

Newsletter



DEVON & EXETER
LAW SOCIETY

www.devonlawsociety.org.uk

March 2007

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**DON'T FORGET DELS AGM:
APRIL 24th**

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INVESTORS IN PEOPLE

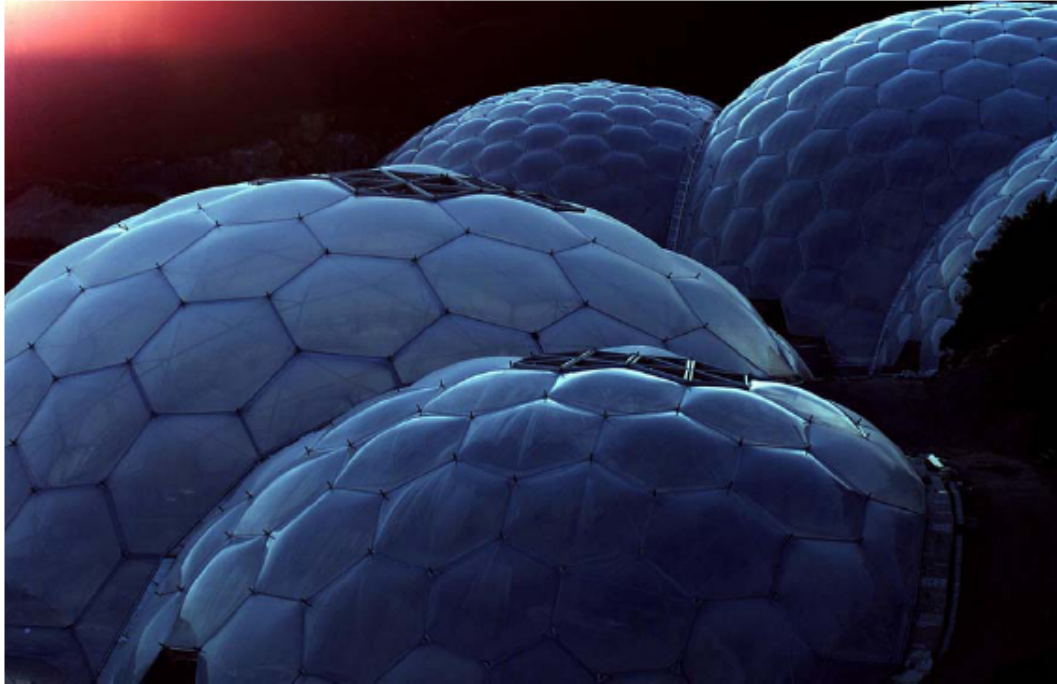
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Creative cover in an uncertain world

Founded in 1991, Parkers is an independent insurance broker providing impartial advice backed by extensive experience and the highest standards of professional integrity.

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**Insurance for Business
and the Professions**

President's diary

By Chris Hart, President

I can hardly believe that this is already my sixth and final "President's Diary" article and therefore the presidential year will shortly be drawing to an end.

In mid-January I attended the Regulatory Road Show in Plymouth to learn about the new regulatory regime. I was able to follow the meeting by having Dinner with the Chairman and the Chief Executive of the Solicitors' Regulation Authority which provided a fabulous opportunity to discuss some of the issues and concerns of the profession, particularly in the context of the new regulatory regime.

At the end of January DELS was also able to host the Law Society's HIPs Road Show which was very well attended by local property practitioners and their guests.

Shortly before Christmas I accepted an invitation from Des Hudson, the Chief Executive of the Law Society, to speak at the Presidents, Secretaries and Administrators Conference for local Law Societies which took place at Chancery Lane on 8th February. As one of my colleagues pointed out, that would at least take my mind off my speech at the DELS Dinner on the following evening! In fact, not only was I invited to address the Conference and speak about the work of DELS and my vision for the future working relationship between local Law Societies and the National Law Society, but I also took part in the debate that ensued with three other panel members being Des Hudson, Andrew Holroyd (Vice-President of the Law Society) and Rosemary Edwards (President of Leeds Law Society).

The Conference coincided with the arrival of a snowy morning in London but nonetheless was extremely well attended and the session with which I was involved lasted for some three hours and was an extremely lively and positive debate. The afternoon session of the Conference dealt with updates on the pressing issues of the day, including HIPs, Carter and legal aid, and the Legal Services Bill. On the subject of legal aid, I have just attended a meeting of our Litigation and Costs Liaison Sub-Committee when

considerable debate took place with regard to the ongoing issues relating to Carter, and the role that DELS can play. A separate note appears elsewhere, and I will be attending a meeting with MPs at Westminster in April when the Law Society will be addressing MPs with regard to the "What Price Justice?" Campaign.

On the international front I was privileged to attend the Festivities of Sant Raimon de Penyafort which took place in Barcelona at the beginning of February. Part of the day was spent engaged in a most interesting debate about the image of lawyers across Europe. That was followed by the formal ceremony which included several speeches, a performance by the choir of the Barcelona Bar, oaths by two new members of the legal profession, presentation to those lawyers who have completed 50 years of service, and the magnificent award of a prize to the member of the judiciary deemed to have been most outstanding for their respect and consideration shown towards lawyers! I have also been able to undertake a visit to Cork to attend the Annual Dinner of the Southern Law Association.

Our own Annual Dinner took place on 9th February and we have subsequently received many messages commenting on an enjoyable evening. I was delighted that there was such an excellent attendance (the highest for 17 years), and I would like to thank all those members who supported the event and helped to make it a success. In the coming weeks my DELS dining obligations continue with dinners hosted by the South West Society of Chartered Accountants, the Insurance Institute of Exeter, Westminster and Holborn Law Society, and the Gloucestershire and Wiltshire Incorporated Law Society.

So, my final "Diary" draws to a conclusion. As I shall be reporting at the AGM in April, it has been an absolute privilege to serve the Society over the course of the last year, and I wish Erik Salomonsen every success during the coming twelve months.

DON'T FORGET!!

The next Professional Skills Course (PSC) to be held with DELS and Ex-L Professional Skills will be in November 2007.

It will comprise all three Core Modules and will be followed by a full suite of Electives.



Don't miss out on the chance to participate in quality, local, cost-effective training.

Interested? Contact Monique at the DELS office to find out more!

Did You Know ...?

The Law Society Library has launched a new email document supply service for solicitors and their staff.

The service, known as Lawdocs, delivers copies of extracts from journals, law reports, books and other legal material direct to members by e-mail. The system replaces the Library's fax and DX based document delivery.

Lawdocs makes the expertise and resources of the Law Society library more accessible to members and allows rapid access to the library's unique collection of legal and parliamentary publications. The collection is one of the most significant in the UK and includes both older materials and the latest reports and journals.



Members can access Lawdocs by calling the Law Society library on 0870 606 2511 or by sending an email to library@lawsociety.org.uk.

The availability of particular publications can be verified by accessing Catalyst, the Law Society library's web based catalogue and legal information source at :

www.catalyst.lawsociety.org.uk .

Interview of the Month: Charlotte Lythgoe, Executive Assistant

Why did you join Devon and Exeter Law Society?

I was working in a hotel before this and the idea of not having to work evenings and weekends was becoming more and more attractive. Although it did mean having to get out of the habit of having my dinner cooked by a team of chefs each day! I saw the vacancy advertised in the paper and it just sounded like a better job than the one I had.

What is your dream job?

I've always quite fancied being a publisher or writing political speeches.



What do you do in your spare time?

Cycling, reading, sleeping, crosswords, sudoku and watching the football out of my bedroom window (my room overlooks the Exeter City ground).

What book are you reading at the moment?

I absolutely love reading and am working my way through 'The Wind-Up Bird Chronicle' by Haruki Murakami. Next on my pile is 'The Plot Against America' by Philip Roth, then '1599: A Year in the Life of Shakespeare' by James Shapiro then.... the pile just goes on growing!



What is the most recent film you have seen?

I really don't like going to the cinema – it's overpriced and I hate hearing other people sniffing and slurping and rustling sweet bags. I like watching DVDs in the comfort of my own house however, and I recently re-watched the fantastic Brighton Rock, in all its black-and-white glory.

What is your favourite food?

You can't beat hot buttered toasted teacakes.

Which is your favourite restaurant?

There is a noodle bar on Sidwell Street, Exeter which does the most amazing, fast, spicy beef noodle dish. And you get an endless supply of free green tea to wash it all down with – ideal!

Where is your favourite holiday destination?

The last holiday I had was in Prague, which I really enjoyed. The most amazing place I've ever been, though, was a trip to Malaysia and Singapore when I was thirteen. I'd never even been out of the UK before so it was all very strange and exotic to me - I loved it!



What is your favourite pet?

Somewhat tragically I have never had a pet of my own. My boyfriend and I have, however, adopted our neighbourhood cat, Splodge. He's ginger, attention-loving and so beautiful. I'm rapidly making up for a childhood empty of animals!



Forthcoming DELS Social Events:

Make & Shake Your Perfect Cocktail

Thursday 22nd March 2007
7pm – 9pm
Starz bar, Lower North Street, Exeter
£17.50 per head

Learn how to make the best cocktails in town! You will receive expert advice and tips along with recipes to take home.

Most importantly ... you get to enjoy what you make!

Booking is essential – there are limited tickets available, which will be allocated on a first come, first served basis.

To reserve your place please send a cheque made payable to Starz bar to the DELS office along with your name and contact details.



Vine to Wine – Wine Tasting Tour

Thursday 24th May 2007
6 pm -8 pm
Sharpham Farm, Totnes
£8.50 per head

Ever wanted to know more about English wine? Come and find out more! You will have a guided tour of the Sharpham Vineyard and Winery followed by a wine and cheese tasting session.

To book your place simply send a cheque made payable to DELS, along with your contact details.



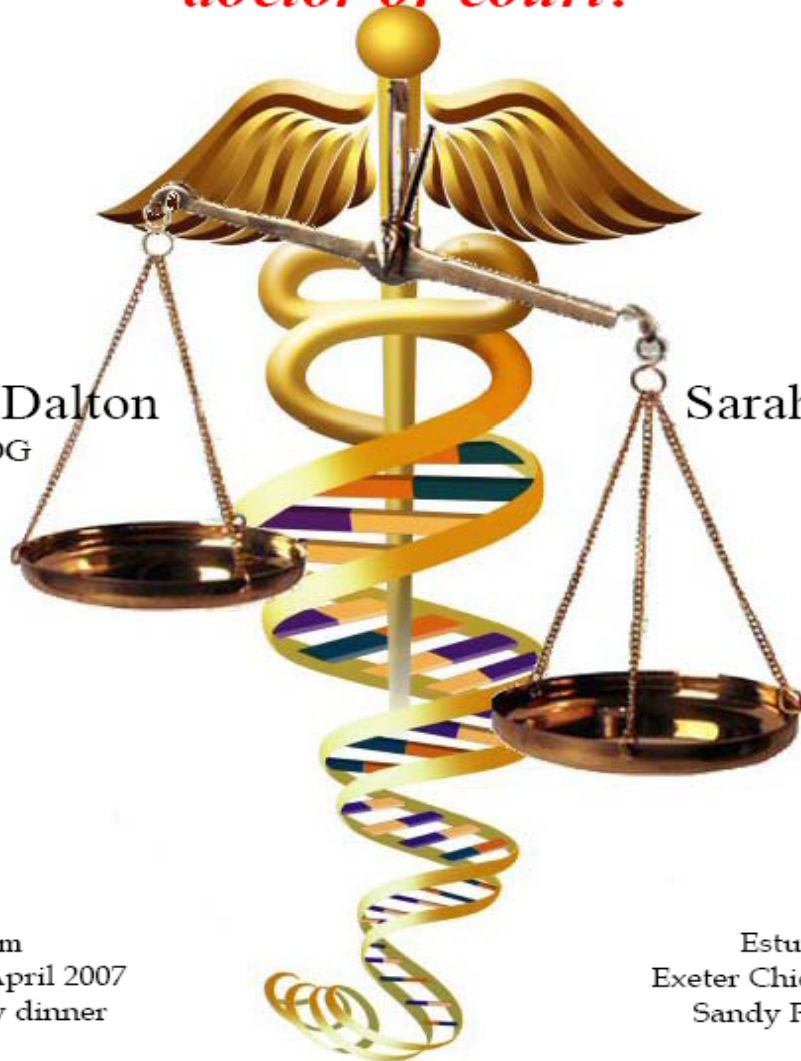
DEVON & EXETER MEDICAL SOCIETY
EST. 1720



DEVON & EXETER
LAW SOCIETY
www.devonlawsociety.org.uk

Joint meeting

***Who can help the victim of rape the most:
doctor or court?***



Maureen Dalton
FRCOG

Sarah Munro
QC

6:30 pm
Tuesday 17 April 2007
Followed by dinner

Estuary Suite,
Exeter Chiefs Rugby Club,
Sandy Park Stadium

If you would like to dine please complete and return the form below to the Administrative Secretary, Devon & Exeter Medical Society, 1 The Quadrant, Wonford Rd, Exeter EX2 4LE to arrive **NO LATER THAN 10 APRIL 2007**. All bookings will be acknowledged by email or telephone. If you have not had confirmation of your dinner booking before then, please telephone 01392 256774.

As provision will only be made for those who have booked dinner, and in order to avoid embarrassment, a list of those members with confirmed dinner bookings will be available on the evening.

April 2007 meeting

Name of member Telephone/email.....

Number of diners (£25 per person) Cheque enclosed £..... in favour of 'Devon & Exeter Medical Society'

	<i>Starter</i>		<i>Main</i>		<i>Dessert</i>	
<i>Number of diners:</i>	Tomato & mozzarella salad		Breast of chicken with honey and cider		Mascarpone cheesecake	
	Smoked trout fillet with gooseberry chutney		Roast spiced crusted salmon and spinach		Blackberry and apple crumble	
			Vegetarian alternative			

Heard it on the grapevine

Andrew Ford, Quay West Wines

Argentina can lay claim to a wine culture stretching back to early Spanish settlers in the 16th century, who found the foothills of the Andes ideal for the cultivation of the vine. It is believed that vines entered the country through at least three different sources, namely Peru, Chile and Spain.

The first record of a vineyard was at Santiago del Estero in 1557. Soon after, the city of Mendoza was founded. Given Argentina's hot dry climate the early settlers established the beginnings of the modern industry by creating a series of irrigation channels as this is still the lifeblood of today's vineyards. Argentina is the fifth largest wine producing country on the planet.

The ten wine regions of Argentina are almost entirely concentrated in a narrow strip in the west of the country in a unique environment of high semi-desert ranging from between 980 and 5250 feet above seal-level. Sunlight is intense and there are considerable differences between day and night time temperatures.

The most important areas of production are Mendoza, San Juan, La Rioja, Rio Negro, Catamarca & Salta. By far the most planted grape varieties are the Criolla and Cereza, (varieties brought in by the settlers) however Malbec is regarded as Argentina's signature red grape with Torrontes being the best known white. One of the fascinating features of the Argentinian wine industry is the diversity of grape varieties planted. It is a paradox that the Malbec is one that has failed to shine in its homeland of Cahors in south west France. In Argentina it flourishes, producing a soft mouth-filling perfumed style of red.

The U.K. is Argentina's largest export market with an overall 1.6% share and this is predicted to increase within the next few years.



ARGENTINIAN WINE OFFER

Devon & Exeter Law Society in association with **Quay West Wines** are pleased to offer Society members a superb 12 x 75cl case of Argentinian wines @ £49.99 comprising 4 bottles Malbec, 2 bottles each Syrah, Merlot, Chardonnay and two superior Rose.

Delivery is free throughout Devon and there are no other hidden costs.

If there is ever a particular wine you are looking for we will do our best to source it for you.

Telephone: 01392 - 841833

Fax: 01392 - 841996

E-mail: sales@quaywestwines.co.uk

Response in Changes to Legal Aid

Angus McNicol, Chairman of Litigation and Cost Liaison Sub-Committee

Stephen Nunn of Nunn Rickard of Exeter is continuing to coordinate the Sub-Committee's response to changes in Legal Aid and the effects of the Carter Review. He and others will be devising an action plan for the next stage.

Tony Griffin and Penny Scott of Cartridges of Exeter and Romano Sidoli of Slee Blackwell of Barnstaple will be doing likewise in relation to the civil and family side in order to ensure that local action is coordinated.

The Sub-Committee wants to draw your attention to the following: -

The LSC are holding a conference at The Gallery at the Eden Project on 13 March 2007 starting at 9:45 am entitled "Legal Advice – The Way Ahead for Rural and Coastal Communities". The Sub-Committee encourages as many members as possible to attend this



event to make your views known. Details were faxed to all member firms on 7 March.

The Sub-Committee will be sending representatives to the Law Society's "What Price Justice?" Campaign event on 19 April 2007 starting at 10:00 am in Portcullis House, London. This will be an opportunity to talk directly to MPs about the crisis in Legal Aid in their areas. 112 MPs to date have declared support for this campaign and expressed concern at the planned proposals. The point that we would wish to emphasise is that it is clear that many MPs have no idea of how the Legal Aid system works. The aim is to get the message over to MPs and the general public that the changes really are having a detrimental effect on access to justice.

Members are urged to make representations to their individual local MPs as soon as possible.

Could members please supply case studies

to DELS of clients that they have helped in relation to serious problems that have arisen in their lives using Legal Aid, in order that we may use these case studies to raise public understanding? The Sub-Committee feels

that real life examples are the best way to get the message through to the media although any approaches to the press should be through DELS.

Please also spread the word about the "Scrap Carter" petition which will be found on <http://petitions.pm.gov.uk/scrap-carter>.

Members are urged to go on-line and add their name to this petition.



Plymouth Law School's Mentoring Scheme: Get Involved!

By Nigel Firth, Careers Co-ordinator, Plymouth Law School

We are seeking to set up an informal mentoring/work placement scheme for our students at Plymouth University with progressive regional firms. The idea is similar to that run by other law schools and is designed to give students some limited exposure or insights into working life in practice, without being too much of a burden on the relevant fee earner.

The scheme would only involve one or two of our students (primarily LPC or GDL) per firm.

The mentoring could take a variety of forms,

but would commonly involve something like shadowing a solicitor or trainee, attending a court hearing, assisting with some research or drafting or simply meeting with a solicitor to get more insight into the workings of particular departments.

The mentoring could therefore take as little as an hour's meeting or as long as a day or two's work experience.

We stress to our students that it is not a back-door into a formal work placement scheme or traineeship. That said, we would

endeavour to select appropriate candidates that may be of interest to you.

If your firm is interested in participating in the mentoring scheme, I would be grateful if you could contact me, so that we can discuss arrangements in more detail.

Contact Details: Nigel Firth (Careers Coordinator – Plymouth Law School)

Nigel.Firth@plymouth.ac.uk
Tel: (01752) 232873

DELS Bicentenary: 1808-2008

By Junior Vice President Alec McNeill

2008 will be the **200th anniversary of The Devon & Exeter Law Society** and arrangements are well in hand to celebrate this Bicentenary.

DELS is fortunate in having available to it virtually all of the Minutes of Committee Meetings since 1808 and these have recently been microfilmed and copied to CD-Rom; a limited number of copies will be made available for purchase by DELS members but in the meantime Jeremy Ferguson has bravely taken on the task of looking through these records and hopes to be able to prepare a brief history of the Society for publication later in the year. Any Members who feel able to assist or provide any documents, information, history or anecdotes about the Society should please contact Monique.

It is intended that 2008 will provide the opportunity for DELS to raise its profile and give Members an opportunity to participate in a variety of events.



DELS will be hosting the **International Meeting of the Twin Bars from the 5th to the 8th June 2008** when old and new friends from Belgium, France, Germany, Italy, Poland, Spain and others are expected. During this period several events will take place and it is hoped that Members will be persuaded to involve themselves; a full calendar will be published in due course but on the late afternoon of **Saturday 7th June, DELS will be hosting the inaugural "Bicentenary Lecture" which Joshua Rozenberg**, legal editor of The Daily Telegraph, has agreed to deliver. It is intended that attendance at this event will carry CPD hours and will be followed by a Social Supper.



Mr Joshua Rozenberg
(www.rozenberg.net)

In recognition of the importance of the Bicentenary to DELS, Exeter City Council,

HMCS and Exeter Cathedral have very kindly agreed that the **Annual Legal Sunday Service shall take place on Sunday 8th June**, which will enable our European guests to participate. DELS hopes that in this special anniversary year as many Members as possible will take the opportunity to participate in the Service and the Procession which precedes it.

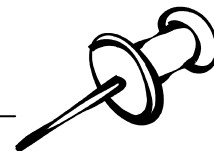


Then, on Friday 4th July 2008 **Summer Party is planned with a trip on the River Dart**, numbers will be limited and further details will be available soon.

Other events are in the "pipeline" but **Friday 17th October 2008** is a date for your Diary now!!! The **DELS Bicentenary Gala Dinner** will be held at the **Riviera International Conference Centre in Torquay**. Those Members who were able to attend the Society's Dinner/Disco last month will have noticed a change of style and a "lighter touch" and it is intended that this will continue so that the Gala Dinner will cater for all tastes and will be an event to be remembered!

Exeter Court Noticeboard

By Tony Hammond, Court Manager, Exeter Crown and County Court



Legal Aid Applications

With effect from 1st April 2007, the Crown Court at Exeter will no longer accept applications for legal aid in criminal proceedings on form A - all applications must be made on form CDS14.

Civil & Family Delays

The Court has experienced an increase in workload over the past year of almost 8%. Unfortunately resources have not increased proportionately. You will have noticed increased delays since last summer, for which I can only apologise. There are a few areas where you may be able to help us improve our service to you.

Telephoning Exeter Crown & County Court

The Court is still experiencing difficulties with the sheer volume of incoming calls. Callers often hear only a continuous ringing tone. I can assure you that my staff are doing all they can to answer as quickly as possible. Recent Civil & Criminal Court user meetings agreed that some form of automated answering system would be preferred, which is an option we are actively pursuing.

In the meantime can I please encourage customers to use the direct dial facility wherever possible :

<u>Crown & County Court enquiries</u>	415300
<u>Civil</u>	415310
<u>Civil Listing DJ</u>	415310
<u>Central Listing CJ</u>	415350
<u>Family</u>	415320
<u>Family Listing</u>	415320
<u>Crown</u>	415330
<u>Crown Listing</u>	415332
<u>Customer Service Officer (Jim Taylor)</u>	415313

In addition you can e-mail your enquiry to :

family@exetercountycourt.gsi.gov.uk
bailiffs@exetercountycourt.gsi.gov.uk
hearings@exetercountycourt.gsi.gov.uk
enquiries@exetercountycourt.gsi.gov.uk
e-filing@exetercountycourt.gsi.gov.uk

You can e-mail the Customer Service Officer direct :
jim.taylor@hmcourts-service.gsi.gov.uk

Hard copies following faxed documents

Practitioners are reminded of practice direction 5.3 (2) of the Civil Procedure Rules :

Where a party files a document by fax, he must not send a hard copy in addition.

Trial Bundles

Could I please again remind practitioners that trial bundles should be collected at the end of hearings. Those that are not will normally be destroyed after 7 days if they have not been collected.

Relocation of Central Devon Magistrates Court admin staff

With immediate effect all post for Central Devon Magistrates Court should be sent to :

Central Devon Magistrates' Court
Exeter Crown & County Court
Southernhay Gardens
Exeter
EX1 1UH

Or by DX to 98440 Exeter 2

Standards in Forensic Power - A New Register

By Alan Kershaw, Chief Executive, Council for the Registration of Forensic Practitioners

The recent case of Gene Morrison, a bogus 'expert' who deceived and defrauded solicitors commissioning forensic work in a range of specialties, highlights the risks of engaging apparent experts without checking their credentials.

A comprehensive Register is now available for solicitors and others to consult when commissioning or challenging forensic work – laboratory science, fingerprint or scene of crime work, collision or fire investigation, police surgeon work, forensic analysis of data from computers, images or telecoms equipment, and a wide range of other forensic specialties.

The Register, which now contains over 2,600 entries, is compiled by the Council for the

Registration of Forensic Practitioners (CRFP) – an independent, not-for-profit organisation set up with Government support. The Register provides a definitive indicator of competence in forensic practice - a risk management tool which has not existed before. Registration follows rigorous assessment; and registered forensic practitioners (who use the post-nominal letters RFP) are reassessed every four years to show they have maintained competence. In that way CRFP's Register goes significantly beyond what is offered by organisations such as the EWI and Academy of Experts, or in commercial publications such as the Directory of Expert Witnesses and the UK Register of Expert Witnesses.

You can read the detail on CRFP's website: www.crfp.org.uk, which also holds the Register. You can search for a name when looking for a specialist, or check the name of someone appearing for the other side. It cuts through the thicket of different qualifications and types of experience which professionals advance when claiming expert status.

CRFP is organising a roadshow to explain how the Register works, and how to use it, to lawyers and judges across the UK. Many solicitors have already come to learn about CRFP and we predict that all solicitors will be using the Register regularly in the years to come.

CORPORATE

Plymouth - exciting opportunity for a solicitor to join highly rated team, dealing with a wide range of high quality, high value work. The successful applicant will have good academics and relevant training contract experience.

FAMILY

Torquay—Family solicitor required by leading Torquay practice. Should have good experience of Private and Publicly funded work.

EMPLOYMENT LAW

Exeter Torquay & Plymouth — We have several Employment Law vacancies.

If you are considering a move call us on 01392 494110.

EMPLOYMENT LAWYER - TORQUAY

sought to take over and develop existing caseload currently dealt with by the general civil team. The successful candidate will have the support and supervision of existing fee earners and will be expected to deal with both Contentious and Non-Contentious aspect of this work. Great opportunity to join friendly and respected Torbay practice.

COMMERCIAL PROPERTY

Exeter—Busy commercial property team needs a qualified solicitor, newly qualified +. Impressive nationwide client base, including RDA's, local authorities, MOD, PLC's, household names and property entrepreneurs. Good general commercial property knowledge and experience is required and, in particular, a sound knowledge of landlord and tenant matters and experience in dealing with leasehold management issues.

SITUATIONS WANTED

- ▶ Exeter—Conveyancing Secretary
- ▶ Exeter / South Devon—Returning to work— 3 or 4 day pw. Background in Civil Lit but very flexible and willing to learn.
- ▶ Exeter / South Devon—Claimant RTA / PI Executive
- ▶ South Devon— Civil Litigation / Personal Injury Solicitor

We receive new Candidate Registrations daily — to register your vacancy call 01392 494110 or go online at www.devonlawsociety.org.uk

LOCAL GOVERNMENT

Commercial local government lawyer with experience in education and/or social services law. Ideally with experience of joint working between local government and NHS bodies as well as general constitutional and administrative law. Someone with excellent management skills with experience at County or Unitary Authority level. Based in Exeter but willingness to travel around the region is essential.

MIXED PROPERTY CONVEYANCER

South Hams—Opportunity for Solicitor to join established busy practice based in the beautiful South Hams region of Devon.

Mixed caseload of Conveyancing, Light Commercial and Agricultural property work. Great opportunity with prospects for the right candidate.

NON CONTENTIOUS

Barnstaple - Mixed non-contentious caseload made up of Commercial Property, Company work with SME clients and some Residential Property.

This is a genuine opportunity to join one of North Devon's leading established firms in a key position where client service and contact remain paramount.

CIVIL LITIGATION

Exeter—General Litigation caseload assisting partner in busy City Centre practice. Civil / Debt / Employment.

PROBATE WILLS

Newton Abbot—Assistant solicitor to join Private Client department successful practice.

CONVEYANCER

Exeter—Residential conveyancer needed for busy City Centre office. Solicitor or Executive.

FAMILY LAW

Plymouth—Family solicitor looking for opportunity to take a leading role in small department.

VISIT OUR JOB BOARD AT

www.devonlawsociety.org.uk

**IN CONFIDENCE TELEPHONE TONY STEINER
ON 01392 494110 - OUT OF HOURS 07979 746205**