



# In Touch

Issue 24 Summer 2021

The Official Magazine of  
Suffolk & North Essex Law Society





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## Contents

Issue 24 Summer 2021

**Articles in blue** are independent advertorials and not necessarily the opinions of the Society

- 4 The new world of work
- 5 A Message From Our President
- 7 Partnering with Index can help with your compliance
- 9 Landmark Academy
- 11 PRO/PLO Report
- 12 Providing innovative products & searches - conveyancing sector
- 13 Education and Training Update
- 15 Anti-money laundering back in the spotlight for conveyancers
- 17 Junior Lawyers Division
- 19 Suffolk Law Centre - Celebrating their 3rd year
- 20 The Law Society - SNELS: Council Member (CM) report
- 23 Williams Wroe - Flexibility is key to attracting and retaining talent
- 25 Remeber a Charity
- 28 Bell vs Tavistock / Compliment Geonomics
- 30 Quill - Release of DocsHub makes document management easier



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# The new world of work...?



With homeworking and video meetings suddenly becoming so prevalent this year there is talk that we have moved forward by 5 or even 10 years in digital transformation in the last 12 months. Have we also moved on 5 to 10 years in terms of workplace culture and trust?

## How has your workplace changed this last year?



With businesses switching to home working almost overnight initially, things have settled down and each firm now has its own working pattern. Whilst some firms have struggled to make home working possible for all departments, others had to quickly revert back to the office as they didn't have the IT support in place. Many that we talk to are still 100% home working and only allowing or asking people to work from the office where there is a significant reason to do so. A number of firms have taken the initiative to re-set the standard for home working drafting flexible working policies or 'locate for your day' clauses in their contracts, with others implementing a 50/50 split of home and office working as standard. Certainly, this change has happened quickly, and could definitely be seen as a sign of 'future working' having arrived quicker than it would otherwise.

Whilst IT is the enabling factor, the key feature of this home working is trust and firms have learnt that they can trust their teams to operate as professionally and as effectively from home. In some instances, more so, where people are free to utilise their time more effectively.

Wellbeing has been a watch word of the last year and again while this was a growing concept before the pandemic, it has certainly accelerated in importance more than it might have done naturally over the last 12 months.

There is more talk than ever of wellbeing and mental health; mentoring and coaching programmes have never been so important to keep teams together and individuals on track as we all face hurdles. The hope would certainly be that firms continue to place importance on these issues and build them into their ongoing development moving forward. Ironically moving to home working seems to have shifted a lot of legal professionals into longer working hours than before. Many areas of law are very busy and if work remains at these levels, then we need firms to recognise that and respond, so that everyone has a sustainable working environment for the long term.

The next 12 months I predict will continue to be busy in the legal jobs market as firms seek to relieve pressure on busy teams. Let's hope that all these

changes bed down to ensure that the industry can capitalise on these positive, artificially accelerated advances, and benefit you as you progress within the legal profession.

As always, we are very happy to chat about your career development and your options in the current market.

Written by:

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## A Message From Our President

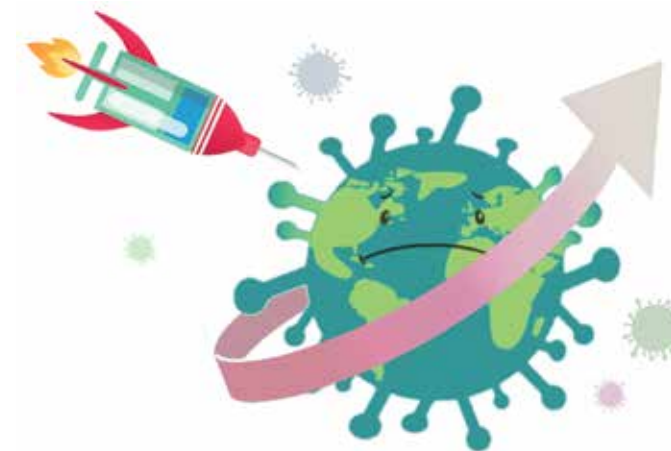


Dear All,

I hope that this finds you all well from what I hope will have been our final national lockdown. I appreciate that this has been a most challenging year now for us all, both work and family, and that COVID 19 has sadly likely touched us all whether directly or indirectly, whether it be ourselves, our loved ones or colleagues and clients. With the great success of the national vaccine drive many of us may soon have had at least one shot and with it some protection from this devastating virus. Whilst it has been a challenging year, I know, from speaking to so many that you have continued to offer services to your clients in new and innovative ways and provide the support and advice that has been needed throughout. Whilst the end of lockdown comes as a relief with the ability to socialise again and see loved ones and get out and about this also comes with the toll that this has taken on our mental health and for anyone who has been affected or is in any way worried please do take benefit of the services offered by the Law Society and other organisations. I do hope that as the weeks and months pass by we will soon be able to have some law society events and see each other again, and until then I leave you with my best wishes and that of SNELS.

**Christopher James Andrews**

President, Suffolk & North Essex Law Society





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



## Looking for CPD?



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## Partnering with Index can help with your compliance

At Index, we understand that legal professionals need quick and consistent access to a whole range of tools to support them in providing an excellent service to their clients, whilst following compliance protocols. Property searches are at the core of what we do, but it is the added benefits of being an Index partner that really makes us different.

Virtual working is now commonplace and is set to continue to some extent, on a permanent basis. Where technology enables teams to work from home at a certain level, there have also been challenges and it has opened-up opportunities for cyber criminals to take advantage of altered processes.

According to the SRA: *"Criminals are taking advantage of the disruption caused by Covid-19 and the economic downturn. Firms are now more exposed than ever to the risk of being used for money laundering. Conveyancing is currently at further risk because the stamp duty land tax (SDLT) holiday aims to increase the number and value of property transactions."*

The disruption caused by working from home has certainly increased the challenges faced by those responsible for compliance. This is in part due to the lack of technology and processes needed to support the remote environment from a compliance perspective.

To respond to the rapidly changing situation, new LSAG Draft AML Guidance has recently been published to support legal professionals in complying with the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (as amended). It includes a new section on technology which addresses the need for firms to understand the technology they have, in order to use it effectively.

According to The Law Society:

*"A legal practice must now have clearly documented Policies, Controls and Procedures (PCPs) based on their practice-wide risk assessment which include:*

- Taken when new technology is adopted to protect against ML or TF risks.*
- Where practices use electronic identification and verification (EID&V) tools they should document the role of the tool, the data sources it uses, and in what circumstances (clients/matters) it is appropriate to use the solution."*

At Index, we adopt an agile approach, where technology becomes an enabler for those responsible for compliance and with changing working patterns, we aim to help our legal clients to implement solutions to solve common issues. For example: we work with best-in-class industry leaders

in the technology space to provide tried, tested and trusted solutions to our clients.

One example is the integration of our Index Platform with Thirdfort ([www.thirdfort.com](http://www.thirdfort.com)). Thirdfort is a leading Digital ID verification, AML and Source of Funds provider.

Using Thirdfort's innovative mobile app, consumers are able to upload copies of photo ID which are automatically analysed to confirm the document provided is genuine. Consumers are also prompted to take a selfie and record a short video (a 'liveness' test) to ensure the individual completing the app journey matches the information provided on the ID document.

Thirdfort's latest product also incorporates the use of 'NFC' technology that complies with the Land Registry's Digital ID Standard. This allows consumers to instead scan the chip in their passport using their mobile phone, automatically extracting and validating the relevant information.

Open Banking technology allows consumers to connect their bank account(s) to Thirdfort's app, providing solicitors with 6 months of bank statements and details of the largest ingoing and outgoing transactions. This data is provided along with the ID and AML information in a clear and easy to understand PDF report enabling solicitors to comply with all relevant regulations swiftly and remotely.

All Thirdfort ID, AML and Source of Funds checks can be initiated and managed via the Index platform.

Olly Thornton-Berry director, Thirdfort confirms: *"Although the move to digital has been accelerated in the past 12 months, around 80% of all legal client onboarding is still completed manually. However, it costs just £30 to buy false bank statements online! Therefore, using the most advanced digital practices through the Thirdfort app integrated with Index' platform, now means the whole client onboarding process can become digitalised and completed in a few minutes rather than weeks."*

At Index, our goal is to bring the very latest solutions to our clients and importantly, supply the support and team behind the

tech as this is what ultimately ensures it works. Our locally based, experienced team understand the challenges faced by legal professionals and offer dedicated support to ensure technology integrations through our Index Platform are always as smooth as possible.

In addition to solutions such as the integration with Thirdfort, we help legal professionals with their due diligence through providing risk management solutions such as Lawyer Checker which ensures client funds are sent to a legitimate bank account associated with the seller's solicitors.

We also work closely with Lexsure offering:

**LENDERmonitor** - Enables lawyers to stay on top of lenders' policy requirements as set out in Part 2 of their Handbook instructions. With 25% of all negligence claims against solicitors being brought by lenders, LENDERmonitor is an essential yet simple risk-mitigation tool.

**COMPLETIONmonitor** - Intelligent, interactive online checklist and risk management system used by property lawyers, which can assist with securing or reducing law firms' indemnity insurance and with securing/retaining membership of lender panels.

Finally, Index are proud to support the Law Society Conveyancing Quality Scheme (CQS).

By working with Index and our partners we will help you to monitor and react to CQS standards thus ensuring compliance and confidence if audited. Not only will you be able to prove to lender panels that you adhere to the Law Society's quality standards but put an attractive case to PI insurers that your firm is actively managing and mitigating risks.

These are just a few examples of how we help employ the right solution enabled by the right technology all brought together through our user-friendly platform and supported by our dedicated teams, to enable legal professionals to focus on providing a better service for their clients.

By Stuart Whaley, Director, INDEX East Anglia

To find out more, call Index East Anglia on 01485 524320 or email: [eastanglia@indexpi.co.uk](mailto:eastanglia@indexpi.co.uk)



# They've got big plans

## But what's everyone else up to?

When someone is planning on buying their new home, changes to the surrounding environment can throw a spanner in the works. Have you provided the information they need to make it their dream home?

**RiskView Residential**, the all-in-one environmental report, now includes large site planning applications as polygons alongside other planning applications and constraints data presenting a more realistic view and understanding. Providing complete environmental due diligence with professional opinion in one report, RiskView is the market leading choice in client care.

Contact your search provider for details or visit  
[www.landmark.co.uk/landmark-legal/riskview-conveyancer](http://www.landmark.co.uk/landmark-legal/riskview-conveyancer)

**RiskView Residential** is Landmark's gold standard, all-in-one environmental search report, used by property lawyers to assess a wide range of potential hazards on behalf of prospective purchasers. These include flooding, ground stability, contaminated land, energy and infrastructure and now includes planning application and constraints data.



# Landmark Academy: Helping you reach your Learning & Development goals

By **Allie Parsons**, Customer Success Consultant, Landmark Information (Legal)

Here at Landmark Information, we have an important aspect for any legal professional is maintaining their professional development and learning requirements. For property lawyers, conveyancers, legal executives and trainees in property, an online hub is available that provides free access to a wealth of resources.

The **Landmark Academy** was launched in 2020 to provide access to free training and development videos, webinars and articles, to meet professional development targets, set out by the Solicitors Regulation Authority's (SRA).

Allie Parsons, Customer Success Consultant for Landmark Information's Legal team explains how legal professionals can benefit: "Having spent many years visiting law firms to train teams on environmental issues, it became clear that it wasn't always convenient for those requested to attend – busy days meant they either disrupted their schedule or missed out on updating their knowledge. Add to that the restrictions posed by the pandemic, the Landmark Academy offers a learning solution that suits the way we work today.

"We have completely refreshed our Landmark Academy to provide greater access to the very latest training materials to support their Continuing Competence needs. We have some fantastic contributors on board who are experts in their field and the content is refreshed on a regular basis. An audit trail of completed learnings can also be produced for annual declarations, which we hope will be of great use."

The Landmark Academy brings together a number of experts from across the industry including Professor Robert Lee, a former Director of the Centre for Legal Education and Research at the University of Birmingham, Real Estate legal specialist Sue Highmore, Stuart Tym national planning and environment Senior Associate at Irwin Mitchell and Environmental Law Director for Landmark Information Simon Boyle, as well as specialists from Landmark's wider team.

Adds Allie: "Whether you want to read a topical article or get an insight on any of the range of issues that occur during property transactions, it means you can do it when the time is right for you. The majority of the videos last 15-20mins."

With free online access to easy-to-digest podcasts, videos, webinars and guidance provided by widely-acclaimed experts, the Landmark Academy gives solicitors insights into a range of issues that occur during property transactions – this includes environmental law, flooding, planning, energy & infrastructure, in addition to guidance on selecting the appropriate due-diligence reports that are available.

### Introducing Allie Parsons

Allie Parsons is the Customer Success Consultant with Landmark Information Group as part of the Landmark Legal Team. Allie has over 27 years' experience in marketing, consulting and advising various businesses, the last 14 years working with property solicitors and their law firms. Allie's role is focused on engaging with conveyancing and property teams to support them in receiving the most accurate and suitable Landmark environmental searches and solutions. Endorsing the various Law Societies allows Allie and Landmark to connect to members, and take on board conveyancers' opinions.

Allie also has a broad experience in professional training and delivers seminars and training sessions for legal professionals on a range of property related issues. Do please contact Allie if you'd like more information on the Landmark Academy.

### Landmark Information

Landmark Information uses data and technology to help customers in the residential and commercial property industries access data insights to support transactions and reduce risk. It combines complex property and environmental data into sophisticated risk models and



solutions to enable customers to make smarter decisions, and build workflow solutions that allow customers to carry out tasks more efficiently and effectively.

Landmark has long-standing partnerships with customers in the legal conveyancing, mortgage lending and surveying markets, as well as in land acquisition, property development, estate agency and insurance.

The team's dedicated, personal approach supports legal professionals in their due diligence in line with the Law Society and SRA requirements. Reports include a wide range of environmental insights, including contaminated land, flood risk, ground stability through to planning issues.

Concludes Allie: "Landmark's 25 year longevity in the legal market brings valuable experience and dependability to risk solutions however we are always continuing to innovate so feedback from our report users and Law Society members is invaluable."

### Get in Touch

To register for free access to the Landmark Academy, visit:  
[www.landmarkacademyhub.co.uk](http://www.landmarkacademyhub.co.uk),  
or visit the Landmark Academy LinkedIn Group via:  
<https://www.linkedin.com/groups/13842695/>



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## PLO/PRO Report

Usually in my report this time of year I would be giving you a debrief of the annual Essex Law Lecture, but unfortunately for the second year running it has not been possible to organise. Hopefully this will be back next year. We have however been able to tweet about various live seminars/webinars that have been taking place virtually, so hopefully you have seen and got involved with some of those. SNELS itself are planning on hosting a seminar later this year. This year I have the honour myself as Deputy Vice President to organise this. The subject matter and how this will take place are still to be confirmed. Please keep an eye on our twitter feed and website for further details.

As the C19 restrictions ease, we hope to release dates for our usual events such as the AGM & Quiz, Vice President's Cocktail Party/Pentanque and the President's Dinner. We will be welcoming Sponsors for our events so if anyone would like to be a Sponsor, please contact me on my email below. If there is anything anyone would like raised with SNELS or the Law Society please do not hesitate to email me...

Until we can meet again, keep safe and well.

### NEWSFLASH!!

SNELS are excited to announce that we are planning on hosting an Awards Ceremony for Law Firms and Lawyers within Suffolk and North Essex. This will be a prestigious event and a great opportunity to promote for your firm and honour your staff's hard work. Please keep an eye on our socials for more details. This is of course another wonderful reason to be a member of SNELS or to renew your SNELS membership. So don't delay join today!



**Louise Goodenough**  
PLO/PRO Officer

✉ [louise.goodenough@haywards-solicitors.co.uk](mailto:louise.goodenough@haywards-solicitors.co.uk)

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# Providing innovative products and expert searches for the ever-busy conveyancing sector

Advertorial

X-Press Legal Services is a property search company that provides expert reports to solicitors and conveyancing professionals across the county. The company has been supporting the conveyancing sector throughout the past year, as the property market boom has seen increased demand and pressure across the sector.

Owner of X-Press Legal Services Norfolk and Suffolk, Ashley Peters comments:

*"We have been working flat out due to the increased demand for our searches, which are a real measure of demand in the property market generally. We have seen higher levels of searches than ever before, increasing 50% since the stamp duty holiday started."*

With a 27-office network across England and Wales, X-Press Legal Services provides a complete range of property searches and reports.

Owner of X-Press Legal Services Essex, Herts & Cambs, Jo French continues: *"Law firms are increasingly turning to us as we can provide all the same products and services as larger search companies, but also provide the customer service of a local company."*

*We are able to get to know our clients personally and form strong relationships, an important factor during an increasingly digital age."*

*"Our products are constantly being innovated, ensuring your data is absolutely safe in our hands. Many new clients who came onboard during the pandemic were attracted by our range of digital services and our security innovations, including being the first search company to achieve a Cyber Essentials Plus accreditation and a Gold Standard partnership with FormEvo and SDLT.co.uk."*

*"We pride ourselves on making it as easy as possible for conveyancers to deliver legal services to their clients, providing a 'one-stop shop' for all your search needs. We save our clients time and money with our product range and specialist reports, helping to ensure property transactions reach completion with the minimum of fuss."*

With over 20 years' experience, X-Press Legal Services is one of the top ten search providers in the UK. Trusted by more than 500 legal practices in England and Wales, the firm produces a staggering 400,000+ conveyancing searches and reports each year.

[For more information about X-Press Legal Services](#)

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**Essex, Herts & Cambs**

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or please call Jo French on **0330 159 5356**.



# Education and Training Update

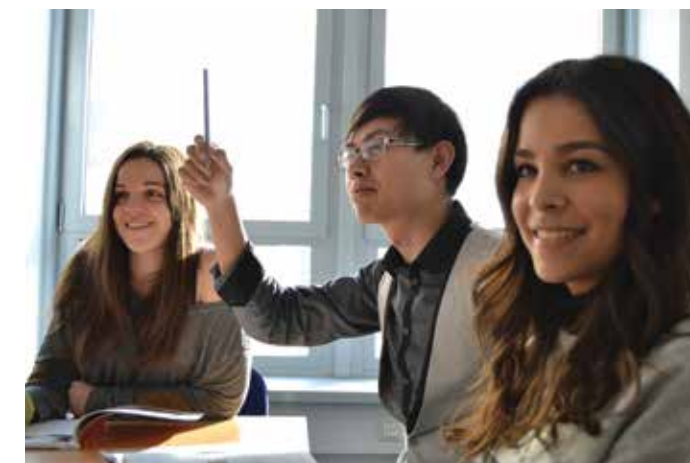
By Amanda Timcke



It has been a difficult and busy year in this field, with all education institutions looking to alternative methods to ensure that curriculum needs are fulfilled.

In particular, there have been developments in the provision of undergraduate law degrees by the University of Suffolk (to be celebrated) and separately the SRA bringing forward the Solicitors Qualifying Examination (SQE) (SRA | Solicitors Qualifying Examination (SQE) | Solicitors Regulation Authority).

I was honoured to be asked to be a panel member for the re-approval and validation of the pure LLB (Hons) Law undergraduate degree route for the University of Suffolk this year. Whilst a challenging and robust process for all that participated, the course design and delivery was commended by peer review as showing "Gold Standard" and "Best Practice" throughout. Whilst Covid-19 has surely had an impact on all undergraduate learning across the Country, the University of Suffolk has supported its learned lecturers to embrace new ideas and new technologies and retain remotely, collaborative, team working skills and peer learning for students. It is also important to note new course modules coming on-line for students which include invaluable practical skills training and employability. It is worth highlighting the Clinical Legal Practice module which includes the possibility for students to undertake a work placement to either participate in or observe related work in practice. This article is therefore also a shameless plug for support from the wider legal community please. These are your employees of the future, and we have a real opportunity to shape their legal education and retain a work force after graduation.



With that in mind, I would like to say a few words about the SQE. This seems to be the year of change for the profession in so many aspects, root and branch, however, we must recall that one of the intentions behind the SQE is to open up social mobility and diversity into the profession. Disappointingly, the SRA has stated that "We do not regulate, accredit or endorse training providers or organisations. We also have no role in approving, endorsing or overseeing the training courses or materials, or their quality". This is therefore an uncertain time for employers and students/graduates alike. As a profession we should continue to engage with any consultations on reform and any education establishments in our geographical area or sphere of influence. I am reminded whilst writing of West Suffolk College, and Phil Stitte's article in a previous edition regarding legal apprenticeships. There are fabulous opportunities for growth, succession planning and let's not forget, engaging essential support staff in their chosen careers. We all just need to think outside the box at times, be creative, and this is something the pandemic has forced all of us to embrace.

Professional CPD learning has been challenging for SNELS this year, as so many organisations have provided on-line free sessions to cater for most needs. However, this key role has not been forgotten. The intention is to send out a short questionnaire to seek your input on the design and content of this moving forward. We are also fostering relationships with the Cheshire and North Wales Law Society, who have kindly offered out their programme of courses to our members.

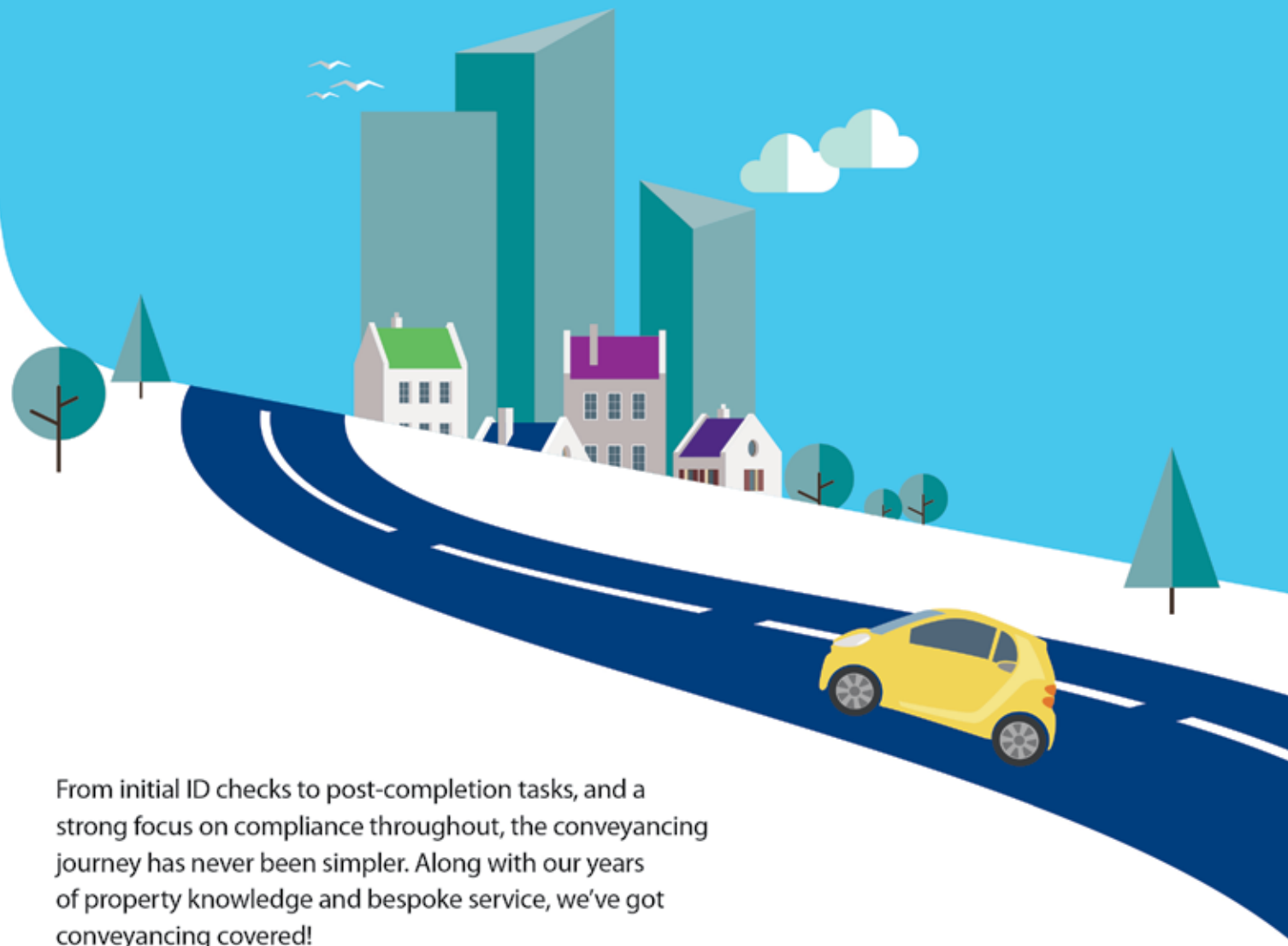
Finally, if any Solicitor reading this, is inspired to take on the role of Education and Training Officer of SNELS, please do make an expression of interest with a covering note of your skills pertaining to this voluntary role, to:

**Christine at [snels@topcopysec.co.uk](mailto:snels@topcopysec.co.uk).**





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## Anti-money laundering back in the spotlight for conveyancers

Recent AML audits by the SRA have once again highlighted the challenges of AML compliance for the conveyancing industry. As we know, conveyancing is one of the highest risk areas for AML so, if your practice hasn't yet been audited by the SRA, the chances are that it will happen at some point in the future. With that in mind, we've put together a quick update for conveyancers with some practical tips to help with AML compliance.

### What have the SRA audits identified?

Although emphasising that most law firms take AML very seriously, as a result of the audits, the SRA has identified that there can often be a difference between a firm's AML policies and procedures and what actually happens in practice. Nearly two thirds of firms reviewed needed some form of engagement with the SRA and a further nine were referred to the SRA's AML investigation team.

The SRA team found that half of the files they reviewed had issues such as lack of due diligence – examples included the client being known to the partners, expired documents and client due diligence records not being accessible to appropriate staff.

Additionally half of the firms the SRA dealt with were failing to carry out effective audits. For example, although the MLRO / MLCO can contribute to the audit, it needs to be overseen by an independent party.

A full report on the findings can be found on the SRA website(i). To view the most up-to-date AML guidance compiled by the Legal Sector Affinity Group, please visit the Law Society website(ii). This guidance replaces the Law Society practice note on AML.

### How an electronic AML check can help

Although an electronic AML service can't do all the work for you, it can certainly help your conveyancing team to meet many of the Directives' requirements. The key features of an online service are that it:

- Automates your risk assessment based on multiple checks (number of checks depends on different profiles).
- Provides automated screening of sanctions, PEPs and alert lists
- Automates record keeping and audits, removing expired data
- Offers both simplified and enhanced due diligence
- Monitors compliance of clients and the firm, with downloadable reports
- Ensures on-going due diligence, creating alerts for non-compliant documents or data



Please note, however, that it isn't sufficient to merely rely upon an automated service to meet AML requirements. Law firms and more specifically, Money Laundering Compliance Officers, are still responsible for ensuring that clients are who they claim to be. This means ensuring a risk assessment policy is in place (and reflected in the AML service being used), that the automated service meets all your requirements and being aware of the sources of data used in assessments. The world of identity checking is changing very quickly so, if you already use an automated service, we recommend checking the latest features with your supplier.

The Geodesys AML service offers you all of the above features through a single AML dashboard that's incorporated into our ordering site. You can carry out both a simplified or enhanced search and we can help you with setting up your risk profiles.



For further information of our AML service and to arrange a demo, please contact:

Kay Toon, Geodesys Account Manager  
on 07764 987259  
or email [kay.toon@geodesys.com](mailto:kay.toon@geodesys.com)

### References:

- <https://www.sra.org.uk/globalassets/documents/sra/research/anti-money-laundering-aml-visits-2019-2020.pdf>
- Legal Sector Affinity Group anti-money laundering guidance for the legal sector  
<https://www.lawsociety.org.uk/en/topics/anti-money-laundering/anti-money-laundering-guidance>



# Pro-Gen-Research



## Last Will and Testament

I being of sound and disposing mind and not acting under duress, undue influence and I hereby direct and order that all just debts and claims are last illness and funeral expenses shall not be paid out of my estate but out of the proceeds of the sale of the property I have devised to my heirs.

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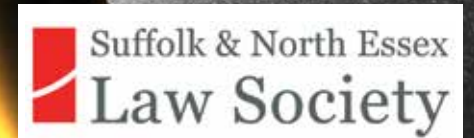
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## JUNIOR LAWYERS DIVISION



Hannah Gordon  
Chair of the SNEJLD  
Email: [jld.sne@googlemail.com](mailto:jld.sne@googlemail.com)

### COMMITTEE UPDATE

**As a committee, we continue to build relationships with local universities and firms by striving to involve junior and trainee lawyers in our events.**

The committee has continued to keep in touch in the virtual world that drastically evolved as we were all told to 'stay home' during the pandemic. This has meant that we have been able to increase our members and engage with those who may have been facing a period of isolation.

We now feel, as the lockdown restrictions ease, that this is a chance to hold committee elections and invite those who would like to be part of the ever-growing Junior Lawyer Division, to get involved.

The committee are still committed to supporting and fundraising for our chosen charity, Lighthouse Women's Aid. Lighthouse provides emotional support to women, young people and children experiencing domestic abuse in the Suffolk area. We are privileged to be able to support such an important charity and continue working with them.

### EVENTS

#### Fiducia Wealth Talk

In January 2021, we held a wealth management talk which was hosted by Fiducia Wealth.

The event was hosted by Josh Gupta who gave great advice for those who were starting out in their career and providing saving advice for the future, including pensions and saving for a home.

The feedback from those who attended was positive and they will be making contact with Josh to hold further discussions.

#### Pizza Cook-Along



In April 2021, we held our first social event of the year, virtually, with our cook-along chef from Pizza Pilgrims. All members had their pizza packs delivered to their door, with our chef then showing us the ropes on how to cook up the perfect Italian pizza. All who attended can agree that it looked easier to do than it was. The event then allowed us to have a catch up and have introductions from new members who attended.

As well as getting to eat fresh pizza, for all members who attended, a contribution was made to Lighthouse.

### Future Events

As the road out of lockdown begins to ease, the committee is hoping to organise an in person social event in the near future. We are also looking to take part in an organised sporting event to continue to raise money for our chosen charity, Lighthouse Women's Aid. We realise that now, more than ever, it is important to support charities that are providing a key service to those in need.

All events will be advertised via email, on our Facebook page (Suffolk and North Essex Junior Lawyer Division) and on our Twitter page (@SNEJLD) so keep an eye out and please come along!

If you would like to join our mailing list, you can do so by contacting us at [jld.sne@googlemail.com](mailto:jld.sne@googlemail.com).

### WELLEBING

The committee understands that there are extremely difficult and uncertain times for all. We are also aware that trainee solicitors and junior lawyers are an at risk group at this time. Please do not suffer alone. If you have any concerns, please do get in touch and we will aim to point you in the right direction.





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## We Celebrated Our 3rd Year!

During this quarter we celebrated our third anniversary as a Law Centre. Thank you to all of our staff, the board of trustees, volunteers, partners and friends who joined our virtual party. We are very proud of our achievements over these last 3 years particularly of our growth in each area. We received many congratulations and well wishes such as this from Law Centre Networks: 'Congratulations to all the staff, volunteers and trustees of Suffolk Law Centre. Although a 'young' Law Centre, Suffolk has contributed to the network of Law Centre's enormously. Your community connections and link with the racial equality council are a model for the network. Your participation in joint Law Centre's projects is always of the highest quality and contributes to the success of the projects. We wish you well in 2021 and thank you for all your hard work and commitment'.

Julie Bishop Director - Law Centre Networks

### Thank You - You did this!

Between January 1st to 31st March 2021 LAC volunteers advised these many clients:

<b>WILLS/PROBATE/ ELDERCARE</b> .....	<b>10</b>
<b>FAMILY</b> .....	<b>14</b>
<b>IMMIGRATION</b> .....	<b>17</b>
<b>HOUSING</b> .....	<b>5</b>
<b>GENERAL</b> .....	<b>14</b>
<b>PERSONAL INJURY</b> .....	<b>7</b>
<b>EMPLOYMENT</b> .....	<b>18</b>

### Client Feedback



Thank you so much for the support you gave me. It was an invaluable service and I am forever grateful for the time and help received from your solicitors, in particular 'Richard Hinton'. Your service is outstanding and your response time immediate. Again, a very big Thank You. Client, February 2021

Tel: 01473 408 111  
Fax: 08723529201  
web: [www.iscre.org.uk](http://www.iscre.org.uk)

ISCRE  
46a St Matthews St.  
Ipswich  
Suffolk IP1 3EP



(Suffolk Law Advice Clinics & Tackling Discrimination in the East)

### What's New!

In January we successfully launched our new Wills/Probate and Eldercare Clinic. Thank you to Ashtons Legal for helping us to get this initially started. The clinic offers advice on the following:

- **Probate and the administration of estates**
- **Paying for Elder Care**
- **Applications to the Court of Protection**
- **Will and Probate disputes and claims under the Inheritance (Provision for Family and Dependents) Act 1975**
- **Advising you on Lasting Powers of Attorney to include their formation, implementation and use**
- **Advising you on Wills and Will Trusts to include their documentation, validity and issues to consider when drawing them up**

**We are recruiting volunteers to join this clinic, for more details contact: [office@suffolklawcentre.org.uk](mailto:office@suffolklawcentre.org.uk)**

### In the SPOTLIGHT ...

**Oliver Edwards, Paralegal -** tells us about his first six months at Suffolk Law Centre

When I accepted the job offer I was hoping for something relatively calm, routine and structured, selfishly because I am writing an academic article on International Human Rights Law in my spare time. Bizarrely, I'm happy to report the job at Suffolk Law Centre has been none of those things and that I am three months behind on my article.

Given my past life working as a data scientist and business analyst at a well known international insurer, moving to a charity in its infancy which is beginning to show its first shoots to all of East Anglia has been therapeutic compared to the residual alienation of the corporate world. From automating the delivery of home insurance for millionaires; to bringing discrimination claims on behalf of precarious workers in the gig economy—this was the dose of perspective I didn't quite know I needed.

Whilst I have already been treated to the experience of an Employment Appeals Tribunal hearing and submitted my very first legal aid application, I'm keen to keep contributing to the Tackling Discrimination in the East team, and hope to see more of the community when we can re-open.



# The Law Society (TLS): SNELS: Council Member (CM) report



Chancery Lane  
March 2021

(Please note this is an edited version)

## CM Brief

As Law Society Council Constituency Member for Suffolk and North Essex I represent SNELS members nationally both on TLS Council, the **Conveyancing and Land Law Committee** (CLLC) and on the Property Section (PS) Executive Committee.

## CM Activity

TLS CLLC : 12th January 2021  
TLS PS Exec : 21st January 2021  
TLS Council : 27th January 2021, 25th February 2021

I am engaged with Council, CLLC and PS daily, and via Teams and Zoom supplementing E Mail. There are various consultations in which I participate in on a daily basis via E Mail, Teams etc, in order to assist input to the TLS offering to Members.

CM formal meetings: TLS CLLC: 16th March 2021, TLS PS: 18th March 2021, TLS Council: 23rd March 2021

**Purpose: TLS is the voice of Solicitors : driving excellence in the profession and safeguarding the rule of law**

## Personnel :

### 1. President:

TLS President David Greene has noted to Council that there is an ongoing dispute with a former client of his firm in the SDT involving unsubstantiated allegations. The President indicates that these allegations have been dismissed many times and is confident that they will be dismissed again. Nonetheless he is mindful that having to defend against such might distract from his work on behalf of the profession as President when it is facing the most challenging of times. Cognisant of his professional obligations to TLS and members with profound personal regret he has indicated his belief that the best interests of TLS would be served by him stepping away from his role of President during the course of those proceedings, with effect from 19 Mar 21 instead of at the end of his term Oct 21. His role and responsibilities will thus be undertaken by I Stephanie Boyce, DVP.

We pay tribute to this honourable gesture made by a genuinely professional and most worthy man - and view his as an example we should all be mindful to emulate in such circumstances.

### 2. Permanent Staff:

TLS has made changes to a number of staff teams. These changes follow on from investments made in infrastructure and technology, changes to the leadership team and new structures already in place in several teams

including Future and Insight, Finance and Human Resources. Alongside the structural changes TLS has also centralised content management and product and service creation processes.

## Constitutional

The implementation of the decisions occasioned from the online ballot of Law Society members (changes to Council and the introduction of a term limit for Council members) will be imposed from the time of the next AGM (October 2021) The process for making the appointments to PRAC Committees becoming due in October 2021 is now under way.

## Member Experience

TLS will implement the reorganisation above. There are a number of vacancies to fill; the first round of ads has now closed with more going live this month on the TLS 'careers' site, and the permanent staff are working through the interview process. The new structure in the **Commercial & Partnerships** area is now live, and the new structures in **Member Experience & Services** came into effect from 1st February.

## Strategic Planning

The planning process for the 2021/22 business plan was discussed at the Council Meeting on 25th February (The Council strategic planning event – SPE) against the backdrop that the legal sector continues its growth in contribution to the UK economy with more solicitors being admitted to the roll year on year. But the growth rate in solicitors is slowing and FTE legal sector staff numbers have been declining in the same period that saw a spike in the number of legal tech companies founded globally.

### The focus of SPE was to:

- Share a detailed analysis of the external environment including key drivers for Members in the short, medium, and long term and the implications for the legal services sector and TLS;
- Share how TLS member experience strategy has been shaped to address these issues seeking feedback on implementation plans
- Get feedback on how policy agenda and themes can continue to best align with the drivers.

### Specific strategy discussion points were:

- What professional issues do members worry about most?
- What TLS benefits help reduce these worries, and why is TLS better placed than other organisations to provide this support?
- How can TLS help members meet competitive threats, market their businesses, and adopt technology?
- Why does membership of TLS matter (to you)?

Review of key policy priorities to which TLS devotes the majority of its resources, communications and political capital were reviewed, to 'sense check' themes, gain thoughts and reflect on whether they remain appropriate over the next three-year planning horizon resulting in a robust group discussion: Should our current priority themes remain the priority for the next three years noting particularly:

- Promoting access to Justice
- Upholding the rule of law
- Regulation
- Promoting a modern, diverse and inclusive profession
- Supporting the economic value and viability of members' businesses.

Unsurprisingly from Members' perspective the last item occasioned more comment support and attention than the permanent staff perhaps were anticipating, perhaps suggesting why the last ballot of members commanded such a poor response from members generally and resulted in such changes as are now in place and which the Suffolk and North Essex Law Society, Local Government Lawyers Association and many other strategic groups around the country, did not support.

## Solicitors Indemnity Fund (SIF)

In response to a request made by TLS, in June 2020 a decision was made by the SRA Board extend the availability of post six year run-off (PSYRO) cover through SIF for a one year period until 30th September 2021. This was considered by the SRA Board to be "sufficient to allow the market to decide whether and, if so, how to develop products that could offer post six year run off cover." The SRA Board Chair confirmed that "we stand ready to help facilitate discussions but think those likely to be most affected - TLS and the insurance market - need to take the lead."

TLS and the SRA agreed to work together on the development of a potential alternative solution following the closure of SIF. The focus for TLS has been to engage with a range of insurance industry stakeholders who have experience in solicitors' professional indemnity insurance (PII) in England and Wales as we consider an open market solution to be the most realistic long-term option, particularly in view of the position adopted by the SRA relating to a limited one-year extension of SIF.

The Chair of TLS PII Committee and TLS staff have attended meetings with several PII brokers and underwriters. The conversations focused on potential replacement options for SIF, the challenges posed by current market conditions, general market appetite and the requirements and needs that brokers and underwriters would have if they were to take forward any potential product.

TLS continues with an ongoing assessment of options for a PSYRO solution following the planned closure of the SIF by the end of Sep 21. TLS is holding open market conversations, and examining the challenges around a PSYRO solution, and next steps via the a TLS working group: which continues to collate data, evidence, and consider the options available to find an outcome acceptable for members.

On 30 September the Solicitors Indemnity Fund (SIF) will no longer provide extended run-off cover to law firms which have closed since 1 September 2000 without a merger or successor firm in place. Solicitors are therefore expected to find post-six year cover in the open insurance market, which is likely to mean cover is not available.

This has led to serious concerns over the availability of consumer protection (which in turn could erode the public's trust and confidence in the profession) and the possibility of many retired solicitors being potentially exposed and personally liable

for any consumer claims which may arise from their period in practice.

Whilst the Law Society continues to make representations to the SRA in an effort to extend the SIF, the unfortunate position is that this is a matter for the SRA and The Law Society has no regulatory power to make the actual changes needed.

SNELS will continue to support Solicitors in our region and lobby the Law Society and SRA to voice the concerns of our members and former members, as members, please lend your support and voice to us on this issue.

## Policy reporting to Council

Council will have specific policy discussions on the agenda of each Council meeting and TLS permanent staff are in the process of developing further a plan of suitable subjects for the rest of the year. Council also asked for greater clarity and more information about the policy work undertaken by TLS to be available for members generally.

A significant amount of information is already contained in the report on each of TLS policy themes (the Strategy, Influence and Impact report), however, it may not be in the format which best meets Council members' needs. With this in mind, once new teams in the Member Experience directorate are established, they will convene a small focus group of Council members to understand what information they need from the permanent staff, and how it can best be presented.

At each Council meeting it is intended that be allocated a time slot to speak to the report on each of the policy themes to ensure this information is accessible to CMs. It is intended that this happens alongside the Board Reports for the Chair of the Policy and Regulatory Affairs Committee (PRAC), and for the Chair of the Membership and Communications Committee (MCC).

## CV 19

TLS has been written to LC raising concerns on safety in courts caused by the spread of new variants of the CV 19 virus. SoS has been asked to ensure that solicitors who are critical workers are prioritised in the next stages of the CV 19 rollout.

TLS latest CV 19 guidance can be found here : <https://www.lawsociety.org.uk/topics/coronavirus/working-safely-during-lockdown>.

## Influencing for Change

CEO TLS Paul Tennant attended a new year business briefing with the Prime Minister, the Chancellor of the Exchequer, Trade Secretary and the then Business Secretary where the Trade and Cooperation Agreement and legal services was discussed.

At the end of 2020 TLS commissioned research on TLS 's reputation with external stakeholders including MPs. TLS ranked:

- 1 out of 7 membership bodies on awareness amongst MPs (89%)
- 2 out of 7 membership bodies on credibility amongst MPs (52%)
- 1 out of 7 membership bodies on persuasiveness amongst MPs (47%).

Roger Buston	TLS Council Member SNELS
Birkett Long LLP	Mar 21
Mobile :	07770 305 977
E Mail :	roger.buston@birkettlong.co.uk



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## Flexibility is key to attracting and retaining talent



As we cautiously navigate a return to work after a year in which most of us have adapted to new ways of working, law firm leaders have a unique opportunity to listen to colleagues whose needs and priorities have certainly changed during the coronavirus pandemic.

Return to work strategies need to focus on what employees need. Proactive firms have already begun to seek feedback from their workforce on how they want to work moving forward.

Existing employees need to be asked which aspects of the employee experience they value and would like to keep, what can stop, and what needs to be introduced to enhance the employee experience. Acting on employee feedback will enable firms to design hybrid working models to overcome the challenges of employee retention, attracting new talent and business continuity.

Different people work in different ways, and flexibility is key to achieving high levels of employee satisfaction. The focus on employee wellbeing has never been greater and is inseparably linked to employee attraction and retention.

### Office working v Home working

An in-person office experience is still appealing to some employees who will have missed the spontaneity of interacting with colleagues, and camaraderie of group teamwork. Those returning to the office are likely to have higher expectations for their workspace, with access to both private space and more flexible, inviting space for collaboration with colleagues when required.

Meanwhile, others may now have a preference for working from home and will need encouragement to return to the office. Firms who decide to offer flexibility for remote working must continue to invest in hardware, software, and internet support, as well as maintain regular communication, and undertake health and safety checks on the home working environment.

### Ways to improve the employee experience

One of the biggest changes during the pandemic has been the amount of time employees have been able to spend with their children and pets whilst the country has been in lockdown. Although schools have now reopened, a lack of affordable childcare is still a big issue for many working parents. Employers who wish to encourage employees back into the office should consider the feasibility of offering creche facilities, or subsidising childcare costs. Becoming a dog friendly office on certain days will help remove another obstacle to employees returning to work.

Some employees remain anxious about returning to shared office space and using public transport. Firms should clearly communicate their Covid19 safety plan, and could offer flexibility around working hours, to stagger start and finish times, and promote shared ride to work, or cycle schemes.

There may be a reluctance by some employees to incur travelling costs after a year off commuting and parking charges, so firms might consider a travel allowance to encourage employees to return to the office. It is an additional expenditure when most firms have looked to cut costs, but it is an initiative which may help firms to retain employees and avoid expensive recruitment fees to replace employees who might otherwise leave. It's important to recognise that employers are going to have trouble retaining staff if they fail to adopt flexible working practices in response to employee needs.

As law firms build their return-to-work strategy they should continuously listen to their employees to create better experiences that will help firms to differentiate and be an employer of choice.

For further practical suggestions, and help devising a return-to-work strategy contact:

**Kimberley Williams**  
Law Strategy & Management Consultant  
✉ [Kwilliams@williams-wroe.com](mailto:Kwilliams@williams-wroe.com)  
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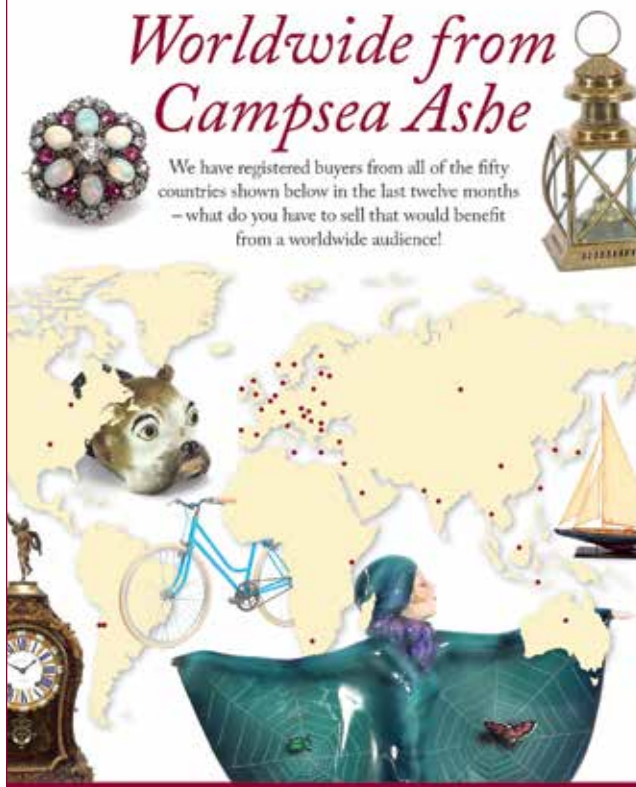
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The Suffolk Punch Trust was founded in 2002 to save the historic Hollesley Bay Colony Stud. The Stud brought a rich legacy of equine and agricultural history that deserves to be saved for future generations to enjoy.

The Suffolk Punch horse is the oldest English breed of working horse. The breed dates from the 16th century, but all animals alive today can be traced back to one stallion, called Crisp's Horse of Ufford, born in 1768.

The Suffolk horse was developed for farm work and gained popularity during the early 20th Century. As agriculture became mechanised, the numbers fell and almost disappeared completely.


We are here to help save this iconic breed facing extinction through our established breeding programme, raising public awareness and training a new generation of professionals to work with this breed.

This breed has proven to be very versatile and is often used for forestry and ridden work.

Please help us to save our Suffolks. Your legacy large or small will make such a difference to secure our horses future.

To make a donation please contact us at:  
 The Suffolk Punch Trust, Sink Farm, St David's Lane, Hollesley, Woodbridge, Suffolk, IP12 3JR

Email: [info@suffolkpunchtrust.org](mailto:info@suffolkpunchtrust.org)  
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# One in five people writing wills now include a charity

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

The global pandemic is changing the way people approach end-of-life planning and inspiring more people to write charitable gifts into their Will than ever before, but myths around how it works can impede that growth, according to the charity consortium, Remember A Charity.

## Growth of gifts in wills

In 2020, many legal firms recorded an uplift in wills, with the Law Society reporting a 'striking shift' – that 7% of UK adults had written a will during the first lockdown. But the crisis prompted another notable shift; heightened awareness of the critical role of charities in our communities, inspiring the public to use their will to give back.

The same Law Society poll found that one in five people writing wills are now including a charity. Industry data reflects this shift too with new figures released by Co-op Legal Services showing that almost a third (32%) of the wills they created in 2020 included a gift to charity. This equates to a 61% increase in the number of people leaving a gift to charity in their will through the Co-op, with cancer charities (42%) and local causes (21%) most widely named as beneficiaries.

Rob Cope, Director of Remember A Charity, says: "The pandemic has had a devastating impact on people across the country, and it's hardly surprising it's inspired us all to reflect on what matters most and what we can do to help."

"Family and friends will usually be our first consideration in a will. But leaving a charitable bequest is also something that many people find incredibly empowering – a statement about who they are and what they believe in – and a way to shape the world they leave behind. It's wonderful to see how much appetite there is for giving in this way."

**Role of professional advisers**  
 Solicitors and will-writers play a critical role in inspiring gifts in wills, with the large majority proactively asking relevant clients whether they wish to include a charity in their will, with 68% regularly



doing so, up from 58% in 2012. Even the simplest reference to the option of including a gift has been found to double the propensity for giving in this way.

Typically, professional advisers raise the topic during the standard will-writing process or estate planning, alerting clients to the relevant Inheritance Tax breaks. Any legacy gift to charity is currently exempt from Inheritance Tax (charged at 40%), and a lower rate of tax (36%) is applicable on estates where 10% or more is donated.

<sup>1</sup> Future Thinking, 2019

Cope adds: "The Inheritance Tax framework makes legacy giving all the more appealing, but we're conscious that there are many myths among the public around donating from your will and this can prevent supporters from doing so."

These myths were highlighted in a recent survey of over 170 financial advisers, carried out by the Personal Finance Society. Advisers reported that clients were often unaware they could donate to charity and still pass on the bulk of their estate to their family. Similarly, clients often perceived bequests as being a form of giving for "the rich few" rather than something that everyone can do.

Cope adds: "We're fortunate that, here in the UK, it's easy to include a donation alongside gifts for family and friends. People can choose to donate any sum to any charity – there's no need for it to be a large amount – and any gift really can make a difference.

"This is where professional advisers are so important; being able to give clients impartial information so that they can ensure they are making the best decision that allows them to remember all the things they care about in their will."

After more than a year of crippling funding shortages to the charity sector (amounting to an estimated income loss of £10 billion), income from charitable bequests has been all the more crucial in helping charities survive periods of uncertainty. Gifts in wills raise over £3 billion for good causes each year and – despite the delays in probate during 2020 – they have remained the largest source of voluntary income for UK charities throughout the crisis.

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# Bell vs Tavistock: Does informed consent stand in the way of autonomy?



In a landmark court case, judges ruled that children under 16 years of age could no longer be prescribed puberty blockers unless this has been authorised by the court. The reason: under 16s are not likely to be competent enough to “understand and weigh the long-term risks and consequences of the administration of puberty blockers”<sup>1</sup>. The judgement did not stop there, though. It also ruled that where persons over 16 years of age are involved, “clinicians may well regard these as cases where the authorisation of the court should be sought prior to commencing the clinical treatment”. The legal challenge was brought against the Tavistock and Portman NHS Trust in London. One of the claimants was Keira Bell, who was prescribed puberty blockers at 16 by the Trust’s GIDS (Gender Identity Development Service) clinic, but later regretted transitioning<sup>2</sup>.

The High Court ruling was not quite the outcome people expected and, naturally, led to a polarised reaction. While some welcomed it as “a victory for common sense”, others were concerned it would curb young trans people’s rights<sup>3</sup>. The issue of informed consent was a fundamental part of the judges’ final decision. However, it also begs the question: Could informed consent stand in the way of young individuals’ autonomy over matters regarding their health?

In medicine, informed consent has been a cornerstone for a long time. It rests on the principle that patients need to understand the possible consequences of their decision, prior to agreeing to or refusing certain treatment. It is “permission granted in the knowledge of possible circumstances”<sup>4</sup> rather than a simple “permission for something to happen or agreement to do something”<sup>5</sup>.

In DNA testing, too, we must have “appropriate and qualifying” consent for each sample to be tested. Consent is required from each adult party that is to be tested. If the test involves a child under 16, then consent must also be obtained from a person with Parental Responsibility for that child. This is where it gets interesting: if the mother were under 16, she could give consent for her child to be tested. However, someone with Parental Responsibility for the mother would have to consent on her behalf for her own sample to be collected...which is a fascinating paradox we shall go back to in another article!

Although in the Bell vs Tavistock case treatment with puberty blockers would not be undertaken solely on parental consent, it was argued that “if the child’s consent was rendered invalid, the treatment would continue to be lawful if the parents had consented.”

Case law offers a mixed bag of conclusions on that matter. In *Gillick vs West Norfolk and Wisbech Health Authority* [1986], the House of Lords reached a majority that a doctor could lawfully give contraceptive advice and treatment to a girl under 16, without the consent of her parents<sup>6</sup>. But this could only be done if she demonstrates sufficient maturity and intelligence to understand the nature of the treatment.

In *Re W (a Minor) (Medical Treatment: Court’s Jurisdiction)* [1993] Fam.64, the court ordered that a girl under 16, who was suffering from anorexia nervosa, be transferred to hospital specialising in eating disorders<sup>7</sup>. This was against the girl’s wishes. Although she was considered to have sufficient intelligence and understanding to make informed decisions, it was ruled that she should still receive treatment. The court emphasised that due to the nature of anorexia nervosa the patient does not wish to be cured but fulfilling such wishes could lead to severe consequences or even death.

Unlike contraceptive treatment and anorexia - or even DNA testing - not enough is yet known about the long-term effects of puberty blockers. This arguably makes achieving informed consent almost impossible both for parents and children, as the information given to either party would not be exhaustive. Therefore, it is not only the patient’s age that impacts on their ability to make an informed decision - it is the quality of the information, too. Clinicians must not be blamed for this, however, since they can only provide what is currently available from research and the literature. Every scientist would agree there is always more to explore on any topic, but when the knowledge gaps about a treatment are so significant, access to it should be regulated with the utmost strictness.

Of course, age cannot be entirely ignored either. Adolescents’ ability to assess the long-term consequences of certain treatments may come under scrutiny. A child’s experience of gender dysphoria must not be invalidated, but when the remedy could have irreversible effects on a person’s fertility and sexuality – experiences someone under 16 may not have been through yet – deciding whether such medication should be prescribed must not be rash or emotional.

With that being said, young people’s ability to make decisions regarding their own health must not be taken away from them. However, institutions also have a responsibility to safeguard children’s wellbeing and step in, if and when absolutely necessary. It is a delicate balance to strike and an individual approach would be required in each case. But when the consequences are likely to be very serious and much remains unclear about the long-term side effects of a treatment, the informed in “informed consent” can become elusive and further scrutiny is required to protect vulnerable children.

**Puberty blockers**, also known as hormone blockers, are used to delay puberty. They suppress the release of sex hormones, including testosterone and oestrogen, and stop the body from developing breasts, periods, facial hair or deeper voice<sup>8</sup>. The medication is prescribed to young people experiencing gender dysphoria, as well as to treat premature puberty in children. It is described as physically reversible, if stopped, but it is not known what the psychological effects may be. It is also unclear if puberty blockers affect the development of the teenage brain or children’s bones<sup>9</sup>.

**Gender dysphoria** is a “sense of unease that a person may have because of a mismatch between their biological sex and their gender identity”<sup>10</sup>. It could be so intense that it leads to feelings of depression and anxiety. According to the NHS, other signs of gender dysphoria include low self-esteem, becoming withdrawn

or socially isolated and taking unnecessary risks<sup>11</sup>. **Transgender** describes a diverse group of people whose internal sense of gender is different to the one they were assigned at birth. To attain transgender status in the law, an individual must be diagnosed with gender dysphoria by a professional and then apply for a gender recognition certificate under the Gender Recognition Act, 2004<sup>12</sup>.

8 What are puberty blockers? - BBC News  
9 Gender dysphoria - Treatment - NHS (www.nhs.uk)  
10 Gender dysphoria - NHS (www.nhs.uk)  
11 Gender dysphoria - Signs - NHS (www.nhs.uk)  
12 Gender Recognition Act 2004 (legislation.gov.uk)



**About the author:**  
**Dr. Neil Sullivan** is General Manager of Complement Genomics Ltd (trading as dadcheck@gold). The latter is a company accredited by the Ministry of Justice as a body that may carry out parentage tests as directed by the civil courts in England and Wales under section 20 of the Family Law Reform Act 1969.

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For release on: 16 February 2021

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