

From: Legal Dept
Sent: Tuesday, May 16, 2023 5:05 PM
To: Joel Combes; Nona Bowkis
Subject: Breach of the Courts and Legal Services Act 2007

Dear Sirs,

Re. Breach of the Courts and Legal Services Act 2007

We write further to the recent case of *Baxter v Doble & Anor* [2023] EWHC 486 (KB) (attached), and your continued provision of reserved legal activities contrary to the Legal Services Act 2007.

As you will note from the recent case of *Baxter v Doble*, the definition of a reserved legal activity, such as the conduct of litigation, is now defined in such a way that

“...the court should look at the entirety of the activities undertaken... and then decide whether, taken in the round, they amount to the conduct of litigation. To do otherwise would be to lose sight of the context in which things are being done, and would lead to the risk of a misleading impression being gained.” ^{[1][2]}

Indeed, we refer you to paragraphs 208 to 213 of the Judgment which clearly sets out the broad interpretation that the Courts are now taking in relation to the meaning of “the conduct of litigation”.

It is therefore clear that any Company or individual which is unregulated by the Solicitors’ Regulatory Authority (SRA) or the Bar Standards Board (BSB) and which is found to be providing litigation services is henceforth deemed to be involved in the conduct of litigation and is therefore in breach of the Courts and Legal Services Act 2007 which breach is a criminal offence.

This includes such activity as advising in the background businesses and/or individuals on litigation matters, drafting proceedings and taking any steps in relation to procedural matters. The Judgment makes it clear that it is no longer acceptable for unregulated Companies to effectively be doing the work of authorised legal bodies, and the practice of trying to circumvent the rules by putting the customers name on all litigation documents is now prohibited.

Importantly, it is also a contempt of Court and a criminal offence for any Company or individual to be found to be deliberately conducting litigation knowing that it should not. See paragraph 223 to 228 of the Judgment.

We note from the website for Lawgistics Ltd. that you continue to offer a casework service to your silver and gold subscribers. We also note that from 15 May you offer

“..any member who finds themselves in court will have the option of transferring their case to our new company, Lawgistics Litigation for the Motor Trade CIC.”

and that,

“Members will now confidently enjoy the enhanced benefits of a fully managed court case, mirroring the services of high street solicitors”

As you are continuing to advertise the provision of litigation activities, we are concerned to note that according to the register maintained by the Solicitors Regulation Authority neither Lawgistics Ltd (SRA

No 656748), nor Lawgistics Litigation for the Motor Trade CIC (SRA No 8004453) are regulated by an approved regulator for legal services.

Since Lawgistics Ltd. and Lawgistics Litigation for the Motor Trade (CIC) are unregulated, the above statements are therefore factually incorrect and highly misleading and are therefore in breach of the ASA advertising codes.

Furthermore, as both Companies are currently offering reserved legal activities to companies and/or individuals they are also in clear breach of the Courts and Legal Services Act 2007 and are committing a criminal offence and must immediately cease to offer or to provide such service.

Indeed, at present the Lawgistics entities and the individuals and the directors and employees of each entity are in contempt of court following the Judgment of Baxter and Doble.

We also note in passing that any regulated individual employed by either company (ie Ms Bowkis and [REDACTED]) would also be open to disciplinary action should they be offering reserved legal activities unless a valid exemption applies.

We therefore formally request that you confirm by return that you will comply with the Judgment of Baxter and Doble and cease to offer litigation services to the public. Further, we invite you to correct any advertising and cease all regulated activities.

Should we not receive a satisfactory response, we reserve the right to raise a formal complaint regarding your conduct with the Police in relation to a breach of the Courts and Legal Services Act 2007 and contempt of Court. We will also raise the issue with the SRA.

We sincerely hope that this is not necessary and await your response.

Yours faithfully



Commercial Department

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^{[1][1]} Mr Justice Cavanagh; Baxter v Doble & Anor [2023] EWHC 486 (KB), para 208