

Dear colleague,

## Your weekly Law Society update

As the professional body for solicitors, every week the Law Society is working hard to influence the legal and regulatory environment on behalf of our profession and to promote solicitors at home and abroad. We support practice excellence, are an informed source of legal sector news and support members at every stage of their career.

Here are some highlights from this week.

### Influencing on behalf of the profession and promoting the profession

#### **The Law Society's media profile this week:**

The [Independent](#) reported on the surge of parent litigants in person in family courts. Penny Scott, chair of our family law committee and Jenny Beck, a member of our access to justice committee, both commented on the issue and said the rise in unrepresented parties were causing "huge injustices" in rulings.

Talented trainee lawyers are invited to apply for a place on the profession's Diversity Access Scheme (DAS), the Law Society said today as it opens recruitment for the 2019 cohort of scholars. Full report in the [Gazette](#).

[Legal Futures](#) covered the Law Society response to LeO's business plan. Meanwhile the [Times](#) (£) said the Law Society had praised the Legal Ombudsman for having made "progress with its modernisation programme". The society however expresses concerned over an "absence of detail" in the ombudsman's business plan.

I'm interviewed in [In House Community](#) about the evolution of the legal profession.

We welcomed the MoJ's review of the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) as a step in the right direction. I'm quoted saying: "The MoJ has accepted the case for changes in relation to the legal aid means test, exceptional case funding and early legal advice, and has committed to further work as to what those changes should look like". Full reports in the [Gazette](#), [Guardian](#), [City A.M.](#), and the [FT](#) (£).

Plans to hike probate fees to as much as £6,000 have narrowly been approved. Vice president Simon Davis said: "The cost to the courts for granting probate does not change whether the estate is worth £50,000 or £2 million. The government can call it a service charge or a graduated fee but asking those who have larger estates to pay more is in effect a tax hike through the back door." Full report in the [Gazette](#). Also in the [Sunday Times](#) (£) and the [Telegraph](#) carries reports and the Law Society is urging members to [write to your MP](#). I am then quoted in subsequent coverage: "It is unfair to expect the bereaved to fund or subsidise other parts of the courts and tribunal service, particularly in circumstances where they have no other options but to use the probate service." Full reports in [Gazette](#) and the [Times](#).

The [Gazette](#) reports on new advice published by the Law Society to help family lawyers in the event of a no-deal Brexit. Read the [No-deal Brexit family law guidance](#) in full.

The Solicitors Regulation Authority (SRA) is to carry out randomised "web sweeps" of around 500 law firms over the next few months to check they are publishing fees for common consumer transactions. Full report in [The Times](#) (£) and [Legal Futures](#)

The press office is working with solicitors and regional papers to provide agony aunt-style columns on major legal issues. This week David Gibson, a local employment law solicitor, spoke to BBC Radio Tees about the legalities of mental health in the workplace for *time to talk* day. You can listen to the broadcast [here](#). The interview starts at 55:00.

If you would like to participate, please email [press.office@lawsociety.org.uk](mailto:press.office@lawsociety.org.uk)

Don't forget you can read all Law Society press releases by clicking on this [link](#). For live updates follow us on [Twitter](#).

## **Consultation responses and parliamentary activity, influencing on behalf of the profession:**

### **Parliamentary**

LASPO Review - The Ministry of Justice's post-implementation review of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 was published on Thursday, and the lord chancellor made a statement to the House of Commons. The proposals reflect a considerable number of the recommendations we put forward. The ministry has accepted the case for changes in relation to the legal aid means test, exceptional case funding and early legal advice.

Civil judicial co-operation - The Law Society briefed MPs on a number of statutory instruments on civil judicial co-operation that were debated this week. The Law Society was referenced four times in the debate including on our concerns about the impact of a no deal Brexit in this area.

Probate fees – The Law Society is opposing the government's plans to increase the fees charged for a grant of probate. Over 180 people have written to their MP using the Law Society's campaign action tool, and the Law Society's concerns regarding the proposal were referenced twice during a debate in the Fourteenth Delegate Legislation Committee on Thursday. (See Media above).

### **Campaigns**

Criminal justice campaign - Following the launch last week of our criminal justice campaign, our animation showing Peter's journey through the criminal justice system has received nearly 6,000 views on YouTube. For comparison, a previous animation as part of our early advice campaign received 1,800 views in total.

### **Stakeholder engagement**

Ministerial roundtable – I hosted a roundtable with George Hollingbery MP, Minister of State for Trade Policy to discuss international trade in legal services. The roundtable was attended by senior experts in international trade law and I spoke about our recent discussions and meeting with international bar organisation including India and Australia.

### **Speeches**

I spoke at a conference on blockchain and legal services on Tuesday.

### **Criminal legal aid**

Following the government's response to the Justice Select Committee's report on criminal legal aid and announcement it will be conducting a fundamental review of criminal legal aid fees over the next 18 months, we met with the MoJ lead on the review. We discussed a wide range of issues arising from the current situation and emphasised the need for an independent review of sustainability. We were assured the review would be 'evidence based', and if the data analysis undertaken indicates more investment is needed then this is what the MoJ will recommend.

## Technology

### Technology and Law Policy Commission Evidence Session- algorithms in the justice system

The Law Society's Technology and Law Policy Commission will host its final evidence session on Thursday 14<sup>th</sup> February in London. The commission, led by me alongside co-Commissioners Sofia Olhede (UCL), Sylvie Delacroix (University of Birmingham), will examine the use of algorithms in the justice system, the impacts on the rule of law, implications for data rights, and whether our human rights framework is fit for purpose.

Witnesses at the London session include Richard Susskind, Jamie Susskind, Hannah Knox of UCL, David Powell of Hampshire Police and Judith Jones of the ICO. We will also be joined by guest commissioner Polly Toynbee. Council members wishing to attend can book a place at the London session [here](#).

### Technology and Law Policy Commission Evidence Session- algorithms in the justice system Cardiff session

We hosted the penultimate Technology and Law Policy Commission evidence session on Thursday 7<sup>th</sup> February in Cardiff. Witnesses included Inspector Scott Lloyd of South Wales Police who gave a demonstration of the Police's facial recognition technology, Dr Bernadette Rainey of Cardiff Uni and Adam Curtis of Hoowla.

### **Draft Ethics Guideline for Trustworthy AI**

We responded to the European AI Alliance's consultation on a draft ethics guideline for trustworthy AI. Our response argues that if the guidelines had greater focus on the issues of technical and organisational measures of mitigating the risk of "unethical use" of AI, they would be more helpful in constructing the future debate around "trustworthy AI".

It also argues:

- That setting the "ethical purpose" as a fundamental principle for AI development, implementation and use without having similar standards on the use of data in general might lead to a perverse situation where higher standards of ethical behaviour are demanded of machines than of humans.
- That having "ethical purpose", as defined in the Guidelines, as one of the two fundamental components of "trustworthy AI", which we consider impractical, creates the danger that the future debate around ethical AI might become too theoretical and part ways with real-life developments in this area.

## Civil

### Leasehold reform

We joined the deputy vice president David Greene in meeting with the shadow housing minister and shadow secretary of state for housing and homelessness (John Healey MP and Sarah Jones MP) to discuss leasehold reform.

We attended the Housing, Communities and Local Government Committee's final session of their inquiry into leasehold reform where they took evidence from Heather Wheeler MP, minister for housing and homelessness.

### **Our influencing work internationally:**

On 6 February, Stephen Denyer, director of strategic relationships came to Brussels to carry out firms visits. Accompanied by Eoin Lavelle, EU Policy Adviser, he attended the following meetings:

- Emmanuel Plasschaert, Partner at Crowell & Moring LLP;
- David Henry, Barrister at McDermott Will & Emery;
- Denis Fosselard, Partner and Head of Brussels Office at Ashurst;
- Werner Eyskens, Partner at Allen & Overy;
- Laurent Ruzette, Partner at Cleary Gottlieb Steen & Hamilton.

On 6 February, Law Society CEO Paul Tennant was in Brussels. He and Brussels head of office Helena Raulus attended the British Chamber of Commerce UK-EU Task Force. They also attended the following events and meetings:

- roundtable with Brussels Based UK organisations at the Welsh Office.
- meeting with Fergus McReynolds from EEF (Manufacturers' Organisation).
- meeting with UK Rep.
- meeting with Pascal Kerneis from ESF (European Service Forum).
- meeting with Philip Buisseret, Secretary General of CCBE.

On 7 February, Stephen Denyer and Helena Raulus, attended the following meetings:

- Lode Van Den Hende, partner at Herbert Smith Freehills;
- Ken Daly, managing partner at Sidley Austin;
- Elvira Aliende Rodrigues, partner at Shearman & Sterling;
- Ingrid Vandendorpe, partner at Skadden Arps, Slate, Meagher & Flom;
- Ruxandra Cana, partner at Steptoe & Johnson.

On 8 February, they also met Jeroen Jansen, Partner at DLA Piper.

### Supporting members at every stage of their career

#### **March4Women – Sunday 3 March**

To celebrate international women's day and 100 years of women in the law, we are supporting this event.

#March4Women: <https://www.careinternational.org.uk/march4women>

Tickets are just £5. You can book here: <https://www.eventbrite.com/e/march4women-2019-event-tickets-54751304626?aff=lawfirms> (Short link: <https://careint.uk/2G1s5EJ>)

#### **LGBT History Month**

February is LGBT History Month and our LGBT+ Lawyers Division will be holding their second speed networking in Cardiff on Thursday 21 February. We are partnering with a number of firms and organisations to deliver other events across the country – details of the full programme can be found [here](#).

### Law Society team in half marathon for LawWorks

On Sunday March 10<sup>th</sup> Tom Fothergill, chief operating officer, Sophie Brooks, operational director of strategy and planning and Kerry Jenkins, head of finance will be running as a representative Law Society Team at the Vitality Big Half Marathon here in London & we are aiming to raise money for LawWorks whom, as many will know, is a charity supported by the Law Society which focuses efforts on connecting those in need of legal advice who can't afford to pay for it with volunteer pro bono solicitors.

Sponsoring them couldn't be simpler – just follow this link <http://uk.virginmoneygiving.com/fund/lawworksbighalf> to their fundraising page.

### **JLD Forum: Junior lawyers skills day – 2 March 2019 – Southampton**

This free one-day skills event aims to equip those at the start of their careers with the skills and advice necessary to progress, diversify and develop within the legal profession.

### **Apprenticeship Week at the Law Society – 5 March 2019 – London**

As part of National Apprenticeship Week, we are bringing together firms, training providers and prospective apprentices to learn about and discuss apprenticeships in legal services.

### **Junior Lawyers Division annual conference and ball 2019 – London**

Registration is now open for the JLD's 12<sup>th</sup> annual conference and ball on Saturday 6 April. Early bird rates are available until Friday 8 March.

### **Supporting practice excellence**

**Some of our upcoming events are:**

#### **Future of Law lecture: The Future of Justice and the Justice System – 26 February 2019**

Justice Minister Lucy Frazer QC MP will share her thoughts on the future of the justice system, particularly in light of the LASPO post-implementation review.

#### **Private Client Section: cross border conference 2019 – Insights into foreign assets**

Our full-day programme will help you to keep on top of the increasingly complex and changing environment of international private client work.

### **Keeping members up to date**

We have a number of newsletters for members. Below is a list, along with links for signing up to them.

<b>Newsletter</b>	<b>Sign-up method</b>
Advocacy Update	<a href="#">Update My Law Society preferences</a>
Anti-money Laundering Update	<a href="#">Law Society newsletter page</a>
City Update	<a href="#">Contact the City relationship management team</a>
Diversity & Inclusion Update	<a href="#">Update My Law Society preferences</a>
In-house Forum	<a href="#">Update My Law Society preferences</a>
International Update	<a href="#">Law Society newsletter page</a>
Junior Lawyers Update	<a href="#">Law Society newsletter page</a>
	<a href="#">JLD sign-up page</a>
Legal Aid Update	<a href="#">Law Society newsletter page</a>
Professional Update	<a href="#">Law Society newsletter page</a>
Regional Update	<a href="#">Contact your regional relationship management team</a>
Risk & Compliance Update	<a href="#">Join the Risk and Compliance Service</a>
Small Firms Focus	<a href="#">Contact the Small Firms Division</a>
Solicitor Judges Update	<a href="#">Join the Solicitor Judges Division</a>

You can also register for the Gazette daily update [here](#).

As always, please feel free to share this update with your members unless otherwise specified.

Kind regards,

Christina

**Christina Blacklaws**  
**President**

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