

AUTUMN 2018
#101 THE IDENTITY ISSUE

CitySolicitor

THE MAGAZINE OF THE CITY OF LONDON SOLICITORS' COMPANY AND THE CITY OF LONDON LAW SOCIETY



*"The buddhists say there are 149 ways to God.
I'm not looking for God, only for myself, and that is
far more complicated."*

JEANETTE WINTERSON



Japanese Knotweed Indemnity Policy Now Available

Whilst the presence of a garden is often something that buyers look for, not all plants are friendly to home owners.

Buyers and especially lenders will always be rightly concerned when a seller's replies to a Property Information Form indicate that there is a risk that Japanese Knotweed ("Knotweed") may be present on a property. This previously ornamental plant has been reported to grow up to 10cm a day in summer and be powerful enough to break through concrete and undermine foundations. Consequently many lenders will refuse to lend or will impose strict conditions when there is a danger that Knotweed might raise its ugly head in a property.

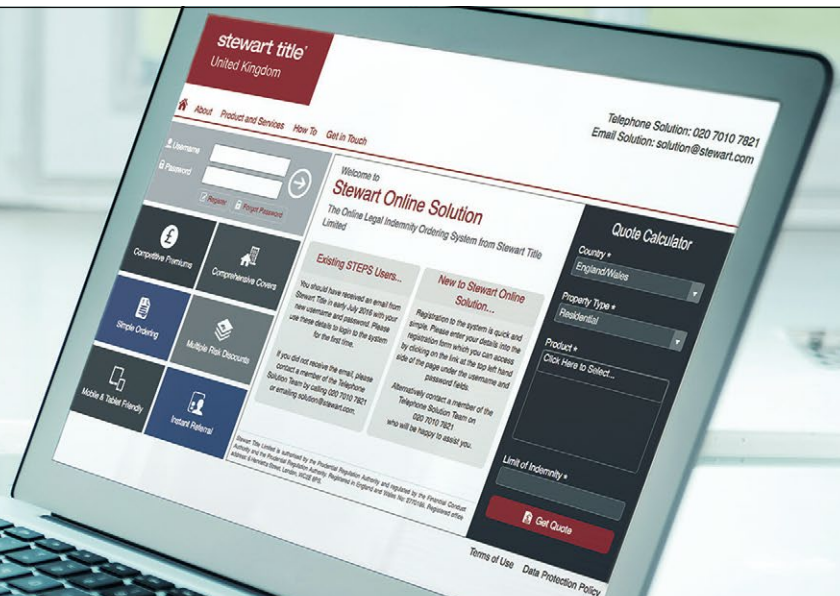
Stewart Title's new **Residential Japanese Knotweed Indemnity Policy** now gives lenders and buyers the confidence they need to proceed with a purchase.

Covering residential properties for a period of 5 years for buyers and the term of a loan for lenders, this new policy provides up to £20,000 of cover against remediation costs necessary to comply with a remediation notice.

The Residential Japanese Knotweed Indemnity Policy is available where the sellers are not aware if Knotweed is present and even where it has previously been treated.

Policies can be ordered via Stewart Title's online ordering platform at www.stewartsolution.com and Bespoke Policies via quotes@stewart.com.

Stewart Online
Solution.
Designed with
you in mind.



At Stewart Title, when our clients tell us they have a need, we strive to respond with a solution.

We recently added both a Japanese Knotweed Policy and Fraud Solution Policy to the more than 150 policies that can be ordered via Stewart Online Solution.

It takes just three easy steps to generate a policy for most title issues. For a more customised solution or any help, our Team can easily be contacted through the system.

For more information, visit stewartsolution.com or contact us at 020 7010 7821 or solution@stewart.com.

stewart title

Real partners. Real possibilities.™



The City of London
Solicitors' Company

The City of London Solicitors' Company Court of Assistants

Master

RUPERT JONES

Senior Warden

JOHN WOTTON

Junior Warden

ROBERT BELL

Stewards

DAME JANET GAYMER, D.B.E., Q.C. (Hon.)

TONY KING

Full Assistants

Past Master ALDERMAN VINCENT KEAVENY

Past Master DAME FIONA WOOLF, D.B.E., D.L.

Past Master NICHOLAS HUGHES

Past Master ALDERMAN DAVID GRAVES

JOHN ABRAMSON

NEIL LOGAN GREEN

EDMUND PARKER

MARY-ANN WRIGHT

SARAH DE GAY

COLIN PASSMORE

Additional Assistants

VIRGINIA CANNON

MICHAEL CAPLAN

Chair of the City of London Law Society

EDWARD SPARROW

Ex-officio assistants

Past Masters

DAVID GRAY

SIR MAX WILLIAMS

KEITH HINDE, O.B.E., T.D.

JOHN YOUNG

DAVID BIDDLE

STUART BEARE

WILLIAM KING

RONNIE FOX

MICHAEL MATHEWS

MICHAEL CASSIDY, C.B.E., Dep.

BRIAN GREENWOOD

ALASTAIR COLLETT

NIGEL BAMPING

KAREN RICHARDSON

WILLIAM KNIGHT, O.B.E.

ALEXANDRA MARKS, C.B.E.

SIR DAVID LEWIS, D.L.

ALDERMAN SIR DAVID WOOTTON

JOHN WHITE, T.D.

MARTIN ROBERTS

Clerk

LINZI JAMES



The City of London Law Society

The City of London Law Society

President

*THE MASTER

Chair

EDWARD SPARROW

Chief Executive

DAVID HOBART

Treasurer

*TONY KING

Secretary

LINZI JAMES

Administrator

ELIZABETH THOMAS

Legal Policy Analyst

KEVIN HART

Committee

CHAIR

PRESIDENT

†PAUL BARNES

RUPERT BOSWALL

†ROBERT BOURNS

SARAH CLOVER

†ED CROSSE

†SIMON DAVIS

†CHRISTOPHER DIGBY-BELL

NICHOLAS HUTTON

JULIE NORRIS

COLIN PASSMORE

BEN PERRY

ROBERT PITCHER

NILUFER VON BISMARCK

* Ex-officio, appointed by the CLSC

† Ex-officio as members of the Council
of The Law Society

Keep up to date
by following us
on social media:



City of London Solicitors'
Company @CLSC2
and City of London Law
Society @TheCLLS



Linzi James City of
London Solicitors
Company



City of London
Solicitors Company



City of London
Solicitors Company

Contact Us

4 College Hill, London EC4R 2RB

Tel: 020 7329 2173

Fax: 020 7329 2190

mail@citysolicitors.org.uk

www.citysolicitors.org.uk

Twitter @TheCLLS and @CLSC2

Editor

Philip Henson (ebl miller rosenfalck)

Editorial Board

Robert Bell (Bryan Cave Leighton

Paisner LLP), Chair

Philip Henson (ebl miller rosenfalck)

David Hobart (CLLS)

Joel Leigh (Howard Kennedy LLP)

Katherine Ramo (CMS)

Justine Sacarello (Lloyds Banking Group)

Elizabeth Thomas (CLLS)

Journalist

Maroulla Paul

Published on behalf of

The City of London Solicitors'

Company and

The City of London Law Society

by

LANSDOWNE
PUBLISHING PARTNERSHIP LIMITED

Lansdowne Publishing Partnership Ltd

11 School House, 2nd Avenue

Trafford Park Village

Manchester M17 1DZ.

T: 0161 872 6667

W: www.lansdownepublishing.com

E: info@lansdownepublishing.com

Printed by Buxton Press



Advice to readers:

City Solicitor is published four times a year by the City of London Solicitors' Company and the City of London Law Society. Reproduction, copy, extraction or redistribution by any means of the whole or part of this publication must not be undertaken without the written permission of the publishers. City Solicitor is distributed as a free member benefit to all members of the City of London Solicitors' Company and the City of London Law Society. Articles are published in good faith without responsibility on the part of the publishers or authors for loss to any person acting or refraining from acting as a result of any views expressed in them. Opinions expressed in this publication should not be regarded as the official view of the CLSC or the CLLS or as the personal views of the Editorial Board or their respective firms. All rights are reserved in respect of all articles, drawings and photographs published in City Solicitor, anywhere in the world. Reproduction or imitations of these are expressly forbidden without permission of the publishers.

FAST

Efficient Online Legal Indemnity Insurance

Today's conveyancing demands instant results.
With Ci Self-Issue Insurance it's about a simple
ordering platform with immediate cover at
affordable premiums.

To order now visit www.conveyancinginsurance.co.uk

Conveyancing Insurance (Ci) Self-Issue is a portfolio of insurance products provided by Legal & Contingency Limited

Legal & Contingency Limited – 60 Fenchurch Street, London, EC3M 4AD – DX: 843 London/City
Tel: +44 (0) 20 7397 4343 – Fax: +44 (0) 20 7397 4344 – Email: enquiries@legal-contingency.co.uk

Legal & Contingency Limited is authorised and regulated by the Financial Conduct Authority, Registration No. 312376
Registered Office: 60 Fenchurch Street, London, United Kingdom, EC3M 4AD – Registered in England & Wales, No. 3511606

www.legal-contingency.co.uk

**&LEGAL
&CONTINGENCY**
EXPERTS IN LEGAL INDEMNITIES

what's happening in the legal world



7 THE CHANGING FACE OF THE LEGAL PROFESSION

Many factors are causing the legal profession to change rapidly and drastically. We look at these contributing factors and try to assess what the profession could look like in the future.



heron

what's happening in the city



18 EVERYTHING YOU SHOULD BE SEEING AND DOING IN LONDON THIS AUTUMN

A look at the must see cultural events taking place in the capital this Autumn.

20 LIVERY NEWS

A look at what has been happening.

what's happening out of the office



13 THE CONSTANT FACE OF THE CHARTERHOUSE

In a constantly changing and sometimes unrecognisable world, we visit the Charterhouse and see how some things keep their identity regardless.



non-sequitur

what happens in the other side of a solicitor's mind



22 BRANDING AND IDENTITY IN THE AUTOMOTIVE INDUSTRY

The father, the son and the prancing horse.

23 ONE LAST WORD

Did you know?.....

editor's letter



WELCOME TO THE AUTUMN EDITION OF CITY SOLICITOR MAGAZINE WHERE WE EXPLORE THE VERY TOPICAL SUBJECT OF "IDENTITY".

Identity seems to be at the very centre of a lot of the most important subjects that are going on in our world today. Take Brexit as one example. How do we, as a nation, identify ourselves? English, British or European? Are we a strong island that can be great alone? Or part of a continent that when united is a force to be reckoned with? The recent World Cup focussed our attention on backing England and brought tribalism to the fore. The unexpected success we enjoyed in that tournament made us once again proud to identify ourselves as English.

Obviously, nationality is not the only way we identify ourselves. In choosing to be part of the legal profession, we identify ourselves by the work that we do – as, indeed, do others. The reality of our profession and the way others have sometimes viewed it has often been at odds – and not always to our benefit. We look at how the profession is changing; the expectations of the lawyers entering it, the demands of our clients, the impact of technology and the ever altering landscape of the work itself.

Identity is not just about what we are but it is also about how we would like to see ourselves and, more importantly, what we do for other people. As individuals, and as part of society, and the seemingly never ending array of "selfies" on social media, there has been much debate of late as to whether we are too self-obsessed. Are we part of a "me" culture? We examine

those issues both within our own profession by looking at what we are doing to ensure there truly is access to justice for all, and, if not, how we can lobby for change and also, outside of the law, by examining the community that is the Charterhouse.

We hope that you will enjoy reading this issue, that it will make you reflect about how you identify yourself as part of our profession. We look forward, as ever, to receiving your feedback.

Philip Henson
Editor
mail@citysolicitors.org.uk

"Identity is not just about what we are but it is also about how we would like to see ourselves and, more importantly, what we do for other people."

THE CHANGING FACE OF *The Legal Profession*



As lawyers, the way we would identify our profession probably differs from how the rest of the world sees us. Yet whichever face has been more representative in the past, what there can be no disagreement about is that the future is going to look very different. However naturally averse lawyers are to change, many factors are coming into play that are making such change both unavoidable and inevitable.



Alongside every other profession and, indeed, most aspects of our lives, **technology** is having a huge impact on the legal landscape. Artificial Intelligence is increasingly replacing humans in doing the more tedious aspects of legal work, freeing trainees who normally bore the burden of doing this work and allowing them the time and scope to do more interesting things. But it isn't just the use of AI that is influencing change. Technology in other areas is causing whole new areas of law to be born. Think of driverless cars, how will they be regulated? What about the management of data that is being collected online? Fraud has become a real issue with online scammers and suchlike. In short, whilst technology may well have aided us in HOW we do our work, it has also been at the forefront in changing WHAT we do. The Law is trying to keep up with technology, but that is a pretty impossible thing to achieve. Technology is also making inroads into WHERE we work as we are now seeing virtual offices and more flexibility with lawyers being able to work from home.

George Bisnought is the Founder and Managing Director of Excello Law. Excello is Latin for going beyond expectations which Bisnought explains was precisely his motivation when setting up the new firm. Bisnought believes our profession has been in need of serious change for a very long time now.

"I qualified as a solicitor in 1991 and it quickly became apparent to me that the partnership model was not fit for purpose. It appeared to me that your suitability for partnership was heavily dependent upon how much you billed and less on the outcomes for your clients. The fact that we were called fee earners summarised the role accurately. There was a conflict, therefore, between the desire to do the best possible job for the client with the knowledge that the more you bill the further up the greasy pole you go. The billable hour and time recording were a gross manifestation of the partnership model. I moved from private practice to being General Counsel, first in the private equity industry and then in the software industry. Luck and stock options gave me the opportunity to take some time out and reflect on what I wanted to do next with my life. I considered walking away

from the legal profession but two things stopped me. On reflecting on my legal career at that point, I realised I was not the only person suffering. In being a purchaser and seller of legal services, I could see the profession from both sides. It was clear to me that many lawyers are extremely passionate about the work they do but hate the side-effects of working in the traditional law firm model such as the office politics, the glass-ceiling, the inflexibility and the feeling of not being adequately rewarded for their efforts. LawCare pointed to the fact that lawyers were cash rich and time poor and the pressures were resulting in a high degree of drug and alcohol dependency. Secondly, as a purchaser of legal services, whilst working in-house as General Counsel, I shared many of the concerns raised by clients, which related to quality, accessibility and cost. I saw the opportunity therefore to do something different. I set up Excello Law in 2009 as I wanted to put both the lawyer and client at the centre of our service matrix. We exploit technology to enable our lawyers to work smarter. Today we are a team of over 100 partner level lawyers and recently won the Law Society's Excellence Award for Law Firm Management and the Modern Law ABS Law Firm of the Year Award. We have removed the billable hour and the time sheet. Our lawyers work in a truly agile way meaning they have complete freedom to decide each day whether they want to work in one of our 4 offices such as at 110 Bishopsgate in the City, from home or at their clients' offices. It is interesting to reflect back to 2009 when I first started Excello Law and the comments from some in the City about flexible working. At that time the common view was that home working was not appropriate for legal work and clients would not tolerate it. Today, most firms in the City now have an "agile working" policy, although that seems to be from what I can tell code for really saving money on office space. Given my experience in

"We exploit technology to enable our lawyers to work smarter."

“Agile working has led to lawyers having expectations to work more flexibly.”

the software industry, I was keen to look at how we in the legal profession could use technology to enable us to work smarter. Technology in the right hands is definitely an enabler for good. We should not fear technology as I believe it will bring about greater opportunity for lawyers. Many City law firms are investing in Artificial Intelligence and technology teams, which includes non-lawyers and technology businesses. This is extremely exciting. I recently spoke to one managing partner who explained the rationale for his firm investing in a technology business. He said it was great for the lawyers in the firm to witness at first hand how a technology business operates but also he explained that the growth and success of that business could create another opportunity to attract talented partners to his firm. Further, should the technology business be successful, it would create a financial return for the partners. This latter point was important because it offered the partners another means of creating financial value, which could eventually replace the traditional partnership remuneration model. We are also seeing the impact that automated legal tools are having. These are helping to reduce and eliminate the more tedious tasks, which many paralegals and trainees would ordinarily undertake. Of course this will result in a drop in headcount but it will change the way we train junior lawyers, meaning less proof-reading and more focus upon developing the skills needed to be able to deliver analytical, creative and strategic advice. I also see clients benefiting as with the use of technology it should reduce costs and create greater consistency. I also believe that technology will open the profession to be more diverse. We are already witnessing these changes, which are being driven by the new model firms like Excello Law, as a result of the greater flexibility they offer. I believe this is only the ‘tip of the iceberg’ given the generational changes we are also witnessing. When I qualified, the biggest driver for me and my colleagues was to become a partner and you would work every hour of every day to achieve that goal. That’s not necessarily the goal of those qualifying today. Millennials for example have different aspirations when it comes to a career in law.”

It is apparent that, alongside technology, another major factor in the changing face of our profession is the **changing demands and expectations of both new lawyers coming into the profession and of clients** too. This was evidenced in what Bisnaught said but is also very apparent when talking to legal recruiters, Charlotte Butterfield and Victoria Wright from LAW Absolute who are at the coal face when it comes to understanding the demands of new lawyers. They are also in the process of writing a white paper about the legal profession of the future.

Butterfield says that the legal profession is generally slower to change than other professions but in the past four to five years the change has accelerated primarily due to pressure from clients about how lawyers interact with them.

Wright spoke of a round table event the recruiters held to find out more about what new lawyers are expecting;

“What was of interest to lawyers 15 years ago is of less interest now. Graduates are much more discerning about who they want to join. They are not necessarily drawn to the Magic Circle but more so to innovative firms who embrace agile working, diversity

and inclusion. Their career paths are different. They are not necessarily looking for partnership but are seeing the law as a career for a more finite period before moving possibly into a tech role. Agile working has led to lawyers having expectations to work more flexibly. Firms are going to have to become less reliant on lawyers working all hours at their desks. There is a strong school of thought that the law firm of the future will physically look very different. Offices will become a thing of the past. They are no longer necessary, not economical and not an efficient way of working. Training contracts too will become a thing of the past. With Artificial Intelligence they may cease to exist completely. Job titles like legal project managers more accurately reflect how they do their work. The work itself will be far less transactional, less focussed on due diligence and contractual review. It will be far more commercial and the grunt work will go.”

Butterfield says;

“Law firms are looking at deploying to the regions. Technology has allowed them to work in a very different way, to grow and grow. The school of thought as to what the landscape could look like in the future is that the Magic Circle and US firms will survive but the middle tier will probably look very, very different. The Magic Circle and the American firms will continue to do the more complex work. The mid tier may merge or be acquired by other professional service businesses like tax or management consultancies. The high street law firms may also merge or become automated. So many factors are bringing change: regulation in financial services, GDPR, cloud privacy laws, as well as things we don’t even know about today. It’s a very exciting time. We are looking at a more commercially oriented working partnership with clients. Lawyers will have to be specialists – technical, security, risk development. That’s a big change. Lots of the bright, switched on young people of today are more interested in technical businesses and are not seeing the traditional professions like banking and the law as attractive anymore. Even those coming into the profession are looking for portfolio careers that will grow and so only stay for 18 months to two years. Work is not their “be all and end all” in the way it was before. They want a more well-rounded, balanced life. They are not looking for the same things previous generations of lawyers wanted. And they are confident enough to tell you that. The days of a 40 year service are long since gone. Young lawyers don’t want that anymore. That is the challenge for the profession.”

Someone who has been practising for almost four decades is Tony Williams who is now principal of Jomati Consultants advising firms on management succession, partner appraisal and remuneration, peer reviews, firm strategy and its implementation including business planning and the positioning of law firms in their market. He is also actively involved in firms’ strategic expansion including mergers, new offices, alliances and team hires. He also assists firms on reorganisations, profitability analysis and client strategies. Before founding Jomati Consultants, Williams was worldwide Managing Partner of Andersen Legal and Head of its UK practice. He developed the international strategy for Andersen Legal, which in 2001 was the ninth largest global law firm in fee income. Before Andersen Legal, Tony was Managing Partner of what was then the world’s largest law firm, Clifford Chance. His CV certainly affords him the credentials to understand the profession inside out but what does he think the future holds?



For him, the big factors dominating change are technology and also **the political and economic climate globally.**

“Our law firms are playing at the top end of the global market at the moment which demonstrates their robustness so it is tempting to say everything is fine but current trends are going to profoundly impact on all levels of professional services. It is as though we are going through a second industrial revolution but this time in services. It is affecting not just lawyers but fund managers, accountants and all advisers. Legal technology and Artificial Intelligence are already making a major impact on how we deliver our services. The advantages are clear and understood. What is more difficult to predict is how disruptive this can all be. The timing of the impact technology has is notoriously difficult to predict. Look how when the iPhone was launched originally it took only two years to destroy Nokia. But on the other hand 20 years ago it was thought that online shopping would be the death of the high street, but that has taken two decades to happen. What is encouraging is that surprisingly it is the Magic Circle that are embracing, investing, being inquisitive and experimenting in technology. They know they have to in order not to lose their share of the client wallet.

With technology taking over a lot of the more routine work, the role of the strategic adviser has never been more important. Few lawyers are capable of stepping up to that role but those who can give strong and imaginative legal advice in a business context are going to be more valuable than ever. The “wallpaper” lawyers who simply document deals are going to be exposed.

Over the past ten years UK law firms have increasingly worked on a fixed price basis whereas the US firms are still on an hourly rate. Whilst this has helped increase the profitability of the US firms, UK firms have been forced to look at how they deliver in order to enhance their profit margins so they are years ahead, affording them a great opportunity now.

There is a global club of the Magic Circle plus around ten US firms that are dominating the high end market at the moment. These are a successful elite who deal with \$10 billion plus M&A, major investigations and complex financings. There is a clear group of leading firms emerging and that may become self-sustaining as they can hire the best people and get the best mandates and draw even further away from the rest of the pack.

Globally, we are seeing a lot of amber lights; US interest rates rising, the reduction of quantitative easing with the US Federal Reserve redeeming or reselling \$25 billion of securities every month, the China slowdown, emerging markets under pressure, currency meltdowns in Argentina and Turkey, Trump with his protectionism and potential trade wars. The market is currently benign but we are entering the 10th year of a bull market. It's not alarm bells yet but we should take a note of caution over the next three to five years. If I knew when the next downturn was going to take place, I'd be sitting on my own desert island now – but my prediction is 2020–21.

“Artificial Intelligence is already making a major impact on how we deliver our services.”

There is also the nightmare or farce, depending on how you view it, that is the whole Brexit issue which is having a dampening effect across the whole of the UK but has not impacted on law firms yet. Lawyers do well whether the market is up or down, they just need activity. But if corporations start to find it all too difficult and sit on their hands, then that uncertainty will certainly be damaging to law firms."

The next factor which will undoubtedly alter the legal landscape is the **cutbacks in public spending** which have seen legal aid decimated.

Clare Carter is the Head of Development at the Access to Justice Foundation. This is a charity which, through claiming dormant client funds and also through encouraging pro bono lawyers to apply for and donate costs, assists society's most vulnerable people.

Pro bono costs are like ordinary legal costs, but where a party had free legal representation. If a civil case is won with pro bono help, pro bono costs can be ordered by the Court, or included in settlements. The costs cover any period when free representation was provided, and even if only one of the lawyers acted for free (i.e. you can also seek normal costs for the fee-paid work). The amount is based on what a paying client would recover.

The legislation (s.194 Legal Services Act 2007) requires the costs to be paid to the prescribed charity, the Access to Justice Foundation.

Carter says;
"The future holds a lot of problems for us as a profession because of cutbacks, but we are more interested in finding solutions.

Our charity depends on donations and fund-raising – and a big aspect of that is from the application and donation of pro bono costs. It's happening but not to the extent we imagined. It's a big struggle to raise awareness and still a lot of lawyers are not aware they can do this. Prior to 2008 this didn't exist, but now it has levelled the playing field – the threat of a pro bono cost order has led to lots more settlements, but there is still limited knowledge that these costs can be applied for.

I have seen a big change in the profession in the last 20 years in that young people are coming in specifically because they believe in the right to access to justice and want to get involved personally in pro bono and fund-raising to try and counteract all the cuts. Going forward our plan is to get more help from within the profession and use it in the best possible way. Obviously it is not for the profession to replace legal aid cuts, no matter what we do it's a drop in the ocean compared with what has been lost but increasingly lawyers are keen to do what they can to redress the inequities."

You can find out more about the work of the Foundation and how you can get involved by contacting Clare Carter at clarecarter@atjf.org.uk

Another important factor contributing to this changing landscape is **the nature of work** being carried out by law firms. To address the challenges of coping with these new areas, firms are having to sometimes configure themselves differently from how they did traditionally. We have already touched on how technology has led to whole new areas of law to be dealt with but there is also financial regulation and white collar crime to consider.

"Firms are having to sometimes configure themselves differently from how they did traditionally."

Nathan Willmott is Deputy Head of Litigation & Corporate Risk, and Co-head of the Investigations, Financial Regulation and White Collar Crime Practice Group at Bryan Cave Leighton Paisner LLP. Andrew Tuson, at the same firm, acts for retail and investment banks, trading houses and corporate clients in investigations, Court proceedings and cross-border regulatory enforcement actions concerning benchmarks, structured products, financial instruments, commodities, fraud and financial crime. He specialises in cases of market abuse and market manipulation.

Whilst they perceive the work they are doing as an evolution of what they have always done, now the regulatory team, the antitrust and competition team, criminal defence, employment advisory all work in a single group, an innovative change.

Willmott says;
"At BCLP, we have integrated our financial regulation, corporate crime, anti-trust and employment practices as frequently the skills needed across these practice areas are required in order to advise our clients on investigations. Our investigations may start off by considering issues in a regulatory context, and then competition and criminal issues can emerge. Being able to consider the issues and to assist clients navigating through the multiple global regulatory and law enforcement agencies who may be considering their position becomes increasingly important, particularly as many investigations are cross-border in nature."

On the changing nature of the work, Tuson says;
"The law of corporate criminal liability has developed in the UK through the introduction of strict corporate criminal liability where corporates fail to prevent their employees or agents committing certain crimes. These so called "failure to prevent" corporate criminal offences were first introduced in the Bribery Act 2010 and have now been expanded through the Criminal Finances Act 2017 in respect of failure to prevent the facilitation of tax evasion. The UK Government is considering whether further to expand corporate criminal liability so that corporates may be liable where they fail to prevent economic crime. There has been an increasing trend to develop corporate criminal liability in order to make the prosecution of corporates easier without needing to show that individuals involved in bribery or facilitation of tax evasion were a corporate's directing mind and will. This in turn has resulted in corporates needing to assess their risks across their businesses and develop suitable procedures to try to stop their employees and agents from committing crimes such as paying bribes and facilitating tax evasion. We are working to bring these new changes to the attention of our clients and to help them with developing the appropriate procedures to try to protect them from corporate criminal liability and also to help them investigate and defend prosecutions."

But are new lawyers equipped to handle these new matters they have to deal with?

Willmott says;
"In April this year, BCLP launched its new in-house, bespoke "Investigations Academy". The Academy is a series of core skills,



training and knowledge sharing sessions aimed at everyone involved in investigations in the different practice groups across the global firm. The 12 sessions, which are each facilitated by at least one Partner and Associate "Champions", deal with all the key aspects across the life-cycle of an investigation and include sessions on privilege in investigations, dawn raids, dealing with a whistleblower, handling an internal investigation and representing clients at interview. The sessions are each 90 minutes long and are highly practical and interactive. The Academy is run from London, but with active input into the preparation of the sessions, and participation from, the investigations lawyers globally.

The Academy ensures that the lawyers involved in investigations at BCLP build on and share their considerable investigations expertise, and that the global investigations team remains ideally positioned to advise on the complex and ever-evolving area of global investigations."

Kevin Robinson is a consultant at Howard Kennedy LLP specialising in white collar crime, competition law and financial services regulation.

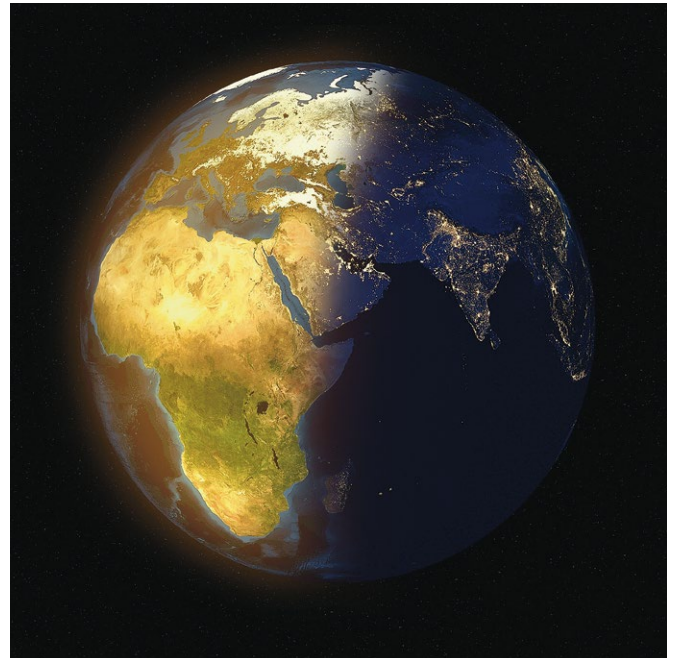
In relation to white collar crime he has acted and advised in many of the major investigations and prosecutions conducted by the Serious Fraud Office (SFO) in the last 20 years including Hinchliffe/Fascia Group, BAE, Balfour Beatty, Mabey and Johnson, Alstom and others. He conducts internal investigations for corporate clients and in the last two years has conducted investigations in Nigeria, Angola, Egypt, Italy, Croatia and China.

In relation to corporate compliance, Kevin advises on and creates Bribery Act compliance programmes. He has advised and assisted over 100 businesses with their compliance, ranging from FTSE 100s to SMEs. Kevin was Chairman of the International Bar Association Working Group on the Bribery Act and wrote the IBA response to the Government proposals on Adequate Procedures.

"The law is definitely changing but what is also changing with ever swiftening pace is the way it's being done and those two things go hand in hand. In terms of corporate crime, which is a relatively new area, the Serious Fraud Office has been in a state of flux going from no prosecutions and preferring settlements to some very serious prosecutions which have carried some heavy sentences."

The latest was when the SFO issued criminal proceedings against individuals accused of manipulating the Euro Interbank Offered Rate (EURIBOR). Two former EURIBOR traders have been convicted. Christian Bittar was sentenced to five years, four months imprisonment. He was also ordered to pay the SFO's full costs of £799,957 and a confiscation order of £2.5m. Phillipe Moryoussef, formerly of Barclays Bank, was found guilty and sentenced to eight years imprisonment. The team Robinson works in at Howard Kennedy LLP secured the one and only acquittal in that case, Achim Kraemer.

"Alongside the prosecutions is a theme of bringing in Deferred Prosecution Agreements (DPA) so a double handed strategy. The way companies now investigate themselves is completely



new and it would have been laughed at if ten years ago we would have said it would become the norm for corporates to spend their own money on investigating themselves and handing over the product of their investigations to a prosecutor yet this shift in behaviour is now routine. Nor is it just limited to when companies think they have done something wrong themselves but also if someone they have done business with has. We have also seen the rise of the Financial Conduct Authority (FCA) as a serious prosecutor who operate expertly and are highly effective.

There are also big changes afoot in the way we deliver our legal services. Before there were white collar crime teams in the big or medium sized law firms or there were specialist boutique firms but now we are witnessing the growth of a different type of lawyer who is working not within a law firm but in a cooperative of specialists. They basically have centralised administration and offices which provide meeting facilities and the lawyers mainly work from home. They are for the most part very senior lawyers with many years' experience, collections of wise people that corporations go to for strategic advice. This new model could be the beginning of the break down in the way niche legal services are delivered and a movement away from the tradition model of how law firms traditionally offer this type of advice."

For a profession historically known to resist change, there are simply too many factors at play today for the legal profession to stand still. Like it or not, it is changing in almost every aspect; from the work it does, to how it delivers it, from the demands of new lawyers to the demands of clients, from the effects of what is going on globally to the effects of technology, from cuts in public spending to mass restructuring in the private sector. For those who embrace these changes, there is the potential of massive new opportunities. For those who ignore them, extinction beckons.

"There are simply too many factors at play today for the legal profession to stand still."

The background image shows the interior of the Charterhouse, a historic dining hall. The room features extensive dark wood paneling on the walls, a large arched doorway in the background, and several wooden tables set with red upholstered chairs. A portrait of a man in a ruff collar hangs on the wall. The floor is made of large, light-colored stone tiles.

THE CONSTANT FACE OF *The Charterhouse*

We live in a world that is changing so quickly and profoundly that it is often hard to recognise it, to understand our place and our identity within it. But a few very rare and special things manage to weather the torrent of change thrown at them and remain constant and true to themselves.

One such place is the Charterhouse.

A walk and talk around the Charterhouse with its preacher and Deputy Master, the Reverend Robin Isherwood.



The Charterhouse was first set up in the 14th century as a Carthusian monastery on what was until then a piece of desert at the edge of London. The monastery was suppressed in 1538. What you see today is a reconstruction of the Tudor mansion that was built for Edward North using the recycled building materials from the monastery.

In 1611, it was bought by the founder of the charity, Thomas Sutton, whose idea was to house poor people and to form an almshouse, and that is still functioning today. He also provided for a school for boys from poor families. In 1872, the school moved to Godalming in Surrey and is now the well respected Charterhouse School.

Covering 13 acres, the Charterhouse was a breathtaking act of philanthropy for its time and was considered to be foolishly demonstrative. At that time, nobody had ever put one sum of money, and such a vast sum of money, under one set of trustees and prophets of doom said the openings for corruption were infinite. And whilst these have been explored in many creative and imaginative ways through the 400 years of the charity's time, nothing has ever brought the charity down and today it is still providing a safe and beautiful home for its "brothers" who are older, single people. Last year saw a shift in that both the first female "brother" and the first female Master were admitted.

Repeated efforts are going on now to attract the support of the wealthy people of our time but a number of things stand in the way of that. So great was the initial investment that most people thought they simply didn't need any more funds. Also in those days philanthropy was how the rich would spend their money. Almshouses, a chapel within a church or a school were the norm then whereas today millionaires are more likely to take out a

hospitality package at Lords or rebuild a football stadium. Plus people would rather set up a charity afresh and put their own name on it rather than contribute to one that is already here. The Charterhouse is not exactly struggling to keep going but it hit a point after the banking collapse in 2008 where fund raising had to become high on its list of priorities. Since then, much more than previously, it has been reaching out to people who would see the work of the charity as a good thing and, hopefully, open their cheque books.

To look at the site, which today occupies seven acres, you could be forgiven for thinking money is not an issue. The stunning ancient buildings are nestled within the most outstandingly beautiful gardens with mulberry trees et al and the 43 beneficiaries of the charity who live here are constantly saying how very fortunate they are.

What are the criteria for being such a fortunate beneficiary? You need to be 60 and single. It costs the charity around £36,000 a year to keep a brother. If you can afford that you are considered too wealthy. Some of the beneficiaries aren't too far off that and so what they pay is quite considerable. Beneficiaries pay according to their means and some are simply on benefits and state pension so what they can afford to contribute is considerably less. Quite a lot of the beneficiaries are on the Islington Housing Allowance which for a single person is £1600 a month so that is clearly an important part of the charity's income. The brothers come from very varied provenance; quite a lot knew someone who was already a brother, some come through Islington Housing or the Almshouse Association, and some through the website.

Unlike most almshouses who are in the terrible position of having to throw their beneficiaries out when they become too infirm,



“When the Charterhouse was set up there was no notion of listed buildings and no notion that it would still be here today.”

the Charterhouse has its own care home so they can stay till the end of their lives with 24/7 care.

So, why only one female “brother”? It seems the Charterhouse was somewhat slow to catch onto the Equality Act of 2010, but unlike other almshouses who, for some reason known only to themselves, feel they are an exception to the Act, the Charterhouse did have a genuine desire to change. Of the 2000 almshouses in the country the Charterhouse is, quite understandably, considered the most desirable – so why should women be prevented from that simply because of their gender?

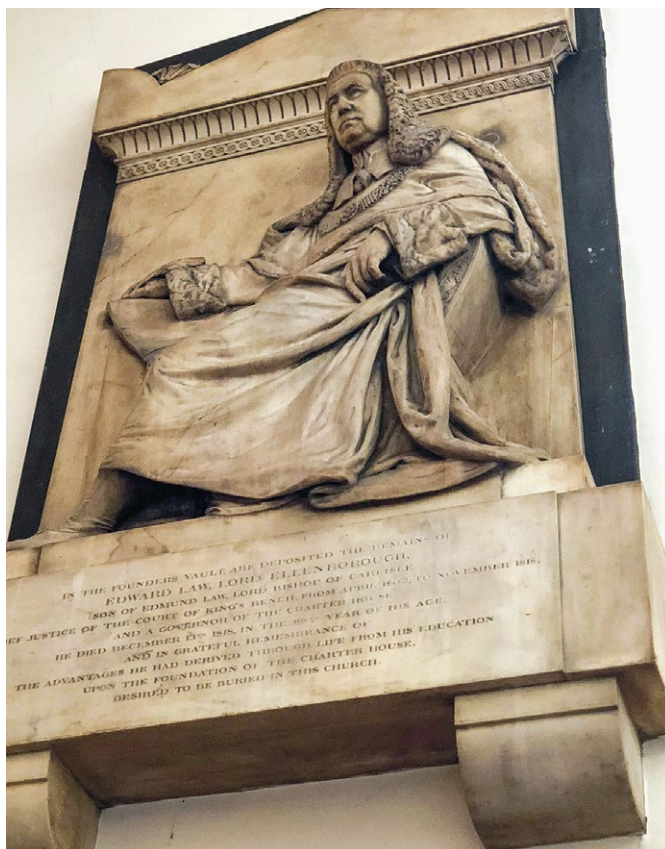
Thomas Sutton, in his first document, did not actually specify men; he simply said “poor people” and it was the Governors at the very first meeting of the Trustees who began to qualify everything and changed “poor people” into “poor men” and defined poverty both for the almshouse beneficiaries and for the boys coming to the school. They decided that they didn’t want “vagabonds” in the almshouses, which meant the homeless, but rather the “deserving poor” like distressed merchants, captains at land and sea, those who had been imprisoned by the Turks, people who had risked all their wealth on a single cargo which had sunk. To give them credit, within

13 years they returned to this and were arguing as to whether it was right. That discussion has continued for over 400 years and is still active now as to whether it is the right people that are being brought in. In the 18th Century, the Trustees went through a fashion of sending their retired servants there to save themselves the burden of the cost. With only 43 beneficiaries, any change has a big impact so that brings caution and, therefore, takes time.

The average age of the beneficiaries is 78. The oldest brother, who is 96, is the only surviving chorister who sung at both coronations, both of King George VI and Queen Elizabeth II. He recalls rehearsing for the King’s coronation at the same time as singing at Rudyard Kipling’s funeral!

The Charterhouse, in order to survive financially and in particular to be able to run the care home, also takes paying guests and the oldest is 106. He is a consultant in allergies. The use of the word “is” is not in error. He is still writing a paper now, he had patients till 101 and retired as an expert witness at 103!

When the Charterhouse was set up there was no notion of listed buildings and no notion that it would still be here today and of how great the expense would be of looking after the site. That weighs quite heavily. For the Charterhouse the big slump was not in 2008, nor indeed in the Wall Street crash in the twenties but in the 1880’s when the bottom fell out of the grain market as most of its holdings were in agricultural land. The Trustees considered removing the brothers and looking after them elsewhere which would have the dual benefit of perhaps being able to house more brothers and to develop the site commercially to great financial benefit. That was stopped because of what is called the “Newcome effect”. Thackeray was a boy at the school and his novel *“The Newcomes”* tells the story of a boy



Lawyers grace

by Robin Isherwood, Preacher & Deputy Master of Charterhouse
Said at the Company's Banquet in March 2018

God of the bite, God of the nibble
God of the adversarial quibble
God of the sip, God of the swig
God of the book and the gown and the wig
God of tort and God of the tart
God of the chef's and sommelier's art
God of each course, God of each case
God of the plea and the prawn and the plaice
God of the pud, God of the cheese
God of the – dare we say – professional fees

God of appeal and of apple and pear
receive our thanks, our delight and our prayer

God bless our supper, our wits and our friends,
that all may attain to just and good ends



who was at the school and ends his life as a brother and this caught the public imagination and meant people thought the work of the charity should be going on and going on in its original site. There is a feeling of stability when something continues so successfully through so many centuries and through so many disruptions and that should be maintained. That feeling remains today. The Charterhouse, although now in one of the most expensive parts of the City and undoubtedly worth a fortune, will continue to do its work in the same place. The site and what the charity do have become inseparable.

In 2017, the Charterhouse opened a museum. This was opened by the Queen, who herself is a Governor of the charity. Historically, the Governor has always been a monarch, the only exception being when Oliver Cromwell was a Governor.

The Dining Hall is the heart of the Charterhouse community. In an unbroken sequence since the first brother came in in 1614, the Dining Hall has always been the same. Each brother has his own place. Brothers, once they enter residence, truly never have to buy another meal again. If they want to, they can eat all their meals in the Dining Hall. There is a breakfast which everyone attends and it is a great way of checking on everyone as if someone doesn't turn up, it is quickly noted there could be a problem. Lunch is a formal affair and dinner is more relaxed. There is even afternoon tea.

Once in the Charterhouse, brothers need never pay another bill again, and for a lot of them, particularly those who have been living with financial anxiety, that is a huge relief and as the months go by you can see how it changes people.

The Great Chamber was built as a court room to entertain royalty and is now used for functions for the general public. It seats 100.

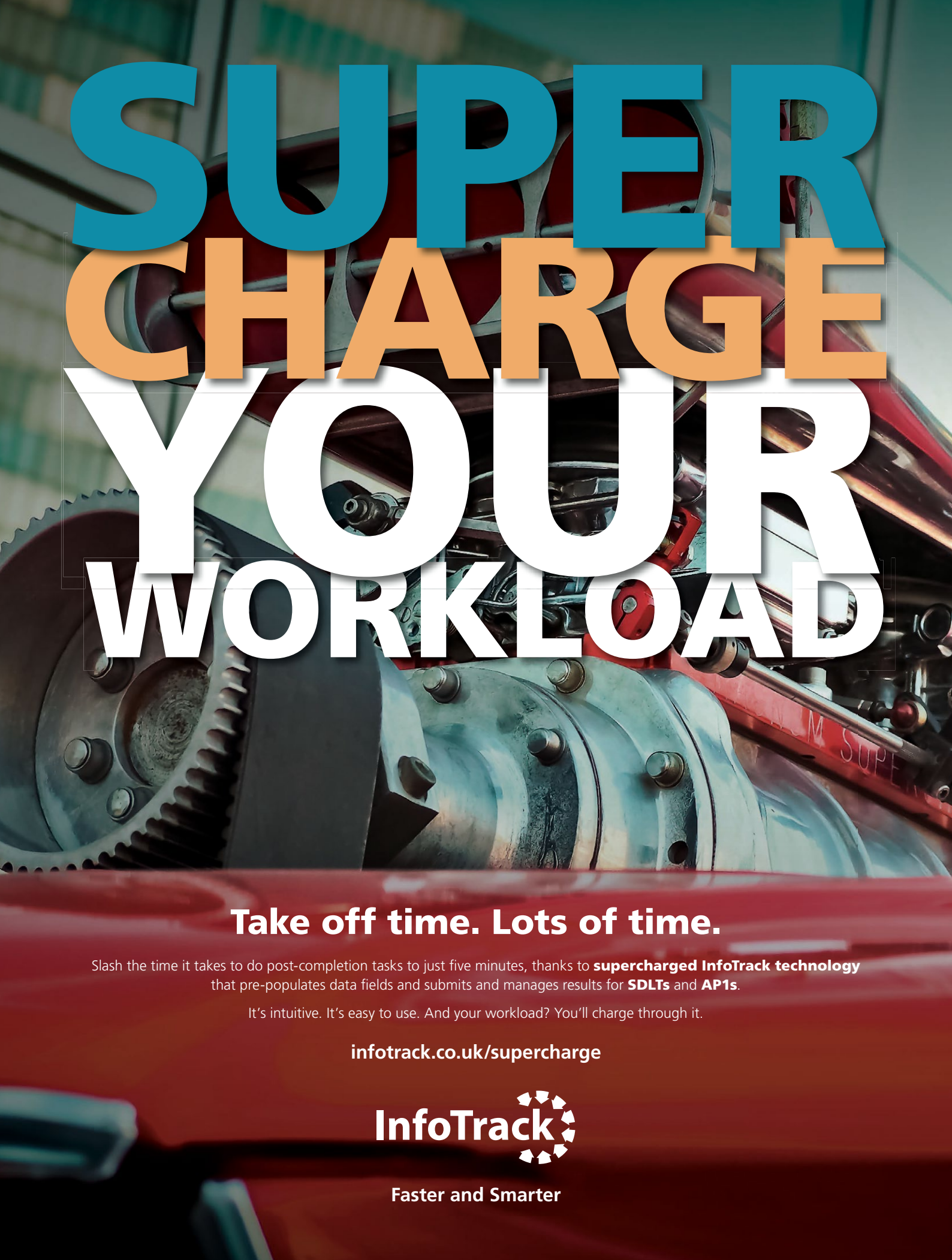
The Chapel is also an important place where brothers gather to pray together, although there is no obligation to do so.

In the Chapel, there is a statue of the lawyer, Lord Ellenborough who has a statute named after him and is buried at the Charterhouse. He was a man greatly reviled in his day by the Radicals. Shelley wrote a public letter condemning him because he was very keen to sentence people for blasphemy and send them off to Australia as a punishment. But he did something very wonderful and it is for that that he is remembered today. He had a case against the people of Eastbourne who had an immigrant refugee who was seeking parish help in the form of benefits and they said because he was a refugee he should not get it. Ellenborough said it is a human right that goes beyond all legal rights that a stranger has to be helped. What a great thing to have in the law books today and what a fitting statement for such a wonderful institution.

The Charterhouse is very keen to attract new applicants, particularly from women.

For more information, see www.thecharterhouse.org/joining-the-community or contact The Clerk to the Brothers; donna.birkwood@thecharterhouse.org 020 3817 4172

For information on how to hire the Great Chamber for an event, see www.thecharterhouse.org/private-functions or contact Head of Events; milo.malkowski@thecharterhouse.org 020 3817 4173



SUPER CHARGE YOUR WORKLOAD

Take off time. Lots of time.

Slash the time it takes to do post-completion tasks to just five minutes, thanks to **supercharged InfoTrack technology** that pre-populates data fields and submits and manages results for **SDLTs** and **AP1s**.

It's intuitive. It's easy to use. And your workload? You'll charge through it.

infotrack.co.uk/supercharge



Faster and Smarter

EVERYTHING YOU SHOULD BE SEEING AND DOING IN LONDON THIS AUTUMN

When we think of London, one of the top ways we identify it is by the plethora of culture that is on offer here, 365 days a year, day and night. London truly is the cultural capital of the world. Here are some of the must have tickets for the Autumn.

COMPANY

GIELGUD THEATRE

35–37 Shaftesbury Avenue, London W1D 6AR
26th September 2018 – 22nd December 2018

Gender identity is a much discussed issue these days and this revival of Stephen Sondheim's musical is a gender-reversed production from the newly formed Elliot Harper Productions. Starring the Hollywood star, Patti LuPone as Joanne, Rosalie Craig will play Bobbie, a gender change supported by Sondheim.



The original production opened on Broadway in 1970 and was nominated for a record 14 Tony Awards of which it won 6, including Best Musical. It remains Sondheim's most frequently performed musical.

It tells the story of the 35 year old Bobby, a single man (in this case single woman) unable to commit properly to a relationship. As opposed to its original 70's context, this new production has been adapted to offer a very contemporary take on love and marriage.



TURNER PRIZE 2018

TATE BRITAIN

Millbank SW1P 4RG
26th September 2018 – 6th January 2019

The Turner Prize was established in 1984 and is annually presented to a British artist for an outstanding exhibition or other presentation of their work.

The four shortlisted for this year are Forensic Architecture, Naeem Mohaiemen, Charlotte Prodger and Luke Willis Thompson.

Forensic Architecture was founded in 2010 by architect Eyal Weizman. They develop pioneering methods for spatial investigations of state and corporate violations worldwide.



Their work includes "a presentation which exposed the involvement of the German Internal Security Service in a racially-motivated murder in Kassel which led to fierce debates in the Parliamentary Inquiry of the German state of Hessen. Their exhibition in Mexico City's University Museum of Contemporary Arts (MUAC) launched the result of a year-long investigation into the enforced disappearance of the 43 students of Ayotzinapa and affected the human rights and legal debate in relation to this case. Other solo exhibitions at the Museum for Contemporary Arts in Barcelona (MACBA, 2017) and, most recently, 'Counter Investigations' (7 March – 13 May 2018), at the Institute for Contemporary Arts in London have included both support and a platform for the team's ongoing investigations. These exhibitions, alongside a number of publications also provide a space for critical reflection of our image, data and media laden culture."



Naeem Mohaiemen was born in 1969 in London, UK, and grew up in Dhaka, Bangladesh. He is currently undertaking a PhD. in Anthropology at Columbia University, USA.

"Naeem Mohaiemen's research-led practice encompasses films, installations, and essays about transnational left politics in the period after the Second

World War. He investigates the legacies of decolonisation and the erasing and rewriting of memories of political utopias. Mohaiemen combines autobiography and family history to explore how national borders and passports shape the lives of people in turbulent societies. His work focuses on film archives and the way their contents can be lost, fabricated and reanimated. The hope for an as-yet unborn international left, instead of alliances of race and religion, forms his work."



Charlotte Prodger was born in Bournemouth in 1974. She studied at Goldsmiths College, London and The Glasgow School of Art.

"Prodger works with moving image, printed image, sculpture and writing. She has been nominated for the 2018 Turner Prize for her solo exhibition BRIDGIT/Stonemollan Trail at Bergen

Kunsthall (2017) comprising two single-channel videos. Moving image has been at the core of Prodger's work for two decades. Its ever-evolving formats are inextricably bound to the autobiographical content of her work. She has mined the material properties of numerous moving image formats, not just because they inherently get replaced over time, but because she is fascinated by their formal parameters and socio-political histories; the sticky relationship between form and content. Prodger's recent videos set up complex tensions between the body, landscape, identity and time."



Luke Willis Thompson was born in Auckland, New Zealand in 1988. He studied at the Städelschule, Staatliche Hochschule für Bildende Künste, Frankfurt am Main 2013–2015, and the Elam School of Fine Arts, University of Auckland in 2006–10.

"Luke Willis Thompson works across film, performance, installation and

sculpture to tackle traumatic histories of class, racial and social inequality, institutional violence, colonialism and forced migration. Following research into racialised stop-and-search

policies and killings, Thompson's silent black and white 16mm and 35mm films are performances by people fundamentally impacted by police and state brutality."

PINTER AT THE PINTER

HAROLD PINTER THEATRE

6 Panton Street, London SW1Y 4DN

6th September 2018 – 20th October 2018

Pinter fans are in for a big, big treat this Autumn as a season of 15 of his one-act plays are being performed over 7 different shows at the eponymous theatre. A whole array of star directors and actors such as Tamsin Greig, Danny Dyer, Martin Freeman and David Suchet are participating so ensuring the season is truly spectacular.

The first quartet is on from 6th September – 20th October and features the following plays;

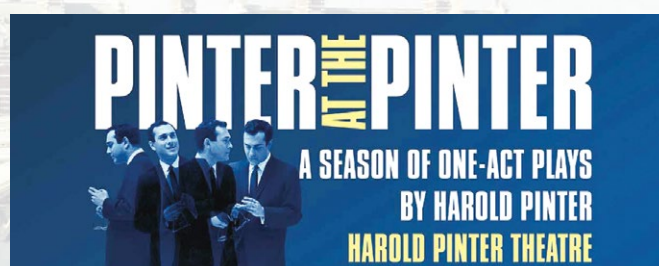
One for the Road was first seen in London in 1984, when Pinter directed the production which starred Alan Bates and Roger Lloyd-Pack. It tells the story of a tortured couple and their child who are held captive by an officer of a totalitarian regime.

New World Order is a short, ten-minute play in which two men discuss how they are going to torture the blindfolded man who sits before them. When it premiered, it was described by one critic as getting 'closer to the nerve of torture than any play I know' (Independent on Sunday).

Ashes to Ashes sees two characters, Devlin and Rebecca who are both in their 40s, talking on a summer evening. While the pair seem to be involved with each other, it is unclear if they are married, lovers, or if their relationship is something more sinister.

Mountain Language is set in an unnamed country, its four scenes show groups of prisoners who are not allowed to speak their own language

For information on the other 6 shows visit; www.atgtickets.com/venues/harold-pinter-theatre



LIVERY NEWS

A look at what has been happening.

The City of London Solicitors' Company Prize

The Winner of the Company Prize for 2018 is Marta Zieba, a trainee with White & Case LLP. This award is made each year to a trainee at a City firm who has gained a distinction on the Legal Practice Course and who, based on an essay competition and interview, shows the most promise as a future City Solicitor. The following article which Marta has based on her original essay, focusses on the opportunities for City law firms in the withdrawal from the European Union.

Do you see Brexit and our withdrawal from the European Union as offering opportunities or obstacles to the practice of law in City firms?

Over two years following the Brexit referendum, and with the EU Withdrawal Act recently receiving Royal Assent, London's lawyers are still divided on the exact implications for their practice of the divorce from the European Union.

A key concern for City law firms has been how their clients will respond to the potential dilution of London's position as a global financial centre. The spectre of divergence between the UK and EU legal regimes and imminent loss of reciprocity has already pushed a number of banks to relocate staff to EU countries, and any materialising obstacles to trade may see further financial industry sectors follow suit. No doubt, City firms' finance departments are likely to be hardest hit by the regulatory uncertainty surrounding Brexit.

The immediate opportunity for City players to benefit from navigating this volatility is to rebalance their practices from transactional to advisory, taking advantage of the spike in demand for legal assistance with understanding the effect of Britain's evolving relationship with the EU. Expertise in fields such as competition, employment or intellectual property, where EU law is particularly ingrained in the UK's legal and regulatory environment, will be pivotal to securing clients' smooth post-Brexit transition. Firms should also be alert to changes to the nature of advice sought, with areas such as trade law, faced with the UK's expected departure from the single market and challenges for clients continuing to deal with the block, experiencing a renewed rise to prominence.

However, demand for advice is likely to be short-lived, and may lead to low-margin work as guidance becomes standardised and widely available. The immediate uptick in advisory fees will also not counterbalance losses suffered by transactional teams which, having bloomed around flows of cross-border capital, may now be struck by international investors' conservative approach to increasing their UK exposure and other European countries becoming investment destinations of choice. It also remains unclear whether the activities of opportunistic investors attracted by the fall in the value of the pound will suffice to buoy

transactional departments through turbulent times, particularly if the pound continues its recent recovery.

Fears have further been raised that the loss of London's status as the gateway to European markets would reduce international firms' demand for English lawyers. These are compounded by concerns about the City's continuing appeal for European legal talent and negative effects on employability and career progression for EU citizens already in the Square Mile. Factors including a challenging economic outlook, uncertainties surrounding immigration policy as well as pressure to seek cost-effective legal solutions will feed the fire, and may require a degree of internal reorganisation from firms facing a changing market landscape.

The resulting short-term rebalancing act should however not be viewed in isolation from City firms' long-term operating horizon. The dominance of English law as the governing law of choice for cross-border commercial contracts and dispute resolution has resulted from the English legal system's reputation for stability. Despite immediate turmoil, and competition from jurisdictions marketed as alternative centres for international law, the foundations of this pre-eminence such as technical expertise and centuries of precedent will not be affected by Brexit. With the majority of industry sectors supportive of regulatory convergence with the EU to maintain commercial continuity, the transitional period is unlikely to dethrone London as a favoured centre for global commercial disputes or usher in legislative upheaval in contract law. In particular, budding industries in which the UK has firmly established its leadership, notably homegrown and inbound tech activity, should be looked towards as abundant sources of legal work.

Similarly, the UK will remain the world's second largest legal services hub for the foreseeable future, attracting market-leading dealmakers with its sophistication and infrastructure. It seems unlikely that the right of English lawyers to service their clients internationally will be wholly retracted, as pressure has mounted on the government to secure preferential exit arrangements for professional qualifications, and the European legal community largely supports continued openness of legal markets. Although the issue of access to EU courts remains open, many City firms have already proven the profession's proactive and adaptive nature by registering



Marta Zieba and the Master after receiving her award at the Company's AGM

About me

During my training contract at White & Case, I completed seats in Banking, M&A and Tax/ Employment, Compensation, Benefits, moving to Hong Kong in my final seat. Originally from Warsaw, Poland, I gained a BA in European Social and Political Studies from University College London, including a year abroad at the University of Amsterdam, and an MPhil in Management from the University of Cambridge, before completing the GDL and LPC in London. Prior to joining White & Case, I interned at the Permanent Representation of Poland to the European Union and the Polish Embassy in Nairobi, Kenya, as well as leading International Baccalaureate revision courses. I am passionate about European history, politics and international relations.

Why I applied for the Prize

With its decades-long history, the City of London Solicitors' Company Prize is highly regarded as one of the most sought after trainee awards in the City. While the Prize offers recognition of academic and professional achievements, it is also an invaluable opportunity for trainees to critically engage with the business of law by getting involved in a broader debate on the most pertinent questions facing the profession, especially in our dynamic times. As an EU national, it was particularly important to me to explore, discuss and develop an informed opinion on the impact of Brexit on the City's legal sector, and analyse the key challenges and opportunities which will frame my career in the years ahead. It has also been a pleasure to have been introduced into the Company's community of some of the City's most prominent figures, offering a welcoming and supportive network for young lawyers.

solicitors in Ireland – going forward, coping strategies may depend on whether a deal is struck by the Spring 2019 deadline.

Brexit therefore need not be more than a phase in the established lifecycle of continuous adjustment inherent in the business of law. Many City firms operate within a seamless global network mirroring their clients' global reach, which may shore up any revenue stumbles on the UK market, and smaller outfits may leverage their operational flexibility to recalibrate – agile and entrepreneurial players will emerge victorious.

THE CITY OF LONDON SOLICITORS' COMPANY CHARITABLE FUND PROJECT

Haringey Law Centre

By Liveryman Virginia Cannon

In 2015 the Master received a generous response to his appeal to the Court and all members of the Company to increase their annual donations to the Company's Charitable Fund. The result was an additional £10,000 per year for the Company's Charitable Fund to give to appropriate causes.

The Company's Charities Committee decided that the sum was just large enough to make a difference if it were committed to a single project, rather than being used to increase the number of existing one-off small annual donations made by the Fund.

Local Law Centres represent one of the most valuable contributions that lawyers make to society, by providing legal advice and guidance on issues fundamentally affecting their lives to people who are most in need of it, but who cannot afford to pay for it. Regrettably, many such centres have closed in recent years, or are having to reduce their services, due to lack of funding. After looking at all the surviving Law Centres in the Greater London area, the Committee decided to support Haringey Law Centre with a grant of £10,000 over 3 years from December 2016, payable in instalments subject to continuing sustainability of the organisation.

At the time the grant was made, the Haringey Law Centre was almost entirely dependent for funding on an annual grant from the local Council, and on Legal Aid income, both of which were being severely cut back. It had an extremely committed staff, some of whom regularly worked several days a week without pay to support vulnerable clients. It had also just managed to obtain the donated help of a Development Manager to help them secure future funding from other sources.

The Haringey Law Centre provided advice and services on some of the most important areas to local people's lives: debt, housing, welfare benefits, asylum, immigration and employment law. At the core of their work was helping to sort out and solve complex debt cases for people otherwise likely to become overwhelmed by their situation. The Law Centre provided a well-written case for the use of the grant to support the costs of an experienced and capable debt worker handling several new debt cases each week.

The Committee wanted to know how our money was being used, and what difference it had made to the Centre's work. So, as a follow-up to our consideration of the Centre's regular written reports, we decided to visit them in person, to hear from them directly how the grant had helped, what it meant to them, and what their current situation was. We went to see them in April 2018.

The Committee (including the Master) met the Centre Manager and Senior Solicitor, and three of the people who worked regularly at the Law Centre. They are all very committed to continuing with the work of the Centre, which was described as often providing a lifeboat, enabling them to reach out and help people and save them from drowning.

They described the effects of receiving the grant and told us that it had inspired them with confidence in reaching out to the City, because it includes people who had cared enough to listen to their appeal. The grant from the Company had provided the impetus that helped them to secure further funding and pro bono help from new donors and solicitors. It had also inspired further people to become volunteers, something which they described as crucial to the functioning of the Law Centre. These new volunteers included one who had recently won a local volunteers' award and an invitation to a summer Royal Garden Party. The Company's grant had provided the additional security needed for the Centre to be able to give the necessary time to the advice given. And it gave them the immense reward of being able to help and satisfy more clients.

They estimated that the grant, by paying for 0.5 of a member of staff, had so far enabled the Centre to help an additional 400 people. It had also enabled them to retain the expertise of that staff member who would otherwise not have been able to continue working at the Law Centre.

The descriptions sent in by the Haringey Centre of some of the situations where they had been able to help impressed the Committee with the excellent use which had so far been made of the CLSC grant.

Looking to the future, the Centre's main concerns relate to funding and pro bono support from law firms.

To improve the effectiveness of their work, they feel they need to develop a programme for reaching more people, particularly the disadvantaged and marginalised who do not currently access the Centre's services, to make them aware of what the Centre can do for them, and of the importance of bringing their problems to the Law Centre early enough for effective help to be given.

It has always been the case that people tend to leave it late to come for advice.



The Master and members of the Charities Committee visiting Haringey Law Centre

Sometimes they come too late. This problem has been exacerbated by a recent change in policy by the local Council towards recovery of rent arrears, where they now tend to involve solicitors and bailiffs at an earlier stage than before. The Centre is working on the contacts it has with the Council, to try and convince them that this change in policy is short-sighted, and likely to result in an increase in overall costs. Regrettably, the Council is unlikely to change its approach in the short term.

A tactic which could have a more immediate effect is a targeted programme for reaching the people affected by these issues directly. This could be done in a variety of ways, e.g. by providing education and training to a number of smaller groups working with the local community, giving talks at meetings of other local organisations attended by residents, and leafletting the most problematic areas. Sadly, the programme which the Centre is designing requires funding which the Centre does not currently have.

A more fundamental problem is that most of the additional grants and pro bono arrangements with solicitor volunteers from which the Centre currently benefits from are one-offs of limited duration, and they no longer have the donated resource of a Development Manager with the expertise to generate longer-term funding. They are determined to keep the Centre alive, but cannot immediately see how the funding for this will be generated. At present the Centre is only able to open three days a week.

Talking to such a committed team doing such fundamentally needed work, the Committee members all hope that the funding will be found for such an obviously deserving cause.

THE FATHER, THE SON AND THE PRANCING HORSE...

Taking a closer look at how branding shapes identity in the automotive industry

By Joel Leigh

Anyone working in PR, or for that matter the law, will tell you that strong branding adds value. And nowhere is this truer than the automotive industry.

Taking Tesla as a modern example, brand identity has become its most important asset, generating possibly one of the strongest emotional buy-ins of all modern car manufacturers. The company is now recognised universally for its genuine and worthy mission to accelerate the transition to sustainable energy, albeit one capable of being blown off course by the occasional inappropriate tweet on the part of Elon Musk.

Conversely automotive history is littered with examples of interesting and occasionally curious, marketing decisions. Having recently posted an image on social media of a Ferrari Dino 246 GT snapped at the London Concours at the Royal Artillery Company, within minutes I was told in no uncertain terms of my faux pas; this was no Ferrari, but a 1972 Dino, intentionally branded absent the 'prancing horse' badge. Despite the car being named in honour of his son and heir, Enzo Ferrari did not want to diminish his V-12 brand through the production of a relatively low-cost, mid-engine V-6 sports car designed to compete with the Porsche 911. It wasn't until 1976 and a production run exceeding 3,500, including the newly introduced Dino 308 GT4, that he relented and added full Ferrari badging, recognising that success breeds success when it comes to selling cars.

Arguably, his decision derived from a similar thought process to 'badge engineering', a practice adopted by carmakers for decades. In its most extreme form it refers to manufacturers slightly changing the design of a popular model produced by a competitor, for example name, trim options and badges, and taking it forward into full-scale production. Research has shown the concept works because of consumer psychology; the average buyer is happy to pay a premium for the almost identical



vehicle, based purely on the perceived value of the rebadged car's brand. Next time you're out for a leisurely drive, see if you can spot the difference between say a Citroen C1 and Peugeot 107; take it from me, you'll struggle.

Closer to home Rolls-Royce and Bentley were sold to BMW and the Volkswagen Group respectively in 2003, following seven decades of happy co-existence, but between 1965 and 1980 things took a turn for the ridiculous when the Rolls Royce Silver Shadow was marketed alongside the T Series Bentley. The offerings were identical save for the Bentley's chrome work, principally the polished grille and winged 'B' replacing the eponymous 'Spirit of Ecstasy' badging. The rarity of the Bentley means that it's held its value better, selling for around £7,000 more today for anyone in the market.

These days, manufacturers take a subtler approach, with an increased focus on 'car platforming'. Here a common set of design, engineering, and production efforts as well as major components, are shared over a series of outwardly distinct models, produced by different albeit usually related marques. The object is to reduce development costs by creating distinct models on an ever-decreasing number of frames. This is in no way a new concept when you consider that General Motors were marketing five essentially identical cars across its Buick, Cadillac, Chevrolet, Oldsmobile and Pontiac ranges as early as 1958.

The practice has an advantage over badge engineering in that the differences between models are not purely cosmetic;

no one is likely to confuse an Audi TT with a Volkswagen Golf, yet they share much of their mechanical components. The Range Rover Evoque, Land Rover Discovery Sport and Jaguar E-Pace are all, clearly, SUV's. But you'd be hard pressed to spot that all three are based on an identical steel platform, itself a reworked version which incredibly started life underpinning the unassuming Ford Focus.

What's intriguing today is that manufacturers have become increasingly willing to disclose that new models don't all benefit from bespoke engineering, perhaps now feeling able to place increased confidence in customer brand loyalty or judging the public savvy enough to understand that investment in technology takes generations to be repaid. In the not so distant past almost every new car was presented and marketed to potential buyers as some kind of automotive revelation, but this is no longer the case.

Enzo Ferrari famously once said 'if you can dream it you can do it' – a prescient reminder of the effectiveness of the spoken and written word as tools for building brand identity within a generation so hugely influenced by social media. Successful companies present a clear-cut identity to their customers, demonstrate shared values and create a strong emotional connection. Whether you're an automotive manufacturer or a law firm, successful brand building is all about shaping people's perceptions and distinguishing yourself from the competition.

Joel Leigh is the motoring correspondent of City Solicitor and a Partner at Howard Kennedy LLP

ONE LAST WORD

DID YOU KNOW?

An embarrassing tête-a-tête

General John Joseph Pershing was the great Commander of the American forces in the Great War. He led the US efforts on the western front alongside Marshal Pétain, the Commander-in-Chief of the French Army, and Field Marshal Haig, the Commander of the British Expeditionary Force. All three served under Generalissimo Foch, the Supreme Commander of the Allied Forces. Black Jack Pershing was so highly regarded that, in 1919, he was promoted to the rank of General of the Armies.

This was no small achievement – it was the highest rank that had ever been bestowed on a living Commander.

At the same time as Pershing was winning in the west, Charles de Gaulle finished the First World War as a Captain. This was a world away from the great heroes who made up the top brass of allied Commanders.

It was therefore understandable that, when visiting Washington D.C. in 1944, de Gaulle was keen to meet the great American warrior.

At the time, General Pershing was 83. He lived in the Walter Reed Army Medical Centre in the north of the nation's capital. De Gaulle arrived at the hospital on 7 July 1944. He wore the military dress of a French General.

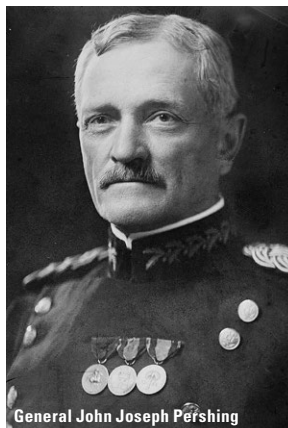
Something, perhaps the green army uniform, the distinctive peaked kepi hat or the sound of French voices, stirred memories lodged deeply in Pershing's brain. He greeted de Gaulle with an excited question:

'Ah! How is my old friend, Marshal Pétain?'

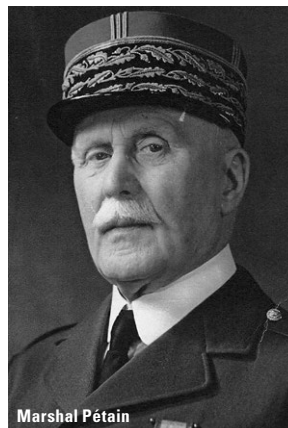
The question was met with a brief, stunned silence.

The honest answer would have been that Pétain was barely holding onto power in the collaborationist regime of Vichy France. Barely three months later he would be relocated by his Nazi masters to Sigmaringen in south west Germany to lead a 'French' Government in exile. A year later from Pershing's innocuous inquiry and Pétain would be on trial for treason and fighting for his life.

This was a remarkable reversal of fortunes for de Gaulle and Pétain.



General John Joseph Pershing



Marshal Pétain



Charles de Gaulle

"De Gaulle was enough of a gentleman to appreciate that the ancient warrior did not need to be troubled with such disconcerting news."

On 2 August 1940 de Gaulle had been sentenced, in absentia, to death for treason to the Vichy Republic. Just a little over five years later, and Pétain faced the same penalty. Convicted to die by a majority of one, the 'saviour of France' was himself saved by de Gaulle's

presidential decree, living his remaining six years in prison.

So, heading back to the summer of 1944 and the Walter Reed Army Medical Centre. What did de Gaulle say in response? Did he shatter the peace of an admired veteran? Or did he tell a white lie? In the end, neither was necessary.

De Gaulle was enough of a gentleman to appreciate that the ancient warrior did not need to be troubled with such disconcerting news. His reply was the honest, if somewhat evasive:

'La dernière fois que je l'ai vu, il se portait bien'.

His words were translated for General Pershing:

'The last time I saw him he was doing well'.

This article was provided courtesy of Ian Chapman-Curry, Principal Associate at Gowling WLG and host of the Almost History podcast

www.almosthistorypodcast.com

IS AML COMPLIANCE DRIVING YOU NUTS?



**There's
no need
to make life
complicated, you
have three problems;
we have one solution!**

We deliver AML, Sanctions & PEP checks "all-in-one" search, individual checks take 5 seconds, business checks take longer, 1-2 minutes! Daily monitoring of all your clients for Sanction & PEP changes for the lifetime of your contract is included at no extra cost. Automatic Enhanced Due Diligence, Biography, Adverse Media and Photographic Evidence is also included in your basic AML price. **You'd be nuts not to view our demonstration!**

Call us now to book a free demonstration on:

0113 333 9835

Or visit us online:

SMARTSEARCHUK.COM

SMARTSEARCH
THE ONLY AML RESOURCE YOU NEED



 DOW JONES

POWERED BY
 **experian.**

EQUIFAX

SmartSearch delivers UK and International Business checks in the UK and International Markets with inclusive Worldwide Sanction & PEP screening, Daily Monitoring, Email Alerts and Automated Enhanced Due Diligence.