D&DLS Bulletin

Derby & District Law Society

www.derbylaw.net

March / April 2023

Eyes on the prize! Quiz Night Results on Page 10

Also in this issue: The Illegal Migration Bill • School Debate Competition • Meanderings

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D&DLS Bulletin

Derby & District Law Society

March / April 2023

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Editorial

I love it when the Bulletin is packed with reports on successful events. It shows that the society is going from strength to strength and due to the hard work of the committees of both DDLS and DJL is enjoying somewhat of a resurgence.

You will see from the write up on page 10 that the annual quiz was a fun night which was more or less sold out and kindly sponsored by Verify 365 who joined in with the quiz on the night.

When we spoke to firms about what they wanted from DDLS the desire for community projects was on the top of the list. The Derby City Schools debate competition is one of the ways that DDLS gives back to the local community. Lawyers and lecturers (and local judiciary) give up their time to judge these amazing children and give feedback that helps them become more confident in their day to day lives. The feedback from the competition judges time and time again is *"I would never have done that at that age"*. These children are 13-15 years old and very impressive. The write up is on page 8.

I am looking forward to the annual awards dinner which is, as I write, this Friday. It will be the best attended dinner in recent years again attracting good levels of sponsorship which I will spotlight in the next edition. If you are reading this please spread the word about DDLS and get involved. There seems to be some mis-conception that the DDLS committee is populated by old men – ***so*** not true. Put the 10th May at 5.30pm in your diary and come along to the AGM to have a drink with us and see for yourself.

The annual dinner will also mark the end of Mike Copestake's year as High Sheriff of Derbyshire. Mike is the first Solicitor to hold this office and may I offer congratulations from DDLS for a very successful year and his fulfilling his ambition of visiting many primary schools to talk to the children and supporting numerous events in full regalia (which I am advised has just about lasted the course!).

I look forward to seeing you at an event soon.

Take care.

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Last updated 08.02.23

President's Page

Snow in March! An unexpected surprise, a beautiful sight whilst causing chaos to the infrastructure of our country.

It has been astoundingly busy since last reporting.

It is great to read the news regarding the Solicitors Indemnity Fund (SIF). The Solicitors Regulation Authority Board has now confirmed that it will bring post six year run-off cover under its direct control, meaning solicitors' clients will still be able to claim compensation if something goes wrong years after a firm has closed. The transfer of arrangements is anticipated to take effect as of 1 October 2023.

In line with the number of changes that we have been embraced on modernisation of our society, we would love for you to vote on a change of name of our society from **'Derby & District Law Society'** to **'Derbyshire Law Society'**. The results of the vote will be announced at the AGM on **10 May 2023.**

Past and Future Engagements and Events

On 26 January 2023, I attended the University of Derby's Annual Law School Dinner at the Museum of Making, a fantastic event organised by our generous hosts with wonderful company and delicious food. The students were keen to learn from legal professionals and the relaxed setting enabled many to share experience, tips and tricks.

The Annual Quiz took place on 9th February 2023 at the Derby Rugby Club. Thank you to Sue Woodall and team, for preparing the Quiz and to our kind sponsors Verify 365 - Digital Onboarding Technology.

Congratulations to all the winners. It was a fierce competition, with very little between the scores!

Derby City Council's team; 'C.O.W's - chocolate orange winners' secured first place, Alexander & Co Solicitors LLP 's team, 'Universally Challenged' securing second place and Smith Partnership's team 'Well hung Jury' in third place.

I was honoured to judge the final debate competition on 14 March 2023 between West Park School and Littleover Community school. I was very impressed with the calibre of talent displayed throughout the competition. Congratulations to West Park School just snatching first place by 1 point. The children (aged 13 – 15 years), and those involved in supporting the children in this competition are to be applauded. The children are inspirational, and many are likely to be the next generation of our legal profession.

As a committee, we continuously strive to improve benefits and opportunities for our members. I am pleased to announce the launch of the D&DLS' 'The Property Law Professionals Network'. A friendly networking event for lawyers and professionals working in Property Law. The first event having taken place on 22nd March 2023 at the Orange Tree, Derby. The event was kindly being sponsored by X-Press Legal Services.

The theme of this article appears to be heavily weighted around competitions! The next competition is to take place on **29 March 2023**, 'The Skills Triathlon'. The annual competition is organised in collaboration with University of Derby. University students and Junior lawyers (paralegals or trainee solicitors) team up to display their negotiation, interviewing and advocacy skills. The networking and skills shared are priceless. However, the generous cash prizes appear to be the main 'carrot on the stick' for all those entering the competition.

Our highly anticipated Annual Awards Dinner is taking place on **31 March 2023**, at 7pm at Pride Park. A night for enjoyment and celebration. With over 200 guests confirmed to attend, we are looking forward to spending time with colleagues and being entertained by Alan Hudson and DJ Dominic Degnan.

We have received numerous nominations for the awards this year. We are pleased to confirm that a judging panel has met, and nominees have been shortlisted. The winners will be announced at the Annual Awards Dinner. Once again, I would like to thank all our sponsors of the awards. The Solicitor of the Year Award is sponsored by Alexander & Co Solicitors LLP, the Junior Lawyer of the Year Award is sponsored by The 36 Group Chambers and OurFamilyWizard are sponsoring the Lifetime achievement Award. Good luck to all those that have been nominated!

I will be representing our society at the Nottinghamshire Law Society's Annual Awards Dinner on 28 April 2023. Save for attendance at the AGM, this will be my last formal engagement representing our society as your President. Time has flown by.

Dates for your diary

Our AGM is to be held on **10 May 2023**. A formal notice will be sent out in due course. We would love for as many members to attend as possible. It is an opportunity for you to meet the committee and provide any feedback. Light refreshments will be provided.

The Derby Junior Lawyers' Summer Soiree on **2nd June 2023**.

The Legal Walk shall take place on **22nd June 2023.**

We are also pleased to confirm that we are currently in the process of organising other events such as 'Tapas Thursdays'; a lunchtime networking event at Lorentes in Darley Abbey and networking at clay pigeon shooting. Further information is to follow in due course.

As always, if you would like to get involved with our society, join our committee or if there is anything that you would like to see our society to do more of, please do not hesitate to get in touch.

I bid you all farewell for now, I look forward to seeing you soon.

Manesha Ruparel
President, 2022-23

The Illegal Migration Bill

Shama Gupta

The bill focuses on a number of challenges with the UK asylum system. Specifically, it aims to deal with migrants who have entered the UK via irregular means by:

- removing them back to their home country or a 'safe' third country such as Rwanda
- block them from accessing modern slavery protections
- only hearing human rights claims after removal.

Further reading - Parliamentary briefing: Illegal Migration Bill, The Law Society: *https://www.lawsociety.org.uk/topics/immigration/parliamentary-briefing-illegal-migration-bill*

Fair funding for criminal defence solicitors: TLS has applied to the High Court for permission to challenge the government's implementation of the recommendations made in the independent review of the sector by Lord Bellamy, to raise criminal legal aid fees by the minimum 15%, and rejected TLS's offer of mediation to resolve the issue.

Further reading - Law Society takes government to court on criminal legal aid, The Law Society: *https://www.lawsociety.org.uk/topics/legal-aid/taking-government-to-court-on-criminal-legal-aid*

TLS is always open to feedback from you and I would like to hear from you about anything you may wish to share concerning your professional needs. Please contact me at *https://www.lawsociety.org.uk/about-us/our-governance/council-constituencies-and-current- members/shama-gupta.*

Shama Gupta,
Law Society (TLS) Council Member

Derby & District Law Society Family Law Committee Report

Fiona MK Apthorpe

Our Family Wizard
The meeting on 28 February was attended by Tara Dunne from Our Family Wizard who gave a helpful presentation to the Committee.

If anyone would like a copy of their latest resources:

Financial Hardship Application Form;

Draft Order Template;

PDF Parent and Practitioner Brochures

please contact Tara direct at tdunne@ourfamilywizard.co.uk

Tara can also provide further information about their Affiliate Program and Bulk Account Packages

OFW's website contains key resources that can be passed on to parents or be used for your reference:
1. How OurFamilyWizard can help reduce legal fees
2. OurFamilyWizard vs Emails and Texts
3. OurFamilyWizard Tutorial Video

You can create a Professional account for free which allows you to download court-admissible reports and inviting your client(s) to the platform gives each parent two free log-ins to trial the platform. You can also gain free professional access to the account(s).

OFW is also offering you a first free family, entitling your client and their co-parent to OurFamilyWizard for free for one year.

Meeting with the Judges
The Committee is arranging a meeting with our local DJs to discuss matters of interest for practitioners.

Local Family Justice Board
The Derby Family Local Justice Council was originally set up in 2005. It was subsequently resurrected as the Local Family Justice Board. Many Committee Members are Members and if you want to be on the LFJB's mailing list and be sent information about training events etc please contact *Joanne.eaton1@hmc.gsi.gov.uk*

Finally.... If you or a member of your team would like to be added to our database for the purpose of circulating information please contact Fiona direct to arrange this.

Fiona M K Apthorpe
Secretary

Derby City School Debate Competition 2023

The winners and teachers from West Park with their teachers and Mike Copestake – High Sheriff of Derbyshire

The winning team from West Park with the judges

The runners up from Littleover Community School

The competition this year was won by West Park school who narrowly beat Littleover Community school in the final by persauding the judges that "too many people go to University". There were some stand out speeches and once again it was incredible to see how the children listened and applied comments given in previous heats and produced well researched and mature speeches. All the finalists were confident enough to try some counter arguments which involves them going "off script" and speaking from the heart which illustrates the confidence that they develop through out the competition.

Topics included climate change, tourism and space exploration and the children (who range between 13-15 years of age) approached all the topics with enthusiasm.

Congratulations to all the pupils from all the schools who took part and to the staff who supported and encouraged them without whom the competition could not run. Particular thanks to the schools who welcomed me into their lessons to deliver a session on public speaking where the emphasis was definitely on how to present yourself in everyday life from a job interview to making a complaint about a mouldy loaf of bread ! The main feedback word from the children on those sessions was CONFIDENCE.

The final was judged by Sue Jennings – Head of law at Derby University, Manesha Ruparel - President of DDLS and HHJ Joanathan Bennett. The judges were impressed at the standard of debating on display saying "there were some well informed arguments and the humour was spot on."

The competition has, as ever, been organized by the Derby and District Law Society, E4E and The University of Derby Law School. The project is a great example of organizations working well together and what can be acheived with lots of time but very little financial input.

A massive THANK YOU to all the academic staff at the University of Derby, members of DDLS who helped judge the competition, all at E4E, particularly Arshad Iqbal, for his support throughout and help in contacting the schools and everyone who gave up their time to make this project such a fantastic success.

Julia Saunders

Meanderings - Judges of Character

Towards the end of last November Lord Burnett, the LCJ, announced that *"in due course"* he would be issuing a *"Statement of Behaviour"* (since issued) to Judges telling them how to be nice to *"judicial colleagues, court staff and those who appear before them"*. This pronouncement came at the same time as he made known that he intended to retire this year, though the two events would seem to be purely coincidental. In one newspaper this generated the headline *"Top Judge to rap bullying Judges"*. However the word *"bullying"* never appears in the announcement – *"Top judges"* prefer euphemisms like *"intemperate"*, *"inappropriate"* or *"ill considered"* etc. As will be seen later this piece, this proposal to *"rap"* *"intemperate"* etc judges has come some 40 - 50 years too late for some of us.

Of course *"bullying judges"* have been around for centuries: in trial of Alice Lady Lisle for High Treason at Winchester Assizes in 1685 the presiding judge, Lord Chief Justice Jefferys, not only bullied the witnesses he also bullied the jury and delivered the sentence (burning, followed by beheading) with such enthusiasm that he earned the nickname of the *"Hanging Judge"*. The only reason Alice Lisle's Counsel escaped a bullying is that she had no counsel, defendants at that time being refused counsel.

The bullying of juries by judges did not die out after Jefferys, indeed there was a local example as relatively recent as 1960 at Nottingham Assizes. Mr Justice Stable was presiding over the trial of two men, McKenna and Busby. He clearly regarded the case as *"open and shut"*. However the jury were out for just over two hours and Stable showed increasing signs of impatience. Finally he summoned the jury back and told them that he had *"disorganised my travel arrangements out of consideration for you pretty considerably already. I am not going to disorganise them further. In ten minutes I shall leave the building and if, by that time, you have not arrived at a conclusion in this case you will have to be kept all night and we will resume this matter at quarter to twelve tomorrow"*. The jury returned a "Guilty" verdict six minutes later. Unsurprisingly the Court of Appeal felt it had no alternative but to quash the convictions.

The 1960s and 1970s seem, in retrospect, to have been something of a heyday for judges who browbeat not only juries and defendants but also counsel – particularly the last. But they were never called *"bullies"* – the euphemisms in the professions were *"He's (always "He") a character"*, or *"He's difficult"*. The epitome of a *"difficult"* judge was Mr. Justice Melford Stevenson who sat between 1957 and 1979. Characteristically he named his house *"Truncheons"* and was a byword for harsh sentences and homophobia. He was described by a fellow judge as *"the worst judge appointed since the war"*.

Several examples of the *"Stevenson Style"* have passed into folklore: on discharging a Defendant acquitted (no doubt wrongly in Stevensons's view) he told him *"I see you come from Slough. It is a terrible place. You can go back there"*. Presiding (unusually) in a divorce case he told the husband that his decision to live in Manchester was *"a wholly incomprehensible choice for any free man to make"*. In a rape case, hearing that the victim was the ex-girlfriend of the convicted man, and worse still had been hitchhiking he imposed a suspended sentence describing the offence as a *"pretty anaemic kind of rape"*.

Practising in the 1960s and 70s, John Mortimer Q.C. the creator of Horace Rumpole obviously experienced an array of *"characterful"* judges because he transferred them, with great effect, into Rumpole's world. In his portrayal of Judge Roger *"Mad Bull"* Bullingham, Rumpole's *"arch enemy"* on the Bench, Mortimer was clearly identifying the Judge (Bull(y)ingham) with those *"characters"* before whom he, himself, had appeared. Though it may be doubted if Mortimer had ever had the quickness in reality to use the riposte he put into the mouth of Rumpole at the end of a prolonged judicial admonition:

Judge: *"Have you nothing to say Mr. Rumpole"*
Rumpole: *"No, My Lord, I did not wish to interrupt the flow of your Lordship's rebuke"*

Judicial *"characters"* were not restricted to the higher ranks of the Judicial Bench. As I write the names of Alan Hibbert and Colin Enzer, I reflect that some of my older readers, may experience serious post traumatic stress on recollecting those names. Both sat locally as Registrars and then District Judges in the 1970s and early 80s. Both were *"characters"*, both abrasive and both intimidating. But Alan Hibbert was leagues ahead of his colleague. He was so challenging to young advocates, particularly, at that time the increasing number of female advocates, that many firms would not send them on chambers appointments before him. After one foray into the presence of Hibbert their confidence was shot. Only the most *"battle-hardened"* of lawyers could face him in the claustrophobic atmosphere of his chambers. Hearings were often brief, and usually ended with a staccato, *"Dismissed"*. Frequently no (or at most, terse) reasons were given. His idiosycracies were well – known to the local Circuit Judges. I once had the temerity to appeal one of Hibbert's reasonless *"Dismissals"* in the days of Ilkeston County Court. It came before HHJ Tom Kellock who knew Hibbert well. It was the shortest appeal I ever conducted:

Kellock: *"Mr Calladine?"*
Me: *"Yes Sir."*
Kellock: *"This is an Appeal from a decision of Mr Registrar Hibbert?*
Me: *"Yes Sir."*
Kellock: *"It is Granted. Good Morning."*

In retrospect I suspect that, behind his grim exterior Hibbert had an acute mind but, sadly, it was camouflaged behind veneer of pettiness which showed itself, publicly and most clearly in the case of *Byers v Byers* in 1984. In that case, local solicitors, Ellis Fermor presented a divorce petition in the Nottingham County Court on behalf of Mrs. Kathleen Byers. It was undefended and therefore fell to be decided under the then *"Special Procedure"* with which divorce practitioners will be familiar and was intended to be simple, straightforward and paper-based. Mrs Byers swore the required affidavit as a preliminary to the grant of a Registrar's certificate necessary for the grant of Decree Nisi. The affidavit was placed before Mr. Registrar Hibbert and he refused the certificate. It was not the first time that this had happened – he had had previous *"run-ins"* with Ellis Fermor and other local firms over the grant of such certificates. Hibbert raised several objections about the affidavit. Ellis Fermor replied that they were misconceived, gave reasons and repeated the request for the certificate. Hibbert refused a second time. Ellis Fermor appealed to the Circuit Judge, HHJ Tom Heald. Heald agreed that Hibbert's objections had no merit but concluded that, for technical reasons he had no jurisdiction to hear an appeal. Heald was clear that if he had had jurisdiction he would have allowed Mrs.Byers appeal. Between Ellis Fermor and Hibbert there was an impasse. With commendable tenacity (and perhaps some courage as they regularly appeared before Hibbert) Ellis Fermor took the issue to the High Court. There, as *"R. v Nottingham County Court ex parte Byers [1985] 1 W.L.R 403"*, Latey J. concluded that HHJ Heald had jurisdiction to hear the appeal, and that Hibbert had been *"wholly mistaken"* in his objections to Mrs Byers affidavit. In a trenchant criticism of Hibbert's approach Latey J observed: *"The objectives of the special procedure are simplicity, speed and economy... there is no room for over-meticulousness and over – technicality in approach and registrars can properly exercise their functions by preferring substance to mere form"*.

Mrs Byers?, Yes, in due course, she got her divorce.

And the LCJs *"Statement of Behaviour"* – will it bring sweetness and light to the Judicial Bench? Well, on that, the Jury is, as they say, out.

John Calladine

DDLS Annual Quiz - 9th February 2023
Sponsored by verify 365

Well done to all those teams and firms that took part in the annual DDLS Quiz. The return to Derby Rugby Club seemed popular. Sue Woodall and her team of Steve and Maz as quiz setters/ masters excelled themselves and delivered a quiz that was challenging and interesting. The final scoresheet revealed many teams mid table with the winners scoring an amazing 143 out of 180.

The night was won by Chocolate Orange Winners from Derby City Council. A team that usually finish in the top 3 the poorly Paul McMahon will be gutted to have missed the evening and surely if he had been in attendance the score would have been even higher!? The bonus rounds were won by Anything for a Pint from Alexander & Co.

Thank you for supporting DDLS and the social events. I hope that you all had an entertaining evening.

The top five teams are listed below – anyone who wants the complete scoresheet please drop me an e-mail.

Thank you to the generous support of our sponsor for the night Verify 365 and to their team who came along to take part.

Chocolate Orange Winners	*Derby City Council*	**143**
Universally Challenged	*Alexander & Co*	**132**
Well hung jury	*Smit Partnership*	**130**
LegIT	*Derby City Council*	**121**
WOW	*Wykes O'Donnell Williams*	**115**
Dixies Midnight Runners	*Graham, David & Giles*	**115**

DJLS Update

It has been a both a busy and successful time to be involved in the Derby Junior Law Society! The Society has gone from strength to strength recently, and has taken big steps in re-establishing itself as part of Derby's legal community. Here's a run-down of our recent events, and things to look forward to from the Derby Junior Law Society!

Christmas Run-In and New Year Events

We celebrated our first year by hosting a cocktail-making class at Revs de Cuba in Derby. This was a very well attended event, and a great chance for some of our members to relax in the hectic period leading up to Christmas. It was a lovely way to thank some of our members for chipping in, and helping support the Society as we re-establish ourselves.

Thanks to our friends at Bygott-Biggs Recruitment, we were able to stage our first careers talk of 2023. Held at the Orange Tree, this was an excellent opportunity for our members to get a more personal insight into the legal job market in Derby, and the things to consider when progressing to the next stages of their careers. It was a fascinating insight into the market, and we are extremely grateful to David Mayfield and Richard Betts for taking the time to speak to us.

With our number of members rising, we attended the Derby University Law Careers Fair 2023, to spread the word about the work that the DJL is doing, and how beneficial it can be for a student to get involved in this too. With 20 students and other legal professionals signing up on the day, its safe to say that this was a mutually beneficial experience, both for the Committee members volunteering their time, and the new members, who will certainly benefit from joining our growing community.

Mental Wellbeing in the Legal Sector

This year, a main focus has been on highlighting the importance of mental wellbeing in our sector. All legal professionals face stress in their role, and it is really important we address this as a society. With this in mind, a select few members of the Society have been taking part in workshops presented by Sarah Markham of CALM in a Box, an organisation geared towards improving our mental wellbeing, and the recognition of this in the legal sector. These sessions have been extremely insightful, and a huge thank you goes to her for putting these workshops on for us. I hope to be able to present the results of these workshops to you all soon!

What's New in 2023?

Monica Guram (Treasurer) and I attended the YMCA recently to try and establish links with the well-known charity in the Derby area. We believe strongly that giving back to the local community is crucial, in order to spread awareness of our Society, and to help benefit and improve the conditions for Derbyshire's most deprived members. This was a very fruitful meeting, and was a great way to begin. We hope the Society can become more involved in the local community. A huge thank you to Catherine Bean at the YMCA for talking to us and taking us around their facilities. We will keep you posted on our upcoming news regarding the YMCA!

Other upcoming events are the Summer Soiree and the Legal Walk 2023, both in June of this year. The Summer Soiree is scheduled to be the Society's biggest event of the year, and has already involved a lot of work putting the event together. We would love to see as many people from the legal sector there as possible, so please do not hesitate to contact any of the Committee members for more information! Tickets will be released at the end of March, so make sure you get your places booked early to avoid missing out!

The Legal Walk 2023 is our annual event, which raises accessibility to Legal Aid for people who are unable to usually access this type of help. This is a fantastic opportunity to get out and enjoy the lovely summer weather with your friends and colleagues, and to raise money and spread awareness of the charity. Invitations to your respective firms will be coming out shortly, so please keep an eye out for these too.

News & Updates

I would like to take this opportunity to thank two of our previous Committee members, Cindy Dodd and Jessica Silvers, who have stepped away from Society duties due to work commitments. I would like to say thank you very much for all of the work you did over the last year to get the Society to where it is now, and it would be lovely to see you at any of our events this year.

I would also like to welcome Amelia Sutcliffe from Smith Partnership LLP onto our Committee as Membership Secretary. It is excellent to get Smith Partnership involved even further in our Society, and we look forward greatly to working with Amelia this year.

As ever, if you wish to help support the Derby Junior Law Society, or get involved further, please do not hesitate to contact any of our Committee members for further information.

See you soon!

John Ellis
Vice-President & Trainee Solicitor

DERBY JUNIOR LAW SOCIETY ORGANISE THE DERBY LEGAL WALK 2023

Members of the local legal profession will join forces on 22 June 2023 for the Derby Legal Walk to raise money for advice charities impacted by the cost of living crisis.

Legal professionals in Derbyshire will join together on 22 June 2023 for the Derby Legal Walk to raise money for legal advice charities in the community. The 10 kilometre walk, organised by the Derby Junior Law Society, is one of more than 20 walks taking place across the United Kingdom this summer to raise much needed awareness for advice services that play a vital role in helping vulnerable and disadvantaged people get access to justice.

The annual event sees participants from local law firms, chambers, and in-house legal teams come together with local judges and members of the community walk together to raise money for our local advice services.

The Derby Legal Walk 2023 comes at a critical time for Derbyshire's specialist legal advice sector, which has been greatly impacted by the cost of living crisis. Many advice services have reported an unprecedented surge in demand from clients in desperate need of advice in areas such as debt, welfare, immigration, family, housing, and employment law. Other services are facing a lack of resources and staff to deal with the level of enquiries and severe financial problems that could lead to their permanent closure.

Without these free services, thousands of people who are unable to afford the services of a lawyer will be unable to access the help and support they need to assist them in their struggles.

Anyone with an interest in access to justice is invited to join, and we are encouraging as many teams as possible to take part in the Derby Legal Walk 2023. It is a really enjoyable way to support and raise awareness for the free legal advice sector and the essential role it plays within the local community.

For further information, or to register a team for the Derby Legal Walk 2023, please contact the Access to Justice Foundation on *atjf.org.uk/legal-walks*. Alternatively, the link specifically to the Derby Legal Walk 2023 webpage will be going live in March, so please save the date.

We look forward to seeing you there!

John Ellis
Trainee Solicitor
Vice-President of Derby Junior Law Society

DERBY JUNIOR LAWYERS

Situations Vacant

Private Client Fee Earner *(Solicitor, Legal Executive or similar)*

• Full time – 35 hpw
• Belper with some opportunities for hybrid working
• Competitive salary commensurate with experience

This is a great opportunity for someone at the beginning of their career as a Solicitor, Legal Executive or similar with experience in Wills and Probate who now wants to build on this experience and develop a career in this area.

Working on a range of private client matters including wills, probate, LPAs and Court of Protection applications you will be responsible for supporting colleagues and providing professional legal support to clients.

You must be able to work to deadlines, have an excellent eye for detail, manage your own workload (with support as required), provide excellent client care and have a track record of meeting billing targets coupled with a methodical approach and high levels of accuracy.

In return we can offer a supportive work environment, development and learning opportunities, a varied caseload, opportunities for hybrid working, and the chance to join a company that cares.

We are a multi-disciplinary high street legal practice serving clients in Derbyshire and Nottinghamshire for over 125 years and our mission is to establish lifelong relationships with all our clients by anticipating and responding to their needs for quality legal services.

For an informal conversation about the role please contact Grace Steele, Director and Head of Department, on *grace.steele@ellis-fermor.co.uk*

Closing date – Open

To apply please send your CV and covering letter to ***applications@ellis-fermor.co.uk***

Part Time Conveyancing Manager

• Long Eaton, Nottinghamshire
• Circa £25k (for 21 hours per week)

Reporting to the Head of Department, this brand new post will be responsible for ensuring our residential conveyancing teams continue to provide high quality services and comply with all regulatory obligations, policies and procedures.

You will review and implement new processes and workflows and work with our Compliance Management Officer to ensure compliance in areas such as file reviews, audits, appraisals and anti-money laundering checks. You will also liaise with external bodies, ensure accreditations are maintained, arrange and lead meetings and deal with complaints.

We're seeking someone with exceptional organisational and time-management skills, able to multi-task, prioritise and manage multiple work streams concurrently. Significant administrative experience plus excellent IT and communication skills, attention to detail and the ability to work effectively as part of a team are essential.

You must have previous experience of ensuring compliance in a regulated industry coupled with experience of implementing systems, workflows and processes. Previous residential conveyancing experience is desirable.

Mainly based in our Long Eaton office, there may be some opportunities for hybrid working and you will also need to visit our other offices in Nottinghamshire and Derbyshire so will need access to transport.

We can offer a diverse and interesting role, a supportive work environment, generous annual leave, learning and development opportunities, wellbeing support, flexible working opportunities and the chance to join a company that cares.

Closing date – Open

To apply please send your CV and covering letter to ***applications@ellis-fermor.co.uk***
For more information about the role and about Ellis-Fermor and Negus Solicitors please visit *https://www.ellis-fermor.co.uk/careers*

Care Solicitor

An opportunity has arisen to join a Lexcel accredited Chesterfield-based firm as a care solicitor with immediate start available for the most suitable candidate. We are a traditional firm with a long-established reputation for being client-focussed.

You will be responsible for conducting a varied caseload, the majority of which will be cases in publicly funded care proceedings, and in the PLO pre-proceedings process. As an accredited member of the Law Society's Children Law Panel, you will have excellent communication, analytical and drafting skills, being able to manage a full caseload with advocacy.

• This role offers an opportunity for career progression for the right candidate.
• Remuneration is negotiable with generous holiday entitlement.
• This a fantastic career opportunity for the most suitable candidate to further their career as well as enhance the reputation of the Firm.

Email: ashley@andersonslaw.co.uk

Hallam Wealth

ADVERTISING FEATURE

Draw up your retirement *game plan*

Retirement isn't what it used to be. We're working longer, living longer and have so many different ways to use our pension pot. All the more reason to get the experts involved

These days there's so much flexibility around retirement. You can choose to stay invested in your pension, decide your own level of income, or even withdraw the entire pot. Buying an annuity is now another choice, rather than being non-negotiable.

Meanwhile, as always, greater freedom brings greater responsibility. You've got to make sure those retirement savings last. It's a thorny business full of tough decisions, made even trickier by the number of options available.

Expert advice is key – your retirement could last 30 years, so you'll need to make important short- and long-term decisions

Let's look at retirement age to begin with. The cliff-edge idea of stopping work at 60 or 65 and 'being retired' is history. Today a phased approach is much more likely, transitioning gradually from working and saving towards leisure and spending. Most of us can do this on our terms, according to our own life plans, rather than being restricted by a pension scheme or an employer.

Visualise your retirement

Ask yourself what your retirement looks like. Then how can you make it a reality? If you're retired already, is it as you imagined? Being 'in retirement' is much more than simply drawing an income. It's also about running an efficient home, managing your tax-free cash (especially when interest rates are low) and building a sustainable income that will last your lifetime.

There's no set retirement age these days. Add to this the pressures of supporting both older and younger generations, and it's clear a rethink is needed on how best to use your savings. To adapt to changing needs, you might need to consider other assets and income sources alongside your pension.

So what you have is a situation that's both flexible and heavy on risk, whether you choose to dip into your pension pot or remain invested. Either way, you'll need help and expertise to face the challenges.

In retirement you're also likely to encounter a new set of risks. For example, if you get off to a poor start when you begin drawing your income, with markets falling and returns negative, your investments will have to work much harder from the outset to maintain your desired income.

Another layer of complexity in your retirement strategy is underestimating how long your money needs to last. The 100-year life is fast becoming normal, with more of us living much longer, more active lives than ever before.

The countless choices available at retirement can be overwhelming

At St. James's Place, we're here to help you navigate these obstacles. We believe the value of advice comes from building a strong relationship over time and understanding the needs of both you and your family. We're experts in the intricacies of modern retirement. So you can worry less and focus on the important things in life.

The value of an investment with St. James's Place will be directly linked to the performance of the funds you select, and the value can therefore go down as well as up. You may get back less than you invested. Equities do not provide the security of capital which is characteristic of a deposit with a bank or building society.

Get in touch

If you'd like us to guide you through the retirement minefield, give us a call. We're here to make a difference to your future.

Jason Hallam
Director

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07990 325763
jason.hallam@sjpp.co.uk
www.hallamwm.co.uk

Associate Partner Practice
St James's Place

Hallam Wealth is an Appointed Representative of and represents only St. James's Place Wealth Management plc (which is authorised and regulated by the Financial Conduct Authority) for the purpose of advising solely on the group's wealth management products and services, more details of which are set out on the group's website www.sjp.co.uk/products. The 'St. James's Place Partnership' and the titles 'Partner' and 'Partner Practice' are marketing terms used to describe St. James's Place representatives.

SJP Approval 22/02/2023

SJP02250a 01/03/23

Women's History Month shines spotlight on female empowerment in the legal profession over the past century

In England and Wales today, more than 52% of lawyers are female. We've come a long way since Carrie Morrison was admitted to the roll of solicitors by the Law Society of England and Wales on 18 December 1922. Three more women followed in her ground-breaking footsteps in 1923.

Previously, women could not join the profession as they weren't classified as 'persons' under the Solicitors Act 1843. It wasn't until the Sex Discrimination (Removal) Act in 1919 that the profession was opened to women.

Celebrating Women's History Month, this March, has made us aware of the enormous strides forward we have made in the legal profession. Thankfully it is now an arena where female empowerment is embraced and encouraged.

Women solicitors are valued, and their achievements are recognised in a world that aims to be more diverse, inclusive and gender equal.

Women's History Month highlights the contributions of women to events in history and contemporary society globally.

But while acknowledging the huge impact that has been made by women solicitors over the decades, there's still no room for complacency.

The SRA's **2021 diversity survey** *(https://www.sra.org.uk/sra/equality-diversity/diversity-profession/diverse-legal-profession/#:~:text=Women%2520make%2520up%252052%2525%2520of,(no%2520change%2520since%25202019)* found that there are significant differences, according to the size of the law firm and by type of work.

Sadly, many highly skilled, experienced and dedicated women solicitors are still leaving the profession before making it to partner. Various reasons, such as long hours and targets, make it impossible for them to achieve a harmonious work-life balance – and so they quit.

The Solicitors' Charity calls on the legal profession to introduce initiatives that will attract and encourage more women solicitors to stay for the long term, enabling them to make it to the top of their profession. We are proud to have five esteemed women as trustees, who each contributes their individual skills to the proactive and positive interventions that ensure our solicitors in need receive the life-changing support they need.

Our current chair of trustees is **Ginny Cannon**, a retired in-house commercial solicitor, and a steward of the City of London Solicitors' Company.

Former chair **Christl Hughes** is a retired High Street practitioner. She currently chairs our Awards Committee and is Chair of Association of Women Solicitors, London. Christl is a former President of Leicestershire Law Society, and East Midlands Representative on The Law Society Council Membership Committee.

Kirsty McEwen, chairs our People and Development Committee and has been the Charity's Honorary Treasurer. Kirsty is a partner at leading Black Country law firm Higgs & Sons.

Tanya Dunbar practised as a solicitor at Ashfords LLP until 2016 when she joined the Post Office as an in-house Commercial Lawyer. She now works for EY.

Rebecca Litherland, a barrister and tribunal judge, specialises in welfare benefits law and has significant experience of criminal and family law, as a practitioner and volunteer.

You can find out more about us at *https://thesolicitorscharity.org/about-us/our-trustees/* Our charity helps to ease solicitors' practical, emotional and financial difficulties brought about by challenges such as job loss, low income, debt, bereavement, mental and physical health issues.

In every year but one, we have needed to provide help to more female than male solicitors.

Our most recent *Big Report* illustrated how this charity helped over 400 female and male solicitors and their dependents in 2021 – with awards totalling £1m helping with personal and economic hardship.

In addition, the funding we provided to LawCare helped them support the mental health and wellbeing of 342 solicitors; 17 solicitors in need of career counselling were referred to Renovo and 43 were given financial and debt advice.

Our Mission

At Women's Work we strive to provide women and families across Derbyshire in need of social and emotional support the opportunity to build resilience, confidence, develop essential skills and self-belief to move forward on their journey towards living an empowered and flourishing life.

It is our unique and innovative holistic and personalised approach that makes Women's Work the award-winning charity it has become today.

Women's Work
Turning a new leaf

Service User comments:

"I could not read or write until I came to women's work and now I'm writing this, all the staff and women's work saved my life"

"I have learnt faith, friendship, trust and honesty ... but most of all I have learnt that I matter"

Why support Women's Work

- On 1st April 2023 our charity organisation achieves its 20th Anniversary since founded. Together with your support we can continue to make a positive difference and help change the story for many women and families in Derbyshire who experience domestic violence and abuse, face homelessness, housing, economic and financial hardship and deal daily with mental health and wellbeing matters.
- We are here when the most vulnerable women need us.
- With 20 years knowledge and experience as specialists in matters of the women's lived experience statutory organisations like NHS, Adult Social Care and Local Authorities turn to us for guidance too.
- Your kind gesture and generosity to give a donation or leave a legacy will help us to educate and improve life chances for the women who engage with our educational and life skills programmes.
- With your support to raise awareness and donation to our cause we can continue to show impact and value in situations of unparalleled social, health and economic devastation which has become the norm. An uncompromising light has been shone on social inequality in Derbyshire.

Address: Women's Work (Derbyshire) Ltd,
The Convent, 11 Bridge Gate, Derby, DE1 3AU

Registered Charity Number: 1135740

Email: info@womens-work.org.uk

Telephone: 01332 - 242525

Website: www.womens-work.org.uk

Facebook: search "Women's Work— Derbyshire"

Instagram: search "Women's Work – Derbyshire"

Linkedin: search "women's work derbyshire ltd"

Plan-demic: Brits more likely to plan their legacy

REMEMBER A CHARITY IN YOUR WILL
Help the work live on...

- More than a quarter of people in the UK (27%) say they are now more likely to open up and discuss final wishes and funeral plans than they were before the pandemic
- Remember A Charity's poll reveals that one in five (21%) now see death as less of a taboo topic
- One in eight (12%) say writing a Will is higher on their agenda post-pandemic and that they are more likely to leave a gift to charity in their Will

People in the UK are now more open to talking about their own death and are more likely to make plans for their final wishes and funeral, compared with before the pandemic, according to a new poll.

The survey of 2,000 UK adults from Remember A Charity, explores changing attitudes to life and death since the start of Covid, finding that over a quarter (27%) of the population say they are now more likely to discuss their final wishes and funeral plans with family – climbing to almost a third (32%) amongst over 55s. This shift is even more prevalent for women (29%) than men (24%).

Death may traditionally be considered a taboo topic, but one in five (21%) UK residents no longer see it as such and there's growing recognition and acceptance of the need to plan for what happens. One in eight people (12%) say that writing or updating a Will is higher on their agenda than it was pre-pandemic. However, a small proportion (8%) confess they are still too uncomfortable thinking about their own mortality that they can't face writing a Will.

In good news for the charity sector, one in five people (19%) want to try harder to leave the world a better place and one in eight (12%) say they are now more likely to include a charitable gift in their Will.

While only 25% of all those surveyed (aged 18+) and 53% of the over 55s say they had a Will prior to the pandemic, 6% have written their Will since then. The main reason people give for not writing their will is that they just haven't got round to it (18%). One in 10 respondents said that they feel that they don't have enough assets to warrant writing one and a further 10% that they don't know how to do it.

Lucinda Frostick

Lucinda Frostick, Director at Remember A Charity - the national campaign working to normalise giving to charity from your Will, said: *"People's attitudes have changed with Covid and this survey underlines a shift towards greater openness when it comes to mortality and recognising the need to plan for what comes next.*

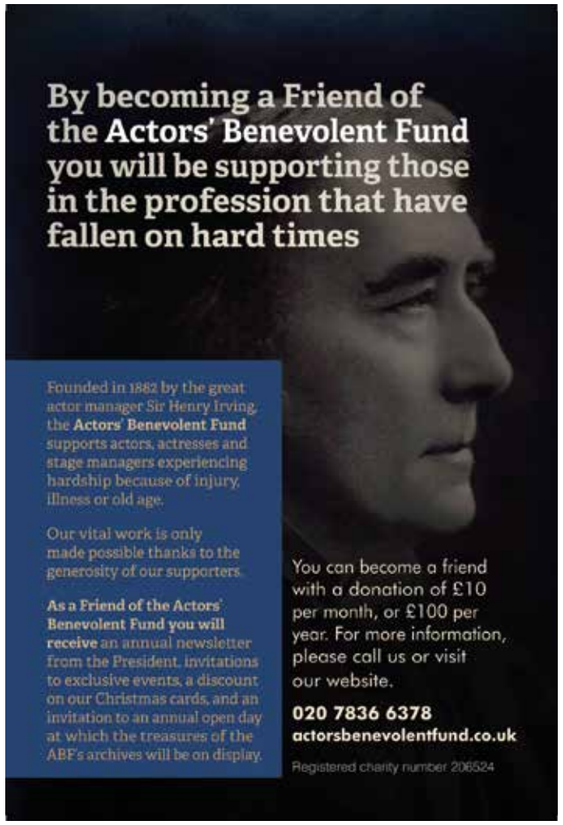
"There is a real sense that people want not only to take care of their family and friends, but to leave the world a better place. Despite the challenges of the current economic environment, it's hugely encouraging that appetite continues to grow for including a gift to charity in people's Wills. The solicitors and Will-writers we work with often report back that this can be such a positive and empowering part of clients' Will-writing discussions."

Importance of legacy giving

Charitable gifts in Wills raise £3.5 billion for good causes in the UK annually, with charities becoming increasingly reliant on that income. Of the many charities benefiting from charitable donations across the country, gifts in Wills now fund six in 10 lifeboat rescues, over a third of Marie Curie's vital work, and more than half of the work of Brooke, an international animal welfare charity that supports working horses, donkeys and mules.

Remember A Charity works with legal partners and over 800 Campaign Supporters (solicitor firms and Will-writers) to ensure that all those who write their Wills understand they have the option to include a charitable donation alongside gifts for their family and friends.

To find out more about Remember A Charity's Campaign Supporter Scheme and access free resources at *https://www.rememberacharity.org.uk/about-us/for-solicitors-will-writers/*



Inspiration from The Legacy Showcase

If you're after some legacy inspiration, take a look at The Legacy Showcase – Campaigns We Love!

This free resource has been curated to promote and encourage great legacy campaigns. We're delighted to partner with Legacy Futures and SOFII on this initiative, aiming to grow this collection of inspirational legacy campaigns from charities around the world.

So far, The Legacy Showcase comprises 18 short videos, each just a few minutes long, presented by champions from the field of legacy fundraising. Talking us through their favourite legacy campaigns from the UK, Ireland, Australia, Belgium and the Netherlands, they explain why they find their chosen campaign so powerful, innovative and inspirational, sharing their tips and lessons to pass forward. And if you would like to add a campaign to the showcase – you can nominate one of your own.

Campaigns already covered are diverse in their content, from funny to emotional and breath-taking. They demonstrate the breadth of ingenuity and originality, creativity and the range of media used in legacy fundraising to date. Champions and their chosen charities appearing in the first batch of videos include:

Craig Fordham, Director of Legacies, Macmillan Cancer Support, talking about a 'beautifully simple' campaign from Dogs Trust as a lesson in authenticity and real stories.

Emma Hazlewood, Head of Legacy Development, National Trust, praises Centrepoint for including beneficiaries in the building of their campaign, resulting in powerful messaging that challenges perceptions and builds strong empathy from the outset.

Dr Lucy Lowthian, Gifts in Wills Consultant, Legacy Voice, shares her thoughts about using positivity and upbeat energy, citing a Battersea Dogs & Cats Home TV ad as a great example with its 'life rather than end of life' messaging.

Ashley Rowthorn

Ashley Rowthorn, CEO of the Legacy Futures group, explains:

"The legacy market is growing fast with more charities than ever recognising the value of this form of income for a sustainable future. So too, the market is becoming increasingly competitive and legacy campaigns will need to work harder and harder to gain cut through. With this Legacy Showcase we want to champion great campaigns created by legacy fundraisers all over the world to in turn inspire more creativity and innovation in the future. I hope this collaborative effort will provide an invaluable resource that many legacy fundraisers will turn to for ideas and lessons to inform their own work."

Meredith Niles, Chair of SOFII says:

"SOFII is thrilled to be working with Legacy Futures on this project, it aligns perfectly with our mission of providing free inspiration for fundraisers, and we know that SOFII readers are always looking for ideas when it comes to developing or improving their legacy programmes. We hope that this evolving collection will spark joy, interest and innovation for legacy fundraisers the world over."

The Legacy Showcase collection of videos is created and hosted by Legacy Futures, shared by SOFII and Remember A Charity in our members' area, which features a bank of resources and tools for legacy fundraisers.

Our Director, **Lucinda Frostick**, adds:

"One of the things that's so inspiring about the legacy fundraising community is the willingness to collaborate and share learnings, and that's surely the best ways we can accelerate growth and innovation in the field. The Legacy Showcase is a hugely positive resource and we're delighted to support another key project that champions the wonderful world of gifts in Wills."

REMEMBER A CHARITY IN YOUR WILL
Help the work live on...

Derby & Burton Hospitals Charity
Registered Charity Number: 1061812

Leave a gift for the next generation

Donations and legacies enable us to offer the 'extras' that make a real difference to our patients.

When it comes to your will, we understand that the needs of your friends and family come first. After you have met the needs of your family you may like to leave a gift in your will to help provide for the healthcare of future generations.

@derbyburtonhospitalscharity @hospitalcharity @derbyburtonhospitalscharity

Support your local hospital
For more information:

Tel: 01332 785731
Email: uhdb.charity@nhs.net
Visit: www.dbhc.org.uk

Making Lives Better

The importance of independence: preserving the integrity of the Expert Witness discussion

We take a look at how the distinction between being an independent Expert Witness is crucial in a court case.

As an Expert Witness, your remit is clear: although you're instructed by either the defendant or claimant, your obligation is to the court. You should be independent, not partisan. But ensuring you maintain that independence isn't always straightforward.

As we reported back in March, a litigation case where an expert seeking input from solicitor led to a conclusion that the expert was not independent – resulting in £225,000 of evidence being revoked.

The ruling was deemed a "shockwave" by Recorder **Simon Jackson KC** during the Lessons from the Courts panel session at our June 2022 conference. *"It's a stark reminder [to Expert Witnesses] of what their duties are in terms on compliance with the rules and honouring the declarations which they make"*, Jackson remarked.

So, what went so wrong in this case? And how can the Expert Witness community ensure they learn from the ruling to preserve their integrity and avoid something similar happening again?

Independent vs partisan

The case in question, *Patricia Andrews & Ors v Kronospan Limited* [2022] EWHC 479 (QB), was a group litigation claiming nuisance. It involved a group of residents complaining that the owners of a nearby timber plant were contaminating their homes with dust.

With dust a central part of the case, it comes as no surprise that the claimant's solicitors instructed several experts in various areas of it, including Dust Analysis and Monitoring specialists.

After these Experts had been engaged for some time, the defendant's solicitors became aware there had been contact between one of the claimant's Dust Analysis and Monitoring experts and his instructing solicitors during the joint statement discussion period.
The expert in question had sent several drafts of the joint statement to the solicitors, seeking their views and input and received it from them, all without informing his Expert Witness counterpart.

Presiding over the case was Senior Master **Barbara Fontaine**, who stated in her judgment: *"the primary concern, having seen the communications between the Claimants' solicitors and [the expert], is that [the expert's] approach strongly suggest that he regards himself as an advocate for the Claimants, rather than as an independent expert whose primary obligation is to the court."*

Not a clear-cut decision

To help reach her conclusion, Senior Master Fontaine examined two other cases involving misconduct by Expert Witnesses – both with very different outcomes.

In the first case, *BDW Trading Ltd v Integral* [2018] EWHC 1915 (TCC), a defendant's expert revealed during cross-examination that he had sent a first draft of his joint statement to his instructing solicitors and had received feedback, making some changes to his draft as a result.

The judge in that case acknowledged that while the expert's behaviour was a serious transgression, he genuinely wasn't aware his behaviour was inappropriate and his communication with solicitors didn't affect his opinion in any way.

At the opposite end of the spectrum, in *Dana UK Axle Limited* [2021] EWHC 1413 (TCC) experts receiving technical input from the instructing party at every stage in the process without revealing that to the other party. The indiscretion, meanwhile, only came to light halfway through the trial. Such a flagrant disregard for the impartiality rule meant that the judge had no real option but to disallow the evidence.

Reflecting on her resulting judgement in the *Andrews vs Kronospan* case, Fontaine explained she concluded that, *"the expert's evidence should be excluded because the court could have no confidence in his ability to act in accordance with his obligation as an expert authority."*

Is it ever OK to be in communication with solicitors?

Discussion between experts and solicitors during the draft report stage is allowed. In fact, solicitors are usually involved to make sure they understand what's being said and what each side's case is. *"That's quite different from the joint statement process, which is an inviolable process where just the two experts discuss their views without outside interference"*, explained Fontaine.

Referring to the Technology and Construction Court (TCC) guide and its relevance to other cases, Fontaine noted: *"It says while the party's legal advisors may assist in identifying issues which the statement should address, they should not be involved in negotiating or drafting the experts' joint statement [...] unless there are serious concerns where the court may misunderstand or be misled by the terms of the joint statement."*

In such circumstances, solicitors from both sides must be involved.

Lessons from the courts

Be open – and get any communication with other parties in writing. Transparency and accountability are key: whatever is done needs to be done overtly.

Remember that the onus should be on solicitors to behave appropriately and uphold their duty to the court too. So, if they try to get involved in drafting the joint statement, remind them they are not allowed to be involved.

Make sure your declarations at the end of your report are up to date, or it could undermine you in court during cross examination.

Focus on the issues at hand. You should encourage solicitors to provide you with a list of the key areas of contention which should be discussed but should not be inviting comment on what is said.

Senior Master Fontaine and other senior legal professionals discussed the topic of Expert Witness integrity and more at our June 2022 conference, *Lessons from the Courts*, which is available to purchase now at:
https://www.ewi.org.uk/Web-Shop#!prod/894f610a-56db-ec11-bb3c-000d3a0ccc1c/curr/GBP

Simon Berney-Edwards

EXPERT WITNESS INSTITUTE

MR RICHARD BAILEY

MB BS FRCS DA (UK) FCEM

Consultant in Accident & Emergency Medicine

Mr Richard Bailey has over 20 years experience as a consultant and clinical lead in Accident & Emergency Medicine at a busy DGH. He instructs on advanced trauma courses.

He advises his NHS trust on cases pending litigation and has attended courses aimed at improving the court skills of an expert witness. His expertise covers the whole remit of emergency medicine, but he has a special interest in trauma.

Mr Bailey can act for either claimant or defendant or as a Single Joint Expert and he has been preparing personal injury, medical negligence and medical reports for the Police/CPS for over 10 years.

He can see clients in his rooms in Chesterfield and Derby

Phone: 07970 016 888

Chesterfield Royal Hospital, Calow, Chesterfield, Derbyshire S44 5BL

Connect with Dr. Heather Harris
MBBS FRCS FRCR

Consultant Radiologist

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

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

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

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

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

Membership
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Consultant ENT Surgeon

Mr Jack Lancer is a consultant ear, nose and throat surgeon with a special interest in otology and rhinoplasty, and noise induced hearing loss.

Mr Lancer has 30 years experience in medico-legal practice, including giving evidence in court around 4 - 6 times a year, and gives lectures to solicitors and barristers.

The majority of his instructions relate to noise induced hearing loss (NHIL) caused by noise at work, however he also acts in personal injury claims as a result of accidents – for example car accidents where an individual has resulting deafness, nasal facial injuries or whiplash and which can lead to other ear problems such as tinnitus.

He can also prepare medico-legal reports where negligence has been alleged in everyday clinical practice, especially with regard to operations and their complications relating to ear, nose and throat conditions and how these problems affect the individual.

Mr Lancer can act on behalf of either claimant or defendant or as a Single Joint Expert.

For further information contact Mr Lancer's private secretary on 01777 817160 or by email on jlancer@btinternet.com

Mr Lancer practices out of Thornbury Hospital in Sheffield and Parkhill Hospital in Doncaster

Almost a third of UK mortgage holders worried they will fail to make mortgage repayments within the next year as cost of living crisis hits home

New survey data from Dye & Durham reveals extent of issue for homeowners

- Thirty percent of UK mortgage holders worried they will fail to make mortgage repayments within the next year
- 56% percent say the cost-of-living crisis is affecting their mental health
- One third (36%) could not afford to continue paying their mortgage for more than two months if a job loss affected the main earner in their household
- Two thirds (66%) are worried their offspring will be unable to get on the property ladder
- More than three-quarters believe the UK is in a recessionary-phase: 42% believe the nation is in a recession now while 35% say we are about to enter one
- Digitisation is key for legal professionals in the property space amidst slowing transaction volumes

According to a new survey of 2,000 UK homeowners who pay a mortgage, conducted by independent market research firm Danebury Research on behalf of global technology leader Dye & Durham, the ongoing cost of living crisis is affecting the mental health of more than half (56%) of UK mortgage holders who have genuine concerns over their financial situation and that of their families.

Nearly a third (30%) say they are worried they will fail to make mortgage repayments within the next year, with those aged 18-24 expressing particular concern (42%). In addition, more than a third (36%) said they could only afford to continue paying their mortgage for two months if a job loss affected the main breadwinner, meaning repossessions could become a rising risk for the UK's property market. And with one in eight (12%) UK homeowners - and nearly one in five (19%) Londoners - expecting to delay selling or buying a home this year, legal professionals that rely on property transactions to drive revenue will need to take a closer look at their operations and make adjustments to better adapt to volatile market conditions and save money.

"The effects of high interest rates, energy bills and the increased cost of living overall cannot be underestimated. Our survey data shows people in the UK are extremely concerned about both their short- and long-term future and have reduced spending, raided savings and are delaying major purchases," says **Martha Vallance**, Chief Operating Officer for Dye & Durham. *"For legal professionals that rely on property transactions this is likely to have a significant effect for the duration of 2023 and beyond. Now is the time to start evaluating technologies that can help modernise their businesses and help them save money by reducing unnecessary costs."*

Economic uncertainty is weighing on the minds of property owners with 69% concerned about the financial future for themselves and their family. Two thirds (66%) say they are worried their children or grandchildren will be unable to get on the property ladder due to affordability.

Survey respondents confirmed they (43%) have taken to selling personal items to better manage household budgets and more than half (55%) have made personal sacrifices so their family and children are not impacted – for example by eating less, or not buying clothing or shoes for themselves. Already to date, 25% of respondents have had to delve into savings to put cash towards day-to-day expenses such as food or heating.

Other findings of note from the survey include:

- More than a third (36%) of respondents expect it will take significantly longer to pay off their mortgage than originally anticipated if interest rates continue to rise in the next year
- One in three (35%) expect to delay home renovation or improvement projects
- Almost one fifth (19%) expect they will need to delay retirement plans – increasing to nearly a quarter (24%) of 45-54 year olds
- Almost half (46%) of people in Yorkshire & The Humber said they could comfortably afford to continue paying their mortgage for just two months or less, if there was a change of circumstances for the main income earner, compared to 22% of Londoners who said the same
- One fifth (21%) of those in London said they may need to re-mortgage to an interest-only mortgage to temporarily reduce monthly payments should interest rates continue to increase long term
- To help manage monthly outgoings, three in five (60%) homeowners have cut-back on takeaways or meals out - including two thirds (66%) of those aged 55-64. More than half (52%) say they have reduced clothes shopping
- Since the start of 2022, 58% of people have paid more attention to their finances, with 27% saying they have delayed making major purchases, such as a car or appliance, due to the increasing interest rates
- 39% of Londoners have chosen to return to the office instead of work-from-home, to save costs, compared to less than a quarter (24%) nationally

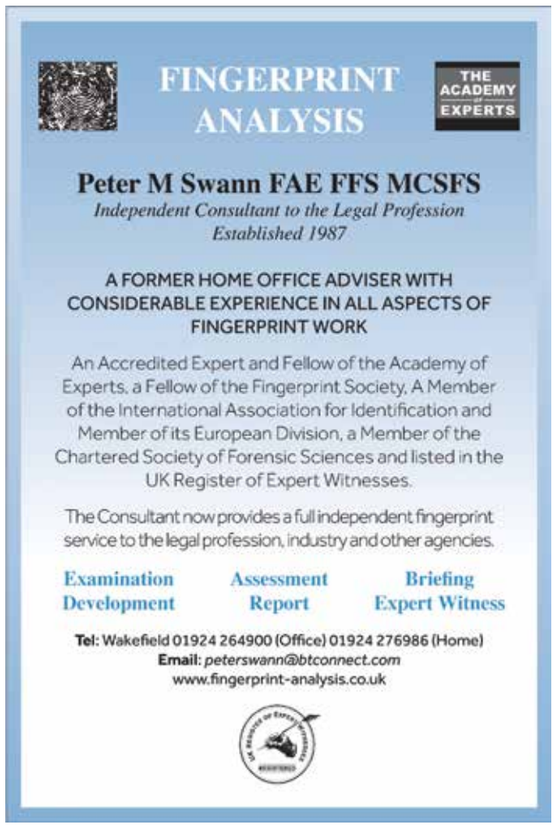
Paul Clarke, UK Product Lead, Dye & Durham adds: *"For those concerned about making mortgage payments, seek advice from a mortgage advisor or your lender as help is available. It may be possible to secure a mortgage holiday or switch to interest-only payments for a temporary period. Selling a property can take a minimum of two-three months from sale agreed to completion, so for those considering downsizing to minimise mortgage commitments, don't delay consulting an estate agent or legal conveyancer for advice."*

Property and legal professionals including solicitors, lawyers, legal firms, estate agents and mortgage brokers saw record numbers of property transactions following the Covid-19 Pandemic. While this had a positive impact on the bottom line of many sector professionals, the increased volume of sales meant broader strategic plans were placed on hold. With a slower and more challenging market expected throughout 2023, and many consumers adjusting their plans due to the cost of living constraints, it presents a chance for industry professionals to implement plans to improve operational efficiency.

"With transaction volumes likely to be reduced this year due to consumer concerns over the cost of living crisis, professionals now have the opportunity to take a closer look at their operations and evaluate ways to improve efficiency for both their businesses and their customers," explains Clarke.

"By improving their processes and workflows now, to support a more agile approach to transactions and practice management, it will provide a real advantage once the market bounces back to previous levels."

For further information please see:
www.dyedurham.co.uk



Cybersecurity and the legal sector

In the modern world, where technology has become an integral part of our lives, the legal sector has not been left behind and is rapidly adopting digital technology to enhance operations, from managing client information to filing court documents. This digital transformation has brought numerous benefits, such as increased efficiency and productivity, but it has also exposed the legal sector to significant cybersecurity risks.

Cybersecurity refers to the practice of protecting computer systems and networks from unauthorised access, theft, damage, and other forms of cyber-attacks. The legal sector is particularly vulnerable because it deals with a vast amount of sensitive and confidential information – such as client identities, intellectual property, financial records, and other sensitive data – which is highly valuable to hackers, who can use it for identity theft, financial fraud, or other malicious activities.

The consequences of a successful cyber-attack on a law firm or legal entity can be devastating. The firm may lose its reputation, face legal liabilities, and incur significant financial losses. Furthermore, a cyber-attack on a law firm can compromise the confidentiality of client information, leading to a loss of trust, which can be difficult to regain.

To mitigate these risks, it is essential for legal firms to adopt a proactive approach and prioritise their cybersecurity by implementing robust measures to protect computer systems and networks from cyber threats. These measures may include firewalls, intrusion detection and prevention systems, encryption, and multi-factor authentication.

In addition to technological solutions, cybersecurity also involves promoting a culture of awareness and vigilance among employees. This includes training employees to recognise and respond to potential cyber threats, such as phishing emails, and implementing best practices for password management and data protection.

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- Use encryption to protect sensitive data both in transit and at rest. This will prevent unauthorised access to data in the event of a breach.
- Keep software up to date with the latest security patches and updates.
- Implement firewalls and intrusion detection systems to prevent unauthorised access and to detect and respond to potential threats.
- Backup data regularly to an offsite location to ensure that it can be restored in the event of a breach.
- Provide employee training on cyber security best practices, including how to identify and respond to potential threats.
- Monitor network activity for any unusual or suspicious behaviour. This can help identify potential threats before they become serious.
- Conduct regular risk assessments to find potential vulnerabilities and ensure that cyber security measures are in place to mitigate them.
- Develop a response plan in the event of a cyber-attack. This should include steps to contain the attack, notify stakeholders, and restore systems and data.

True MSP are proud to work with many leading firms in the East Midlands area. To demonstrate our dedication to Cyber Security and protecting local businesses, **we're offering a complimentary full Cybersecurity audit** to the first 20 Law firms who contact us and mention this D&DLS article.

Additionally, if you feel your firm could benefit from any of the IT services that True MSP provide, please get in touch for a free consultation.

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