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# CONNECT

## PRESIDENT'S UPDATE

It was with great honour that I accepted the post to act as the President of the Cheshire and North Wales Law Society.

It feels like only yesterday that I accepted the position of vice president-elect, and in that period, I have greatly enjoyed my time with the CNWLS and the close bonds and friendships I have made throughout the last few years, and I am thoroughly looking forward to my year as President. I would also like to take this opportunity to congratulate Emily Littlehales on her appointment as Vice-President and I look forward to working with Emily throughout the year ahead.

The CNWLS is an incredibly active local law society compared to many others of our size and stature, and I certainly feel that it is naturally progressing from strength to strength. Its success does not come easily, but it is down to the fact that we have a hard-working and engaged committee who give up their free time in their already busy lives to get involved, and I am very grateful to all our committee members for the work they put in.

We could not function without our sponsors, and I would like to take this opportunity to thank all our sponsors for their continued support which is invaluable to the CNWLS' success.

I express my immeasurable thanks on behalf of the CNWLS to Osian Roberts on his term as President. It has been a tremendously difficult year for all of us, yet Osian was able to steady the ship and show great determination in ensuring that the CNWLS continued to offer its members the same level of engagement and service that our members have become accustomed to expect.

This year I plan to carry on with the good work that Osian laid the groundwork for, one such area being greater engagement with law students at Bangor University, Chester University and the University of Law. We now have four committee members representing our educational institutions and I am most grateful to them for their time and input. Students are the future of our profession, and those studying at our local universities should be encouraged to remain within the area as it has a huge amount to offer, including its high volume of quality law firms as well as its enviable location, transport links, not to mention its unrivalled scenery; both across North Wales and Cheshire.

I am also very pleased that local Citizens Advice Bureaus have been so keen to take up our Associate Corporate Member offering, and I do hope that we see more CABs join up to the CNWLS and that ours is a relationship that continues for years to come.

As well as securing this relationship, I would also like to ensure that the CNWLS continues with its increasing engagement with the Law Society in Cardiff and London. The hard work Mark Evans puts in year on year at national level is irreplaceable to the CNWLS, and it is a great privilege for the CNWLS that Mark continues to form part of our committee. We have also had the pleasure this past year of Richard Jones (Engagement and Communications Executive (Wales) joining us in our committee meetings, and I do hope this relationship endures so we can ensure that the CNWLS continues to participate and have a voice at national level.

I take a great deal of joy from working in the legal profession in our area and in my involvement with the CNWLS. I am very much looking forward to the year and the future ahead.



**FREDDIE STORRAR**

# PREPARE EARLY TO AVOID PI INSURANCE (PII) HEADACHES

By JAMES BRINDLEY  
TLO Risk

In the past couple of years PII for the construction sector has been extremely challenging with premiums increasing by numbers we haven't seen before. The fallout from Grenfell and years of undervalued premiums finally caught up with this sector.

Law firms over recent years have enjoyed a competitive market and obtaining PII has been relatively easy. The market did start to turn eighteen months ago with premiums increasing but at relatively small levels. Unfortunately what we saw in October 2020 and even more so this April is the PII market for the legal sector is catching up a little on what we saw within the construction sector.

An article published in the Law Society Gazette on the 8th March 2021 highlighted some of the issues within the market such as insurers

tightening acceptance criteria, lack of new underwriting capacity and personal guarantees now being requested by certain insurers. This April we are seeing double digit increases with additional conditions being imposed such as personal guarantees, higher excesses for certain types of work and insurers insisting client retainer letters including additional risk measures and advices.

It is more important than ever for a law firm to prepare early this year. Ensure that all the information requested by insurers is answered fully and provide as much information about your firm as possible. It is our experience that when the market hardens the sooner a law firm is aware of an issue the more time they have to react and obtain the best possible outcome from what will be a tough renewal year.

# TAKE ACTION NOW ON BUSINESS FINANCE



**CHRIS MCLOUGHLIN**  
**BATHGATE BUSINESS FINANCE**

With repayments on CBILS and Bounce Back loans (BBLs) due to start and the new Recovery Loan Scheme set to launch in April 2021, Bathgate Business Finance law sector specialist Chris McLoughlin is advising businesses owners to take action now to explore the options available for business finance as we emerge cautiously out of lockdown.

“Repayments on CBILS and BBLs are due to start from April 2021, a year on from their launch,” Chris said. “The loans have been a lifeline to many SMEs in the legal sector, but as the COVID-19 crisis has continued, many may still be feeling the economic impact of the crisis and wondering what their options are now.”

“The government’s replacement for those schemes is the new Recovery Loan Scheme (RLS), which launches on 6th April 2021.

While the terms are not as favourable as CBILS and BBLs, it is still a viable option that will help many businesses bounce back from the impact of COVID-19.

“The RLS can be used for any legitimate business purpose, including managing cash flow, investment and growth and It is designed to appeal to businesses that can afford to take out additional debt finance for such purposes.”

Businesses who have taken out a CBILS, CLBILS or BBLs will be able to access the new scheme, although the maximum they are allowed to borrow will depend on their lender’s assessment and scheme requirements.

## Recovery Loan Scheme - Key Points

- \* Government-backed guarantee of 80 per cent on loans
- \* No personal guarantee required on facilities up to £250k
- \* Minimum facility sizes for asset and invoice finance is £1,000
- \* Minimum facility for term loans and overdrafts £25,001
- \* Maximum loan is £10 million per business
- \* No turnover restriction
- \* Variety of products available, including term loans, overdrafts, asset finance and invoice finance facilities
- \* Term loans and asset finance facilities are available for up to six years
- \* Overdrafts and invoice finance available for up to three years
- \* Businesses will be required to meet the costs of interest payments and any fees associated with the facility
- \* Scheme will be available until 31st December 2021, subject to review

“While the RLS will be the best route for many businesses, there are also a number of other options, such as Bathgate’s own-book lending and alternative finance routes, for those that are not eligible for the Government-backed schemes.”

Speaking of finance options, Chris outlined the main business finance questions that firms should be considering right now:

Did you apply and receive enough government-backed funding at the time?

Do you understand your upcoming repayment obligations?

Do you now need to access additional funds under the Recovery Loan Scheme?

Do you understand the finance options that are available to you now?

Chris continued: “If the answer to any of the above is ‘no’ then the team at Bathgate is on hand to help. Since the initial loan schemes were approved we have placed some £20m CBILS funding, as approved intermediaries for the UK’s leading independent CBILS funders.”

“We also have three decades’ experience in providing finance support to law firms at all stages of their developments and we understand the challenges that they are facing right now, particularly in terms of managing cashflow as cases have stalled due to the ongoing pandemic.

“With repayments due to start and new government loan schemes to consider, looking for the best solution can be overwhelming, but there are a whole host of options and we’re well-positioned to help find the quickest and most appropriate solution. If you take action now, you’ll be setting your firm in good stead as we come out of the pandemic and take steps towards economic recovery.”

**For further information about the Recovery Loan Scheme or other finance options, please contact Chris McLoughlin on 0151 625 7323 or email [proposals@bathgatebf.co.uk](mailto:proposals@bathgatebf.co.uk)**

# FAIL TO PREPARE, PREPARE TO FAIL: WHY LAW FIRMS IN THE REGION MUST PREPARE NOW FOR POST-LOCKDOWN DEMAND

By **MONEYPENNY**

As the end of the third national lockdown approaches, leading outsourced communications provider, Money Penny, is encouraging law firms to prepare for a dramatic and sustained spike in new enquiry volumes.

Latest figures from the tech company – which handles more than 2 million legal calls and live chats each year for more than 1,000 legal firms in the UK – show that during the first lockdown (26 March - 1 June 2020), telephone enquiries fell by 36% compared with pre lockdown figures.

However, in the weeks that followed, there was sustained demand higher than the yearly average. In the seven weeks after the first lockdown, telephone enquiry levels were 27% up on pre lockdown levels – a 35% increase on the same period in 2019.

Bernadette Bennett, Head of Legal Sector at Money Penny commented: “While it’s not surprising that lockdown created pent up demand – particularly when you consider that the housing market was frozen during the first lockdown – it’s extremely encouraging to see that appetite for legal services continued for a sustained period.

“During the first lockdown, we also found that 65% of legal live chats generated leads for new client instructions, a 30% rise on the typical average – confirmation that consumers were seeking more support and guidance and were happy to use digital communications channels to do so, often outside traditional office hours.”

Interestingly, during the second lockdown (4 November to 2 December), there was no change in telephone demand compared with the week before lockdown, which suggests both legal professionals and consumers were adapting to the new normal and it was ‘business as usual’ for the sector.

Bernadette continued: “Over the last 12 months, the pressure has been on law firms and their marketing teams to ensure that experience is the same, whether the team is in the office or working remotely. By now, clients expect service levels to be back to, if not better than, normal and firms are recognising the importance of living up to this – particularly if service was neglected last year under the stress of simply remaining operational.

“Now that the Prime Minister’s Roadmap has been published, the end of lockdown three is in sight and an extension of the stamp duty holiday is confirmed, lawyers are likely to be busy over the coming months. Being able to meet predicted demand and answer a significantly increased volume of telephone calls is critical to the sector’s ongoing success.

“With the government continuing to advise that people work from home, face-to-face meetings remain off the agenda, so the phone and live chat will remain the first port of call for clients and prospects.

Firm should use the coming weeks to prepare and make sure they have the necessary resource and support in place to meet demand.”

This is particularly sage advice as earlier this year, Money Penny reported that 85% of people think UK businesses are using Covid as an excuse for long call and live chat wait times – rather than putting adequate client service support in place.

Bernadette concluded: “There’s just no excuse for this, particularly not almost a year into the pandemic. Consumers expect businesses across all sectors to have adapted by now. Long call and live chat waiting times are essentially saying to clients they are not important, which will lead them to take their cases elsewhere. Meeting projected demand and ensuring a positive, timely, professional and efficient client journey is imperative for legal firms looking to grow their pipeline during 2021.”

**For more information about how your firm could benefit from Money Penny’s telephone answering, live chat or outbound calling services, visit [www.money Penny.com/uk/legal-answering-services/](http://www.money Penny.com/uk/legal-answering-services/)**

GUEST FEATURE

# WORKING IN PARTNERSHIP – GETTING MORE REFERRALS



**ROBERT LEWIS**

**CO-FOUNDER OF CELTIC FINANCIAL PLANNING LTD**

Why I believe Independent Financial Advisers and Solicitors should be working more closely together. Financial Advisers often have a privileged position with their clients, we often will be meeting with our clients every year as we tend to be paid for ongoing servicing and management. Compare this to solicitors who often only work with clients on a transactional basis when something might change in their life, such as divorce.

For this reason, I believe financial advisers get to understand and assess a client's circumstances on a more regular basis, as such I think financial advisers get to know when a trigger might justify a referral to a solicitor. I think the best example I can give presently is with pension freedoms and drawdown pensions, many clients are now opting for a pension that they can drawdown as and opposed to taking an annuity, which provides an income for life.

With this extra freedom comes greater flexibility but also greater risk, managing how much income should be taken each year based on market movements is a critical part of the financial planning process, but where does a solicitor come into it?

Well, we often see that within a family unit one person will hold an overweight amount of pension, once a pension is in drawdown what if that person loses capacity? The family unit that is dependent on that drawdown pension may no longer be able to make changes to the income amount and or take ad hoc lump sums because the person who the pension belongs to, is no longer able to make financial decisions. This loss of capacity doesn't just have to be because of old age and mental health issues such as dementia, it could be something that happens early on such as an accident.

For this reason, I work closely with clients looking at drawdown to make sure they take the correct precautions, for me this includes a power of attorney to ensure this flexible movement of cash can continue to happen now and in the future.

This is just one part where we should be working with our colleagues in the legal world to ensure our clients have a holistic plan that protects them and their families.

Many advisers like ourselves now also use technology to enhance the client / adviser relationship, one part of this for us means that clients can go online whenever they want and update their fact find details, such as adding new cash accounts or updating their financial dependents – this is often a trigger for us to contact the client to discuss the change in circumstances (where an annual review is not imminent). Knowing these changes, we can take appropriate action, a new child would prompt a protection review, but it could also be another trigger for us to refer the client to a solicitor to see if changes need to be made to their Will and or trust planning.

Likewise, solicitors are that at some of the biggest movements in a client's life, often this involves money and so it's so important that clients get the right advice at the right time. Working with an independent financial advice I believe keeps you the peace of mind that your client is getting the best unbiased advice, which ensure the clients interests are put first and not that of a financial product provider.

For those interested, we've put a mini documentary together about the real value of financial planning available to watch on YouTube: [https://youtu.be/bx\\_la-n-QYs](https://youtu.be/bx_la-n-QYs)

# JUST TWO LITTLE WORDS

By **MARTYN BEST**  
**DOCUMENT DIRECT**

Some of our favourite phrases consist of three little words.

The ever-joyful, “I love you”, the fading-topical-popularity of “Happy new year”, the long-time-ago, “What’s your drink?” and the infuriatingly-amusing one of “You’re on mute”.

They convey a short, sharp message, which needs little else to explain its meaning, and the first one aside unless mutual, often draws a very expected reaction.

At Document Direct, we actually have a two-word phrase that would be amongst the most popular uttered by the many thousands of lawyers who send us their dictation to transcribe.

“ Dear Sir ... “

Short, simple to understand, inoffensive, and very clear in its message – one would think.

But, and here’s a three-word phrase – “Stop, right there!”

I, and perhaps 50% of my readers may think that, and perhaps a smidgeon of the 50% to whom that may not be a technically appropriate or gender-rich appropriate address, may show a tolerance for that greeting, but is it one we should now reflect upon?

My inspiration for these musings came from Beth Reid, of Sussex-based lawyers, Heringtons.

Beth, and surely not a Trainee Solicitor for much longer, gave a fresh and thoughtful blog on this very matter, and made me think a little on this subject.

Was this term just a stereotypical relic from a legal sector once dominated by white, middle class men?

Was it because when writing to firms, companies and the Courts, one might have expected the reader to be male?

Perhaps that useful clause, “Words denoting any gender include all genders and words denoting persons include bodies corporate, unincorporated associations and Partnerships and vice versa.” deal very wisely with the matter?

Or, perhaps, in these days of greater sensitivity and empathy to such matters, do we need to re-appraise our normal form of document greeting.

Beth retold a very nice riddle:

**A father and his son were travelling north on a motorway when their car unfortunately crashed. The father died instantly and the son was rushed to hospital for emergency surgery. When the son arrived at the hospital, the surgeon said ‘I can’t operate on him, he’s my son’. How can this be?**

The riddle indeed does explore gender stereotypes, even beyond the legal profession, and it’s very surprising in some ways that only 16% came to an instant conclusion on the answer.

You now have a few more seconds to realise that the surgeon was neither the boy’s resurrected father, nor in these parentally-liberated days, his other father.

It was of course his mother, who had all the skills, talent and opportunity to qualify as a surgeon.

Beth, in her blog, did award a couple of points to those answers suggesting that the boy had two gay fathers in this progressive world we live in, but she did take them back when reflecting that the answer merely reinforced the gender bias towards surgeons.

In these times of trying to gain better understanding, of the need to ensure fair recognition and respect for all diversities, all genders, all colours, do you think that this salutation is a relic to a bygone time?

**Should we be better at using “Dear {first name}, {last name}”, and more fundamentally should we not take a moment to invest in finding out who we are actually writing to.**

My dear friends at [www.Grammarly.com](http://www.Grammarly.com), for which my thanks for permission to reproduce, have tried to help us here, with this very easy to follow infographic.

They do indeed provide gender-specific help, and there we have it.

So, the two-letter subject of my thesis is probably not the worst example we can think of regarding any sort of gender bias, but it may make us ponder a little bit about some of the ostensibly non-contentious phrases we use each day, and whether they do have any underlying sentiment attached to them.

Dear reader\*, I wish you well in your future greetings.

\*I hope you appreciate my entirely non-gender specific and androgynous greeting.

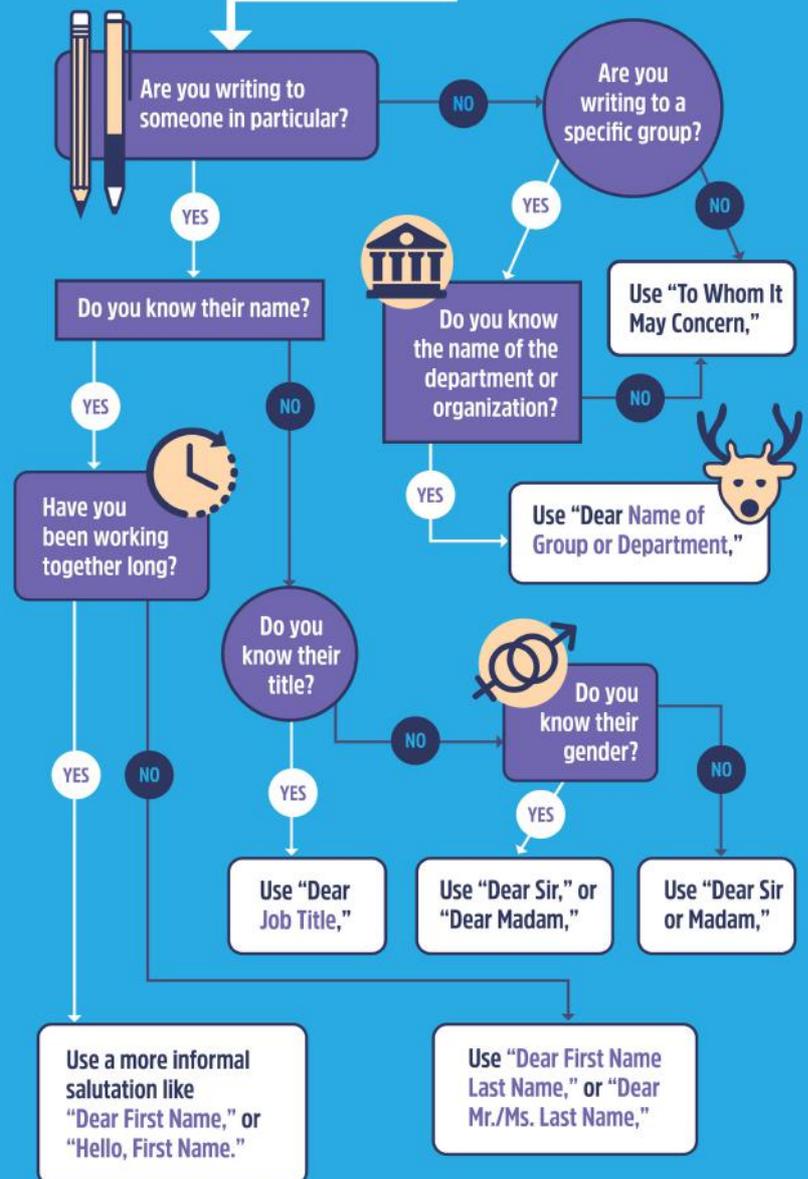


Martyn Best is Managing Director of Document Direct, the UK's leading typing and transcription service, who are our latest sponsor.

He is also Managing Director of Legal RSS, a smart legal news service for law firm websites, and is an Associate Director of Tranmere Rovers Football Club.



# BUSINESS WRITING SALUTATIONS FLOW CHART



# RE-IMAGINING YOUR LAW FIRM: MODERN COMMUNICATIONS FOR LAW FIRMS

By MATRIX247

Re-imagining your law firm has its challenges from ALL aspects, the communications, the finance, the clients, staff and partner engagement & measuring and the Legal IT tech platforms and requirements.

It can seem on the surface to be overwhelming. Added with the legal sector moving to a remote working/agile working culture, there is unquestionably a lot to think about.

For many law firm owners and partners, giving the option for employees and fee-earners to work from home comes down to both trust and treating fee earners like adults.

A survey of over 5,000 professionals cited the top three reasons why an agile working culture was a key factor in choosing the law firm they wished to work for:

1. Fewer distractions and more productive when not in the office environment (72%)
2. Stress, loss of time and expense of commuting (70%)
3. Power to control a flexible schedule (69%)

However, with agile working comes worry and panic for law firm owners, with thoughts such as “how can I keep track of staff”, “how do I know what they’re doing”, “surely the technology is better at the office... how will they answer calls?”. Especially for a different way of working now, where you have to start as you mean to go on, you want to make sure you’re on top of everything and leading in the right way.

Here are lots of solutions many law firms are using, especially in the past year, to keep up with remote working and helping staff work from home.



## Whole of Market Coverage Check

Broadband checks can be done to ensure whether superfast fibre is available, whether this be at the current office/(s), a new/alternative proposed office, or employee’s homes, as well as mobile network availability and 5G coverage, all to assist in finding the right place to operate from, if applicable, and to ensure the right and best products and services are being provided.

## Be Local to Everyone

Telecommunications firms can help source local telephone numbers for your law firm, before you find an office, or start working in a new geographic area, being virtual now. This helps to organise literature, business cards, websites, marketing material etc. (You don’t need a phone system or land line to do this.). We have done this for hundreds of law firms so can share a few insights before you speak with current suppliers.

## One Number Approach

Operate a “one number” approach by providing a single, direct number for each employee. This could be a landline number or a 03 number which points to their business mobile. Very rarely will any law firm now advertise partner and staff mobile numbers.

There are many reasons for this we are happy to share. By being clever with number planning allows your law firm to own and manage any and all numbers advertised ensuring that should employees or partners move on; their business number and potential new client instructions remains with YOUR firm... not taken away.



### **Calls Directed to Employee Mobiles**

Telephone profiles can be activated at network level, allowing law firms to operate with a professional greeting such as “Welcome to ABC Solicitors, please press 1 for xxx, 2 for xxx etc”. Even without an office or any landlines, inbound calls can be set up and transferred directly to employee mobiles with no call costs whatsoever.

### **Law Firm Mobile Plan**

Supply your team with a number of secure business mobile devices giving access to business calls and emails. Or if preferred, and a less costly option, provide a “SIM-only” option if they wish to use a pre-existing mobile phone. This is very quick and easy to set up and takes the strain away from having to manage employees claiming back expenses using their own phone.

**For more information on any topics in this article and how your law firm can benefit from modern communications, please contact Stephen Pritchard at [teamlegal@matrix247.com](mailto:teamlegal@matrix247.com).**

### **Business Grade Broadband for Remote Employees**

If your law firm is looking to operate as a “virtual” firm, think about providing a dedicated “business” grade broadband link (whether via a landline or a mobile network) for staff working from home, ensuring staff have a dedicated, uninterrupted connection unaffected by use from family members, such as streaming music, video, calls, radio etc (all of which can affect ability to work).

The use of mobile broadband dongles are great too, providing fast access over the Vodafone or O2 network, so not touching employees own home broadband which may be saturated by children using for school and gaming or staffs partners using for their business needs. We can do all this very securely with no set up fees.



### **Most Important of All – Security**

Ensure the right security products are in place for your telecoms and law firm mobiles.... Security within the cloud is fairly standard, but security software across mobile and tablet devices ensure client data is protected in the event of the device becoming lost, stolen or breached. Mobile Device Management can remotely locate, lock and wipe stolen or lost devices for only a couple of pounds per month... but is a small price to pay as opposed to a leaked client record.

Therefore, there are many low-cost solutions available to help your law firm as a first step, which ensures you are still providing the best client experience. Best of Luck!

# DDEFNYDD YR IAITH GYMRAEG O FEWN Y GYFUNDREFN GYFREITHIOL



**Dr Emma Roberts**  
**Chair of the Seminars Sub-Committee**  
**Cadeirydd Is-Bwyllgor Seminarau**

I ddatlu Dydd Gŵyl Dewi, cynhaliwyd digwyddiad arbennig ar "Ddefnydd yr iaith Gymraeg o fewn y gyfundrefn gyfreithiol" mewn cydweithrediad a Legal News Wales.

Bwriad y digwyddiad oedd gwerthuso defnydd yr iaith Gymraeg o fewn y gyfundrefn gyfreithiol a chwestiynu a yw'r ddarpariaeth gwasanaethau Cymraeg presennol yn ddigonol i ddiwallu anghenion siaradwyr Cymraeg yr unfed ganrif ar hugain.

Yn arwydd o bwysigrwydd y pwnc, croesawyd cynulleidfa a diddordebau cymysg: rhai'n enwau cyfarwydd o fewn y proffesiwn ac addysg gyfreithiol, ac eraill a diddordeb yn ddefnydd cyhoeddus yr iaith, defnydd o ieithoedd lleiafrifol yn fwy cyffredinol a'r hawliau cyfreithiol a geir i warchod dyfodol yr iaith yn y byd cyhoeddus.

I agor y drafodaeth, cafwyd sylwebaeth arbenigol ar ddefnydd yr iaith Gymraeg o fewn y llysoedd gan Ei Anrhydedd Barnwr Nic Parry. Yna, bu i Aled Roberts, a apwyntiwyd yn Gomisiynydd y Gymraeg yn 2019 yn dilyn gyrfa, yn gyntaf, fel cyfreithiwr, ac yna yn arweinydd awdurdod lleol, drafod defnydd yr iaith yn rhinwedd ei swydd bresennol. Trafododd Dr Catrin Fflur Huws o Brifysgol Aberystwyth argaeledd a phwysigrwydd addysg gyfreithiol cyfrwng Cymraeg. Ymunodd Awen Edwards a'r panel o Gomisiwn y Gyfraith i gynnig blas ar ei gwaith o fewn y Tîm Cyfraith Gyhoeddus a'r Gyfraith yng Nghymru. Bu i gynlywydd Cymdeithas Cyfreithwyr Gogledd Cymru a Chaer, Osian Roberts, sydd yn bartner yng nghwmni cyfreithwyr Guthrie Jones & Jones rannu ei brofiadau o'r Gymraeg o safbwynt yr ymarferwr.

Yn dilyn cyflwyniadau byr gan y panelwyr, cafwyd trafodaeth fywiog am ddigonolrwydd y ddarpariaeth bresennol a dyfodol yr iaith o fewn y gyfundrefn gyfreithiol. Bydd recordiad o'r digwyddiad ar gael yn fuan ar wefan Legal News Wales. Diolchwn yn fawr i'r panelwyr am rannu eu profiadau a'u harbenigedd ac i'r gynulleidfa am eu cwestiynau a'u hadborth cadarnhaol ynglŷn â llwyddiant y digwyddiad. Byddwn yn trefnu digwyddiad tebyg yn fuan.

Dros y mis diwethaf, cafwyd dwy seminar ddiddorol arall. Un gan Richard Snape yn ein diweddarau ar Gyfraith Eiddo Preswyl a'r ail ar Hydwythedd a Lles o fewn y Proffesiwn gan LawCare. Bu i'r ddau ddigwyddiad ddenu cynulleidfa frwd a alluogodd trafodaeth ddifyr i gloi'r sesiynau. Croesawn eich adborth ar y sesiynau hyn a hoffwn glywed pe byddech a syniadau am bynciau eraill allwn drefnu seminarau amdanynt dros y misoedd nesaf.

Yn ystod mis Ebrill, byddwn yn cynnal sesiwn ddiweddarau ar Enillion Troseddol a Chyfiawnder ar ôl Covid gan Robert Edwards a Jemma Gordon o St. John's Buildings. Mae cofrestru yn hanfodol a byddwch yn derbyn manylion ar e-bost yn fuan ynglŷn â sut i gofrestru ac yna yn derbyn y ddolen Zoom ar fore'r digwyddiad.

# THE USE OF THE WELSH LANGUAGE WITHIN THE LEGAL SYSTEM

To celebrate St. David's Day, Cheshire and North Wales Law Society hosted a special event to explore "The use of the Welsh language within the legal system" in co-operation with Legal News Wales.

The event was intended to evaluate the use of the Welsh language within the legal system and to question whether the current provision of Welsh language services is sufficient to meet the needs of twenty-first century Welsh speakers.

Indicative of the importance of the subject, the event drew an audience of mixed interests: some familiar names within the legal profession and legal education circles, others interested in the public use of the language, the use of minority languages more generally and the legal rights that protect the public use of the language.

His Honour Judge Nic Parry opened the discussion with expert commentary as to the use of the Welsh language within the courts, drawing upon his own use of the language as a judge and previously as a solicitor. Aled Roberts, who was appointed as Welsh Language Commissioner in 2019 following a career, first as a solicitor, and then as the leader of a local authority, then discussed the use of the language in the capacity of his current role and some of the initiatives undertaken to facilitate greater use of Welsh within the legal system. Dr Catrin Fflur Huws from Aberystwyth University discussed the availability and importance of Welsh-medium legal education. Awen Edwards, who had herself benefited from the availability of Welsh-medium legal education at Bangor University, joined the panel from the Law Commission to offer a taste of the work undertaken by the Public Law and Law Team in Wales. The former President of the Cheshire and North Wales Law Society, Osian Roberts, who is a Partner at Guthrie Jones & Jones Solicitors shared his experiences of the Welsh language within the legal system from the practitioner's perspective.

Following brief presentations by the panelists, a lively discussion followed about the adequacy of the current provision and the future of the language within the legal system. A recording of the event will soon be available on the Legal News Wales website. We thank the panelists for sharing their experiences and expertise and the audience for their questions and positive feedback, confirming the success of the event. We will be organising a similar event very soon.

Over the past month, we have hosted two other interesting seminars. One by Richard Snape on an update in Residential Property Law and the other on Resilience and Wellbeing within the Profession by LawCare. Both events attracted a responsive audience which enabled interesting discussion to close the sessions. We welcome your feedback on these seminars and would like to hear your ideas as to possible topics you would like to see as the subject of forthcoming seminars.

During April, we will be holding an update session on Criminal Proceeds and Justice post-Covid by Robert Edwards and Jemma Gordon from St. John's Buildings. Registration is essential. You will receive details on how to register by email shortly and you will receive the Zoom link on the morning of the event.

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**Take advantage of a virtual meeting or phone call to discuss any existing matters where we can explore whether we may be able to resolve difficult issues for you. Any discussions would of course be in complete confidence, and without obligation or cost.**

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- Unknown will is discovered after an estate has been distributed on an intestacy basis
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- Charitable gift being challenged
- Challenge made to the will
- New debts arise after distribution of assets
- Unknown/uncertain tax liability



Get in touch via my details below for further information or to arrange a meeting or presentation.

#### **Chris Dowling**

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# WOMAN JAILED FOR PURSUING FRAUDULENT £5.7 MILLION CLINICAL NEGLIGENCE CLAIM

By LEGALRSS



Against the background of the COVID-19 pandemic, fraudulent compensation claims against the NHS appear nothing short of obscene. As a High Court case underlined, perpetrators can expect both financial ruin and, in extreme cases, imprisonment.

The case concerned a woman who suffered injury due to a delay in diagnosing and treating a serious back condition. After she launched a clinical negligence claim, an NHS trust admitted liability and issued a formal apology. It was agreed that, if honestly pursued, her claim would have been worth about £350,000.

She had, however, pitched her claim at a total of over £5.7 million. She grossly and deceitfully exaggerated the extent of her disabilities. She claimed, amongst other things, that she could not walk unaided and that, without the support of walking sticks, she was unable to stand for more than a few seconds. She failed to disclose that she had taken several holidays, at home and abroad, which she apparently enjoyed to the full, without any sign of mobility difficulties.

Surveillance evidence revealed the vast scale of her dishonesty over a period of several years. In her shameless and systematic attempt to pervert the course of civil justice with a view to personal gain, she lied to a total of 13 medical experts on 19

different occasions and signed various sworn statements in the knowledge that they were untrue. Her lawyers were for a long time taken in and wasted large sums of money in helping her to pursue her claim in good faith.

The entirety of her claim was ultimately dismissed on the basis that it was infected by fundamental dishonesty. She was ordered to repay £75,000 that she had previously received from the trust as an interim payment of damages. Given the extreme facts of the case, the trust took the rare step of launching proceedings seeking her committal to prison for contempt of court.

Ruling on the matter, the Court noted that, although her claim was initially genuine, she had lost all hope of compensation. She was in poor health, of previous good character and had a young child to care for. She had admitted contempt and the exposure of her dishonesty had heaped shame and humiliation upon her, which was some punishment in itself. The impact of the pandemic on the prison system had also rendered custodial sentences more onerous.

The Court acknowledged that she had learnt a harsh lesson from the case and that there was no risk of her behaviour being repeated. However, her wrongdoing was so grave that it had to be marked by the imposition of an immediate prison sentence, rather than a suspended term. She was sentenced to six months' imprisonment.

**The above article is just one of many produced by LegalRSS in our monthly subscription.**

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# WHO ARE DG LEGAL AND HOW CAN WE HELP YOU?

By DG LEGAL

We are delighted to come on board as sponsors of the Cheshire and North Wales Law Society.

In this introductory article I wanted to tell you a little what we are hoping to contribute and who we are.

We are a management consultancy firm helping lawyers and law firms with a variety of strategic and compliance services but more about us later.

The first lockdown did make us think about what more we could do for local law firms during what initially thought would be a three-month crisis! We came up with the idea of preparing and presenting free practice management webinars. We gathered several leading experts and partnered with key stakeholders such as The Law Society, the SRA, the ICO and the Legal Aid Agency. What was initially thought of being a short-term project continues to this day and to date we have had over 4,000 bookings on the 25 courses we have so far delivered. Examples of topics covered include Anti-Money Laundering, Conflicts of Interest, Confidentiality, Data Security and How to Ensure your firm thrives. These webinars were recorded and are available to view at our website – [www.dglegal.co.uk](http://www.dglegal.co.uk)

Before the current lockdown happened, we wondered what we should do next. My colleague, Amie Higgins, who is based in North East Derbyshire, suggested that we also deliver free legal courses. Amie is an award-winning practising solicitor and who has also been a barrister. She used her connections at Garden Court North Chambers to put together an initial list of 24 courses in the areas of crime, immigration, housing, inquests, public law, mental health and family. Leading barristers are delivering these online courses. We will be adding to the list of areas of law shortly and will be working with other sets of chambers.

You may or may not have heard of us. I started DG Legal in 2000 following a career with Marks & Spencer and the Legal Aid Board. Being interested in the business of law I was keen to start my own firm advising and assisting lawyers. We have grown to become the largest provider of strategic and compliance services operating in England and Wales. My colleagues have worked for and with various stakeholders such as the SRA, The Legal Ombudsman, The Law Society, CILEx and the Legal Aid Agency.

We are very driven and strive to make a real difference in helping lawyers to best manage their compliance obligations, achieve Lexcel, CQS or SQM accreditation, handle complaints effectively, best respond to SRA investigations, write compelling tenders and increase client numbers. You can see what our clients say about us at <https://tinyurl.com/y27qle7b>

We've also managed a professional accreditation scheme for The Law Society and have advised politicians and government departments. I recently finished acting as a Commissioner in Lord Bach's review of the Justice system 'The Right to Justice'.

Coming back to helping local lawyers, we also provide for instance other complimentary services and initial advice will normally be free. For example, we offer a free service where we audit a law firm's website against the SRA's Transparency Rules. We know from experience that it's easier and better to comply with the rules and ensure the SRA's attention is with other law firms not yours! You may be interested to read the results of a large survey we undertook in 2020 that highlighted a range of issues. See: <https://dglegal.co.uk/news/sras-transparency-rules-survey-websites/>

Please bookmark our free training page at <https://dglegal.co.uk/training/2020-free-webinars/> and do let us know if you would appreciate a free website audit.

# A PROPERTY MARKET ROUNDUP



By Gavin Floyd FRICS  
DEESURVEYS LIMITED

As solicitor & surveyor practices will know, the residential property market during 2020 became particularly busy, following the re-opening of estate agencies & the ending of Lockdowns in England in May and in Wales, in August.

The Stamp Duty holiday has been the major factor in fuelling the surge in deals and an increase in residential values. During the first couple of months of 2021 the residential market was quieter than during the last quarter of 2020 and although this is partly seasonal, many prospective purchasers will have considered the original pending end of the Stamp Duty holiday on the 31st March. Now that the Stamp Duty deadline has been extended, the residential market has been fuelled again and enquiries are currently strong.

However, the strong residential market is not, in general, being experienced in the Office & Retail markets, although the Industrial market has been steady.

The following is an extract from the RICS UK Residential Market Survey for February, 2021 :-

The February 2021 RICS UK Residential Survey results point to another slightly softer month for sales market activity, albeit this is following an especially strong second half of 2020. In particular, current lockdown restrictions appear to be deterring new vendors putting their homes up for sale. However, forward looking metrics have shown some improvement, with sales expected to rise modestly over the coming three months. What's more, it is important to note that over three-quarters of the survey sample was gathered prior to the Chancellor confirming that the Stamp Duty holiday would be extended until the end of June (and then tapered through to October) in the recent Budget.

Below is a further extract; this time from the RICS UK Commercial Market Survey, for the final quarter of 2020 :-

- Retail and office availability still rising at a rapid pace
- Industrials continue to outperform, as occupier and investor demand strengthens noticeably in Q4
- Outlook for capital values and rents increasingly divergent at the sector level

As chartered surveyors and also under advice from the RICS, surveyors are required to refer to Market Uncertainty within their valuation reports. The impact of the Stamp Duty holiday on the residential market has been significant, as discussed. However, there are also other strong factors adding to property Market Uncertainty going forward, both in the short to medium term. The impact of leaving the EU on the property market cannot yet be determined and in our view it could be a couple of years before sufficient data will be available, to judge the impact of leaving with more certainty. In addition the impact of the Pandemic cannot be gauged fully at this stage, with factors such as Furlough still to end.

Of course there is room for optimism, with the vaccine programme well under way and with help for first time buyers being announced in the last budget.

2021 will be another interesting and challenging year !

<https://www.deesurveys.com/>

## NEWS FROM THE CHAIR OF THE SPONSORSHIP AND FINANCE SUB COMMITTEE: DENIS STEVENSON

The Cheshire and North Wales Law Society has been delighted to receive the repeat support of its existing sponsors as well as welcoming new sponsors the year ahead. It has been a busy time for the Sponsorship and Finance Committee, but a rewarding one.

Our 2021 sponsors boast a diverse range of expertise offering direct benefit to the legal profession. We are excited to be working with them and we hope that you will take advantage of their knowledge and expertise. The sponsors range from remote administration services, to financial services, seminar and compliance providers, insurance and indemnity services, accounting, property surveyors, search providers and more. The sponsors are:

Search Acumen	Money Penny
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Matrix 247	TLO Risk
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Can I take this opportunity to thank our sponsors but also to encourage members to make contact and build relationships with our sponsors who are keen to support the legal profession in Cheshire and North Wales,

## NEWS FROM THE CHAIR OF THE SOCIAL MEDIA SUB COMMITTEE: EMILY LITTLEHALES

Cheshire and North Wales Law Society has started 2021 with a bang! We have been so pleased with the response from our sponsors and it has been a busy time for the sub committee – updating the website with our sponsors details, timetabling the marketing schedule and social media coverage for the year ahead. We cannot take all the credit for this - Clare Jarvis of Everclare is our Virtual Assistant and quite frankly - the right hand man of the sub committee. She has been key to the implementation of the strategy for the year ahead.

Please do watch out for our Tweets which will keep you apprised of upcoming events and seminars – we are very excited to share the timetable with you. We will also be sharing the latest news from our shiny new sponsors, and do give them a follow.

Finally, can I ask a favour? Please follow us on LinkedIn by searching Cheshire & North Wales Law Society. We will be making more use of this platform as a communication tool going forward – so don't miss out!

## EVENTS FROM CHAIR OF THE EVENTS SUB COMMITTEE: FREDDIE STORRAR

We have some more positive news on the Events front with the gradual easing of restrictions in the coming months. After a very productive Events Sub-Committee meeting in mid-March, there are plenty of exciting events planned for our members. We will always be keeping a close eye on any alterations of the restriction rules in England and Wales, but provided the rules allow it, we will be going ahead with a number of events. To name but a few, we have planned:

- The CNWLS Golf Day at Prestatyn Golf Club on Friday 23 July. Non-golfing members of the Society are also encouraged to attend and have their own competition at Prestatyn Crazy Golf Course! Both events will be followed by dinner at Prestatyn Golf Club.
- A Summer Drinks and Barbecue party in August; and
- A Day at the Races (Chester Races) on Saturday 25 September.

More information will follow soon on these and other events being planned for the coming year.

# THANK YOU TO OUR SPONSORS



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The founder of DEESURVEYS is a fellow of the Royal Institution of Chartered Surveyors and has over 34 years practical and management experience within the property surveying and property valuation field.



Data insight providers to conveyancers and commercial property lawyers, Search Acumen challenge industry convention by combining emerging technology and data. They are committed to re-engineering the property due diligence experience to help their clients work more effectively and efficiently to deliver better outcomes for their customers.



As a 'business to business' finance provider, our aim is to give our customers access to the best advice and funding we can. Whatever your business is, we would love to speak to you. We know the combination of business sector, finance requirement and reasons for funding are reassuringly diverse nowadays, and we'll always try and find business funding that's right for you.



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DG Legal strive to make a real difference in helping lawyers to best manage their compliance obligations, achieve Lexcel, CQS or SQM accreditation, handle complaints effectively, best respond to SRA investigations, write compelling tenders and increase client numbers.



LegalRSS was founded in 1997 by Joe Reevy to provide consultancy services to professional services firms with a specific focus on techniques to improve profitability. Since then the business has developed and matured and now provides content to law firms throughout the UK.



# Cheshire & North Wales Law Society

## DELIVERING MEMBER VALUE

New & enhanced member benefits now available as part of your membership

### CNWLS MEMBERS

- ✓ **FREE LEGAL EDUCATION PROGRAMME**  
Topical subjects  
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- ✓ **SOCIAL EVENTS**
- ✓ **INFLUENCE THE WAY OUR PROFESSION OPERATES**
- ✓ **NETWORK WITH FELLOW PROFESSIONALS**
- ✓ **HAVE YOUR INTERESTS REPRESENTED**  
We participate extensively in The Law Society on behalf of our membership, representing the region in national initiatives that affect our members and the sector as a whole.

### CORPORATE MEMBERS

- ✓ **EVERYTHING IN CNWLS MEMBERSHIP**
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Submit your news and contribute insight articles to a growing contact list.