



Hello and welcome to the Relationship Management monthly report for January 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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Compliance support forum for COLPs/COFAs: protect your firm from cyber crime

The Law Society, London 23 January, 13:30 - 17:00

Law firms and in-house legal departments are obvious and attractive targets for cyber attacks due to the sensitive information they hold.

A government-commissioned survey showed that 69% of large organisations suffered from an external attack, up from 55% in 2014. More than two-thirds of small businesses experienced a similar attack, compared with 33% the previous year.

With their regulatory responsibilities, COLPs and COFAs are at the forefront of protecting their firms on line security and integrity, whilst ensuring that all staff are aware of their individual responsibilities.

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

Mental Health First Aid Training Course

The Law Society, London 24 - 25 January, 09:00 - 17:00

The Law Society is offering members the opportunity to become a qualified mental health first aider, in a two day, fully certified training course delivered by Mental Health First Aid England.

This two day course will enable you to gain an understanding of some issues surrounding mental health, how and why positive and negative mental health affects people and how to work more effectively with people experiencing mental health problems.

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

Career crossroads? Deciding your next chapter

The Law Society, London 26 January, 17:30 - 20:30

An increasing number of solicitors are looking to reshape their career as the fast pace legal profession experiences unprecedented change. This session will provide a starting point for those solicitors going through career transitions or at a career crossroads. It will address key issues solicitors face when negotiating career transitions; will discuss alternative career options; and will provide valuable tips to assist you to ensure that the next chapter of your career works for you. The session will also be relevant to HR professional within firms and to career advisers.

The session will be led by Lucy Scott-Moncrieff, founder and managing director of national 'virtual firm' Scott-Moncrieff & Associates. There will be an overview of challenges within the legal profession and a panel of solicitors who have successfully negotiated their own career crossroads will share their experience and tips for success.

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

Judicial appointments: Preparing for the 2017 recorder recruitment exercise

The Cube, Wharfside Street, Birmingham B1 1RS 23 January 17:00-19:00

At the beginning of February 2017, the JAC will be launching an exercise to recruit 100 recorder positions, based across England and Wales. The **vacancies** are in the crime and family jurisdictions however NO experience of these jurisdictions or a previous judicial post are required.

There will be significant competition for these particular judicial appointments and to assist those solicitors who are considering making an application, the Solicitor Judges Division is organising a series of evening workshops.

Attendees will be taken through the stages of the recorder application process and also have the opportunity to hear insight from a solicitor judge on their experiences in joining the judiciary.

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

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



The Law Society President takes a look at issues affecting solicitors in 2017

In the first in a series on the key issues concerning solicitors in 2017, Robert Bourns looks at threats to access to justice.

[Read the article in full here](#)

Update on Personal Injury

You will be aware of the Law Society's extensive campaign on the proposed personal injury reforms, the deadline for the government consultation has now passed.

Over the next few weeks we will keep you informed of developments.

For the latest information, please [visit our website](#).

Read the recent [article](#) in the Independent, *Insurers, not lawyers, are the bad guys when it comes to whiplash*



Take a look at the Law Society's Professional Development Centre

Continuing competence came into force on 1 November 2016. The new regulatory requirements mean that solicitors need to take a different approach to assessing their development needs and recording, and reflecting upon, their achievements.

And feedback from our members indicates a growing appetite for e-learning that fits in with their demanding schedules.

The Law Society's Professional Development Centre has been designed to meet legal professionals' learning and development needs.

[Get to grips with continuing competence and create your own personal development plan](#)

Update on Brexit

A round-up of recent Law Society activity in relation to Brexit, including which decision making influencers we have been liaising with, our key communications and the kind of support we can give to members is available [here](#).

Read the latest articles on Brexit [here](#)

The apprenticeship route into law

From 2016 new legal apprenticeships are being offered as an alternative to the traditional graduate route to qualification, and it's now possible to qualify as a solicitor, paralegal or chartered legal executive by completing an apprenticeship.

The standards expected of apprentice solicitors are the same as those expected of all solicitors, with rigorous assessments before they are admitted to the profession. An apprentice receives a salary and will complete a combination of classroom and work-based learning.

Interested? Further information is available on the Solicitor Regulation Authority (SRA) [website](#) and the government's [Get In, Go Far website](#).

[Click here to read more](#)

Urgent clarity needed for tax hike on property

Unconfirmed reports of a planned tax hike on a key part of the house-buying process prompted the Law Society of England and Wales today to urge HM Revenue and Customs (HMRC) to clarify the position.

Rumours are swirling among conveyancing professionals that from 1 January 2017 VAT will be imposed on local authority conveyancing searches.

The Law Society has sought confirmation from HMRC over how these changes will apply to the range of complex searches and situations which arise during the process of buying a home.

[Read more here](#)

Engaging with the Legal Ombudsman

As well as resolving complaints the Legal Ombudsman's role is to feedback to the profession on the complaints they see and how they can be prevented. As part of this work the ombudsman team regularly provide presentations for local law societies. We are happy to provide a standard presentation or something more tailored to members' needs. If you would like to contact us to discuss an event please email either Alex Moore alex.moore@legalombudsman.org.uk or Rhiannon Walpole rhiannon.walpole@legalombudsman.org.uk.

Garden Party 2017 - Local Law Society President and Secretary nominations

The Law Society has received an allocation of tickets for Her Majesty's Garden Parties on 16 May, 23 May and 1 June. We are collating a list of potential nominees and have set aside some places for Presidents and Secretaries of local law

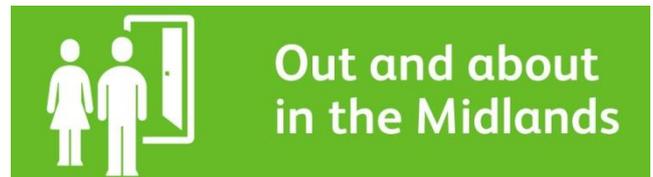
societies.

Please note the following:

- All nominated guests should be accompanied unless he or she specifically requests otherwise.
- All nominated guests must be British, or European Union citizens, although their husbands, wives or companions may be of other nationalities. All guests, nominated or accompanying must be resident in the UK.
- Nominated or accompanying guests should not have previously attended a Garden Party.

If you would like to attend, please contact GardenParty@LawSociety.org.uk for a nomination form. Forms must be returned by close of play Friday 20 January.

Once this deadline has passed we will conduct a draw to randomly select 5 people to attend.



Despite the seasonal break in December, the Midlands team were still very much in action across the region.

We held a meeting with Law Society Council Members occupying seats in the Midlands to pinpoint areas of closer collaboration and communication for the benefit of members.

Robert Bourns, following a firm visit to FBC Manby Bowdler, chaired a Managing Partners lunch in Wolverhampton discussing the implications – both future and present – on Brexit with some interesting views shared across the table.



Modern Slavery Act and Section 54

'Modern slavery' is a term which encapsulates slavery, servitude, forced or compulsory labour and human trafficking. These criminal offences are set out in section 1 and section 2 of the act, making a person liable if they ought to know another person is held in slavery, servitude or required to perform forced or compulsory labour.

This practice note is intended to help solicitors comply with section 54 of the Modern Slavery Act 2015 by providing practical advice and highlighting examples of good practice.

[Read more](#)

Insolvency of a participating insurer

The professional indemnity insurance (PII) regime is not designed to protect you against the insolvency of a participating insurer. You have an obligation to ensure that your clients have the benefit of your compulsory PII policy. For this reason you should consider carefully the consequences for your professional and personal liability if your insurer becomes insolvent

A firm whose participating insurer has become insolvent needs to act immediately to put new qualifying insurance in place. This practice note acts as a guide for solicitors who find themselves in this situation.

[Read more](#)

Protecting your firm if you fall victim to a scam

Firms holding client accounts are vulnerable to the risk of theft of confidential data which could lead to the theft of client money held in client accounts. Firms of all sizes can be targeted. The

effect on the scammed firm can be extremely serious both financially and reputationally.

You must immediately take certain actions if you find or suspect that your firm has been the victim of a scam, resulting in your client account being compromised.

This practice note outlines the regulatory and legal requirements that apply when a firm's client account has fallen victim to scammers. It provides advice which aims to help the firm overcome problems which might otherwise lead to its failure and forced closure.

[Read more](#)



MoJ consultation on Transforming Our Justice System

The Law Society has responded to the Ministry of Justice consultation which invited views on broad proposals for 'assisted digital' services as they move to greater digitisation of the court system, composition of the judicial panel available for tribunals and putting certain low level criminal processes online.

The Society believes that accessibility will be integral to the success of any digital services; an inaccessible system which prevents users from engaging with the courts cannot be considered as a process that delivers justice.

We have also raised concerns about the proposal to reduce a three-panel tribunal to a single judge. To introduce this as the default position risks denying adequate expertise to some of the most vulnerable tribunal users.

[Read our full response](#)

A new route to qualification: the Solicitors Qualifying Examination

The SQE will provide a new, centralised form of assessment to set standards for entry to the profession which will alter the way in which solicitors qualify. The SQE will significantly alter the way in which solicitors qualify into the profession.

The consultation proposes the introduction of the Solicitor's Qualifying Exam (SQE), a new system of centralised assessments to set standards for entry to the profession. The Law Society is glad to see the inclusion of a degree-level qualification and two years work-based learning in all routes to entry but some concerns remain around information and funding which could, if not addressed, raise issues about access to the profession.

[Read the full response](#)

The review of the Legal Services Board and the Office for Legal Complaints

The Law Society has responded to the Ministry of Justice's (MoJ) review of the Legal Services Board and the Office for Legal Complaints.

We have made a number of observations about the questionnaire. Many of these cut across several of the questions raised so, instead of responding to the questions, we have submitted a paper which we hope will provide a helpful contribution to the review.

[Read the full response](#)

Modernising judicial appointments

In September 2016 the Ministry of Justice invited views on their five proposals to modernise judicial appointments:

1. Introducing a fixed, non-renewable term for fee paid (part-time judges).

2. Introducing the ability to recruit to leadership positions for a fixed term, with accompanying temporary remuneration.
3. Introducing an expectation (rather than guarantee) of the number of days existing fee-paid court judges are required to sit.
4. Removing the entitlement of existing fee-paid judges to claim travel expenses for journeys to their primary courts.
5. Introducing a requirement for existing salaried and fee-paid judges to provide notice of intention to resign or retire.

The aim of these proposals was to increase judicial diversity, improve judicial career prospects, and introduce flexibility of deployment and modern business practices.

The Law Society believes that diversity within the judiciary is as fundamental to the proper administration of justice as judicial independence; it directly impacts on public confidence in the courts and their decisions. The Society shares the government's desire to ensure that members of the judiciary are 'drawn from the widest possible pool of talent'.

We also have concerns that:

- introducing a lack of permanency to part-time roles without creating a clear path for career progression into salaried positions could lead to a serious decrease in judicial office candidates
- mutual flexibility of part-time roles has been overlooked: the justice system relies heavily on the flexibility and experience of part-time office holders to function properly
- a fixed, non-renewable term is likely to lead to a high turnover of judges, and new appointments may sit for no longer than six to 10 years on a part-time basis
- removal of guaranteed sitting days removes any guarantee of income.

[Read our full response](#)

Call for evidence of basement development and the planning system

The Law Society's Planning and Environmental Law Committee recently responded to a Department for Communities and Local Government (DCLG) call for evidence on basement extensions and the planning system.

The call, issued in November 2016, sought evidence on: the number of basement developments being taken forward; how these developments are currently dealt with through the planning system; and whether any adverse impacts of such developments could be further mitigated through the planning process.

The Society's response focused on the use of Article 4 directions in those areas where basement extensions are concentrated, and the lack of clarity around the use of permitted development rights – not least in light of the recent *Eatherley v London Borough of Camden* case.

[Read the full response](#)

Personal Injury claims process consultation

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](#)



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](#)