



the Messenger

North West Law

The Defamation Act 2013 –

Evolution, Revolution or Something Else Entirely

Steve Kuncewicz outlines the nuts and bolts of the new Defamation Act...

Libel Lawyers have traditionally taken no small comfort (and secured their mortgages) from the fact that the UK was the "Libel Capital Of The World". We developed that reputation from having particularly claimant-friendly defamation laws and from our Courts being willing to hear cases which saw those laws often being brought to bear by individuals based outside the UK but who claimed a reputation here which could be, and was, fiercely protected.

Something had to change, not least because of what was seen as the unfair pressure and "chilling effect" upon investigative (and sometimes less worthy) journalism exerted by the deployment of CFAs (or "no-win, no-fee" for the uninitiated) which allowed for uplifts on costs recoverable from the losing party in the event of a claim being successful. The Jackson reforms cut a swathe through CFA arrangements, and many expected the new Defamation Act 2013 to have a similar effect upon libel and

slander claims in the UK when it came into force on January 1st, 2014.

So, is the 2013 Act the end of Defamation as we know it? No. Does it completely overhaul defamation law for the social media generation? No. The 2013 Act is effectively a "re-skinning" of Defamation Law that for the most part leaves the nuts and bolts of defamation law unchanged, but which also contains some significant new concepts designed to protect free speech and robust opinion. Here's a whistle-stop tour:

Section 1 of the Act introduces a new requirement of "serious harm" in defamation claims. Now, not only does a statement have to have a negative effect upon a reputation in the minds of the average person in the street or expose the complainant to hatred or ridicule, it also has to be at least likely to cause "serious harm" to that reputation. For corporate claimants which trade for profit, that harm must be at least likely to cause serious financial loss. So far so good, but as with many sections in the new Act, this new element is in fact only a reflection of the fact that the Court have in-



Steve Kuncewicz

creasingly (mainly as a result of the Jackson reforms but also as a result of several key cases) struck out trivial defamation claims more readily.

The real devil, of course, lies in the detail – "serious harm" is not defined. This won't be much of a problem for individuals as most claimants who take defamation cases to trial would only do so over the most serious of allegations, but it's fair to say that the lack of clarity on what serious harm actually is will lead to satellite litigation for the foreseeable future and find many potential claimants opting to wait for some interpretative judgments before taking action to protect their reputation.

As for Corporate Claimants, the issue over what constitutes "serious financial loss" is likely to be even more complex. Are we talking about a drop in share price, diminution of goodwill, loss of profits or loss of trade? Remember that the usual

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Manchester Law Society Family Law Committee

We are very pleased to announce the formation of a Manchester Law Society Family Law Committee which will be chaired by one of our council members, Amanda McAlister of Slater & Gordon UK LLP.

We have a vibrant Family Law community in Manchester and it is important that Manchester Law Society provides a platform from which their views can be heard as well as creating a forum in which issues and concerns facing family law practitioners can be discussed.

It is intended that the committee will incorporate practi-

tioners from a variety of Family Law practices and chambers. If you are interested in becoming a member of this committee please contact Fran Eccles Bech, Chief Executive at Manchester Law Society at FranEccles-Bech@manchesterlawsociety.org.uk or on 0161 241 7470 to express your interest.

We anticipate that the committee will be meeting once a quarter and will cover a range of matters including practical advice for practitioners, discussion of topical issues in Family Law and co-ordinating educational seminars in conjunction with Manchester Law Society

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President's Column

Last time I reported that Uri Geller was of no assistance in trying to use his powers on the justice secretary, Mr Grayling to reconsider his decision to introduce significant legal aid cuts. Recently I spoke to Edwina Curry. Alas, she too was of no help and so the Government proceeded to make severe legal aid cuts, based on what appears to be inaccurate data and putting our criminal justice system in jeopardy. A second day of action is proposed for 7th March following a less than constructive meeting with the justice secretary. Once again the day is likely to cause severe disruption to the criminal courts.

We are now aware that the Ministry of Justice's consultation on civil court fee reforms proposes that the fee for issuing specified money claims should be a percentage of the claim. To me this seems like a tax on litigation. I understand that the effect of the consultation could represent an 81% increase for middle of the range money claims, a 140% increase for issue fees for online county court money claims, a 114% increase in bankruptcy and in-

solvent applications and a massive 216% increase for judicial review permission to appeal applications. The aim is to increase revenue but I ask whether this will simply deter many from bringing legitimate claims?

These and other matters were discussed when representatives of the Bristol, Liverpool and Birmingham Law Societies met in Manchester on 23rd January. I am grateful to DWF for allowing this day long meeting to take place at their Hardman Street office. We were joined by the national law society's chief executive Des Hudson, who did not shy away from some intense questioning that he described as 'a rigorous cross-examination', particularly in light of the December no-confidence vote at Chancery Lane.

What also was apparent were the large number of events that take place over the course of a Manchester Law Society year, ranging from; the Legal Awards, seminars, conferences and forums of the highest standards, to many and varied social activities including quizzes and inter professional dinners. Our guest law

societies were quite amazed as to how much could be achieved by a team of three at the MLS office. Indeed, as this meeting took place during the January transfer window, a bid came in for Fran - but the officers stood as one, and we refused to sell.

Following my attendance at the Lyon Rentree in December; I have now been contacted by the Philadelphia bar, whose representatives are travelling to Manchester in the summer to strengthen relations between our respective legal communities. I look forward to welcoming them. Some serious discussions are expected.

I have also been contacted by the Antwerp bar. Now this is more my type of local law society. In case you wondered why I took on the role of MLS President, this is what they said in their email:-

"The opening of the judicial year in Antwerp will probably take place on October 17 2014. Afterwards there is a huge banquet. Also the day before and the day after are full of festivities as Antwerp is known to be a party town..."

Sadly, I now know that I will not be able to make it, but I am very sure that there will be no shortage of individuals wishing to represent Manchester Law Society at this event!

I recently had the pleasure of attending the STEP (Society of Trust and Estate Practitioners) annual dinner. I am grateful to Nick Shaw and his team for making me feel so welcome and I congratulate all those who were awarded their diploma after successfully completing the STEP program.

The judging process for the Manchester Legal awards has now been completed. I would like to express my thanks to the judges who gave up so much of their valuable time to assist.

The event is again a sell out with a waiting list for places. The quality of entries was superb and whoever wins will be very deserving of an award indeed.

Whilst it is an obvious thing to say, if you do not enter you cannot win. There are several categories of awards but the common theme is the quality of the service



that is provided. In this regard the size of the firm does not matter.

I was delighted with the attendance at my first two council meetings. To give the council members some insight as to what member firms want from MLS I have and will be inviting managing partners from across the spectrum of Manchester law firms and chambers to discuss their concerns both from a professional and business point of view and what they see as the future for and

the challenges faced by the profession. I am grateful to Nick Davenport, former president of MLS and senior partner of Turner Parkinson, who joined us at February's council meeting.

What is noticeable is the number of young lawyers that have joined MLS council and the sub committees and who are really taking an active role. What I did feel is that we were losing some experience at the more grey haired end, as some leave continued on page 5



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News from Bridge Street

CJC Reception

16/04/2014

A Reception for more than 200 people, hosted by the Vice-Chancellor of the County Palatine of Lancaster and the local specialist Chancery, Mercantile, and TCC judges, together with the Northern Chancery and Northern Circuit Commercial Bar Associations and also attended by the Judges in Charge of the Commercial and Technology and Construction Courts and other senior judges, is to be held at the Civil Justice Centre, Manchester, with the aim of promoting links between the judiciary, local chancery/commercial practitioners and the business community in the North West.

Drinks and canapés will be served from 6.00-9.00pm on Thursday 16 April in the Atrium of the Civil Justice Centre, Bridge Street, Manchester.

Mark Cawson QC, Chairman of the Northern Chancery Bar Association said: "It is now 6 years since the Civil Justice Centre opened and there was a similar extremely successful event to celebrate the opening in March 2008. This provides a fantastic opportunity to bring together the judiciary and practitioners from our region and to remind local businesses and commerce that there is a wealth of talent and experience right here in the North West. There is really no need to take commercial work to London at all. It is good to see the CJC opening its doors to local practitioners and the business community in this way and I would encourage everyone to get a flavour for themselves of the high profile cases being dealt with in the CJC and to witness our down to earth, no-nonsense approach."

Invitations will be sent out shortly, but to register your interest please contact Sara Brett at admin@nccba.org.uk.

Citadel Law encourages struggling firms to face reality

Latest SRA report proves this is no time for law firms to bury their heads in the sand

Consulting law firm Citadel Law says the latest report by the Solicitor's Regulation Authority (SRA) is sure fire evidence that law firms who ignore their financial commitments, are directly impacting on their ability to put their clients first.

The SRA's Steering the Course study uncovered a clear correlation between financial instability and the misuse of client monies. With evidence of misuse or misappropriation of client monies found in more than a quarter of those firms studied.

Lesley Graves, managing director of Citadel Law, believes the report proves failures in the legal sector, such as those we have witnessed with Barnetts and Linder Myers, could just be the tip of the iceberg with many firms employing risky business strategies at the expense of their clients.

Ms Graves says: "Law firms of all sizes need to start realising that burying their heads in the sand, hoping that client investment will see them through the storm, is not suitable for today's legal market. It's almost a year into the Jackson reforms and we're now starting to see which firms have been ignorant to the necessity of evolution."

Citadel Law says law firm best practice should include:

Transparency of finances to all partners



Lesley Graves

Drawings not to exceed net profits and linked to cash collection targets

Income received to fund partners' tax

Profits to fund capital element with a capital reserve account also built up

Building costs retained

Profit from work regularly tested and any found to be unprofitable is dropped

Ms Graves added: "The SRA's Steering the Course study provides invaluable insight into the problems leading to financial and regulatory risk and potential solutions. It illustrates that the sooner firms

actively face their issues and engage in a strategy to work through them the better.

"All in the legal sector are still navigating uncharted waters but by paying attention to the steer from SRA reports like this will help law firms, banks and accountants adapt in an unprecedented and pressurised climate."

The SRA's Steering the Course study can be viewed here: <http://www.sra.org.uk/solicitors/freedom-in-practice/OFR/risk/resources/risks-and-financial-difficulty.page>

CPD Programme

Do you want your firm to succeed?

Are you interested in Client retention?

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Do your Clients feel you are improving their business and adding value?

Does your firm have the right culture?

Do you want to know about Marketing your firm?

Do you understand that Marketing is NOT advertising?

If you have answered YES to any of the above you will understand that they all require effective training, mentoring, follow-up, and accountability at EVERY level.

You can't build client loyalty, have a sound marketing plan or change the culture of your firm by benchmarking your service against everybody else—doing so is setting the bar too low. It's time to raise your game!!!

If you are involved in Marketing or Client Care & Business Development or the Culture of your Firm you should come along to the Manchester Law Society Management Conference 2014.

Chaired by Jonathan Gulliford, formerly of the Co-operative Legal Services and now a leading consultant to the legal profession sessions will include:

The essentials of putting a client and a prospect first
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At less than £16.50 per hour for SIX CPD hours this is one investment that you can afford to be making in your firm.

So why not come along to the Hilton Manchester Hotel on Tuesday, 11th March, 2014 to find out more?

For further details visit <http://www.manchesterlawsociety.org.uk/event/2014/3/11/management-conference/> or call Victoria Ridge at Manchester Law Society on 0161 241 7472 or e-mail for further details to VictoriaRidge@manchesterlawsociety.org.uk

Insurance Law – Better Protection for consumers – CPD 1

An analysis of recent changes to the law of consumer insurance under the Consumer Insurance (Disclosure and Representations) Act 2012

Speaker: Daniel Metcalfe, St Johns Buildings, Manchester

Thursday 20th March 2014

Venue: St Johns Buildings, Manchester

Members £20 + VAT

Non Members £40 + VAT

Management Stage One

This is a compulsory course for all solicitors in the first three full training years after qualification. Other lawyers are welcome if the content of the course fits their training needs and level of experience.

Each course is limited to a maximum of 20 delegates.

Course Content

Managing Finance - Business planning, key performance indicators, funding and solvency, understanding profit, controlling costs, working capital control and cash flow.
 Managing Clients - Understanding what motivates clients, delivering what clients want in the way they want it, the retainer and solicitors' professional obligations, organising your client relationships effectively.

Managing People - Delegation and managing other people's work, effective teamwork and decision-making processes, how to get the most from a meeting.

Date: Wednesday 26th March 2014

CPD: 7 hours

Venue: To Be Confirmed

Speaker: Doug Robinson, Kinch Robinson Ltd

Time: Registration & Coffee – 9.15am – 9.30am Seminar – 9.30am – 5.30pm (an hour for lunch)

Cost: £160.00 + VAT (£192.00 total) – Member delegates

£180.00 + VAT (£216.00 total) – Non-member delegates

**TO BOOK ON ANY OF THE ABOVE COURSES,
 EMAIL VictoriaRidge@manchesterlawsociety.org.uk**



Regulatory Affairs Committee Update

With it being Oscar season I thought we would host our own alternative ceremony in this month's column with a look at the latest screenplay (sorry research) by LeO which, without spoiling the twist at the end, concludes (I can almost hear your gasps of surprise) that dealing with complaints effectively is good for business.

But I start with a special award for best original story which goes to the partners of the law firm slapped with the biggest fine ever awarded by the SDT for thinking it was okay to let their client account be used as a banking facility by Portsmouth Football Club.

The largest fine by the Solicitors' Disciplinary Tribunal The High Court has upheld the largest fine ever imposed by the SDT. An eye watering £75,000 has been demanded from London firm Fuglers LLP and two of its equity partners following a breach of both the Solicitors' Accounts Rules and the Code of Conduct. The partners had underestimated the seriousness of allowing the firm's client account to be used as a banking facility for Portsmouth FC - which was in administration - and (in addition to permitting £10 million to pass through their accounts) allowed payments to certain creditors to be given priority. On top of this hefty fine, the offending parties were also ordered to pay the SRA's costs in excess of £60,000. It is worth noting that both the firm and its partners were slapped with hefty fines. Since the birth of entity based regulation there has been an urban myth that, unless the sanction of suspension or strike off is required, the firm as a

whole will take the brunt of any disciplinary action and the partners are "safe". Let this case act as a sobering reminder to all solicitors out there that they can and will still be individually called to account for their mistakes.

Consultation launched on unrated insurers

A review by the insurance broker Marsh has suggested that the presence of unrated insurers in the solicitors' PI insurance market has created inconsistencies in the SRA's client protection regime (who will forget Quinn, Balva and Lemma in a hurry?!). The regulator is now consulting on the issue and has proposed that, going forward, only insurers with a rating of 'B' or higher from a recognised rating agency will be able to write insurance. The consultation will run until 24 March 2014 and if you have any views, there is still time to submit these either directly to the SRA or via myself at michelle.garlick@weightmans.com

Financial Conduct Authority (FCA)

With effect from 1 April 2014, the FCA will take over regulation of consumer credit activities from the Office of Fair Trading (OFT). This is significant because the Law Society's group licence - which historically has permitted SRA-regulated firms to carry out consumer credit activities - will be abandoned by the FCA, meaning law firms engaging in such activities (most commonly debt collection) will require an individual licence and also be subject to more stringent regulatory provisions. It is necessary for the

SRA Handbook to be updated to reflect this change and as part of this exercise, the regulator has sought urgent guidance from the FCA on the interpretation of the relevant sections of the Financial Services and Markets Act 2000 because of concerns over the transfer timetable and to what extent law firms will be affected by the changes.

The cost of complaints

LeO has been riding a wave of publicity again thanks to a report it commissioned into getting to the bottom of exactly why it pays for lawyers to get to grips with complaints handling. The report was made available to LeO back in November but its findings only made the legal press in January and it will come as no surprise to readers that the report concludes that good complaints handling saves money. What might make some partners sit up and smell the money is its prediction that: over 10 years, the total net benefit could be between £53m and £80m in present value terms which in real terms means that the operating profit of a firm could increase by 2-3%. That is not a bad return for even the most modest investment by firms in getting their internal procedures on complaints handling up to scratch and in an increasingly competitive environment the benefits of client satisfaction and effective complaints handling cannot be understated.

The LeO also got a "ticking off" recently in Judicial Review proceedings when its ruling against a Barrister was found to have been "irrational". The decision was quashed and the matter was

referred back to the LeO for reconsideration.

Client Engagement

A note for your diaries is 13th June 2014. This is the date that the Consumer Contracts (Information, Cancellation and Additional Charges) Regulations 2013 come into force. In a nutshell these replace the old Doorstep and Distance Selling Regulations (or, for those who want their Sunday names - the Consumer Protection (Distance Selling) Regulations 2000 (the "DSR") and the Cancellation of Contracts made in a Consumer's Home or Place of Work etc Regulations 2008). One of the most significant changes to the current regime is the extending of the "cooling off" period from 7 to 14 days. As you will need to update your client engagement documents and working practices to reflect all the changes brought about by the new regulations, why not look on it as an opportunity to review your whole client inception process and check that you are compliant.

Practice notes

After a dry spell, the Law Society have published the

first practice note of the new year entitled "Defendants' costs orders" in response to changes brought about by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) and highlights the need for criminal practitioners to inform clients who do not benefit from legal aid about the new Defendants' Costs Orders regime.

COLP/COFA Forum

The next COLP/COFA Forum will be held on 28 March from 8.30 am til 10am at Weightmans' office at 3 Piccadilly Place, Manchester. The last forum held at the end of January welcomed Mike Haley, the Head of Supervision at the SRA, and a lively debate was held regarding the reporting of material breaches, and particularly whether negligence claims needed to be reported to the SRA. The SRA has now written to me confirming that negligence claims per se need not be reported to the SRA but (and I quote) "in line with OFR, firms should use their judgement to assess whether a claim represents a material breach on its own or as a pattern of failures and consider the guidance notes to Rule 8 of the SRA Authorisa-



tion Rules 2011 to determine that issue. Firms should also consider whether a claim represents a serious failure to comply with or achieve the Principles, rules, outcomes or other requirements of the Handbook or serious misconduct such that it should be reported in accordance with the obligations under Chapter 10 of the SRA Code of Conduct 2011. Firms exercising sound judgement on these issues is key to the success of OFR".

Michelle Garlick
Chair Manchester Law Society Regulatory Affairs Committee
Weightmans LLP

President's Column continued...

council to make way for others. For this reason I am grateful to council for approving my suggestion of introducing the position of Honorary Council Member. Honorary Members will be former Presidents of Manchester Law Society, invited to attend council meetings to share their wisdom and pass on advice without taking up a seat on the council.

Thanks in the main to the efforts of Fran, MLS Advantage continues to grow. These specially selected businesses undergo a rigorous vetting process and must be able to demonstrate that they can add value to your businesses. I would urge you to look at the services they provide. Each edition of The Messenger devotes a full page to MLS Advantage members.

I for one cannot wait for the Legal Awards on 6th March. It will be a great night and I hope to see as many of you there as possible. One thing I can assure you - is that Mr Grayling will not be receiving an award.

David Joseph
President

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Clough & Willis strengthens Private Client Department with new Head of Department appointment

Bury based law firm Clough & Willis has strengthened its private client team with the appointment of Sally Cook as its new head of department.

Sally joins from Fieldings Porter and her new role will see her and the department focusing on a variety of core work including: wealth and succession planning, inheritance tax advice, trust creation and administration, wills, lasting powers of attorney and estate administration. Sally's own specialist areas are wills, inheritance tax and estate planning, powers of attorney and Court of Protection matters as well as estate administration (probate & intestacy) and trusts.

Sally will be primarily based at the firm's Manchester Road office but she will be aiming to further build on Clough & Willis' clients and contacts around the region over the coming months. She studied at The University of Manchester and took her Legal Practice Course at Manchester BPP. She has five years post qualification experience.

Shefali Talukdar, managing



Sally Cook

partner of Clough & Willis, commented: 'Private client work is a major part of the firm's offering, so Sally's joining is a great news for the team which has steadily developed over the past couple of years.'

Sally added: 'Clough & Willis has been a respected part of

the North West legal community for many, many years so I'm excited to be part of it in the next phase of my career. Hopefully my experience will add real value to the firm and help further consolidate its name and reputation.'

Citadel Law expands expertise with double hire

Consulting law firm brings in legal regulation specialist and senior South-West PI lawyer

Citadel Law has welcomed two highly experienced lawyers to its UK-wide team, ensuring that its law firm clients have access to advice on the complex legal regulatory and compliance regime and establishing its presence in the South-West.

Andrea Cohen and Alison Culverwell each bring more than 25 years' experience to the unique consulting law firm, which continues to grow its team in response to demand for help in optimising the way personal injury practices operate.

Andrea Cohen, previously of Pannone, specialises in compliance, risk management, client care, and business continuity. She joins as a consultant to complete Citadel Law's seamless offering to law firms who need support with outcomes-focused regulation and other aspects of the regulatory regime for solicitors dealing with personal injury work.

Alison Culverwell has a



Alison Culverwell

strong reputation for serious personal injury and clinical negligence cases, with a particular specialism in acquired brain injury and amputation cases. Alison will assist Citadel Law's clients based in the South-West to conduct initial case reviews and assessment of prospects, case load management and the planning and development of solicitors' skills.

Citadel Law managing director Lesley Graves says: 'Alison and Andrea are a perfect complement to the Citadel Law team, with knowledge and expertise



Andrea Cohen

that will strengthen and expand the variety of Citadel Law's offering to our law firm clients. Personal injury firms have had a lot to adapt to over the past 12 months and with Andrea and Alison on board we can do more than ever to help them comply with regulation and provide the best client care possible.'

Citadel Law now has 10 lawyers based in Manchester, London, York and Bristol with further expansion plans set for 2014.

The deadline for the April 2014 edition of The Messenger is 13th March

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Weightmans LLP expands construction team with new hire

John Cleaveley has been appointed as a Partner in Construction at Weightmans LLP. John will be based at the firm's Manchester office and joins from an in-house position at Fulcrum Group Holdings.

John will work with the construction team partners and fee earners to develop the team further, and advise on all aspects of construction law, including contract drafting and dispute resolution.

John commented on his appointment: 'I am delighted to be joining Weightmans' well regarded and successful construction team in Manchester. As an experienced purchaser of external legal services, I look forward to building on Weightmans excellent reputation for client service to provide commercial, practical and cost effective advice to our clients.'

Charles Tomlinson, Partner and Head of Construction added, 'We are delighted to welcome John to Weight-



John Cleaveley

mans. His knowledge and expertise will strengthen the team, and we are confident about the development of this side of the business in 2014 and beyond.'



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Medical negligence solicitor Judith Farrow joins JMW

Solicitor Judith Farrow has joined the specialist medical negligence department at law firm JMW.

Judith will be responsible for helping patients and families nationwide who have been affected by poor medical care to challenge their treatment and secure compensation to help them to cope with their injuries.

As she grows her own caseload she will also support senior solicitors in the team on complex and high-value brain and spinal injury cases.

Judith previously worked at Maxwell Hodge Solicitors in Liverpool, where she was also a medical negligence specialist.

Commenting on her new position Judith said: "The medical negligence team at JMW is incredibly well respected, not only for its expertise, but also for a strong commitment to client care so I am delighted to have joined its ranks."

Eddie Jones, head of medical negligence at JMW, said: "I am very pleased to welcome Judith to our team where she will have the chance to learn from solicitors who have decades of experience of winning cases and supporting people who have suffered avoidable injuries due to medical errors nationwide."



Judith Farrow

After achieving a law degree at the University of Leeds, Judith went on to train as a barrister before deciding to pursue a career as a solicitor. She obtained a professional qualification to

enable her to do so from the BPP Law School in Manchester.

Judith hails from Mellor, Stockport and now resides in Didsbury. In her spare time she volunteers for a charity called Reclaim and mentors disadvantaged young people to help them get on the career ladder. She also enjoys travelling and baking.

enable her to do so from the BPP Law School in Manchester.

Local law firm makes major investments in the interest of its clients

Leading Cheshire law firm Poole Alcock - with offices in Nantwich, Crewe, Alsager, Sandbach and Congleton has announced significant investment in information technology which will enhance the experience and service to private individuals or small businesses.

Whether the service required is buying or selling a house, helping with compensation after an accident or negligence, writing a will or handling probate or as an employer handling property or employment challenges clients will see significant benefit from this investment.

"The firm is acquiring software from a nationally leading supplier to law firms – Solicitors Own Software (SOS) and is transitioning to a full Cloud infrastructure with a leading choice in Cloud for law firms – Converge IT. The close working relation between SOS and Converge IT was a significant factor in progressing the deal."

Law firms have many rules and regulations to which they have to comply – from money laundering checking, ID checking, risk assessments, clear files and actions through to availability of legal service to clients at all times and these two investments will provide all that.

David Gaut managing partner says "we are already recognised as a leading law firm in the area, we already have some of the best Partners and lawyers and these IT enhancements will aid our delivery of the best services to our clients – very exciting and motivating times"

Whether the service required is buying or selling a house, helping with compensation after an accident or negligence, writing a will or handling probate or as an employer handling property or employment challenges clients will see significant benefit from this investment.

Whether the service required is buying or selling a house, helping with compensation after an accident or negligence, writing a will or handling probate or as an employer handling property or employment challenges clients will see significant benefit from this investment.

Ten new partners join fast expanding gunnercooke

gunnercooke has continued its fast paced expansion with the appointment of ten new partners.

The new appointments – Christopher Jones, Sunil Abeyewickreme, Simon Horsfield, Sara Sawicki, Jo Tindall, Carl Atkinson, Geneva Gatrell, Ruth McCarthy, Chris Powell and Graham Stott – bring gunnercooke's overall partner count to 42. This time last year the firm had 17 partners.

Christopher Jones joins as a restructuring partner, having previously been a partner at Irwin Mitchell. He established Irwin Mitchell's Manchester corporate restructuring and finance team and has extensive experience acting for clients ranging from large plcs, to SMEs and professional services firms.

Sunil Abeyewickreme joins as a healthcare partner. He is an experienced and highly respected healthcare lawyer and previously led the multi-national Dental Healthcare Team at DWF LLP.

Simon Horsfield joins gunnercooke from Pinsent Masons, where he was a partner and head of the Manchester employment team. Simon, who is one of four new employment partners, has wide ranging employment experience, with a particular focus on the financial services and sports sectors.

Sara Sawicki also joins as an employment partner from Pinsent Masons in Manchester. She advises on all aspects of employment law, both contentious and non-contentious. Her client base includes a broad range of employer clients from blue

chip companies to SMEs and across the full spectrum of sectors, including retail, financial institutions, public sector, support services, manufacturing and leisure.

Jo Tindall joins as an employment partner from Walker Morris. Her former firms include DLA Piper and DAC Beachcroft. Jo is an expert in both contentious and non-contentious employment work and has extensive experience in employment tribunal litigation and transactional matters. Jo has advised many commercial clients in a wide range of sectors, including manufacturing, retail and financial services.

Carl Atkinson joins as an employment partner. He has wide ranging experience both in private practice and in the manufacturing and FMCG sectors, most recently at 2 Sisters Food Group Limited and Northern Foods plc as Senior Employment lawyer.

With over ten years' experience practicing pensions law at Clifford Chance, Towers & Hamlin and DLA Piper Geneva Gatrell joins as a partner with extensive experience advising clients on pension issues including employers and pension scheme trustees, and also group companies in relation to reorganisations, corporate transactions and insolvency matters. Geneva also has experience advising public and private sector bodies.

New property partner Ruth McCarthy has extensive expertise across all aspects of commercial property having previously headed the commercial property teams at Linder Myers and Taylors.

Chris Powell joins gunnercooke as a company commercial partner.

With extensive experience advising on high-end contentious commercial work predominantly for domestic and international clients, Chris has particular expertise in Information Technology and previously led his own firm, Lawyers4IT.

Graham Stott joins as a private client partner. Graham built his own practice, Blackledge and Co for over 10 years, working closely with the clients of private banks and wealth managers on all aspects of contentious and non-contentious probate work, trust and estate planning and drafting wills.

Commenting on the appointments, Sarah Goulbourne, co-founder of gunnercooke said:

"We are delighted to welcome so many high quality partners to the firm. When we launched the firm in 2010, we set out to challenge the way legal services are offered to the market. We have done this by continuously innovating and improving the quality of our legal services by focusing solely on our clients' commercial needs. Our rapid growth and expansion is an endorsement of this approach and we will continue to expand and develop the business during the year ahead."

The new partners – who will be based in Manchester – join gunnercooke at a busy time. The recently augmented the growth of its London office with the appointment of four new partners – corporate heavyweights Tim Drake, Matthew Searle and Alistair Crellin and leading tax expert Peter Davis.

The Messenger online

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Brabners advises on launch of new charity beer to help fight prostate cancer

Leading North West law firm Brabners has acted for Two Fingers Brewing Co. Ltd ahead of the launch of its new beer in aid of Prostate Cancer UK. The beer, named Aurelio, has been developed with the support of Prostate Cancer UK and launched nationwide in Tesco on 21 January with all profits going to Prostate Cancer UK.

As part of its ongoing CSR programme, Brabners has provided free of charge corporate strategy advice and business support, stretching back to helping the founders decide on a suitable corporate structure. The firm then went on to advise the company in respect of its agreements with Tesco and Prostate Cancer UK and has contin-

ued to provide general business advice to the company.

Brabners Corporate Associate, Simon Lewis, said: "We are delighted to have played our part in bringing this project to fruition and a great product to market. Two Fingers Brewing Co. Ltd's ability to secure agreements with Tesco and Prostate Cancer UK is recognition of its commitment to creating a fantastic product which benefits a great cause."

Mark Bishop, Director of Fundraising at Prostate Cancer UK, said: "Prostate Cancer UK is about engaging with men of all backgrounds and interests, using a range of new channels. It's about creating a movement for men's health

and uniting men against prostate cancer. With a shocking 1 in 8 men in the UK at risk of the disease we need to be reaching out to them. It is with the support from organisations such as Two Fingers Brewing Co., that we can continue to do this. We thank the team for creating Aurelio and raising funds to help more men survive prostate cancer and enjoy a better quality of life."

Matt Sadler, Co-Founder of Two Fingers Brewing Co. Ltd said: "We're giving men a beer they can be proud of. A top quality, great tasting brew: making it a pleasure to join the fight against the biggest issue in men's health. This is one small sip for man, one giant gulp for mankind."

Aurelio, which means golden in Latin, is a refreshing, clean and crisp 4.8% ABV ale, brewed with 100% British ingredients, carefully blended for a complex aroma and perky citrus flavours that spring to the palate.

Aurelio will be initially sold in Tesco in 330ml bottles at £1.89. All profits – guaranteed at a minimum of 10p per bottle – will go to Prostate Cancer UK.

The beer is brewed and bottled at cost by Horsham craft brewer Hepworth & Co.



Gorvins acts on the sale of ACH Group Management Ltd to Quindell Plc

Gorvins solicitors in Stockport has advised the main shareholder in the sale of ACH Group Management Ltd to Quindell Plc.

The total consideration for the transaction (which included the acquisition of a number of companies) has been announced as £5,000,000 cash and 117,812,500 shares in Quindell Plc, those shares having a current market value of somewhere in the region of £26m.

The Salford Quays based ACH Group, which includes Accident Claims Helpline, provides services to personal injury and accident claimants. It has been acquired by Quindell Plc to provide additional capacity in its legal services operation.

Paul Lupton, a Partner in the corporate and commercial



Mark Deverell

team at Gorvins, worked alongside senior partner Mark Deverell, who has provided legal and business support to ACH during the last four years.

Mark Deverell said: "As a firm we have worked with ACH for a number of years so it's great that we've been able to advise the company on such a significant deal."

Andrew O'Dua, owner of ACH Group, said: "Gorvins, and in particular Mark, have become trusted advisors over the last few years of working with them. We've really valued the calibre of experience and knowledge they provide and have always been able to call upon them whenever needed."

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Promotions at Just Costs

National leading legal costs specialist Just Costs Solicitors is delighted to announce a number of promotions across their three offices in Manchester, London and Chesterfield.

Those promoted to Senior Associate are: Adam Oldale, Regional Manager of the firms' Chesterfield Office; Monique Passalaris, Regional Manager in London; Simon Wadlow, National Head of Business Development and Sam Hayman, Senior Costs Draftsman also in London.

In addition, Adam Quinn, Solicitor who undertook his training contact with Just Costs in Manchester has been promoted to Associate along with Solicitor/Senior Costs Negotiator, Charlotte Knight (Chesterfield).

Paul Shenton, Managing Director of Just Costs says "It is with great pleasure that we make these promotion announcements. All reflect thoroughly justified reward



Paul Shenton

for individual contribution that has played no small part in the continuing success of Just Costs Solicitors."

Paul goes on to add "We are busier than ever and remain committed to the develop-

ment of our staff to ensure our business is well-placed to respond to the demand for expert legal costs advice and assistance from litigators across the UK."

Blackstone Solicitors appoint Marketing Profile

Based in Hale Cheshire Blackstone Solicitors recently appointed local PR and Events Company Marketing Profile to work with them on strengthening their brand and raising their profile across the North West. Since this appointment Blackstone Solicitors have achieved both local and national media coverage and have been shortlisted for the MEN Legal Awards this month.

Last year Blackstone marked their 3rd Anniversary. Set up by Emma Nawaz in 2010 along with a secretary the business has grown and flourished and now has a team of 7. Blackstone Solicitors is an innovative law Firm, specialising in

dispute resolution. Managing Director Emma Nawaz explains their decision to work with Marketing Profile, "I have known Marketing Profile for some years and have seen the results of their work with other businesses both in PR coverage and Event management. Our client base is vast and growing and I felt that the time was now right to highlight our services to a wider audience. Since appointing Marketing Profile of Hale we have achieved significant media coverage locally and nationally, including the Financial Times, TV and Radio 4. This latest announcement that we have been shortlisted for the Legal Awards is excellent news."

Managing Director of Mar-

keting Profile, Barbara Hallwood commented, "We are delighted to be working with such a professional organisation as Blackstone Solicitors."

Their tenacious approach combines an extremely high level of academic legal expertise. Media coverage is important for any business in raising their profile. Blackstone handles many cases with outstanding results, we are pleased to be able to help deliver that message to a wider audience and in turn generate more business for them.

We wish them every success with the awards next month."

New location, location, location for law firm

Full service law firm Slater Heelis LLP is ringing in the changes in 2014 with two further offices to accommodate their growing team and expanding client list.

The firm can now be found in premises on Deansgate, which sees the Slater Heelis name back in the city centre after a 15 year absence. Slater Heelis LLP's return to Manchester comes as a result of it's recent merger with Cottrills in December last year. The Manchester office comprises members of some of the Family, Property, Wills, Trust and Probate, and Commercial teams. .

Slater Heelis LLP continues to have a strong presence in its south Manchester heartland with new 4520 square foot premises in Oaklands House on Washway Road in Sale.

This, together with the firm's office in Timperley and two offices on School Road in Sale, house the remainder of the teams including the Personal Injury and the business support functions such as

marketing and accounts.

Senior Partner Mike Fox said: "2013 was a remarkable year of growth for us and has enabled us to build both our teams and our client base, while still delivering the personal service and attention to detail that we have become known for.

The time was absolutely right for a move back to Manchester city centre and we are now able to service a far wider client base, across Greater Manchester and beyond.

We're still staying true to our roots here in Sale, where we have been based for many years. The combination of our new locations aligned with high calibre additions to our team means that we can continue to build on our reputation into this year and beyond."

Slater Heelis LLP www.slaterheelis.co.uk is a well-respected, full service law firm based in South Manchester and Manchester city centre that has been awarded Lex-



Mike Fox

cel, the national Law Society's quality mark, for ten years running. With origins dating back to 1773, Slater Heelis LLP now employs over 100 people who offer legal expertise to commercial and private clients across the fields of employment, property, corporate and commercial, dispute resolution, family, personal injury, conveyancing and wills and trusts. Slater Heelis LLP works with a diverse client base that includes sports personalities, entrepreneurs, national PLC's, local government and not-for profit organisations.

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**Full coverage of the
Manchester Legal Awards**



Croftons appoints housing lawyer Jo Savage as Head of Governance

In the latest in a series of high profile appointments, Croftons Solicitors welcomes specialist housing and regeneration lawyer Jo Savage as a Solicitor from Trowers and Hamlins to head up the firm's Regulatory and Governance team for the Housing and Regeneration sector.

Jo, who qualified as a Solicitor in 2007, has been with Trowers & Hamlins for nearly 10 years. She is a familiar face at Board level among Registered Providers ("housing associations"), advising on policy and constitutional issues, identifying and mitigating risk, advising on strategic projects such as stock transfers, and bringing expertise in commercial contracts and partnering arrangements.

"As Head of Regulatory and Governance, Jo will lead a team of housing and regeneration lawyers who provide constitutional, commercial, employment and intellectual property services to Registered Providers," comments Croftons' Managing Partner Simon Leighton in welcoming Jo to the firm today, adding: "As our core business is the housing and regeneration sector, I am particularly delighted to welcome Jo at a time when we are expanding to meet our clients' increasing needs for services and added value. Our vision includes broadening our legal services to the housing and regeneration sector. Governance issues arise in so many areas where we are already serving clients, and so Jo's experience and sector understanding build our services perfectly."

Jo is well known within the housing and regeneration sector and has been instrumental in many large scale stock transfers from local authorities to Registered Providers. Her role includes conducting negotiations on behalf of Registered Providers and liaising with local authorities, funders and other parties and their solicitors on contract terms, warranties, service



level agreements, nominations, VAT sharing, tax structuring and other matters.

Commenting further, Simon Leighton adds: "Jo is credited with bringing real commerciality to her clients, which is what attracted us to her. Our own clients want advice which will help them operate successfully."

They ask for innovation and ideas for positive change. Jo and her team are ideally placed to do this."

Jo will be acting for Croftons' clients who often need advice in the Boardroom on governance, regulatory and constitutional matters, setting up group structures including creating commercial organisations as subsidiaries, JVs and partnering arrangements, and business arrangements with charitable organisations.

Jo trained as a barrister before converting to the role of a solicitor in 2007. She describes her move to Croftons as 'an exciting opportunity at a time of great change in the housing sector and great opportunity for a firm like Croftons to broaden its appeal'.

Two new clinical negligence partners for Express Solicitors

Ben Gent and Maria Repanos have joined Express Solicitors' as partners in its clinical negligence department.

Formerly a partner with Simpson Millar LLP, Ben heads the clinical negligence team of 11, including seven fee earners and two nurses. Ben brings with him almost 20 years' legal experience that has seen him successfully take high value cases over £1m from complaint to trial, as well as managing teams and developing strategy.

A member of the Law Society Clinical Negligence Panel, Ben qualified as a solicitor advocate in 2013. He has strong links with brain charity Headway as a committee member and fundraiser and was described in Chambers as 'eminent, approachable, savvy and good with his clients'.

Ben said: "Express Solicitors was recommended to me through work and personal connections, then I met James and I was very im-

pressed with the way he runs his business. As a leader he is very open and fair minded and I knew he was the kind of person I'd like to work with.

The firm is going places and I want to be part of the team that is making this happen." Maria joins Express Solicitors from Irwin Mitchell where she was an associate working on claimant clinical negligence cases ranging from cerebral palsy to amputations. Ranked in this year's Chambers and Partners as guide as a 'key individual' and singled out for 'her good judgement of cases', Maria brings eight years' legal, managerial, marketing and business development experience to the firm. Her role at Express Solicitors will be to handle high value claims involving very serious injuries of maximum severity and complexity.

She said: "I was keen to join a forward thinking, modern and innovative practice, which Express Solicitors certainly is. I'm looking forward to a new challenge

and helping to grow the clinical negligence department."

Managing partner at Express Solicitors, James Maxey said: "Together Ben and Maria bring almost 30 years' experience to the firm and these senior appointments reflect our commitment to our growing clinical negligence department."

"Both have a great understanding for clients who've been let down by the medical profession and are quoted for their skills in Chambers and Partners UK 2014 and Legal 500 2013. We're delighted to have them on board, not only for their wealth of legal expertise but also their abundance of business acumen."

Express Solicitors currently comprises 148 employees including 13 partners and 47 earners.

The firm specialises in personal injury and accident claims, medical and clinical negligence claims and serious injury cases.



Maria Repanos and Ben Gent

Dr Joshua Adedokun

MB BS, DA, FCARCSI, FRCA, FFPMRCA

Chronic Pain Expert

Dr Adedokun has extensive clinical experience in the management of various chronic pain syndromes including persistent, neck, back and neuropathic or complex regional pain syndrome especially following personal or occupational injuries.

He also has wide experience in medical negligence claims.

Listed on the UK Register of Expert Witnesses, an APIL expert, Member of Society of Expert Witnesses and Expert Witness Institute.

Dr Adedokun accepts instructions from Claimants, Defendants and as a Single Joint Expert.

He covers Manchester, Liverpool, Leeds, Birmingham and London.

Other locations and domiciliary visits can be arranged.

Contact Person: **Jane Griffiths** (Medico Legal Manager)

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Gamemakers aim to crush 'Candy' in Trade Mark Saga

Hayley Hall, from the intellectual property team at leading law firm Brabners, discusses the trade mark law surrounding the Candy Crush Saga case.

King.com, the creators of Candy Crush Saga, are seeking to enforce a European Community trade mark for the word 'Candy' sparking anger amongst game developers who have launched their own protest.

Many are familiar with the famously addictive game Candy Crush Saga.

The game's developers, King.com, understandably keen to protect their rights in their hugely popular creation, have filed for a number of trade marks in a number of countries. They have recently additionally acquired the word mark 'Candy' (on its own) in Europe from a third party that filed it.

The 'Candy' trade mark was registered in Europe in June 2013 and has caused uproar amongst game developers who feel that it is 'unethical' on the part of King.com to seek to enforce this registra-

tion against them. It seems the developers found it ironic that King.com should seek to prevent third parties using similar names when in their opinion Candy Crush Saga itself is very similar in style to pre-existing games. In protest, a number of independent developers have set up a website called Candy Jam on which they encourage other gamemakers to create and upload games incorporating the word 'candy' in their titles. Games uploaded to the site include 'Candy Crush Aga', 'CandyPods' and 'Candy Candy Candy'.

Under trade mark law it is possible to register words that are distinctive in the language in which they are used. As the examiner deemed the word 'Candy' to be distinctive in relation to the goods and services it covered, the trade mark was allowed to proceed. It then will have entered a three month opposition period. During the opposition period no oppositions were submitted. Accordingly the European Community Trade Mark Office registered the mark. Arguably any third

party could have (and could still) object to the mark on the basis that it is descriptive but King.com will argue it has now acquired distinctiveness.

The 'Candy Jam' project and website were set up after certain developers, who had used the mark 'Candy', had been contacted by representatives of King.com over infringement of their trade mark rights. This angered developers sparking a huge increase in the production of candy-named games by way of protest.

The likely logic behind this is that it is doubtful that King.com has the resources to bring proceedings against all infringers. That said, if they do not enforce their trade mark against these infringers they are at risk of losing their rights through acquiescence.

Additionally, by merely encouraging the creation of numerous games with names including the term 'Candy' the creators of the 'Candy Jam' site could,

whether knowingly or not, be putting King.com's trade mark at real risk.

By flooding the market with similarly-named games the word 'Candy' could become generic in games or apps thus diluting the mark. Owners of marks that have become generic, and therefore no longer distinctive, may have their rights revoked in which case the mark is on the open market for all to use; although in this case King.com would argue that the actions are not sufficient to make their mark generic as they have been taken in bad faith.

In short, unless King.com enforces their legitimate trade mark rights to 'Candy' against infringers they risk losing their rights through acquiescence, and the more 'Candy' games that are created the more likely the mark is to become generic.



Court of Appeal upholds original order in £multi-million Sharland divorce case

The Court of Appeal has upheld the multi-million-pound settlement in the divorce case of AppSense chairman Charles Sharland.

Mr Sharland's former wife, Alison Sharland, had claimed that the settlement – which awarded her a greater share of the couple's liquid assets in exchange for a lower share in the business – was unfair following rumours in the press of a higher-than-expected valuation of the company.

Beth Wilkins and James Brown of JMW Solicitors LLP,

who acted for Mr Sharland, said: "The agreement Mr and Mrs Sharland reached over 18 months ago gives Mrs Sharland more than 50 per cent of their liquid assets and a less than 50 per cent interest in Mr Sharland's shares – generous given the facts of the case.

"Mr Sharland has always been prepared to stand by the agreement and he is very pleased to see good sense prevail. This matter has caused enormous family disruption and Mr Sharland hopes that this decision can allow the family to move forwards."



Beth Wilkins

Lloyds Bank plc add to high street banks threatening closure of accounts on basis of ethnicity

Shortly before Christmas last year, RBS and Natwest Bank advised some of their clients that their accounts were to close. Lloyds bank plc has issued a similar threat. The closures appear to be based on race discrimination.

Blackstone Solicitors in Hale, Cheshire has now issued proceedings against all three high street banks. The firm who are based in Hale, Cheshire have had numerous clients contacting them as a result of receiving letters from their bank to advise that their accounts will be closed in 60 days. Blackstone Solicitors have asked the banks for an explanation as to why they would do this to a group of clients who have exemplary banking records, but no response has been forthcoming. All of Blackstone Solicitors' clients who have received this letter are of Iranian heritage, but many of them have UK passports and all of them are domiciled in the UK.

The banks have failed to withdraw their closure letters leaving customers in real fear of losing their banking facilities. One of Blackstone Solicitors' clients includes a 9 year old school girl, a UK passport holder who has been told



Emma Nawaz

her Rainbow account will be closed.

Commenting on the proceedings, Managing Director of Blackstone Solicitors, Emma Nawaz explains, 'It is our strong opinion that the closures are based on ethnicity.

We have had numerous clients contact us as a result of receiving letters from their bank to advise that their accounts will be closed in 60

days. All of these clients are of Iranian heritage, but many have UK passports and all of them are domiciled in the UK. We have asked Lloyds Bank plc for an explanation as to why they would do this to a client who has exemplary banking records, but no satisfactory response has been forthcoming. These ordinary people who contribute to society are becoming victims of racism by high street banks."

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The deadline for the April edition
is 13th March 2014**

New Inquiry: Impact of changes to civil legal aid under the Legal Aid, Sentencing and Punishment of Offenders Act 2012

The Justice Select Committee has launched an inquiry into the impact of the LASPO civil legal aid cuts. It will consider the impact on clients, providers, and litigants in person, as well as other issues such as exceptional funding.

Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (LASPO) sought to reduce the civil legal aid budget by removing specific areas of the law from scope, either wholly or in part. In making these reforms, the Government intended not only to reduce the legal aid budget but also to encourage the use of alternative dispute resolution procedures such as mediation. The provisions came into force on 1 April 2013.

The Committee undertook a short inquiry into the Government's proposals to reform legal aid when they were at the consultation stage, in the winter of

2010–11. In its Report published 30 March 2011 (Third Report of Session 2010–11, Government's proposed reform of legal aid, HC 681), the Committee raised a number of subjects of concern. The Committee now proposes to inquire into the impact of the LASPO changes. The Committee recognises that certain effects of the changes may not yet be fully clear, but considers that there is sufficient evidence of those effects to enable it to follow up its previous work before the end of the current Parliament. The Committee intends to examine the identifiable outcomes of the legislation against its previous conclusions and recommendations, as well

as to consider any new problems which have arisen.

The Committee invites interested organisations and individuals to submit written evidence to the inquiry. A list of questions of particular interest to the Committee is given below, and these may be used to structure submissions, but submissions may address any aspect of the impact of the changes which are of concern or interest.

Questions

What have been the overall effects of the LASPO changes on access to justice? Are there any particular areas of law or

categories of potential litigants which have seen particularly pronounced effects?

What are the identifiable trends in overall numbers of legally-aided civil law cases being brought since April 2013 in comparison with previous periods, and what are the reasons for those trends?

Have the LASPO changes led to the predicted reductions in the legal aid budget? Has any evidence come to light of cost-shifting or cost escalation as a result of the changes?

What effects have the LASPO changes had on (a) legal practitioners and (b) not-for-profit providers of legal advice and assistance?

What effects have the LASPO changes had on the

number of cases involving litigants-in-person, and therefore on the operation of the courts? What steps have been taken by the judiciary, the legal profession, courts administration and others to mitigate any adverse effects and how effective have those steps been?

What effects have the LASPO changes had on the take-up of mediation services and other alternative dispute resolution services, and what are the reasons for those effects?

What is your view on the quality and usefulness of the available information and advice from all sources to potential litigants on civil legal aid? Do you have any comments on the operation of the mandatory telephone gateway service for people accessing advice on certain matters?

To what extent are victims of domestic violence able to satisfy the eligibility and evidential requirements for a successful legal aid application?

Is the exceptional cases funding operating effectively?

The deadline for submissions is 30 April 2014.

Respond via the new web portal

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/justice-committee/news/new-inquiry-laspo/>



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LSB announces new members of the Office for Legal Complaints

The Legal Services Board (LSB) has announced the appointments of Stella Manzie CBE (lay member) and Professor Philip Plowden (non-lay member) as new members of the Office for Legal Complaints (OLC).

The OLC is the Board of the Legal Ombudsman and is responsible for the administration of the scheme. The vacancies arise with the terms of Margaret Doyle and Professor Mary Seneviratne ending on 31 March 2014.

The appointments are made by the Legal Services Board in accordance with the Legal Services Act 2007.

Commenting on the announcement, David Edmonds, LSB Chairman said: "I am delighted with these appointments. Stella and Philip bring with them impressive skills and experience, which I am confident will be of significant value to the OLC Board as it moves into the next phase of its development. I wish them every success."

Elizabeth France, OLC Chair said: "In welcoming Stella and Philip to the OLC, I would also like to thank Margaret and Mary for their invaluable contribution to the establishment of the Legal Ombudsman."

The new members have both been appointed from 1 April 2014 to 31 March 2017.



Philip Plowden



Stella Manzie CBE



Talking Heads

In light of the new Inquiry by the Ministry of Justice into the impact of LASPO we asked practitioners who specialise in civil litigation "What do you see as the main issues and/or difficulties that have arisen since the introduction of LASPO?"



Legal Aid has not been a significant feature in civil litigation for some years, so the change to Legal Aid funding has not had the impact on civil litigation that it has had elsewhere.

The changes to ATE Funding, the abolition of success fees and recovery of premiums and the court procedure have, however, had a substantial impact on civil litigation. After an initial increase in claims before the changes took effect, anecdotally, it would appear that claim numbers have dropped. To that extent, one of the aims of LASPO, to reduce litigation, has been fulfilled.

However, it seems that another of the published aims, reducing the cost of litigation, has not been successful. The costs budgeting require-

ments have involved practitioners in substantial amounts of extra work and prolonged court hearings.

The new regime of strict adherence to court directions, as reinforced by the Court of Appeal in the Mitchell v News Group Newspapers, has also impacted on costs. Practitioners now have to consider making applications to the court in relation to procedural matters agreed by the parties, causing an increase in costs and further burden on an already stretched court system

Ian McConkey,
Regional Senior Partner
DAC Beachcroft.



In relation to LASPO, I'm rather controversial on this point! In short, I'm one of the few solicitors that is in favour

of some cuts (but not all and I have sympathy for the Criminal lawyers). The reason being that I act for privately paying landlords who end up paying significant sums of money to remove non rent paying, problematic tenants who have the benefit of Legal Aid and who don't have a genuine defence but their lawyers rack up costs in any event.

The tenant subsequently withdraws or loses and then who pays my client his wasted legal costs?

The tenant doesn't, as he has no money in the first place.

The Legal Aid board don't either! Sadly, I feel that some people in the profession have taken advantage of the situation, which is a real shame for those lawyers who act appropriately and for those clients who genuinely need legal aid. Time and time again I have witnessed solicitors who regard the legal aid system as little more than a cash cow and an opportunity to rack up enormous fees. In addition, I have witnessed the most undeserving of people abusing the legal aid system in the most appalling of manners. This is tax payers' money being flitted away.

This is based on my experi-

ences, but I truly believe that we should have a legal aid system for the vulnerable people that need it, but it should be sacrosanct and not abused.

Emma Nawaz
Managing Director
Blackstone Solicitors



From an outside observer's perspective, it is clear that LASPO has had a significant impact on the access to jus-

tice for individuals. Measures such as making CFA success fees and ATE insurance premiums irrecoverable have almost certainly made it more difficult for individuals to bring claims. From Eversheds' perspective, acting generally for corporates, we have seen more claims brought against our clients by people acting for themselves.

This makes the management of such claims more difficult and increases the amount of time they require before the Court – something that costs the State money and is contrary to what LASPO set out to achieve.

The introduction of LASPO reflects a concerning wider trend of new measures which could affect access to justice generally – both for individuals and companies.

We have already seen the chilling effect that the introduction of fees has had on Employment Tribunal claims. On a similar theme, there has

been a recent consultation on the potential reform of Court fees in civil claims, with proposals for significant increases to Court fees – particularly for commercial parties. For example, the proposals include increasing Court issuing fees to £10,000 for claims of £200,000 or more (and even higher fees for commercial parties).

Such proposals are likely to make it more difficult for parties to pursue Court litigation and will therefore make access to justice harder – in the same way already seen with LASPO.

Matt Taylor
Principal Associate
Eversheds



Is this your life?

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Symptoms may include:

- Reluctance to take time off work
- Bouts of irritation, anger and resentment
- Extreme exhaustion
- Physical illness - sometimes with a tendency to smoke or drink too much
- Too little time for family

Are you suffering from Depression?

Symptoms may include:

- Diminished interest or pleasure in activities
- Sleep disturbances Fatigue or loss of energy
- Indecisiveness and inability to concentrate
- Recurrent thoughts of death or suicide

Do you have an Alcohol problem?

Symptoms may include:

- Problems with relationships or work
- Preoccupation with alcohol, including feelings of guilt
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- Mood swings
- Shaking and/or blackouts after heavy drinking.

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How much does the LawCare service cost?

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Is it really completely confidential?

Yes, you need not give your name when you call, and LawCare is specifically exempted from the rule requiring malpractice to be reported.

Is the helpline staffed by volunteers?

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What else does LawCare offer?

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Getting to know you.....

This month Matthew Trusch, Associate Solicitor at Aequitas Legal talks to The Messenger...

If you hadn't gone into the legal profession, what alternative career would you choose?

I would say a sports journalist but I would quite like the idea of being based abroad. I am passionate about languages having studied French and German and I've also decided to take up learning Spanish in my spare time. I'm also a huge football fan so I think a career as a sports journalist would be interesting – escaping the Manchester weather to sunnier climes also sounds attractive!

What do you see as the biggest challenges facing the profession today?

As an experienced personal injury Solicitor, the introduction of the Legal Services Act and the LASPO Act make it even more important that law firms find ways to make themselves more competitive and try to stand out in a changing market. It is extremely unlikely these reforms will be reversed and therefore law firms have no option but to embrace the changes if they want to survive. To Aequitas Legal, this means continuing to focus on what our clients want and offer a service or rather, an experience, which other firms don't.

What work gives you the most satisfaction?

As cliché as it sounds, one of the reasons I wanted to be a Solicitor was to help people. Whilst settling any case no matter its value is satisfying, I have some high value multi-track cases. Whilst they are clearly demanding in terms of the technical detail required and the time invested in them, this type of work does give you a real opportunity to make

a real difference to people's lives which is an opportunity many people don't get with their jobs.

Who inspires you:

My Dad. Despite his very humble upbringing and the loss of both his parents by the age of 15, he always believed in himself and never gave up on his goals.

Do you have any advice for anyone considering a career in the law?

Stay focused on your goal because there will always be setbacks and challenges to overcome, don't give up and remember why you want to enter law in the first place.

How do you relax:

I look forward to most Saturday nights where I can be found out drinking with friends in Manchester or West Didsbury. I also enjoy the fresh air so country walks are a great way to get some exercise and clear the mind. Whilst I am far from being a couch potato, family on my Dad's side are from the Ukraine and having heard some of their war stories over the years, I am fascinated by World War II history documentaries. I'm also a big fan of the TV series Game of Thrones and am looking forward to the release of the fourth series soon!

Is there a book that has had an impact on your life?

A friend of mine recommended a great book called "the Alchemist" by Paulo Coelho. It's a story about a shepherd boy



from Andalucía in Spain who seeks to find his treasure in Egypt. You could interpret it in several ways but to me, the story is about following your dreams and always looking forward and being positive.

Three words:

Fun. Loyal. Ambitious.



7 Harrington Street Chambers are delighted to welcome **Susan Sherman**, formerly of Chavasse Court Chambers to our Family Department. Chambers also congratulate **Steven Parker** on his appointment as Circuit Judge.

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Mr Stephen Riordan QC
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JMW provides fundraising boost for spinal cord injured people returning to the workplace

JMW Solicitors has bolstered its support of national charity, the Spinal Injuries Association (SIA), by providing funding for them to retain a full-time vocational support officer.

Jamie Rhind, 35, working on behalf of the charity across England and Wales, provides support, information and advice to spinal cord injured people considering a return to work, education, training or voluntary work.

The £5,000 sponsorship by Manchester-based JMW, experts in helping people who have sustained spinal injuries due to accidents or medical negligence, is in addition to an annual corporate sponsorship JMW provides SIA.

Jamie understands the physical, mental and emotional upheaval that accompanies serious injury, having sustained damage to his spinal cord in a diving accident in 1998. He said "I was 19 when I broke my neck, and to be honest thought

my life was over. During my stay in hospital I was fortunate enough to have a chance encounter with an outpatient who had been treated at the same hospital I was in. He showed me that it is absolutely possible to rebuild your life following a spinal cord injury and have everything that you expect in it. In the nine months I spent as an inpatient that meeting was the most important.

"Once I'd started to move on from my injury, I knew I wanted to get involved with SIA and be able to help others to feel empowered and regain the confidence and self-esteem that a spinal cord injury can rob you of. Having the opportunity to demonstrate what can be achieved; a vocation, a sense of purpose and being able to lead a normal life, that's an incredibly rewarding experience and one that provides a vital lifeline for people."

Chris Sutton, partner and joint head of personal injury

at JMW Solicitors, said: "I have got to know Jamie over the course of the last 12 months through JMW's sponsorship of SIA and I am delighted that we are able to support his role. He is an inspirational character, and I am sure that he would be a perfect friend and confidant to the many people he supports in his role. I know he makes a huge difference to the lives of those who have sustained a spinal cord injury, imparting a sense of hope and helping people to set goals to get back to work."

Eddie Jones, head of medical negligence at JMW, recently secured £2.6 million in compensation for a woman whose life was devastated by a serious spinal injury caused by medical errors, leaving her with permanent cauda equina syndrome. Ensuring individuals who have suffered spinal injuries receive post-injury support is a vital part of Jamie and SIA's work.

Jamie's role as a vocational

support officer is a specialist position that goes beyond peer support and focuses exclusively on career and educational development. He provides information, advice and encouragement to patients across England and Wales' nine specialist spinal cord injury centres, including education presentations aimed at patients in the first six months of injury, exploring the options and support available. He also runs a vocational support clinic in each centre; offering one-on-one sessions with him, an occupational therapist and a member of the National Careers Service.

He continues: "My job is to assist those who have sustained a spinal cord injury consider their circumstances and identify how they can move forward; whether that's returning to a previous role, or looking at a different job as a consequence of their injury. So, for example, someone who had an office-based or academic role may be able to return in a similar capacity, but for someone working in a manual position, it will obviously be difficult to go back to that.

"I help people understand what their transferrable skills are, what their interests are, what their options are, and help them to move



Jamie Rhind

forward. When you're first injured, your expectations can often be set fairly low, because you aren't aware of what can be achieved. There is no reason why the vast majority of people with spinal cord injuries can't re-engage with the workplace. The role a vocation plays in our lives, whether it's paid employment, voluntary work or education, cannot be underestimated, and I'm passionate about ensuring that everyone who sustains a spinal cord injury has the opportunity to achieve their vocational goals, enabling

them to lead productive, fulfilled lives."

The Spinal Injuries Association supports all those affected by spinal cord injuries, whether caused through accident, genetics, infection or disease. If you, or someone you know, has sustained a spinal cord injury and you would like more information about the service Jamie offers, log on to <http://www.spinal.co.uk/page/vocationalsupport> or contact him on 07800 854 605.

Legal Team fundraises for Wigan and Leigh Hospice

Over £5,450 has been donated to Wigan and Leigh Hospice today by the kind-hearted staff at Stephensons Solicitors LLP.

The law firm asks staff to vote for their favourite charity each year and each of the 400 staff took part in fundraising efforts across the 12 months to raise £5,457.48 for the hospice.

Monthly dress down days

contributed much to the final total, as did a charity quiz attended by almost 100 staff, Halloween events, book and cake sales, midnight walks and much more.

Wigan and Leigh Hospice provides specialist care, for those who are at the end of their life, to hundreds of people every year. It's a registered charity, funded mainly through the donations and support of local people.

Neal Boland, pictured, Stephensons' senior partner, said: "What a great effort by our staff. Wigan and Leigh Hospice is a vital local resource for many local families, including many of our staff whose family and friends have sought respite there. We're thrilled to be able to make such a large donation to a local charity which gives so much to the people it serves."



Neal Boland hands over cheques to Maxine Armstrong, second left

Mills & Reeve Helps Set the Stage for the Over-60s in Greater Manchester

Manchester law firm supporting over-60s Elders project at the Royal Exchange Theatre

The charitable trust of law firm, Mills & Reeve, is supporting a pioneering new drama and theatre project for the over-60s at Manchester's Royal Exchange Theatre.

The Elders project – a pilot from which the Royal Exchange intends to develop a sustainable, long-term initiative to engage older people in performing arts – got underway this month with an initial series of nine workshops with company members. The first free taster workshop received over 150 requests to take part, resulting in the planned 20 places being extended to 80 with an additional list of those waiting in the wings.

Ruth Paterson, Development Manager (corporate)

at the Royal Exchange Theatre, said: "We're delighted that Mills & Reeve have seen the potential of The Elders project early and supported our pilot phase. The response to the taster session shows what high demand there is for this type of work and we hope to continue this work to offer more Over-60s in Greater Manchester the chance to be involved."

The Elders project sets out to tackle social exclusion in the older residents of Manchester by providing opportunities to be more physically active, build new friendships and learn new skills.

Mills & Reeve partner, Alison Bull, said: "The project is a great example of how performing arts can be used to engage the city's older residents and we're proud to support the Royal Exchange's important work.



Alison Bull

We look forward to seeing how the project develops over the coming months."

The Company of Elders is also supported by The Madeline Mabey Trust.



Frodsham solicitor heads to Westminster to call on MPs to clamp down on slow management companies which delay the house buying process



Management companies in Cheshire and across the UK are slowing down leasehold property purchases by taking too much time to deliver necessary information to solicitors, according to the Conveyancing Association (CA). In a bid to speed up property transactions, Denis Stevenson of Rowlinsons Solicitors in Frodsham, represented the CA in meetings with MPs in Westminster to suggest changes to the law which will set out a fixed time period for management companies to deliver information and at a set cost.

Approximately 200,000, or one in every five, properties sold in the UK per year are leasehold properties. In these cases, conveyancers must contact the management company or residents' association in order to obtain the information they require to progress a sale. A recent CA members survey shows that the average time it takes to obtain the necessary information is three weeks, with some cases taking eight, and it costs buyers an average of £350, with some costs exceeding £800.

Denis Stevenson, Senior Director at Rowlinsons Solicitors of Church Street, Frodsham and representative of the Conveyancing Association, says: 'Eight weeks can cause huge delays to a conveyancing process, which in turn can cause immense stress for the buyer and seller, drive up costs, and in the worst case scenario, even threaten the sale. It can also have far reaching consequences for the market as delays in

one transaction can affect numerous other sellers and buyers if there is a chain involved, causing even more unnecessary stress to countless people.

'We are asking MPs today to help us change the law to enforce a strict timetable on management companies to hand over the information they are required to, along with a set fee for doing so. Helping to speed up this information gathering process in this way will help to speed up the conveyancing process, leading to quicker and more cost effective house buying process for consumers.'

Nominations open for the 22nd Annual Inspiring Women Awards

Over the past 22 years of honouring women in the North West for the prestigious Inspiring Women Awards, we've found females who inspire others and are viewed as role models...now it's time again to nominate remarkable women. But we need to know by 4th April 2014..

At the 2013 Awards, joint Community Award winners were Jo Thompson and Nicola Graham. Jo started Millie's Trust following the death of her baby daughter who died on her third day at nursery following a choking accident, to campaign for better First Aid knowledge and practice. Nicola Graham, started Reuben's Retreat in memory of her son, Reuben who died aged 23 months from a rare brain tumour. Both women showed and shared their courage with the audience in the face of extreme tragedy. Business Winner, Professor Dame Nancy Rothwell was recognised for her contribution to the success of the University of Manchester. Sue Woodward OBE was awarded the Creative & Media category for her work with The Sharpe project. Paul Solomon was recognised as the BBC Radio Manchester heroine for setting up the Match4Martin campaign. Lisa Tse, co-founder of Sweet Mandarin was recognised in the Entrepreneur category for the success of the Sweet Mandarin sauces, now exported to China. The winner of the Inspiring Young Woman Award went to Kirsty Ashton MBE for her untiring charity work and support.

Founder of the Awards, businesswoman Jacqueline Hughes Lundy of Olivia Henry Associates, says "we want to keep publicising these remarkable stories from women who have made a difference to their lives or the lives of others. These Awards provide a wonderful opportunity to recognise and showcase these achievements and to say thank you to our unsung heroines."

The Awards Lunch will take place at the Midland Hotel in Manchester on Thursday 15th May 2014 when the winners will be announced. Compering the event and interviewing the finalists on the day will be BBC Radio Manchester presenter, Andy Crane.

Guest Award presenters include BBC Breakfast presenter Louise Minchin and former The Apprentice star, Neil Clough.

How to nominate

Closing date for nominations is Friday 4th April 2014. There are six categories – Business Award, Entrepreneur (for businesses between 1-5 years) Award; The BBC Radio Manchester Community Award and the Inspiring Young Woman Award (aged 16-25 years). Two new categories for 2014 are: The Technology Award and The nurturing female talent Award (which is a company award). The Inspiring Women Awards supports the Inspiring Young Women Foundation.

Full details of the Awards, previous winners and full Terms and Conditions are available on www.inspiringawards.co.uk.

Nominate:

Email nominations@inspiringawards.co.uk

Via the web www.inspiringawards.co.uk

Phone 0161 926 8568 (ansaphone)

Attend the Lunch:

Bookings@inspiringawards.co.uk

www.inspiringawards.co.uk

**Further details can be obtained from
Jacqueline Hughes-Lundy - 07753 881455
Jacqueline@inspiringawards.co.uk**

Deadline set for Manchester Home abuse victims to come forward

Leading child abuse lawyers, QualitySolicitors Abney Garsden, are appealing for people who were abused as children from the 1950's to the 1990's; in Manchester City Council run homes, to speak out about the abuse they suffered. The appeal comes as a cut off date has been set in which claims for compensation can be made as part of the largest ever group action for alleged child abuse.

The decision was made at a hearing brought by Manchester City Council before the High Court in Manchester on 7th February. A cut off date has been set for 4pm on Wednesday 7th May 2014, by which time any new victim must have started court proceedings.

In May 2009 QualitySolicitors Abney Garsden, based in Stockport, were given High Court clearance to set up a second group of alleged victims who claimed they were abused while in the care of the children's homes run by the city council's social services from the 1950's to the 1990's.

The action centred on three main homes run by the City Council – Rosehill in Northenden, Broomehouse in Didsbury and Mobberley Boys in Knutsford. A Schedule of other homes where there have been allegations is attached to this press re-

lease. 452 alleged victims have joined the Group to date and 275 cases have been settled for £2,042,510 in total.

The lowest settlement is £1,100 and the highest is £30,000 with the average compensation pay out being around £7,427.31.

In 2007 lead solicitor for the child abuse specialists, Peter Garsden represented 168 claimants in the first group action in which he managed to secure compensation amounting to nearly £2,260,000.

The group was originally formed in response to a massive police investigation launched by Greater Manchester Police code named "Operation Cleopatra" from Grey Mare Lane Police Station. Starting in 1997 and concluding around 2002, it investigated 66 children's homes in Greater Manchester, and prosecuted a number of individuals.

Manchester City Council Social Services Department ran most of the homes. Former Broome House warden and assistant director of Manchester social services Ronald Hall was eventually jailed for 11 years, with deputy Ian Gray given 14 years and ex-social worker Phillip Roe jailed for 12-and-a-half years.

The two Group Action added together mean that



the compensation paid out to date amounts to £4,302,510, which is the largest ever pay out in any abuse Group Action. The eventual payout is likely to be over £5 million once all the cases settle.

Commenting on the recent high court decision, lead solicitor Peter Garsden said: "The decision to impose a cut off date now by the High Court was against what we were arguing on behalf of the victims. The Court decided to side with the Council. I was opposed to the idea because new Claimants are continuing to

come forward in a steady stream. It is unfair that an arbitrary date has been set for 3 months hence. We have, however, to abide by the Court's decision. It is very important that as much publicity as possible is given to this announcement because the Court also decided to prohibit any paid advertising, presumably to save the costs for the Council, who are having to foot the bill. If enough new Claimants come forward then we can make an application to the Court to put the date back even further."

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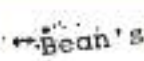
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DEAR MEMBER

Greetings from Key for the City HQ and welcome back to your monthly reward card newsletter.

February was a landmark month for all here at Key for the City and we are pleased to announce the arrival of the UK's largest outlet centre to your discount package - **Cheshire Oaks Designer Outlet Shopping Centre**. With more than 100 well known brands willing to offer you a discount on an already discounted item you will be able to save you and the family hundreds of £££'s on a single trip.

"This offer will be available intermittently throughout the year so please keep up to date via our website and Manchester Law Society weekly email newsletter to see when is available."

Please keep the suggestions coming in regarding new venues you would like to see appear in your discount package and be sure to regularly visit our website as for the month of March a new discount will be added each week!

Please visit this page again next month to see what is new with your reward card, follow us on Twitter @ManLawSoc for the latest updates and keep an eye out for the new Manchester Law Society weekly email newsletter which is bursting with topical legal news as well as reward card information.

We hope you have a fantastic March and you get the opportunity to make some huge savings!!

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E: lee.gilbert@keyforthecity.co.uk

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E: Fran.Eccles-Bech@manlowsociety.org.uk





Space Has No Frontier

The terrestrial life and times of Sir Bernard Lovell by John Bromley-Davenport QC

I will admit my ignorance at the outset of this review - prior to reading "Space has no Frontier" by John Bromley-Davenport QC, I had never heard of Sir Bernard Lovell.

On reading I discovered that Lovell's greatest achievement was as the founder of the Jodrell Bank Observatory and Lovell Telescope, which of course I should have known.

What becomes apparent from reading John's book is Lovell's generally unsung work during the second world war and then later on during the Cold War. His work with radar during WWII focused on the development of the centimetre radar, H2S - blind navigation radar and ASV, air to surface vessel radar. This was used by RAF bombers in the fight against German U-Boats.

When the Soviets launched their first Sputnik mission, Lovell helped them to find their booster rocket. He was invited to Russia at the height of the Cold War and the Cuban Missile Crisis to visit the Soviet space tracking station, Deep Space Network. Lovell was guided around the establishment by Leonid Matveenko, the radio astronomer and was allowed access to all parts of the establishment. He was not permitted to take his camera, but his formidable memory took in and recalled all of the details.

After the tour he was invited to a midsummer banquet which included much drinking of vodka "and being dragged on to the dance floor by Russian ladies, none of whom spoke English." Lovell claimed

after his visit, that the Russians had tried to kill him with a lethal dose of radiation. The full account of this visit wasn't published until after his death in August 2012.

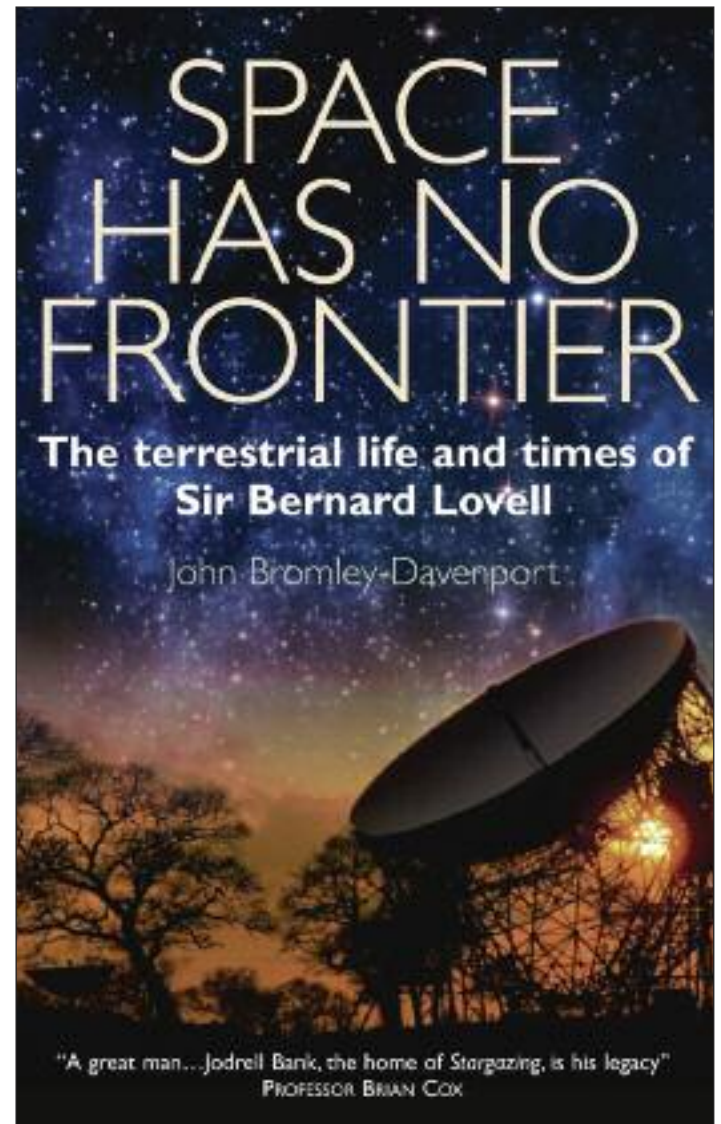
Although the book examines Lovell's scientific achievements, it is also a very personal book which includes tales and anecdotes from his life. John Bromley-Davenport spent two and a half years researching and writing this book, and this shows in the immense detail. He spent time with the great man himself, who at the age 97 re-visited Jodrell Bank for the opening of the Discovery Centre in 2011.

Despite Lovell's many scientific discoveries and inventions he was also a man who had many diverse interests including music - he played the organ, gardening and cricket, he actually invented the light metering system used at Old Trafford cricket ground.

Despite my lack of scientific knowledge, John Bromley-Davenport manages to convey the complexity of Lovell's work into a very enjoyable and fascinating read.

Space Has No Frontier-The Terrestrial Life and Times of Sir Bernard Lovell by John Bromley-Davenport QC is published by Bene Factum Publishing priced £20.00

Julia Baskerville



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MLS ADVANTAGE

Times are changing in the world of the law firm.

Operating in an increasingly global marketplace, more and more law firms are looking to outsourced business solutions across a broad range of business functions to remain competitive, challenge costs and improve their customer service. Outsourcing in the legal sector is not a new concept, however it had, until relatively recently, been seen very much as the preserve of the larger firms and had more often focussed on legal processes than wider business support activities. With an ever increasing number of small and medium firms now looking to outsourced solutions however, the landscape is certainly changing to the extent that these days pretty much anything can be outsourced by firms of any size.

Middle and back office operations are far more frequently now being outsourced as part of a wider business process outsourcing plan. To offer a joined up approach, Manchester Law Society hand-picked a group of quality suppliers across a range of business areas; who in many cases were already working with the same law firms; especially for the benefit of its members.

Now Manchester Law Society members are entitled to exclusive deals on telecoms and mobile communications, a one click property portal for conveyancing professionals, anti-money laundering training, cloud computing and outsourced IT, as well as a specialist legal telephone answering service.

Joanna Swash of telephone answering service Moneypenny comments: "With firms under pressure to reduce overheads while increasing productivity and improving customer experience, outsourcing really can be the answer, introducing highly specialised business professionals into firms as and when they need them. All the Advantage partners represent significant added value to MLS members while assisting firms in making sure they are meeting all the compliance requirements of the Solicitors Regulation Authority.

"By using companies in the MLS Advantage group, law firms already know that they are dealing with specially selected partners which gives confidence that they are tried and tested and of a high quality."





Management Matters

This column is now into its fifth year and feedback is still good. We would still like to receive observations and ideas for future issues. Please mail Bill Kirby at billkirby@professionalchoiceconsultancy.com or the publisher Julia Baskerville at j.baskerville@btconnect.com

MLS Advantage - Don't Forget

MLS Lawyer Awards 6 March 2014. By the time you read this it is probably a sold out event and so need to be put into next years diary as a must enter and must attend event. Prime sponsors are MLS Advantage suppliers Converge IT/Smart Legal and Money Penny. Suppliers of IT managed service and IT hosting and telephone answering respectively.

There are now 9 members of this rather special buying group – information in this magazine and on the MLS web site. Your firm should be taking advantage of the special services and rates available for MLS members.

On that Topic

Cheshire law firm makes major investments in the interest of its clients

Leading Cheshire law firm Poole Alcock – with offices in Nantwich, Crewe, Alsager, Sandbach and Congleton has announced “significant investment in information technology which will enhance the experience and service to private individuals or small businesses”.

The firm is acquiring software from a nationally leading supplier to law firms – Solicitors Own Software (SOS) and is transitioning to a full Cloud infrastructure with MLS Advantage member – Converge IT. “The close working relation between SOS and Converge IT was a significant factor in progressing the deal.”

David Gaut managing partner dmg@poolealcock.co.uk says “we are already recognised as a leading law firm in the area, we already have some of the best Partners and lawyers and these IT enhancements will aid our delivery of the best services to our clients – very exciting and motivating times”

Law Firm Marketing

In my day job I am involved with many law firms as they try to come to grips with how to manage client expectations and experience as well as how to gain more business in a competitive market place

In many places I see the struggle to identify a plan and joined up programme plus the right resourcing and culture. This often leaves partners in a quandary, high turnover in business development managers, pretty web sites, brands and brochures and failed CRM implementations when for most they are not necessary in the first place and not meeting the needs of the marketing strategy – Loads of money spent and little of the right return.

Back in May 2012 we discussed the three principles for everyone's mind

- Client retention
- Client development (providing other services to the individual and their families)
- New business

Each item needs its own plan and there are principle tasks affecting this

- Image – PR, advertising, social media, web site, collateral and of course track record and performance
- Awareness for clients and potential clients – PR, Advertising, social media, web site, newsletters, mailshots, exhibitions, conferences, events, net working, collateral, in house referrals, external referrers
- Accessibility – web site, reception, switchboard, departmental responsiveness

You cannot afford to miss this MLS Management Conference Marketing

11 March 2014

- Putting client and prospect first
- Marketing scope in legal
- Social Media
- Inbound and Outbound marketing
- Client Experience
- Culture

There are some real horror stories on this last point and I covered this in December 2013 with the results of Ian Cooper's major survey report on Lawyers converting telephone enquiries into profitable business www.iancooper.co.uk

Some of the highlights

- 89% no empathy or sympathy
- 97% failure to ask for an appointment
- 97% failure to ID the source of the call
- 64% of switchboards failing to ID who the call was going through to
- 90% admission from lawyer recipients of calls that they were not very good or didn't like the task
- 26% of callers asked to call back as no one available
- 38% failure to send quote or estimate when promised

Like everything else that we do consistently well there has to be a plan – the overall strategy on the type of work, clients, geography, scale that we seek and then individual plans for products, services, work-types and locations. I don't know product marketing for law firms – this is the product, this is the service, this is the competition, these are the benefits for the potential clients, these are the potential clients, this is how we should reach them.

It is only then that we change our logo, web site, collateral, define our routes and media and develop a phased plan with milestones. Too often the last bit is done before. We then need to set milestones to monitor continuously success or otherwise and be prepared to adjust our methodol-

ogy on the basis of experience and success rates.

We have to let our staff know what is going on and train them in handling the responses and establish a business process and we should be demanding a culture that is appropriate from everyone in the firm.

Too often the role of a business development manager in a law firm is poorly defined – the expectation is often one who will lick a stamp for a mailshot and in the afternoon go and negotiate or do a major presentation to a potential commercial client of panel. There are very few of them about. Firms need someone who can assimilate the products, services, markets and market potential into a plan and then use different experts for the fine detail. – PR and design are a couple of prime examples and many people who are great at this cannot do the product marketing plan and it is often where this fails.

In November 2013 I challenged the often identified need for a third party CRM system within a law firm. There have been many failed implementations and a great deal of money spent and getting commitment from all to make use effectively is very difficult – surprising really when firm survival, growth and profitability is the end result.

Most firms have a PMS/CMS system that has a marketing module – often poorly used and badly explained. In addition to this they have workflow and management information tools. If we start from the premise that the most valuable asset that a law firm has is its clients and client database then this needs to be worked. MI can access clients by geography, work-type and date and this can then be used for all aspects of marketing for repeat business (Wills updates), other sorts of business – cross selling (family, conveyancing), family membership schemes and so on. The database can be segmented in many different ways and many campaigns worked – don't need a separate CRM for that.

In addition if you have case management or workflow, those pesky, interfering new enquiries, assuming we answer the telephone can be managed through that from capturing caller details and information, sending quotes and e-mails, even gaining an electronic signature and as they are converted so is the data to start the inception, MLO and risk assessment process.

Of course there is a future with CRM systems for the more sophisticated but most of us can start with some simple basics.

Bill Kirby is a director of Professional Choice Consultancy offering advice to firms on all things IT from strategy, planning, effective use and outsourcing continuity and DR. He can be contacted at billkirby@professionalchoice-consultancy.com

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MYSG News

February was a busy month for the MYSG, with the start of our new monthly newsletter and a capacity mixer held with RICS and MYPN at Vodka Revolution. Details of a more intimate wine-tasting affair to be held at Rosy Lee Tea Rooms on 20 March 2014 have also been released and tickets will go on sale soon.

The MYSG will also soon be providing networking opportunities though sports, from allowing people to sign up to mixed teams in football and netball, to matching up those

interested in playing individual sports such as squash. There are also plans for an MYSG ski trip on the horizon.

To receive our newsletter containing details of our offers and events, as well as to register your interest in the above, visit www.mysg.org.uk and sign up as a member. Remember, the MYSG is free and open to solicitors 0-10 PQE and we work on the basis that you receive at least 50% off events through our network of contacts.

The MYSG has over 1,000 members and we invite qualified solicitors up to 10 years PQE (excluding Partners) from in and around Manchester to join our group. We arrange social events for solicitors, networking events with other professional groups in Manchester including bankers, accountants and surveyors, educational and CPD seminars, and other events which we think will be of interest to our members. Membership is free and the costs of our events are met by sponsors. If you would like to join the MYSG and you do not currently receive our emails, please email us at info@mysg.org.uk, or contact us through our website, www.mysg.org.uk or via our Facebook page, "Manchester Lawyers".

MTSG News

It's been an exciting month for the MTSG. The committee were made to feel very special when we were passed our commemorative medallion by past Chair of the MTSG, Maxine Davies, now a partner at Addleshaw Goddard.

The engraving states that it was passed to the MTSG in 1983 – we couldn't believe the MTSG was that old! Thank you for looking after it Maxine; we'll make sure it's passed onto each future Chair of the MTSG.

We also held our largest event yet, the Inter professional Social in association with Manchester Young Professionals, MYSG, RICS and MCASS at Revolution Deansgate Locks. Free drinks, hot buffet, casino

tables and a photo booth were great additions to the event and we give our special thanks to Search Recruitment and Deans Court Chambers for their involvement and to our hardworking social secretaries Sarah, Laura and Karolina, without whom events like this would not be possible.

Look out for details of our annual charity social with CILEX and University of Law in aid of our chosen charity, Reuben's Retreat.

Also, don't forget to check out our website for the photographs from our January social and Claire Tilson, Heaney Watson's fantastic cupcake class. We've included a lovely picture of our sponsorship

secretary, Ellie Clarke, JMW, and a reminder of the giant paella on offer at La Tasca!

Raana Afsarpour
Express Solicitors
Chair 2013/2014

The Manchester Trainee Solicitors Group provides social, educational, sporting and networking opportunities for junior legal professionals in and around Manchester. If you would like to join us as a paralegal, prospective trainee, trainee or newly qualified solicitor, please visit the 'Join Us' section of our website: www.mtsrg.org.uk



NORTH WEST MEDIATION SOLUTIONS

Understanding The Human Psyche and The Need to Fight.



Human beings are incredibly complex. Now there is an understatement if ever I heard one! We have evolved considerably from our "cave man" past but the traits needed for survival are still ingrained in our DNA, whether we like it or not. Depressing as it is, we also have tribal instincts embedded in our psyche. Just look at the various religions, football teams, associations, companies, clubs, etc etc. I try to be a good Catholic – but fail regularly! However, I like being part of the Catholic community. It makes me feel safe and gives me an identity. We all want to belong.

Humans like to compete. We have evolved, but the "hunter gatherer" mentality is part of who we are. We want to win and these traits are embedded in us. You simply cannot escape from who you are. The need for us to compete can manifest itself in our personal lives, in tribal pursuits and at work.

We all like to think that we are incredibly civilised, good and reasonable. I am no different but I know that if anybody ever harmed my wife or daughters the veils of respectability, normality and conformity would slip, leaving behind a raw and damaged being intent on retribution, revenge and destruction. It makes me feel uncomfortable thinking about such things but we all need to know who we are and what makes us tick. It can also be extremely helpful in allowing us to get to know and understand our opponent. Now you might be wondering "What has all this got to do with the usual subjects of adjudication, arbitration and mediation that this column is dedicated to?" Well, if you allow me to change direction, I will now explain.

I remember being involved in a very difficult mediation. The parties' identities and the details of their particular dispute will remain secret for all time but what I can tell you is that the dispute was over a fairly modest claim of around £250,000. The parties had embarked on a long and very expensive arbitration. In fact the parties managed to spend around £5 million in legal costs between them before the award was due to be published and it was decided to try to mediate. Common sense had evaporated and the dispute had turned into a fight to the death.

The mediation was scheduled for two days. Both teams were well prepared. The tension in the rooms was incredible. I have never seen so many experts and lever arch files of evidence assembled for a mediation. Day One was spent fact-finding and understanding the parties' positions. At the end of a very long and tiring Day One, I was sure that the mediation was doomed to failure. I was looking at a large cross on my mediation log! I remember sleeping very badly that first night. How had things got to such a low point? How would I move the parties from their embedded positions? Did anybody have the telephone number for Paul Daniels the magician?

Sometime during that first night I realised that any further discussions on the merits of the parties' cases in the dispute would not be helpful. How could I get the parties to engage? A change of direction was clearly needed!

Day Two started with a joint session attended by both parties' lead negotiators and myself. I put a number of questions to the lead negotiators which I asked them to take back to their private rooms for a private discussion later in the day.

Did both parties recognise that there could be no winner in the arbitration? Why had the parties taken the decision to arbitrate? What would their clients think of them if their conduct ever became public knowledge? Did they know how they had got into such a mess? What was driving them to continue with the arbitration? Why had they agreed to mediate? What did a 'win' in the arbitration look like? What did a 'lose' in the arbitration look like? Did they really want to settle? Had anybody any ideas to move the mediation forward?

What followed was a series of private sessions with the parties. We went through the questions I had put to them. Those discussions have to remain private but it is fair to say that the tone of the discussions changed to an analysis of the personalities of the main proponents. It was painful but it was finally admitted, somewhat reluctantly, that a serious clash in competing personalities at site level was the root cause of a dispute that now had the capacity to destroy one or both parties.

The dispute did finally settle at the end of Day Two of the mediation. I am still not quite sure how it happened but at some time during Day Two a certain amount of introspection took place in both rooms. Once both parties realised that human traits had driven them to a place that threatened their very prospects for survival, a way out had to be discovered. Gambling on the Arbitrator's award was not an option for either party.

Now I can hear you say that you would never allow this to happen to you - and just maybe you would avoid such a disaster. All I can offer by way of advice is to analyse yourself and the personalities in your team. It is a truly frightening thing to analyse your own personality traits and, whilst I don't suggest you apologise for your caveman past, if you are to avoid a replication of this sobering story, perhaps it is worth the discomfort after all.

Peter Vinden is a practising adjudicator, arbitrator, expert and mediator. He is Managing Director of The Vinden Partnership and member of North West Mediation Solutions. He can be contacted via Peter Whitman on 01254 720278 or by e-mail at peterwhitman@nwmediationsolutions.co.uk. Web www.nwmediationsolutions.co.uk



rules of causation and remoteness will continue to apply, and that being able to blame an appreciable financial downturn on one statement will be very rare. Many businesses may be forced to let a defamatory accusation go unchallenged in an attempt to be able to show serious financial damage or retain forensic accountants to make the loss out, thereby only increasing the cost of dealing with the issue. However, it will be very interesting to see if "financial loss" proves means-tested, with smaller businesses finding it easier to take action over smaller amounts which to them are proportionately much more significant than to their richer counterparts.

Businesses may also (until the Court makes a particularly critical judgment) be well advised where possible to launch their defamation claim in conjunction with a personal claim made by any of their executives who is clearly identified by the statement and tarred with the same imputation. In practice, it's unlikely that the issue of "serious harm" will discourage the issue of a claim, but it will at least give corporate claimants a forced but valuable pause for thought and focus their attention upon issues around quantum which they'd probably only have to deal with after issue in any event.

Another major change is the introduction of a "single publication" rule, which finds the one-year limitation period in defamation claims running from when the statement in question is published. This is of huge significance to online publishers, who previously had to cope with a potentially perpetually-running clock that began ticking from a year after an aggrieved user clicked on a link to the post in question. However, this new rule does not apply to any "materially different" publication, and the issue of whether republishing on a different social network will count, or stop claimants from pursuing any other website or publication which repeats the original allegation. Archive collections may be safer, but anyone lending credibility to an allegation by repeating it won't be.

Several defences have also been simplified, such as "truth", "honest opinion" and "public interest", but in ways which

leave much of the existing case law largely every bit as valuable as before January 1st. The main concession to the on-line world comes from the new Section 5 defence, which completely protects Website Operators provided that they can show that they were not responsible for posting the allegedly defamatory statement. However, the defence can be defeated if, after giving the website notice of a potential claim, the poster cannot be identified and the site itself does not follow the procedurally-complex procedure set out in the new Defamation (Operators Of Websites) Regulations.

In reality, unless website operators are willing to stand firmer on issues around free speech and train up their staff to recognise and deal with complaints before complying with the strict timescales that the new regulations prescribe, many may feel safer in relying on stern and well-enforced terms of use along with the complete defence available under Regulation 19 of the E-Commerce Regulations 2002 which protects them from liability if, once put on notice of defamatory or otherwise unlawful content being present on their site or servers provided that the offending article is removed "expeditiously", i.e. pretty much immediately. For the time being, at least, we'll probably continue to see a "take down culture". At least, where Deloitte rates reputational risk as much higher up the ladder of corporate risk than ever before, many sites may remove first and question later.

The Courts will now also only have jurisdiction to hear claims from claimants who do not reside within the EU or a Lugano Convention state if the UK is the "most appropriate forum" for that claim. Again, this is merely a statutory re-statement of the current law rather than the breaking of any new ground. Finally, the abolition of Jury Trials in defamation claims will most likely only help in front-loading risk and costs by an increase in rulings on meaning in the early stages of the litigation process.

So, is the Act a missed opportunity? No, and at the same time yes. Much of the existing body of defamation case law will still continue to apply, albeit Claimants will have more hurdles to overcome. Free speech may be the ultimate winner, but in the short term and until some of the clear English

of the Act is tested in Court, it looks like lawyers will be the only true winners as we help our clients get used to the treatment of their reputation in the new (old) world.

Steve Kunczewicz
Law Society Council Member
Bermans

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Quality over quantity: links in 2014

If you know anything about Search Engine Optimisation, you'll know that links are important. They act as recommendations or votes, and the more of these you have, the better the search engines will judge your site to be. And that, of course, means higher rankings and more traffic.

But how do you go about gaining links in the first place?

Rewind a few years and links were all about quantity. Some agencies would offer to build 100 links for £££, never telling clients where those links were coming from. Chances are, it involved slightly dodgy techniques like link exchanges, paid links, forum posting or article spinning.

Along came Google's algorithm updates designed to improve search results, and these links were no longer

just 'dodgy'; they were downright dangerous and could cause sites to plummet in rankings. Sadly, some sites are now cleaning up mess that was made years ago, done with the best intentions at the time.

Links to aim for

So what constitutes a 'quality link'? There are three aspects to bear in mind:

- **Relevance:** quality links come from sites in your country, which are relevant to your site – the link should 'make sense'.
- **Trust:** the more trustworthy and unbiased the site, the more valuable the link. This could include news outlets, governmental or educational sites.
- **Diversity:** a handful of sites linking to you once is much better than one site linking a hundred times!

Top tips for quality links

The best way to get quality

links, and the way we've always done it, is content. Publish content on your site which is of such value and interest that others will want to link to it and share it; whether that's a breaking news article, a personable blog post, a thought-leading whitepaper, an insightful video or simply a really useful advice guide.

Of course, sometimes that content needs a helping hand, and that's where outreach comes in. Build relationships with people who might help get your content out there, and leverage any contacts you have at trustworthy sites to see if you can garner some coverage.

Agencies often take care of this process on your behalf, but it's not the cloak-and-dagger process it used to be. Links are now part and parcel of a comprehensive marketing campaign, and are a sure sign of a great site.

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Welcome to the March edition of Risk Update.

More Questions Than Answers

How much business was captured by non-financially rated insurers at renewal 2013?

At renewal 2013, the cost of compulsory Professional Indemnity Insurance

(PII) rose by 5.9% to £253m, marginally exceeding the 2000 levels in the last year of the Mutual.

Non-financially rated insurers captured £30.9m of the market.

The biggest gains overall were:

Insurer	2012 Position	2013 Position
QBE	£30.9m	£46.1m
AmTrust	£38,000	£16.8m
First Title	£1.6m	£7m

The biggest losers were:

Insurer	2012 Position	2013 Position
AIG	£19.8m	£16.3m
Hanover Re	£20.7m	£7m
XL	£39.6m	£5.5m

What is obviously clear, even amongst those with big balance sheets, is that some less scrupulous insurers buy in premium income for 2 or 3 years and then exit the market, as a result of attracting unsustainable losses. The truly long-term PII market players are now reaching a point when they can offer some long-term stability at sustainable premium rates, which is what the profession needs. Yes, a competitive PII market is required in order to keep premiums in check, but the disruption caused by insurers dipping in and out leads to chaos; a situation made worse by non-rated insurers who do not even have the strength of balance sheet to pay the inevitable claims, or to fulfil their responsibilities as the markets of last resort for run-off covers.

How long will it take the profession to realise that this annual merry-go-round is not in its best interest? If the long-term players are squeezed out of the PII market, the profession may find it really has an insurmountable problem.

If the SRA believes in its own mantra, i.e. that customer protection is the "Holy Grail", then it would have insisted on a minimum security rating of A for all Approved Insurers many years ago.

Why has the SRA not done this, you may ask. A good question: is it simply because it has not been convenient for it to do so? The SRA seems comfortable that, as long as somebody outside the profession picks up the cost of claims, ranging from the Irish Government (Quinn Fiasco) to the Financial Services Compensation Scheme (the Lemma, Balva/Berliner and latterly ERIC fiascos), then there is no need to amend the Approved Insurer rules to ensure the long-term security of the insurance cover.

Will the SRA insist in all approved insurers having a financial A rating at the end of 2014?

Is it simply more convenient to the SRA to bury its head in the sand and continue to approve insurers who will offer the cheapest premium, without considering whether or not they will be around in a couple of years' time? Or even asking itself why it is that the long-term PII market players are not interested in insuring certain unprofitable businesses at the premium rates offered by the non-rated insurers?

Is that what the Holy Grail is all about?

In answer to the question, I believe the SRA will only move forward on this issue if it considers it convenient to do so: what is the right thing to do would appear to be irrelevant.

The due to the eventual outcome of this issue may be in the £30.9m of market share captured by the non-rated insurers at last renewal. To impose a minimum financial rating now would clearly cause short-term problems to those firms insured with the non-rated insurers: but is that in the long-term best interests of the profession as a whole?

The insurance market cannot work miracles: some legal firms have been badly run for years, and should be closed down. Effectively, they are beyond help: why should the future insurance of well-run firms be prejudiced by propping up the bad apples by permitting them to obtain PII cover from unrated insurers, when other markets will not touch them?

How can MFL Professional assist my firm in 2014?

Having said that, MFL also believes that

many good firms were badly advised to go down the Balva/Berliner route and have effectively become tarred with the same brush as many poor firms who have been or are doomed to failure.

The timing of the collapse of Berliner, who in turn were the White Knight to Balva, (if that is the correct term to use), a couple of weeks before renewal date made the 1200 legal firms who had purchased cover a sitting duck for the opportunist insurers who charged a multiple of the expiring cost to offer terms for the current period.

MFL is committed to advising those well-run practices that take the PII process seriously. A broking service that simply sends inadequately prepared renewal submissions around the market with inevitable results is not treating its customers fairly. Rather than use that type of broker, you might simply do as your Law Society CEO Des Hudson wants, and cut out the broker by placing your cover with Chancery PI, a Law Society joint venture. Unfortunately, most firms with PII claims issues will not make it through the first filter to become a Chancery PI client, in spite of what the Law Society may say.

MFL is happy to start working with good quality firms now: it is never too early to start the PII broking process!

If you feel your firm has been badly advised to insure with unrated insurers, and/or incorrectly tarred with the same brush as those firms that in all probability should not be allowed to trade, contact us for an informal discussion as shown below. We cannot always guarantee results, but we are committed to you and Manchester Law Society to provide you with sound and professional advice.

Contact Kevin McParland, Managing Director, with your questions and feedback on Risk Update or to discuss your PI insurance requirements.

T: 0161 236 2532
E: info@m-f-l.co.uk

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International Festival for Business

The International Festival for Business (IFB) 2014 is the largest global concentration of business events during 2014. The 50-day festival runs across 7 weeks in June and July and will attract business delegates and trade intermediaries from around the world to Liverpool and the North West. In the month's leading up to the IFB, The Messenger will be bringing the latest news on events and activities aimed at the professional sector.

INTERNATIONAL
FESTIVAL FOR
BUSINESS
2014

The IFB 2014 events calendar is programmed around 7 business growth themes aimed at showcasing the "Best of British" and engaging an international audience.

Cities, Enterprise and Urban Business
Creative and Digital Industries
Financial and Professional Services
Higher/Further Education and Research
Low Carbon and Renewables
Manufacturing, Science and Technology
Maritime, Port and Logistics

IFB 2014 is a key part of the government's target of re-balancing the economy and achieving its export and investment objectives.

A festival like this has never been held before. IFB 2014 isn't a talking shop - it's a chance for you to develop your business. We are placing an explicit focus on creating new international and domestic business-to-business relationships and commercial openings for small, medium and large UK companies.

More than 150 business-focused events will be held in Liverpool and across the North of England during June and July 2014. Events on offer range from major international conventions, exhibitions and conferences, to product/process launches and demonstrations, master-classes, seminars, and workshops, awards ceremonies, dinners, business breakfasts and a host of 'meet the buyer' events.

Both Manchester and Liverpool Law Societies, as well as the national Law Society will be involved in some of the events.

The national Law Society will take space at the IFB Hub, located in Mann Island on the city's waterfront throughout the six-week festival.

The festival programme will feature events focusing on particular sectors and identified global markets, including a focus on the financial and professional service industry during a specifically themed week, which will run from June 30 to July 4. The Law Society will have a dedicated presence at the events during this week.

A series of fringe-events will

also be organised by the Society. Further details are to be confirmed shortly.

Julie Simms, partner at law firm DWF's Liverpool real estate team, said: "The International Festival for Business will offer the perfect opportunity for those working in the legal sector to network and do business on an unprecedented scale. It makes perfect sense for the Law Society to be present throughout the festival and to help the legal sector engage with delegates at the festival in a focused co-ordinated and sector specific fashion.

"Liverpool is a hotbed of legal and financial practices, so we have also set up a steering group dedicated to securing key, international business focused, events throughout the financial

and professional services thematic week and facilitating additional complementary events to provide delegates with a calendar of exciting business opportunities. Although the steering group is drawn from the North West Region we are engaging with associations, bodies and institutions to ensure a national and international reach."

IFB 2014 will see tens of thousands of business delegates from around the world arrive in the city over six weeks in June and July next year. Events will be staged at venues across the city and video screens throughout the Hub will stream live footage from those events.

The International Festival for Business is a 50-day, government-backed festival. It will connect UK businesses

to new markets, new products and new partners and will be a global showcase of British industry.

The event has received backing from some of the UK's leading business organisations, including EEF, the Confederation of British Industry, the Federation of Small Businesses, British Chambers of Commerce as well as UKTI. It forms a key part of the government's ambition to promote economic growth, rebalance the economy and double UK exports by 2020.

For more information, please go to www.ifb2014.com

INTERNATIONAL FESTIVAL FOR BUSINESS 2014

KNOWLEDGE, PROFESSIONAL & FINANCIAL SERVICES | JUNE – JULY 2014

PROGRAMME

ICAEW

The ICAEW's key event will be the Business Futures Conference at Liverpool Town Hall on 1st July 2014; the event will be used to showcase 4 themes of ICAEW research, including: impact of ageing populations, the growing demand for water and energy, education and training and the development of tax policies. The ICAEW will also host a number of other events including The ICAEW International Student Council.

NATIONAL LAW SOCIETY

The Law Society's flagship event is entitled Business Ethics, Human Rights and Rule of Law and it is to be held at the Anglican Cathedral on 19th June 2014. Speakers will include a number of high profile speakers from the business, legal and government sectors. The National Law Society are hosting a number of other events over the 7 week Festival, predominantly at The Hub, a selection of which will be during the Financial & Professional Services week.

CISI ANNUAL CONFERENCE

3 JULY 2014

The Chartered Institute of Security and Investment (CISI) Annual Conference arrives in Liverpool to coincide with the IFB. The conference attracts approximately 200 delegates and is being hosted at Rathbone. Past event speakers include: Sir David Ormrod GCR, Kings College and former Permanent Secretary, Cabinet Office and Home Office, and John Griffith-Jones, Chairman of PSA.

LEADING ACROSS CULTURES

3 JULY 2014

Leading across cultures is a full day conference for international business leaders. Chaired by Rory Underwood the conference offers high calibre speakers including Richard Cockerill - Leicester Tigers, Keith Warburton - Global Business Culture,

who will present their views and experiences on how international businesses leaders can achieve better market penetration.

BUSINESS OF HEALTH FESTIVAL

26 JUNE – 3 JULY 2014

Health has a direct and detrimental impact upon business and the economy. Liverpool Health Partners' 'Health is Wealth' Conference will bring this diverse stakeholder together to strategically discuss and plan a future based upon integration and partnership through the medium of four themes. Each theme will be stand-alone yet complementary to the whole conference with the objective of cross-fertilising ideas and expertise across the festival to generate innovative outcomes and sustainable partnerships. Positioning the conference within UHP's International Business of Health week extends the opportunities to network and collaborate establishing health at the centre of business.

UK PROPERTY FORUM

1-2 JULY 2014

The UK Property Forum will provide a national and international platform for property developers, investors, agents, architects and end users to consider the latest industry trends and network on a global platform. The property industry comes together at this summit event at a critical time in the recovery of the UK and international property market. Partnering with the British Property Federation (BPF) are several other major UK based property and development companies, the UK Property Forum will present a full programme of content led sessions, tours and briefings given by the best speakers and commentators working in the property market today.

FEDERATION OF SMALL BUSINESS

1-3 JULY 2014

The Federation of Small Business' National Council event continues the Federation's work to promote the interests of the self-employed and owners of small firms, creating a lively forum for FSB members to highlight the issues facing small businesses. FSB will host a number of other events over 3 days during the Financial and Professional Services week.

FSB is the UK's largest small business lobby group, representing more than 200,000 small businesses across 33 regions of the UK.

UK BUSINESS ANGELS ASSOCIATION

1-2 JULY 2014

The National Investment Summit, at the iconic St George's Hall in central Liverpool, on 1st - 2nd July will feature an extensive and diverse programme of workshops thought leadership and business showcasing, bringing together major players from the business and investment community, from UK, US, Europe and key international markets.

UKBAA is also holding its annual black tie gala Awards Dinner, in the awe-inspiring Anglican Cathedral on 1st July. This prestigious event brings together key players in the angel and early stage community to recognise and reward success in investing in growing businesses.

5TH IBDE INTERNATIONAL BANKING AND FINANCE FORUM - RESTORING GROWTH AND CONFIDENCE IN WORLD MARKETS

2-3 JULY 2014

The Forum aims to explore the role of financial services in supporting economic growth and encourage greater focus on best practice in banking and finance as well as reinforce the position of the UK as a global leader in the financial services and its European and global

strategic importance. The Forum will aim to create opportunities to discuss the role of financial services in spurring economic growth, explore the key issues and practices in global banking regulation and supervision and to promote the need for more responsible banking practice worldwide.

FINANCIAL & PROFESSIONAL SERVICES EVENTS THROUGHOUT THE WIDER FESTIVAL

- Chartered Institute of Marketing NW Conference
- IBDE - Global Economic Forum
- NAPIT Expo (National Association of Professional Inspectors and Testers)
- ISPIIM Conference (International Society for Professional Innovation Management)
- Insider Series of Events
- Place Expo

HUB HIGHLIGHTS

The IFB Hub will be the central focal point during June and July for all visitors, organisers, delegates, media and sponsors to gather and optimise their visit to Liverpool City Region and the IFB 2014 in a professional and visually stunning setting.

A number of organisations with close links to the IFB week, including the ICAEW and National Law Society, have committed to a presence in The IFB Hub for the duration of the Festival, this will provide the exciting opportunity for firms to meet delegates and offer free legal/accountancy advice, for example, to visiting delegates.

For more information on The Hub and to speak directly to the National Law Society or the ICAEW, please use the following email addresses: ifb@lwsociety.org.uk or Melanie.Christie@icaww.com

A number of international trade bodies will also have a presence in The Hub through the IFB including: Middle East Association (MEA), Canning House, UKEF, UKASEAN BC, UNIBRC, CBRG



HEALTH & FITNESS: A WORD FROM MATT BRERETON-PATEL

5 Tips For Getting Totally Ripped

So you're a desk bound male professional setting Manchester alight with your intelligence, hard work, wit, and charm. But the pressure of nailing those deadlines has adversely impacted your Adonis-like figure...

1. If you're going to get ripped, you need to be under 10% body fat. If you don't have abdominal definition, go 'no carb' for about 4 weeks, or until your performance in the gym dips, then carb load once every 4 days (or more, depending on your personal needs).

Keep your caloric intake on the low side until you're relatively lean, then start ramping your intake up to support your new muscle mass (keep an eye on your body fat levels though). Eat clean and set yourself a protein goal of about 2g / kg of body-weight. Good fats, including saturated fats, should contribute about 40% of caloric intake, protein 35% and the rest from vegetables.

You will not get ripped unless your nutrition is right.

2. You need to work out 4 times per week. When I say work out, I mean lift weights. Not pretending to work hard on the cross trainer while checking out the girl in front of you. This is not the way to success. Enter the gym with a written plan – exercise, sets, reps, tempo, and rest. Record the weights you're lifting.

Understand these variables, manipulate them for your circumstances and goals.

3. Periodise. Stick to a workout for 8 consecutive sessions, then change. If you want to get ripped, make your rep range 8-12 reps for 8 sessions, then for the next 8 sessions, increase the weight, switch your exercise selection, and lift for 3-5 reps. If you have some fat to lose, add some high intensity intervals in at the end of your session. More is not better, go hard for no more than an hour, then go home.

Otherwise you risk a catabolic hormone cascade that is counterproductive.

4. Rest. Your body grows at rest, not during exercise. Focus on recovery – the faster and better you recover from your session, the harder you can go at your next, and the better your results will be.

5. Supplements. Are supplemental to a great diet, lifting heavy and hard 4 times per week, drinking enough water, and getting 8+ hours of unbroken sleep per night. In those circumstances, supplements can help you to get ripped. Quality is paramount, though.

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The World

according to Fran



I am, as you all know, trying to diet. I have done slimming world, weight watchers, 5:2, Atkins, Dukan, Paleo and am now on My Fitness Pal app on my iphone which is 1210 calories a day.

I thought I was doing really well and since January 6th have slowly but surely lost some weight. I told Jack and Peter, in great excitement, the other morning "I have lost ten pounds". Jack told me to get a new purse. NOT FUNNY.

The problem is that I get invited to so many events that it is really hard to stick to the calorie counting. In the last couple of weeks I have been to the Greyhound Board of Great Britain Awards Dinner at the Hilton Hotel! Peter came to that one and I probably had three weeks of calories in one sitting!!!!!! (I didn't win Bitch of the Year and Peter didn't win Stayer of the Year!!!). I then went to the Royal Manchester Childrens Hospital Annual Discovery Ball and again had a further three to four weeks of calories. Finishing off with dinner at Gorton Monastery with the High Sheriff and Presiding Judges and I must have had about five weeks' worth of calories at that one!

I probably shouldn't eat until about April 22nd and thought I may put a small sign on the fridge at home to encourage me to think about what I am eating. Something small but helpful like...



Jack beat me to it – SO NOT FUNNY -



I also thought that I should probably keep myself occupied when I am at home to stop the fridge forays and decided that I would do some upcycling of furniture! How modern and funky does that sound?!

I decided that I would paint our bed side tables and a bookcase in the bedroom and a cabinet in the bathroom. I did want to buy some new ones but am on a strict money diet too – even though I am on day 115 of no smoking and have, according to the NHS Stop Smoking app have saved £1095.50 Peter said I am not allowed to spend any money. Anyway to cut a long story short I did do them and they look fantastic. I painted the cabinet in the bathroom white and Peter said he didn't think that was the right colour so when I had done it I asked him what he thought. He said it looked alright and in the end he had to admit, AND say those three little words that he hates to say – "You were right"!!! I did tell him that he had forgotten the last two – "as always" but he just rolled his eyes and walked away!

He is 70 this year and I was thinking of holding a surprise party for him but thought he might have a heart attack on the spot.

We did talk about going on a cruise, starting in Venice. I was thinking of being swept away by the magic and romance of the cobbled squares, the graceful gondolas, historic sites and spectacular food. Maybe we could get a suite on the ship to celebrate this momentous birthday, stay in luxury with enough extras and fixtures and fittings to rival the best hotel rooms on land. I was getting very excited.

Peter said "leave it with me and I'll come back to you". He is now going away for two weeks with his brother on what he is calling "the Bech Boys Road Trip" on their motorbikes through Spain and France for two weeks in June.

He will be getting an arnica and witch hazel gift pack from me for his birthday to put on the bruises that I am going to give him!

Jack is applying for his provisional driving license (finally) so keep off the roads and I'll fill you in on how he is doing next month!

Fran Eccles-Bech
Chief Executive

Monthly Competition

The Banyan Tree

A short walk from the hustle and bustle of Castlefield, you'll find one of Manchester's best kept secrets, The Banyan Tree. With its understated, elegant decor and laid-back ambience, anyone who enjoys the Northern Quarter's chilled, contemporary vibe will feel at home.

Is it a cafe? Is it a bar? Is it a restaurant? Well, it's really all of these - It's whatever you need it to be.

Typically, you'll find business meetings, social drinking and evening dining happening at the Banyan Tree on any given day of the week; one often blending seamlessly into the other. Its appeal is built on two main factors: serene surroundings and high quality food.

Not overblown, fine dining; these are English classics with an Asian twist - and a long, long way from 'pinged' pub food.

The Banyan Tree's creative kitchen team provide an ever-changing selection of 'specials' to complement their standard menu of simple dishes made interesting. Ever had an onion bhaji on your burger before or a pizza with a naan bread base?

Try, and you'll agree: it works.

Or, play it closer to home and choose from a range of salads, snappy starters or English favourites like Fish & Chips or Sausages & Mash. Plus, there's the excellent full English breakfasts and Sunday roasts to contend with.

Straight-forward and sublime.

To win a 2 Course meal for 2 plus bottle of house wine at the Banyan Tree, answer the following question:

Q: Where is the Banyan Tree?

and send to FranEccles-Bech@manchesterlawsociety.org.uk no later than 17th March 2014.

The winner of the Living Room competition was Emma Bowie, MPH Solicitors



THE BANYAN TREE



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Accommodation: Front door entrance into hallway with space for coats and boots. Door leading off to the sitting room/dining room/bedroom (TV/DVD/CD/Ipod docking station), which has high ceilings, period cornicing and large sash windows with lovely views towards Grasmere lake and Silver Howe beyond. Further doors lead off the hallway to the shower room with corner shower, basin and wc, and also to the well equipped kitchen in a modern shaker style.

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64 Bridge Street, Manchester M3 3BN

Tel: 0161 831 7337 Fax: 0161 839 2631

www.manchesterlawsociety.org.uk

Editor: Fran Eccles-Bech

E-mail: FranEccles-Bech@manchesterlawsociety.org.uk

Publisher: Julia Baskerville Publications

25 Southworth Way, College Farm, Thornton Cleveleys, Lancashire FY5 2WW

Tel/Fax: 01253 829431

E-mail: j.baskerville@jbaskerville.co.uk

Advertising enquires

j.baskerville@jbaskerville.co.uk

www.baskerville-publications.co.uk

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