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Sheriff of the City of London

Congratulations to Alderman Fiona Woolf, who was admitted as Sheriff of the City of London on 28th September 2010. Currently a Steward on the Court of the Company, Fiona also served for many years on the Committee of the City of London Law Society.

Fiona was elected Alderman for the Ward of Candlewick in 2007. After training as a solicitor, she worked in the corporate and banking fields at Clifford Chance LLP for five years, before moving to CMS Cameron McKenna LLP. She ran its banking and project finance practice in Bahrain for three years and negotiated the Treaty and the Concession Agreement for the Channel Tunnel. Fiona has played key roles in the water and electricity privatisations, building an innovative energy and major projects practice and her career in this field is reflected in the unique design of her Shrieval badge of office.

Fiona's career has taken her to 40 jurisdictions, advising governments and agencies such as the World Bank, on attracting investment in infrastructure and energy reforms. Among other roles, she is a Member of the Competition Commission and a Non-Executive Director of Veolia Water Central. She was awarded a Senior Fellowship at Harvard University in 2001/2 and was President of the Law Society in 2006/7.

We wish Fiona every success for her year in office.

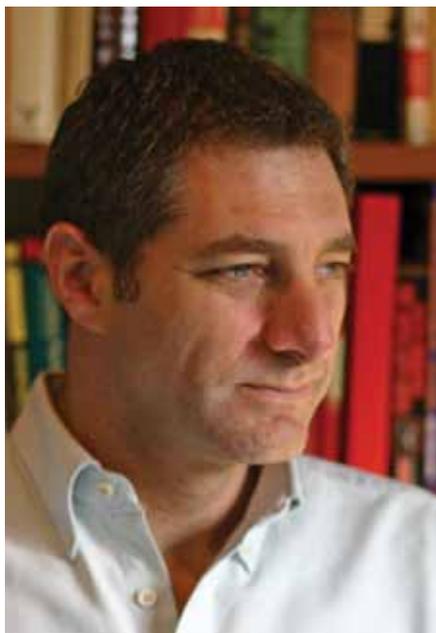


It is Autumn once again. The excitement of the World Cup has abated and it's a long haul until Christmas. But our new look CitySolicitor has made it to a second edition. The future looks good.

In this issue we are delighted to continue our tour of the City livery companies with a terrific introduction to the Fanmakers by John Salter, a liveryman of our Company and Past Master of the Fanmakers. I am constantly in awe of the depth of history residing in the Livery Companies. Who knows what a future correspondent will write about the Solicitors?

Committee Member Michael Webster brings us back to the present with an interesting piece about how law firms need to bring their HR practices into line with reality, a theme picked up by TwoSteps in their description of modern recruitment techniques.

Back to the Company, and the Almoner explains his admirable function within the Company. Ronnie Fox drives into a different



class and Mr Anthony Eady has a charming encounter with St Yves. And finally, our sincerest good wishes go to Alderman Fiona Woolf for a most successful and fulfilling term of office as Sheriff.

John Abramson, Editor,
Chartis

Clerk to the Company & Secretary of the City of London Law Society

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Dates for 2010

**The City of London
Solicitors' Company**

Thurs. 4th Nov.

**General Purposes
Committee**, at the
Company's offices at
4 College Hill, EC4
at 5.00p.m.

Sat. 13th Nov.

Lord Mayor's Show

Mon. 22nd Nov.

**Court meeting at
11.00 a.m. followed by
luncheon at 1.00 p.m.**

Thurs. 25th Nov.

Livery Dinner,
Haberdashers' Hall, 18
West Smithfield, EC1 at
7.00 p.m. Liverymen and
Guests.

**The City of London
Law Society**

Wed. 1st Dec.

**Committee of the City of
London Law Society at
11.00 a.m.†
Carvery Lunch at 1.00
p.m.†**

Construction Law Committee

At the Autumn meeting of the Committee it was agreed to adopt new Committee terms of business to formalise the structure and future activities of the Committee. A copy of the terms of business is on the Committee website. Gillian Thomas of Hogan Lovells was elected vice chairman of the Committee. After the Committee meeting Stephen Furst QC of Keating Chambers gave a well received talk to members on good faith, trust and cooperation in construction contracts.

Discussions with the Land Law Committee relating to the promotion of third party rights have continued. A paper prepared for the Committee by Hogan Lovells has been reviewed by the Land Law Committee and will be reissued to form the basis for a press and educational campaign promoting the use of third party rights.

Discussions between the Committee, the Land Law Committee and the Insurance Committee in relation to the insurance of tenant fit out contractors were useful in clarifying the issues at stake and raising awareness of them in the market. A number of journals carried articles summarising the problem. It is hoped that tenants' advisers are now more widely aware of the dangers of not considering insurance of tenant works at the heads of terms stage of lease negotiation.

A working group has been set up to respond to the EU Commission Green Paper on Contract Law and the associated Ministry of Justice "call for evidence". The Committee believe that there is no need to harmonise contract law across the EU at any level and that such a proposal if enacted could be prejudicial to the UK economy.

It was agreed that the new starter training sessions postponed from Spring 2010 would be held in September 2011.

The dates for full Committee meetings for 2011 are 10th February, 9th June and 6th October.

Marc Hanson, *Chairman,*
Ashurst LLP

Competition Report

The Competition Committee has been very active in responding to a number of competition policy consultation papers issued by the Office of Fair Trading (OFT) and the European Commission over the last six months.

One of the Committee's key objectives is to ensure that it plays a full part in helping Government and EU and UK regulators to formulate appropriate reforms to competition policy in the interests of the business community

In June 2010, the Government repealed the Competition Act 1998 (Land Agreements Exclusion and Revocation) Order 2004 which excluded land agreements from the application of Chapter I of the Competition Act 1998 ("the Act") with effect from April 2011. This means that, from then, all land agreements will be exposed to the full scrutiny of the Act for the first time. Concerns were expressed that, without OFT guidance on certain key issues in advance of the repeal becoming effective, it would be difficult for lawyers and clients to assess the likely impact of the repeal on these types of agreements and in particular, certain types of restrictions in leases and other property documentation.

The Government asked the OFT to produce guidance on how they would apply the provisions of Chapter I of the Act to land agreements. Members of the Competition Law Committee, along with representatives of the Land Law Committee, attended a meeting at the OFT to discuss the likely problem areas and how these issues should be addressed in the guidelines. The Committee was particularly grateful to be invited to a meeting on these issues before the OFT had formulated its draft guidance so that its views could be expressed at an early stage in the process. The OFT is due to publish the first draft of the guidance in October 2010 and the Committee is continuing its dialogue with the OFT on the content. The plan is to hold a further meeting (following publication of the draft guidance) and the Committee is to establish a Working Party chaired by Margaret Moore (Travers

Smith) to submit detailed written comments on the draft guidance.

The Committee was also invited to attend a meeting with the OFT in May 2010 to discuss the OFT's intended guide to its Competition Act 1998 investigations. The purpose of these is to consider ways to improve and streamline the OFT's procedures in Competition Act 1998 investigations as well as making them more transparent. The OFT published its draft guidance in September 2010 and the Committee intends to respond in writing to the OFT's formal consultation process which ends on 2nd November 2010.

The Committee also formed a Working Party to respond to the European Commission's new draft Horizontal Agreements Guidelines. The Working Party included Robert Bell (Speechly Bircham), Philip Wareham (Hill Dickinson), Nicole Kar (Linklaters) and Grant Murray (Baker & Mackenzie). The Horizontal Guidelines dealt with the competition law assessment of a number of important types of Agreement such as information sharing, standardisation joint selling and purchasing arrangements. The Committee submitted its detailed written comments to the European Commission on 25th June 2010.

The election of a new Government in May brought with it the prospect of possible reform of merger control policy following the Kraft/Cadbury merger and institutional reform for the main competition regulators (OFT and Competition Commission) as well as the industry regulators that also serve as concurrent competition regulators. The Committee formed a Working Party led by Michael Grenfell (Norton Rose) to pull together the Committee's response to these issues with a view to publishing a formal position document in January 2011. The Committee felt that it was important that the views of

competition law practitioners and moreover the CLLS as a whole should be heard on these issues which are crucial to the future of a strong coherent competition policy and economic recovery in the UK.

There have also been a number of changes on the Committee. We say goodbye to Rachel Brandenburger (ex Freshfields) who has taken up a post with the US Department of Justice advising on EU competition matters. Greg Olsen of Clifford Chance also steps down as he takes up his position as Chairman of the Law Society Competition Law section. I would like to thank them both for their contribution to the Committee and wish them both well in their new roles. In their place we welcome Alex Potter (Freshfields) and Jenine Hulsmann (Clifford Chance) as new members of the Committee.

Robert Bell, *Chairman*,
Speechly Bircham

Revenue Law Committee

The Committee has continued to focus on commenting on tax matters relevant to the work and clients of City firms, in particular, responding to HMRC and HM Treasury consultations.

Since our last report we have commented on the Simplification Review for the capital gains rules for groups of companies which contains proposals for simplifying the rules relating to capital losses after a change of ownership, value shifting and depreciatory transactions and the de-grouping rules. We expressed the view that broadly the changes would deliver a closer alignment between tax and economic outcomes but that will depend on the application in practice of some of the new provisions. We believe that the legislation might be clarified in a number of places and we made suggestions as to possible changes.

In April, we commented on the latest Discussion Document proposals for the Controlled Foreign Companies (CFC) reform. We said that overall we consider that the latest proposals represent an improvement on previous proposals and that we welcome the Government's approach of facilitating an open and transparent consultation with a sensible timetable for implementing any changes so as to enable full and proper discussion with businesses and other stakeholders. Some of our main concerns over the latest proposals highlighted in our submission were:

- If fully adopted, the proposals may not ultimately fully adhere to the stated policy of only targeting the "artificial diversion of UK profit and not taxing profits that are genuinely earned in overseas subsidiaries";
- The current proposals are more than likely to lead to a regime which will justify being referred to as complex and involve unwelcome compliance costs and therefore may not meet the stated objectives of achieving minimised compliance costs and certainty with the result of also not achieving the key policy of enhancing the competitiveness of UK;
- We support the principle that there should be a single worldwide regime rather than different regimes for the EU and elsewhere and therefore it is therefore absolutely crucial that any reform should demonstrably comply with EU law; and
- The CFC regime should not seek to address any of the perceived abuses which the existing UK transfer pricing and world-wide debt regimes are in place to prevent.

Representatives of the Committee had a productive meeting with HMT and HMRC in August in relation to the Consultation on Tax Policy Making published in June. We said that the proposals set out in the Consultation

Document are welcomed generally and address some of the issues but not all. We explained the Committee's view on the shortcomings of the current system of tax policy and law making including expressing concerns over the lack of clarity over the division of responsibilities in relation to policy and implementation between HMT and HMRC and whether, in some cases, the HMT/HMRC teams may not have the requisite level of technical expertise/commercial knowledge. We also highlighted that there has been a lack of consistent approach in previous consultation processes and that there is sometimes an insufficient appreciation of the commercial consequences of proposed changes, leading to announcements at too early a stage. In relation to the specific proposals set out in the Consultation Document, we said that:

- The three month consultation period is welcomed, provided it gives proper time to produce well thought out draft legislation;
- Consideration should be given to the format of a consultation process. It would be preferable to have an opportunity to comment on the framework of proposed legislation before being presented with actual drafting for comment;
- More information on the underlying policy rationale is considered vital;
- Consultation on any proposed HMRC guidance would be welcomed. This is not specifically addressed in the consultation document;
- An opportunity to discuss the drafting of new legislation with the parliamentary draftsman would be welcomed;
- Common commencement/announcement dates are welcomed. It is unhelpful when announcements are made immediately before holiday periods. Announcements should be made in a consistent

manner and should be available to all at the same time;

- The concept of simplicity is certainly welcomed but we query whether this is always possible to achieve. The tax law rewrite project has not always achieved this; and
- The proposal to slow down the pace of change and to focus on fewer better developed proposals is very welcomed.

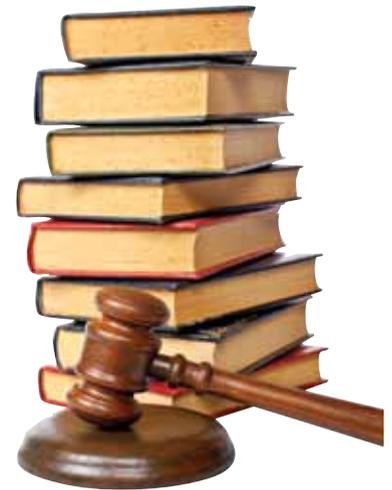
Bradley Phillips, *Chairman*,
Herbert Smith LLP,

Training Committee

The SRA has now introduced (from 1 September 2010) the new Qualified Lawyers Transfer Scheme (QLTS) which replaces the old Qualified Lawyers Transfer Regulations 2009.

The Committee has reviewed the information about the new scheme which is available on the SRA's website (www.sra.org.uk) and has found some anomalies.

The SRA's announced intention was to extend the list of "recognised jurisdictions" but the list published on 1 September had some unexpected omissions. While the new list included a number of jurisdictions not covered by the old scheme, some which had been included did not appear. For example, the only state in the USA on the list was California and India & Canada were missing. On investigating this, the Committee found that the jurisdictions listed were those which had responded (within the required deadline) to a questionnaire sent out by the SRA. Therefore, the list was a "work in progress" and the fact that a jurisdiction was not listed on 1 September did not mean lawyers qualified there would be excluded from the scheme in the longer term. The Committee will continue to monitor this to ensure the interests of the CLLS member firms are protected in this regard.



The SRA has announced that Kaplan QLTS has been appointed to the sole provider of the QLTS assessments and that the first assessment will be offered in January 2011. At the time of going to press, the precise details of those assessments (including cost) is not available but the Committee will track developments.

Now that the 2010 "season" for recruitment of trainees is drawing to an end, the Committee will be looking at the "Voluntary code to good practice in the recruitment of trainee solicitors" to make sure it continues to work well and meet the needs of member firms. The Committee would welcome any feedback members firms may have on the code to help with this work.

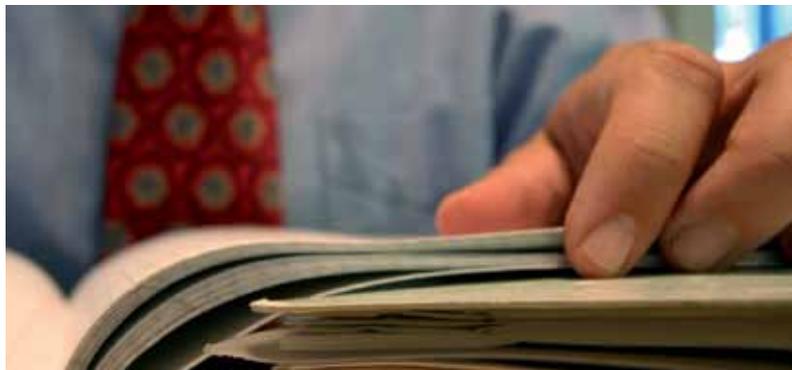
The SRA's "Work-based learning" pilot comes to an end in October and the Committee will be in discussion over the next few months with the SRA about the outcomes of that pilot and any possible changes which may flow from it to the training regime. The Committee will keep members firms aware of developments.

Looking forward, the Committee will continue to track the work of the SRA (insofar as it relates to education & training) as it moves to "outcomes-focused regulation ("OFR"). This will involve responding to consultations papers which are expected in October 2010.

Tony King, *Chairman*,
Clifford Chance LLP

Policy and Committees Coordinator's Report

As mentioned in my previous report, the SRA's "Freedom in Practice" consultation programme, which relates to the introduction of Alternative Business Structures "ABS" enabling provisions and "outcomes-focused regulation" ("OFR"), is continuing.



Since my previous report, the CLLS Professional Rules and Regulation Committee ("PR&RC") (with input from the CLLS Litigation Committee) produced a response to the SRA's second consultation paper in this series, "The architecture of change: the SRA's new Handbook" (which concerned how the OFR programme will be expressed in the wording of the new Handbook). (See the Committee's website at www.citysolicitors.org.uk.) As mentioned previously, the SRA has indicated that it will produce a further, more detailed consultation paper on the Handbook in October (as well as a Policy Statement on "Outcomes-focused regulation: Transforming the SRA's Regulation of Legal Services" with the timetable setting out the transition to OFR, the full cost-benefit analysis and equality impact assessment, also in that month). It is expected that the SRA will produce the final version of the Handbook in March/April 2011; and will be able to licence ABS by 6 October 2011. It is also expected that the PR&RC will again take the lead in responding to the SRA consultation paper, although the paper also may be of interest to a number of the other CLLS Committees.

In addition, Lehmann Communications is continuing to work with the CLLS Committee Chairs in order to raise the CLLS's profile. Since the last report the CLLS has been mentioned in *Managing Partner* magazine, *Open Europe Blog*, *The Times*, *Lexis Nexis*, *Law Gazette*, *Legal Futures*, *Lawcompli.com* and *Managing Intellectual Property* magazine. Lehmann Communications have also continued to meet with some of the Chairs of the CLLS Committees in order to identify issues of possible media relevance.

In addition to the OFR consultations mentioned above, the CLLS Committees have continued to work actively to represent Members' views on a variety of topics. Some of the more recent consultations to which the Committees have responded have included:

- Bar Council – "Contractual Terms Consultation" (Litigation Committee).
- DCLG – "New Policy Document for Planning Obligations" & "Greater Flexibility for Planning permissions" (Planning & Environmental Law Committee)

- EC - "Consultation on the review of the market abuse directive" (Company Law Committee) & "Corporate governance in financial institutions and remuneration policies" (Regulatory Law Committee and Company Law Committee joint response).
- FSA – "CP 10/9: Enhancing the Client Assets Sourcebook", "CP10/10: Quarterly consultation No.24", "CP10/11: Implementing aspects of the Financial Services Act 2010" (all Regulatory Law Committee) and Chapter 8 ("Client Money and Assets") "CP 10/15: Quarterly consultation No.25" (joint submission of the Company Law and Regulatory Law Committees).
- HMT – "Strengthening the administration regime for insurers" (Insurance and Insolvency Law Committee).
- Insolvency Service – "Consultation/Call for evidence. Improving the transparency of, and confidence in, pre-packaged sales in administrations" (Insolvency Law Committee).
- Land Registry – "Land Registration (Electronic Conveyancing) Rules 2011 consultation" (Land Law Committee).
- Law Commission – "Issues Paper 6: Damages for Late Payment and the Insurer's Duty of Good Faith" (Insurance Law Committee).
- The Takeover Panel – "PCP 2010/2: Review of certain aspects of the regulation of takeover bids" (Company Law Committee as part of the Takeovers Joint Working Party (which also included the Law Society of England and Wales' Standing Committee on Company Law)).

(Details of the responses can be found on the respective CLLS Committee webpages via <http://www.citysolicitors.org.uk/Default.aspx?SID=18>.)

In addition, the CLLS Committees are also considering a number of other current consultations, including the European Commission's Green Paper on potential changes to contract law and the MOJ's Call for Evidence on the Green Paper (to which a number of Committees may be responding).

Robert Leeder, Policy & Committees Coordinator, CLLS

Anthony Eady,
Liveryman

Drinking to Saint Yves

I read with interest and no little envy Paul Barnes's report in *City Solicitor* on the Company's visit to the Pardon of Saint Yves. My wife and I had very much enjoyed the Company's previous visit in 2003 and only my ill health had prevented us from attending this year. If we had been present I would have recounted the following anecdote.

I had known since the 2003 visit that Saint Yves had pursued his civil law studies in Paris, but it was only on a visit to the Loire valley in 2008, one of many which we have made over the years, that I learned that he had also studied canon law in Orléans and found that there is even a chapel dedicated to him in the splendid cathedral there.

A small Loire appellation, that of Savennières, has long been a favourite wine of ours. Made from the Chenin Blanc grape and sometimes lasting for longer than the majority of white wines, it is not to everyone's taste, but is said to have been enjoyed by both Louis XIV and Napoleon. We were both delighted and surprised to find that our hotel near Tours not only had some on its wine list, but that it was entitled "Clos de Saint Yves".

We drank the 1993 vintage. There was even a representation of the saint in a stained glass window on the label. The wine was delicious and we decided to buy some, so the next day we drove the eighty miles to Savennières, which is near Angers. Neither the map in the village square nor the literature in the tourist office made any mention of the Clos de Saint Yves, but the resourceful young lady in that office Googled it and found the answer. It is indeed in the commune, but is owned by Domaine des Baumard in Rochefort-sur-Loire. Rochefort is only a couple of miles away, but is on the other side of the river. Though Rochefort and Savennières are in the same *département* today, years ago the two areas were often rivals and sometimes enemies and it appears that old antipathies die hard.

We thanked the young lady and drove to Rochefort, where the attractive home of Domaine des Baumard was easily found. The lady there duly offered us three recent vintages of "Clos de Saint Yves" for tasting and we chose that of 2003. To our dismay, however, she said that she was unable to provide us with bottles labelled as we expected. They would be labelled "Savennières" but would contain exactly the same wine. Those bearing the saint's name and picture could only be supplied to hotels and restaurants. In my halting schoolboy French I explained my connection with the Company and my natural interest in its patron saint, but to no avail, so we grudgingly accepted a case of "Savennières".

A week or two later we arrived home and I opened the case. To my astonishment and pleasure I saw a dozen bottles of "Clos de Saint Yves" in all their glory. I shall never know whether the lady at Domaine des Baumard had made a mistake, whether she had taken pity on me, whether she had played a little joke on me or whether she had followed what one understands is, in a different context, the frequent and perhaps endearing Gallic response to the dictates of European authorities by paying lip service to rules but in practice disobeying them when it suits them to do so. I was certainly grateful and my wife and I enjoy looking at the saint's picture as we drink the last few bottles.

Perhaps other members of the Company or even those who decide on the wines for its functions will try some. Googling will tell them all they might wish to know.



Liveryman Professor
John Salter, Fanmakers'
Company Tercentenary
Master 2009



Fans on display at the Company

The Fan Makers: A City Livery Company

Our last Autumn newsletter featured an article by Alderman John White, the then Master Playing Card Maker, about his ancient Livery Company 75th in order of precedence. Next in line is the Worshipful Company of Fan Makers (No. 76), the last for a very long time to be incorporated by Royal Charter, in this case by Queen Anne on 19th April 1709. Just over 100 years later the Court of Aldermen on June 20th 1809 granted the Company its Livery, a little speedier than in the case of the Playing Card Makers (164 years later). The number of Liverymen was originally limited to 60 but from 1966 has been limited to 250.

Women, who as fan designers and painters often took the lead in the making of fans, have always been admitted. The Livery is mixed, drawing its membership from persons interested in ladies' fans, from engineers and others concerned in making industrial fans and from those concerned

with our defence industries, armed forces of the Crown and thermal power and propulsion, especially jet engines, as the public will have noted from last year's Lord Mayor's show, when the Fan Makers had the highest (it marginally cleared the bridge over London Wall) and longest float, supporting a Rolls-Royce Trent aircraft engine and its generator with the fan blades gently ticking over, accompanied by smartly marching naval, army and air force cadets drawn by competition from all three cadet organisations supported by the Company. So the Company supports the Fan Museum in Greenwich which opened in 1988, the Chartered Institution of Building Services Engineers since its formation in 1976 and South Bank University dealing with air-conditioning and Cranfield University since 1953 dealing with gas turbine technology and aerospace propulsion, including its environmental concerns, as reflected by the Company's participation in the City of London's Clean Air programme.

ROLE OF THE GUILD OF FAN MAKERS

Fan Makers can claim great antiquity for their craft. The British Museum has



The Royal Autograph Fan. A small, plain folding fan of Chicken skin bearing signatures of various members of the Royal Family (including Queen Victoria and Queen Alexandra, King George VI and the Duke of Edinburgh, plus various royal ladies). The fan case is made from timbers from the old Guildhall, destroyed by enemy bombs in 1940.

an Egyptian Middle Kingdom wooden model of a fan dating to around 2000BC used in a cooking process. Fans were originally used for the movement of air. Flabella were in great demand in the Middle Ages as indeed were fans surmounting the helmets of suits of armour used to identify the wearer. Indeed the dragon's wing itself shown on the City of London's Coat of Arms was preceded by a helmet with a fan as appears on a City seal of 1539. In Tudor times Queen Elizabeth I from around 1558 onwards became a keen patroness of the art of fan making. An inventory shows that at one time she had 27 fans in her own collection. There was plenty of work for fan makers who came together in an informal guild with Royal patronage. They were joined at this time by the first tranche of Huguenot fan makers emigrating from France and the Netherlands. In 1550 Letters Patent had been issued promising some 7,000 immigrants protection and religious liberty. They settled just within or just beyond the Northern boundary of the City on the appropriate side of Fann Street which on its City side was partly within the Ward of Aldersgate and partly within the Ward of Cripplegate Without, with the cloth workers to the West and the Huguenot silk workers to the East. From 1660, when King Charles II was on the throne, both he and his Queen being very keen on music, receptions and dancing, which activities needed the use of fans, Huguenots were made very welcome in London, bringing with them great skills, style and extensive knowledge. They settled in an area which had French churches, a French hospital, a meeting place in Red Cross Street, a Non-Conformist chapel in Paul's Alley and French communities. More Huguenots came over with the repeal of the Edict of Nantes in 1685. The Guild had by now been properly set up with the aid of Jacob Chassereau

who had had experience of setting up a French counterpart in Paris. It lobbied Parliament for protection against foreign imports which led to a tax being imposed. The Guild looked after the needs of widows and widowers and the surprisingly large number of fan makers who had poor health. It set standards of fan making but had no power to control and regulate a trade which had a high artistic input. This was the



The Armorial Bearings of

THE WORSHIPFUL COMPANY OF FANMAKERS

main reason for the petition in 1708 for a Royal Charter of Incorporation according to the Solicitor-General's report. Queen Victoria revived the flagging fortunes of the Company with the Great Exhibition and a series of London Fan Exhibitions overseen by her fourth daughter Princess Louise. The Company produced six Lord Mayors between 1888 and 1945.

THE FAN MAKERS NORTHERN CITY WALK

This walk, which takes about three hours, starts at Newgate (the Old Bailey), goes North past the Fortune of War Tavern marking the boundary of the Great Fire to West Smithfield, East to Fann Street and then South

to the site of the Fan Makers' first Hall in Red Cross Street marked by a City of London blue plaque. Detailed particulars and information can be downloaded from the History Section of the website www.fanmakers.com maintained by the Fan Makers' webmaster. It covers St. Barts Hospital's Great Hall, Hogarth Staircase, Church and Museum, three Pories (St. Barts, St. Johns and Charterhouse), the Cloth Fair, Founders' Hall, the livestock market and place for executions, the West Smithfield Bars, the Order of St. John of Jerusalem's Gatehouse and Museum, Charterhouse, the Aldersgate Bars, the original Barbican, Fann Street, Shakespeare's Fortune Theatre, Bunhill Fields, the site of the Huguenot Hospital and the Peerless Pool, Silk Street, Cripplegate Church, the Barbican Terrace and the site of Fan Makers' first Hall in Red Cross Street (destroyed by enemy action in December 1940).

Mace:

Carried by the Beadle in front of the Master at all company occasions, the bamboo staff and orb could date from 1696. The silver fan was added in 1726 and embellished with the Company's coat of arms in 1759.



The Master's Badge: Designed and purchased by the Court in 1878.

THE FAN MAKERS HALLS

Neither the Guild nor the Company it seems has ever owned its own hall. It used for a meeting place part of the Library complex in Red Cross Street which was close to Fann Street and dined in various local hostelries. The 1709 Charter required the Company to have a Hall and the use of the building in Red Cross Street adapted for this purpose was recorded in a recital in the Ordinances formally adopted in 1711 and shown on detailed maps of the area. The Hall site, now occupied by Defoe House, is marked by a City of London Blue Plaque. The Company then acquired firstly a short term lease of St. Dionis Hall in Lime Street, which following the demolition of St. Dionis Back Church, named after St. Dionysius an Athenian Areopogite, was ripe for redevelopment, from 1941 to 1951, and secondly a lease for 40 years of St. Botolphs Hall in Bishopsgate. In 1992 the Company was generously granted a 25 year lease of Skinners' Hall and parts of its complex at 8 Dowgate Hill and at the kind suggestion of the Skinners' Company took up in 2008 a lease of premises at 9 Dowgate Hill, a Grade I listed building, which were formally opened in the April of the Tercentenary Year by HRH The Duchess of Gloucester, comprising a splendid Committee Room overlooking the Courtyard with offices for the Learned Clerk (a barrister), Beadle, Archivist and researchers with wine cellar and kitchen to support receptions and meetings held on the Ground Floor.

THE FAN MAKERS COAT OF ARMS

Unauthorised versions of the Company's arms have been used for centuries. The Beadle's Guild staff dated 1696, the gift of John Arthur, had a silver fan added to it in 1726 which was then embellished in 1759 with a version of the arms of the Company which included young

boy supporters holding open fans with decorative flower vases next to them. The position was regularised in 1991 with the grant of Letters Patent. The blazon is as follows: "Or a fan displayed with a mount of various devices and colours the sticks glues on a chief per pale Gules and Azure dexter a shaving iron over a bundle of fan sticks tied together Or and sinister a framed saw in pale gold and for the crest upon a Helm with a wreath Or and Gules a dexter hand couped below the wrist proper holding a fan displayed Or". The arms reflect the activities and division of labour. Above the significant motto "Arts and Trade united" is a fine painted fan, the artistic product usually of the wife in the family. Above that are the husband stick maker's tools and materials, a bundle of fan sticks, a framed saw and a shaving iron. The helm supporting the crest comprising a displayed fan reflects the important use of fans in communication. The child supporters, had they been included, would have indicated the part they played in running errands and advertising products. It was very much a family business.

THE FAN MAKERS AIMS AND OBJECTIVES

At the opening of the Tercentenary Year the Court of the Fan Makers processed to the London Stone (opposite Cannon Street Station). The Tercentenary Master publically declared, having struck the Stone's housing twice with the Beadle's staff, that, in summary, the main aim of the Company was to be the acknowledged repository of fan enthusiasm and expertise with regard to antique and modern ladies' fans, air conditioning fans, aviation and aerospace fans and Armed Forces' fans. and that the main objectives were to support HM The Queen, the Royal Family, the Lord Mayor of London, the Sheriffs and the City Corporation; to play a full part



Professor Salter as Master, presenting a fan to the Lady Mayoress

in the promotion of the status of the City of London; to pursue charitable objectives especially in promoting The Fan Museum, caring for treasures and developing educational objectives; and to promote the highly important modern fan industry. Last year's Rolls-Royce lecture given by a Liveryman and former Chairman Sir Ralph Robins was very well received at a time when the City needed good news. The full text of the aims and objectives adopted by the Court in October 2008 can be found in www.fanmakers.com under the heading "Company's Aims and Objectives". These include interaction with other Livery Companies and the Tercentenary Master is delighted to be a current member of the Court of Assistants of the City of London Solicitors' Company. At the end of the Fan Makers' Tercentenary Year the Court processed to the front of the Mansion House which was temporarily closed to traffic, to drink a toast to The Queen asking for good health and a long life and to the Lord Mayor, Lady Mayoress and the City Corporation, thanking them for the enormous support given to the Company over the year, which had included many events, including a Service of Thanksgiving in St. Pauls, a celebration luncheon in the Guildhall and an all-night fancy dress party at Drapers' Hall.

Law firms embrace cloud recruiting

Change in the recruitment sector has been fast and furious in recent years. Advancements in telecommunications, IT and broadband mean that most people can access the internet at home, work and on the move which has led to better informed, connected and researched job seekers.

Law firms, legal employers and legal recruiters have had to embrace the year on year increase of internet usage, and adapt to social networking and digital media. We have seen the introduction of individual recruiter websites, job boards and online recruitment services and simultaneously we have seen the growth of online social and professional networks which have encouraged more people online.

Law firms, such as Slaughter and May and Shearman & Sterling are beginning to list their profiles on facebook to promote their business online, especially to the graduate marketplace. It is not just graduates using facebook though as the 30-35 year old group is one of the fastest growing demographics. Professional networking sites such as LinkedIn are also gaining traction within the legal services sector.

According to a Nielsen report Social Media Networks and Blogs consume nearly 25% of people's time online. We are starting to see people taking their career management into their own hands by using all resources available to them. A recent survey by Twosteps.com found that while a significant number still use recruiters, 81% also look to online job sites. 65% of survey respondents also said they would rather correspond directly with employers rather than recruiters.

We are now seeing a new breed of recruitment tool as cloud computing combines with talent banking and e-recruitment software. Cloud computing means 'Internet-based computing', whereby shared resources, e-mail, software and information are provided to computers and other devices via the internet. Now the concept is more readily being adopted for recruitment.

The advantage of cloud computing is that data does not need to be held on a business's own servers and is held effectively 'in the cloud' by a third party, not only saving on software and hardware expense but also on the human cost of managing that. It can be seen as another form of outsourcing.

Cloud recruiting is being embraced by law firms across the board, from global law firm Allen & Overy to national firms such as Shoosmiths and 'offshore' firms such as Carey Olsen. We are seeing just as much demand from single office boutiques who want their recruitment systems managed entirely in the cloud. The concept being led by twosteps is also gaining momentum in Australia where employers are embracing the technology both in the corporate and professional services world with clients such as Mallesons, KPMG and Telstra.

Twosteps is a recruiter-free site and using cloud recruitment reduces recruitment costs significantly, there are no fees and recruitment management can be done electronically with human interaction at the critical stages. The key is providing candidates who are relevant and suitable for employers, in a secure controlled environment where privacy and confidentiality are paramount. Cloud recruitment allows employers to talk to and nurture potential recruits a long time before a job becomes available, something that traditional recruiters cannot do.

There is still a place for recruiters as it is unlikely a law firm will recruit their next partner from a website or talent bank as these positions require a much personal touch but we will see a dramatic rise in the number of law firms getting directly involved in the recruitment of associates by using centralised cloud recruiting platforms.

Edward Andrew is a former lawyer and head-hunter. He is also the CEO and Founder of Twosteps, a web-based job board, talent bank and recruitment management solution.



Edward Andrew,
Chief Executive, Twosteps





Michael Webster,
Liveryman

Diversity and the Profession

Like other professional service industries, the legal sector is experiencing a period of radical change with the introduction of new business models such as alternative business structures, cuts in legal aid and the ever increasing client demands in the midst of a potential double dip recession. However, the pace of change within the profession has not been matched by a significant change in the racial and gender composition of law firms, especially at the higher level of senior associate and above.

The slow progress of change in the demographic composition of law firms has not gone unnoticed by the Regulators, who, as part of their statutory duty under the Race Relations (Amendment) Act 2000, have clear public sector duties to promote equality of opportunity. A relatively new, but nonetheless, important stakeholder within this area is the Legal Services Board (LSB), which was created, (pursuant to The Legal Services Act 2007) to oversee the activities of the regulators of the legal profession. As part of its policy of reform and modernisation, the LSB is about to embark upon a wide-ranging consultation on diversity within the legal profession.

In 2009, the LSB established the Diversity Forum of Professional Regulators, comprising of a number of representative groups and Regulators, including the Law Society, Solicitors Regulation Authority, Bar Council, Institute of Legal Executives and the City of London Law Society. The

purpose of the forum is to assess the diversity initiatives and policies of the legal sector and to provide an industry-wide framework to promote the access and retention of a diverse workforce, that is more reflective of society.

In June 2010, the forum agreed that it would develop a consistent and comprehensive framework for the gathering and publishing of data about diversity and social mobility at entity (i.e. firms and chambers) level, particularly in relation to access and retention within the profession. The framework would be issued to the Approved Regulators under section 162 of the Legal Services Act.

The purpose of the guidance would be to build upon the collection of data through various organisations, such as the Bar Standard Board, The Law Society (Equality and Diversity Charter) and the

Black Solicitors' Network (Diversity League Table). The objective behind the framework will be to put the onus on the entity to collect and publish data.

The Regulators recognise that the collection of data is only the beginning and not the end of the process for retaining a more demographically representative workforce. Whilst law firms have displayed a willingness to be more accessible to a wider pool of candidates from non-traditional backgrounds, the high attrition rates of diverse lawyers remains problematic for many firms.

The continued slow pace in change strongly suggests that the legal profession will not achieve the LSB's policy goal of attaining a sustainable diverse workforce for several decades and therefore, more dramatic interventions may be required to ensure a step change in the demography of the workforce within the next decade.

A key driver for change would be for firms to set their own internal targets for recruitment of lawyers from non-traditional backgrounds. Whilst many firms have adopted a wide range of diversity initiatives to boost their recruitment of diverse lawyers, how many initiatives are supported by measurable targets that critically evaluate successful outcomes? The Equality and Human Rights Commission (EHRC) in its report (A new contract with the public page 26 July 2008) stated "a positive action

is a useful and necessary tool, where under-representation is proved, and the reasons for it are understood; the organisation has a good reason for wanting to accelerate change; the candidates who are targeted clearly have the necessary ability and talent (which the organisation concerned will want to be sure of too); and positive action is used as well as (not instead of) fair recruitment and management procedures in an organisation (for example, under-representative groups are not subject to harassment). If we are not to wait decades to see organisations that look more like the community they serve then we need to measure the positive action".

**“All the people like
us are we, and
everyone else is They.”**

Rudyard Kipling

Many studies have showed that customary methods of recruitment, such as milk-rounds at a narrow band of universities or the automatic rejection of candidates for failing to achieve particular grades at 'A' Level does not provide an effective assessment of the key attributes required to become a successful lawyer. Unsurprisingly, such methods have frequently cited as an obstruction to applicants from non-traditional backgrounds breaking through. Recruitment partners and HR managers have to adopt a more proactive approach to underline their commitment to diversity, and

ensure that over an extended period, law firms are able to attract the best candidates, including those from a non-traditional background. Innovation and creativity in recruitment does not lead to a reduction in the quality of candidates, but in time will unearth excellent lawyers who would otherwise be missed.

As well as improving their recruitment policies, firms must adopt a new approach to assimilating individuals from different backgrounds and learn to regard cultural differences as positive. The idea that one can recruit a Black or Asian lawyer who walks and talks like an Anglo-Saxon is no longer acceptable. At the Minorities Lawyers Conference in London 2005 an Asian partner at a prominent City firm commented that "if I spoke in a darkened room no-one would realise that I was from an ethnic minority background as in all respects apart from my colour I am similar to my peers from Oxbridge and have a middle class accent". The LSB's stated policy of presiding over a more accessible profession is laudable – no doubt, a little assistance from us all would help to transform an ambition into a reality.

A draft guideline for a framework for publishing diversity data will be published by the LSB for consultation in the autumn.



Past Master Michael
Mathews, Almoner

The Company's Charitable Fund

I am sometimes asked what is my function as the Company's Almoner.

Perhaps I should start by saying what I do not do. It is no part of my duties to seek out distressed liverymen or freemen or their dependents with a view to providing them with assistance, financial or otherwise. The Solicitors Benevolent Fund does that far better than I or anyone else in the Company could, and it has far more resources.

As the title might suggest, the Almoner's duties do relate to the Company's Charitable Fund. The Company, like all other Livery Companies, has a Charitable Fund. Some of the ancient Livery Companies have charitable funds worth many million pounds. Ours, unfortunately, is very much more modest. Its value as at 31 December 2009, the date of its most recent audited accounts was £325,000. The Fund is invested in a spread of equities (mainly investment trusts) and fixed-interest securities. The investments are, of course, professionally managed, a process which is overseen by the Company's Investment Committee, of which the Almoner is an ex officio member.

It is the policy of the Court that grants should be made out of the Fund each year in an aggregate amount roughly equal to the income of the Fund in the previous year. For this purpose the income of the Fund is taken to include not only the income from its investments but also all donations made to the Fund, other than those expressly made with the intention of increasing the capital of the Fund. I should, perhaps, mention that in most years the Court authorises a modest donation to the capital of the Fund out of the Company's surplus for the year. Last year the Fund's income was £25,000, of which £12,500 was derived from donations from members.

Grants from the Fund are made to other charities and the Court has laid down

guidelines for the types of charities which should be considered for grants. In essence to fall within the guidelines a charity must be connected either with the City or the law, but both of these have been given very broad definitions. Thus City charities, for this purpose, includes not only charities in the geographical City of London but also charities expressly supported by the Lord Mayor or the City Corporation, and by extension of this, charities within the Boroughs surrounding the City, with, in practice, particular emphasis on those to the East and South of the City. The law includes not only lawyers and things that lawyers do but also things or people that are affected or connected with such things, such as, for example, prisoners.

Decisions regarding which charities should receive grants from the Fund are made by the Court. There are a number of charities which receive regular grants each year. It is part of my duty as Almoner to remind the Court to consider the composition of this list each year. At present this list consists of the following charities:

- The Lord Mayor's Charity of the year
- The Solicitors Benevolent Association
- The Sheriffs' and Recorder's Fund
- The Royal British Legion
- The Tower of London Choral Foundation
- The Company's Prize
- The United Guilds Service

The reason for the inclusion of most of these is self-evident but I should perhaps

mention that the Royal British Legion is included because each year the Master, along with the Masters of other Companies, plants a cross at a Service of Remembrance held in the churchyard of St. Paul's Cathedral, and the Choral Foundation supports the choir which sings so beautifully at our Annual Guild Service each year.

The balance of the amount available is used to make one-off grants. It is the Master's privilege to nominate one charity to receive such a grant and it is my duty, as Almoner, to make recommendations to the Court for the others. Each year the Clerk receives applications for grants which fill two box files. I go through

all of these, first with a view to rejecting all those which do not fall within the Court's guidelines, and then to select from those remaining the ones to be recommended to the Court. It is my practice to produce a list of recommendations which will use all the money available, but also to include a reserve list in case the Court should be of the view that one or more of those should be preferred to any of those on my recommended list. I then write a paper for the Court listing my recommendations and reserves with a brief description of each of the charities concerned.

I cannot claim that the position of Almoner is very onerous, although it does sometimes involve making

some hard decisions given the small amount of the money available. It is nevertheless interesting and it certainly helps keep one aware of the considerable amount of vital work being done by many many charities around the country.

Should any member of the Company, or indeed anyone else, who is not presently contributing to the Company's Charitable Fund wish to do so, the Clerk can provide standing order and/or gift aid forms. I would encourage all members of the Company to contribute and also to bear the Fund in mind for a legacy when making their Wills.

By Hook or By Crook Sheep Drive

London Bridge, Friday 19 November 2010

9.30am - 3.30 pm

brought to you by British Red Cross Woolly Productions

Lady Brewer, President for London Area, and Sir Nicholas Young, Chief Executive of the British Red Cross, and Freeman of the City of London, invite all Freemen to exercise your right to drive sheep over London Bridge and in doing so to be fleeced in support of the vital work of the British Red Cross.

Please note that for the purposes of safety participants will be herding a rare breed of sheep 'stufftus onwheeleria lifesizium', indigenous to urban areas of the UK and specialist model shops!

The entrance fee is £15 and we will ask all participants to raise a minimum of £50 in sponsorship. Please register online at www.redcross.org.uk/sheepdrive

With regret, anyone who isn't a Freeman of the City of London is baaa'd from this event.

The By Hook or By Crook Sheep Drivers Reception will be held from 4.15-6pm at Clarkson's, Lower Thames Street. Tickets for the reception are available at £20 per head. Purchase online www.redcross.org.uk/sheepdrive

Please contact Kate Crandon with any enquires sheepdrive@redcross.org.uk 020 7382 4658





Ronnie Fox,
Past Master,
Motoring Correspondent

Fox Tries Bespoke

Timothy Everest is one of England's leading tailors. One way of buying a Timothy Everest suit is by going to Marks and Spencer where you will find a range of ready-made suits designed by him. They are excellent value. For an additional charge a tailor can make minor adjustments such as lengthening trousers or taking in a jacket. Or by going to Timothy Everest's workshops, you can pay ten times the price to buy a suit genuinely made-to-measure in the traditional Savile Row manner.

The cars which I have been driving recently exemplify two different approaches to building a fast and exclusive car designed to fit the personal requirements of the discerning driver. Mercedes is one of the world's largest motor manufacturers. They make the tiny two-seater Smart, the luxury Maybach and enormous trucks. One of their most popular cars is the long-running E-class, a car which in diesel form is used as a taxi by thousands of people around the world every single day. The E-class is also the basis of the E55, a genuine 4-seater supercar.

Developed by AMG in partnership with Mercedes, the E55 I drove had a 470 bhp V8 engine with uprated brakes, suspension and exhaust system to match. Capable of astonishing acceleration and cruising at twice the legal limit, the car was perfectly comfortable crawling along Cornhill (will the timing of the traffic lights at

Bank ever be sorted out?) with no sign of overheating.

Leather and wood trim is to a very high standard. The active seats are amongst the most comfortable I have experienced. Active seats? The front seats react to the angle at which the car

leans when cornering to support the occupant. The effect is very reassuring.

Active seating is one of a seemingly endless list of expensive options. It is possible for the original owner to spend

considerable sums specifying equipment to make his car one of a kind. The E55 is a brutally fast, expensive car (even more so the latest E63 AMG with 525 bhp). Though many purchasers keep the car for less than a year. That's often the length of time it takes an owner to collect enough points for speeding to lose his licence.

I am grateful to Charles Cox for allowing me to drive his E55. As his number plate announces, Charles is a Professional Indemnity Insurance Broker.

The Bristol Blenheim 3 is a very different cup of tea. Produced in tiny numbers the Bristol is largely hand-built in Filton by the same company that built the Bristol Blenheim light bomber flown extensively in World War II. The car is built to individual order in the traditional way and trimmed in the finest leather, Wilton carpet and polished walnut. In accordance with long-established Bristol custom, the spare wheel lives behind one front wing and the battery is housed behind the other. The engine is a 5.9 litre V8 built by Chrysler. The coachwork is a timeless 2 door, 4 seater design. Paintwork and panel fit are perfect.

The Blenheim is a car for a Gentleman of taste. Fast and comfortable, the car has excellent road holding. The power steering gives good feedback. Even the beat of the engine, always audible whether at speed or in the City, is deeply satisfying. There are no Bristol dealers or distributors: The car is sold directly through the manufacturer's one showroom in Kensington. Customer care is legendary. Many owners grow to love the recognition which the car commands. Motoring enthusiasts who have the means to buy any car in the world often choose the quiet understatement associated with a Bristol. Naturally this has a price: a little more than £165,000 for a new car, approximately double the cost of a new Mercedes E63.

For those who only wear Savile Row suits, the choice is clear.

