

November 2011

THE RED LETTER

By Claudia Shan

Welcome to the Red Letter, with information about legal developments in Guernsey and in AO Hall's specialist areas of [corporate](#), [dispute resolution](#), [employment](#), [fiduciary](#) and [intellectual property](#).

MY NEWS

For those of you who don't know me, I was recruited to assist Paul with trust matters and I have been here for three months now. I would like to take this opportunity to thank Paul and the other AO Hall staff who have been very supportive and have made me feel very welcome.

There has been a steady flow of both non-contentious and contentious trust matters. We also continue to receive quite a few instructions on both local and international pensions matters.

On a personal note I have returned from a short but relaxing holiday in Madeira. It is a beautiful island filled with subtropical plants. We feasted on fresh fish, prawns and the local produce (including papayas and watermelons). We spent most of our days on Calheta beach and the marina. We also spent one day in Funchal which included a visit to the beautiful Jardim Botanico.

Readers will know from a previous issue how much Paul loves his plants, so if we ever get bored of talking about trusts, we'll run a conference on subtropical gardens instead!

OUR NEWS

Legal 500 Rankings 2011: I am delighted to announce that AO HALL has received outstanding peer recognition in the newly published Legal 500. Legal 500 is one of the legal profession's leading directories, and it has endorsed the firm across all disciplines and recognised all four partners and the two group partners for their expertise.

The firm retained its top tier ranking for employment and is described as *'service and delivery orientated. It walks the walk, and the team shares the passion and ethos of the firm.'* Louise was said to stand out for her work on non-contentious matters.

In what is now a highly competitive market, we did very well to move up to second tier ranking in dispute resolution. Alison is described as *'highly intelligent and a joy to work with'* and Jon was said to be *'thorough'*. Elaine was recognised for her commercial, trust and employment litigation expertise and her *'robust'* IP practice was also singled out. Paul's recent appointment as group partner was also highlighted, as was his status as a trust and pensions expert.

Finally, our corporate team, headed by Sam, received recognition for the first time, attaining third tier ranking for commercial and banking work while at the same time continuing to be recognised for its investment funds work. Again, given the competition, we are very pleased with that.



ARTICLES...

Non-Guernsey Funds are Welcome Click [here](#) to read Stephen's article on Guernsey's regulatory regime for funds established outside Guernsey which wish to access the services of Guernsey service providers.

To Mediate or Arbitrate? Click [here](#) to read Tracey's article on alternative dispute resolution.

COMMUNITY...

Nikki and Dawn signed up in September 2010 for a 10,000 ft tandem parachute jump for charity. The year flew by and D-Day arrived on 7 September 2011. The weather was not at its best, with a force 5 wind and cloudy skies, however they were both strapped to a qualified instructor and made the jump successfully. Nikki conquered her fear of heights and flying in one go and Dawn said she thoroughly enjoyed the experience. Both have said that they would do the jump again. So far they have raised £1,500 for the Guernsey Society for Cancer Relief and Les Bourgs Hospice. Please click [here](#), [here](#) and [here](#) to see the action shots. If you would like to donate, please contact Dawn on 723723.

AO Hall Donkey - "Annie"

Unfortunately we were not successful in our bid for Annie, however we understand that she has gone to a good home. Click [here](#) to see her with my daughter Gemma.

Richard Stapley

Achievements! July saw Richard compete in a full ironman held in Austria, he finished in 10hrs 12 mins and raised approx £3,000 for HOPE for Guernsey. September saw Richard compete in the Tristar Monaco triathlon finishing 106 out of approx 1000. Finally, Richard was 3rd overall and 1st Veteran in the local Granite Man half ironman competition.

LIGHT RELIEF...

"Eats, Shoots and Leaves" was written by Lynne Truss. Well done to the two people who got the answer correct in a very short time.

we are very pleased with that.

Managing Stress: Responsibility for identifying employees suffering with stress lies with managers.

The many delegates attending our third annual employment conference, organised in association with the GTA University Centre, learned the importance of giving managers the tools necessary to identify staff who are suffering with signs of stress.

They also saw Louise join Elaine, Rachael and Kim in acting out scenes where an employee (Paul) was put under increasing pressure at work, became ill, and was signed off with work related stress just before he was due to attend a disciplinary hearing. Audience participation was encouraged throughout, as the lawyers led interactive discussions focusing on how employers should deal with such a situation, and delegates in the back row were at one point forced to take immediate evasive action to avoid the stress ball hurled forcibly from the stage by Paul, at the height of his predicament. We were joined by Dr Bob Gallagher from Queen's Road Medical Practice, who has a particular interest in Occupational Health issues.

The conference was very well attended, and Paul has now thankfully enjoyed a full recovery!

New Arrival: On a more personal note, we are delighted to announce the arrival of Annabelle Ellen Johnstone Shires on Monday 24 October weighing in at 7lbs, a beautiful daughter for Sam and Tania. Mother and baby doing well. Hugo is delighted with a sister.

10th Annual International Trust Congress 2011: Paul Buckle will be speaking at this Seminar to be held in London on 6th and 7th December 2011. To reserve your place and to receive a 20% discount please click [here](#).

I hope the rugby fans amongst you have been able to keep up with all the Rugby World Cup fixtures. I came across the following joke recently:

The club president, coach, a prop and a winger are taking a charter flight to the World Cup finals when the engines cut out.

The pilot enters the passenger compartment and says, "We're going down. There's only four parachutes! Since I'm the pilot I'm taking one," and then jumps from the plane.

The coach says, "Without me the team won't have a chance, so I'm taking one," and he jumps out.

The winger says, "I'm the fastest and smartest man on the pitch and without me the team can't win a game, so I'm taking one," and he jumps out of the plane.

The club president looks at the prop and says, "You take the last parachute. The team needs you more than it needs me". The prop responds, "We both can take a parachute. The smartest man on the pitch just jumped out of the plane with my kit bag on his back."

GUERNSEY NEWS

Freedom of Information Discussion Paper: The States of Guernsey has published a Freedom of Information discussion paper setting a potential direction for the States to increase the openness and accountability of Guernsey's public bodies. The discussion paper is to inform a more detailed States Report for debate by the States. Click [here](#) to view the paper.

Guidance on "Tipping Off": Her Majesty's Procureur has issued limited guidance on prosecutions for the offence of tipping off under the anti-money laundering legislation in Guernsey. A copy of the guidance can be found [here](#).

Further Restrictive Measures against Syria and Libya: In view of the situation in Syria and Libya, the States of Guernsey has adopted further restrictive measures against certain persons, entities and bodies and has requested all financial institutions and other bodies to check their records to ensure they comply. Click [here](#) and [here](#) to see more details.

New Tax Information Agreements ("TIEAs") for Guernsey: The States of Guernsey has signed TIEAs with [Slovenia](#), the [Czech Republic](#) and the [Bahamas](#), and is set to conclude a further six bilateral TIEAs with Botswana, Lesotho, Malawi, Seychelles, Swaziland and Zambia. For more information click [here](#).

Thanks for reading my Red Letter. Feel free to contact me with any questions or comments on the contact details below or at info@aohall.com.

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