

Bournemouth & District Lawyer

Bournemouth & District Law Society Magazine



BDLS ELECTS ITS 100TH PRESIDENT

PLUS

Annual Dinner

Quiz Night

The Solicitor's Apprentice!



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Law Society

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SUMMER 2019



SUMMER 2019 ISSUE 189

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BOURNEMOUTH & DISTRICT LAWYER - Bournemouth & District Law Society Magazine

You will receive this magazine by post and also by email which will also include various enclosures ie details for events, lecture details etc.

These will be sent out quarterly as follows:

Autumn September 2019 / **Winter** December 2019

Spring March 2020 / **Summer** June 2020

The copy deadline for receipt at the BDLS office for the next edition – the Autumn issue – will be the 1 August 2019.

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

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COVER INFORMATION

New President, Mark Kiteley,
with Sandra Graham, SVP,
and Neil White, JVP

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THE PRESIDENT'S COLUMN

Mark Kiteley



At an AGM some years ago, Past President John Newbold spoke of the need for local firms to encourage and support their solicitors in joining our Society and taking the most onerous roles within it. The profession has listened. At our AGM last week, no fewer than five solicitors joined the committee, the executive roles were all taken, and there is a veritable queue to be the next President. A role within the BDLS will potentially eat into billable hours and I am perhaps unusual in wanting to thank both my former partners at Kiteleys, and my present partners at Rawlins Davy for their own support and encouragement.

My theme for the coming year is good mental health. Mental health issues of one type or another appear endemic in our families, friends, schools and indeed the work place. I was appalled, as I am sure were you, to read the findings of the latest Junior Lawyers survey. To hear that one fifth have found themselves "unable to cope" in the last year and

do nothing is simply not acceptable. I ask for your help in building a picture of the position locally, and not just of junior lawyers but of all of us. If our findings reflect those of the JLD then we have the opportunity to work together and do something about it. Of course, it may instead be the case that we enjoy a rather better work life balance in our conurbation, and I am encouraged to read of the steps already being taken by local firms. If we find ourselves with evidence that this is the case, then I suggest we sing from the rooftops that this is a wonderful place to live and work and promote this more attractive and healthier alternative to those tempted by the bright lights.

I have been asked to speak to the strength of our society at the national Presidents and Secretaries Conference in Chancery Lane in June, and over the course of the next 12 months I will have the privilege of representing BDLS at numerous events both domestically and abroad. I will report on the first of these in the next magazine. For now, may I thank you again for your confidence and support – I will do my very best to deserve it!

Mark Kiteley BDLS President

BDLS RESTRICTIVE COVENANTS REGISTER – 4TH EDITION

BDLS first completed a copy of the above in 1998 and has now issued a revised edition - the 4th edition. This gives details on historical restrictive covenants in the Bournemouth/Poole/Wimborne area, whether they are still enforceable or not and, if they are, who acts for the owners.

The Register is available to download from our website by visiting :
https://www.bournemouthlaw.com/restrictive_covenants.html

Thank you to BDLS Property Group committee member, Jim Salway, for his time in updating this.

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BDLS DIARY 2019

5 July	JLD Annual Summer Ball Cumberland Hotel, Bournemouth
12 September	BDLS Theatre Club - Kinky Boots Mayflower Theatre, Southampton
26 September	BDLS Quiz Night
3 - 6 October	Overseas Conference to Budapest

Further information, including flyers, for most 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

BDLS ELECTS ITS 100TH PRESIDENT AT THE ANNUAL GENERAL MEETING

This year’s AGM was held at the Marsham Court Hotel on Monday 29 April.

The pre-AGM talk – “Cheap, Effective and Easy Marketing Techniques (that probably no one is talking about!)” - was presented by Joe Reeve (former partner in a substantial CA firm who trained with the – then – Thornton Baker in Bournemouth) of Crosselerator. Joe began with why most online business development strategies are doomed to fail and ending with where online business development is bound to go. His talk gave an insight into techniques known to work by the many UK law firms he has worked with.



Past President, Edward Holmes, with Mark Kiteley



Joe Reeve

The AGM commenced shortly afterwards with the following appointments for the year 2019/20

We hope that they all enjoy their terms of office with the Society.

President:	Mark Kiteley	<i>Rawlins Davy</i>
Senior Vice President	Sandra Graham	<i>Trethowans</i>
Junior Vice President	Neil White	<i>Rawlins Davy</i>
Honorary Secretary	Joanne Clarke	<i>Lester Aldridge</i>
Honorary Treasurer	Lauren Cooney	<i>Letchers</i>
Assistant Hon Secretary:	Shami Duggal	<i>Rawlins Davy</i>
Press Officer	Clare Lawson	<i>Aldridge Brownlee</i>
General Committee	Lauren Meade	<i>Steele Raymond</i>
	Paul Solomons	<i>Solomons</i>
	Kerry Richardson	<i>Heppenstalls</i>
	Melanie Reynolds	<i>Dutton Gregory</i>
	Carolyn Taylor	<i>Caro Taylor Solicitors</i>

Having thanked retiring President Edward Holmes for his leadership over the last 12 months, Mark noted the challenges facing the profession in the year ahead, including the new SRA Rules and Regulations and ongoing concerns regarding mental health in the work place. He promised to support the Junior Lawyers Division with their program of events, before looking forward to those occasions which he hoped may highlights of his term, such as the European conference in Budapest.

After the AGM, members enjoyed drinks and buffet whilst socialising with other members of the profession.

Mandy Heath BDLs Office Manager



Shami Duggal, Clare Lawson and David Orr



Sarah and Andrew Townsend



Neil White and Patricia Smith



Kerry Richardson and Simon Steele-Williams



Michael Newbold, Stephanie Adams, Mark Timberlake and Hugo Haub



Melanie Reynolds, Theresa Mills, Carol Maunder and Tim O' Sullivan



Keith Lomas, Edward Holmes and Nigel Smith

Photos by
ADAM LYNK
www.adamlynk.com



Local News

BDLS ANNUAL DINNER

Friday 26 April 2019 at the Highcliff Hotel, Bournemouth.



Louise Holmes, BDLS President Edward Holmes with Mr Justice Francis and Mrs Penny Francis

Our President, Edward Holmes, hosted our Annual Dinner at the Highcliff Hotel in Bournemouth this year. We had great support for the event with a total of 155 people attending. The end of the working week is always a special time for people ready to enjoy a weekend of leisure, and certainly everyone was in very good spirits on the 26th! The evening started with a pre-dinner drinks reception before going into the dining room for the meal and speeches.

Top Table guests included our guest speaker Mr Justice Francis, Presidents of law societies from across the southern area, the President's personal guest, Louise Holmes, and our sponsors – Paragon, Quantuma, College Chambers, Eco Law and Index Property Information.

Guests enjoyed the delicious food served up by the hotel, the champagne prize draw and the speeches! Once the meal was finished Edward gave his speech and then we were further entertained by our guest speaker Mr Justice Francis.

Our thanks once again to all of our sponsors. Without their support we would not be able to include drinks within the price of the tickets for this event.

Julie Reeves Dinner Secretary

EVENT SPONSORS





Amanda Bartlett, Suzanne Kadziola,
Peter Watson-Lee and Jessica Percival



Jo Perrett, Simon Nethercott and Nicola Lowe



Carol Maunder and Mark Kiteley



Chris Reeves, Mandy Heath and Nick Hyman



Isle of Wight LS President Trine Kvinnesland
and Simon Whipple



Martin Varley and Katharine Jones



Paul Bennett and Paul Smith



Nigel Smith with David Meany



Simon Steele-Williams with Julie Reeves



Terry Keats, Sandra Graham and Rod Hursthouse



Dorset LS President Paul Dunlop with Edwards Holmes



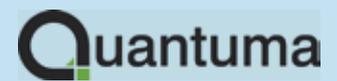
Theresa Mills, Andy Kirby and Carla Brown

To see all the photos of the evening, please visit our website for this report with further selected photos or for all photos taken go to:

www.flickr.com/photos/151920544@N02/albums/72157691172594843

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Our Partner led approach guides stakeholders through their challenges; be that dealing with a distressed entity or seeking to secure the solvent sale of a successful entity. With an office network covering the South coast (including Ringwood and Weymouth) we are able to provide a reactive response to clients in their time of need.

We recognise with insolvency (in particular) the issues may only arise infrequently; however we are always available to assist our professional network with a troubleshooting function as/when issues arise. We also actively run a regular Dorset Professionals Networking lunch event, which we look forward to seeing members of the Bournemouth & District Law Society at in the future.

Email: adam.price@quantuma.com / www.quantuma.com



Paragon's UK Professions team specialise in supporting the legal sector through our Professional Indemnity (PI), Cyber and Directors' and Officers' insurance products that have been specifically designed for law firms. We understand that regardless of size, every law firm is different and insurance solutions must be tailored accordingly.

We have two exclusive 'A' rated Professional Indemnity insurance facilities, as well as our 'open market' insurer relationships, enabling us to carry out extensive pricing reviews. In addition, we support our clients all year round providing tailored risk and business management through membership to The Strategic Partner (TSP). TSP are experts in law firm management; they work with our clients to enhance productivity and profitability through the provision of support, services and consultancy. For example, TSP recently helped a firm save £15,000 by updating and streamlining its telephony and printing systems.

This membership includes a Consultancy Day with the firm, a Digital Marketing Review and numerous other benefits. To help firms understand the value of this specialist risk consultancy partnership we provide 6 months free membership to TSP just for receiving a no obligation PI quote.

For further information or should you have any questions, please contact Martin on +44 (0)20 7280 8209 or email the UK Professions team mmachale@paragonbrokers.com



Index is delighted to be sponsoring this year's Bournemouth & District Law Society Dinner. We are a national company providing a bespoke local service to conveyancers on the South Coast and we believe that we are the best search provider in Hampshire and Dorset.

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College Chambers is a dynamic set of specialist Barristers leading the way in the South of England. Our Barristers' excellent reputation and depth of experience has established College Chambers as one of the South's leading sets. Our standing arises from our work as specialist advocates and mediators, strongly supported by an experienced, professional and responsive clerking team. We are proud of our strong reputation and are committed to ensuring only the best service for our clients.

College Chambers is delighted to be celebrating its 30th year in practice in 2019. Over the last thirty years we have grown into a highly-regarded and diverse set of Chambers. Our traditional setting, combined with modern technology and facilities, provides both Counsel and Clerks with an effective base from which to offer our comprehensive range of services and enables us to provide consistently high professional standards to our clients.

www.college-chambers.co.uk



Eco-Law are delighted to be able to sponsor this year's annual dinner organised by Bournemouth & District Law Society.

Eco-Law is a totally bespoke legal recruitment firm specialising in the acquisition and retention of top talent across the south. Able to work closely with law firms to help them source legal professionals which are a great fit for the firm's ethos. We are not a CV factory and meet all our candidates to provide guidance and real assistance at a time that can be unsettling. Drawing on vast industry experience of not only Legal Practice Management but estate agency, HR and excellent local knowledge we can help source top talent looking to relocate to the area providing not only recruitment advice but guidance on the area, catchments for local schools and support while you get settled.

We will assist with CV's, interview techniques & feedback after introductions. Our aim is for you to thrive in a role that is exactly right for you. www.eco-law.co.uk or email: Risa Moody: recruitment@eco-law.co.uk, in confidence.

ABBA TRIBUTE NIGHT

Hermitage Hotel, Bournemouth, Friday 15 March 2019

What a fantastic evening was had by all! Abba's Angels were superb - entertaining us with their routines, costume changes and were spot on with their renditions of all the well-known Abba songs. People were up dancing from the first song and by the end of the evening there was hardly room on the packed dance floor!

It was the first time we have held an event at the Hermitage Hotel but we will be going back as the food and service were excellent.

A big thank you to Paragon and Search Acumen for sponsoring.

Mandy Heath BDLs Office Manager



Edward Holmes with Abba's Angels



Mark Kiteley, Julian Heath, Neil White and Mark Proctor



Clare Lawson and Marie Harder



Martin Davies and Sherrill Luck



We're pleased to have sponsored Bournemouth and District Law Society's Abba tribute evening. A big thank you for another fantastic event. Here at Search Acumen we work closely with top tier Commercial and Residential law firms, providing comprehensive property data. Because technology is at the heart of our strategy, we constantly bring new property insights to our customers through innovation. Our focus on the future has allowed us to push market boundaries and be recognised as a PropTech leader in our space.

If you're a forward-thinking Bournemouth District based law firm who, like us, is excited by technology like Machine Learning, AI and Blockchain, then let's connect.

Zoe Dobson, Client Relationship Manager 07780 505 028



Citizens Advice Bournemouth Christchurch & Poole are looking for new Members and Trustees to join.

If you would like to be involved in helping to shape the future of your local Citizens Advice, you get can get involved by becoming a Member or Trustee.

Our Members guide the decisions of our Trustees, can vote at general meetings, are kept in touch with news and developments and can also be elected to serve as a Trustee. Membership runs from January to December each year and is free and open to individuals and organisations that support the charity's work.

The charity is seeking Trustees who have a particular knowledge in Human Resources, IT or Corporate Social Responsibility to come and join the team. Trustees regularly meet to manage the charity and report back to Members at an annual general meeting.

If interested, please contact Jenny Booty at jenny.booty@citizensadvicebcp.org.uk

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**FRIDAY 29
MARCH 2019**

**THE COUNCIL
MEMBER'S REPORT**
Tim O'Sullivan



- At a strategic planning weekend Council received presentations and research around membership experience, engagement with, and expectations of, the national Law Society, and tested propositions around improved relationship management initiatives. The website architecture needs improvement to make it more intuitive and to reduce the number of 'clicks' per page needed to find content. Pilot projects are complete and a new website is planned for launch in the Autumn.
- Annual report for year ended 31 October 2018. The Society secured coverage on television and radio broadcast media 105 times and appeared in national and regional press 2,100 times. The Society was mentioned positively in 'Hansard' 340 times, gave oral evidence before 13 parliamentary select committees and tabled 45 parliamentary written questions. In-carriage advertisements on London underground reached 30m passengers; the 'Gazette' online received 17m page views. The practice advice service handled 23,000 enquiries and the library assisted 8,500 members with legal research. The professional development centre produced 94 webinars viewed by 9,500 members. The president signed 13 Intervention letters in support of persecuted lawyers around the world to promote human rights and the independence of the legal profession.
- The Council authorised delegation of the sign-off of the Law Society Group annual accounts for the year ended 31 October 2018 to the Board. (votes: for, 57, against, 0, abstention, 1) For accounting purposes the Law Society and the SRA are considered a single entity.
- Delegated financial authorities. The Council approved an updated policy authorising staff to spend money up to approved limits, dependent upon grade and consistent with the policy and the requirements of the external auditors. Spend in excess of £1,000,000 requires advance approval from Council. (votes: for, 40, against, 14, abstentions, 6)
- Brexit. The Society continues to provide support and assistance to members to cover all eventualities whilst stressing the role of the jurisdiction as a global law centre. Initiatives promote the law of England and Wales as the international law for contracts and the courts of England and Wales as the preferred forum for dispute resolution and arbitration. Material can be found on the website www.lawsociety.org.uk and specific Brexit questions can be sent to a specialist practice advice line at brexit@lawsociety.org.uk

Tim O'Sullivan Law Society Council Member, Dorset

FAMILY LAW SYMPOSIUM EVENT - IN CONJUNCTION WITH BOURNEMOUTH UNIVERSITY

On behalf of the local Bournemouth and Poole Collaborative Family Lawyers Group ('POD') I co-ordinated and took part in an event at the University on 6 March designed to showcase the various dispute resolution alternatives available to separating couples.

The event took place in the Share Lecture theatre at the University before an audience of around 50 students and local legal and financial professionals – including BDLS President, Edward Holmes - and featured four role play scenarios to demonstrate mediation, collaborative, arbitration and court processes. The fictional couple, Ian and Vicky Humber, were seen engaging in mediation with Michelle Bettell, mediator from Steele Raymond, to resolve their arrangements for time with their three children, resulting in an interim arrangement. Michelle also provided information about how the process works and the same issues were then played out before His Honour Judge Richards with students providing submissions on behalf of their clients. The outcome was less civilised with the couple being told by the Judge that they should seek mediation to resolve matters! The unpredictability of the outcome in litigation was demonstrated well and the contrast between that and the couple who had coped with the challenge of the mediation process to reach a solution was true to real experience.



The second part of the evening saw our couple, Vicky and Ian, attempting to resolve their financial matters including housing, pensions and maintenance in a lively collaborative session. Students once again took up the characterisation of the couple as they received financial information from expert, Cheryl Bowden, whilst Jonathan Talbot (Laceys) and myself provided them with guidance and advice, and management of expectations. Having moved forward over a bowl of grapes, the session ended on good terms with a clear forward plan and the expectation of a satisfactory solution. The same issues were then put to Arbitrator Simon Lillington, who gave an indication of his award to the student advocates and their clients who experienced once again having control of the outcome taken away and a result imposed which was perhaps not what either wanted (not a clean break for Ian and not keeping the house for Vicky). Simon also gave the assembled audience a summary of the arbitration process itself and the history of its development into the family law arena.

The event was well received by the audience who then had the opportunity to visit the University's impressive new law faculty floor in the Weymouth building, complete with mooted facilities, for light refreshments. I would like to express my thanks to all members who attended the event and offered support and assistance to it throughout, as well as to the staff and students at the University

Emma Hamilton-Cole

Chair, BDLS Litigation and Dispute Resolution Sub-Committee

FORTHCOMING EVENTS

QUIZ NIGHT

Thursday 26 September 2019 – Marsham Court Hotel, Bournemouth

Our popular Quiz Night will be held on Thursday 26 September, once again at the Marsham Court Hotel. It is open to all so please bring your colleagues, family and friends along. This is always a sell out so please book your places early.

Visit our website to view the flyer www.bournemouthlaw.com/Events.html or complete and return the form that will be sent to you with the email version of this Magazine.

Excess proceeds from the night will go to our President's chosen charity, Dorset Mind. There will be a raffle so if any firms are able to donate any prizes, it would be greatly appreciated. Email: mandy@bournemouthlaw.com

Kindly sponsored by:



EUROPEAN LAW CONFERENCE - BUDAPEST

3 – 6 October 2019

Plans for the BDLS European Conference 2019 to Budapest are all coming together with a visit to the local High Court, a wine tasting trip in the countryside outside of the city and a visit to the beautiful town of Szentendre. There is plenty of free time and lots and lots to see within walking distance of the city centre. We are looking forward to seeing those who have booked already, but if there is anyone who has not yet booked and who is interested, please contact Sian Smith, Conference Organiser, as a matter of urgency.



Sian Smith, Conference Organiser

Email: sian-smith@outlook.com



BDLS LECTURE PROGRAMME 2019

12.6.2019	14.00 – 17.15	Family Law Update 3PB , Hallmark Carlton Hotel
18.6.2019	14.00 – 17.15	Employment Law Update College Chambers , Hallmark Carlton Hotel
25.6.2019	10.00 – 13.15	Commercial Leases in 2019 Natasha Dunn , Village Hotel
26.6.2019	14.00 – 17.15	Wills and Variations: Drafting, Mitigating IHT and avoiding DOTAS John Bunker , Hallmark Carlton Hotel
17.9.2019	14.00 – 17.15	Commercial Law Update Ian Quayle , Hallmark Carlton Hotel
26.9.2019	14.00 – 17.15	Elderly Client Update 2019 Caroline Bielanska , Village Hotel
10.10.2019	14.00 – 17.15	Company Law Update Stephen Broomhall , Venue to be confirmed
7.11.2019	14.00 – 17.15	Bringing an Employment Tribunal Claim – Tactics and Tips Stephen Wyeth , Hallmark Carlton Hotel
14.11.2019	09.10 – 17.00	Property Law Conference Various , Village Hotel
19.11.2019	14.00 – 17.30	Civil Litigation Practice – The Present and the Future Andrew Mcloughlin , Hallmark 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

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

Wednesday
12 June
14:00 - 17:15

Topic:	FAMILY LAW UPDATE
Speaker:	3PB
Cost:	£35 Member and Associate Members of BDLS/Trainee Solicitors - £65 Non BDLS Members
Venue:	Hallmark Carlton Hotel , Bournemouth

This course will cover:

- Aspects of businesses in financial remedy cases
- Parental alienation
- Financial remedies update
- Children update

Tuesday
18 June
14:00 - 17:15

Topic:	EMPLOYMENT LAW UPDATE
Speaker:	College Chambers
Cost:	£35 Member and Associate Members of BDLS/Trainee Solicitors - £65 Non BDLS Members
Venue:	Hallmark Carlton Hotel , Bournemouth

This course will cover:

An engaging employment law update courtesy of Daniel Piddington (2008), Amy Oke (2016) and (subject to availability) other members of the College Chambers Employment Team. The session will include case law updates from the past 12 months covering Unfair Dismissal, Discrimination, Whistleblowing, Employment Status to name a few. Daniel will also provide a refresher on how to approach pension loss in employment claims. Time permitting, the team will take a quick look as to what effect Brexit will have on Employment Law in England and Wales, if indeed, Brexit has happened at that point!



Tuesday
25 June
10:00 - 13:15

Topic:	COMMERCIAL LEASES IN 2019
Speaker:	Natasha Dunn
Cost:	£75 Member and Associate Members of BDLS/Trainee Solicitors - £125 Non BDLS Members
Venue:	Village Hotel, Bournemouth

This course will cover:

- Over the years the bargaining strength of many landlords has weakened considerably, with tenants insisting upon more favourable terms. But where exactly are we now?
- Are there standard terms one should expect to see?
- What would be regarded as “institutionally acceptable” in 2019?
- This session will give practitioners a clear indication as to what terms the parties to a lease are likely to achieve in today's market. It will cover the key areas as well as an outline of the new Service Charge Code and how this might impact on negotiations further.

Wednesday
26 June
14:00 - 17:15

Topic:	WILLS AND VARIATIONS: DRAFTING, MITIGATING IHT AND AVOIDING DOTAS
Speaker:	John Bunker
Cost:	£75 Member and Associate Members of BDLS/Trainee Solicitors - £125 Non BDLS Members
Venue:	Hallmark Carlton Hotel, Bournemouth

This course will be exploring effective will drafting to mitigate IHT & variations within 2 years of death to secure similar results. Including:

- Drafting issues for trusts of property, Nil Rate Band Discretionary Trusts and trusts of residue;
- Using example precedent wording for illustration;
- What are the issues for DOTAS for IHT and how does that impact on drafting wills and deeds of variation?
- Not only will/variation planning for RNRB but also for mitigating IHT for those who don't benefit from RNRB because estates are too large or the beneficiaries don't qualify or there isn't a home to leave.

Tuesday
17 September
14:00 - 17:15

Topic:	COMMERCIAL LAW UPDATE
Speaker:	Ian Quayle
Cost:	£75 Member and Associate Members of BDLS/Trainee Solicitors - £125 Non BDLS Members
Venue:	Hallmark Carlton Hotel, Bournemouth

This course will cover:

- Land Options – problems and pitfalls
- Easements and covenants
- Drafting issues and contracts for the sale of land
- Dealing with Commercial Enquiries before Contract
- Management issues and commercial leases – break clauses, rent reviews and forfeiture
- Insolvent Tenants and commercial leases
- Lease Renewal issues for transactional lawyers
- An examination of recent case law

Thursday
26 September
14:00 - 17:15

Topic:	ELDERLY CLIENT UPDATE 2019
Speaker:	Caroline Bielanska
Cost:	£75 Member and Associate Members of BDLS/Trainee Solicitors - £125 Non BDLS Members
Venue:	Village Hotel, Bournemouth

This session will cover:

- Capacity case law update
- Court of Protection and LPA update
- Identifying unfair contract terms in care contracts
- Health and Social care update - including the Green Paper
- Can you make gifts when you are in receipt of care?
- Moving into a care home - who decides?



BDLS NEW JUNIOR VICE PRESIDENT NEIL WHITE



Neil White

We are delighted to announce that at the recent Annual General Meeting, Neil White was elected Junior Vice President of this Society. So let's get to know Neil...

Q. Have you always lived in the Bournemouth area?

A. No, I am originally from Kent but moved here in 1996 when I qualified as a Solicitor. My first post qualification job was with Williams Thompson Solicitors in Christchurch.

Q. How and when did you decide to become a Solicitor?

A. I wasn't terribly sure what I wanted to do when I finished my A levels, so I chose my best A level subject and did a Chemistry degree at University of Exeter! My interest in a career in law came about in my second year at University, when I realised that I was a terrible laboratory scientist, that research was therefore really not for me and that my friends and housemates who were studying law were learning something far more interesting and useful than I was.

Q. If you took a science Degree, what was your route into law?

A. When I completed my Chemistry Degree, I spent a year at the College (now University) of Law in London studying for the CPE and then a further year at the College of Law studying the LPC and obtaining a post-graduate Diploma in Law.

Q. Did you find it easy to get a Training Contract?

A. Not terribly. When I was applying for Training Contracts in 1992/93, the country was just emerging from what we then thought was the recession to end all recessions. How little we knew!! A lot of firms had made a number of redundancies and taking on a trainee solicitor at that time was seen as something of a luxury.

Q. Where did you do your Training Contract?

A. With Girlings Solicitors in Kent. The Senior Partner then was Tony Girling, who was President of the national Law Society in the year I qualified. He handed me my Certificate of Admission at my Admission Ceremony, which was quite special.

Q. About your career to date; what happened next?

A. I was with Williams Thompson for two years before moving to Matthew & Matthew Solicitors in 1998. I became an Equity Partner at Matthew & Matthew in 1999 at the age of 28. I joined Rawlins Davy Solicitors & Mediators as a Partner in 2005 and have been with that firm ever since.

Q. What area of law do you specialise in?

A. I have been a property lawyer since I qualified. I have undertaken all areas of property law over the years but for the last 15 years of so, my practice has primarily been commercial property and in particular, acting for developer clients in assembling development sites and then selling off the residential and industrial unit when built, dealing with planning and funding matters along the way.

Q. What has led you to become actively involved in the BDLS?

A. I had spent two terms on the General Committee and a number of years as a member of the Non-Contentious Sub-Committee and then the Property Group. I have seen at first hand the benefits and advantages which the BDLS brings to the local profession through the sharing of knowledge and experiences and with the numerous, high quality conferences and courses it runs for its members. My firm have always been actively involved in the BDLS; it is 100 years since Henry Rawlins was President, my Co-Director, Mark Kiteley, is currently President, my colleague Shami Duggal is Assistant Secretary, my colleague Martyn Hudson is the current Chair of the Property Group, my Co-Director Patricia Smith is a Solicitor's Friend and our trainee solicitor, Alex Crabbe, is currently on the Committee of the JLD! I truly believe that the BDLS is an organisation where the more time and energy you invest, the more you the local profession get out of it.

Q. What do you like to do when you are not in the office?

A. Outside of work, I am a keen traveller and I also enjoy cooking, fine wines and relaxing and socialising with my partner, friends and family. I am also an avid motorsport fan.



Junior Lawyers Division



It has been a busy few months for the JLD, kicking off spring with the regional JLD forum in Southampton on the 2 March, which focussed on career development skills for junior lawyers. The JLD would like to extend a special thanks to Mark Kiteley who attended the Forum in Southampton and spoke about the importance of involvement in local and national legal groups for career development.

The day continued with panel discussions, talks on mental health and much more, including the national committee talk on what is next for junior lawyers. With the ever changing 'routes' into the law, we try to stay as up to date as we can! We hope to continue to support our members with information and support on the Solicitors Qualifying Exam and legal apprenticeships as we find out more!

The wellbeing and mental health of junior lawyers and their friends and families was a recurring theme throughout the day. We now have the results of the JLD stress resilience and wellbeing Survey, which we will circulate to our members shortly. We hope to collaborate with the BDLS over the next year paying particular attention to the mental health of local lawyers.

Thank you to everyone who attended the Forum, we hope you enjoyed it as much as we did.

Some of the JLD committee were lucky enough to attend the Dorset Legal Awards on 1 March. It was an outstanding event and great to see so many individuals and firms bring recognised for their hard work. We are especially pleased that Clair Phillips, the JLD Sports Officer, was awarded Rising Star of the year! Congratulations Clair!

We have released details of our Annual Summer Ball, which is on Friday 5 July at the Cumberland Hotel. We hope to see you all there to party the night away. The Summer Ball is our biggest event of the year and we will be holding a raffle to raise money for our charity, DCF. Remember to bring your cash for raffle tickets, we have some fab prizes up for grabs!

In the meantime, as always, if you have any ideas or suggestions for the JLD, please feel free to email me at: rachelmurphy@steeleraymond.co.uk

Rachel Murphy BDJLD President



Clair Phillips with her award "Rising Star of the Year"



L:R Lauren Harley, Ben Cobb, Rachel Murphy and Rosie Beaven



L:R Lauren Harley, Rosie Beaven, Rachel Murphy, Clair Phillips, Thomas Murray, Maria Redman and Rebecca Chadwick

MENTOR FOR NEWLY QUALIFIED SOLICITORS

Immediate Past President, Edward Holmes, is now the mentor for newly qualified solicitors.

He can be contacted by email 'egholmes@fe-legal.co.uk'

LIABILITY FOR PROFESSIONAL NEGLIGENCE SAAMCO REVISITED



Practitioners in the field of professional negligence (or “Friends of SAAMCO” as they are often known) will be familiar with the twists and turns in the common law since *South Australia Asset Management Corp v York Montague* [1997] AC 191 (SAAMCO). The Court of Appeal has now come full circle and re-stated the familiar principles in *Manchester Building Society v Grant Thornton* [2019] EWCA Civ 40.

SAAMCO concerned the liability of a valuer for foreseeable market related losses suffered by a lender who provided a loan on the basis of the valuer’s negligent valuation. The House of Lords held that the valuer was not liable for all the foreseeable losses suffered as a result of entering into the loan transaction, but only for what the lender would have lost if the valuation had been correct. Lord Hoffmann said “...a person under a duty to take reasonable care to provide information on which someone else will decide upon a course of action is, if negligent, not generally regarded as responsible for all the consequences of that course of action...”.

From this we derive the distinction between those whose duty it is to provide accurate information to their clients and those who advise on the wisdom of a particular course of action. Since the law assumes a successful transaction, where the professional person is a provider of information, if negligence is established then the liability is limited to the difference between the price paid for that transaction and the price that would have been paid but for the mistake, but not all the consequential losses flowing from entering into it.

SAAMCO has been considered in a number of subsequent cases, including *Nykredit* [1997] 1 WLR 1627, *Platform Home Loans* [2000] 2 A.C. 190, and *Aneco Reinsurance* [2001] UKHL 51 but in *Hughes-Holland* [2017] 2 WLR 1029 Lord Sumption questioned the distinction between advice and information. This led to a different approach being taken by the trial Judge in *Manchester Building Society*. The judge said “It is now well established that when assessing a defendant’s responsibility for losses the court must, having determined that the defendant’s negligence was an effective cause of the losses”.

The Court of Appeal disagreed. Lord Justice Hamblen said that in order to recover the foreseeable loss is first necessary to show that it is an “advice” case where “it is left to the adviser to consider what matters should be taken into account in deciding whether to enter into the transaction. His duty is to consider all relevant matters and not only specific matters in the decision”. Unless the adviser is “responsible for guiding the whole decision making process” it is an “information” case and the adviser or information provider is not responsible for all the foreseeable financial consequences, only for the foreseeable financial consequences of the information or advice being wrong. This was an “information” case rather than an “advice” case and that for that reason rather than the one found by the Judge, the claim failed.

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THE SORCERER'S SOLICITOR'S APPRENTICE!

Those of us that have represented the Society or their business at local schools' careers days will have noticed an increasing number of anxious parents asking about apprentice opportunities. It is little wonder, when the typical student will graduate with £50,000 worth of debt! A number of local law firms and other businesses already offer apprenticeships within their marketing or accounts teams. What I believe is presently underutilised is the solicitor apprentice as a route to qualification as a solicitor.

Put simply, an apprenticeship combines practical training in a job with study. The government has set a target of 3 million apprenticeship starts between 2015 and 2020, a target supported with the apprenticeship levy payable by employers with an annual pay bill in excess of £3 million. The levy builds a digital fund which the employer can then utilise to pay for apprenticeship training.

A solicitor apprenticeship will last 6 years, with 20% of that time engaged in study leading to a recognised qualification, an LLB in Legal Practice and Skills. The local universities are yet to offer the academic component, but the University of Law do, through a combination of weekly submitted tasks, and an assessor visiting the work place to monitor progress and offer mentoring support.

The cost of the academic component is £27,500. A levy payer will spend some of their digital pot. Those firms who do not pay the levy need not miss out. They pay just 10% of the bill, with the government picking up the rest. Over 6 years the cost is only £38 per month! As with other routes to the profession, a solicitor apprentice will undertake the Solicitor Qualifying Examinations (in years 5 and 6) and one would expect the cost of these to be met by the employer. The final cost of SQE are yet to be published, but it seems sensible to budget £3750-£4500.

The apprentice is paid a salary, with the minimum hourly rate of £3.90 rising to the national minimum wage when the apprentice is 19 or over and completed their first year. Of course, one would very much hope that market forces encourage a more realistic wage as employers compete to recruit the best candidates.

Who will suit an apprenticeship? The academic starting point is 3 A Levels at Grades A-C or equivalent, and 5 GCSEs including Maths and English or equivalent at A-C (lev 4 or above). It will be an attractive option to somebody for whom the cost or other circumstances mean the traditional route is out of the question. However, it is important that the apprentice knows that they want to be a solicitor. Many people at 16, 17 or even older lack a clear idea of their preferred career path. For them, 6 years may feel like a very long time.

From an employer's point of view, it is difficult to think of a "downside", provided rigorous due diligence at interview ensures the candidate is the right fit for your firm. There appear to be few alternatives that offer such an affordable way to reach into this greatly extended talent pool. The directors at Rawlins Davy have recently shortlisted for a solicitor apprenticeship to commence this September, and the calibre of candidates has been outstanding. Choosing between them will not be easy. Perhaps given the cost, we will not need to!

Mark Kiteley
President





BOURNEMOUTH & DISTRICT LAW SOCIETY JULIE REEVES – 30 YEAR ANNIVERSARY

Congratulations to Julie for achieving the amazing milestone of 30 years with BDLS! We wish her many more years working for the Society.

30 years in one job – how amazingly quickly time seems to pass! Here I am 30 years ago – gosh what a change and yet it seems as though hardly any time has gone by at all. As I expect many of you know I love my job at BDLS, I love the way it has developed over the years and become more and more interesting – and challenging!

Edward Holmes, our immediate Past President, very kindly organised a special lunch for me on the 1st May, on the exact anniversary of my starting work with the Society. He invited along Mark Kiteley who has been our Honorary Secretary and is now our President, Joanne Clarke, our Hon Secretary, my husband Chris, my fabulous colleague Mandy and her husband Julian Heath. It was a fun, energised group of people so we had good conversation and banter and lots of laughter.

I was treated to lunch at The Kitchen in Highcliffe which is a great restaurant. Every mouthful was delicious and we all had a super time. I was even presented with a beautiful gift of a matching necklace and bracelet by Swarovski on behalf of the Society.

I am lucky to feel very appreciated by the Committee members and the membership of the Society.

Julie Reeves

Julie in 1989



L:R Chris and Julie Reeves, Mandy Heath, Joanne Clarke, Edward Holmes, Mark Kiteley and Julian Heath



Rawlins Davy are delighted to announce the appointment of Louise Vermeulen to the firm's commercial property department. Louise has practised in the area for many years and brings with her a wealth of experience and local knowledge. Martin Davies, Managing Director, commented "Louise's appointment is the next step in our strategy for growth, consolidating the service that we offer to our well-established clients, but creating opportunities to extend our existing market share of developer work. Louise is a well-known and respected solicitor locally, and the fact that she has chosen Rawlins Davy as the right place to further her career is testament to the hard work and excellent reputation enjoyed by our team.

Neil White, Louise Vermeulen and Martin Davies



NEWLY QUALIFIED SOLICITORS AND NEW TRAINEES JOIN LESTER ALDRIDGE

Lester Aldridge is pleased to announce six trainees have qualified as solicitors after completing their training contract at the firm. The firm also welcomed three new trainee solicitors (Brooke Manning, Thomas Harrigan and Kirsten Adamson) last week, as they begin their two- year training journey to become qualified.

At the Southampton office, new solicitors Emma Robinson and Emma Feltham join the Real Estate team and Tom Axton joins the Marine team (LA Marine).

L:R Laura Offer, Tom Axton, Emma Robinson, Matthew Barrow, Yessica Chadwick, Emma Feltham and Fiona Oliver

In Bournemouth, Yessica Chadwick joins the Litigation and Recoveries team, Laura Offer joins the Property Litigation team and Fiona Oliver joins the Real Estate team.

NEW COMMERCIAL PROPERTY PARTNER



Partners in the Commercial Property team at Steele Raymond LLP Carol Elliott, Emma Stainwright, Caroline Probert (front), Sue Middleton, Chris Twaits and Jennifer Rogerson

Steele Raymond LLP has appointed a leading expert in SIPP and SSAS pension property investment as a Partner in its market leading Commercial Property Team. Commercial property solicitor, Caroline Probert, joins the Commercial Property Team as Partner, bringing with her 15 years' experience in the acquisition, sale, mortgaging and letting of commercial properties for SIPP and SSAS pension schemes.

Caroline's arrival brings the number of Partners in the Commercial Property Team at Steele Raymond to six and the 15th Partner across the firm.

Caroline, who was previously head of a regional law firm's commercial property team in Salisbury, has significant expertise on all property transactions for SIPP and SSAS pension schemes including sales, purchases, in specie transfers and complex cases with shared ownership. Caroline also has very considerable experience advising on industrial, leisure and development property and dealing with enfranchisement matters.

STEELE RAYMOND LLP ANNOUNCE THREE KEY PROMOTIONS

Solicitors Shaun Guppy, Laura Clarke and Kayleigh Medland have all been promoted to associate as the firm continues to promote legal talent in the firm.

Commercial solicitor Shaun Guppy joined the firm in 2011 as a placement student from Bournemouth University, then went on to join the firm's leading trainee recruitment programme in 2014 and qualified into the firm's top tier Company and Commercial team in 2016. Shaun specialises in commercial contracts, and works with a range of businesses from start-ups to large corporate transactions.



Laura Clarke, Shaun Guppy and Kayleigh Medland

Laura Clarke, a wills and probate solicitor based in Steele Raymond's Southbourne office also started as a trainee within the firm and works in the firm's private client team. Laura specialises in probate and estate administration, Will drafting, Lasting Power of Attorney trust management and the management of people's affairs.

Kayleigh Medland, who joined the firm in 2017, is a member of the firm's commercial property team and specialises in landlord and tenant, investment and land development work.



For life in all its colours



Humphries Kirk hosted a reception at the Grand Hotel in Swanage for Peter Stevens and Paul Griffin to honour their longstanding employment. Paul has now retired while Peter remains a consultant with the firm. They were joined by a host of clients, colleagues and family members for the event.

Katharine Jones, Nicola and Paul Griffin, Peter and Cynthia Stevens, Simon Cross

LACEYS SOLICITORS

LACEYS SOLICITORS - TRIO OF SUCCESS



Byron Sims, Richard Ramshaw, Thomas Murray

Laceys are immensely proud to announce 3 of our trainees have all qualified as Solicitors over the last few months.

Thomas Murray joins our Private Client team, Richard Ramshaw our Commercial Property team, and Bryon Sims our Dispute Resolution team.

At Laceys, we believe nurturing talent is essential to the continued success of our growing firm, reflected in over half of the current partners having joined the firm as graduate trainees, and we are happy this trend continues, with all of our recent trainees choosing to remain at Laceys to further their careers.



SITUATIONS VACANT

LACEYS SOLICITORS

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SCOTT BAILEY

Private client specialist

We are looking to recruit a full time specialist to undertake varied private client work. We are a well established and highly regarded law firm located in the heart of Lymington. This is an opportunity with great career potential to join a firm with ambitious expansion plans. The right candidate will have good quality experience and will be encouraged to play an active role in promoting and developing the firm's expanding private client department. The firm are looking for an individual who has the energy and dynamism to take on a new challenge in a stimulating environment within a firm's culture that is friendly and informal. Whilst expectations are high, we recognise the value of our staff having a healthy work/life balance. A competitive salary will be offered depending upon experience. The candidate should be commercially focused and deliver excellent client service. This is a great opportunity to join a progressive firm looking to grow in size in the future. Please apply with covering letter to the practice manager Bruce McGrotty - bruce@scottbailey.co.uk.

Commercial Lawyer

We are looking to recruit a full time solicitor to undertake varied commercial work. The workload would include managing share sale and purchase agreements, shareholders agreements, partnership agreements and reviewing commercial contracts. We are a well established and highly regarded law firm located in the heart of Lymington. This is an opportunity with great career potential to join a firm with ambitious expansion plans. The right candidate will have good quality experience and be able to lead and develop the firm's commercial practice. The candidate will be encouraged to play an active role in promoting and developing the firm's expanding department. We are looking for an individual who has the energy and dynamism to take on a new challenge with the skills to be able to expand the department. The candidate should be commercially focused and deliver excellent client service. Whilst expectations are high, the firm is noted for its friendly and informal culture. We recognise the value of our staff having a healthy work/life balance. A competitive salary will be offered depending upon experience. This is a great opportunity for a candidate looking for a major career step to join a progressive firm looking to grow in size and practice areas in the future.

Please apply with covering letter to the practice manager Bruce McGrotty – bruce@scottbailey.co.uk

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TRETHOWANS LLP

Trethowans is the UK's fastest growing independent law firm (The Lawyer, 2017) offering a comprehensive range of services for businesses and individual clients. It has more than 200 members of staff, including over 80 lawyers and 40 partners, who act for many international and national household brand names and a variety of individual clients throughout the UK. Trethowans now operates out of six locations, with permanent offices in Salisbury, Southampton, Poole, Bournemouth and Winchester, as well as a serviced office in London.

Due to our continued growth, we are looking to recruit in the following areas:

Employment & Immigration - Associate/Partner – Bournemouth

As part of our plans for growth, we are looking for an experienced employment lawyer to join our successful Employment Team based in our Bournemouth office.

The Firm's existing Employment and Immigration Team is an established team working in our Southampton and Salisbury offices. Now there is an exciting opportunity for an experienced lawyer looking for their next challenge to help build a team in this location.

Our existing team offers extensive expertise in employment and immigration work, acting for national and regional employers, including a number of household names. We also act for senior executives and other workers.

The right candidate will help to support the existing team, in offering a high quality client focused service to our extensive client base. The successful candidate should have a following and experience in taking an active role in marketing and business development in order to expand and develop this area of work in the Bournemouth office.

Private Client – Solicitor/Associate – Poole

We are looking for an experienced lawyer to join our busy and successful Private Client Team in the Poole office.

The successful candidate will have 3 – 6 years' experience and will be able to demonstrate excellent knowledge and experience in all areas of Private Client Law including Wills, Administration of Estates and Trusts.

The ideal candidate will be required to take an active role in Marketing and Business development and should be able to demonstrate confidence in generating work. This will be an exciting opportunity for an experienced lawyer looking for their next challenge to take on an active role helping to grow this area of work. The ability to work as part of a team and deliver excellent client service at all times is essential to this role.

Agriculture & Rural Property – Associate – Salisbury

We are looking to grow our successful Agriculture and Rural Property Team based in our Salisbury office and we are looking for an experienced lawyer to join the Team.

The successful candidate will have experience in all aspects of Agricultural Law including sale and purchase of farms and other rural property, renewable energy work, agricultural tenancies, equestrian properties, sporting leases and otherwise acting for farms and estates on a range of diverse property issues.

Candidates will be required to take an active role in business development and should be able to demonstrate confidence in generating work.

This is a fantastic role for an ambitious lawyer looking for long-term progression opportunities.

Corporate & Commercial – Solicitor - Southampton

We are looking for lawyers to join the Corporate and Commercial Team based in our Southampton office.

The Firm's existing Corporate and Commercial Team is a large and established Team based in our Southampton office but there are exciting opportunities for lawyers looking for their next challenge.

Our existing team offers extensive expertise in all areas of corporate and commercial work, advising clients on a local, regional and national basis, including several household brand names.

The ideal candidates will have gained relevant experience at either a local leading regional practice or from a city firm looking for a new challenge on the South Coast.

If you are looking for a new challenge and you think you have the necessary skills and experience, then please visit: <https://bit.ly/2FIEByu> to apply.



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