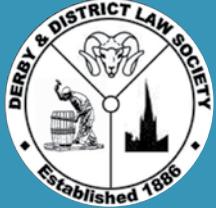


# D&DLS Bulletin

Derby & District Law Society



[www.derbylaw.net](http://www.derbylaw.net)

May/June 2022



## Our new High Sheriff - Michael Copestake

Report on P. 6

Also in this issue:

'The Duke' - a perverse verdict? • SIF update from The Law Society

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# D&DLS Bulletin

Derby & District Law Society

May/June 2022



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## Editorial



Generally, I'm not one to look backwards but I find myself at the time of my life where a moment of reflection is warranted now and again. So, I have re-visited the corresponding Bulletin from two years ago as we were just settling into lockdown and naively thinking that it would only last a few months at most. At that point life as we knew it was busy being postponed. I am grateful that life has clicked back into all systems go and by the time you read this we will have had the final of the debate competition, the annual awards dinner and the AGM.

I hope that you have felt able to support all these events but if anyone has any requests, thoughts or even mad ideas for events/ training they would like DDLS to put on just e-mail me and let me know. Derby Junior Lawyers is being re-launched and DDLS likewise could do with being "refreshed" as we move forward.

Congratulations to Mike Copestake on being the first solicitor to be installed as High Sheriff of Derbyshire. Write up on page 6. I am grateful as ever to John Calladine for his witty contributions to this Bulletin – all contributions welcome.

Take care.

#### Julia Saunders

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		Kelly Mower <a href="mailto:kellym@eglegal.co.uk">kellym@eglegal.co.uk</a>	<b>Lack of Crossover Agreement (Dropped Kerb)</b>

Last updated 06.05.22

# President's Page



**It feels like only a matter of weeks since I was writing my first bulletin but a year has passed already and it is nearly time for me to hand over the role of President to Manesha who I have no doubt will excel in the role.**

I have thoroughly enjoyed my year as President and have tried to involve myself and attend as many functions and events as possible. I have to admit that I would have liked to do more but other demands on time and ongoing restrictions caused by the pandemic did limit what I could do. I intend to remain (hopefully) an active member of the DDLS Committee and to continue to promote the Society and would encourage other members to

become more actively involved.

I was very pleased to learn that the SRA has announced its intention to keep the Solicitors Indemnity Fund open for a further 12 months albeit whilst considering alternative solutions to its closure. As a Society we did support the National Law Society's campaign and it is pleasing to note that the SRA has listened. We should not be complacent. This is only a temporary reprieve and moving forward, I would urge you all to support the ongoing campaign.

I still have a couple of events to attend before I hand over the role. I am looking forward to representing the Society at the Nottingham Law Society dinner on the 22nd April 2022 and we do have our own annual dinner on 29th April 2022 at Pride Park. I look forward to seeing as

many of you as possible on 29th April when I am hoping that we can raise money for a well deserving local Derby based charity called Me and Dee which ensures that families going through life changing times are gifted with memories they can treasure forever. I hope that you will all give generously to support this worthy cause.

It has been a pleasure and a privilege to hold the role as President and has been an opportunity that I never thought I would have. I would like to convey my congratulations to Manesha Ruparel as she takes over as a very deserving President and to Oliver Maxwell as he steps into the role of Vice President.

**Julie Skill**  
President, 2021-22

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# The High Sheriff



There have been High Sheriffs for at least 1000 years. The office is the oldest secular office after the Crown. The original "Shire Reeves" were Royal officials appointed to enforce the Kings interests in a County, in particular the collection of revenues and the enforcement of Law and Order. Sheriffs are mentioned

in 27 of the 63 clauses of the Magna Carta and were clearly fundamental to the running of the Shires. Anybody who is familiar with the tales of Robin Hood will realise that High Sheriffs used to have extensive powers in the pursuit of these objectives – not always for the common good!

From about 1300 these powers started to wane as more and more functions were centralised. Henry I organised the Exchequer to take over tax collection (probably because a good proportion of the revenues raised by the High Sheriff went into his personal pocket!). In 1154 Henry II introduced the system of itinerant justices from which evolved the Assizes. High Sheriffs were left with issuing Writs, organising the Court, prisoners and juries and executing sentences when they were pronounced. Most of these responsibilities were transferred to statutory bodies in the 19th Century. It was also the Sheriff's responsibility to ensure the safety and comfort of High Court judges, a tradition which continues to this day.

Today, the Office of High Sheriff is an independent non-political Royal appointment for a single year. Supporting the Crown and the judiciary remains a central element of their role. They give active support and encouragement to the police and to the emergency services; to the probation and prison services and to other agencies involved with crime prevention, particularly among young people. The High Sheriff's Association runs a Charity called Crimebeat which encourages young people to work together to combat crime and includes a prestigious awards event in London. I will be encouraging schools and young people's organisations in Derbyshire to take part in these awards.

Michael Copestake



There have been a lot of studies relating to young people in Derbyshire. Unfortunately, many parts of the County suffer from worryingly low levels of aspiration and social mobility amongst our young people. This is at odds with some of the highly paid jobs which are available for those

# Schools Debate Competition 2022



The heats of the Derby City School Debate Competition are concluded and as ever the standard has been very high. We are looking forward to the semi-finals and Final on 4th May 2022.

## COME AND JOIN OUR TEAM

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We are looking to recruit an experienced private client practitioner, ideally STEP qualified and at least five years PQE although other candidates may be considered dependent upon experience.

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## Partner Announcement at Timms Solicitors

A senior family lawyer has become a partner with Timms Solicitors which has offices in Derby's Cathedral Quarter, Burton-upon-Trent, Swadlincote and Ashby.

**Dee Khunkhuna** specialises in childcare law and advocacy and has been with Timms for seven years. She is a member of the Law Society Children Panel and Advanced Family Law Panel and deals with complex children matters and other areas of family law. She joins the existing partners - Fiona Moffat, Jo Robinson and Lisa Collett.

Managing partner **Fiona Moffat** said: "We are delighted to welcome Dee to the partnership. She is a highly skilled and experienced solicitor who is a fearless advocate and well respected across the region for her expertise in this complex area of Family Law."

"I am particularly delighted that Dee has joined the partnership having successfully completed our innovation Pathway Programme which, combined with her personal and professional skills, has helped to prepare her for this senior position with the firm."

Dee continued: "I am honoured to be joining the partnership and to play a greater role in the firm's ambitions to do new and great things."



## SIF update from The Law Society



Hello,

I'm delighted to write to you before the bank holiday weekend to share some positive news.

The Solicitors Regulation Authority (SRA) has announced its intention to keep the Solicitors Indemnity Fund (SIF) open for a further 12 months while considering

alternative solutions to its closure that protect the long-term interests of consumers.

SIF currently provides ongoing run-off cover for closed firms once their mandatory run-off cover has come to an end.

The shift follows our campaign to continue this vital consumer protection in which we argued closure could leave consumers unable to seek redress on the rare occasion something goes wrong.

I'm incredibly pleased the SRA has listened to our and other stakeholders' concerns, and has given the fund another chance. We look forward to working with them towards a solution.

To understand more about SIF and how it protects consumers and the profession, scroll to the end of this email.

Making sure our work meets your needs

This is just one of many campaigns in which we're fighting on behalf of solicitors.

We're working on ambitious plans to grow the ways we support and represent you over the next three years, and it's important our priorities align with your own.

You now have an opportunity to respond to our biggest member consultation ever. The survey takes less than 10 minutes.

I thank you in advance for your support, and have a great weekend.

Kind regards,

**Stephanie**  
@LawSocPresident



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# 'The Duke' - A perverse verdict?



Have you seen the film "The Duke" yet? It tells the story behind the case of *Regina v Kempton Bunton*. That a film has been made of this case is no surprise – the only surprise is that it has taken so long to realise the universality of the story – a classic example of the British (particularly English) tendency towards eccentricity.

I have a special affinity for the case. It was one of a number of legal cases in the 1960s which made that decade unusually notorious for what the newspapers then called 'cause celebres': from the trial of the publishers of *Lady Chatterley's Lover*, through the Oz Trial to the 'obscenity' trials involving *Last Tango in Paris* and *Romans in Britain*. For someone, like myself, studying at Uni in that decade they gave a piquancy to the law which overcame the dry rote learning of 'Wills and Trusts'. And, as we shall see *R. v Kempton Bunton* had an interesting connection with all those ground-breaking trials.

The Bunton Saga - and saga it certainly became, began on the 3<sup>rd</sup> August 1961 when a portrait of the Duke of Wellington by the great Spanish artist Francisco Goya was hung in pride of place in the National Gallery. It had been purchased by an American at Sothebys for £140,000 earlier in the year but saved for the nation, for the same sum, after a high profile national campaign. Seventeen days later it

vanished. The theft immediately became headline news. From traces of mud on the windowsill of a gents toilet, a ladder found in the courtyard below and abrasion marks on the rear gate the police concluded that the thief had entered the Gallery through the gents toilet widow, taken the picture in its frame and exited the same way, down the ladder and over the gate. There were no other clues. Clearly on the police hypothesis the thief had been both slim and athletic.

On August 29<sup>th</sup> a note, written in capitals and in pencil was received by a news agency. The writer admitted he had the painting, adding "*The picture is not, and will not be for sale. It is for ransom – £140,000- to be given to charity*". The National Gallery refused a deal. Over the next few years similar notes were sent to the press without a deal. Eventually in March 1965 almost 4 years after the theft, a note was sent, saying that the painting would be returned if a promise was made that it would be displayed publicly for a month, at a fee to be donated to charity. The Daily Mirror publicised that it would endeavour to arrange this. Finally, a couple of weeks later, the editor of the Mirror received a left-luggage ticket from a Birmingham station. There, the 'Iron Duke' was found, without his frame, undamaged, and casually wrapped up in brown paper.

And, after his admission that he had taken the painting and sent the ransom demands, he might well have been intrigued that

that is, on July 15<sup>th</sup>, a couple of months after the discovery of the painting, a very portly, disabled, unemployed Geordie in his early 60s walked into Scotland Yard and admitted to the theft. That man was Kempton Bunton. He announced that he was "*turning himself in for the Goya*". At first the police could not believe the man before them was a cat burglar. However this was a publicly notorious case which the police had failed to solve for 4 years and the man before them was admitting to it. In the circumstances it would not take much, in addition to the admission, to persuade the police to charge him. He produced some handwriting bearing a resemblance to the notes which had been sent out during 'The Duke's' disappearance, and a motive – he had been conducting a long campaign for free television licences for pensioners and had been to prison on 3 occasions for non payment of his own. Armed with his confession statement and this somewhat tenuous corroboration he was charged with one count of theft of the painting, one count of the theft of the frame, two counts of demanding money with menaces and one count of causing a public nuisance.

Bunton was given legal aid. His solicitor was a man called High Courts. Courts had an inspiration – for the defence of Bunton he approached the most fashionable, debonaire and brilliant counsel of his day, Jeremy Hutchinson Q.C. Hutchinson had appeared in all the 'cause celebres' mentioned in my second paragraph, and further, among other clients of his joined by Kempton Bunton were the spy George Blake, the great train robber Charlie Wilson and Christine Keeler. Although defending Kempton Bunton on legal aid was out of his normal line Hutchinson clearly took to the Geordie eccentric, and at his trial at the Old Bailey demolished the prosecution. Bunton was acquitted of all counts except the theft of the frame.

For this last offence the Presiding Judge, Aavold, who was clearly antagonistic throughout to both Hutchinson and Bunton, and thoroughly dissatisfied with the Jury's verdicts, sentenced Bunton to 3 months imprisonment. As he was driven away to Wandsworth Jail Bunton said "*I am intrigued by the verdict*".

And, after his admission that he had taken the painting and sent the ransom demands, he might well have been intrigued that

on only one count was the prosecution successful. Aavold clearly thought the verdict perverse – in sentencing he said that while he "*of course*" accepted the jury's verdict "*motives, even if they are good, cannot justify creeping into art galleries in order to extract paintings of value so that you can use them for your own purposes – this has got to be discouraged*". That was an injustice to the skills of Hutchinson's advocacy: the allegation of the theft of the painting was charged under Sec 1 of the Larceny Act 1916, the legislation in force at the time 'The Duke' was taken, which defined Larceny as "*A person steals who..... takes and carries away anything capable of being stolen with intent, at the time of such taking, permanently to deprive the owner thereof*". Hutchinson's case, which was not shaken when Bunton was cross-examined, was that Bunton had not intended to "*permanently deprive*" the National Gallery of the painting at the time it was taken but simply intended to "*borrow*" it to draw attention to the fact that the £140,000 purchase price could have been better used to fund television licences for the elderly. The jury were not satisfied that he did not "*borrow*" it and acquitted. As to the allegation of "*demanding with menaces*", proof of this required that the victim, the National Gallery, represented at the trial by its chairman of trustees, Lord Robbins, was caused fear or apprehension by Bunton's letters. In cross examination Hutchinson asked Robbins if he felt at all alarmed by the letters. Robbins retorted "*Of course not*" and with that reply those charges sank. Finally there was the charge of "*public nuisance*": this nuisance the prosecution alleged was caused because, by taking the painting away, Bunton deprived the public of the opportunity to see and enjoy it. This imaginative take on Bunton's "*borrowing*" was not rewarded by the jury with a conviction.

During Bunton's trial one piece of relevant legislation was being debated in Parliament which ultimately became the *Theft Act 1968*. Although no doubt disappointed by Bunton's overall acquittal, when that Act reached the statute book Aavold must have had some satisfaction that Parliament agreed with him that "*creeping into galleries to extract paintings*" had to be "*discouraged*". For in Section 11 there was enacted what could be said to



Portrait of the Duke of Wellington, by Goya (1812-14), allegedly stolen by Bunton.

be "*Bunton's legal legacy*"; it provided that "*where the public have access to a building in order to view the building or part of it, or a collection or part of a collection housed in it, any person who without lawful authority removes from the building or its grounds the whole or part of any article displayed or kept for display to the public in the building or that part of it or in its grounds shall be guilty of an offence*".

There was a sequel to *Regina v Kempton Bunton* which had the jurors ever been aware of it would have given them great satisfaction in voting for his acquittal. In 1969 in Leeds the police stopped a stolen van. Under interrogation the driver told the police that he had taken the 'Iron Duke' from the National Gallery on August 20th 1961 and he wished that matter to be "*taken into consideration*". He might have been dismissed a fantasist except that his



John Calladine

# Landmark.

## Information

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



Chris Loaring

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

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

The new series of Data Insights Reports, which will be published every quarter, will focus on specific themes, from a review of planning updates and the local

and national impacts, to uncovering information relating to a range of environmental hazards.

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

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

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

### DATA: THE LIFELOOD OF THE PROPERTY TRANSACTION

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

*From paper-based reports, CD-ROMs and PDF reporting, now the transition is taking us to digital. The reliance on documents and PDFs will ease and we will see an increased appetite for digital data that feed directly into*

*an organisation's existing workflow. Instead of capturing a single moment in time, the data will instead be continuous and provide a current flow of data that is relevant at any given moment in time.*

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**Choose data interpretation, not just data.**

# ACL joins cross-profession plea to government to increase legal aid funding

The Association of Costs Lawyers has put its name to a cross-profession letter to Lord Chancellor Dominic Raab highlighting new evidence of "the urgent need for government action to ensure that legal aid providers are sustainable and can respond to the needs of the public".

Organised by the Legal Aid Practitioners Group (LAPG), the letter comes with publication of the results of the legal aid census it carried out last year.

The letter said the census provided "the robust evidence that we need to demonstrate what life is really like for practitioners and organisations on the legal aid front line".

It told Mr Raab: "You have accepted the parlous state of the criminal legal aid sector and the need for urgent investment in the system and its people if we are to ensure that legal representation is there for those who need it."

"The same is no less true for those in civil legal aid where years of cuts and underfunding have taken their toll. The census demonstrates that practitioners are highly motivated and committed to their clients and to social justice."

The lack of investment has caused significant issues across the legal aid sector, the census said, including:

- Considerable barriers for those seeking to enter the profession – from limited training opportunities to high levels of student debt that cannot be serviced by low salaries – which are creating a recruitment crisis;
- Difficulties in retaining staff due to low salaries, a lack of career progression and a range of issues impacting adversely on staff wellbeing;
- Fixed fees and hourly rates being too low and failing to reflect the complexity of the work, the vulnerabilities of clients and the time taken to provide the services that clients require, "leading practitioners to do unpaid work, work far longer than they are remunerated for and limiting the type of cases that can be taken".

The letter continued: "These factors are primary reasons cited by practitioners for leaving legal aid and help to explain the steady exodus of lawyers and organisations from the sector over the last decade."

The census was devised by legal academics from the Glasgow School of Law and Cardiff University and launched in April 2021. It received "such a surfeit of quantitative and qualitative data" that the team expanded with additional researchers from Monash University and Oxford University.

They concluded that the legal aid sector was characterised by "significant financial insecurity, which in turn has led to crisis".

The academics said: "This poses significant threats to the ability of legal aid organisations and chambers to operate, the sustainability of the current workforce, the possibilities for recruiting and retaining the future generation of legal aid practitioners, and the accessibility of justice."

The number of organisations with civil legal aid contracts has almost halved since 2012 (down to 1,369 from 2,134), with a similar drop in criminal legal aid offices over the same period (down to 1,062 from 1,652).

The letter calls on the government to:

- Commit to an immediate increase in civil and criminal legal aid fees, accounting for historical inflation, and index-linked in the future to ensure that fees increase in line with the cost of delivering services.
- Give more people the opportunity to forge a career in legal aid through, for example, a return to government-funded training and qualification processes for both civil and criminal areas of law.
- Establish an expert advisory panel to conduct further research on access to justice and sector sustainability, to inform future government policy on all aspects of legal aid.

Giving the LAPG the "wholehearted support" of the ACL's Legal Aid Group, chair **Bob Baker** said: "We should all be very grateful to their teams for this supreme effort. The results are probably not much of a surprise to anyone involved in legal aid work and we just have to hope that someone listens enough to take the necessary steps to rectify the obvious failings."

LAPG chief executive **Chris Minnoch** said: "The census report is a unique and compelling analysis of the legal aid sector and provides yet further evidence that, without significant government action, access to justice will continue to be an illusory concept for all but the wealthiest of UK citizens..."

"Despite being an incredibly committed and motivated workforce, lawyers are steadily leaving the sector due to unsustainable workloads and a lack of work-life balance caused by myriad issues across the legal aid system."

"These issues are detailed in the census findings, and the action now required from government is clear – invest and put the legal aid workforce on a sustainable footing."



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# Avoid the iffy claims



Some months ago I wrote about the case of *Liverpool Victoria Insurance Company Ltd -v- Dr Asef Zafar [2019]* EWCA Civ 392 which concerned a fraudulent claim by a taxi driver, in my home town of Huddersfield (though we are not all criminals here!). You can read about it on my blog at <https://chrismakin.co.uk/can-your-expert-truly-sign-the-statement-of-truth/>. A medical expert had produced a report which he was asked to alter so as to improve the claimant's case. He did so without seeing the claimant again, and he signed a statement of truth. The insurers got to hear about this, they took action against the solicitor and the doctor, and the outcome was that the (ex)-solicitor was sent to jail, and the doctor was given a suspended sentence and, no doubt, lost his highly profitable expert practice.

Litigators need to be aware that insurers are not so ready as they were to pay out on claims without careful enquiry.

Another example is *Shah -v- Aviva Insurance*, judgment given on 19 April 2021 by Recorder Stephens sitting at Warwick County Court.

## THE CLAIM

The claim was for personal injury and special damages including:

- Hire – £23,010.00
- Recovery charge – £250.00
- Storage charges – £3,270.00
- Engineer's fee – £144.00
- Physiotherapy – £600.00

## DEVELOPMENTS UP TO TRIAL

The accident had indeed happened, so liability was admitted. That was the only genuine part of the claim!

A firm called Verisk handled the pre-litigation on Aviva's behalf. The credit hire claim of £23,010 and the storage charges of £3,270 were reported on, and there were concerns. The vehicle had been advertised for sale at the claimant's property when it should have been in storage, and insurance on the vehicle did not even start until after the hire period had ended.

The claimant issued proceedings, but without the personal injury claim. The defendant allowed proceedings to be amended so as to include the personal injury claim, and that allowed them to assert fundamental dishonesty on the whole claim.

There were problems with the personal injury, because the claimant had not told the medical expert that he had attended hospital for back pain months before the accident, yet that was clear from his medical records.

The claimant's financial disclosure was also defective. He had not disclosed full details of his earnings, and he had sufficient funds to repair the vehicle earlier than he did, which would have reduced both the hire and the storage charges – but for the deficiencies already described.

## Chris Makin

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When challenged on these defects, the claimant served supplementary evidence. Again there were inconsistencies, principally that the vehicle had been taken out of storage on 12 February 2019 yet storage had been claimed up to 8 March 2019.

## THE TRIAL

At trial further issues arose when the claimant was cross examined:

- He said he had driven his car home from the accident and also to the storage facility. So the vehicle was not recovered, and the claim for £250 was false.
- He could not explain why he had claimed storage up to 8th March 2019 when he admitted to removing the car from storage on 12th February 2019.
- When asked why he had claimed recovery, he said that he thought this related to its being delivered to the purchaser of his vehicle.
- But that wasn't right either, since he then said that he drove his vehicle to the purchaser.
- When Counsel put it to him that his claim for recovery was fundamentally dishonest, he claimed he couldn't understand the question.
- He admitted that he had another private vehicle at home, despite his assertion that he needed the hire vehicle for social use.
- He was asked about physiotherapy treatment and claimed that he had undertaken it but could not explain why there was no

documentary evidence to support it. It transpired that he had had no such treatment.

## THE OUTCOME

The Judge found that the claims for recovery and storage were fundamentally dishonest. The entire claim was dismissed and QOCS (Qualified One-Way Costs Shifting) was disapplied, with the defendant being awarded £10,000 in costs. The Judge also granted the defendant's application to join the credit hire organisation (CHO) into proceedings for the purposes of a non-party costs order.

## THE MORAL

This was clearly a claimant who thought the insurer would be a "soft touch", but was not intelligent enough to recognise the many deficiencies in his story. But the most disturbing aspect is that most of these deficiencies could, and should, have been recognised by the lawyers acting for the claimant. Professional reputations are valuable, and no lawyer should sully their reputation by acting for claimants such as this. It just isn't worth it.

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

Chris is a fellow of the Institute of Chartered Accountants where he has served on the Forensic Committee, and as an ethical counsellor; he is a fellow of the Chartered Management Institute, a fellow of the Academy of Experts where he serves on the Investigations Committee, and a mediator accredited by the Chartered Arbitrators.

He practises as a mediator, from his home in West Yorkshire and his rooms at 3 Gray's Inn Square, London WC1R 5AH, telephone 020 7430 0333. He has mediated 100+ cases so far, on a huge range of subjects, with a settlement rate to date of 80%. For more see his website with videos:

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

[chris@chrismakin.co.uk](mailto:chris@chrismakin.co.uk)



## Mr Jack Lancer

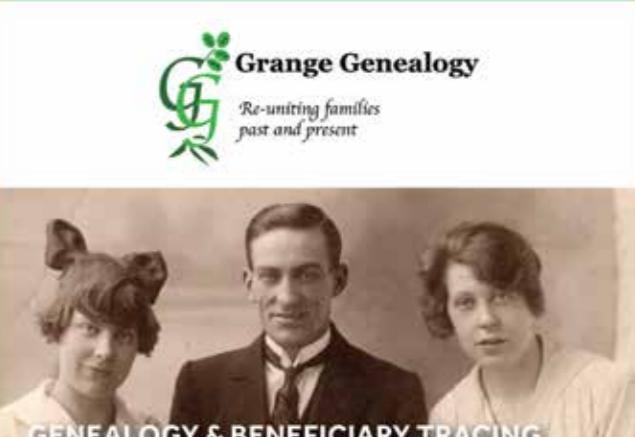
Consultant Ear, Nose & Throat Surgeon  
MB, ChB, LRCP, MRCS, FRCS(Otol) DLO



My areas of surgical expertise include all aspects of middle ear disease, especially stapedectomy and in facial plastic surgery, especially rhinoplasty.

I also deal with general adult and paediatric ENT problems. I have issued many medico-legal reports over a 25 year period, with the majority relating to cases of noise induced hearing loss, with the remainder dealing with personal injury and negligence claims within my area of expertise, but including all aspects of general ENT practice.

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**apg member**

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



Paul Hunter – Technical Director, FTS

When used in legal proceedings, this method of reporting can be very misleading in a significant proportion of cases. This is because a 'Positive' result does not mean it is more likely than not drugs have been used, only that it was found in the sample. Furthermore, when results are reported as 'Negative' or 'Not Detected' this does not mean it is more likely than not drugs haven't been used, only that the drug is either at a lower level than the cut off or it wasn't in the sample.

What also adds to the confusion when applying cut-offs to these results is that in a proportion of cases even very regular drug use does not always produce a 'Positive' result or any detectable drug at all.

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

## Why Can Cut Off Levels Be Problematic?

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

Experience has shown that test results for hair samples, taken in isolation and without a comprehensive investigation to establish the prevailing influencing factors, provides misleading interpretations in a significant proportion of cases.

FTS do not use cut offs to report results. However, if FTS applied the SoHT Cut-offs to results of ~4000 hair samples in cases previously

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

tested by FTS, where drug use has been declared, or where the result profiles and history indicates drug use is very unlikely, depending on the cases in each group, it would have resulted in significant misreporting:

Up to 15% hair samples in cases 'not' using Heroin would be 'Positive'

Up to 20% hair samples in cases 'not' using Cocaine would be 'Positive'

Up to 20% hair samples from chronic Heroin users would be 'Negative'

Up to 20% hair samples from chronic Cocaine users would be 'Negative'

Up to 60% hair samples from chronic Cannabis users would be 'Negative'

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

Paul Hunter – Technical Director, FTS

The requirement for this approach is exemplified in the judgment of Justice Jackson – Re H [A child – Hair Strand Testing] [2017] EWFC 641. In this case Justice Jackson considers the accuracy of hair strand testing for cocaine use and the validity of reporting results below industry accepted cut-offs was questioned and it was concluded by Justice Jackson at Paragraph 47:

*"Having considered the evidence in this case, I arrive at the same conclusion as Hayden J in Re R, where (at paragraph 50) he preferred "a real engagement with the actual findings" to "a strong insistence on a 'clear line' principle of interpretation"*

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

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

*"I would suggest that reports record all findings, . . ."*

## Codeine Concentrations

Black  
1134.0



Brown  
250.8



Blonde  
119.6



Red  
66.6



(pg/mg hair)

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

This study involved controlled administration of the opiate codeine to a group with a range of hair colours. All received the same dose at the same frequency over the same period. Hair samples covering the period of administration were collected and tested. Results showed that those with black hair had ~10 times higher levels than those with blonde hair and over 15 times higher compared to ginger hair.

The SoHT cut off used to report opiates is 200 pg/mg. Therefore, those with brown/black hair are reported 'Positive', those with light or ginger hair reported Negative. This is because Opiates (including heroin), Cocaine and many common drugs bind predominantly to the dark pigment in the hair.

[www.forensic-testing.co.uk](http://www.forensic-testing.co.uk)

## Geodesys drainage and water report for new build homes



The Geodesys NewBuildDW - the first of its kind - provides all the same quality data on water and sewerage connections as the Law Society's official CON29DW report. However, NewBuildDW focuses specifically on the information relevant to new build residential properties and offers conveyancers a lower-priced alternative to the full report. It also includes several pages of extra tips and advice for buyers.

**Jonny Davey**, Product Manager for Geodesys, comments:

*"We are committed to providing all the information home buyers and their legal advisors may need on a property to avoid any unnecessary future risks and additional costs.*

*"We decided to launch this new product after identifying a gap in the market for a comprehensive report which has been specifically tailored to provide information for new build residential properties. All data used in the report is sourced from Anglian Water, which retains liability for its accuracy."*

Making conveyancers' jobs easier, the new report will provide:

- 17 questions including two high quality water and sewerage maps
- Crystal-clear front-page customer dashboard highlighting information on key questions



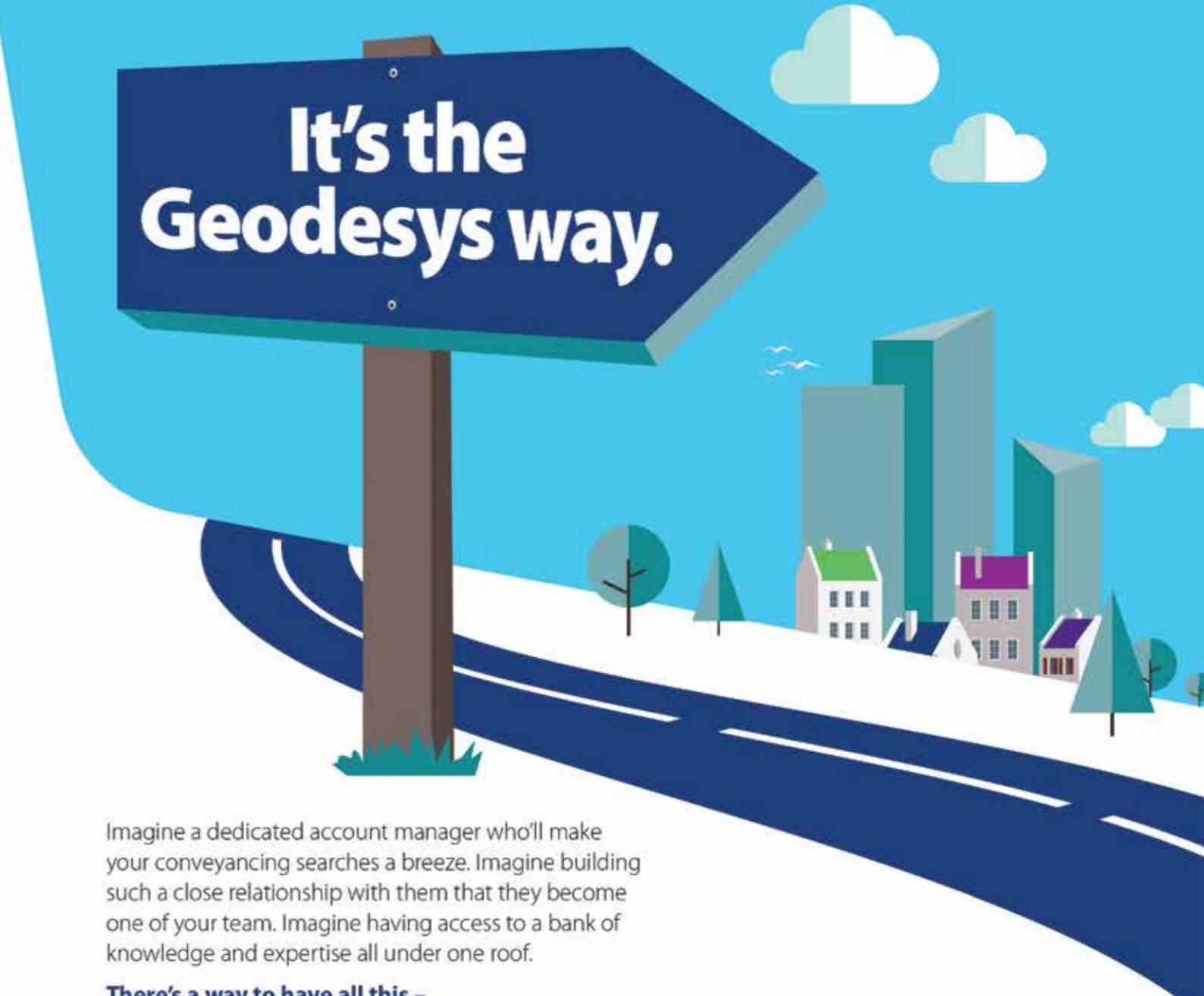
Jonny continues: "Produced by industry experts, our streamlined report clearly outlines all the most pertinent information. Some data contained in a full CON29DW is simply not available for new builds, so NewBuildDW allows conveyancers to access the key details at a more competitive price."

The NewBuildDW Report is available for £36 (including VAT) in the Anglian Water sewerage area only and for residential properties classed as new build. For more information, please visit: <http://www.geodesys.com>



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# New Coaching and Support Programme for Legal Professionals Launched



**May 2022:** In the wake of post-pandemic conditions, Herefordshire-based life coach, Kim Parker, has today announced the launch of a six-month online coaching and support programme for legal professionals 'with soul'. The Six Keys (to Personal Success and Professional Satisfaction) begins on 16 May 2022, right after Mental Health Awareness Week.

"In an uncertain world, professionals are needing support now more than ever, yet many are reluctant to reach out for help, for fear of repercussions in their career" notes Kim. "I want to make sure no one has to struggle alone. Each person in the coaching group is heard and valued. The Six Keys offers proven sustainable resources that help people navigate their way effectively through their challenges and create their unique version of success."

This group programme enables connection with other like-hearted professionals in a safe, confidential, supportive structure. By the end of the programme, participants will gain clarity, connect with their purpose, understand what really gets in their way and learn how to overcome challenges, inspiring them to create the fulfilling life and career that is true for them.

Kim has personal understanding of the legal industry as she was a solicitor for over 20 years and is an established volunteer for the Law Care helpline. The Six Keys is run online, so it is accessible to all wherever you are. It is interactive with 12 live 90-minute group sessions held fortnightly via Zoom over six months. In a nod to Mental Health Awareness Week, if booked by 11 May, a 30% discount will be applied. A payment plan is available.

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# Time for a mental health culture change in the legal profession

LawCare and the Law Society of England and Wales have today joined forces to call for a change of culture in the profession, as they mark the start of Mental Health Awareness Week.

LawCare's 2021 Life in the Law report examined the culture and working practices in law and the impact of these on legal professionals' wellbeing.

High levels of burnout were cited by participants and 69% of respondents had experienced mental ill-health in the 12 months before the survey.

Female participants averaged higher burnout compared with male counterparts.

The largest age group of participants (37%) were aged between 26 and 35 years old and they had the highest burnout scores, alongside having the highest work intensity, lowest autonomy and the lowest psychological safety.

The same year, the International Bar Association (IBA) published its *Mental Wellbeing in the Legal Profession* report, which surveyed 3,500 legal professionals and 180 legal organisations, confirming that legal professionals' mental wellbeing is a global concern.

Law Society president **I. Stephanie Boyce** said: "The legal profession should use Mental Health Awareness Week to take stock of its culture.

"The onus is often on the individual to 'fix' their mental ill-health. In truth, we have a collective responsibility to make a positive work environment for everyone.

"We need to start talking about how some working practices contribute to an increased risk of poor mental health and how we can work together to change things.

"Tackling excessive working hours and workloads, as well as ensuring better supervision and support, especially for younger lawyers, is essential.

"The IBA's and LawCare's research have shone a light on our working culture as we navigate changes following the COVID-19 pandemic."

LawCare is an independent charity which was founded in 1997 and provides free, confidential, emotional and peer support to legal professionals working in the UK, the Isle of Man and the Channel Islands.

I. Stephanie Boyce added: "LawCare is one of my presidential charities. They provide invaluable mental health advice and support to legal professionals throughout the UK.

"The Law Society was a principal founder of the charity and fully supports the work it does for legal professionals throughout their careers.

"Mental health and wellbeing are prominent themes in my presidential plan. During my term we have provided remote working guidance, launched our own mental health hub and published a range of careers resources.

**"We must all take responsibility for our mental health and wellbeing and look to change our businesses so colleagues can have a rewarding career and a supportive workplace. The onus is on us all."**

**Elizabeth Rimmer**, chief executive of LawCare, said: "After 25 years of supporting legal professionals, we believe that the culture of law has to change to ensure the sustainability of the profession.

"It can seem overwhelming, but all of us can make small changes every day to make the law a healthier and happier place to work, such as acknowledging some of the challenges working in the law presents and treating each other with respect and civility.

"If we could encourage firms and workplaces to do one thing this Mental Health Awareness Week, it would be to work towards providing management training to all supervisors and managers, and free up some of their time so they can regularly catch up with their team members to check in on how they are doing."

**Suzanna Eames**, chair of the Law Society's Junior Lawyers Division, said: "Report after report has demonstrated that the overall culture in law is damaging to many junior lawyers, leading to mental health problems such as burnout, depression, anxiety and (in the worst cases) self-harm and suicidal thoughts.

"We have seen over the course of the pandemic that the culture of a firm has a very large impact on employees' mental health, and that positive leadership can have a real impact and can ensure that the legal profession is both fulfilling and sustainable.

"On the contrary, employers that have left junior lawyers without support or supervision have seen staff burn out and choose to leave the firm or legal profession in order to protect their health.

"One positive of the pandemic has been the growing conversation around mental health, and an increasing recognition that lawyers' wellbeing should be treated as a priority.

"It is vital that this conversation continues to develop, and does not lose traction now that firms settle into varying models of hybrid working."

# Loneliness in the legal workplace



Humans are hard-wired to connect - we are tribal and social animals. We are biologically programmed to need other humans, and a feeling of belonging and connection drives our happiness. Despite this many of us will know what it's like to be lonely, especially after living through two years of reduced social interaction.

Loneliness arises from either a lack of social relationships or a lack of close emotional bonds with those we have relationships with. It can occur because we work from home and don't interact with colleagues often or have the time to pursue social connection, we live alone and rarely see others, or it may be that we just don't have the quality of connection in our everyday lives, we don't have people we feel close to or share values with. Connection exists between people when they feel seen, heard and valued, when they can give and receive without judgement and when they derive sustenance and strength from that relationship.

Many lawyers have contacted LawCare feeling disconnected from work, their teams and their manager. Although increased use of technology has brought people virtually closer, it has reduced the opportunities for face-to-face communication and instilled a sense of psychological loneliness. No screen interaction can ever equal the connections made in real time and space.

Whilst it is normal to occasionally feel lonely, long-term loneliness is associated with an increased risk of certain mental health problems, including depression, anxiety and increased stress. People with strong social relationships are 50 percent less likely to die prematurely than those with weak social relationships.

As **Professor Brene Brown** says "A deep sense of love and belonging is an irresistible need of all people. We are biologically, cognitively, physically, and spiritually wired to love, to be loved, and to belong. When those needs are not met, we don't function as we were meant to. We may think we want money, power, fame, beauty, eternal youth or a new car, but at the root of most of these desires is a need to belong, to be accepted, to connect with others and to be loved".

## Loneliness in the workplace

Most of us spend more time working than doing anything else, particularly in the legal profession where long hours are endemic allowing little time for family and friends. If you are lonely at work and feel isolated from others either physically or emotionally it can adversely affect job performance, job satisfaction, creativity and work engagement. You are more likely to be off work regularly, to

leave for another job, and it may also lead to problems at home. If someone is lonely at work it can also negatively affect their colleagues and the organisation as a whole. Loneliness cost UK businesses an estimated £2.5 billion each year pre-pandemic. Research conducted by Gallup the consulting firm found that employees with close and best friends in the workplace are more engaged in work, which results in high-quality work and greater employee well-being.

### Who is most at risk of loneliness?

Men are often lonelier than women. A report from Cigna insurance company in the US revealed that nearly two-thirds of men (63%) felt lonelier when compared to women as men were more likely to spend time socialising with colleagues but tended to hide their true selves at work which made them feel lonely. Men have been found to be more reluctant admitting being lonely than women due to the social stigma associated with it in some cultures.

Entry-level employees and senior executives were found to be the loneliest. Leaders such as Tim Cook the CEO at Apple reported feeling lonely despite being surrounded by thousands of employees.

### What employers can do

- **Check in regularly.** Managers should check in regularly, little and often works best, and informal chats are as important as work conversations. Ask how people are and how they are managing their workload. Make sure employees are looking after themselves. Ask them about their lives outside of work. In our Life in the Law research into legal workplaces wellbeing we discovered that of a wide range of workplace measures available, from private health insurance to mental health training, regular catch-ups or appraisals were reported to be the most helpful.
- **Pay attention to vulnerable groups.** Juniors will often need more support, and are less likely to have a comfortable home working set-up, with those in flat shares or living with their parents often having to work from their bedroom.
- **Build a culture of connection and community.** Look for meaningful ways to increase connection/interaction at work and meet employees' psychological needs of social exchange. Brainstorms, informal tea-breaks, weekly catch ups, team days, peer support/mentoring programmes can all be useful here.
- **Encourage people back to the workplace.** Incentivise and encourage people to spend at least some time in the workplace interacting with others, even if the majority of their work is carried out at home.
- **Ensure a work/life balance is possible.** Encourage everyone to work sensible hours – staff will take cues from how leaders behave. Take full lunch breaks; rest and recuperate after busy periods; avoid working at weekends; take annual leave entitlement. Make sure teams are well resourced in order to make this happen.

If you are feeling lonely, LawCare can help. We've been providing emotional support to legal professionals, support staff and concerned family members for 25 years. You can call our confidential helpline on **0800 279 6888**, email us at [support@lawcare.org.uk](mailto:support@lawcare.org.uk) or access online chat and other resources at [www.lawcare.org.uk](http://www.lawcare.org.uk). We offer free peer support to those working in the law via our network of around 90 peer supporters, all of whom work in or have worked in the law.

# Talk to us



## We understand life in the law

**Get free, confidential emotional support**  
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**[support@lawcare.org.uk](mailto:support@lawcare.org.uk)**

# 22% of Wills written through legal advisers include a charitable bequest

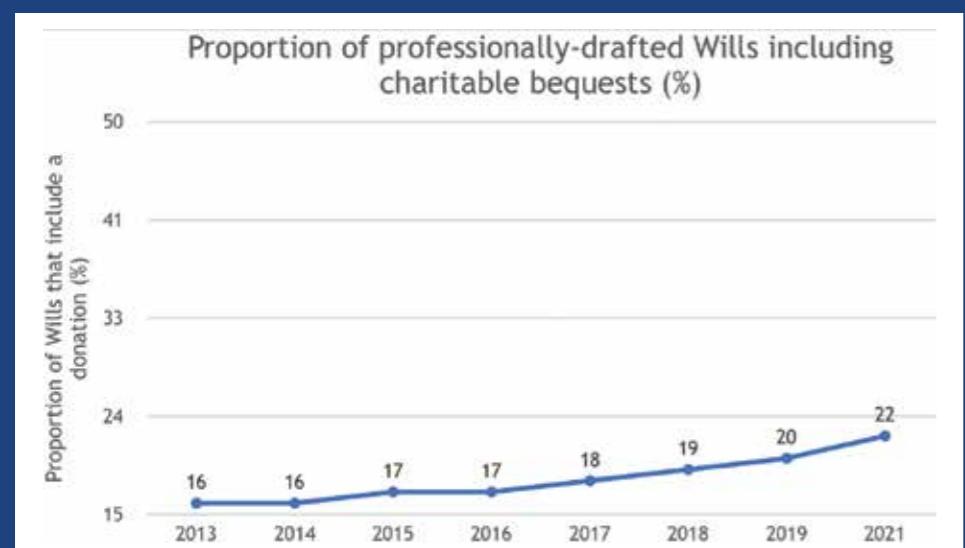


Rob Cope

Legal advisers are seen to play a critical role in making clients. New figures released today show that solicitors and Will-writers are playing an increasingly important role in charitable Will-writing, with more than 1 in 5 Wills handled by UK legal advisers (22%) now including a donation to charity.

The Savanta Will-writing survey\*, commissioned by Remember A Charity, reveals that 7 in 10 solicitors and Will-writers (71%) *always* or *sometimes* alert clients to the Inheritance Tax benefits of leaving a gift in their Will, up from 6 in 10 (61%) in 2013.

The survey also shows that the large majority of advisers (86%) proactively raise the topic of charitable bequests with their Will-writing clients, making them aware of the option to donate. Often, the charitable option is included in their routine client questions or forms. And yet, 1 in 8 advisers (12%) say they never raise the issue.



*"Legal advisers are hugely important in this space. Even the simplest of references to the option of making a charitable bequest can double the chances that a client will do so, raising vital funding for good causes, while helping them feel fulfilled that all those things they care about are covered in their Will."*

This news follows a parallel consumer study from the charity consortium, which found that public appetite for legacy giving has reached record levels, with almost 3 in 10 UK donors aged 40+ (29%) saying they had already written a gift in their Will or were preparing to do so. The same study found that the majority (60%) of charitable donors have used or would use a legal professional to set out their final wishes.

**Remember A Charity** is working to normalise charitable Will-writing across the UK by raising awareness of legacy giving among legal professionals and the public. The campaign encourages advisers to make clients aware of the opportunity of leaving a small donation in their Will, alongside their gifts for family and friends. Through its free Campaign Supporter scheme for solicitors and Will-writers, the consortium offers promotional resources and useful guidance for referencing gifts in Wills with clients.

Find out more at: [www.rememberacharity.org.uk/solicitor](http://www.rememberacharity.org.uk/solicitor)

\*Savanta, Will-Writing Survey 2021  
Commissioned by Remember A Charity and carried out by Savanta, this Will-writing study explores how professional advisers view and approach charitable bequests when discussing Will-writing with clients. It is based on a survey that was carried out December 2021 - January 2022 when telephone calls were made to gather the views of 230 solicitors, Will-writers and IFAs across the UK.

\*\*Smee & Ford, Legacy Trends Report 2021

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actorsbenevolentfund.co.uk**

Registered charity number 206524

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*Whether you have already written your will or are thinking about writing one in the near future, we ask that you consider leaving a legacy to Listening Books. Your legacy will make a vital difference to the lives of our members for years to come.*

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12 Lant Street, London SE1 1QH

Registered charity number 206524

**More and more people are using legacy gifts as a way to make a difference and be remembered.**

But for many of your clients, the most difficult decision can often be which charities to choose.

#### Keeping it local

Many people want to go beyond national campaigns and charities and instead want help to find and fund the incredible work that's happening on their very own doorstep, putting something back into the communities where they have lived, worked, built their businesses or raised their families.

For clients that want to keep their giving local, it can be difficult to know where and how to find the groups that so desperately need help - so many of which operate under the radar and hidden from view.

Foundation Derbyshire provides a simple solution, as we fund hundreds of local community groups and charities across the county that are providing vital support and services.

#### A long term solution

Local, smaller groups and organisations are often perceived as being less permanent than larger or national charities and your clients may be concerned that the charity or cause that they want to support may no longer be in existence or in need of assistance by the time their will comes into effect.

[www.foundationderbyshire.org](http://www.foundationderbyshire.org). Foundation Derbyshire is the operating name of Derbyshire Community Foundation  
Charity Registration No. 1039485 Registered in England & Wales - Company No. 2893759

**"Following his death...I now derive a great deal of comfort from the fact that he was instrumental in establishing his legacy to the area he loved so dearly..."**

Son of Foundation Derbyshire Fund Holder

"

We can help, ensuring their gift will continue to support the issues and areas that they care about, even if a particular organisation no longer exists.

#### Your clients can:

- specify the issues or a geographical area that they want to support or leave it up to our expert team to direct the income to meet the most pressing needs in the community.
- identify specific charities that will benefit, including national charitable organisations.
- specify Foundation Derbyshire as the beneficiary or specify the creation of a fund in their name or another name of their choosing. If they so wish, their family and/or professional advisors can then be involved in awarding grants from their fund.

Like all legacies to charity, a gift to Foundation Derbyshire is tax-free and can reduce the total amount of tax paid on an estate.

We never forget that every client is different, so please contact Rachael Grime to find out more at [rachael@foundationderbyshire.org](mailto:rachael@foundationderbyshire.org) or on 01773 525861. All enquiries will be treated in the strictest confidence.

Foundation Derbyshire is a local independent charity and vehicle for charitable giving that has been providing advice to individuals, families and businesses for over 25 years and now manages more than £9 million of charitable funds on behalf of our donors.



**Foundation Derbyshire**

new operating name for Derbyshire Community Foundation (DCF) now manages endowment funds of over £6 million and has made over £14 million of grants across Derbyshire.

It's our donors - businesses, individuals, trusts and families who make this possible. Proud to be investing in their local communities, our donors use the Foundation's local knowledge to support the issues that they care about and reach groups and projects that so desperately need their help.

Foundation Derbyshire carries the UKCF Quality Accreditation, which is formally endorsed and recognised by the Charity Commission for England and Wales. Encourages best practice by Community Foundations across the UK and has been held by Foundation Derbyshire since 2007.

**Embrace your local community and find a new and exciting way to give with Foundation Derbyshire.**



We invest in local activity here on your doorstep, in the towns and villages that you call home and where you work, raise your families, employ people or are enjoying your retirement.

Whether you are an individual, business or a family, your passions and concerns can be transformed into grants to groups that are working on the ground in Derbyshire and making a vital difference.

No matter how large or small your gift, let us help you start your very own philanthropic journey today.

Several methods of giving are possible. Please visit [www.foundationderbyshire.org](http://www.foundationderbyshire.org) to find out how you can make a difference.

Established in 1996, Foundation Derbyshire (the

#### FOUNDATION DERBYSHIRE

Unit 2, Heritage Business Centre, Belper, Derbyshire DE56 1SW

e: [hello@foundationderbyshire.org](mailto:hello@foundationderbyshire.org)

t: 01773 525860

# One in five donors now write a charity into their will



MONDAY, 07 MARCH 2022: Public appetite for legacy giving has hit a new height with almost one in five UK charity donors choosing to leave a gift in their Will (19%), up from 14% in 2013. A further 10% intend to make a gift from their Will or are preparing to do so.

Legal advisers play a critical role in making clients aware of the option of including a gift in their Will, with six in ten of the giving public saying they have used or would use a solicitor or Will-writer to set out their final wishes.

These are the key findings from the Remember A Charity consumer benchmarking study\*, which surveys over 2,000 charity donors aged 40+ to track their legacy giving attitudes and behaviour over the past eight years.

The most recent survey, carried out by independent research firm OKO, found that three in ten donors with a Will have included a charity. That proportion rises significantly among the affluent, those who are aware of the tax incentives and those who seek professional advice, as well as those who identify as gay, lesbian or bisexual. While legacy giving is becoming increasingly popular among the giving public, just 9% reject the concept of leaving a gift in their Will.

**Rob Cope**, director of Remember A Charity – a consortium of 200 UK charities, adds: “*Leaving a gift in your Will is such a positive and empowering decision to make during end-of-life planning and the legal sector has been a major driver of this change. The more solicitors that make clients aware of the option of giving in this way and can talk through the practicalities of doing so, the closer we get to a world where legacy giving becomes the norm.*”

## Impact of gifts in Wills

Legacy giving is the largest source of voluntary income to UK charities, raising £3.4 billion annually\*\*. That income has sustained charitable services throughout the pandemic; from hospices to shelters for those suffering from domestic abuse, mental health helplines to rescue services.

*“This growth in appetite for legacy giving will be vital for the future of good causes across the nation,” says Cope.*

*“When you consider that, not so long ago, legacy giving was really only seen as something for the wealthy, it’s wonderful to see so many people now understanding that their gift, no matter what size, really can make a difference.”*

## Prevalence of Wills

The study reports that 62% of donors have already prepared a Will, with the likelihood of doing so logically increasing with age. 82% of those aged over 70 have written a Will, compared with just 46% of those in their early 40s.

It also highlights how often people change or update their Will, with just over half of respondents with a Will saying they have already updated it at least once and almost 6 in 10 indicating they are likely to change it in future.

## Barriers to legacy giving

The concept of legacy giving appeals to the UK public, who are inspired by the message that even a small gift could make a big difference and that this income is vital to charities’ work. But the study also identified barriers. People naturally want to look after their family and friends first and foremost, some think they don’t have enough assets to leave a gift, while others say they simply didn’t think of it at the time.

Remember A Charity runs a free Campaign Supporter scheme for solicitors and Will-writers, providing promotional resources and useful guidance for referencing legacy giving with clients.

*Find out more at [www.rememberacharity.org.uk/solicitor](http://www.rememberacharity.org.uk/solicitor)*

\*OKO, Legacy Giving Consumer Benchmark Study

*Commissioned by Remember A Charity, the consumer benchmark study explores the public’s attitudes to legacy giving, with regular surveys carried out since 2013. The latest survey was carried out by OKO in November 2021, an online survey of 2,003 charity supporters across the UK, aged 40+.*

\*\*Smee & Ford, Legacy Trends Report 2021

\*\*\*Stages of Change

*The Stages of Change model features six levels: rejection of leaving a gift in their Will; pre-contemplation unaware – those who have never thought about it and are not sure if they would consider it; pre-contemplation aware – those who have thought about it and given it low consideration; contemplation – those who know about it and would consider leaving a gift; preparation – those who intend to give; and action – those who have already left a gift in their Will.*

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