Beverley Pretl began as an office junior and has worked her way up over 32 years to become at first a

fully qualified CILEX, and then subsequently a solicitor. Bromleys continue to provide ongoing support for their employees and in turn, are rewarded with loyalty and extremely knowledgeable legal experts. John Longworth, the firm's former senior partner, commenced his training with the firm over half a century ago and is still very actively involved in the firm two days a week.

Following in that tradition, 2 paralegals have been awarded training contracts, both working in the Court of Protection team. With a view to the future, Bromleys have now recently taken on a cohort of 6 paralegals, all at slightly different stages of their training but all with a view to moving towards training contracts and ensuing qualification as solicitors. They are Hannah Bunyan and Gabby Noyek in the private family team; Lucy Booth, Jade Nolan and Lily Wilson in the Care team; Kismet Khaleeg in the Dispute Resolution team; and Zeba Yahya in the Wills, Probate and Planning for the Future team.

New Head of Dispute Resolution at Kuits

Kuits solicitors 2, has appointed Nichola Evans as a Partner and Head of Dispute Resolution.

Nichola has more than 25 years' experience in dispute resolution specialising in commercial disputes and has extensive

experience of high value, complex litigation for both international and UK companies. She has litigated matters both in the domestic courts and arbitration (domestic and international). Nichola is known for her commercial, pragmatic approach and has considerable experience of Alternative Dispute Resolution, in all its forms.

Commenting on her appointment, Nichola said; "I am really pleased to be joining Kuits who have a strong reputation for legal excellence and client service. The dispute



Paul Westwell said: "We are delighted to welcome all these new members into our team. During our interview process, they all displayed the qualities that our team at Bromleys have - care, compassion and understanding. It was clear that these individuals will be able to provide clear, concise legal advice and continue to

uphold the reputation we have built with our clients, peers, and the wider business community. Since being powered by MAPD, the learning academies are great at assisting the team with their career development and certainly will be making a positive difference to those individuals too. The future is certainly bright."

resolution team is one of the biggest in Manchester who deal with complex litigation matters. I am looking forward to growing the offering of a very talented team."

Robert Levy, Kuits' Executive Partner said; "Welcoming Nichola to our team is an exciting and important opportunity for us. Not only does her appointment highlight our commitment to growth but Nichola has significant expertise that will further enhance our services to businesses throughout the region and beyond."





Fieldfisher appoints Partner Claire Hamilton to its Real Estate team

A commercial and residential development specialist, Claire joins the firm's Real Estate Transactional practice in Manchester.

Fieldfisher has appointed Claire Hamilton as a Partner in its real estate transactional team in Manchester.

Claire joins from TLT, where she specialised in commercial and residential property investment, development and financing, as well as commercial sales and purchases.

She brings a clutch of new clients to the firm, including MCR Property Group, a real estate investment and development company focused on the strategic acquisition and repositioning of commercial, residential, industrial and retail assets across the UK, with more than 150 sites in total.

Claire's appointment follows that of Construction Partner Jahanara Hussain 2, who joined Fieldfisher from TLT in July, demonstrating the firm's commitment to invest in its real estate capabilities in the north of England.

Fieldfisher Manchester has a strong and growing, multi-disciplinary real estate practice comprising transactional, bridging finance, litigation and construction expertise, with an impressive base of local, national and international clients.

The Manchester team works closely with the firm's London and Birmingham-based real estate specialists, as well as colleagues across the firm's international network who regularly collaborate on property-related matters for multinational clients.



Claire joined Fieldfisher on 20 November.

Commenting on her appointment, Fieldfisher's Head of Real Estate Antony Phillips ♂ said: "Claire is a fantastic addition to our team at a time when our real estate practice is bucking the wider slowdown in the market and continues to be extremely busy.

"Claire's experience and client relationships will further strengthen our capabilities in Manchester, where she will work with our incumbent property transactional specialists to grow the practice and expand the service we offer to clients.

"I look forward to working with Claire as we take our strategy forward."

Claire Hamilton added: "Fieldfisher has made a name for itself in the northwest property market and I am thrilled to be joining such an ambitious firm with a clear intention to invest in its real estate practice.

"I will be working alongside people I know well from my time in the property sector and I am confident we can do achieve a great deal together as a team."

Happy Chanukah!

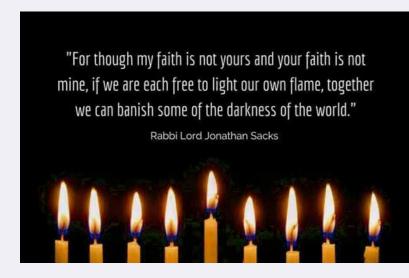
Chanukah, the Jewish Festival of Light, starts this year on the evening of Thursday 7 December and lasts for 8 days.

Chanukah means 'dedication' and commemorates the period in history over 2,500 years ago when the Jewish holy temple in Jerusalem was seized by Syrian-Greek forces.

Their king, Antiochus, gave the Jewish people an impossible choice – either renounce their religion or be sentenced to death. A small group of Jews, known as the Maccabees, fought back and were able to recapture Jerusalem and the Temple around 165 BCE. However, they discovered that there was only enough oil left to keep the holy light (known in Hebrew as the Ner Tamid), a flame which is never meant to go out, for one more day. However a miracle occurred, and the flame somehow stayed alight for eight more days, which was long enough for another batch of oil to be produced.

The eight candles which are lit on the eight days of the festival commemorate this miracle. Every night of the festival, a candle is lit after sunset (except on Fridays when it is lit before the Sabbath candles) on a special candelabra known as a Menorah , adding one more candle for every night of the festival until all eight are lit on the final night. The Menorah has nine branches on it, with the middle candle known as the Shamash, which is used to light the other candles each night. It's traditional to place the candles in the window so that those passing by can see it, bringing light into the darkness.

Jews from around the world have differing traditions on Chanukah, depending on where their ancestors settled in the



Diaspora, having been exiled from Israel by the Romans, ranging from eating fried foods, including doughnuts, fried potato cakes, fried cheese balls etc. to celebrate the miracle of the oil in the temple lasting 8 days, to giving small presents, particularly to children, on each night, and donations to charity. Until the mass rescue by Israel of Ethiopian Jews in the late 1970's and 1980's after a massacre of Jews, the forbidding of the practice of Judaism and the teaching of Hebrew, members of the Beta-Israel (House of Israel) Jews in Ethiopia did not observe Chanukah, as they largely existed apart from other Jews across the globe before the recapture of the Second Temple, having established in Ethiopia sometime after the destruction of the First Temple in around 587 BCE. They have now developed their own customs, including making a stew with many different types of Ethiopian spices, small Ethiopian bread called dabo, and doughnuts.

Andrea Cohen Compli, Weightmans



A Migrant Solicitor's Reflection: Celebrating International Migrants Day

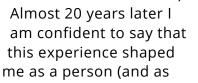
My Personal Migrant Journey

It all began in 2004 when my native Poland joined the European Union. Shortly after securing my first law degree, I decided to move to the UK and pursue legal career here.

International Migrants Day, which we annually celebrate on the 18th of December, is more than a global observance for me – it is a personal journey of triumphs, and even more challenges which you usually encounter as a migrant. I had a suitcase of aspirations and a determination to explore a new legal landscape. The challenges were numerous: adapting to a different legal

nuances, and building a professional network in a foreign country (as the UK was for me at that time).

system, understanding cultural





A Look at the Numbers

According to Office for National Statistics, the provisional estimate of total long-term immigration for a year ending June 2023, was 1.2 million, with non-EU nationals of 968,000, and EU nationals of 129,000 followed by British 84,000.

Only this year a number 672,000 "new" migrants crossed UK border (net migration). This is a huge number which should be seen in a perspective. As the government informs, there were 3,287.404 visas granted in the year ending June 2023, which is 58% higher than the year ending June 2022!

The Vital Role of Legal Professionals

What does it mean for the legal profession in the UK? It means, that we simply must be prepared to serve migrant clients with different backgrounds, whose number increases yearly. The legal profession plays crucial role by providing them with essential legal services and advocating their rights. The legal journey for migrants can be complex and overwhelming. From securing their stay in the UK, finding accommodation, taking a job, bringing, or starting their families and building new relationships in the UK, setting up their businesses, and so on and so forth. We all must ensure that our approach meets their needs and, which is obvious, required standard of services we offer as solicitors. In fact, not all of them will speak English fluently enough to be able to protect themselves and stand up for their rights. This is where we, as solicitors and lawyers in the UK, should be ready to step in.

Marcin Durlak

Understanding and Supporting Migrant Clients

United Nations emphasises that "displaced people represent some of the most vulnerable and marginalised groups in society, and are often exposes to abuse and exploitation, have limited access to essential services including healthcare, and are faced with xenophobic attacks and stigma fueled by misinformation" www.un.org/en/observances/migrants-day

Perhaps, we should all consider starting a discussion about cultural competency trainings to better understand the diverse backgrounds, customs, and perspectives of our migrants clients. This knowledge helps build trust and ensures more effective communication.

Being well-prepared, culturally sensitive, and communicate legal processes, rights and potential outcomes in clear and understandable manner will be of assistance when acting in our clients' best interest. But there is more that can be done.

Our team at IMD Solicitors is led by purpose of connecting diverse communities and helping minorities thrive. Having walked in the shoes of migrants, we understand the importance of fostering connections beyond legal representation. It is about building bridges between cultures, creating a sense of belonging, and supporting individuals as they carve out their paths in a new country.

The Economic and Social Impact of Migrants in the UK

On International Migrants Day, we celebrate those who decided to leave their homelands and being carried out by various "whys" (from feeing war, escaping persecution to

improving their economic and personal circumstances) started their new life elsewhere. Let us reflect on the varied experiences and talents that migrants bring that enrich our societies and culture.

We should all recognise that they contribute significantly to the UK economy by filling labour market gaps in various industries. They take essential roles in healthcare, social services and care sectors, which are often hard to fill locally, contributing to economic growth and productivity. Many migrants are highly skilled professionals, entrepreneurs, and innovators who just need assistance, understanding and often empathy to get back on their feet. They bring valuable expertise, skills, and entrepreneurial spirit, contributing to innovation, research, and development in various sectors.

Embracing Our Collective Migrant Roots

It's also important to remember that migration is a common thread in the story of humanity. Looking back, most of us will find ancestors who moved from one place to another, searching for a better life. This shared history reminds us in the legal field that today's migrants are not so different from our own forebears. Our role is to offer them the support and understanding they need. By doing so, we honour our past and help shape a just and compassionate future for all.

Let's celebrate International Migrants Day. Together.

Marcin Durlak Solicitor, Managing Partner IMD Corporate



Models of Disability

The theme for **IDPwD 2023** is 'United in action to rescue and achieve the sustainable development goals for, with and by persons with disabilities.' The theme asks everyone to work together to make the world better and fairer for people with disability.



Jonathan Fogerty, associate solicitor at CFG Law asks "How can we really make the world a better and fairer place for people with a disability?"

I am a great believer in the quote I once heard that people with a disability don't need to be fixed, they just need to be accepted for who they are.

It makes sense to me therefore to go back to the start and think about the models of disability, what these are, what they say about how we think about disability, and how the models have changed and contributed to the equality legislation we now have.

The medical model of disability was the original way of thinking about disability and its origins lie in the industrial revolution when workplaces took advantage of new machinery and became mass production lines.

Disability is seen very much as a medical issue, that those who have a disability are ill in some way and need to be cured of their disability to function in society. The disabled person is seen as the problem and the solution under the medical model of disability is to cure them of their disability and they will then be able to function in society.

It is a very inward way of looking at disability, reinforcing the stereotypical negative image of people with a disability that they need help.

During the 1960s, however, a time of radical change and demands for equality that included campaigning for equal rights for those from a black and ethnic minority background, disabled people challenged the validity of the medical model of disability.

Disabled people stopped thinking about themselves as a problem. Society and the social environment became the problem; a lack of accessible public transport and access to accessible public services, promoted the alternative; the social model of disability.

The social model of disability approaches disability in a different way. It says that the problem is no longer the disabled person, but society. If society provides the right equipment, reasonable adjustments and support, a disabled person can function in society just as well as anybody else. That a person who uses a wheelchair instead of walking is just mobilising in a different way. Let me explain more; take a paraplegic, a wheelchair user trying to access a building. There is a large step and no ramp or lift.

Under the medical model of disability, the wheelchair user is the problem. The solution to this situation under the medical model of disability is to cure the disabled person of their paraplegia, so they no longer need a wheelchair. If they can walk, everything is okay.

Under the social model of disability, this all changes. Society is the problem and the solution to this situation would be to provide ramped access into the building. The disabled person can then function just like anybody else in society with the right equipment and support.

So, the social model of disability changed perceptions, it encouraged a change in the way we think about disability and encouraged society to change. But what if society did not change? Disabled people needed a way to enforce that change and enforce their rights and that brought about the disability discrimination legislation of the 1990s and then the Equality Act 2010 with the well-used term "reasonable adjustments" that many will be familiar with.

So, if we are going to make the world a better and fairer place for people with a disability, society needs to be approaching disability through the eyes of the social model lens - not the medical model.

Society needs to think about how it supports people with a disability, making public buildings accessible, improving access to public transport and supporting more people with a disability into employment; for we all know the positive impact that has on a person.

We need more members of the legal profession who have a disability. Disabled people are grossly underrepresented in law firms around the country. We cannot say we represent the public we serve if our profession is not representative of them.

International Day of Persons with Disabilities is about promoting the rights and well-being of persons with disabilities at every level of society and it's about raising awareness of the lives of persons with disabilities in all aspects of life.

So, I ask you on International Day of People with Disabilities, 3 December, think about the impact you can have on diversity and disability equality.

For more information on International Day of Persons with Disabilities, go to idpwd.org Idpwd.org

Jonathan Fogerty is a wheelchair user and an Associate Solicitor at CFG Law. He sustained a spinal cord injury diving into a swimming pool as a teenager and has lived with his paralysis since then. He blogs; rarely – tweets; more often and complains a lot; to anyone who will listen, about access & equality for those with a disability.

See this link to his website profile page ♂ or contact him at Jonathan.Fogerty@ cfglaw.co.uk ♂ or on 07935 075065.

MLS Advantage



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greg.best@legalrss.co.uk www.legalrss.co.uk ♂



What is MLS Advantage?

MLS Advantage partners are able to identify and advise on core issues facing your business and using their experience, expertise and market knowledge can bring you the right solutions for these issues.

We know that our members recognise the value that technology, outsourcing and

business services can deliver to the client experience as well as business processes and operational efficiency.

Our MLS Advantage partners all offer special packages to Manchester Law Society members.

Why not contact one of them today?

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Compli provides regulatory and compliance advice and assistance to law firms and others in the legal sector. Whether you are a partnership, limited company, ABS or sole practitioner, our flexible, tailor-made service is designed to support you in meeting the evolving regulatory, compliance and risk challenges you face. This is underpinned by incisive commercial advice on business management and structure, all delivered by specialist teams with outstanding experience in their disciplines. Confidentiality, legal professional privilege and peace of mind is assured.

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We know you want to be the best law firm you can be, and we can help you.

Here's a few ways we do that:

- Improving your client service by enabling you to send your letters, contract and response out much quicker.
- Reducing your overheads so that you can become more profitable.
- Helping you achieve the greater flexibility by hybrid working has been giving us in recent times.
- Helping optimise your head count, and your HR and infrastructure.

What do we offer you:

- A very deep understanding of your typing, transcription, document production and e-bundle needs.
- Free digital dictation software to reduce your hardware and software costs.
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- Outstanding customer service and responsiveness.
- The comfort of cyber and data security supported by our accreditations to ISO27001, ISO9001, AND ISO22310, and the endorsements of the Manchester Law Society, LawNet, Lawshare and the Cheshire & North Wales Law Society.

Martyn Best: 0345 340 3031 Martyn.Best@documentdirect.co.uk www.documentdirect.co.uk ♂

Weekly10

Weekly10 is a software platform for managing and improving your employee performance, engagement, and goals. It's based on a simple weekly check-in between managers and their teams. The weekly check-in encourages managers and employees to give and get feedback regularly. It helps employees to own their performance and personal development, making small changes often, rather than transformational shifts. Think about New Year's resolutions...

The weekly check-in makes performance conversations something to look forward to because they're about future impact not ticking a box. And 90% of the prep is automated too!

The weekly check-in keeps your people focused on their goals or OKRs. It shows them how they're performing and the contribution they're making. Managers can step in early to support underachievers or stretch over-achievers. The weekly check-in also shows you how engaged and valued your people feel. This helps to retain your best talent and support teams who aren't as engaged.

Weekly10 is available as an App in Microsoft Teams, on web, or mobile.

Book a demo or take a free 21-day trial to see the difference a Weekly10 check-in will make to your people.

Laura Bailey on 01978 548933 laura@weekly10.com www.weekly10.com/mls ♂





Mitigo provides cybersecurity and cyber risk management services to members. Mitigo will give you visibility of your cyber risks, and secure you against attacks and business disruption. Cybersecurity is not the job of IT support: it requires independent advice from cyber risk management specialists.

Without adequate protection in place, victims face ransomware attacks, serious disruption, email account takeover, theft of confidential information, financial loss, as well as reputational damage, and potential for regulator actions and fines.

Mitigo's support has been designed for law firms to offer proportionate and affordable security. After assessing your risks, Mitigo will take care of the three areas needed to keep your business safe. Services include:

- Technology
- People competence
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Mitigo also provides an emergency cyber breach response, which includes:

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0161 883 3083 mls@mitigogroup.com www.mitigogroup.com ♂

5 shieldpay

How we help law firms

Trusted by a growing number of law firms across all practice areas and sizes, Shieldpay is the UK's leading ThirdParty-Managed Account and Digital Corporate Escrow provider. Shieldpay's multi-award winning platform streamlines KYC/AML, client money processes and gives you full transparency on the status of funds at all times. Shieldpay is authorised and regulated by the FCA, funds held by Shieldpay are safeguarded and held with tier 1 banks. Shieldpay is able to process transactions of any size and hold funds in escrow for whatever period of time required.

Benefits delivered to law firms include: TPMAs will not be appropriate for every firm, but TPMAs can be a great option for firms looking to reduce their risk exposure to handling client money and in the case of specific transactions or arrangements, including:

- Full client money services
- · Card and merchant services
- Corporate escrow arrangements
- Commercial rent deposits
- · Trust and guardianship accounts
- Retention amounts

John Donigan: 07966 213957 jdonigan@shieldpay.com www.shieldpay.com ♂





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Based on a full-service hosted desktop, our Agile Digital Workplace provides secure internet access, email and the full suite of Office 365 applications including Teams.

We also provide:

- Hosted Voice web-based phone systems (VoIP Systems).
- Connectivity we source the fastest connectivity and install it for you
- IT as a Service we act as your IT department with general support as required

If you'd like to find out more about our Agile Digital Workplace or any of the other products we offer, please call us on the number below or book a 30 minute Teams call for a no obligation conversation and demonstration of what we achieve for law firms. We look forward to hearing from you!

Tom Speddings on 0333 358 2222 ts@everythingthatis.cloud everythingthatis.cloud ♂



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Michelle Davie, Global Partnerships Manager on +447774404086 michelle.davie@firstaml.com ☑

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With more than 25 years' experience, we provide real estate lawyers and property conveyancing professionals with accurate and relevant land and property data. We work closely with property lawyers to provide a dedicated personal approach, supporting the transaction risk and due diligence process. Our data, reports, software and services are in line with the Law Society and SRA requirements. They include environmental reports for both residential and commercial transactions such as, RiskView Residential, Argyll's SiteSolutions Combined, Landmark Flood, Landmark Planning, Landmark Coal and RiskHorizon for ESG due diligence.

www.landmark.co.uk ♂ or follow Landmark on Twitter: twitter.com/LandmarkUK ♂



Gaining the Advantage

One crucial aspect of what Manchester Law Society do for its member firms is to assist in identifying and screening expert providers of services to lawyers and law firms. The carefully selected partners and their areas of expertise are:

- Compli ☑: Regulatory and compliance advice and assistance
- Document Direct ☑: Outsourced, flexible typing and transcription
- ShieldPay : Digital Payment Solutions including Third-Party Managed Accounts, Escrow, Paying Agent and integrated solutions
- Mitigo ☑: Top level Cybersecurity for your firm's technology, people and governance
- Docutech Office Solution

 : Leading document technology and management
- Searchflow ☑: Legal due diligence data for residential and commercial property transactions and searches
- Legal RSS

 : Up-to-date legal news and court judgements for your website & smartphone
- etiCloud

 Cloud for the legal sector with a fully managed Agile Digital Workspace, hosted voice connectivity and IT as a service
- First AML ☑: Anti-money laundering (AML) platform

These are the wrapping that go around the service that all great lawyers provide, but about which lawyers generally have limited expertise or experience. They tend to be crucially important, highly regulated aspects of what all lawyers do, where mistakes are costly and can be embarrassing.

Those screened and approved providers become "MLS Advantage" members. As such, they are trusted partners of the Manchester

Law Society, sponsor events and provide advice on issues in which they are expert, including at our programme of seminars and by publishing articles in the Manchester Law Society Messenger.

The MLS Advantage firms also meet with the President and Officers to discuss the services they provide, trends in the market, events that are approaching, new products and developments within the Society. The meetings provide a chance for all MLS Advantage firms to come together, discuss a bit of business and share experiences and market knowledge.

The latest such meeting took place on the 8th of November and was a huge success, focussing on collaboration between providers where complimentary services can benefit members of the Society. The meetings also assist the Society in shaping its education programme, which will have an increased focus on technology, cyber and A.I. in 2024, commencing with an *Al conference* on the 8th March at which the Master of the Rolls, Sir Geoffrey Vos, will deliver the keynote speech.

MLS Advantage ☑ is also an important source of income for the Society, through membership fees, but it is not possible to simply pay the fee and join the scheme. The MLS Advantage firms must be approved by Council as being expert in what they do to ensure they can provide real value to members. Once they have undergone due diligence and have been approved, Manchester Law Society members can benefit from reduced prices if they use any of the MLS Advantage firms' services.

Advantage firms' contact details are set out in each edition of the Manchester Messenger (including this one) and we would encourage any member of the Society who is thinking about enhancing their service delivery or who needs an expert in the field of expertise of an MLS Advantage firm to speak to them, even if just for a comparison or competition to a current provider, and see how they can help.



Notice to all firms who are hosted on Citrix Platforms

We know that some of our member firms, who are hosted on Citrix Platforms have experienced the recent cyber-attack and their systems have been compromised.

Two of our MLS Advantage firms have offered help and support for any firm that is experiencing issues.

Please see below for their offers of assistance and support.



etiCloud

Citrix We have had a number of customers contact us with concerns regarding the recent ongoing cyber attacks affecting law firms in the UK. In all cases the affected firms are hosted on Citrix platforms.

The systems have been compromised by making use of the 'CitrixBleed' bug which was first identified from an attack on Boeing and made public by Citrix in October. Statesponsored cybercriminal groups are now actively exploiting unpatched Citrix systems to gain access to confidential data and instigate ransomware attacks.

If you are a customer of etiCloud you will be aware that etiCloud do not use Citrix systems, nor do any of our customer environments. We are happy to confirm that the services provided to all of our

customers by etiCloud, are unaffected by the current serious situation facing Citrixbased systems.

Offer of assistance

This is an extremely difficult time for all involved in the situation and we sincerely empathise with each and every company that has been affected. We'd really like to help, wherever we can. Having assisted firms in the past in similar situations, we would like to extend the offer made last week via our *LinkedIn page* ♂. If anyone would like to discuss the matter in more detail or would like to explore technical assistance at this time, please don't hesitate to get in touch with us on 0333 358 2222 or drop an email to Tom Speddings ts@everythingthatis.cloud ♂



Mitgo

As the trusted provider of cyber risk management to the legal profession, Mitigo partner with Manchester Law Society and The Law Society of England and Wales to provide proportionate, affordable, ongoing cybersecurity to keep you secure.

Mitigo can give you expert independent assurance, giving you the confidence that you need to feel safe from cyber attack. To find out more, visit the Mitigo website of or email mls@mitigogroup.com &



MYSG Roundup

November saw a busy month for MYSG members, which kicked off with our joint networking event with Manchester Young Finance Network at Roxy Ballroom! This was kindly sponsored by Robert Walters recruitment.

Both Manchester Young Solicitors Group and Manchester Young Finance Network had an equal number of attendees, who enjoyed two drinks each with their entry tickets. We all also enjoyed use of the games at Roxy Ballroom, including table tennis, pool and shuffleboard. Obviously the competitive spirits were high!

Plenty of networking took place alongside some competitive games, which was a great way to build up some inter-professional relationships in a fun and informal setting. As lawyers, we find it is important to build these relationships throughout our career as there are often occasions when these relationships can be called upon, whether it is in a case or just in general - as the saying goes: your network is your net worth!





Also in November, we put our culinary skills to the test at our Come Dine With MYSG event at Food Sorcery in Deansgate Towers. We want to thank Think Legal Recruitment and 18 St John Street Chambers for the sponsorship and to our members (read: chefs!) for joining. We all managed to master neatly folding gyozas which for a group of solicitors was a huge achievement!

Both events have been a huge sell-out success and we are so pleased to round off 2023 on such a high.

The New Year is set to be a busy one for MYSG members, as we already have a few great events lined up! This includes Crazy Karts in January, as well as a Charity Quiz and a Donna Smith well-being seminar in February. We also hope to have more interprofessional events lined up so that we can each continue to broaden our networks.

If you are solicitor or legal executive 10 years PQE and under, make sure that you are signed up to our *mailing list* ♂ to be the first to hear about our events, or follow us on LinkedIn or Instagram

Management Matters

By Bill Kirby, director of Professional Choice Consultancy



This Month

- Another business and staff development essential
- Ambition and Fundamentals for growth
- · Enhancing content image

During November I had my eyes opened to what was to me a new and amazingly relevant topic which is to become so relevant for all businesses including law firms in terms of attracting and retaining clients, ensuring an important image for the business which doesn't only impact on clients but also on staff members who not only want good management and communication but also the firm having the right social conscience – it will not do clients or staff members any harm either if firms ensure that their suppliers are also meeting the criteria.

Following the initial session I also attended another physically, another on line and a large law firm and significant supplier to the sector and the topic was on the agenda.

The subject is:

Embracing Sustainability: The Significance of ESG and B Corp for UK Businesses

Much of the information seen below is aided by *Mia Pritchard* of *Matrix247* who was at two of the sessions. She would be happy to provide some guidance. The Matrix business is already meeting the criteria.

As environmental and social concerns are rapidly becoming more important

to the next generation of clients and staff, organisations are increasingly recognising the reputation of incorporating Environmental, Social, and Governance (ESG) principles into their operations.

Additionally, a growing number of companies are seeking certification as B Corporations (B Corps) to demonstrate their commitment to balancing profit with purpose. This reflects a broader recognition that sustainable practices not only benefit the planet and society, but also contribute to long-term business success.

The benefits are not just for the environment but for client acquisition and retention, hence more revenue and profits plus retaining the right staff to take the firm forward.

As Mia reported on a attendees survey -Net Zero was in the Top 5 of the biggest demands on budgets.

ESG refers to a set of criteria that organisations use to evaluate a company's commitment to sustainability and ethical business practices. The "E" focuses on environmental considerations, such as a company's carbon footprint and resource use, the "S" pertains to social factors, including labour practices, diversity and inclusion, and community engagement. Finally, the "G" addresses governance issues such as board diversity, executive compensation, and transparency.

For most businesses, integrating ESG principles into their strategies is crucial for several reasons. First and foremost, it enhances reputation and brand value.

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Clients are becoming more discerning, and they increasingly prefer to support companies that align with their values

Clients are becoming more discerning, and they increasingly prefer to support companies that align with their values. By adopting environmentally friendly practices, fostering positive social impacts, and maintaining robust governance structures, businesses can build trust and loyalty among clients. Studies have consistently shown that businesses with solid ESG practices tend to outperform their counterparts over the long term.

In addition to ESG principles, an increasing number of organisations are pursuing B Corp certification. B Corps are companies that meet rigorous standards of social and environmental performance, and becoming a B Corp is a voluntary and comprehensive process that involves an assessment of an organisations impact on its workers, community, customers, and the environment.

One of the key advantages of B Corp certification is that it provides a third-party verification of a company's commitment to sustainable and ethical business practices. This certification goes beyond just a marketing tool; it is a tangible demonstration of a company's dedication to being a force for good.

In summary, embracing ESG principles and actively pursuing a B Corp certification are pivotal steps in the positive transformation of business practices. As sustainability takes centre stage in the evolving business landscape, incorporating ESG and B Corp principles isn't merely an option – it's a strategic imperative for ensuring the enduring success and resilience of organisations.

Mia reports that "There are now officially 1,500 B Corps in the UK, with only 10 of those being Law Firms". The topic needs to be put on the strategy and action list as a high priority.

Ambition and Fundamentals for growth

Credit in the month is also due to Law Firm Ambition who ran a webinar on "Generating and converting instructions for law firms"

where there were over 250 attendees.

As expressed in previous articles on the topic there is an absolute need to be in control of the process which starts with understanding where leads come from and where potentially more can come from with the right actions web, reviews, referrals, social media, direct, networking.

Right time on the right things and a plan for successful action. ♂

The other essential is ensuring that the right people do the appropriate follow up with any enquiry – so much is missed or handled badly. Heard a figure the other day that 84%

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One part of the essential image is that existing clients and potential new clients believe that you are up to date with what is going on in the world

want to be treated as human and 80% want confidence about experience.

This can be compared with the time and money that is going into each activity for effectiveness and value for money.

As I have frequently written it is essential that the firm has an overall product marketing plan and an adjustment for each department/work-type.

The Product Marketing Plan is an essential before expenditure and time is undertaken - as we know time is money for lawyers.

- Clarity on the Brand
- This is our product and services
- These are the benefits that we bring to our clients/potential clients
- This is our target market size, shape, vertical, location, current or new, updates (eg Wills)
- This is our route to market direct, referrals, cross selling, demonstrating awareness
- This is the action plan action, dates, accountabilities, KPIs and reviews

Does your client or potential client believe in your knowledge?

One part of the essential image is that existing clients and potential new clients believe that you are up to date with what is going on in the world out there and are letting them know. Apart from not communicating directly with for example private client clients during the last three years many firms did not even take advantage of their own web sites so that people know they were up to date with personal and business challenges. The consequence was for many firms quite a shift away of clients to people that were communicating.

One of the MLS Advantage providers is law firms content for web site and social media publication and a smart phone application which can demonstrate in a timely and well written way knowledge and understanding which can be segmented by work-type or ground-breaking issues. Even in-house lawyers can get a benefit.

It is all part of that essential image and brand.

Following on from the article in the last edition I have had direct contact with two of the new PMS/CMS corporates - more to follow next month.

Bill Kirby is a director of www. professionalchoiceconsultancy.com ♂ offering advice to firms on business issue from strategy, planning, business development, the effective use of IT applications and IT hosting for compliance, business continuity and DR. He can be contacted at billkirby@ professionalchoiceconsultancy.com ☐ and LinkedIn ♂



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For more information, please get in touch at searchflow.co.uk/reports/the-landmark-climate-change-report





Legal Ombudsman Update

By Jason Chapman, Ombudsman, LeO

Our approach to cost estimates

I recently determined a complaint about a service provider's costs in which the client had complained that his solicitor did not provide him with any advice or information at the start of the matter about what he could expect to pay.

The service provider's response to this complaint was to tell the client that "sadly we do not keep a crystal ball in the office". As a response to a valid complaint this comment was wholly inappropriate, but it does raise the wider question regarding the level and extent of costs information that service providers are expected to provide at the start of a matter.

In that particular complaint, the service provider was instructed to represent the client in a litigation matter on an hourly rate basis. The point they were making in their complaint response was that it was difficult for them to provide an estimate in such a matter, as they had no indication at that point of how and when the dispute would resolve, or the ability or intention of the parties to settle the claim, and therefore they did not know how much work would be required or how long it would take. To an extent this is a fair point, but we would still expect the service provider to provide meaningful costs information when they are instructed.

At the Legal Ombudsman, we regularly see complaints about the costs information, or a lack of, provided to clients at the start of a retainer. Whilst some service providers provide really good, clear information on how much clients can expect to pay, some

give little to no information, or what they do say is so broad as to be useless.

So, what is our approach to dealing with these complaints?

Well, firstly we recognise and accept that a costs estimate is not a quote. It is a best guess from the service provider at the start of the matter, based on their experience and expertise, on what the likely cost of dealing with a matter will be. However, if a service provider is offering a fixed fee, then there needs to be a really good reason for this not to be what the customer pays. It is not enough that the service provider had to do more work than it thought it was going to, that's part and parcel of the risk of offering a fixed fee.

Likewise, if the customer thinks that the service provider has not done enough work to justify the fixed fee, it is unlikely we will reduce that fee, if we can see it was clearly explained before the customer agreed to it. On the other hand, if the service provider gives an estimate, then it is understood that this is not going to be an exact figure. That being said, it does need to be realistic and not some wild stab in the dark.

Service providers are obliged by their regulator to ensure that clients receive the best possible information about how their matter will be priced and, both at the time of engagement and when appropriate as their matter progresses, about the likely overall cost of the matter and any costs incurred.





The best estimates will often break this down into stages, so the client can clearly see what they are likely to pay and when, depending on how far the case goes. The worst, apart from providing no information, will give a sweeping range, from the low hundreds up to the high tens of thousands (or more) with no clue about how these costs might be incurred. Clearly the former is much more likely to be an indicator of a reasonable standard of service, than the latter.

We do recognise that there is a principle in law that there should be a small leeway afforded for estimates and that is taken to be about 15%. This means that, if a service provider says a piece of legal work is going to cost about £1,000, it is not a service failing to send a bill of £1,150.

However, we always apply a common sense approach to this, and bear in mind that the larger the overall bill is, the less likely

it is that a small percentage overshoot will be reasonable. A bill of £115 on a £100 estimate is a very different proposition to a bill of £115,000 on an estimate of £100,000. We assess each complaint on its own facts and what might be reasonable in one case, might not be in another.

To assist service providers, we have published "An ombudsman's view of good costs service" on our website, which we have recently updated, and which sets out in detail the information we expect service providers to provide to their clients, at the start and during a retainer, which includes case studies based on complaints we have seen. We can also provide tailored advice to service providers via our Technical Advice line, for any service providers who are unclear as to what they should tell their client at the start of a retainer, in the absence of crystal balls available in solicitors' offices.

MLS Member Benefit: Chamber Space Access

Greater Manchester Chamber of Commerce HQ is based at Elliot House, Deansgate, right in the heart of Manchester City Centre. Over the course of the pandemic, the Chamber doubled the size of the Members' Lounge and added a hot-desking facility, so why not pop in, grab a free coffee and network?

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arrival. The Chamber also has a suite of 16 meetings rooms at Elliot House from conference facilities, boardrooms through to gallery rooms – and members of the Chamber get 20% off.

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⁷⁴ Legal Costs Update



By Nick McDonnell (pictured on the left) and Colin Campbell (right)

Here, in **Kain Knight Costs Lawyers**' regular monthly legal costs update, we focus on those cases which we believe are likely to have a practical relevance for its members. We welcome feedback and if there is an area, topic or case you would like us to address, please let us know.

In the first case since PACCAR, which decided that Litigation Funding Agreements (LFA) can be Damages Based Agreements, and can be unenforceable if they do not comply with the DBA Regulations, Jacobs J had to address the consequences - see Therium Litigation Funding A IC v Bugsby Property LLC ☑ [2023] EWHC 2627 (Comm). The claimant had won damages of £27m, but under the LFA, that entire sum fell to be paid to their solicitors and litigation funders. Or did it? If the LFA was now a DBA and unenforceable, were the funders due anything, or could the terms that offended the DBA regulations be severed, leaving an enforceable agreement? Pending a trial of that issue, Jacobs J has preserved the fund by a making freezing injunction.

After that judgment, *Bugsby* applied for fortification of cross-undertakings in damages which the two litigation funders had given in relation to injunctive relief that they had obtained. *Bugsby* claimed that the injunction had already cost it £5.14m and wanted from each funder £3,283,489.14, and £ 4,093,246.48, respectively. Jacobs J refused the application. Having gone through the legal principles relating to fortification. He held that *Bugsby* had failed to establish a good arguable case that the claimed loss would be suffered as a

consequence of the injunctions. Indeed, the loss for which fortification was sought was speculative, so the application failed.

For a case adding to the growing body of case law for non-party costs orders under s.51 Senior Courts Act 1981, see *Trafalgar* Multi Asset Trading Company (in liquidation) v Hadley [2023] WEHC 2670 (Ch) in which the court was not persuaded that the action had been one of the exceptional cases where it would be just to make the seventh defendant jointly responsible with the sixth defendant for its costs liability to the claimant. The court was not favourably disposed either to order a payment on account for a litigant in person at £150 an hour. Without saying what rate was used, it ordered £15,000 which was "... a very substantially lower level than he [the LIP] was asking for".

Next, a lesson that winding up proceedings are not the appropriate forum for pursuing a company where the debt is disputed. In *Morrison Water Services Ltd v Browning* [2023] EWHC 2725 (Ch), the court dismissed the petition with costs and made an order restraining indefinitely the petitioner from applying to wind up the company, where the debt was very clearly disputed.





For an example of a departure from the usual costs order in the Court of Protection, see Sandwell and West Birmingham Hospitals NHS Trust v GH [2023] EWCOP 50. A Trust responsible for managing a woman's cancer treatment applied to the Court of Protection for declarations and orders regarding her capacity to conduct proceedings and make decisions about whether to undergo surgery. At the conclusion of the hearing the Official Solicitor, acting as her Litigation Friend, applied for a costs order on the grounds of excessive delay in issuing the proceedings, notwithstanding COPR 2017 r.19.3, which says that no costs order would generally be made where personal welfare is concerned. In a helpful judgment going through the law and cases, Poole J held that, taking into account the degree of unreasonableness and the extent of the delay, and its impact, the Trust should pay 80% of the Official Solicitor's costs.

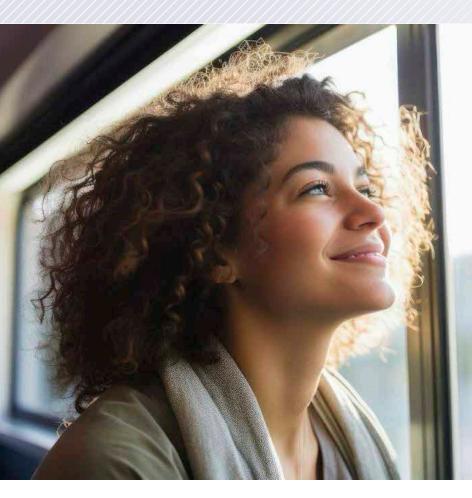
Finally, a long but clear judgment involving Qualified One-Way Costs Shifting (QOCS) and the extent to which QOCS protection can be diluted under CPR 44.16(2) (where the claim has been made for the benefit of a person other than the claimant). The issue in *Amjad v UK Insurance Ltd* [2023] EWHC 2832 (KB) was whether a credit hire company (CHC), which had provided a replacement vehicle

The claimant had won damages of £27m, but under the LFA, that entire sum fell to be paid to their solicitors and litigation funders. Or did it?

whilst the claimant's taxi was being repaired, fell within the rule at sub-section (a) or (b). Below, the court gave judgment for the claimant for £10,029.64, but as he had failed to beat a Part 36 offer, the judge permitted the defendant to enforce its costs order, capped at £15,000 under sub-section (b). Ritchie J on appeal held that QOCS protection should not have been lifted because subsection (a) not sub-section (b) applied. The CHC, not the claimant, gained the "benefit" of any award under the terms of the CHC agreement. It followed that the judge below had not been empowered to lift the QOCS cap, so his decision to do so was set aside. This is an important decision on the differences between sub-section (a) and subsection (b) and requires full consideration.

As always, these are a selection of the principal recent cases which are likely to be of use to practitioners and if any further information is required, please contact either Nick McDonnell or Colin Campbell at Nick.McDonnell@kain-knight.co.uk & or Colin.Campbell@kain-knight.co.uk &





The Solicitors' Charity helped 'Naomi' find a brighter future

'I don't know how I would have survived without the kindness and support of The Solicitors' Charity'

Financial aid and new wheelchair provided for solicitor during long immigration battle

When solicitor 'Naomi' lost her job with a legal firm in Britain in 2017 due to work permit legislation, she was left without any financial support, and she struggled to survive.

Naomi, who lives with Muscular Dystrophy (MD) and uses a wheelchair, said: "That was when the problem with my immigration status started. It continued for six years."

Thankfully, *The Solicitors' Charity* ☑ proved to be a real lifeline for her survival. After contacting the Solicitors' Benevolent Association (SBA) as it was known in 2018, she received much-needed care and practical support.

She said: "When I contacted the charity, I was treated like a human being and with kindness. I don't know how I would have survived without their support.

"I was struggling to pay rent, bills, food, living essentials, and relying on the goodwill of friends who had their own families and expenses.

"The Solicitors' Charity provided me with essential support and relief in desperate circumstances; they made it possible for me to live while waiting for a decision on my application for UK residence status."

Naomi's future is now looking brighter, having recently gained Refugee Status from the Home Office which will enable her to apply for jobs and a more permanent home, as she is currently living in temporary accommodation.



Naomi had a happy childhood and bright hopes for her future, but at the age of 13 she started having serious problems with her mobility.

She was misdiagnosed, and it wasn't until she came to the UK as a young woman that she received a proper diagnosis for MD, a muscle-wasting neurological condition.

Despite her poor health, she completed her first Law degree and finished law school in her country of birth, before taking the opportunity to study for her Master's degree in Britain. She says: "I was happy despite my fear of how I would cope on my own."

Having completed her Master's with Distinction, Naomi worked in Compliance for a couple of years and passed the Qualified Lawyers Transfer Scheme to become a Solicitor in England and Wales.

She originally was granted residency in the UK as a firm of solicitors sponsored her; but when they ran into problems with their Work Permit Licence, she lost this job.

"I had no right to work and was not eligible for any support, it was a harrowing experience," she said.

"I had made several applications for UK Residence Status, based on the 13 years I had lived in the UK, my personal circumstances and human rights, but it seemed not to matter.

"Eventually, I had to make an application to become a Refugee as I could not imagine how I would cope if I was sent back. I had been able to make progress in the UK despite my disability because of the facilities available here."

While Naomi was unable to work, she volunteered for a disability charity and at

When I contacted the charity, I was treated like a human being and with kindness.

the Refugee and Migrant Forum of Essex and London (Our Services - RAMFEL ♂) to lend support to others in a similar situation.

"It made me focus on something else apart from my problems, give something back and help people, it gave me a purpose," she said.

Using a wheelchair to move around outdoors and to work was challenging - from commuting to accessing office buildings - and her old one had become tired and difficult to manage. In addition to financial support, The Solicitors' Charity provided her with a new power wheelchair and other aids and adaptations to make her life easier.

In October 2023, the Home Office finally granted her Refugee status, giving her Leave to Remain until 2028, after which she can apply for Indefinite Leave to Remain.

Naomi is delighted and very relieved to have the UK Government's support. She says: "I can now work, apply for housing, apply for benefits.

"When I receive my Biometric Residence Permit Card, I will start 'living' properly without too much fear and anxiety for the future.

"I want to thank all the team at The Solicitors' Charity for their great kindness throughout my ordeal, I don't know how I would have survived without them."



Pet of the month

Is your pet the perfect poser? Whether you have a cute cat, delightful dog, fabulous fish, gorgeous guinea pig, happy horse, brilliant bird, smart spider, luscious lizard – you get the picture – whatever animal you own we want to see and hear about them!

Each month we'll pick a couple of 'Pets of the Month' for the next edition so keep a look out to see if your pet has made it, modelling in The Messenger magazine!

Simply send us a photo that captures your pet/pet's individual personality and complete the questions below:

Name: Phil Wright

Firm: Ward Hadaway

Pet Name: Scout and Harper (sisters)

Pet Nickname: Scout and Harps.

What kind of pet do you have?

Two black Labs

Is your pet: Male/Female Both females.

How old is your pet: Nearly 4

Favourite Toy: Toilet Rolls.

Favourite Activity: Eating.

Favourite Treat: Anything edible.

What would your pet say, if they could

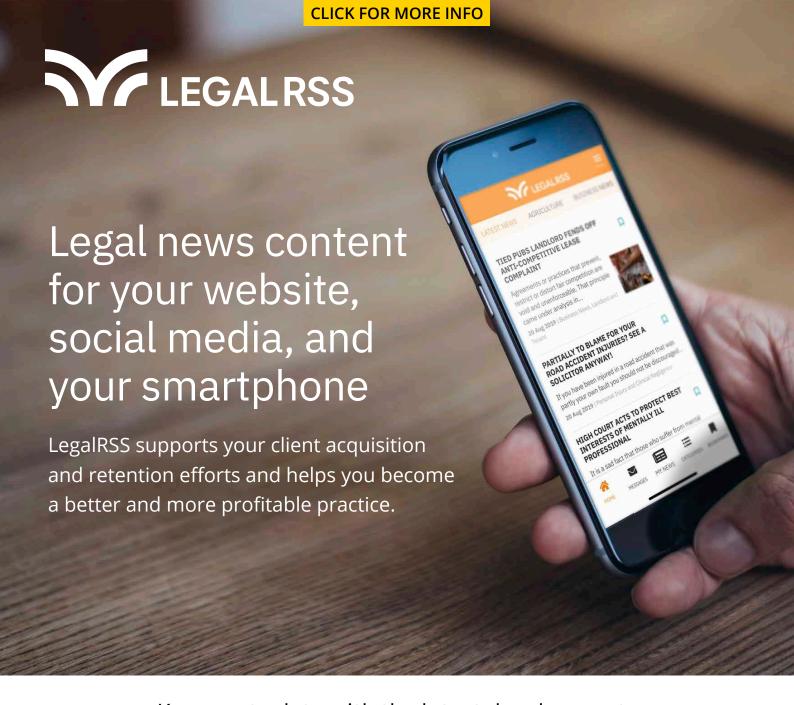
speak, to the following -

My perfect day would be eat, walk, sleep ...

My favourite thing my parents do feed us ...



Want everyone to meet your pet? Download the questionnaire here of then send your answers and photo to Messenger@manchesterlawsociety.org.uk



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