



The Law Society

## Law Society North West regional review

# January 2011

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Your review is best read online: [www.lawsociety.org.uk/northwest](http://www.lawsociety.org.uk/northwest)

SUPPORTING  
solicitors

## News

### Strong support for will-writing regulation

The Legal Services Board Consumer Panel has called for evidence on whether will-writing should become a regulated activity has met with a “huge” response, reports the Gazette. The Panel has received 380 case studies, revealing “strong support” for the regulation of will-writing from both the legal profession and consumer bodies. Supporters of regulation included Citizens Advice, the National Consumer Federation, Remember a Charity and the Trade Union Congress, but the Office of Fair Trading remains unconvinced of the need.

<http://www.lawgazette.co.uk/news/support-grows-regulation-will-writing>

### Defending Legal Aid

The Law Society's aims to persuade the government to guarantee an adequately funded legal aid system ensuring quality representation and access to justice for all.

You can become involved by encouraging as many people to respond as possible to the Law Society's **financial impact survey** on the potential impact of the legal aid proposals on firms' finances. If a sufficient number of firms respond, we believe the information will give weight to our campaign. [Read more and download the survey](#)

**Kinkedin group** - We are inviting lawyers with an interest in legal aid policy to join the Law Society Gazette's legal aid discussion group on LinkedIn. We hope to make use of members' knowledge and experience in putting together the strongest possible submission to the green paper consultation before the February deadline.

[Find out more](#)

[Join the group](#)

**Your case studies** - We urgently need case studies of your clients to support our campaign to defend legal aid. [Find out how you can help](#)

The Law Society is also running a series of free **legal aid roadshows** to update practitioners on the government's proposals for civil legal aid. [View full list of roadshows](#). We will shortly be doing a webinar version of the roadshow, so those who can't get to one locally can view the recording online. We will send out an e-alert as soon as it is available.

Follow our campaign at: [www.lawsociety.org.uk/defendinglegalaid](http://www.lawsociety.org.uk/defendinglegalaid)

### Legal Aid Green Paper Proposals

Responding to the government's [Green Paper](#) on legal aid, the Law Society has published its Access to Justice Review. This aims to persuade the government to guarantee an adequately funded legal aid system ensuring quality representation and access to justice for all.

<http://www.lawsociety.org.uk/new/documents/2010/access-to-justice-review.pdf>

The Review makes several recommendations, including:

- Review of civil procedure, particularly in respect to low value cases;
- Reduction of legal aid bureaucracy to give practitioners greater autonomy to deliver services and come up with innovative means of delivery;
- Financial eligibility for legal aid not to be reduced;

- Further training on case management procedures to be provided for Judges, to help streamline process and reduce costs; and
- Introduction of a statutory code to regulate third party funding.

### **ABS application pilot**

The SRA is to pick a “select group” of firms to take part in a test run of the alternative business structure (ABS) application process to iron out any issues ahead of the October implementation of the Legal Services Act, claims The Lawyer. The SRA is currently putting together an application process.

The pilot scheme, for which a set of questions and guidance has been developed, will be followed by a second test of the online system in the summer.

“We anticipate many ABSs to be ‘one-offs’ with unique business models, and therefore we’ll need processes that can accommodate a variety of models,” said an SRA spokesman. “Piloting will enable us to test different parts of our approach.”

<http://www.thelawyer.com/sra-allows-a-chosen-few-to-trial-abs-applications/1006634.article>

### **Apptitude tests for would-be solicitors**

The Law Society is investigating whether it would be beneficial to introduce an aptitude test prior to entry on to the Legal Practice Course. Please let us know your thoughts by completing our short, anonymous survey.

[Complete the survey](#)

### **Education review**

The SRA has invited contractors to undertake its ‘fundamental’ review of the legal education and training system for lawyers in England and Wales.

The Gazette reports that the SRA is commissioning the review jointly with the Bar Standards Board and the Institute of Legal Executives Professional Standards. The findings will feed into the regulators’ existing education projects.

SRA chief executive Antony Townsend said: “This is a major collaborative project involving a fundamental review of the legal education and training requirements by all three regulators, to ensure that we have a system which is fit for purpose as well one which is flexible and responsive to a changing market.

<http://www.lawgazette.co.uk/news/sra-takes-first-steps-review-training-and-education>

### **European contract law: make your voice heard**

The Law Society urges practitioners to have their say on the European Commission's proposals for changes to European contract law. We have concerns that the benefits of the proposals have not been demonstrated and there is an urgent need for an impact assessment.

## **Compliance and Regulation Update**

### **SRA: Key dates/themes for 2011**

- Handbook consultation ended 13 January. Online Handbook to be published by 6 April.

- Financial protection review consultation - consultation closes 28 Feb. Some of the proposed changes would take effect from 1 October 2011, some are longer-term.
- Legal Services education and training review - expected to start this April. Invitation for expressions of interest to carry out the review going out soon.
- Equality framework consultation - early this year - date to be confirmed.
- Fees consultation - Jan/Feb this year - date to be confirmed
- Consultation on information requirements for firms - early 2011 - date to be confirmed
- 6 October - outcomes-focused regulation and new Handbook come in, and first ABSs are licensed.

### **SRA powers (practice note)**

The Solicitors Regulation Authority has powers to require solicitors to explain their conduct and to produce documents. The Law Society practice note (see practice notes below) explains your rights and clarifies the circumstances in which you must provide documents or attend an interview.

### **Warning against publishing complaints**

The Law Society, together with the Bar Council and Institute of Legal Executives, have warned the Legal Ombudsman against publishing firms' complaints records and has recommended that complaints handling standards would improve if:

- the Legal Ombudsman publishes more data about the complaints it receives and how they are resolved
- anonymous case studies are published to help solicitors and clients understand the Legal Ombudsman's approach

The Law Society also believes that providing examples of settlements and information on the levels of compensation for distress and inconvenience would be helpful both to manage client expectations, and to help solicitors come to a fair offer when trying to resolve a complaint.

The Law Society is committed to helping solicitors pursue excellence in client service and further transparency would allow us to target our advice to solicitors more effectively.

[Find out more](#)

## **North West Events**

### **MLRO Regional Networking Group (9 February, Manchester) FULLY BOOKED**

We are running this free Money Laundering Reporting Officer (MLRO) networking group in association with 192business and Accuity. The group is for MLROs in law practices, their deputies and senior compliance staff. It is designed to facilitate discussions between local law practices about the challenges of anti-money laundering (AML) compliance and to enable the sharing of good practice.

<http://services.lawsociety.org.uk/events/node/53115>

### **Client Care and Complaint Handling – In the time of LeO (Manchester 17<sup>th</sup> February)**

The Office for Legal Complaints opened its doors for business on 6 October 2010 marking the end of the self regulation era in legal complaints handling and the beginning of the age of the Legal Ombudsman. Within the same time frame, the Solicitors Regulation Authority (SRA) has continued to outline its plans for the implementation of Outcome Focused Regulation (OFR). As a firm or organisation seeking to be compliant with these regimes, do you understand how they fit together? This seminar will assist you in understanding how these fit together and ensure you are up to date with the most recent developments and are equipped with strategies and support options to succeed in a time of considerable change.

<http://services.lawsociety.org.uk/events/node/53128>

### **What the Bribery Act Means for your firm (7 March Manchester)**

The training will provide an overview of the Bribery Act, how it can effect high street firms and provide practical tips on the policies and procedures that they can put in place to meet the "adequate procedures" in the Bribery Act.

[http://services.lawsociety.org.uk/events/event/53164/events\\_multi\\_results](http://services.lawsociety.org.uk/events/event/53164/events_multi_results)

## **North West Law Societies**

Although independent from one another, the Law Society of England and Wales and the local law societies in the North West work closely together to help support solicitors throughout the region. If you are involved with your local law society and you would like to post relevant items in this section please contact us using the details at the end of this report.

## **North West Junior Lawyers**

[Cumbria Junior Lawyers Division](#)

Carlisle

Our members are trainees (including those recruited two years in advance of their training contract), NQ and generally all young solicitors in the area (and a few old ones too!) We arrange social events for both networking between firms and also with

other local young professionals. At present there is no membership fee, but there is an entry fee for some of the events we organise.

Contact: Rebecca Toppin

Telephone number: 01228 888999

Email address(es): [cumbria\\_jld@hotmail.com](mailto:cumbria_jld@hotmail.com)

Membership: Students, Trainees, NQs, Solicitors

#### [Blackpool Young Solicitors Group](#)

Contact: Gary McAnulty

Telephone number: 01253 293 106

Email address(es): [gary@warings.org.uk](mailto:gary@warings.org.uk)

#### [Bolton Junior Lawyers Division](#)

Our group provides a social and support network for trainees and young solicitors. We hold monthly events including quizzes and days out, and there is an annual ball. If you would like further information please contact us.

Membership fee: £10 pa (free to members of Bolton Law Society)

Contact: Stephanie Berry

Telephone number: 01204 531118 (work) 07960078837 (mobile)

Email address(es): [shewitson@garstangs.co.uk](mailto:shewitson@garstangs.co.uk)

Membership: Trainees, NQs

#### [Burnley and Pendle Junior Lawyers Division](#)

Burnley and Pendle JLD arrange social events regularly, including an annual Spring Ball. Membership is free.

Contact: Hannah Lamb

Telephone number: 01282 422711

Email address(es): [hlamb@southernslaw.info](mailto:hlamb@southernslaw.info)

Membership: Students, Trainees, NQs, Solicitors

### [Merseyside Junior Lawyers Division](#)

The committee of the Merseyside JLD aims to raise awareness of the issues affecting our members and promote their interests, as well as to provide opportunities for socialising and networking. We are currently working to raise the profile of the new Junior Lawyers Division structure amongst students, paralegals, trainees and qualified solicitors in the Merseyside area.

We aim to alternate social events with opportunities to network with other local young professionals, and also organise CPD-accredited educational seminars. The highlight of the social calendar is the annual ball. Previous events include quiz nights, karaoke and trips to Chester races.

Membership fee: None

Contact: Julie O'Hare - Chair

Email address(es): [julie.ohare@weightmans.com](mailto:julie.ohare@weightmans.com)

Web Address: <http://www.merseysidejld.org.uk/>

Membership: Students, Trainees, NQs, Solicitors

### [Cheshire and North Wales Junior Lawyers Division](#)

Contact: Rachel Phillips, Tom Pelham (Chair)

Email address(es): [rachel@cnwild.org.uk](mailto:rachel@cnwild.org.uk), [tom@cnwild.org.uk](mailto:tom@cnwild.org.uk)

Web Address: <http://www.cnwild.org.uk/>

### [Manchester Trainee Solicitors Group](#)

Our group looks after the interests of trainee solicitors and paralegals, and provides assistance with jobs, education, and sports as well as organising social events throughout the year.

We have about 400 members, coming from firms of all types and sizes throughout Greater Manchester. We also have a group called FELT, which hosts regular social events for members from firms with eight or less trainees.

Highlights of the calendar include the Christmas and summer balls, social events at city centre venues, a sports tournament, a district judge placement scheme, a charity quiz night and careers evenings. When you join, you will be added to our mailing list to receive details of upcoming events, and you can also find further information on our website.

Membership fee: £50 for two years (qualifying between 30/09/10 and 30/09/11), £30 for one year (qualifying before 30/09/10); £25 for one year (paralegals)

Email address(es): [sarah.jones@pannone.co.uk](mailto:sarah.jones@pannone.co.uk), [katie.fox@halliwells.com](mailto:katie.fox@halliwells.com)

Web Address: <http://www.mtsgroup.org.uk>

Membership: Trainees

### [Manchester Young Solicitors Group](#)

We arrange events on a monthly basis, including social events for solicitors, occasionally jointly with the trainee group, networking events with young accountants/bankers/surveyors, and CPD seminars including international opportunities/partnership routes. All costs are covered by sponsorship from recruiters and banks. If you would like more information please contact us or add us as a group on Facebook (Manchester Young Solicitors Group).

Contact: Caroline Dean (National Rep), Simon Lewis (Chair)

Email address(es): [MYSG@pannone.co.uk](mailto:MYSG@pannone.co.uk)

Membership: NQs, Solicitors

## **Consultations**

### **Legal Services Board – ABS consultation – Further rules regarding licensed bodies – closing date 21 February 2011**

This consultation sets out the LSB's proposals beyond the ABS guidance it issued in March 2010 for:

- additional rules about the content of registers that LAs must keep giving details of licensed bodies;
- additional rules that the Board must make under Schedule 13 to the LSA concerning the —prescribed period during which certain actions connected with the ownership of licensed bodies must be carried out; and
- recommendations to be made by the Board to the Lord Chancellor to make an order specifying periods relating to notification of changes to ownership as outlined in Schedule 13 to the LSA.

[http://www.legalservicesboard.org.uk/what\\_we\\_do/consultations/open/index.htm](http://www.legalservicesboard.org.uk/what_we_do/consultations/open/index.htm)

### **Legal Services Board – Draft 2011/2012 Business Plan – closing date 8 March 2011**

[http://www.legalservicesboard.org.uk/what\\_we\\_do/consultations/open/index.htm](http://www.legalservicesboard.org.uk/what_we_do/consultations/open/index.htm)

### **Legal Services Board – Increasing diversity and social mobility in the legal workforce: transparency and evidence – closing date 9 March 2011**

This paper discusses the LSB's policy proposals in relation to increasing diversity and social mobility at all levels of the legal services workforce. It focuses on the role of providers (firms and chambers) and approved regulators in this process.  
[http://www.legalservicesboard.org.uk/what\\_we\\_do/consultations/open/pdf/diversity\\_consultation\\_publish.pdf](http://www.legalservicesboard.org.uk/what_we_do/consultations/open/pdf/diversity_consultation_publish.pdf)

**Legal Ombudsman – draft business plan, three year strategy & budget – closing date 21 February**

<http://www.legalombudsman.org.uk/aboutus/consultations.html>

**Solicitors Regulation Authority – Future client financial protection arrangements – closing date 28 February 2011**

The SRA is inviting comments on its proposals for amendments to its client financial protection arrangements, i.e. to reform professional indemnity insurance by, inter alia, removal of the restriction of the single renewal date and removal of financial institutions from the compulsory minimum terms and conditions of insurance from October 2011. These proposals follow on from the independent review of the current client financial protection arrangements undertaken for the SRA by Charles River Associates.

<http://www.sra.org.uk/sra/consultations/client-financial-protection-arrangements.page>

**Solicitors Regulation Authority – Sole practice: modernising authorisation – closing date 8 March 2011**

The SRA is seeking views on its proposal to bring the process for authorising sole practitioner law firms in line with the way in which all other firms will be authorised.

<http://www.sra.org.uk/sra/consultations/sole-practice-authorisation.page>

## **New Practice Notes**

**Depositing records and documents with public sector archives (15 December 2010)**

This practice note provides advice on depositing old client documents or early records about your firm with the appropriate local authority record office. The Law Society, working with the Selden Society, is keen to reverse the trend of the destruction or sale of these historically significant legal documents.

<http://www.lawsociety.org.uk/productsandservices/practicenotes/archives.page>

**Deposit protection for client accounts (23 December 2010)**

If an authorised deposit-taking institution collapses, funds held on behalf of clients could be affected and may be eligible for compensation. As a result of changes to the rules governing payout of compensation in such an event the Financial Services Compensation Scheme has introduced new processes and technology to enable faster payout. This practice note reflects developments in the framework governing deposit protection and provides best practice advice for practitioners.

<http://www.lawsociety.org.uk/productsandservices/practicenotes/depositprotection.page>

**Call recording and mortgage arrears handling (29 December 2010)**

The FSA has introduced new record keeping requirements for mortgage arrears handling. As a result some practices may need to introduce call recording. This practice note advises on how to comply with the relevant legislation on recording calls.

<http://www.lawsociety.org.uk/productsandservices/practicenotes/callrecording.page>

### **Use of investigatory powers (11 January 2011)**

The SRA has powers to investigate misconduct, including the power to require solicitors to explain their conduct and to provide documents. This practice note seeks to clarify the position relating to the circumstances in which you must provide documents or attend an interview, and your rights therein.

<http://www.lawsociety.org.uk/productsandservices/practicenotes/srainvestigations.page>

### **Compromise Agreements and Section 147 Equality Act 2010 (13 January 2011)**

This practice note is intended to assist solicitors who are seeking to execute compromise agreements that contain provisions relating to statutory claims for discrimination covered by the Equality Act 2010, further to recent debate over the validity of such agreements.

<http://www.lawsociety.org.uk/productsandservices/practicenotes/compromiseagreements.page>

## **The Law Society, North West contact details**

[www.lawsociety.org.uk/northwest](http://www.lawsociety.org.uk/northwest)

Regional Manager: Joanne McLeod

Email: [Joanne.McLeod@lawsociety.org.uk](mailto:Joanne.McLeod@lawsociety.org.uk)

Telephone: 0161 763 6821

Regional Development Executive: Rav Hothi

Email: [ravinder.hothi@lawsociety.org.uk](mailto:ravinder.hothi@lawsociety.org.uk)

Telephone: 0161 483 4888

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