

Bournemouth & District Lawyer

Bournemouth & District Law Society Magazine



INCLUDED IN THIS ISSUE

Anti Money Laundering: Lessons from an Auditor
Annual Lunch 2022
BDLS Lecture Programme



Bournemouth & District
Law Society

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Happy Christmas To All Our Members

Please note that the BDLS office will close midday on Thursday 23 December and reopen on Tuesday 4 January

WINTER 2021 | ISSUE 199

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BOURNEMOUTH & DISTRICT LAWYER – Bournemouth & District Law Society Magazine

Members will receive our 'Bournemouth Lawyer' by post and email, the latter including the flyers for events, lectures etc.

Our Magazines are sent out quarterly as follows:

Spring March 2022 / **Summer June 2022**

Autumn September 2022 / **Winter December 2022**

The copy deadline for receipt at the BDLS office for the next edition – the Spring issue – will be 30 January 2021.

We welcome your firms' news and any advertisements. Please send to **office@bournemouthlaw.com**

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COVER INFORMATION

Deborah Wagstaff, President of Isle of Wight Law Society with Neil White, President of Bournemouth & District Law Society

EDITORS

Mandy Heath & Julie Reeves
Bournemouth & District Law Society
FirVale Road
Bournemouth Dorset BH1 2JJ
Tel 01202 587551
Email **office@bournemouthlaw.com**

PUBLISHER

marqueeprint

Unit 2, 20 Wharfedale Service Road
Westbourne, Bournemouth BH4 9BT
Tel 01202 769077
Email **sales@marqueeprint.com**



THE PRESIDENT'S COLUMN

Neil White

As I write my second President's column, I am pleased to finally be able to report that I have been able to represent our Society at the some of the traditional calendar fixtures that have served as landmarks in a non-pandemic Presidential year.



Caspar Rogers, Paragon; Piers Winton, Paragon, Neil White, BDLS President; Mike Collins, Iceberg

On 29th October, I was delighted to attend, on behalf of the BDLS, the Isle of Wight Law Society Annual Dinner, which was held at the Royal Solent Yacht Club in Yarmouth. The President of the Isle of Wight Law Society, Deborah Wagstaff, was a generous and convivial host and a great time was had by all who attended. I can see why my predecessors consider that particular event to be one of the best they attend in a Presidential year and I would not hesitate to accept if invited again! The IOW President's comment to me, though, that she wished her event had been better supported by her own members, reminded me how fortunate we are here in Bournemouth to have such an active and supportive membership, especially in these difficult and challenging times.



Dorset Legal Service

I also attended, on behalf of our Society, a Church service in Dorchester on 31st October. This was hosted by the High Sherriff of Dorset, for Her Majesty's Judges and Representatives and Civic Bodies in the County of Dorset. The service was well attended and it was an honour to be invited to be in the company of High Court Judges, as well as senior Police officers and holders of senior Judicial and Civic rank.

Whilst there appeared to be some return to pre-COVID-19 normality, though, it was regrettably necessary for the European Conference to Madrid to be cancelled. It was only the second time since the Conference was founded in 1972 that it had to be cancelled and was a particular source of regret to me, the Conference having had loyal support from stalwart and, in recent years, new members. I am currently in discussion with Sian Smith, BDLS Conference Organiser, about the possibility of staging a Conference in March 2022, most likely in the UK, to continue our Society's tradition. Let's all hope for a benign winter COVID-19 season to enable that to happen!!

The Society's, and more particularly Mandy and Julie's, thoughts are now turning to the new year and organising the Society's Annual Lunch and Dinner. Speakers and venues are now booked, so look out for the inevitable fliers that will follow! In particular, please do come and invite as many people to the lunch as you can - it is the landmark event in the BDLS year and we have an excellent speaker booked in Giles Brandreth, who promises to be someone not to be missed.

So far as other events are concerned, the Society has the Escoffier Fine Dining Evening to look forward to on 13 January 2022. Please book early to avoid disappointment as the venue offers only 50 covers.

We are also arranging a wine tasting event in the Spring; having done an on-line version last year. An in-person event this year will, I am sure, be something that will be enjoyed by all; details will follow.

We have also sponsored the Bournemouth & District JLD's Winter Ball. This took place on Friday 3 December - a full report will appear in our next *Bournemouth Lawyer Magazine*.

You will already have received fliers for our lecture programme. If you have not booked into a lecture or Conference which suits your specialisation, I invite you to do so; this Society has a strong lecture programme and can only continue to serve its members if they continue to support the sterling efforts Mandy and Julie invest for our convenience and well-being.

Christmas will shortly be upon us and I offer no apology for my own love of Christmas; if Mark allowed me, the Christmas decorations would already be up! I therefore take this opportunity, on behalf of myself and the Committee, to wish you and your families a very Merry Christmas and a happy and prosperous New Year.

Your President.

Neil White BDLS President



President
NEIL WHITE

Rawlins Davy, Helting House, 35 Richmond Hill, Bournemouth, BH2 6HT
Tel 01202 558844 Email neil.white@rawlinsdavy.com

Senior Vice President
EMMA HAMILTON COLE

Williams Thompson, Avon House, 4 Bridge Street, Christchurch BH23 1DX
Tel 01202 484242 Email ehc@williamsthompson.co.uk

Junior Vice President
MICHAEL NEWBOLD

Luff Brook Carter, 521 Ringwood Road, Ferndown, Dorset BH22 9AQ
Tel 01202 871311 Email michael.newbold@luffbrookcarter.co.uk

Honorary Secretary
JOANNE CLARKE

Lester Aldridge LLP, Russell House, Oxford Road, Bournemouth, BH8 8EX
Tel 01202 786161 Fax 01202 786150 Email joanne.clarke@la-law.com

Treasurer
LAUREN COONEY

Letchers, 24 Market Place, Ringwood, BH24 1BS
Tel 01425 471424 Email lauren.cooney@letchers.co.uk

Council Member
PETER WATSON-LEE

Tel 01425 270502 Email pwatson-lee@outlook.com

BDLS Office
MANDY HEATH & JULIE REEVES

BDLS Office, Borough Chambers, Fir Vale Road, Bournemouth, BH1 2JJ
DX 7616 Bournemouth Tel 01202 587551 Email office@bournemouthlaw.com

BDLS DIARY 2022

2022

13 January	Fine Dining Evening at Escoffier, Bournemouth & Poole College
9 February	Annual Lunch at the Pavilion, Bournemouth
8 April	Annual Dinner at the Highcliff Hotel, Bournemouth
12 May	Wine Tasting Evening

Further information, including flyers, for forthcoming events can be found on the BDLS website: www.bournemouthlaw.com/events You can also make bookings on line and then would need to send payment by cheque or BACS.

All forms and lecture booking forms will be emailed to you. If you prefer, you can print the form and return your booking by post.



Local News



PRIVATE CLIENT CONFERENCE AT THE MARSHAM COURT HOTEL

The 14 October was an exciting day at the BDLS office as we were to hold our first all day Conference since the Compliance and Property Conferences in November 2019.

We started with 20 delegates, who had booked onto the cancelled 2020 Conference, but that number rapidly increased to a final number of 52. This was the largest attendance at any of our Conferences!

The event took place at the Village Hotel in Bournemouth who provided a spacious foyer area for us to mingle in and a large lecture room which enabled social distancing. Kerry Richardson, Chairman of the Society's Private Client Group, hosted the Conference.

The lecturers - John Bunker, Caroline Bielanska and Carol Davies - are always very popular with our private client solicitors and, once again, gave lectures that were helpful and of interest to our members.

A huge thank you to our sponsors **Finders** and **Head & Wheble**. It was an excellent day with everyone coming together again and the social contact that was enabled.



Kirsty O'Brien and Olivia Empson, Finders



John Bunker, lecturer



Caroline Bielanska, lecturer, with Kerry Richardson, Chair of BDLS Private Client Group



Simon Head, Robert Head, James Head and Bob Bowater - Head & Wheble



Carol Davies, College Chambers



FORTHCOMING EVENTS

FINE DINING AT ESCOFFIER RESTAURANT, BOURNEMOUTH & POOLE COLLEGE, LANSDOWNE, BOURNEMOUTH

Thursday 13 January

We have reserved the Escoffier Restaurant for BDLS members on Thursday 13 January in the evening. (Note: this was a change from the original date of 4 November)

For those of you who have not been before, it is a fine dining experience run by catering students at the college. Places are limited to 50 and the cost is £26 per person for a four-course menu plus tea/coffee and petit fours.

Please visit our website for full details:

<https://www.bournemouthlaw.com/hres/BDLS%20Fine%20Dining%20Evening%20flyer%204.11.2022.pdf>

Mandy Heath
BDLS Office Manager



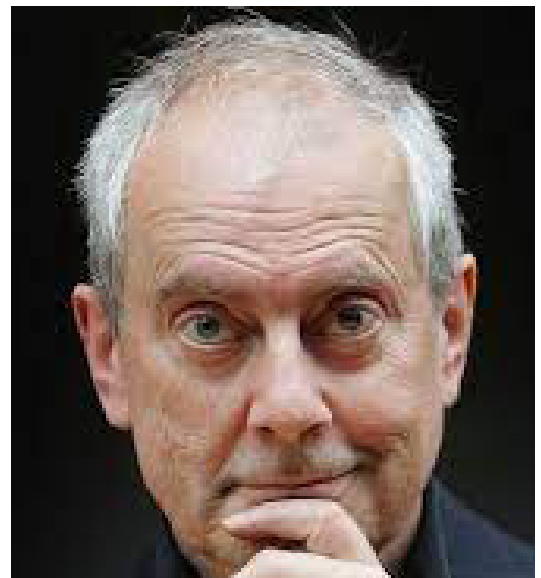
ANNUAL LUNCH AT THE PAVILION BALLROOM, WESTOVER ROAD, BOURNEMOUTH

Wednesday 9 February

We are delighted to have secured Gyles Brandreth to speak at our Annual Lunch. Gyles is a writer, broadcaster, actor, former MP and Lord Commissioner of the Treasury, now Chancellor of the University of Chester and one of Britain's most sought-after award ceremony hosts and after-dinner speakers. A star of Celebrity Gogglebox, a veteran of QI and Have I Got News For You, a reporter on The One Show, a regular on This Morning, and for many years one of the stars of Just a Minute BBC Radio 4.

Please visit our website for full details: <https://www.bournemouthlaw.com/hres/Annual%20Lunch%20Flyer%202023.pdf>

Mandy Heath
BDLS Office Manager



BDLS EUROPEAN CONFERENCE

Sadly, with the ongoing uncertainty, another BDLS European Conference had to be cancelled. Nonetheless, I am ever the optimist and have everything crossed that 2022 will be the year that we finally get away! I will let everyone know as soon as I can what the plans are.

Sian Smith
Conference Organiser



BDLS MEMBERSHIP SUBSCRIPTION RATES 2022

TYPE OF MEMBERSHIP	
Standard membership	£90.00
Associate membership	£64.00
Concessions:	
Member qualified for less than 5 years	£55.00
Member employed but not in private practice	£55.00
Member employed in a judicial or quasi-judicial position	£53.00
Fully retired member	£42.50
Member not in employment	£15.00
Honorary life member	£0.00

Subscriptions are due on the 1 January 2022. We are pleased to keep the renewal fees at the same level as we have done for the past years. Please arrange for payment to be made, either by (1) using the form sent to members with the email version of this Magazine including your firm's list of paying members or (2) complete the online form **www.bournemouthlaw.com/annualsubscription.html** and follow that up with payment. We would happily provide you with an up-to-date list of current paying members within your firm on request.

The following discounts are applicable if all solicitors in the firm eligible to be members of BDLS are members or will be put forward for membership at the earliest opportunity.

- Between 10 and 15 paying members - less 12.5% discount for each subscription.
- 16 or more paying members - less 17.5% discount for each subscription with a maximum amount payable of £2,250.

NEW TRAINEE SOLICITORS

September is traditionally the time when trainee solicitors start their contracts. In this connection, we have contacted local firms to see if they have any new trainees so that we can welcome them to this Society and offer them honorary membership during their training period.

If you are a trainee solicitor, trainee CILEX or Solicitor Apprentice, or know of any who have not heard from us, please get in touch: **office@bournemouthlaw.com**

IN MEMORIAM - BILL BAKER



Bill and Christine Baker

It is with great sadness that we report the death of Malcolm Richard Baker (known as "Bill Baker") on 29th September 2021 at the age of 75 years.

Bill was articled at Harold G Walker in the 1960s and, following qualification with that firm, he became a partner in the early 1970s. He undertook a certain amount of Criminal advocacy in the local Magistrates Courts but his main sphere of work was in residential conveyancing where he acted for a number of Developers and a lot of residential estates in the Bournemouth area have his signature on the original Transfer documentation! He retired from the practice in 2000 and is survived by his wife, Christine, two sons, James and Matthew and four grandchildren.

He was a kind and generous man with a huge sense of humour and his former partner, Simon Nethercott, cannot ever remember him losing his temper or being otherwise than friendly and approachable. He was actively involved in his local area of Highcliffe, particularly supporting the local Junior School choir.

His funeral was on Wednesday 27th October 2021. Donations in memory of Bill are in aid of British Heart Foundation.

THE COUNCIL MEMBER'S REPORT

Peter Watson-Lee



The first in person meeting of the Law Societies Membership & Communication Committee since the start of lockdown
L:R David Barraclough (Yorkshire), Beverley Cullen (Preston/Local Government), Scott Bowen (Wales), Paul Davies (Hertfordshire and Outgoing Chair), Victoria Bytel (Law Society Director), Peter Watson-Lee (Dorset), Denise Lester (London)

All change on Council

A combination of the rule that Council members can only serve a maximum of 12 years and a review of the Council seats has meant that the Law Society's October AGM resulted in a significant number of long serving (and experienced) Council members having to leave Council – not all happily! Replacing them are 26 new Council members representing a number of subjects (Employment law, Immigration, Commercial Property etc), a number of organisations (Major Corporations, Local Authorities etc) and various groups (Junior Lawyers, Ethnic Minorities, Women Lawyers etc). The idea is to ensure Council is refreshed with a wider representation of Solicitors.

But the same President

Our first Black woman President, I. Stephanie Boyce, unexpectedly had to step into the role part-way through last year, so remains in post for the coming year. She is proving to be a strong leader and her continued presence in an otherwise changing Council is going to be important. Those of you who follow such things will have seen she is on the '100 Most Influential Black Britons' list for the second year in a row. Nick Emmerson, a Leeds based Solicitor and recent President of the Leeds Law Society, has been elected to the role of Deputy Vice President.

And a new C.E.O. to be found

As well as the change in Council members, our Chief Executive Officer has announced he is moving on, so a search for a new C.E.O. is underway. Compared with some of his predecessors, over his five years Paul Tennant has kept a lowish profile, so you may not have heard of him. But the role is key and the change gives an opportunity to review the extent of the role. Finding the correct replacement will be crucial.

Budgets, Climate Change and SIF

Meanwhile, Council itself has been busy. An unexpected (and not fully understood) shortfall in the budget for next year led to some heated debate over what should and should not be cut.

On Climate Change, a vocal body felt we should have a Climate Policy – no, we are not having to glue ourselves to anything - but climate change is going to produce much legislation in coming months and many new ethical issues, for example for city firms who act for large companies that maybe targeted by climate change protesters.

The concern of sole practitioners about the lack of long-term insurance run off and the SRA's decision to close the SIF fund that until now has been covering them, is an issue that continues to run. If things cannot be resolved, the call is for a new mutual fund to be set up into which we will all pay – an idea popular with some, but I suspect not all.

My role

Although I have only been on Council for a year, I was fortunate to join one of the main committees (Membership and Communication Committee) and become Vice Chair, and since the Chair has had to leave under the 12 year rule, I find myself as Acting Chair and as such, temporarily, on the main Board and on the small working party charged with finding the new CEO. Interesting times. But my main concern is to be in a position to drive forward a number of projects over improving the society's engagement with its members, the improvement of its communications, the review of its relationship with the sections and division that exist - and much more.

Peter Watson Lee BDLS Council Member



JUNIOR LAWYERS DIVISION



We are delighted to have recently finally had a chance to see our members in person for the first time in a long time. Simply seeing faces, both familiar and new, without 'mute' icons alongside was a breath of fresh air. Whilst no doubt (on my part at least) there were some social skill cobwebs to be swept away, this has given me a sense of enormous hope for junior lawyers locally after a tough year and a half that we are at last returning to a semblance of normality.

News

Our Vice President, Florence Shoemaker of Ellis Jones Solicitors LLP, was the arch-organiser of our well attended and exciting cocktail event on 1 October, kindly sponsored by Chadwick Nott legal recruitment agency. This was hosted at Bar So in central Bournemouth with cocktail expertise and added panache provided by one of the mixologists from 1812. With around 60 attendees and some unexpectedly potent concoctions, the net result was a fabulous evening and one which we hope to be the first of many more in person events in the coming months. We also held our AGM on 3 November and I am pleased to announce our JLD Committee for 2021-2022 as follows:

President	Alex Crabbe (Rawlins Davy Solicitors & Mediators)
Vice President	Florence Shoemaker (Ellis Jones Solicitors LLP)
Secretary	Georgina Emerson (Ellis Jones Solicitors LLP)
Treasurer	Conor Maher (Ellis Jones Solicitors LLP)
LPC Representative	Aisling Scott (Laceys Solicitors LLP)
National Representative	Clémentine Saulnier (Ellis Jones Solicitors LLP)
Publications and Communications Officer	Patrick Herklots (Coles Miller Solicitors LLP)
Charities Officer	Rosemary Drew (Ellis Jones Solicitors LLP)
Educational Events Officer and Sports Officer	Emily Chapman (Lester Aldridge LLP)
Social Events Officer	Georgia McWilliam (Ellis Jones Solicitors LLP)
Bar Liaison Officer	David Armand Kemeny (3PB Barristers)
General Committee Members	Sophie Rice (Steele Raymond LLP), Laura Pike (Lester Aldridge LLP), Maria Evans (Ellis Jones Solicitors LLP) and Liam Strickland (Ellis Jones Solicitors LLP)

May I take the opportunity to thank my fellow committee members from the preceding 12 months for their hard work over a challenging period and I know that the new committee will be pleased to be taking on the management of such a healthy and vibrant members' group. Particular mention to our longest standing committee member, Darren Francis of Humphries Kirk LLP who has stepped down from his seat as National Representative after serving the members of the JLD with distinction.

Upcoming Events

The long-awaited next instalment in our annual ball series is scheduled for 3 December 2021. This will be a 3-course meal black tie event with live band at the Hermitage Hotel. If you have not already spotted our publicity for the event please visit our website via the link below for more details. We look forward to seeing you there!

If you have any questions about the JLD, or any suggestions, please contact me on alex.crabbe@rawlinsdavy.com

Alex Crabbe
President for BDJLD 2020-21 <https://www.bdjld.co.uk/>



BDLS LECTURE PROGRAMME 2021/22

Face to Face Lectures

Live Webinars

15.12.2021	14.00 – 15.00	LIVE TIME WEBINAR - Residential Conveyancing Ian Quayle - Zoom
11.01.2022	11.00 – 12.30	LIVE TIME WEBINAR - Finding of Fact Hearings Further to Re H-N and Others (Children) (Domestic Abuse: findings of fact hearing) (2021) EWCA Civ 448 TO BE FOLLOWED BY a talk on becoming a Judge HHJ Chris Simmonds - Zoom
18.01.2022 & 25.01.2022	11.30 – 13.00	LIVE TIME WEBINAR - Managing the Conveyancing Risks that PI Insurers Don't Like! Lorraine Richardson - Zoom
26.01.2022	10.00 – 12.00	LIVE TIME WEBINAR - Leasehold Dwellings: Cladding and Ground Rent Issues Richard Snape - Zoom
17.02.2022		CQS for Partners/COLPs/Fee Earners Tracy Thompson - Village Hotel
03.03.2022	9.00 – 17.00	Compliance Conference Various - TBC - Village Hotel
15.03.2022 16 & 22 & 23.03.22	9.45 – 16.45	Intensive Residential Conveyancing - Four Day Course Ian Quayle - Village Hotel
30.03.2022	14.00 – 17.15	Good Practice and Avoiding Litigation in relation to Wills and Trust Lesley King - Carlton Hotel
26.04.2022	11.00 – 12.45	LIVE TIME WEBINAR - 10 New Worrying Civil Procedure Cases Helen Swaffield - Zoom
3.05.2022	10.00 – 13.15	CQS for Support Staff Tracy Thompson - Village Hotel
11.05.2022	13.30 – 17.15	Elderly Client Update Caroline Bielanska - Carlton Hotel

For further details and booking forms please visit Bournemouth and District Law Society website www.bournemouthlaw.com/lectures or contact the BDLS office at Borough Chambers, Fir Vale Road, Bournemouth, BH1 2JJ, Tel **01202 587551** Email office@bournemouthlaw.com

Course Notes

For environmental reasons, BDLS will no longer be providing printed course notes at lectures. We will email these to delegates and they then have the option of either printing them out themselves or accessing via their laptop or alternative device on the day.

Payment for lectures

Please be aware that with online bookings, payment should be received at the office **before** the lecture takes place. Occasionally the level of bookings only just makes it possible to run a lecture and we therefore do need to be reassured that everyone will attend and pay.

OFFER FOR FIRMS BOOKING MULTIPLE PLACES ON THE SAME COURSE

When a firm books 5 places on one course, we are able to offer a 6th place free of charge.



SUMMARY OF UPCOMING LECTURES

WEBINAR

**Wednesday 15
December 2021
14.00 – 15.00**

Topic:	RESIDENTIAL CONVEYANCING REVIEW OF THE YEAR
Lecturer:	Ian Quayle
Cost:	£35 Member and Associate Members of BDLS/Trainee Solicitors - £50 Non BDLS Members

This one hour webinar will look at:

- Land Registry Developments
- Tips and Traps with Reporting on Title
- Dealing with defective title
- Developments with due diligence
- Claims against Residential Conveyancers
- An examination of recent case law

WEBINAR

**Tuesday 11
January 2022
11.00 – 12.30**

Topic:	FINDING OF FACT HEARINGS FURTHER TO RE H-N and Others (Children) (Domestic Abuse; findings of fact hearing) (2021) EWCA Civ 448 TO BE FOLLOWED BY a talk on becoming a Judge
Lecturer:	HHJ Christopher Simmonds
Cost:	£35 Member and Associate Members of BDLS/Trainee Solicitors - £50 Non BDLS Members

This one hour webinar will look at:

- How to apply Re H-N in practice
- What's the purpose of a finding of fact hearing
- When and why to hold a finding of fact hearing
- Active Case Management
- Statement or Schedule and what should they include

Following this lecture, there will be a short break after which HHJ Simmonds will talk about his experience of being a Judge and information/guidance around becoming a Judge.

WEBINAR

**Tuesdays 18 & 25
January 2022**

Topic:	Managing the Conveyancing Risks that PI Insurers Don't Like!
Lecturer:	Lorraine Richardson
Cost:	£95 Member and Associate Members of BDLS/Trainee Solicitors - £145 Non BDLS Members

This course is being presented by Lorraine Richardson as two 1½ hour webinars, one week apart.

2021 proved to be one of the most brutal Professional Indemnity insurance renewal rounds for conveyancers – with some firms going under as a result of not being able to secure insurance. It is well known that conveyancing is fraught with risk – but the indemnity insurers have identified some key areas of concern. This 3-hour course will look at those areas and will help practitioners to consider how they might mitigate those risks.

This course will cover:

- Estate management charges
- Escalating ground rents
- New builds - acting on multiple plots
- Buyer funded builds
- Cyber threats



Anxiety UK

is a national registered charity formed in 1970 for those affected by anxiety, stress and anxiety based depression

Coping with anxiety during difficult times

While many of us are returning to our normal routines both at work and at home, the Covid-19 pandemic has understandably had a detrimental effect on many people's mental health and wellbeing. Prolonged periods of lockdown, enforced isolation, working from home and social lives put on hold for months on end has been difficult and anxiety inducing for many of us. At Anxiety UK, our small, friendly staff team, many of whom have their own lived experience of anxiety, understand the distress, isolation and misery that anxiety can cause. We're here to help and support those affected by anxiety, stress and anxiety-based depression and have been in existence since 1970.

Tips for coping with anxiety

We must be mindful that every person who experiences anxiety, stress and anxiety-based depression, will have a different experience. The wide-ranging symptoms of anxiety can feel overwhelming and include physical, psychological and behavioural symptoms, however there are many ways to deal and cope with anxiety on both a short and long-term basis. Self-care techniques can be extremely valuable for reducing anxiety and, when regularly practiced, can facilitate relaxation during difficult times. Deep breathing or meditation techniques can be a great way to escape the debilitating experience of anxiety and centre on keeping in the moment. When we experience anxiety, we can so often find that we get into a thinking pattern of forward thinking - what if this happens, what if I can't cope etc. Staying in the present moment through practicing techniques such as mindfulness along with deep breathing exercises, collectively stimulate the parasympathetic nervous system, - the so-called 'rest and digest' part of the nervous system and the part which effectively puts the brakes on anxiety and the sympathetic nervous system (which is responsible for adrenaline release).

Adopting a healthy lifestyle is also very important when trying to cope with anxiety. Any form of exercise can be very beneficial for our mental and physical health. Through exercise, our brain releases endorphins that can improve our mood and have many physical benefits too, including better sleep.

If you are experiencing anxiety or stress, your body needs sleep more than ever but it can be difficult to establish a good sleeping routine when feeling anxious. Make sure you are giving yourself enough time to unwind in the evening before bed and avoid taking exercise too close to bedtime as well as refraining from drinking caffeinated drinks including coffee and tea.

Many people hide their mental health struggles and it can be hugely beneficial to talk to someone about your anxiety. However, in some cases, you may need additional support and accessing professional help in the form of talking therapy can represent an important step towards improving mental health and wellbeing. Many choose to access therapy as an early intervention to take control of their stress and anxiety; opting to get support before their anxiety becomes too overwhelming. Here at Anxiety UK, we offer a range of therapy options: <https://www.anxietyuk.org.uk/get-help/access-therapy/>

Getting support through Anxiety UK

If you are struggling with anxiety, we are here to help. We offer a variety of services, including reduced-cost therapy through which counselling, Cognitive Behavioural Therapy (CBT), clinical hypnotherapy, Compassion Focused Therapy (CFT), acupuncture and Eye Movement Desensitisation and Reprocessing therapy (EMDR) are available. We also deliver weekly anxiety support groups and therapist-led anxiety management courses to help with the management of anxiety, as well as an arts-based course. Read more about these services here <https://www.anxietyuk.org.uk/get-help/anxiety-uk-courses-and-groups/>

Finally, for many, the Anxiety UK national helpline remains the first port of call and indeed a conversation with our friendly, trained volunteers can be just what is needed to help you obtain information and advice and more importantly, a way forward with your anxiety. Our helpline number is 03444 775 774. You can also find more information and resources at www.anxietyuk.org.uk where our eHelper, Anxia is available 24/7 to answer your queries.



BDLS MENTAL FIRST AIDERS

Our Mental Health First Aiders are available to chat through any issues you may have. All information will be treated confidentially and without judgement. Please email or pick up the phone to talk to any of the following:

BDLS will be running a further MHFA course in Spring 2022.

Please email: mandy@bournemouthlaw.com to express an interest in this.

Robin Watson:

robinwatson@hilltwine.co.uk

Nicola Lowe:

Nicola.lowe@hgwalker.co.uk
Tel: 01202 881454 or 07854787358
(outside office hours)

Janice Singleton:

jsingleton@jacobsreeves.co.uk
Tel: 01202 674425

Sally Crawford:

sallycrawf@gmail.com
Tel: 07973148264

Mandy Heath:

mandyjheath@hotmail.co.uk
Tel: 07763833256

Maddy Longland:

ml@mjlplaw.co.uk
Tel: 01202 842929

Mark Kiteley:

Mark.kiteley@rawlinsdavy.com
Tel: 01202 558844

Lauren Annicchiarico:

lauren@frenchlawmatters.co.uk
Tel: 07764582128

Maria Evans:

Maria.evans@ellisjones.co.uk
Tel: 01202 057718

Sarah Unsworth:

Bacchante2012@gmail.com
Tel: 01590 676933

Alan Turle

a.turle@ntlworld.com
Tel: 07720 406962

Marielle Hemingway:

mh@thecommerciallawpractice.com
Tel: 01305 544025

Edward Holmes:

edward@bournemouthlaw.com
Tel: 01425 484420

Rachel Murphy:

rmurphy_1991@hotmail.co.uk
Tel: 07971 055367



Anti Money Laundering: Lessons from an Auditor

The Money Laundering Regulations 2017 require all firms, where appropriate with regard to the size and nature of their business, to establish an independent audit function. The Solicitors Regulation Authority has also been clear that it expects this to include most firms which it regulates for Anti Money Laundering. It is one of the main services that we provide at Teal and, as such, we have been able to compile this list of the top 5 main issues we find and how to avoid them.

The Firm's Risk Assessment doesn't paint a picture of the size and shape of the firm

The regulator has criticised firms for using templates which are too high level and do not explain in sufficient detail the areas of practice, the types of client and the methods of working, and, therefore, there are concerns about the accuracy of the risk assessment. To ensure you have an accurate risk assessment, make sure it contains information specific to your firm, numbers of clients, files and offices. Include information about the main areas of work undertaken for each department and try and avoid being too generic like "property" or "private client".

The policies do not reflect what is happening in real life

We often find inconsistencies both within all the policies themselves or when we test them through interviews and file reviews. I know how this happens, things move on and sometimes the policy documents can be based on processes no longer used and that have been missed when updating things. To avoid this, make sure you approach your policies reviews with "clean eyes". Do the policies and procedures tell me what should be happening and does that reflect what is really happening?

Matter Risk Assessments are not completed properly

This is an issue which the SRA picked up during their visits in 2019-2020. They note, and this reflects our own findings, that lawyers do not always make an "assessment". They may tick boxes answering questions but are unsure of how to make a final determination on the level of risk. Consider including risk assessments as part of your training programme (see below on training) or providing a guide about how to decide which factors will make a matter a low, medium or high risk.

There is too much focus on identification of the client and not enough on source of funds and wealth

Nearly all firms will have a good grasp on identifying their clients and obtaining supporting information - be that electronic search results or documents such as driving licences. However, usually, when we are reviewing files, it can be very difficult to find consideration of and proof of a client's source of funds and wealth. When we ask staff about it on interviews, they have usually thought about it but just not written it down. The problem with that is, it is very difficult for us as auditors or a regulator to know that has happened just from looking at the file and we may therefore assume it's been missed. To make sure appropriate records are kept, consider including in your process a requirement to record the assessment of risk from the source of funds/wealth - and that there must be written evidence of it.

Training does not lead to understanding

Most firms will provide AML training - some more regularly than others. However, even those who provide training annually, don't always get the outcome they intend. Training is supposed to raise awareness of the issues, explain what is required to comply with the law and what to do if there is an issue. We see many examples of staff in law firms who cannot remember the content of training they have had previously or lack knowledge of issues like red flags for their area of work, or on how to read the results of the electronic searches which have been carried out. To avoid wasting time and money on training which does not make a difference, make sure your training objectives match issues which have been raised on audit, that it is relevant to the work type and that it covers the procedures which your teams need to follow.

Tackling these 5 issues will go a long way to improving your Anti Money Laundering Processes, and more importantly, stopping the baddies!



Amy is a Compliance Consultant with a passion for helping firms adapt to the changing legal landscape. She has many years' experience in working with law firms and, in 2017, launched Amy Bell Compliance Limited followed by Teal Compliance Limited in January 2018.

Amy's team provide support to law firms, through consultancy services and training to help everyone in the firm to understand compliance and how to apply risk management principles to improve client service and deliver efficiencies.

Amy is a member and former Chair of the Law Society's Money Laundering Task Force, where she represents the Solicitors profession at Government and in Europe. She is also the author of the Law Society's Anti-Bribery Toolkit and their Anti Money Laundering Training courses. She is a regular speaker for the Law Society, the ARK Group, MBL Seminars as well as local Law Societies.

Amy is the Founder of Teal Compliance and Teal Legal as well as the Author of Solicitors and Money Laundering and Compliance That Works (Due to be published in Spring 2022).

You can see Amy in action at our Compliance Conference on 3 March 2022 at the Village Hotel, Bournemouth. Full details will be sent to members shortly.



Firms' News



GEOFF TROBRIDGE - RETIREMENT

Geoff Trobridge has retired as a partner after leading the Charities and Social Enterprise team at Lester Aldridge for eleven years.

Geoff read law at UCW Aberystwyth from 1973 - 1976 and, after taking a post graduate degree at Wadham College, Oxford, started articles with Simpson Curtis in Leeds in 1979. Qualifying in 1981, Geoff moved back to the West Country, joining Anstey & Thompson (subsequently Foot Anstey) in Exeter in 1983, becoming a partner a year later. It was the days when "commercial partner" meant dealing with anything that was not domestic conveyancing, wills or litigation and the breadth of experience proved invaluable when Geoff joined the Charity Commission in Taunton in 2001, becoming head of the Legal Framework section in that office.

Back in private practice with Ashfords in Exeter, a meeting with Geoff Thomas, who had been a contemporary at Aberystwyth, led to Geoff joining LA in 2010.

Charity clients of the firm include voluntary organisations, charities, social enterprises, almshouses, clubs and associations of all sizes, and all parts of the country, with a particular specialism in the healthcare sector. Geoff was also a regular member of working parties on new charity legislation and regulatory policy with the Charity Law Association and, as data protection issues began to raise in the charitable sector, became a qualified data protection practitioner.

Retirement plans for a two month caravan tour around France and Italy have inevitably had to be put on hold but golf, fishing and a new career (?) as unpaid handyman in his son's livery and dressage business will occupy at least some of Geoff's time.

Matthew Barrow, the Managing Partner at Lester Aldridge, said: "we can continue to offer our charity clients the well-established offering established by Geoff and the team over the years. I would like to say a fond farewell to Geoff on behalf of the firm and wish him all the best on his retirement."



Geoff Trobridge

NEWLY QUALIFIED SOLICITORS COMMERCIAL TEAM

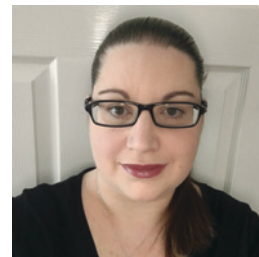
Two of Coles Miller's rising stars have qualified as solicitors - strengthening the firm's commercial team.



Patrick Herklots

Patrick Herklots specialises in commercial law, disputes and litigation. Last year he beat lawyers from all over the country to win the Law Society Junior Lawyers Division (JLD) Essay Competition for his analysis of the role of environmental, social and governance (ESG) factors in investments.

Coles Miller has also welcomed five new trainee solicitors: William Stannard, Becky Hughes, Lauren Newman, Sophia Haine and Kathryn Battey.



Kate Samuel

Kate Samuel specialises in commercial property. She gained a First-Class Honours Degree in Law at the Open University. She completed her LPC and Masters legal qualifications through the University of Law at Guildford, graduating with Distinction.



LEGAL EAGLES WITH THEIR WINGS

A trio of talented young lawyers are flying high after becoming fully qualified with Ellis Jones Solicitors. Rebecca Bennett, Georgina Emerson and Conor Maher started a new chapter in their careers after successfully completing their training contracts.

Georgina qualified into the Family Law department, Rebecca into the Employment department and Conor into the Dispute Resolution, Criminal and Regulatory departments.

Rebecca completed a LLB (Hons) Law Degree at Bournemouth University (BU). She studied a LLM in Professional Legal Practice and a Legal Practice Course (LPC) at the University of Law, Guildford, while working as a Paralegal at Ellis Jones.

Georgina joined Ellis Jones in 2016 as a legal placement student as part of her Law degree at BU. She thereafter worked as a Paralegal at the firm while completing her Law degree and subsequently her Masters in Law and LPC. Georgina is a member of the Resolution organisation for family lawyers and its network for those at the start of their careers, YRes. She is a member of Bournemouth & District Law Society's Junior Lawyers Division and the Law Society.

Conor graduated in Law with European Legal Study at the University of Exeter and Law with International Relations from the Universidad Rey Juan Carlos in Madrid, Spain. He worked as a Paralegal and completed his LPC in Devon before starting his Training Contract at Ellis Jones. Conor is a Member of the Bournemouth & District Law Society and Treasurer of its Junior Lawyers Division.



Newly Qualified Solicitors at Ellis Jones
L-R Rebecca Bennett, Conor Maher and Georgina Emerson



Richard Smith

NEW PARTNER APPOINTMENT

Ellis Jones Solicitors has appointed its 19th Partner. It has strengthened its top team with Private Client specialist Richard Smith in its Wills, Trusts and Probate department. Richard has practised in Dorset throughout his 17-year legal career and is a trustee at Age Concern Christchurch.

CLINICAL NEGLIGENCE PARTNER JOINS LESTER ALDRIDGE



Lester Aldridge has strengthened its personal injury and medical negligence capabilities with the appointment of partner Liz Oaten.

Liz brings more than 30 years of extensive practical experience in managing high profile clinical negligence claims. She has secured multi-million-pound settlements for claimants across a broad spectrum of specialities including obstetrics, gynaecology, neurosurgery, urology, orthopaedic and plastic surgery. Liz also is experienced in pursuing professional negligence claims against solicitors arising out of their poor management of medical negligence claims.

She has specialised in handling clinical negligence cases since qualification in 1987, complemented by her postgraduate degree (LLM) in the legal aspects of medical practice and accreditation as a mediator.

As well as being accredited as a mediator, Liz is a member of all three specialist clinical negligence schemes. She is also an assessor for the APIL clinical negligence panel and an APIL senior litigator.



Liz Oaten



MEESONS AND SPURLINGS MERGER

Meesons Solicitors are delighted to announce their merger with Spurlings Solicitors of Christchurch and Mudeford. This brings together two long-established firms. The Directors of the new alliance are Edward Holmes, Ruth Lucas and Tamasine Whitbread (nee Spurling).

The merged practice will continue to operate from the existing offices in Ringwood, Christchurch and Mudeford, under the name of 'Meesons and Spurlings' and will offer a full range of legal services. Tamasine will continue to practice in Christchurch and Mudeford with the added benefit of offering Dispute Resolution and Family services in Christchurch, while Edward and Ruth and their team will continue to be based in Ringwood covering all the surrounding areas.

Edward Holmes states "We are all very excited about the merger and with the combined expertise of both firms we are all looking forward to providing a comprehensive legal service to our clients and we are currently recruiting in all departments".



STEELE RAYMOND LLP MAKES TWO NEW APPOINTMENTS TO RESIDENTIAL DEVELOPMENT TEAM

Steele Raymond LLP makes two new appointments to Residential Development Team.

Steele Raymond welcomes a new homes coordinator and a legal assistant to its leading Residential Development Team.

Kayleigh Ryan, who joins Steele Raymond as a new homes coordinator from a Southampton-based law firm, brings with her a wealth of experience in residential property development and plot sales and has a proven track record for maximising development potential. Kayleigh acts for developers and individuals on large scale developments, bespoke sites and smaller plot sales.



Sammy Hacklett and Kayleigh Ryan

Also joining the Residential Development Team is legal assistant, Sammy Hacklett. Sammy, who grew up in the Bournemouth area, joins Steele Raymond from a large national law firm based in Reading where she assisted on large scale commercial projects, including in-house legal support for a large utilities company dealing with property, operations and regulatory work. Sammy is currently undertaking her LPC and has ambitions to qualify as a solicitor.

STEELE RAYMOND LLP WELCOMES NEW DISPUTE RESOLUTION SOLICITOR AND MEDIATOR TO ITS BOURNEMOUTH TEAM

Steele Raymond LLP is delighted to have appointed a specialist dispute resolution solicitor to its growing team.

Robert Salame joins Steele Raymond as an Associate from a Berkshire-based firm where he led the dispute resolution team and brings a wealth of experience in commercial, employment and general dispute matters.

As an ADR accredited civil and commercial mediator, Robert offers alternative dispute resolution (ADR) services to businesses, business owners and individuals, holding the firm belief that mediation can be a cost-effective and people-focused route to dispute resolution.

Robert is familiar with the firm and with the Bournemouth coastline, having studied law at Bournemouth University and subsequently completing his 18-month training contract with Steele Raymond in 2015, going on to work in the Dispute Resolution Team for a further two years.



Robert Salame



SITUATIONS VACANT

FAMILY SOLICITOR

Williams Thompson Solicitors LLP are looking to appoint a Family Solicitor to enhance their family team. Applications are invited at any level of experience above 1 year PQE. Salary negotiable for the right candidate.

Please apply in confidence to Suzanne Kadziola attaching a copy of your CV to email address **sk@williamsthompson.co.uk**



FAMILY - SOLICITOR/LEGAL EXECUTIVE

Full time Solicitor or Legal Executive required to join the Family Team at Aldridge Brownlee LLP, to undertake Financial matters, Children, Divorce, Domestic abuse and Financial claims between unmarried couples. Approximately three years+ PQE would be preferable.

Competitive salary depending on experience with excellent career prospects.

Job Types: Full-time, Permanent

Application in writing to **HR@absolicitors.com**



COMMERCIAL PROPERTY SOLICITOR

LACEYS SOLICITORS

We are looking for an experienced Commercial Property Solicitor to join our well-established Legal 500 team.

The team manage a wide client base including property developers, owners and investors - providing an exciting opportunity for the right person to advise on all aspects of commercial property matters.

The ideal candidate will have 5 years PQE in commercial property. You will also be personable and have the self-motivation for business development and networking.

Please email your CV in confidence to Sarah at **s.butcher@laceyssolicitors.co.uk**



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