The Law Society

Private Client

www.lawsociety.org.uk/privateclient

Private Client Section Engagement Programme 2018-2019

Foreword

Welcome to the Law Society's Private Client Section 2018/2019 engagement programme.

The Section was established in 1997, to promote best practice and address current issues and challenges facing the community. The Advisory Committee's role is to provide expert practitioner input, guiding the Law Society on identifying issues, generating content and a wide variety of events, to ensure the engagement programme is both relevant and practical.

The Section takes guidance from both the Section Advisory committee and the wider membership through surveys, on-line discussions groups and events, etc.

The committee is keen to engage with the wider private client community and to hear from you, our members, to assist us in shaping your Section. To give us your thoughts, seek our support or just to connect, please get in touch at privateclientsection@lawsociety.org.uk.

Fiona Heald
Chair of the Private Client Section Advisory Committee

Our vision

To provide our members with valuable support and relevant information across a range of topics including: financial and tax planning, elderly client, wills and probate, estate administration, mental capacity, trusts, charities, family and relationships, and contentious probate.

The programme will:

- address leadership, regulatory developments and legal management through a series of events, member support activities and research
- support, promote and represent private client lawyers by providing opportunities to share and develop best practice, to exchange ideas and experiences and to learn from peers
- provide opportunities for private client lawyers to influence the overall direction of the legal sector
- promote private client lawyers
- help the Law Society to understand and represent private client lawyers better.

SRA continuing competency codes from 1 November 2017- 31 October 18

To make it easier for members to fill out their training records using the Private Client Section membership support, we have populated the below grid with the minimum SRA continuing competency codes covered in our programme between 1 November 2017 and 31 Oct 2018.
We will update this grid on our website throughout the year as the 2018-19 programme develops.

Key				
Inclusive webinars	Discounted webinars	Inclusive magazine	Inclusive seminars	Discounted conferences

When	Name of product	SRA Codes
Nov 2017	PS magazine: Back to Basics: Annual tax compliance in probate cases	A2
Jan & Feb 2018	Private Client Section seminar: Elderly client case law	A2, B1, B2
Jan & Feb 2018	Private Client Section seminar: Elderly client soft skills	A1, C1, C2
Feb 2018	PS Magazine: Back to basics: Investment bonds	A2
March 2018	Private Client Section cross border conference	A2
April 2018	Discounted webinar: Tax update 2018 - hot topics for private client solicitors	A2, A4
April 2018	Private Client Section seminar: Inheritance tax case law	A2, B1, D3
May 2018	PS Magazine: Back to Basics: Working with farming accountants	A1, A2, A4, A5
June 2018	Private Client Section webinar: Drafting wills to cover assets in overseas jurisdiction	A2, A4
June 2018	Private Client Section annual conference	A2
July 2018	Discounted webinar: Family business succession: how to advise your clients	A2, A4
July 2018	Private Client Section webinar: Money laundering for Private Client advisers	A2, A4
Aug 2018	PS Magazine: Back to Basics: Deeds of variation and disclaimers	A1, A2, A4, A5
Sept 2018	Private Client Section webinar: Court of Protection cases – achieving a fair reward for your valuable work	A2, A4, B1, B2, B3
Sept 2018	Private Client Section seminar: Recent developments in private client case law	A1, A2, A4, A5, B1, B2, B3, B4
Oct 2018	Discounted webinar: Buying and selling a family business	A2, A4
Oct 2018	Private Client Section Elderly Client Care conference	A2
Oct 2018	Private Client Section webinar: Pensions update - demystifying the current regime	A2, A4

Events

Over the next year the Section will host a range of events on issues that matter to private client lawyers.

Details of these events will be published on our website:
www.lawsociety.org.uk/private-client/events

Membership of the Section includes free access to the Private Client Section regional seminars and the podcast recordings of these events as well as discount on the Private

New - Private Client Section regional Elderly client convention

When: **January and February 2019:**
London (31 Jan), Birmingham (5 Feb), Manchester (12 Feb).
Time: **From 16:15 - 19:25**
Venues: **The Law Society, 113 Chancery Lane, London WC2A 1PL**
Venue TBC, Birmingham
The University of Law, 2 New York Street, Manchester, M1 4HJ
Cost: **Free for Section members, From £35 + VAT for non-members**

With the support of our Private Client Section advisory committee we design our events to cover the most relevant range of topics focused on practical support for the busy private client solicitor. The first topic to be covered in 2019 will be Elderly Client communications and a case law update, the second will be Inheritance and death: A tax law update (April) and the third will be a Private Client Care law update (Sept).

For 2019, based on member feedback, we are continuing to pilot a new approach to our elderly client inclusive regional Section support events as members have asked for:

- Practical support in communicating with elderly/vulnerable clients
- Longer events to justify their travel times
- More networking time with their peers

In response we are piloting our new Elderly Client Convention. This (inclusive to Section member) event will include:

- Soft skills seminar - practical soft skills for working with clients who are dying
- Case law seminar - case law to help you successfully navigate the Court of Protection and beyond

Speakers:

- Softskills - Ian Bond, director and head of trusts and estates, Talbots Law Ltd
- Evening – Helen Clarke (London, Birmingam and Manchester)

Private Client Section: Cross border conference

When: **7 March 2019**
Venue: **The Law Society, 113 Chancery Lane, London WC2A 1PL**
Cost: **Early booking fee before 1 February 2019**
£250 + VAT for Section members,
£145 + VAT for members working for NFP
From £295 + VAT for non-members

International private client work is an increasingly complex and changing environment. Stay up to date by attending our 2019 cross border conference. Advance booking now open.

The full-day conference programme comprises expert speakers from various jurisdictions across the private client cross-border world. This event is aimed at solicitors and professionals involved in advising private clients and trustees who hold assets abroad

09:00-09:30 **Registration and refreshments**

09:30-09:40 **Conference welcome from conference chairs** - Alberto Perez Cedillo, founding partner, Alberto Perez Cedillo Spanish Lawyers and Solicitors, and Kate Mahon, solicitor, Davidson Mahon Solicitors

09:40-10:10 **Keynote speaker** - Richard Frimston, consultant, Russell Cooke

10:10-11:00 **Investing into the UK post-Brexit: looking into the abyss?** - Jo Summers, partner, PWT Advice

11:00-11:20 **Refreshments and networking in exhibition**

11:20-12:10 **Competitive destinations for HNWI - the tax competition landscape in Europe** - Edward Reed, partner, Macfarlanes

12:10-13:10 **Lunch and networking in exhibition**

Private Client Supporter:

14:10-15:10 **Process of European probate succession part 1**

Case Study: Edwardo and Juliet have been married for 25 years and have properties in Spain, France and Italy as well as a property in London, which is their main home. They also have bank accounts in each jurisdiction. Edwardo has a son from a previous relationship who is 30 years old and who is estranged from Edwardo. Edwardo and Juliet have two children together aged 16 and 20. Edwardo recently had a health scare and wants to ensure his estate planning is all in order. In the event of Edwardo's death, he wants to benefit Juliet and on Juliet's death, she benefits her two children. Edwardo's son from his previous relationship is not included.

Topics to cover

- Estate/Tax Planning
- Wills i.e. do they need Wills in each jurisdiction where they have property? What about any forced heirship rules?
- Powers of Attorney in the event of loss of capacity

In the event of both Edwardo and Juliet's deaths

- Process of administering the estates in each jurisdiction
- Duties on executors in the UK when you have foreign assets
- Inheritance Tax issues/ other tax issues to consider
- UK Grant – can it be re-sealed anywhere or will separate "Grants" be needed in each jurisdiction?
- Best practice

Speakers:

- Diane Le Grand de Belleroche, avocat/solicitor, BeFair Avocats
- Alessia Paoletto, partner, Withers Worldwide
- Juan José de Palacio Rodríguez, notario, DP&R Notarios

15:10-15:30 **Refreshments and networking in exhibition**

15:30-16:30 **Process of European probate succession part 2**

Case study: Edwardo's son wants to contest the estate

Topics to cover

- What rights does he have in each jurisdiction?
- What are the procedures involved in each jurisdiction?
- Can this be prevented through better planning etc?
- Best practice

Speakers:

- Diane Le Grand de Belleroche, avoat/solicitor, BeFair Avocats
- Alessia Paoletto, partner, Withers Worldwide
- Juan José de Palacio Rodríguez, notario, DP&R Notarios

16:30-16:45 **Closing remarks -** Filippo Noseda, partner, Mishcon de Reya

16:45-17:45 **Networking drinks reception**

Regional Seminars: Inheritance and death - a tax update

When: **March/April London, Manchester, Birmingham**
Venues: **The Law Society, 113 Chancery Lane, London WC2A 1PL**
Manchester, TBC
Birmingham, TBC
Cost: **Free for section members, From £35 + VAT for non-members**

This is the second Private Client Section regional evening seminar topic for 2018 the third will be a Private Client Care law update (Sept).

The content of this seminar will typically follow the changes from the new budget**.**

Private Client Section Annual conference

When: **28 June 2019**
Venue: **Victoria Park Plaza, London**
Cost: **Discounts for Section members**

Equip yourself with latest developments in private client work at our 2019 annual conference. Advanced booking now open.

Designed to cover a range of essential topics, this event will include advice from expert speakers on how to manage your clients' legal affairs in the UK and overseas.

Private Client Section members receive a discount for this event.

Early birds

- Early bird booking fees are available until 28 May 2019
- Book before 2 January 2019 to receive an additional discount for advance booking.

Programme

09:15-0945	Registration, exhibition and refreshments
09:45-09:50	Welcome and introduction
09:50-10:50	Capital tax planning Emma Chamberlain OBE, barrister, Pump Court Tax Chambers
10:50-11:20	Stephen Lewis, commissioner, Commercial & Common law, Law Commission In conversation with Michael Cross, news editor, Law Society Gazette
11:20-11:45	Refreshments, exhibition and networking
11:45-13:00	Concurrent workshop session A A1: Elderly client care and the Mental Capacity Act 2005 Helen Clarke, solicitor, Private Client Section Advisory Committee A2: Pensions Luke Brooks, partner and chartered financial planner, Smith & Williamson Paul Garwood, partner and chartered financial planner, Smith & Willaimson A3: Contentious Probate update Thomas Dumont, barrister, Radcliffe Chambers A4: Inheritance tax on business property: how to protect your clients Steven Appleton, partner - head of Private Client - Manchester, Brabners A5: Pricing transparency
13:00-14:00	Lunch

14:00-14:10	Update from council member Melinda Giles, partner, Giles Wilson
14:10-14:20	Interactive Q&A
14:25-15:40	Concurrent workshop session B - repeat of the morning sessions
15:40-16:00	Refreshments, exhibition and networking
16:00-17:00	Recent developments in Private Client practice Professor Lesley King, professional development consultant, University of Law
17:00	Closing remarks

Private Client Supporter:

tavistock
INVESTMENTS PLC
REVOLUTIONARY THINKING

Regional Seminars: Recent developments in private client practice

When: **Sept 2019 London, Birmingham, Manchester**
Venues: **The Law Society, 113 Chancery Lane, London WC2A 1PL**
Manchester - venue TBC
Birmingham - venue TBC
Cost: **Free for section members, From £35 + VAT for non-members**

This is the third and final set of Private Client Section evening seminar topics for 2019 and will cover recent developments in private client practice

This one hour seminar will provide a review of current issues in Private Client Practice. The exact detail of this seminar will be based on recent developments coming from judgments and statutes throughout 2019; we will reveal more information as available.

The speaker will be confirmed shortly

Private Client Section - Elderly client conference

When: **18 Oct 2019**
Venues: **The Law Society, 113 Chancery Lane, London WC2A 1PL**
Cost: **Discounted for section members**

The Law Society is bringing together speakers including lawyers, health and social care experts, policy makers, academics and charities to provide practical advice to solicitors dealing with the unique challenges of elderly clients. This area of law requires an understanding of related sectors in order to provide comprehensive advice to clients and the conference will include cross sector discussion of the recent developments and trends in the law including end of life care.

More information will be released as the programme develops.

Webinars

Section members benefit from free access to four topical webinars per year, access to all previous recordings and 20% discount on other relevant Law Society webinars.
Review the Private Client Section inclusive webinars today

Private Client Section webinar: Managing probate for ashes, pets and possessions

When: **25 March 2019**
Cost: **Free for section members, £45 to non-Section members**

The programme will be released shortly

Speaker: Amy Berry, barrister, Pump Court Chambers.

Webinar: Pensions update - demystifying the current regime (OnDemand)

When: **28 Oct 2018**
Cost: **Free for section members, £45 to non-Section members**

This webinar aims to provide you with a greater understanding of the current pension system and, specifically, the latest opportunities and pitfalls when advising private clients.

The past decade has seen regular and often dramatic changes to the simplified pension system that was first introduced in 2006.

Whilst some aspects of the rules give pension savers greater flexibility and control than ever before, there has also been significant tightening in the amount that can be contributed to and accumulated within a registered pension scheme.

This webinar is inclusive to Private Client Section members. Originally broadcast on 26 October 2018, the session covers:

- private pension contributions and the annual allowance
- private pension limits and the lifetime allowance
- the state pension - the new rules
- defined benefit pensions - what's all the fuss about?
- retirement options update - annuities, drawdown, phased retirement and uncrystallised funds pension lump sums (UFPLSs)
- transfer considerations.

By attending this webinar you will gain:

- an understanding of the key features of the current private and state pension systems
- helpful hints and tips to watch for when advising private clients.

The webinar will also be of interest to those considering their own retirement plans.

Speaker: Luke Brooks, partner, Smith & Williamson

Luke Brooks is a partner at Smith & Williamson who has specialised in providing retirement planning advice for over 15 years. Luke's experience encompasses advising entrepeneurs, partners of accountancy and law firms, investment professionals, sportsmen and women. He is a Chartered Financial Planner, an associate of the Personal Finance Society and the Chartered Insurance Institute, and is authorised by the FCA to give investment advice. Luke was awarded the London Insurance Institute's Advanced Diploma in Financial Planning prize for achieving the highest score of all candidates in 2008.

Webinar: Court of Protection cases – achieving a fair reward for your valuable work (OnDemand)

When: **4 Sept 2018**
Cost: **Free for section members, £45 to non-Section members**

Originally broadcast on 4 September 2018, this webinar looks at how lawyers get paid for work on deputyship (financial and property affairs) cases.

Deputyship cases are subject to an independent assessment by the Senior Court Costs Office. A lack of knowledge of the assessment process and how to maintain / present files can lead to unnecessary reductions.

This webinar will help practitioners to obtain the right level of pay for the very valuable work that they do.
The webinar will cover:

- billing periods
- hourly rates
- Office of the Public Guardian costs guidance
- costs assessment procedure
- top tips.

Speaker: Andrew McAulay, partner, Clarion

Andrew is the highly respected and professional leader of the Clarion costs and litigation funding team. Andrew created the team in 2011 and has successfully grown it to be a nationally recognised service. The team now consists of 15 people and acts for 150 law firms across the UK. It is the biggest in-house legal costs team (with an external offering) in the UK. The team have a specialist Court of Protection division, which prepares circa 2,000 Court of Protection bills each year and acts for 50 per cent of the Court approved Panel Deputies.

Andrew is a qualified costs lawyer and mediator and is a member of the Association of Costs Lawyers (ACL). He is an accredited costs lawyer meaning he is authorised by the Costs Laywers Standards Board to deliver CPD training. He regularly lectures on costs law and litigation funding at external events and for Leeds City College. He has had many articles published in ‘Litigation Funding’ (sister publication to the Law Society Gazette) and the ACL journal.

Webinar: Money laundering for private client advisers (OnDemand)

When: **19 July 2018**
Cost: **Free for section members, £45 to non-Section members**

Learn what you need to do to keep abreast of new regulations and how to protect your firm from money laundering in our webinar.

The Money Laundering Regulations 2017 and the recent Criminal Finances Act impose new obligations on practitioners and firms – and those involved in private client and tax planning work must devote considerably more time and energy to protect themselves. With money laundering and tax evasion laws burgeoning and greater scrutiny of tax avoidance schemes by HM Revenue & Customs (HMRC), lawyers are facing the increased risk of prosecution and reputational damage.

The webinar will cover:

Statutory requirements and defences which you need understand to avoid financial penalties and possible criminal conviction. In this one-hour webinar Pearl Moses, head of risk and compliance discusses the implications of the recent legislation on private client practitioners including:

- what are the key changes in regulations?
- customer and enhanced due diligence
- sanctions and PEPs
- red flags for private client practitioners
- risk and compliance documentation.

Speaker: Pearl Moses, head of risk and compliance at the Law Society.

Pearl is a seasoned legal professional and a solicitor with over 12 years' experience in private practice, legal publishing and regulatory compliance issues.
Pearl joined the Law Society in 2003 and since then has held a range of regulatory roles including senior technical adviser with a policy formulation, training and adjudication remit.

Webinar: Drafting wills to cover assets in overseas jurisdictions (OnDemand)

When: **1 June 2018**
Cost: **Free for section members, £45 to non-Section members**

Whether you want to be able to draft a single will to cover your clients' worldwide assets or whether you need to draft more than one will to cover your clients' assets in the UK or abroad, this webinar will help you to understand the inherent dangers and opportunities.

The webinar will cover:

- formal validity of wills
- essential validity of wills
- executors in common and civil law jurisdictions
- cross-border tax traps
- advantages and disadvantages of drafting

By attending this webinar, you will gain:

- an insight into how and when 'foreign wills' are valid in the UK
- the ability to determine when a UK will is formally valid overseas
- knowledge of how to avoid adverse cross-border tax consequences for your clients
- awareness of when to, and when not to use elections and other choices of law
- confidence to decide when it is appropriate to include your client's foreign assets in a worldwide will
- understanding of the checks required to ensure the essential validity of a will devolving overseas assets

Speaker: Daniel Harris, partner, Stone King

Daniel Harris is a partner and head of Stone King's specialist international and cross-border team. He advises UK and overseas private clients as well as charities and other solicitors, on succession and taxation issues in all jurisdictions of the world.

Ranked in Chambers and Legal 500, Dan is described in the latter as having 'a charm, sincerity and genuine desire to provide the best advise and most proactive service possible within an agreed cost of forecast'.

Member Offer

E-newsletter

The Private Client Section has a dedicated e-newsletter for its members. As part of your Section membership, you will receive regular e-newsletters, with recent private client news, selected cases and commentary on developments in the field by Professor Lesley King and Roman Kubiak, partner and head of the Contested Wills, Trusts and Estates team at Hugh James

Magazine

Our PS magazine focuses on the issues that matter in private client practice through features, commentary and updates from leading practitioners. 'Back to Basics' is a practical feature that deals with one key issue in extensive practical detail.
Here are some examples of our previous editions

November 2018

September 2018

August 2018

May 2018

February 2018

November 2017

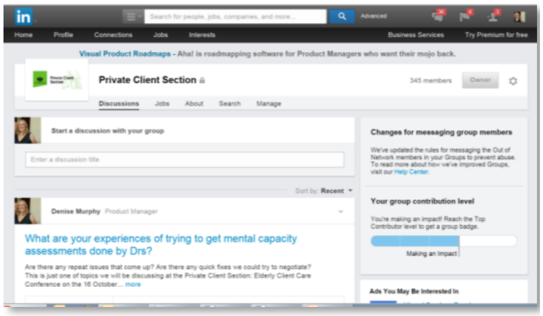
September 2017

August 2017

May 2017

LinkedIn

The Private Client Section enables members to share news, features, events and other relevant activities in a private environment. Increase your private client legal network and join our LinkedIn group. Keep an eye out for more information soon.



Website

The Private Client Section website is a one-stop portal of information for the legal community working in wills, probate, financial and tax planning, trusts, mental capacity and estate administration. It contains practical guidance, news, research and event details, we encourage you to use its search facility to provide quick access to the latest news updates, to search for past articles or practice notes. To access inclusive member only content, simply register and login.

Committee

Thank you to our committee members

This programme of engagement was created in close consultation with the Private Client Section Advisory Committee to ensure it is relevant and timely.

Committee members meet up to multiple times a year to discuss the key issues facing the private client legal community. The committee advises on how the Law Society can best support its members who work in the fields of financial and tax planning, elderly client, wills and probate, estate administration, mental capacity, trusts, charities, family and relationships, and contentious probate.

The Section is chaired by Fiona Heald, an experienced solicitor working at Moore Blatch in the South, the vice-chair is Kate Mahon, a solicitor and sole practitioner at Davidson Mahon Solicitors in Rugby, Warwickshire. Melinda Giles, a partner at Giles Wilson LLP in Essex, is the new Private Client Council member.

The Law Society thanks all of the committee members for their time, commitment and contribution.

Committee Member	Organisation	Role
Alberto Perez Cedillo	Alberto Perez Cedillo Spanish Lawyers & Solicitors	Partner and solicitor
Charlotte Pisuto	Hugh Jones Solicitors	Solicitor
Fiona Heald	Moore Blatch	Solicitor
Gareth Marland	Berwins Solicitors Limited	Solicitor
Helen Clarke		Solicitor and consultant lecturer
Helen Starkie	Helen Starkie Solicitor	Sole practitioner and solicitor
John Perry	Palmers Solicitors	Partner and solicitor
Kate Mahon	Davidson Mahon Solicitors	Sole practitioner and solicitor
Melinda Giles	Giles Wilson LLP	Partner, solicitor and head of the private wealth team
Sarah Murphy	JWK solicitors	Solicitor
Simon Leney	Cripps Trust Corporation Ltd	Partner and solicitor
Stuart Adams	Penningtons Manches	Senior associate and solicitor

About the Law Society

The Law Society exists to represent, promote and support all solicitors, so they in turn can help their clients.

We also work to ensure that no-one is above the law and to protect everyone's right to have access to justice. We promote England and Wales as the jurisdiction of choice and the vital role legal services play in our economy. We work internationally to open up markets to our members and to defend human rights while supporting our members with opportunities in the domestic market.

The Law Society helps members by:

- representing solicitors by speaking out for justice and on legal issues
- promoting solicitors through publicising the value of using a solicitor at home and abroad
- supporting solicitors by helping them develop their expertise and their business, respective of whether they work for themselves, in-house or for a law firm

The Law Society represents the profession by:

- campaigning on the rule of law, human rights, access to justice and regulation. This includes lobbying in Brussels, Westminster and Cardiff and in the media.
- working with international legal bodies to position the Law Society as a thought-leader on global issues
- intervening in cases where solicitors and the law are under threat in the UK and abroad
- helping our members to represent key issues impacting the profession to their MP, AM or MEP
- using the law to challenge changes which will impact negatively on the profession and society
- championing and facilitating pro bono work

The Law Society promotes the profession by:

- internationally working to open and grow markets for English and Welsh law such as inward visits of foreign lawyers and trade missions
- providing and increasing awareness of Find a Solicitor – our website enabling consumers and businesses to find a solicitor who can meet their needs
- hosting our annual Excellence Awards which highlight and celebrate outstanding contributions across the profession
- recognising the contribution solicitors make to civil society and communities
- publicising the value of legal of the legal services to the UK economy

The Law Society supports the profession by:

- identifying issues and market trends affecting solicitors to help the prepare for the future
- developing a comprehensive and cohesive education and training offer
- providing practice notes and guidance on issues important to members
- giving advice through our library and helplines
- running accreditation schemes to support and demonstrate effective practice
- creating communities of members based on who you are and what you do
- supporting those who find it difficult to enter the profession through our Diversity Access Scheme
- offering consultancy services for members who want more detailed help
- assisting members who wish to practice abroad

The Law Society

How the Law Society works

Solicitors pay their annual practising certificate fee to the Solicitors Regulation Authority. The Law Society receives around 30 per cent of this fee to support, represent and promote the profession. Other funding comes from commercial activities.

The Law Society Council governs the Law Society's work. Council members are elected to represent members from England and Wales, different demographic groups and parts of the profession. The Law Society harness the knowledge of the Council members and around 300 volunteers to deliver the advice, support and service members want. The Council has 100 seats, 61 for geographical constituencies and 39 for special interest groups and areas of practice.

For more information please visit **www.lawsociety.org.uk**

Private Client Section

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