



Welcome to our March *Ewire*

We like to keep you up to date with ideas and information that will help you gain the maximum advantage from working with us.

Our *Ewires* will be sent to you regularly to keep you in touch with the latest legal news and we hope you will find these bulletins interesting.

If you would like further information on any of the issues reported in this *Ewire*, please [contact us](#).

We operate a responsible email policy at Silverman Sherliker LLP Solicitors, so if you do not wish to receive further copies of our *Ewire*, please [click here](#) to unsubscribe.

This month's guest features come from DynaRisk's Andrew Martin, who warns of the dangers of weak workplace cyber security and from Rosalind Sedacca, who stresses the importance of a child-focused approach for couples going through a divorce.

In this edition, we consider mediation as a way of preventing litigation, company directors' obligations and fiduciary duties and how Family Court financial remedies applications are best conducted.

We examine settlement of litigation outside court, spotlight potential employment law conflicts of interest and give a summary of our own March Employment Law seminar.



Why mediation can sometimes prove the smartest option in legal disputes

Any lawyer can litigate, but the real worth of a legal practitioner is measured in use of expertise and experience in identifying a problem - and its potential solutions. The ability to effectively represent clients at mediation is highly valuable and constitutes a key skill every accomplished dispute resolution lawyer requires in their repertoire. Most Dispute Resolution lawyers are now very familiar with mediation.

[Read more](#)



Obligations of company directors

A recent case demonstrates that, even where the board of directors is acting within its power, it is still subject to the 'proper purpose' rule, writes Jonathan Silverman.

[Read more](#)

A matter of conduct.... and avoiding the wrath of the Family Court in financial remedies proceedings

'But he has had numerous affairs...' pleads a wife to her solicitor 'surely that should be taken into account when we separate?'

The Family Court does not consider marital infidelity a relevant factor in Financial Remedies Proceedings on Divorce, so will not penalise a spouse when considering a fair post-divorce settlement.

[Read more](#)



STOP PRESS! Family Law update by Stala Charalambous

Guidance on the practice and procedure to be followed in Family Proceedings in the Family Court and High Court is set out in The Family Procedure Rules 2010. These are to be amended from 6th April 2016. Amendments include, for example, a provision that 'where a court is considering whether to exercise the power to strike out a statement of case, it must take into account any written evidence filed in relation to the application or answer'.

[Read more](#)

Property Law: When and how to serve a Section 21 Notice seeking possession of a short term residential tenancy

A Section 21 notice is a legal document requiring possession of a residential property rented by tenants, which is used to terminate a fixed term Assured Shorthold Tenancy (AST) or a periodic tenancy. Evicting tenants can be a long and complex process and a Section 21 notice is the very first step, so ensuring correct drafting and service is paramount. Trainee solicitor Pooja Verma outlines below just a few points that need to be taken into consideration.

[Read more](#)



Settlement outside court – Part 36 Offers

Trainee solicitor Hollie East considers the recent High Court decision in *Jockey Club Racecourse Limited v Willmott Dixon Construction Limited* [2016] EWHC 167 (TCC) and its impact on Part 36 settlement offers.

[Read more](#)

Employment law corner

Beware the influence of HR Officers!

Human Resources (HR) officers who influence the investigation of disciplinary proceedings need to be careful – this action may result in the dismissal being considered unfair, as was found in the Employment Appeal Tribunal case of *Ramphal v Department for Transport*.

[Read more](#)



Silverman Sherliker employment seminar: summary and further information

On Thursday 10 March Silverman Sherliker's employment team including Nicholas Lakeland, Martin Donoghue, Victoria Brockley



and Dilini Loku delivered an in-house seminar for the firm's clients about recent employment topics.

[Read more](#)

Cyber Risks Are on the Increase – Are You And Your Company Prepared?

In a guest feature, Andrew Martin of specialist cyber-security consultants DynaRisk, explains the latest risks, and steps to take to protect yourself.

The digital threat landscape continues to grow with attacks against individuals and companies on the rise.

[Read more](#)



Communicate well with your children – To Ensure a better divorce outcome

Rosalind Sedacca, U.S.-based internationally-known author and relationship expert, provides advice on a child-focused approach for couples going through a divorce.

[Read more](#)

What's on your mind?

Is there any particular topic or area of law (business, private client or family matters) that you would like to see us focus on in a future edition of *Ewire*?

Please contact the Editor, Robert MacGinn, with your requests and suggestions on: rm@silvermansherliker.co.uk.



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