

# David Lloyd George

James Sommerville  
investigates his  
legend and  
legacy  
on pp. 8-10

## ALSO:

- Worcester Law Society Awards 2017
- Farming - Diversification and the Legal implications

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# President's Introduction



**H**appy New Year to all our members and their families.

I hope you all had a restful break and are looking forward to the year ahead.

Speaking of which, we have a number of upcoming events that I would like to draw your attention to.

House of Commons Champagne Afternoon Tea; 1 March 2017: I have collaborated with the Presidents of both Birmingham and Warwickshire Law Societies to bring you this prestigious event to be held in the Member's dining room at the House of Commons. We hope to combine an address from local MP's with a tour of the House and

an afternoon tea in the spectacular Member's dining room. We are presently courting sponsorship for transport but tickets are limited so if you have an interest in this event, please do let me know at the earliest available opportunity.

Annual Law Society Awards; 7 April 2017 : Nominations are now open for this year's awards. I am really looking forward to reading this year's entries, which seem to get more and more impressive each time.

If you value a colleague and you think they deserve recognition for their input into your firm or team, please do take a few minutes to nominate them this year. The annual dinner in April looks like it will be even better than last year, with Hursty as MC and Lord Digby Jones as

our guest speaker. Anyone willing to donate a prize for our auction should contact our administrator Sue Harper through our website.

Lastly, may I take this opportunity to remind you of our chosen charity this year; The Young Carer's Association of Worcestershire who provide support for young people looking after a disabled person at home. Some of these children are as young as 7 year's old and meeting them is rather humbling. We are raising money for this well deserving charity at all of our events, however if you would like to support them yourself or would like further information about their work, please do not hesitate to contact me.

**Priya Tromans**  
President

# News News News News News News

## Could it become cheaper to protect land from unwanted claims for public rights of way?

The Commons (Registration of Town or Village Greens) and Dedicated Highways (Landowner Statements and Declarations) (England) (Amendment) Regulations 2016 (SI 2016/1081) ("the 2016 Regulations") were made on 9th November 2016 and come into force on 1st December 2016. The 2016 Regulations amend the earlier 2013 Regulations (SI 2013/1774) and apply to England only.

A Landowner Statement and Declaration can be deposited to an appropriate authority by a landowner to rebut a presumed dedication of a highway. This procedure is contained in Section 31(6) of the Highways Act 1980 and is therefore also known as a 'Section 31(6) Notice'.

Landowners have been able to deposit a Section 31(6) Notice for a long time but the 2013 Regulations introduced some changes to the procedure as a result of amendments to the town or village green legislation. The 2013 Regulations introduced a new obligation on local authorities to post a notice of the Section 31(6) Notice in an obvious place on the land to which the application relates. It must also give notice on its website and by email to interested parties (such as the Ramblers Association and the

Open Spaces Society). As a result of the additional administration involved in processing a Section 31(6) Notice, the 2013 Regulations gave authorities the ability to charge a reasonable fee.

The 2016 Regulations have removed the requirement on an authority to post a notice of a Section 31(6) Notice on the land to which the application relates. It has been deemed that there is no need for this obligation to apply to Section 31(6) Notices because there is no time limit for bringing a claim for a public right of way under Section 31 of the HA 1980. This is in contrast to the legislation on town or village greens, which was also updated by the 2013 Regulations, which provides that once an equivalent Section 31(6) Notice (under Section 15A of the Commons Act 2006) has been deposited, there is a time limit to bring a claim. This time limit is one year in England and two years in Wales.

There are two possible consequences for landowners as a result of the 2016 Regulations. First, authorities may reduce the fees they charge for depositing a Section 31(6) Notice. The fees vary considerably from authority to authority and are justified on the basis of the administration of the documentation and the need for a site visit to put up a

notice. Now that the need for a site visit has been removed, it would be nice to think that authorities will reduce their fee to reflect this. It will be interesting to see if this happens after the 2016 Regulations come into force on 1st December 2016. Secondly, some landowners may have been reluctant to deposit a Section 31(6) Notice for fear of it actually instigating an unwanted claim as a result of a site notice alerting users of the situation. Whilst authorities will still need to give notice on its website and email interested parties, landowners may feel that not having a notice on the land in question considerably reduces their concerns of a claim being instigated.

The 2016 Regulations may provide landowners with a good opportunity to consider whether they have a need to deposit a Section 31(6) Notice and protect their land from claims for unwanted public rights of way.

*Landowners who have queries regarding the above should email*

[hannah.taylor@mfgsolicitors.com](mailto:hannah.taylor@mfgsolicitors.com)

or telephone  
01905 610410.

**Hannah Taylor**, mfg Solicitors

# Worcestershire Law Society 2017 Awards Evening

7th April 2017

at Stanbrook Abbey  
Callow End  
Worcestershire

Drinks Reception - 7.00pm  
Dinner - 8.00pm onwards



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## News News News News News News

**The WJLD had their annual Christmas drinks event at Bottles in Worcester on 13 December 2016.**

The drinks event was well attended and it was good to see familiar faces and some new faces at the event. A big thank you to our sponsors BCL Legal for keeping our glasses topped up and providing nibbles!

2016 has been a busy year for the WJLD. The WJLD have been working closely with the WLS on events this year but have also hosted their own events including the Children's

Party for Adults, seminars and the annual quiz. 2016 also saw the WJLD establishing a mentor scheme at the Heart of Worcestershire College. Looking forward to 2017, the WJLD will have a new Chair in the New Year. Harjinder Bains will be passing on the torch to James Osborne. James Osborne is a family solicitor at Harrison Clark Rickerbys and has been on the WJLD committee for the last two years. The committee will be sending details of upcoming WJLD events in the New Year.

If you would like to be kept up to date with WJLD events, please email the WJLD Secretary Honor Giles at hgiles@hcrlaw.com so that you can be placed on the mailing list.

**Lawyers at Harrison Clark Rickerbys swapped their suits for Christmas jumpers to help the firm to raise about £500 for Birmingham Children's Hospital.**



The firm, along with its sister companies Medical Accident Group and Eagle HR, decided to focus its fundraising on the hospital rather than send donations to the national Save the Children appeal, because they wanted to help ensure that the hospital's outstanding work for local children can continue. The hospital is using the funds to create the UK's first rare diseases centre for children.

Emma Glazzard, who heads the group of staff in charge of the initiative, said: "The hospital looked after one of my brother's best friends brilliantly when he was suffering from cancer, and we thought the funds would have more impact

there. We wanted to raise money to help them continue the brilliant work they do across the Midlands."

The firm has also supported the charity Let's Feed Brum with free legal advice – the charity aims to provide food, drink, essential supplies and support to the city's homeless population, diverting food from local businesses, which would otherwise be wasted, to homeless people in need.

Birmingham's food bank has also benefited from staff generosity – three large boxes of food were delivered to the foodbank run by the Trussell Trust last week.

# David Lloyd George (1863 - 1945)

## Solicitor and Prime Minister

by James Sommerville

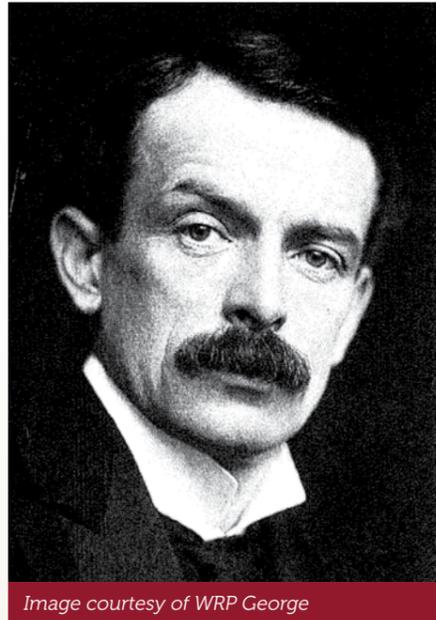


Image courtesy of WRP George

prompting his mother Betsy to return to her home village of Llanystumdwy, near Criccieth in North Wales.

There she and her young family lived at "Highgate", the home of her unmarried brother Richard Lloyd.

Highgate is now a museum.

Richard Lloyd was the village cobbler and was known in the family as Uncle Lloyd.

The family were strict nonconformists. Uncle Lloyd led the way, being ordained a "Disciples of Christ" minister. He was one of the greatest influences on Lloyd George's early life and indeed his middle age, acting as teacher, mentor and inspiration for Lloyd George until his death in 1917.

Uncle Lloyd carried on his shoemaking business in the workshop next door to Highgate. Much of the family Sunday was taken up with attendance at the local church Capel Ucha.

However the Highgate family home was not all about religion.

Uncle Lloyd had a photograph of President Lincoln in the sitting room. He also had a very impressive library. There was a wide variety of books with which Lloyd George could avail himself, and he did. Uncle Lloyd also taught his nephew French.

Early in his life, even at school, Lloyd George demonstrated an independent if not rebellious streak.

### A career in the Law

In due course Uncle Lloyd and Lloyd George's mother Betsy decided that Lloyd George should study for a career in the law. By dint of hard work and with the encouragement of his family he passed the initial solicitors' exams in December 1877, just before his 15th birthday.

With the aid of his own determination and assistance from family friends plus payment of a premium of £100 (approximately £8,250.00 today) Lloyd George was accepted into articles with the firm of Breese Jones & Casson in Porthmadoc.

He obtained lodgings in this North Wales town at ten shillings a week.

After passing further law exams in due course he qualified as a solicitor.

True to his upbringing and his character and resolve Lloyd George was not one to hold back when he found it necessary to assert his client's rights.

This was even so if it meant challenging the establishment - in this case the local bench of magistrates. Lloyd George was quite the opposite of the deferential solicitors who usually appeared in front of them.

He excelled at championing the rights of the disadvantaged in society, the people he had essentially grown up with. His innate eloquence debating skill and tenacity built a growing reputation for him in the locality

Due deference was not for Lloyd George - rather the opposite.

In the course of time (and to be expected for someone of his temperament) Lloyd George left Breese Jones & Casson to set up his own practice in Criccieth aided by his younger brother William. Uncle Lloyd helped out as office clerk.

### The Llanfrothen Burial Case

It is hard now in the second decade of the 21st century, a world dominated by increasing secularism consumerism and social media, to comprehend the power of religion.

In particular the power and influence of the established Anglican Church that pertained in the late 19th century.

But it was a fact and living reality to the people living in North Wales at the time.

The established Anglican Church supported and was supported by a rigid class system.

The landed aristocracy still held sway and did what they could to preserve their power and influence. This was done not only nationally but at a local level. One of the modes by which this was manifested was through the vehicle of religion.



The offices from where Lloyd George practiced as a Solicitor, courtesy of WRP George.

In 1864 the Parish Church of Llanfrothen received a gift from Mr and Mrs Owen of a small strip of land adjoining the churchyard. It was walled in, consecrated, and used for burials.

But the burials had to be according to Anglican rights. In North Wales with its strong tradition of nonconformism this rule was understandably resented by large sections of the population.

Following the passing of the 1880 Burial Act nonconformists were allowed to conduct funerals in Parish Churchyards according to their rights and customs.

However the Church of England was not willing to give up their monopoly on burials lightly.

One of the staunchest advocates of the Church of England line was the incumbent of Llanfrothen the Reverend Richard Jones. He hated the 1880 Burial Act.

He found a way (so he thought) of circumventing the legislation. He persuaded Mr and Mrs Owen that the original transfer of land in 1864 was invalid and that the land should be reconveyed to the Church with the proviso that only Anglican burials would be allowed on the land in question.

One can only imagine the apocalyptic language which the Reverend Jones may have employed in persuading Mr and Mrs Owen to come round to his point of view.

Fire and Brimstone come to mind.

The result was that nonconformists in the parish of Llanfrothen now had a choice. They could either be buried on the Owen land according to Anglican rights or on a scrap of land reserved for ne'er-do-wells, convicted criminals and the like.

In 1888 the simmering quarrel between the Anglican Church in the parish and the vast majority of its parishioners exploded.

Robert Rhodes, an old quarryman, died. He specified in his Will that he wanted to be buried next to his daughter on the Owen land and according to nonconformist rights and customs.

The family arranged for a nonconformist service, but the Reverend Jones was one step ahead.

He locked the Churchyard gates and arranged for the grave (which had already been dug) to be filled in.

The family was distraught and approached Lloyd George.

He concluded that since the Owen land had been used for burials since 1864 it was subject to the 1880 Burial Act. In consequence the Reverend Jones had been acting illegally.

On Lloyd George's clear advice the family prized open the gates and conducted the

funeral according to the deceased's wishes, namely as a non-conformist service.

Such clear insubordination towards the Anglican Church was largely unprecedented in 1888.

Reverend Jones sued the family for trespass. The case quickly attracted wide publicity. It was heard at the Porthmadoc County Court in May 1888 with Lloyd George appearing for the Defence.

He was aged 25 at the time.

The jury of local people found in favour of Lloyd George and his clients.

However the Judge deliberately and inaccurately recorded the verdict in favour of the Church.

Lloyd George was not one to be defeated by such a ruse. He advised the family to appeal to the High Court in London where the case was heard in December 1888.

The Lord Chief Justice overruled the previous Judgment, gave the Judge at Porthmadoc County Court a good telling off and awarded costs to Lloyd George's clients.

There were triumphant scenes throughout North Wales and indeed the Principality.

There was unanimous praise for Lloyd George who had successfully challenged what was perceived as the oppressors of nonconformism and had secured justice for his clients.

His tenacity and his advocacy had won through.

Ten days after the triumph in the High Court in London Lord George was selected as the prospective liberal candidate for the Caernarfon Boroughs.

This was in anticipation of the general election which was expected to take place in 1892.

In fact the death of the sitting Conservative member for the Caernarfon boroughs in March 1890 prompted a by-election which Lloyd George narrowly won.

His political career was set and he continued to represent that constituency for 55 years until shortly before his death in 1945.



Birmingham Town Hall circa 1896

George (described as the "virulent anti Briton") would be attending the meeting and speaking at it.

The Birmingham Tory press added fuel to the fire with some provocative remarks. The Lord Mayor did not help either, when he announced publicly that the Birmingham Liberal Association had confirmed in advance that they would accept liability for any damage done to the Town Hall.

In spite of the clear and unambiguous warnings of the dangers of attending this meeting (including those from the Chief Constable of Birmingham) Lloyd George refused to back down. It was not his style.

On the 18th December 1901 the day of the meeting itself a mob estimated at 30,000 people converged on the centre of Birmingham and the Town Hall itself. Sufficient numbers entered the Town Hall to make it clear that there was going to be trouble.

When Lloyd George appeared on the platform the atmosphere, already menacing, reached fever pitch. He had barely begun to speak when there was a rush towards the platform from the auditorium.

For once Lloyd George realised that he was not going to win this battle. He escaped dressed as a policeman. Two people died that day including one policeman.

The policeman's helmet he wore on that occasion is one of the exhibits at the excellent Lloyd George Museum at Llanystumdwy.

In later years, when the dust had settled, the courageous exposition of his clear opinions about the Boer War and his escape from Birmingham Town Hall itself would only add to his growing national profile and acquire legendary status.

His oratorical skills allied with his natural charisma cunning and charm raised him to the highest office in British politics. He was Prime Minister from December 1916 to October 1922.

Before that, as Chancellor of the Exchequer he introduced the "People's Budget" in 1909 (which included the old age pension) and which was finally passed in May 1910.

A gathering on Snowdon in 1892 at which William Gladstone is addressing the crowd. Lloyd George is on the platform, provided courtesy of Gwynedd Archives & Museums Service.



Opposition from the Tory dominated House of Lords was only overcome when the new King George V threatened to create enough Liberal Peers to overturn the Tory majority in the upper Chamber.

As Prime Minister he oversaw the eventual success of the Allies in World War 1 and the settlement of the vexed question of Home Rule for Ireland. He was such a skilful and slippery negotiator that one member of the Irish delegation attending 10 Downing Street for the Anglo-Irish talks in the autumn of 1921 described him in correspondence as "the Master Trickster of the Universe".

He survived several scandals in his public and his private life, the latter invariably involving the female sex. He was popularly known as the "Welsh Wizard".

Commentators are generally agreed that Lloyd George was always looking beyond his legal practice in North Wales to the national stage.

However it is not too trite to say that his early years as a solicitor in Porthmadoc and Criccieth provided an excellent training ground for developing those skills which he employed to such telling effect throughout his long political career.



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# Diversification - A Farmer's Q&A

**Q** With a squeeze on my traditional farming income, I am considering diversification into new areas. I am, however, put off by a number of horror stories but intrigued by the potential rewards. What are the pitfalls I should be aware of?

Alexandra Phillips, an associate at mfg Solicitors, answers:

If planned and executed well, the benefits of farm diversification can far outweigh the risks.

Not only will a successfully implemented project give you a diverse source of income, it can also offer fresh opportunities to the next generation in your family who can use their skills to open up the business to the wider market. We also shouldn't forget that even if your diversification venture moves away from traditional farming activities, the income could help you support and invest further in those traditional income channels.

However, before proceeding with your diversification plans, there are five key areas to consider:

- **Planning rules** – If your project is likely to include the use of existing agricultural buildings or land and/or the erection of new buildings for non-agricultural activities then it is likely an application for planning permission will need to be made, although permitted development rights may come into play.
- **Title issues** – Another area many landowners miss are possible restrictions on the title of the property that may restrict or prevent the implementation of the venture you have in mind. If not reviewed correctly at any early stage these can significantly hamper a project. It is a step many people miss.
- **Rights of Way/Access** – Is access to the property gained from a right of way over neighboring private land and if so, will this extend to use for non-agricultural purposes? If the right of way was granted for the use of the property for agricultural activities only then you could end up with no means of access and a "landlocked" project. It is important to ensure that the property benefits from all the rights required to make the project workable.
- **Tax** – If your diversification scheme involves a non-agricultural project there could be substantial implications on your ability to claim agricultural tax reliefs. You should consider how the property in question should be owned and what business structure should be used to operate the venture in order to maximise your agricultural tax relief arrangements. This should be considered at the earliest possible stage before any changes are made.
- **Finance** – Finally, how will the project be financed? In particular will lending be required from an institutional lender? If so, it is likely that they will have a number of requirements to be complied with in order to secure the capital necessary to fund the project.

a new diversification venture. It is vital that experts are brought in to advise as soon as possible in order for your project to be as successful as possible.

For further advice on farm diversification, readers can contact Alexandra through [alexandra.phillips@mfgsolicitors.com](mailto:alexandra.phillips@mfgsolicitors.com) or by telephoning 0845 55 55 11.

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## Cyber Crime – What is our exposure?

For many Law firms across the UK, the first quarter of 2017 will be a time for budgeting and reviewing the opportunities and threats presented to the firm. One such threat which continues to be reviewed by many firms is the risk of a “Cyber-attack”.

The threat of a Cyber incident is current and it is real. Should you become a victim of an attack it will have a financial impact to your business, so why not hope for the best, prepare for the worst!

Whilst we can't always predict the future, we can plan and make preventive steps. Dependent on your attitude to risk, the inevitable cost to your business would be either pre-emptive or reactive:-

### PRE-EMPTIVE:

Cyber Crime Insurance Premium?

IT Protection Cost?

Fraud Prevention Training?

### REACTIVE:

Cost of IT Specialists??

Cost of Ransoms through Ransomware??

Cost of Reputational Damage??

Cost of Business Interruption??

Each of the above have a varying financial impact, however it is only the pre-emptive measures that you can financially control.

The fact remains, most Law Firms are dependant on their IT providers to ensure they have adequate security, but do they guarantee support if your systems are breached? Is it complimentary, or would they charge? We have seen scenarios where a firm has to spend tens of thousands on recovery. The effort and, most crucially, the time involved to retrieve, repair and cleanse your system could be severe.

Should you take the decision to transfer some of the risk via a Cyber insurance policy, it is vitally important that you are fully aware

of exactly what is covered and, crucially, what needs to happen to “trigger” that coverage. There are various policies within the market-place, not all necessarily provide the protection the policyholder believes they do.

Certain Cyber insurance policies are structured to offer a suite of breach response services that are so crucial when the firm falls prey to a Cyber incident. The policies will pay for the IT forensic investigation costs needed to determine what information has been compromised and look to remedy the problem. Furthermore, there is also the support of a PR company. They serve the purpose of helping the firm manage any adverse media that may occur – this is becoming far more pertinent in the ever-increasing social media world in which we live.

Access to specialist legal advice should also be available. This will help in the process of deciding whether or not you should notify affected clients, the regulator and the police. Extending Privilege to the proceedings is vital, as well as preserving evidence for any future criminal investigation.

Look at the period of Insurance and whether it covers prior incidents. Malware and other Viruses can sit in your systems for weeks, months or even years. Have your systems already been breached? How would you know? Look for retroactive cover. This would give you the comfort that the unknown is covered.

In our opinion relying on your Professional Indemnity to respond appropriately to a modern Cyber-attack may not be the best approach as the policy was not designed to respond in this way. A specialist Cyber insurance policy should be considered and potentially structured to sit as First Response or Primary Layer cover to not only first party claims but also third party, if possible.

Have you asked yourself these questions?:-

- Are you ready for a breach – do you know how you'll respond?
- Do you have a Business Continuity Plan and a Cyber Plan – have you tested it?
- Have you considered what to do in the event of a ransom demand?

• Would you know what to do to preserve the scene ahead of any police criminal investigation?

• Do you know how the GDPR will affect your business in 2018?

At the other end of the size scale is the ongoing “phishing” and “whaling” fraud through the use of Social Engineering which continues to burden finance teams in all organisations. Professional Service firms have suffered heavily from this type of attack vector. This was highlighted by a recent survey undertaken by the UK accountancy firm, Hazlewoods. The survey concluded that “phishing attacks” against professional service firms were up 40% in the past 12 months.

Cover for Cyber theft of money from “phishing” and “whaling”, such as highlighted above, is still available from some Cyber insurers however it is generally sub-limited and remains under review.

With all of these questions, you should be seriously considering purchasing a Cyber insurance policy. At the very least, you should complete a Cyber insurance Proposal Form, as it would provide a good gap analysis to your business.



**Lee Catling**  
Vice President, Professions/Risk Solutions  
A division of Lockton Companies LLP

Lee provides day to day guidance on all issues affecting Law firms from PI insurance to other related topics. LC has over 25 years' experience in the industry having come from the Solicitors Indemnity Fund. Lee joined Lockton, formerly Alexander Forbes in 2003 in the Professions Division and is a Vice President with the Solicitors team. Specialist Experience - Professional Indemnity, Cyber Liability, D&O, Keyman, Contingency Insurances.

# Careful consideration over land registry privatisation a welcome move

Delaying plans to privatise the Land Registry gives the government the opportunity to consider carefully concerns raised by the legal sector, says the Law Society.

**'Privatising the Land Registry would create a range of serious risks to this vital piece of national infrastructure, which supports and ensures the integrity of property ownership in this country. All implications must be fully considered before any decision on whether to sell is made.'** said Law Society president Robert Bourns.

*'We applaud today's news that the government has not included steps to privatise the Registry in the Neighbourhood Planning and Infrastructure Bill. It indicates they are taking these concerns seriously. Allowing ministers and officials more time to scrutinise before making final decisions is wise.'*

The Law Society has previously led the legal profession in raising concerns about the way a privatised Land Registry would operate, including:

- the vital role that public trust and confidence in the registry plays in the smooth operation of the property market
- privatisation could hinder efforts to combat the laundering of illicit funds through the property market in England and Wales
- the risk of fee increases to generate profits for private owners, at the expense of property buyers
- the loss of the potentially huge future value of the information held by the registry
- the great difficulties in ensuring a newly privatised natural monopoly couldn't act in anti-competitive ways.

*'The government previously indicated they would carefully consider the vocal feedback they have received from the legal sector and beyond on this issue, and it is pleasing to see them following through on this commitment rather than rushing to keep an arbitrary timeframe.'* said Robert Bourns.

*'We look forward to a final decision that has properly addressed all these concerns, and places the public interests in this important institution first.'*



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# Law Society calls for employers to prove compliance with employment law

**A key committee of MPs were today urged to look at the possibility of putting the onus on bosses to prove their compliance when it comes to employment standards.**

The proposal is contained in the Law Society's response to the Business, Energy and Industrial Strategy (BEIS) Committee's inquiry into the future of work and the rights of workers.

*"It is abundantly clear that employment laws designed for the middle of the 20th century are failing to serve many of us in the 21st century,"* said Law Society president Robert Bourns.

*"While there is no easy solution, shifting the onus from employees having to argue for their employment rights to employers having to prove their compliance with the law could be an important starting point to this process."*

If taken up, the proposal could operate in the same way as workplace health and safety laws, where an employer must be able to prove their compliance with minimum standards when requested.

The Law Society also highlighted the very low rate of prosecutions for breaches of employment standards, and the now prohibitive cost of employment tribunal fees for workers seeking to have their rights upheld.

*"The current system, where employees must take legal action against their employer when they are denied their rights at work, such as minimum wage rates, is clearly not working,"* said Robert Bourns.

*"With so few enforcement actions ever taken, bad employers are only encouraged to break the law as they assume they will get away with it. This leaves employees suffering abuse, and good employers suffering from unfair competition from those who flaunt the rules."*

*"Placing the relatively small responsibility on employers to show that they comply with employment laws would be an important step forward to ensuring our employment laws work for everyone. We look forward to continuing to work with the BEIS Committee and the government as they consider these vital and challenging issues."*



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**DR RAJAI AHMAD**  
**MD, FRCP**  
Consultant and Medicolegal expert in Cardiology



Dr Ahmad is a senior interventional cardiologist working in Sandwell and West Birmingham Hospitals (SWBH) NHS Trust since 1994. He has served as Clinical Director of Birmingham, Sandwell and Solihull Cardiac Network and then Clinical Director of Cardiology at SWBH. His clinical and research interests are in the fields of coronary artery and structural heart disease including percutaneous coronary intervention (angioplasty and stenting), mitral balloon Valvuloplasty and the management of patients with hypertension, atrial fibrillation and acute coronary syndromes. He was a member of the 2014 National Institute for health and care excellence (NICE) Lipid modification guideline development group and the Quality Standards Advisory Committee (QSAC).

Dr Ahmad had extensive experience in all aspects of medicolegal work over more than 20 years including medical negligence and can normally see patients within 2 weeks and produce reports within 4 weeks of formal instruction.

Contact via secretary on 0121 507 3885 or by email at [rajai.ahmad@which.net](mailto:rajai.ahmad@which.net)

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## EWI Conference continued...

litigation since 2010 and there are a number of other strings to his formidable bow.

Basically their presentation centered on the warning that 'questions that fall within the purview of experts often are left until the end of preparations, or deferred entirely' – and that 'a reluctance to engage expert witnesses early in the dispute resolution process... often results in poor decisions or a less than desirable outcome.' In other words, brief your expert witness sooner than later, or you might be in for a spot of bother. You have been warned.

### Lawyerly debate

Sadly, space limitations rather rule out further detailed descriptions here of many of the other conference speeches, some of which dealt with highly specialised topics. Suffice to say, however, that the EWI Conference as a whole was distinguished in particular, by useful, organized, highly professional and high quality debate, lawyerly in tone and content because it was led largely by lawyers - and punctuated with question and answer sessions that were illuminating and challenging.

So later this year - only a few months hence - when autumn leaves drift past your window – and the start of the legal term looms - plan to take in a conference or two. The networking opportunities are first class and the food isn't bad either, especially at the EWI Conference, which you really must make a note of in your Chambers diary.

In the august yet convivial precincts of Church House, there will be much that you can learn to your advantage, so do come next year!

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Legal Indemnity Insurance

# The Potential for Conflict Between Counsel and Witness

by **Toby Talbot** - Specialist in restorative dentistry, prosthodontics, endodontics and periodontics with over 20 years as an Expert Witness with a specific interest in dental negligence litigation claims, Toby Talbot ruminates on the challenges of the medico-legal partnership. *The Potential for Conflict Between Counsel and Witness*



**The protocols between warring litigious parties are well established - Counsel represents their Client either acting for the**

**Claimant versus the opposing defendant, practitioner or Health Authority, or for the Defendant in a claim for damages. The Expert acts for the Courts and must remain wholly non-partisan, a fact reiterated each time a report is formally addressed to the Court. But, however clearly drawn the battle lines, there are a several ways they can be so easily blurred...**

Beware of any initial requests for a brief review of any case when only limited documentation has been made available as part of a scouting exercise. This usually means Counsel is trying to determine whether a case has a favourable chance of success without spending any more money than necessary. It's effectively trying to do it on the cheap and it exposes the Expert if that opinion is not addressed to the Courts. If at a later date Counsel goes elsewhere for a more thorough report, the aforementioned Expert can find themselves with a claim against them if the later report contradicts your own. If any report is addressed to the Court, only the Court is able to act against the Expert.

Don't compile reports unless you have sight of all the relevant original documentation. Summaries and transcriptions by legal and clerical staff are subject to typographical errors and omissions, not least because legal clerics don't understand medical and dental terms, except at the most basic level.

Many cases are now finding their way to my desk following the outcome of a Conduct Committee hearing conducted by a professional body. This is invariably occurs when a case of Fitness to Practice has gone against the practitioner concerned. Although the Patient has had their day in Court, they still trot off to a Solicitor to sue for damages.

What the patient may not appreciate is that Fitness to Practice charges are not the same as the Failure in Duty of Care that has led to quantifiable damages or Causation.

The doctor or dentist may have overlooked certain blood tests or diagnostic x-ray's and is thus subject to criticism by the professional conduct committee, but unless this oversight has led to untoward consequences with subsequent harm or injury, there is no Causation and therefore no consequence of that omission.

It is also worth noting that although a professional body commissions an Expert for guidance, their Expert never examines the Claimant. In my experience this can lead to misguided decisions against practitioners. When I have disagreed with the conclusions of Conduct Committees I have often been told by instructing Counsel that I am not permitted to contradict their findings. A wholly misinformed assumption.

Many an Expert will find themselves instructed to provide only a Current Condition, Prognosis and Future Treatment Report after Counsel have previously obtained a favourable Breach of Duty and Causation Report. Watch out for this one. It is invariably made by an expert who has made conclusions based on the documentation alone without examining the patient. What Counsel do not understand is that the details of the clinical records will invariably influence prognosis. If I review the records and conclude after I have examined the patient that patient compliance is so poor that the previous practitioner was not to blame, then this will invariably influence my own treatment recommendations for that patient.

As an example, let's take a patient who has been under the care of a general dentist for 20 years before they discover they have advanced periodontal disease

with bone loss that will invariably lead to tooth loss. A review of their dental records shows limited documentation related to assessment of the gums, except intermittent advice to brush their teeth a bit more, and routine scaling every six months. When the patient attends another practitioner they suddenly feel shocked and aggrieved due the "failings" of their previous practitioner. Blame is apportioned and a visit to Counsel ensues. An initial breach of Duty Report follows after a review of the dental records where the omissions are serially pointed out by the Expert.

In the meantime, the patient (now Client) trots off to a periodontist who reinforces the terrible state of the gums and the enormous costs of complex implant dentistry that is required to put things right. Due to the complexity of the proposed treatment, the former Expert cannot provide an opinion as he/she is a general dentist with no specialist training. In addition, their report did not allow them to examine the patient.

I am then instructed to exam the Client to provide the Current Condition, Prognosis and Treatment options perhaps 18 months after they attended the periodontist. At the consultation the Client presents with ongoing severe active periodontal disease associated with abundant plaque deposits throughout. It is clear this patient has not taken a blind bit of notice despite repeated visits to the periodontist, and is quite ill- suited to expensive dental implants. Not only do I consider that he/she is a candidate for conventional dentures, but I consider that he shows such a disregard for his own responsibility for optimum oral health that in all probability he is behaving as he did with the Defendant, ignoring advice and failing to comply. In essence, the Client is wholly culpable for their own tooth loss.

It may not surprise the Reader that

Counsel are often furious with my conclusions and imply that I have ventured beyond their instructions for the Condition and Prognosis Report. Not so, I point out. My duty is to the Court.

Their error is to assume that a second Expert will always agree with the conclusions of a previous Breach of Duty Report. The only way to avoid contradictions between the two reports is to ensure only one Expert is engaged.

In another case involving untreated periodontal disease I found in favour of the patient. Subsequent quantum of £3,600 was offered by the indemnity insurers which led me to file the records for archiving. Imagine my surprise when I received a demand for £30,000 from the patient's agents three months later as a consequence of my failure in my duty!

It transpired that during previous meetings with Counsel, the Client's solicitor had indicated to the client that he could expect a pay out of £35,000. As a consequence, the client issued instructions to the same solicitor who had instructed me to sue for the difference of what he expected and what he finally received. The Author invites the Reader to consider whether there is an integrity issue, and whether the solicitor should have referred the case to another firm.

This is not an isolated incident. Over the last 20 years I have received several instructions from one of the larger legal firms in my home city of Bath. They have a dedicated division handling medico-legal instructions. One bright morning my clinic doormat was graced with a letter from them representing one of my own patients pursuing compensation for treatment received. Not only did they not consider the possibility of any conflict, but the patient was a solicitor himself from Dorchester. The case was subsequently dropped. Needless to say, I have refused to accept any instructions from them since.

In my experience, the consequences of soured relations between Expert and Counsel are several:

## 1. Deprivation

I have received no response after sending a report and the anticipated payment of my fee fails to arrive on time. Some firms have resisted paying my

fees which invariably leads to a claim in the small claims county court and a complete breakdown in our relationship.

## 2. Extension

One firm forwarded a list of 30+ questions which they stated were necessary because they considered my report failed to clarify certain issues. Furthermore, they did not expect to pay extra for the responses which took more two hours of my time. It was clear that from the questions provided indicated that the solicitor in question had awarded himself an honorary degree in dentistry.

## 3. Procrastination

Firms have asked for a precise breakdown of time allocated for the report and then quibbled endlessly about minor typographical errors.

## 4. Omission

Several firms have asked me to omit certain paragraphs that weaken their case. When I refused, they complained that I had sent the report in pdf format and asked me to re- send the report as a Word document!

## 5. Disqualification

Some firms have tried accusing me of venturing outside and beyond my area of expertise. It is to be noted that, as a former hospital consultant and a Fellow of the Royal College of Surgeons, my understanding of general medical and surgical issues is likely to be a little more than the general dental practitioner. I have been responsible for patients undergoing critical care, victims of severe road traffic accidents, and head & neck oncology patients. But I am a dentist!

This old lag isn't one to offer criticism without constructive advice.

1. To avoid many pitfalls for the office of Counsel, I recommend due diligence is conducted by the solicitors' office to ensure that the selected Expert can deliver the goods.

2. If the case is simple and straightforward and thus wholly within the remit of a general practitioner, you can commission a general dental practitioner.

3. But you may need a dental expert. A maxillo-facial surgeon can give you a critical appraisal of a wholly

surgical issue. He or she cannot give a dental opinion. If the problems relate to periodontal disease, find yourself a Periodontist. If the problems relate to failed root canal treatments, find yourself an Endodontist. Failed denture or crown and bridgework? Get yourself a Prosthodontist. Is the case multifactorial and covers a broad range of dental problems? Get yourself a Specialist in Restorative Dentistry. They are all dentists, BUT they're all different creatures.

4. Checkout whether the Expert is still active at the coalface. The author attended a professional meeting in London quite recently and met a colleague who is very proactive as an Expert Witness. He has just celebrated his 85th birthday having retired as a clinician 20 years ago. How on earth can Counsel expect him to be up to date? He will invariably find himself before a judge (in all probability and ironically of advanced years) giving evidence only to be publicly humiliated when asked the ultimate question by the opposing QC - when did you last undertake a similar procedure?

Finally, the Reader is reminded of the influence of the Wolfe Report a few years back. Partisan conduct whereby former practitioners would consider it their mission to protect colleagues has been stopped to reflect professional transparency and candour.

Gone are the days whereby senior retired medical/dental colleagues can dabble in report writing for a bit of pocket money without finding themselves humiliated in Court, outed for being out of touch with current clinical practice. Court immunity has now become a thing of the past, resulting in a considerable reduction in our numbers. Professional training and registration of Expert Witnesses has culled the amateurs.

May they RIP.

*All the views and opinions expressed by the author are personal but I would welcome public debate on all the issues included.*

**Toby Talbot**  
BDS MSD (Washington) FDS RCS

# He has his father's nose...



**"You have your dad's eye's", "your mums smile", "and your grandfather's ears"... We've all heard comments such as these; but do they have any basis in fact when attempting to assert paternity? As a leading DNA testing company dealing with hundreds of paternity cases every year, these types of comments often are posed to us. These are generally by associated adults (parents and grandparents) who wish to emphasise a connection with a particular child. But can physical resemblances or indeed personality similarities be a reliable indicator of a biological relationship or is it just a case of "seeing what we want to see"?"**

reassurance of parenthood. It leads to varying degrees of parental investment: the expenditure and resources parents invest in their offspring to ensure their survival and success, which can often be at the cost of their own reproductive success.

First to note is that this is not a new approach to the paternity issue. Questions of "likeness" amongst kin were considered by Pythagoras, Plato and Aristotle; the latter first noted bilateral heredity (that characteristics can come from mother and father) and interestingly, that characteristics could also skip a generation. These likenesses between parent and offspring help to reaffirm parental certainty, the degree to which you believe you and your child to be biologically related.

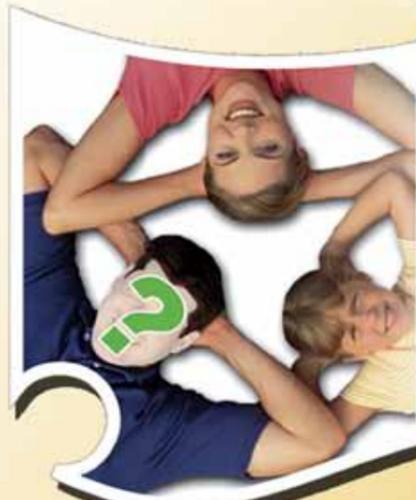
Upon the arrival of a new born baby or seeing a young child out with a parent, family and friends will often instinctively mention resemblances between parent and child. This deeply ingrained "social mirror" enables parents to rely upon the resemblances seen by others as a

In general, mothers are more certain of paternity than are fathers. Before the advent of paternity testing (historically using blood typing through to today's sophisticated and highly accurate DNA testing), alleged fathers could only rely upon the social mirror to establish

paternity, which of course is fraught with potential arguments and doubts. Mothers, in general, are keen to affirm the social mirror, whereas fathers are programmed to question it.

In order to establish parenthood using the social mirror, fathers must rely upon the faithfulness of the mother. As a result, fathers tend to place credence upon the physical likenesses and behavioural similarities that they believe they share with their child to affirm their biological relationship. These claimed resemblances impact the father's parental investment decisions, as he is more likely to invest in a child to whom he believes he is genetically related or with whom he shares similar characteristics.

Mothers are less dependent on physical cues as an indicator of biological relatedness as in general, they do not need to be convinced of maternity. Instead, mothers tend to notice psychological similarities with their child such as likenesses in personality and are inclined to use family resemblances to their own evolutionary



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advantage. They may for example, use the presumed likenesses and similarities between alleged father and child to reinforce discussions surrounding paternal certainty. These claimed resemblances then serve to persuade the father of parenthood, which in turn ensures paternal investment for the child, thus increasing both the child's chances of success (vs. peers) and the mother's reproductive success. Unfortunately, this also has undesirable consequences for the male who has been cuckolded into raising another man's child since it has the effect of reducing or indeed eradicating, their own genes from the gene pool.

This issue has never been more alive than it is today, as there has been a shift from social affirmation to social non-affirmation largely as a result of the use of social media. For example, comments

posted on Facebook make the social non-affirmation very public, whereas before the advent of social media it was more likely contained to a close group of friends or family. This public display of clues to either paternity or non-paternity has the effect of raising the stakes for mother, alleged father, rival males and associated social destabilisers (who may have a variety of motives). To gain certainty and quell rumours, individuals often turn to a DNA test as the only means of delivering parental certainty.

The question of paternity may then spill over into the legal/social services sphere as a tactic in family disputes, where one or more party is trying to reduce their responsibilities or undermine another's position with respect to parental investment or indeed, vice versa. "More or

less" parental investment is a key driver in the resolution of the dispute and a DNA based paternity test becomes a crucial piece of evidence providing clarity where only doubt existed before.

The social mirror in the context of today's society can be a dangerous weapon, but is one that can be effectively countered by use of an unequivocal paternity test from an accredited DNA testing company such as our own.

**Ms Kate Donkin** (Psychology Intern) and **Dr Neil Sullivan**, General Manager. Both of Complement Genomics Ltd, trading as dadcheck@.

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# Book Review: Legal Risk Management, Governance & Compliance



**Interdisciplinary Case Studies from Leading Experts**

Consulting Editors:  
Stuart Weinstein and Charles Wild

ISBN: 978 1 90941 651 2

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**GLOBAL BRANDS: CASE STUDIES ON RISK MANAGEMENT, GOVERNANCE AND COMPLIANCE – THE LATEST TITLE FROM GLOBE LAW AND BUSINESS**

An appreciation by **Phillip Taylor MBE** and **Elizabeth Taylor** of Richmond Green Chambers

Anyone involved in risk management – and who isn't these days -- should get this book. In this case, to be precise, the area under scrutiny is *legal* risk management, together with governance and compliance, as the title indicates.

Published recently by Globe Law and Business, this is a collection of articles by internationally recognized experts on carefully selected case studies -- each based on rigorous research -- and each

a riveting and often sobering narrative of the triumphs and disasters resulting respectively, from triumphantly good -- or disastrously bad -- risk management practices. The salutary lessons in every chapter amply illustrate what -- and what not to do -- in planning and implementing an effective risk management strategy.

The book kicks off with the biggest and most compelling case study of them all -- one with world changing consequences and yet to be resolved: Britain's momentous decision by referendum to exit from the European Union. Editors Stuart Weinstein and Charles Wild, together with Matthew Whalley, refer to it as 'Brexit and Legal Risk: a Case Study in the Making.

It is fair to say that each of the case studies covered holds its own special fascination. Take for example, the scandal of FIFA and the high-profile investigations concerning its governance in which corporate governance is of course, the key issue. Analytically discussed here is the intervention by the U.S. Department of Justice in the form of a 47-count indictment against fourteen Defendants (including one at the top of the tree).

The further discussions on compliance issues include an article on aviation safety considerations, including flight path monitoring, flight into terrain (FIT) and

approach and landing (ALA) accidents which, say the editors, 'have been targeted as being amongst the primary killers in the aviation world.' (Better not read this if you are planning to fly anywhere any time soon).

Compliance issues also arise in the terse and information-rich discussion of the case of the Attorney General of the State of New York v Barclays Capital Inc., a complex matter involving technology-based marketing of securities in contravention of an anti-fraud statute known as the Martin Act. The article describes the ramifications and the consequences, not to mention the eventual costly outcome.

With its focus on cases involving big international brands and big money -- and the resulting diverse array of insights and revelations, the book should prove an eye-opener to practitioners, particularly international lawyers and indeed anyone involved in the management of legal risk in both the private and public sectors and the non-profit sector as well.

Note also that the book is intended as a case study companion to Globe's previously published bestseller: 'Legal Risk Management, Governance and Compliance: A Guide to Best Practice.

The publication date is cited as at 2016.

# Research sheds new light on charitable legacies



New research launched by the Law Society provides valuable insights into how solicitors can help their clients use their wills to support charities.

Commissioned by Remember A Charity and conducted by the Behavioural Insights Team ('Nudge Unit') and the University of Bristol, the research has examined the way that solicitors raise the issue of clients leaving money to charity in their wills. It highlights the impact of different approaches and how these produce different results in charitable giving.

'Writing a will is an important step in ensuring that the people, and causes, we have cared about will be properly looked after when we pass away,' said Law Society president Robert Bourns.

'Solicitors have a vital role to play in this process, using our legal knowledge and experience to give our clients the reassurance that their wishes will be properly carried out. This research makes an important contribution in helping solicitors think about how we give our clients the best possible support and service in the will-writing process.'

The research was conducted using randomised control trials in eight firms of solicitors around the United Kingdom. It tested a range of ways of raising the subject of charitable giving, and shows the different results that each produces.

Findings of note from the report include that:

- Solicitors felt able to raise the issue of leaving money to charity in discussions with their clients comfortably and appropriately
- Clients who were told that many people bequest money to charity in their wills were 40 per cent more likely to do so themselves when writing their first will, and
- Clients with families may be more inclined to leave a legacy when asked if they wanted to leave to charities that their family had previously supported or benefitted from.

Rob Cope, director of Remember A Charity, said: 'Legacy giving has become increasingly important to UK charities in recent years, generating around £2.5 billion for good causes annually and its impact on charitable services is immense. But, despite being a highly philanthropic nation, a relatively small proportion of people leave a charitable bequest in their will.'

'Many simply don't realise that legacy giving is an option for them; that they can provide for family and friends and still have the opportunity of including a charity if they wish to do so. The role of legal professionals is crucial in making clients aware of all the opportunities they might want to consider when writing a will.'

The research also surveyed the public on their views about solicitors raising the issue of leaving to charity when helping a client write their will. This survey showed 69 per cent of people indicated that they would be happy for their solicitor to raise the issue, and 46 per cent thought a solicitor had 'a duty' to raise the option of such a legacy giving when discussing a will.

'We know that there's a big gap between the 35 per cent of people who say they want to leave a charitable legacy in their will and the around six per cent of people actually do,' said Robert Bourns.

'By improving our understanding of how to raise this important question, solicitors will be better equipped to assist our clients in drafting a will that properly reflects their wishes.'

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Capuchin monkey Grips, victim of the UK primate pet trade; (L) on arrival and (R) enjoying life at the Wild Futures Monkey Sanctuary

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## Flood risk: forewarned is forearmed.

Clients need accurate and up to date information to protect themselves against flood losses

Winter 2015/2016 was the warmest and wettest on record in the UK. Last year's winter storms were as bad as those in 1947, and 2015 ranked as one of the two worst years for flooding in Britain in the past 100 years, according to a study by the Centre for Ecology and Hydrology, published this month to coincide with the first anniversary of Storm Desmond.

The storm, which struck on 5th and 6th December last year and devastated large swathes of Cumbria, led to an insurance bill of more than £1.3 billion and left 700 people still unable to occupy their homes 12 months later.

But despite record rainfall – with over 13 inches falling in a 24 hour period at Honister Pass, Borrowdale – damage done by the 2015 floods was less than that in the flooding of 2007 and 2000. Here in the Midlands, the storms of June 2007 saw the region getting more than 260% of its average rainfall.

Global climate change, socio-economic development and population growth is impacting on the World's ability to cope with flooding. The World Resources Institute estimated last year that 80,000 people in the UK could be affected by rising tides by 2030 if investment in flood prevention is not increased.

It is estimated that as many as one in every six UK homes is at risk of flooding from coastal, river or surface water, highlighting the urgent need for homes

in affected areas to have appropriate flood insurance.

Until recently, householders faced hefty increases in their insurance premiums if they were deemed to be in a flood risk area, leaving some homes and families with little or no help if the worst happened. In April this year, however, the insurance industry set up Flood Re, an initiative designed to help households in at-risk areas find affordable flood insurance, which means many more homes should be covered if and when the storms strike again this winter.

Flood risk reports are becoming increasingly important when homes are bought and sold, and are a vital part of every conveyancing transaction. This is recognised by the Law Society which notes that, "in all conveyancing transactions, when acting for a prospective buyer, tenant or lender, a solicitor should mention the issue of flooding to the client and where appropriate make further investigations."

As well as making enquiries with the seller and undertaking a physical inspection of the home, the Law Society recommends that flood searches are carried out using a professional search organisation such as Index Property Information.

A UK-wide search provider with locally-managed offices, Index offers unparalleled access to all relevant flood risk searches from rivers, coastal, surface and ground water. Its local office is

headed by Kate Bould, who points out that Worcestershire's many beautiful rivers have historically made the county very susceptible to property damage from flooding.

*"The Severn, Teme and Avon have all caused major problems for Worcestershire properties in my lifetime," she said.*

*"Despite investment in flood defences in recent years, it's vital for homeowners to know about potential risks to their property and be aware of the insurance arrangements they need to make. This is something that conveyancers need to have at the top of their minds when providing valuations and recommendations for buyers and re-mortgagers.*

*"Index flood reports will indicate if a property is at risk from flooding from any source, not just rivers, and also the likelihood that reasonably priced insurance would be available for that property under the Flood Re scheme."*

Homebuyers in many areas of the county will be more aware of the need to account for flood risk when buying a new home. With the help of Index Property Information, solicitors can provide timely, accurate and comprehensive information, giving clients the vital knowledge to proceed with their transaction.

**Index Property Information can be contacted by email - [westmidlands@indexpi.co.uk](mailto:westmidlands@indexpi.co.uk) or phone 0121 546 0377.**

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## Top Trump?

As we approach the end of 2016, businesses, investors and the general public will look back and perhaps not quite believe what has happened – Brexit, Donald Trump and even Leicester City winning the Premier League!

With Brexit and the US election this year we have had two major events with a binary outcome. As investors on behalf of our clients, and custodians of hard-earned and long-term wealth, it is not our right to take positions solely based on one outcome or another. We did not expect Brexit or a Trump Presidency but we did acknowledge the possibility of these outcomes and took steps to adjust portfolios to account for the increased political risk. It is at times like these when a diverse portfolio structure will prove resilient.

Brexit has been discussed in previous editions so let us consider what we should expect from the Trump Presidency. As with Brexit the resultant outcome proved the polls wrong. The initial market reaction to the result has been less volatile than the expected equity market falls of between 5 and 10%. His statesman-like acceptance speech, unlike the divisive nature of his campaign, calmed markets in the immediate aftermath.

At this stage it is difficult to know how many of his campaign promises will be watered down or disappear altogether. Equity markets have not fallen as sharply as perhaps expected but this is not a reason to be complacent. On one hand Trump's reappraisal of America's embrace of open trade will not encourage business to fund new investment. This increased risk aversion will likely continue to be a weight on growth

until we more fully understand the nature and extent of this change. On the other hand with the Presidency and both Houses under Republican control the environment for passing legislation is improved. A fractured support within the party provides some moderation of his executive authority.

Politics will continue to dominate the headlines as we move towards 2017 with elections in France and Germany (the Italian referendum outcome will be known when you read this). Despite the shock Brexit vote, Article 50 is yet to be triggered and there is no clear timetable. Fundamental factors remain broadly neutral but the political risks tilt the balance so that we remain tactically cautious. Volatility is currently low so it should be expected that at some point we will see this increase in 2017. Nevertheless our positioning and long-term perspective leaves us well placed to take advantage of emerging opportunities.

Maybe 2017 will also be a year of the unexpected. Against consensus opinion even Donald could turn out to be a Top Trump. Wishing you all a very merry Christmas and a prosperous 2017.

Please bear in mind that the value of investments and income derived from them can go down as well as up.

Michael Matthews  
Investment Director  
Investec Wealth & Investment



To see how we could be of service to you please contact Michael Matthews on **0121 232 0700** or email [michael.matthews@investecwin.co.uk](mailto:michael.matthews@investecwin.co.uk)

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