

## PRESIDENT'S REPORT

Are we always wishing our lives away? I say that because the long dark days of January are over and it's certainly one of the months in the year I wish to get through as quickly as possible. February, being the shortest month, means meteorological Spring is now only a few weeks away. The longer days, the lighter mornings and evenings, all bode well for our mental health. Currently, work appears to be relentless and unrelenting. Overwhelming and emotionally challenging workloads mean working as legal professionals can be stressful and heavy caseloads daunting. We all need to be mindful of our own wellbeing and of those around us.

The breaking down of tasks and effective delegation are two ways of easing the stress and making it feel more manageable. Developing your emotional resilience will improve your ability to adapt to stressful situations and crises. Ultimately, we should all do what we can to improve our own wellbeing and help those around us with theirs. Plan your day, prioritise work and delegate where you can. Consider your working environment, the lighting and temperature, even having a living indoor plant next to you has been shown to improve mood & morale. Also, take regular breaks away from your desk (too much browsing on your smart phone is not the answer), talk to colleagues, go for a walk, exercise, put your headphones on and listen to your favourite music. Our brains can only concentrate for so long and our ability to perform tasks has diminishing returns over time.

There is help around when you need it. Browsing will give you endless hints tips and apps, though only use a trusted source. If there is one, ask your HR team or ask a colleague, friend, or partner. Help can only be a question away.

My mood was lifted last week when I attended the Brighton and Hove Estate Agents Association Annual Dinner. Seeing your name and photo up on the screens in the Grand Hotel's Empress Suite as one of the questions in the heads & tails game was certainly a surprise. Speaking of events, our Annual Dinner this year will be a mid-summer Masquerade Ball on Friday, 16<sup>th</sup> June at the Grand Hotel in Brighton. Please contact [Jeanette Lacy Scott](#) for tickets, early bird rates are still available.

*Oliver Maxwell-Jones*

## LOCAL NEWS

- **Bate & Albon** are delighted to announce the following new starters : Brighton Office - Janine Cooper-Rowan, an experienced Commercial Property Solicitor started with the firm just prior to Christmas. Worthing Office - Paul Harrington has joined the firm as a Consultant. Paul is an experienced Chartered Legal Executive who deals with property and general litigation. Michelle Shephard is an experienced Family Solicitor who will be working alongside our existing Family Consultant, Steve Collett.

## GETTING BACK TO THE PUBLIC LAW OUTLINE ON THE SOUTHEASTERN CIRCUIT

Find out more in this local Practice Note (3<sup>rd</sup> February 2023) [here](#).

## MENOPAUSE IN EMPLOYMENT: AN EMPLOYER'S GUIDE

Last month Pam Loch, Solicitor and Managing Director of Loch Associates Group, gave a very informative and interesting webinar to our Managing Partners' networking group including a discussion around menopause in employment which everyone found extremely useful. Pam kindly agreed to write this short guide for our Newsletter which we hope you will find helpful:

### **Why should employers give more thought to the menopause?**

There are an increasing number of women in the workplace because:

- More women are re-joining the employment market post childbearing.
- Government policies have encouraged women to stay at work.
- The state pension age was changed which means that women need to work for longer.

However recent surveys show that 10% of menopausal women have left work because of the symptoms and 44% said their ability to work has been affected by it.

### **What should employers be doing?**

For employers, the menopause:

- Needs to be handled sensitively with understanding and support for staff, to help to retain staff and maintain productivity.
- Be aware that it's a health and wellbeing concern: The Health and Safety at Work Act 1974, requires employers to ensure everyone's physical and mental health, safety and welfare at work.
- It may lead to claims for discrimination against the employer and potentially individuals under the Equality Act 2010, for example:
  - If severe symptoms amount to a disability.
  - Where an employee going through the menopause is discriminated against due to age or sex; or
  - Where an employee going through the menopause is subjected to harassment.

### **What steps should employers take to support menopausal employees in the workforce?**

- Acknowledge the menopause exists in the first instance.
- Introduce a Menopause Policy or incorporate it into a Wellbeing Policy.
- Increase awareness, perhaps as part of a wider wellbeing campaign because:
  - Female employees are often not aware they may be perimenopausal or menopausal.
  - Managers may not be aware of the symptoms or the impact the menopause may have.
- Make sure you train staff to understand:
  - The menopause and its effects.
  - The impact menopause may have on staff at work and how to address it for example, better ventilation and access to water etc.
  - Where to find support and guidance

### **Where can employers get additional support and advice?**

- [Acas](#) has published updated [menopause at work guidance](#) to help employers and managers support their staff. It includes good practice guidance for employers to help manage the effects of menopause at work.
- [Loch Law](#) can provide bespoke training and advice to help employers be proactive and get things right and retain their staff.

If you would like to hear about future Managing Partner networking events, please let [Jeanette Lacy Scott](#) know.

### BOOK NOW AND GET YOUR 'EARLY BIRD' DISCOUNT FOR THE MID SUMMER MASQUERADE BALL

Our Mid-Summer Masquerade Ball is on Friday, 16<sup>th</sup> June at the Grand Hotel in Brighton. The Ball is open to both members and non-members and is the perfect opportunity to entertain partners, colleagues, staff, clients and business connections all in one evening and raise funds the President's charity – [The Clocktower Sanctuary](#). The Ball is the only local event of its kind for members of the profession and all those who make up and are associated with the local legal community. With great food, wine and live music from [Xcaliber Party Band](#) it is always such a great evening so, if you have never been before, why not come along! Exclusive tables seat a minimum of 8 and a maximum of 12 but if you are a smaller group or wish to come alone that is no problem at all - we will accommodate you on a mixed table.

We are pleased to say that many of you have already taken advantage of our 'early bird rate' offer and booked your tickets. For those of you who haven't, you still have until 31<sup>st</sup> March to get the 'early bird' rate of £70 + vat (£70 including vat for trainees and members of the Sussex JLD and individual members who are not VAT registered) After that tickets will be the full price of £75 + VAT (£75 including vat for trainees and members of the Sussex JLD and individual members who are not VAT registered). The application form can be downloaded from the website [here](#)

Finally, there are several sponsorship opportunities available for this event. If you are interested in finding out more about these, please contact [Jeanette Lacy Scott](#).

### SOLE PRACTITIONERS'/SMALL FIRMS NETWORKING GROUP

We are hoping to set up a networking group for sole practitioners and partners in small firms. The idea is to support those firms not big enough to have their own specialist departments like HR, IT etc by putting on courses and presentations (both virtual and face to face) to help with some of the issues faced running a legal practice. Please let [Jeanette Lacy Scott](#) know if you are interested.

### HMCTS UPDATE

We receive a weekly update like this from HMCTS which is posted on the [Sussex Law Society website](#) every Monday.

#### CRIME

##### Common Platform

- Use new contact details for queries about magistrates' court cases in the Midlands - From Monday 13 February 2023, queries about all Common Platform magistrates' court cases in the Midlands will be handled by our service centre. Please call 0330 808 4407 or [email our service centre](#) instead of contacting the court where the case will be heard.
- Reminder: register for our webinar for defence professionals - We're hosting a [webinar for defence professionals](#) on Wednesday 22 February 2023 at 1pm. You can find out about recent progress we've made introducing the Common Platform case management system to criminal courts, our plans for further implementation and see a demo of new features. [Register for the Common Platform here](#).
- Reminder: book your space at a drop in session - Defence solicitors and barristers can join one of our regular [online support sessions to get help with using Common Platform](#). We'll

answer questions, offer advice and help with troubleshooting. Sessions take place on Tuesdays at 4:30pm and Thursdays at 9am. [Email to book a Common Platform drop in session.](#)

#### Scams

- Warning on 'Cestui Que Vie Trust' car insurance scams - Fraudsters are offering false 'common law' car insurance and claiming that the insurance is backed by the holder's 'cestui que vie trust'. [Read more about the scam and how to protect yourself.](#)

#### **FAMILY**

##### Court of Protection service


- Applications for property and affairs deputyships should now be made online. We're giving a demonstration of the service on Tuesday 28 February 2023 at midday. [Register for the Court of Protection webinar for legal professionals.](#)

##### Financial Remedy service

- Reminder: applications must now be submitted and managed on MyHMCTS. All contested and non-contested applications for financial remedy must now be submitted and managed on MyHMCTS. Find more information on [how to use online financial remedy services](#) and how to sign up for MyHMCTS. [Read the guidance about submitting an application on MyHMCTS](#)

#### **MARCH QUIZ NIGHT**

There are only a few places left for the next Sussex Law Society Quiz Night which will be held at 7pm on Thursday, 9<sup>th</sup> March in the Palm Court Restaurant on Brighton Pier. You can find out more details by [clicking here](#) – check with [Jeanette Lacy Scott](#) before you book to see if there are still spaces.

This event is being kindly sponsored by  DEVASSIST

#### **COUNCIL MEMBER'S REPORT**

##### Law Society Council meeting on 17<sup>th</sup> January 2023

This was my first meeting in the "Council Chamber", a room that my predecessors will know well. It is semi-circular theatre style seating with a desk, microphone and array of buttons in front of each chair. These enable members to indicate that they want to speak, speak when called and vote electronically on motions. I did try and speak on SQE exams but either the technology didn't register my interest, or I wasn't called. My "maiden speech" shall have to wait. The meeting was initially chaired by the Law Society President Lubna Shuja. She left at lunch time to speak at the Justice Select Committee of the House of Commons on the subject of Criminal Legal Aid. The Law Society has been strong on this and a link to the full proceedings can be found [here](#).

As noted in my last report, the Law Society has issued a JR Pre-Action Letter and I understand the Government's formal response to that is awaited. On February 6<sup>th</sup>, the DPP announced that prosecution barristers will receive a pay increase comparable to the 15% + that has been awarded to defence barristers. Defence Solicitors remain stuck with a 9% increase (the first increase in over 20 years). The Council meeting on 17<sup>th</sup> January dealt with a number of issues and I have picked out two topics of interest:

1. The Law Society believes that the Government's proposed Bill of Rights would undermine the rule of law, damage Britain's international standing, and paint the UK as a nation that did not respect international agreements or human rights. It was unclear whether the Bill would be brought back to the House of Commons for its second reading as the media had reported it had been withdrawn, but The Law Society would continue to monitor developments in this area and seek to persuade members of both Houses that this was not a Bill for which they should vote.

I hadn't appreciated the full impact of this Bill until the meeting - it would leave the UK technically within the ECHR but allow UK Courts to ignore large parts of it.

The ECHR arose out of the Congress of Europe, convened by, amongst others, Winston Churchill shortly after the end of WWII. A British lawyer, Sir David Maxwell-Fyfe, was instrumental in the drafting of the Convention. Many would see it as sad were the UK to derogate from its provisions. The Law Society is fundamentally opposed to this.

2. The Society commemorated 100 years of women entering the legal profession. The Society celebrated the remarkable achievements of the first four women solicitors, Carrie Morrison, Maud Crofts, Mary Pickup and Mary Sykes. However, we should all reflect on how we can continue to promote inclusion in the legal profession and ensure it reflects the diversity of our society.

*Andrew Bishop, Law Society Council Member for Sussex*

#### **NATIONAL CONVEYANCING WEEK**

National Conveyancing Week will be held on from Monday 20th March to Friday 24th March and we would love for you to join us. The purpose of NCW will be (amongst other things) to: Inform; Educate; Assist; Motivate; Reassure; Help recruit new entrants; Improve the profile of conveyancers and conveyancing and ensure fees can be set at and kept at an acceptable level. The beauty of National Conveyancing week is that you can watch, or take part in, whichever session you want when you want. It will be a mixture of live panel debates and pre-recorded webinars, but they will mostly be available to watch still at a later date on our YouTube channel so you won't miss out. To be part of this event and secure your FREE place, send us your firm logo to [info@conveyancingweek.co.uk](mailto:info@conveyancingweek.co.uk) For more information visit our website, <https://conveyancingweek.co.uk/events/> You can also follow us at @NatConveyWk on Twitter and @nationalconveyancingweek on Instagram. #natconveywk2023

#### **CHARITY TRUSTEE REQUIRED**

Brighton YMCA is a Brighton based Charity which houses 300 homeless people in its own hostel accommodation throughout the City. It is seeking an experienced Solicitor/Trustee and Non-Executive Director to actively participate in its Board of Management. This is a voluntary and unpaid role. The ideal Applicant would be a retired Solicitor who has extensive experience of Charity and/or Company administration and management. The work would involve attending in person 6 main Board Meetings and an additional 6 Committee Meetings a year. The meetings are usually held at the Head Office at Old Steine, Brighton. Further enquiries to John Tarling at [johntarling1@btinternet.com](mailto:johntarling1@btinternet.com)

**COMPLIANCE & REGULATION**

It is said that complacency is the biggest risk to which the profession exposes itself. What better time to audit your policies and checks as Government and the SRA continue with their recent power surges, investigating both large and small firms, adjudicate and imposing a raft of extraordinary financial penalties? One timely suggestion on how to ensure that your firm and staff remain on continuous lookout might be to attend this year's one-day [Law Society Risk and Compliance Conference](#) in person or on-line on 17<sup>th</sup> March? The event is classed at Level 2 SRA Competence and a full programme is available [here](#). Topics not only cover business ethics, AML, economic crime, workplace culture and cyber insurance but also expect ( or ask for ! ) an update and clarification of "SLAPPs" as well as the timelines and "compelling reasons" for the Ombudsman dismissing a complaint under its recently published Scheme Rules.

*Patrick Richards, Compliance & Regulation Standing Committee*

**'CIVIL LITIGATION UPDATE: LATEST ON CPR REFORMS & NEW CASES' WEBINAR**

Exactly 10 years on from the Jackson reforms and we have another wave of big changes coming. This live webinar by **Professor Dominic Regan** will be held from **9.30 am – 12.30 pm on Tuesday, 14<sup>th</sup> March, 2023** and will address:

- Mandatory ADR.
- An overview of the October Fixed Costs regime and the uncertainties .
- The latest from the CJC on budgeting reform and Guideline hourly rates.
- More witness statement grief.
- Errant experts.
- The need to deliver a costs account to your client.

You can download an application form [here](#).

**OTHER COURSES/WEBINARS/ARTICLES/RESOURCES**

**GoodLaw Solicitors LLP** Family Department are hosting a Private Children and Domestic Abuse training event on **1<sup>st</sup> March 2023 from 6pm-10pm** at The Old Court House in Brighton. The evening will include talks from: Jack Horlock, Weightmans Solicitors; Support Through Court; Jodie Cudworth, Westgate Chambers; Our Family Law Wizard; Jane Wells, GoodLaw Solicitors. The Key Note presentation will be given by Dr Emma Katz, Senior Lecturer in Childhood and Youth, who is a specialist in coercive control and the impact on children. There will also be complimentary drinks and nibbles! To register your interest in the event, please email [emma@goodlawsolicitors.co.uk](mailto:emma@goodlawsolicitors.co.uk) as numbers are limited.

**Westgate Chambers** Seminar Programme continues as we will provide Wannops LLP with seminars on Public Law Children ([Sarah Taite](#)), Child Arrangements ([John Hatton](#)) and Financial Remedies ([Trina Little](#)) on **22 February 2023** at their offices in Worthing from 5.30pm. Our seminars are provided free of charge. For further information on the seminars that we offer, and what they entail, please take a look at our [Seminar Page](#) to see if our specialist barristers, based in central Brighton, can help you.

**Deferred Payment Agreements & Care - Key Issues for Private Client Professionals** – Victoria Crick at Martin Searle Solicitors is running a virtual live webinar, in partnership with MBL Seminars, which

is suitable for people who are already advising clients about paying for care rules and have some background knowledge of Deferred Payment Arrangements (DPAs), as well as professional Attorneys and Deputies who might need to consider the implications of a DPA for their clients. This interactive session includes working through practical case studies and runs from **10.30am – 12pm** on **Friday 3 March** and **Tuesday 30 May**. For more information and to book your place, [click here](#).

**Throughout February 2023, Martin Searle Solicitors** are running their campaign, **Social Care Funding Matters** to raise awareness about the current problems with social care funding. They are offering a free 30-minute telephone advice line regarding planning and paying for care. They are running a free virtual seminar on **'Paying For Care – Topics and Tensions'**. The webinar is aimed at Professional Deputies, private client lawyers, and other advisers who work in the social care sector, and takes place on **Tuesday 21 February 2023**, from **2pm – 3pm**. For more information, [click here](#).

**'Critical Elements every Legal Website Homepage must have'** - When people visit your website, you have 7-15 seconds to capture their attention before they click away – that's how important it is to make a great first impression. [This article](#) from Orion Legal Marketing explains the elements that need to be included to convert a visitor into a client.

**'10 ways to support your employees through the cost of living challenges'** – The UK is facing a cost of living crisis and there are challenging times ahead for both businesses and individuals. Many law firms are looking at what they can do to help their employees respond to financial worries that can potentially have an adverse impact on productivity, engagement and the quality of work that is delivered. At Howden we are keen to help law firms with this initiative and our Employee & Benefits team have published a booklet outlining 10 ways to help employees through these turbulent times. Check out our latest advice [here](#).

**'Privy Council lays down principles for security for costs'** – On 31 January 2023 the Privy Council gave important guidelines on security for costs principles in *RDA v Christie*. This appeal concerned applications for security for costs in public interest environmental judicial review claims, including an application by the Developers to join the proceedings as additional defendants- so they could then seek security. You can read Richard Clayton's full article [here](#).

**'The CIL appeal in Braithwaite'** – One of the decisions discussed in an earlier article on the late service of a liability notice published on 2nd September 2022 was *R (oao Braithwaite) v East Suffolk Council*. It has been the subject of an appeal and just before Christmas the Court of Appeal decision was published ([2022] EWCA Civ 1716). The appellant developer failed and the CIL liability remains enforceable. In arriving at the decision not all the points considered by Mrs. Justice Lang DBE were discussed by Sir Keith Lindblom giving the judgment of the Court of Appeal. His judgment does, however, serve to forcefully emphasise yet further certain lessons which are discussed in section 7 at the end of [this article](#).

## 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 £100 + 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.

- **Compliance Officer** - Are you passionate about compliance? Coole Bevis LLP have a brand-new opportunity for a part time Compliance Officer £35,000 - £40,000 per annum pro rata which could be based at any of their office locations across Sussex. This role embraces

flexible and hybrid working arrangements and represents a great opportunity for someone wanting to shape positive practice, culture and make an impact. To find out more please contact Georgina Holton HR Director [Georgina.holton@coolebevisllp.com](mailto:Georgina.holton@coolebevisllp.com) or visit [https://coolebevislaw.com/join\\_us/](https://coolebevislaw.com/join_us/) to view the full job description.

- **Litigation Paralegals/Trainees** - Helix Law are seeking applications for two positions starting as a paralegal with a view to training and qualification as specialist litigation solicitors. See [here](#) for more details and how to apply.
- **Private Client Lawyer** - Bennett Griffin are recruiting for a full time technically strong Lawyer with 5-10 years' experience to be a part of the growth of our Private Client Department, covering all areas of Private Client work. We require someone who wants to be part of a progressive, commercially successful, but also friendly firm. For full details and how to apply see [here](#).
- **Private Client Solicitor or Legal Executive** - We are an established law firm in Redhill Surrey and are currently looking for a 5 yr + PQE Private Client Solicitor or Legal Executive to join our Wills and Probate Team. This role will involve managing a broad caseload of Private Client matters, working independently on your caseload. It is important that you are able to manage matters from start to finish. For more details and to apply see [here](#).
- **Property Litigation Solicitor** – Bennett Griffin in Worthing are seeking a candidate with 5 yrs+ PQE and a strong technical background in both Commercial and Residential Property Litigation. This role involves building on what is currently a small mixed case load of residential and commercial property litigation work, both litigated and pre-proceedings, as well as capitalising on the strong internal referrals from our Commercial and Residential Property teams. For full details and how to apply see [here](#).
- **Property Litigation** - Helix Law are seeking applications from a newly qualified – 3 years PQE solicitor with proven interest and experience in property litigation, in particular. For more details and to apply see [here](#).

#### ARE YOU UP FOR A BIG CHALLENGE IN 2023?

The [London Legal Support Trust](#) was started in 2003 to help with the issue of insufficient funding for those who needed to access legal advice. Since then, with the support of the legal profession, LLST has raised millions of pounds to support legal advice centres in London and the Southeast to improve access to justice. If you are looking for an individual challenge or ideas for team building, whilst at the same time fundraising to ensure that everyone has fair access to justice, see their full list of events [here](#).

#### LOCUMS

If you would like to be added to the list of locums published monthly in this Newsletter, please email your details to [Jeanette Lacy Scott](mailto: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](mailto:mgtdles@gmail.com) 07947-771593. Charges realistic rates.



- Elin Dukes - private client/court of protection - contact: [elindukeslaw@gmail.com](mailto: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](mailto:patrichards27@hotmail.com) 07715928563.

### LOST & MISSING WILLS

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 [Jeanette Lacy Scott](#) if you are looking for a will or if you want to be part of our lost/missing wills scheme (free of charge for members)

### 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 25<sup>th</sup> 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.