

# Bournemouth & District Lawyer



**Michael Newbold**  
BDLS President  
**and Joanne Clarke**  
Senior Vice President

**INCLUDED IN THIS ISSUE:**

BDLS AGM  
Pub Walk  
Curry Night  
New Qualified Reception  
Wine Tasting Evening  
BDLS Lecture Programme  
New Deputy Standards





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### BOURNEMOUTH & DISTRICT LAWYER Bournemouth & District Law Society Magazine

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Our Magazines are sent out quarterly as follows:

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Winter	December 2023	31 October 2023
Spring	March 2024	
Summer	June 2024	
Autumn	September 2024	

The copy deadline for receipt at the BDLS office for the next edition – the Winter issue – will be **31 October 2023**.

We welcome your firms' news and any advertisements. Please send to [office@bournemouthlaw.com](mailto:office@bournemouthlaw.com).



Follow us on LinkedIn

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Michael Newbold President and Joanne Clarke Senior Vice President

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# BDLS DIARY 2023/2024

3 October	<b>BDLS Theatre Trip</b> 42nd Street, Mayflower, Southampton
6-8 October	<b>BDLS European Law Conference</b> Cardiff
30 November	<b>Christmas Wine Tasting</b> at Marsham Court Hotel
7 February	<b>BDLS Annual Lunch</b> at The Pavilion, Bournemouth
19 April	<b>BDLS Annual Dinner</b> at The Highcliff Marriott, Bournemouth

# The President's Column

## Michael Newbold



**I**t has been a real pleasure putting together what is my first article for the magazine since I was appointed as President of BDLS at the AGM on 19th June.

It has been a very busy start to my Presidency! Within a week of being appointed I did what all good Presidents should do and went on vacation! Well, it was actually a case of trying to fit in a couple of short holidays before my daughter Leah starts school in September.

Apart from the holidays, in the first three weeks of becoming President I have had the honour of attending as a guest of College Chambers for an evening of T20 Cricket at the Ageas Bowl, attending the Isle of Wight Law Society Dinner in Cowes, where I met the Law Society Vice President Nick Emmerson, and hosting my first Committee Meeting followed by the Committee Dinner. I felt like I needed another holiday after all of that!

I also attended the JLD Ball at the end of July, which was a most enjoyable evening.

Being invited to all of these events has made me realise, if I didn't before, what an honour and privilege it is to be President of our local Law Society. The last few weeks have also confirmed to me how lucky we are to have Mandy and Dawn as our administrators for the work they do – I am aware that in some other local Law Societies the President has to take a much more hands on role in the administration side of things!

I am very pleased that we have five new and enthusiastic members of the General Committee who were appointed at the AGM, namely Deborah Fenton, Aisling Scott, Katie Owen, Kurt Lee and Conor Maher and I look forward to working with them and the other members of the Committee during my Presidency. Also appointed at the AGM were Mark Proctor as Junior Vice President and Joanne Clarke as Senior Vice President and I wish them well in their roles.

I would also like to take this opportunity of reiterating what I said at the AGM, namely to thank Emma Hamilton Cole for an excellent year as President and to enjoy her newly found status of now being a past President!

Talking of the AGM, I said that as President I wanted to try and better educate the public at large about the potential dangers of using unregulated Will Writing companies. I am pleased to report that progress has already been made thanks to the efforts of Mark Kiteley in putting me in touch with his contact at the Daily Echo. An article has now been written based on a real-life case study and at the time of writing I am waiting for confirmation of when it will be published.

At our next committee meeting in September, we are trialling a new venue near Bournemouth Airport. If successful, I hope to have the majority of committee meetings there during my Presidency.

What I had not appreciated before is quite how many events a President gets invited to, for instance I have been invited to the Dorset Legal Service at St Peter's Church in Dorchester at the end of October. It is probably a good thing that, unlike with some other local law societies, I will not have to do a 2 year term!

The next few months are also looking very busy. I am looking forward, amongst other things, to a curry night at the end of August, attending the local Law Societies conference (via zoom!) in September, as well as hosting the European Law Conference in October.

Many of the forthcoming social events are advertised in this edition of the magazine, including next year's lunch and dinner, and I look forward to welcoming as many of you as possible to them. ■

**MICHAEL NEWBOLD**  
BDLS President

# BDLS Annual General Meeting

Captains Club Hotel, Christchurch

Monday 19 June 2023



**EVOLVE**  
ENABLING SUCCESS

**T**his year's AGM was held at the Captains Club Hotel, Christchurch. It was a glorious, sunny evening and the guests were able to mingle whilst enjoying the stunning river view.

Warren Munson of Evolve started the proceedings with a talk on "Lessons Learned – Start Up to Exit". In his practical presentation Warren shared his own journey reflecting on many of the successes but also the challenges incurred and overcome. While doing this he talked about how a professional services firm need to create a sense of belonging and ensuring that all in the business have a sense of belonging.

He also spoke passionately about ensuring that all in an organisation know their values and that there is no compromise on behaviour that is not aligned to them. He also, again from his own experiences, shared his ideas for ensuring we can be more present in the moment and improve our personal wellbeing.

Evolve works with a number of professional services firms helping them grow and also in developing their team. Please visit their website for further information [www.evolveadvisory.co.uk](http://www.evolveadvisory.co.uk)

*Warren Munson, Evolve*

The AGM commenced shortly afterwards with the following appointments for the year 2023/2024:

President:

**Michael Newbold**

Luff Brook Carter

Senior Vice President:

**Joanne Clarke**

Lester Aldridge

Junior Vice President:

**Mark Proctor**

Aldridge Brownlee

Honorary Secretary:

**Theresa Mills**

Meesons and Spurlings Solicitors

Honorary Treasurer:

**Lauren Cooney**

Letchers

Assistant Honorary Secretary:

**Ana Dilling**

Trethowans

Press Officer

**Mark Kiteley**

Rawlins Davy Reeves

In addition, the following General Committee Members were appointed who will each serve a term of three years:

General Committee Members:

**Kurt Lee**

Lester Aldridge

**Conor Maher**

Ellis Jones

**Ash Scott**

Laceys

**Deborah Fenton**

Steele Raymond

**Katie Owen**

Coles Miller

We hope that they all enjoy their terms of office with the Society.

**D**uring his speech the incoming President, Michael Newbold, paid tribute to Emma Hamilton Cole for an excellent Presidential year and said that he hoped to follow her example accordingly.

He made reference to his father, John, having been President 21 years previously and that it had been an extremely long time since both a father and son had been Presidents of BDLS.

Michael said that over the next year he hoped that, as an organisation, we would be able to better educate the public at large regarding the benefits of using a firm of solicitors and the potential dangers of using unregulated firms.

He also mentioned some of the social events that would be taking place during the year including, after a gap of 4 years, the European Law Conference in Cardiff and a wine tasting evening in December this year. ■

**MANDY HEATH**  
BDLS Office Manager



*Michael Newbold, BDLS President, with Joanne Clarke, BDLS Senior Vice President*



*Lizzy Tasker and Byron Sims*



*Dawn Chisholm and Mandy Heath, BDLS Office*



*Nigel Smith, Jeremy Tucker and Neil Curtis*



*New BDLS Committee Members: Deborah Fenton, Kurt Lee and Conor Maher*



*Florence Newton, Emily Thompson and Edward Holmes*



*Adrian Harding and Emma Hamilton Cole*



*John Newbold and Fiona Knight*



*Warren Munson, Matt Lewis and Neil Andrews*



*Joanne Clarke and Suki Samra*



*Dan Stanton, George Crofts and Adrian Randall*



*Alan Turle and Sandra Graham*



# PUB WALK

## Burley, New Forest

Saturday 10  
June 2023



L- R Mark Proctor, Louise Holmes, Emma Hamilton Cole, Edward Holmes, Matthew Moore and Mark Hamilton

In June, Louise and I organised a circular walk in the New Forest ending, strangely enough, in a pub in Burley. The weather was kind, the hills were steep, the company was excellent (a special thanks to Matthew Moore for his ornithology expertise), we didn't lose anybody, no mud wrestling took place (if you came on Emma's walk previously you will know all about this) and the beer was a good reward at the end.

Another walk is planned for the Autumn and details will be sent out by the office. Dogs, children and lawyers and their friends and family are all welcome. ■

**ED HOLMES**  
Past President

\*\*\*Pencil in the 30 September 2023 for our next walk!\*\*\*

# Hampshire Law Society Dinner

Friday 16 June 2023  
Hilton Ageas Bowl



Mandy Heath with Michelle Foster  
(Nottinghamshire Law Society)

James Braund (Dorset Law Society President), Jane Whitfield (Berks Bucks and Oxon Law Society Past President), Razi Shah (Berks Bucks and Oxon President), Lubna Shuja (The Law Society President), Mo Aldridge (Hampshire Law Society President) and Emma Hamilton Cole (BDLS President)

I attended the Hampshire Law Society dinner on behalf of the BDLS on 16th June at the Hilton Ageas Bowl. The event was well attended with about 120 people and we enjoyed table games, a raffle and photo booth competition. The evening was also attended by guests from neighbouring societies and National Law society president Lubna Shuja. There was also a prize giving ceremony to celebrate the achievements of local firms and lawyers.

After a delicious meal we enjoyed talks by Mo Aldridge – President of HILS – and also by Ben Owen of the television series 'Hunted' which left many of us feeling suitably paranoid about our digital footprint... Who knew LinkedIn could be so dangerous?! Thanks to all at HILS for the invitation to the event and all those who worked so hard to make it a great success. ■

**EMMA HAMILTON COLE**  
BDLS President 2022/2023

# CURRY NIGHT

Taj Mahal, Westbourne  
Wednesday 23 August 2023,

**O**ur newly elected President, Michael Newbold hosted his first social event by way of a curry evening at the Taj Mahal Westbourne.

The evening was a great success and attended by a variety of local firms, Ellis Jones, Frettons, Laceys, Lester Aldridge, Luff Brook Carter, Meesons & Spurlings, Steele Raymond, Trethowans and Woodstock, not forgetting College Chambers, Southampton. The Taj treated us all to

a delicious banquet which was thoroughly enjoyable and washed down with liquid refreshments. Thank you to all of those that attended to support Michael and make the evening the success it was. ■

**DAWN CHISHOLM**  
Event Organiser



# BDLS

## Theatre Trip

3 October 2023  
 42nd Street at the Mayflower,  
 Southampton



This is now fully booked. ■



# BDLS

## European Conference 2023

Friday 6 – Sunday 8  
 October 2023 to Cardiff



This is now fully booked. Watch this space for our Conference 2024! ■



# Newly Qualified, Trainee Solicitors & Trainee Cilex Drinks Reception

Thursday 2 November 2023  
Marsham Court, Bournemouth  
17:30-19:30

# BDLS Christmas Wine Tasting

Thursday 30  
November 2023



**B**DLS are delighted to be holding this popular event on 2 November, once again kindly sponsored by 3PB and Chadwick Nott.

Invitations will be emailed to those that qualify nearer the time. If you have any queries, please email [mandy@bournemouthlaw.com](mailto:mandy@bournemouthlaw.com) ■

**W**e welcome back our wine, spirits and cocktail expert, Gemma Withenshaw, in November to guide us through wines for Christmas. Please save this date and further details will be sent out soon. ■

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# BDLS Annual Lunch

7 February 2024  
The Pavilion, Bournemouth

Guest Speaker  
**Harry Redknapp**



# BDLS Annual Dinner

19 April 2024  
Highcliff Marriott, Bournemouth

Guest Speaker  
**Michael Mansfield KC**  
of Nexus Chambers



*We are finalising the details for these prestigious events and full details will be circulated to members soon.*



# DATES FOR YOUR 2024 DIARY



# INTRODUCING BDLS JUNIOR VICE PRESIDENT MARK PROCTOR

*BDLS Vice President Mark Proctor*

**We are pleased to announce that at the recent Annual General Meeting, Mark Proctor was elected Junior Vice President of the Society. Interesting facts about Mark .....**

**I read law at university in London but when it came to the LPC I decided to leave the Capital behind for the beach and enrolled at Bournemouth University.**

On starting the LPC we were encouraged if we had not already applied for and secured a training contract to do so. I knew that I had always enjoyed the advocacy based subjects and that focused my application on firms that undertook such work. It was whilst I was in the last stages of an interview process for a large firm based in Essex that I decided to take a chance and submit an application to a local firm as well and the rest as they say is history as I am still with the same local firm to this day having worked my way from trainee to equity partner at Aldridge Brownlee.

Whilst undertaking my training contract I was encouraged to join what was then the trainee solicitors group and not long after that the Law Society announced that they wanted to merge the trainee and Young Solicitors groups and bring them under the umbrella of the Law Society and the JLD was born and I become its first local president.

On qualification I was offered and accepted a position in my firm's criminal department and so then began the next 13 years of my career working as a criminal defence and duty solicitor however when the government told all firms they had to competitively tender for new contracts, and whilst we secured a contract, we decided its terms were such that had it come into force it was simply not viable for us to carry on offering this service. This is a position I continue to note that many other firms are finding themselves in and is why the law society have now issued Judicial Review proceedings against the government for failure to implement the legal aid pay review recommendations.

My firm offered me the opportunity to re train in any other area of work that they undertook and I decided on something total different and choose conveyancing. I moved from spending all my time in a magistrates court or a police station and working all hours be it day or night and

weekends to being office based working Monday to Friday and asking myself why I hadn't made the change sooner as no longer was I getting woken up at 3am by the call centre or leaving the table during Christmas lunch to attend a police interview. I have loved the challenge of having to adapt and embrace a new practice area and building a new team growing our conveyancing department at our Highcliffe office.

A couple of years ago I was persuaded to join the BDLS committee and when I was asked if I would be prepared to stand for the role of junior vice president whilst I had some hesitation, knowing that in the next two years I would have the ultimate responsibility of representing the society as president, my decision was made much easier by having recently watched and supported my husband undertake the same role and knowing the support you receive from Mandy and Dawn at the BDLS office.

I recently represented our local President at the Southern Area Association of Law Societies biannual meeting on the isle of Wight and what this has impressed on me is that working with others we can ensure that our voices are heard at the highest levels and our interests are protected and promoted and that is what being a member of a society such as BDLS provides. My role over the next two years is to support the President and Senior vice President in representing our local society and promoting the interests of all of our members and I look forward to meeting as many of you as possible at the society's events across the coming year. ■

**MARK PROCTOR**  
Junior Vice President for BDLS



**The last few months have been incredibly busy for the JLD with lots of events!**

On 27 May 2023 we hosted a Day at Salisbury Races, kindly sponsored by 3PB. We managed to secure two coaches going from Bournemouth and Southampton and had over 80 attendees. A big thank you to our Treasurer, Conor Maher (Associate Solicitor, Ellis Jones) for putting together the event! With such success we plan to run this event every year – watch this space!

More recently we held our flagship event – The BDJLD Summer Ball on Friday 28 July 2023, at the Marsham Court Hotel. Much like last year, we managed to sell out the initial reserve and had to increase capacity to a whopping 160 attendees. Again, the event sold out. A huge thank you to our sponsors, Pump Court Chambers, Wilson & Roe High Court Enforcement, and 3PB Barristers, without which the event would not have been possible!

During the evening we held a charity raffle in aid of our charity of the year, Sheltered Work Opportunity Project (or 'SWOP'). Thanks to the very generous prize donations from local firms and business (together with some aggressive raffle ticket sales tactics from some of the Committee), we managed to raise over £1,000 for the charity. Thank you Rosemary Drew (Associate, Ellis Jones) for all your help with the donations!

As noted during my evening speech, this will be my last year on the Committee. This is my fourth year on the Committee - going from Events Officer, to Vice President, to President. During these four

years our membership has grown significantly, and our attendance at events has doubled. It has been incredible humbling to see how hard the Committee has pulled together to pull-off these events (even during the very tricky COVID era!) Thank you for everyone's support – and a reminder that Committee applications open in October. Please do get in touch and look out for our AGM marketing later in the year.

More recently, we held our Charity Sports Day at East Cliff Beach on 15 August 2023. It was a great turnout, and we were very lucky with the weather! Congratulations to Steele Raymond who came first, Preston Redman second, and Ellis Jones in third place.

We co-hosted a Curry Night with the BDLS on 23 August 2023.

Finally, in the works is a Speed Networking event with Bournemouth University in November, and a Newly Qualified Drinks Evening (hosting together with BDLS) on 02 November 2023 at the Marsham Court Hotel. Keep an eye out across our socials for more info! ■



**FLORENCE NEWTON**  
President for BDJLD 2022-2023  
[www.bdjld.co.uk](http://www.bdjld.co.uk)



L-R Rob Leonard, 3PB, Florence Newton & Eric Roe of Wilson & Rose High Court Enforcement and Jon Cue of Pump Court Chambers.



Partying the night away.

# BDLS Lecture Programme 2023/2024

## KEY:

FACE TO FACE LECTURES
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LIVE WEBINARS
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DATE AND TIME	LECTURE	FORMAT	LECTURER	VENUE
6 September 2023 14:00 – 17:15	<b>Demonstrating Compliance for Conveyancing Quality Scheme (CQS) for Partners, Heads of Conveyancing, SRO's, Conveyancing Fee Earners and Supervisors</b>	Face to Face	Tracy Thompson	Carlton Hotel
7 September 2023 10:00 – 12:15	<b>Conveyancing Quality Scheme (CQS) for Support Staff – How you can help demonstrate compliance</b>	Face to Face	Tracy Thompson	Carlton Hotel
8 September 2023 10:30 – 11:30	<b>Using Excel – Essential Tips and Tricks (Beginners Level)</b>	Live Webinar	Matt Smithson - Skills and Learning: Adult Community Education	Zoom
26 September 2023 10:00 – 11:00	<b>WEBINAR – Land Registration</b>	Live Webinar	Ian Quayle	Zoom
28 September 2023 09:15 – 16:30	<b>Compliance Conference</b>	Face to Face	Various	Marsham Court Hotel
5 October 2023 14:00 – 17:15	<b>Civil Litigation – A New Landscape</b>	Face to Face	Andrew McLoughlin	Marsham Court Hotel
10 and 17 October 2023 09:30 – 11:00	<b>WEBINAR Conduct Issues in Conveyancing</b>	Live Webinar	Lorraine Richardson	Zoom
11 October 2023 12:30 – 14:30	<b>Practice Managers and Managing Partners Meeting</b>	Face to Face	Chair: Suzanne Kadziola	Marsham Court Hotel
19 October 2023 09:30 – 16:45	<b>Private Client Conference</b>	Face to Face	Various	Marsham Court Hotel
7 November 2023 11:00 – 13:00	<b>WEBINAR: Risk Management – A Practical Guide</b>	Live Webinar	Paul Bennett	Zoom
16 November 2023	<b>SAVE THE DATE Property Law Conference</b>	Face to Face	Various	Marsham Court Hotel
23 November 2023 14:00 – 17:15	<b>Corporate and Insolvency Update</b>	Face to Face	Chris Beanland	Carlton Hotel
6 December 2023 12:00 – 13:00	<b>An Introduction to Disability Inclusion</b>	Live Webinar	Michael Grimmett	Zoom
19 March 2024 14:00 – 17:15	<b>Family Law Update</b>	Face to Face	College Chambers	TBC
24 April 2024 12:00 – 13:00	<b>Drafting Commercial Contracts – A Review of the Last Year</b>	Live Webinar	Chris Beanland	Zoom



BDLS have a new online booking system.

Please book your places on any of our webinars and lectures here: –

[www.bournemouthlaw.com/lectures](http://www.bournemouthlaw.com/lectures) or scan here: ■



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### **Course Notes**

For environmental reasons, BDLS will no longer be providing printed course notes at lectures. Lecture notes will be emailed to delegates in advance for either printing or accessing via their laptop or alternative device on the day.

### **Payment for lectures**

Please note: Payment must be received at the office before the lecture takes place. All payments are to be paid by BACS. Course bookings will only be confirmed upon payment. Webinars are charged per person and not for group bookings.

### **Cancellation Policy**

No refunds will be given for any booking cancelled within two days of the lecture/webinar taking place.

We strive to offer our members a range of lectures not just covering competency “B” – Technical Legal Practice but also to meet the wider competencies which all solicitors need to state annually they are meeting. The 4 competencies are:

**A – Ethics, Professionalism and Judgement**

**B – Technical Legal Practice**

**C – Working with other people**

**D – Managing yourself and your own work**

For further information:

<https://www.sra.org.uk/solicitors/resources/continuing-competence/cpd/competence-statement/>. ■

# Summary of Upcoming Conferences

## CONFERENCE Thursday 28 September 2023 – 09:15 – 16:30

Topic	COMPLIANCE CONFERENCE
Lecturer	Various
Venue	Marsham Court Hotel, Bournemouth
Cost	£135 – Member and Associate Members of BDLS/Trainees (Solicitors; Cilex; Apprentices) £180 – Non Member of BDLS

- EFFECTIVE SUPERVISION IN PRACTICE AND QUALITY STANDARDS UPDATE 2023  
**Tracy Thompson**
- SRA ACCOUNT RULES – KEEP YOURSELF UP-TO-DATE  
**Janet Taylor FCA - Director, PKF Francis Clark**
- SRA UPDATE  
**Paul Phillip, Chief Executive, Solicitors Regulation Authority**
- RECENT CHANGES AND DEALING WITH COMPLAINTS  
**Jason Chapman**
- ANTI MONEY LAUNDERING UPDATE  
**Kayleigh Smale, Teal Compliance**
- LAW FIRMS AT THE CROSSROADS: DECIDING WHAT DIRECTION TO TAKE YOUR PRACTICE  
**Viv Williams**

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## CONFERENCE Thursday 19 October 2023 – 09:30 – 16:45

Topic	PRIVATE CLIENT CONFERENCE
Lecturer	Various
Venue	Marsham Court Hotel, 3 Russell Cotes Road, Bournemouth BH1 3A
Cost	£135 – Member and Associate Members of BDLS/Trainees (Solicitors; Cilex; Apprentices) £180 – Non Member of BDLS

- COURT OF PROTECTION– THE LATEST CHANGES  
**Helen Forster**
- MENTAL CAPACITY AND THE FRONTAL LOBE PARADOX  
**Dr Duncan Shaw**
- PRACTICAL WILL DRAFTING  
**Helen Forster**
- FINDING HEIRS AND ASSETS: THE IMPORTANCE OF VERIFICATION  
**Louise Levine, Finders**
- PRIVATE CLIENT UPDATE  
**Lesley King**
- DEPRIVATION OF ASSETS TO AVOID PAYING CARE CHARGES – HOW TO CHALLENGE A LOCAL AUTHORITY'S DECISION?  
**Carol Davies, College Chambers**
- DRAFTING AND USING IPDI TRUSTS  
**Lesley King**

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# Summary of Upcoming Conferences

## CONFERENCE Thursday 16 November 2023 – 09:30 – 16:45

Topic	<b>PROPERTY LAW CONFERENCE</b>
Lecturer	<b>Various</b>
Venue	<b>Marsham Court Hotel, Bournemouth</b>
Cost	<b>£135 – Member and Associate Members of BDLS/Trainees</b> (Solicitors; Cilex; Apprentices) <b>£180 – Non Member of BDLS</b>

### CQS - What's New In 2023

Changes introduced by The Law Society in the first half of 2023 will impact on all CQS accredited practices in various ways.

So far this year The Law Society have introduced;

- The compulsory SRO exam
- New updated CQS Scheme Rules
- The launch of the CQS application portal

The CQS application portal in particular will be a significant area of interest for CQS firms given the very strict process and timescales firms will need to comply with to ensure their CQS accreditation is not compromised. During this session, CQS Lead Assessor Tracy Thompson will provide an insight into each of the updates to explain the new requirements and how they will need to be complied with in practice. Tracy will also provide an update on the progression of the onsite CQS assessments.

### **Tracy Thompson**

#### A REVIEW OF THE BSA 2022 - RECENT DEVELOPMENTS, TIPS AND TRAPS

- What is in force
- Dealing with the Schedule 8 protection
- Scoping the retainer and reporting on title - protecting your firm

#### DEALING WITH RESTRICTIVE COVENANTS IN RESIDENTIAL TRANSACTIONS - BEST PRACTICE AND RECENT CASE LAWS

- Advising the buyer on restrictive and positive covenants
- Protecting covenants in registered and unregistered land
- Dealing with title indemnity insurance with problem covenants
- An overview of S.84 of the LPA 1925 and the jurisdiction of the Land Tribunal

### **Ian Quayle**

#### SDLT PROBLEM AREAS 2023

Virtually all the current problem areas relate to residential or mixed-use property. We are waiting to discover whether the law is to change in relation to mixed-use property and MDR (multiple dwellings relief) following a 2021 consultation. If there are material changes, those will dominate this session. If there is no new law, then these are areas where there are significant issues, many resulting from decisions in recent tax appeals:

- internet reclaim agents
- mixed-use
- multiple dwellings relief
- uninhabitable dwellings
- chattels
- the transfer of a dwelling into joint names
- exemption from HRAD

### **Paul Clark**

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# The New Deputy Standards

Carol Davies, College Chambers

## The past:

In July 2015, the OPG introduced a set of standards for professional and public authority deputies. The first set of deputy standards in fact was first published in 2012. The 2015 standards were created in partnership with Association of Directors of Adult Social Services, the Care Quality Commission, the Care and Social Services Inspectorate Wales and the Court of Protection. They aim to make things easier and clearer for deputies to manage their clients' affairs.

The guidance contains an important checklist of actions and behaviours that every deputy should follow based on five standards:

1. Secure the client's finance and assets
2. Gain insight of the client to make decisions in their best interests
3. Maintain effective internal office processes and organisation
4. Have the skills and knowledge to carry out duties as deputy
5. Health and welfare standards

The standards were in place to help professional and public authority deputies understand their responsibilities and what was expected of them. However, feedback was that these standards were sometimes difficult to use and could be simpler, and there was a lack of guidance and information for lay deputies.

## The past:

In February 2023, a refreshed set of standards was been published to help all court appointed deputies in delivering their duties.

These refreshed standards are intended to be clearer and applicable to all deputies including lay deputies where applicable. The aim is to ensure that the guidance is simplified and more focused. They explain the duties and obligations rather than just simply listing them. There is reference to the case of ACC & Others [2020] ECOP 9 for professional deputies and there is a specific standard to encourage whistleblowing.

The 2023 standards are available via <https://www.gov.uk/guidance/opg-deputy-standards> for a full understanding of the obligations and responsibilities.

All deputies, including lay deputies, will now be supervised against these refreshed standards. The standards can be used as a checklist to help deputies make sure they are thinking about all the relevant areas of their role.

It is important for the deputy or those advising a deputy to understand the standards and information and how they apply to

the deputy and his or her role.

It is worth noting that the standards apply to both property and financial affairs and health and welfare deputies. It is also worth remembering that the OPG still expects professional deputies to have a higher level of technical knowledge and expertise than lay deputies.

There are now 8 specified standards: -

### 1. Deputyship obligations:

This relates to the need for deputies to understand and meet their obligations as a deputy, to have the appropriate skills and experience and to have an awareness of Mental Capacity Act 2005, Code of Practice and OPG guidance. Deputies need to understand the court orders and the extent of their authority set out in the deputy order. They need to ensure that they submit the relevant reports to the OPG on time with the appropriate supervision fees paid on time. Deputies should review the deputy order regularly and this is now regarded as good practice. The case of ACC v ORS [2020] ECOP is referred to as guidance of the fiduciary duties of professional deputies.

Professional and lay deputies need to ensure that appropriate security is in place with the annual bond premiums being paid. Deputies may be required to make an application to the Court of Protection to vary the level of the security bond if requested to do so by OPG. Professional deputies must take out professional indemnity insurance at the appropriate level.

With effect from 1 April 2023, the scheme under which security is obtained is now administered by Howden Insurance Brokers Limited; Marsh Limited and Insync Insurance Solutions Ltd. (However, as at July 2023, Insync Insurance Solutions Ltd are currently not in a position to offer bonds and are working closely with OPG to establish earliest possible date for provision of bonds).

The OPG practice note (SD15) explains what OPG expects from a bond provider, so that its surety bonds are suitable for deputies.

### 2. Best interest decision making:

It may appear to be obvious, particularly to professional and public authority deputies, but this standard is a helpful reminder to all deputies as to the need to make decisions in the best interests of P in accordance with section 4 and the guidance in Chapter 5 of the Code of Practice.

It is important to include P in any decision-making subject to their abilities and to record any discussions with P. Other relevant interested persons should also be consulted. The standard also

now confirms the need for the deputies to consider capacity on an ongoing basis with lay deputies to look to the Code of Practice for guidance and professional deputies to consider formal capacity assessments.

### 3. Interactions with P:

This standard refers to lay deputies making visits to the P as often as reasonably necessary, at least once per year with public authority deputies to arrange for P to be visited once a year. Professional deputies should also visit regularly on a yearly basis and they must demonstrate an awareness of P's circumstances and justify more frequent visits if required.

### 4. Financial management:

Deputies now need to make applications for benefits within 3 months of receiving the deputy order and they need to review P's benefits at least annually.

Needless to say, deputies need to keep P's funds and money separately from the deputies' monies: this is not usually an issue for professional or local authority deputies who have systems in place to ensure monies are held separately. However, deputies who are a spouse or a civil partner of P can continue with joint accounts.

Deputies need to ensure that they meet the tax obligations and planning of P. It is important for deputies to file tax returns on time, pay tax liabilities on time and not cause any demands, interests or charges being made against P. Deputies also need to manage P's liabilities to be paid on time and to ensure investments achieve the best possible returns with the least amount of risk. Matters of taxation and investment may well require the deputy to achieve professional advice.

Deputies need to ensure that P has an adequate personal allowance whether P is living in a residential care or at home. There is no specific guidance as to the level of personal allowance.

### 5. Financial record keeping:

Deputies need to keep financial records which are up to date. Lay deputies need to keep invoices and receipts. Public authority deputies need to have full financial records and accounting systems in place and professional deputies have the same obligations along with compliance with their regulatory body requirements such as the SRA regulations.

Financial decisions need to be fully explained with the relevant factors considered for all significant financial decisions to be provided in the annual reports to the OPG.

### 6. Property management:

Deputies must ensure that P's property is secure and insured appropriately. Again, this is relatively obvious for professional and local authority deputies but lay deputies may need reminder of these matters.

It is important also for deputies to consider carefully the authority if any they have in terms of selling P's property or buying property with P's estate. The standard deputy order does usually not provide authority to sell or buy property. The deputy needs to make appropriate applications to the Court of Protection for appropriate authority to be granted if not included in the standard deputy order. The decision to sell P's property must be in P's best interests.

### 7. Decisions relating specifically to health and welfare:

Deputies for health and welfare need to comply with authority in deputy order and to ensure that the OPG is informed of key decisions made in respect of P. Decisions as to where P should live need to be explained to the OPG. As to deciding who should have contact with P, the deputies need to consider the limits in the deputy order as to restricting access to P and in particular section 20 of the Mental Capacity Act since only the Court of Protection can make such decisions to restrict P's contact with other.

When dealing with issues of medical treatment for P, the deputies must provide explanations to OPG as to decisions for the provision of treatment, decisions to refuse or the discontinuation of healthcare provisions.

### 8. Additional obligations:

These relate mostly to professional deputies due to their ability to charge. Professional and public authority deputies must have appropriate auditing internal files process in place for professional and public authority deputies. Public authority deputies must make appropriate use of public resources and professional deputies must carry out their deputy role with good conduct and behaviour as per the relevant regulatory body applicable to that deputy. There needs to be full and transparent bill of costs incurred by the professional deputy.

There is now also an obligation to promptly inform to the OPG of any investigations and proceedings relating to P or deputy.

A new specified obligation is "whistleblowing" to ensure any concerns are voiced as to the deputy regardless of the type of deputy they are. Further, the deputy must inform the OPG of any issues that could affect how the deputyship is managed.

### ***What is the potential impact of these refreshed standards?***

The new standards should provide better guidance to lay deputies with clear and simple list of duties and obligations for different types of deputies. This is particularly for lay deputies subject to them being made aware of the standards and actually reading them and applying them appropriately and consistently.

There will be more regular information provided to the OPG. This will enable greater scrutiny by the OPG to ensure that deputyships are carried out in P's best interests at all times. There may be more investigations and checks on deputies, identifying those not acting in P's best interest. Appropriate actions can then be taken by the OPG along with appropriate applications to the Court of Protection.

Ultimately, the standards should ensure that all deputies carry out all their duties appropriately and always in P's best interests. ■

**Carol Davies**  
College Chambers



# The Council Member's Report

**PETER WATSON-LEE**  
Law Society Council Member for Dorset

## Legal Heroes

No apologies for mentioning the Law Society's Legal Heroes again. The idea is to bring some positive publicity to the profession by highlighting the often unsung work carried out by solicitors across the country. I had the privileged of reading the nominations received and it is brilliant to see the incredible work being undertaken by so many Solicitors from all areas of the profession.

The seventy or so nominations have been shortlisted to twenty-five and the top 'Magnificent Seven' will be announced on 7th September 2023 at the Law Society in Chancery Lane. Keep an eye out for the announcement - and why not start working out who you will nominate for next year?

## Professional Insurance - Cyber Insurance Anyone?

The Law Society survey on professional indemnity is an interesting read – especially for those 39% of you who still renew your insurance on 1st October each year and will be working on your renewal as you read this. It will come as no surprise that the 2 – 4 partner firms are finding the demands for more information are getting harder each year. Also the sole practitioners tend to have the highest premiums (6% of turnover) compared to the five to ten partner firms (4% of turnover). The big concern is that only 28% of firms take up cyber insurance in times when the risks of cyber attacks are continuing to increase. The Law Society recommends buying it.

Try this link: Latest trends in professional indemnity insurance for law firms | The Law Society

## Chancery Lane

Lubna Shuja's extraordinarily active Presidential Year continues. As well as criss-crossing the country, she has toured internationally and been involved in opening a number of legal markets to our profession. Next year's President, the current Vice President Nick Emmerson (a Commercial Solicitor from Leeds with international experience) has already been photographed leaving 10 Downing Street.

The Society's political influencing continues to be in overdrive with a host of legislation with legal implications going through parliament. Sadly, veiled attacks on Solicitors are still being made by senior politicians who should know better. They are being answered whenever they appear.

## CILEX

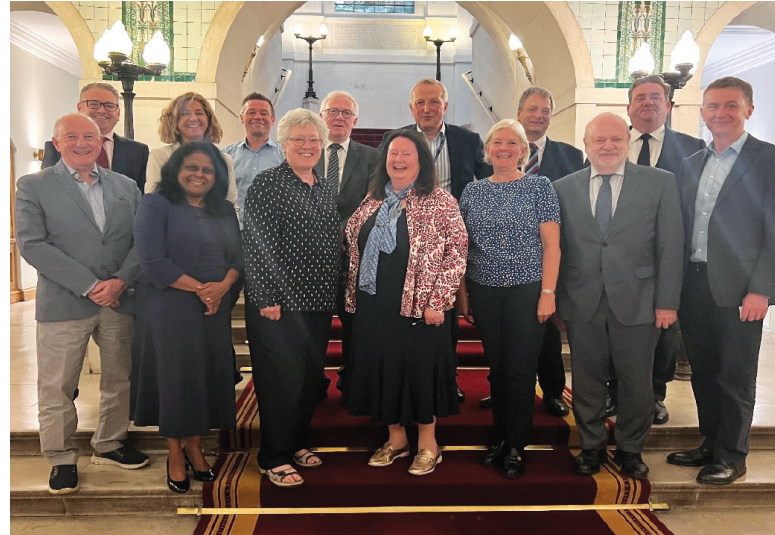
We have been considering the tricky issue arising from the indication that the leadership of the legal executive body CILEX wants to be regulated by our Solicitors Regulation Authority (SRA). However, as I write this, the debate has

taken an unexpected turn as the CILEX membership have made it clear they don't want the change. Who knows what happens next!

## Unregulated Will Writers

Another development has occurred in the continuing saga of what to do about incompetent, misleading unregulated Will Writers. It is an issue that is, quite rightly, at the top of list for our new BDLS President Michael Newbold. Several years ago we thought the position was being resolved as the Legal Services Board put a lot of effort into putting a detailed proposal to government – only to have it rejected. However, it turns out the Competitions and Markets Authority (CMA) is now looking into the position due to its concerns over misleading advertising by Will writers. I have to admit the CMA is not on my list of friends as they are behind all the horrendous 'Transparency' rules that have come in over the last few years. But if they can sort out unregulated Will Writers, I might review my Christmas card list.

## Meetings Galore



*The Law Society Board – July 2023*

July seems to be a busy time for meetings – I think everyone wants to pack them in so they can go away for August. I have had a whole series of interesting meetings, some virtual, but an increasing number in person. One was a meeting of the Law society main Board in Chancery Lane. A number of the Board members are leaving as their six year stints have come to an end – hence a photograph was taken for posterity. As I wasn't expecting a photo, I (far left) was in slightly more casual wear than the rest! ■

**Peter Watson-Lee**  
Law Society Council Member for Dorset

# LawCare

Supporting the Legal Community

LawCare, in collaboration with The Open University, have two free online courses that may be of interest to members - Managing and Understanding Yourself and Working with Others. Both courses are about emotional competence and professional resilience and are aimed at upskilling legal professionals to promote psychologically and emotionally healthier ways of working in law. They can be accessed here [OLCreate: Fit for Law \(open.edu\)](#)

**LawCare's free, independent and confidential helpline, email and online chat service provide a space for you to talk about anything that may be worrying you.**

**Call them on 0800 279 6888 or visit their website [www.lawcare.org.uk](http://www.lawcare.org.uk) ■**

## Are you a procrastinator?



**M**any of us will be familiar with procrastinating - putting off or avoiding a task that needs to be done. If often seems as if the more we have to do, the more we procrastinate. There are two types of procrastination, active and passive.

Active procrastinators work better under pressure, they may choose to leave a task until it's right down to the wire because they thrive on adrenaline.

Passive procrastinators do so to the detriment of their performance. According to a 2013 study procrastination has nothing to do with poor time management or laziness, it occurs because of our inability to manage negative emotion surrounding a task, either focused on an aversion to the task itself or because of the feelings the task provokes 'I can't write this, I don't know enough about it, my boss will criticise me.' These thoughts then make us procrastinate further.

Procrastination is closely linked to perfectionism, low self-esteem, fear of failure or of moving forward in our lives. Often procrastination is a red flag that we are finding it hard to cope, it can be a symptom of an underlying issue such as stress, anxiety or depression.

So, if you are a procrastinator what can you do? Here are some tips.

### Practice self-compassion

Be kind to yourself, and don't beat yourself up for procrastinating. Just accept that you do it. Try and write down some positive things about yourself, perhaps something nice a colleague said to you, or think about a previous time you completed a similar task and it went ok.

### Make a list

Start by making a list of everything you have to do. Break big tasks into smaller manageable chunks so they don't feel overwhelming and set realistic deadlines for each task.

### Block out time and remove distractions

Estimate how long certain tasks will take and block out time in your calendar to complete them. Work out what times of day suit you to complete certain tasks, for example if you're a morning person you might be better at drafting a document first thing and want to save admin tasks for the afternoon. If possible turn off your phone and email notifications during these times so you don't get distracted. You can also block your access to social media on your phone during certain times of day.

### Make a start

It's easy to say just do it – but sometimes exactly what you need to do is just make a start on something. It doesn't have to be perfect.

### Build in rewards

It's important to build in rest time or reward yourself for meeting deadlines. Perhaps make a deal with yourself that you'll get a coffee after you've completed a certain task, or you'll go for a walk after clearing your inbox. Short breaks and time away from your desk improve your energy and focus.

### Seek help

If your procrastination is starting to become unmanageable call LawCare for support on 0800 279 6888, email: [support@lawcare.org.uk](mailto:support@lawcare.org.uk) or visit [www.lawcare.org.uk](http://www.lawcare.org.uk). LawCare offer free, independent and confidential support to anyone in the UK legal community. All calls, chats and emails are responded to by trained staff and volunteers who have first-hand experience of working in the law. ■

# BDLS Wellbeing Support

**P**ast President, Emma Hamilton Cole, recently hosted a wellbeing catch up meeting for members over Zoom. It was a great opportunity for people to offload about difficulties they were having and how they were coping, both personally and in their office environments. The conversation was very interesting and lively with some great ideas shared. Watch this space for our next session.

## BDLS Wellbeing and Resilience Survey 2023

*We will very soon be emailing members a Wellbeing and Resilience Survey to complete. You may recall we last conducted this survey back in 2019 and had a great response from our members. The aim is to build a picture of the mental health of our members and those working in legal services in our region and how we, as a Society, can provide support. Keep a look out in your inboxes for this. ■*

## Wellbeing Support

Free, confidential, non-judgemental emotional support for anyone working in a legal environment. We provide a space for you to talk through whatever is on your mind. We can also signpost you to other support agencies. Please contact any of the following:



**Mark Kiteley**  
mkiteley@rawlinsdavyyreeves.com  
Tel: 01202 558844



**Nicola Lowe**  
Nicolalowe@hgwalker.co.uk  
Tel: 01202 881454 or 07854 787358  
(outside office hours)



**Edward Holmes**  
egholmes@meesons-spurlings.co.uk  
Tel: 01425 484420



**Sally Crawford**  
Sallycrawf@gmail.com  
Tel: 07973 148264



**Mandy Heath**  
mandyjheath@hotmail.co.uk  
Tel: 07763 833256



**Maddy Longland**  
ml@mjplaw.co.uk  
Tel: 01202 842929



**Ian Turle**  
a.turle@ntlworld.com  
Tel: 07720 406962



**Lauren Annicchiarico**  
lauren@frenchlawmatters.co.uk  
Tel: 07764 582128



**Maria Evans**  
Maria.evans@ellisjones.co.uk  
Tel: 01202 057718



**Sarah Unsworth**  
Bacchante2012@gmail.com  
Tel: 01590 676933



**Liam Fennessey**  
lf@prestonredman.co.uk  
Tel: 07776 653645



# Nicola Lowe

## Being A Social Mobility Ambassador



A couple of years ago I successfully applied to become a social mobility ambassador for the Law Society. Around 10 solicitors are selected every few years and we share our experiences of entering the legal profession, including the challenges we faced and how we overcame them. Reflecting on our career paths we give practical tips and advice on pursuing a career in law and provide inspiration to those from a non-traditional background hoping to qualify as a solicitor. We aim to raise the aspiration of students and graduates interested in joining the profession by demonstrating that regardless of social background or circumstances the profession welcomes candidates who show talent, tenacity and a strong work ethic.

The role of a social mobility ambassador includes:

- sharing how we became a solicitor
- raising the profile of social mobility and fair access in the legal profession
- helping people who want to be solicitors understand the legal profession

- mentoring students formally or informally including those on the Diversity Access Scheme.
- taking part in the selection and interview process for the Diversity Access Scheme
- networking with local law societies

I have achieved such a sense of fulfilment in being part of the scheme and helping to assist people to achieve their goals despite the lack of opportunities or difficult circumstances they have faced.

I must say I was a little excited to walk into HQ and see my picture on the wall. We should never underestimate what it means to qualify as a solicitor and I must admit I still pinch myself every now and again! ■

**Nicola Lowe**  
Partner Harold G Walker Solicitors  
& Social Mobility Ambassador

**NICOLA IS ALSO PART OF THE BDLS WELLBEING SUPPORT**

## Deaf Awareness Training Lecture

In May we hosted a Deaf Awareness Training lecture. The lecture was presented by George Raggett of WDDA Trustee & Tutor, a trustee and trainer for Wilts & Dorset Deaf Association (WDDA) since 2007. George has been hard of hearing all his life, using spoken & written English as my preferred language, developing communications skills in British Sign Language for the past 35 years. This training was for anyone that wanted to know more about how varying degrees of deafness impacted on the daily lives of Deaf and Hard of Hearing people.

We were thrilled to receive the following feedback from Maria Boccherini of Lester Aldridge :

*"Thank you very much for having a few of us from Lester Aldridge LLP, at the Deaf Awareness lecture which took*

*place in May. Being loss of hearing from birth I found the lecture very helpful and interactive. Both speakers were very good and hard of hearing themselves, so it was great to gain some more insight on deaf awareness. I feel more confident and encouraged when interacting with my colleagues, clients and other people around me.*

*George trained my colleagues on how to communicate with deaf people, which will be very useful when seeing some clients. He also recommended some useful changes, which could be made in the office, to ensure the deaf are comfortable and understood".*

If any of our members are interested in Deaf Awareness Training please contact the WDDA <http://www.wdda.co.uk> ■

# Firms' News

## Lester Aldridge Promotions



Photo, left to right: Phoebe Chandler, Lucy Goff, Edward O'Brien, Shelley Cole, Tarron Dobson, Yasmin Curry, Ashley Brown & Erin Collins.

**L**ester Aldridge is delighted to announce the promotion of a number of lawyers, with five new senior associates and three new associates.

Promoted to Senior Associate are Phoebe Chandler (Commercial Real Estate), Lucy Goff (LA Marine), Edward O'Brien (Employment), together with Shelley Cole and

Tarron Dobson (Residential Property). Yasmin Curry (Real Estate, specialising in restructuring & insolvency), Ashley Brown and Erin Collins (Litigation & Recoveries) are promoted to Associate. ■



Ashleigh Lydford

## Lester Aldridge Welcomes New Real Estate Associate

**L**ester Aldridge is pleased to welcome Ashleigh Lydford, who has joined the firm's Real Estate team as an Associate.

Ashleigh is an experienced real estate solicitor who deals with all aspects of land development and commercial property matters. She acts for several local developers who regularly return to her and recommend her. Before joining the firm, Ashleigh worked as a partner in the conveyancing department of a local firm, where she developed extensive experience in all aspects of commercial and residential conveyancing. ■



# Firms' News

## Lester Aldridge – increases it's partnership

**L**ester Aldridge is delighted to announce that Michelle Musker, Izabela Arnold and Matt Gilks have joined the firm's partnership.

Michelle Musker is promoted to partner within the Real Estate Finance team in Bournemouth, acting in multiple transactions for national commercial and residential mortgage lenders.

Izabela Arnold heads LA's specialist construction team and Matt Gilks becomes the second partner in LA's planning and infrastructure team. ■



*Left to right in photo: Izabela Arnold, Michelle Musker and Matt Gilks*



## New partner, Alison Lloyd, strengthens Lacey's Private Client team

**L**eading Dorset firm, Lacey's Solicitors, welcomes Alison Lloyd as Partner to its Private Client team, based in Bournemouth. .

Alison brings with her a wealth of knowledge and experience in Estate Administration and Powers of Attorney. She managed a successful Probate team in her previous role, handling a diverse range of estates and intestacies, from simple cases to high-net-worth estates. ■



*Alison Lloyd*

**LACEYS** SOLICITORS

# Firms' News

## Coles Miller – New Appointments

**Coles Miller Solicitors has further strengthened its expert team with a series of new appointments. ■**

Personal injury solicitor Jonathan Rich has years of experience in handling serious injury compensation claims; Solicitor Shan Hounsell has joined Coles Miller's Commercial Department. She has extensive litigation experience in the public sector and in private practice.

Solicitors Holly Munro, Stephen Peck and private client executive Emma Stagg have joined Coles Miller's Wills and Probate Department. Holly Munro specialises in wills, powers of attorney and estate accounts and Solicitor Stephen Peck specialises in wills, probate, powers of attorney and cases involving the Court of Protection. Private client executive Emma Stagg has returned to Coles

Miller. She is now based at Coles Miller's Fleetsbridge office after working with two law firms in Wimborne and Ringwood. Emma was originally a probate executive at Coles Miller from 2014 to 2018.

Wills and probate solicitor Marie Harder has moved from Coles Miller's Fleetsbridge office to the firm's Broadstone office. Marie's work includes wills, powers of attorney, Court of Protection applications, estates and trusts administration. Chartered Legal Executive Jeni Claves has rejoined the Residential Conveyancing Department, having spent the last six years raising her young family. Jeni originally qualified in 2009 and was admitted as a Fellow of the Chartered Institute of Legal Executives in 2011 while working for Coles Miller. She is based in the Broadstone office. ■



Top Row: L-R Jonathan Rich, Shan Hounsell, Holly Munro, Stephen Peck,  
Bottom Row: L-R Emma Stagg, Marie Harder, Jeni Claves



# Firms' News

## On the move – Jean Cross

Jean Cross recently joined Woodstock as a Consultant Solicitor, after running her own successful practice for 20 years! Jean specialises in Business and Company matters and Commercial property work. ■

WOODSTOCK  
LEGAL SERVICES



*Jean Cross*

## Ellis Jones - Congratulations to new solicitor Clémentine

Rising star Clémentine Saulnier has qualified as a solicitor. Clémentine is the latest solicitor to complete her training contract at Ellis Jones. Clémentine embarked on her training contract at Ellis Jones in September 2021 before qualifying in early July of this year. ■

ELLIS JONES  
SOLICITORS



*Clémentine Saulnier*

# Firms' News

## Scott Bailey - Promotions



*Clockwise from Top left: Azmi Quraishie, Philip Salt, Kate Jones and Alexandra Bridle*

**New Forest law firm Scott Bailey LLP is thrilled to share two significant achievements, with immense pride, the firm announces the promotion of Azmi Quraishie to Partner and the progression of Philip Salt to full Equity Partner.**

Azmi Quraishie's journey at Scott Bailey began as the Head of Litigation, succeeding Nick Jutton. Philip Salt is already a figure synonymous with Scott Bailey his progression to full Equity Partner is a reflection of his exceptional skill set.

In addition to the partner promotions, Scott Bailey has recently welcomed two valuable new additions to its team in Kate Jones and Alexandra Bridle. Kate brings a wealth of expertise in commercial law, IP, regulatory affairs, and commercial property. Meanwhile, Alex, an experienced paralegal, has joined Scott Bailey's well-established private client department headed by Partner Richard Wadsworth. ■



SOLICITORS  
MEDIATORS  
NOTARIES

# Firms' News

## Rawlins Davy Reeves: New Appointment



*Deborah Fenton*

**D**eborah Fenton aims to bring her own brand of energy, experience and enthusiasm to her new role as Head of Residential Property at long established firm Rawlins Davy Reeves. She has joined the company as a Director, having previously worked for Steele Raymond Solicitors, and brings with her 20 years of legal experience, having qualified as a Solicitor in 2003.

Speaking of her appointment Deborah said "Rawlins Davy Reeves has its roots as the oldest law firm in Bournemouth, so I am very excited to be part of a business with such strong traditions, history and heritage. I

shall play my full part in reinforcing and enhancing the already strong reputation of Rawlins Davy Reeves and strengthening what we already have. This is a new challenge for me and my chance to put my own mark on things and be part of the future growth of the firm."

Managing Director Mark Kiteley commented "This is a key appointment for Rawlins Davy Reeves and we are very pleased that Deborah has decided to join us. With Deborah's new energy and proven track record we are looking forward to her building on the great reputation the company has and developing the residential property department with the great team here." ■





**hklaw** is a well-established South Coast law firm with a great reputation for providing professional legal services locally, nationally, and beyond via our network of offices based across Somerset and Dorset.

Due to continued growth and increased demand for our services, we currently have vacancies for qualified lawyers in the following areas of law:

- Company Commercial
- Commercial Property
- Family

For further information, please go to our Careers page at [hklaw.uk](https://www.hklaw.uk)

#### We can offer you:

- A competitive salary
- Generous annual leave allowance
- Christmas shutdown
- Buy and sell holiday scheme
- Employee Assistance Programme (For health and well-being)
- Sabbatical Scheme
- Pension scheme
- Private medical plan
- Life insurance
- Occupational sick pay
- Discretionary bonuses
- Flexible/remote working opportunities
- Opportunities for self-development and career progression
- An engaging and supportive work environment
- A fantastic location in which to live and work
- Relocation packages considered for relocators

#### How to apply:

Either head to our vacancies page at [hklaw.uk](https://www.hklaw.uk) for details of specific vacancies or for speculative enquiries, please send your CV to [recruitment@hklaw.uk](mailto:recruitment@hklaw.uk) and one of our HR team will come back to you.





## HEAD OF RESEARCH AND KNOWLEDGE EXCHANGE CONTRACTS LEGAL SERVICES – HYBRID WORKING

### KEY INFORMATION:

**Salary: starting from £64,914 to £79,831 per annum**  
**Date advertised: Wednesday, June 28, 2023**  
**Closing date: Sunday, September 17th, 2023 - midnight**  
**Please quote reference: LCG06**

At Bournemouth University, we have a fantastic new opportunity for an experienced lawyer to join our friendly, experienced and supportive in-house Legal Services and Corporate Governance team as lead legal expert in the University on research and knowledge exchange contracts.

Bournemouth University's vision is worldwide recognition as a leading university for inspiring learning, advancing knowledge and enriching society through the fusion of education, research and practice. Our highly skilled and creative workforce is comprised of individuals drawn from a broad cross section of the globe, who reflect a variety of backgrounds, talents, perspectives and experiences that help to build our global learning community.

You will be someone who can lead on the provision of specialist legal advice to enable the University to achieve its aims of increasing externally funded research and knowledge exchange activity.

In addition to a competitive salary, defined benefit pension scheme and generous annual leave entitlement, this role provides an outstanding development opportunity to move in-house and to work in a diverse and varied role. The team works flexibly and supports hybrid working. Further details will be provided during the recruitment process.

**For further information or an informal chat please contact Deborah Wakely, Head of Legal Services and Corporate Governance. To arrange a call please email [legalservices@bournemouth.ac.uk](mailto:legalservices@bournemouth.ac.uk)**

A detailed job description and person specification are available from our website together with an online application form:  
<https://www.bournemouth.ac.uk/about/jobs/head-research-knowledge-exchange-contracts>

Alternatively, please email the HR Services Team at [hvacancies@bournemouth.ac.uk](mailto:hvacancies@bournemouth.ac.uk) quoting the appropriate reference (Ref: LCG06).

BU values and is committed to an inclusive working environment. We seek a diverse community through attracting, developing and retaining staff from different backgrounds to contribute to inspirational learning, advancing knowledge and enriching society.



## SENIOR SOLICITOR LEGAL SERVICES – HYBRID WORKING

### KEY INFORMATION:

**Salary: starting from £56,021 to £68,857 per annum**  
**Date advertised: Thursday, June 29, 2023**  
**Closing date: Sunday, September 17th, 2023 - midnight**  
**Please quote reference: LCG07**

At Bournemouth University, we have a fantastic new opportunity for a senior solicitor to join our friendly, experienced and supportive in-house Legal Services and Corporate Governance team. Bournemouth University's vision is worldwide recognition as a leading university for inspiring learning, advancing knowledge and enriching society through the fusion of education, research and practice. Our highly skilled and creative workforce is comprised of individuals drawn from a broad cross section of the globe, who reflect a variety of backgrounds, talents, perspectives and experiences that help to build our global learning community.

You will be someone with sufficient legal knowledge and experience to quickly grasp new and emerging areas of specialism as required by the University's diverse remit. You will advise the University on a range of legal matters (for example, intellectual property rights, data protection, charity law, company law and consumer law) and draw upon your contract drafting and negotiation skills and experience to primarily support our academic colleagues with research contracts, international collaborations, alternative education provision, apprenticeships, student exchanges and other related contracts.

In addition to a competitive salary, defined benefit pension scheme and generous annual leave entitlement, this role provides an outstanding development opportunity to move in-house and to work in a diverse and varied role. The team works flexibly and supports hybrid working. Further details will be provided during the recruitment process.

**For further information or an informal chat please contact Deborah Wakely, Head of Legal Services and Corporate Governance. To arrange a call please email [legalservices@bournemouth.ac.uk](mailto:legalservices@bournemouth.ac.uk)**

A detailed job description and person specification are available from our website together with an online application form at:

<https://www.bournemouth.ac.uk/about/jobs/senior-solicitor>

Alternatively, please email the HR Services Team at [hvacancies@bournemouth.ac.uk](mailto:hvacancies@bournemouth.ac.uk) quoting the appropriate reference (Ref: LCG07).

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## SENIOR SOLICITOR LEGAL SERVICES – INFRASTRUCTURE

### KEY INFORMATION:

**Salary: starting from £56,021 - £68,857 per annum**  
**Closing date: Friday, 29 October 2023 – midnight**  
**Normal Hours per Week: 1 FTE – 37 hours**

At Bournemouth University, we have a fantastic new opportunity for a senior solicitor to join our friendly, experienced and supportive in-house Legal Services and Corporate Governance team. Bournemouth University's vision is worldwide recognition as a leading university for inspiring learning, advancing knowledge and enriching society through the fusion of education, research and practice. Our highly skilled and creative workforce is comprised of individuals drawn from a broad cross section of the globe, who reflect a variety of backgrounds, talents, perspectives and experiences that help to build our global learning community.

You will be someone with sufficient legal knowledge and experience to quickly grasp new and emerging areas of specialism as required by the University's diverse remit. You will advise the University on a range of legal matters (for example, IT, procurement and related contracts, with some estates support) and draw upon your contract drafting and negotiation skills and experience to primarily support our professional services teams with software license agreements, cloud computing agreements, IT professional services agreements, framework agreements, tenders, awards and other related contracts.

In addition to a competitive salary, defined benefit pension scheme and generous annual leave entitlement, this role provides an outstanding development opportunity to move in-house and to work in a diverse and varied role. The team works flexibly and supports hybrid working. Further details will be provided during the recruitment process.

**For further information or an informal chat please contact Deborah Wakely, Head of Legal Services and Corporate Governance. To arrange a call please email [legalservices@bournemouth.ac.uk](mailto:legalservices@bournemouth.ac.uk)**

A detailed job description and person specification are available here: [https://intranetsp.bournemouth.ac.uk/policy/FINAL%20-%20Job%20Description%20-%20Senior%20Solicitor%20\(infrastructure\)%20.pdf](https://intranetsp.bournemouth.ac.uk/policy/FINAL%20-%20Job%20Description%20-%20Senior%20Solicitor%20(infrastructure)%20.pdf)

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# GREAT LEGAL WRITING

## Lessons from Literature

By Max Barrett

AS WORDS ARE THE BASIC TOOLS OF ADVOCACY, ALL LAWYERS SHOULD READ THIS BOOK

An appreciation by Elizabeth Robson Taylor MA of Richmond Green Chambers and Phillip Taylor MBE, Head of Chambers, Reviews Editor, "The Barrister", and Mediator



**D**oes law link with literature? Yes, of course it does. Both are about words: words and their intrinsic power to influence when effectively used, bearing in mind that while good writing does influence -- great writing, for good or ill, exerts power.

As the author of this book, Max Barrett -- who is also a judge -- states very simply that 'the law consists of words' -- hence the necessity of cultivating a clear, lucid and "polished" writing style, especially when

you consider the vast amounts of paperwork and documentation most cases require.

So if you're a lawyer who writes well, get this book -- a recent publication from Globe Law and Business. It will inspire you to write even better, superbly well in fact. Or, if you're already a superb writer (lucky you) you will be pleased to be reminded that good writing emanates from honesty and clarity of thought.

As you can immediately detect from the title, the focus of the book is less on "good" legal writing, than on "great" legal writing. And note the sub-title: 'Lessons from Literature.' As the publishers point out, the book provides lessons, mainly statements of opinion on the art of brilliant expression from a noteworthy selection of undeniably brilliant writers of the past whose work continues to inspire. And even if you may disagree in part with what some of them say, you cannot fault the way they say it, or indeed the quality of the advice they offer.

E. M. Foster, for example, offers advice on 'writing and voice', focusing on tone... vocabulary... rhythm and cadence... and much, much more. Other writers featured in this volume include D.H. Lawrence (yes, him), Guy de Maupassant, Thomas de Quincy, Thomas Hardy, Henry James, Robert Louis Stevenson, Anthony Trollope, William Hazlitt, Virginia Woolf and more besides. And if at this point you are asking why only one female author (??), your query will no doubt inspire another book.

Certainly, this book may well answer -- or inspire further debate -- on the concern expressed by judges, for example, on the evidently deteriorating quality of written submissions by all too many lawyers of late -- barristers as well as solicitors -- and judges too, as we are reminded that 'the "triple crown" of judgment writing is 'clarity, simplicity and brevity.' Note too, the appendix on 'Writing for the young and vulnerable.'

In all, the book presents readers, primarily lawyers, with a distinguished work of scholarship on a subject that is all too rarely discussed. The encouraging prospect is that this book will in general, raise levels of awareness, particularly in the legal profession, that words -- the basic tools of advocacy -- should be used wisely and well.

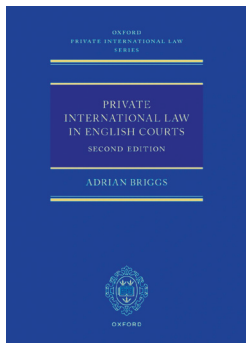
The date of publication of this new hardback edition from Globe Law is cited as 16th February 2023. ■

# PRIVATE INTERNATIONAL LAW IN ENGLISH COURTS Second Edition

By Professor Adrian Briggs KC

HOW DOES PRIVATE INTERNATIONAL LAW WORK IN ENGLISH COURTS POST-BREXIT? READ THE DEFINITIVE WORK ON THE SUBJECT: NOW IN A NEW SECOND EDITION FOR 2023

An appreciation by Elizabeth Robson Taylor MA of Richmond Green Chambers and Phillip Taylor MBE, Head of Chambers, Reviews Editor, "The Barrister", and Mediator



**The publication of this new edition of 'Private International Law in English Courts' from Oxford University Press, part of the Oxford Private International Law Series -- is nothing if not historic when you consider that the first edition was published eight years ago in 2014.**

Since then, the world in general and the United Kingdom in particular have had to tackle one upheaval after another, starting with the Brexit vote in 2016, the impact of

which was exacerbated by the dismaying and disruptive effects of the Covid 19 pandemic.

But, as is pointed out in this latest edition of this important and authoritative work of reference, it is Brexit, which (as expressed in the Series Editors Preface) confronts us with the necessary task of 're-surveying and re-building the landscape of the conflict of laws in England and Wales.'

In addition, that the book's erudite author Professor Adrian Briggs KC has undertaken 'the role of chief surveyor painstakingly charting the

shoreline to see what the receding tide of European legislation has left behind and seeking to build around it with the materials... offered by our own constitutional order: shattered statutes, complex rules of procedure and an ever-growing mass of cases.' And he does it very well indeed.

With these bewildering realities in mind, how does one cope? Or, in the words of Professor Briggs, 'how... does it feel to have taken back control?' Obviously, there is no simple answer out there to this conspicuously complex -- and by now, oft repeated -- question. Indeed -- and obviously, there is a multiplicity of answers to a multiplicity of questions linked to the complexities of this issue.

What this book does is to provide practitioners with the insights, the guidance and the techniques needed to function successfully within the new landscape of international law. This new edition, says the author, aims 'to show and explain how private international law works in English courts, using the jurisprudence to help to paint, rather than to overwhelm, the picture.'

Certainly, this distinguished text delivers plain speaking, thought provoking and practical content. Copiously footnoted throughout, it features logical aids to navigation, including a detailed table of contents, (plus a summary of contents) and a fourteen-page index. Its twelve chapters cover every pertinent aspect of what an intrinsically complex area of law is, including: tools and techniques... jurisdiction... ancillary measures... foreign judgments... contractual obligations... non-contractual obligations... property... corporations... adults... children... and finally, arbitration.

Also note the more than forty pages of tables of cases and of legislation. Practitioners in international law everywhere will no doubt regard this book as an essential purchase. ■

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# Poppy's second chance at love

Poppy's owner first contacted her local rehoming centre and said she needed to hand Poppy, a four year old Chihuahua cross, over to us as she had sadly recently been given a diagnosis that she had a terminal illness. She was advised to apply for a free Canine Care Card and nominate a Dog Guardian; someone she trusts to sign over the care of Poppy to Dogs Trust should she need it. She'd then be able to spend the most time possible with Poppy and feel reassured that she'd be given the best possible care at Dogs Trust when they could no longer be together.

When Poppy's Dog Guardian contacted us to advise that her owner was now receiving palliative care and that they needed to activate her Canine Care Card, Poppy was collected by Dogs Trust the very next day. After a vet and behavioural assessment we decided the best place for Poppy would be a loving foster home. We were able to advise the foster carers of all the information we'd been given by Poppy's owner regarding her life, diet and routine to enable us to make this transitional period as stress-free as possible for Poppy.

Within almost no time, we were able to find very affectionate Poppy a lovely new home for her second chance at love.

Poppy's story is one of many we come across at Dogs Trust.



Many owners are growing increasingly worried about gradually losing their independence or their health deteriorating. Dogs Trust want to offer owners peace of mind that we will be there at this difficult time to care for and rehome their four legged friends should the worst happen.

Therefore we're pleased to announce that we have extended our Canine Care Card service. Dogs Trust will care for your dog should you move into a care home, become seriously ill or pass away.

For more information on our Canine Care Card service and how to register your dog please type in this link [www.dogstrust.org.uk/ccc](http://www.dogstrust.org.uk/ccc) where you will find our online application form and more information on our free service.

If you have any queries regarding the Canine Care Card please email [CCC@dogstrust.org.uk](mailto:CCC@dogstrust.org.uk) or call **020 7837 0006** and we will be happy to help. ■



## Who'll keep her happy when your client's gone?

**We will – as long as your client has a Canine Care Card.**

It's a FREE service from Dogs Trust that guarantees their dog a second chance a life.

**At Dogs Trust, we never put down a healthy dog.**

We'll care for them at one of our 21 rehoming centres, located around the UK.

One in every four of your clients has a canine companion. Naturally they'll want to make provision for their faithful friend. And now **you can help them at absolutely no cost.** So contact us today for your FREE pack of Canine Care Card leaflets – and make a dog-lover happy.

E-mail [ccc@dogstrust.org.uk](mailto:ccc@dogstrust.org.uk)

Or call **020 7837 0006**

Or write to: **FREEPOST DOGSTRUSTL**

(No stamp required) Please quote **"334975"**

All information will be treated as strictly confidential. Service only available for residents of the UK, Ireland, Channel Islands & Isle of Man.

**A dog is for life, not just for Christmas®**

Registered charity numbers: 227523 & SC037843



[dogstrust.org.uk](http://dogstrust.org.uk)

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