SUSSEX LAW SOCIETY NEWSLETTER JUNE 2021

Dear Member,

PRESIDENT'S REPORT

Welcome to June's edition of the newsletter, which as I type looks like it should be received by you in blazing sunshine. We can but hope! Whether or not the proposed easing of lockdown happens on 21st June remains to be seen, I do feel like there is increasing optimism throughout the profession and society in general. I have certainly noticed that more networking events are starting to take place in person rather than on-line, which feels like another step toward normality, as I for one am starting to suffer a little bit of "zoom fatigue"!

Having said that, on 27th May I attended an on-line meeting of most of England and Wales' local law societies hosted by I. Stephanie Boyce and Lubna Shuja. Before the meeting we had been asked to prepare a 1 minute speech on the most important issue to our members. Frankly I could have taken up the whole 90 minutes, but I chose the topic that has come up most when discussing professional woes with other Managing Partners – the hardening of the PI insurance market and the proposed withdrawal of the SIF. Having received statistics of 30% premium increases and restricting criteria such as no more than 20% conveyancing turnover, it felt like a fundamental issue that would affect every one of our member firms. The content of my speech was echoed throughout those given many other local law societies.

As you can imagine, many other topics were raised, including lawyers' mental health, access to justice, the over-burdened and under-funded criminal justice system, lawyer comparison websites, training and development of junior lawyers, and the proposed expansion of non-reserved legal activities. The cynics amongst you may think we were merely being paid lip service, but I am hopeful that our new President took everything on board; and although she doesn't have a magic wand, even just listening what troubles local law societies will start to bring about some change.

So, ever the optimist, I leave you with that and wish you a happy, and sunny, June.

Lucy Tarrant

NEWS

- On 10 May **Amanda Shaw Solicitors** moved to new premises at Unit 3 Pondtail Farm, Coolham Road, West Grinstead. This move took the conveyancing business out of the family home where it had traded for 13 years to offices just 3 miles away on the Knepp Estate.

- **Cognitive Law** is delighted to welcome Carmen Calvo to the Cognitive team. Carmen specialises in Spanish and International law, as well as English litigation and commercial matters. They are thrilled to have her in the team.

- **Dean Wilson LLP** are very pleased to announce that Sarah Phillips has become a Partner in the Firm with effect from 1 June 2021. Andrew MacFadyen said "Sarah is not only a formidable Family lawyer but also an excellent communicator. And has never been accused of speaking too quietly".

- Over the weekend of 9th July **Edward Cooke Family Law** will be walking 40 miles from their office in Chilgrove to their office in Hove to raise money for Children on the Edge, a charity that helps create supportive environments for marginalised children in countries including

India, Uganda, Myanmar and Lebanon. Please consider sponsoring us and supporting this fantastic cause.

- **Bate & Albon Solicitors** are delighted to welcome James Sandbach, formerly a Partner with Wannops LLP, who joins as a Consultant specialising in commercial property work. He will based at our new office in Chichester, which will be officially opening soon.

- A team of 8 barristers and clerks from **1COR** will be abseiling the i360 on July 15th from 6.30pm. Our annual fundraiser, The Ghulam Hussain Cup, volleyball tournament has sadly been postponed for a second year. We are therefore thrilled to have been given the opportunity to take part in this event and to help make up the shortfall in the Rockinghorse Children's Charity finances caused by Covid 19. If you are able to spare a few pennies to sponsor the team it would be very much appreciated and here is a link to The Just Giving Page.

- **Veronica Hamilton-Deeley**, HM Senior Coroner for Brighton and Hove is retiring on 16th July. Veronica has been the Coroner since 1997 and has been a very active member and Past President of this Society. We all wish her a very happy and much deserved retirement!

- A team from **Griffith Smith** are taking on a sponsored 10km walk on Monday 21 June to raise funds for advice agencies in and around Brighton including Brighton Housing Trust, Citizens Advice Brighton & Hove, Money Advice Plus and Possibility People. The team is: Emma Weir, Jenny Ray, Paul Harrington, Sara Whittle (with more to follow). Find out more here.

- **Tisshaws Family Law Solicitors** are delighted to announce that Richard Adams will be joining them as a Senior Associate Solicitor from the beginning of June 2021 to enhance their team of Dispute Resolution lawyers.

- **Cognitive Law** is delighted to announce that their Head Office is relocating to the Sussex Innovation Centre in Brighton from Tuesday 1st June. After spending 7 happy years in their former office in the centre of Brighton, they are moving to a location that suits the growing needs of the business, their clients, and their consultants. They are looking forward to getting settled in and continuing to deliver exceptional legal services to all their clients.

ALL CHANGE FOR LEASEHOLD DWELLINGS

On 11 May 2021, the Government in the Queen's Speech announced a whole raft of legislation in relation to leasehold dwellings in England. One Bill, the Leasehold Reform (Ground Rent) Bill 2021 is already in front of parliament. Further legislation is promised relating to leasehold extensions and also the abolition of S.21 shorthold notices and no fault eviction of short term tenants.

Furthermore, there are numerous developments in relation to fire safety after Grenfell. The EWS (External Wall Systems) 1 certificates continue to cause major problems, and RICS updated guidance produced in March 2021 has muddied the waters. In addition, the much awaited Fire Safety Act 2021 received the Royal Assent on 29 April 2021 and changes the nature of fire safety risk assessments. The Government has also announced that it is to proceed with a Building Safety Bill 2021 in this Parliamentary year. These changes amount to the greatest overhaul of residential leases in a generation.

Richard Snape is a leading authority and speaker on conveyancing matters and In this article discusses the changes proposed during the Queen's Speech on ground rents and other planned reforms.

Richard is also presenting a webinar for us 'Leasehold Dwellings Update' where all the issues and more will be discussed. It will be held from 2pm – 5pm on 5th July. You can find full details of this webinar here.

COUNCIL MEMBER'S REPORT

It's June and we are all looking forward to the end of the roadmap and fingers crossed that circumstances permit the ending of the Covid restrictions. However, it also means that there is less than three months to go before the Solicitors Indemnity Fund ('SIF') comes to an end. Resulting in there no longer being run-off cover for firms who ceased, without a successor, since 1st September 2000. Those affected who will now need post-six-year run-off cover are expected to find it on the open market.

I cannot put the position better than what has been said by Nick Gurney-Champion, chair of the Law Society's Professional Indemnity Insurance Committee. Nick's statement to Council, on 19th May, can be found here.

What I can say is that the Law Society is working hard to (i) persuade the SRA to again extend the SIF closure date, (ii) find a market solution to fill the gap if/when the SIF does close, and (iii) push the message out to find all of those retired members of the Society who will be affected. It may come as no surprise to some that the Law Society's and the SRA's records are incomplete.

So if you are, or if you know, of a solicitor who retired before 2000, please forward this newsletter and I ask that person to contact me, this society, or the Law Society for more information.

I would also encourage you to write to both the SRA and the LSB to express your concerns regarding the closure of SIF, particularly from the client protection point of view. Whilst it is, of course, important for us solicitors, clients will also be badly impacted by SIF's closure.

Oliver Maxwell-Jones

ISSUES WITH THE COURT OF PROTECTION UPDATE

Since the last Newsletter we have received a very helpful replyl from the Delivery Manager at the COP at First Avenue House who has looked into the issues we raised following feedback from members, specifically about communications with the COP. Her responses are below *in italics*:

Difficulties in corresponding with COP on applications when a judge has requested amendments or resubmission

"I am sorry you feel the responses you receive from us on next steps on these applications are not always helpful and are sometimes unclear. I would assume that the directions given by a Judge, which are communicated to you by letter or by an order, are clear and self-explanatory. The expectation is that professionals in the relevant area of law would know what is required when filing an application and what the next steps are.

If the judges' direction is not clear, you can make an appropriate application, which will be referred to the judge who gave the initial directions. If this is a concern you have had on a few applications, it would be useful to have the case numbers and I am happy to refer them to Her Honour Judge Hilder to review. If there has been an error in the draft you have received, court staff are responsible for making the necessary amendments. Again, if you can provide me with further details on the cases, I will look into it."

Difficulties in contacting us by phone

"I acknowledge the difficulties our users are facing, in trying to contact us by phone. Our contact centre is based in First Avenue House and with no call diversion facility, staff have to be in the office to attend the phones. For most of the last year, we have been working on 50% capacity and this has led to significant backlogs in most areas of our work. The call drop is an issue we are aware of and have raised it with the service provider. I appreciate this is frustrating, for which I am sorry. We are looking into resolving the issue and hope to rectify this in the coming months."

Letters are ignored and no continuity of service with emails

"It is disappointing to hear that you have not been receiving a satisfactory response to your letters and emails. I have shared your feedback with the managers and hope that you will see an improvement in the coming months. If there are any specific cases that you would like to raise with me, I am happy to review."

The Delivery Manager has also said that she is really keen to help and has offered to look into specific cases you may have /had issues with or where you may be experiencing difficulties with progressing urgent matters so please let Jeanette Lacy Scott know if you would like to be put in contact with her.

FAKE 'RULE 39' LETTERS

Due to an increase in fake 'Rule 39' letters, HMP Lewes is running a pilot study requiring firms sending Rule 39 letter to include Unique Reference Numbers (URN's) on their correspondence. Firms will be contacted by the prison and provided with a URN to include on their correspondence in accordance with the attached staged process. Read more about the pilot here.

FREE SRA WEBINAR ON THE SOLICITORS' QUALIFYING EXAMINATION FOR LAW FIRMS

In response to a number of enquiries received from local law societies, the SRA are running a webinar on the Solicitors Qualifying Examination for law firms. Hear from Julie Brannan, Director or Education and Training, SRA and Nicole Poole, Policy Advisor at the Law Society who will discuss the wider qualification changes from this September. Delegates can submit questions when registering, although there will be opportunities for live questions throughout the webinar.

The webinar takes place on Thursday 17 June from 16.00 – 17.00. Register to attend the SQE webinar.

VIRTUAL TOURS OF THE SUPREME COURT

The UK Supreme Court we have recently launched a virtual public tour, led by one of their experienced guides. The tours demonstrate the art and architecture of the building, delve into the

function and significance of the Court and are interactive with plenty of opportunities to ask questions.

The virtual tour costs £5 and lasts about 1 hour. You can book your place via Eventbrite. There is more information on the Supreme Court website here.

LEAVING LOCKDOWN: WHAT WE'VE LEARNT ABOUT WELLBEING AND HOW TO HARNESS IT FOR A BETTER FUTURE

During Mental Health Awareness week in May we partnered with Kent, Surrey and Devon and Somerset law societies to put on a webinar aimed at lawyers featuring an all star panel of experts who discussed how we can use the lessons learnt in lockdown to continue looking after the wellbeing of ourselves, our colleagues and employees during this time. It was a really interesting session - if you missed it you can listen to the recording here.

"INDEPENDENT" ASSESSMENT OF THE SRA's QUALITY OF ENFORCEMENT

Practitioners will have noticed increasing concerns regarding the SRA's current policy , including wasted costs, disproportionate ethnic minority subjects of action, and decisions to pursue junior lawyers who had reported suffering from mental illness. Amongst the changes outlined in the 21/22 business plan, itself part of the ongoing three-year strategy to maintain high standards, is the proposal to set up a new independent entity. Whilst its arms-length remit has not been finalised, the remaining business plan focuses on discrimination, diversity and inclusion, the adoption of technology and innovation in the profession, and to anticipate and respond to change. Should you wish to respond to the business plan consultation, you have until 25th June. You can log into MyLS for a link to how your PC fee is being calculated and allocated. Have your say!

The SRA's plan to reduce the maximum award from the Compensation Fund from £2m to £500,000 was strongly opposed by the Law Society and the SRA has now backed down. We have been reporting on the ongoing transparency issues where the SRA says it will continue to do observe the recommendations of the Competition and Market Authority to provide quality indicators for consumers to know more about their legal provider, competency requirements and to enhance the existing solicitors register. The continuing commitment to oversee the SQE is becoming a priority for this year.

BRUNSWICK SQUARE IMPROVEMENT ACT 1951

Does anyone have a copy of this? If so could you let Jeanette Lacy Scott have a copy please?

KEEPING CLOSE: SUPERVISING & MENTORING TRAINEES REMOTELY

A useful article from the Law Society website about remote supervision and mentoring of trainees can be found here.

SUSSEX COMMUNITY FOUNDATION

If you are working with an inactive or dormant trust (defined as one which has not spent any money in the last five years or has spent less than 30% of its income in the last five years), Sussex Community Foundation may have an answer for you and the trust's trustees which could bring much –needed funds back to Sussex to support charities making a huge positive social impact.

UK Community Foundations (UKCF) is working in partnership with the Charity Commission on the Revitalising Trusts Programme, set up to ensure funds from inactive or dormant charitable trusts are 'unlocked' and spent on good causes across the UK.
Even though many of these trusts are very small, collectively the funds hold a significant amount which could make a huge difference to local communities, if revitalised. The programme has been running since 2018 and, in that time, it has revitalised over £50million of inactive funds. This money has been distributed to UKCF, local community foundations and other charities, who have spent it on crucial community projects throughout the country. To discuss the Revitalising Trusts Programme further, please contact Laura Cameron Long, Revitalising Trusts Programme Manager at UKCF. Email

WEBINAR 'SHARED OWNERSHIP, RIGHT TO BUY & HELP TO BUY: NEW DEVELOPMENTS'

April 2021 saw the introduction of the New Model Shared Ownership Lease. In addition, Help to Buy in England is undergoing major changes as of 1 April 2021 and Right to Buy, including voluntary Right to Buy is an expanding but dangerous area. In this webinar Richard Snape aims to look at the existing law and new developments. Topics covered include:

- Shared Ownership Leases and the pitfalls
- The New Model Shared Ownership
- SDLT and Shared Ownership Leases
- The Help to Buy Scheme
- Council House Right to Buy and some of the pitfalls
- Voluntary Right to Buy

The webinar is £100 + VAT for members and takes place from 2pm - 5pm on Monday, 7th June. Full details of the content and the application form can be downloaded here.

OUR CPD COURSES & WEBINARS

Click on the links below for full details of each course and application forms:

- **7th June, 2021** – 'Shared Ownership, Right to Buy & Help to Buy' LIVE Webinar. 2pm – 5pm. Speaker: Richard Snape
- **5th July, 2021** – 'Leasehold Dwellings Update' LIVE Webinar. 2pm – 5pm. Speaker: Richard Snape
- **8th July, 2021** – 'Legal Sector Affinity Group Draft AML Guidance for Law Firms – What you should know' LIVE Webinar. 9.30 am – 11.30 am Speaker: Joanna Morris
- **19th July, 2021** – 'Commercial Property Update' LIVE Webinar. 2pm – 5pm. Speaker: Richard Snape
- **22nd September, 2021** – 'The CQS – Compliance & The New Assessment Regime' LIVE Webinar. 9.30am – 1pm. Speaker: Tracy Thompson
- **14th October, 2021** – 'Civil Litigation Reforms 2021'. LIVE Webinar. 09.30 am – 11.30 am. Speaker: Professor Dominic Regan.

OTHER WEBINARS/ARTICLES/RESOURCES

10th June – 'Returning to Work and What's Ahead in 2021' Webinar: Join Loch Associates Group from 12.30 – 13.30 and find out all you need to know about the return to the workplace post Covid. The webinar will be exlporing the issues surrounding the return to the workplace post Covid, and what challenges organisations are facing around vaccines, testing, hybrid working and more. For more details and to book see here.

Starting on 15th June - the launch of the Sherrards Academy, a new initiative delivering bite-size employment law/HR related courses to line managers/HR professionals. Our UK Employment Law Course will provide delegates with a deeper understanding of the key aspects of employment law in a practical, interactive way. Click here to find out more and book your place: www.sherrardsacademy.com

22nd June 1 - 2pm - Ask The Experts - Community Care Law Q&As. Cate Searle, Head of the Community Care Law team, & Paula Jones, Services for Professional Deputies Lead, at Martin Searle are running free monthly Community Care Law Q&As focusing on topical issues in community care and mental capacity law. This session is on and deals with "Top Tips for running a successful NHS Continuing Healthcare funding appeal". See here for more information and to book.

28th June 9am – 12pm 'An Introduction to NHS Continuing Health Care & Other Types of Funding' - Cate Searle at Martin Searle is hosting a virtual seminar in partnership with MBL Seminars. This new seminar is designed for people who want to develop their knowledge about NHS Continuing Health Care ('NHS CHC') and other types of NHS funding, but who do not have any or very much experience in running these type of cases. For more information and to book your place, click here.

28th June 10.30 am – 12 pm 'Pregnancy & Maternity Discrimination – A Guide for HR Managers & Employment Lawyers' – Sarah Henderson at Martin Searle is running a virtual live webinar, in partnership with MBL Seminars, which offers best practice employment law advice to avoid discriminating against pregnant women and those on maternity leave. This incorporates employment law developments due to Covid-19. This interactive session includes working through practical case studies For more information and to book your place, click here.

SITUATIONS VACANT

Listing job vacancies in the Newsletter & putting more detailed vacancies on the website is **FREE** for Sussex Law Society member firms and individual members and £50 + VAT for other contributors. Contact Jeanette Lacy Scott to place an advert. More details about each vacancy and how to apply can be found by following the highlighted links.

- **Join the Coole Bevis LLP Management team** - We are reshaping our central administration function and expanding our management team. As a result, the current vacancies are available: Practice Director/Head of Operations – full-time/ Business Development Manager – possibly 3 or 4 days per week/ HR Manager – possibly 3 or 4 days per week. If interested please email anita.amies@coolebevisllp.com

- **Commercial Property Lawyer** – Anderson Rowntree LLP are looking for someone with 3 years pqe + to be based at their Chichester Office. See here for more details and how to apply.

- **Document Archive & Filing Clerk** – Engleharts Solicitors in Hove seek someone for this part time established role which involves a high attention to detail and an ability to physically move and analyse a large number of files on a daily basis. More details and how to apply can be found here.

- **Experienced Commercial Property Paralegal** – Anderson Rowntree LLP are looking for someone for this full time role at their Chichester Office. The work will cover a wide range of commercial property matters to include commercial sales, and purchases, new leases, lease

renewals and assignments, commercial landlord and tenant work along with other such commercial work. See here for more details and how to apply.

- **Legal Cashier** – Bennett Griffin are recruiting for a full time legal cashier for their Worthing Office. Full details and how to apply can be found here.

- **NQ Solicitor / Legal Executive (Company Commercial)** - A fantastic opportunity has arisen for either a NQ Solicitor or a Legal Executive to join our leading law firm located in Brighton and Hove. See here for more information and how to apply.

- **Paralegal / Legal Executive (Company Commercial and Employment)** - A fantastic opportunity has arisen for either a Paralegal or a Legal Executive to join our leading law firm located in Brighton and Hove. See here for more information and how to apply.

- **Paralegal/Legal Executive (Commercial Property and Development)**. This is a full time permanent role for someone bright and committed to a career in the law, willing to hit the ground running and to use their initiative. See here for more information and how to apply.

- **Paralegal/Legal Executive (Residential Conveyancing)** - A fantastic opportunity has arisen for someone to join the Residential Conveyancing Team of our leading law firm in Brighton & Hove. See here for more information and how to apply.

- **Private Client Lawyer** – Anderson Rowntree LLP are looking for someone with 5 years pqe + to be based at their Petworth Office. See here for more details and how to apply.

- **Private Client Lawyer** – Bennett Griffin are seeking a technically strong lawyer to be part of the growth of their Private Client Team and to act as an integral part of their Estate Administration. Full details and how to apply can be found here.

- **Residential Conveyancer** - Coole Bevis LLP is looking for a residential conveyancer with good organisational and inter-personal skills. You will be based in Brighton but expected to attend the Worthing office on a regular basis. This is a permanent role with plenty of opportunity for career development. See our website for more details.

- **NQ Solicitor/Legal Executive – Landlord & Tenant Department (minimum 1 year PQE**) - An opportunity has arisen for a person with experience to join Dean Wilson's Landlord and Tenant and Property Litigation team. Full details and how to apply can be found here.

- **Solicitor/Conveyancer** – Lawson Lewis Blakers are looking for someone to undertake residential conveyancing work at their Peacehaven office (ideally 5 years + PQE). More details and how to apply can be found here.

LOCUMS

If you would like to be added to the a list of locums published monthly in this Update please email your details to Jeanette Lacy Scott Listing your details here is free of charge for members:

- Margaret Dowdles - commercial/residential property. Happy to discuss how firms can practically work together so she can innovate on pricing and still deliver real value at this challenging time and going forwards -. Contact mgtdles@gmail.com 07947-771593. Call to check availability.

- Robin Bates - family and civil dispute resolution. contact mob 07710 202422 ; e-mail robin-bates@sky.com
- Elin Dukes - private client/court of protection - contact: elindukeslaw@gmail.com / 07585800258.
- Patrick Richards- Un-Notarised legal translations, office and Court interpreter services offered by fluent French and Italian speaking local Solicitor. Contact patrichards27@hotmail.com 07715928563.

DOMINIC REGAN'S SUMMER WINE BARGAINS

Dominic's current top tips are:

- Vina Sol Spanish White which is widely available. Full price about £8 but regularly on offer at £6-50 ish.
- Waitrose Blueprint White Burgundy 9-85 which also comes in a nifty half at £5-45 . This is seriously good . Strongly recommended.
- Aldi Red Toro at £3-95 is the best value in the Country today at an absurdly low price of £3-95. Note that there are more expensive variants but this one is it!
- Waitrose Sous Le Soleil is clean , fruity French Red at £5-95. The white counterpart is equally decent.
- Tesco own label Beaujolais looks humble but is fabulous and exactly £5.
- If flush, Tesco Champagne at £20 keeps winning awards.
- Aldi Provence Rosé c £7 comes well recommended too.

LOST & MISSING WILLS

Does your firm hold a will for the following:

Michael Norman BARTLETT (RIP) D.O.B. 12/07/1939 Last Address: Arlington House, Tennis Road, Hove (previous to that 9 Holingbury Crescent) Please contact her son chrisbartlett247@hotmail.co.uk with any information.
Stephen John KNIGHT (RIP 12/05/2021) It is believed he made a will in the Henfield area. If you know the whereabouts of the will please contact l.fleming@griffithsmith.co.uk

All wills previously held by Howlett Clarke are now safely held with the Right Legal Group, Wyvern Business Park, 16 Stanier Way, Derby, DE21 6BF. Telephone number 01332 424511.

Please contact jeanettelacyscott@btinternet.com if you are looking for a will or if you want to be part of our lost/missing wills scheme (free of charge)

LAW SOCIETY DIVISIONS/NETWORKS

The Law Society has some really useful divisions/networks full of information and resources which are worth exploring. The links are here: Ethnic Minority Lawyers; In-house Lawyers; Junior Lawyers; Lawyers with Disabilities; LGBT+ Lawyers; Small Firms; Solicitor Judges; Women Lawyers

SUBSCRIBE/UNSUBSCRIBE

Following the introduction of the new GDPR laws on 25th May 2018, if you are not an individual or corporate member of the Sussex Law Society and wish to continue to receive this monthly newsletter you will need to opt in here. If you are unsure about whether you are/are not a member please contact Jeanette Lacy Scott

If you would like to receive information about courses and events in any of the following areas of law please sign up to one of the following lists:

Litigators List
Private Client Practitioners List
Property Practitioners List
Family Practitioners List
Criminal Law Practitioners List

Contact Jeanette Lacy Scott if you no longer wish to receive the monthly Newsletter and put **UNSUBSCRIBE** in the subject heading.