



The Law Society

# Relationship Management



# Newsletter for the South East

November 2016



## Welcome

Hello and welcome to the Relationship Management monthly report for November 2016 for the South East.

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

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

Thank you for reading.

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### Law Society Events for December 2016:

Making the right choices at retirement - Thurs 1 Dec

Annual Competition Section dinner and awards 2016 - Thurs 1 Dec

Advocacy and the Vulnerable Training, London - Morning session Mon 5 Dec

Advocacy and the Vulnerable Training, London - Afternoon session Mon 5 Dec

EMLD annual lecture - Mon 5 Dec

Modern Slavery Act – Emerging best practice - Tues 6 Dec

International human rights seminar: Lawyers and human rights defenders at risk - Wed 7 Dec

Advocacy and the Vulnerable Training, London - Morning session - Tues 13 Dec

Advocacy and the Vulnerable Training, London - Afternoon session - Tue 13 Dec

Lawyers with Disabilities annual reception: Beyond a joke - Wed 14 Dec

In-house Division workshop - Top tips for enhancing performance: Practical tips for dealing with “difficult” conversations in the workplace - Thurs 15 Dec

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



Excellence Awards 2016 - celebrating our South Eastern winners well done to:

### **The Law Society Gazette Legal Personality of the Year**

Winner - Major General Susan Ridge, Army Legal Services

### **Excellence in Business Development**

Winner - Martin Searle Solicitors

### **Excellence in Private Client Business**

Winner - Thomson Snell & Passmore LLP



**Presidents and Secretaries Conference 2017 - change of date**

Please note that the date for the Presidents and Secretaries Conference in 2017 has changed, it is now happening on the 5 and 6 May at Chancery Lane. We apologise for having to change the date but we hope you will still be able to join us for this important event in the Law Society calendar.

Organisation for the event is well underway and over the next weeks you will receive a formal invitation to the conference from Robert Bourns, the President of The Law Society.

We have listened to delegate feedback from our 2016 conference to form the programme for the event. As a result, the 2017 programme will include a number of additional items.

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

If you have any ideas for the 2017 conference please let your Relationship Manager know.

### **My Law Society is live - personalise your Law Society information**

Did you know you can now personalise your Law Society information on My Law Society?

For more information and details on how to register please [visit our website](#).

### **Brexit Update**

As the legal ramifications of Brexit continue, we have the latest updates, advice, and insights [here](#).

You may also find the following articles of interest:

Read about the impact of Brexit on the Investigatory Powers Bill [here](#).

Read the Law Society's response to 'Article 50 judgment' [here](#)

Hear 'what do lawyers think about Brexit?' by Robert Bourns, Law Society President [here](#)

Read about the implications of Brexit on the UK Justice System [here](#).

Read the Guardian article on UK lawyers registering in Ireland as a Brexit insurance move [here](#).

### **SQE update and details of consultation**

The Law Society welcomes the SRA's second round of consultation on the SQE proposals and will be submitting a response to this consultation in due course. The SRA has responded to many of the concerns raised by stakeholders during the

first consultation and made positive changes to the proposals.

Some concerns remain around:

- The potential lack of availability of appropriate funding for students who have to pay for SQE prep courses and the assessments themselves
- The way in which open data on the providers of education and training may be published

Read more about the SRAs second consultation on the introduction of the SQE here. The deadline for responses is 9 January 2017 [here](#).

### Update on the Law Society's Governance Review - have your say

The Review of The Law Society's governance has been ongoing over the summer and below is a summary of the latest Council decisions on the issue.

**Council has agreed: To establish a Main board** – this board's first task will be to review the form and function of other Boards and make recommendations to Council for further changes as necessary.

We currently have 4 Boards, covering [Management](#), [Legal Affairs and Policy](#), [Membership](#) and [Regulatory Affairs](#). These are populated by Council members who elect one of their peers to be chair of the committee.

- The Main board will include solicitors who are not currently members of Council
- The board Chair will be appointed by reference to her or his skills
- The Board will have up to two lay members
- The Board will also include the three Law Society Office Holders

### Review of the Council

Before we implement these changes, we now move on to the broader review of the Council

itself. So that you can comment on the representative structure, the way the current structure works is below.

The Society has a Council with up to 100 seats for volunteer solicitors representing [geographic and special interest groups](#) which meets in London seven times a year. These seats are open to election on a four-year cycle. (One seat, for a two-year term, is reserved for someone to represent LPC students and trainees.) The Council agrees the strategy of the Society's work, including the annual business plan and budget, changes to Law Society policy and rules, and the focus of our efforts on behalf of our diverse membership.

[Find out more about our current governance structure](#)

We have been seeking input from individual members, local law societies and others as we have begun to consider changes. Please let us know what you think by e-mailing [representation@lawsociety.org.uk](mailto:representation@lawsociety.org.uk)

[Download our strategy \(PDF\)](#)

[Find out more about our Council](#)

### Pro Bono Week - update

National Pro Bono Week provides an opportunity for the legal profession to celebrate and strengthen its commitment to undertaking legal work for free pro bono publico ('for the public good' in Latin).

This year, we are providing a range of support for solicitors who want to do pro bono, from our forthcoming Pro Bono manual and charter, to an innovative scheme that will match solicitors with pro bono opportunities in their local area.

We have also launched a [survey](#) to build a qualitative understanding of what is going on, potential examples that others might consider, as well as those things that have not worked. This survey closes on 7 November.

For many solicitors, pro bono work is absolutely

central to their identity and professional lives.

During [Pro Bono Week 2016](#) there will be an online pro bono portal to connect lawyers who are looking for opportunities to do pro bono work with local access to justice centres across England and Wales that need their support.

Put a note in your diary to visit the [pro bono portal](#) between 7-11 November and find out what opportunities may be open to you.



### Solicitor Brand Campaign - how you can get involved

You told us that you wanted us to support the reputation of the solicitor profession and promote and protect the use of solicitors above other sources of legal advice. On 3 October 2016 we launched a joint campaign with members to help achieve this.

Find out more, watch the video and find out how you can get involved [here](#).

### World Mental Health Day - five steps to wellbeing

Monday 10 October was World Mental Health Day, this has been observed annually across the globe since 1992, and promotes mental health education, awareness and advocacy.

LawCare, which receives funding from the Law Society, supports mental health and wellbeing throughout the legal community. World Mental Health Day aims to raise awareness of the importance of wellbeing and the impact it has on mental health.

Read the five steps and more [here](#).

### Social Mobility Ambassadors for 2016

The Law Society recently launched its Solicitors for Social Mobility programme to celebrate and showcase solicitors from all social backgrounds. Social mobility is vital for the future health of the legal profession and Law Society President, Robert Bourns said:

'I am proud and delighted to introduce the 2016 Solicitors for Social Mobility: the Ambassadors. These solicitors are proof that the profession and broader society are strengthened by enabling people from all walks of life to overcome challenges and barriers and join the profession.'

The Ambassadors will work with the Law Society and with non-profit organisations, universities and schools to promote social mobility in the legal profession. In the past year the 2015 Ambassadors have reached hundreds of budding solicitors and helped to inform their ambitions and find a way through the difficulties they may face.

The Society has selected 10 solicitor ambassadors to share their experience of entering the profession, including the challenges they faced and how they overcame them.

Read their profiles [here](#)

### Law Society CDD Costs Survey 2016

You will be aware, the government is currently holding a consultation exercise on the UK's transposition of the Fourth EU Money Laundering Directive (4MLD).

The consultation invites views and evidence on the steps that the government proposes to take to meet the UK's obligation to transpose 4MLD into national law. It also seeks views and evidence on the potential costs and benefits of the changes considered.

The Law Society, through its Money Laundering Task Force, has engaged with international and domestic stakeholders over many years in an effort to ensure that the anti-money laundering

and counter-terrorist financing (AML/CFT) regime in the UK is clear, workable and proportionate.

In order to further these aims we have put together a brief and anonymised survey which seeks to quantify the significant costs borne by law firms in adhering to the current AML/CFT regime and to quantify any additional costs which would result from the government's plans to transpose aspects of 4MLD.

The government's 4MLD consultation exercise closes on 10 November, so, in order to collate and input the results into our response, we require firms to complete this survey by close of business on Monday 7 November.

[Take the survey now](#)

To assist you in calculating as many of these costs as possible in this time, we have provided a PDF version for you to print off to enable you to see the questions before logging into the survey to enter your answers.

[Download and print off the survey here \(PDF 279kb\)](#)

If you have any questions with respect to this survey please contact us by email at:

[antimoneylaundering@lawsociety.org.uk](mailto:antimoneylaundering@lawsociety.org.uk)



### Provision of Services Regulations 2016

Directive 2006/123 on services in the Internal Market (the directive) imposes new obligations on you in respect of information you give to clients. It was implemented in the United Kingdom via the Provision of Services Regulations 2009 (the regulations) in December 2009

While the Directive's main focus is how Member States and regulators govern service providers, some direct obligations are imposed on service providers. It imposes certain information requirements on solicitors. Much of the information you are required to provide will already be included in your client care information. However, there are new requirements about the information you must provide clients in terms of the compulsory layer of professional indemnity insurance, VAT number, non-judicial dispute resolution procedures and information regarding the Solicitors Regulation Authority Handbook. Part 2 of the practice note sets out the new information requirements. For completeness, part 3 of the practice note sets out the other requirements.

The Regulations also prevent discrimination in your general conditions. This is discussed in more detail in part 4 of the practice note.

These obligations are reflected in the Law Society practice notes on client care letters, complaints management and professional indemnity practice.

[Read more](#)



### Welsh Government's proposed technical advice note 24

The Law Society's Planning and Environmental Law Committee has responded to the Welsh government's consultation on their proposed technical advice note 24: the Historic Environment.

[Read our full response](#)

### Proposals for secondary legislation to support the Historic Environment (Wales) Act 2016

The Law Society's Planning and Environmental Law Committee has responded to the Welsh government's consultation on proposals for secondary legislation to support the Historic Environment (Wales) Act 2016.

[Read the full response](#)

### HMRC consultation on stamp duty land tax: changes to the filing and payment process

We have responded to HMRC's consultation on changes to the SDLT filing and payment process.

We have suggested that if online filing and electronic payments are mandated, HMRC should:

- allow exceptions for complex transactions, where online filing is not reasonably practical
- allow an appropriate transition time to allow users to become familiar with the new system before they are obliged to use it
- make allowances by extending time limits for communications between solicitors and

- HMRC to clarify filings on complex or unusual transactions.

HMRC should use this opportunity to make the SDLT return simpler. By only collecting information that is directly relevant to the SDLT, the process would be streamlined, easier for users, and easier to implement successfully.

[Read the full response](#)

### FCA request for information on reserved activities

In October 2015, the Financial Conduct Authority (FCA) published a Call for Inputs (CFI) on competition in the mortgage sector. The CFI's goal was to seek views on areas of the mortgage sector which might raise competition related concerns and merit further investigation.

In December 2015, the Law Society responded to the CFI. While solicitors do not directly participate in the mortgage supply chain, they have an interest in it, an impact on how it works, and their clients are affected by the outcome. Mortgage lenders' practices with respect to their panels of solicitors used in residential conveyancing transactions ultimately leads to fewer solicitors being accepted onto these panels. This could restrict consumers' choice in solicitor.

The Society recommends that the FCA further investigates lenders' practices with regard to managing their panels of solicitors and the impact it has on consumers and the mortgage market.

[Read our full response](#)

### HMRC Strengthening Tax Avoidance Sanctions and Deterrents discussion document

The Law Society has responded to the HMRC's discussion document on strengthening tax avoidance sanctions and deterrents, which was published in August 2016.

In August 2016, HMRC published proposals to introduce sanctions for advisers who design, market or facilitate the use of tax avoidance arrangements which are subsequently deemed unacceptable. This followed the announcement at the budget that the government would be exploring further options to influence the behaviour of promoters and others in what HMRC calls 'the supply chain'.

The Law Society's view is that the overly-wide scope of the definitions, the proposed level of penalties and the implications of LPP for a defence against those penalties could, if implemented, lead to some law firms deciding not to provide tax advice to businesses and investors.

[Read the full response](#)

### Reporting and acting on child abuse and neglect consultation

The Law Society has responded to government proposals to introduce a new duty to report or to act on a variety of professionals.

The Society cautions against the introduction of wide ranging duties, which could carry criminal sanctions and lead to high volumes of unsubstantiated reports.

[Read the full response](#)

### DCLG neighbourhood planning proposals

The Law Society's Planning and Environmental Law Committee recently responded to a Department for Communities and Local Government consultation on reforms to neighbourhood planning processes.

The consultation sought views on detailed regulations to implement the neighbourhood planning provisions in the Neighbourhood Planning Bill. The Committee has also given evidence in person to the parliamentary committee scrutinising the bill.

[Read the full response](#)

### MoJ consultation on the Future of Camberwell Green and Hammersmith Magistrates' Courts

The Law Society has responded to the Ministry of Justice's consultation on proposals for the closure of Camberwell Green and Hammersmith Magistrates' Court. These proposals closely follow confirmation that 86 courts and tribunals across England and Wales, ten of them in London, are to close in the next 18 months. This represents one fifth of the entire courts estate.

In preparing its response, the Society has consulted its members in order to assess the effect of the proposed closures on court users - specifically victims, witnesses and defendants.

[Read the full response](#)