


SUMMER 2023
#120 THE NEXT CHAPTER ISSUE

CitySolicitor

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

*“Stop being afraid of what could go wrong, and
start being excited about what could go right.”*

TONY ROBBINS



Evidence your compliance in a rapidly evolving landscape

Ensure your business is audit ready with our award-winning product

Call us to book a free demo:

+44 (0)113 346 4245

Visit us online:

smartsearch.com

Find us on:



SmartSearch///

/ Ongoing monitoring for continuous compliance

/ Full audit trail on every customer for peace of mind

/ Easy-to-understand reports

SmartSearch delivers verification services for individuals and businesses in the UK and international markets. These services include worldwide Sanction & PEP screening, daily monitoring, email alerts and Automated Enhanced Due Diligence.



DOW JONES



EQUIFAX



The City of London
Solicitors' Company

The City of London Solicitors' Company Court of Assistants

Master

TONY KING

Senior Warden

SARAH DE GAY

Junior Warden

EDMUND PARKER

Stewards

VIRGINIA CANNON

SIMON DAVIS

Full Assistants

Past Master DAVID GRAVES

Past Master RUPERT JONES

Past Master JOHN WOTTON

Past Master ROBERT BELL

JOHN ABRAMSON

MARY-ANN WRIGHT

COLIN PASSMORE

EDWARD BIBKO

GARETH LEDSHAM

LEE MCLERNON

DOMINIC GRIFFITHS

Additional Assistants

LAURA DEVINE

TRISTAN FEUNTEUN

RAFIQUE KHAN

ASTER CRAWSHAW

Chair of the City of London Law Society

COLIN PASSMORE

Ex-officio assistants

Past Masters

JOHN YOUNG

DAVID BIDDLE

STUART BEARE

WILLIAM KING

MICHAEL MATHEWS

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

BRIAN GREENWOOD

ALASTAIR COLLETT.

NIGEL BAMPING

KAREN RICHARDSON

ALEXANDRA MARKS, C.B.E.

ALDERMAN SIR DAVID WOOTTON

JOHN WHITE, T.D.

MARTIN ROBERTS

ALDERMAN VINCENT KEAVENY

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

NICHOLAS HUGHES

Clerk

LINZI JAMES



The City of London Law Society

The City of London Law Society

President

*THE MASTER

Chair

COLIN PASSMORE

Chief Executive

MATTHEW ROUS

Treasurer

VICTORIA YOUNGHUSBAND

Secretary

LINZI JAMES

Administrator

ELIZABETH THOMAS

Legal Policy Analyst

KEVIN HART

Committee

CHAIR

PRESIDENT

ELISABETH BALTAY

VIRGINIA CANNON

SARAH CLOVER

*SALOME COKER

*ASTER CRAWSHAW

ED CROSSE

SIMON DAVIS

NICHOLAS HUTTON

*DAVID PATIENT

BEN PERRY

*LAURA UBEROI

*CHRISTOPHER VIGRASS

NICHOLAS WRIGHTSON

PETER YOUNG

* 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



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

Philip Henson (ebl miller rosenfalck), Chair
Salome Coker

Joel Leigh (Howard Kennedy LLP)

Joywin Mathew (DLA Piper UK LLP)

Colin Passmore (Simmons &

Simmons LLP)

Katherine Ramo (CMS)

Matthew Rous (CLLS)

Elizabeth Thomas (CLLS)

Laura Uberoi (Macfarlanes LLP)

Journalist

Maroulla Paul

Published on behalf of

The City of London Solicitors'

Company and

The City of London Law Society

by

LANDSOWNE
PUBLISHING PARTNERSHIP LIMITED

Lansdowne Publishing Partnership Ltd

225 Hale Road, Hale, Altrincham,
Cheshire WA15 8DN.

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.

WHAT COMES NEXT?

After a relentless barrage of attack on our status quo, will we emerge simply battered – or stronger and more fit for purpose? We look at how our profession, our future solicitors, our legislation and our City may look after what has been a redefining few years.

7 REASONS TO BE CHEERFUL

Ex Lord Mayor, Alderman Vincent Keaveny, shares why he believes this is a real time of hope and glory for the City of London.



8 “THE FUTURE IS NOT SOME PLACE WE ARE GOING TO, BUT ONE WE ARE CREATING. THE PATHS ARE NOT TO BE FOUND, BUT MADE, AND THE ACTIVITY OF MAKING THEM CHANGES BOTH THE MAKER AND THE DESTINATION.”

The door into our profession is getting bigger and bigger to allow more people inside. We are looking further afield and in broader ways to search out those who will shine the brightest as our future generation of leaders. And that means accepting that the path to that door may not be the traditional well trodden one.



15 EXTINCTION OR ENHANCEMENT — WHAT DOES THE DIGITAL AGE MEAN FOR LAWYERS?



To be feared or embraced? Whichever your approach, technology is not something you can ignore. It's not going anywhere. We look at how it can be used to make us work in a more productive and efficient way.

20 POST BREXIT LEGISLATION — FREEDOM OR CHAOS?

Sovereignty was a key factor in the Brexit argument. Now we have it and are faced with reviewing literally thousands of EU laws to decide which ones to keep and which to abandon. Not simply a logistic nightmare but potentially a political one too?



23 IN FIGHTS, THERE HAS TO BE A LOSER; IN MEDIATION BOTH SIDES WIN

If there is a next chapter for litigation, it is mediation. The Singapore Convention aims to put some rules and certainty into what has always been a flexible process. As the UK agrees to sign the treaty, how will that affect our status as one of the leading centres in the world for mediation?



26 SHARING A SECRET THAT IS THOUSANDS OF YEARS OLD

Welcome to the next big thing in the food and beverage world; something that may be as old as the hills but which we are experiencing as if for the first time.

We say 'kanpai' to sake and venture into an exciting world of omakase, shochu and other exotic sounding and tasting delights.



30 CAR COLUMN

A Concours like no other...



32 SIP

Welcome to our regular wine column which we kick off with a tasting from the new wines of Tancredi Biondi Santi, a fifth generation winemaker, whose family's wines have been described by those in the know as the very finest of the 20th century.



LEGALLY SPEAKING

Have you listened to our podcast yet?

To catch up on all our episodes to date, scan the code, find it on Spotify or use this link <https://anchor.fm/maroulla-paul>



31 NEWS

'Learning Works': 'Believe you can' ...and you will



34 THE LAST WORD

Did you know?



editor's letter



WELCOME TO OUR SUMMER ISSUE OF CITY SOLICITOR WHERE WE EMBRACE THE NEXT CHAPTER.

So much has happened over the past few years; the pandemic, Brexit, a new monarch, the war in Ukraine – these are just the headlines but there has been a myriad of events that have caused our lives to change forever.

We examine how our profession, our society and our world have tackled the challenges and created the opportunities for what comes next.

The legal profession never ceases to move forward, to become more open and inclusive and we talk to law firms and solicitors-to-be on the subject of apprenticeship, something that has introduced a whole new pathway into becoming a solicitor.

We examine post EU legislation, moves to mediate rather than litigate and – because no NEXT CHAPTER could ignore technology – how lawyers can benefit from the digital age.

We celebrate what is coming next in the drinks sector with sake taking over wine lists and food pairings and looking set to be our latest must try tipple.

And we introduce a new regular column, UNCORKED, which will be providing us with everything we need to know about our favourite grape juice. Our journalist, Maroulla Paul, has the WSET qualifications to ensure we will be getting the very best tips.

Internally too, we are moving to a NEXT CHAPTER. This is my last edition as Editor as I have now taken over as the Chair of the Editorial Board, replacing

Robert Bell who after a decade in the role has decided it's time to do something different. We can never thank Robert enough for his tireless enthusiasm and contribution to our magazine. Big shoes to fill for me.

Our new Editor will be introduced in the Autumn issue.

As ever, I thank you for your support and comments on our publication and I hope you will not only enjoy but continue to be a part of our NEXT CHAPTER.

Philip Henson

Editor

mail@citysolicitors.org.uk

“This is my last edition as Editor as I have now taken over as the Chair of the Editorial Board.”

WHAT COMES NEXT?



Events of the past few years have evidenced that nobody can really foresee what the future holds. It hits us in the most unexpected ways, changing our lives forever.

Success lies in acceptance of what has happened, adapting to accommodate it – and turning challenges into opportunities.

We look at how our profession is changing. How the route to entry is diversifying to accommodate a larger pool of talent. How technology can be our partner rather than a threat. We try and move from an adversarial position where there is always a loser to a situation whereby everyone wins. We examine our laws pre and post Brexit to try and make sense out of a political situation.

We use experience and knowledge, common sense, fairness and judgement and, not least, hope and optimism to move onto our next chapter.

And hope and optimism are precisely how we begin.....

REASONS TO BE CHEERFUL: THE CITY IN 2023

By Alderman Vincent Keaveny



One of the great joys of my year as Lord Mayor in 2021/22 was to get the show back on the road – not just the Lord Mayor's Show in November 2021, although that was a wonderful moment as we felt ourselves slipping off the bonds of the pandemic, but the international travel programme that lies at the heart of Mayoral activity. At a time when political instability and geopolitical shocks caused many of us to have a negative, indeed outright pessimistic, outlook, the international perspective provided a welcome corrective. I visited 20 countries in person, alongside two significant virtual visits to China which remained subject to Covid travel restrictions. Throughout the engagements on those travels there was one strong and recurring theme: a positive view of the current state of the City of London and the UK's financial and professional services sector. The world's interest in what we have to offer remained undiminished, the desire to open new offices in London and to increase existing investments here was made clear to me in many meetings, and the attractions of London as a place for young professionals to gain skills and to make lifelong contacts were as powerful as ever. Our leadership position in areas such as sustainable finance and fintech is enviable but presents us with a challenge – the world is looking to us for solutions in these areas, and we have much work to do in formulating what those solutions will be.

Almost invariably the first question to me was 'what has been the effect of Brexit on the City?' As many of those asking that question lead organisations with large presences in the UK, it was important to acknowledge the significant costs that Brexit has imposed on them. But the robustness of the City had to be pointed


out too. Brexit has had a limited impact on City jobs, with one reputable tracker estimating a loss of around 7,000 since 2017. And this is against the backdrop of rising employment in the City. The City of London Corporation's own survey in October 2022 put the number of workers in the City at 587,000, up 15% from 2017.

EY's UK Attractiveness Survey for Financial Services in mid-2022 reported that the UK continued its 20-year lead as Europe's top destination for financial services investment. While financial services foreign direct investment fell across Europe in 2021, investment projects in the UK increased in the same period by 12.5%. That trend continued in 2022, with 263 projects involving 228 foreign companies, totalling £2 billion in value. Asset management firms were the largest source of this investment, with AustralianSuper and the Public Investment Fund of Saudi Arabia among the international institutions opening or expanding their UK base. In February 2022 I launched the Global Investment Futures campaign, a joint initiative of the Department for Business and Trade, the Investment Association and the City of London Corporation. It tells the story of our asset management industry and its huge pool of high-skilled financial specialists, and the regulation that makes this sector a success. This campaign aims is to double UK assets under management by 2030, which the City continues to promote, most recently in March when the UK's Global Investment Management Summit took place in Guildhall with a worldwide attendance.

London's cluster effect, its language and time zone, our academic institutions, the access to capital across a range of public and private markets and the gold standard

that is English law and our hugely respected courts and judiciary all play their part in the attractiveness of the UK. Innovation is an essential element too. The UK is the world leader in fintech. UK fintech investment in 2022 at US\$9.5 billion exceeded both New York (US\$7.8bn) and San Francisco (US\$7.4bn). The recent launch of the Centre for Finance, Innovation & Technology, a key recommendation of the 2021 Kalifa review of UK fintech, is a positive development. However, more needs to be done as is clear from press coverage of certain companies' recent decisions regarding a listing in London. My successor as Lord Mayor, Alderman Nicholas Lyons, is working with Innovate Finance and the London Stock Exchange, on the Growth Capital Initiative. This is focused on making London the destination where high growth companies can access the investment they need at any stage of their business journey.

Despite the challenges of the past few years the City and UK F&PS sector remain in good shape. We are tied with New York in the top spot as the world's leading financial centre according to the City Corporation's annual survey published in January. Fresh challenges lie ahead, notably the need to get the post-Brexit regulatory framework right. The Government's Edinburgh Reforms point in a welcome direction but, as I said in a speech in Mansion House last year, we need to take care: a bonfire of regulation would be a bonfire of our reputation. The right decisions, in the context of improved UK-EU relations following the Windsor Framework and the groundbreaking work on services in new free trade agreements, will ensure a thriving City. Future Lord Mayors on their travels will have a great story to tell!



“THE FUTURE IS NOT SOME PLACE WE ARE GOING TO, BUT ONE WE ARE CREATING. THE PATHS ARE NOT TO BE FOUND, BUT MADE, AND THE ACTIVITY OF MAKING THEM CHANGES BOTH THE MAKER AND THE DESTINATION.”

John Schaar

Back in the day, it was not a question of “are you going to university?” but more “which university are you going to?” If you wanted to be a Magic Circle lawyer, then probably Oxbridge or, at a push, the London School of Economics were your main choices. After university, it was Part 2s. Then articles.

Time moved on. But the profession didn’t really. A couple more universities were added to the list. The LPC replaced Part 2s. Traineeships replaced articles. But the road was pretty much the same.

In truth, a somewhat private road, open only to a privileged few. Those who had been to the right schools. Who could afford the financial and other costs of university and law schools. Those who were the right demographic for the traineeships.

But nothing stays the same.

What makes a great lawyer? Is it simply the school or university you attended? Obviously not. Therefore, in trying to recruit the very best possible candidates who would take our profession successfully into the next chapter requires a different approach to search and intake.

In recent years, certain forward looking law firms have taken the road less travelled and expanded their intake to include apprentices rather than those taking the more conventional route. They are trying to make careers at the very top of our profession available to people who might not be able to go to university or who choose not to follow the traditional university path.

Interestingly, rather than this being totally new it is almost going full circle as apprenticeships are how it all began. They can be traced back to the 14th century. At that time, legal training was primarily carried out this way; a person would become an apprentice to a practising lawyer or judge and learn the skills necessary to become a lawyer.

The first recorded case of an apprenticeship in a law firm was in 1466 when William Caxton, a printer and publisher,



was apprenticed to a member of the Mercers' Company who was also a notary and attorney.

Now over 500 years on, we are going back to how it all started.

It was a big breakthrough when in September 2021 the Solicitors Regulatory Authority (SRA) introduced the Solicitors Qualifying Examination (SQE) stating that candidates must pass a series of assessments that test their knowledge and skills in order to qualify as a solicitor, **regardless of whether they obtained their legal education through a traditional university degree or an apprenticeship programme.** The solicitor apprenticeship takes 6 years to complete. Apprentices receive an LLB Law Degree and a Solicitor Level 7 Apprenticeship qualification, as well as becoming a qualified solicitor once they pass the SQE. Four days a week are spent working in the business, and one day a week is allocated to study. Broadly, the first four years of study are dedicated to the Law Degree and the last two years to the two-part SQE. This is a great way of making a top legal career available to many who may have thought it impossible to achieve before.

In short, solicitor apprenticeships, like all apprenticeships, provide on the job training together with at least 20% off the job based learning.

Now that the pool to find future talent is so much bigger, how are firms going to have the resources, time or capacity to sift through all the potential applicants? And, indeed, how are young people still at school going to be even aware that they can become a solicitor in this way?

Joanna Hughes worked as a solicitor for Allen & Overy LLP for 25 years before joining James Partridge, the Recruitment Partner and Training Principal to co-lead the introduction of solicitor apprenticeships at the firm. Her driver for doing this was her interest in improving socio-economic diversity in City law.

"To be clear, apprenticeships are not inextricably linked with social mobility but they are a powerful tool. A&O announced they were going to be the first Magic Circle firm to introduce apprenticeships in June 2021 and the first solicitor apprentices joined in September 2022. I had a real desire to share my knowledge more broadly within the City with the aim of getting more firms to introduce the apprenticeship route to qualification. At this point I met Patrick McCann, the Chair of CLLS Training Committee, and was able to work with him, as Member of his Committee, to do this in the most impactful way possible."

This is how and why the City of London Law Society's City Century initiative was born. Joanna and Patrick feel that for the apprenticeship route to qualification in the City of London to be truly successful, collaboration is crucial. The number of City law firms that have been operating solicitor apprenticeships since 2016 is very small, and that number did not increase substantially in 2021 following the SQE change. A much bigger, broader collaborative approach in the City will help

greatly in identifying, attracting, recruiting, educating, networking and developing significant numbers of talented and committed solicitor apprentices.

City Century aims to do just that. It is designed to have law firms work together to recruit, train and retain solicitor apprentices into City law firms. Within three months Patrick and Joanna effected a big sector shift and (at the time of writing) 50 firms are already on board guaranteeing places before September 2025 – tripling what was available previously. This is just the beginning.

The reception from young people who had no idea that these opportunities were available to them has been phenomenal – and is what makes this scheme so worthwhile. Fulfilling what were once considered nothing more than impossible dreams is what this scheme is achieving.

Patrick says;

"If you make it about City law as a whole and not about individual firms – if we work together as a whole – we can do so much more and properly reach out to the young people that would love to be solicitors but have no idea how they can do that. Apprenticeships are usually associated with trades rather than professions; electricians, plumbers, butchers. You don't think of lawyers. But the world is changing – apprenticeship routes for doctors are coming – for engineering too; for careers that really require intellectual heft. This is really exciting. Opportunities will be available that were unfathomable ten years – maybe even ten weeks – ago!"

We talked to some of the firms who have already placed or who are about to take on apprentices to hear their views on this changing landscape for recruitment; they are firms of different sizes and some have their own take on the scheme. What they share is a passion to find talent from a bigger pool and to find ways to allow young people into a profession which may have previously closed its doors to them for various reasons.



"We talked to some of the firms who have already placed or who are about to take on apprentices to hear their views on this changing landscape for recruitment."



“Now that the pool to find future talent is so much bigger, how are firms going to have the resources, time or capacity to sift through all the potential applicants?”

Paul Lewis has been Linklaters’ firm-wide Managing Partner since July 2021. What is his perspective on this new route into the profession?

“I care passionately about this scheme. Whilst my accent may have all but disappeared over the years, I come from a small village outside of Swansea, South Wales. I went to the local comprehensive school and somehow managed, by hook or by crook, to land myself a place at Oxford – which came with a healthy dose of luck. I had very little guidance on the process from my school given nobody had ever been through it before. When I got there, I feared I was going to be the stupid one – but quickly learned that just because others may have sounded more impressive, that didn’t necessarily equal better grades. The prospect of Linklaters was also intimidating – but I soon realised the people around me were actually no different from me. It made me think. At school, I performed well but was by no means top of my class. So what happened to the others? Did they break barriers and have access to the same opportunities I’ve had?

The depressing reality is, probably not. Top law firms like ours never really had the wherewithal to access

people like my classmates – and vice versa. Much to our mutual detriment. We drew from the top of a funnel and missed out.

I sat down with Patrick (McCann) to talk about how we could start an apprenticeship scheme at Linklaters and, Patrick being Patrick, took it from zero to 100 by expanding it beyond just our firm into an initiative across the City. It went from Linklaters trying to expand its own pool of talent, to bringing people from a wide range of different backgrounds into City law. That makes me really proud.”

Linklaters are about to take their first intake in September this year. They will be taking on around 6–8 a year. Paul is conscious that taking on apprentices may require an extra level of responsibility from the firm; a lot of the intake will be school leavers and, therefore, considerably younger than traditional trainees. They may be coming in from outside of London, they may need help with accommodation etc. Discussing this with Patrick who had experience of apprentices in other firms, he was quick to reassure Paul that such people tend to be highly driven, highly motivated and highly capable self-sufficient individuals.



Paul is recognising that apprentices may have a different mindset from those treading the more traditional route. Whilst, indeed, some come from a low socio-economic background, that is not always the case. Some are just talented people, more than set up to go to university, but who simply decide that is not what they want but are keen to get immediately started on their day job.

"It does attract people who are hungry. Who are prepared to do something outside of the norm. Who are driven."

We asked Paul what makes a good solicitor?

"Intelligence is a given, but drive and determination are also crucial. You have to be hungry to do those big deals, to want to throw yourself into challenges that energise and fulfil you. Resilience is crucial too, because there will be times when there are tight deadlines and potentially long hours. We obviously try very hard to manage this, but that's the nature of the beast. Ambition is important; to care about being on the most challenging work – and to test yourself against that. You need to be someone who wants to excel at their craft, not just because of the monetary rewards but because it is important to you. Curiosity is another big aspect of success, and of staying motivated and engaged. Finally, you must be able to connect. A lot of lawyers don't like this but part of our job, beyond being clever technically, is that we are salespeople. Who sells best? Those who are prepared to hustle and drive and put themselves in uncomfortable positions."

Not necessarily qualities one learns at university or has any connection with what academic institution you attended.

Sandra Wallace is Joint Managing Director, UK and Europe of DLA Piper and a Member of the International Executive Committee at DLA Piper, a firm that has been operating solicitor apprenticeships for several years, Sandra has held the most senior positions possible in social mobility world – Co-Chair of the City of London's Socioeconomic Diversity Taskforce, which looks at career progression in financial and professional services, and Pro-Chancellor for Social Mobility and Honorary Professor at Wolverhampton University. She was formerly the Co-Chair of the UK Government's Social Mobility Commission.

"We started our apprenticeship journey in 2021 recruiting five in Manchester. We were overwhelmed with applicants; people who were genuinely committed to becoming solicitors but who either could not afford to go to university or did not want to go for other reasons. We had hundreds of applications and were blown away by the quality and calibre. We then added five in Leeds the following year and this year we are taking on five in London and four in Birmingham. We are seeing great success and output."

Does Sandra see a difference between someone who chooses the trainee route?

"Intelligence is a given, but drive and determination are also crucial. You have to be hungry to do those big deals, to want to throw yourself into challenges that energise and fulfil you."

"A lot of people we interviewed had online business or roles within their community. They had already started to explore options. They are quite innovative and entrepreneurial.

They were looking at more non-traditional ways of working."

One of Sandra's biggest concerns was that perhaps the apprentices would be seen as second class citizens but it has been the contrary. The lawyers have found them great to work with and the trainees have been enthusiastic to support them. How easily the integration has taken place has been one of the reasons the firm accelerated expansion of the programme.

"There are a multitude of benefits to the scheme. I myself come from a working class background and at so many points I could have abandoned what I was doing because law seemed so remote. But this is a way of trying, of earning money while you find out. It gives people who can't afford university a way in. It opens up a new way of thinking in our firms; their life skills can benefit us. They have an openness to see things differently. They don't have a learned way of working. They may challenge the status quo. All this adds to the diversity and richness of the firm."

Katherine Wilde has been at Farrer & Co for 23 years, having started there as a trainee herself. After working in litigation, she is now Director of Knowledge, Learning and Development and a partner in the firm. They took on their first apprentices in September 2022.

"We have been working on broadening the pool of talent for our trainee schemes, so the apprenticeship scheme was a natural and obvious next step for us. We took two on originally and will take on another two this September. Our aim is to eventually have the same number of trainees as apprentices. The profession needed to broaden out who it can be open to; with just the university route in, this was becoming less feasible for many reasons, financial and other. This scheme means they can get to exactly the same place in more or less the same amount of time but without taking on that great amount of debt. Really it is a no brainer and the proof is in the pudding as our first intake is proving to be a great success."

Farrers have their own take on the scheme; they have divided the six years into three chunks of two; the first

“As a profession we are drawing from a much smaller talent pool than we need to be, and if we are aspiring to be one of, if not the, leading legal markets in the world, then it makes no sense to just be selecting from only a small part of the talent pool that’s available.”

two years are spent in business services teams rotating around finance, HR, Marketing and IT to get a solid foundation as to how law firms work rather than diving directly into the legal nitty gritty.

David Pryce is Managing Partner of Fenchurch Law, a smaller boutique firm so somewhat different in profile to most of the firms participating in the scheme. David is a huge advocate of socio-economic diversity in the legal profession. Indeed, he was interviewed by The Rt. Hon. Justine Greening a while back for her Fit For Purpose podcast about social mobility. His firm is introducing solicitor apprenticeships in the Autumn of 2024.

“Becoming a solicitor is horrendously expensive and there are a lot of very talented people who are priced out of the market which is obviously a problem from a fairness point of view but – more interesting in terms of changing the behaviour of the profession – it is also a problem when it comes to competitiveness. As a profession we are drawing from a much smaller talent pool than we need to be, and if we are aspiring to be one of, if not the, leading legal markets in the world, then it makes no sense to just be selecting from only a small part of the talent pool that’s available.

Think of it like this. Celtic became the first British club to win the European Cup in the 1960s with players that were all born within a few miles from Glasgow. Whilst that was an extraordinary achievement, they couldn’t possibly hope to be as successful today if they still drew from such a small talent pool.”

Lucy Dolan is Early Talent Manager at Gowling WLG LLP and had a background in financial services at BDO LLP where apprenticeships in accountancy were introduced in 2011 so when she entered the legal profession was somewhat surprised to see graduates were the only option. Gowling kicked off its legal apprenticeship programme in 2015 hiring 3, took 19 in 2017; currently they have 30 on programme

“I am dyslexic so the options open to me were limited; if you didn’t go to university, there was so little opportunity. Today, when you add in other factors such as the rising cost of living and university fees, going to university is really only for a privileged few. This has increased my passion for the apprenticeship scheme. When the SQE was initially launched, there was so much debate around it that firms were slow to kick off their apprenticeship schemes – some of them are only coming to it now. Beyond it being most definitely the right thing to do, it brings with it huge benefit not just for the apprentices but for the firms.

Our apprentices are such smart people who already are contributing so much. Most of them had university offers but they wanted hands-on experience; they wanted to do it in a different way.”

Lucy still has some concerns about contradictory mixed messaging. On the one hand, the Government measures how good schools are in relation to how many pupils they are sending to university which seems contrary to the apprenticeship levy which any employer with a pay bill of more than £3 million is required to pay. The funds can be spent on training and assessing your apprentices. The Government will apply a 10% top up to the funds in the account.

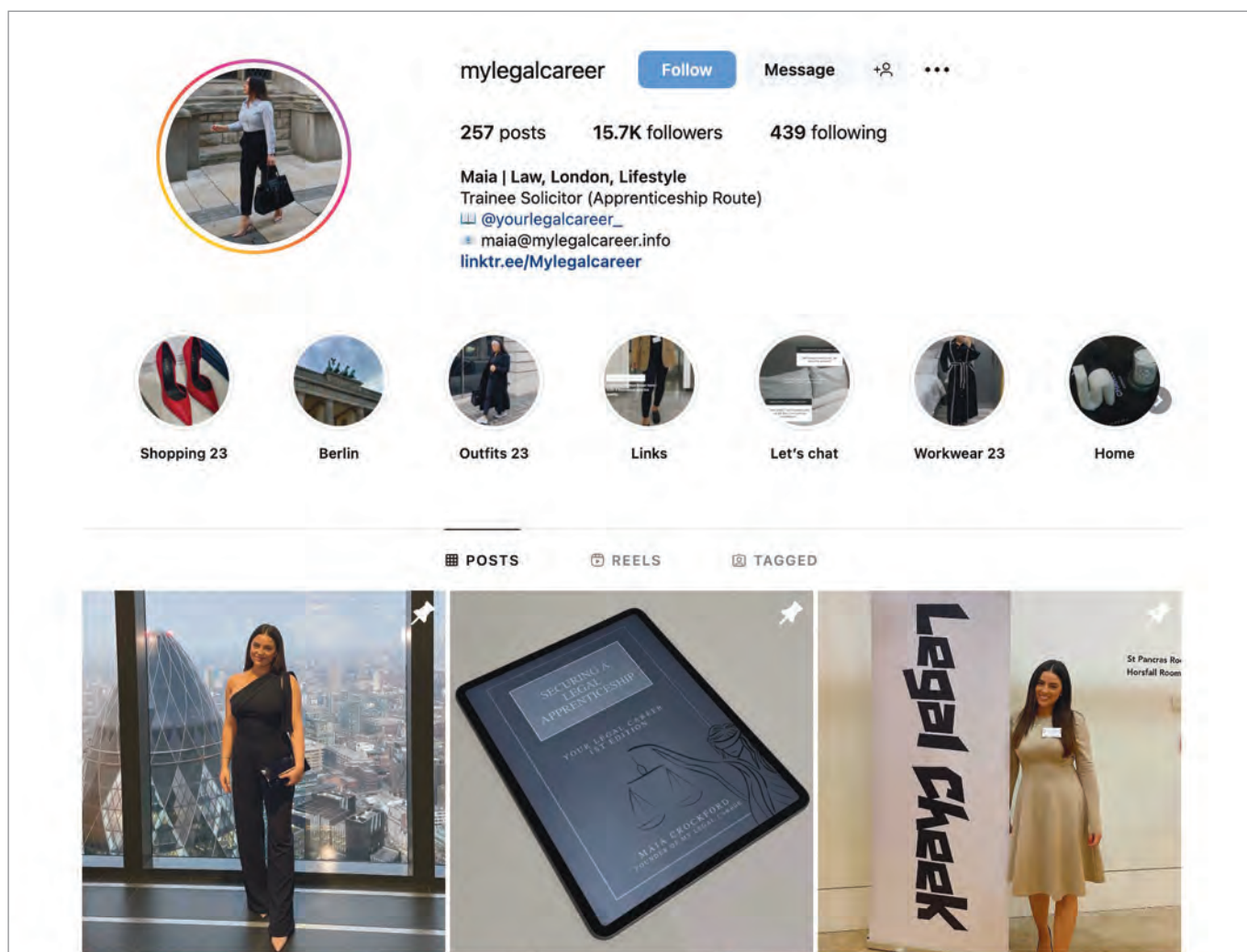
“It has gotten better but initially there was a resistance from schools when we talked about apprenticeship schemes. They really were pushing their pupils to go to university so that the school got a good rating. Things have definitely improved but it still needs a big push – which is where the collaborative approach of City Century can really come into play.”

Gowling’s scheme is somewhat different from the CLLS proposition. City Century has a target of having 100 trainee solicitor apprenticeships come into play. Gowlings recruits onto a paralegal apprenticeship and then builds up to the Solicitors Apprenticeship. They also use the Solicitors and Degree Apprenticeship to develop its existing employees. Lucy believes this gives young people a chance to find out what they really want to do.

“They come out of school at 18, they like the idea of doing law – but some of them have never done law before. We don’t require that. The idea of what law is and the reality can be two very different things. I believe doing the two year paralegal apprenticeship gives you the opportunity to ‘try before you buy’. Whilst we take them on with the intention of seeing them through to full qualification, what we have found is at the end of the two years it is a great check-in point. Some love the work and hate the study; others could be the other way round.

The majority have stayed on but those who haven’t have for the most part stayed on as paralegals or decided to take a year out before progressing.”

There are a lot of sites now that inform young people about apprentice schemes and apprentices themselves are spreading the word. Katie Love, one of Gowling’s 2015 intake, has over two thousand followers on LinkedIn where she is so articulate in promoting the scheme.



Maia Crockford is another who is spreading the word. She is a very high profile solicitor apprentice at DAC Beachcroft LLP who speaks at conferences such as Legal Cheek Ed Con and has over 15,000 followers on her Instagram (@mylegalcareer) which is in essence a diary of her life as an apprentice. Maia started in 2017 and is currently on her training contract phase.

What made her take the path less trodden?

"I applied and got accepted by my chosen university but at the same time happened to read something about apprenticeships; free law degree, earning a salary, working, getting first hand experience – these words all drew me in. I had done some work experience and I am definitely someone who wants to hit the ground running; to throw myself in at the deep end and prove myself. I was keen to get started in the working world and to kickstart my career.

I had initially considered university because I thought it was the only route available and I did feel pressure from my college, my peers and my parents to go that way – but once I knew about the apprenticeship scheme I knew that was right for me and my character and personality. It was most definitely the right choice."

It was partially the opposition Maia encountered to her choice that prompted her to start her Instagram to document her journey. It had been a big obstacle for her and she wanted to support and guide others through the process and, at the same time, provide real life, day to day information on what being an apprentice actually means, what it's like. She shares what she does out of the office too in order to show that it is possible to work, study and to have a social life as she believes potential apprentices can be quite scared about whether it is possible to study and work at the same time and whether as a result social stuff can take a nosedive. All questions she had herself when she was considering the option but because she was one of the first, the information was simply not there. She was determined to fill that gap. To debunk the myths and show that you can do it all. Something she has more than adequately achieved. @mylegalcareer has now an offshoot @yourlegalcareer which is aimed at helping others find apprenticeships.

Maia has never for one second regretted her choice; she has two client secondments, multiple seat rotations and worked on some of the firm's top cases. She thinks she has learned more in the office than she has in the classroom but finds the combination of the two the ideal path to becoming a solicitor.

“The doctor knew it was terminal but did not tell the patient. I started to question not just the morality of that, but also the legality. That is when I became interested in law.”

Louciene Brown is a Year 2 apprentice at Norton Rose Fulbright LLP. He completed his A levels in 2019 but spinal surgery forced him to take a two year gap instead of going straight to university. It was sheer luck that Louciene found out about the apprenticeship scheme. His brother was, more traditionally, studying law at university, but through a friend of a friend Louciene heard about the scheme. He decided to go for it.

“Being a solicitor had not been my original choice, I had wanted to be a doctor. This mindset changed while I was doing work experience in the oncology unit of a hospital. While I was there, I was shadowing a doctor who was discussing a patient’s tumour with him. The doctor knew it was terminal but did not tell the patient. I started to question not just the morality of that, but also the legality. That is when I became interested in law.”

When Louciene applied to law firms for the scheme, he already had an offer from the London School of Economics under his belt – no mean feat. But he decided to dive straight in. He considers the ability to gain practical experience and the on-the-job learning more valuable.

Louciene has loved the experience; he can directly see how what he is learning applies in practice. He has worked on high profile deals and had a lot of client exposure; this all adds up to a great combination of enjoyment and learning. The medical profession’s loss is the legal profession’s gain.

Hal Donovan is a Year 6 apprentice with Dentons LLP who is currently on a pro bono secondment in New Orleans that is supported by his firm. He had originally planned to go the traditional route in becoming a lawyer and had offers to study at a number of universities but then came across an advert for apprenticeships.

“Law is very traditional so I was somewhat wary. But as I read more, I thought I have to do this – it sounds fantastic. It was attractive to me that I would be working right from the start. Also, whilst I could have got a loan for tuition fees, realistically, I would have had to work to support my studies so for me it made more sense to be working in a law firm.”

Hal has found the journey challenging but he would not have it any other way. There is not a day that he

regrets his decision. He was always interested in the law. Even as far back as primary school, where his teachers said he would be a politician or a lawyer. He always challenged any form of injustice.

“I always wanted to be involved with human rights. A lot of the work City firms do is quite different from this but it has come full circle for me as I have been fortunate enough to have had many opportunities to engage with my areas of interest. What I am doing out here in the US is pro-bono work, assisting attorneys at a non-profit who represent indigent defendants in death penalty post-conviction and appeals cases. It is great work. It blends a lot of my interests; politics, human rights and even psychology comes into it as well. I ultimately plan to practise environmental law where there is often a significant crossover with human rights. My experiences are a testament to the fact there is so much more on offer in commercial law beyond banking and M&A.”

“Don’t be fooled; this scheme is not for underachievers to find a way in. It’s tough. It requires hard work, resilience and numerous other skills.”

All three apprentices we spoke to were very very different. But there were commonalities. They were exceptionally bright, passionate, principled, determined and determined to make a difference, to give back. Who wouldn’t want such people in their firm?

Don’t be fooled; this scheme is not for underachievers to find a way in. It’s tough. It requires hard work, resilience and numerous other skills. What it is though is for people who have all this in abundance but maybe without the social or cultural capital. Or simply for people not afraid to do things differently. Apprentices tend to bring a new way of thinking. They are driven. They learn fast. They are commercial. And that can be enriching to firms and clients.

Is your firm recruiting apprentices yet? If not, now is most definitely the time.

To find out more contact;
patrick.mccann@linklaters.com
info@joannahughes.co.uk

EXTINCTION OR ENHANCEMENT

What does the digital age mean for lawyers?



It is probably harsh but fair to admit that – generally – our profession is not perceived as being the most progressive or forward thinking. So when it comes to technology and all things digital, law firms were not always early adopters or even supporters; some might even say dinosaurs.

Then the pandemic came along as a blessing in disguise. Technology went from being something to be feared and dismissed to something that would allow us not just to be able to continue doing our work but to do it with increased efficiency. Teams and Zoom not only made meetings possible at a time when people were simply not allowed to meet but it meant we could carry them out without travel time or expense giving us more time to do other work.

No question, the lockdowns accelerated not just the pace at which lawyers adopted technology but also its own development.

Today, we are left with the question – will AI mean there is no longer a need for mere mortals to be operating as lawyers – or will developments like ChatGPT, Bard etc just give us more tools to do our jobs smarter and better?

“There always has been a lot of pondering about the future of our profession and technology but most of that has been theoretical.”



What did you do when you were bored in lockdown? There was a lot of sourdough baking, Joe Wicks' workouts, walking in the park – and those 'I have a book in me' dreams fulfilled.

Three maybe untypical lawyers did precisely that. They are David Jackson, Paul Caddy and Tony Randle all from Shoosmiths. Shoosmiths was founded in 1845. It has adapted in every generation, in every age. It is a firm that thrives on change. That is the key to its ongoing success and explains their link to technology.

I say 'untypical' because all three are technology (not just accepting but) driven lawyers who believe the future for our profession lies in not deciding between people or tech but instead focussing on people and tech.

David is Chief Executive of Shoosmiths, who previously practised as a specialist technology and outsourcing lawyer. He is genuinely passionate about client service (not just a tick box here) and innovating to create new ways of solving clients' problems.

Paul is Head of Insight at Shoosmiths, having previously practised as a commercial and data protection lawyer, with a particular focus on new technologies. He is determined to help drive change in the legal sector, not only through the use of legaltech, but by focusing on the human side of legal practice too.

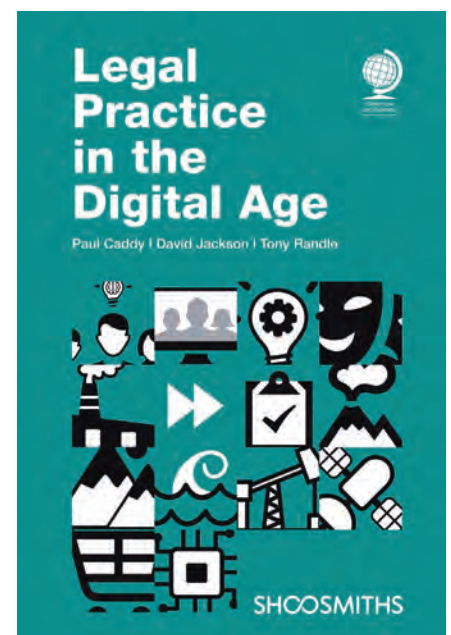
Tony is Head of Client Strategy and formerly a project finance and commercial lawyer. He is a respected thought leader and conference speaker on how technology and innovation is impacting positively to improve the outcomes and experience that law firms can give their clients.

As you can see, technology buffs. And, in lockdown, they put their digitally focused heads together to write a book called 'Legal Practice in the Digital Age' which any smart solicitor will be quick to recognise as being the must have handbook for our time.

The book focuses on how to thrive not simply struggle to survive; it is full of case studies, stories and very relevant and practical tips. Far from being a stuffy

textbook, it is smart and innovative. As you would expect.

The tone and context is summed up by one recent press release;





“Social anthropologist Kate Fox once said that a protest march in England would see us all chanting ‘What do we want? GRADUAL CHANGE! When do we want it? IN DUE COURSE!’ Of course, we don’t have this luxury. In England and elsewhere in the UK change is hammering on all our doors, whether we work in the legal profession or elsewhere. And it isn’t going away anytime soon.”

City Solicitor had the pleasure to catch up with two of the authors, Paul and Tony, to hear more about why they see technology as being the holy grail for our profession.

Paul describes his co-authors as always having been “avant garde” in the area of technology in law – he modestly obviously prevented including himself so we will do it for him!

“Everyone has such a different view on AI; there are the utopians, the dystopians. I’m somewhere between the two. On one side, there was an article in Time Magazine recently where the journalist was vociferously telling us to turn it off and to turn it off now. On the other end of the spectrum are those saying it should not

even be in any way regulated. As a lawyer, I feel there is most definitely a need for some regulation. The analogy I draw is of driving a car and the only instruction being ‘drive carefully.’ It doesn’t feel enough does it?”

A more realistic approach than the ‘it is the answer to everything’ or ‘it is the thing that will destroy us’ has polarised approaches that seem to prevail.

What was the catalyst to write this book beyond the obvious of making use of lockdown time?

Tony talks about the pandemic as a time when “we were seeing on a daily basis how the world was changing, how law firms and, indeed, every other professional services business on the planet had to adopt technology at a pace like never before. There always has been a lot of pondering about the future of our profession and technology but most of that has been theoretical. It occurred to the three of us that for several years and more so during the pandemic, we were actually doing this stuff and inventing solutions, not just theorising about it.

“As a lawyer, I feel there is most definitely a need for some regulation.”



“Change itself is changing; its pace, its complexity and its magnitude. No law firm can stand still.”

We were living and breathing it, day in, day out; occasionally losing sleep over it, but happily we were succeeding more often than we failed. Looking to the future was business as usual for us, effecting change for the better. We had so much practical experience that we decided to collate it all in a way other lawyers could relate to and allow them to dip into a portfolio of knowledge and experience in order to grow, learn and benefit themselves, their firms and their clients.”

Both Tony and Paul stress how they wanted the book to be optimistic. Some of the predictions are so dystopian, but as time passes they are tempered. Tony says;

“We are hugely optimistic about what technology means for the future of our

profession. Far from being a robot on the horizon with flames surrounding it, it is an incredibly powerful tool that can enable us to deliver legal services at a standard, speed, quality and cost that has never been possible before – and this can only be good for us and for clients.”

The book is designed to be read at various levels; for senior people who can shape the direction but also for those lower down because there is more of a future that they are going to face. It helps the next generation of leaders learn how they can drive their firms forward in the best way. The book is also invaluable to much smaller firms who simply do not have resources like Paul, David and Tony – this enables them to tap into their collective 75 years of experience.

Life for younger lawyers is different today in so many ways. The changing landscape gives more opportunity; in olden days to progress you just had to be better at law; today you can put your head above the parapet by not just doing lawyering but doing technology, design – a myriad of things whereby you can distinguish yourself to make yourself more relevant in the law firms of the future.

Paul expands on this by talking about ‘lawyers plus...’

“Everyone today needs to be a lawyer plus something else. In the past, lawyers were simply lawyers. Professor Stephen Mayson says we need to think of ourselves as more. We have other passions. As everything goes online, design becomes increasingly important too.”



What are the biggest challenges facing lawyers today?

Tony believes “the legal profession is probably the furthest behind of all professions in adopting technology. Covid forced us to go blinking into the bright lights of the 21st century but before that most lawyers knew very little. This has presented us with an opportunity – but if we don’t grasp it with both hands, we risk getting left behind. Technology will NOT replace lawyers. But, lawyers who do use technology will replace those who don’t. This is both the opportunity and the challenge. Now is the time.”

Paul says ‘change itself is changing; its pace, its complexity and its magnitude. No law firm can stand still. We have to embrace the messiness of it. To adapt is not enough, we have to take our people with it. How can people and technology work together? Yes, every day can be quite scary. But the future is not going to go away so we have to work with it.’

Inevitably, our conversation moved on to ChatGPT, Bard and other iterations that are currently blowing our minds. Is there a place for these platforms in the legal profession?

Both say they may not trust it now, with now being the operative word.

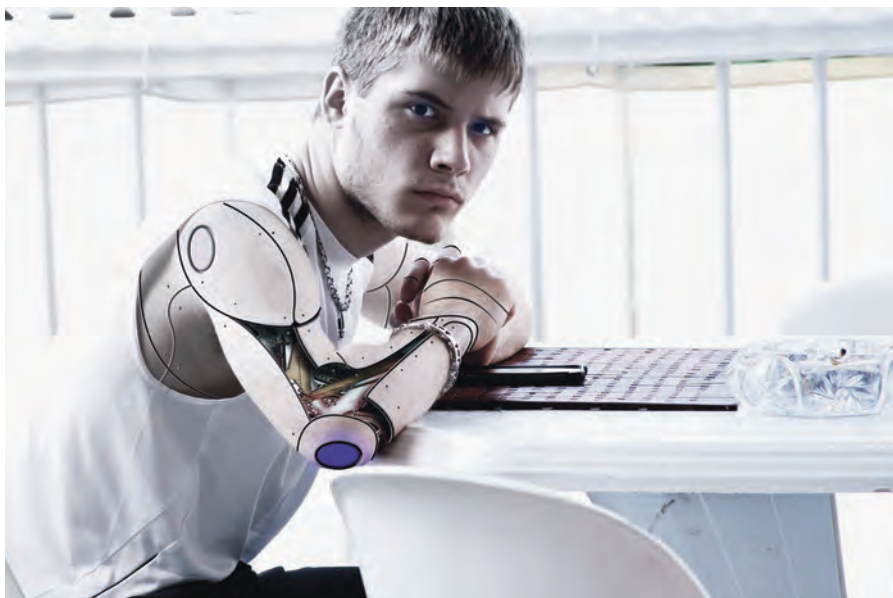
Tony says;

“We know with AI, it only goes in one direction. We have formed a think tank in our firm and top of our agenda are these platforms. In terms of lawyering, it is dangerous at the moment. So just yet, we don’t want our lawyers to go near it. But I do mean ‘just yet’. However in terms of the business of law, it is hugely useful”

Paul always thinks first, then asks ChatGPT what it thinks afterwards.

“It’s a great ‘have I missed anything?’ tool. But law firms need to have some tough guidelines in place; if the prompts are wrong you can quickly go down the wrong rabbit holes.”

Both Tony and Paul believe without hesitation that AI needs to be trained. Experience of their own AI tool which they began using 4 years ago initially showed a 50% accuracy on a particular test case. They trained it for two years and it then delivered 94% accuracy; which is higher (according to a US study) than most senior lawyers are.



“ChatGPT will definitely improve. But, it can only be as accurate and truthful as the training it receives. We have been incredibly careful to ensure the integrity and accuracy of our training in order not to taint the output. It will be interesting to see what the quality assurance of the training of these open source platforms will be like.”

Tony explains that when he and his like-minded technophiles started using AI in the firm, others let us have a free run. The successes that came with it changed hearts and minds.

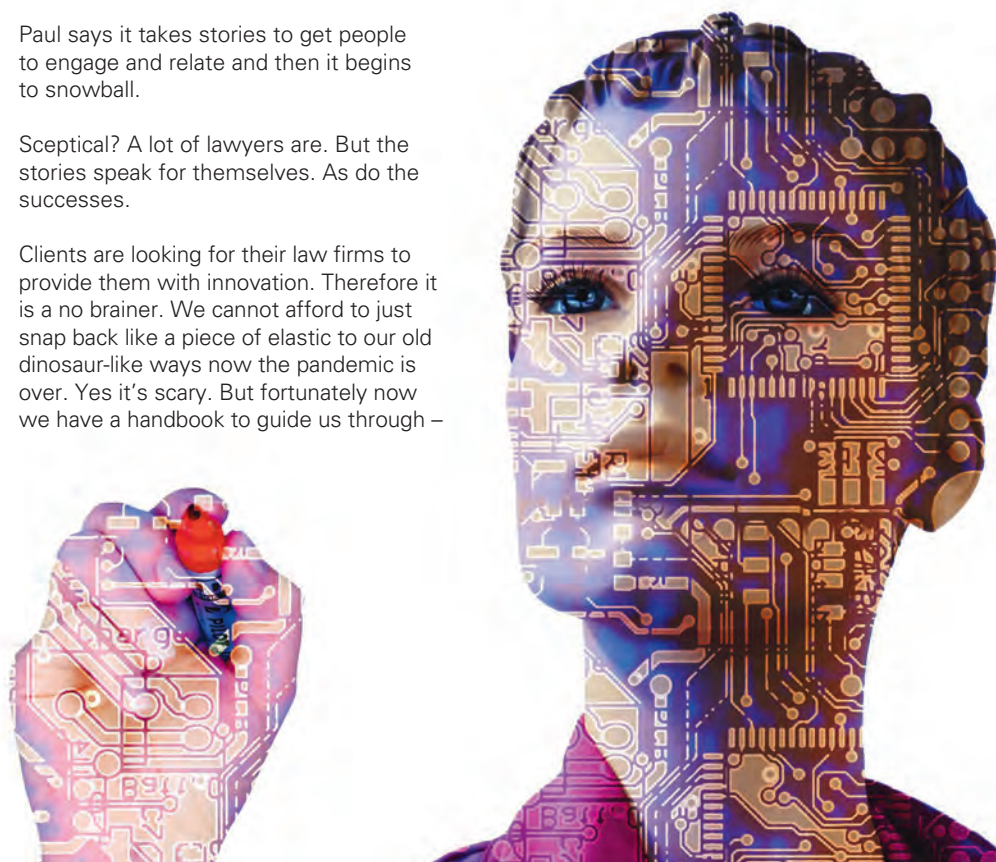
Paul says it takes stories to get people to engage and relate and then it begins to snowball.

Sceptical? A lot of lawyers are. But the stories speak for themselves. As do the successes.

Clients are looking for their law firms to provide them with innovation. Therefore it is a no brainer. We cannot afford to just snap back like a piece of elastic to our old dinosaur-like ways now the pandemic is over. Yes it’s scary. But fortunately now we have a handbook to guide us through –

it’s available not only as an eBook, but also as a beautiful good old fashioned hard back book proving the old and the new can work superbly together.

Legal Practice in the Digital Age can be purchased through Globe Law and Business who specialise in producing practical, topical titles for international legal and business professionals. It can also be purchased as an e-book.





Who doesn't know about Cadbury Dairy Milk? Love it or hate it, it is a part of British food culture. But for those of us old enough to remember, it was once called Cadbury Dairy Milk Chocolate. Then along came the EU and a whole load of food regulations and a big debate as to what can actually be deemed as chocolate. Germany is one country that does not consider Cadbury style chocolate to actually be chocolate and so it has been banned there since 1973.

Whether you consider this a fuss about nothing or a way of ensuring standards and quality, being a part of the EU meant we were party to a lot of laws and regulations concerning food, employment, human rights and more or less everything in our day to day lives.

Before Brexit, the exact number of EU laws that the UK was subject to is difficult to determine as it was constantly changing and evolving over time. It has been said that the UK was subject to around 100,000 EU laws, including regulations, directives, and decisions. It is hard to verify how accurate that number is but it is safe to say the number is not insignificant.

Now that the UK has left the EU, it is no longer subject to the EU laws in the same

way. However, the UK Government has incorporated many of these laws into domestic legislation through the Retained EU Law Bill which is also known as the European Union (Withdrawal) Act 2018. This means that many EU laws will continue to apply in the UK, at least in the short term.

The UK Government has also stated that it will continue to align with some EU regulations in areas such as product safety, environmental standards, and workers' rights, in order to maintain access to the EU market. However, the UK is now free to diverge from EU regulations in other areas, which could potentially lead to differences in standards and regulations between the UK and the EU.

The Retained EU Law Bill was introduced to enable the UK's withdrawal from the European Union (EU). The Bill aims to convert existing EU laws into UK law to ensure that there is continuity and stability in the legal system after Brexit.

The Bill has now passed through the House of Commons and is currently being debated in the House of Lords, the UK's upper chamber. The House of Lords has the power to amend the Bill, and any changes made by the Lords will have to be approved by the House of Commons before the Bill can become law.

There are several political implications of the Retained EU Law Bill. Firstly, the Bill is a crucial piece of legislation for the UK Government's Brexit strategy, as it lays



the groundwork for the UK's departure from the EU. The Bill is seen as a symbol of the UK's newfound sovereignty and independence from the EU, as it enables the UK to make its own laws and regulations without the influence of EU institutions.

However, the Bill has also been the subject of controversy, with some critics arguing that it gives the Government too much power to make changes to EU laws without proper scrutiny. There are concerns that the Bill could lead to a weakening of environmental, labour, and human rights protections, which are currently enshrined in EU law.

Moreover, the House of Lords, which is known to be more independent-minded than the House of Commons, has the power to make amendments to the Bill that could potentially delay or even derail the Government's Brexit plans. The House of Lords could use its powers to insert amendments that require the Government to maintain certain EU regulations or to seek a closer relationship with the EU after Brexit.

Suddenly this seems a whole lot more important than just being concerned about whether the chocolate we are eating is actually chocolate!

A fact sheet has been provided by the Law Society to explain more clearly what the situation is.

The Retained EU Law Bill would make major changes to the body of retained

EU law in UK domestic law. 'Retained EU law' is a concept created by the European Union (Withdrawal) Act 2018. This act took a 'snapshot' of EU law as it applied to the UK at the end of the Brexit transition period on 31 December 2020 and provided for it to continue to apply in domestic law.

The Bill would automatically revoke most retained EU law at the end of 2023, as part of a 'sunset clause'. This would not apply to retained EU law that was domestic primary legislation.

Ministers and devolved authorities would be able to:

- *Exempt most (but not all) retained EU law from the sunset clause.*
- *Restate, reproduce, revoke, replace or update retained EU law and assimilated law by statutory instrument.*

Any retained EU law that still applied after the end of 2023 would be renamed as assimilated law. However, UK ministers (but not devolved authorities) could delay the sunset clause until 23 June 2026 at the latest for specific descriptions of retained EU law.

The Bill would:

- *Repeal the principle of supremacy of retained EU law from UK law at the end of 2023, although its effects could be reproduced by statutory instrument for specific pieces of retained EU law.*
- *Change the way Courts can depart from retained EU case law.*

It would also change the way that some types of retained EU law can be modified, such as:

- *'Downgrading' retained direct EU legislation so this could be amended by secondary legislation.*
- *Removing additional parliamentary scrutiny requirements that currently apply when modifying some types of EU-derived domestic secondary legislation.*

The Government has published a 'dashboard' of retained EU law, although it acknowledges that this is not a comprehensive catalogue of all retained EU law that may be in scope of the Bill. The dashboard is due to be updated regularly.

Concerns have been raised about the amount of retained EU law to be reviewed before the sunset deadline and whether some may end up being revoked inadvertently. MPs and others have also expressed concerns about the impact of large-scale and rapid changes to the statute book as a consequence of the Bill and have highlighted a lack of clarity about what retained EU law the Government intends to keep, particularly in the areas of employment, environmental and consumer protections.

They have also been critical of a lack of parliamentary scrutiny of an input into the process of reforming retained EU law. However, the only amendments made to the Bill in the House of Commons were Government amendments to clarify the Bill's drafting.



“There are concerns that the Bill could lead to a weakening of environmental, labour, and human rights protections, which are currently enshrined in EU law.”



“The Bill constitutes a major shift in the administration of justice by allowing Courts equivalent in authority to, or higher than, the Court of Appeal, to consider whether to depart from retained case law.”

We spoke to Stephen Denyer, Director of Strategic Relationships at The Law Society of England and Wales, on his views on the next chapter of legislation post Brexit.

“Through the creation of a sunset clause (causing most retained EU law to expire at the end of 2023), the UK Government is setting itself an overly ambitious target to review and consider important areas of UK legislation by the end of this year. In sticking to that target, the Government risks a rush of key legislation ahead of the end of 2023, not giving itself, stakeholders, or Parliament enough time for adequate consideration.

The Bill constitutes a major shift in the administration of justice by allowing Courts equivalent in authority to, or higher than, the Court of Appeal, to consider whether to depart from retained case law. This could result in a reduction of legal certainty through the emergence of novel

judgments that are either not binding on other Courts or are inconsistent with precedent. This would mean that UK businesses will not have certainty about what the law is due to these varying interpretations, and, unlike the sunset clause, this will not be a time limited issue so could cause ongoing uncertainty for decades to come, further undermining business confidence.

Elements of the over 3,000 pieces of retained EU law could go overnight, including provisions on topics such as employment law. Many of the laws that could go are ones which currently provide confidence for businesses and underpin the international reputation of our jurisdiction.

Regulatory divergence with the EU may make trade with the bloc more difficult for UK businesses. In my view it is important that the UK honours its level playing field

commitments under the EU-UK Trade and Cooperation Agreement in areas such as employment and the environment.

Overall the Bill could see a devastating impact on legal certainty in the UK and have a negative impact on its status as an internationally competitive business environment. The speed at which the Government intends to review retained EU law is a recipe for bad law-making and coupled with the bypassing of parliamentary scrutiny and stakeholder consultation, could yield a period of uncertainty over the status of regulations. In my view the UK Government should extend the timeline for reform and remove the deadline of 31 December 2023.

The Bill raises key constitutional questions around ministerial powers and parliamentary sovereignty, as well as the devolution settlements with the nations of the UK potentially enforcing different regulations, which would lead to confusion for businesses.”

The Bill seeks to introduce a new test for departing from EU case law, the effect of which would encourage the Courts to depart from retained case law with greater frequency. This would likely result in large amounts of law being changed in a short space of time, which would compromise the legal clarity and certainty that businesses rely on in the conduct of their affairs and is otherwise provided by the UK Supreme Court test.

The Bill would introduce a new and different kind of practice into UK Courts, modelled on the referral process of the Court of Justice of the European Union. I believe this is inappropriate and that the process would negatively impact legal certainty by undermining the court structure and weakening the doctrine of legal precedent.

The Bill would allow the UK Law Officers, who do not currently play a part in civil litigation, to interfere in it, even after a case has concluded. I believe this is highly unusual and undesirable.”

We are already halfway through the year and certainly talking with many civil servants, it is apparent that nowhere nearly enough work or research has yet been carried out to determine which laws should go and which should stay. Maybe with our desire to have our freedom and make our own laws we have found ourselves about to jump off a cliff with no parachute or soft landing?

IN FIGHTS, THERE HAS TO BE A LOSER;



IN MEDIATION BOTH SIDES WIN

Litigation is a massive part of our legal profession. But, increasingly, so is mediation. Dictated by common sense and more and more by the Courts, it seems that to negotiate will feature more heavily in the next chapter than to fight.

The Singapore Convention on Mediation, also known as the United Nations Convention on International Settlement Agreements Resulting from Mediation, is an international treaty that promotes the use of mediation as an alternative dispute resolution mechanism in cross-border disputes. The Convention was adopted by the United Nations General Assembly in December 2018 and came into force in September 2020.

The UK has recently announced that it will sign the Singapore Convention, which is a significant development for our legal

profession. By signing the Convention, the UK joins more than 50 other countries that have already signed it, including the US, China, and Singapore. The Convention aims to facilitate international trade and commerce by providing a mechanism for enforcing settlement agreements resulting from mediation across borders.

The political implications of the UK signing the Singapore Convention are significant. It reinforces the country's commitment to international trade and commerce and demonstrates its willingness to engage with other countries

on a global stage. It also strengthens the UK's position as a leading centre for international dispute resolution.

London is the leading centre of the world in mediation, and the signing of the Singapore Convention by the UK is likely to have a positive impact on the City's legal community. The Convention will promote new opportunities for London-based mediators and dispute resolution professionals to work on cross-border disputes, which will contribute to the growth and development of the city's legal industry.

WHAT COMES NEXT?

City Solicitor interviewed Duncan Bagshaw, a partner at Howard Kennedy LLP, to hear his thoughts. Duncan specialises in international arbitration and litigation.

Legal 500 said this of him;

“The team is headed by the terrifically talented advocate Duncan Bagshaw, who has acted in several high-profile cases. In international tribunals, he understands the temperature of the room like a thermometer.”

Does Duncan believe the Convention and our signing are good things?

“Around 60 states have signed up so far. It’s a group that has grown quite quickly and that is because the value of – or at least the idea of – the convention is recognised. It is intended to help mediation be more effective and less susceptible to challenge or resistance to enforcement or compliance with settlements that have been agreed through mediation. That’s obviously a desirable goal. Settling cases has to be better for both parties. And if they have come together and reached an agreement, it is undesirable for that then not to be honoured. It damages the institution when parties seek to resile from their agreements.

Over the years mediation as a process has become a lot more structured. A lot of rules have sprung up around it, most of which are soft rather than hard rules because, fundamentally, mediation is a flexible and consensual process so it needs to be conducted around what the parties have agreed. There is a broad level of consensus about how it is done; for example, whilst it is broadly acknowledged that what is said and exchanged is entirely without prejudice, generally a party can reveal to a Court or other tribunal that a mediation has taken place, and who has participated because that is often relevant to costs. However, a party can’t tell the Court or the arbitration tribunal anything about what actually happened within the mediation process.

The Convention is an attempt to take some of the broadly agreed rules regarding the nature of a mediation, and the enforcement of the agreements made in mediations, and standardise them internationally so that there is a level playing field between parties from different jurisdictions. This will give them a measure of predictability and certainty about how the process will be, what is required for it to amount to a mediation, and then will help to avoid parties not adhering to settlement agreements save in meritorious cases.”

Whilst Duncan appears to be in favour with the principle of the Convention, how does he feel about the detail of it?

“I think the Convention has done a good job in what it provides for but there are some weaknesses. One example is that it states mediation must include a third party. On the other hand, it doesn’t explain who or what this third party should be. It does not state whether it needs to be a professional or even that they should necessarily be neutral to qualify as a mediator.

But when it comes to enforcement, you can refuse relief if you can show the mediator was not neutral and that had a material impact – something which is very difficult to do. Some might say that demonstrating a lack of neutrality should be a sufficient ground for avoidance of the agreement alone, irrespective of the materiality point; on the other hand some would say there should be no such basis to resist enforcement of a commercially mediated agreement, as both parties were free to either agree or not agree notwithstanding the mediator’s neutrality. This is where the Convention might be criticised for not being not strong enough, as it introduces a “get out” from an agreement which, in straightforward contract law in most jurisdictions, would not be there. Personally, being an aficionado of contracts and sticking to what people have agreed, makes me feel somewhat uncomfortable. I wonder whether it is really in keeping with the spirit of the Convention which is to make mediated settlements certain and difficult to get out of.”

Is 60 states a small or large number? Duncan thinks back to the New York Convention on Arbitration, which now has almost 200 signatories – in fact, virtually no state has not signed it, but it took a long time to attain momentum and yet it has turned out to be one of the world’s most successful treaties. In comparison, the Singapore Convention is actually gaining traction quite fast. So far no state has declared that it will not sign, but some doubts have been expressed as to the Convention’s utility, mostly because there is a question mark over whether this is a treaty which exists more because of the enthusiasm of the people who believe in mediation and their desire to legislate for mediation, than because of a real need.

“It’s a natural human instinct that when you believe something to be really good, you want to raise it to the level of a legally recognised process with special

“It’s a natural human instinct that when you believe something to be really good, you want to raise it to the level of a legally recognised process with special legal consequences.”

legal consequences. I see mediated agreements to be contracts, so I question why we are having a Convention on the enforcement of contracts. Contracts are governed by their own provisions, they have to provide for enforcement and jurisdiction – or not. But even where they don’t there is a whole body of law to determine who does have jurisdiction. This additional layer of law under the Convention potentially introduces something else to argue about. If someone wants to get out of a mediated agreement now, the other party will try to enforce it under the Convention and then the first party will resist and if they succeed, the other party will have to sue on the contract, then get a decision from the appropriate forum that there was a binding contract and then try and enforce that. Our clients don’t always want more to argue about.”

Duncan also points out that mediated agreements should contain their own enforcement mechanisms, and that the Convention does not apply where the settlement is during Court proceedings, and gives rise to a judgment, or where it is embodied in an agreed arbitration award. In those cases, it is the judgment or award which is enforced, not the mediated settlement agreement.

“The beauty of an agreement is that you can build in mechanisms that negate the need to enforce. For example; the agreement might say, in simple terms, ‘you are going to pay me a million dollars on the 25th March and if you haven’t, I keep all my rights’. Alternatively, the funds agreed to be paid might be subject to some security. Lawyers – and



commercial parties – are capable of building these in; relying on a Convention indicates on some level that you might not have to think about these things. Of course, we still do.”

Where Duncan does see the added protection provided by the Convention to be useful is in a case where there is a concern that the other party is going to use Courts in different countries to cause trouble. One of the risks parties face when they settle is that they could be sued in the Courts of a jurisdiction where it might be difficult to bring such proceedings to an end promptly on the basis of the settlement agreement. If that country has signed the Convention, then that will help to rule such behaviours out, or at least to limit it.

Arish Bharucha is also a partner at Howard Kennedy LLP, where he specialises in commercial dispute resolution. Almost all of his cases are international disputes, where at least one of the parties is not domiciled in the UK (very often neither of them) therefore the Convention is of interest to him. He sees the Convention as providing a relatively quick and easy route, through a more streamlined

process to enforce and get monies/other remedies promptly.

“I think it’s a good development but, as with all things, not perfect. It involves a certain amount of bureaucracy and, because mediation is a fairly fluid and flexible process, there is some concern that not all the boxes required by the Convention to enforce will be ticked. For example, you need to get the mediator to sign the settlement agreement and mediators don’t usually do this, and could see it as adversely impacting their role in the mediation process, so they may be reticent. There may be aspects of what was discussed that you may not wish to be in the public domain, but which could come out in the process of seeking to enforce. Because of how new the Convention is, there is uncertainty as to how easy it will be to actually get settlements enforced. There are also bases around which enforcement can be resisted such as if the mediator has committed a serious breach of proper conduct. But what precisely does this mean? There are no examples at the moment.

But, overall, the Convention has the right intentions and it’s a positive start. There will

invariably be teething problems but as it begins to be implemented there will be more cases and more guidance.”

Mediation is no new thing. Even in ancient times, people went to trusted third parties to help resolve disputes. What has happened in England is that since 1999 and the Woolf Reforms, it has been brought in, in a much more structured way. Courts encourage – some would say insist – on mediation and, as a result, London has become a major centre, also boosted by the fact that London is a major centre for dispute resolution. Signing up to the Convention can only add to this, it is another string to our bow.

“Because of how new the Convention is, there is uncertainty as to how easy it will be to actually get settlements enforced.”



SHARING A SECRET THAT IS THOUSANDS OF YEARS OLD



A year or so ago, I visited Evelyn's Table, which for those of you who may not know, is a stunning twelve seat restaurant hidden in what was the beer cellar of The Blue Posts pub in Rupert Street. The exquisitely delicious tasting menu (which then was cooked by the Selby Brothers before Manoir de Quatre Saisons lured them away) was accompanied by an equally sublime drinks pairing curated by London's best sommelier, Honey Spencer.

During that pairing, one drink stood out as being even more yummy than the rest. I had no idea what it was.

It turns out it was a sake.

Call me ignorant but up until that point I thought sake was stuff you drank hot out of tiny ceramic cups in Chinese or Japanese restaurants. Definitely not this chilled, floral nosed delicacy I was imbibing.

With that sip, I began my journey down a Japanese rabbit hole that turned out to be as fascinating and educational as it was fun and gorgeous. A journey I hope to share with you today.

What is sake?

Sake in Japanese actually translates to alcoholic drink so it covers whisky, wine and everything else



with an ABV; the drink I am writing about here is made from rice, water, yeast and koji (a mould spore that is also used in soy, miso, mirin) and is correctly named 'nihonshu', meaning Japanese alcohol. It is fermented. It comes in even more iterations than wine does so you are sure to find at least one you adore. It pairs extraordinarily well with food. It's got many health giving properties. And, as I say, it's just gorgeous.

But with so many varieties, where to start?

My suggestion is to first take a trip to Moto, a charming little sake bar in Covent Garden. The owner Erika Haigh is passionate about spreading the word and at her bar the bartenders will explain to you the taste differences between the sakes. The menu which is chalked onto a blackboard is divided into categories so you can easily understand what you are choosing. Try a few and have fun deciding which style suits your taste. Erika personally sources her sakes from artisan Japanese brewers who produce with quality not quantity and rarely export so you are sampling priceless gems. Don't expect therefore to see the same sakes on the menu every time you visit; once they've gone, they've gone. And don't expect to find them anywhere else; outside of Japan, the sakes at Moto are only available there. Alongside the sakes are other Japanese beverages, shochu (a distilled spirit made from rice or sweet potato or barley), beer and tea as well as a choice of obento meal boxes and otsumami, Japanese tapas. The bar is tiny, seating no more than about 15, which makes the experience very personal and intimate, – but it's popular so do book in advance.

Erika has also recently launched KAMOSU whose mission it is "to educate consumers, restaurateurs and bartenders on premium Japanese drinks. The KAMOSU brand is a platform that showcases the dedicated work of Japan's talented beverage producers in a fresh way, so that this culture can resonate with a global audience."

What makes sakes taste so different from each other? There are so many answers to that but let's start with talking about rice.

Just as the grape is integral to wine, so rice is to sake. Varieties are cultivated specifically for sake as opposed to cooking – these are called sakamai. The grains are polished. Premium sakes are made from grains that are polished to less than 70% of their original state; some polish down to less than 1%. Extraordinary. But don't be fooled – more polishing does not mean better; it just means a different flavour profile. The more you polish, the more fruity, floral and elegant and delicate the taste. The less you polish, the more umami, savoury, robust the sakes are with cereal and lactic smells and tastes. It comes down to preference.

Want to know more? I certainly did. So I took myself off to West London Wine School where Sarah Stewart, the School's Sake Educator, gave an introductory class. I was even more hooked. I then did the WSET Level 1, a day course with an exam at the end of it that was so much fun, so informative and where we tried so many different styles. Sarah organises seasonal tastings, tastings using different rice varieties, sake and cheese pairings

(an outstanding marriage definitely made in heaven), sparkling sake masterclasses, supper clubs and much much more. Some events coming up are listed below but also check the website. You can attend anything with no knowledge – or you can be an expert – either way, you will be inspired and taste some wonderful varieties.

UPCOMING EVENTS

Introduction to Sake Tasting –
Mon Sept 4 and Fri Nov 3, 7pm.

Understanding Umami in Wine and Sake –
Mon October 9, 7pm.

Sake & Cheese Pairing – Mon Oct 16, 7pm.

WSET Level 1 Sake Course –
Sun Nov 19, 10:30am–5:30pm.

Sake Nouveau: Autumn Seasonal Sake –
Fri Nov 24th, 7pm.

Sparkling Sake Masterclass – Thurs Dec 8, 7pm.

4-week Rice Varietal Miniseries (Omachi, Yamada Nishiki, Gohyakuhanmangoku and Dewasansan) –
4 consecutive Monday evenings in Jan/Feb 2024, 7pm.

Another great way to find out more about sake is by joining the British Sake Association (The BSA). Established in 2006, this is a not-for-profit organisation that gives members opportunities for people to taste a wide range of sake, and to meet brewers and others in the sake world. It is definitely worth joining as it offers great discounts when buying from certain suppliers as well as on sake events and classes (e.g. 10% off all the

West London Wine School sake classes and courses, 15% discount from Tengu Sake, a very well known and loved online retailer who has won the International Wine Challenge sake retailer of the year for 4 years consecutively, and also from Japan Centre, Tazaki Foods and The Wasabi Company).

Marie Cheong-Thong is the Chair of The BSA. BSA's membership has grown exponentially despite the

pandemic showing the increasing popularity for sake and the thirst to taste and learn more about this ancient beverage.

"It's taken, albeit initially slow but so satisfying, a few years introducing and "preaching" this fabulous elixir to imbibers in the UK (and the rest of the world)," says Marie, who has appointed a number of worldwide Ambassador members for the BSA.



As one of UK's first WSET certified Sake Educators (qualified in Japan), Marie has etched – "sake is not distilled" – constantly repeated to thousands of sake enthusiasts hungry to learn and taste sakes (and Shochu) at courses, masterclasses and virtual lectures in UK, Europe and around the world. She is the only educator outside of USA teaching the world's first English language Shochu course for the International Sake School. She teaches at VSF, a London based wine shop that offers courses and tastings in sake. VSF also offer discounts to BSA members.

If you want to sample some sakes in the privacy of your own home, visit www.sorakami.co.uk I can almost hear you thinking how would you begin to know what to order? Don't worry. They will provide you with all the information, advice and recommendations that you could possibly need. There is a discovery box that helps you understand which flavour profiles you are drawn to as well as a monthly or bi-monthly club where you get to try the very best varieties on a regular basis with no decisions to be made at all!

Sorakami is the brainchild of Robin Sola. Robin was born and raised in the South of France surrounded by vineyards but somehow finished up in the world of sake rather than wine.

He went to university in Tokyo and took with him a preconception that sake was a hot and horrid spirit. Whilst out at dinner, his companion ordered sake and Robin realised how wrong he had been about the drink. He moved to London to work and had an itch to start his own business. He was missing Japanese culture and was surprised that even though Japanese food was everywhere there was a real lag with sake. Whilst in Japan, he had visited many breweries and the small family culture, the passion, the hard work and the dedication, the romance, all resonated with his childhood experiences of vineyards. Robin felt it unfair that the reality of the drink was not represented, hence Sorakami was born. Robin is a certified sake sommelier so he knows the drink inside out. He visits Japanese breweries regularly to choose his selections carefully. He wants to have a diverse curated list that is good quality – even if you randomly pick something, whilst it may not be your exact taste, you can be sure it will be of the highest quality.

I don't know about you but I really wanted to see this beverage being brewed – yes a trip to Japan somewhere down the line is a must do but in the interim?

It just so happens there is a sake brewery in Peckham; Kanpai – which in Japanese means cheers. Don't think you will be visiting an inferior version until you can travel thousands of miles to see the real thing as Kanpai's Kura (an aged style of dessert sake) is the highest-awarded sake made outside Japan in the International Wine Challenge, winning silver in 2022.

Kanpai is the baby of Tom and Lucy Wilson. Tom used to live in New York and so was used to drinking a lot of sake. When he came back to London he discovered a huge void. At that time, around 16 years ago, there were only a handful of places where sake was readily available. When Tom met his wife, Lucy, food, drink and travel

were all high on their list of passions. Inevitably, there was a trip to Japan where they visited some remote and little known breweries and Tom says it was then that something clicked in his brain.

"I had been consuming this delicious drink for years but had never delved into the chemistry of it. It occurred to me sake was so like beer. People think of it as a rice wine, or a distillate spirit but chemically it is a beer – it is naturally fermented from a grain which happens to be rice rather than barley or wheat. I had been home brewing beer for many years but on my return from Japan started brewing sake for fun. I started posting stuff on social media and somehow it began to garner attention. Sommeliers contacted us wanting to taste and buy. It just organically escalated. Selfridges got in touch wanting to stock. At the time we were the only ones doing this; bringing rice from Japan and making great product. The interest forced our hand to become more commercial about it. We spent six months working with HMRC to define what sake was, to get it licensed – that was seven years ago."

Today Kanpai occupies a substantial site where they brew (all of the fermentation is done on site but ingredients are stored off site), where you can buy from their shop and which also has a taproom where you can try both bottled sakes as well as ones on tap (very beer/pub-like). There is also a kitchen which showcases Japanese ingredients cooked with western techniques and vice versa. The chef, Chris Wright, was with Nobu so you can be sure he knows his stuff; Kanpai's kitchen can be described as high end izakaya – meaning a Japanese pub with food, somewhere to grab a drink and food and be comfortable.

Kanpai has dedicated paddy fields in Japan where different rice varieties are grown to their specifications. Kanpai produces between 9 and 12 different labels each year.

"Our focus is on quality; on premium and ultra premium levels of sake. Predominantly our sakes are what are categorised as junmai – a term which means pure rice and is the category of sake where the addition of distilled alcohol post fermentation is not allowed."

If you would like to see sake being brewed, Kanpai organise tours every Saturday from 12.30 which obviously culminate in a tasting. It is not just a tour of what Kanpai does but a great introduction into the world of sake. Bookings go on sale two months in advance and sell out immediately so make a note in your diary.

I had the pleasure of tasting a wide selection of Kanpai's offerings. The first thing I want to talk about is the bottles themselves. Whilst clearly Japanese in feel, there is not one word of Japanese on them. Everything is explained in simple plain English. And I mean everything. How to store. The polishing ratio. Food pairings. Temperature serves. Every ingredient is listed, even the yeast. Nothing is a mystery. And they look beautiful – like works of art. Every one of their sakes has a simple two syllable name – a Japanese word that has a meaning relating to the drink and which is simple to remember.

My first sake was their flagship one; Fizu, (a self explanatory name) a sparkling 'pet nat' style. At 11.5% ABV it is a champagne equivalent but with less acidity. It is brut dry. Summery. Very fruity (lychee, tropical fruits) with some savoury notes on the back palate. This is a sake with a surprise addition which Tom did not tell me about until I was hooked on its deliciousness. They put whole leaf beer hops into the tank between the press and bottling – purely for aromatics. It is not 'beery' or bitter but the aromatics are intense – in a wonderful way.

The last sake Tom shared with me was his Kura, the highest rating non Japanese sake. It is an aged sake, a category which is usually referred to as koshu. Currently this is an informal category, not regulated although this seems to be changing. It is accepted that koshu should be aged for a minimum of two to three years although some can be 50 years old.

Tom says in the West there are three main characteristics we tend to look for in a dessert wine – which is the drink most comparable with a koshu.

"A good amount of alcohol, high acidity and a high residual amount of sugar. These are not commonplace in sake. They are not acidic. Not high in residual sugar. We have experimented and worked long and hard to find ways of applying winemaking techniques to aged sake; we have managed to get the perfect balance of acidity, sugar and alcohol – get that wrong and the whole thing is a disaster. Barrel ageing adds to the flavour profile and complexity. All of this is contrary to the traditional way of thinking sake should be drunk young. Whilst at Kanpai we love to produce traditional Japanese style sakes, there is nothing better than really pushing the boundaries – and with Kura we have done exactly that."

The Kura was nothing short of extraordinary. Nobody should go through life without trying it.

Any words I use to describe it will not do it justice. It is a kijoshu, which is a noble sake that was

originally made for emperors alone. Fortunately for us, today it is available to us letter mortals. To say the production is complex is an understatement; but you are probably realising making sake is far from simple. Aged for 11 months in grand cru burgundy oak, it has actually around five years of ageing in total. It is like velvet in your mouth. Aromas are soy, honey, miso but on the palate it's like oloroso sherry with chocolate and berries. Sweet and savoury combined. Creamy. It would be absolutely perfect with blue cheese.

In between these two polar ends of the spectrum, I tried Sora (meaning sky) which is a honjozo which does have a small amount of distilled spirit added – this is the only sake that Kanpai makes that is not a junmai. Interestingly, the spirit that is added is their own shochu distilled from kasu (the only byproduct of sake brewing), hence a zero waste product. This is a lighter, more elegant style of sake. Next was Uchi (which means home), a sake you can only drink or buy at Kanpai itself. It's a dry, rich, robust village style but made in a refined way. It is a genshu which means it is undiluted, no filtered water was added after pressing – this makes it a higher ABV. Sumi (clear) is another highly awarded sake. It is the one Kanpai makes and sells the most of. It is a versatile, contemporary, right down the middle style. My personal favourite was Kaze, a junmai ginjo which means it is made from rice polished down to 60% and with no added alcohol. That rice is Yamada Nishiki which is known as the undisputed king of sake rice. This is perfumed, elegant, luxurious but still has umami at its core. In a strange way it reminded me of Alsace Rieslings. I even tasted a fresh sake on tap. A namazake, meaning fresh, raw and unpasteurised. Full of health advantages. This is a more simple drink that is very quaffable. I can honestly say there was not one I did not love.

The sake community is a small, tightly knit one. They all know and support each other. They want to put sake on the map as opposed to just trying to promote their individual businesses.

Talk to one person about it and they will recommend a dozen others. This is an exciting time for sake in London; it is making big waves. Try it. I can guarantee you will find at least one you adore. And a new passion will be born. But be warned; there is none of the harshness or heat that you would normally expect from alcohol, it just feels like you are drinking delicious nectar. In Japanese they often call sake "magic water" for this very reason, as it is so easy to drink. Once you venture down that rabbit hole, there really is no escape.

MOTO

7 Maiden Lane, Covent Garden, London WC2E 7NA
T: 020 8076 9512, W: www.motoldn.com

KAMOSU

W: www.kamosu.co

SORAKAMI

www.sorakami.co.uk

WEST LONDON WINE SCHOOL

71 Townmead Rd, London SW6 2SG

W: www.localwineschool.com/west-london/sake

BRITISH SAKE ASSOCIATION

W: <https://britishsakeassociation.org>

SARAH STEWART

E: sarah@britishsakeorganisation.org

KANPAI

Unit 2A.2 Copeland Park, 133 Copeland Road, Peckham, London SE15 3SN

Tours every Saturday 12.30pm

Taproom and Kitchen open Wed–Sun

W: <https://kanpai.london>

MARIE CHEONG THONG

E: marie@thelarderat36.co.uk

W: www.thelarderat36.co.uk

VSF

W: <https://www.vsf.wine>

and as we are sharing secrets;

EVELYN'S TABLE

28 Rupert St, London W1D 6DJ

W: www.theblueposts.co.uk/evelyns-table



A CONCOURS LIKE NO OTHER...

By Joel Leigh

From horse-drawn carriages to modern supercars, the appetite for collectors to show their most prized possessions to the masses continues to evolve and flourish.

The term 'Concours d'Elegance' was coined in the 17th century, aptly describing the pomp and ceremony of the French aristocracy parading their finest horse-drawn carriages through the parks of Paris on summer weekends.

By the turn of the 19th century the move towards horseless carriages was apace, but such processions remained commonplace, with aficionados keen to show off the sedans that history would judge as the transitional stage before the motor car.

Fast forward to today, and the longest running annual Concours is that held at the UNESCO listed Villa d'Este in Tivoli, where since 1929 some of the world's most exceptional and beautiful cars have been artfully staged against the stunning backdrop of this Italian Renaissance palace and gardens situated on the shores of Lake Como.

Not wishing to miss out on the trend, American enthusiasts followed suit with their own Concours in 1950, when Monterey Car Week was founded, taking advantage of the sunny climes and rugged central Californian coastline to exhibit Talbot-Largos, Hispano-Suizas and Dusenbergs.

Whilst the focus of successive Concours has inevitably shifted over the years from showcasing the best in class to the maintenance and restoration of vintage cars and classics, the Concours 'brand' sets itself apart from more mainstream offerings in that only the finest examples in original production line condition can be considered for trophy class. Given the significant premium that success adds to what are already high value assets, the judging is strictly governed by the International Chief Judge Advisory Group to ensure consistency of approach.

In the UK a number of motor shows promote themselves as the pre-eminent UK Concours, but none wears the crown more easily than the Salon Privé, held on the lawns of the magnificent Blenheim Palace every Autumn and now in its eighteenth year.

Resisting the urge to rest on their laurels, however, last year the organisers launched the world's first so called

'Concours de Vente', an offshoot of the main Concours in which every one of the cars on show was available to buy. Along with around 18,000 other visitors I was pleased to attend its second iteration at the Royal Hospital Chelsea just a few weeks ago, featuring 75 classic cars from some of the UK's most respected dealers.

My personal highlight on the day – and as matters transpired the car that won the Prix d'Honneur, the event's ultimate trophy – was a 1954 Aston Martin DB2/4 Vignale with a price tag of £3.65M. This exceptional example had the added provenance of having been a one-off commission by the ex-King Baudouin of Belgium.

Concours are increasingly usurping the role of the grand old motor shows of yesteryear such as the Geneva Motor Show, which became an unfortunate casualty of Covid 19 in 2020 after a glorious 115 years.

In reality, Geneva was becoming cost prohibitive even pre-pandemic, but its loss from the motoring calendar has left a significant gap in the market which the Salon Privé Concours and Concours de Vente have swiftly stepped in to fill, reclaiming their initial role as a forum in which to showcase the very latest in automotive technology. Premium brands in particular are encouraged to connect with their customers directly, in an atmospheric, luxurious, and relaxing environment.

Reinvention was very much at the heart of this year's event and I was delighted to get a look at the remarkable Weismann Thunderball. Founded in 1988, the company is one of Europe's last remaining independent sports car producers and its owner and CEO Roheen Berry was there to support the brand.

Clearly a businessman in the mould of Victor Kiam, the legendary Remington chief, he loved his brother's Weismann MF5 so much that in 2016 he bought the company, swiftly setting about reviving its fortunes. The resulting car is a first to market, all-electric two-seater convertible, delivering 0–62 mph in 2.9 seconds and a range in excess of 310 miles, at a cost



of £252k. Customers at the recent Salon de Vente will be waiting until 2024 for delivery, however, the first year of production having already sold out.

Also noteworthy was a significant uptick in a niche but growing business model, the classic 're-born', where bespoke outfits such as Theon Design and Jensen International use their expertise to extend the life of classic Jensen's, Porsches, and Range Rovers, amongst other marques. They don't just restore to an exacting standard but also modernise, redesigning imperfect elements and replacing outdated parts with modern equivalents. The results are classic cars that retain their original aesthetic, whilst adding a significant and welcome twist in the form of significantly improved handling, performance, and ride.

Taking the concept one step further, Electrogenic seek to unite classic motoring with sustainable technology by converting beloved classic cars into bespoke electric vehicles, making them both greener and cleaner and, if you live inside the ULEZ providing a significant cost saving solution.

Those carriage driving Parisian aristocrats would be open mouthed in wonder at how things have progressed since the 17th century, but hopefully they would also be delighted to see that the spirit of the original Concours lives on.

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





LIVERY NEWS

A look at what has been happening.

We were honoured to welcome Dame Ann Limb, Chair of the City & Guilds, Pro Chancellor of the University of Surrey, Chair of the UK Innovation Corridor, Chair of The Lloyds Bank Foundation, Deputy Chair of The Prince's Foundation and Vice President of the Helena Kennedy Foundation to our Banquet at Mansion House on Tuesday 21st February 2023.

As so many of our members and their guests have told us how inspiring they found Dame Ann's speech, we thought, with her kind permission, that we would share an abridged version with you all:



'Learning Works': 'Believe you can' ...and you will

A butcher's daughter born in 1950's Moss Side does not grow up dreaming of fame, nor of being invited to speak in The Mansion House – I accepted your invitation because there can never be enough occasions to drive home the simple message, **Learning Works**.

Learning Works because it enables people to: *get into a job; to get on in their job; and to get out and up into a better job.*

This is the core purpose of the City & Guilds of London Institute, where I serve as Chair. Our strapline is 'Believe you can' and we aim to put our values into practice. We don't just talk about the importance of learning, training, apprenticeships and continuing professional development. We actively live out our purpose and values in our policy, strategy, and funding decisions and I am delighted that C&G's solicitor apprentice, Nicole Guttridge, and her supervising solicitor, City & Guilds Head of Legal & Company Secretary, Chris Astles, are with us this evening.

I hope that C&G is not alone in putting 'its money where its mouth is'. I trust that you will also do all you can to attract, retain and promote the best people drawn from the diverse and inclusive talent pool represented in contemporary Britain. Learning and development help make good business.

Learning Works is the phrase coined by the human rights lawyer, Baroness Helena Kennedy KC. Helena's seminal 1998 report, '**Learning Works**', inspired me to set up an independent educational charity – The Helena Kennedy Foundation. As we turned into the 21st century, all the evidence indicated that the social mobility, exemplified by my own life's journey in the 20th century, had been eroded throughout the 1980's and 90's.

HKF was established to challenge this by providing bursaries and mentoring to students from less advantaged backgrounds studying in further education colleges who progress into higher education. This provides a route map to **social mobility** which in turn contributes to **societal transformation** and greater **social justice**.

I'm delighted to hear about the programmes offered by City of London solicitors, to place learning, development, training and apprenticeships at the heart of your strategy to encourage diversity within the legal profession. In particular:

Solicitor apprenticeships – Access to the profession through a 6-year **solicitor apprenticeship** seems a perfect way to widen a firm's talent pool. Training costs are paid by the employer, the apprentice does not need a loan for tuition fees and on the job training delivers

real life legal experience much earlier than a university graduate. **For the employer**, training costs for solicitor apprentices are paid out of the Apprenticeship Levy and solicitor apprentices, who are valuable members of legal teams, can be charged out. They also bring greater loyalty, diversity of thought and innovation to their firms.

The Social Welfare Solicitors Qualifications Fund (SWSQF) – A joint initiative between City of London Law Society, Young Legal Aid Lawyers and BARBRI law school, led by Patrick McCann, Chair of the CLLS Training Committee with both administrative and financial support from the Charitable Fund of our host, The City of London Solicitors' Company. It has raised over £620k from 30 funding organisations, to fund the solicitor qualification process for committed social welfare workers, providing much-needed legal counsel in this under-resourced practice area for the most vulnerable members of society.

Progressive social change and social justice, as a fundamental and universal human right, matters most to me so I will conclude with three key things I have learnt in my own life:

Firstly, honour your roots because they enable you to 'lift up others as you climb up your career ladder'.

I lived, studied and worked for the first 33 years of my life in the North of England – Manchester made me. My paternal great grandfather was a German economic migrant, Louis Wiest, who left Munich at the end of the 19th century in search of work and a better life in this country, becoming a British citizen in 1901.

My maternal great, great, grandfather, William Wood, a Scottish wood grainer and engraver from Edinburgh, walked south to find work in the industrial heartlands of Manchester at the height of the Industrial Revolution in the early 19th century.

They and their descendants helped me become the person I am today and, in turn, I have tried throughout my life to help others in their journeys through life and work. I'm living witness to the power of social mobility.

Secondly, I do what I love, and I love what I do.

I was the first person in my family to go to university. I passed the 11+, went to a state girls grammar school in the 1960's and undertook undergraduate and doctoral studies at the University of Liverpool thanks to a full student grant. My parents were opposites in background, education, and politics. My father, uneducated due to a childhood disability that prevented him attending school, was a staunch working-class Tory. He was self-reliant, entrepreneurial, libertarian, self-made. My mother had

mid-European Germanic roots. Educated, socially conscious, civic minded, left-wing, grateful to the state that had given her grandfather a life and a living.

I am deeply committed to public service and to charitable, voluntary, and philanthropic activities and I have a strong entrepreneurial streak for creating new opportunities. I believe in challenging the status quo to help make the world a more just, diverse, inclusive, and compassionate place.

In her book 'Letter to My Daughter', the author Maya Angelou reminds us that we '*may not control all the events that happen to us, but we can decide not to be reduced by them*'. *Try to be a rainbow in someone's cloud. Do not complain. Make every effort to change things you do not like. If you cannot make a change, change the way you have been thinking. You might find a new solution.*

The fabric of my life is determined by the genetic hand dealt to me but my life is not defined by parental characteristics or societal expectations and experiences. I have made every effort to change things I do not like. I love what I do because I do what I love.

Thirdly, power and influence are two different sides of the same coin – you must 'believe you can'.

Graham Greene in his book 'The Power & the Glory' reminds us that '*There is always one moment in childhood when the door opens and lets the future in*'.

That happened to me when I wasn't made Head Girl at my Girls Grammar School! At 18, I thought power, office and political position was the only way to change systems, to right wrongs, confront prejudice and injustice, and build a better world. But there is another way. Having inner authority, exerting influence, setting an example, listening to the needs of others, choosing where and how to make impact can be significant levers for change without holding office or occupying a position of power. Inspired by teachers and nurtured by the further education system that is a powerhouse for social change, I found the courage to become myself, to speak out against inequalities in society, and for others from disadvantaged backgrounds.

I want people to look at me and say 'This person is like me'. For everyone pursuing their own career, support those who follow by remembering to 'lift as you climb'. I encourage all of you, regardless of your start in life, to step up to serve humanity with kindness, compassion and in a spirit of peace building.

'Learning Works': 'Believe you can' ...and you will.



Welcome to SIP, our new regular column devoted to every delicious thing we can sip; wines, cocktails and non alcoholic delights.

Written by our journalist, Maroulla Paul who is a self confessed nerd when it comes to wines and spirits. Maroulla has WSET Wines and Spirits Level 3, WSET Sake Level 1 and Capstone Level 1 (so far!).

The Biondi Santi family is one of the oldest and most prestigious wine making families in Italy. The family has been making wine for more than 150 years, and their Brunello di Montalcino is considered one of the greatest wines in the world.

The story of the Biondi Santi family began in the mid-1800s when Clemente Santi started experimenting with different grape varieties in the hills around Montalcino, in Tuscany. His grandson, Ferruccio Biondi Santi, continued the family tradition and created the first Brunello di Montalcino in the late 1800s.

The Biondi Santi family continued to refine their winemaking techniques over the years, and their wines became known for their exceptional quality and longevity. Today, the Biondi Santi estate is run by Tancredi Biondi Santi, the fifth generation of the family to continue the winemaking legacy.

Tancredi Biondi Santi has taken the reins of the estate with the same dedication and passion as his predecessors. He has expanded the family's vineyards, modernised the winery, and introduced new technologies while remaining true to the traditional winemaking techniques that have made Biondi Santi wines so famous.

Under Tancredi's leadership, the Biondi Santi estate continues to produce some of the world's most sought-after wines, including the Brunello di Montalcino Riserva, which is aged for over five years before release. Tancredi's commitment to quality and his respect for tradition ensure that the Biondi Santi legacy will continue to be celebrated for generations to come.

I had the great privilege of being invited to 67 Pall Mall to meet Tancredi and to taste with him three new Cru wines from the Biondi Santi Maremma Estate. This was the first tasting in the world so it was indeed a special and wonderful occasion.

The three wines were Maceone, Poggio Ferro and Fontecanese all 2019 vintage. The first two are Sangiovese Grosso and the third a Cabernet Sauvignon.

The Sangiovese pair are made from a particular clone BBS11 (Brunello Biondi Santi, plant number 11). This clone was discovered in Montalcino by Tancredi's father and grandfather; it was a unique plant that was considered the best grape for the production of Brunello. The vineyards in Montalcino were replanted to exclusively grow this clone and the family trademarked it. Over the years the family has worked to discover how this clone can differently express itself; through different territories and vinifications.

When the family found the Castello di Montepo in Maremma in the 1980s they fell in love with it. Firstly, its beauty captivated them but also looking at microzonal studies carried out by the universities of Pisa and Firenze showed it to be a perfect site to grow BBS11. The site is 600 hectares and 55 are planted as vineyards, 85% are planted with the BBS11 and 15% with Cabernet Sauvignon and Merlot.

Tancredi explains that he became really enthusiastic and keen to study the different microzones of the land. Why?

"Each microzone is different and unique; why are they able to produce such unique expressions of the same grape variety? It is because of the composition of the soil, the elevation or the exposition, the micro climate. We wanted to experiment with the different zones. We began in 2018 and in 2019 we had our first results."

The three wines represent the first expression of this new project. To say they are special is an understatement. They are extraordinary and actually works of art. They vary in minerality, in colour, in aroma, in taste – in short, they vary in every way bar one; their excellence.

Beyond art, there is huge science involved also. Metal stations enable the climate to



be analysed in minute detail; the levels of humidity, the rainfalls, the direction of the wind – all of this information is hugely important. Drones are also used which Tancredi believes are the future for agriculture. The drones are used to study the photosynthetic evolution of the plants as one example but they can provide invaluable information. The family is pioneering their use in Italy and see them as much less polluting than, say, tractors.

Maceone, is situated on the northern part of the winery with an east exposition. This parcel has the lowest elevation – 270–320 metres above sea level.

Poggio Ferro is to the south of the estate with a southerly exposition. It is slightly higher at 350 metres above sea level.

Fontecanese is the highest elevation of the three crus at 377 metres above sea level and has a south east exposition.

The project is limited and exclusive; each cru producing around 3000 bottles a year at best. The wines are utterly expressive of their individual parcels.



"It is incredibly interesting and beautiful that Maceone and Poggio Ferro are the same grape, from the same vineyard, made by the same winemaker in the same way, yet they express themselves in such utterly different ways."

But enough fact – what about the taste?

Maceone has beautiful fresh fruity notes – very intense. The relative coolness resulting from the parcel's position adds to the freshness and acidity. The finish is long.

Poggio Ferro is a completely different expression. It is more intense, dryer – and is more a warm climate Sangiovese with poorer soil nutrients so it is more elegant and will age perfectly. This is a wine that should be left for at least a couple of years but the longer the better – Tancredi says he would love to try it in 40 years.

Both wines have a spice, a peppery note which is a typical Sangiovese feature when they are drunk young. Age will make them evolve into more flint perfumes and tastes.

Last but not least is the Fontecanese, 100% Cabernet. This is the fruitiest of the three and has such notable weight and structure.

Does Tancredi have a favourite?

"Absolutely yes. To drink now – Maceone. It is fantastic, enjoyable, drinkable. But in 10 years I would pick the Poggio Ferro. The Cabernet is not our history and so that is the one I am most curious about. I think right now it is a bit too young but it will be a tough fight to choose between it and the Poggio Ferro in ten years time."

(I think that means they are all his favourites – and who can blame him?)

Getting your hands on these beauties is not simple. But City Solicitor readers are personally invited to purchase through the exclusive importers, Vinicon, using this link <https://vinicon-ltd.mailchimpsites.com/store> which even offers a discount.

Your challenge will be to try and keep them a little while as they just get better and better – but, trust me, they taste pretty sensational now!

"This is a wine that should be left for at least a couple of years but the longer the better."



THE LAST WORD

DID YOU KNOW?

Tiber rolls majestic to the main



Paris has the Seine, London has the Thames, and Rome has the Tiber.

Can you imagine any of these ancient cities without their great rivers? The Tiber is particularly resonant, weaving its way through Rome's geography, history and literature. The Roman poet Ovid described the river in a memorable verse from his *Metamorphoses*.

"Those graceful groves that shade the plain,

Where Tiber rolls majestic to the main,

And flattens, as he runs, the fair campagne."

David Gilmour noted the importance of the River Tiber in his excellent book, *The Pursuit of Italy: A History of a Land, its Regions and their Peoples*.

"The most hallowed river in Italy is Virgil's gentle Tiber, the second-longest in the country, whose relationship with Rome is as famous as that of the Seine flowing through Paris or the Thames progressing through London."

As well as featuring in poetry stretching back to Ovid, Rome's river is evoked in

key passages in Shakespeare's *Julius Caesar* and *Antony And Cleopatra*. How was it possible, then, that Rome came close to losing the Tiber?

To examine on site the conditions of the River Tiber

Fast forward to the 1870s, and the River Tiber was no longer seen as being majestic. There were times when it barely seemed to even roll. Instead, it was a stagnant, stinking nuisance. Something had to be done.

And this is where Giuseppe Garibaldi stepped in with his ambitious, daring and

possibly mad plan to divert the river away from Rome. According to Gilmour:

“As late as 1875, in the last quixotic venture of his life, Giuseppe Garibaldi tried to have the river diverted to prevent it from flooding the capital.”

This arresting passage was enough to make me want to research those plans a little more.

Why was this plan even on the agenda?

Gilmour goes on to point out that, although famous, the Tiber was not always a blessing for the Romans. He suggests that perhaps the Romans:

“...over-estimated the value of its river. Until the late nineteenth century the Tiber was anything but gentle and so prone to flooding that no other city had been built on it in antiquity.”

Rome suffered from a Great Stink in 1855. This was three years before London’s own Great Stink. In London, the River Thames had become, in the words of Charles Dickens, “a deadly sewer... in the place of a fine, fresh river”. Conditions got so bad in England in the summer of 1858 that the windows of the Palace of Westminster were sealed with heavy, lime chloride-drenched drapes. It was enough to prompt action from national and civic leaders. Not so in Rome.

The authorities were finally spurred to action by a flood that broke on Christmas Day in 1870. The rising levels of the Tiber wrought extensive damage, cost many lives and destroyed millions of lire of property. Following extreme flooding in December 1870, the Ministry of Public Works appointed a Commission to deal with the issue. The Commission’s remit was wide-ranging – to examine on site the conditions of the River Tiber and its main tributaries.

Citizens of Italy’s new capital looked enviously to London, where, by 1870, new embankments of the River Thames were being finished. Joseph Bazalgette’s monumental engineering project not only controlled the river but also neatly contained main sewers and mass transit – the District Line of the London Underground and the Embankment roads were built into the project.

London had been notorious for its fetid, stinking and choleric river in the earlier half of the nineteenth century. The Austrians, who had reigned in the mighty Danube and

protected the imperial capital of Vienna, matched this achievement. Surely the newly unified, resurgent and dynamic Italy could now do the same for its capital city?

The next chapter for Rome?

Was Garibaldi’s audacious plan simply to protect Rome from flooding?

According to Gilmour, there was more at stake than periodic inundations. The plans to divert the Tiber were “motivated by the desire to prevent not only floods but also malaria”.

Garibaldi was also not one of the city of Rome’s biggest fans. The place was, in the Liberator’s view, a swampy hell with the ever present threat of illness. Politically, it was a ‘viper’s nest’, the home of the reactionary Catholic Church and some of the greatest opponents of Italian unification.

Garibaldi was not alone in his criticism of Rome. John Ruskin described the city as a ‘windowless urinal’. James Joyce was even more evocative when he noted that:

“Rome reminds me of a young man who lives by exhibiting to travellers his grandmother’s corpse.”

The nineteenth century was a golden era for engineers and great projects. Various individuals came forward with plans to canalize or divert the Tiber. Garibaldi favoured a project developed by Paolo Molini and Alessandro Castellani. He saw it as a necessary sign of scientific progress and a great engineering feat to rival the great canals at Suez and Panama.

His passion for the plans was revealed to the Italian public in an article he wrote for the newspaper L’Opinione on 30 November 1872:

“I certainly don’t take credit for the initiative to channelise the Tiber. I support the proposals of the scientists Castellani and Molini, who recommend continuation of the plan to bypass Rome, which will result in benefits for the citizens there.”

Under the plans, the Tiber would have been diverted away from Rome and would have a new harbour at Fiumicino, close to Ancient Rome’s historic port city of Ostia.

With the draining of the Tiber, Rome would be free of flood and malarial fever. The surrounding marshes could be drained and farmland irrigated. The diverted river would be navigable, with docks boosting the local economy.



Giuseppe Garibaldi

It was uncertain as to what would happen to the Tiber’s river bed in Rome. Some suggested a regulated and steady flow of water could be released into the channel. Others thought that it could provide space for a grand promenade. Garibaldi himself imagined a Parisian-style boulevard that would be a wonder of the modern world.

Draw them to Tiber banks

In the end, political rivalries and cost concerns combined to first delay and finally thwart the plans.

Had the plans gone ahead, would Romans have lived to regret the loss of their river?

In Julius Caesar, Shakespeare is strangely, if unintentionally, revealing of the possible reaction of a people divorced from their river:

“Draw them to Tiber banks, and weep your tears

Into the channel, till the lowest stream
Do kiss the most exalted shores of all.”

And, as Ian Thomson, writing in the Daily Telegraph, notes:

“At least the Tiber is still there, its Ponte Garibaldi embankments stinking like great pissoirs in the sun.”

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

www.almosthistorypodcast.com



Discover why 1 in 3 SME law firms use LEAP

Unlike many other systems, LEAP is a true cloud solution that provides lawyers with 24/7 access to cutting-edge practice management, legal accounting, legal publishing, and document assembly and management in a single integrated solution.

Find out why over 23,000 legal professionals in the UK and Ireland are using LEAP and make the switch now.

Visit our website to find out more

leap.co.uk/switch



Strategic Partner

