

ChBA

Review 2011



THE CHANCERY BAR



For the Chairman of the Chancery Bar Association, there is a great pride in being part of an organisation which has such a sense of warm family feeling, and whose members, past and present, give so unstintingly of their time and energies. Reports on a number of activities of the Association are set out in the following pages demonstrating the width, quantity and quality of what is achieved. These successes involve the support and contribution of members, and former members, acting in so many different ways: as officers, committee

members, conference or other organisers, speakers, representatives, mentors or simply attenders and supporters of events. We are particularly grateful for all the judicial support we receive. The Association is consulted by a wide range of bodies and has links and co-operates with a wide number of others. As Chairman I have the privilege of seeing the wider picture. It is humbling. New initiatives continue to be suggested and successfully implemented. None of this would be possible without an administrator. We are very grateful for all that Mary Block has contributed and achieved over the years and for the support we have already received, and continue to receive, from our new administrator, Francesca. Ultimately though, it is the membership which determines the Association's path and its success or otherwise. My sincere thanks to everyone for all their help and support over the past year.

Malcolm Davis-White QC
Chairman, Chancery Bar Association



MARY BLOCK

By 1997, the Chancery Bar Association had become too much for a chairman to run, even with the assistance of the committee. Help arrived in the person of Mary Block. She was thrown in at the deep end and she took to the task like a duck to water.

Back then, the activities of the Association were more limited and Mary expanded those activities. She greatly raised the profile of the Association and it became the efficient and effective body it is today. Over 14 years she has helped develop, among other things: a directory, a packed seminar programme, an annual conference, a website, a weekly newsletter, overseas membership and visits and a careers fair. That is not all. Behind the scenes, Mary has provided essential administrative support and record keeping. She has dealt with the many enquiries and requests of members and outsiders.

Mary's contribution has been invaluable. Successive chairmen, committees and members have benefited. Her ideas, energy, enthusiasm and support have been second to none. Most importantly she has been a personal friend to many of us.

We wish her all the very best in her new endeavours.



WHO IS THE NEW ADMINISTRATOR?

Once upon a time I had dreams of becoming a great actress. So, after graduating from Manchester University with a degree in Theatre and Media, I embarked upon my thespian journey. Along the way, given the

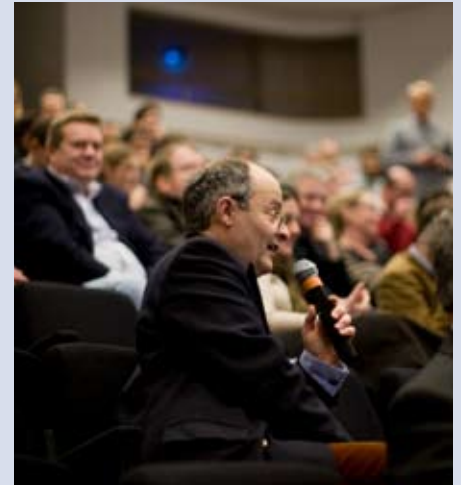
vagaries of my chosen profession, I picked up many of the skills of administration in order to support my twin habits of eating and paying rent. After seventeen years of treading the boards occasionally and having a ball, and temping for all sorts of organisations in between (not least many legal firms and chambers), I decided it was probably time for a grown up job.

After a stint as a Council Secretary in healthcare regulation, I ended up as a Project Manager for English Heritage. Amongst other things, I was in charge of repairing a sixteenth century moat bridge, waterproofing a Martello Tower, and spending over a million pounds on twelfth century "artefacts" to recreate the interior of Dover Castle as it would have looked when it was built in the 1180s. Sourcing Royal School of Needlework wall hangings encrusted with gems, gold chased helmets and plaster boar heads – tough work but someone had to do it!

But along came the recession, the cut back on "quangos" and unemployment. Luckily for me, after a few years of repairing wrecked but venerable edifices it seemed I was a perfect fit with the Chancery Bar Association!

I hope that in the years to come that I can match the quality and charm of your previous Administrator, and also her longevity.

Francesca Compton



THE CHANCERY BAR ANNUAL CONFERENCE 2011

This year's conference was held in the Royal College of Surgeons, which has several large rooms suitable for breakout sessions as well as the formal theatre. Moving between rooms offers opportunities to bump into friends and colleagues: Gossip is a crucial element of the occasion.

The conference has received very positive feedback. There is an enormous fund of goodwill towards the ChBA, from the Chancellor, the Bench, practitioners from both of the legal professions, and academics besides. Many of these people were only too pleased to offer their services

We are very fortunate that Mr Justice Lewison (as was) and Mr Justice Vos were prepared to give important talks, as were Professor Sarah Worthington and Peter Jones of Eversheds.

Workshops are the soul of the conference. They are also the biggest headache for the organising committee, and require a lot of work on the part of the speakers. It is impossible to please everyone with the choice of subject-matter, but in the end there is always something to be learned from our colleagues in this way.

We introduced a couple of innovations. One was a video recording of three interviews with counsel who had been involved in

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interesting cases. This was a novel experience for the Chairman, asking questions like 'What lesson can you pass on to the ChBA?' All the interviewees acquitted themselves excellently well. Three barristers talked us through a difficult case in the Court of Protection. Jan Luba QC and Andrew Twigger QC told us much that we did not know about Parliament Square Green, and the defence of possession claims by reference to no-longer-obscure articles of the Human

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Rights Convention. At the top of the legal tree, in the Supreme Court, George Laurence QC and Charles George QC gave us their very different perspectives on the village-green case which involved the implications of the villagers 'deferring' to golfers when taking their dogs for a walk across part of the Redcar and Cleveland links. A highlight was Charles George QC's stirring encouragement to us all to have the courage of our convictions, even after multiple setbacks.

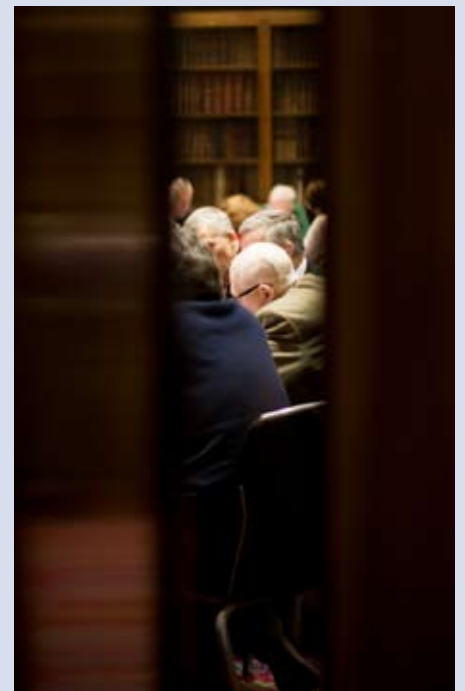
A second innovation was a legal quiz in the style of University Challenge. The so-called levity slot is a high-risk venture at the best of times. But the quiz was not easy to arrange. The committee decided on a Bench v Bar format, and the first task was to find a bench team. As with much else, though, Mr Justice Arnold instantly accepted the invitation to recruit a team of four: himself, Mr Justice Morgan, Mr Justice Sales and Mr Justice Newey. That led to a second

and bigger challenge, to find a bar team capable of giving them a match. But that again was easily solved with recourse to Christopher Nugee QC, Robert Ham QC, Tony De Garr Robinson QC and David Rees.

Mary Block solved the third problem by hiring a ready-made system of buzzers and lighted name-things, so that the relevant finger-on-the-buzzer could be identified. The fourth challenge was to set the questions, which had to be legal enough to justify the CPD points, and this involved much head-scratching. The final piece of the jigsaw was a suitable question-master to fill the role of Paxo, in the form of Elspeth Talbot-Rice QC. This year's quiz was won by the Bar.

The Chancery Bar Association wish to thank all those who helped to make the conference a very successful event.

Mark Herbert QC,
Chairman of the organising committee



GUERNSEY EVENT: 10TH NOVEMBER 2011

We were delighted by the enthusiastic response to the Association's first visit to Guernsey, which took place on 10th November. Over 30 UK members travelled to the Island and were joined by an array of Guernsey judiciary and practitioners for a CPD-accredited

The feedback received about the event has been overwhelmingly positive.

seminar comprising three excellent talks by Matthew Collings QC, David Halpern QC and Nicholas le Poidevin QC, followed by a champagne reception, in the Regency Room at the Old Government House Hotel.

Following the reception, we enjoyed a highly convivial members' dinner for UK members and their Guernsey counterparts, many of them newly welcomed to the Association as Overseas Members. We were honoured to be joined for the evening by the Bailiff of Guernsey, Sir Geoffrey Rowland QC, and by Lady Rowland. We were also delighted that Deputy Bailiff Richard Collas, HM Greffier Jon Torode and HM Deputy Greffier Simon Ross were able to join us as guests of the Association.

An additional pleasure was the swearing-in of ChBA member Christopher Nugee QC as a Judge of the Guernsey Court of Appeal. Following a moving encomium for a recently-deceased Jurat, the swearing-in ceremony took place in the splendid Royal Court with a full complement of impressive toques and

robes. ChBA members filled the public gallery and made their contribution with a full-throated shout of "Dieu sauve la Reine" as the newly-sworn Judge kissed the Bible. Afterwards the Bailiff very kindly welcomed our members into his Chambers for a short reception.

The feedback received about the event has been overwhelmingly positive, and we very much hope that there will be more opportunities in the future to nurture and develop the links between the Chancery Bar and the Guernsey Bar. In the meantime, we hope to arrange a visit to Jersey in the Spring or early Summer of 2012 along the lines of the Guernsey event. We would be pleased to hear from UK and Overseas members who would be interested in participating in such an event.

CONSULTATION RESPONSES 2011

The Association performs the important task of replying to various consultation papers produced by government departments, the Law Commission, the Bar Standards Board and others proposing amendments to the law, changes in the funding of civil litigation, alterations to the Code of Conduct, the nature of the obligation to undertake CPD, the judicial appointments process or the assessment of the competence of advocates. It is extremely important that the voice of the Chancery Bar is heard before such amendments or changes are introduced and members of the Association have ensured that that voice has been heard in respect of a significant number of proposals throughout 2011, whether in official responses on behalf of the Association or as individual contributions to the debate.

During the course of 2011, members of the Association produced papers in response to the following: The Legal Ombudsman Service's consultation on publishing decisions; the Ministry of Justice's proposals on the reform of

civil litigation funding and costs and its consultation on the reform of the county court system; the BSB's proposed new Equality & Diversity Conduct & Practising Rules, the review of the Code of Conduct, its consultation on CPD Requirements, and its consultation on International Practice Rules. Written submissions were provided to the House of Lords Select Committee on the Constitution as part of its ongoing inquiry into the judicial appointments process, and further observations were provided to the Joint Advocacy Group's proposals for quality assurance scheme for criminal advocates.

Members also responded to the Law Commission's Consultation Paper on marital property agreements and its supplementary consultation on the amendment of sections 31 and 32 of the Trustee Act 1925 and the consultation leading to its 2011 Report on Intestacy and Family Provision Claims on Death.

Many thanks to all those members of the Association who have been involved in this process.



THE CHANCERY BAR SEMINAR PROGRAMME 2011

2011 saw the ChBA seminar programme extend into territory as diverse as money laundering and competition law, strengthen its links with academic members and for the first time show a feature film as part of a seminar.

In February, Professors Adrian Walters and Sandra Frisby came down from Nottingham and joined Daniel Bayfield to address the question "CVAs: What is Achievable and Do They Work?". In March, Lord Justice Munby addressed the Association in the Annual Lecture on the subject "An Unconscionable Time A-Dying: Reports From A Traveller In A Foreign Country". Penelope Reed QC, Judith Bryant and Andrew Child considered "Recent Developments in Probate Law" in April, whilst "Land Registration" was the following month's topic for Chris Pymont QC, Tim Morshead QC and Charles Harpum. "Fraud" was the subject of June's seminar by Barbara Rich, Professor Jonathan Harris and Graeme Kleiner of Speechly Bircham.

Competition law was the subject of a seminar by Helen Davies QC, Jackie Holland of the OFT and Roland Green Chief Legal Adviser to the Competition Commission. The new legal year was ushered in by a Procedure Update in October by Master Winegarten, who was joined by Christopher Tidmarsh QC and Colin Passmore of Simmonds & Simmonds. In November, Tim Fancourt QC, Tim Dutton and James Hanham looked at Landlord and Tenant Issues in the Recession. Mark Herbert QC, Amanda Hardy and Hui-Ling McCarthy provided an Overview of the Tax Treatment of Pensions, Trusts and Compromise.

A seminar on money laundering was presented by Paul Marshall, Rob Cutler of the Renaissance Group and Keith Oliver of Peters & Peters. The New Practitioners Programme also saw a full complement of seminars.

We would like to take this opportunity to thank all of those who devoted so much time to speaking in and chairing sessions this year and making the programme such a success.

Calm Before the Storm



CAREERS FAIR

18th November 2011 saw the third ChBA Careers Fair take place at the Royal College of Surgeons.

The fair is designed to address concern that traditional pupillage fairs are not effective in raising awareness of Chancery work with prospective candidates, and the logistical difficulty of attending a wide range of universities. There is a continuing need to raise the profile of the Chancery Bar among students to attract the best candidates, particularly given the fierce competition that prevails across the profession.

Students were given an insight into life at the Chancery Bar and an idea of the breadth of Chancery work, by way of a series of talks on different aspects of Chancery practice. The students cite the talks as one of the main attractions of the fair, enabling them to make a more informed choice about their future career.

The students also had the opportunity to speak to barristers from Chancery sets in an informal environment. Twenty two sets of chambers participated, including from Manchester, Birmingham, Bristol and Liverpool. 95 students attended (out of 371 who registered), coming from diverse universities throughout the UK, from as far south as Exeter and as far north as Leeds.

The fair has raised the profile of the Chancery Bar, thanks to those who generously gave their time to give the talks. The organising committee are grateful to all those who participated and made the day a success.



ACADEMIC LIAISON & UNIVERSITY VISITS 2011

During 2011 we were delighted to welcome 4 new academic members of the Association: John Armour, Hogan Lovells Professor of Law and Finance at Oxford, John Cartwright, Professor of the Law of Contract at Oxford, Alastair Hudson, until his recent sabbatical Professor of Law & Equity at QMC London, and Dr Duncan Sheehan, Senior Lecturer in Law and Deputy Head of School at UEA. We now have 15 academic members, with whom we look forward to developing our links in 2012.

The Sub-Committee (Malcolm Davis-White QC, Mark West, Camilla Lamont, Mark Mullen and Georgia

Bedworth) organised a series of university visits throughout the year, at which a representative number of members spoke to students about pupillage (obtaining it and surviving it), the early years of practice, and life at the Chancery Bar. In January the Chairman, Joanne Wicks QC, Donald Lilly, Nikki Singla and Mark West spoke to students at Warwick, whilst in March the Chairman, Georgia Bedworth, Kavan Gunaratna and Anna Markham visited Southampton.

Early October saw a combined visit to Nottingham and Nottingham Trent Universities, at which the Chairman spoke with a panel consisting of

Anna Markham, Camilla Lamont and Caroline Waterworth. Visits were organised in November to LSE (the Chairman, Stephen Smith QC, Peter Dodge, Mark Mullen and Emily Gillett) and King's London (the Chairman, Penelope Reed QC, Camilla Lamont and Catherine Doran).

The Sub-Committee is planning a series of university visits for 2012; potential venues are East Anglia, Kent, Sussex, Oxford and Cambridge.

We would like to thank all of those who have given of their time to organise and speak at the visits.

WARWICK MSP VISIT

On 10th November the Association hosted students from Warwick University's Multi-Cultural Scholars Programme which, with philanthropic funding and support by City firms, assists able law students from low-income, minority ethnic backgrounds to reach their full potential.

The scheme provides some scholarships and, importantly, mentors and guides students, providing experiences designed to open up access to the legal profession with a view to raising aspirations and banishing misconceptions.

After a skills session and presentation at Inner Temple, the students visited Lincoln's Inn for a tour of a set of Chancery chambers and to meet junior Chancery tenants and pupils.

Thanks to Simon Atkinson, Jonathan Chew, Camilla Chorfi, Bobby Friedman, Eric Teo, Mark Baxter, Narinder Jhittay and Isabel Jamal for enthusiastically sharing their tips, to Joanne Wicks QC and Tina Kyriakides for organising the event, to Wilberforce Chambers for providing accommodation, and to Inner Temple for paying for the drinks.



CHANCERY BAR EVENTS 2011

Amongst the serious business of providing members with seminars and overseas marketing events, and lobbying on their behalf, it is good to know that the ChBA threw a few good parties in 2011.

In May we marked the retirements of Mr Registrar Simmonds and Mr Registrar Jaques in the MCR. In July, Serle Court kindly hosted a party for Master Moncaster. Each party was extremely well attended and speeches made clear how much each of them will be missed. We wish them the very best for the future.

In November there was a reception, at which the Chancellor kindly spoke, to celebrate the move of the Chancery Division to the Rolls Building, the largest specialist centre for resolution of financial, business and property litigation in the world.

In early December we were delighted to join CRELA to host a reception at the Lansdowne Club. CRELA is an association for lawyers undertaking mainly non-contentious commercial real estate work. Started just over a year ago it already has 400 members. The reception provided our members with an excellent opportunity to meet fellow professionals.



LONDON LEGAL WALK 2011

The agitated prose of the weekly emails from Bob at the London Legal Support Trust can be ignored no longer. It's time to pull the ChBA walking team together. This requires specific skills: Motivational (bullying, more like); IT (pesky online sponsorship page); Fashion (T-shirts); Tact (ordering T-shirt sizes – tricky and delicate given that some probably need to be XXXXL); Communication (does the team know what's going on and where they should meet?); Herding (gather the troops for photo op at the RCJ with judicial celebs).

By now you're so exhausted it seems a good idea to break your ankle thereby avoiding having to walk at all! See them

off from the RCJ with an enthusiastic wave of the crutches, followed by a gentle latte on Fleet Street and a taxi ride to the Serpentine to meet the team as they arrive at the half way point for a drink. But what's this? As they come into view I see they're taking it like a stroll in the park! They don't even seem to have broken sweat and they appear to be enjoying themselves!

The ChBA Committee team raised around £4,000 for London pro bono organisations and the total raised by all Chancery Bar walkers reached £28,000. With only a few months to go it's probably time to start thinking about it all over again. Over to you, Francesca.

Mary Block (non-walker)

PRO BONO SUPPORT

2011 has been an active year. January saw the Association's first concert, a harpsichord and song recital of baroque repertoire by Nicola Corbishley and Elizabeth Burgess, followed by a reception in 4 New Square. Mr Justice Briggs wrote afterwards: "Nicola and Elizabeth were individually excellent and perfectly matched for the performance of the reflective domestic scale (as opposed to concert hall) pieces, and the bright, clear acoustic of Lincoln's Inn chapel meant that every word and nuance could be clearly heard and enjoyed".

In June the Radcliffe Piano Trio (including the Association's very own Emma Chamberlain on the 'cello) played Beethoven's Archduke trio and a movement from Tchaikovsky's piano trio (pezzo elegiaco). This too was playing of the highest calibre that gave great pleasure to the audience. Refreshments were enjoyed in the Undercroft afterwards by kind permission of the Inn. Substantial donations were made to the Bar Pro Bono Unit following the concerts.

We fielded a team for the Pro Bono Quiz hosted by Sandy Toksvig in March. Charitably, we did not win, though members did exceptionally well in the raffle and auction, winning ballet tickets, football match tickets, a balloon ride and a picnic hamper!

In May, the Association fielded a team for the London Legal Walk. It is the ambition of the Association to increase the amount it raises at next year's walk by 50%.



EQUALITY AND DIVERSITY

The Association has an enthusiastic and dedicated Equality and Diversity subcommittee, which has been working on a range of projects over the last year, including:

- Support for members, particularly through the ChBA mentoring scheme: the scheme puts members in touch with other members outside their Chambers who are prepared to share experience and provide encouragement and support on a one-on-one basis. This scheme is open to all: if you are interested,

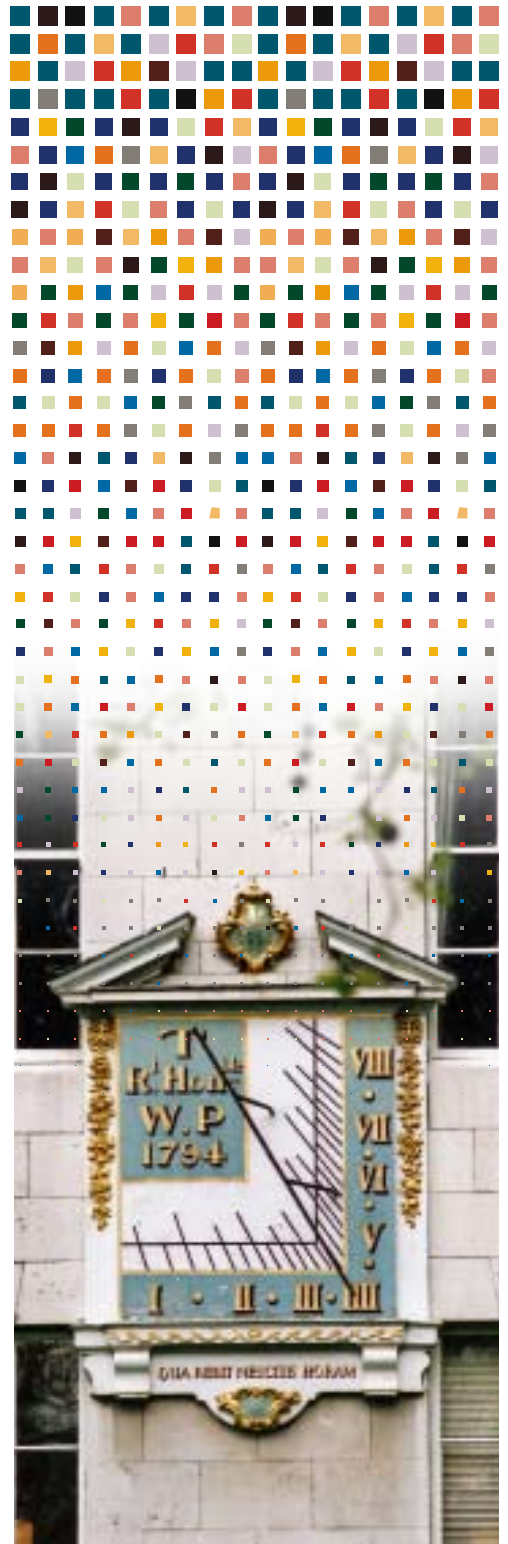
We had a fantastic response from Chancery Chambers

please complete a mentee form on the website. Those who participate in the scheme (mentors and mentees) are invited to a drinks party on 30th January 2012, so what better reason could there be to sign up now?

- Career development and guidance about judicial and tribunal applications. We have been fortunate to receive assistance from a number of present or ex-members of the Association now holding judicial posts. In the New Year we will be running some workshops designed to encourage all members, whatever their call, to think about judicial and tribunal appointments and applications to the Treasury Panel.
- Pupillage and recruitment assistance. As well as encouraging students to apply to the Chancery Bar, the Association held a meeting of pupillage contacts and equality officers in October at which there was frank discussion of the issues

faced by Chancery Chambers regarding pupillage selection and the ways in which Chambers have sought to address them. Another meeting is planned in early 2012, hopefully to coincide with the launch of a new "Pupillage Toolkit" by the Bar Standards Board. This information-sharing forum may become a more regular fixture in future.

- Outreach and social mobility. The Association is committed to widening access and encouraging a more diverse pool of applicants to the Chancery Bar. Liaison with organisations such as the Bar Council, the Inns of Court, the Diversity and Community Liaison Judges and other Specialist Bar Associations is particularly important in this field, to co-ordinate the many schemes which exist for broadening access to the professions. We had a fantastic response from the many Chancery Chambers who participated in the Social Mobility Foundation Scheme's Bar Placement Week, giving bright sixth-formers from low income households a taste of the Bar. We also provided speakers for Bar Council events and helped the Bar Council redesign their "Speak up for Others" programme, under which barristers go into schools to talk about the Bar. In November we cemented the links we have had for some years with the Warwick University Multi-Cultural Scholars Programme. January 2012 will see a "Specialist Bar CV Masterclass" organised jointly by the Association and the Society of Black Lawyers, in which ten different SBAs will help students hone their CVs and learn to direct their pupillage applications most effectively.



We would like to thank the contributors and editors for all the time and effort devoted to the ChBA Review 2011.

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