



LOCKDOWN Q&A



*Our members
explain how
to keep your
sanity in self-
isolation!*

See p.11

ALSO: • Local News • Conveyancing: Adapting to the 'New Normal' • No Fault Divorce to be enshrined in Law & more...

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President's Introduction



Dear WLS members,

I do hope that you are all keeping well and have now adapted to the various changes instigated by the onset of Covid-19. These continue to be challenging times for many not just in the legal industry but in the world more generally. It appears we are now seeing some light at the end of the tunnel and we can only hope that the road to that light is a smooth and seamless one.

I am extremely conscious that we have been unable to provide any further updates in respect of the WLS Awards 2020 for a few months. We have been keeping the government guidance under careful review and continue to do so. At the time of writing this in mid-June I am conscious that there is likely to be a further and significant change to the guidance in early July and so we anticipate being able to provide a firm update as to our plans shortly after that. It does however appear very likely that the awards will be scaled back although to all those nominees anxiously waiting to find out the results and how it will work, I will ensure that you are the first updated as to our new plans as soon as they are finalised.

So far as further events are concerned we are obviously and understandably limited as to what we can offer given the restrictions/guidance in place. We are looking at hosting virtual webinars with prominent local Chambers and will update you

by email once the details have been finalised. If anyone has any ideas for any further events or indeed would like the webinars to cover a specific topic then please do get in touch with me directly or another member of the WLS Committee.

I would like to thank the various contributors to this edition of the Pears. One benefit of lockdown is we have seen a higher number of articles and written pieces prepared some of which are included and I hope you will find interesting and insightful.

Finally, I'd just like to reiterate the message I conveyed last time. If I, or anyone on the WLS committee, can be of any assistance to any business at this difficult time then please do not hesitate to get in touch.

I regret to inform the Membership that, at the time of going to press and since writing this Introduction, I have been informed of the sad passing of John Brookes who was a former partner at Cox and Hodgetts in Evesham and a former President of the Worcestershire Law Society. Our thoughts and sympathies are with John's family and friends at this difficult time and on behalf of the Society I offer condolences. It is hoped that a tribute to John will be included in the Autumn edition of The Pears.

Best wishes,

James Osborne,
President, WLS
2019-2020

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Promotions at all levels as HCR rewards talent



Helen Higginbotham

Recognising talent at all levels of the firm, Harrison Clark Rickerbys has announced 26 promotions across six of its nine offices, with one new partner and 11 promotions to the new post of legal director.

Wills, trusts and estates specialist **Tom Murphy-Kirkhope**, based in Cheltenham, becomes a partner – he said: *‘I’m obviously delighted by this promotion; I have been with HCR for eight years and have had great opportunities to develop my career here. The current situation is difficult for so many people, raising all kinds of issues around their plans for the future, and I’m glad that I can help people through it.’*

Richard Knight, senior partner, said: *‘This is one of our most significant rounds of promotions – we are very fortunate to have such a wealth of talent and commitment within the firm and we want to make sure that our colleagues at all levels are rewarded for their professionalism and dedication. I congratulate all of them.’*

Taking up the position of legal director, which enables senior associates to develop their technical, specialist or sector-related skills at a higher level, are:

- Georgina Burrows (family law, Birmingham)
- Maxine Reid (family law, Hereford)
- Nick Gova (family law, London)
- Helen Higginbotham (corporate, Worcester)
- Caroline Levis (corporate, Worcester)
- Stephenie Malone (corporate, Worcester)
- Patricia MacKenzie (commercial, Worcester)
- Hayley Phelps (restructuring & insolvency, Worcester)
- Tom Williams (dispute resolution, Worcester)

- Guy Hollebon (employment, Wye Valley)
- Freddie Govier Wright (real estate, Wye Valley).

Moving up to senior associate are five lawyers – Adam Barrett and Kate Hallifax from the Cheltenham dispute resolution team, Alex Wilson (family law) and Laura Greenman (real estate) based in the Wye Valley office and Roz Gergees in the London restructuring and insolvency team.

Nine others are moving up to become associates:

- Shereen Chohan (family law, Birmingham)
- William Hallett (real estate, Birmingham)
- Rhiannon Anderson (family law, Cheltenham)
- Cris Manuel-Hughes (dispute resolution, Cheltenham)
- Hannah Wilding (education, Cheltenham)
- Fiona Phillips (real estate, Hereford)
- Penny-Jo Wilson (family law, Hereford)
- Eimir Tuckett (real estate, Worcester)
- Lara Wilkinson (wills, trusts and estates, Worcester).

New head of construction and engineering team for HCR

Leaving Harrison Clark Rickerbys’ construction and engineering team in experienced hands, Andrew James has handed over leadership after more than 10 years in the role to colleague Keith Blizzard in a move which enables Andrew to develop his role in the industry more widely.



Keith Blizzard

Keith, who was the first RICS member to be approved as a non-solicitor partner, took over the team as from April 1 - well known and highly regarded in the industry, he is a chartered quantity surveyor, chartered construction manager, chartered arbitrator, panel adjudicator

and commercial mediator. Having also previously run his own quantity surveying and project management company, he knows the industry from the inside out.



Andrew James

Andrew, who remains a partner at HCR, will continue to look after his clients and contacts, but the change in role will give him more time to focus on other industry matters, including his new role as chairman of the Technology and Construction Solicitors Association’s (TeCSA) Adjudication Committee. He has been responsible for TeCSA’s Low Value Dispute (LVD) Adjudication Service, designed to make adjudication more affordable for SMEs and individuals, the first such service launched in the UK. He is also chairman of the Herefordshire and Worcestershire Constructing Excellence Club (HAWCE), which promotes best practice in the industry.

He said: *‘I am delighted to hand over the reins to Keith, who I have known, liked and respected for many years, and who I was pleased to recruit to HCR in 2017. This transition has been in the planning for over a year now, and I know the team will be in good hands with Keith. I am particularly pleased that we are continuing to offer the multi-disciplinary approach of having not only lawyers, but also quantity surveyors, and other construction professionals in the team, which I know our clients value.’*

Keith said: *‘The holistic approach our team offers our clients is a real advantage and while it is a daunting task to follow Andrew, we have been working together, so the transition will be seamless. His outstanding legal expertise, experience, sense of humour and client focus will continue to be of huge benefit to all of us and I look forward to supporting Andrew as he develops his many interests and responsibilities in both the legal profession and the construction industry.’*

Partner and associate promotions at law firm mfg Solicitors

Worcestershire law firm mfg Solicitors has announced eleven promotions including two new Partners, seven Senior Associates and two Associates.



Helen Gough

Respected agriculture and rural affairs expert Helen Gough is promoted to Partner. Joining mfg Solicitors in October 2014, Helen has played a key role in expanding the firm’s farming and rural business client base.

The second promotion sees wills, trusts and power of attorney specialist Janna Vigar being appointed as a Partner. Janna joined mfg’s Private Client division, one of the largest in the region, in 2015.

Seven lawyers have also been promoted to Senior Associate level.

Award-winning farming and rural affairs solicitor Alexandra Phillips is promoted to Senior Associate, while within the commercial property division, lawyers Ben Rothery and Rhiannon Clark also become Senior Associates.

Also promoted is wills and trusts expert Andrew Chandler, family lawyer and child care specialist Rupinder Nandra, Attorney and Court of Protection Deputy Gill Browne, and Sally Smith from the firm’s Private Client team. In other key promotions, rural affairs solicitor Hannah Taylor and civil litigation expert Poonam Barnes are promoted into Associate roles.

Maynard Burton, partner and chairman of mfg Solicitors said: *‘These are difficult and challenging times for all businesses so I am delighted to announce these promotions in such a wide variety of specialisms.’*

‘Helen and Janna have been with the firm now for several years and continue to impress and support clients consistently

with their breadth of advice and experience. Meanwhile, having so many more rising stars stepping up to become senior associates and associates shows we are well prepared for the future.’

With offices across Worcestershire, Shropshire and in central Birmingham, mfg Solicitors employ 212 people, including 38 partners advising on a range of commercial and private matters.

Biographies of all 11 solicitors can be found at mfg’s website.

Shareholders urged to check their rights in company disputes



Samuel Pedley

Shareholders who do not own a controlling stake in businesses are being urged to check their rights in the event of disputes with directors and other stakeholders.

Commercial litigation lawyer **Sam Pedley** believes too many minority shareholders think they have to ‘sit on their hands’ and just accept decisions they think are wrong being forced through by those with the biggest stake in the business.

But the partner at Worcestershire law firm mfg Solicitors said they should not just live with the consequences, particularly as it could result in them losing out financially or to the detriment of the Company, if they fail to act.

Mr Pedley said: *‘How much of a say you have depends largely on what proportion of the shares you own, but some minority shareholders may have more power than they think.’*

‘Some shareholder agreements grant rights of veto on certain actions, such as selling particular assets or making Company strategy decisions.’

‘There’s also the right to raise an unfair

prejudice petition if the company’s affairs haven’t been conducted in a fair way or if the directors are paying themselves far too much money.

‘Shareholders also have powers to wind up the company although that really is very much the last resort and they would need strong evidence to show they had been frozen out.’

Mr Pedley added that shareholders should seek legal advice about the rights they have under their agreements, Company constitution and the protections offered by the law if they think the majority shareholders or directors are doing the wrong thing.

‘There are protections and a variety of tools available to address these issues but too many minority shareholders don’t know about them and end up just cutting their losses or sitting on their hands,’ he said. *‘I see it too often and it doesn’t have to be that way.’*

Mr Pedley, an award-winning lawyer who is also recognised in the Legal 500 and Chambers and Partners for his legal advice, can be contacted for advice through www.mfgsolicitors.com or by emailing samuel.pedley@mfgsolicitors.com.

Shorter shop leases loom as coronavirus accelerates change on the high streets



Clare Regan

Shorter and more flexible leases on shops across Worcestershire are likely to become the norm while some stores may even be turned into homes as a result of the coronavirus pandemic, a leading property lawyer has said.

Research suggests only a third of rents due in the retail and leisure sector were actually paid in March and that things were looking just as bleak for June.

Continues on page 10



Kate Bould



Conveyancers: are you getting best out of your search provider?

As Managing Director of Index Property Information West Midlands, the Covid 19 crisis has given me the opportunity to think about how we, as a company and individuals, can be more valuable and helpful to our clients, and even other conveyancers too, in these difficult times.

Furloughing, remote working, dealing with home-schooling and other factors have thrown the usual office hours day out of the window for many people, so with this in mind, we've set in motion a few initiatives that we hope will help you.

Whether you're an Index PI conveyancing client or not, all of these are for you:

Free Webinars On-Demand for all Conveyancing Teams

We've put together an interesting, industry-relevant schedule of webinars, that are now also available for you to watch on-demand.

Look at the schedule below, if can't make one, simply send me a direct email to kate.bould@indexpi.co.uk and I'll send you a link for the recording within a few days of the event. More webinars to come!

07/07/2020	10.00am	Report on Title - Reporting Post COVID-19 by Lesuire
08/07/2020	11.00am	Land Registration and Residential Conveyancing by Stewart Title
15/07/2020	11.00am	Contaminated Land in Residential Transactions by Gmuretzke
20/07/2020	10.30am	Lender Handbook Compliance Gamble - Evening up the Odds by Lesuire
21/07/2020	10.30am	Lender Handbook Compliance Gamble - Evening up the Odds by Lesuire

Social Media for Conveyancers in Worcestershire & the West Midlands

We have launched our own regional social media channels on [LinkedIn](#), [Twitter](#) and [YouTube](#). These channels went live this month and will be the best place to keep informed and bang up-to-date with:

- Industry news
 - Legislative changes
 - Exciting new product releases
 - The latest conveyancing advice & tips
- And anything else we think will be useful and help you!

New Website for Conveyancers in Worcestershire & the West Midlands

By the end of July, we will have also launched our new website, specifically for our region. Along with the continued support of our national teams across the UK, having our own platform will enable us to be even more relevant to our clients and prospects, here in Worcestershire and across the rest of our West Midlands region.

We'll announce the new website launch on our social media channels, in the coming weeks - so make sure you're following us.



We're now collaborating even more with our world-class, service provider partners, using our combined expertise to share news and insights with you, through all media including; our webinars, social media, website, or via email.

I hope you'll find these latest developments useful and I welcome any suggestions you might have for how we can be even more helpful to you, in the what will undoubtedly be challenging times ahead for us all.

Best regards

Kate

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News News News News News News

Now **Clare Regan**, Partner and Head of Commercial Property at Worcestershire law firm mfg Solicitors, said the entire rental market up and down the high streets could be about to change.

"Change has been coming in retail but it's estimated the pandemic and subsequent lockdown has accelerated that change by as much as five years. Savvy occupiers will increasingly be using an internet platform coupled with a smaller property footprint to sell their goods. They will be looking for regular break rights in their leases if trade falls and rent suspensions if they can't trade at all", she said.

"It is possible that high streets and business parks may be able to adapt better than big shopping centres, which have some very high overheads and are less flexible in the way they can be used.

"Owners may need to think creatively about alternative uses for their buildings; looking at residential, industrial or even retirement living depending on the property"

Ms Regan said it was premature to talk about the end of the high street but that some types of shops that were already in decline, such as fashion chains, may disappear quicker as even more people have got used to buying online while staying at home.

She added: "Property owners need to have a dialogue with their occupiers and look to come up with the best way to help them stay in business and keep them paying rent.

"There will still be a high street to go back to when the lockdown ends, but it's not going to be the same as the one we last saw before the world changed in March."

For advice on commercial property matters contact Clare Regan through clare.regan@mfgsolicitors.com or by visiting www.mfgsolicitors.com

Worcestershire law firm appoints new head of growing corporate team



Clare Lang

A county law firm has appointed a new head of its Corporate department following a period of sustained growth.

mfg Solicitors, which has its Worcestershire offices in Kidderminster, Worcester and Bromsgrove, has appointed partner and corporate law specialist Clare Lang as head of department.

Ms Lang, who joined the 38-partner law firm in 2018, will now lead the team which specialises in mergers and acquisitions, business disposals, management buy outs, reorganisations, and a series of business-related commercial and finance matters.

She will work closely alongside widely respected corporate and commercial partners, Stephen Wyer and James Hayes.

Maynard Burton, partner and chairman of mfg Solicitors, said: "When Clare joined us two years ago I said how she was a first-rate and hugely admired corporate and commercial law specialist. During that time she has added significantly to our Corporate offering and has been a key driving force behind the department's growth, both regionally and nationally.

"Now as head of department she will play a key role in developing the department further."

Clare Lang added: "I'm thrilled to be appointed as head of department following two years of really impressive growth in the team.

"I am ambitious to continue to grow and develop our corporate offering and client base further. Despite these difficult times, we are continuing to make deals for our clients and completed five major transactions in the first half of June alone.

"I anticipate a variety of restructuring work in the next few months as businesses impacted by the Covid-19 crisis make changes to their corporate structures. Commercial contract work is also buoyant and our clients in the health and medical, food and distribution sectors are performing well within new markets created by the current situation.

"I am very positive about the potential for further growth and excited to be leading the team going forward."

Lockdown Q&A

Alex Phillips



Describe your "Lockdown Look":
Dragged through a chip pan then a hedge backwards"

What Top 3 things are you looking forward to following lockdown?:
Seeing my godchildren (Jossy, Pippa, Charlie and Freddie), going to the pub with friends and rugby coming back!

Describe your favourite daily exercise escape:
6.45am 5 mile stomp from my house through the countryside to Littleworth. (Photos attached).

What are your lockdown survival tips?
Don't read or watch the news! Very unusual for me! I have kept up to date where possible, but tried to avoid all the doom and gloom where possible.

What's the first answer that comes into your head - Tea/Coffee?
Coffee!!

Biscuit/Cake?
Biscuit!!

Walk/Run?
NEVER run!

Zoom/WhatsApp?
House Party!

Bother with hair/What's a brush?
I don't even know where my brush is anymore.

Favourite lockdown social activity:

We have been doing a lockdown quiz every Friday with the group of friends normally go to the rugby at Sixways with... naff trophy included! (See below)



Laura Osborne



Describe your "Lockdown Look":
"Loungewear Chic...!"

What Top 3 things are you looking forward to following lockdown?:
Seeing my nephews and nieces, meeting friends and family in a bar/pub garden, going on holiday!!

Describe your favourite daily exercise escape:
I've been loving going for lovely sunny

Favourite lockdown social activity:

walks down the canal in Stoke Prior by my house (pic attached).



What are your lockdown survival tips?
Don't worry too much about what everyone else is doing, just stick with doing what you feel comfortable with.

What's the first answer that comes into your head - Tea/Coffee?
Coffee Am, Tea pm!!

Biscuit/Cake?
Cake

Walk/Run?
WALK

Zoom/WhatsApp?
WhatsApp

Bother with hair/What's a brush?
I did have a quick spell of a lockdown pink hair do....! (Pic attached)

Favourite lockdown social activity:
I think as most people have been we have been doing weekly quizzes and race nights via zoom with friends and family. I have also been really enjoying baking, and learnt how to make dough - started with making a pizza! (Pics attached)



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Canine Care Card



Poppy's second chance at love

Poppy's owner first contacted her local rehoming centre and said she needed to hand Poppy, a four year old Chihuahua cross, over to us as she had sadly recently been given a diagnosis that she had a terminal illness. She was advised to apply for a free Canine Care Card and nominate a Dog Guardian; someone she trusts to sign over the care of Poppy to Dogs Trust should she need it. She'd then be able to spend the most time possible with Poppy and feel reassured that she'd be given the best possible care at Dogs Trust when they could no longer be together.

When Poppy's Dog Guardian contacted us to advise that her owner was now receiving palliative care and that they needed to activate her Canine Care Card. Poppy was collected by Dogs Trust the very next day. After a vet and behavioural assessment we decided the best place for Poppy would be a loving foster home. We were able to advise the foster carers of all the information we'd been given by Poppy's owner regarding her life, diet and routine to enable us to make this transitional period as stress-free as possible for Poppy. Within almost no time, we were able to find very affectionate Poppy a lovely new home for her second chance at love.

Poppy's story is one of many we come across at Dogs Trust. Many owners are growing increasingly worried about gradually losing their independence or their health deteriorating. Dogs Trust want to offer owners peace of mind that we will be there at this difficult time to care for and rehome their four legged friends should the worst happen.

Therefore we're pleased to announce that we have extended our Canine Care Card service. Dogs Trust will care for your dog should you move into a care home, become seriously ill or pass away.

For more information on our Canine Care Card service and how to register your dog please type in this link www.dogstrust.org.uk/ccc where you will find our online application form and more information on our free service.

If you have any queries regarding the Canine Care Card please email CCC@dogstrust.org.uk or call 020 7837 0006 and we will be happy to help.



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Why the surge in demand for Will-writing could be instrumental to the charity sector's recovery

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It's hard to imagine life in the UK without access to emergency services like air ambulances and lifeguards, hospices and NHS charities, not to mention food and sanitation supplies for those living in isolation during lockdown. But the coronavirus has had a devastating impact on charities and that puts the future of such vital services in peril. Against this backdrop, charitable bequests have a critical role to play in the nation's future.

In time of crisis, it is legacy donations – many of which were pledged years or even decades previously – that have the potential to sustain charities and frontline services over the long-term. And, with the Law Society, solicitors and charities all reporting a marked increase in demand for Wills, this could yet be a crucial silver lining, helping to reduce intestacy and encourage the public to consider how they wish to benefit family, friends and good causes once they are gone.

Critical income shortage
A doubled-edged sword for charities, the coronavirus has thrust the UK charity sector into a heavy funding shortfall, while bringing about a spike in demand for services. For weeks on end, charities' ability to fundraise has been hugely compromised, with sector studies projecting income losses well over £4 billion.¹

Critical income shortage

While the public's gifts in Wills may be a saving grace, they are by no means immune. Legal advisers will recognise the difficulty in witnessing Wills and completing estates during lockdown, meaning that very little funding from bequests has made it through to intended charities' accounts, stalling cash flow.

Charitable estates are likely to have lost value with the stocks, shares and property markets all taking a heavy hit, but charities recognise that supporters' bequests will filter through down the line. We just have to hope that donations can be processed as swiftly as possible, minimising disruption to frontline services.

There's no doubt about it, it's been an incredibly tough period for charities. But, reports of a peak interest in charitable Wills – the largest source of voluntary income – brings a beacon of hope that has never been more needed.

Growing appetite for charitable Will-writing
Just the other day a fundraiser told me that his charity – a small organisation – had taken more Will-writing enquiries during one week in April than over the past twenty years. One well-known charity reported an 80% increase in web traffic to the charity's legacy giving pages in the first week of lockdown and twice as many people are currently visiting Remember A Charity's 'Making A Will' page as would do normally.

As is so often the case in times of crisis, the global pandemic has brought people together, motivating them to think about what really matters to them and what they can do to help. The public's appetite for charitable giving and helping communities around them seems to be at a record high.

But, could this rise in demand for charitable Will-writing really help charities recover from such hefty losses?

When you consider that, although 40% of the over 40s² say they would be happy to leave a gift in their Will but that, currently, only around 6% of people that die do so, there is a massive disconnect here. Legacy donations raise over £3 billion for charities in this country annually – a phenomenal sum. So, even just a small increase in the proportion of people choosing to give in this way could make a considerable difference to charities' income.

Importance of Will-writing advice

Solicitors and Will-writers have a critical role in ensuring that every client understands that they have the option of donating from their Will, after taking care of their family and friends. These conversations really help to break down myths that a legacy donation doesn't have to be large sum – every gift matters – and that it can include absolutely any charity or community organisation, as well as their loved ones.

Studies show that even the simplest reference by solicitors to the option of including a donation can make a huge difference to the number of people that choose to leave a bequest. So, we're asking legal advisers across the country to raise the topic with Will-writing clients and join our network of campaign supporters and web listing of legal advisers for legacy giving.

If charities and the legal sector can build on this uplift in demand for Will-writing, ensuring every conversation end of life planning includes a reference to the opportunity of leaving a charitable bequest³, I believe that this could be a pivotal opportunity to secure the future of vital services, while ensuring the public's final wishes are met.

Rob Cope is director of Remember A Charity – a consortium of 200 charities with a network of legal advisers (Campaign Supporters), working to normalise legacy giving in the UK. Find out more about becoming a Campaign Supporter at www.rememberacharity.org.uk.

¹Institute of Fundraising, Charity Finance Group, NCVO (2020)

²One Poll (2019)

³Behavioural Insights Team (2013)



It's not every day you think about your Will and we understand your family and friends will always come first when making decisions about your estate. But once you've taken care of your loved ones, maybe you could consider including a gift in your Will to the Children's Air Ambulance.

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If you do wish to leave a gift in your Will, you can name the charity as a beneficiary as either the Air Ambulance Service or the Children's Air Ambulance. Our Registered Charity No. – which covers all services – is 1098874 and our address is Blue Skies House, Butlers Leap, Rugby, Warwickshire, CV21 3RQ.

If you would like to talk to someone about the way of giving then please call Chloe Bass on 03003 045 999, or email us at legacies@theairambulance.org.uk

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LITIGATION.

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we have access to all registries and can locate current and recently closed financial accounts. Our tracing systems can be used to locate linked addresses to persons or companies.

We can locate any written word about an individual or company Worldwide, this again is a great tool for locating or starting an investigation.

The most important thing for litigation is recovering monies for clients, however if the target has no recognisable or hidden assets, it can become an expensive folly. That is where we can assist by doing checks and searches in quick time so saving you and your clients unnecessary expense and wasted time.

Another interesting tool at our disposal is social media tracing. Why? Well everyone uses it, and when used it leaves a location trace. We can map that and use it to geo-locate the target. It can also be monitored to collate intelligence against the subject and any associations that maybe pertinent to your case.

Our financial tools allow us to find any recently opened accounts or indeed closed ones. The details within these are not available to us legally but only show their existence. ISA's, land and property registers are used too.

MATRIMONIAL

Foxtrot have helped in many cases of this nature. We have vast surveillance experience due to our Government service. But there are other tools we have that can really help your clients anywhere in the World.

The systems used for litigation are clearly there for you to access but here is how they differ for Matrimonial cases. Social media can obviously show your targets activity, but we can go back six years into that search. We can also find

an association with another individual you have identified, that can show if Mrs A was in London and where, but was your target there in London at the same time? Where they at any other locations any other time? Did Mr A play golf or attend a football match etc. The possibilities for you are endless.

CRIMINAL

The social media service can help your client if they were accused of being in a certain location or indeed if they were accused of being guilty by association. We can show where your client possibly was at that time.

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SUMMARY

In general, our services can be used in any bespoke service you require. We cannot list everything, but we have given you a quick summary of services we think you will find especially useful. We use the same identity checking software as Law enforcement and Government departments. The validation takes under ten seconds and shows forged or tampered documents.

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2020 Conveyancing: Adapting to the New Normal



We're half way through 2020 and what a year it has been so far. It's fair to say it's not necessarily the year we had all

The group's proposals included getting the home moving market working quickly by defining a 'safe move' and ensuring that the sector is one of the first to reopen under the phasing out of 'stay at home' measures.

In addition, ensuring that those who were part way through a transaction are protected by lenders continuing, where feasible, to honour mortgage offers. Providing a fiscal stimulus for the market, enabling a speedier recovery, as well as ensuring the Coronavirus Job Retention Scheme was extended for businesses beyond the restart of the market, to allow firms to rebuild income.

Since writing to the Secretary of State shortly after the housing market was paused, the group held a number of virtual meetings with policymakers across government.

Businesses across the conveyancing industry face particular challenges from Covid-19. The time it takes for the pipeline of transactions to be rebuilt, and the receipt of income on completion by many in the sector mean the right policy decisions by government are essential to support the market's overall recovery. After all, the market has the potential to act as an important catalyst for the wider economic recovery: home movers on average spend £12 billion per annum on furnishings, improvements and appliances supporting small businesses and the high street.

On 13 May, the Government gave the industry the go ahead to restart England's property market, which includes a Safe Working Charter plan. In doing so, over 380,000 properties that were 'sold subject to contract' but unable to complete were effectively

released, as well as providing an important fiscal stimulus for the overall economy.

Data from 'Derbyshire Live' reported that only six sales were registered in Derby during March¹, which represents a drop of 87% compared to the same data analysed in February. With the market reopening, we're seeing a lot of movement once again, with more properties being listed for sale once again. A quick search of Rightmove at the time of writing shows the listing of over 320 properties in the last fortnight for Derby alone, and more than 1,300 for Derbyshire.

Now, we are working in an evolving 'new normal' with conveyancers either continuing to work from home, or in socially-distanced safe working environments that adhere to the latest guidance. The flexibility provided by online working and cloud-based software has come into its own this year, and many businesses will be looking at ways of extending this further to provide additional service enhancements.

We therefore await the next six months of the year to see what they will bring; one thing is for sure, property transactions will continue and we remain at your side to support you, your business and your clients.

Tony Rollason,
Regional Manager,
Landmark Information

Notes

¹ <https://www.derbytelegraph.co.uk/news/local-news/house-sales-start-recover-after-4144907>

planned for when considering our resolutions or business ambitions back in January.

At the end of March, we saw unprecedented restrictions come into force – essentially halting many business activities that could not be conducted safely, compliantly or from home. For property lawyers, while progress on transactions could happen behind the scenes for most, the inability of estate agents to actively market properties at one end of the chain, and for removers to support the physical moving process at the other, meant many transactions were in a state of limbo until the blockages at either end of the funnel could be removed.

As a business, Landmark Information Group worked with two other leading organisations that help facilitate a property transaction, to lobby the Government on how to safely 'kickstart' the housing market.

A letter was written to the Secretary of State for Housing, Communities and Local Government, Robert Jenrick, to detail their view of how government could quickly get the sector operating again and critically, bridge the gap until momentum gathers.

Working collectively to make the case to government, the aim was to support consumers while also protecting jobs across the property industry.

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INFORMATION

Navigating the evolving landscape of Professional Indemnity Insurance

To navigate the challenges of a hardening insurance market, law firms should now start prioritising the preparation of a high-quality Professional Indemnity Insurance (PII) submission ahead of the coming renewal period.

The insurance market has been awash with capital, leading to increased competition for business and a subsequent suppression of the rates insurers could charge. This has resulted in unsustainably low premiums compared to the claim payments being made by insurers, but sadly times are changing.

Claims activity has been the main catalyst for the significantly changing market conditions that we are experiencing. While frequency of claims has remained fairly consistent, severity of claims (the total value of losses experienced) has reached unprecedented levels.

We believe that the recent spring renewal period showed us what to expect going into August and September. Analysis of insight and trends from Lockton's portfolio indicates increased premiums within all layers but especially the working layer (the excess layer above your compulsory Insurance limit) where there is a lack of insurer options. With many primary insurers reluctant to offer long-term policy periods and those that did offer extended policies tended to apply an increase for the additional periods.

It is important to highlight, that the Insurance market conditions were hardening well before the Covid-19 outbreak. We believe this process is now likely to accelerate due to the pandemic, leading to a further hardening market.

While the sourcing of coverage may become more difficult for law firms, the legal profession in England and Wales is fortunately not experiencing reduced coverage as practices are protected by the Solicitors Regulation Authority's Minimum Terms and Conditions wording.

What to expect in the coming months

We expect underwriters to adopt an even

greater level of caution when they review enquiries in the forthcoming renewal season. Peer reviews will be conducted as standard, certainly when insurers are assessing new enquiries and regardless of the size of a practice and the proposed premium to be charged. More questions, including those related to Covid-19, will be posed and responses will therefore need to be reviewed by at least one other underwriter. This means the process of obtaining terms may take longer, especially considering most insurers will be working remotely.

Some insurers have already released early question sets relating to Covid-19, while others are developing supplementary questionnaires. We expect all of these to focus on three key areas: People, Finances and Risk, some of which will naturally interlink.

Navigating the challenges

Although the insurance market has adapted well to the 'new normal', some things are naturally taking a little longer than they would have done previously. As mentioned, a combination of the hardening market, increased peer reviews and greater caution from underwriters has made it more difficult to obtain insurance terms. This means those firms that are traditionally 'last minute shoppers' and which provide minimum information to insurers should not be surprised if they fall into the Extended Policy Period.

The insurance market is still active, but it is becoming much more selective. Underwriters cannot return a profit for their organisation if they do not write any business, but they will need greater convincing and will want to align their company's capital with well-run firms. At Lockton, it is our job to provide them with the reasons to do so, but legal practices cannot be blasé and we encourage them to approach renewal in the right way.

We believe taking these three key steps will help practices navigate the challenges ahead:

1. Start early – While we would expect insurers to prioritise their existing clients,

it is still important that you prepare your presentation earlier than in previous years. We recommend having your presentation prepared at least two months in advance of your renewal date as the process will generally take longer.

2. Prepare a quality presentation for insurers' consideration – this will help you stand out from the crowd. Make sure all the questions in the proposal form are sufficiently answered. Time will be limited so expect insurers to make a quick decision and potentially not offer any terms if your presentation is missing key information or if it is poorly presented.

3. Select your representative carefully and do not approach multiple agents as you will actually be doing your professional peers – and yourself – a disservice.

You may wish to consider the following key elements when selecting your representative:

- *What is their market reach - which insurers can the broker access DIRECTLY for you? Speaking directly to an insurer will help speed up the process and means your key message does not get diluted or misinterpreted.*
- *What is the experience and size of their team?*
- *What is the extent of their service proposition?*
- *What is their claims infrastructure? While no one wants to have claims, you should know if your representative has the resources to support you when needed.*

Once you have selected your representative, ensure you establish an action plan with your broker which covers who they will be approaching directly and the anticipated timeline for responses.

To find out how Lockton can assist you with your forthcoming renewal, please do contact me or one of the Lockton Solicitors team. We would be delighted to hear from you.

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The Legal Business of Business is Changing

The use of virtual hearings for experts and assessors post Covid-19



By Phillip Taylor MBE,
Barrister at Law
Richmond Green Chambers

Post Covid-19, expert witnesses and assessors are about to embark on a relatively new process for some with adducing of evidence which may be strange and disconcerting: the use of what are sometimes called "virtual" hearings introduced by the lockdown. Old and established ways of giving live evidence are now making way for this new approach where the witness is not actually in a court room but based at a remote location, linked to the court process by technology which often does not work properly. But give it time!

Just think of it - the time saved by not having to travel to court if you have mastered the intricacies of skype! There are, of course, a myriad of problems which can arise mainly to do with the process of carrying out virtual hearings. The two main objections raised by the judiciary when refusing permission for witnesses to appear via a link have been:

1. Who is present in the room where the expert is located, possibly giving

coaching lessons and prompting?

2. What papers, documents or trials bundles does the expert have available whilst giving evidence, or are there inadequate court papers available to him or her?

I believe these two main objections have been successfully dispensed with using a properly administered link which is controlled by the court staff. It may be controversial to say so, but the basis of many objections to the use of virtual hearings has been fear that justice may not be seen to be done, and an inherent dislike of change now forced on us: both are myths.

CPR 35 – Experts and Assessors and PD 35

It is inevitable, then, that change will come to both CPR 35 and the PD as a minimum requirement to permit virtual hearings for experts. Whether individual rules will be amended separately is doubtful because the entire CPR will need revision. Not the mere emergency amendment so far, but the need to incorporate more use of live links in the

future to cover each occasion in the litigation process. And it can be done without too much trouble if there is a willingness to oblige... because we have found it works well.

Accreditation and Training

The main issue for the future which still confront experts and assessors are the need for their proper accreditation to include the use of virtual hearings; so the court knows who the right experts are. And an expanded training programme will need to be developed to cater for problems arising from this new process.

One problem which has been thrown up by virtual hearings are things which may be said inadvertently which are nervous slip ups when giving evidence: training for virtual hearings can cater for this eventuality and proceedings are all recorded. We have flexibility in the process to deal with this sort of issue because the way forward now will be an enhanced use of the remote hearing which will benefit experts: Covid-19 has shown us that there can be no turning back.

Will adoption of technology in the conveyancing sector speed up following the lockdown?

Although the conveyancing industry has been steadily evolving in terms of technology, it is still viewed by many as being "behind the curve" and not in step with the increasingly digital demands of today's society. Earlier this year the Council for Licensed Conveyancers released a paper suggesting the conveyancing process will be completely digital by 2030, but it's fair to say that the current homebuyer perception is of a slow and manual process with multiple stakeholders all requiring separate management, rather than of one integrated process.

Right now with many staff having been on furlough and the necessity of working from our homes, conveyancers have had to rely more on more on technology to fill the gaps. Can we expect this to continue as business begins to get back to normal?

THE BENEFITS OF TECHNOLOGY

New technology offers many advantages to the conveyancer. Benefits include the completion of manual tasks within a fraction of the time usually required, greater accuracy and elimination of the need to repeatedly supply the same information, improved transparency and a compliant audit trail. Technology can be used to automate the more routine tasks providing a greater level of accuracy.

For example, over recent years we have seen the automation of a number of conveyancing processes. It's very easy to complete a digital AML check and the stamp duty (SDLT) process has been fully-automated. These online services provide a speedy alternative to conveyancing teams, reducing error and providing a full audit trail. This allows conveyancers more time to focus on the more complex and specialist areas of the conveyancing process.

HAS ANYTHING CHANGED DURING THE LOCKDOWN?

There are a few positive examples of how further progress has been made in recent months. The Land Registry now accepts (temporarily) virtual signing on deeds and has brought in more flexible procedures for identity verification, estate agents are offering virtual viewings and many of the search providers are offering services to support conveyancers during this lockdown.

There are also other technologies being explored such as live chat and chatbot options to provide great customer service at a distance.

WHAT CAN WE EXPECT NEXT?

Other developments supporting distanced (and more efficient) working are already in the pipeline ... for example, the Land Registry (along with the Law Society, Council for Licensed Conveyancers and Chartered Institute of Legal Executives) is working hard to improve cryptographic and biometric checking of identity.

Only time will tell, but having got to grips with online documents and checking, it could be an ideal time for the conveyancing industry to embrace the next steps to moving online. Recent technical developments to support traditional conveyancing processes may be more-readily adopted in an industry that's already changed its working practices in light of our current circumstances.



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No fault divorce to be enshrined in law



Legislation, now awaiting Royal Assent, for "no fault" divorce has recently been backed by the Commons with a significant majority. The Bill, which when passed will be known as the Divorce, Dissolution and Separation Act 2020¹ removes the need to find fault in the marriage and allows a statement of "irretrievable breakdown" to suffice. The latter requires currently establishment of one or more of five "facts" – three relate to conduct (adultery, unreasonable behaviour or desertion and two relate to the period of separation; two years if both spouses consent, five years if not) in order to start divorce proceedings. This legislation follows a long campaign by Resolution and other groups, to reform outdated laws (inter alia the Matrimonial Causes Act 1953 and the Civil Partnership Act 2004), which although hotly debated and eruditely analysed² will help to reduce conflict between separating couples.

The current process incentivises one of the spouses to make allegations about the other to avoid waiting for the mandatory two-year period of separation. This can result in unnecessary conflict, discord and acrimony, which may involve the children of the marriage and damage their chances in life³. The new legislation removes the needs to provide supporting evidence of one or more of the above conduct or separation facts with a statement of irretrievable breakdown. This legislation also removes the ability to contest the divorce.

There are many genuine circumstances and reasons for an irretrievable breakdown to occur between two people and this may on occasion relate to the biological identity of a child with respect to paternity. On occasion of course, fabricated accusations of adultery may weaponise the biological identity of the children, and under current law, this might be used as a tactic to accelerate the divorce process. For example, there may be the accusation that the man is not the father of the child or that he has been unfaithful and fathered a child outside of the marriage.

Both of course relate to the matter of trust, which can easily be assumed or earned, but when lost, is impossible to regain – once the spectre of paternity has been raised, it is impossible to reverse and constantly raises its head at a time when the best interests of the child should be foremost. The debate in the Lords⁴ was fascinating.

Fortunately, the availability of DNA testing for paternity (or other biological relationship such as siblingship) is one of the few areas in divorce proceedings where unequivocal evidence can be obtained to support the case. If the parentage of a child is at issue, then a DNA test becomes a vital piece of information to help alleviate either genuine or vexatious claims and minimise any harm to children from the break-up, whether this is under either the current or the new legislation. Indeed, a DNA test can only be to the benefit of children, who have a fundamental right to be sure of the identity of their biological father, irrespective of circumstances.

Any DNA test should be conducted by a Ministry of Justice accredited provider (such as ourselves) and if you have such a case, please contact us, we are highly experienced and would be happy to help!

Dr Neil Sullivan, General Manager
www.dadcheckgold.com

To discuss DNA testing to establish paternity or other biological relationship, please call 0191 543 6334 or e-mail: sales@dadcheckgold.com.

Complement Genomics Ltd, the provider of the dadcheckgold service, is accredited by the Ministry of Justice as a body that may carry out parentage tests as directed by the civil courts of England and Wales under section 20 of the Family Law Reform Act 1969.

Notes

¹ <https://publications.parliament.uk/pa/bills/cbill/58-01/0125/20125.pdf>

² <https://services.parliament.uk/Bills/2019-21/divorcedissolutionandseparation/documents.html> and the Impact statement from the Ministry of Justice <https://publications.parliament.uk/pa/bills/cbill/58-01/0125/Impact%20Assessment%20-%20Divorce%20Bill.pdf> paragraphs 67-69 inclusive.

³ <https://acamh.onlinelibrary.wiley.com/doi/epdf/10.1111/jcpp.12893>

⁴ <https://www.theyworkforyou.com/lords/?id=2020-03-17a.1390.2>



ELIZABETH J. SOILLEUX
MA, MB, BChir, PhD, FRCPath
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Experts – when even the lawyers get it wrong



Chris Makin

One of the most notorious, and tragic, cases of an expert getting it wrong was that of Prof Sir Roy Meadow, an eminent paediatrician, who gave evidence for the prosecution in the case of *R -v- Sally Clark*. Mrs Clark, a lawyer married to a lawyer, had lost two babies through cot death. The headline to an article in the *Daily Telegraph* in 2005 reads: "How could an expert like Roy Meadow get it so terribly wrong?" It starts: "It is hard to think of a more terrible wrong that Professor Sir Roy Meadow could have inflicted upon Sally Clark short of raping or murdering her." Sir Roy's evidence at her trial for murder was that the chance of a middle-class family losing two babies through cot death was 73 million to one.

With that, conviction for murder was inevitable. Sally Clark served three years, won her freedom on her second appeal, but died of alcoholic poisoning shortly afterwards. Utterly tragic.

There were two problems with Sir Roy's evidence. First, as the GMC heard when taking misconduct action against him, the true figure was a far more modest 77 to one. Second, and this is fundamental to expert evidence, CPR 35.3 (1) reads: "It is the duty of the expert to help the court on matters within their expertise." (My emphasis)

Sir Roy was known for what was called "Meadows' Law", that "One sudden infant death is a tragedy, two is suspicious, and three is murder". But he was not a statistician; that was not "within his expertise." Sally Clark was not responsible for the murder of her two baby sons, yet this expert's evidence set in train a line of events which resulted in her own death.

This is an extreme example of an expert getting it wrong and, regrettably, criticism of experts by judges is not unknown. I see this when sitting on the Investigation Committee at The Academy of Experts though, no doubt because of excellent training there, criticism of our members is very rare.

But is it always the expert's fault? Apparently not. In a recent case, it was the lawyers instructing the experts whom the judge criticised. The case was *Akebia Therapeutics Inc and Otsuka Pharmaceutical Co Ltd -v-*

Fibrogen Inc [2020] EWHC 886 (Pat), which was so complex that Lord Justice Arnold came down from the Court of Appeal and sat as a High Court judge in the Patents Court because of the shortage of high court judges who can hear such complex cases.

Arnold LJ referred to the case of *MedImmune Ltd -v- Novartis Pharmaceuticals UK Ltd & Ors* [2011] EWHC 169 (Pat) where the same judge, then at the high court, summarised the recent history of expert witness, starting with CPR Part 35 and the Practice Direction, and then the Protocol for Instruction of Experts to Give Evidence in Civil Claims, where, setting out the expectations of experts, he also emphasised the duties of instructing solicitors by putting in italics, no fewer than six times: "It is essential that both those who instruct experts and experts themselves..." or similar words. And he ends the section with 8.1 Instructions – "Those instructing experts should ensure that they give clear instructions..."

He then goes through *Whitehouse -v- Jordan* [1981] 1 WLR 246 with Lord Wilberforce's immortal words: "...expert evidence presented to the court should be, and should be seen to be, the independent product of the expert, uninfluenced as to form and content by the exigencies of litigation." We see those words running through the *Ikarian Reefer* and into CPR Part 35.

Clause 107 of *MedImmune* could hardly be clearer: "...the parts of the Protocol that I have emphasised above make it clear that the lawyers who instruct expert witnesses have important responsibilities too. In short, it is the responsibility of the lawyers to ensure that the expert is properly instructed. A cardinal aspect of properly instructing the expert is to ensure that the expert is put in a position to express an independent and impartial opinion. This may involve more than simply telling the expert that that is his or her duty and providing the expert with copies of the Practice Direction and Protocol."

That was Mr Justice Arnold in *MedImmune* in 2011. So what went wrong in *Akebia* in 2020? Well, this case was enormously complex, as I say. Patent law is particularly complex and, as Arnold LJ said, there are often eminent academics chosen as experts who know the complexities of their subject, but not necessarily of patent law. So it is often necessary for lawyers to work closely with their experts, perhaps even drafting parts of the expert's report. And it can be advantageous to instruct experts in sequence ("sequential unmasking"), first

asking their opinion on common general knowledge, then on the prior art, and finally as this is applied to the patent being considered. Thus the expert would not know what conclusion on the patent he was asked to reach, and he would not make his conclusions fit the desired outcome.

Apparently this was not done, nor was there a technical manual so that all experts could work to the same language and agreed principles. But, worse, one Professor did not exhibit his CV to his report, and he did not address issues in one of his learned articles which may have had an influence on his conclusions in this case. These are basic errors which, as the judge said, should have been remedied by instructing solicitors.

Does all this matter? Well, it did for the Claimants, since the judge found that the patents they thought they held were found to be ineffective, and these were important (and valuable) patents concerning anaemia etc. And in the sort of cases which you or I are generally involved in, such basic errors should not be made by an expert who knows what he is doing, who has taken the trouble to learn how to be an expert as well as knowing his own profession very well.

But these cases do emphasise the importance of lawyers instructing their experts properly, or they could be the target of such words as Arnold LJ used in clause 1 of his judgment in *MedImmune*: "It is vital that the task of the experts is not made more difficult by the lawyers than it need be."

Biog: Chris Makin has practised as a forensic accountant and expert witness for 30 years, latterly as Head of Litigation Support at a national firm. He has given expert evidence about 100 times. He also performs expert determinations.

Chris is a fellow of the Institute of Chartered Accountants where he has served on the Forensic Committee, and as an ethical counsellor; he is a fellow of the Chartered Management Institute, a fellow of the Academy of Experts where he serves on the Investigations Committee, and a mediator accredited by the Chartered Arbitrators.

He practises as a mediator, from his home in West Yorkshire and his rooms at 3 Gray's Inn Square, London WC1R 5AH, telephone 020 7430 0333. He has mediated 100+ cases so far, on a huge range of subjects, with a settlement rate to date of 80%. For more see his website with videos:

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UK takes up new EU option to extend DAC 6 reporting deadlines



On 24 June, the EU Council announced that it has adopted an amending directive to DAC 6 providing an optional six-month delay to the reporting deadlines due to the disruption caused by the pandemic. This follows European Parliament approval received on 19 June.

The amending directive also provides for the possibility of the EU Council unanimously agreeing to one further extension for a maximum additional three months.

In response HM Revenue and Customs (HMRC) has confirmed that the UK is taking up the optional six-month deferral and that the government will amend the UK Regulations that implement DAC 6 to give effect to this.

The amended Regulations may not be in force by 1 July 2020, but HMRC confirm that no action will be taken for non-reporting during the period between 1 July and the date the amended Regulations come into force, so that there is no expectation that reports will be made in July.

Changes to HMRC's international manual detail how the deferral will work in practice. HMRC intends to publish wider DAC 6 guidance shortly.

We've stated that there is a strong case for deferral of DAC 6 in current circumstances given the burden it'll place on both private and public sectors (including law firms) so we welcome this development.

However, this is a delay and not a cancellation of reporting requirements and the optional nature of the new proposal could still lead to mismatches and complexity, so law firms may be well-advised to continue their work preparing for DAC 6 compliance.

Contingency planning with Quill



The SRA expects its regulated law firms to 'continue to meet the high standards the public expect' and have 'appropriate contingency plans in place for disruption' during the coronavirus pandemic.

With that in mind, it should be no surprise that as the largest combined legal cashing and payroll bureau in the UK, we at Quill have always been hot on our business continuity and disaster recovery (BCDR) planning.

And for good reason: if you were the back office for 7,000 lawyers and paralegals, with annual billing in the order of £1 billion or responsible for generating 8,000 payslips on behalf of various employers with accompanying transfer of

over £54 million to employees' bank accounts, wouldn't you be hot on it too?

As we're now living and working through difficult times, this forethought is serving our clients well. I'm sure none of us could have made a New Year's Eve forecast that we'd have an international pandemic on the scale of coronavirus within 100 days, and yet here we are navigating the biggest health crisis the world has ever experienced.

Our contingency planning has most definitely benefited our clients as we've helped them maintain the compliance standards which the SRA and other regulators demand on behalf of consumers. That, coupled with our legal accounts, practice and document management applications all hosted in the cloud, has meant Quill and our clients have had a relatively simple switch to a work-from-home model. There's been no service disruption whatsoever.

Of course, our industry regulator admits these are 'mitigating circumstances' and acknowledges that some processes – financial management duties, in the main – may not be completed on time. As such, a level of leniency is afforded around submission deadlines.

However, the SRA maintains its absolute focus on protection of client monies. Ultimately, cashing tasks themselves still need to be done. This means you need to have a contingency plan just in case we hit a second spike, or if your cashier is unable to work for health or shielding reasons.

We've put together some practical notes on the actions we took – and might well still need to take – to keep our software servicing 7,000 legal professionals and our outsourcing staff servicing legal cashing and payroll compliance. Hopefully you can draw inspiration for your own BCDR reviews:

SMS system – We use an SMS alert system to send messages by text to any group of managers, teams, offices or role-based employees. SMS is still the easiest and quickest cross-platform messaging tool and, with the right SMS system, you can alert staff by job title or location to attend an office or stay at home.

Even before the pandemic was a pandemic, we took the opportunity to double check our staff's personal details were present and correct – that's mobile numbers, next of kin, etc – and, of course, our database was fully up-to-date and GDPR compliant.

With a return to physical premises unlikely until sometime later in the summer, if you haven't already done so, now's the ideal time to check or collate your own list of employees with latest contact details and set up a similar text alert system to ours. We use intellisoftware.co.uk.

Hardware & software – In the

run up to lockdown and with the media getting increasingly excited – with hindsight, rightly so – we decided to our examine working-from-home arrangements team by team. This helped us to iron out a few problems with regards to equipment at home.

It was only after we closed our offices that we realised one of our failings. We'd earmarked a pool of laptops that were put to good use during the trials but we hadn't accounted for the fact we'd need every item in one pool simultaneously during the real-life event. A basic error!

Anyway, the problem was easily solved and we're repurposing our hardware replacement strategy to a laptop-only model going forwards as we may end up with more home working, fewer desks in the office and more hot desking, something which is looking to become a plausible possibility for many organisations.

Is your own infrastructure fit for purpose? Not only hardware but also software? For the latter – software – cloud systems have become a necessity these past weeks. That's exactly what we offer – a web-based complete practice management system. Even better, to help accommodate audits and reviews, it's provided with a free accountant's licence. Clients using Interactive can empower both their staff and accountant to work anytime, anyplace, any device with a straightforward online login thereby eliminating any impact from unforeseeable disaster.

Our own cashiers team utilise Interactive to manage clients' accounts as well. Whether you need cloud access to your matters, documents, legal forms, bundling tools or accounts, Interactive's got you covered. Phone system – Phones are

the bane of every company but essential for communicating with existing and would-be consumers. Fortunately, we'd moved our phone system to the cloud several years ago. Clever functionality facilitated the diversion of our office phones to corresponding mobiles or landlines at home.

Now we're enhancing our phone system by installing a soft phone on every laptop or PC. Together with a headset, every member of staff has our entire phone system functionality and address book to hand. We can receive and transfer your calls from home to home more readily.

But we mustn't forget the loyalty and dedication of our staff typified by our receptionist – Lynda. She's the glue binding everyone together across our offices. Being rather shy of techie things like soft phones, on lockdown she packed up her trusty phone kit and, with some careful labelling, re-assembled it on her dining room table!

Take our phone system advice and check out gamma.co.uk. It's an infrastructure investment that's proven to be worth every single penny at Quill.

Outsourcing services – Knowing that we're the financial compliance backbone for so many practices and the payroll service provider for many businesses too, getting our staff socially isolated urgently whilst remaining in direct contact with clients, colleagues and team leaders was paramount. And with the SRA stressing the need for firms to put contingency measures in place, it might be somewhat easy to predict that we've had considerable interest in our outsourced cashiers services during the coronavirus outbreak. The same applies to

our outsourced payroll and typing services.

The sudden move to home working has been quite a shock for certain individuals and companies. While Zoom has been a popular choice for many organisations, we've opted for Google Meet which allows for meetings to be open-ended, mimicking an open-door policy.

To try and keep morale high amongst Quill employees, we moved our regular staff 'News, Views and Eats' updates to Google Meet format and even held a two-hour all-staff AGM online at the end of April. Emotions ran high in the early days as we acclimatised to the new ways of working. As 'accountable to you' is our brand strapline and embedded into our ethos, we made a commitment to top up salaries for any furloughed staff, sent everyone some Easter chocolate and have branded facemasks in the pipeline!

The bottom line is this: we've always had fully operational legal cashiers, payroll and typing bureaus on hand throughout lockdown. If you're working on a skeleton staffing level, or looking for a contingency plan short- or long-term, we can bridge the gap for as long as required or be retained on standby in case a future need arises.

Insurance – Early on, we reviewed our insurance cover regarding empty offices and home working. Our brokers, romeroinsurance.co.uk, have been truly fantastic and advised us to regularly inspect our offices to make sure our policy stays valid. Insurance cover has also been extended to address company-owned computer equipment being used by employees at home.

Is your insurance policy suitable for your new set up? Perhaps a check in with your own broker is due?

There are other practicalities to bear in mind at this time too. As per all of the above, enabling remote working is a key priority at the moment. When Boris told us on that fateful Monday evening that we should work at home with immediate effect, we were ready. Decamping to home offices was an orderly event. We activated our well-rehearsed BCDR plans beginning with an SMS alert to staff initiating migration to home working within a 24-hour period. Which is exactly what we did.

The next stage is to begin planning for our collective returns to all of our offices. The Law Society has issued a framework, based on governmental guidance, which is about conducting a risk assessment and protecting your staff within the on-site environment. Read the lawsociety.org.uk/topics/coronavirus/practical-framework-for-law-firms-and-sole-practitioners-on-return-to-the-office web page.

Get in touch with Quill to strengthen your BCDR plan today. Email info@quill.co.uk, call 0161 236 2910 or visit www.quill.co.uk.

Julian Bryan joined Quill as Managing Director in 2012 and was also the Chair of the Legal Software Suppliers Association from 2016 to 2019. Quill has been a leading provider of legal accounting and case management software, and the UK's largest supplier of outsourced legal cashiers services to the legal profession for over 40 years.

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