



Newsletter

DEVON & SOMERSET LAW SOCIETY

www.dasls.com

November 2011

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Somerset Dinner on 11 November 2011

Bishop Peter Price with Emma Brown
of Clarke Willmott, Winner of the
Cook's & Hatchard's Law Prize 2011.



INVESTOR IN PEOPLE

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FESTIVE FUN FOR A GOOD CLAUS

Join Santas on the Run for Children's Hospice South West

Why not do something different this Christmas to help support Children's Hospice South West by taking part in our Santas on the Run?

EXETER RACE COURSE - THURSDAY 15th DECEMBER 2011 - 11:30am - Our Santas on the Run in Exeter is a RUN with a difference - What a spectacle it will be to see hundreds of Santa Suit clad runners sprinting down the 2 Furlong Stretch of Exeter Race Course - Everyone guaranteed real festive fun!
£15 registration fee includes entry to the days races and a free Santa Suit!

TAUNTON VIVARY PARK - SUNDAY 4TH DECEMBER 2011 - 11:00am - Join hundreds of people dressed in Santa Suits as we get into the Christmas spirit - either join the 1km route which is buggy and wheelchair friendly or 2km route.
£10 registration includes a free Santa suit



To register for either of these great events register online at www.chsw.org.uk/santas or call 01271 325 270 or email events@chsw.org.uk

Children's Hospice South West

Little Bridge House, Redlands Road, Fremington, Barnstaple, North Devon EX31 2PZ

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*Insurance Times 2010

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President's Diary

By David Turner, President



My diary in this edition of the Newsletter covers events which took place in September and October. These

have been busy months, but very rewarding ones.

In September, I chaired a DASLS main Committee meeting in Taunton. I was pleased to welcome Lisa McClelland and Sue Aggett to their first main Committee meeting. As always the topics raised were interesting and the discussions illuminating. I also attended the meetings of the Vice **President's Committee**, ably chaired by our Vice President, David Bowen, and of the Contentious Business Sub-Committee.

This is also the season for dinners. I was very pleased to represent DASLS at the Bristol Law Society Dinner in October. This took the form of an awards type evening, with many Bristol legal firms and legal personalities receiving awards for various categories. Whilst attending I considered whether there may be any appetite for a similar type of awards evening for DASLS. If you think there is any mileage in this, please do let me know.

Of course, we have our own Somerset Dinner in November and I know this is a well attended dinner. I look forward to catching up with a lot of you on that evening. I will give a fuller update on the Somerset dinner, and other functions that I have been **attending in my next President's Diary**.

I also would like to highlight a few future events that are taking place in the coming weeks. In November, I am travelling up to London, with the DASLS Parliamentary Liaison Officers to meet a number of local MPs, in the House of Commons, so as to try and exert some pressure with regard to the retention of Legal Services Commission funding. What would be particularly useful

would be if any of you could provide any **"success stories"**; basically examples where legal aid funding has made a difference to clients. Please feel free to feed in any thoughts or stories to myself.

I am also in November meeting the Junior Vice President of The Law Society, Lucy Scott-Moncrieff, over lunch, at her invitation. DASLS is a very large, local law society. As far as membership is concerned, I think we are now the fourth largest local law society in the country, and certainly the largest regional law society. Accordingly, we have some influence, and liaison with Chancery Lane representatives is always very important.

Finally, I should report on my visit to Wroclaw, in Poland, where I represented DASLS at the Federation of European Bars Autumn meeting. The Congress was concerned with the social media and I was honoured to represent DASLS. I addressed the various European lawyers on Data Protection issues facing solicitors in England and Wales. In my presentation, I attempted to get the balance right between the need for some sort of Data Protection Regulation and the difficulties that "over regulations" can pose to practising solicitors, especially in smaller firms. Again, throughout my visit to Wroclaw I was proud of the very high reputation and esteem that we in DASLS are held. In many respects this is due to the hard work carried out over the years by Michael Cosgrave and Rod Mole, both of whom are past Presidents of DASLS.

I am now almost six months through my presidential year. The time has flown by but **has been hugely rewarding so far. Here's to the next six months!**

Regards,

David

Partner, Foot Anstey Solicitors, Exeter
David.Turner@footanstey.com

New Members

A warm welcome to:

Members

Yvette Marie Benn, Woolcombe Yonge, Plymouth
Edward Boyce, Boyce & Co Criminal and Motoring Solicitors, Taunton
Frances Griffiths, Beviss & Beckingsale, Axminster
Richard King, Kings Solicitors, Ivybridge
Carol Ann Shergold, Moretonhamstead

Affiliates all Legal Executives

Karen Elliott, Kevin Shearn Family Law Practice, Taunton
Nichola Hedditch, Stones, Exeter
Lucinda Horrell, Seldons, Bideford
Sophia Pettit, Ann Pointer, Tavistock

DASLS AFFILIATE MEMBERSHIP

The Society's main Committee passed a resolution back in 2009 to extend membership to non-solicitors. Currently DASLS has 40 Affiliate Members all bringing additional and diverse talents.

Nominations forms can be found at www.dasls.com

DASLS Office Christmas Opening Hours

The office will close from 2.00 pm on Friday 23 December 2011 and will re open on Tuesday 3 January 2012.



With an e-newsletter there will not be a shred of evidence that Tosca has got his teeth into the DASLS bi-monthly publication. Readers are reminded that from January we will be circulating the Newsletter by email.

Hard copies will be available only by request although we will be sending one to each office for circulation!

Photo Credit - Patricia Durham Hall

DASLS ANNUAL GENERAL MEETING ON 17 APRIL 2012

This is a plea for members of the Society to provide active personal support to DASLS.

At the heart of what DASLS does is the General Committee. Membership of this is a real way to make a difference to the working life of solicitors in the South-West.

The Committee is made up of the Officers of the Society together with (as the articles say) "not less than 10 or more than 40 elected members".


For our Society to continue to work as it was designed to do, new Committee members are needed, so nominations are solicited.

A form of nomination will be found opposite and this should please be returned to the Honorary Secretary by no later than 5.30 pm on Tuesday 31 January 2012.

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To: Tony Spiers MBE
DASLS Honorary Secretary
Aston Court, Pynes Hill, Exeter EX2 5AZ
[DX 8361 EXETER]

I wish to nominate

of.....

For election to the main Committee and I confirm that the nominee is willing for his/her name to go forward.

Signed

Address

Year of Admission of Nominee

Please return this form by
Tuesday 31 January 2012.

TERMS OF REFERENCE OF DASLS MAIN COMMITTEE

The Committee is seen as the 'hub' of the Society and is immediately responsible for:-

- Providing Leadership of and to the Society
- Providing leadership of and to the profession within our area Strategy
- Drawing all the Society's activities together

And is ultimately responsible for:-

- Managing the business in the interest of the members
- Receiving reports from, and supporting the work of, the Sub-Committees
- Overseeing, superintending and reviewing all aspects of management and operations
- Effective management of resources and ensuring that they are adequate



Did you know back copies of the DASLS Newsletter can be found at www.dasls.com

What's on @ DASLS

By Tony Steiner, Executive Director

I have just spent the day with some of DASLS officers and members considering the various strategic options for the Society to meet the challenges of the coming years. We know the legal services market is changing and DASLS must be at the top of its game to support its members.



We were guided in our discussions by Professor Andy Friedman. Andy heads an organisation called PARN (Professional Associations

Research Network). PARN spend their time helping membership organisations improve through the provision of training, research and facilitation. I have recently joined their steering committee so hope to bring back the experience gained by organisations outside the law to what we do at DASLS.

We discussed a number of strategies including offering a DASLS franchise, forming a federation of local law societies, expanding our market into neighbouring areas, forming a regional west country society and improving our current offering – or shiny DASLS as it became known.

We are conscious that DASLS needs to make a greater impact in Somerset and hope to develop levels of membership and activity in that county. We are also acutely aware of the DASLS committee profile and will be looking for initiatives that will be attractive to a more diverse range of our membership including young and in-house solicitors.

Andy is preparing the first draft of a strategy for the next three years. We hope it will **meet with members' approval and steer DASLS in the direction it needs to go for it to remain sustainable and relevant for the coming decade.**

In the short term this means improving and developing our existing services and investing more time in engaging with members. It also means putting on new

events that will attract members that might not have been involved before. In the middle term it means expanding our services beyond our existing borders where solicitors might not be benefiting from the support of an active Society. In the longer term it was thought that DASLS may need to transform itself into a regional society if it is continue to develop as a professional organisation and have the influence at Chancery Lane and beyond that it currently enjoys.

The next stage of the strategic review is for the working party to agree the draft plan prior to a debate at the main committee. We would still like to hear from any member that is interested in the future of DASLS and would like to influence its direction. Do please contact David Bowen *Vice President*, Tony Spiers *Hon. Secretary* (secretary@dasls.com) or myself.

Turning to the DASLS office, Michelle Johnston has recently left the admin. team and we wish her well for the future. This means that a new face will be joining DASLS in the next couple of months. They will be an integral part of the **Society's development and will be supporting us in delivering the revised strategy.**

November has also seen the first DASLS Practice Management Conference attended by 65 solicitors and practice managers and sponsored by Aon, Moneypenny, Canotec and Alchemy Systems. Organised by DASLS Practice Management Sub-Committee we were pleased to welcome Adam Sampson *Legal Ombudsman* as our keynote speaker. He gave us an open view of **how the Ombudsman's office works and how the profession can deal with them effectively.** He admitted that they were still learning and took details of a couple of cases that were of concern.

Tim Prior of PNCR Legal presented his survival guide to risk management after 6th October setting out the obligations of the 2011 code of conduct and suggesting measures for compliance.

The graveyard slot after lunch was ably filled by Tim Aspinall, *Managing Partner of DMH Stallard LLP* who spoke to the title **'Strategy and Leadership; Responding to the New Environment'**. He gave delegates a frank view of the national legal market and the **'perfect storm' that the profession is facing;** poor economic performance and new entries to the legal services market. He put forward some compelling ideas for how law firms might respond.

This highly successful day was very well received by those who attended and we hope that this will become an annual event.

After a summer lull the Challenge Cup was kick started with a wine tasting competition **hosted by Roger Hanley.** Roger's knowledge of wine is encyclopaedic and he gave DASLS an evening to remember with the added fun of competition. Congratulations to Gilbert Stephens (can anyone beat their quiz team in the New Year?) who triumphed on the night edging themselves into the lead in the competition leaving Foot Anstey and Kitsons behind by two points. Details of the 5-a-Side challenge are now available on DASLS website. This is one of our most popular events so make sure you book your team early; I anticipate mince pies will be on offer that evening.

Elsewhere in this Newsletter is David **Stephens' crossword challenge.** One Somerset firm has now won the champagne prize four times – can you beat that? Thank you David for continuing to compile the crossword.

We would like to hear from any member who would like to contribute articles (serious or otherwise) or challenges.



Update on What Your Non Contentious Business Sub-Committee Is Doing on Your Behalf

By Sub-Committee Chair Patricia Durham Hall

We have forged new links with Jackie Goodfellow, the current senior Registrar at the *Plymouth District Land Registry* (see July edition of Newsletter for Q & A session). She particularly encourages their Customer Team service liaison with our firms. If there is any problem with this service, or any issues that cannot be addressed, she invites you to contact her direct on

Jackie.Goodfellow@landregistry.gsi.gov.uk

Wills and Probate matters: this is currently taking priority in our Sub-Committee with burning issues that are in the limelight – unregulated will writers, estate management and bereavement advice centres, to name but a few. We have set up a working group under the leadership of Steven Came (Ford Simey) to examine the problems posed and consider a response. The working group have compiled a comprehensive submission **to the Legal Service Board's call for evidence:** investigation into will writing, estate administration and probate activities. This will be published on our website over the next few weeks for you all to read.

We are keeping an active eye (courtesy of Graham Gover) on the progress of the *Localism Bill* through Parliament. We believe that the Sub-Committee played some part in the amendment of Clause 109 (regarding concealment – planning law) and once the Royal Assent has been obtained Graham will be writing an article for you in the Newsletter.

Standardisation of Documents: we are currently working on presenting a standard Pre-Contract Enquiries for Small Businesses – suitable for small High Street premises – as this is something that has often been requested by firms. Watch this space! The current Leasehold (residential) Enquiries before Contract are being updated (see BUZZ of 28 October).

Conveyancing Quality Scheme. The Sub-Committee canvassed Matthew Still (Law Society South West Regional Manager) for an update on the latest figures for CQS accredited firms on our patch. Unfortunately

the list provided was not completely up to date, although it seems that approximately 38 firms in our area are accredited. There are no figures for those whose applications are pending. Whilst this lack of detailed information is regrettable the fact remains that there are many firms that would benefit **from obtaining this latest "sanction" of excellence.** As Jackie Goodfellow said at our last NCBC meeting, although it is too early to comment on the effect of this initiative, anything that improves conveyancing standards and reduces the level of PII claims has to be beneficial to the profession – not to **mention access to Lenders' panels.** The Sub-Committee therefore commends the scheme again to our members. I hope we can provide more accurate statistics in the near future.

As you can see, we are continually busy on your behalf!! If there are any issues you would like us to look into, do not hesitate to contact me via DASLS office.



ALAN HINE 1940-2011

Alan was an Exeter lad. He was born in Verney Street opposite the Odeon cinema and very soon had to endure the Blitz. His mother moved the family to Exe Street when their first house suffered bomb damage. He **attended Hele's school where he excelled at French and History** before studying Law at Kings College, London. He then flirted with the idea of becoming a transport manager for a haulage company before choosing to become a solicitor.

He was articled with Torbay Borough Council and studied for his finals at the College of Law in Lancaster Gate. Clearly, he made an impact with the College because he was then offered a teaching post. Taken on initially to teach Local Government law he found himself taking lectures in Constitutional Law, English Legal System and even Accounts. Afterwards, he worked at Price and Co in Leyton and Woodfines in Bedfordshire before returning to Exeter to become litigation partner at Ford, Simey and Ford.

At Ford Simey he very quickly made a name for himself in the Magistrates Court and in the Family Courts. It was in Family Law that he

excelled, acting in a number of high profile divorces and property claims. It was not long before his talent as a litigator was noticed more widely and in 1983 he was asked to become a Deputy Registrar (now Deputy District Judge) – a post that he held until 2006. From 1994 to 2006 he also sat as a Deputy Costs Judge in London, a fearsomely complex job which he somehow made simple.

Alan was a good communicator and put people at their ease. He brought out the best in nervous trainees and junior partners **alike. That is why, in the 1990's he was** asked to become Managing Partner at Ford Simey until he retired from practice. Under his leadership the firm expanded and prospered. He was an active supporter of the Devon and Exeter Law Society, serving as Chair of the Education and Training committee from 1984 to 1986 and as a **member of the Managing Partners' forum.** When he left practice he returned to his roots as a freelance lecturer all over the UK and with Trevor Hellowell he helped to run the Professional Skills course for Devon trainees.

Throughout his life Alan was passionately fond of Haldon Belvedere or Lawrence **Castle, as it used to be known.** Alan's grandmother had owned it and when it was sold on a small piece of land nearby was kept. A small chalet was built where the family could get together for picnics. More recently he persuaded the Planning Department to allow him to build a house and Haldon Brake was to become his final home. He spent many happy hours there wrestling with brambles and planting even more trees as well as helping his wife set up the new practice of Hine and Co.

Alan Hine will be remembered most for his friendliness to all, for his wit and for his infectious smile. It never left him even in the dark days of his illness (progressive supranuclear palsy). He is survived by his wife Felicity, who is a registered sole practitioner, and their twins Cecily and Martha, together with his daughter Joanne and son Jim (also a solicitor) from his first marriage.

Paul Derbyshire, *Former Partner, Ford Simey and DASLS Past President*

Take Your Clients Lap-Dancing

By Frank Goddard, Member of DASLS Mediation Sub-Committee

Beer for clients, a colleague and yourself - £150; a slap up curry - £150; Lap-Dancing Bar (I've never been but it has to be £150 or so); taxis home for all - £50. Then bill the lot to your clients. They will thank you.

Just tell them that by avoiding a wasted mediation, you've just saved them a grand or so. They'll be so happy they will take you out again.

Or, alternatively: settling at mediation, avoiding ulcers and saving a huge expense in litigation fees: priceless.

I am pleased to say that I have genuinely lost count of the number of mediations that I have conducted over the last decade. My memory permits me to recall that somewhere around 80% of those cases resulted in a negotiated settlement. Is that because I hold the key to successful mediation? Statistics say that this is about average, so, probably not.

What I do know is that I have attended numerous mediation forums and training sessions, the majority of which set out a preferred methodology. While some styles of mediation would have the parties sit calmly in **each other's presence, their shoes and socks** off, feeling cold wet grass between their toes, another extreme would be akin to frightening the parties into settlement on a three-hour legal ghost train ride.

The answer probably lies somewhere along that spectrum, and precisely where will depend on the parties involved. All Mediators will bring different styles but there are some universal truths which need to be observed before embarking upon, and then during mediation.



Are the parties committed to the mediation?

It sounds obvious but more often than not, this is the reason mediation will fail. It also becomes apparent very early on during mediation if a party does not want to be there, or, a constructive part of the process. This is a waste of everybody's time.

Manage parties' expectations in advance of the mediation and prepare for compromise

People still turn up to a mediation expecting to conclude the process with 100% of their claim and legal costs settled by the opposing party.

Well advised litigants will have been informed at a reasonably early stage in proceedings about "litigation risk" and the strong prospect that even if successful overall, there will more likely be a non-recoverable element of legal expenses. Too often, parties attend mediation with a blunt perception of compromise and as a result, disregard the very real financial benefits of early settlement.

Are costs going to be a bar to settlement?

It is helpful if parties attend mediation with a prepared estimate of their legal costs to date and to progress the case to trial. Failing to do so can result in rushed and protective costs estimates being made which can then become a bar to settlement; or part of the mediation being wasted whilst a costing exercise is conducted.

Talk to your Mediator before the mediation commences

Get off to a good start. A huge amount of groundwork can be covered by a Mediator and the parties or their legal representatives speaking on an individual basis prior to the scheduled mediation. It is even possible for a case to settle without the parties having to attend.

Make sure the party attending has authority or negotiating parameters to settle the case

Again it sounds obvious, but all too often, particularly where larger companies are involved, a party may waste available mediation time waiting for a ring back from their Line Manager.

Avoid posturing or negotiating with the Mediator

The Mediator is not the enemy. Anything said to a Mediator is confidential unless agreed otherwise. Parties should speak their mind and be honest about what they would be prepared to do to get the dispute sorted. In so many cases, stated negotiation boundaries at the start of the process bear little resemblance to where the parties end up. That is

not to say that the parties' perceptions of the relative merits of their cases have not



been challenged during the course of the mediation process, but at the same time, there is no need to play cards close to chests as far as the Mediator is concerned. This is highly counterproductive and in shorter time limited mediations, can make a difference between a success and failure of the process.

AND SO

Each dispute which comes to mediation has its own unique dynamic of individuals who then interact with Mediator hopefully suited to the case. As with litigation, mediation offers no guarantees. Focusing upon the above points however can increase the odds considerably.


Frank Goddard, WBW Solicitors.

HAVE YOU A CASE THAT YOU WANT TO BE MEDIATED?
FOR EXPERTISE AND VALUE WHY NOT USE YOUR LOCAL MEDIATION PANEL?

There are no Mediations too difficult for DASLS Mediators to undertake.

Please ring DASLS office for further information.

Conveyancing Quality Scheme

Advertorial from 

As most in the legal profession are aware, significant claims have been incurred in connection with the performance of property transaction work. Lenders claims during the period 2008 to 2010 represented 50% of the estimated £1bn annualised conveyancing claims sustained by the industry. In response to this problem, the Law Society identified the need to rebuild confidence in both the lending community and general public alike by assuring the probity and competence of solicitors offering and undertaking conveyancing and other property related services.

The Law Society believes that, for confidence to be re-established, there must be a test of competence applied to solicitors leading to an accreditation that will, primarily, be accepted by lenders as **indicative of a Firm's suitability to participate on their conveyancing panels.**

As an outcome, The Law Society launched the Conveyancing Quality Scheme (CQS).

promotion of the CQS scheme, consumers will be able to make more informed choices when selecting providers of conveyancing services by selecting those who can demonstrate CQS accreditation.

This is an example of how quality assurance initiatives can operate to the benefit of all involved; consumers, solicitors and lenders alike. But why does the Law Society need the CQS initiative to operate in tandem with Lexcel?

The answer is that CQS stands alongside Lexcel rather than being presented as an alternative to it. In fact, Lexcel accredited Firms are exempted from the requirement to provide evidence of **compliance with CQS's core practice** standard requirements, a major aspect of CQS accreditation. This alignment means that the CQS core practice

- ⇒ Financial Management (2 questions)
- ⇒ Supervision and Operational Risk Management (7 questions)
- ⇒ Client Care (4 questions)
- ⇒ File and Case Management (12 questions)

As all of the CQS core practice management questions are cross-referenced to questions in our QARM self-assessment questionnaire, undertaking the self-assessment exercise amounts to performing a CQS Gap Analysis for those Firms interested in pursuing CQS accreditation.

In addition to its core practice management standards, CQS also requires Firms to provide disclosure regarding Professional Indemnity insurance, financial information, disciplinary matters and claims. Background checks are performed to verify the information provided by applicants, including CRB checks.



CQS

The birth of CQS was a direct response to prevailing market conditions and the vulnerability felt by lenders in the face of escalating levels of mortgage fraud.

The birth of CQS was a direct response to prevailing market conditions and the vulnerability felt by lenders in the face of escalating levels of mortgage fraud. The Law Society points out that **"membership provides credibility with stakeholders including regulators, lenders, insurers and clients. It is likely to be a prerequisite for acceptance on lenders' panels". CQS is reaffirming our long held belief in the powerful role quality assurance and risk management initiatives can**

A central element of CQS accreditation is **the Firm's ability to prove that it has appropriate quality assurance and risk management processes in place to enhance lenders' confidence in the likely performance of the Firm.** Equally, The Law Society hopes that, through active

management standards are embodied within our QARM process, thus ensuring a direct orientation between QARM and Lexcel/ CQS.

In overview, the subjects addressed by the CQS core practice management standards are:

play in delivering real business benefits to Firms who are prepared to engage and participate.

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Tel: 0117 9485 117
E-mail: grahame.davidson@aon.co.uk

Marco D'Ovidio
Tel: 0117 948 5116
E-mail: marco.d'ovidio@aon.co.uk

Associate Membership

Are you a Trainee Solicitor?

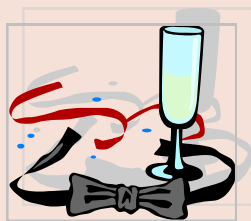
Why not become an Associate of DASLS?

Associate membership is free and nominations forms can be found at www.dasls.com

DASLS ANNUAL

DINNER 2012

Friday 2 March
Sandy Park, Exeter.



Details will be published
in the January 2012
Newsletter.

Meanwhile, contact Monique
at DASLS office
to register your interest.

Family Law Awards 2011



Interview of the Month: Emma Brown, Winner, Cook's & Hatchard's Law Prize 2011

Why will you be joining Devon & Somerset Law Society?

I am joining DASLS as I think it is important to build relationships with other professionals local to your area particularly now that lawyers are becoming more and more specialised.



What is your dream job?

I have wanted to be a lawyer since I was 13 but if I could do anything else I would love to have the imagination and creativity to be a successful chef/restaurateur.

What has been the most embarrassing moment during your professional career?

I am sure that there are many, however, I think the most memorable moment was back in my paralegal days. I was working in Clarke Willmott's Bristol plot sales team when our infamous commissionaire, Brian Burke, approached my desk to inform me that David Sedgwick, our managing partner at the time, was not happy and wanted to speak to me urgently. With a completely straight face, he told me to make my way to the 'HR disciplinary room'. Shaking like a leaf I did as I was told. Brian and our office manager left me to stew before emerging some 10 minutes or so later doubled over in laughter. Apparently neither of them had ever seen me go so pale so quickly but needless to say I went back to my desk somewhat red-faced!



Which sort of work gives you the most job satisfaction?

I specialise in estate administration which is great for me as I find it very satisfying to know that you have helped those who are grieving after the loss of a loved one.

What do you do in your spare time?

I enjoy socialising with friends in my spare time but when at home I enjoy listening to music, reading and the occasional spot of baking when time allows.

What book are you reading at the moment?

I am a fan of crime fiction and am currently reading The Distant Echo by Val McDermid.

What is the most recent film you have seen?

The last movie I saw was Inception – great film.

What is your favourite food?

I admit to loving most food but will happily polish off a tub of strawberry cheesecake Häagen-Dazs ice cream in one sitting!



Which is your favourite restaurant?

My husband and I recently visited Paul Ainsworth's restaurant Number 6 in Padstow. It was amazing and consequently has become my new favourite restaurant.

Where is your favourite holiday destination?

I love the USA and would ideally like to visit each state at some point.

What is your favourite pet?

I am definitely a cat person. We have two black and white cats at home, both of whom are real characters. They certainly keep us entertained and on our toes!



2011 Inaugural Family Law Awards

CONGRATULATIONS TO VANESSA PRIDDIS

Partner at Michelmores who has been recognized as the Family Solicitor of the Year in the inaugural Family Law Awards announced at the Hilton Hotel, Park Lane in London on 18 October.

Photo from left: Rachel Cook, Vanessa Priddis, Sarah Back and Simon Thomas of Michelmores Family Team

SCAN & EXPLORE
Scan the barcode using your Quick Response
enabled phone to discover more about
Trimega Laboratories.



The Hair Alcohol Industry Innovator

Trimega Laboratories has always been a leader of the hair alcohol testing industry.

We were the first to market with the combined FAEE and EtG tests, and are the recognised thought leaders in this crucial advance in reliability.

It was no coincidence that our data was chosen to be presented at the Society of Hair Testing's annual conference in March to prove the 94% accuracy rate of dual hair alcohol tests, showing less than 1% risk of a false positive, and just 5.75% risk of a false negative.

Our laboratories in Germany are fully accredited to international standard ISO 17025.

And in February we launched a state-of-the-art £1 million laboratory in Manchester which operates to ISO 17025 standards and is being audited by UKAS with a view to receiving UK accreditation shortly, thereby 'onshoring' our European leadership capability.

We are sharing our knowledge and capability with all industry stakeholders, and are hosting a practitioner forum in Central London in September 2011 to which you are warmly invited. Please pre-register:

www.trimegalabs.com/sepforum

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Online Training with DASLS & The College of Law

- DASLS has teamed up with The College of Law to offer an online training facility to assist members with their CPD needs.
- The package will include up to 3 hours training at one of DASLS own training events and provide 24 hour online access to the College of Law's market leading CPD training service that supplies high quality training for all levels of experience.
- This is an exciting development for DASLS and helps us stay at the forefront of training provision in the region.

The College of Law Media service offers a total of up to 76 new TV style programmes per year accessible via 10 channels covering the following areas of law:

- Property
- Private Client
- Corporate & Commercial
- Employment
- Family
- Dispute Resolution
- Crime
- P.I. & Clinical Negligence
- Practice Management & Compliance
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- ◇ Total Flexibility
- ◇ Cost Saving
- ◇ Practical Effective Learning
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- ◇ Cost Effective
- ◇ Information Resource
- ◇ Time Saving

A 12 month subscription to the package (3 hours training at one of DASLS events and 24 hour access to online CPD) is:

£385 + VAT per member

£435 + VAT per non member

FREE TRIAL AT WWW.DASLS.COM

Photos of the Somerset Dinner held on 11 November

Courtesy of ANG Photography

These images are not for sale, if anyone would like a copy please contact ANG Photography.



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Children's Hospice South West

By Marie Tippet, Press Officer

CHSW is the only organisation in the South West to provide vital hospice care in a hospice environment to children who suffer with life-limiting or life-threatening conditions. We provide palliative and emergency care, planned respite and end of life care. Our hospices offer a place where everyone can begin to forget their worries for a while, be a family and find expert help and support in facing an uncertain future.

The services are free to the families and we rely on the generosity of supporters to deliver our promise to 'make the most of short and precious lives.'

In September 2011 we were delighted to announce that after four years of fundraising by the communities of Plymouth and Cornwall, the target for the Precious Lives Appeal, to build a third special home from home in Cornwall, had been reached.

Meeting the target meant we were handed the completed building, but the hard work does not stop there. Our fundraising continues as we begin to fit out

and furnish our third hospice - Little Harbour with the specialist equipment and home comforts that our families will require during their stays, and as with our other hospices, strive to raise funds to sustain our service.



Each and every year, sadly there will continue to be life-limited children and their families who will need to use Little Harbour and our other hospices Little Bridge House in Devon and Charlton Farm in Somerset. The need for the very special care we offer will never go away, and so neither will we, but we need continued help from our supporters to provide this vital support.

At our hospices we look after the whole family. The poorly children who come to

stay with us are often accompanied by their parents, siblings and sometimes grandparents. Our dedicated care team is able to take over the complete care for the poorly child 24/7 if the parents wish. Our committed sibling team caters for the needs of the well brothers and sisters, often taking them on day trips to local attractions or just being a friendly face to talk to about their worries. These services also give mum and dad a chance to take some time out for themselves.

Ensuring everyone understands the services we offer at CHSW is vital.

There are many ways to help support **Children's Hospice South West**, from organising a fundraising event to making a single donation or leaving a gift in your will. You can even sign up for one of our events from a sponsored Santa fun run to a Memory Walk or even a sky dive.

For more ways to get involved visit www.chsw.org.uk or call 01271 325270 and ask to speak to your area fundraiser.

The University of Exeter School of Law Forthcoming Events

BRACTON LAW LECTURE 2011

In this year's Bracton Law Lecture Professor Richard Susskind OBE will be discussing the recent shifts and changes to the legal profession and legal services, the present review of legal education, and how lawyers need to change the way they work to embrace the broader developments of the 21st Century. His lecture is entitled '*Access to justice, legal education, and 21st century legal service*', and will take place on 30 November, 17h30, in the Amory Moot Room.

Richard Susskind is a pioneer in the field of information technology and law. He is the IT Advisor to the Lord Chief Justice of England & Wales, Emeritus Professor of Law at Gresham College, London. He writes a regular column in the Law section of The Times newspaper. He has written a number

of global best-selling books, including '*The End of Lawyers: Rethinking the Nature of Legal Services*' (2010) and '*Transforming the Law*' (2000) and is the co-founder of the Centre for Law, Computers and Technology at the Law School of the University of Strathclyde in Glasgow. He is President of the Society for Computers and Law and Chairman of the Advisory Board at the Oxford Internet Institute. He is an independent adviser to major professional firms and to national governments.

Richard has a first class honours degree in law from the University of Glasgow and a doctorate in law and computers from Balliol College, Oxford. He is a Fellow of the Royal Society of Edinburgh and of the British Computer Society, and was awarded an OBE in the Millennium New Year's Honours List for services to IT in the Law and to the Administration of Justice.

THE WAINWRIGHT WALK LED BY JUSTICE OF THE SUPREME COURT, THE RIGHT HON THE BARONESS HALE OF RICHMOND

The Wainwright Walk will take place on 9th March 2012. Students, staff, alumni and members of the legal profession will walk from the Law School around the beautiful University campus, past some significant and historic Exeter legal landmarks, finishing at Exeter Court on Southernhay, Exeter.

The walk will be led by Baroness Hale, and funds raised will support the [Community Legal Helpdesk](#) which Jill Wainwright helped to establish. Further entry details will follow.

For immediate enquiries please contact:
Dr Sue Prince s.j.prince@exeter.ac.uk

How to Switch Off and Get a Good Night's Sleep

By Tony Hackett, trainer, author and coach

Difficulty with sleeping affects many people, especially those with stressful jobs, and has a detrimental effect on their performance at work. In fact, lack of sleep can be as counter-productive as a hangover. Although it doesn't get talked about much, about two in three people experience occasional difficulty sleeping and one in three experiences chronic problems.

Sleep is vital to our health and well-being, yet many people suffer in silence, not knowing where to go for help - apart from resorting to medication. Fortunately, restoring regular sleep is actually quite straightforward when you understand the principles of sleep management. One of the main enemies of sleep is an overactive mind. Good sleepers naturally turn their minds off at bedtime which allows them to fall asleep quickly; however others go to bed with their heads still "buzzing" which delays the onset of sleep. The situation can become compounded by worrying about not sleeping and a negative association with going to bed.

If you let your mind run riot when you're lying in bed with no other stimuli to distract you, your concerns will go round and round, getting bigger and bigger, growing teeth and claws! Training your mind to become quiet to enable sleep is like training a puppy to stay in

one place for more than one second - it takes practice and dedication. So if you have a lively mind you'd like to tame, try this:

You'll need four things by your bed. A notepad, a pen, a filing tray labelled "Tomorrow" and a large dustbin. The first two things are real the last two are virtual! So if you're lying in bed and think of something you forgot to do, write it down and forget about it until tomorrow. When a thought comes to mind that isn't sleep promoting, do one of the following - if it's important but can wait, put it into your virtual filing tray for you to do tomorrow; if it's rubbish, such as the idiot that nearly caused a traffic accident on the way home, don't relive the event with the adrenaline all over again, quickly put the whole event into your virtual dustbin. Wacky as it might seem, these "mind mechanics" work swiftly to control thinking breakouts.

Now the gardeners amongst you will know that if you clear some soil of weeds and leave it bare, very soon you'll have more weeds - unless you plant something else that you do want to fill the space. Your mind behaves the same way, so when you've cleared your head of unwanted thoughts, you need to plant something useful. You can go somewhere pleasant in your mind - a tropical island beach



or the top of a mountain. Or you can try the mindfulness technique - focus on breathing in and out through your nose and count each breath on 1 up to 10 then back to 1, then up to 10 in a continuum. Some other things which help are to yawn freely, change your position to break a persistent thought, and keep your eyes still to induce dreaminess. Imagine a notice on your bedroom door that says "No thinking allowed beyond this point" and remember this - "There are many thoughts that would gladly haunt our minds at bedtime and deprive us of our most needed sleep. Yet there are few issues that cannot wait until tomorrow to be addressed with an objective mind".

Tony is a personal development trainer, author and coach specialising in stress and sleep management. He works extensively with law firms both directly and through the main legal training companies.

Tony can be contacted on 01562 710029 or tony@thesleepwellmethod.co.uk www.thesleepwellmethod.co.uk.

This article was published in LawCare News Autumn 2011

SJA not SRA..!

By Anthony Fripp

Anthony Fripp, an Associate with WBW Solicitors in Newton Abbot joined St John Ambulance, City of Exeter Division in September last year and last month was appointed a County Staff Officer (HR & Legal) to the Commander of Devon.

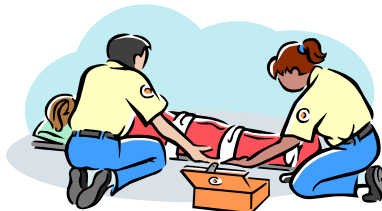
His first contact with St John was through the Commercial Training Division when completing his Emergency First Aid at Work and then First Aid at Work qualifications.

He says "I have found it fascinating to be involved in St John as I am meeting new people, learning new skills and obtaining qualifications that go beyond my day job.

For me, it's the perfect antidote to what can be a stressful and busy job as it expands my horizons and teaches potentially life saving skills".

Anthony has completed an automated external defibrillator course, an advanced first aid course and a patient transport assistant course within St John so far and has attended a number of first aid duties within Devon. He is pleased to say that he has not yet had to undertake any dramatic first aid but feels confident that the skills he has been taught and is able to regularly practise would be extremely useful if needed.

St John Ambulance have divisions throughout Devon and Somerset and are always actively recruiting members, for first aid or other roles.



If this is something that you would be interested in considering, please contact them via their website

<http://www.sja.org.uk>

Competition!

For your chance to win a bottle of champagne, simply complete this month's crossword, scan and email it to Monique Bertoni at DASLS - monique@dasls.com - The winner will be drawn from all correct entries received by **Friday 16 December**.

The solution will be published in the e-January issue.

The competition is open to all DASLS Members, Associates and Affiliates.

Champagne supplied by

Telephone:
01884
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CROSSWORD CORNER

Compiled by David Stephens of Battens



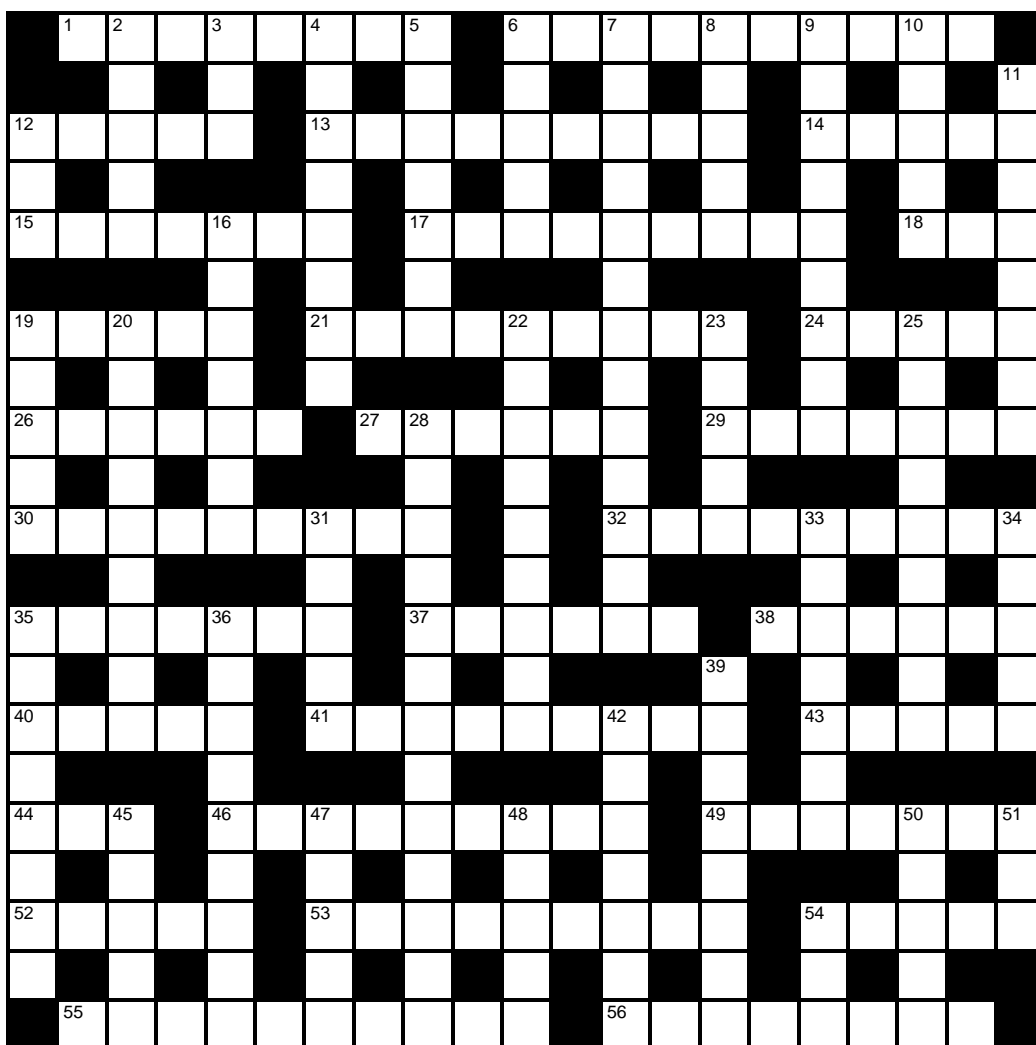
Solution to the September 2011 Crossword

Across: 7 Sneazy, 8 Doc, 9 Echo, 11 Despondent, 12 Napa, 13 Dwarfs, 16 Bull's eye, 17 Tea cosy, 18 Bashful, 22 Adjudged, 25 Sleepy, 26 Spit, 27 Unsinkable, 30 Hymn, 31 Pie, 32 Eccles.

Down: 1 Knee, 2 Keep, 3 Hypnosis, 4 Adverbs, 5 Acetal, 6 Tennis shoe, 10 Happy, 14 Woe, 15 Recounting, 19 Absentee, 20 Ump, 21 Odyssey, 23 Dopey, 24 Grumpy, 28 Arch, 29 Leek.

DASLS office received a record number of correct entries - well done all!

Congratulations to
Libby Warder
of Bartlett Gooding & Weelen
Solicitors, Shepton Mallet





DASLS Challenge Cup

Next Event: Christmas
5-a-Side Football

Monday 19 December
7.00 - 10.00 pm
Sports Hall
University of Exeter



Details at [www.dasls.com/
uploads/5aS2011.pdf](http://www.dasls.com/uploads/5aS2011.pdf)

ACROSS

- 1 Writer m'lud sent back about Uruguay's leading swinger (8)
- 6 Disgust at crushed beer can? or Holyhead? (10)
- 12 Hobbit with 13 greetings (5)
- 13 Its charms around now enjoyed (9)
- 14 Disrupted 13 entertainment readily available (2,3)
- 15 13 50 afters after 13 after 13 37 (7)
- 17 Strangled barren cry accompanies 13, 37 (9)
- 18 See 54
- 19 Contretemps due after 6:3 in the first (3-2)
- 21 Ate hootch - messed up - got dental problem (9)
- 24 Snacks from Costa (5)
- 26/38 Bradbury tent re-erected with 13, 15 (6,6)
- 27 Forbid James Hood etc (6)
- 29 Sweet descriptions of 13 by Mr S (7)
- 30 See 45 Down
- 32 Heavenly herb (9)
- 35 Pear as very cool alternative deserts or starters (7)
- 37 13,50 favourite from Eurasia (6)
- 38 See 26
- 40 Sense from Loretta Stephens (5)
- 41 Irregular use hereof untied local (4,5)
- 43 Invert some ketchup endearingly (2,3)
- 44 Service returned a long way (3)
- 46 Upsetting a Mali lad, a leader emerges (5,4)
- 49 Ugly Leo is around for 13 tea (4,3)
- 52 Rob me outrageously in card game (5)
- 53 War leader constructed building poorly (9)
- 54/18 1 Pence I'm spinning as alternative to 49 at 13 (5,3)
- 55 Part payment episode (10)
- 56 Gateshead 12 o'clock (8)

DOWN

- 2 Caught wot 'e said apparently, but was wrong (5)
- 3 13 is 25th (3)
- 4 Gay letch in trouble at church entrance (8)
- 5 In north Africa motor coach crashes - losing hat (7)
- 6 Turn East - a result could be far from land (2,3)

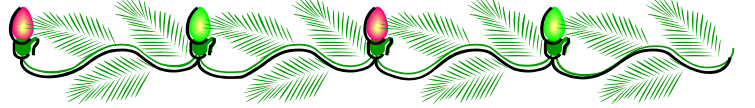
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DASLS Challenge Cup League Table

**Challenge Cup leader board
2011 / 12 after three rounds**

Gilbert Stephens	12
Foot Anstey	10
Kitsons	10
Wollen Michelmore	4
Ashfords	2
Over Taylor Biggs	1
Veitch Penny	1
Parlett Kent	1
Everyys	1

☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆☆



- 7 Cameron? Uh! Wha? Like...er.. "First citizen of the deep!" (8,5)
- 8 He's getting up on the stairs (5)
- 9 Comets, yes, around organisms' world (9)
- 10 TUC very upset (3-2)
- 11 Placates disturbance Papa sees (8)
- 12 Chart girl's rise (3)
- 16 Morris-dance around without macs? That's exactly how it should be (2,5)
- 19 Robes in disarray, but hasn't been drinking (5)
- 20 Predators about - weeping results (9)
- 22 Pontificate and retain Scottish flower (4,5)
- 23 Principle derived from variable thickness (5)
- 25 Vegetable last course? Get in court first! (9)
- 28 The absolute latest - umpteen hit out all over the place (2-2-3-6)
- 31 A fool at sea is haughty (5)
- 33 Saul (USA) comes round like he generally does (2,5)
- 34 Enticed, firstly, led up river every day (5)
- 35 Impact of go-dancing, partly, is calamity (3,2,3)
- 36 Alteration sees ten mad men change (9)
- 39 My bike's in a colour used before (8)
- 42 Element of Supernaturalism lacking psalters (7)
- 45/30 Bird associated with 13 robbed trainers in riot (5,9)
- 47 Chap from hereabouts is back in Marbella Colony (5)
- 48 24 messed up at the races (5)
- 50 Boat without a meal (5)
- 51 Gosh - gravity! (3)
- 54 Moonin' oddly across the channel? Me?? (3)



Heard it on the Grapevine And now the time has come to say goodbye

Well good people of the Devon and Somerset Law Society my tenure as your wine correspondent has come to an end. I have enjoyed penning various thoughts and musings over the year but with no feedback it has been a bit like shouting into a bucket and hearing my own voice. So I do hope you have liked a few inside stories of where the wine trade is currently at and that you have tried to seek out your local independent merchant, rather than drinking the boring and the bland brands currently on offer at a half price deal at your local international conglomerate (remembering this half price is actually its true price).

Wine and spirit prices over the last two years have just been on an upward march with no letup in sight, this year we had the biggest per bottle duty increase ever and with inflation at 5% the duty increase next year could be even higher. Fuel costs are adding dramatically to transport and production costs worldwide, exchange rates with sterling are still good for exporters but imported wine is still going to be hit hard. The health lobby are still shouting that we drink too much and like the marketing against cigarettes it gives the Government free licence to tax as much as they like.

All this coupled with the doom and gloom of the Euro markets (as I type this today is the crunch day where a deal must be met, how many of these crunch days will there be? They seem to come along like buses.) It seems like everybody is trying to make us miserable and that the world as we know it is coming to an end. But just think during world war two, the cold war and the last major recession peopled still laughed, loved and lived. Parties were had, weddings carried on, people ate and drank, had baths bought clothes and died (not necessarily in that order!). So despite all the harbingers of doom (is Robert Peston the living incarnation of the grim reaper?) just keep calm and carry on having a glass of a little of what you fancy, or even better have a glass with someone you fancy.

So with 2012 looming upon us here is the Jolly Vintner forecasts for the next 12 months.



1. Though the Greek economy will still be in deep do do, it will not be helped by how much Retsina or Ouzo you drink, because at the end of the day these are still two of the most unpleasant drinks on the market. Yes lovely on holiday in 34 degrees as you watch the local civil servants rioting because they are having to pay tax, but on a cold dark December evening in Chard not the same.

2. Prosecco lovers stock up now if you have a function early next year. Why? A disastrous harvest this year will see production down by about 30% and as this is the Marks & Spencers' shoppers favourite fizz, price will rocket after Christmas. Please note you heard it here first. Does that class as insider dealing?

3. **Liam Fox will appear on" have I got news for you?" with a mysterious advisor giving him answers to the questions.**

4. In an effort to make more margins the big boys will introduce more lower alcohol wines at a lower duty rate but charge not much less than current ranges in order to hit price points.

5. Travelling on holiday you will have to take wheelbarrows of euros to buy a bottle of Vin de Table as Sterling reaches heights not seen since the world atlas was half pink. Those under the age of thirty may need to ask someone older re this reference.

6. Portugal will finally emerge as one of the best buys for unusual and lovely wines. The trade has known this for years but the great British public has never really caught on.

7. Time travel will become possible and I can go back to Oddbins Christmas 1989 **where we are selling "indifferent" vintage of Château Laffite 1984 for £19.99, buy several dozen, chuck in the back of my time machine and sell on current market for over £700 a bottle.** Also tell a younger version of myself invest heavily in banks and take all my money out in 2008.

Well all you legal eagles out there if you need any advice on wines for Christmas give me a ring or even better pop in and let me sell you something. So strange writing this in October, but have a good and enjoyable Christmas and 2012 and if I need a solicitor do I get any discount? Cheers.

Have you seen DASLS's BUZZ?



It's our fortnightly e-bulletin. If not, do we have your current email address?

Please contact monique@dasls.com to register your details!

Letters to the Editor

...are always welcome.

Please write to Tony Spiers
secretary@dasls.com



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DASLS SEMINARS

Why should you choose DASLS seminars in 2012?

DASLS has over 21 years' experience of organising a comprehensive programme of CPD courses annually, including *in-house training*, with experienced and *high-quality speakers*;

Delegates enjoy the benefits of training undertaken nearer to the office, reduction in travel and associated expenses resulting in *cost-effective training* with discounts available for multiple bookings - *look out for our 3 for 2 Offer* when you can book 3 people on the same seminar and get the cheapest place free;

Practitioners can *keep up to date* with current developments in the law throughout the CPD year;

No penalty for substitute delegates with individual CPD *Certificates of attendance* issued after each course; Members of DASLS Education & Training Sub-Committee are responsive to requests for seminars on particular subject matters and welcome suggestions for future topics and *specialists* we can invite.

Latest developments include an online training facility with the *College of Law Media service* - details on our website.

Ten Tricky Problems in Relation to Flats
Thursday 19th January 2012:
9.45am – 1.00pm 3 hours CPD
Richard Snape

Conveyancing Law Update
Thursday 19th January 2012:
2.00pm – 5.15pm 3 hours CPD
Richard Snape

Conveyancing for Paralegals and Support Staff
Wednesday 29th February 2012:
9.45am – 5.00pm
Alastair Teague

Property Litigation Update
Thursday 15th March 2012:
2.00pm – 5.15pm 3 hours CPD
Speakers from St John's Chambers

Criminal Law Update
Wednesday 21st March 2012:
10.00am – 5.30pm 6 hours CPD
Anthony Edwards

Civil Litigation / PI Updates TBC
Thursday 22nd March 2012:
9.45am – 1.00pm 3 hours CPD
2.00pm – 5.15pm 3 hours CPD
Dominic Regan

Employment Law
Wednesday 18 April 2012:
2.00 - 5.15pm 3 hours CPD
Debbie Grennan

Private Client Topics x 2 TBC
Wednesday 25th April 2012:
9.45am – 1.00pm 3 hours CPD
2.00pm – 5.15pm 3 hours CPD
John Thurston

All courses are held in the Exeter area unless otherwise indicated

Wills and Probate for Paralegals and Support Staff
Thursday 26th April 2012:
9.45am – 5.15pm 6 hours CPD
John Thurston

Children Law Update
Thursday 10th May 2012:
10.00am – 4.30pm 5 hours CPD
Susan Campbell QC & Christopher Naish

Property Topics x 2 TBC (Yeovil)
Thursday 17th May 2012:
9.45am – 1.00pm 3 hours CPD
2.00pm – 5.15pm 3 hours CPD
Richard Snape

Solicitors' Accounts Rules for Fee

Earners
Tuesday 12th June 2012:
9.45am – 1.00pm 3 hours CPD
Linda Lambert

Solicitors' Accounts Rules for Cashiers

Tuesday 12th June 2012:
9.45am – 5.15pm 6 hours CPD
Linda Lambert

Property Topics x 2 TBC
Tuesday 19th June 2012:
9.45am – 1.00pm 3 hours CPD
2.00pm – 5.15pm 3 hours CPD
Richard Snape

Planning Update for Commercial Property Lawyers
Wednesday 27th June 2012:
9.45am – 1.00pm 3 hours CPD
David Forbes

Planning Update for Residential Lawyers
Wednesday 27th June 2012:
2.00pm – 5.15pm 3 hours CPD
David Forbes

Civil Litigation / PI Updates TBC
Thursday 20th September 2012:
9.45am – 1.00pm 3 hours CPD
2.00pm – 5.15pm 3 hours CPD
Dominic Regan

You can now sign up for the monthly training e-bulletin containing details of all our courses and links to online flyers.

Simply e-mail mail@dasls.com to subscribe.

Private Client Topics x 2 TBC
Wednesday 26th September 2012:
9.45am – 1.00pm 3 hours CPD
2.00pm – 5.15pm 3 hours CPD
John Thurston

● ● ● ● ● ● ● ● ● ● SPRING 2012 PROFESSIONAL SKILLS COURSE:

DATES TO BE ANNOUNCED
Please register your interest with Monique at DASLS office.
Programme and booking details will be posted on DASLS website as soon as they are available.

For full course details and prices, simply download flyers from our website: www.dasls.com

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DASLS Office on 01392 366333