



Law Society South West regional review (November 2012)

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News

Promoting solicitors services campaign

Every year the Society runs a major campaign to raise the profile of solicitors in the public eye. The theme for this year's campaign is Ask a Solicitor, and running from 1st October, it will encourage people to use a solicitor to help with common legal issues. The campaign will include:

- advertising and editorial features in 40 top regional papers
- advertising on 220 railway stations across England and Wales
- advertising inside 5,000 buses
- PR coverage in the regional and local media

You can capitalise on the publicity from this campaign by ordering free campaign materials, including posters, postcards and online banners, and by booking an advertising slot in our regional press supplements.

<http://www.lawsociety.org.uk/Representation/Promoting-the-profession/#one>

<http://www.lawsociety.org.uk/representation/promoting-the-profession/#three>

Quality Assurance Scheme for Advocates – Solicitor advocates urged to notify the SRA

Solicitors wishing to undertake criminal advocacy from January 2013 will have to notify the SRA under the new Quality Assurance Scheme for Advocates (Crime) (QASA) arrangements.

The notification process is the first step in becoming recognised under the Scheme which is due to be launched early in the New Year. The Scheme will introduce a system of accreditation for criminal advocacy work in the Magistrates' and Crown Courts.

<http://www.sra.org.uk/sra/news/press/qasa-notify-sra.page>

<http://www.sra.org.uk/solicitors/accreditation/quality-assurance-scheme-advocates.page>

To help solicitor advocates to prepare for QASA, we encourage all to join the Advocacy Section, which provides provide mentoring, training and networking opportunities on a circuit and national level and create the framework to provide the level of support delivered to barristers by their Inns of Court.

<http://www.lawsociety.org.uk/communities/advocacy/>

New Family Section

The new **Family Section** is targeted at family and children law practitioners. From legal aid solicitors working on public care cases to mediation specialists, divorce lawyers, CILEx professionals and family court advocates, this section will also benefit members of our Family Law, Family Law Advanced, Children Law and Family Mediation accreditation schemes.

The first Family Section networking event in the South West is in Bristol on 14 November

<http://services.lawsociety.org.uk/events/node/55554>

<http://www.lawsociety.org.uk/accreditation/specialist-schemes/family-law/>

Excellence Awards

Congratulations again to all the winners and shortlisted firms and individuals at this year's Excellence Awards. A list of this year's Winners can be found <http://www.lawsociety.org.uk/news/press-releases/excellence-awards-winners-2012/>, and some fantastic photographs can be seen here

<http://www.lawsocietyawards.co.uk/GridPage.aspx?Dir=%2fPhotos%2fGeneral%2fReception&Page=Reception>



From the South West, particular congratulations to Coodes for the Excellence in Conveyancing Practice Awards. And a reminder of this year's shortlisted firms and individuals from the South West:

- Porter Dodson – Excellence in Innovation
- Michelmores – Excellence in Learning & Development
- Coodes – Excellence in Conveyancing Practice
- Catherine Reynolds (Michelmores) – Chartered Legal Executive of the Year
- Tony Cherry (DAC Beachcroft) - Solicitor of the Year
- Paul Rumley (Withy King) – Solicitor of the Year

Law Society Committees vacancies

The following committees are open for applicants (regional members are very welcome to apply):

The Company Law Committee

The Human Rights Committee

The Intellectual Property Working Party

The Tax Law Committee

The Technology and Law Reference Group

The Wales Committee

The deadline for return of applications is 09:00 on Friday 16 November. Interviews will take place in the week commencing Monday 10 December.

<http://governance.lawsociety.org.uk/vacancies/view=vacancydetail.law?ELECTIONVACANCYID=448539&CT=48>

Law Society Council Minutes available

A summary of the Law Society of England & Wales' Council minutes is also available on the Bristol Law Society website.

http://www.bristollawsociety.com/legal_life/minutes-of-the-law-society-meeting-in-october/

Connecting through social media

Remember you can follow or post comment on the Law Society South West networking group on LinkedIn, and also receive legal updates via our Twitter feed @thelawsocietySW. Advice on social media use can also be obtained on the Law Society social media practice note

<http://www.lawsociety.org.uk/advice/practice-notes/social-media/>

South West Events

Equality & Diversity Forum (past event - 23 October in Bristol)

Many thanks to TLT for hosting the Equality & Diversity Forum in Bristol on 23 October. The key topics covered were:

The Equality Act (Graham Shaw of TLT) and its implications for firms, employers and employees.

Unconscious bias (Dawn Lewinson of Employers Network for Equality & Inclusion), bias, particularly relevant when recruiting, and being aware of a tendency in all of us to favour those similar to ourselves.

Website accessibility and design for all users including the blind (Cam Nicholl of Digital Accessibility Centre), a fascinating and mostly unknown opportunity for law firms. Ensuring your website is accessible



is a legal requirement, it is courteous and inclusive and makes good business sense

<http://www.digitalaccessibilitycentre.org/>

To help support diversity in practice we do encourage all firms to sign up to free Diversity & Inclusion Charter. See here for a list of existing signatories and information on how to sign up

<http://www.lawsociety.org.uk/advice/diversity-inclusion-charter/>

We have also launched a new Equality & Diversity Section to help support legal practices

<http://www.lawsociety.org.uk/communities/equality-diversity/>

AML workshops – Embedding a culture of compliance (Cheltenham, Exeter and Bournemouth)

These two hour seminars help MLROs to further develop:

- a framework in which fee earners can confidently spot and respond to a wide range of financial crime and reputational risks; and
- their acumen for managing competing client and fee earner expectations, as well as a range of legal obligations in the broader context of everyday legal practice.

6 November in Cheltenham (3pm – 5pm) <http://services.lawsociety.org.uk/events/node/54965>

28 November in Exeter (3pm – 5pm) <http://services.lawsociety.org.uk/events/node/54968>

7 March in Bournemouth (3pm – 5pm) <http://services.lawsociety.org.uk/events/node/54973>

Trainee Solicitor Forum (10 November in Bristol)

This free one-day skills event aims to equip trainee solicitors in a training contract with the skills necessary to help them during their training period through to qualification.

<http://services.lawsociety.org.uk/events/node/55016>

Family Advocacy (14 November in Bristol)

This half day course (3.5 CPD hours accredited) will include training on advocacy basics, an overview of the benefits of going in-house and an opportunity for delegates to receive feedback on a short practical exercise. Judicial guest speakers will present on the 'do's and don'ts' of family advocacy and answer questions from the floor. <http://services.lawsociety.org.uk/events/node/55554>

Higher Apprenticeships in Legal Services (non-Law Society, 29 November in Bristol)

Unsure about how to take advantage of the new Higher Apprenticeships for the legal sector?

Available for enrolment from March 2013, the new Higher Apprenticeship in Legal Services is the UK's first. It is designed to enable law firms to recruit and develop a new breed of talent utilising a brand new vocational pathway. It will be available for those working in four areas of the Law:

- Claimant personal injury
- Defendant personal injury
- Insolvency and debt recovery
- Commercial litigation

This event is not arranged by the Law Society.

<http://thehigherapprenticeshipinlegalservicesbristol.eventbrite.co.uk/>

Private Client – a tax planning update (29 November in Bristol)

<http://services.lawsociety.org.uk/events/node/55959>

Private Client – running a profitable private client business (8 January 2013 in Bristol)



<http://services.lawsociety.org.uk/events/node/55965>

Money Laundering Reporting Officers networking groups (8 January 2013 in Bristol, 7 February in Plymouth)

Further details will be available soon.

Compliance and Regulation Update

SRA launches referral fees consultation

The SRA has launched its official consultation on its approach to enforcing the ban on referral fees in personal injury cases. The ban comes into force in April 2013 as part of the Legal Aid Sentencing and Punishment of Offenders Act 2012 (LASPO).

The consultation outlines the proposed revisions to the Outcomes and Indicative Behaviours concerning referral fees in the SRA Code of Conduct. The SRA has suggested two new Mandatory Outcomes be added, stating in Chapter 6 that "you are not paid a prohibited referral fee" and Chapter 9 that "you do not pay a prohibited referral fee".

Also included is draft guidance outlining the SRA's interpretation of the relevant provisions of LASPO. For example, the consultation document lays out how the SRA may view joint marketing schemes. There's also a flow chart to help practitioners identify the risk of possible breaches, analysis of the issues, and a draft supervision and enforcement strategy.

The consultation lasts for eight weeks, and responses are required by 18 December 2012.

<http://www.sra.org.uk/sra/consultations/referral-fees-2012.page>

The consultation includes a **Referral Fees Forum taking place on Monday 19 November**. This will be held at the Radisson Blu Hotel in Birmingham and places can be booked by visiting

<http://forms.sra.org.uk/s3/referrals-fee-forum>.

Practising Certificate Renewals

The 2012 round of Practising Certificate renewals commenced on Thursday 1 November, with a closing date of Friday 14 December. If you have any feedback on the process you can send it to

Matthew.Still@lawsociety.org.uk.

Anti-money laundering support

To meet challenging economic and regulatory times, the Law Society is extending its range of anti-money laundering (AML) services for our members, by launching series of new cost-effective and practical tools to help you ensure you are meeting your AML obligations.

The Anti-Money Laundering Toolkit puts into practice the expectations contained in the Law Society anti-money laundering practice note, which has been approved by HM Treasury. The toolkit, which includes a CD-ROM, is designed to provide firms with practical 'need to know' information and contains a full range of draft policies, procedures and template forms which legal practices can adapt to their individual circumstances.

http://www.lawsociety.org.uk/news/stories/aml-assistance-delivered-to-your-legal-practice/?utm_source=emailhosts&utm_medium=email&utm_campaign=AML+22%2F10%2F12



SRA emphasizes benefits of co-operation and proactive engagement

Speaking at the COLPs and COFAs Conference in Holborn Bars on Thursday, 18 October, SRA Executive Director Samantha Barrass, reported on the progress that had been made since announcing the start of the compliance officers' nomination process in May this year.

The majority of firms had met the SRA's nomination deadline of 31 July and others had responded to the SRA once the deadline had passed. However there were still a few hundred remaining who had not completed the process. The approach to these firms, Ms Barrass stated, is switching from that of 'constructive engagement to enforcement action', the aim being to send a message more broadly that the SRA will take action against those who fail properly to cooperate.

All nominations were being checked for their suitability and thousands of nominations had already been through this process. The SRA claims to be on target to approve nominations by the end of the year.

Ms Barrass stressed that ongoing dialogue with compliance officers was a priority for the SRA and a communications framework would be put in place that would include the publication of information on the website such as case studies and alerts, and the organisation of workshops and webinars.

Law Society invests in compliance support for COLPs and COFAs

The Law Society has become a shareholder in Rliance, which has quickly established itself as the market-leading online support tool for law firm COLPs and COFAs. The agreement, which includes an equity investment by the Law Society, provides for the Society's involvement in further development of the product and promotion of Rliance as part of the Law Society Risk and Compliance service.

<http://www.lawsociety.org.uk/news/press-releases/law-society-invests-in-rliance-compliance-product-to-support-colps-and-cofas/>

LeO / YouGov complaints handling report

The report, which explores challenges and barriers faced by customers during the complaints process, found that many customers were likely to recommend a lawyer based on a good complaint outcome, despite the initial negative experience. However, despite being good for business, the report showed that some lawyers weren't handling complaints effectively, with customers claiming they felt intimidated or threatened by their lawyer, leading them to drop the complaint.

In a survey of around 1000 customers who had complained to the Legal Ombudsman before giving their lawyer the chance to resolve the complaint – what is known as a 'premature complaint' – 63% said it was because they had no confidence it would be taken seriously or that it would be resolved fairly.

http://www.legalombudsman.org.uk/aboutus/Research_and_survey_findings.html

Diversity reporting requirements

The Solicitors Regulation Authority plans to make unannounced visits to 100 'randomly selected' law firms to assess their compliance with mandatory diversity reporting requirements. The visits are in addition to a two-stage profession-wide survey of firms. By 4 September 2012 7,131 firms, out of some 11,000, had completed questionnaires reporting that 186,084 people work for them.

Second-stage questionnaires are to be given to each individual member of staff inviting them to provide information about their ethnicity, age, disabilities and caring responsibilities. Data will also be collected on sexual orientation, religion or belief, and gender reassignment.

The drive to collect diversity data arises from a statutory requirement, laid down by the Legal Services Board in August 2011, that all law firms and chambers should publish statistical information on the



diversity profile of their staff. The SRA will publish the survey's findings next year, but in subsequent years firms and chambers will be required to publish their own data.

Back in the Summer the Law Society published a practice note to help firms comply with the new requirements to collect diversity data. President Lucy Scott-Moncrieff said the new requirement 'will help the Law Society better meet the needs of our diverse membership and promote greater diversity in the profession.'

<http://www.lawsociety.org.uk/advice/practice-notes/sra-equality-monitoring/>

Compliance support for firms

Remember the Law Society's risk and compliance service is available to offer ongoing support to members.

<http://www.lawsociety.org.uk/communities/risk-compliance-service/>

New Practice Notes

Anti-Money Laundering (6 October)

This practice note is to help you comply with the Proceeds of Crime Act 2002, Terrorism Act 2000 and Money Laundering Regulations 2007 and all amending legislation up to October 2012. It also details good practice. The 2007 regulations entered force on 15 December 2007 and the TACT and POCA Amendment Regulations 2007 entered into force on 26 December 2007.

<http://www.lawsociety.org.uk/advice/practice-notes/aml/>

Defence Costs Orders (1 October)

Solicitors need to inform clients in criminal cases about the changes to the Defendants' Costs Orders regime which are in effect for criminal proceedings commencing after 1 October 2012, following the Legal Aid, Sentencing and Punishment of Offenders Act 2012.

<http://www.lawsociety.org.uk/advice/practice-notes/defence-costs-orders/>

Accreditation Awards

More Practice Management achievements in the South West

Congratulations to the following practices for recently achieving the Law Society Lexcel standard: Lindley Johnstone Solicitors (Avon)

Lexcel is the Law Society's international practice management standard.

<http://www.lawsociety.org.uk/accreditation/lexcel/>

More Conveyancing Quality Scheme members in the South West

Congratulations to the following South West practices for recently achieving the Law Society Conveyancing Quality Scheme (CQS): Britton & Co (Somerset), Brown & Vautier (Somerset), Frances J Walsh (Gloucestershire), Phoenix Legal Group (Gloucestershire).

The Conveyancing Quality Scheme (CQS) is the Law Society's quality standard for residential conveyancing practices.

<http://www.lawsociety.org.uk/accreditation/specialist-schemes/conveyancing-quality-scheme/>



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