



In Touch

The Official Magazine of
Suffolk & North Essex Law Society

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Published by:

EAST PARK COMMUNICATIONS Ltd.
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Published January 2019

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A Message From Our President

Happy New Year -
it's never too late!



Another year ticks by and as I write this, the Brexit saga continues with much gnashing of teeth as the government's proposals are soundly beaten down. What now? Can you imagine how the SRA would react if we carried on in the same way as our esteemed leaders? Particularly in the light of the advent of the new Code of Conduct which becomes looser in terminology but more prescriptive with each rewrite. The SDT would be bursting at the seams.

Locally, the committee is keen to seek your views about SNELS; how relevant you see us as being and what you would like us to do on your behalf. We had some really good feedback from those who attended the annual dinner but we would like to get the comments of the wider membership. After all, subscriptions are paid on your behalf and we would like them to be used wisely and how you would like. There is a questionnaire on the website and it would be much appreciated if you could take a few minutes over a coffee break to complete and return. We are in the early stages of exploring affiliation with the Chamber of Commerce and Counsels' Chambers as well as considering how best we can widen our membership to in-house lawyers in both the public and private sectors. We are reviewing training provision and how we can develop this going forwards in relation to content and venue. Your input would be most welcome.

Please do keep an eye on the website and the magazine for forthcoming events and training.

However, on to lighter matters. Thank you to all who attended the annual dinner at Seckford Hall in November. A good evening was had by all in a gorgeous setting although it was a bit blowy and the PR system was mercifully not working properly so my few words were not entirely audible. They centred around centenaries - the end of the war, the right for women to vote and attend university, etc.

One cannot ignore the #MeToo and other similar campaigns without admiration and wonderment at the strength and tenacity of those women 100 years and more ago, who campaigned tirelessly (and sometimes in adversity) to achieve 'equal' rights and to give us all the ability to express our views and help to choose the way in which we are governed, how the law is applied, how we are educated, etc. I use 'equal' as symbolised because even then, the right for a woman to be able to vote was qualified in that she had to be aged 30 years or over and either own land or have a spouse who owned land. Not complete liberation or equality then!

We also celebrate the centenary of women being able to practise as lawyers, somewhat behind the first female doctor but before women pilots and even the ability of some women to drive, work or leave the house without the permission of a Guardian, as is still the position of women in some countries. Female law firm partners are still lower in number than men, in spite of a greater number of women entering the legal profession. This proportion is even lower for the judiciary.

So we have (apart from the current parliamentary debacle) both much to celebrate in the advancement of both women and men in the law and practise of equality but there is still quite some way to go. We need to be more creative in the way that we all work, given advancing technology, and better at recognising and acknowledging that we can all make a material contribution in different ways. As a mediator, I find that the skill of listening and trying to find a solution which suits all should never be underestimated but there must be a willingness on all sides to compromise in the interests of progress.

Perhaps we should send these sentiments to our leaders in Westminster...

Denise Head

President, Suffolk & North Essex Law Society
www.snels.org.uk

From the Council Chamber

SNELS Council Member Report
Chancery Lane - January 2019

CM Brief

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

CM Activity

Attended TLS Council on 4th – 5th December 2018. Attended PS Exec meeting 15th November 2018. Attended CLLC meeting 21st November 2018.

The next TLS Council meeting is on 12th -13th February 2019. The next TLS PS Executive Committee Meeting is on 24th January 2019. The next CLLC meeting is on 9th January 2019

Summary

SRA Activities

Council had a lengthy and positive debate about the recommendations put forward to change the format, structure and content of Council meetings, including the way in which the agenda was structured, the quality of papers and the desire to move Council to focus on strategic and policy issues of importance to the profession rather than minutiae.

The notes below are a synopsis. Council will trial a new agenda structure with primary business focussing on key policy items, followed by a significant amount of time for policy debate in committee, with the aim of encouraging views from all Council Members to promote robust debate around subjects of real importance to our profession and TLS.

The following are currently nominated potential discussion items for the future, as aligned against the policy priorities endorsed by Council previously.

1. Regulation

The deregulation agenda pursued by the Government and regulators will result in increased competition for the profession. TLS will therefore need to take steps to assist the profession to remain competitive in a changing legal market. For those operating in the legal aid sector, in spite of the LASPO review, business conditions will be increasingly difficult, and other issues such as the final ending of SIF could also pose future challenges to some in the profession.

2. Role of the Profession

Council noted as particularly important supporting and doing more to promote the benefits of the profession amongst the public coupled with combating anti-solicitor rhetoric. Professional ethics is flagged as an important area, in which inclusivity, equality and diversity will be notable.

The promotion and protection of the rule of law, both domestically and internationally is recognised as being important to the work which TLS does and which needs to be given greater visibility.

More subject specific issues across the practising spectrum from Money Laundering, Conveyancing and related matters, to Litigation such as would likely give rise to focused criticism of the profession, will require TLS to be prepared to respond to – both proactively in policy terms as well as in developing practical guidance and support, and reacting to events when they happen.

3. Civil Justice

The impact of the reducing financial rationale for PI work and its impact on access to justice was raised. The opportunity for technology to help practitioners in this field was highlighted as an area of positive impact of technology to be pursued. In addition, the reform of HMCTS will be relevant in this area.

4. Access to Justice

Council Members agreed that one of the policy areas that required review was the physical structural condition of criminal and civil courts and the overall system as a workplace. A number of Council Members stated that they had received adverse feedback from colleagues and clients about the deterioration of the courts estate itself. The HMCTS programme and its future was also raised, including online dispute resolution and security technology and innovation in the law.

5. Technology and Innovation

The importance of technology across all areas of the law and practice was flagged. It was felt as important that Council was aware of developments in legal technology, and was able to provide support, guidance and leadership to the profession. This is tied in very much with Legal Costs – or how to do more for less money!

6. Brexit

Council have received regular updates on Brexit and implications for the profession and this will continue. TLS priority will be to add direct value to members and the wider public debate. The business plan commits TLS to providing guidance to support our members post Brexit and TLS will continue to update in this area.

Horizon Scanning

The aim for future Council meetings is for Council to have time to debate the policy issues noted above, as well as retaining flexibility so that we can discuss and react to emerging issues. Council should have time to debate the longer-term issues, and not focus on the minutiae – by looking towards external drivers of change and develop proactive policy programmes

to set the narrative externally, influence early and promote the interests of the profession. It was repeated by members that our offering should be an optimistic vision, rather than always reacting opposingly

Legal Aid and Access to Justice

Noted particularly is the significant reduction in the MoJ budget, which is expected to reduce overall from its previous level of £10.9bn in 2010 to £6.38bn in 2019-20. Spending on legal aid fell from £2.5bn in 2010-11 to £1.55bn in 2016-17.

The fragility of the criminal legal aid market is compounded by the looming crisis in the number of criminal duty solicitors across vast areas of England and Wales. In 5 to 10 years' time there will not be enough criminal defence solicitors in several regions, leaving many people in need of legal advice unable to access justice.

A consequence of this is that more and more people now have to travel more than 20+ miles to their nearest Magistrates' court, and the number of litigants in person attending both county court and family court has risen significantly in the last five years.

TLS "LASPO Four Years on" Review contained 25 recommendations, and can be found on the website :(<https://www.lawsociety.org.uk/policy-campaigns/consultation-responses/ministry-of-justice-laspo-part-1-post-implementation-review-law-society-response/>). TLS response and campaigns focus on early advice; means-testing; advice deserts and sustainability of the profession. TLS submission also included key evidence and research, including three papers on the means test.

Promoting the Profession

Justice Week is a new initiative run jointly with the Bar Council and CILEx, and it was reported to Council. The Week was an opportunity to place justice and the rule of law at the centre stage of public and political debate. Events and activities took place both in London and regionally, including engagement with MPs, events in Wales, debates led by young lawyers, opening of a law clinic, workshops for students and much more.

'Solicitor Brand' Campaign

Council were also updated on the year-end report from the Solicitor brand campaign, a primary component of TLS work for members, promoting the profession. 81% of members scored promoting the value of using a solicitor as profession as 7 or more out of 10 for importance in our latest member survey.

Influencing for impact: recent TLS successes include:-

- The scaling down of the Flexible Operating Hours pilot
- The changes to the domestic violence gateway rules
- Our successful judicial review of the Crown Court Fee (LGFS)
- The withdrawal of the proposal to close Cambridge Magistrates' Court.

Parliament

TLS ongoing work to influence the legal and regulatory environment was noted. TLS and its campaigns were mentioned 10 times in the Hansard, 11 written parliamentary questions were tabled by MPs and we received two mentions of our early advice campaign in Justice Oral Questions.

Specifically, TLS briefed on:-

- Civil Liability Bill
- Counter Terrorism Bill (on our concerns on legal professional privilege)
- Mental Capacity (Amendment) Bill
- A debate on the LASPO review
- Homes (Fitness for Human Habitation) Bill
- Criminal Legal Aid

and TLS was invited to give evidence to Select Committees:-

- By the Justice Select Committee as part of a follow up inquiry on Brexit and the justice system
- By the House of Lords Economic Affairs Draft Finance Bill Sub-Committee on the draft Finance Bill

SRA handbook

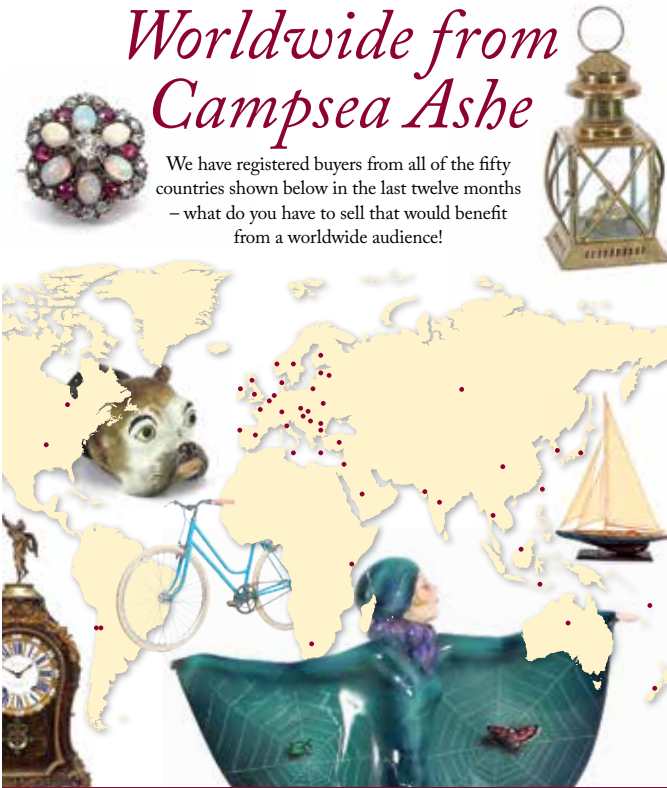
Now that the LSB has accepted the SRA Handbook changes which will impact on the future of profession, TLS will now focus on support and guidance and resources to support members through the change.

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Hello, and welcome to this edition of In Touch, your journal for Suffolk & North Essex Law Society.

Editorship of 'In Touch' is one of the tasks of the Vice President of SNELS. Over the past few months I have, in my role as VP, been working with our President Denise to look at how SNELS can be modernised. I hope you have read Denise's comments on this, and in particular taken note of the request to visit the SNELS website to complete the questionnaire we have added to it. We hope your replies will help define the role of your Society going forwards.

Do please look out for details of upcoming events: we are aiming to hold a springtime reception, our AGM and quiz will take place in June, the Annual Dinner in the autumn, and the University Of Essex Annual Law Lecture will welcome Richard Susskind. Those who have heard Richard speak on IT and the Law will know that this promises to be an excellent event.

I hope you enjoy your local Law Society journal. We do hope you will share your thoughts on how we may be able to improve: so I can leave plenty of work for my successor as VP...

Many thanks

Matthew Cameron - Vice-President & SNELS Editor

Dates for the Diary

Thursday, 27th June 2019:

AGM – The Marriage Hall, Gotelee Solicitors, Ipswich – more details will appear in the June Newsletter

Future Council Meetings:

18th March 2019

20th May 2019

16th September 2019

19th November 2019

If you would like any specific items discussed by your Council, please notify our Admin. Sec. (snels@topcopysec.co.uk) to ensure they are included on the agenda.



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Suffolk Law Centre - An Update



At this time of year there seems to be a proliferation of stories about family breakup. One of the motivations for setting up our new Law Centre was the appalling impact on people and families of the cuts by LASPO to eligibility for legal aid in many areas of family law. Through our fantastic family law volunteers, we were hearing terrible stories of fathers losing contact with their children and women being cross examined by their alleged abusers. Whilst the rules have been softened slightly, still too many are facing courts without professional accurate legal advice and representation.



The Suffolk Family Law Support Project and in particular the Helpdesk, is a new initiative set up by Suffolk Law Centre and funded this year by the Litigants in Person Support Strategy (LIPSS),

to improve understanding of the Family Courts in Suffolk for clients who cannot afford lawyers and where legal aid is not available.

We have been running a weekly pro bono Family Law Form Filling Clinic since April 2016 from our office in Ipswich, staffed by 2 experienced family law volunteers: Carol Ward, a practicing solicitor and Carole Parry-Jones, then working as a barrister at East Anglian Chambers. They offer clients two hour appointments, giving advice on the law regarding Children Act applications, the court process for family applications and the merits of their case, help with form filling and, where appropriate, with completing court forms to begin proceedings. This oversubscribed service regularly sees returning clients for advice and support throughout the process; in 2017-18, we advised 62 clients. We also have a good team of family law volunteers from various local firms and chambers giving half an hour's, often vital early stage, advice

Upon retiring from the Bar in 2017, Carole Parry-Jones continued volunteering at Suffolk Law Centre. With the support of staff at Suffolk Law Centre, she initiated, devised, researched, consulted and assisted with the fundraising to set up the weekly service based at the Ipswich Magistrates Courts on Family Court day (where most of the first hearings happen), to provide litigants in person with the benefit of an independent, expert legal information service. She has recruited additional volunteers to support the project – boosting our numbers to 4 retired solicitors and barristers, which allows the service to be run on a rota. The Suffolk Family Law Support Project began operating in May 2018.

The impact in such a short time has been significant. Feedback from users and the court staff has been universally positive, and Ipswich Family Court Judges have been very appreciative of the service. We have already doubled the numbers of people helped by the Family law team volunteers so anticipate helping about 150 people over the year.

A key part of the support has been to provide signposts to the next steps in the process, including the availability of our longer free advice appointments at the Law Centre if more detailed support and legal advice is required – for example, help in drafting a witness statement or position statement for a final hearing. We have also been able to give firm advice on whether legal representation should be sought for a final hearing and directing people to our Law Centre, local firms, legal aid (if eligible) or the direct access website.

We are also working with others to highlight the impact on people from the closure of courts in Suffolk. This Autumn for Justice Week (and with a small amount of funding from the Law Society) with some University of Suffolk film students we made a short film. It is called A Suffolk Dad's Story and highlights the human cost of court closures in Suffolk. It can be found at: <https://www.youtube.com/watch?v=ugmgvIL7NLM&app=desktop> Please do share on social media to raise awareness of this issue.

Audrey Ludwig, Director of Legal Services

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CRYPTOCURRENCY, BITCOINS AND DIVORCE

Cryptocurrency has existed for nearly a decade and it's now estimated that there is €700 billion held in these virtual currencies. Therefore, it is unsurprising that cryptocurrency is now appearing more frequently in divorce cases. Furthermore, the nature of this asset and the relative ease at which it can be hidden may attract spouses to consider using cryptocurrency to hide wealth.

So what are the key points to be considered in relation to cryptocurrency and divorce?

What is cryptocurrency?

Cryptocurrency is a virtual currency and there are a number of different currencies including bitcoins, Ethereum and Litecoins. It exists on the cloud and is held in a so called virtual "wallet" that is, in effect, a piece of software.

The individual who controls the wallet can direct where the currency resides and how the currency is used to acquire goods, services or assets. The transactions do not require the involvement or supervision by a bank or other third party.

Transactions within the system can be hard (but not impossible) to trace. However, the existence of cryptocurrency is often identified when the currency is purchased through a conventional bank account, when it is transferred back into a bank account or when it is used to fund purchases without conventional money changing hands.

The currency is extremely volatile and the value can double or halve within a few days.

The currency can be acquired using traditional bank accounts or it may be "mined". Mining involves confirming and documenting cryptocurrencies for other holders. It tends to be an activity undertaken only by experts but can generate substantial wealth.

How should cryptocurrency be dealt with in a divorce?

Cryptocurrency should be disclosed as with any other asset and if there is a suspicion of hidden funds a direct disclosure should be sought. If no disclosure is made, but there remains a suspicion, it may be possible to identify the existence from transactions in conventional bank accounts where the currency is acquired or converted back into traditional currency. If the sums suspected are significant it may warrant forensic analysis by a specialist who will look for digital traces, but it is notoriously hard to find, value and prove ownership.

If a party has disclosed the existence of a cryptocurrency reserve, a decision must be made on how to value it bearing in mind the volatility of the value and speculative nature of the currency. It

may also be necessary to consider the tax consequences of the holding. Transactions in bitcoins and other cryptocurrencies are proving hard for tax authorities to categorise. They may be treated as currency or commodities and activity could be deemed as trading, gambling (not taxable) or investment.

Finally, in view of the ability to hide the currency it is often used for illegal activity such as money laundering, tax evasion, terrorism etc and therefore advisers will need to consider their wider obligations to the authorities.

In conclusion, a decade on cryptocurrency is here to stay and features in divorces where there is significant wealth and perhaps a motive to hide the wealth. It cannot be ignored but specialist input may be needed if the suspected value justifies the cost.



By Fiona Hotston Moore –
partner, Ensors Chartered Accountants

Fiona Hotston Moore

Forensic accounting partner & accredited expert witness
Ensors Chartered Accountants

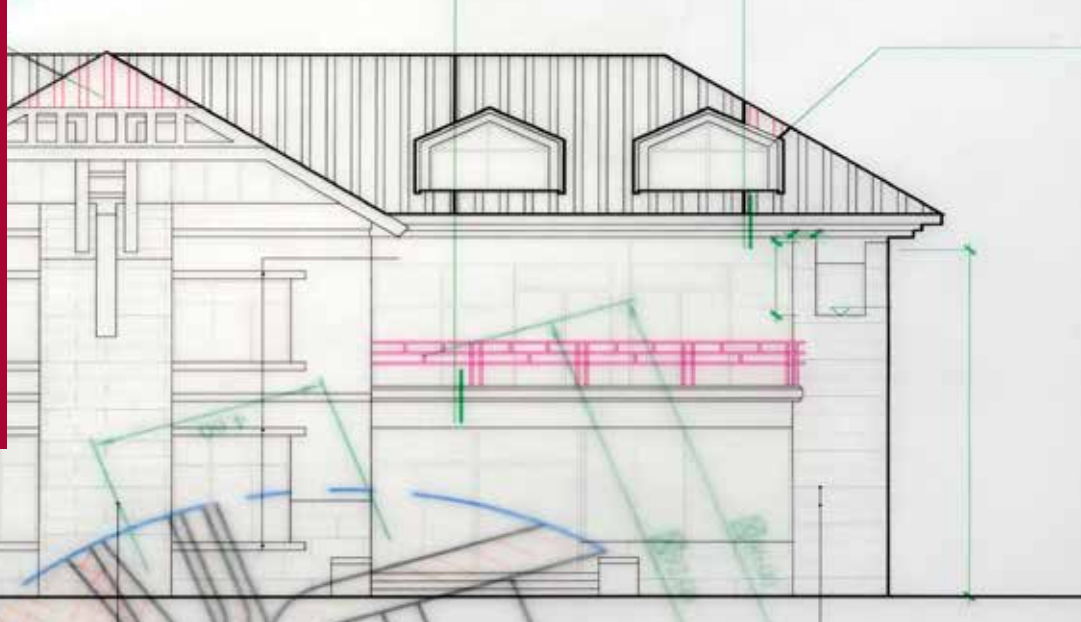
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Deliberate Breach of Restrictive Covenants May Not Always Be Forgiven



In light of recent court decisions, Stewart Title's Commercial Business Development Manager, Robert Kelly, considers how to protect your clients against losses arising from restrictive covenants.

A recent decision of the Court of Appeal shows that Courts will give equal weight to the need to uphold contractual rights, like restrictive covenants, and any public interest reasons for releasing covenants.

The Alexander Devine Children's Cancer Trust ("Trust") v Millgate Developments Limited ("Millgate") and Others [2018] EWCA Civ 2679 concerned a development of luxury housing by Millgate on unencumbered land, but the planning permission granted required the building of social housing on land which was subject to a restrictive covenant in favour of the Trust prohibiting residential development. Millgate was aware of this covenant and negotiated a variation of the planning permission allowing payment of a commuted sum of £1,639,904 to the planning authority in lieu of the requirement to build the social housing. Millgate then proceeded with the original development and it was only after completing the social housing that they made an application to the Upper Tribunal (Lands Chamber) under s84 of the Law of Property Act 1925 ("s84") to release the covenants.

The Upper Tribunal found in their favour saying that the provision of social housing pursuant to a planning permission was in the public interest and that the covenant should be released. The Trust appealed and the Court of Appeal issued its judgment in December 2018 rejecting the Upper Tribunal decision and reinstating the covenants. This means that the Trust can now apply for an injunction requiring demolition of the housing. Lawyers need to take note, as the Court held that:

- the requirement to provide social housing did not automatically mean that the development was "in the public interest"
- the preservation and enforcement of private contractual rights like the covenant was also "in the public interest"
- a developer must use the rights granted by s84 fairly and where a prospective application to release covenants could have been made before a development commenced, the Upper Tribunal should consider why a developer chose not to do so
- where there was an alternative way to allow the planning permission to be implemented (such as by payment of a commuted sum) then this should be taken into account

All of these factors need to be considered when advising a client on how to deal with covenants hindering a proposed development even if planning has been obtained. If there are commercial reasons why a prospective s84 application can't be made, then consideration should be given to obtaining a Restrictive Covenant Indemnity Policy which will provide cover for the developer, their lenders and any occupiers against losses arising from the enforcement of the covenants in the future.

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When you see those words, holidays, reading a good book, sitting in the garden on a sunny day, a spa day at a local centre, etc. may come to mind.

However, relaxing care can be viewed in a different, not often used mindset, but one that has special significance in the care sector.

Care provision for people who must rely on a care support service to enable them to get through each day of their lives, need relaxing care.

Individuals and families are seeking a care service that will be a comfort, delivered in a stress free and soothing manner, delivered by appropriate carers who by the way they offer their support will reduce any anxiety, loss of dignity and worries that the recipient and their families have.

In this world of 'training' understanding and compassion of the position of a person who needs care is relegated to a few words at the end of a training course or possibly not mentioned at all.

Everyone responds to kindness, to someone who empathizes with the situation someone else other than themselves is in.

Having been providing care services for nearly four decades, the compliments we receive about care workers are almost always based not on the ability that they have with reference to practical tasks, but as to how kind, lovely, cheerful, respectful, calm and reliable they are.

In 2019, we should all make sure, that the thought of 'relaxing' care gains significance.

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Expert witnesses – impartiality and balance

Author: Ben Zielinski

In two recent but very different cases, there have been unusually strong criticisms of expert witnesses. They highlight the need for any expert witness to be seen to be independent and impartial and for their evidence to be balanced and not one-sided.

Evidence from expert witnesses plays a crucial role in determining many disputes in different fields. For example, in personal injury cases, evidence from a medical practitioner will be required. Or in a commercial action where there are technical issues in question, the court may need evidence from an expert in the relevant field. Without experts to explain the medical, scientific or technical matters, a judge may be unable to understand properly significant aspects of the case and make appropriate findings about them.

In our adversarial system of litigation, it is for each party to choose and instruct their own experts and adduce evidence from them. A party will naturally want their own expert's evidence to support their position. Therefore, a party will generally only produce expert reports and call as witnesses, experts whose evidence is going to help that party's position. However, if an expert is not impartial or gives evidence that appears one-sided, the evidence, although supportive of the party's position, may turn out to be little or no worth, as demonstrated by two recent cases.

Armstrong v ERS Syndicate Management Ltd – independence and impartiality

The first case, *Armstrong v ERS Syndicate Management Ltd*, was a low value personal injury claim. The pursuers relied on the evidence of a medical expert with respect to the extent of their injuries. They were awarded damages based on that evidence. The defenders appealed, arguing that the expert evidence should have been found inadmissible or, alternatively, should have been given no weight. The main reason was that the expert's independence and impartiality was questionable because he had agreed to act on a contingency basis, meaning that he would only get paid if the claims were successful. The Sheriff Appeal Court had little hesitation upholding this appeal and finding the expert's lack of independence and impartiality rendered their evidence inadmissible.

This resulted in the pursuers losing those elements of the damages awarded to them that were reliant on the expert's evidence.

Agilisys Ltd v CGI IT UK Ltd – balanced approach

The case of *Agilisys Ltd v CGI IT UK Ltd* was a very different type of case. A commercial action in the Court of Session, it concerned the termination of a subcontract for the provision of information technology services to a significant public sector client.

The parties, the main contractor and sub-contractor, were in dispute about a number of issues that boiled down, broadly speaking, to which party was in breach of its obligations and responsible for various delays. Each party relied on the

evidence of an expert witness. Neither expert's independence was in question. However, the judge, Lord Bannatyne, formed a markedly different view of the two experts and their evidence.

Lord Bannatyne criticised the evidence of CGI's expert witness in unusually direct terms. He stated: "I have come to the view that his evidence was one-sided. His approach was I believe not balanced. In addition for various other reasons I believe his evidence was not acceptable." Over the subsequent eight pages of his opinion, the judge set out numerous matters that had led him to that conclusion. He highlighted, in particular, the expert's failure to consider whether CGI might have breached any of its obligations. It is also noted that, on one occasion, when faced with the realisation during cross-examination that part of his evidence had not in fact helped CGI, the expert switched from one position to another. This was described as "highly unimpressive in the context of someone who is being offered as giving expert evidence."

By contrast, Lord Bannatyne noted that Agilisys's expert "looked at the responsibilities of both CGI and Agilisys" and was "prepared to make criticisms of Agilisys", which he said were "examples of the essential balance in her approach". Given his contrasting impressions of the two experts, it is unsurprising that, where their evidence differed, the judge largely accepted the evidence of Agilisys's expert and rejected that of CGI's.

'... This resulted in the pursuers losing those elements of the damages awarded to them that were reliant on the expert's evidence....'

Conclusions

Expert evidence is critically important to many cases. When that is the case, parties need to make sure they have experts whose evidence supports their case. However, as these two cases show, it is not enough to have an expert who will give helpful evidence. The expert must be independent and impartial and their evidence should be balanced and not one-sided. Otherwise, the expert's evidence may be given little credence or even, if the expert lacks independence, be held inadmissible.

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Stamp Duty Land Tax -

Are you sure you're getting it right?

The Stamp Duty Land Tax (SDLT) landscape has changed exponentially over the last five years and our experience has shown that many conveyancing firms have not kept up to date with these changes resulting in both substantial overpayments and underpayments of SDLT by their clients. This creates two main problems:

1. The legal consumers are left open to tax demands from HMRC for their underpayments together with substantial penalties and interest which arises from a lack of reasonable care in dealing with their tax affairs. The conveyancer is left open to litigation from their clients for those underpayments.
2. The conveyancers are having to foot the bill for the additional professional time taken to recover overpayments that need not have been made in the first place, and on occasion are having to claim on their PI policy as some overpayments are out of time for recovery from HMRC.

There appears to be a general lack of understanding in the profession on mixed use status, multiple dwellings relief, the 3% additional rate for second homes and the 15% rate that applies to the purchase of certain dwellings by a company. This lack of understanding can be compounded by a conveyancer's obligations to meet the conditions detailed in paragraph 10 of the UK Finance Mortgage Lenders' Handbook which obliges the conveyancer to fund the SDLT liability themselves in certain circumstances. This can lead to SDLT liabilities being overestimated as a self-preservation measure.

Advising clients in a customer care letter that the firm "does not provide tax advice" may have been acceptable five years ago when the SDLT 1 was no more than an administrative exercise undertaken by a secretary, but this will not cut it in 2019 and beyond-there needs to be a transformation. If conveyancing firms do nothing else this year they should:

- (a) not be embarrassed to ask for help on SDLT matters
- (b) ensure the client understands that SDLT has become very complex and is not included in the conveyancing quote but that you want to ensure they pay the correct amount
- (c) appoint an individual in the firm to be the go to person on SDLT matters
- (d) ensure the individual is at least up to date with the four areas of SDLT mentioned above
- (e) ensure that the individual is authorised to subcontract complex SDLT matters to a qualified and experienced tax professional outside the firm
- (f) subcontract the more complex SDLT matters to a tax professional outside the firm
- (g) sit back and relax



WHY IS STAMP DUTY LAW SO CONFUSING? *and could your clients be due a refund?*

Stamp Duty Land Tax is commonly known as Stamp Duty or SDLT and was introduced in 2003. It was initially a relatively straight forward duty to calculate, administer and collect until Parliament started to make changes to it.

The first significant change was in December 2014 and a subsequent change came into effect in April 2016 when the 3% surcharge on the purchase of second homes and buy-to-let investments was introduced. These changes have created uncertainty and complexity when calculating the duty due and so overpayments arise. Overpayments can be recovered from HM Revenue & Customs ("HMRC") provided a claim is submitted within the required time frame which is generally 13 months after the purchase date.

What if one house has an annexe, or detached property in the grounds?

There are complex rules surrounding the purchase of properties that include an annexe, basement flat, or other residential property in the grounds such as a detached holiday cottage, an apartment above a garage or even staff accommodation. Therefore, mistakes with the calculation are made and opportunities to claim statutory reliefs and allowances are overlooked. Take the following example:

Mr & Mrs Davies purchased a 3-bedroom house in June 2017 for £675,000. Attached to the house was a garage; the upper floor of which had been converted into a bedsit. The bedsit was not occupied on the purchase date but was suitable for use as self contained living accommodation. The couple did not own any other residential property and were advised to pay Stamp Duty of £23,750 on their purchase. We subsequently reviewed the purchase for them and confirmed the Stamp Duty charge should have been £13,750. Statutory reliefs and allowances were overlooked, and we were able to help the couple claim a £10,000 refund from HMRC.

We are more than happy to have a conversation with those that fear their clients have overpaid and want our help to assist with claiming a refund on their behalf. If you also have clients that are about to embark on a similar purchase please get in touch so we can ensure you advise your clients to pay the right amount of Stamp Duty. Not too much and not too little.

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The Law Society in the regions: January 2019

During December, our relationship management team continued to work with members across the regions and have set in motion their activities for early 2019. Sarah Richards, relationship manager, provides an overview of last month's activities.

Sarah Richards, relationship manager (South West and Midlands) gives an overview of the last month's activities.

During December, the Law Society's relationship management team continued to work with members across the regions. However, the holiday season can mean that members are extra busy and go on leave. This gave the team time to plan activities for early 2019.

Across the country, we are currently preparing sessions on the changes to the SRA Handbook with our head of risk and compliance Pearl Moses, and planning LGBT History Month events and legal tech cafes.

In January, our deputy vice-president will address the Lancashire and Cumbria Regional Forum on key changes to the profession, the impact of Brexit, SRA Handbook changes, and price transparency.

Throughout December, our engagement with members has continued and has included:

holders and colleagues in the regions

Stephen Denyer, our director of strategic relationships, visited the University of the West of England and Bristol University to explore ways in which to collaborate with the Law Society.

We heard how the legal education landscape is preparing for change as entry into the profession faces the implementation of the Solicitors Qualifying Exam (SQE) in 2021.

As we have previously reported, the Law Society is leading a project on Women in Leadership in Law to promote gender equality in the legal profession.

As part of that initiative, we held roundtables in the North, Midlands and South West - led by our CEO, director

of strategic relationships, and vice-president - for influential male leaders who are able and willing to act as male champions of change.

They have been extremely well received and attended. Thank you to all of those who supported this initiative by hosting or attending. January will see further men's roundtables being held in London, Birmingham and Cardiff.

Contact us for further information on these events or to register your interest.

'... Across the country, we are currently preparing sessions on the changes to the SRA Handbook with our head of risk and compliance Pearl Moses, and planning LGBT History Month events and legal tech cafes....'

Local law society engagements

Members of the team have visited Derbyshire, Devon and Somerset, West Norfolk and Kings Lynn local law society committee meetings to update members on the Women in Law project, SQE, technology, price transparency, and our recent media coverage, which included our head of justice Richard Miller on Radio 4 and the BBC's Today programme talking about the impact legal aid cuts have had on access to justice.

Member engagement

At the Law Society's annual staff conference, the relationship management team shared with our colleagues examples of the work we do with our members and how we want to continue to increase collaboration between the Law Society and members based across the country.



We were also grateful to have several regional members present for one of the conference panel discussions - thanks to Charlotte Parkinson (vice chair of the Junior Lawyers Division), Mary Kaye (Birmingham and District Council Member) and Lubna Shuja (council member representing the Sole Practitioners Group).

In December, the chair and vice chair of the Ethnic Minority Lawyers Division attended the Yorkshire Union meeting and met with a Top 200 firm to speak to members about the barriers firms face around recruiting people from black and ethnic minority groups into the profession. If you would like more information on this, please contact us.

Members of the team attended the annual SRA COLP and COFA conference, where we heard about a variety of subjects including the reforms, what they mean to members and how they provide opportunities to work differently, protecting your firm from cybercrime and tackling money laundering, featuring a speaker from the West Midlands Counter Terrorism Unit, which was particularly eye opening.

We always continue to meet with individual firms, talking about issues relevant to them, which this month have included diversity and inclusion - particularly mental health and wellbeing - CSR, technology, and price transparency.

If you have any suggestions as to how we can better represent and support you in your region, we'd love to hear from you. Please contact your relationship manager.

The Rule of Law and I, Solicitor

Simon Davis, next President of the Law Society, considers the role of solicitors in upholding the rule of law.

The fabric of society is built around legal rights and obligations. Getting a job, buying a home, driving a car, getting married, getting divorced, running a business, employing, being employed, and often most life changing of all: being sued or threatened with prison – all depend on legal rights and obligations being validly created and effectively enforced. In short, civilised society depends on the rule of law being enforced, not the law of the jungle or the rule of the mob. And at the heart of upholding the rule of law is the solicitor.

Every year many hundreds of newly qualified solicitors attend admission ceremonies at Chancery Lane, conducted by the officeholders.

And a moving occasion it is. A fabulously diverse mix of age, race, colour, sex, religion, sexuality, background and physical ability come to the Law Society with their friends, families and partners, all bursting with pride.

And when it is my turn, I remind solicitors that their job is to help people stay out of trouble and that it is a great privilege to be the one who others entrust with resolving some of the most stressful moments they will ever experience.

And I remind them that with that great privilege comes a great responsibility. A client trusts that the solicitor is someone who is honest, who has integrity and who will give them impartial, clear and expert advice. Often the kind of advice they will not want to hear, and it is not the job of the solicitor to give clients the advice they want to hear, but the advice that they need. The solicitor is obliged to act in the best interests of the client, not their own. As officers of the court the solicitor is also obliged to put their responsibilities to the court ahead of their responsibilities to the client. One of the worst sins a solicitor can commit is to mislead the court or the opposition with a view to their client's case prevailing.

When I talk to these solicitors and their families afterwards, it is obvious that they needed no reminding of these responsibilities. And even if they did, the Solicitors Regulation Authority (SRA) is there to remind them. Our parliament and regulators recognise that there is something so fundamentally important about the enforcement of the rule of law that our citizens require an added level of regulatory protection beyond that available to consumers generally. This is particularly applicable and important where civil and criminal court procedures are involved and personal liberty at stake. And it is the existence of the professional relationship of mutual trust and confidence between a solicitor and a client which further distinguishes that relationship from the arm's length transactional arrangement between a seller and buyer in the marketplace.

I listen to the solicitors' life stories. Some have University degrees, others qualify through the Chartered Legal Executives route, many worked part-time while studying at law school and all are looking forward to their careers ahead with a mixture of excitement and nervousness.

Overall, I am left feeling inspired and that the rule of law is in safe hands. Save for one dark and worrying shadow. Where are the criminal lawyers? Young solicitor after young solicitor tells me about their new roles in family, property, personal injury, wills, planning, litigation, mental health, commercial and corporate but where is crime? All too few. And is it any wonder.

The Law Society, the Criminal Law Solicitors Association and Bar Council, to name just a few, have shouted alarm from the rooftops, in the press, in parliament, in court and on the streets at the devastation which has been done by governments of every hue to our criminal justice system. In the eyes of politicians it appears not to have the same appeal to voters as the NHS or the price of beer and petrol,



but our system is in a crisis which is undermining fundamentally the rule of law and will deteriorate further as the deserts of criminal lawyers spread the land.

The recent publication *The Secret Barrister* should be compulsory reading for anyone in positions of influence. The solicitor is described as the 'guiding light from dawn until dusk', with their existence being described as critical to ensuring that our criminal justice system functions as it should. But the devastating cuts to legal aid mean that young solicitors on whom the future of the rule of law depends cannot make a living during those dawn to dusk hours.

The average age of a criminal duty solicitor across the whole of England and Wales is approaching 50. Taking just Worcestershire as an example, 63 per cent are over 50. And even when solicitors do choose to specialise in criminal law they find themselves in a system which is not just woefully under resourced but often regarded by the media as getting in the way of the 'right result' that the public desires. No wonder so many move into less stressful and better paid areas of the law.

All is not lost. Despite the challenges, there are still many young solicitors and barristers keeping the rule of law afloat and propping up our system of justice. We are lucky to have them.

But unless you are content that one day the newly qualified solicitor heading into the criminal justice system is already an object of curiosity; that our courtrooms are thronged with litigants in person; and that you or your loved ones are sitting in a cell with no-one to call, waiting for the judgment of politicians or the press to be handed down, get round to your MP and call for action.

Events

Presidents' and secretaries' conference 2019 - 14 & 15 June 2019, London

This flagship event will incorporate a varied mix of plenary and breakout sessions ensuring delegates are offered the opportunity to discuss common challenges, share experiences and hear practical tips from both their peers and expert speakers.

Book now here: <https://events.lawsociety.org.uk/>

LGBT History Month - Speed networking - 1 February 2019, London

Competition Section seminar: the impact of data on merger control - 12 February 2019, London

The Technology and Law Policy Commission evidence session - 14 February 2019, London

Empowerment workshop – International Women's Day - 12 March 2019, London

Advocacy and the Vulnerable Training - 3 April 2019, London - Afternoon session

Junior Lawyers Division annual conference and ball 2019 - 6 April 2019, London

Contact your relationship manager if you would like further information.

Consultations

Guardianship (Missing Persons) Act 2017: Implementing the Act - closes 12 February

Review of enforcement agent (bailiff) reforms: call for evidence - closes 17 February

Contact your relationship manager if you would like further information.

PRO/PLO Report

Following on from my last report, the President's Annual Dinner proved to be another great success. The raffle held that evening raised over £500 and is being donated to the Charity of our President's choice. Again we thank our Sponsors JM Finn, Index, Executor Solutions, Geodesys and Williams-Wroe for their sponsorship and wonderful donated prizes.

My role as your SNELS PLO is to feed back any issues or concerns lawyers within our region may have on the BREXIT so these can be brought to the attention of the BREXIT taskforce and be used in negotiations of the separation agreement. Therefore, if there is anything members would like to have raised or put forward to your local MEP or the Law Society, please email me louise.goodenough@haywards-solicitors.co.uk.

Our new Deputy Vice President, takes on the task of organising this year's SNELS seminar so watch this space for further details

The Council are asking for members to complete a feedback form and ask for your comments to help improve our contact with you and move the Council forward. Please see our website for details.

Details of all our events, training events and news can be seen on our website www.snels.org.uk or follow us on twitter @SNELS_UK

Louise Goodenough

Louise.goodenough@haywards-solicitors.co.uk



What does your future look like?



Trapped on the treadmill of billable hours, juggling the competing demands of clients, ominous threats that AI will reduce lawyers to button pushing monkeys, and limp sandwiches at networking events, may have led you to wake up and realise that you do not like your job, or be wondering exactly where your career is heading.

Such insecurities are not the preserve of young lawyers, most managing partners and CEO'S do not have a clear plan for what's next when they have finished coaxing and cajoling their colleagues.

It's no coincidence that recruitment agencies have a surge of C.V's in January and February when discontents resolve to change firms in the hope of a better future. There is a strong risk however that moving to a new job without a clear focus on what you really want from your long term career will quickly result in a sinking feeling that you've simply swapped one treadmill for another.

So how can you align your efforts to move towards a fulfilling future? To stop the cycle of lunging from one overwhelmed and exhausting day to another here are some questions to consider?

1. What is it specifically that you want to change and why?
2. On a scale of 1 – 10, (1 low - 10 high) How important is it to you to make a change?
3. If not a 10, are you truly committed to the change you described in Q.1?
4. Is now the right time for you to make a real change?
5. Do you enjoy the type of work that you do? If not what kind of work do you want to do?
6. Do you like the clients that you work for, and feel that your work is appreciated by them?
7. If not, what kind of clients do you want to work with, and where will you find them?
8. How much time do you want to work?
9. How much time do you want to spend with your family and friends?
10. How much time do you need to pursue interests other than work?
11. Do you feel that your work is fulfilling and contributes to your happiness?
12. If not, what are you going to do about it and when ?

If you answer these questions honestly, they will help you to identify what is important to you and you can begin to focus on what you need to change in order to design the career you want.

As a consultant with fifteen years' experience of supporting lawyers to make important career transitions, I draw on my own former legal career and detailed knowledge of the profession, its challenges and the opportunities facing lawyers, to say to you that every day is a new opportunity for growth, you have the capacity to shape and reshape your life in any given moment. It is important to create space for thoughts and behaviours that will serve you better, and you are the only person responsible for developing the changes you need to lead amore fulfilling career.

If you require assistance with any law firm management issue, please do not hesitate to get in touch.

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Supporting teenagers and young adults with cancer

The Tom Bowdidge Youth Cancer Foundation is a charity, founded on 28th February 2014 in memory of Tom Bowdidge. Tom died of a Desmoplastic Small Round Cell Tumour and extensive peritoneal disease in October 2013, at the age of 19.

7 13-24 year olds are diagnosed with cancer every day in the UK

The Tom Bowdidge Youth Cancer Foundation provides physical, emotional and financial support to teenagers and young adults with cancer

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The Tom Bowdidge Youth Cancer Foundation is a charity registered in England & Wales (1156553).

What the inheritance tax incentive means to charities

Inheritance Tax affects a small proportion of estates and yet the tax incentive for charitable estates has a huge impact. Why does it matter so much and, in light of the ongoing review of Inheritance Tax, what is being done to protect the current environment for gifts in wills?

Rob Cope, Director of Remember A Charity, says: "It's a common misconception that tax relief is all about financial incentives. No matter how generous a tax break is, it's rarely the sole or even primary reason to leave a charitable legacy. Ultimately, people give because they care and are inspired by the cause. Because they want to leave a positive contribution on the world when they are gone."

Charities are increasingly reliant on gifts in wills

Here in the UK, the public gives over £3 billion in legacy donations annually. More charitable services are being funded through gifts in wills and the number of supporters is on the rise. In what remains a challenging fundraising environment, this income has never been so important.

Currently, we have one of the most encouraging national fiscal environments to promote legacy giving. Charitable gifts in wills are exempt from IHT (charged at 40%) and any estates that includes donations of 10% of their value (or above) also benefit from a discounted rate of 36% across the remaining value of the estate.

This framework has had a major impact on legacies, but not always in the way that most people might expect. Yes, research shows the tax relief can be a strong incentive for people to give, particularly for those who lie just over the IHT threshold. But the real issue here is that tax relief gives solicitors and financial advisers the added impetus to discuss legacy giving with clients. Because there is a tax benefit, legal advisers and Will-writers have a natural entry point for discussions with clients and this has been an important factor in driving behavioural change. Cope adds: "Within this environment – one that normalises legacy conversations and conveys the state's support for the concept – gifts in wills are becoming so much more commonplace. The tax incentive is working and that's why it is protected."

Tax incentives at risk

The ongoing review of IHT by the Office of Tax Simplification (OTS) is an opportunity to create a more fair and simple system for the public, but it also puts the tax incentive for legacy giving in jeopardy. In fact, a recent proposal from one leading thinktank even suggested that IHT should



by Rob Cope

be abolished altogether with little reference to the impact on charities.

While the first OTS report was published shortly before Christmas and focused on how the administrative side could be simplified, it is the next stage that will unveil proposals for how IHT may be structured and what this might mean for the sector. It is impossible to second guess what decisions will be made, but Government has long supported gifts in wills and Remember A Charity is optimistic that future tax policies will continue to encourage and inspire giving.

Why is the Inheritance Tax break so important for the nation's charities?

Cope says: "The reality is that the tax incentive serves to encourage and normalise charitable behaviour. It brings legacies front of mind, gets conversations about charitable giving started and helps to communicate just how meaningful a charitable bequest can be. It is hugely important that this incentive is maintained. Charities simply cannot afford to lose any legacy giving incentive, least of all IHT relief."



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funding to 60 maritime charities and organisations. Seafarers UK receives no government funding and is heavily dependent on public donations and legacies to maintain its grant-making programme.

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Apprenticeships

General Information



According to research from the Department for Business, Innovation and Skills, 96 per cent of employers who take on an apprentice report benefits to their business. Many employers who run Apprenticeship programmes talk about the chance it gives them to “grow their own talent”. Apprentices complete a structured programme of training specific to the needs of their industry. They can progress from introductory level courses to advanced and higher level study equivalent to degree study, but unlike purely academic learning, all their knowledge is tuned to the needs of the employer and the work they undertake.

The methods of learning vary by subject, some requiring college attendance either one day a week or once a month. In addition learners are supported on site at their place of work and complete regular review meetings, target setting and assessment observations. To complete an Apprenticeship you must be in a suitable role which requires new skills to be learnt (i.e. a hairdresser couldn't complete a motor vehicle, or a qualified hairdresser couldn't then complete a hair apprenticeship). Learners must be supported in training for 20% of the time they are on their Apprenticeship, this can be achieved through attending classes, working on projects, work shadowing, internal training, online research etc.

- Government funding is available to support training and employers can also access a incentive payment of £1,000 if they recruit a new Apprentice aged 16-18
- WSC offer a FREE recruitment service to employers who are looking to take on a new Apprentice in whatever occupation or geographical location
- The National Minimum Wage for Apprentices is £3.70 per hour
- Apprenticeships last from 12 to 48 months depending on what they are studying
- Funding for training can either be taken from the employers Apprenticeship Levy (if you pay in) or via a 10% contribution with the Government funding the remaining 90%

The levels of Apprenticeships are listed below:

Name	Level	Equivalent educational level
Intermediate	2	GCSE
Advanced	3	A level
Higher	4,5,6 & 7	Foundation degree and above
Degree	6 & 7	Bachelor's or master's degree

West Suffolk College

At West Suffolk College we deliver Apprenticeship training to over 1500 Apprentices within 1000+ organisations across the whole of East Anglia. We pride ourselves on listening to what employers require and then delivering high quality training to ensure that individual and business can flourish and support the local economy. We have just been rated 3rd best college in England for our success rates and employer/learner satisfaction – something we are very proud of. <https://www.wsc.ac.uk/employers/apprenticeships-traineeships>

Our Apprenticeship and training offer is vast, however we have pulled together a selection of courses which are suitable for the legal sector; please see below:

Business Administration Level 3

Suitable for business support functions within any organisation

Customer Service Level 2 or 3

Suitable for those staff having to deal with internal and external customers on a daily basis

IT Infrastructure Technician Level 3

Suitable for IT Support departments who carry out IT service support to the organisation

Accounts Assistant Level 3

Suitable for finance or accounts personnel who need to become competent within bookkeeping and accountancy

Team Leader Level 3

Suitable for aspiring managers or team leaders giving them the tools and knowledge to manage and lead correctly

Departmental Manager Level 5

Suitable for operational managers looking to improve their knowledge of leadership through accredited training

We are also looking to develop two specific legal Apprenticeships listed below. We would welcome any feedback on the below. The new Apprenticeships are:

Paralegal Level 3 – Information Listed Here

Chartered Legal Executive Level 6 – Information Listed Here

Alongside Apprenticeship courses we offer a full range of bespoke Professional Short Courses. These are delivered by expert associate tutors and cover areas such as:

- First Aid
- ILM Management Level 2 to 7
- IT Training
- AAT
- Presentation Skills
- Other Business Short Courses

Please feel free to visit our website <https://www.wsc.ac.uk/employers/professional-training> for further detail or contact us on 01284 716246 or training@wsc.ac.uk to discuss your requirements.

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The PACT is also between animals and people as The Henry Holman Therapy Centre at the sanctuary is dedicated for disabled people and those with emotional and learning difficulties to benefit from a sanctuary where they can interact with animals, and gain or regain motivation and self-respect without the necessity of coming into contact with every person. PACT is also acknowledged to be the best training ground for students of animal welfare in the county and each year a five week course runs for 50 students from local schools and agricultural colleges.

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Standing out in the work place environment.

by Clara Rose

Imagine that you have just joined a new firm; it is your chance to make a great first impression and to really let people know that you mean business! But how do you go about it?

Here are a few tips for making a good start in any organisation. Alternatively imagine that you have been in a role for years and you feel like part of the furniture; you are sure you have more to give but don't know where to start in terms of making yourself more noticed. How do you change people's perceptions of you?

In any work place you want to make sure that you are getting the most out of the experiences that are available. Whether you are new to a role or someone who has been in post for some years.

Start by thinking about your role. Look beyond the area of law that you cover. Look at how you impact on others, whether that is internally with colleagues or externally with clients and contacts. If you are not reaching out to people you cannot make an impact on them at all! If you tend to do a lot of internal administrative work then, whilst someone ought to be grateful, if it is not fee earning or promoting your team then it can go unnoticed. It's important that your colleagues see the benefit of what you do. If you are busy clearing up after them or paving the way for others in your team then raise that at team meetings. Make sure it is noted and that there is awareness for that work. Better still ask for someone else to do that work for a time so that you can focus on more outward facing, business development or highly regarded activities within the team, freeing you up to do something different.

The two parts of being a solicitor are being good at the law and generating the work. Gaining clients and work is a great way to be noticed and recognised in the work place as it has such a direct impact on the bottom line.

Stand out with accreditations and awards

Thinking about the work that you do, are there specific accreditations or awards that you could apply for? In private client STEP is highly regarded. If you focus on agricultural work then you would want to be looking at membership with the Agricultural Law Association; AvMA for clinical negligence etc the list goes on. If you are operating in a field at a high level, make sure there is external recognition and it will help you stand out both within your firm and within the market.

Awards again are many and varied and by putting yourself or your team forward for something relevant and topical to your area of law it gives you something to shout about. Whether it is a nomination, a short list or winning the award.

Involvement in the wider legal world

There are lots of opportunities to be involved in the legal world at large above and beyond the day job. Mentoring students or juniors is a good example, volunteering at a law centre or citizens advice bureau is another. These things are never required of you but they certainly do look good on a CV! If



you are struggling with anything to write other than listing your normal day to day work then think about what you could do.

Every town and city has a legal world with a regional lawyers division, and a junior lawyers division that you can get involved with. Most universities are looking for interaction with the wider business community and help for their students. Law Centres are always in need of volunteers and support. These are all opportunities to get involved with people and build connections. If you are an experienced practitioner you may think – 'I can see what I can do for them but what can they do for me'. Well the answer is 'who knows?' by becoming involved with students you might find your next junior recruit, or star work experience candidate!

Look around at the options locally and get involved it will help you make a name for yourself personally and your firm will thank you for the good exposure!



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How to build **robust relationships** with your suppliers

Regardless of the sector you are working in, relationships with your suppliers are essential to your business's health, reputation and growth. Lauren Lieser, account manager at Geodesys, discusses how to form relationships which are robust and last a lifetime.

The selection and building of your supplier relationships is a continuous process that strives to balance your business needs with the needs of the supplier. In today's market, where businesses are consistently prospected, using people and organisations that you can trust and rely on to provide a high-quality service is of critical importance.

Choosing a supplier can often be the toughest decision so look for one(s), where they can demonstrate expertise and longevity within the industry. Research the array of products the supplier can offer, compare them to competitors and invest time to meet with them.

Price will always be a factor, but the cheapest provider is not always the right one so clearly define what it is you are looking for and do your research into what solution accommodates this need.

At the top of the agenda for a strong relationship is communication. If this aspect of the process is neglected, then you could risk complications arising which will lengthen the transaction process and potentially be costlier.

Having been an account manager for the past 15 years, I cannot emphasise the importance of the relationship being two-way. If the

supplier does not know about a certain issue, how can they assist in addressing it?

Regular interaction will build a trustworthy relationship which allows for open and honest discussions on product and progress updates, as well as the opportunity to demystify regulation updates, compliance, etc. Geodesys hosts a series of topical CPD workshops at various UK locations throughout the year.

These well-attended events provide a platform for our clients to hear from industry experts like Kate Faulkner, mingle with like-minded people and touch base with their account managers.

As the relationship and the communication between the organisation and the supplier develops, you will find efficiency will improve and potentially increase operational value too.

Offering feedback to the supplier is key in ensuring they can provide a service that meets your expectations and drives continuous improvement. Geodesys offers their customers for example, multiple mechanisms for gaining feedback including surveys, meetings and seminars, which helps us continually improve our systems and service.

Conclusion

Developing good relationships with your suppliers is not a complicated process. Be communicative, tell them your needs and expectations, treat them fairly, be demanding and be loyal. It's that simple.

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Why Quill's software development team invests heavily in Interactive Documents

By Julian Bryan, Managing Director, Quill

The legal profession is never static. With always-evolving legislation, increasingly demanding clients and growing numbers of aggressive competitors, change is never far afoot. To thrive in such challenging conditions, law firms rely more than ever before upon technology.

One constant thread in this sea of change is the written word. You see, the law is all about the written word. Every single task performed by a solicitor involves the written word in some form. Law firms are document-intensive by nature and every fee earner is a content factory generating document after document as they progress through live matters, be it a client care letter sent to a new customer, completion statement in a commercial conveyancing matter, divorce petition for a matrimonial case, last will and testament for a private client or anything in between.

It thus follows that the primary role of technology is to help legal practices manage the written word effectively. Software's role is to apply as much automation as possible to generating, storing, transmitting and finding the written word including time recording throughout each of these stages. Speed and accuracy are absolutely essential.

The quicker and easier it is to produce, save, share and locate this expanding library of documents, the better for everyone, from the lawyer who can concentrate on client-facing work thereby boosting earning capacity to the compliance officer who can plan for business continuity thereby meeting Code of Conduct obligations.

Because of this, no legal software supplier can afford to be complacent about development. At Quill, software development is something we take really seriously and invest considerable resources in doing. We have 12 dedicated employees in our software development team. Led by our IT Director, Richard Salt, it's their responsibility to research new technologies and industry trends then develop our applications in order to keep Quill at the forefront of innovation and enable our clients to control the written word to the best of their ability.

Our R&D staff understand the pressures faced by today's law firms and continually enhance our Interactive Cloud and Interactive Documents software – comprising case management, legal accounts and document management features – to empower them to work more efficiently, save administration time, spend longer earning fees, reduce operating costs and a whole raft of other benefits which drive both greater productivity (so your clients are happy!) and profitability (so your partners and investors are happy too!).

With regards to the written word, Interactive Documents – our intuitive document management module – provides tight integration between Interactive, Word and Outlook – called our Add-Ins – which allows you to spend your working day in

familiar Microsoft applications with full links to Interactive's database, templates and document store.

Technology that constantly advances is a must-have tool for any forward-thinking law firm. Not only because of the productivity advantages delivered, but also for safety reasons. Without ongoing security patches and bug fixes, you're vulnerable to the rising volumes of threats from hackers and cybercriminals whose sole purpose it is to disrupt (even ruin) your business. Software development, then, is a future-proofing promise that, whatever changes and challenges come your way, your software supplier's got your back.

At its core, our Interactive Documents gives unique integration between Interactive Cloud, Word and Outlook saving users re-entering data as a key, but by no means only, benefit. But more recently a myriad of new features have been introduced to Interactive Documents and we're going to describe just a few of them here.

We've created conversion to PDF and attachment as PDF functionality. As you'll no doubt know, PDF is a secure file format. Documents of this type can't be edited by recipients. In Interactive, it's a one button task; job done.

Using the Interactive Add-Ins in Outlook makes tasks such as this really straightforward. By simply hitting the 'New Quill Email' then 'Attach From Quill' buttons located in the top toolbar of Outlook, single or multiple documents can be attached as PDFs even if you haven't previously converted files to PDF format. At this point, you haven't formally logged in to Interactive itself either; you're using the well-known Microsoft interface instead which you're at liberty to do all day long, should you please.

We've established an entire series of document and precedent templates comprising everything from credit control letters and identification forms to requests to extend time and receipt of money acknowledgements. These templates are supplied as standard with Interactive Documents. You can also choose to set up your own bespoke templates, link to merge fields in Interactive then auto-populate content direct from your database.

In the same vein, popular forms packs can be purchased too as an optional extra. Linked closely to Interactive, these forms offer even more auto-database population for documents related to each of the common steps in particular matters.

This has to be one of the biggest draws of document management software – the ability to generate documents and letters in minutes. Where Interactive Documents is concerned, the same applies to emails. Ready-made email templates allow emails to be written, recipients selected from handy drop-down lists, documents attached and the entire communication saved straight back to case effortlessly, all from within Outlook itself.

In fact, you can even now do so from within

Word. Auto-email the document you've been working on directly to the client, opposition, expert witness or any combination without switching between systems.

Integrated attendance notes are another enhancement. Either when saving a just-completed document, receiving a document or later, the notes field permits the addition of attendance notes – that's a description of discussions, meetings or events that have taken place – relating to that specific document.

There are two main advantages of attendance notes. One, the important notes are logged both for future reference and to support your accompanying time record so there's no chance of forgetting further down the line. Two, entering your attendance notes as you go along saves you an extra task and negates the need for double billing which assists with client satisfaction.

Time recording generally is worth a mention. Our overhauled Interactive Documents lets you make time entries at various touchpoints when writing, uploading or dispatching case-related documentation and correspondence. With the ability to perform these stages quickly, you can record more units of time than the task has actually taken to bill clients appropriately for actions completed and boost chargeable time in the process. In other words, do less and earn more.

These are just a few of many improvements to Interactive Documents. To refer to some others, you can set up calendar events from Word and Outlook with reminders to ensure defined milestones are met; maintain a full audit trail with version-control-stamped documents; assign colours, labels and preview before opening to locate the right documents with ease; access your cloud-stored documents from anywhere with an internet connection to become more mobile; tailor sub folders to your preferences so Interactive mirrors how you work; store unlimited quantities of documents, emails and images without taking up valuable space on your own servers; protect your vital records with industrial-strength security measures and in-built disaster recovery planning; and much, much more besides.

The combination of these multiple features means you can run your legal practice competitively, with minimum support staff, at low cost. A 'Lite' version of Interactive Documents is provided as part of your Interactive licence fee. Alternatively, an advanced 'Professional' version is charged at just £17 per user per month for full integration with the Microsoft Office suite. Exploit our heavy financial investment in Interactive Documents without breaking your bank. The written word; sorted.

Julian Bryan joined Quill as Managing Director in 2012 and is also the Chair of the Legal Software Suppliers Association. Quill is the UK's largest outsourced legal cashiery provider with 40 years' experience supplying outsourcing services and software to the legal profession.

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