

Leicestershire Law Society

magazine

Women in Law

SEE WHAT HAPPENED AT
THE MAD HATTER'S TEA PARTY...
Page 18



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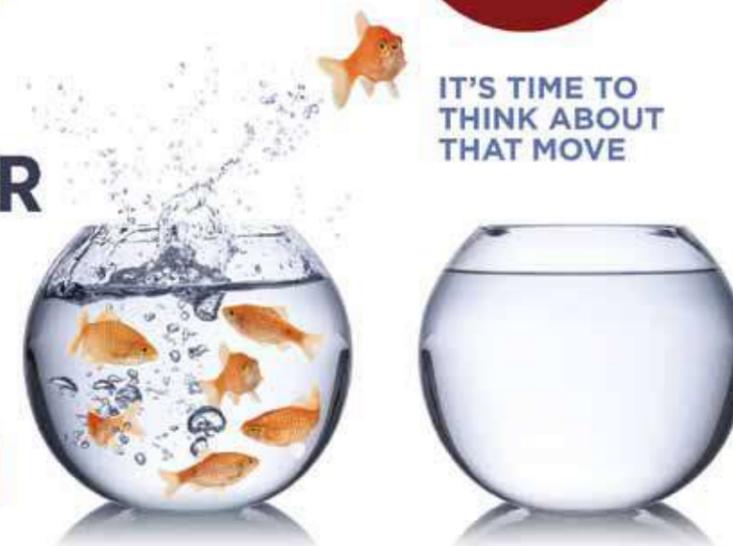
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Published by:
EAST PARK COMMUNICATIONS Ltd.
Maritime House,
Balls Road,
Birkenhead,
Wirral CH43 5RE

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Published: Autumn 2018

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EDITOR'S INTRO



Well, here we are and autumn is upon us all. Time is moving fast towards

winter. Its been a very busy 3 months for the LLS and for our President and getting even busier. There are lots of events happening and I would encourage all members to take part in the events organised to assist our President to raise lots of funds for her chosen charities.

Our membership pages are going from strength to strength and we now need a whole page just for Membership Benefits. Even more reason to tell everyone

you meet about being a member of the Society and the rewards and offers such a membership can bring to you. The Membership Team are working really hard on your behalf. If you think a business may be interested in providing offers to members then please contact the LLS Members Team who will do all the work to contact the company and make the arrangements.

So what's been happening? By the time you read the magazine we will have held the LLS Cake Competition and Summer Fete at Leicestershire Cricket Ground. Hopefully the winner is reading this magazine.

We have held the Summer Garden Party and photos of

the event can be found in this edition.

There has also been the Women in Business and Law event which featured as its theme the Mad Hatters Tea Party from Lewis Carroll's Alice in Wonderland. I had the pleasure when preparing the article for the magazine of reading Alice in Wonderland and in particular the chapter Mad Hatter's Tea Party. There are some serious crimes being committed in this novel. A criminal lawyer would be kept well busy with clients, providing s/he can "keep their head". Please take a look at the article and the photos from the event.

I am pleased that we have received an article from a

member in regard to Dyslexia. The article is well worth a read.

We have a new co-manager at Leicestershire Law Society. Welcome to Ambrose Musiyiwa. Ambrose is working with Kauser.

A new list of LLS Training events has been produced and we now have an events and courses page in this edition and we aim to keep updating this in each edition.

Well I must get a move on, the publishers are watching the deadline and its such a busy edition, I need to give them plenty of time to publish the magazine.

Adam Markillie, Editor
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Bushra Ali as 'The Queen of Hearts' - after Sir John Tenniel

PRESIDENT'S REPORT

OR, BUSHRA'S ADVENTURES IN WONDERLAND ♠♣♥♦

Welcome to my 2nd President's Report. How time flies! What can I say? It has been a busy first 3 months in Office. Since having taken Office on 23 May 2018, it literally has been non-stop, building the momentum for a busy year ahead is exactly what we wanted!

So, to update you, what have we been up to as a Society since the previous issue of this amazing magazine, and what is coming up ahead?

I kicked off my Presidency year with our summer drinks, the Garden Party at the prestigious Trinity House at De Montfort University on Wednesday, 20 June 2018. Our summer drinks Garden Party was a huge success with a record-breaking over 100 people in attendance! The event was well attended and included some esteemed guests. The Police and Crime Commissioner joined us as did the Lord Lieutenant of Rutland and the High Sherriff of Rutland.



At the event in my speech I was able to set out my objectives for the year which include celebrating diversity in the profession and within the community, celebrating the success of women with the Centenary of women being able to practice law approaching and increasing the engagement of the Society with the wider community and other professions. I also aim to celebrate talent within the community both in the legal and non-legal sectors.

On Friday 22nd July 2018, The Executive Board had a very productive lunch with the Judges of our Annual Awards Ceremony. It was

useful for the Board to hear from the Judges as to their views on the current judging process and how that process can be improved. The Society remains committed to a transparent, objective and independent judging process of our prestigious Awards Ceremony.

The Executive Board's lunch with the Patrons/ Business Partners was well received on Tuesday 26 June 2018 where the Patrons and business partners were thanked for their ongoing support to the Society. We value the continued support of all our Patrons and Business Partners.



In recognition of the sheer on-going hard work of our sub-board volunteers, a lunch took place on Friday 6 July 2018 where our Executive Board members were able to meet all our sub-board volunteers. We are an extremely privileged Society to have so many hardworking, dedicated and passionate volunteers as our sub-board members.

Our Women in Business and Law Tea Party with a Mad Hatter's theme went down a real treat on Sunday, 29 July 2018 at the Leicestershire County Cricket Club. Over 70 amazing and truly inspiring ladies attended this event, and we were lucky to be graced with the presence of both Deputy Lord Lieutenant of Leicester Elizabeth Turner, representing the Queen and High Sherriff of Rutland, and

Dr Sarah Furness, the first female Hugh Sherriff of Rutland, in its extensive history. Guest speakers were Her Honour Judge Nancy Hillier and Sarah Houldcroft, who were both amazing. The inspirational message of the afternoon was for women to make way for other women, to support them, to celebrate their success and not see them as competition. We were able to raise a substantial amount of funds for both charities during the afternoon



and



with the support of Malikha Ghandi through her paintings auctioned and Betty Brown with a great themed backdrop for photographs and amazing frocks auctioned on the afternoon.



Keeping the momentum up, two days later on Tuesday 31st July 2018 we held our 'Why Support your Local Law Society' Presentation and networking event at The Belmont Hotel. Attendees were able to hear from Past President and Council Member of The Law Society of England and Wales, Linda Lee on the setup of Local Law Societies and their work. Members of our sub-Boards who presented on the work of their sub-boards included Mathew Olnier (Litigation), Gayle Rowley (Family), Mukesh Basra (Education and Training), Christ Hughes (Equality and Diversity), Peter Duffin (Non-Contentious), Glynis Wright (Patronage and Sponsorship), Imogen Cox (Crime), Adam Marillie (The Magazine) Fiona Harrison (Media) and Jonathan Foster/ Catherine Leong (Events). This event was aimed at increasing awareness of the Society's work and to encourage engagement with a view to bringing on board new members and increased support. The event was really well received with over 10 new organisations having joined as members since the event!

So, what does the Society have in store for the next 3 months?

In line with a very ambitious agenda this year, I am pleased that we have recruited a Co-Manager (Ambrose Musiyiwa), who is really looking forward to working alongside the existing Manager, Kauser Patel. I have no doubt they will be a joint force to be reckoned with!

All systems go in preparation for our next trio of events. On Saturday, 22nd September 2018 will be our cake competition and summer fete at the Leicestershire County Cricket Club. We are looking forward to raising awareness of our charities along with some funds on the way. This event is focussed at community engagement. We are particularly excited about our cake competition and how entrants will interpret the theme 'A celebration'. I am sure I will be reporting on this event in the next issue. Thank you to our Sponsors, Celereica, Finance Lab,

Femi Health & Beauty, Chef & Spice and Cummins Employment Solicitors.

On Wednesday, 26 September 2018 we will host our 'Networking Across the Professions' black tie dinner, in collaboration with Network 2 Kconnect where the focus is to encourage collaboration with other professionals and build long lasting and meaningful professional relationships.

On Thursday, 27 September 2018 we will host our first ever Managing Partner's lunch. Managing Partners of Solicitors Practices across Leicestershire are being invited to this Managing Partners lunch in line with the continued objective to raise awareness of the Society's work, Succession Planning and to increase engagement.

Late afternoon on the same day we are looking forward to hosting a roundtable discussion on BAME issues and fair representation at The Law Society.



Final preparations are taking place for our Solicitors/Accountants Networking event to be held on Wednesday 17 October.

Also in October we will host our 'Diversity in the Community' Dinner on Friday 19 October 2018 at The City Rooms where our Police and Crime Commissioner will be our guest speaker. The entertainment will be from diverse groups within our Community.

Last but certainly not least is our November trio of events consisting of our National Law Society opening drinks ceremony on Friday 16 November at Richard III Exhibition Centre, National Law Society Conference during the day on Saturday 17 November 2018 at St Martins House and completed with the National Law Society conference evening black Tie dinner at The Cathedral. It is set to be a truly amazing weekend with Leicestershire hosting the event for the first time in its history. Representatives of local Law Societies across England and Wales are all set to visit Leicester for this event.

As I complete preparation of this article I fill with realisation (again) of how much work will be involved in delivering all of the above, which would not be possible without the tremendous support of an amazing Society. After all, we are known as one of the most active local law societies, and we must not fail to deliver!

Bushra Ali
LLS President

Mr Sameer Singh MBBS BSc FRCS Consultant Orthopaedic Surgeon

Mr Sameer Singh is an experienced expert witness in personal injury and medical negligence cases relating to his specialist areas of expertise. These include:



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LLS COURSES DIARY

WEDNESDAY, 3 OCTOBER 2018, from 5pm till 6.30pm, **Mark Bradshaw** and **Miran Uddin** from No. 5 Chambers will be delivering **Immigration Applications & Appeals: How to get it right**. The course which costs £15 for members and £20 for non-members will be conducted in the Nelsons Solicitors' Seminar Room at Provincial House, 37 New Walk, Leicester. The session will include the opportunity for questions. <https://www.leicestershirelawsociety.org.uk/product/applications-appeals-how-to-get-it-right/>

TUESDAY, 9 OCTOBER 2018, from 6pm till 8pm, at Finance Lab, 1 Cradock Street, Leicester, **Ann Charlton** of **Law Care** will be giving a presentation on mental health and wellbeing, the legal profession and how to support and promote good mental health and wellbeing at a personal level and in the legal community. Co-organised by the Chartered Institute of Legal Executives (CILEx) Leicestershire & Rutland Branch and the Leicestershire Law Society, the presentation is free and open to all. There will also be nibbles and networking opportunities at the event. <https://www.leicestershirelawsociety.org.uk/product/lawcarepresentation/>

WEDNESDAY, 10 OCTOBER 2018, from 12.30pm till 2:00pm in the seminar room at Nelsons Solicitors, Provincial House, 37 New Walk in Leicester, **Alexander Learmonth** (Counsel, New Square Chambers and ACTAPS 'Contentious Barrister of the Year' 2015), and **Lewis Addison** (Partner, Nelsons Solicitors Limited). ACTAPS (Association of Contentious Trust and Probate Specialists) will be conducting a seminar on **Contentious Probate**. The seminar costs £15.00 for member and £20.00 for non-members. Lunch will be provided. <https://www.leicestershirelawsociety.org.uk/product/contentious-probate-seminar/>

FRIDAY, 12 OCTOBER 2018, from 2pm till 5pm, **Olwen Davies** will be delivering a **Criminal Law update** in the Seminar room at Nelsons Solicitors, Provincial House, 37 New Walk, Leicester. The course, like many of the ones Leicestershire Law Society is hosting, counts towards of CPD and is open to all in the legal profession. The course costs £35.00 for members and £40.00 for non-members. <https://www.leicestershirelawsociety.org.uk/product/criminal-law-update-october/>
For more information on Leicestershire Law Society courses, visit <https://www.leicestershirelawsociety.org.uk/shop/>

LLS EVENTS DIARY

WEDNESDAY, 17 OCTOBER 2018, from 6.30 pm till 8.30 pm, at Queen Victoria Arts Club, Queens Building, 41 Rutland Street in Leicester, the Leicestershire Law Society is hosting a **Solicitors and Accountants networking event**. Supported by ICAEW Chartered Accountants Leicestershire & Northamptonshire (ICAEW: LANSICA) and the Chartered Institute of Taxation (CIOT), the event costs £15 plus booking fee plus VAT. <https://www.leicestershirelawsociety.org.uk/event/solicitors-accountants-networking-event/>

FRIDAY, 19 OCTOBER 2018, from 7pm till 11pm at The City Rooms, Hotel Street, Leicester, Leicestershire Law Society will be hosting the **Diversity in the Community** dinner. The guest speakers will be Leicestershire Police and Crime Commissioner, **Lord Willy Bach**, and University Hospitals of Leicester NHS Trust Equality and Diversity Lead, **Haseeb Ahmad**.

The themed event starts with reception drinks and canapes, moving on to a three course meal by the renowned Mahirs. Entertainment will be provided by local talent selected from the depth of our diverse community. Early Bird tickets cost £44.27 plus VAT. <https://www.leicestershirelawsociety.org.uk/event/diversity-in-the-community-dinner/>

FRIDAY, 16 NOVEMBER 2018, from 7pm till 9.30pm, the Leicestershire Law Society is hosting an **opening drinks ceremony** for the National Local Law Society Conference 2018. The event will be held at Richard III Centre, 4a Saint Martins in Leicester and will include drinks, canapes and exhibition tour. Tickets cost £31.79. <https://www.leicestershirelawsociety.org.uk/event/opening-drinks-ceremony/>

[leicestershirelawsociety.org.uk/event/national-local-law-society-2018-opening-drinks-ceremony/](https://www.leicestershirelawsociety.org.uk/event/national-local-law-society-2018-opening-drinks-ceremony/)

SATURDAY, 17 NOVEMBER 2018, from 9.15am till 4.00pm, Leicestershire Law Society will be hosting the **National Local Law Society Conference 2018**. The conference will be held at 7 Peacock Lane in Leicester and will be opened by Leicestershire Law Society President Bushra Ali and Law Society of England and Wales President Christina Blacklaws. The Conference will address many key issues affecting the legal profession and Law Societies across the United Kingdom. Tickets cost £62.99 <https://www.leicestershirelawsociety.org.uk/event/national-local-law-society-conference-2018/>

SATURDAY, 17 NOVEMBER 2018, from 7.00pm till 11.30pm, Leicestershire Law Society will be hosting the **National Local Law Society 2018 Black Tie Dinner**. Sponsored by No5 Chambers, the dinner will take place at 2 Peacock Lane in Leicester and will include drinks and canapes at reception, entertainment and a four course meal. Tickets cost £81.71 <https://www.leicestershirelawsociety.org.uk/event/national-local-law-society-2018-black-tie-dinner/>

For people who would like to attend all three events that are taking place as part of the National Local Law Society Conference 2018, a package deal is available <https://www.leicestershirelawsociety.org.uk/event/national-local-law-society-conference-2018-package-deal/>

For more information on Leicestershire Law Society events, see <https://www.leicestershirelawsociety.org.uk/events/>

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THE MONSTROUS REGIMENT OF WOMEN!



Following our President's hugely successful Women In Business

and Law Tea Party in July and the profiles of Bushra and other local heroines in earlier Issues of LLS Magazine Christl Hughes reports on The First 100 years project "Celebrating the past to shape the future of Women in Law."

The phrase "Monstrous Regiment of Women" was first coined by John Knox in 1588 and refers to his contemporary 16th century Queens including Elizabeth I and our own local Lady of Bradgate Park, Jane Grey.



Elizabeth the First

Some 430 years on statistics for 2017 indicate that for the first time the number of female solicitors in practice exceeds the number of men. The difference is still quite small (only just over 50%) but we have got there. Interestingly the same happened in the medical profession in 2017 but other occupations (such as teaching for example) are already well and truly "feminised." Issues such as high attrition rates of course remain across the board but I do not propose to deal with those in this celebratory feature.

The First 100 Years* is a history project set up by solicitor Dana Denis-Smith to mark the centenary of the Sex

Disqualification (Removal Act) 1919 enabling women to qualify as lawyers and charting the journey of women lawyers over the century since then. Prior to 1914 objections to women becoming lawyers had included that unlike men they had "no sense of honour from the cricket pitch" and that solicitors' offices and barristers' chambers lacked women's lavatories on the premises. This is all recited on a Toilet Roll (Yes!) now on display in the Supreme Court.

But then came the Great War, the 1919 Act and the admissions of the first woman solicitor Carrie Morrison and barrister Helena Normanton in 1922.



Lady Jane Grey

The wealth of information already gathered by The First 100 Years includes a short interview with our own Council member Linda Lee**



Linda Lee & daughter Gabrielle

The interview Linda gave is ready for the digital museum of 100 stories of high profile legal

ladies. As the 3rd female President of the national Law Society of England & Wales, Linda was delighted to be the first mother to admit her daughter Gabrielle to the Solicitors' Roll. Locally we have had Janice and Sarah Hefford in practice together in Market Harborough – do we have any other such Mum & Daughter teams in Leicestershire?



Carrie Morrison

Solicitors, barristers and chartered legal executives are all eligible to be featured in The First 100 Years so ladies, if you have not already done so, sign up now to get involved.

The first woman to be elected to membership of Leicestershire Law Society was Janet Fortune in 1966 and then in 1967 Ursula Wild and Barbara Orwell both of whom later married solicitor colleagues, a fact then considered sufficiently unusual to be noted in the annals of the Society. Miss L M Rolling was the first lady to join the Committee

in 1984, followed by the election of Vera Stamenkovich in 1986.

District Judge Stamenkovich as she now of course is was the first serving Committee member to become a mother and the first female President. Now we also have for example a female Senior Coroner for Leicestershire Mrs Catherine Mason, District Judge Sally Fudge



Helena Normanton

in Leicester Magistrates Court and Miss Sally Barnett as Head of New Street Chambers. Older members may also recall as another excellent role model the late District Judge Linda Eaton, formerly Senior Partner at Josiah Hincks. Onwards and Upwards!

Christl Hughes. Equality, Diversity & Inclusion Sub Board

*<https://first100years.org.uk/>

**<https://first100years.org.uk/linda-lee-third-female-president-of-the-law-society/>

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DYSLEXIA, A BARRIER TO SUCCESS?



I recently met a client who suffered an injury at work and was worried he would not be able to return to his physical, manual job because of it. He sat in front

of me and told me he could never do anything other than manual work because he was “too stupid”. This man certainly did not present as such and when I asked what made him classify himself as “stupid” he disclosed to me that he was dyslexic and didn’t do well at school. This gentleman became quite visibly emotional, apologetic and embarrassed talking about his dyslexia, and the thought of not being able to work within his comfort zone of “non-academic” employment. This encounter really struck a chord with me and I found myself talking to this client in depth about the possibilities he had in terms of vocational support and re-training, after which he told me that I was lucky I didn’t have to think about such things. I sat for a moment feeling perplexed that my client seemed to think that his lawyer couldn’t possibly understand the struggles he would face. After a careful thought I decided to disclose to my client that I too struggle with dyslexia but that it is not a barrier to success in any field. He said he was shocked as he would never have guessed he would meet a dyslexic lawyer. I was taken aback by this and it made me think about the perception people have about dyslexia.

It seems to be a common misconception, even amongst dyslexics themselves as I discovered that dyslexia is linked to a lack of intellectual capability. This misconception is apparent in schooling, where it is all too prevalent (in the writer’s experience) to hear of parents having to fight with schools to get their children tested for this specific learning difficulty because their child is not struggling generally with their school work. This story is familiar to me too. At school I was never tested for dyslexia as “I was doing well in all my lessons; I wasn’t struggling or falling behind.”

When a child has poor behaviour at school, the school provides additional support, but is there the same level of focus on a less obvious difficulty such as dyslexia? I am sure

the understanding of dyslexia has changed through the years, as has the understanding of many other learning or behavioural problems usually highlighted during schooling. However there seems to still be some way to go to ensure all potential dyslexics receive the testing and support that is needed to help break down the additional barriers they face. I appreciate that school budgets only go so far (certainly not far enough) however, it is a personal frustration that some students may struggle to reach their potential because of a lack of testing and support.

I wasn’t diagnosed as dyslexic until I started at University and sought out the support of the disabled students support team. They arranged testing and ultimately put in place a fantastic support package which helped me to learn new study tactics and how to utilise aids and equipment to tackle the academic world of undergraduate law.

For me personally, one of the biggest challenges I face is reading – I find it hard to concentrate on the words on a page and sometimes they seem to move a bit. One particularly useful tool to help with reading was a simple sheet of coloured acetate which helps the eye to focus on words on the page. This in itself lead to regular questions from fellow inquisitive students, questions which were never malicious, but there were times when I personally felt embarrassed that my peers had noticed something different about me.

University is challenging for anyone – often the first time being away from home, learning a new subject and studying independently. Having the additional hurdle of studying with dyslexia often made me feel incredibly self-conscious – having to spend longer reading materials, taking more time to complete written assignments and even having extra time in my exams. Just through my personal experience I can understand why some people hide behind dyslexia and feel less inclined to continue into higher education or an academic career.

When I initially started looking for work in the legal sector I was hesitant to share some of the problems I had with employers because of the embarrassment I felt at University. However, I have always been pleasantly surprised by the understanding and support I

have received in the workplace. From arranging assistive software on my computer and being afforded a quiet working space to having letters proof read. However, the most important aspect I have experienced is just a genuine appreciation from my employers of the fact that sometimes, written work or reading takes a little longer. This has certainly helped my professional confidence and is something I explained to my client who was concerned about working in an office as a dyslexic.

In conclusion, my point is that having dyslexia shouldn’t be a barrier to success. Dyslexics often thrive when problem solving and have a great ability to think unconventionally. Famous dyslexic success stories include Richard Branson and Walt Disney. There has even been a suggestion that Leonardo da Vinci himself was a dyslexic – other than the erratic and strange spelling, he wrote his notes in reverse mirror image (a trait shared by some dyslexic left-handers who often do not realise they write in this manner). Learning about the success stories within the realm of dyslexia has been a huge inspiration and encouragement to me and hopefully will continue to be so to other aspiring professionals.

It would be great to think that all employers in our profession offer the same level of support that I have been privileged enough to experience. I would urge any fellow lawyers who have dyslexia, or any other learning problem or disability, to take the brave step to talk to their employers about it. If you are finding something difficult, there could be something that your employer could do to help support you.

I have recently joined the “Lawyers with Disabilities Division” (LWDD) who are a voice for disabled lawyers and a wider network of support within the legal profession. For anyone who wants to read more about the LWDD then login to “My Law Society” and tick the “Lawyers with Disabilities” box under the diversity and inclusion heading on the “Interests” tab or email lawyerswithdisabilites@lawsociety.org.uk.

Article by [Emma Bush](#),
Solicitor at Affinity Law.



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THE LIFE OF... A **LEGAL** OMBUDSMAN



Rebecca Marsh is Chief Ombudsman at LeO.

Rebecca Marsh describes her experiences to date in the role of Chief Ombudsman at the Legal Ombudsman (LeO) and work plans for the rest of LeO's business year.

I have spent the last 15 years of my working life focusing on ombudsmanry and complaints handling. In that time, my passion for getting to the right decisions in our casework has only grown. It is important that decisions are made in the right way and that lessons are shared from these experiences.

Having worked at the Independent Police Complaints Commission and then the Parliamentary Health Service Ombudsman, I came to LeO in February just as it was publishing its annual business plan and was in the final stages of the development and implementation of a new case-management system, so you can imagine how busy my first few months have been. The focus of our business plan last year was modernising aspects of our work, such as IT and telephony. Now these are in place, we are focused on improving performance and consistently demonstrating high-quality service to you and to consumers.

Some of you will also be aware that the main challenges for LeO over the past

12 months have been to get complaints investigated within a reasonable period of time, and to meet the high standards of service we set for ourselves. I know, and so do our Board and senior management, that this has to improve. Legal service providers will be less likely to trust the decisions we make, or the feedback we offer, if we do not get it right ourselves.

So, quality including timeliness and clear decision-making are my priorities. This also means ensuring everyone knows what good and poor service look like, and that you can learn, and take confidence from, our casework.

To be clear, however, our work is not about imposing a decision on parties, but understanding the real source of conflict between people and helping to resolve this. I am encouraging our investigators to take this approach, emphasising the importance of bringing both parties with them on the casework journey. If, at the end of it, they do not agree with the decision, they at least understand how and why we came to it. You will see that I really enjoy the casework aspect of my role, and I take a particular interest in the quality and robustness of our decision-making.

Beyond the casework, I also firmly believe that ombudsman schemes have an important role in ensuring service providers understand what consumers hold to be good service. If the casework is done well, then we have the ability to provide you with relevant and timely feedback, backed up with evidence, which supports your understanding of complaints handling. We already do some great work in this area, such as courses, presentations and guidance, but I would like us to do more. I believe that this is vital to the legal sector, not least so that providers can attract and retain customers.

In fact, research from the Legal Services Consumer Panel confirms this, highlighting that consumers' trust of service providers is much lower than in other sectors, while our own research shows that consumers can be wary of raising concerns about their service providers. Some are concerned about the potential negative impact on their own case; others get to the end of their instruction and wash their hands of it, even if they feel they have had a bad experience.

At the same time, it is a challenging environment for service providers. Complaints, though not always welcome, can tell us a lot about the areas of our businesses that may not be working well or need better explanation. We need to make sure you know what good service is, and the role it plays in retaining and attracting new customers.

At the same time, it is important that we continue to hear from legal service providers. You represent 50 per cent of our customers, and while we may occasionally have a difference of view in some areas, the most important thing to me is that we have a conversation about it. So, I look forward to working with you all, preferably through sharing learning and feedback rather than through our complaints process, and I look forward to some interesting discussions.

Rebecca Marsh





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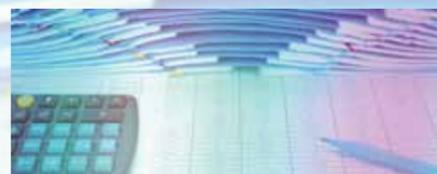
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GLYNIS WRIGHT & CO NAMED FINALIST IN THE LAW SOCIETY'S PRESTIGIOUS EXCELLENCE AWARDS



Glynis Wright & Co Family Solicitors and Mediators has been named a finalist in the National Law Society's Excellence Awards (Law Firm of the Year - Small category), considered the highest accolade for law firms in England and Wales.

Head of Practice **Glynis Wright** said;

"We are thrilled to be finalists for this superb award. To be singled out from so many firms nationally as a beacon of excellence in legal service provision is incredible."

"We came from nowhere seven years ago to now being one of the most significant providers of family law in the Midlands. What makes us unique is the fact that the whole team place a huge emphasis on dispute resolution and conflict management, recognising the need to reduce the impact on children in a family breakup wherever possible. I am proud of each and every one of them."



Law Society president **Christina Blacklaws** said:

"There are more than 9,000 firms and 140,000 solicitors in England and Wales, so to

be shortlisted for an Excellence Award is to be recognised as being among the best of the best.

"All the firms and solicitors who are shortlisted should be congratulated for the work they do day-in day-out to support their clients, many of whom are navigating complex and challenging legal problems.

"At a time of immense pressure on the justice system, the incredible work being done by solicitors across the country should be applauded."

The winners will be announced at the Law Society's Excellence Awards ceremony in London on 17 October.

For further information please contact: Glynis Wright at: glynis@glyniswright.co.uk

About Glynis Wright & Co Family Solicitors and Mediators

Glynis Wright & Co is a niche, highly specialist family law and mediation practice based in Leicester city centre. The practice was set up by its founder Glynis Wright in April 2011. Initially, Glynis ran the business on her own from first floor offices at 5, Bowling Green Street, Leicester.

The practice grew so rapidly that she now employs 21 staff including seven family lawyers.

Glynis believes that disputes should be resolved by negotiation rather than court proceedings where possible and is aware that protracted proceedings represent a cost to her clients emotionally and financially. She does all that she can to settle matters swiftly and without acrimony for her clients.

WOMEN IN BUSINESS AND LAW

...a Mad Hatter's Tea Party



Sir John Tenniel



Sir John Tenniel

It is understood that Lewis Carroll originally intended the riddle to be without an answer, but after many requests from readers, in his preface to the 1896 edition of Alice's Adventures in Wonderland, Carroll wrote:



Sir John Tenniel

"Enquiries have been so often addressed to me, as to whether any answer to the Hatter's riddle can be imagined, that I may as well put on record here what seems to me to be a fairly appropriate answer, "because it can produce a few notes, though they are very flat; and it is never put with the wrong end in front!" This, however, is merely an afterthought; the riddle as originally invented had no answer at all."

Adam Markillie, Editor.



Eric Kircald

Editors Intro

On 29th July 2018, Leicestershire Law Society held a "Women in Law and Business" tea party and chose as their theme the Mad Hatter's Tea Party from Lewis Carroll's 1865 novel "Alice's Adventures in Wonderland."

Now, you maybe wondering, why such a theme was chosen and what was its relevance to Women in Law and Business?

Well, on close inspection of the novel, it becomes evident that lawyers in particular would do very well indeed in the world of Alice in Wonderland, especially criminal lawyers. There is strong evidence of some serious criminal misdemeanors occurring throughout the land of make believe.

There is an allegation of Murder against the Mad Hatter by the Queen of Hearts. Oh yes. The victim of this heinous crime was 'time' itself. The Hatter explains to Alice that he and the March Hare are always having tea because when he tried to sing for the foul-tempered Queen of Hearts, she sentenced him to death for "murdering the time", but he escapes decapitation. In retaliation, time halts himself in respect to the Hatter, keeping him and the March Hare stuck at 18:00 (or 6:00 pm) forever.

There is an allegation of Theft against the Knave of Hearts for stealing the Queen's tarts



The Red Queen's Court by Sir John Tenniel

and also an allegation of ABH against the Mad Hatter and the March Hare for putting the poor Dormouse's head into a teapot.

The Hatter himself spends most of his time reciting nonsensical poems and riddles and in the chapter the 'Mad Hatter's Tea Party,' the Hatter asks Alice the following riddle: "Why is a raven like a writing desk?"

Alice eventually gives up trying to figure out why and the Hatter admits "I haven't the slightest idea!"



The LLS event was very well attended and enjoyed by all that took part. LLS sent along its reporter Catherine Leong to sample the wares of the Tea Party and to chat with the guests attending the event.



Catherine Leong "Let them eat cake."

The Honourable Dr Sarah Furness, Lord Lieutenant of Rutland took time out of the event to speak with our reporter and said: "Enormously encouraging to be surrounded by successful women. I think it was so interesting what Judge Nancy Hillier had to say in how relatively recently women have succeeded in being allowed to be jurors and solicitors. It is wonderful to be celebrating the success of women in this centenary year as the first ever Lord Lieutenant of Rutland."



Dr Sarah Furness, Lord Lieutenant of Rutland

Catherine moved around the attendees at the event and spoke to many of the guests about the event itself and why they had chosen to attend. Some of the responses that Catherine received are as follows:

Geeta Modhavadia, studying law through CILEx said: "I have come to this event to learn more about LLS and networking. I thought the speeches were amazing, very informative and I loved the first speech of the Honourable Judge Hillier, in regards to women helping women. We need a lot more of that. Actually I really liked that part of the speech."

Zara Khan said: "I have completed my undergraduate law degree and currently working as a volunteer at the Race Equality Centre and I came here to interact with many women that have inspired me."

Ruth Goward, Family and Immigration Law solicitor of AGR Law said: "I loved the experience of interaction; the guest speakers were motivational and encouraging the work of feminists. Loved the food too of course."

Gina Samuel-Richards, Family Solicitor and Business Consultant of AGR Law said: "I am here today supporting Bushra and to be around other females in business and sharing experiences. Judge Hillier's speech highlighted how much has changed for women lawyers in the past 100 years. I can relate to this personally, comparing how myself and my colleague Ruth Goward could set up our own business without much opposition. Compared to Helen Johnson and Lesley Emery who founded Emery Johnson in 1995 and the grumblings they faced as it was strange to have two female partners and now nobody bats an eyelid."

Sarah Houldcroft, of Goldcrest books was one of the speakers at the event. She said: "I attended by invitation to have the opportunity to speak. From my opportunities to network, I found a couple of women that have inspired me and demonstrated the power of women. Although it was a Law Society event, I met really interesting non-lawyers too as it was a diverse group of ladies. It was nice

to come to an event where I didn't know so many people. It was really inspiring to meet so many ladies doing it for themselves."

Elisabeth Turnbull said: "I have had a brilliant time. I knew I was coming to a tea party and enjoyed an excellent tea. I was fascinated to hear about the two charities, a brilliant combination of charitable work, businesses and networking. Lots of greeting, stimulating to be around so many ladies."

The whole event was a huge success and the beneficiaries of the proceeds of the event are the LLS Presidents chosen charities for 2018/19



The event also featured a live Auction and a silent Auction. The Auctioneer for the event was **Christl Hughes**. Our roving reporter Catherine had an opportunity to speak with Christl in between the gavel coming down on various lots and Christl told Catherine,

"I trained as a lawyer but I am always willing to try something new. I had my meat hammer in the kitchen drawer and came along ready to say 'Going Going Gone.' Although I have had no training, I do watch Homes under the Hammer and loved the opportunity."



Christl Hughes



LEICESTERSHIRE LAW SOCIETY MEMBERSHIP PAGES



Betty Brown Boutique

Betty Brown presented a party setting befitting of any Mad Hatters Tea Party and guests attending the event got an opportunity to be Alice.

Betty Brown Boutique also provided dresses for Auction and the successful bidders went home very happy.

LLS must say a huge thank you to all those involved in this event. Particular thanks must go to all our Sponsors and Business Partners who again have given their full support.

Background music for the event was played by Miranda Booth, a harpist. Catherine Leong spoke with Miranda at the end of the event. Miranda said: "I came to entertain as background harpist. I knew I was attending a LLS event but I did not realise that it was an all women / Women in Business and Law event. I found myself actually listening to the speeches and it was a real treat and inspiration." ♠♥♦



Welcome to the latest members page.

You will find this section in every edition of the magazine, to provide you with information about what is going on and what you get for your membership.

The Leicestershire Law Society (LLS) is a fantastic organisation, offering great value to its members and we are very keen to make sure that we tell you about all the society has to offer.

We are always looking to hear from members with any comments they have about their membership and particularly about any suggestions they have about how they feel the LLS could be improved.

THE MEMBERSHIP TEAM

Daniel O'Keeffe, Navdeep Kainth, Gemma Lewis



The membership team is headed up by Daniel O'Keeffe of specialist clinical negligence firm Moosa-Duke Solicitors. Daniel is ably assisted by his colleagues Navdeep Kainth and Gemma Lewis, also from Moosa-Duke Solicitors.

If you have any queries or comments to make regarding membership, please contact Daniel O'Keeffe at dokeeffe@moosaduke.com

LATEST LLS EVENTS

Since our last edition, we have had a jam packed calendar. Please check out the LLS website and future editions of the membership page in the magazine for further information.



June 2018 Summer Garden Party

Bushra Ali's first event as LLS President was the LLS Summer Garden Party.

This was held in the beautiful surroundings of Trinity House and Gardens of De Montfort University on 20 June 2018.



There was great food, music and sunshine, to kick off Bushra's year as President.

July 2018 Women in Business and Law Tea Party

In July, women from law firms and businesses across Leicester attended the LLS



Women in Business and Law Tea Party.

The theme of the event was Alice in Wonderland and there were canapés and cakes for all of the guests to enjoy.



The event was a great success and was a brilliant opportunity for the members of each profession to network.





We finished the month with a welcome event to new and prospective members at the Belmont Hotel.

There were presentations from all of the LLS sub boards, to tell our members what the society is all about and hopefully to get some of our newest recruits to join one of the sub boards. We were delighted to have several new members sign up on the day.

September

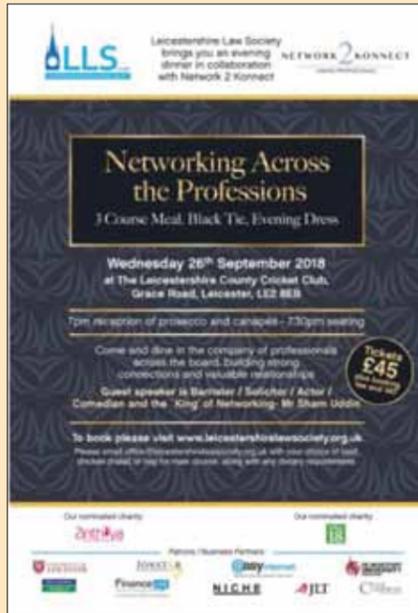
By the time the Autumn edition of the LLS Magazine goes to print, we will have held our fabulous LLS Bake Off and Summer Fete at Leicestershire County Cricket Club. In addition to the cake competition, there will be face painting, candy floss, popcorn and various stalls.

We look forward to showing off some wonderful cakes and announcing the winners in the next magazine.



On 26 September we have a Networking Across the professions black tie dinner at Leicestershire Cricket Ground.

Also in September we have the LLS managing partner's lunch at the Tipu Sultan in Oadby on 27 September. This promises to be a fantastic event, whereby the LLS committee get the opportunity to meet and talk with the managing partners of all the member firms at the same time and discuss what we have coming up in the future.



Over the next few months we have numerous events including a diversity in the community event, and a regional solicitors/ Accountants Event. Further details will appear on our website under Upcoming Events.

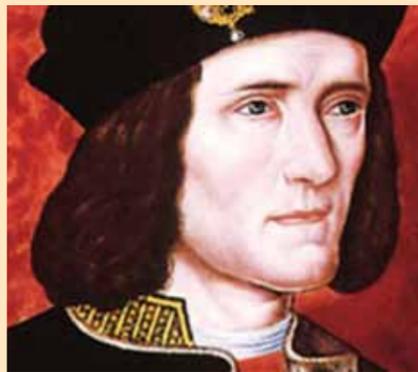
LLS Website:
<https://www.leicestershirelawsociety.org.uk/>

National Law Society Conference

Then in November, we are proud to be hosting the National Law Society Conference, when we will be welcoming local law societies from all over the country.

This commences with an opening drinks reception of Friday 16 November.

Our Opening Ceremony will be held in the King's Suite at the Richard III Visitor Centre. As we take over the centre, the opening ceremony will encompass the fascinating and moving story of the life, death and discovery of the bones of King Richard III.



The conference on Saturday 17 November will be followed by a black tie dinner and those looking to attend all 3 events will receive a discount. Please see Upcoming Events on the LLS website for further information.

TYPES OF MEMBERSHIP

There are various different ways of becoming a member of the LLS. All members are entitled to attend our social and networking events and can take advantage of our membership benefits.

- **CORPORATE MEMBERSHIP**
This is for firms of solicitors. You only pay for the Partners in the firm. Corporate membership covers all solicitors, trainees and paralegals in the firm, so it is a great way of enabling the whole firm to make use of LLS membership.
- **ASSOCIATE MEMBERSHIP**
This is for barristers' chambers and covers all barristers at the Chambers.
- **INDIVIDUAL MEMBERSHIP**
Individuals can become members of the LLS. This is available for all current and former legal professionals.
- **GROUP MEMBERSHIP**
This is for businesses that are not law firms but employ lawyers.

NEW MEMBERS



This month No.8 Chambers have become associate members.

No.8 Chambers have a broad practice base including crime, immigration family and civil law. We are delighted to have increased our number of barrister members and we look forward to welcoming them at our events.



We have also increased our corporate membership with the addition of AGR Law. Their specialisms include family, immigration and private client work.

FULL LIST OF LLS MEMBERSHIP BENEFITS:

SPECIAL MEMBERSHIP BENEFITS

We are delighted to have secured some excellent deals with local businesses and the membership team are working hard to get even better value for our members.

The Belmont Hotel has increased their LLS discount to a fantastic 20% off food and drink. In providing the offer Lucy Clarke, Revenue Manager, said:

"The Belmont Hotel is pleased to be working with the Law Society to offer a food & beverage discount of 20%. This is valid in Jamie's Bar and the David Ferguson restaurant. It is for a maximum of 4 guests and expires at the end of December 2018."

Please contact Lucy Clarke Revenue Manager on sales@belmonthotel.co.uk for your discount card.



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contact membership secretary on: 07443 647 699



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10% off total bill



Koyla
Charter Street
10% off total bill (minimum spend £25.00)



WATCH THIS SPACE

We hope to have more deals and discounts with local businesses every month. Please look out for the membership page in every edition of the magazine, where we will show you all the latest membership benefits.



Summer Garden Party 2018



"The Queen of Hearts, she baked some tarts, all on a Summer's day..."

Photography by Hitesh Harish Rao

COUNCIL MEMBER'S REPORT

SEPTEMBER 2018

Linda Lee has been Council Member for Leicestershire, Northamptonshire and Rutland since 2003. She is a past President of the Law Society of England and Wales and is the current Chair of the Regulatory Processes Committee and a member of the Policy and Regulatory Affairs Committee and Access to Justice Committee. She is current Chair of the Solicitors Assistance Scheme. Linda is an experienced litigation solicitor and is a Consultant at Radcliffes-Brasseur where she specialises in solicitors' disciplinary, compliance and regulatory work. She can be contacted by email at: lindahlee@aol.com



Prior to the Legal Services Act 2007. (LSA), solicitors could only practice as sole traders or in partnerships (or incorporated practices) with other solicitors.

Solicitors could be employed in-house but only to offer advice and legal services to their employers - something that was not permitted universally to all lawyers with many jurisdictions frowning on the perceived lack of independence of in-house lawyers. The overall strength of the regulatory arrangements was that all solicitors' firms were regulated as were all the business owners and managers. The Solicitors Act 1974 and Codes of Conduct demanded high standards of behaviour in both business and personal life.

The LSA introduced a new business model, an Alternative Business Structure (ABS). This permitted up to a 100% ownership by non-lawyers. This had been preceded by a half-way house in 2009 by legal disciplinary practices (LDPs) which allowed other 'authorised persons' (e.g. Chartered Legal Executives, Licensed Conveyancers and Barristers) and also non-lawyers, to become managers of a firm. The business owners could be regulated by the SRA in respect of activities within the ABS but not in respect of their personal life or outside interests. In a recent case the SRA has admitted "some uncertainty" as to whether non-lawyer partners of ABSs can be banned from working in the profession no matter what the conduct complained of.¹

Take up of ABSs has been relatively modest, there are currently in the region of 9,488² firms regulated by the SRA of which in the region of 600³ are still ABSs. Many are traditional firms who have taken non-lawyers into partnership and there are several larger corporates such as the Co-op. Further rule changes removing the requirement to offer reserved legal activities saw an entry into the market of former claims farmers who thought that the regulatory regime may be less stringent than otherwise.

There may have been a sense of frustration from some at the SRA who appeared to feel that change was not quick enough or radical enough and in 2014 the separate business rule was removed and Multi-Disciplinary Practices (MDPs) a type of alternative business structure that could provide a mixture of legal and non-legal services were introduced. The rules however were complex, requiring the non-legal aspects to be regulated by 'suitable external regulation' and there was much uncertainty

as to what would and would not be permitted to be undertaken by solicitors. Anecdotally there was little take up other than by some global accountancy firms, many of whom were already operating ABSs. The SRA have not published the number or type of MDPs currently operating.

Then in June 2018 the SRA launched a new policy on waivers, 'to help encourage innovation, but also ensure that there is real transparency about the waivers we grant'⁴. Essentially the SRA can waive the requirement of any firm or individual to comply with rules or regulations other than those required by statute. This new transparency reveals that eight firms had been granted waivers allowing their employed solicitors to provide legal services direct to the public without being in either a firm or an ABS - and essentially without the use of a regulated structure. These include the consumer group Which? The only requirements were, that they could not deliver reserved legal activities, must have professional indemnity insurance 'reasonably equivalent' to that of a regulated practice and must tell clients how the services provided by their solicitors are regulated and the protections available to them⁵. As the entity is not regulated, there can be no protection of any client monies which would be held in the same way as in any business.

These waivers appeared to jump the gun on the new structures that the SRA intends to introduce in April of 2019 under rule changes currently awaiting approval by the Legal Services Board (LSB).

There will be two new Codes of Conduct one for individuals and one for regulated firms. They will introduce a new Code of Conduct which will be only in the region of 7 pages long but underpinned by guidance-details of which have yet to be revealed. The guidance will enable changes to be introduced more swiftly and without the need for revisions to the Code. This has already attracted criticism for the uncertainty and increased regulatory cost this will introduce.

Most controversial of all will be the two new methods of delivering legal services. The first is to permit solicitors to offer legal services direct to the public from an entity that is not regulated provided that it only offers unreserved activities.

The six reserved activities are defined in schedule 2 of the LSA as:

1. THE EXERCISE OF A RIGHT OF AUDIENCE the right to appear before and address a court, including the right to call and examine witnesses.

2. THE CONDUCT OF LITIGATION the issuing of proceedings before any court in England and Wales, the commencing, prosecuting and defending of those proceedings and the performing of any ancillary functions in relation to those proceedings (such as entering appearances to action)

3. RESERVED INSTRUMENT ACTIVITIES preparing any instrument of transfer or charge for the purposes of the Land Registration Act 2002, making an application or lodging a document for registration under that Act; and preparing any other instrument relating to real or personal estate for the purposes of the law of England and Wales or instrument relating to court proceedings in England and Wales. "Instrument" includes a contract for the sale or other disposition of land (save for a contract to grant a short lease) but excludes:

- wills or other testamentary instruments;
- an agreement not intended to be executed as a deed, other than a contract that is included by virtue of [the preceding provisions of this sub-paragraph];
- a letter or power of attorney; or
- a transfer of stock containing no trust or limitation of the transfer

4. PROBATE ACTIVITIES preparing any probate papers for the purposes of the law of England and Wales or in relation to any proceedings in England and Wales "probate papers" are those on which to found or oppose a grant of probate or a grant of letters of administration.

5. NOTARIAL ACTIVITIES activities which immediately before the day the relevant section of the LSA came into force, were customarily carried on by notaries under the Public Notaries Act 1801)

6. THE ADMINISTRATION OF OATHS exercising powers conferred on a commissioner for oaths under the Commissioners for Oaths Act 1889; the Commissioners for Oaths Act 1891; and section 24 of the Stamp Duties Management Act 1891

Much of the work carried out by solicitors is not reserved, so for example, any work carried out in a Tribunal such as an Employment Tribunal is not reserved. Advice could be given to enable clients to

conduct their own conveyance or probate provided that the actual preparation of probate papers or instrument of transfer was carried out by the client themselves or by a regulated firm.

There could be no guarantees of protection of client money or documents or privilege. There would be no right to client protections and it is not even clear if the clients of such firms would be able to complain to the Legal Ombudsman (LeO). The client of the organisation would be relying on employee solicitors to ensure that they were fully informed of the differences in the services and protections they would receive.

As the firms employing solicitors offering these services would not be regulated, the SRA would have no power to impose conditions on or investigate the firm or the business owners but would have the limited power to require production of documents relative to its regulatory ambit. It is hard to see how having the power to regulate employee solicitors would guarantee that these rules were kept up.

The second concept is that of 'freelance solicitors'. The SRA has conceded that its initial proposals to allow newly qualified solicitors to operate in this way would be inappropriate and 'freelancers' would need to have been qualified for a minimum of three years before they can offer reserved legal services. Freelancers will be permitted to offer services - both reserved and unreserved - direct to the public outside regulated law firms. It is likely that professional indemnity

insurance requirements will be relaxed although the details have not been provided and the currently stated requirement is for an appropriate level of cover. They will not be able to hold client money but will be able to control it through use of a third-party escrow service. The very first such service, Barco, the Bar Council's has shut down after "suitable" commercial providers entered the market. The Bar Council stated that Barco has been largely subsidised by funds from training and events surplus and business partnerships, "as the income from fees and charges has not matched the costs and expenditure incurred in delivering the service".⁶ The stability of such services has not yet been established for the longer long term.

The difficulties for the SRA in regulating these new structures is obvious and immense but the SRA say that proposals to tackle these difficulties - yet to be revealed - will easily address any such problems. How the obvious confusion arising for consumers is less easily resolved. This has been highlighted by the LSB's own consumer panel, LeO and the Citizens Advice Bureau and others.

The Law Society continues to oppose such changes and has recently written to the LSB asking it not to permit the rule changes to take place⁷.

There are a number of questions for solicitors and firms. Should they consider restructuring into such an entity? How will they compete with the new structures currently being established to take advantage of this rule change? How will they differentiate

themselves so that the public understand the different protections available and protect themselves from reputational damage that may emerge? What policies will you and your conveyancing department have in place for handling transactions with freelancers?

At a local law society level should such new unregulated firms be permitted corporate membership? Undoubtedly many will seek it to enhance their reputation.

At the next small firms meeting - to which all members are welcome to attend regardless of the size of their practice, we will look at some of these questions and the answers!

Linda Lee
Council Member
September 2018

¹ Application 11573-2016 Scully, Brown and Narcolo

² Law Society research Annual Statistics Report 2017 published June 2018

³ Law Society research Annual Statistics Report 2017 published June 2018

⁴ Paul Phillips CEO of the SRA June 2018

⁵ <https://www.legalfutures.co.uk/latest-news/which-among-eight-unregulated-businesses-granted-sra-waivers>

⁶ <https://www.legalfutures.co.uk/latest-news/barco-shuts-as-commercial-escrow-providers-emerge>

⁷ <https://www.lawsociety.org.uk/news/stories/law-society-opposes-sra-handbook-changes>

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The new-generation CON29DW from Geodesys

The Law Society CON29DW

With the abundance of conveyancing reports on the market, it's good to know that the Law Society introduced the CON29DW in 2002 to promote a consistent approach to property-specific drainage and water information.

With 23 questions and two accurate Ordnance Survey maps showing assets and pipes, it ensures that property buyers get a consistent and thorough drainage and water search regardless of where the property is located in the country.

This standardisation of property information is very much in line with the Government's current proposals for improving the homebuying process as it helps to reduce uncertainty and unnecessary delays.

CON29DW
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What makes the CON29DW unique?

When speaking to clients we find that the CON29DW is usually the drainage and water search of choice. It is the **ONLY** search that:

- includes answers to **ALL** 23 Law Society copyrighted questions on drainage and water
- includes **TWO** separate maps to illustrate the position of both drainage and water assets
- does **NOT** infer or insure against answers to Law Society questions
- does **NOT** refer customers to a different source of information
- provides **FULL** protection to residential property buyers
- provides effective **REDRESS** for homebuyers in the case of incorrect information

Our new-generation CON29DW

Despite the thoroughness of the report, the Geodesys team is constantly speaking to homebuyers who have not understood the implications of identified drainage and water issues. Bearing this in mind, we set ourselves a challenge of ensuring that Geodesys' version of the CON29DW offers the best possible information and explanation to conveyancers and buyers. We come across examples every day where a property's value and enjoyment have been affected by related issues – so we felt it was important to paint a picture of why this could be the case.

The redesigned CON29DW provides this information upfront, ensuring that the homebuyer is empowered either to proceed with confidence or to make further enquiries of the seller. As a result, it's much less likely that a deal-breaking issue will emerge later in the process.

The new-generation CON29DW from Geodesys is now live!

For more information and to arrange a product presentation, please contact:

Kay Toon
Account Manager
07764 987 259.



CON29DW – about to make the conveyancer's job even easier

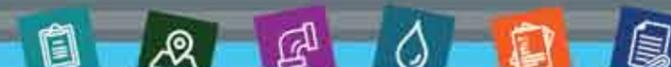
The redesigned CON29DW from Geodesys launched this April with the following key features:

- a **new crystal-clear front-page customer dashboard** highlighting information on key questions
- **clearer identification of potential issues** on the dashboard
- **easy-to-use interactive navigation** so it's easy for users to retrieve relevant information from the details in the report
- two formats: **interactive PDF** and usual **print format**
- **improved information** on drainage and water legislation
- an **updated 'plain English' guide** explaining how specific issues could affect value and further development
- a **new design** created by industry experts

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AN EVER CHANGING RISK LANDSCAPE...



The risk landscape law firms are faced with today continues to grow and evolve, and the regulatory regime along with new legislation play their part too. Like many modern businesses, law firms are becoming increasingly more reliant upon technology, whether to improve connectivity with clients, to improve processes and efficiency, to help mitigate risk through the use of case management systems, or to access things on the go. This means the cyber risk to the legal profession is on the rise.

Only banks or financial institutions have greater sums of money passing through them than the legal sector. When you also factor in the amount of highly confidential information passing through law firms, it is no wonder that the Legal profession is a target for cyber criminals. While the SRA requires law firms to carry an appropriate level of coverage to protect their clients, there is no consideration as to what coverage will protect the law firm itself.

The Legal Profession of England and Wales have one of the broadest policy wordings in the professional indemnity marketplace, yet despite this breadth of cover it is important to appreciate that PII cover provides third parties (generally a law firm's clients) with protection in the event of an error act of omission. PII is not designed to provide first-party coverage e.g. business protection.

Whilst Professional Indemnity Insurance should respond to a "Friday Afternoon Fraud", "Phishing", and other types of social engineering to put your clients back into the position they were previously, PII will not respond to all of the cyber risks that the legal profession is faced with today.

Some of these risks include but are not limited to:

- Denial of access to your systems – A DDoS (Distributed Denial of Service) attack prevents any connection to the internet and is increasingly combined with malware that corrupts the corporate network data. This is where the criminals have scanned the vulnerabilities remotely and found many weak points. They identify that the business relies on always being connected to the internet. They then use 'exploit kit' to bypass off-the-shelf firewalls and anti-virus protection. The cost to the criminal is modest compared to the prize of the ransom that people will pay to get their business up and running again.

- Loss of client data - Could result in fines or penalties being imposed by regulators such as the SRA or ICO, which given the new powers of the ICO could cripple a firm but if the financial impact of the fine did not, the reputational harm could be irreparable.

- Impersonation - An average-level criminal will be able to manipulate your clients or member of staff quite easily because it is brutally effective for their aims and it really undermines the trust they place in you. This may happen because you do not have encrypted communications, or a protected website that has security certificates or email controls e.g. DMARC, or perhaps you allow private emails on home computers. There are many examples of these and most remain unreported in the public domain. You need to be available to your clients, but it's worth noting this can encourage them to trust non-secure interaction.

- Reputational harm following the spread of a virus. A law firm may be liable if found to be the cause of transmitting malicious code to others.

It is important to appreciate there is always a human being at the other end of a cyber-incident. The level of sophistication adopted increases along with the ability of the malware that they may use. This is now a big business and it shares many characteristics with established commercial ecosystems – there are sales pipelines, money transfer services or "money mules" and some markets on the dark web looks like Craigs List or Ebay style shopping sites to cater for all types of nefarious intent. The patience that these criminals are willing to show means that we need to be on our guard at all times.

The level of success that they can achieve is largely down to the core security controls you put in place. A number of controls will not be too difficult or expensive to put into place either. It is however imperative that you do not rest on your laurels and you evaluate your security control with some level of frequency.

It is important to understand that outsourcing IT functions does not mean you outsource your responsibility. You are still a data controller and there is no system available, however robust it may be that will be 100% secure, as the cyber incident at the Pentagon revealed. If you do outsource your IT function, it is important to understand how much support can and will they provide to you in your hour of need, after all response times are key to mitigate the damage but also as

there is only a finite window to meet your regulatory obligations.

You cannot expect clients and staff to identify all of the fake emails during the course of daily business, and trying to understand how the hackers were able to monitor and intercept the email traffic is, at this point, of secondary concern. The single most powerful way to combat this is to create a unique link between the index numbers and the plain text name of your email domain (what appears after the @ sign in an email) to prevent such impersonation. This type of authentication is already available with the free to use DMARC control, therefore we encourage every law firm in the UK to engage their IT team or service provider in discussing this topic further after which I think it is prudent to explore what insurance is available to support your business. Also, as a fairly recent development, some banks are now requiring DMARC controls across their entire supply-chain and some insurance companies are asking for it too.

There are many cyber products available, which vary quite considerably in the scope and quality of cover they can offer. Lockton is an independent broker and has access to the wider insurance market but we also have a suite of products that have been designed specifically for the Legal Profession of England and Wales. This includes a product called Inter Lock which is the only fully-integrated solution combining your SRA-approved PII policy with regulatory defence cost, cyber and first-party crime coverage.

There is no regulatory requirement to do so, so why should you look into this? If you were going on a driving holiday or expedition would you do so without break down cover in place? If not why would you run your business without appropriate business owner's protection in place that can protect your cash-flow and reputation? A good Cyber policy provides you with access to the appropriate experts to minimise the damage, help you identify and rectify the problem but perhaps most importantly getting your business operational swiftly.

What is clear is that risks are guaranteed. Protection, however, is optional and you can't assume a cyber attack will never happen to you.

by **Brian Boehmer**

If you'd like to learn more about Inter Lock or speak to a member of our team please email solicitors@uk.lockton.com or phone 0330 123 3870. Visit www.locktonsolicitors.co.uk for more information.

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LEGAL SECTOR JOINS FORCES TO CELEBRATE **REMEMBER A CHARITY WEEK**

**REMEMBER A CHARITY
IN YOUR WILL WEEK**
10-16 September 2018

This September, the legal profession is joining forces with over 200 charities to raise awareness of gifts in Wills and making clients aware that they have the option of doing so. Although only around 6% of estates currently include a charity in their Will, legacy donations generate over £2.8 billion for good causes annually, funding vital services across the country.

Remember A Charity in Your Will Week (10-16 September 2018) celebrates the impact of legacy giving and highlights the critical role of the legal profession in making clients aware of the opportunity of leaving a donation in their Will, after taking care of their family and friends. Solicitors and Will Writers within Remember A Charity's network of 1,400 legal supporters will promote the concept of legacy giving to clients, displaying campaign materials in their offices. According to Remember A Charity's latest solicitor and will-writer benchmark study², six in ten advisers sometimes or always mention the option of including a charitable gift to will-writing clients, but the potential is far greater. The campaign describes these conversations as 'critical' with research from the Behavioural Insights Team showing that the legacy giving donation rate doubles when solicitors ask clients if they would

like to consider leaving a charitable gift.

Rob Cope, Director of Remember A Charity, says: "Charitable bequests have shaped much of the world around us, with education programmes to medical research, schools and emergency services all having been funded directly by gifts in wills. Simply by including charitable donations in will-writing discussions, this can have a critical impact on donations, while enabling the public to ensure their final wishes are met.

"As it stands, not all legal advisers are completely comfortable talking about legacies with their clients and that's something that we're hoping to change. Unless solicitors – those who are at the frontline when it comes to speaking to the public about their final wishes – feel confident raising the issue, the risk is that good causes can be forgotten. He continues: "Remember A Charity Week is a chance to celebrate the huge impact of charitable bequests and ensure all clients are aware that they have the opportunity of leaving a gift in their Will, no matter how large or small."

Solicitors and Will Writers are encouraged to help raise awareness of charitable bequests, informing relevant clients about how they can include a charity in their will.

2018 marks the ninth year of Remember A

Charity Week, during which charities, government and stakeholders will all come together to highlight the importance of legacy giving. The campaign's consumer awareness drive features the launch of a new 'charity-powered' search engine, called 'Human'. Combining charities' unique knowledge and expertise, the search engine enables the public to select from over 100 of life's biggest questions and to hear directly from charities, supporters and beneficiaries what they are doing in response. Questions include 'How can we cure the deadliest common cancers?' and 'How do we ensure no one has to sleep rough?'

Cope adds: "This campaign has been designed to showcase just how vital charities are in responding to many of the world's biggest problems and how legacies can help combat those issues. We hope that it will encourage the public to think about their deepest concerns for the world we live in and to consider leaving a gift in their will."

¹Smee and Ford, Legacy Trends 2018

²Future Giving, Professional Will Writers Survey 2017

To find out more or join the existing network of 1,400 campaign supporters visit www.rememberacharity.org.uk.

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Outsourcing your cashiering? Why choose Quill?

By Julian Bryan, Managing Director, Quill

Once you've decided to outsource your legal cashiering, any supplier will do, right? After all, the way these outsourcing providers manage your accounts and support your business is the same, isn't it? Surely the only difference will be the price you pay for the service, won't it?

The answer to these conundrums is a resounding 'no! There are an increasing number of outsourced cashiering suppliers – legal software companies are forming partnerships with outsourcing bureaus to expand their offerings; new bureaus are being established; freelancers are setting up as virtual cashiers to work from home – so you've certainly got plenty of choice when it comes to outsourcing your back office accounts function.

While there are some familiar threads running between these various suppliers, in comparison to Quill, they're poles apart. We're going to show you why...

Commonality: Shared use of Interactive

Have a quick browse through the ILFM's Software Guide and you'll see the long list of legal accounts systems available in the market. This isn't an exhaustive list either. These competitive systems contain effective tools to help legal cashiers maintain accounts in a compliant, secure, due diligent manner. But the way you perform an accounting task on one, let's say posting your daily transactions, will vary on another.

Also, not all systems will contain warnings and notifications for actual and potential breaches of legal accounts rules. The range of functionality makes one system a very different beast to another.

As well as being the toolkit for in-house cashiers, these same systems are operated by outsourcing providers too. And, as any workman knows, his work is only as good as his tools. In other words, the ensuing service you receive will fluctuate pretty drastically from one supplier to the next, depending upon the legal accounts system opted for. The inconsistencies between them can be fairly extreme.

In terms of our software, Interactive is backed by a dedicated software development team based in our Brighton office so new and enhanced functionality is constantly being rolled out, benefiting end users whose daily work is made easier, more efficient and categorically compliant as a result. Interactive's also a recognised market leader, having been around for 40+ years and boasting two ILFM software awards.

Not only is our software high quality, which enables us to work better than other outsourcing providers, it's used universally by Quill cashiers. It's a common platform, facilitating common procedures, maintaining common standards, empowering a common

experience for all users of our Pinpoint outsourcing service. No deviations. No inconsistencies.

Overseers: Monitoring by senior staff

As an additional guarantee of quality service provision, our cashiering operation is closely monitored by experienced, knowledgeable team members who cast a trained eye over completed tasks, checking for accuracy, speed, volume and consistency, reinforced by metrics from our powerful quality and performance management Interactive system, interpreting data processed by all the cashiers. Our cashiers work in teams of six with a supervisor heading up each group. Any anomalies or discrepancies, including items highlighted by Interactive, are spotted and resolved straightaway, giving you confidence in error-free bookkeeping. No other cashiering bureau can boast access to such management information intelligence drawn from one central software platform.

Where speed's concerned, any law firm knows about the strictly enforced deadlines for filing month and year-end accounts, including those all-important VAT returns. Our system also holds key compliance dates specified by each firm's designated regulator (SRA, CLC or Law Society of Scotland) to generate management alerts of overdue tasks. For example, we can identify sites not being closed quickly enough at month end which is set as the 7th of each month by the CLC and track that VAT submissions are lodged in time for the relevant quarter. Close monitoring, and intervention if needed, ensures accounts are submitted on time, every time.

On the volume side of things, this behind-the-scenes management information also tells us how many e-chits are being processed by each cashier. This helps us to allocate the right mix of sites to our cashiers so everyone's got a similar balanced workload and no one's being overworked. For end users, you can be reassured that your assigned cashier's got the capacity to give your accounts their proper attention. By not being stretched too thinly, we've got your back.

There are a plethora of reports within Interactive, accessed by the Pinpoint management team, supporting the delivery of consistency across hundreds of clients. This starkly contrasts with other bureaus which lack the same control mechanisms thereby compromising consistent standards, and allowing opportunities for mistakes and bad habits to creep in.

Collaboration: It's a team effort

Pinpoint is a close alliance between you and us. We're connected together by Interactive. You enter daily e-chits into

Interactive – which is essentially a daily record of monies in and out to your client and office accounts – and we pick up from there. We literally do everything else – billing, reporting, VAT returns, ledger and bank account management.

It's likely you'll interact with your named cashier every working day. As such, you build a strong relationship. Pinpoint clients repeatedly tell us how their cashier feels like another employee, just someone not based in the same office. We rely on you to log all transactions. You rely on us to keep your accounts in order. By each fulfilling our side of the bargain, it's a successful partnership.

There's a point to be made about team working within Pinpoint as well. You see, our cashiers don't operate in isolation. If your assigned cashier doesn't know how to rectify any accounts-related problem, he/she will simply call upon the help of his/her colleagues and supervisor. As the largest outsourced cashiering bureau in the UK employing some 50 legal cashiers, they possess a combined total of approximately 300 years' experience. And that's a conservative guess. We've seen it all before. No issue is novel. You can bet your bottom dollar that we know the solution.

Automatic absence cover is provided with the service too. If your cashier is off work on holiday, sickness, maternity, paternity or other leave, as everyone is from time to time, his/her designated deputy will manage your accounts instead. Obviously you don't get these advantages with a one-man-band type bureau.

Next step: Find out more

If we've sharpened your appetite for more, read our earlier articles on the subject of outsourced cashiering, published on the Internet Newsletter for Lawyers website. There's 'Outsourced cashiering and your bottom line', 'Ten reasons to outsource your cashiering' and 'How outsourced cashiering works' for beginners.

To find out more on our Pinpoint outsourced legal cashiering service, please visit www.quill.co.uk/Outsourced-Legal-Cashiering, email info@quill.co.uk or call 0161 236 2910.



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 cashiering provider with 40 years' experience supplying outsourcing services and software to the legal profession.



OUTSOURCING YOUR CASHIERING? QUILL IT!

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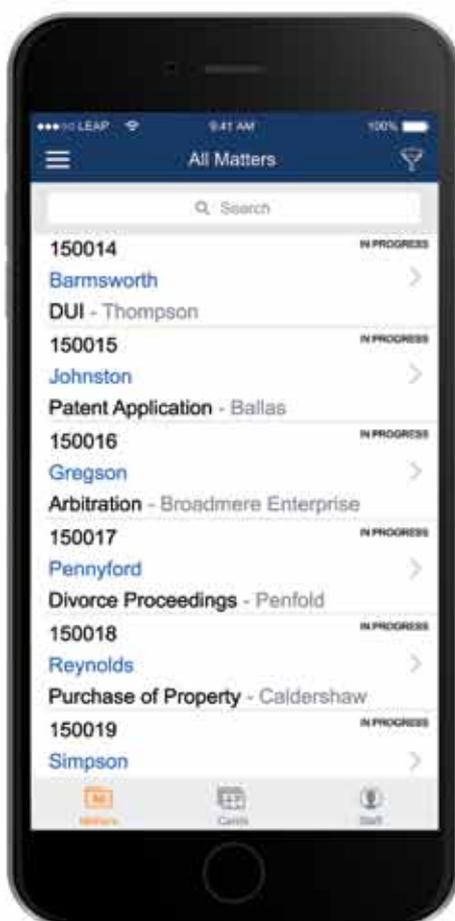
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