

# Bournemouth & District Lawyer

Bournemouth & District Law Society Magazine

## INCLUDED IN THIS ISSUE

BDLS Podcast Series

Wellbeing: Identifying your stress container – tips to deal with stress

BDLS Lecture Programme

10 benefits Lexcel can bring to your law firm



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*Happy Christmas  
To All Our Members*

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

**WINTER 2020 ISSUE 195**

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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 2021 / **Summer** June 2021

**Autumn** September 2021 / **Winter** December 2021

The copy deadline for receipt at the BDLS office for the next edition – the Spring issue – will be the 5 February 2021

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

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**COVER INFORMATION**

Frosty Morning in Sturminster Newton

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## WHAT A DIFFERENCE A YEAR MAKES!

*Sandra Graham*



As I write these words for our Winter Edition of the magazine I began to reflect on life as we enjoyed it. This time last year, oblivious of the changes that were on the horizon for the forthcoming year, BDLS members had just enjoyed a fantastic trip to Budapest for our European Conference.

Pictured here are some snapshots of happy times at the European Conference. Budapest was but a year ago but it seems like an age has passed since then! Little did we know what was lurking round the corner.

The European Conference was founded in 1972 and since that time has had loyal support from our stalwart members. The BDLS, as always ahead of its time, embraced Europe for its first of many such adventures in anticipation of joining the EU (or EEC as it then was) and staged its intellectual and social European Conference even ahead of the UK signing the accession treaty! Since then, our Conference has continued annually with little interruption ... until now. Luxembourg is sadly not to be this year. However, it seems possible that the warmer climes of Madrid may be feasible for next year, here's hoping! Our European Conferences have a diverse following from those who are up with the larks and heading out to visit military museums, churches, art galleries, and other cultural experiences to the owls who perhaps imbibed long into the wee small hours and prefer, shall we say, a more relaxed start to the day before a trip to a local restaurant to sample the local food and wine (readers will recognise which description may apply!). Whatever you enjoy, there is something for everyone so please if you haven't already experienced the conference do come and join us, and if you have, please continue your support.

Our interpretation of "European" for our conferences has expanded geographically from New York to St. Petersburg

and Moscow. It's amazing how far one can get in just a long weekend! I am not aware of any other local law society in England and Wales having undertaken such annual escapades and members of other local law societies are filled with awe and amazement when we tell of our annual pilgrimages.

No small thanks go to all those who have been involved in the organisation of such feats from the late great Bryan Keeping, to Eric Baehr, Sarah Richards and now Sian Smith. We remain grateful for those whose energies continue to drive the European Conferences forward.

Speaking of energy, Mark Kiteley's "Duracell" qualities never cease to amaze me. For those of you who have not yet experienced one of the podcasts Mark is producing to keep us "in the loop" and connected during the pandemic you are certainly missing a trick! An inventive way of staying in touch in times when we are starved of "normal" social contact. Well done Mark!

As promised we hosted our first social gathering (limited to 6!) for those who wanted or needed some social interaction and escapism at the Marsham Court Hotel a few weeks ago. It was great to meet some new faces and despite the separation restrictions the hotel did a great job in ensuring we were well looked after. We are hoping to run a repeat session as soon as restrictions allow, and in the meantime are looking at a remote gin tasting session - do keep a look out for Mandy and Julie's updates. If anyone has any suggestions for events which are Covid compliant please pass on your ideas to Mandy or Julie.

The festive season will soon be upon us in whatever form it will take this year. May I take this opportunity to offer you all the compliments of the season and here's hoping for better things to come in 2021!

*Sandra Graham* BDLS President



Happy times at the BDLS European Conference



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## BDLS DIARY 2021

**October 7 - 10**

**European Conference to Madrid**

Further information, including flyers, for forthcoming events can be found on the BDLS website: [www.bournemouthlaw.com/events](http://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

### FORTHCOMING EVENTS

#### EUROPEAN CONFERENCE 2021

7 -10 October - Madrid

Despite the world issues that we are all enduring at the moment, I have bitten the bullet and started planning next year's Conference. We are aiming for Madrid - ole! The Conference package price includes tours and activities, meals and drinks with plenty of free time to explore, and relax, on your own.

The flyer will be forwarded to members with the email version of this Magazine or can be downloaded at <https://www.bournemouthlaw.com/Events.html>

*Sian Smith Conference Organiser*

### BDLS MEMBERSHIP SUBSCRIPTION RATES 2021

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

Subscriptions are due on the 1 January 2021. We are pleased to keep the renewal fees at the same level as we have done for the past 6 years. Please arrange for payment to be made either using the form attached to the email version of this Magazine, email

**office@bournemouthlaw.com** with your firm's list of paying members or complete the online form and follow that up with your payment. We would happily provide you with an up-to-date list of current paying members within your firm on request.

**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



## BDLS PODCAST SERIES

As a Society we are continuing to look for ways to stay in touch with our members, to offer them a voice and to retain a sense of community at a time when it is ever more challenging to put on our traditional calendar of events. We are therefore delighted to introduce the BDLS podcast series.

Each episode will feature interviews and discussion with an agenda set by you. Our guests have included luminaries such as the President of the Law Society, Simon Davis, and the Chief Executive of the Solicitors Regulation Authority, Paul Philip. We have also used the podcast to target particular issues such as wellbeing with Mandy Heath. Episodes are available on Spotify, Apple Music and even Amazon Alexa. "Alexa - please play the Bournemouth & District Law Society Podcast"

The content you are most likely to find interesting is the content you suggest, so please get in touch with me or with the office with suggestions ([mark.kiteley@rawlinsdavy.com](mailto:mark.kiteley@rawlinsdavy.com) and [office@bournemouthlaw.com](mailto:office@bournemouthlaw.com)). I hope you have enjoyed our work so far.

*Mark Kiteley Immediate Past President*

THE **BOURNEMOUTH  
& DISTRICT LAW  
SOCIETY PODCAST**

## LAWCARE - LIFE IN THE LAW RESEARCH

**LawCare**  
Supporting the Legal Community

LawCare, the legal mental health charity, has announced their research study 'Life in the Law'. The charity has teamed up with leading academics in the field to develop the study which will look at the impact of work culture and working practices on the wellbeing of legal professionals. The research seeks to understand the day to day realities of life in the law and uses three academic research scales for burnout, psychological safety and autonomy.

Anyone working in the legal industry, including support staff, can complete the online questionnaire. The results will form

the basis of an academic paper and will be announced next year.

To take part, visit this website [www.lifeinthelaw.org.uk](http://www.lifeinthelaw.org.uk). If you are finding things difficult and need to talk, LawCare can help. They provide emotional support to all legal professionals and support staff. You can call their confidential helpline on 0800 279 6888, email them at [support@lawcare.org.uk](mailto:support@lawcare.org.uk) or access webchat and resources at [www.lawcare.org.uk](http://www.lawcare.org.uk)

## Tell us about your LIFE IN THE LAW

Take part in our ground-breaking research study and help us find out how legal practice and workplace culture affect wellbeing

[lifeinthelaw.org.uk](http://lifeinthelaw.org.uk)

#lifeinthelaw  
#cultureandpractice





### IN MEMORIAM - JOHN SPURLING

John Spurling very sadly died on 11th October, following a short illness.

Members will know John from Spurlings Solicitors but, before that, Richardson Spurling, Lester Aldridge and Mooring Aldridge & Haydon. John loved his work and his clients and Spurlings continues with his daughter, Tamasine Whitbread, at the helm.

John loved his work, his clients and helping people and believed strongly in treating everyone the same. He also had a tremendous work ethic, working well past normal retirement age as he just wanted to help people and be kind. He was not at all materialistic and outside of work enjoyed being in the garden, going to the tip, a glass of wine and a curry on a Friday night, church on Sunday, going to the beach, walks in the country, watching birds and being with his family. John loved living in Swanage and was happily married to Jane for 52 years and they had 4 children and 8 grandchildren whom he adored.



John Spurling

If members have any messages or memories, then please email: **office@bournemouthlaw.com** and we will pass these on to John's family.

If anyone would like to make a donation in John's memory, the chosen charity is Forest Holme Hospice and donations may be made online at **funeraldirector.co.uk/john-spurling** or sent to James Smith Funeral Directors, 60a Kings Road, Swanage BH19 1HR.

### IN MEMORIAM - JAMES SELBY-BENNETT

James died peacefully at home on Friday 30 October 2020 aged 66 years, leaving his wife Priscilla and his two sons, Andrew and Nicholas. There was nowhere better for James than Dorset, and so, after leaving Eton, he came back to the family farm and began his articles with Humphries Kirk. At that time Humphries Kirk had four partners and two offices in Wareham and Swanage. During his articles, James was headhunted by a large London firm, Theodore Goddard, and he worked for them in London, Paris and Madrid.

James was lured back to Wareham by Humphries Kirk, and in the late 1970's became a partner of Humphries Kirk. He remained with the firm for the rest of his legal career. He followed in the footsteps of his Principal, Harry Kirk, in being an outstanding advocate. He would appear often in the local Magistrates Court.

It is quite amazing how much James packed into his life. He lived at Slepe and ran the family farm. As well as being a Humphries Kirk Partner, and the Senior Partner for a number of years, James was also Commanding Officer of the Wessex Yeomanry. He was a trustee of the Military Museum, The Keep in Dorchester, and President of the Country Land Owners Association in the South West. A man who lived life to the full, he was a larger than life character, both in the firm and in the county.



James Selby-Bennett

James was a very capable lawyer and had many successes in Court in addition to a busy commercial practice. He was very committed to the ethos of Humphries Kirk and he regarded of the highest importance that the service provided to the clients of Humphries Kirk was one of excellence. He was loyal to his staff and would always be there to support them.

All members and staff of Humphries Kirk will miss James's larger than life personality and regret that his life was cut short at what, in these days, is a young age.

Donations to Cancer Research UK in his memory and Messages of Condolences can be made here:

**<https://www.funeraldirector.co.uk/funeral/james-selby-bennett/>**





# JUNIOR LAWYERS DIVISION



Alex Crabbe President for BDJLD 2020-21

The BDJLD held their AGM on 28 October 2020 and I am delighted to be elected as the new President for the coming year. Though this time presents inevitable challenges to the JLD as it does for all of us, I am confident that this year's committee has an excellent selection of elected officers to meet those challenges.

I would also like to take the opportunity to thank our outgoing President, Rachel Murphy, and our other departing committee members for their hard work over the past year. As you will see, Rachel is staying on as a General Committee Member and I look forward to asking for her advice as frequently as I can get away with politely.

## Recent News

Recently, our new Vice President, Florence Shoemaker, our continuing National Representative, Darren Francis, and I held a Zoom meeting with our counterparts in the Surrey JLD to share ideas how we have been tackling the pandemic and what each of our committees have been doing in terms of events. We look forward to implementing some of our shared ideas in the near future.

We have also launched a short anonymous survey for our members on how the pandemic has affected their careers and whether this has caused them to re-evaluate their choices. I am pleased to announce our JLD Committee for 2020-2021 as follows:

### President

**Alex Crabbe** (Rawlins Davy Solicitors & Mediators)

### Vice President

**Florence Shoemaker** (Ellis Jones)

### Treasurer

**Conor Maher** (Ellis Jones)

### Charities Officer

**Laura Pike** (Lester Aldridge)

### Educational Events Officer

**Maria Evans** (Ellis Jones)

### National Rep

**Darren Francis** (Humphries Kirk)

### Publications and Communications Officer

**Patrick Herklots** (Coles Miller)

**Sports Officer Emily Chapman** (Lester Aldridge)

### General Committee Members

**Rachel Murphy** (Kiteleys Solicitors) **Sophie Rice** (Steele Raymond)

If you have any questions about the JLD, or any suggestions, please contact me on

**[alex.crabbe@rawlinsdavy.com](mailto:alex.crabbe@rawlinsdavy.com)**

*Alex Crabbe President for BDJLD 2020-21*

**[www.bournemouthjld.co.uk](http://www.bournemouthjld.co.uk)**

## NEW TRAINEE SOLICITORS

September is traditionally the time when trainee solicitors start their articles and, in this connection, we have been in touch with local firms to see if they have any new trainees so that we can welcome them to the BDLS. If you are a trainee or know of a trainee who has not heard from us, please get in touch: **[office@bournemouthlaw.com](mailto:office@bournemouthlaw.com)**

## MENTOR FOR NEWLY QUALIFIED SOLICITORS

Immediate Past President, Mark Kiteley, is now the mentor for newly qualified solicitors. He can be contacted by email: **[mark.kiteley@rawlinsdavy.com](mailto:mark.kiteley@rawlinsdavy.com)**



# BDLS LECTURE PROGRAMME 2020/21

Live Webinars

Face to Face Lectures

**2020**10.12.2020 11.00 – 13.00 WEBINAR – Family Law Update  
**College Chambers****2021**19.01.2021 11.00 – 13.15 WEBINAR – Administration of Estates – Tackling Problem Areas  
**Helen Forster**21.01.2021 10.00 – 12.15 WEBINAR – A Leasehold Dwellings Update  
**Richard Snape**23.02.2021 10.00 – 12.15 Civil Procedure and Practice – Present and Future  
**Andrew McLoughlin**, Marsham Court Hotel04.03.2021 10.30 – 12.45 WEBINAR – RNRB, Tax and Trust Update  
**John Bunker**18.03.2021 14.00 – 17.15 Commercial Property Update  
**Richard Snape**, Marsham Court Hotel27.04.2021 10.30 – 12.45 WEBINAR – Property Issues for Private Client Lawyers  
**Lesley King**

For further details and booking forms please visit Bournemouth and District Law Society website [www.bournemouthlaw.com/lectures](http://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](mailto:office@bournemouthlaw.com)

## 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

**Thursday 10  
December 2020  
11.00 – 13.00**

Topic:	<b>WEBINAR – FAMILY LAW UPDATE</b>
Speaker:	<b>College Chambers: Tahina Akther, Derek Marshall, Amy Oke and Daniel Nother</b>
Cost:	Cost <b>£35</b> Member and Associate Members of BDLS/Trainee Solicitors – <b>£50</b> Non BDLS Members
Venue:	<b>By Zoom</b>

### This webinar will cover::

#### Working towards financial independence

- What are we sharing?
- A discussion on the law of non-matrimonial assets, pre-acquired and post-acquired wealth

#### Family Children Matters

#### Family Arbitration – Enforcement, Appeals and Alternatives

- Recent jurisprudence on Family Finance Arbitration, challenges to an arbitrator's decision and alternative methods of resolving family finance disputes by way of private FDR meetings

#### Parental Alienation: Are we beginning to make sense of it?

- The importance of early intervention
- Expert evidence and how to challenge it
- Practical considerations in cases involving parental alienation
- Updating case law





**Tuesday 19  
January 2021  
11.00 – 13.15**

Topic:	<b>WEBINAR – ADMINISTRATION OF ESTATES: TACKLING PROBLEM AREAS</b>
Speaker:	<b>Helen Forster</b>
Cost:	Cost £50 Member and Associate Members of BDLS/Trainee Solicitors - £75 Non BDLS Members
Venue:	<b>By Zoom</b>

Probate and administration of estates is an area fraught with pitfalls if you do not manage the administration correctly. This leaves executors in a situation where they can be potentially liable for loss caused to the beneficiaries in cases where they did not even realise they had made an error. When acting as a professional executor you need to be aware of the problem areas to ensure you protect your firm and meet the service levels agreed to your clients.

**This course will cover the following:**

- Ascertaining assets/ liabilities and applying reliefs; BPR, APR and gifts out of income
- Potentially exempt transfers and the backwards shadow, and the impact this can have on your estate
- Gifts with reservation of benefit and preowned asset tax
- Inheritance tax, residence nil rate band, capital gains tax and income tax and when they apply to an estate
- Missing beneficiaries
- Contested estates: Larke v Nugus, inheritance act claims and claims for breach of duty

**Thursday 21  
January 2021  
10.00 – 12.15**

Topic:	<b>WEBINAR – A LEASEHOLD DWELLINGS UPDATE</b>
Speaker:	<b>Richard Snape</b>
Cost:	Cost £50 Member and Associate Members of BDLS/Trainee Solicitors - £75 Non BDLS Members
Venue:	<b>By Zoom</b>

Leasehold conveyancing continues to cause problems and is a very rapidly developing area. The course aims to look at some of the problems and their solutions.

**Topics covered include:**

- The latest on ground rents
- Problems with leasehold extensions
- Recent case law on service charges
- Latest on removal of cladding and the EWS1 certificate
- Licensing of Houses in Multiple Occupation
- The validity of S.21 notices after the Court of Appeal case Trecarrell v Rouncefield (2020)

## LECTURE FEES 2021

We continue to source nationally recognised expert lecturers for our lecture series and strive to provide the best possible value for our members. From April 2021 our prices for a 3 hour face to face lecture will be £95 for members and £145 for non-members. This means that member prices for lectures remain lower than they were 3 years ago. Our interactive webinars have proved to be a success as we all adapt to working on virtual platforms and the prices from April 2021 for a 2 hour webinar will be £70 for members and £100 for non-members unless otherwise advertised.



## IDENTIFYING YOUR STRESS CONTAINER: TIPS TO DEAL WITH STRESS

'It has never been so important to look after our 'Mental Health'. Who has heard that phrase thrown around recently? Yes, it's so true, but what does it mean and how do we do it?

My name is Lou Larkum and I'm a Mental Health First Aid instructor. I recently had the privilege of running MHFA England's online Mental Health First Aider qualification with 15 lawyers from BDLS. We emphasise on the course that to support someone else you need to look after yourself. We are no good to anyone else, even ourselves, when we have reached capacity.

During the training we use a visual aid, "the stress container", to help understand what stress is and our capacity to manage it.

Follow this link [https://mhfaengland.kokodigital.co.uk/frame\\_content.php](https://mhfaengland.kokodigital.co.uk/frame_content.php) for an interactive model of the stress container!

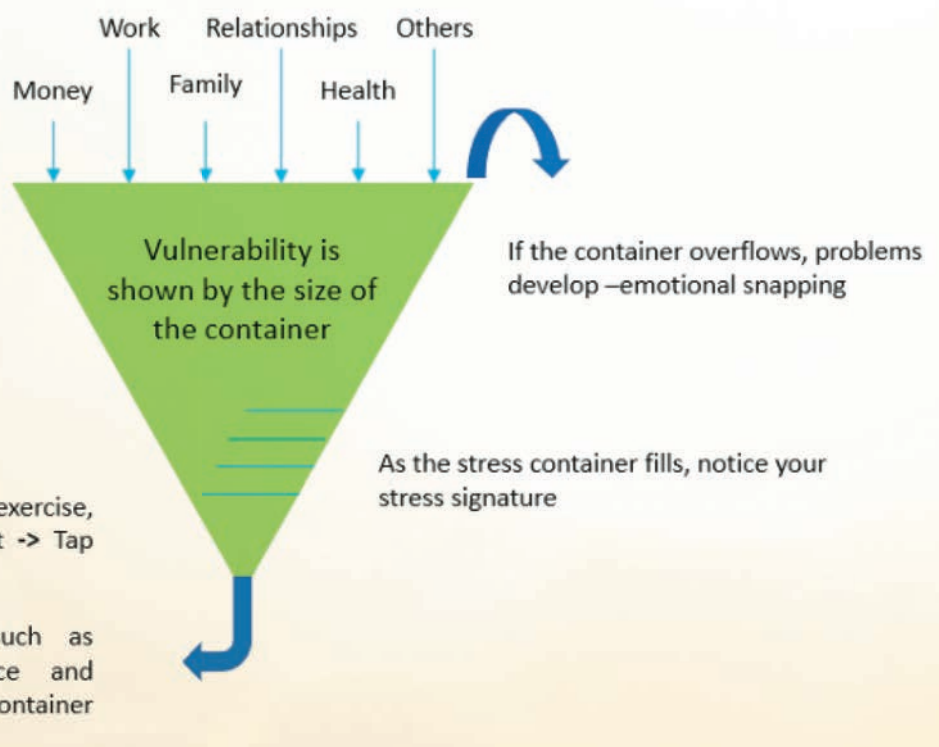
Understanding what we are experiencing in terms of external stressors and knowing our own individual capacity to cope can

be very helpful in determining when we are reaching overload. Everyday stresses flow in our container and they come in many different forms (represented by the droplets).

Our ability to deal with these stressors is depicted by the size of the container. The more vulnerable we are at any given time, the smaller our container and capacity to manage. If we are just about managing and one final thing plops into the container it can cause us to experience 'stress signatures' (not sleeping, chaotic thoughts, panic to name a few). Of course, some stress is good for us and is a motivator. Too much, over a sustained period, will be detrimental to our mental health.

Having a higher vulnerability (smaller container) or low vulnerability (large container) can be reflective of several different factors including life events past and present, emotional resilience, trauma, and genetics and so on. Our life so far basically! Does that mean that someone with a smaller container is weak? No, it doesn't.

### The stress container







We are really used to talking about how stressed we are but when do we have conversations about how close to capacity we are or whether we are experiencing poor mental health?

There is hope! There are effective ways of managing stress to protect our mental health. They require us to be proactive and value ourselves. They require us to understand our limits and protect ourselves. These helpful and unhelpful coping strategies are shown by the cog at the bottom of our graphic.

You matter! Valuing yourself and showing yourself you matter is important. It is imperative to put in protective factors to manage your stress, know your capacity and understand that your capacity isn't the same as anyone else.

Let us look at some strategies for keeping ourselves mental fit and show ourselves that 'I' matter and so do 'you'.

### CONNECT

Even if it is on Zoom, be brave and stay connected. Family, friends, a walk to the shop, an incidental conversation. I think this is one area where Covid has had a real impact: encouraging disconnection and forming bad habits. We must be proactive in creating 'conversation pockets' in and around our day. Being authentic about what we are feeling and thinking can feel vulnerable but it is so worth taking the risk.

### BE ACTIVE

It is no surprise that physical exercise and positive mental health go hand in hand. OK, the initial idea of having to go outside, do a class, run loops, especially in the winter, can meet enormous resistance in my head – I hear you – but once it's done those lovely endorphins (pain killers) and serotonin (mood stabilizers) kick in and give a feel-good factor. Keep trying different things to see what ticks your box.

### TAKE NOTICE

Being curious, being grateful for the small things can be super helpful for perspective. Taking a breath amid a chaotic day and being intentionally reflective and mindful can help us reset. The world is bigger than our moment. There are some great apps for this ie Headspace, Calm.

### KEEP LEARNING

Trying something new, something different. Setting yourself a light-hearted challenge can boost confidence and be a change from the norm.

### GIVE

Another free dopamine hit and someone else gets something from it! Giving is a kindness. Make a cake (although that may not be a kindness in everyone's world), send a card (amazing effort with maximum reward to the receiver!) or volunteer your time. Adding into a community structure or group also gives a great sense of purpose and value.

If you'd like more ideas here's a great link: <https://www.mentalhealth.org.uk/publications/how-to-mental-health>. It can feel like another list of things to do and if that is the case it may be worth looking to find those small wins. The ones that allow you to appreciate that you are worth the effort and the time taken. You 'looking after yourself' won't be the same as someone else's so find what works for you and use it to balance your world. Because you are worth the effort (swooshes hair like a shampoo advert...) That's enough of the advice, I'm off to run a bath!



Louise Larkum



If you would like more information on Mental Health training opportunities, I would love to help. Do get in touch;

**[louise@mindcarentraining.com](mailto:louise@mindcarentraining.com)**

**Louise Larkum**

**Accredited Mental Health First Aid Instructor**

**MindCareTraining**

**T: 07852479000**

**W: [mindcarentraining.com](http://mindcarentraining.com)**

**TAKE CARE OF YOURSELF**



## Wellbeing & Diversity



### A REVIEW OF THE MENTAL HEALTH FIRST AIDER COURSE BY SALLY CRAWFORD

**To put it quite simply this I believe is the most valuable and interesting course that I have done through out my career and I so wish that I had done it at the beginning of my career; but then mental health carried such a stigma that we never discussed it**

#### WHY DO IT?

- You will come to understand yourself better.
- You will come to recognise mental health problems and know how to deliver first aid to sufferers; when people are experiencing a mental health crisis the earlier that they get the right help, the more quickly they will recover.
- This will for sure make you a better manager. (Statistics show that teams with a Mental Health First Aider will be significantly more productive and have less absenteeism)
- In all probability you will become a better lawyer; a better understanding of our clients and their needs will help give client satisfaction.
- You may be able to save someone's life. (Interesting fact 3 times as many people die of suicide as in car accidents)
- You will be part of removing the stigma associated with mental health enabling all of us to have open discussions about mental health in our families and our work place.
- Who knows you might even get to a better understanding of your family and partner!!!

The course was superbly run. I coped admirably with the IT of the online forum. Louise was a friendly approachable presenter and even managed to keep 15 lawyers to time! (well more or less). Marie brought a legal perspective and an understanding of the issues specific to lawyers.

Was it helpful or intimidating to do this course with other lawyers? Personally, I found it a great help to do this course with lawyers who experienced similar issues and brought different but wholly relevant experiences to our discussions. As is often the case I learned a lot from other delegates and felt privileged to share this with them.

Whether you are a senior partner or a trainee, I urge you to make time to do this; you will never regret it. And so much CPD!

*Sally Crawford (formerly Carmichael)  
Member of Wellbeing & Diversity Sub-Committee*







## BDLS MENTAL FIRST AIDERS

Wellbeing & Diversity



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:

**Robin Watson:**

r.watson@laceyssolicitors.co.uk  
Tel: 01202 755202

**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@mjplaw.co.uk  
Tel: 01202 842929

**Mark Kiteley:**

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**Maria Evans** (formerly Redman):

Maria.evans@ellisjones.co.uk  
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**Sarah Unsworth:**

Bacchante2012@gmail.com  
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**Marielle Hemingway:**

mh@thecommerciallawpractice.com  
Tel: 01305 544015

**Edward Holmes:**

edward@bournemouthlaw.com  
Tel: 01425 484420

**Rachel Murphy:**

rachel.murphy@kiteleys.co.uk  
01202 849242

BDLS will be running a further MHFA course in Spring 2021. Please email; **mandy@bournemouthlaw.com** to express an interest in this.

## BDLS GOLF SECTION

Sadly there has been no Law Society golf in 2020 but I have high hopes for 2021. I have only managed two rounds of golf this year but I feel compelled to tell you about the second. I was playing golf with a very old friend who is not a law society member. He came to golf late and when we first started playing I used to beat him every time however in recent years the tables have turned and he always beats me.

In our match we were level with only the 18th to play. He hit first and sliced his ball into the trees. I then hit my ball straight down the fairway. I thought my chance had come. We walked into the woods and after about 10 minutes he said I can't find my ball you go and play yours and I will look for a little longer then I will have to concede the match. I then chipped my ball within 3 feet of the pin. I thought the match is mine

when suddenly he shouts from the woods I found my ball and he chips it right next to the pin. I was then in a dilemma. Do I accuse him of cheating and produce his ball from my pocket or should I just let it go.....

This dilemma would of course never arise in our Law Society matches - details of which will follow in the New Year.

*Edward Holmes Golf Secretary*





## THE COUNCIL MEMBER'S REPORT

*Peter Watson-Lee*



**Tim O'Sullivan has hung up his boots as our Law Society Council Member after exceptional service. Having put myself forward as a replacement, I have found myself 'elected unopposed' as the Council member representing Dorset. Thank you.**

Those of you with long memories will recall I was on Council twenty-odd years ago when I still had hair. In those days we were still self-regulating and having annual solicitor wide voting for the Society's President. Turbulent and interesting times they were. I assumed things would have settled down – but far from it. See my report on the AGM below- and as you are going to be asked to vote on the motions that passed, please pay attention!

### **BUT WHAT ABOUT THE REAL WORK?**

Whilst fun and games will be had over the AGM motions, I suspect many of us will look upon them as navel gazing. The question is, of course, what does the Law Society do for us? Does it stand up for our interests against the multitude of regulators that now plague us? Does it champion our 'provincial' and High Street practices sufficiently? Pressing it to fulfil those roles is the reason I have gone back on Council.

### **THE LAW SOCIETY AND ITS MEMBERS**

Historically, the communication between the Law Society and its members has often been poor; but there are plans to improve this. One recent positive has been the society's guidance on dealing with all the problems that are besetting us due to the pandemic. Much of this has been authoritative, timely and helpful.

This is part of a new approach of which I hope we will be seeing more. If you have not already done so, go onto the Law Society's new website and register for MyLS and record your interests. The website has been updated and contains some valuable information.

### **TWO CONTROVERSIAL PROPOSITIONS.**

Covid-19, of course, hangs over everything. No fun trips to London these days. Everything is done virtually and I have yet to meet another Council member in person. My first meeting was a virtual attendance at the AGM which had two controversial motions.

Currently most of the Council seats are geographically based – for example there is one seat for Dorset. There are then a few practice type seats and then some 'characteristic' seats.

The proposal is for fifteen geographical seats to go and for the work related and 'characteristic' seats to increase. Whilst some of us will still only have one Council member (or possibly two if we register as being specialised in a recognised area of law), there will also be five seats for Women Lawyers, six seats for Junior Lawyers (0-6 years post qualification), five seats for Ethnic Minorities and an increase number of seats for specialist subjects and types of practice. The thinking is to widen the representation but one odd result is that given the correct combination, I calculate a few solicitors could have over twenty council members to represent them. A bit excessive maybe?

This complex proposal has taken years to work out and the motion had been passed by Council and was also passed at the A.G.M.. But not without protest and it is now going to a profession-wide vote.

The second motion divided the Council even more and has caused significant anger. The proposal is that no Council member should sit for more than twelve years. The suggestion was that this was good governance and would ensure a healthy turnover; but the arguments against were passionate. Not least because it would mean twenty-three council members who have already exceeded their twelve years, and presumably more who are about to reach that stage, would not be able to stand again.

This motion was originally rejected by Council, but was passed at the A.G.M.. Again there will now be a profession-wide vote on it. Ballot papers should be on their way soon.

*Peter Watson-Lee Law Society Council Member for Dorset*



## RETIREMENT OF TIM O'SULLIVAN AS BDLS LONG STANDING COUNCIL MEMBER

At a covid compliant General Committee meeting, Tim O'Sullivan received a limited edition print from President Sandra Graham in recognition of 25 years' service on the BDLS General Committee and on his retirement as Law Society Council member for Dorset. Tim served on the Law Society Council for nineteen years, chairing the Membership Committee, the Conduct Committee, the Scrutiny Committee and, for three years, the Management Board as Treasurer of The Law Society of England and Wales.

A UK Fellow of the European Law Institute, Tim continues to serve as Chair of the Law Society European Union Committee overseeing preparations for the end of the Brexit transition period for solicitors in England and Wales, Brussels and more widely in Europe.

On accepting the print, Tim thanked Sandra and the Committee for their generosity and kind wishes and said that it had been an absolute pleasure to represent one of the finest and most respected local law societies in the country on the Council. He wishes his successor Peter Watson-Lee and BDLS all the very best for the future.



Tim O'Sullivan

## THE LAW SOCIETY INHERITANCE TAX PLANNING HANDBOOK



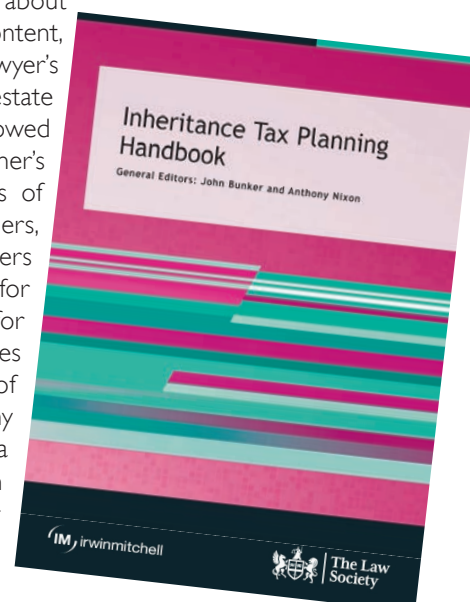
John Bunker

Private Client lawyers may be interested to hear that BDLS lecturer, John Bunker, has a new book - **The Law Society Inheritance Tax Planning Handbook** - due out in mid-December 2020. It can be purchased here <https://bookshop.lawsociety.org.uk/p/inheritance-tax-planning-handbook-paperback/>

Edited by John Bunker and Anthony Nixon, it is designed for lawyers and other professionals advising clients on IHT, or whose work impinges on IHT, where it may help to understand more of planning opportunities or to dip into some ideas for what can be done for clients. Its aim is to be an accessible and approachable read, with lots of examples and practical tips, and to be a working reference not a text book. It includes will

writing to mitigate IHT, including BPR and APR and business planning, detailed analysis of options for spouse planning, two chapters each on variations of estates and trusts and on the huge subject of RNRB, and lots of technical content on trusts and their taxation as well as practical comment on IHT elements of running trusts and estates. It also includes some more specialist chapters on planning with issues about capacity, non-dom and non-resident issues, SDLT and BADR (Formerly ER) and an introduction to alternative structuring.

John has written about one third of the content, including a lawyer's perspective on estate planning, which is followed by a financial planner's perspective, with lots of ideas about planners, lawyers and tax advisers working together for better solutions for clients. He hopes this book will be of interest to many lawyers and make a valuable contribution to providing an ever better service for clients.







## Articles

# 10 BENEFITS LEXCEL CAN BRING TO YOUR LAW FIRM

**For any ambitious law firm, achieving the right accreditations and kite marks is the ultimate badge of excellence and professionalism. Holding the Law Society Lexcel accreditation can help you to achieve a well-managed, efficient and sustainable business, offering increased profitability and less risk. Here are the top 10 benefits achieving Lexcel will bring your firm...**



### **1. Enhanced risk profile**

Your risk profile will have a dramatic impact on how third-party stakeholders, such as insurers and banks, view your firm. It may only take one claim or notification for your firm to be viewed as a high-risk practice so improving your risk profile is vital. Your profile can be impacted by many factors, including your employees and their work and regulatory history, the type of work your firm undertakes, historic work, as well as your current financial position. Lexcel helps you to improve your profile by providing a framework of areas to focus on when considering risk and implementing procedures.

### **2. More PII options**

Many of us will know of firms who in recent years have sadly been unable to secure professional indemnity insurance, resulting in the firms' closure. By achieving Lexcel in your practice you can demonstrate an improved risk management awareness, and this results in an improvement in risk profile. With an improved risk profile your firm can be presented with more professional indemnity insurance (PII) options by enabling you to profile your firm as a viable risk to a wider range of insurers therefore expanding the range of affordable insurance options for your firm. In the long term, this will help you to reduce costs and, ultimately, allow for the continuation of the business.

### **3. Supported compliance with regulation**

When it comes to achieving the standard, your firm will be taken through a rigorous assessment process to ensure that you can demonstrate compliance with the standard across the entire business. This is what sets Lexcel apart. The standard will ensure that your firm is operating consistently across all departments and all offices not just in one specialist area and achieving Lexcel goes some way to helping you meet your regulatory and legislative obligations too.

### **4. Strengthened chances for tender success**

Unlike other accreditations such as the Specialist Quality Mark (SQM), which only applies to legally aided matters, Lexcel is the ultimate law firm management quality standard as it applies to the whole practice. Therefore, the Lexcel standard is often seen as being a more robust and superior quality mark, standing your firm in good stead to secure competitive tenders.

### **5. Improved practice management**

Throughout your Lexcel journey, you will be provided with a focus for which issues need to be dealt with at practice management level. You will achieve consistent operational practices throughout your business and develop an engaged workforce – two key features of good practice management.

## 6. Consistent operational practices

Lexcel will ensure that your operational processes are consistent across the board, both inter-departmentally and inter-branch. This approach helps reduce duplication and improve efficiency across the entire business, where all employees are working to the same standard. Contrary to popular belief, Lexcel is not prescriptive. You decide how you want to achieve compliance with the standard.

## 7. Engaged staff

A happy workforce makes for a happy (and profitable!) firm. Achieving excellent people management is central to the Lexcel accreditation, which provides clear and consistent HR policies to follow. Once these practices are embedded in your practice, your engaged staff will contribute heavily to the success of your firm, from resulting improved client satisfaction to attracting the best new talent to your workforce.

## 8. Reduced risks, client complaints and PII claims

They say the proof is in the pudding and achieving Lexcel is no different. Once your management approach has been streamlined and your practices are in line with best practice, you will be working to the best possible standard and there will be reduced risk at all levels throughout the practice. This will result in increased client satisfaction, reduced client complaints and less resulting potential PII claims, all of which contribute to an enhanced risk profile and reputation.

## 9. Better reputation

Recommendations are the ultimate endorsement for many practices, leading to new business and improved client retention. This comes hand-in-hand with improved client care, which is central to achieving Lexcel. Once you have addressed your operational practices, improved your compliance and workforce engagement, client care will naturally evolve and excel, and your reputation will begin to flourish.

## 10. Increased profit

All of these factors come back to the ultimate goal: increased profit. Improved efficiency at an operational level will reduce costs across the business, while a better reputation will bring in more clients through recommendations and repeat business.

For a free and confidential conversation to find out more about achieving the standard within your practice contact Law Society Lexcel Consultant and Assessor, Tracy Thompson on:

**07702 040784** or at **tt@tracythompsonassociates.co.uk**  
**www.tracythompsonassociates.co.uk**



Tracy Thompson



TRACY THOMPSON  
ASSOCIATES



### FIONA KNIGHT: MISSION ACCOMPLISHED - LAND'S END TO JOHN O'GROATS CHARITY CYCLE RIDE

MADE IT! despite it being 2020 and Covid's best efforts to disrupt our arrangements, beforehand and on route. 1,013 miles cycled in 16 days with 61,394 feet of climb and 18 different overnight stays. No punctures or accidents other than a couple of slow tumbles off the bike and a snapped chain on Day 15. No cushions required for sitting afterwards! We were blessed with amazing weather with rain only on Dartmoor and near Fort William. Only a few very cold morning starts in Scotland when I looked like Michelin Woman about to rob a bank with nearly everything covered! The great weather highlighted the amazing countryside and scenery that we have in the UK. I feel very privileged and grateful to have been able to undertake such an epic adventure and to see the mission through to a successful conclusion after many months of planning and training. A full update with photos can be found on my website:

<https://cycle4dad.com/live-progress.html>

I have been overwhelmed by the support which has come in many ways alongside the good wishes, emails and donations. Most importantly however, the two charities, BOURNEMOUTH HEART CLUB and CRUSE, have benefitted from the enterprise in the sum of £6,000. As I have covered all expenses myself, ALL funds raised have gone to the two charities to help support the services they provide which are needed even more in these very difficult times. Full details of both charities are on my website. Only if you feel you wish to, as there is no obligation, the donation page remains open on the website and at <https://tinyurl.com/y5flrmd9>



Made It - 16 days and 1,013 miles cycled later!

Sam Mann joins Steele Raymond as an Associate solicitor. Specialising in all aspects of residential development, Sam has extensive experience in site acquisition for housebuilders on both conditional and unconditional purchases as well as options and promotion arrangements. Sam also works with private landowners looking to dispose of land with development potential.



Sam Mann



Family lawyer Adam Cooper joins Steele Raymond from a boutique family law firm in Salisbury, having previously worked for both national and regional law firms. Adam has wide-ranging experience in all family related issues and offers particular expertise in handling complex children matters, child arrangement orders, financial settlements and divorce proceedings.



Adam Cooper





Roger Leedham, Senior Partner, with Daniela Coelho

Daniela Coelho has qualified as a solicitor and joined the firm's residential conveyancing department, based at their Poole Office. She joined the firm in 2017 as a legal assistant to Medical Negligence Partner, Lydia Barnett, and in 2018 started her training contract working in the Probate, Commercial Property and Residential Conveyancing departments.



## YMCA'S BIG SLEEP EASY 2020

For the third year in a row, members of the Dorset law firm, Lester Aldridge, have slept rough for the YMCA's Big Sleep Easy. The Big Sleep Easy is an annual charity event that takes place throughout England and Wales, where participants spend a night sleeping somewhere other than their beds, to raise awareness of the local/national homelessness issue, whilst also raising essential funds to enable the YMCA to continue and further increase its positive, and invaluable impact.

Matthew Barrow, Michelle Ripsold, Tim Blackwell, Alexandra Clapp, Mark Benham and Ola Olayinka, braved the cold and spent the night in their back gardens to help support this cause. The LA team have raised just over £3,000. Their Virgin Money Giving page at <https://uk.virginmoneygiving.com/Team/LesterAldridge> if you would like to contribute to this incredible cause. Your funds help YMCA to support those in need, focused on achieving independent living and to secure a positive long-term future for ALL.



Mark Benham

## NEWLY QUALIFIED SOLICITORS

LA congratulates its newly qualified solicitors. Samantha Edwards, Alice Straight, Chelsea Feeney, Mollie Harris, Brooke Manning and Kirsten Adamson have all completed their training contracts. Samantha, Alice, Chelsea and Mollie will be based in LA's Bournemouth office within the Family, Commercial, Employment and Private Client teams, with Brooke and Kirsten located in the Southampton office working within the Personal Injury and Real Estate teams.



L:R Samantha Edwards, Alice Straight, Chelsea Feeney, Kirsten Adamson, Mollie Harris, Brooke Manning



## SITUATIONS WANTED

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Contact Colette Caple:

**caplec2@bpc.ac.uk** Work Placement Officer for Uniformed Public Service and Sport  
Bournemouth & Poole College

## ADVERTISE YOUR VACANCIES HERE

If you would like to advertise your vacancy, or your availability for a position, please contact the BDLS Office:

### **MANDY HEATH & JULIE REEVES**

BDLS Office, Borough Chambers, FirVale Road, Bournemouth, BH1 2JJ

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