



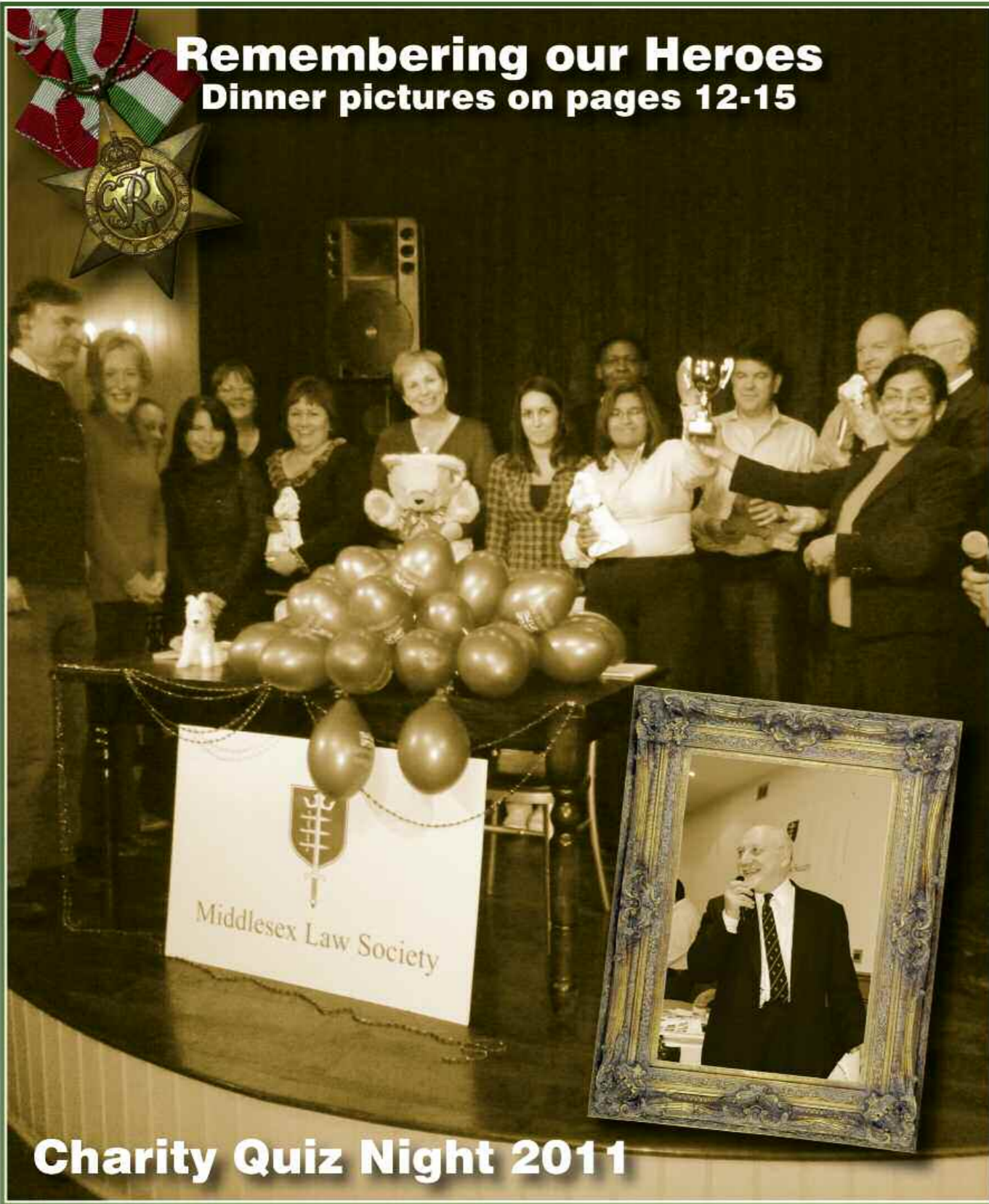
Winter 2011/12

The Bill of

# Middlesex

Official magazine of Middlesex Law Society

**Remembering our Heroes**  
Dinner pictures on pages 12-15



**Charity Quiz Night 2011**



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Members of the public should not seek to rely on anything published in this magazine in court but seek qualified Legal Advice.

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FUNCTIONS

- 16 April
5-a-side Football, Goals, Hayes
26 June
Middlesex CCC vs Gloucester CCC, Uxbridge CCC
June
5-a-side Football, Goals, Hayes
14 September
Charity Quiz Night, Drayton Court Hotel, W13
October
House of Parliament Event
11 November
Annual Dinner & Dance
18 November
Supreme Court Visit

See Newsletter for ongoing events
Lunches for specialised interest groups will be
ongoing throughout the year. Contact our
Administrator or Hon. Social Secretary for details or
visit our website.

EDUCATION & TRAINING
PROGRAMME 2010-2011

- 11 May Insolvency Update, Grange Tavern
18 May Conveyancing Update, UWL
25 May Crime Update, UWL
21 Sept Employment Update, UWL
TBA Alcohol & Drug Testing, UWL
TBA Family Law Update, UWL

Visit our website for details. UWL is University of
West London (formerly TVU) - St Marys Road, Ealing
Campus. MU is Middlesex University - Hendon
Campus.

COMMITTEE MEETINGS

- 2011
18 April
16 May
20 June
18 July
19 September
17 October
21 November

- 2012
16 January
20 February

AGM

14 March 2012 - Ealing Cricket Club

Parliamentary Liaison
Robert Drepaul



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My dear friends in the Legal
Profession,

I am writing this message to
you all with great sadness of
losing my mother on the 13th
of December 2011. My only
consolation is that she lived a
full life of 84 years and she
was a God-fearing person. I
have no doubt that she will
be with Jesus.

I wish you all a prosperous and
healthy New Year. As lawyers we
should not undergo any hardship or
struggle in our personal or
professional life but overcome them.
We must have self-confidence and
faith to win any battles. If we are not
capable of doing so, then we are not
suitable to defend our clients or their
interests favourably.

I am an optimist and I feel that the
country's economy will change this
year for the better. I also hope to see
that the House of Lords will fight our
corner in the Legal aid reforms battle.

I am also happy to announce that we
had a very enjoyable Christmas
dinner dance coinciding with Heroes
Remembrance Day on the 11th
November 2011.

As this is my final President's
column, I take this opportunity of
thanking my Officers and Committee
for their support and help during my
term in office. Our 52nd AGM will be
held at Ealing Cricket Club on
Wednesday 14th March at 6.30pm. It
would be lovely to see you all there
as we usually have an enjoyable
evening with a guest speaker. You
may also wish to consider joining the
committee.

May God Bless you all with a
prosperous New Year.

Renuka Sriharan
President 2011/12
info@sriharanssolicitors.co.uk

President's Page



# Editorial

## REMEMBERING OUR HEROES

Following the 9/11 terrorist attack on the New York Twin Towers, one of the comic book publishers featured a picture of Superman, Batman and other fictional superheroes staring up in awe of a New York Fire Fighter. The caption was along the lines of 'A Real Hero!' So who are our real heroes i.e. people who have made a significant impact to our individual lives?

We could start with our parents who did their duty to install life long values into us even having to migrate to foreign lands to do so. Parents who stood by you when you were facing the harshest of tests at school, having faith in your dormant abilities. Parents like Doreen and Neville Lawrence waiting 18 years for justice for their murdered son, Stephen changing the criminal law of double jeopardy in the process.

In civic society, heroes are our teachers who educated us in our formative years to inspire our own career choices. An unnecessarily strict chemistry teacher getting you to medical school who secretly was suffering from terminal cancer. A lecturer inspiring you with his passion for his subject.

In these austere times, everyone is looking fruitlessly for an inspirational hero to break the debt crisis. In the meantime, lawyers are still championing the causes for Justice and the Rule of Law. Our Remembrance Dinner on 11.11.11 was celebrated with 200 people wearing poppies to remember those who made the ultimate sacrifice for these noble causes.

As our President ends her term in office, she has honoured her late mother with her values of kindness and compassion for others. She joins the ranks of our Past Presidents, the heroes of our local Law Society.



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 I enclose herewith my cheque for £ \_\_\_\_\_ for the current year, made payable to "Middlesex Law Society"

Signature \_\_\_\_\_ Date \_\_\_\_\_

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£30.00 per annum - less than 3 years since admission or Members in full-time employment in Local Government or Industry
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The University of West London, the new name for Thames Valley University, has a heritage of over a century and a half, having put down its roots in Ealing 150 years ago.



Luna Sidhu and Robert Drepaal from the Alumni Board at the Students Awards Dinner in Pillars Restaurant.

CN Atlee founded a school system that combined learning with the acquisition of practical skills and utilised modern approaches and, basing these educational principles on those introduced by Lady Noel Byron, the Byron House School was set up where the University of West London's site at St. Mary's Road, Ealing stands today.

Later renamed Ealing Grammar School, it underwent radical transformation in 1929 and was renamed Ealing Technical Institute and School of Art and Crafts, and then Ealing Technical Institute and School of Art in 1937. By the time that the Second World War was over, there were 220 full-time students being educated there in subjects including 'women's crafts', according to a prospectus from this period. This number had more than doubled by 1956.

In 1951, Ealing Technical College was formed and departments of fashion, fine art and photography were added to its School of Art. Eight years later, the London College of Music (LCM) was founded, before it too merged with the institution.

One year later, the Mary King Room opened at the Ealing Technical College, a restaurant that served affordable lunches to the local community.

In 1977 the institution's name changed once again to Ealing College of Higher Education and consisted of 1,800 full-time and 3,400 part-time students. By 1991, Ealing college of Higher Education had merged with Thames Valley College of Higher Education, LCM and Queen Charlotte's College of Health Studies to become the Polytechnic of West London; a year before the Higher Education Act led to the Privy Council granting the institution university status, and Thames Valley University came into existence.

The past two decades saw the University develop in a number of directions culminating in a return to its west London roots and an application to the Privy Council for a change of name. In August 2012 this was agreed and Thames Valley University became The University of West London.

#### Key Statistics

- There are 1,000 courses on offer at the University including music, law, hospitality, nursing and midwifery, accounting and finance, enterprise and entrepreneurship, photography and media, psychology and tourism.
- The latest employability data shows that 87% of full-time first degree qualifiers from the University entered a job or further study within six months of graduation.
- Students from 126 countries attend the University
- The University has worked with more than 5,000 local businesses
- The University has a radio station (Blast FM), two award-winning student-run restaurants (Pillars and Feast) and West London Students' Union runs Freddie's Bar and a magazine, Edify.



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Middlesex Law Society

# 52nd Annual General Meeting

Wednesday 14th March 2012, 6.30 pm  
Ealing Cricket Club  
Corfton Road, London W5 2HS

Please contact the Secretary, Maurice Guyer  
email: [mguyer@vickers-solicitors.co.uk](mailto:mguyer@vickers-solicitors.co.uk)



## The University of West London Law School Honorary Awards Dinner 2012

Wednesday 22 February 2012  
6-9.30pm  
Pillars Restaurant,  
University of West London,  
St. Mary's Road, London, W5 5RF

£45 per person includes reception, confirmation ceremony, 3 course meal, wine and entertainment.

Contact Victoria Reynolds-O'Brien  
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## Council member's report

**The opening days of the New Year have been accompanied by unusual activity to complete the SRA online practise certificate renewal. I persuade myself the upside in successfully completing the exercise is that the same exercise in just nine months for the 2013 renewal may hopefully turn out less disjointed and disappointing. However an overriding concern is that while SRA may excuse the pain of the current premature rollout as mere teething problems a similar set of time consuming problems may underlie the implementation of ABS, OFR and the compliance officer regime later this year.**

While critics say that lawyers are averse to change, the traditional 'wait and see' approach is more often than not justified. And why is that? Perhaps an answer is to be found in the research published by Kings College concluding that the government reforms cutting the scope of legal aid will incur costs and not achieve planned savings. This is ascribed to the impact of 'behavioural reactions'. People react to change and that is not easily mapped, especially not, one might add, when impact assessments are so narrow and blinkered. This diagnosis may apply across the reforms now implementing the Legal Services Act 2007.

**Reminder:** the COLP of an authorised body must take all reasonable steps to ensure compliance with the conditions of the body's authorisation and statutory obligations of the body, its managers, employees or interest holders in relation to authorised activities; record any failure so to comply and make such records available to the SRA; and as soon as reasonably practicable report to the SRA any failure so to comply which is material either taken on its own or as part of a pattern of failures. Similar requirements are placed upon the COFA but in relation to the Solicitors Accounts Rules only.

The Legal Services Board has published a 3-year business plan and report and seeks to justify its continuation. The chair says implementation of the Act and introducing ABS is 'allowing important benefits to be delivered to the public, the profession and the economy. Approved regulators now have to act with a firm commitment to independent, public interest focused regulation, distanced from the inappropriate influence of representative interests. I also believe that we have seen changes in important areas beyond the formal architecture of regulation. First, there is a change in mind-set. Many more legal services firms and professionals understand that not only is it important that they provide sound legal advice to their clients, they must also provide a good quality service.' We shall see.

So what else is in the mix?

The Authorisation Rules require firms to appoint two compliance officers to be approved by SRA by 31 March this year.

The Compliance Officer for Legal Practice (COLP) must be a recognised lawyer and an employee or manager of the firm, and the Compliance Officer for Finance and Administration (COFA) must also be an employee or manager. In both cases they must have sufficient seniority and consent to their appointment. Compliance officers will have to deal with the requirements of SRA from 31 October 2012.

The appointment will present some difficult choices for law firms. Sole practitioners may have to appoint themselves and can fill both compliance posts. In small firms this may not appear to involve more responsibility than senior partners already accept. But as with much of OFR the reality is that whatever has been done in the past a great deal more may need to be done to show that appropriate arrangements are in place and are being operated. It will no longer be enough to do the right thing; but you will need to be able to show that there is evidence to back it up.

Within each organisation, the nominated individual will want to understand what is in store and how to deal with the requirements of the SRA. Equally, those appointing them will want to know how to make the best appointment and ensure the function is discharged.

Although there will be many courses on offer there is no tested path to follow. So through the Middlesex Law Society and with the University of West London Professional Development Centre I plan to offer regular seminars for firms to develop understanding and procedures addressing the major questions that arise and dealing with all aspects of these new functions.

My forecast is that this year the profession will see many practical changes. The range is wide and the list is long - ranging from new training and CPD recommendations emanating from the current Education and Training review, to new ABS and funding models following the Jackson reforms.

In relation to professional indemnity insurance SRA's second consultation will finally terminate new entry to ARP at October 2013. From 2013, if no renewal cover is available the existing insurer will be obliged to provide run off and the firm is likely to have to close down within 90 days unless an alternative provider of insurance can be found. The changes are designed to make for a wider market. If the lobbying for a flexible renewal date succeeds then there could be flexibility for policies too. It is important that firms establish systems that give insurers assurance that they are taking on risks they can understand.

My solid prediction is that much will have changed for the better by the end of 2012. I am optimistic that solicitors will expertly adapt as we always do and balance will be restored with recognition that online systems are not able to deliver what stargazers wish and practitioners will find a route through artificial constraints. The profit motive owes nothing to regulators; the law of unintended consequences will surely prevail.

Michael Garson  
michael.garson@kaganmoss.co.uk

## England's Green and Pleasant Land



**As another year passes without the sound of spades digging the footings for desperately needed housing stock, Laura Stevens takes a stroll down the meandering path to the village green and the associated complications for developers.**

A definition of a village green is noted in the Countryside and Rights of Way Act 2000 as land 'on which for not less than 20 years a significant number of inhabitants of any locality, or neighbourhood within a locality, have indulged in lawful sports and pastimes as of right... and continue to do so'.

In 1965, the first Commons Registration Act provided for registration of greens including 'Class C Greens' relating to land on which 20 years use had accrued. In *R v Suffolk County Council (ex parte Steed)* (1996), the Court of Appeal held that 'as of right' meant that people using the land had to have believed they had a right to use the land; this seemed to deviate from the traditional meaning of 'as of right' in the context of prescriptive easements.

In 1999, the House of Lords overturned *Steed* in *R v Oxfordshire County Council (ex parte Sunningwell Parish Council)* and things reverted to the original objective test of 'as of right'. This ruling brought with it numerous cases and in response, landowners sought to stem the flow by enclosing their land as soon as they had notice of a village green application. This activity led to an amendment to the Commons Bill to protect applicants by enabling applications to be pursued even when public access had been prevented.

The case of *Betterment Properties (Weymouth) Limited ('Betterment') v Dorset County Council* (2010) is a useful gauge of what landowners ought to do to prevent a qualifying use of their land and also demonstrated the pre-emptive use of injunctions to stem potentially qualifying activity by the public. In *Betterment*, local residents successfully registered a village green but the landowner responded with an application to Court to cancel the registration (albeit under Section 14 of The Commons Registration Act 1965). The matter went to trial and the Court was able to review the basis for registration of the village green. The land had been used by the landowner for agricultural purposes and was surrounded by residential houses. The landowners had endeavoured to stop local residents using the land by erecting fences and putting up signs stating 'Private', 'Keep Out' and 'No Trespassing'. Despite these efforts, members of the public made holes in the fences and vandalised the signs. The Judge found that the land had not been used 'as of right' because use of the land had been by force. Importantly, the Court also confirmed that an injunction could be made which would stop any qualifying use of the site, despite the fact that the subjects of the injunction were unidentified.

The 2008 case of *Secretary of State for the Environment, Food and Rural Affairs v Meier & Ors* also confirmed an injunction could be made in respect of unidentified trespassers. In this case, the Secretary of State for the Environment, Food and Rural Affairs applied for an order for possession of an area of woodland in Dorset along with an injunction against Travellers who might attempt to access the land and set up camp. The Court of Appeal granted a possession order and an injunction but the Travellers appealed to the then House of Lords (now Supreme Court). The House of Lords decided that a possession order for the wider woodland area could not be granted because the applicant had been occupying the land un-interrupted (i.e. a possession order can only be granted when a property is subject to trespass rather than threatened by trespass). However, their Lordships found that an injunction could be granted in respect of unidentified parties in order to prevent a threatened trespass as this may act as a deterrent.

The Supreme Court has further considered the issue of village greens in 2010 - *R (on the application of Lewis) v Redcar and Cleveland Borough Council*. Five Law Lords unanimously found that the concept of "deference" (by an applicant) did not have any force in the context of a village green application. However, it is encouraging that their Lordships openly considered the principle of "give and take" between landowner and the Public. Both of these issues should give landowners some comfort that the process is not stacked entirely in an applicant's favour and that even in cases where a site has been used by the Public, there ought to be a collaborative approach to find some middle ground and preserve the landowner's and the Public's rights.

The path to an increased supply of housing stock is strewn with obstacles. The village green issue seems only to confirm the need for proper, robust and proactive local planning to ensure that the Public has access to open space without a need to resort to blunt tools such as section 15 of the Commons Act 2006 (and all the consequences that come with it). But unless Localism delivers, developers will continue to be asked to carry the risk and a well-meaning scheme capable of benefiting the community at large may be scuppered by a minority of people keen to preserve the status quo through Nimbyism. In this context, title insurance can be used as a tool to give developers the confidence needed to tackle higher risk sites and thereby aid local authorities in their quest to add much needed housing stock, in line with the new government regulations.

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# Middlesex Law Society 52nd Annual Dinner and Dance

Remembering our Heroes  
at the Renaissance Hotel, Heathrow on 11/11/11



*Middlesex Law Society 52nd Annual Dinner & Dance*

Head Table	Table 1	Table 2 Dinner & Co-Subjuncts	Table 3 Subjuncts	Table 4 Lords, DPs	Table 5 Law Club
Shiraza Siddiqui	Bobby Babbar	Maryam Makhadmeh	Sofia Siddiqui	Ah Pritoo Arora	Paul Williams
Amya Ibrahim	Karl Babbar	Sheriff Tavakoli	Far Sadrudin	Mrs Anna Ryan	Alfred Orpin
Diprind Durrani	Saimon Madaan	Wahid Devar	Sami Ayub	Andy Durrani	Steven Allen
Osama Durrani	Sasha Verma	Willy Saeed	Fayal Alsharrah	Yasir Siddiqui	Ray W/Lee
Prof. M. Iqbal Qureshi	Raj Kangran	Azka Siddiqui	Shereh Siddiqui	Yasir Siddiqui	Rohel Parnian
Dr T. M. Hossain	Mehal Kangran	Wahid Siddiqui	Shereh Siddiqui	Yasir Siddiqui	Dick Pearson
Sawad Makhadmeh	Mehal Parvathy	Wahid Siddiqui	Shereh Siddiqui	Yasir Siddiqui	Karl Mulla
Maria Fernandez-Vaz	Sachin Saha	Fayal Siddiqui	Shereh Siddiqui	Yasir Siddiqui	James Hobbs
	Wahid Siddiqui	Wahid Siddiqui	Shereh Siddiqui	Yasir Siddiqui	Asad Khan (DP)
	Wahid Siddiqui	Wahid Siddiqui	Shereh Siddiqui	Yasir Siddiqui	Sam Ahmed (DP)

Table 11 Subjuncts	Table 12 Subjuncts	Table 13 Subjuncts	Table 14 Subjuncts	Table 15 Subjuncts	Table 16 Subjuncts	Table 17 Subjuncts
Table 11	Table 12	Table 13	Table 14	Table 15	Table 16	Table 17

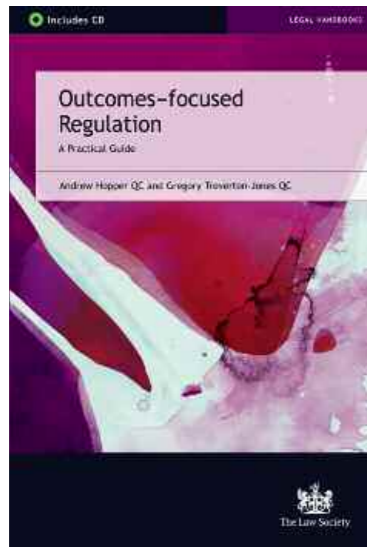






# OUTCOMES-FOCUSED REGULATION

## A Practical Guide



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Treverton-Jones QC  
ISBN: 978-1-907698-09-5  
Law Society Publishing  
[www.lawsociety.org.uk](http://www.lawsociety.org.uk)

### NOW IT'S THE LIGHTER APPROACH FOR SOLICITORS

An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers

Light touch or heavy hand? When it comes to regulating the legal profession, most solicitors, not to mention barristers would prefer the former to the latter. This was certainly borne out by the Solicitors Code of conduct 2007 which was unsuccessful to say the least, being 'too long, too detailed, and too prescriptive,' in the words of the authors of this excellent book.

The new Code of Conduct focuses more on the practical application of ethical principles and their consequences, with more weight being put on the judgment of individual solicitors, as well as the Solicitors Regulation Authority, to ensure that ethical standards of the profession are upheld. To that end, this latest book from Law Society Publishing on this sometimes controversial subject should help solicitors enhance their understanding of the new regulatory regime, which, as the title of the book suggests, is 'outcomes-focused.'

In practical terms, 'outcomes-focused regulation' offers greater freedom, more collaboration and less confrontation with the regulator on the part of solicitors. It signals a move away from prescriptive rules in the direction of achieving the right outcomes for clients. Explaining OFR in detail, the book functions admirably as a guide to the practical aspects of — and applications of — this new and more flexible regulatory environment, including the approach to OFR taken by the Solicitors' Regulation Authority (SRA).

In the words of the learned authors, both QCs, OFR is 'a brand new rule book' requiring solicitors to get used to principles and outcomes, as opposed to prescriptive sets of rules. We've no doubt most solicitors will thrive in this new relaxed and more enlightened professional environment in which the lighter touch will predominate. But they will still need the guidance that this book amply provides which, in my view makes it a must-have purchase for the up-to-date practitioner.

# SOLICITORS' ACCOUNTS MANUAL

## 12th edition



Solicitors Regulation Authority  
ISBN: 978-1-907698-19-4  
Law Society Publishing  
[www.lawsociety.org.uk](http://www.lawsociety.org.uk)

### PROTECTING CLIENT MONEY: THE REQUIREMENTS FOR SOLICITORS UNDER THE SRA ACCOUNTS RULES 2011

An appreciation by Phillip Taylor MBE and Elizabeth Taylor of Richmond Green Chambers

Since repeal of the Solicitors' Accounts Rules 1998 on 6th October 2011, significant changes have been put in place which affect all practitioners. Enter Law Society Publishing, which can always be relied upon to produce the definitive guide to the new regulatory environment; in this case, the 'Solicitors' Accounts Manual' now its twelfth edition. Certainly in view of the radical changes to professional requirements in relation to the handling of client money, this book from the Solicitors Regulation Authority is nothing less than indispensable.

The book focuses on the amendments which have been made following the introduction of outcomes-focused regulation (OFR), which, as pointed out in the introduction, features ten high level Principles, all of which are mandatory, and on which all aspects of regulation are based, including the Accounts Rules. Offered as a key part of this manual, these are provided in Part 2.

The Principles of course, are in line with the many changes of which the manual takes account, from guidance regarding the use of electronic communications – e.g. bank signatures and electronically transmitted bank statements – to the most fundamental principle of all, which we quote: 'greater emphasis on proper governance and the safe-keeping of clients' money', or as exemplified in Rule 1, 'the overarching objective to keep client money safe.'

If you are a practitioner, or a member of staff with financial responsibilities within a law practices, you should definitely acquire a copy of this concise and authoritative book.

### BRENTFORD COUNTY COURT USERS NOTICE

His Honour  
Judge Oppenheimer  
and Sue Knight,  
the Court Manager  
will be leaving from  
their respective posts  
on 23rd February 2012.

The Court is planning  
a leaving event on this day.  
Should you wish to attend,  
please contact  
Brentford County Court.

District Judge Allen  
will also be leaving the court  
on the 29th March 2012.

### Copy Deadlines 2012

<b>Spring Issue</b>	<b>9th March</b>
<b>Summer Issue</b>	<b>1st June</b>
<b>Autumn Issue</b>	<b>31st August</b>
<b>Winter Issue</b>	<b>30th November</b>

Anyone wishing to advertise or submit editorial for publication in the Bill of Middlesex please contact Anna Woodhams, before copy deadline.

**Email: [anna@benhampublishing.com](mailto:anna@benhampublishing.com)**  
**Tel: 0151 236 4141**

# Tax relief provides the perk for pension planning?

An income for life with an investment which guarantees a return of 11% for a 60 year old, or 15% if you pay tax at 50% sounds pretty attractive against a background of poor fixed interest returns, where bank and building society deposits are offering probably less than 3%. Higher rate taxpayers can still get tax relief of up to 40% on pension contributions (or 50% for those with income over £150,000.)

### This is how it works

This example is based on a pension contribution of £50,000 the maximum contribution that can be paid to attract tax relief, but note, there may be certain earnings qualifications needed to obtain relief on a contribution at that level.

	40% Taxpayer	50% Taxpayer
Gross contribution of £50,000 paid net of basic rate tax	£40,000	£40,000
Additional tax relief claimed via the tax return	(10,000)	(15,000)
Net outlay after tax relief	30,000	25,000
On encashment – 25% tax free cash	(12,500)	(12,500)
Net spend after tax free cash recovery	£17,500	£12,500

A typical level term annuity for a 60 year old man with no guarantees would be in the region of £1,900 p.a. gross. This represents a return of 11% on the net spend, 15% for the 50% taxpayer.

Whilst annuity rates at the present time appear very disappointing and cause many to re-think their decisions on pensions, when the full impact of tax relief is taken into account, the returns can appear attractive. There will be some individuals with income between £100,000 and £118,000 who are suffering an effective rate of 60% tax as their personal allowances are withdrawn. In these cases, the return would be 25%.

For further information, speak with Bob Johnson or Tommy White at Wilkins Kennedy, 01784 435561 (Email [Bob.johnson@wilkinskennedy.com](mailto:Bob.johnson@wilkinskennedy.com) or [Tommy.white@wilkinskennedy.com](mailto:Tommy.white@wilkinskennedy.com))

# Ticking all a probate estate's boxes

**If there is a will, you need to be sure that all assets have been identified and distributed; but this is also true where there is no will to be found.**

What is to say that some of a wealthy client's shares didn't fall by the wayside on a share conversion or when the building society became a bank? How can you tell if, whilst in sheltered housing, your client's forgotten high yield savings account hasn't been accruing a healthy interest?

Many solicitors currently approach asset tracing as an additional service to seek out in those circumstances in which there have been whispers of a particularly broad portfolio of accounts and/or shareholdings; in fact, there are many circumstances where a client may not have updated their address with the bank or closed an account upon opening a new one.

With estimates of unclaimed bank, building society and investment accounts alone exceeding £15.3billion, all this really is food for thought. A standard search of the Unclaimed Asset Register (UAR) ought only to be the tip of the iceberg; with a success rate of only about 10%, it is arguable whether this search is even worth its £25 fee. However, there are few firms offering a single search bringing together dormant bank accounts, shares, the Land Registry, postal redirections and even credit searching; Fraser & Fraser claims to have the only comprehensive service on the market.

Having been employed to find missing or unknown heirs on estates for decades, the company also assisted with the rounding up of assets, and noticed how difficult it was to find comprehensive, accurate results. Following a survey of over 4,000 wills and probate solicitors, Fraser & Fraser launched a new, unique, single reference Asset Tracing service costing £500 + VAT.

At a time when beneficiaries are increasingly keen to ensure full value is extracted from their inheritance or to hold someone liable for a failure to do so,

it would be reasonable to consider making commissioning a comprehensive asset trace a habitual part of the probate routine. It stands to reason that ensuring that all the assets brought together for a probate, really does mean that all of the assets have been identified and located, and this should become a standard part of administering an estate; and in the case of a will, a quick search might ensure that all of a Testator's property is successfully allocated, without leaving any partial intestacies or other surprises lurking later on.

For further information contact Fraser & Fraser on 020 7832 1400 or email [frasers@lostkin.co.uk](mailto:frasers@lostkin.co.uk). This service is only available to solicitors with authority to act on a probate estate, at the present time they do not offer an asset service for living people.

### Footnote

1 [www.ThisIsMoney.co.uk](http://www.ThisIsMoney.co.uk), "Find your share of £15bn lost money", 23 March 2011.

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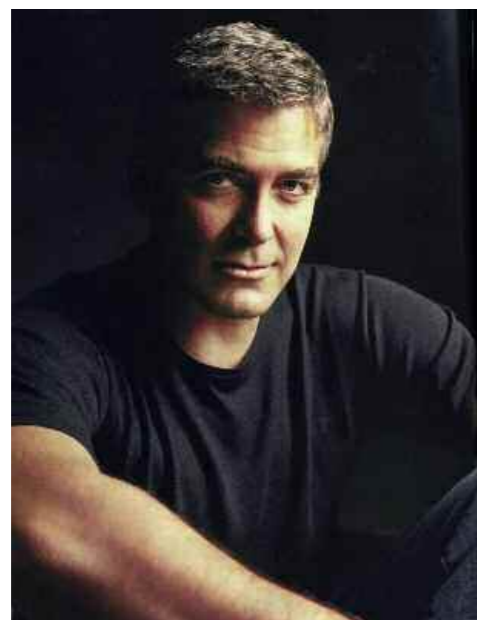
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# Film and the Law No 14: Stiffs, Fuzz and Briefs

Saw two films recently. They had nothing in common except they both featured a stiff (dead body), and no fuzz (police). Neither were there any briefs (lawyers) snooping around.

The first film, *The Ides of March*, is the work of producer/writer/director/leading man, George Clooney, taking the lid off US political skulduggery. Does George remind you of anyone? Ealing's adopted son Charlie Chaplin, once the most famous man in the world, was in fact the first person to do the whole caboodle himself - film wise that is. His autobiography makes no mention of his brief sojourn in the Queen of the Suburbs, but then why should it? He was just a toddler at the time, forcibly separated from his beloved mum who had just been incarcerated in the Kennington work house, whilst he was spirited away to Ealing-in-the-Setting-Sun, for the crime of having no visible means of support

The other film with a stiff and no fuzz, had the puzzling title of *Tyrannosaur*. Written and directed by actor Paddy Considine, it has won many awards including the Grimmiest Film of the Year. It is also seen as forming part of the **Second Golden Age** of British Cinema. The First Golden Age of course, was the 1940's when Ealing Studios reigned supreme, reaching their apotheosis in 1949, with the outstanding comedies *Passport to Pimlico*, *Whisky Galore*, and *Kind Hearts & Coronets* being released to both critical and public acclaim. No problem finding a cinema to screen these masterpieces with Ealing boasting at least five cinemas at the time,



George Clooney.



By Vincent McGrath  
vmfilmnite@googlemail.com  
020 8579 5330  
07877 551442

and all of them on the studios' doorstep. A different story today though for *Tyrannosaur*. As every Ealing resident can confirm, all the old Picture Houses have been turned into offices, churches or unseemly building sites. One of them, the **Walpole** which was one of the country's first talking - picture palaces, is now a nondescript block of offices in Bond Street. Of course it's also worth recording that the *talkies* spelt the end of Chaplin's career - another reason perhaps, for him to air brush out any mention of the leafy suburb in his memoirs.



Dog killer Peter Mullan in *Tyrannosaur*.

Now that Ealing has a pub **The Sir Michael Balcon** named after the driving force behind the Studios, one wonders what the great man's thoughts would be about the present dearth of film venues in his old neck of the woods. I suspect he has to content himself with the fact that, at least the Studios are still churning out films which makes them the oldest functioning film studios in the world.

*Tyrannosaur* starts with a man kicking his dog to death whilst *The Ides of March* features a political speech being recited by an aide as a sound check. The respective endings are the dog killer after doing some porridge, gets ensconced with a charity shop worker who incidentally is still doing bird herself for killing her husband, whilst in *Ides*, Clooney, blackmailed by the aide, is adopted as the presidential candidate after seducing and impregnating a young intern who subsequently kills herself. I suspect apart from acting as a spoiler this dodgy summary has put you in a bit of a quandary about which film you want to catch first, if at all, but take it from me they are both worth a viewing

In 1955 Ealing produced a film with the ambivalent title *The Ship That Died of Shame*, about wartime colleagues who buy up their old Navy boat to indulge in a bit of smuggling that subsequently turns sour. The ship at the time could be read as the Good Ship Ealing Studios which finally sank under the waves four years later. However, with the benefit of hindsight the ship could just as easily be seen as the Borough of Ealing that has shamelessly bequeathed to its citizens a cinema-less town centre.



Ealing Studios: Still Standing.

Given our on-going narrative on the lack of cinemas in Ealing, one can only speculate how Ealing Studios at the height of their success would have tackled a possible film.

A group of people look on, as the last remaining local cinema closes its doors for the last time. They decide to take action, and set up their own cinema in a church hall. Whilst they get support from local people the powers-that-be give them hassle, with the result that they are ordered to close down. During their last show - a screening of *Passport to Pimlico* - the ceiling collapses and amongst the rubble is a sealed casket containing gold sovereigns and an ancient parchment, which declares that the hall is to be used in perpetuity as a theatre for the benefit of the community and to be funded by the Duke of Bergundy, and the City of Lon.....(Hooray)

Sound a tad familiar? True, but I am sure you agree that in the hands of the legendary Ealing screen-writer T. E. B. Clarke it could well form the basis of another classic Ealing Comedy? But what about real life?

Well apart from the gold sovereigns, the parchment, the Duke of Bergundy, and a few other bits and bobs, everything else is true. A group of Ealing enthusiasts have indeed set up a cinema in their local church hall, and it's also right to say that so far, there are no **stiffs**, and no **fuzz** but given the target readership of this esteemed organ, there could well be a flurry of **briefs** in the offering.

For more information contact:-

Pitshanger Pictures  
St Barnabas Millenium Hall,  
Pitshanger lane  
<http://www.barnabites.org/social/pitshanger-pictures>



The Walpole: Where Talkies Began.



Passport to Pimlico.



The Ship That Died of Shame.



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# Middlesex Law Society Young Members Group



University of West London -  
Legal Practice Course 2011.

Adam Convisser receives  
1st place award.

Tom Conlon-Perry receives  
2nd place award.



Lauren Vircan  
receives the  
Middlesex Law Society  
Prize for the best  
third year LLB student  
from Susan Scott Hunt  
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REUTERS/David Gray

## WELL, WE MADE IT.

2011 is now done and dusted and what a year it was.

When we think back over the year, one word seems to come to mind... BIG!

We saw some big enhancements across Cases, Legislation, Journals, Books and EU as well as some big changes to help make your research that little bit easier.

WE ADDED **37,000 JOURNAL** ARTICLES AS WELL AS **8,588 CASES**.

**40 BOOKS** WERE PUT ONLINE ALONG WITH **7 LOOSELEAFS**.

WE UPLOADED ANOTHER **9 NEW JOURNALS** FOR YOU AND FINISHED OFF WITH **3 NEW LAW REPORT SERIES**.

We hope these numbers contributed to saving you some much needed time and energy when researching throughout 2011.

But as always, we're not resting on our laurels, 2012 is going to be another busy year, with enhancements including:

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