

President's Update



Dear colleague

Your weekly Law Society update

As the professional body for solicitors, every week the Law Society is working hard to influence the legal and regulatory environment on behalf of our profession and to promote solicitors at home and abroad. We support practice excellence, are an informed source of legal sector news and support members at every stage of their career.

Here are some highlights from this week.

> Download our 'lines to take' background briefing

Influencing on behalf of the profession and promoting the profession The Law Society's media profile this week

The [Financial Times](#), [Politico](#), [City AM](#), [Legal Futures](#) and the [Times](#) all have covered our new [report](#) on the impact of a no deal Brexit on the legal services sector. [New Law Journal](#) also discuss our opposition to a no deal Brexit.

The [Times](#) (£), [Gazette](#) and [New Law Journal](#) cover Robert Buckland's appointment as Lord Chancellor. I note that "as a former criminal barrister, [the lord chancellor] will well understand the challenges facing our justice system." The [Gazette](#) also reports from the swearing in ceremony. In my speech, I urged the Lord Chancellor to recognise "that investment in our justice system is not only crucial for the rule of law but good politics and good economics."

Law Society vice president David Greene was interviewed by Sky News breakfast programme, Sunrise, on Tuesday, to discuss the legal aid crisis as we mark 70 years since the introduction of legal aid in England and Wales. You can watch the interview [here](#).

The [Daily Mail](#), [ITV.com](#), [AOL.com](#), [This is Money](#), the Sun, more than 100 local newspapers and a number of local radio stations cite Law Society concerns over the legal aid crisis, voiced by our interim operational director of policy, Richard Miller. Richard was also interviewed by [Channel 5 News](#) on the importance of legal aid and the impact of cuts.

Ian Kelcey, co-chair of the criminal law committee, appeared on [BBC Wiltshire](#) (01:07:53) to discuss anonymity for those under police investigation who have not been charged. This is after the Lord Chancellor told the [Times](#) (£) suspected sex offenders and others accused of serious crimes should remain anonymous until charged - if they have a reputation to protect. While supportive of pre-charge anonymity, I believe that a fair and consistent process should be applied. All must be treated equally before the law – irrespective of status, wealth or reputation.

[The Times](#) (£), [BBC](#), [Metro](#), [Mail Online](#), and the [Sun](#) report a judge's claims the justice system is 'beyond the point of collapse' after a case was delayed two years before getting to court. I am quoted in coverage saying that "decades of cuts to this fundamental part of our country's infrastructure mean the whole system is crumbling."

[Solicitor's Journal](#) covers our call to the new prime minister to focus on restoring the beleaguered justice system and delivering an orderly Brexit which maintains cross-border justice. Read our [press release](#).

The [Gazette](#) reports on the 2019 Excellence Awards shortlist. I said that "there are more than 140,000 solicitors in England and Wales – to be shortlisted for an Excellence Award is to be recognised as among the very best of the profession."

The [Gazette](#), [Times](#) and [Legal Futures](#) carry my comments on the Legal Services Board rule change approval for the SDT to move from the criminal standard of proof to the civil standard in its proceedings.

The [Gazette](#) carries my comments on SRA plans to make the first stage of the SQE entirely multiple choice.

The [Guardian](#) reports on Cambridge University's ruling that sexual misconduct cases should not be covered by general disciplinary regulations. Cris McCurley, a member of our access to justice committee, said: "If universities are not prepared to adhere to their obligations and their duty of care then I can imagine there will be some significant legal challenges on this."

[Thomson Reuters](#) and [LexLaw](#) discuss how influencers like former Law Society president Christina Blacklaws are helping to boost diversity in the legal sector and cover the results of our research into women in the law.

The [Gazette](#) examines why claimants are struggling to enforce judgments in civil cases. Christina Blacklaws is quoted saying: "It is well recognised that enforcement of judgments is a complex issue, with arcane procedures, which can easily defeat an unrepresented litigant."

Council member Jonathan Goldsmith writes in the [Gazette](#) about the benefits of the current legal services sector regulatory regime.

[Law Careers](#) explores what life as an in-house lawyer looks like today. Our data shows that in 2017 there were 26,900 in-house lawyers.

Local solicitor Razia Jogi spoke to [BBC Radio Newcastle](#) (35:41) about the legal frameworks in place to prevent female genital mutilation (FGM).

Don't forget you can read all Law Society press releases by clicking on this [link](#). For live updates follow us on [Twitter](#).

Volunteers wanted for local media panels

Our local media panels help consumers understand the important work solicitors do to assist people in their everyday lives.

After the success of Legal Expert columns in South Wales, Bradford and Darlington/County Durham, we're rolling out features in the York Press and Western Daily Press.

If you're a practising solicitor in York, Bristol, Bath, Somerset, Gloucestershire or Wiltshire, and would like to get involved, please visit our [website](#) for further information. The deadline is **Friday 23 August**.

Regulation

New Internal Governance Rules

The Legal Services Board has released the final version of its new Internal Governance Rules (IGR). The rules come into effect immediately, but approved regulators (such as the Law Society) and regulatory bodies (such as the SRA) have a transition period of 12 months to make any changes required to comply.

The LSB's intention is to enhance the separation and independence of regulatory functions within the current legislative framework; to provide more clarity to decrease the number of independence-related disputes between approved regulators and regulatory bodies; and to make the IGR more readily enforceable.

Solicitors Disciplinary Tribunal (SDT)

The Legal Services Board has approved the SDT's application for changes to its rules. The main change is that the standard of proof will change to the civil standard (on the balance of

probabilities) instead of the criminal standard (beyond reasonable doubt) from 25 November 2019.

The Law Society opposed this change and there remains a concern that lowering the standard of proof may increase the likelihood of referrals to the SDT of 'weaker' cases which would previously and more appropriately have been dispensed by the regulator using its own powers. We have urged the tribunal to monitor referrals to ensure best use of its resources and powers.

Private Law

Employment law

The Government has published the next phase of its Good Work agenda. This included some significant changes to employment law that the Society has been lobbying for, including the setting up a single Labour Market Enforcement Body and improving protection for those who experience harassment at work.

Tax law

Some recommendations made by the Tax Law Committee were included in the Finance Bill, published on 11 July 2019, including measures to limit double taxation. The Tax Committee also raised issues in the consultation on extension of the off payroll working rules where companies who have exercised reasonable care could be double charged under the proposed secondary liability provisions. These have now been addressed by Government which has made changes and now says that the proposals are not intended to transfer liability where deliberate tax avoidance has occurred.

Public Law

Immigration

Members of the Immigration Law Committee met with the Independent Chief Inspector of Borders and Immigration to discuss their current areas of focus, which include the asylum system, the 'hostile environment' laws, and problems with the newly contracted visa applications system, which the Law Society has also raised with the Home Office.

Parliamentary

The Law Society's interim director of policy Richard Miller was quoted in the Women and Equalities Select Committee [report](#) on enforcing the Equality Act: the law and the role of the Equality and Human Rights Commission (EHRC). The Committee took on one of our recommendations on the enforcement role of the EHRC and made wider recommendations on legal aid for discrimination cases.

Swearing in of the new Lord Chancellor

On Tuesday, I spoke at the swearing in ceremony of new Lord Chancellor, Robert Buckland QC MP. This followed my telephone call with him to congratulate him on his new role and discuss the Law Society's priorities. The new Solicitor General, Michael Ellis QC MP, was also sworn in during the event. My speech can be found [here](#) and was covered in the [Gazette](#).

Key stakeholder meetings

The CEO met with Deputy Director General of the Confederation of British Industries (CBI) on Thursday to discuss cooperation on Brexit, education and skills.

Legal services sector asks for UK-EU future relationship paper

Yesterday we published a [paper on the legal services sector's asks regarding the UK-EU future relationship](#), which received widespread media coverage (see above). It has been sent to key government and opposition figures and will be distributed to more MPs when the House of Commons sits again in September.

The paper summarises the current state of the UK-EU relationship as it affects the legal sector, and explores how different future relationships will affect English and Welsh lawyers and firms.

All outcomes are explored in relation to market access to ensure the continued success of the UK legal sector. We conclude in the paper that only an association agreement can adequately deliver on legal services, and that the openness of England and Wales for EU and EEA lawyers should be maintained.

Our influencing work internationally

We took our first trade mission to Kuala Lumpur, Malaysia, this week. Nine delegates from our member firms travelled to Malaysia as part of the two day programme jointly arranged with the Malaysian Bar Council to learn more about legal business opportunities.

On Monday 1 July, our delegates met with the President and senior officeholders of the Malaysian Bar and received an update on the legal services sector and economy. They then met with boutique law firm Izral Partnership, before participating in a tour of the Asian International Arbitration Centre (AIAC). Four of our delegates spoke on two panel discussions on “Safeguarding intellectual property: case studies from Asia and the UK/Europe” and “Foreign direct investment: issues and opportunities in Malaysia and the UK” alongside representatives from Foong Cheng Leong and the Malaysian Investment Development Authority at our joint seminar with the Malaysian Bar Council later that evening. Over 30 Malaysian lawyers attended the event.

On Tuesday 2 July, our delegation met with one of the largest full-service law firms in Malaysia, Shearn Delamore & Co, where we received an update on developments in the courts and legal services in Kuala Lumpur. We then met with the founder and employees of GM Tan & Co before receiving a briefing from the British High Commission in Malaysia and the partner of one of the two law firms in Malaysia that hold a Qualified Law Firm Licence.

Supporting members at every stage of their career

Our new [early career learning and development package](#) is now live, including:

[Resilience and Wellbeing face-to-face workshop, Leeds - Thursday 17 September 2019](#)

Location: Leeds Law Society, 62 Wellington Street, Leeds LS1 2EE

[Resilience and Wellbeing face-to-face workshop, Bristol - Wednesday 18 September 2019 Bristol](#)

Location: Bristol Law Society, 12 Colston Avenue, Bristol, BS1 4ST

This face-to-face one day workshop puts the focus firmly on your personal coping mechanisms. We demonstrate how to self-assess, manage emotional responses and deal with everyday stressors, so you can better deal with the pressures of your job. We will tackle anxiety and its causes, encourage positive thinking and you will leave with valuable skills for life.

[Judicial appointments: interview training for solicitors, London - Friday 20 September 2019](#)

Location: The Law Society, 113 Chancery Lane, London, WC2A 1PL

[Judicial appointments: interview training for solicitors, London - Saturday 21 September 2019](#)

Location: The Law Society, 113 Chancery Lane, London, WC2A 1PL

In view of increasing competition for judicial appointments, this interactive course will equip delegates with the skills to enhance your application and interview performance. This workshop has been developed specifically for solicitor applicants but the content is relevant for anyone serious about submitting a credible judicial application.

[The Law Society's Diploma in Local Government Law and Practice 2019-2020](#)

This self-study course has been tailored for trainee solicitors, solicitors, barristers and chartered legal executives who are committed to progressing in local government law and practice. The programme will cover the structure of local government law, local authorities and the courts and much more. Enrolment closes Friday 16 August - [download the prospectus](#) and secure your place today.

[Legal Pride](#)

The Law Society is marching in more Prides than ever before – as #LegalPride, together with the Bar Council and CILEx to show a united legal profession in support of its LGBT+ members and

LGBT+ rights. The vice president and deputy vice president marched in Birmingham, and will be doing the same in Leeds and Manchester (respectively). Sign up for Newcastle, Leeds, Manchester and Cardiff [here](#).

[Fiona Woolf lecture, London](#) - Thursday 12 September 2019

Location: The Law Society, 113 Chancery Lane, London, WC2A 1PL

This event is to celebrate the achievements of Dame Fiona Woolf and other inspirational women who have reached senior positions within the profession.

Supporting practice excellence

[Compliance forum for COLPs/COFAs: SRA Standards and Regulations, London - Tuesday 6 August 2019](#)

Location: The Law Society, 113 Chancery Lane, London, WC2A 1PL

The Solicitors Regulation Authority (SRA) will be issuing new Standards and Regulations later this year which will replace the SRA Handbook. This forum, aimed at COLPs and COFAs, will provide insight into the changes that you need to make.

[Solicitor Judges' Division Seminar: Breaking Down Barriers, London - Tuesday 10 September 2019](#)

Location: The Law Society, 113 Chancery Lane, London, WC2A 1PL

This autumn, the Solicitor Judges' Division is hosting a panel discussion on judicial diversity and how we can achieve it.

[Competition Section seminar: CPD compliance for Irish practising certificate holders, London - Tuesday 10 September 2019](#)

Location: The Law Society, 113 Chancery Lane, London, WC2A 1PL

This two-hour seminar will cover essential CPD requirements for Irish practising certificate holders, with a particular focus on the regulatory element of Irish professional development.

[Risk and Compliance autumn conference 2019: Mitigating risk in a changing regulatory landscape, Bristol - Thursday 12 September 2019](#)

Location: Mercure Bristol Holland House Hotel and Spa, Redcliff Hill, Bristol, BS1 6SQ

In this popular one-day event speakers will provide invaluable advice for shaping the future of compliance in your firm and offer practical guidance to help you cultivate a best practice culture throughout your firm or department.

[Compliance forum for COLPs/COFAs: SRA Standards and Regulations, London - Monday 16 September 2019](#)

Location: The Law Society, 113 Chancery Lane, London, WC2A 1PL

The Solicitors Regulation Authority (SRA) will be issuing new Standards and Regulations later this year which will replace the SRA Handbook. It will have a new reduced set of principles, two separate Codes of Conduct - an individual solicitor code and a firm code - and simplified Account Rules. This forum, aimed at COLPs and COFAs, will provide insight into the changes that you need to make.

[Small Firms Division annual conference 2019, London - Thursday 19 September 2019](#)

Location: The Law Society, 113 Chancery Lane, London, WC2A 1PL

The Small Firms Division is dedicated to meeting the needs of all smaller legal businesses, including sole practitioners. The Division's flagship annual conferences will take place in London and Leeds, and will provide practitioners with a half-day of small firms-focused conference sessions, practical tips and networking opportunities.

[Property Section workshop: risk and negligence in property transactions - problems and pitfalls for practitioners, Leeds - Thursday 19 September 2019](#)

Location: Shulmans LLP, 10 Wellington PI, Leeds, LS1 4AP

As the residential property market slows and returns on commercial property are threatened by the decline of the high street, there is a risk that property owners will look to the professionals who advised them to recoup their losses.

Private Client Section seminar: Professor King and topical Issues in Private Client Practice, Birmingham -Thursday 19 September 2019

Location: Birmingham - Venue TBC

This one-hour seminar from Professor King will educate and entertain with practical guidance on topical issues in Private Client Practice. Professor King will bring her unique insight and clarity on recent case law and statutory developments and will focus on avoiding traps and pitfalls.

Small Firms Annual conference 2019: Thursday 19 September, London and Thursday 3 October, Leeds

Joshua Rozenberg QC (hon) will be this year's keynote speaker. He will discuss changes in the legal sector and the future for small firms. The programme will also cover topics such as small firm business models, cost effective ways to market your firm and the latest updates from the SRA handbooks. [Secure your place](#) on or before Tuesday 3 September to save up to £50.

Keeping members up to date

We have a number of newsletters for members. Below is a list, along with links for signing up to them.

Newsletter	Sign-up method
Advocacy Update	Update My Law Society preferences
Anti-money Laundering Update	Law Society newsletter page
City Update	Contact the City relationship management team
Diversity & Inclusion Update	Update My Law Society preferences
In-house Forum	Update My Law Society preferences
International Update	Law Society newsletter page
Junior Lawyers Update	Law Society newsletter page JLD sign-up page
Legal Aid Update	Law Society newsletter page
Professional Update	Law Society newsletter page
Regional Update	Contact your regional relationship management team
Risk & Compliance Update	Join the Risk and Compliance Service
Small Firms Focus	Contact the Small Firms Division
Solicitor Judges Update	Join the Solicitor Judges Division

You can also register for the Gazette daily update [here](#).

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www.lawsociety.org.uk