



The Law Society

Relationship Management



Newsletter for the Midlands

February 2017



Welcome

Hello and welcome to the Relationship Management monthly report for February 2017 for the Midlands.

We hope you find the report useful and encourage you to share it with your members and colleagues.

If you have any comments or suggestions regarding the future development of our monthly report, please let us know.

Thank you for reading.

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Roundtable lunch on international engagement

Hotel Du Vin, Birmingham, 30 March, 12:30-14:30

This roundtable lunch is designed to gather views on their international prospects and what members would like to in terms of tangible support from the Law Society. This will give our members a voice in shaping future events focused on key overseas markets for the legal profession. The Law Society's Relationship Management and International teams are facilitating these roundtables and we will also have representatives from the Department for International Trade discussing ways in which they can support the profession. One of their main objectives in the midst of Brexit is to promote professional services globally and they will highlight the ways in which they do this during the roundtable.

To register your interest in attending email beth.quinn@lawsociety.org.uk

In-house division: Career progression - finding your path

The Law Society, London 22 February, 17:30 - 20:30

This interactive seminar will provide advice for those considering a change in legal career direction. It will demonstrate that changing direction is possible and will equip you with practical tips to get started.

[Find out more and book your place](#)

The 13th Stonewall Lecture

The Law Society, London 23 February, 17:30 - 20:45

The Law Society and the Bar Council in association with Stonewall, Interlaw Diversity Forum and CILex, requests the pleasure of your company at the 13th Stonewall Lecture: The Law and Trans People – Pitfalls and Potential.

The lecture will be delivered by Helen Belcher, Founder and Trustee of Trans Media Watch and Liberal Democrats Candidate for Chippenham and chaired by Ruth Hunt, CEO, Stonewall.

[Find out more and book your place](#)

For a full list of events, further detail and to book, please visit our [events page](#).



Governance Review - modernising Chancery Lane update

President Robert Bourns explains why modernising Chancery Lane is much needed and is well underway.

[Read the full Gazette article here](#)

As changes are made, we would like input from members, especially local law societies. If you would like to share your thoughts with us, please contact us at representation@lawsociety.org.uk. There are also plans to consult more formally with the membership as we begin to review Council - we will keep you informed.



Calling all Local Law Societies - Presidents & Secretaries Conference 2017

Now open for bookings!

Date: Friday 5 and Saturday 6 May 2017

Location: The Law Society, London

Cost: Free for presidents and secretaries of local law societies

We are delighted to announce that the annual presidents and secretaries conference will take place on Friday 5 and Saturday 6 May 2017 at the Law Society, London.

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

We have listened to delegate feedback from our 2016 conference to form the programme for the

event. As a result, the 2017 programme will include the following sessions:

- the impact of technology
- lobbying your local MP
- membership retention and income generation
- specialist sessions for in-house solicitors and small to medium and large local law societies.

If you are unable to attend the conference you can offer your place to another member of your local law society. A maximum of two representatives can register per society and all attendees must specify their position and local law society at the time of booking.

For further information and to book your place, please visit the [Law Society website](#) today!



Personal Injury reform
- Take action

In November 2016 the government announced proposals to:

- raise the small claims limit for personal injury claims from £1,000 to £5,000
- stop or radically reduce compensation payments for minor soft tissue injuries, including whiplash, arising from road traffic accidents.

Read [our response to the government's consultation on these proposals](#), which has now closed.

Although the consultation has closed you can still take action.

[Contact your MP through our new online system](#) - it only takes five minutes, and includes a pre-written letter.

You can still [download our campaigner pack](#) (PDF 230kb), which provides guidance on responding to the government's consultation

(now closed) as well as other ways to support our campaign.

Read the Daily Telegraph's [economic impact study](#) on the proposed PI reforms and how this could cost the profession 35,000 jobs.

Read our latest [press release](#) on how the reforms will restrict access to justice.

Pride in the Profession 2017

In his recent blog post, Law Society President, Robert Bourns' reflects on the strengths of the legal sector and how he wants solicitors to have pride in their profession and speak up for solicitors.

[Read the blog post in full](#)

Brexit - the latest insights and updates

Since the EU referendum result, The Law Society has been gathering members' views on the impact that leaving the EU could have on both their clients and businesses.

We have held roundtable events across England and Wales, had discussions with our expert legal policy committees and with members of our Brexit taskforce. Both our policy committees and our Brexit taskforce are committed to helping the government with discussions and tasks in plans to withdraw from the EU.

[Read the full report here](#)

We have released a number of Press Releases regarding Brexit:

[Road to Brexit outlined in new bill](#)

[Solicitors essential to trade for global Britain post-Brexit](#)

[Supreme Court decision requires parliament to trigger Article 50](#)

[May highlights importance of legal services in vision of Britain's industrial future](#)

[Truss right to put civil justice at heart of her Brexit priorities](#)

The latest news and updates are available on our [website](#).

Solicitor brand campaign - use the campaign to promote your firm

In October 2016, the Law Society launched its solicitor brand campaign promoting solicitors to the public, businesses and commissioners of legal services. We have showcased real solicitors in the adverts, flyers and videos, getting them involved and sharing their stories.

Read our recent [blog post](#) which explains how you can use the brand campaign to raise the profile of your firm.

We want members to continue to get involved in this campaign, so get in touch by [email](#) - tell us what you love about being a solicitor, what makes it worth going to work every day, and how you make a real difference to people's lives.

Take a look at the Research Round-up

Issue 4 of Research Round-up is now available to view on our website.

Research Round-up is the Law Society's regular publication highlighting recent research on the legal services market.

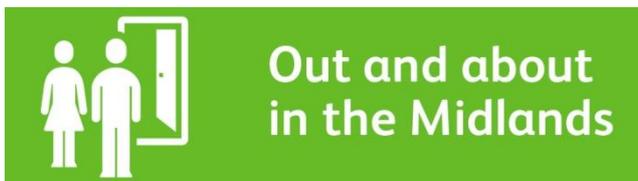
[Read the latest issue](#)

Capturing technological innovation in legal services

Technology is reshaping the way legal services are delivered. We recently launched the capturing technological innovation in legal services and the report details the products, processes and strategies we use where technology and new ways of thinking and working are making big changes.

[Read the full report here](#)

To mark its launch, the Law Society's Director of Policy, Sophia Adams-Bhatti, spoke at the Westminster Policy Forum Conference on innovation on legal services and the President hosted a dinner discussion with members and stakeholders and presented the main findings of the report.



During March, President Robert Bourns met with Birmingham Law Society and a number of firms across the area, including Higgs and Sons, Freeths and Sydney Mitchell. Robert also hosted a dinner where pro bono was the focal point of discussion and a number of firms across the Midlands were in attendance.



Consultation on the soft tissue injury whiplash claims process

The Law Society has responded to the Ministry of Justice consultation, which invited views on proposals to abolish or significantly reduce general damages for soft tissue injury or 'whiplash' claims and to increase the small claims track limit from £1000 to at least £5000. The government claims there are too many whiplash claims, including 'exaggerated and fraudulent claims' which are driving up the cost of motor insurance premiums.

[Read our full response](#)

Amending the definition of financial advice consultation

This consultation followed the 2015 joint HMT and Financial Conduct Authority (FCA) Financial Advice Market Review (FAMR), which looked at how consumers could get help with their finances more easily. The FAMR found that, for consumers with relatively straightforward financial needs or small amounts to invest, the cost of regulated advice may outweigh the benefits.

Generally, the Law Society supports the policy objective of appropriate regulatory simplification. For a more detailed view, please see our full response.

[Read the full response](#)

Law Commission consultation on reforming misconduct in public office

This Law Commission has consulted on reforming the criminal law offence of 'misconduct in public office'. This offence applies when people in positions of public office misconduct themselves - for example, prison officers having sexual relationships with prisoners, or public servants abusing their position to personally gain. The reform aims to better define the circumstances in which the offence would apply and so make the law clearer and easier to understand.

The Law Society welcomes the broad approach set out in the comprehensive consultation paper. We agree with the Commission's conclusion that the common law offence is ill-defined and that it would be problematic to codify it in statute. The case for more fundamental reform of the offence, as the consultation document outlines in detail, is firmly established.

[Read the full response](#)

Evidence to the BEIS Committee inquiry into the future world of work and rights of workers

The Business, Energy and Industrial Strategy (BEIS) Committee has called for evidence on how employment rights apply within the rapidly

changing work environment. The growth in non-standard working arrangements has in part been driven by a new and market-disruptive business model where businesses see themselves as a platform for service delivery. We are interested in exploring how employment law can best work in the modern economy.

Some of the points we raise in our evidence are:

- Employment status is not sufficiently defined in law at present and there should be a re-appraisal of relevant legislation.
- It would be helpful if plain language guidance could be produced that would help people judge when they should be considered an employee, a worker or self-employed.
- The current employment legislative framework puts too much onus on the individual to assert that they are being exploited. The Committee should consider whether some businesses should have to show that they comply with certain employment legislation, such as National Minimum Wage requirements.
- Employment tribunal fees should be reformed as in our view they hamper access to justice.

[Read our full response](#)

Reporting serious incidents in charities consultation

The Charity Commission has reviewed its guidance *Reporting serious incidents in charities*.

Revisions to the guidance include:

- new examples of incidents of significant financial loss
- new checklists to help individuals decide when to report an incident to the Charity Commission or another agency such as Action Fraud or the police.

A consultation was held to raise awareness of the updated guidance and to seek views on its revision.

In its response, the Law Society puts forward a number of proposals to help make the guidance

clearer, as well as suggesting that additional information be included in the Charity Commission's procedures and support mechanisms so that individuals and charities know what to expect after reporting a serious incident.

[Read the full response](#)

Bladed articles and offensive weapons guideline consultation

The Law Society has responded to the Sentencing Council's consultation about its draft guideline for sentencing for offences relating to the possession of bladed articles and offensive weapons, and threats involving such weapons.

There are three separate guidelines relating to:

- possession of a bladed article/offensive weapon
- threatening with a bladed article/offensive weapon, and
- a youth guideline covering all these offences.

The Society's response suggests there is a need for the guideline to more explicitly refer to legislation, include the date on which certain mandatory sentences came into effect, and notes that the sentences for some offences will likely increase as a result of the guideline.

[Read our full response](#)

Regulations required by the Historic Environment (Wales) Act consultation

The Law Society's Planning and Environmental Law Committee has responded to a Welsh Government consultation on regulations required by the Historic Environment (Wales) Act 2016 and guidance.

The committee's response provided detailed feedback on a range of points, and complemented its recent submission on the proposed Technical Advice Note (TAN) 24.

[Read our full response](#)

National Infrastructure commission for Wales consultation

The Law Society's Planning and Environmental Law Committee has responded to a Welsh Government consultation on creating a national infrastructure commission for Wales.

The committee provided views on the potential relationship with the UK National Infrastructure Commission and with other organisations in Wales, and on how a new Welsh body might deliver its work and how its membership might be appointed.

[Read our full response](#)

Consultation on reforming the employment tribunal system

In December the Department for Business, Energy and Industrial Strategy (BEIS) and the Ministry of Justice (MoJ) released a consultation on how to reform the employment tribunal (ET) system. The consultation proposed that:

- responsibility for ET rules will be transferred to the independent Tribunal Procedure Committee
- administrative decisions will be given to those staff best placed to make them. A new role of 'tribunal case worker' will be created
- cases will be dealt with differently, depending on their complexity
- some unspecified matters will be dealt with solely on-line
- non-legal members will be deployed flexibly, where circumstances require it and their expertise is relevant to the outcome of the case.

[Read our full response](#)

Sentencing for breach offences draft guideline consultation

The Law Society has responded to the Sentencing Council's consultation about its draft guideline for sentencing for breach offences.

The guideline will assist sentencers and practitioners in dealing with offenders who breach community orders by failing to comply with requirements, breach suspended sentence orders, fail to surrender to bail, and several other orders.

The Society's response welcomed the guideline, which will improve consistency when courts sentence for these offences.

[Read our full response](#)

Breaches of financial sanctions consultation

The Law Society has responded to HM Treasury's consultation on the process for imposing monetary penalties for breaches of financial sanctions.

The Policing and Finance Bill, when enacted, will create a monetary penalty regime for enforcing financial sanctions, which will be administered by HM Treasury through the Office of Financial Sanctions Implementation (OFSI). OFSI will publish guidance on when a monetary penalty may be imposed and how the amount of the penalty will be set. This consultation sought views on a draft version of that guidance.

[Read our full response](#)

Mortgage market study terms of reference

On 12 December 2016 the Financial Conduct Authority (FCA) launched a terms of reference document related to its market study on competition in the mortgage sector. While this was not a formal consultation, the FCA welcomed any comments on issues raised in it.

In its response to the terms of reference, the Society reiterated that some lenders' practices, such as:

- rejecting or removing firms from panels based on criteria that are not necessarily indicative of the quality of a firm's work
- excluding sole practitioners or putting certain limitations on them
- not publicising the criteria for panel membership and
- not providing reasons to firms which have been rejected
- are not indicative of a mortgage sector that is working well or designed around the needs of a consumer.

[Read our full response](#)

Regulatory data and consumer choice in legal service

The Law Society has responded to the Solicitors Regulation Authority's (SRA) discussion paper on Regulatory Data and Consumer Choice in Legal Services.

The transparent provision to clients of information about the legal services market in general and about particular services on offer are desirable objectives.

However, information must be accurate and relevant, and in the right format for clients to make use of. Misleading information, or information provided in the wrong format, carries the potential to leave clients more confused.

[Read our full response](#)



SRA Open Consultations

Enabling innovation: Consultation on a new approach to waivers and developing the SRA Innovation Space

This consultation concerns proposed changes to applications for waivers and the introduction of criteria and guidance to develop further the SRA Innovation Space. The SRA's evolving initiative aims to support firms of all types to deliver products and services in new ways, creating a legal services market more responsive to customer needs. These changes will remove barriers that could be preventing solicitors and firms innovate, while making sure the public and business users of legal services remain protected.

Submission deadline

8 March 2017

[Find out more](#)