

Newsletter



DEVON & EXETER
LAW SOCIETY

www.devonlawsociety.org.uk

DEVON AIR AMBULANCE TRUST

Registered Charity No: 1077998



*Please support your President's Fundraising Initiative.
See www.devonlawsociety.org.uk for details*

JULY 2004

[Council Member's
Surgery](#)

[The President's Diary](#)

[SBA Feature](#)

[Recoverable Rates in
Civil Litigation](#)

[DELS International
Lawyers' Weekend](#)

[Council Member's Report](#)

[Solicitors' Support
Network](#)

[Central Devon
Magistrates' Courts](#)

[Error Free and Profitable
Conveyancing
BPE Editorial](#)

[New Members](#)

[The New Exeter Court](#)

[Walk of the Month](#)

[And finally...
Jeremy Ferguson
contemplates retirement](#)

[DELS Sub Committees
Membership 2004/2005](#)

E-Mail: mail@devonlawsociety.org.uk

Tel: (01392) 411585

Fax: (01392) 431511

DX: 8361 Exeter

Registered Office: Renslade House
Bonhay Road
Exeter
EX4 3AY

Honorary Secretary: Anthony Spiers

Administrator: Monique Bertoni

Membership Services Manager: Tony Steiner Direct Dial 01392 494110

Glover Stanbury & Co

CHARTERED ACCOUNTANTS

We put our customers first; are responsive to their needs; help solve their problems; provide a quality service and ensure value for money.

"EXPERIENCE THE DIFFERENCE"

Assistance with damages and consequential loss; loss of earnings; forensic accounting ?

Contact Partner: Brian Ross

A member of the
UK Register of Expert Witnesses

30 Bear Street
BARNSTAPLE

Tel: 01271 375271

27 Bridgeland Street
BIDEFORD

Tel: 01237 471881

www.gloverstanbury.co.uk
expert@gloverstanbury.co.uk



INVESTOR IN PEOPLE



Conveyancing Reports: a Professional Service

Drainage and Water Reports:

- CON29DW Residential
- CON29DW Commercial (£2m liability)

Standard or expedited turnaround – ask for details

Authorised Agents for Landmark Environmental Reports:

- Envirosearch Residential and Commercial
- PlanSearch Residential and Commercial
- Sitecheck

Email accounts available for your convenience

Providing the facts: Eliminating the risks

Conveyancing Services

South West Water, Peninsula House, Rydon Lane, Exeter EX2 7HR
DX: 119850 Exeter 10 Email: searches@southwestwater.co.uk
Tel: 01392 443115 Fax: 01392 442726

reduce costs
improve efficiency
increase productivity



sps-@nywhere

Now you can dictate to your Pocket PC!
Simply download the software to your
Pocket PC for as little as **£129.95** per unit.

For more information on **digital dictation** and other
solutions from SPS, please
contact Nicki Porter on
020 8254 5112

"sps has got
everybody talking"

www.speechprocessingsolutions.co.uk



W
W
W
.
S
C
O
T
T
-
L
A
W
.
C
O
.
U
K



Specialists to the Legal Profession

- Secure file storage ●
Next day delivery
- Computerised records management ●
Barcode technology
- Full Internet access to your files ●
- Confidential file destruction ●
- Secure Will & Deed storage ●
- Overnight data storage ●
- Crate hire for office moves ●
- Complete office relocation service ●

Visit our website at www.scott-law.co.uk

Tel: 01453 811555

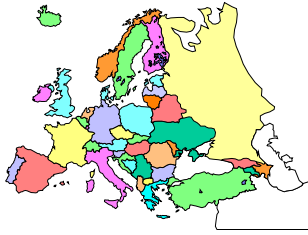
email: enquiries@scott-law.co.uk

One of the UK's fastest growing
Business Services Companies

...problem solved

REMEMBER

DELS can provide
Personal
Introductions
to Lawyers in
Mainland
Europe



Ring Monique on
01392 411585

LAW SOCIETY COUNCIL MEMBER'S SURGERY

Tuesday 28th September at 5.00 pm

Bevan Ashford, Tiverton

Although no appointment is needed it would be appreciated if you would phone DELS 01392 411585 if you plan to attend.

DELS Council Member, Christopher Palmer, will be available to discuss Law Society issues.

Any member is welcome. Christopher would like to hear your views, comments and queries. He will take them to Chancery Lane and do his utmost to have them addressed.

We look forward to seeing you. If you are unable to attend and you wish to raise a matter you may e.mail Christopher at c.palmer@bevan-ashford.com or telephone him on 01884 242111.

THE PRESIDENT'S DIARY

A short note to say that Gill and I are training hard for The Walk. We will start in Bideford on the 14th July and end in Dartmouth on either the 19th or 20th. The detailed itinerary is on the DELS website

www.devonlawsociety.org.uk

where you can also find a sponsor form. Many of you have already been very generous in your support. I am quite overwhelmed to say at the

time of writing the fund has topped £2,000! Thank you. For those whose partners have not yet decided on sponsorship – go on – it's really easy to do via the website and it's for a good cause.

Remember we are doing it through the website to reinforce the fact that this is a collective DELS effort. Today I was contacted by the Press asking for comment on the closure of Jane Loveday's practice in Launceston. Even though that is strictly Cornwall, it shows that we are all affected when things go wrong. Here is a chance to link the solicitor's profession with charitable giving – a 'good news' story.

Paul Derbyshire,

President pad@fordsimey.co.uk

CHARITY FOR THE PROFESSION

Tony Higman, Chairman of the SBA, writes

This year I am Chairman of the SBA and in this capacity deal regularly with applications for help which come from all branches of the profession and indeed from all age groups. As the principal nationwide charity for solicitors our aim is to provide financial support for solicitors and their families who find themselves in need. In 2003 we helped over 350 beneficiaries ranging from elderly men and women in residential care to students, and we disbursed approaching £1m in grants and loans to them.

The circumstances of our beneficiaries vary widely but many suffer debilitating physical and mental diseases: MS, Chronic Fatigue Syndrome (ME) and Bipolar Disorder (Manic Depression) are recurring cases. We also work closely with LawCare on cases involving alcohol abuse and stress. A sizeable proportion of our beneficiaries are sole practitioners who do not have the administrative support available to those working in large firms and if they fall ill often cannot afford to employ a locum. In cases of disability we can provide prompt help with aids such as bath hoists, stair lifts and electric wheelchairs and also assist with the cost of modifications to homes and motor cars. I should underline that help is not just financial. Although we do not employ qualified counsellors, both the beneficiary staff in the office and our directors throughout the country are always ready to offer practical advice and understanding.



The SBA can offer a safety net...

Even the healthiest and most hard working solicitors can incur setbacks, usually when they least expect it.

The Solicitors Benevolent Association (SBA) was founded over 140 years ago and is the principal charity for solicitors in England and Wales. Its aim is to give help to those in the profession – and their dependents – who have suffered ill health, a serious accident or have become old and infirm.

Through members' charitable donations we are able to rescue hundreds of people by offering a depth of care and support that makes a real difference to their lives. Our support ranges from helping with living expenses to funding specialist equipment.

If you are in difficulty, or know of anyone who may benefit from our help – please talk to us now on **020 8675 6440**

The Solicitors Benevolent Association, 1 Jaggard Way, Wandsworth Common, London SW12 8SG
T 020 8675 6440 F 020 8675 6441 DX 41608 BALHAM E bensec@sba.org.uk W www.sba.org.uk
Registered Charity 208878

A recent case might illustrate how we can help. We were approached by the family of a sole practitioner, a man in his sixties, who had suffered horrific injuries following a riding accident. Paralysed from the neck down he had spent over a year in hospital on a ventilator. His family was determined to help him back to as normal a life as possible and he was learning how to operate a sophisticated wheelchair with his chin prior to returning to his home which was being specially modified. My fellow Trustees felt that this was a case of exceptional merit and agreed to provide the wheelchair and also an adapted vehicle to accommodate the wheelchair and all the necessary equipment.

None of this would be possible without the help we receive from the profession. We could not operate without the sums we receive in conditional donations of unclaimed balances and by the generous contributions made by local law societies and the Law Society Trustees.

Fundraising events like the sponsored canoe trip to last year's Law Society Conference and an exciting party planned to take place later in the year at the Mansion House all help to swell our coffers and raise our profile – as well as being fun for those who take part. The annual SBA National Golf Championship, sponsored by OyezStraker, is popular with aspiring golfers up and down the country. Sales of Christmas cards, too, keep our name in front of the profession and the 2004 range will be available very soon!

If you would like any further information on unclaimed balances, how to become more involved with the SBA or if you know of anyone who might need our help, please contact me at 1 Jaggard Way, London SW12 8SG, DX 41608 Balham, Tel: 020 8675 6440, Fax 020 8675 6441 or visit our website: www.sba.org.uk

RECOVERABLE RATES IN CIVIL LITIGATION

By David Turner



You may recall that in recent years the Devon & Exeter Law Society has obtained information from various firms about the actual cost of operating. This information has been collated and then presented to the District Judges at Exeter Combined Court to assist them and us, when it comes to making representations to the Senior Costs Judge when determining the recoverable rates for contentious costs.

At present, the rates are as follows:

Grade A £150 per hour - solicitors with over 8 years post qualification experience including at least 8 years' litigation experience

Grade B £135 per hour – solicitors and legal executives with over 4 years post qualification experience, including at least 4 years' litigation experience

Grade C £115 per hour – other solicitors and legal executives and fee-earners of equivalent experience

Trainee Solicitors, paralegals and fee-earners of equivalent experience £85 per hour

These rates were set in November 2002 and are due to be reviewed by the Senior Costs Judge in November 2004.

I would like to think that if sufficient information is collected, there should be a strong case for an increase in the recoverable rates for the various bands. Accordingly, in the next month or so letters will be sent out to the Senior Litigation Partner and Practice Managers of all the firms in the area. Please could you take the time (it really only should take ten minutes or so) to complete the questionnaire. Some of the questions will need some research (or probably more accurately a look at the latest set of accounts) but quite simply the more returns we get, the more information we can put to the Senior Costs Judge, and the stronger our case will be. Please take the time to complete the questionnaires. It might be the most productive ten minutes that you spend.

If anyone has any queries with regard to the whole process, please could you contact David Turner at Bond Pearce in Exeter.

e-mail: dturner@bondpearce.com
Tel: 01392 415120

INTERNATIONAL LAWYERS' WEEKEND

21ST – 23RD MAY 2004

This weekend used to be European, but now we've gone Global! The newcomer was Douglas Skinner from Halifax, Nova Scotia who showed an interest in DELS and he stayed as one of our guests.

To remind everyone, DELS is 'twinned' with Rennes (France), Erlangen (Germany) and Leuven (Belgium). We also have strong ties with Verona (Italy) and Cork (Ireland). This year was DELS' year to host the annual meeting of the twinned bars and our chance to show some good Devon hospitality. Our visitors were from:-

Rennes (8), Leuven (2), Erlangen (5), Verona (6), Barcelona (2), Cork (1), Gdansk (2), Nova Scotia (1)

All were looked after by DELS members as hosts – for which many thanks. I chuckled on Thursday night as we sat around the kitchen table talking international taxation, with contributions from Italy, Germany and Ireland!

On Friday a formal seminar was presented at Woodbury Park, Exeter on the topic of



Mediation. Speakers included mediators Andrew Fraley and John Loram plus His Honour Judge Overend. There followed a civic reception at the Guildhall where we teamed up with the bar and judiciary. The guests were very impressed at the attention they received from our local judges who were keen to meet them.

On Saturday – Euro 2004 Exeter style – a mixed football match ably arranged by Marie Macfarlane of Veitch Penny. A number of trainees and young solicitors were pressed into



service and even some of the older members strutted their stuff to much hilarity. The referee was our own past president District Judge Steve Arnold who came with all the proper kit. The only yellow card of the game was shown to Mark Fowles who failed to get out of the way in time as a 'young thing' rushed past. Which was cruel, because Veitch Penny had kindly sponsored the t-shirts and the replacement

football. Thank you Mark. The score was Europe 6 Exeter 2. Your President, ever mindful of backing a winning team, played for Europe!

On Saturday evening we had a splendid meal at the Jack in the Green pub at Rockbeare. It's not easy to please the diverse nationalities, but the pub really did us proud and I have now honoured my commitment to give them a plug.

Sunday saw the pomp and ceremony of the Legal Procession and Cathedral service. People sometimes ask why do we bother with this anachronism? Piotr from Poland said 'thank you so much for the service – it was really special and I will treasure it in my memory'. This from a man who grew up under communism. For anyone who hasn't been, I challenge you to come and not be uplifted.

After lunch at the White Hart we said goodbye to our guests. My guess is that most of them will stay as firm friends with their DELS hosts and I know for a fact there has already been a reference of international business for DELS members.

As ever our thanks must go to Monique and Tony for their organisational skills (Monique featured as Aquarius in the footy and Tony starred as the only man who could try and head a ball with a Homburg hat!). It was a great success, and a credit to DELS.

Paul Derbyshire
President

COUNCIL MEMBER'S REPORT

Even Council Members have to give priority to fee earning work! Thus this contribution (maybe to the relief of many) will be significantly shorter than usual. I will just mention a few current topics with may be of interest.

The Clementi Review of Regulation

The Law Society's response to the Consultation Paper on the review of the Regulation of Legal Services in England and Wales has been finalised and submitted. It is, I think, a good response. It is balanced but firm. The Society is often criticised but on this occasion I believe that the staff are to be congratulated on producing this response in a relatively short time scale. The Forward to the response includes the following:

"It is also important ... to emphasise that the system for regulating solicitors, barristers and other qualified providers of legal services has many strengths. There have been no major systemic failures in the legal profession. Put simply neither the legal profession nor the regulation of it has fallen into disrepute ... we believe the review should be about making what works well work even better. That involves upholding some fundamental principles about the independence of the legal profession and the core components of the guarantees its gives individual consumers: of acting in their best interests; independent advice; confidentiality; and avoiding conflicts. We argue for their retention in this consultation. This is not an excuse to resist change. Indeed we do not say the regulatory system should not change, but that these values must be at the heart of what ever new regulatory framework is decided upon."

Referral Fees

At the AGM on 15 July, there is to be a vote on a motion as to whether there should be a ballot of the whole profession on the decision of the Council to relax the ban on the payment of referral fees and to replace it by a rule allowing them but subject to safeguards. This new rule has been in effect since March and will be enforced. The motion calls for a postal ballot. I suspect that it will succeed. The Council will then have to decide whether or not there should be a postal ballot. I think it will be difficult for the Council to ignore a decision such as this taken by the members at the AGM. The Council has debated the issue of referral fees three or four times in the last two years! On each occasion, the Council has been split almost equally and the voting either one way or the other has been very close.

Civil Litigation Section

The Law Management, Probate and Conveyancing Sections have all been very successful. It has now been decided to launch a Civil Litigation Section at the Law Society Conference in October.

Fundamental Legal Aid Review

The Department for Constitutional Affairs announced a Fundamental Legal Aid Review on 17 May that will look at the long-term future of the legal aid system, focusing on how best to provide publicly funded legal services to those who need them. The review will address:

1. How legal aid can provide services which meets the needs of society
2. How it can be best used to help people to improve their lives and prevent social exclusion.
3. How legal processes and innovative ways of delivering legal services can be developed to ensure the best use of taxpayers' money.

The Law Society is looking forward to contributing to this Review.

[Representation Board](#)

Having served on this, since its inception for the last three years, I stood for re-election for a further term. I am pleased to report that, rather to my surprise, I was re-elected for one of the two vacancies. It certainly should be an interesting time having regard to the possible changes that there will be in the whole structure of the Law Society following on from the Clementi Review.

Apologies for reporting so briefly but time, at the moment, is limited.

Christopher Palmer
Council Member



Solicitors Support Network

The legal profession is fortunate in having so many practitioners who feel able not only to cope with the demands of their own business and personal lives, but also to look to providing help and support for their colleagues. Through the commitment and dedication of such individuals, various specialist groups have developed over the years, so that in 2004, every period of a Solicitors' life, from studentship through to retirement, is covered by a group; special interests / modes of practice are covered; and there is legal, financial and health support as well.

In order to maximize the help that they can offer to the profession, these groups have, with the assistance and support of the Law Society, formed an ancillary organization called the Solicitors Support Network.

The groups will continue to function exactly as they always have, and those who want to contact them direct will continue to do so. However, for those who are unsure how to contact a group, or which group / groups would be best suited to deal with the problem that they are facing, there is no longer the risk that they might "fall through the holes" and not receive the right help. There is now one single, dedicated telephone number that they can ring and speak, *in absolute confidence*, to someone who will be able to talk their problem through with them and then put them in touch with those best able to assist.

The following groups are taking part in this initiative:-

- ☛ *Solicitors Assistance Scheme* (advice ref. professional / personal difficulties)
- ☛ *Solicitors Benevolent Association* (living expenses support for Solicitors & their dependants)
- ☛ *LawCare* (support ref. personal / alcohol / addiction / stress problems)
- ☛ *Solicitors' Sole Practitioners Group* (support for sole practitioners)
- ☛ *Young Solicitors Group* (assistance to Young Solicitors, up to 10 years pqe)
- ☛ *Trainee Solicitors Group* (assistance for Trainees, 1year pqe Solicitors, junior paralegals & students)
- ☛ *Black Solicitors Network* (advice for African and Caribbean Solicitors)
- ☛ *Association of Women Solicitors* (advice / re-training / mentoring / maternity helpline for women Solicitors)
- ☛ *Group for Solicitors with Disabilities* (assistance for disabled lawyers)
- ☛ *Solicitors in Local Government* (assistance for local government lawyers)

So, practitioners no longer have to suffer in silence and alone. There are fellow Solicitors ready and willing to assist. All it takes is a phone call.

0800 328 4203

www.solicitorssupportnetwork.com

CENTRAL DEVON MAGISTRATES' COURTS

Please note that with effect from 5th July 2004 the weekly Friday court held at Cullompton will no longer list cases in which the Crown Prosecution Service are involved. Instead all cases in which a person has been charged (Narey Cases) and bailed will be heard before the Central Devon Court sitting at Exeter on Thursdays. The last Narey court will be held at Cullompton on Friday 2nd July 2004.

After this date the weekly Cullompton Friday court will continue to sit but will only deal with liquor licensing applications, non payment of fines/maintenance and non police proceedings. The alternate Cullompton Monday non police court will no longer sit on a regular basis. Family proceedings courts will continue to sit at Cullompton each Tuesday and Friday.

The result of these changes will mean that in future each Friday Court 4 at Exeter will be utilised for trials etc.

It is hoped that these changes will allow a more even spread of workload at the Exeter Court House throughout the week and will reduce the length of time taken to list trials.

MINIMUM SALARY FOR TRAINEE SOLICITORS

The Council have agreed that:

The minimum salary to be paid from 1 August 2004 for trainees working outside central London will be:

£14,200.00

The recommended level is £14,870.00

No waiver will be granted for salaries below £11,600.00.

The revised levels should, in accordance with the standard training contract, apply to all trainees from 1 August 2004.

ERROR-FREE AND PROFITABLE CONVEYANCING:

A Leg Up En Route To The Holy Grail
(Editorial Feature)

According to leading professional indemnity insurance brokers, Alexander Forbes Professions, the insurance market is increasingly becoming concerned about risk management (or the lack of it) in many law firms majoring on residential conveyancing.

All professional indemnity insurers are taking a keen and ever-increasing interest in how their clients manage risk.

So what is the very best risk management tool? Easy! It's bright, hugely experienced, dedicated practitioners who do not make mistakes. The problem is that they are becoming an endangered species. The conveyancing industry remains, with only relatively few exceptions, in its cottage industry period and will stay there until the current generation of practitioners retire. It is our understanding that it is those firms of 1–4 partners who currently have by far the highest percentage of claims.

Let's go back to the beginning. Insurers are worried about risk management – so what? In terms of getting the work; recruiting and retaining the people; persuading the ever-more demanding client to pay a sensible fee; keeping up with technology; paying for on-going training; and simply struggling to make the same miserable profit as last year, why should minimising the risk of claims head the list?

The stark response is that those firms that fail in their risk management could find themselves uninsurable and out of business and those who are really good at it will gain the competitive advantage of paying materially less in premiums than their rivals. But in terms of profitability it is not only the level of premiums which can hit your bottom line. Imagine that your policy provides that you pay the first £15,000 of any claim. It's the Thursday before Easter and one of your best conveyancers calls in sick. She has 20 completions lined up for the day, which are now going to have to be dealt with by her assistant who has only recently joined you and is something of an unknown quantity. Repayment of a second charge of £10,000 gets missed and the vendor disappears off the face of the earth. It may sound unlikely but I know it to have happened. And at net profit per case of

probably less than £100, that lost £10,000 is the equivalent of doing over 100 transactions for nothing!

Given the shortage of quality conveyancers, what tools are available to help you minimise the risk of a claim? The most potent is a fully developed case management system. Until recently, however, the systems available were anything but fully developed. Basically you get a platform on which to build your own system. It's like being asked to build The Great Wall out of Lego! In fact only the major players ever did so, at a cost, in some cases running into millions of pounds.

Recently, however, a company called Intelligent Conveyancing Limited has brought a fully developed system called ICON to the market. And here I must declare an interest as the development was carried out by colleagues of mine in BPE. ICON has a low cost of entry as it will be available over the Net with users paying on a modest per case basis. Thus, High Street firms, which, as mentioned, are the repository of most of the existing conveyancer resource, will be able to compete on a level playing field with the big guys.

But what has a case management system got to do with risk elimination? The answer is 'everything.' Amongst the main causes of claims identified by AFP Consulting (the management consultancy division of Alexander Forbes Professions) are the following:

- Poor diary control
- Poor communication with the client
- Inadequate document management
- Absence of 3rd party undertakings
- Inadequate quality control / file audit
- Inadequate training

A fully developed system such as ICON addresses all of those issues. In terms of operation, it prompts the operator wherever and whenever necessary. It produces the draft contract, the completion statement, the accompanying letters, the reports to client etc. In terms of quality control and audit it can produce reports on a complete range of issues. One surprising benefit which came to light when BPE installed ICON was that it proved to be a valuable training and assessment tool. It highlights any gaps in the operator's knowledge - if the operator does not understand the prompt, he or she cannot move on and is forced to ask for help - and addresses a considerable number

of esoteric but potentially important issues thereby adding to the knowledge of even the most seasoned practitioner.

Angela Deavall, Director of AFP Consulting, is of the opinion that: "The use of fully developed case management systems could become a prerequisite of affordable professional indemnity insurance cover and, to date, ICON is one of the best systems we have seen."

Malcolm Price is a solicitor. He is Managing Partner of BPE Solicitors and Chief Executive of BPE Homemove LLP

NEW MEMBERS

We welcome :

Mr J. P. Battell

Ottery St. Mary

Mrs L.C. Brown

Brewer Harding & Rowe, Barnstaple

Mr I. D. R. Budge

Brewer Harding & Rowe, Barnstaple

Mr G. Cloke

Brewer Harding & Rowe, Barnstaple

Mrs N. J. Emo

Brewer Harding & Rowe, Bideford

Mr T. P. Fearon

Scott Rowe, Axminster

Miss C. R. Fox

Eastleys, Paignton

Mr A. Harding

J & S P Pope, Exeter

Ms L. Pritchard

Peter Peter & Wright, Bude

Miss A. E. Shaw

Bevis & Beckingsale, Honiton

Ms A. J. Singh

Agnew Vos, Barnstaple

Miss C. Starkey

Brewer Harding & Rowe, Bideford

Mr R. J. Welham

Brewer Harding & Rowe, Barnstaple

Mr A. Wendon

Brewer Harding & Rowe, Barnstaple

THE NEW EXETER COURT

We understand that The Castle will be closing on the 29th October with a ceremony on the same day. The new court will be opening on the 15th November 2004.

WALK OF THE MONTH

DISTANCE: Full walk 10.5 miles
Short walk 5 miles

This month's walk incorporates part of the Tarka Trail, which in turn will be part of the walk that Gill and I are doing for Devon Air Ambulance. I didn't realise until I practised the walk how beautiful the Tarka Trail is and how wonderful the route is not only for walkers but also for cyclists and families. Children in particular love the wooden carvings to be found along the way.

The walk shown on the map is quite a long one – 10½ miles but you can cut in half by moving from point 3 to point 5 which makes it less arduous for the Sunday walkers!

The best place to start from is the car park adjacent to the Puffing Billy. Look for signposts for the Tarka Trail just off the A386 outside Great Torrington. The sign and the Puffing Billy is on the western edge of the town.

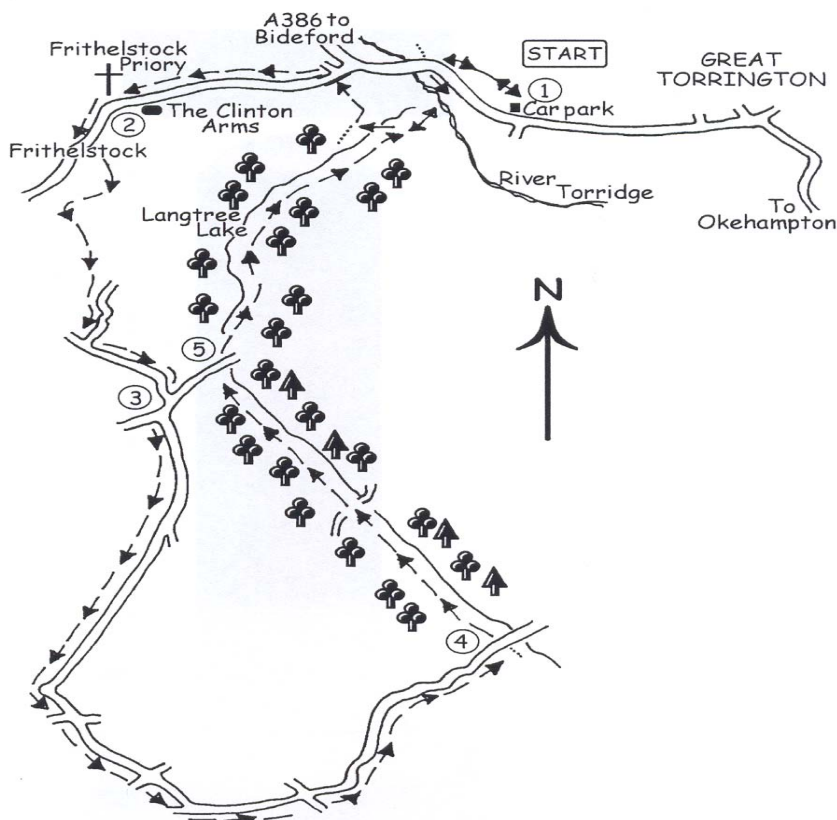
Leave the Puffing Billy along the Tarka Trail and go under an arch. You cross a long steel bridge and enter a wood. Cross a farm track and soon you will go through a narrow gap alongside a gate. A few yards beyond that turn right through another gate to leave the Trail. You follow the public bridleway sign. Cross a footbridge and keep to the left of the field beyond to yet another gate. Follow the path on the other side to a drive and turn sharp right. The drive leads to a track, which meets a road after about 500 yards; turn left. The road climbs steadily for a little more than half a mile to Frithelstock, with a good view to the right as it does so. In the centre of the village alongside the green, you will find the Clinton Arms on your left, and the church, with the ruins of Frithelstock Priory alongside, on the right.

The Priory was established by Sir Robert de Bello Campo in 1229 to ensure that there was someone to pray for his soul forever after his death.

Continue through the village and about a quarter of a mile after leaving the pub, leave the road via a gate on the left just before a house, following the public footpath sign. Go straight up the field, pausing as you do so to catch your breath and admire the view over the rolling farmland behind you. Cross a stile in the hedge at the top and turn right to follow the edge of the field. At the end, follow the hedge round to the left, and when it goes off to the right go straight on. You join a track; follow it round to the left, and after a few yards to leave it following the footpath sign. Follow the edge of the field around to the left. You now get an attractive view to the left.

You join another track, bear left and follow it through a gate into a lane. Turn right. It winds past some houses to a t-junction; turn left. You now get the best view so far, first to the right and after a little while to the left as well. The lane descends steeply and winds past a farm to a road.

You are now at point 3 on the plan and if you like you can turn right and after a few yards left (signposted to Peters Marland and Shebbear). The lane goes through woodland with lovely views across farms and valleys to pick up the Tarka Trail again eventually at point 4 but if like me you fancy the shorter walk then take a left turn and after a short while you will come to a car park and



the Tarka Trail is clearly marked. For those who haven't read the book the Tarka Trail is a long distance route that links most of the places mentioned in Henry Williamson's classic Tarka the Otter. It covers some 180 miles, and takes in the whole of the 'country of the two rivers' namely the Torr and the Torridge. This stretch of the Trail follows the track of the dismantled railway that served the Marland clay quarries along Langtree Lake and one of its tributaries. It also carried passengers as well as milk from the surrounding farms. The area seems to have changed little since Williamson wrote about Tarka and his family coming up here on their way to the Merton Moors. It was along here that Iggwick the hedgehog was killed by a badger.

Soon after you join the Trail at point 5 you will see a platform on your left. This is all that remains of Watergate Holt, where passengers boarded the train and milk was loaded for transportation to Torrington and onto London. The Trail passes through some beautiful scenery with Langtree Lake on your right and following the sound of the stream. The route continues to be lined with meadowsweet in summer, as well as nipplewort and broad-leaved willowherb among many others. In the spring there is a carpet of bluebells. About one and a quarter miles from Watergate Holt you will find yourself on familiar ground as you go through a gap alongside a gate and return again to the Puffing Billy where you can have a drink and light refreshments.

Paul Derbyshire

President

And Finally... A FEW THOUGHTS CONTEMPLATING ONE'S RETIREMENT

Maybe I'll cut out the office today,
And stay in the garden or go out to play
A golf round with thingummy Freddy and Dirk;
No that's too exhausting I'll go into work.

We're having the grandchildren over I'm told.
I'll answer their questions with "cause I am old",
They're growing so quickly they're all into texts,
I can't switch my mobile on, what'll be next?

I went to the office last Monday,
The partners were out on a course,
I saw a new client who told me
I'd got her grandmother's divorce!

This weekend the weather forecast is for sun,
I'll unplug the telephone that'll be fun
I'll sit in the garden or go to the park
And ride on the roundabout just for a lark.

What is that word that I'm trying to find?
It's proving quite difficult calling to mind
The names of some places and people I know,
It started quite recently—10 years ago.

I find the new laws quite confusing,
The magistrates all seem to know
A lot more than me so now I can see
I'm getting an old so-and-so

What is the name of old thingummy Brown?
I saw him just yesterday out in the town
I called him Montgomery, that can't be right
Today, when I saw him he cut me on sight.

What was I planning for dinner today,
I just can't remember, my mind's run away,
It's not fish for Friday or bangers and chips,
I cannot eat raspberries 'cause of the pips.

The judges are getting so young now,
They can't understand Latin tags,
They now lecture me on the law and what's more
My gown hangs in tatters and rags.

What did I go to the storeroom to get,
I was watching the telly and switched off the set
To get something urgent but now that I'm here
I cannot remember—I'll just have a beer.

Where did today go, I'd planned such a lot
But doing the crossword I quite lost the plot,
I found the thesaurus but then lost my pen
And now it is midnight and bedtime again.

The new young solicitors joining the law
Are witty and pretty for sure,
They all talk in code but what's "down the road"?
Just internet help for the poor.

I went to the garden shop armed with a list,
Came back from the pub feeling cheerfully pissed
I slept all the afternoon peaceful and quiet,
They say it's Consultancy, you ought to try it.

Jeremy Ferguson

P.S.

Eeny meeny miny mo
When it's time that I must go
Be it soon or be it later
I'll become a MEDIATOR



MEMBERSHIP OF THE SUB-COMMITTEES FOR 2004/2005

VICE PRESIDENT'S COMMITTEE

Chair Rod Mole, Chanter Ferguson, Bideford

Members Richard Adams, Crosse & Crosse, Exeter
David Bowen, Crown Prosecution Service, Exeter
Jeremy Ferguson, Chanter Ferguson, Bideford
James Griffin, Everys, Honiton
Christopher Hart, Hooper & Wollen, Torquay
Jeremy Howell, Kitson Hutchings, Torquay
Stephen Lawson, Foot Anstey Sargent, Exeter
Christopher Palmer, Bevan Ashford, Tiverton
Andrew Pryce, Eastleys, Paignton
Claire Reynolds, Hooper & Wollen, Torquay
Darren White, Bevan Ashford, Tiverton

NON CONTENTIOUS BUSINESS SUB-COMMITTEE

Chair Robert Coram, WBW, Exeter

Members Mrs Margaret Anstey, Torquay
Frances Grace Canning, Exeter
Graham Carey, Kitson Hutchings, Torquay
John Hopkins, Eastleys, Paignton
Rod Mole, Chanter Ferguson, Bideford
John Pearn, Slee Blackwell, South Molton
Thomas Penny, General Notary, Tiverton
Nigel Samuelson, Uffculme
Ailsa Tatton-Shell, Lloyds Bank, Exeter
Alastair Teague, Centre for Legal Practice,
Exeter University
David Wheaton, Ford Simey, Sidmouth

LITIGATION & COSTS LIAISON SUB-COMMITTEE

Chair Angus McNicol, Foot Anstey Sargent, Exeter
Vice Chair Heloise Marlow, Rundle Walker, Exeter

Members Barry Bayley, Over Taylor Biggs, Exeter
David Bowen, Crown Prosecution Service, Exeter
James Cross, Kitson Hutchings, Newton Abbot
Jeremy Ferguson, Chanter Ferguson, Bideford
Tony Griffin, Cartridges, Exeter
Christopher Hart, Hooper & Wollen, Torquay
Jeremy Howell, Kitson Hutchings, Torquay
Paul Kelly, Tozers, Exeter
Andrew Mimmack, Clerk to Central Devon Justices*
Stephen Nunn, Nunn Rickard, Exeter
Andrew Perkins, Kitson Hutchings, Torquay
Andrew Pryce, Eastleys, Paignton
Martin Salloway, Bay Advocates, Torquay
John Smith, Bevan Ashford, Tiverton
David Turner, Bond Pearce, Exeter

EDUCATION & TRAINING SUB-COMMITTEE (INCLUDING ADVOCACY)

Chair Graham Bond, Tozers, Exeter

Members Mrs Liz Allen, Stephens & Scown, Exeter
Robin Challans, Stones, Exeter
James Cross, Kitson Hutchings, Newton Abbot
Patricia Durham-Hall, Everys, Exmouth
Jeremy Ferguson, Chanter Ferguson, Bideford
Trevor Hellowell, Ex-L Professional Skills
Charles Pallot, Bevan Ashford, Exeter
Graham Rowe, Bishopsteignton
Robert Scott, Everys, Exeter
Professor Vivien Shrubsall, Director, Centre for Legal Practice*

The meetings of this Committee are open to all
Training Partners/Managers

PRACTICE MANAGEMENT SUB-COMMITTEE

Chair Simon Sanger-Anderson, Tozers, Exeter
Vice Chair Hugh Winterbotham, Stones, Exeter

Members Robert Coram, WBW, Exeter
Michael Cosgrave, Harold Michelmore & Co., Newton Abbot
Stephen Dove, Brewer Harding & Rowe, Barnstaple
Christopher Hart, Hooper & Wollen, Torquay
John Hopkins, Eastleys, Paignton
John Long, Kitson Hutchings, Newton Abbot
Andrew Lovell, Michelmores, Exeter*
Rod Mole, Chanter Ferguson, Bideford
Jan Samuel, Samuels, Barnstaple
Peter Taylor, Veitch Penny, Exeter

INTERNATIONAL RELATIONS SUB-COMMITTEE

Chair Jeremy Ferguson, Chanter Ferguson, Bideford
Vice Chair Richard Adams, Crosse & Crosse, Exeter

Members Robin Challans, Stones, Exeter
Michael Cosgrave, Harold Michelmore & Co., Newton Abbot
Jeremy Howell, Kitson Hutchings, Torquay
Charles Murray, Tozers, Exeter
Rob Newman, Kitson Hutchings, Torquay
Nicola Powell, Tozers, Exeter*
Patrick Power, Michelmores, Exeter
Dr Frédéric Rolland, French Law Lecturer, Exeter University*
Claire Turner, Bevan Ashford, Exeter
District Judge Jill Wainwright, Exeter Combined Court Centre
Flora Wood, Bevan Ashford, Tiverton

MEDIATION SUB-COMMITTEE

Chair Jeremy Ferguson, Chanter Ferguson, Bideford
Vice Chair Judith Hirst, Torcross
Members Claire Reynolds, Hooper & Wollen, Torquay
Darren White, Bevan Ashford, Tiverton

Notes:

1. The President and Honorary Secretary are Ex-officio members of all Sub-committees. In practice, the Honorary Secretary attends only the Vice President's Committee meetings as a matter of course but is available to other sub-committees if his attendance is required.
2. The Executive Committee consists of the current President, Vice President, Junior Vice President, Immediate Past President, Honorary Secretary and Honorary Treasurer.
3. The current Chairman of the Exeter & District Trainee Solicitors Group, Marcus Thorpe of Bevan Ashford, (or other TSG) representatives attend the meetings of the general Committee as well as of the sub-committees as observers.
4. * denotes co-opted as observers.

June 2004.