

SPRING ISSUE
2024

LEICESTERSHIRE LAW SOCIETY MAGAZINE



INTRODUCING
COUNCIL MEMBER
STEVEN MATHER

MUSIC AND
WORKPLACE
WELLBEING

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RISK?

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Under review

ReviewSolicitors stands as the UK's primary source of legal information and a beacon for new clients seeking representation, guiding them through the often complex realm of legal services

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Letter from The Editor Matthew Olnier



Still so proud of the work of our members, off the back of which we have been able to give new life to this magazine, I take great pleasure in extending my greetings to each member of our distinguished Law Society in this new issue.

Our commitment to fostering excellence and camaraderie within the legal community has never been more evident than in the endeavours of our Junior Law Division under the steadfast leadership of President Shivani Daudia. Shivani's dedication and innovative approach have infused

a renewed energy into the Junior Law Division. Her vision for inclusivity and professional development resonates with the ethos of our Society, and we eagerly anticipate the positive impact she will continue to bring to our vibrant community.

I am equally thrilled to introduce a new addition to our Law Society Council, Mr. Steven Mather. Steven brings a wealth of experience and a fresh perspective to our esteemed Council. We look forward to the valuable contributions he will undoubtedly make to our collective endeavors. You can read more

about Shivani and Steven in this issue.

We also take a look into timely and critical legal topics that affect us all in the sector. From insightful analyses to thought-provoking commentaries, the LLS Magazine serves to keep us all up to date not only with the law but with each others' businesses and successes.

As we continue into the new financial year, let us celebrate the achievements of our members. Together, we continue to elevate the standards of our profession.

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Get in touch with us

Leicestershire Law Society

Office Manager:
Charlotte Anderson-Dilkes
Phone: 07929 150 597
Email: office@leicestershirelawsociety.org.uk
Address: c/o Hollingsworths,
19 New Walk, Leicester, LE1 6TE

Advertising Company:

Cross Productions
Contact: Sally Smith
Phone: 07931 220116
Email: sally@crossproductions.co.uk

Resident Photographer Company:

Hitz Rao Photography
Contact: Hitz Rao
Phone: 0116 246 0475
Email: info@hitzrao.com

Print Management Company:

Soar Valley Press
Contact: Chris Goodman
Phone: 0116 259 9955
Email: orders@soarvalleypress.co.uk

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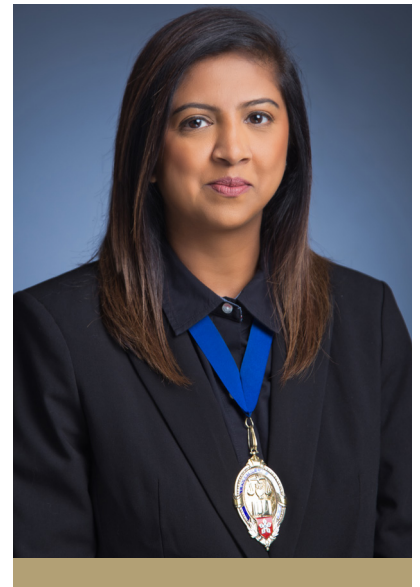
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Matrix Networking

The Matrix networking event was hosted by Leicestershire Law Society at Mattioli Woods Sky Lounge on Monday, 19 February



Business professionals from diverse industries gathered to forge new connections, exchange ideas, and explore potential collaborations. The event was a resounding success, providing attendees with valuable insights and fostering a sense of community within Leicester's business landscape.

The Matrix networking event was hosted by Leicestershire Law Society at Mattioli Woods Sky Lounge on Monday, 19 February. Business professionals from diverse industries gathered to forge new connections, exchange ideas, and explore potential collaborations. The event was a resounding success, providing attendees with valuable insights and fostering a sense of community within Leicester's business landscape.

Attendees came from various industries, including finance, legal, and hospitality, creating a dynamic and inclusive networking environment.

Our president Bhumika Parmar introduced the evening highlighting the importance of building genuine, meaningful connections with others who share our interests and goals and how it is crucial to have a strong network of professionals we can rely on for support, advice, and collaboration.

The event boasted an impressive lineup of keynote speakers including Andy Goulter from Mattioli Woods who shared his insights and experiences of businesses collaboration. Then from Arif Voraji

from Help the Homeless who delivered an excellent speech on how he started his charity from the back of his boot and the journey he has been on.

Many attendees found valuable partnerships and collaborations during the evening, whether it was finding a new business partner or securing a client.

In conclusion, LLS's Matrix networking event was a great success, bringing together professionals from varied industries and fostering meaningful connections. The event showcased Leicester's vibrant business community and highlighted the value of networking post-pandemic in 2024 and onwards.



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AWARDS

2024

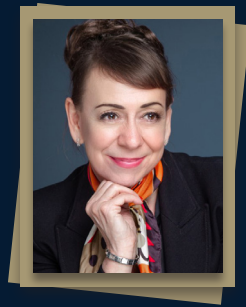
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Glynis Wright MBE
Director of GW Growth
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Bhavin Gandhi
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Midlands Private Law Strategy



Family disputes: fresh hope for 2024 – 2 New Street discusses

The new Midlands Private Law Strategy, launched in early February this year, is welcomed to (hopefully) reduce timescales and delays, whilst promoting better outcomes for families going through separation and private law proceedings.

However, the drive to achieve this has been a regular issue over the decades. Take two examples.

The Times' Law section

In the early 90s, The Times' law section placed a short statement in a small corner of a page stating: "Divorcing couples will be able to settle disputes out of court under a scheme to be launched by solicitors and family counsellors in co-operation with the Law Society. Couples will be able to go together to a specially trained solicitor and counsellor who will provide a package of advice which can be formulated without court disputes."



Exploring alternatives

Secondly, in 1999, a major conference was held to address gaps in justice for children, and to 'explore alternatives' and 'hear children's voices.'

Fast forward almost 34 years to February 2024, and the problems still need addressing. That is most likely to be because of the dynamics of family life, the ingredients of which do not really change.

Not every problem can be solved out of court. The Children Act 1989 is the legal framework for a remedy in family proceedings with reference to the 'welfare checklist'.

Parents can quite understandably have different ideas about what is best for their children and the fact that they find themselves in court

The Children Act 1989 is the legal framework for a remedy in family proceedings with reference to the 'welfare checklist'.

does not make it a 'bang heads together' or 'six of one, half-a-dozen of the other' situation. Many parents for example, have no choice but to seek a legal remedy.

The worst aspect is delay and fractured relationships during that period of delay. There is currently a huge backlog of cases and applications in the court system. The Strategy requires a more robust approach at the early stage of any proceedings and is a very welcome –

and encouraging – development.

Mediation can play a role "where there is a will to find common ground" ('Supporting Earlier Resolution of Private Family Law Arrangements' – Ministry of Justice; January 26, 2024). Parents may need support through coaching to develop that will.

Court is the right option for some families; e.g. where there are issues of domestic abuse, an urgent application or where families have tried but been unable to reach an agreement. Court proceedings are seen as the 'sharp end' and the remedy needs to be available in those situations where the children's welfare requires a decision to be made. This can be for the most serious and complex cases, and also the pattern of time children spend with each parent.

The approach which will work is more likely to be time-limited focused mediation with support and swift decision making in court, if proceedings are necessary.

The difference today is that these initiatives have a wider reach to the public, are explained more clearly, and it is now embedded that parents are of equal importance in the lives of their children.



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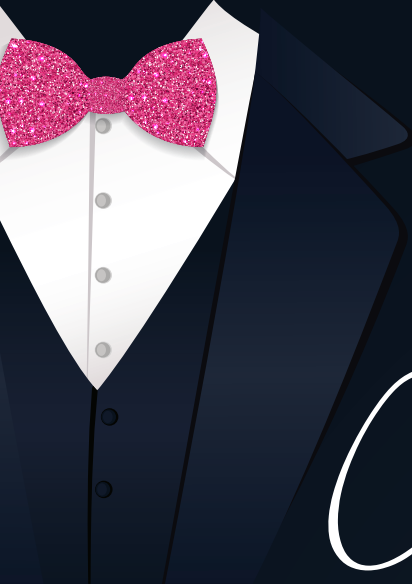
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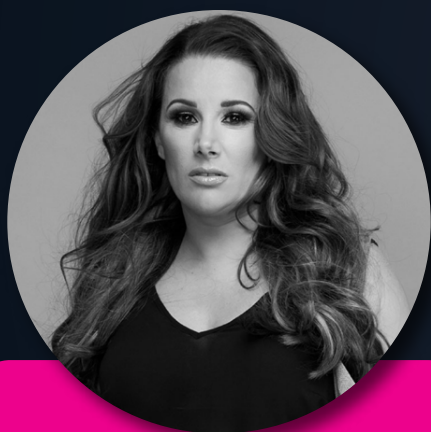
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19:30 Guests take their seats in the Grand Ballroom for Dinner, followed by fabulous live entertainment and disco

00:30 Last Orders at the Bar

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ROAST CHICKEN SUPREME, dauphinoise potato, pancetta, kale and bordelaise GF

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DESSERT

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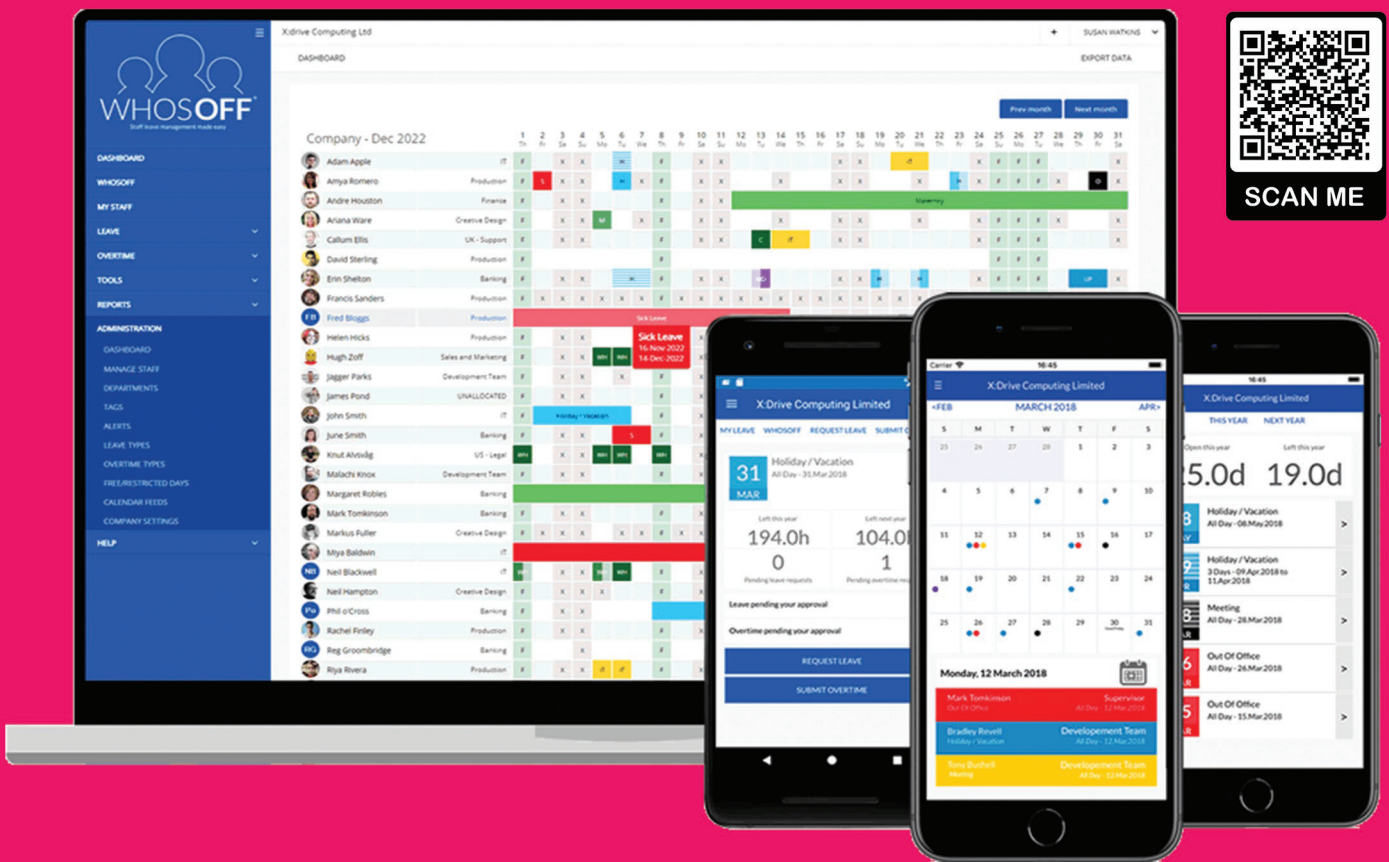
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Introducing: Shivani Daudia



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 Leicestershire Junior Lawyers Division LJLD/ Shivani Daudia

The career path that led Shivani Daudia to become President of the Leicestershire Junior Lawyers Division

My name is Shivani Daudia and I am extremely proud to be the current President of the Leicestershire Junior Lawyers Division. My journey into the legal industry is somewhat unorthodox as I didn't follow the traditional path, nor aspire to be a lawyer at the outset.

I started working full-time at 16 and picked up skills in various industries before I entered the legal profession – a lost 20-year-old that didn't have clarity on which career path to pursue. A friend introduced me to a receptionist vacancy at the firm she worked at, and on a whim, I thought I'd give it a go.

Fast forward two years, I am balancing reception duties and have adopted legal secretarial responsibilities for the department. This is what first exposed me to the role of a lawyer and the fundamentals of running a case. I developed an interest in exploring new terminology and researching civil procedures and, thankfully, I had a circle of encouraging lawyers around me, who always supported my appetite to learn.

With my highest level of education being a modest set of GCSEs, I didn't think I had an 'in' into the legal profession. That was until becoming engaged with CILEX Law School and achieving my level 2 and three certificates as a stepping stone to progress to qualification in future. I worked hard at developing professionally and building on my skills within a Junior Lawyer capacity, both inside and outside of work.



I joined Brethertons LLP as a paralegal within the property management department. I am delighted to have aligned with a firm with such exceptional values. Not only is there a high standard of service delivered to clients but there is also substantial regard for the well-being and progression of employees too.

Upon taking a break from studying, I strived to become a staple part of the community, helping to maintain and progress the established network of professionals that is the Leicestershire Junior Lawyers Division. My friend, and past

president, Rishii Chowdhury, took me under his wing and introduced me to some incredible people within his network, and encouraged me to take on the presidency.

Our ongoing mission is to connect with law students at local universities and encourage them to work on their soft skills and begin creating a network for their futures. The committee are also working on collaborating with the Leicestershire Law Society, in a bid to create a closer connection between junior and established lawyers, as their insights are invaluable.

Vice President, Tereza Fotiadi, and I are passionate about collaborating with local businesses and supporting local charities. We have recently collaborated with LOROS Hospice and intend to become involved in other fundraising opportunities with them, alongside supporting the Samaritans.

Reflecting on my journey, I appreciate the importance of being engaged in a likeminded community to progress personally and professionally. I hope to be the positive influence and encouragement that I once needed when embarking upon this profession.



Junior Lawyers Division Ball



Changing Landscapes

Alan East is appointed Head of Leicester De Montfort Law School, a new Partner appointed in Nelsons' property litigation team, and Freeths gain B Corp Status



Nelsons' dispute resolution team brings in new property litigation partner

Experienced property litigator, Chris Chan, has joined our expert dispute resolution team in Nottingham

Chris has joined us as a partner from Roythornes, where he was a senior associate. He has previously worked for Knights and Fraser Brown, as well as spending time as in-house senior legal counsel.

Since qualifying in 2013, Chris has developed a strong reputation acting for both landlords and tenants in commercial and residential property disputes.

Chris said: "My move to Nelsons is a positive step in my career, giving me great scope to develop. It's also an exciting time for the firm, having become part of Lawfront and a strong period of growth over the past year and I'm proud to become part of this journey.

"I knew of the talented dispute resolution team and the great



clients at Nelsons, so I am looking forward to helping to support existing clients as well as introducing some new ones".

Our dispute resolution team provides a range of services to clients, including property and commercial litigation.

With experience across a wide variety of sectors they can support with commercial contract claims, debt, fraud and asset recovery, as well as disputes relating to property, rights of way and landlord and tenant.

Daniel Brumpton, partner and head of our commercial litigation team said: "It's great to welcome Chris into the dispute resolution team; he will play an important role in our work across the Nottingham property market working closely with Simon Waterfield and the team as we look to expand into this core area.

"Chris' reputation and experience of property litigation makes him a vital asset to this part of our service and something we were keen to bring in to help us support the volume of clients we are experiencing."



Alan East joins De Montfort University as head of Leicester's De Montfort Law School

Alan is a non-practising solicitor-advocate (higher rights in criminal proceedings) with extensive experience in criminal litigation and prison law. He co-founded a legal practice and later diversified his career at the Crown Prosecution Service as a district crown prosecutor, managing a large team of prosecutors in the West Midlands. He has a national profile in the legal profession as an elected council member at the Law Society of England and Wales and was former chair of its Education and Training Committee.

Since Alan joined higher education, he has built an international reputation as an innovator and disruptor in teaching, learning and assessment. He passionately supports students' entry into the legal profession and was recognised by Advance HE with a

national teaching fellowship for his outstanding contribution to legal education and enhancing student experience.

Alan joins Leicester De Montfort Law School at a very exciting time, following the introduction of block teaching. Alan said: "I was very excited to join DMU because of its unique student focused approach to legal education through block teaching and its very experienced law school and overall student offering. I hope to build on this through the work I have been doing innovating teaching and learning together with my work within the legal profession."

Alan has been a pioneer in the field of clinical legal education, both nationally and internationally, having established an award-winning pro-bono community legal



advice service which has global recognition. This experience will be invaluable as DMU plan to launch their own law clinic.

You can contact Alan on alan.east@dmu.ac.uk.

Top 50 law firm Freeths announces B Corp accreditation

Freeths is proud to announce that as part of its ongoing commitment to sustainability, and its wider ESG strategy, it is now a certified B Corporation (B Corp).

B Corp certification is awarded to businesses that demonstrate they meet high standards of good governance, and environmental and social impact. This is measured through performance, accountability, and transparency across all areas, including employee benefits, charitable work, and supply chain practices. Freeths is the largest UK law firm with B Corp certification.

Freeths will be working with the environmental company Planet Mark to help the firm create a

net-zero plan, and to establish interim and long term science-based (SBTi) net-zero targets.

Chris Freeston, head of the firm's banking & finance practice, who led the B Corp application, said: "I'm excited and hugely proud that Freeths has achieved B Corp certification. As a responsible business, it is testament to the hard work of our people and it highlights these important issues and embraces the values that are integral to our firm, people, clients, and communities.

"At Freeths, we take our commitments to people and the planet very seriously and this status demonstrates our ongoing performance in the field."



Freeths is always eager to make a difference by helping clients on all aspects of their own ESG journey; details can be found at freeths.co.uk/legal-services/business-services/environmental-social-and-governance.

3 Reasons why your will is under threat



PARADIGM WILLS
AND
LEGAL SERVICES

Paradigm Wills and Legal Services discuss the top concerns for a person's will

If you have a will, you understand the importance of legally securing your estate in the hands of your loved ones, but many do not realise that your wishes might not be as set-in-stone as you think they are.

If a person has valid legal grounds, your will can be contested by them. Who would do this and why? Perhaps a family member who you do not wish to inherit believes they have the right to your estate.

Paradigm explains that only 'interested persons' may challenge a will. They may attempt to do so on the following grounds.

Testamentary capacity doubt

When you write your will you must be of sound mind. This means you must understand what a will is, recognise that what you are writing is indeed a will, you must be able to comprehend how much you have to give to your beneficiaries, appreciate what it means to include or exclude certain people from the

will, and not be suffering from mental illness. If someone wants to contest the will and imply any of the aforementioned to be untrue, they could do so on these grounds but they will have to have evidence for this.

Undue influence

If someone suspects, or wrongly accuses, that there was pressure put on the testator, or that the testator was manipulated when writing the will, your will could be under threat. If you choose to leave your estate to your child and another family member believes themselves to be more deserving to the inheritance, this person could suggest that the will was written under coercion or intimidation in order to receive a share. Deathbed wills have also been viewed under suspicion and those who were not present at the time may feel they have been denied what is rightfully theirs. Someone may be able to contest a deathbed will on the grounds of undue influence.

Inaccuracies

Your will may be challenged if it contains errors in spelling and grammar, meaning it can be implied that your wishes have been misunderstood at the time of writing. A person can contest the will if they believe this has meant they missed out on benefitting from the will. They may also argue that the wording is misleading or unclear.

Paradigm Wills and Legal Services says there are measures that can be taken to protect your last will and testament once you are gone, including protective trusts, a complete avoidance of DIY wills, and expert will writing from experienced professionals. Learn more at paradigm-wills.com. ■

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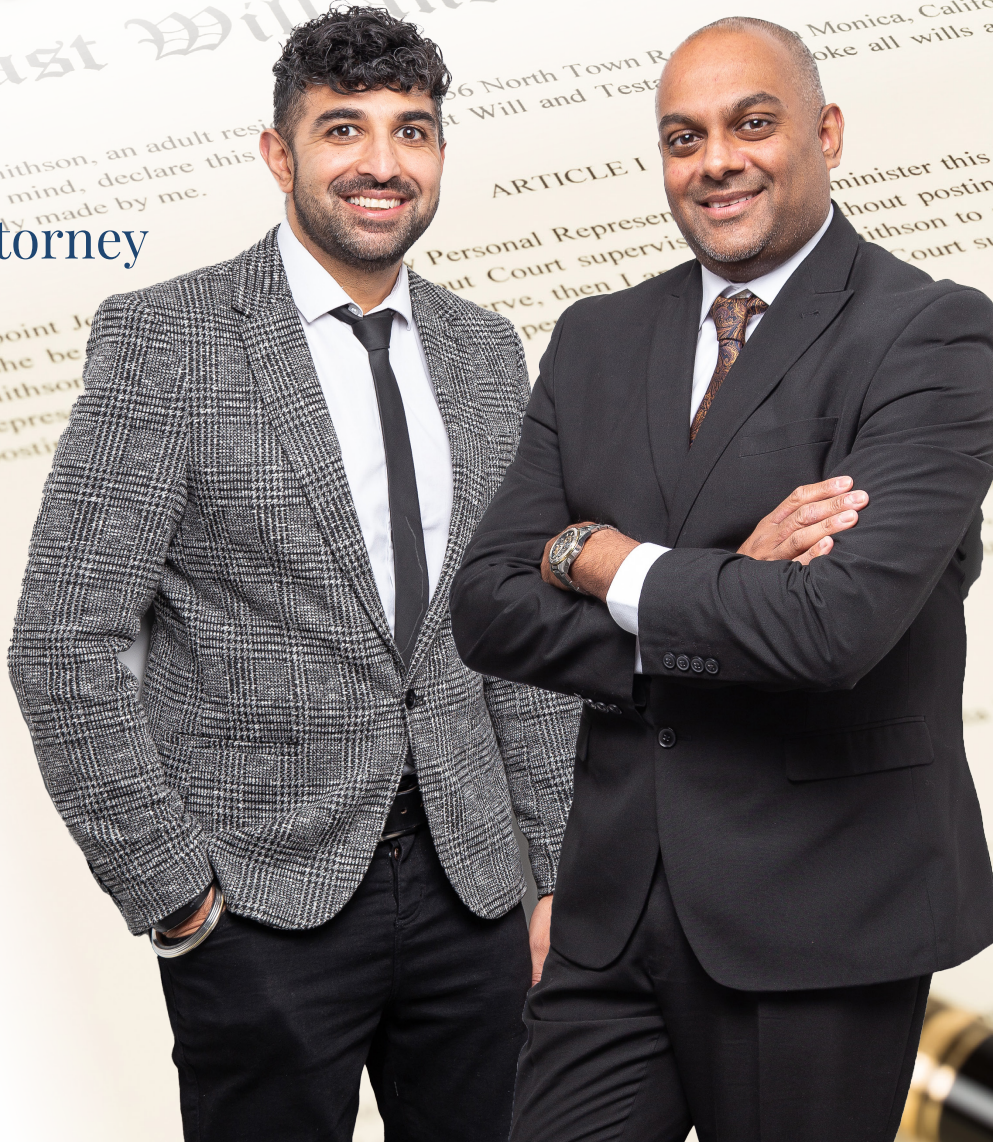
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Why be a member with LLS

A membership with the Leicestershire Law Society brings many benefits with access to courses, networking events and opportunities to become involved with representing the local legal profession.

Some of the benefits are:

- Opportunities to attend networking events
- Meeting others from the local legal and business community
- Free subscription to electronic newsletters
- Opportunity to join and participate in sub-boards
- Consult with The Law Society and represent on local matters
- Receive discounted rates on CPD seminars/courses
- Receive discounts from local retailers and restaurants



Zainab Zaeem
Chair of Membership

Types of membership

There are various ways of becoming an LLS member. All members are entitled to attend our courses, social and networking events and can take advantage of our membership benefits.

• CORPORATE MEMBERSHIP

This is for firms of solicitors. You only pay for Partners in the firm. Corporate membership covers all solicitors, trainees, and paralegals, so it is a great way of enabling the whole firm to make use of the membership.

• ASSOCIATE MEMBERSHIP

This is for barristers' chambers and covers all barristers at the chambers.

• INDIVIDUAL MEMBERSHIP

Individuals can become members of the LLS. This is available for all current and former legal professionals.

• GROUP MEMBERSHIP

This is for businesses that are not law firms but employ lawyers.

For more information on how to become a member, visit our membership page at
leicestershirelawsociety.org.uk/become-a-member

AI, cybersecurity and future innovation ...what's in store for the legal sector

The year of the first legal AI products – John Flanagan, Head of Product & Innovation, LEAP, takes a look at digital innovation in 2024

Cybercrime is a threat to all modern businesses. However, law firms in particular must take proactive steps to mitigate such risk as they're more susceptible and impacted by the consequences of an attack given the nature of their work and their access to client information. Out of all law firms, 75% have been targeted by cybercriminals, according to the Solicitors Regulation Authority (SRA), and it's easy to see why.

What can law firms do to protect their businesses and clients in 2024?

The National Cyber Security Centre provides a handy 10 Steps to Cyber Security guide that any organisation should consider to improve their cyber security. Only a few of the steps have a technological solution, meaning technology itself won't protect you. Humans can be your biggest cyber security asset, but also your biggest weakness.

On a technological level, law firms should ensure secure systems by adopting up-to-date devices and software, multi-factor authentication, a strong password policy, or the rollout of a password manager, and ensuring devices are encrypted. When investing in new software for your law firm, ensure its cyber security processes stand up to scrutiny by looking for SOC 2 or ISO 27001 certifications.

Without human awareness of the risks and how to manage them,

technology is useless. Invest in training to explain to your staff how easy it is for your firm and client data to be compromised. Easy-to-guess and reused passwords, using unsecured networks, and phishing are all very common ways for a hacker to compromise your systems. Continued education, coupled with some technological solutions, will mitigate most of these risks.

What is the impact of ChatGPT and other AI tools on the legal technology industry?

Those of us of a certain vintage will remember many great sci-fi movies from the 1980s where computers with artificial intelligence have taken over the world and are at war with humans. From the outside, AI can seem like a risk, but not harnessing its potential is foolish. Where we are with AI is where we were with the cloud 15 years ago, if we as a software business don't use it, we will be left behind by those that do.

There have been some in the media who suggest that AI is no more than a manifestation of the Infinite Monkey Theorem, in that if you put enough computer processing power behind a question, it will eventually come out with the correct answer. This is a misunderstanding of generative AI, which uses highly sophisticated algorithms and machine learning to analyse data to identify patterns and structures to produce coherent and meaningful output.

In the legal sector we will see the introduction of a co-pilot for the work you are undertaking. This co-pilot will digest huge quantities of data for the area of law, look at specific circumstances, reference case law and analyse other data to help you achieve the best outcome for your client.

What other innovations and trends will emerge this year?

The use of AI is rising rapidly. At the end of last year, three-quarters of the largest solicitors' firms were using AI, nearly twice the number from just three years ago. Anecdotal evidence suggests that the use of AI in small and medium firms is also on the rise and over the next ten years will continue to grow, accelerating radical innovation. The government's proposed regulation of AI is expected to significantly impact the legal services sector, as it will attract investment and promote economic growth in the United Kingdom (SRA).

The year of 2024 will be the year that the first legal AI products come to market with greater adoption. There are already some standalone products offering AI-based contract management, and lawyers practising in other areas will see tools becoming available. We are at the start of the next legal technology revolution, and it is an exciting time to be working in this sector.



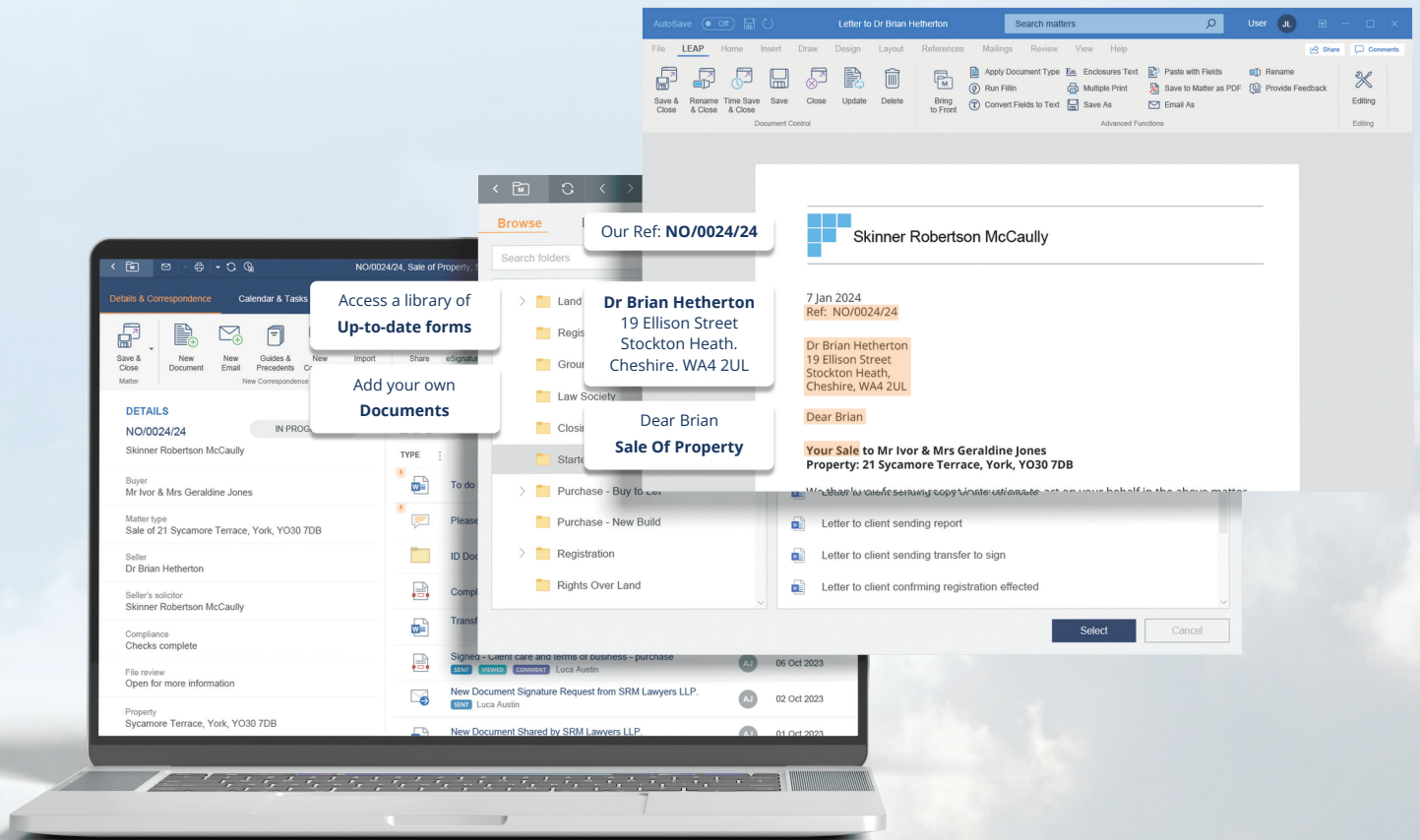
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Are you taking full advantage of our services?



Our new National Council Member Steven Mather explains The Law Society's governing body

Get this: some people have a gym membership, pay £40-50, each month, and then... they don't go. All that wonderful machinery, the classes, the people, the dopamine hits – all missed. It's bewildering really that someone would pay for something and not use it.

Who am I to talk? I went to a gym. Once. Nice café.

Anyway, my name is Steven Mather and I'm your all-new Law Society council member for Leicestershire, Northamptonshire and Rutland, replacing the wonderful Linda Lee. Linda has been the incumbent for the last 20 years and was a previous Law Society president. I am not even going to try to fill her shoes, but hopefully I will bring my own unique approach to the role.

Assuming you're a solicitor with a practising certificate (PC), you will be paying for me and lots of people at The Law Society (TLS) (as well as the SRA and SDT inter alia). Most of TLS' income is derived from collection of PC income, although that is now managed by the SRA with funds distributed back to TLS. Find more about financials at [lawsociety.org.uk/about-us/business-review-and-annual-report](https://www.lawsociety.org.uk/about-us/business-review-and-annual-report).

But, like an unused gym membership, I'm concerned that you're not gaining full advantage of our services. Whether you work in a high-street practice, a larger commercial/regional firm, in house or in an ABS, you can access TLS benefits. I must admit, until I became a council member, I had no real idea of the extent to which TLS provides support to us as solicitors, and I would urge to you take a look at the TLS website or get in touch.

So what is Council and what am I doing?

Council is the ultimate governing body of the Law Society. There are currently 97 seats; some geographical or practice area based, and others to provide equality, diversity and inclusion. Council maintains strategic oversight on all important matters, and while day-to-day decisions are delegated to the Law Society board, it remains accountable to council. Fundamentally, council and TLS are accountable to you, our members.

I see my role on council as being the channel of communication; the gateway to TLS and all it has to offer. In my short period as a council member, I can see

that there is a way to make a difference, but to do that, I need to hear from you on any issues of potential concern and how you think TLS should be helping.

For instance, take criminal legal aid; TLS has taken the Ministry of Justice to court via judicial review over criminal legal aid funding. They're seeking a minimum 15% funding uplift, and say the nine per cent in 2022 – and just two per cent in 2024 – was a real-term cut to legal aid rates. While writing this, the judgement was released, and the Divisional Court has ruled that the government acted unlawfully and irrationally when deciding not to implement the full funding recommendation. Without TLS bringing a legal challenge, the government would have carried on and got away with its actions. The Rule of Law, so paramount in our studies as lawyers, is once again proved to be important in our daily lives too.

I genuinely want to work for and with you on any issues, so do feel free to get in touch with me if there's anything you'd like to discuss or for me to raise at council. You can email me steven@stevenmather.co.uk.



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Additional car park available at rear of the building via Princess Road East

Deputyship and statutory will applications: How does a probate genealogy firm help?

Finders International guides us through next of kin research

As all Deputies and Court of Protection specialists will know, applying for a statutory will can be a complicated and time-consuming matter.

As part of the duty of care, and requirements for making a statutory will, it is necessary to hold a copy of the person's existing will, a draft of the proposed will, details of their family, assets and income, as well as medical evidence of their incapacity in order to provide these to the court, together with any other evidence the court requires.

Anyone who would be potentially affected by the application (perhaps a beneficiary who would lose out, for example) will be a party to the court proceedings.

Finders International specialises in researching a person's (P) next of kin, providing a verified family tree and a full report of the required findings to support your application to court.

Here are four ways in which a probate genealogist can help.

1. Verifying family tree information

We can conduct thorough research to trace and identify all of P's next of kin according to intestacy rules. We can do so with little or no contact with the family, at the authority of the Deputy, and ensure that our research is backed by documentary evidence.

Information from the family can often be inaccurate; therefore, we can verify the accuracy of any information already held, ensuring that the family tree is comprehensive and reliable.

2. Resolving complex family scenarios

In cases where the family structure is complex or unconventional, a probate genealogist can provide expertise in unravelling intricate family scenarios. This includes stepsiblings, half-siblings, or other unique family relationships. With modern families spread across the globe, our international expertise can assist in even the most complicated of family make-ups and wherever people may live.

3. Ensuring you are aware of P's existing will and financial assets

Ensuring you know of any will P may have made in the past is crucial to this process. Finders can assist by conducting a comprehensive will search to identify any will that may have been made before P's affairs were managed under Deputyship Order.

Additionally, a full missing asset search can also be conducted for P, ensuring that you are aware of the full financial picture.

4. Providing evidence for the court

The findings of a probate genealogist can be presented as evidence to the Court of Protection. This documentation helps validate the accuracy of the family tree and ensures the correct family members are notified of the process.

See over for more information on the services we provide, visit findersinternational.co.uk.

SUPPORTING COURT OF PROTECTION TEAMS

Assisting COP teams and Deputies dealing with P's finances

Deputyship Applications

Finders can assist pre-Deputyship Application if the Court requires you to contact family, friends, and neighbours of the Client.

Family tree research required for Statutory Will Applications

Finders can assist in constructing P's family tree to confirm next of kin (wherever they are in the world). Our report provides full family contact details enabling you to contact them directly regarding the Application.

Additional Services

Missing Will Search service: We can conduct a search to ensure that P has no existing Will, or that the Will you hold is the most current.

Financial Asset Searches: We can provide financial asset searches for living Clients under Deputyship order. This service ensures that, as Deputy, you are aware of all assets P holds.

Administrator Search: In the event that P passes away with no known next of kin, we can identify and locate surviving kin and identify a potential Administrator. We then put your firm in touch directly with the prospective Administrator to move forward with the Estate administration.

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UK cyber insurance market trends



What happened in insurance regarding cybercrime in 2023 and the outlook for 2024 as told by Marsh

The UK continues to be a profitable target for cyber criminals, with malicious attacks on digital systems and technology impacting organisations in a variety of sectors. More than 37% of large businesses have become a victim of cybercrime, according to the UK Government.

In the context of increasingly sophisticated attacks and a widened threat landscape, the UK cyber insurance market in 2023 has experienced an influx of new buyers that are benefitting from stabilising rates following post-pandemic highs. New entrants into the market have sparked competition, and clients have benefitted from strengthening coverage and capacity as a result.

Hundreds of cyberattacks occur every month in the UK, and the increasingly sophisticated methods of threat actors mean organisations of all sizes have been impacted. High profile cyberattacks in 2023 were reported by organisations ranging from government agencies and retailers to media outlets.

A number were affected through vulnerabilities in their IT supply chains, reinforcing the need for vigilance around cybersecurity controls, such as rigorous monitoring of the measures taken by vendors and suppliers. The events included ransomware among other attacks,

which regularly exposed customer data, interfered with supply chains, and more.

Against this background, there have been shifts in the insurance marketplace in 2023, including:

Pricing: Cyber insurance pricing continued to decline, on average, through the year. In the third quarter, pricing dropped 8% for clients with annual revenues of over £250 million, compared to year-over-year increases averaging 38%

A number were affected through vulnerabilities in their IT supply chains, reinforcing the need for vigilance around cybersecurity controls, such as rigorous monitoring of the measures taken by vendors and suppliers.

in the same quarter a year earlier. Of these clients, 71% experienced price decreases this year. Price reductions on excess layers were generally more significant.

Limits and capacity: In the second quarter of 2023, insurers typically continued to remove some restrictions to existing coverage. Capacity increased amid ongoing Lloyd's support for the cyber market. More than 9% of clients increased their retention in the third quarter,

which may indicate increased confidence in their cybersecurity measures.

Claims: Claim volumes rose in 2023 compared to last year, with ransomware remaining a key factor. Threat actors continue to use sophisticated ways to cause disruption. Almost half of total claims to date in 2023 have emanated from attacks on the IT supply chain. However, trends suggest that the ransomware model may be becoming more difficult to monetise.

Underwriting: Systemic cyber risks remain a top concern. Insurers are typically including specific war and territorial exclusions in policies, with war exclusion language in line with Lloyd's requirements. Underwriters are scrutinising areas that are directly relevant to the threat landscape, such as data collection practices and vendor management. Despite this, an injection of capital into the cyber insurance market has resulted in broader options for clients.



Cyber property damage and business interruption (PDBI): In line with a 2017 Prudential Regulation Authority (PRA) mandate, insurers must be explicit as to whether cyber is covered as a peril in an insurance policy to avoid “silent cyber” (cyber risk in non-cyber policies).

This has led to exclusions of cyber perils, particularly in “all risk” and property policies. This is a key factor in the development of the cyber PDBI market but is not the only consideration for buyers.

The proliferation of operational technology (for critical infrastructure, transport, manufacturing, marine, energy, and utilities), high-tech buildings with inherent PDBI risk, and connected devices has also contributed to the growth of this sector.

There is currently more than £200 million of advertised PDBI capacity, and rates generally decreased in 2023. While it is often the case that the traditional property and casualty market offers coverage for non-malicious cyber events, the cyber PDBI market fills the void for malicious events, such as a ransomware attack.

Outlook for 2024

Cyberattacks on the IT supply chain will likely remain focal points in 2024. In 2023, 44% of client claims involved attacks on either IT service providers or a software product. In addition, data exfiltration – as part of ransomware attacks – became more prominent. We expect insurers to continue focusing on IT vendor management and data collection practices throughout 2024.

While ransomware and other events are expected to continue, there is optimism that insurance capacity will remain available in 2024.

Some clients are likely to face new challenges regarding risk associated with operational technology. The London insurance market provides capacity for property damage arising from a malicious cyber event.

Artificial intelligence has been a hot topic throughout 2023, with many organisations exploring ways in which generative AI can support everyday business activities. Discussions around how such tools will be governed continues, and it is important for clients to recognise the associated risks involved.

Learn more at marsh.com/uk/services/cyber-risk.html.

Contact Nam Qureshi, Vice President.
t: 0121 626 7909 | m: 07825 100 997
e: nam.qureshi@marsh.com
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How Marsh can help you understand, measure, and manage cyber risk:

Cyber risk management is an ongoing endeavour, and it is important for organisations to adopt a proactive approach. As your cyber risk adviser, Marsh can help you in several ways:

Incident management: Our cyber incident management team can help formulate your cyber incident response and support you during and after an incident.

Risk advisory: Our advisory team can partner with you to enhance cybersecurity resilience in view of technology advancements and the ever-evolving threat landscape.

Risk intelligence: Our economic modelling and quantification tools (such as Blue[¹]) can inform risk transfer and cybersecurity decision making.

Insurance: Our proprietary insurance programmes enable efficient cyber risk transfer.

How the charities we support are doing



An update on our three charities of the year as chosen by our current President

Each year, the President of Leicestershire Law Society selects their chosen charities to support for the duration of their tenure.

Current President Bhumika Parmar has chosen three local

causes to support whose service users represent a range of demographics.

Over the next 10 months of her presidency, society members will be able to join in a selection of

activities where they'll be invited together to raise both awareness and funds for these great causes.

Here's what they've been up to in this first quarter of the year and what they have planned coming up.

Help the Homeless

In a heartening collaboration, Help the Homeless Leicester expresses profound gratitude to Bhumika Parmar, the president of the Leicestershire Law Society, for selecting our charity as the beneficiary throughout her tenure. This partnership is more than a mere alliance; it is a beacon of hope for those struggling on the streets, a testament to the power of community, and a catalyst for positive change.

Bhumika Parmar's decision to support Help the Homeless Leicester goes beyond simple charity; it represents a

commitment to addressing a critical issue in our society. By choosing our organisation, she not only acknowledges the importance of our mission but also helps elevate our profile to a wider audience. This support is invaluable in spreading awareness about our tireless efforts to alleviate homelessness and provide essential services to those in need.

The increased visibility resulting from the endorsement of the Leicestershire Law Society enables us to reach individuals and businesses that may not have been familiar with our work. We

anticipate that this exposure will lead to additional support in the form of foodbank donations, men's clothing contributions, and crucial monetary support.

As we embark on this journey with the Leicestershire Law Society, under the guidance of Bhumika Parmar, we are hopeful that our shared commitment to community welfare will inspire others to join our cause. Together, we can make a lasting difference in the lives of those experiencing homelessness, fostering a spirit of compassion and solidarity that resonates throughout our community.



Menphys

Menphys began 2024 focused on continued growth, expansion and development of its much needed support for children and young people with disabilities and their families.

The charity's rich programmes of support will be extended with a new activity club location opening in Loughborough, whilst the Family Events programme will provide monthly visits for families to events

such as the cinema, canal boat trips and more. The Menphys Work Ready programme relaunched at Caterpillar in October with a new cohort enjoying seven days of work experience building Wheel Loaders.

To help fund all of these programmes, Menphys is approaching local businesses to join the Menphys Sports Club, a business club with a sporting twist. Members and guests at the next

Sports Club event on March 13 will be treated to a two-course dinner and hear from special guest Rob Paternostro, Head Coach of the Leicester Riders.

If you would like to know more about these programmes and how you and your business could get involved, please get in touch with Laura Shephard or call 01455 323 020.

The Zinthiya Trust

At the beginning of this year, founder of The Zinthiya Trust, Zinthiya Ganeshpanchan, released a statement: "I wanted to take a moment to extend a heartfelt thank you to all of you in the Leicestershire community who have supported the Zinthiya Trust over the past 12 months. Your generosity has allowed us to continue our mission of providing support to those in need throughout the local community. Thank you again for your support, and we look forward to continuing our work in the community in the year ahead."

The Zinthiya Trust is a charitable organisation based in Leicester that has been dedicated to supporting and empowering individuals affected by domestic abuse for 15 years. Their mission is to create a safe and supportive environment for survivors including to those with no recourse public funding while working towards preventing and raising awareness about domestic violence in the community. In the UK, domestic violence remains a prevalent issue, with statistics showing that 1 in 4 women will experience domestic abuse in their lifetime.

To mark their 15 years, the charity has formed a partnership with Loughborough Town Hall which will see all the proceeds of the Magic Queen concert go towards The Zinthiya Trust. Sponsored by Anthony James Insurance Brokers, Magic Queen will perform on August 10 at 7pm.

Tickets are £25 each with a VIP package costing £35. To book, visit loughboroughtownhall.co.uk/events/2024/08/10/magic_queen.



Help the Homeless Leicester helps to improve the lives of vulnerable people and achieve relief of homelessness and rough sleeping.



Menphys supports children and young people with disabilities to have equal choices, and opportunities and live ordinary lives.



The Zinthiya Trust works to alleviate poverty and abuse, and gender-based violence across Leicestershire.



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Compulsory ADR?

Litigation Solicitor at Bright Legal Solicitors and Chair of Education and Training Sub Board Parvien Akhtar reviews an exemplary case

Litigators amongst us may have come across this judgment, which was delivered just before the Christmas break. The legal landscape was changed by the Court of Appeal in the case of *Churchill v. Merthyr Tydfil County Borough Council* [2023]. EWCA Civ 1416.

This case indicates that the Court no longer considers ADR to be an 'alternative' to litigation but a mandatory part of the litigation process.

The facts of the case were straightforward. Mr. Churchill complained about Japanese knotweed encroaching from the Council's adjoining land onto his property. The Council directed Mr. Churchill to use its internal corporate complaints procedure first. Mr. Churchill ignored this advice and issued a claim for nuisance. The Council then sought a stay of proceedings.

At first instance the Council's application was rejected. The Council appealed. The CoA gave its ruling in December 2023. The issue was

determined in the Council's favour. It was held that the Court does have the power to lawfully stay proceedings and order the parties to engage in ADR. The Court found that it was not necessarily a violation of a party's right to access to justice (Article 6 ECHR).

What does this decision mean? It doesn't mean that mediation will be ordered or forced in every case, but it does appear to suggest that an order for mediation can be made by a Court even if the parties oppose it as Mr Churchill did.

The decision does not surprise me. It's not difficult to understand why the Courts would wish to make mediation compulsory. Lack of judges, significant backlogs, and crumbling Court buildings are just a few of the reasons why it seems to be a rather attractive proposition. However, is this the correct approach to adopt? Is imposing a mandatory stay for mediation a step too far?

Mediation has always been seen as a voluntary option. I was involved in

a mediation a few weeks ago, in a case involving property and siblings (not a good combination by any means).

My own client wasn't particularly keen on the idea because she knew how difficult her sibling was. Nonetheless, she was 'encouraged' to engage in the interest of saving costs. 7 hours were essentially "spent" with a professional mediator at great expense at a neutral venue. Was the mediation successful? Sadly, no. Was there any cost-saving? Definitely not. We left the mediation feeling that the other party did not have any genuine intention or desire to resolve the issues in dispute. The parties were simply too far apart to agree terms. Perhaps if we had had another 7 hours, we might have cracked it.

In my view, mediation is unlikely to work where there is extreme conflict, especially of a personal nature or an imbalance of power. It is certainly not going to work, where one or both parties feel coerced to attend either.

Music to attract new talent



Could music be the key to modernising your business and attracting new talent? PPL PRS explores the topic

When many people think of law firms, along with other professional sectors, they often think of them as being very traditional and conventional places to work.

Of course, there are some firms who are bucking this trend by being creative and innovative with their workspaces and brand image, but if your business is not one of those, how could you start to modernise it to entice today's university graduates to come and work for you?

Employee wellbeing is the buzzword on every HR department's lips these days, and rightly so. With workplace stress and absence being at a ten-year high, and lawyers being in the top eight of the most stressful jobs, one way to ease the pressure on your workforce is by simply changing the environment they work in.

In September 2023, PPL PRS conducted a survey of 1000 UK adults who are currently working within the professional services sectors. This included legal, financial, HR, IT and government roles, and the results showed us that music has a real impact on how we feel at work.

It has been proven that music has the ability to improve concentration, particularly when working on something which may be repetitive or require focus, and our survey backed this up with 72% of people who listen to music at work agreeing that it helps them to concentrate.

Interestingly, of those surveyed who don't currently have music in their workplace, over 50% said that they still listen to music, only via their headphones, showing that professionals are possibly still using music to concentrate, block out external office noise, and improve their wellbeing at work.

You may be worried about getting the right 'mix' of music to cater to everyone's taste. At PPL PRS, we are mindful that we have an eclectic mix of staff, and their music choices reflect that. We use each day to share playlists of different genres and celebrations. For example, we have Throwback Thursday where anything from the 80s to 00s is played, throughout October we celebrate with a Black History Month playlist, and on Fridays we get ready for the weekend with plenty of feel-good tracks.

If this seems a little too time consuming, there is always the radio. Our survey showed that nearly 70% of those workplaces that currently play music are doing so through the radio. Latest Rajar figures show that 88% of the UK population listen to the radio each week, and 14% of that figure listen at work/elsewhere.

Long before CDs and streaming came along, the radio was used in factories and offices to help with productivity, with a special programme – Music While You Work – being broadcast twice a day by the BBC for over 27 years.

Now, back to that buzzword – wellbeing. In the aftermath of the COVID-19 pandemic, employee wellbeing became the top priority for many businesses as staff continued to work from home and mental health issues were increasing. Moving into 2023, and business as usual returning, wellbeing is starting to see a decline in importance, but should you be letting that slip? When asked if music helps to alleviate stress and anxiety in the workplace and create a calmer environment, a resounding 88% of workers in the professional services sector agreed.

Obviously, music is not the only key to creating a harmonious and happy workplace: The Chartered Institute of Personnel & Development have also created a fact sheet on other ways to improve employee wellbeing and are keen for wellbeing to remain a boardroom priority.

As stated earlier, law firms are often seen as traditional and perhaps quite conventional places to work. Many are housed in older, historical buildings where creating a more modern, creative workspace is not always an option. You can, however, improve employee engagement and retention by considering modernising the furniture, ensuring that desks are not only functional but also create flowing workspaces and calm areas that are paper and clutter free.

If you are not able to paint walls with calm and inviting colour palettes, you

could consider installing wall art to add colour and interest to plain walls.

How about adding some plant life? Adding plants to an office space can improve air quality, reduce stress, increase productivity, and boost energy levels, all whilst making an office look colourful and modern.

Music has a part to play in creating a modern, upbeat workplace too. Whilst there is obviously a need for quiet in some areas of professional workspaces, our survey found that over 75% of people felt that their office felt more modern and up to date due to the music that was played. Once again getting that balance right is key when playing music in a professional setting.

When it comes to music, building a link between your business and employees, creating loyalty and

brand engagement we found that over 70% of respondents feel more engaged with their business when music is played. On top of that, if an employee was to look for a new role, over 80% of people said they would prefer to work somewhere that played music.

Today's job hunters are not only looking for a career with training and prospects. They are looking for a place where they can enjoy their job, where they feel valued and cared for. Improving and modernising your working environment is key to becoming an employer of choice. Focusing on wellbeing and those all-important benefits such as hybrid working, decor and music in the workplace could be the edge that you have over your competitors when it comes to recruiting the next leaders in your business.



In memory of Charles Stevens

Charles Augustine Stevens LLB, LLM, solicitor, law teacher, author and much more besides, died from oesophageal cancer on August 29, 2023, aged 67

Older LLS members will remember Charles as an assiduous, affable colleague in the Magistrates Court, often instructed directly by the Police, before the establishment of the Crown Prosecution Service in 1986. Later on, he moved to De Montfort University, initially combining part-time teaching with legal practice, before later transferring to full-time teaching.

A versatile individual and a highly intelligent and educated man (after Oakham School, he studied law at Manchester and Bristol Universities), and was admitted as a solicitor on 2nd July 1984. He was also regarded as calm, steady, dependable and wise. An active uncle of seven as well as a brilliant lawyer, he seemed able to get on with everyone.

He was an enthusiast on the Leicester live music scene. As an author, his publications included "The Next Generation of Legal Expert Systems – New Dawn or False Dawn?", covering research development systems and applications of artificial intelligence as far back as 2010. Charles was one of us. We shall miss him.

In memory of Graham James Buchanan

Barrister Graham Buchanan died after a short illness on September 29, 2023, aged 76

Called to the bar by Inner Temple in 1971, he became a well-known legal character on the midland circuit, popular with the judiciary and with other legal professionals; both were well represented at his funeral, held at Hallaton church.

I met and instructed Mr Buchanan many years ago when my recidivist criminal defendant specifically asked for him. Nationally publicised Leicester Crown Court trials in which he appeared included

challenging cases, such as Colin Pitchfork in 1988. Mr Buchanan was regarded as a charming, flamboyant, sharp, advocate who had juries "eating out of his hand".

Contemporaries remember his corner of the robing room at Leicester Crown Court during the breaks and the plume of smoke that followed him everywhere.

One of the finest jury advocates, he was a highly respected

colleague and opponent, as well as revered mentor and pupil master to his pupils – albeit for some reason, he was never awarded the rank of Queen's Counsel, as it then was.

A bit of maverick in every way, Buchanan's beloved dog, Dora, enjoyed a daily diet of sirloin steak and smoked salmon.

He will be sorely missed by those who knew and loved him well.



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