



From the President

Dear Members,

It is an honour to have been appointed as the Society's President for 2009/10. We enjoyed a splendid AGM and Reception at Bishopthorpe Palace, by courtesy of the Archbishop. I would encourage any members who have not previously attended the President's Receptions to do so, as they are very pleasant, sociable occasions.

The Society exists, of course, for the benefit of its members and I am already encouraging firms which are not represented at all or who are not well represented to consider whether or not they can promote membership among the solicitors within their organisations. The website is interesting and worthy of a look; the courses which are arranged at the College of Law are of very high quality; we seek to ensure that they are relevant and they provide CPD points with minimum time travelling away or missing from the office. I would encourage members to take advantage of them.

There is a further opportunity afforded by our new website which is to use the Situations Vacant facility. To announce a vacancy you simply need to contact our very able administrator, Kathryn Cripwell via her email address kcyls@tiscali.co.uk.

I mentioned in my brief address at Bishopthorpe the concerns caused to the public at large by the failings of some elevated and prominent members of the banking profession (industry?), closely followed by the perhaps now over-publicised shortcomings of the members of both Houses of Parliament. Rather than allowing the profession to feel some complacency, I encouraged those present to reflect on our own profession's integrity. We must fight hard to preserve that.

As to the Summer, there is a cricket match planned with the accountants' professional body and further social activities will be publicised in the newsletters. We are well advanced with our plans for the Annual Dinner at the Merchant Adventurer's Hall on 20 November. Tickets are going to be made available by the new dinner secretary in due course.

If any member wishes to raise a matter of concern or interest or topic for debate at the council meetings then I should be very pleased if they made contact with me either directly or via Kathryn Cripwell.

Andrew Faulkes



Outgoing President, Peter Hannam (left), with Andrew Faulkes



The President's Reception at Bishopthorpe Palace

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The Annual Dinner - 20th November 2009

This year's Annual Dinner will be held on Friday, 20th November, where the President of the Society's principal guest speaker will be Charles Taylor, Barrister and Head of Chambers based in Chichester. Mr Taylor is a specialist civil practitioner renowned for his robust and tenacious approach to all cases. He has vast experience in difficult commercial, personal injury and clinical negligence work and has enjoyed notable success in a string of high profile cases.

Once again, the Dinner will be held at the historic Merchant Adventurers' Hall, York, in the presence of the Lord Mayor and the Sheriff of York, together with the President's other guests from the professional community.

Dress is black tie and a drinks reception will commence at 7.15pm, with dinner at 7.45pm.

This event has always enjoyed great success and we hope members will once again show their support. Tickets will be on sale from September (price to be confirmed).

For further information, or to register your interest, please contact Georgia Bull, Honorary Dinner Secretary, at Ware & Kay LLP, Sentinel House, Peasholme Green, York YO1 7PP (georgia.bull@warekay.co.uk)

The Society would like to thank Lloyds TSB Agriculture and Lloyds TSB Commercial for their generous sponsorship of this event.



HAIR TESTS - TACKLING THE ROOT OF THE PROBLEM



Avi Lasarow, managing director of London-based Trimega Laboratories

Hundreds of thousands of hair tests are performed every year throughout the world by a small number of forensic toxicology laboratories to identify drug and alcohol misuse. Although this is a field not without its controversy, hair drug testing results are widely accepted in criminal and civil courts. Most hair tests outside the UK involve pre-employment screening, especially for new hires in tightly-regulated industries such as casinos, banking and retailing. In the UK, however, the majority of hair tests are performed in support of divorce and child custody litigation and so typically requested by social services, family law specialists and by the courts themselves. Statistics on the total number of hair tests on parents that are requested by Social Services are not published but we estimate the figures to be between 5-6,000 a year for alcohol and slightly more for drugs, with around one-in-three testing positive to substance abuse. See 'UK Substance Abuse' Table below.

Other common applications include:

- Medical screening (rehabilitation and organ transplant programmes)
- Monitoring of babies born to suspected alcohol/drug-dependent mothers
- Insurance policy qualification and claims
- Rehabilitation of convicted drink/drug drivers
- Postmortem and criminal investigations
- Employment tribunals for professions such as nursing
- Random checks of safety-centric personnel such as military, police & aviation
- Anti-doping efforts of professional sports bodies – eg cycling and rugby



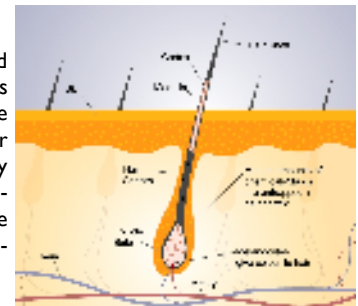
Avi Lasarow, Managing Director

Growth of Hair

The conventional approach to alcohol and drug testing involves taking blood or urine and submitting these liquid samples for forensic tests. However, even when accurate, these traditional tests only relate to recent consumption: approximately 24 hours in blood and approximately three to five days in urine. Furthermore addicts are more often than not in denial, embarrassed or simply lie when asked to self-report their substance abuse (we find, for example, that over half of heavy drinkers underestimate their consumption of alcohol). As such, it has long been acknowledged by the medical profession that a reliable test to detect alcohol and drug consumption is required and hair is fast-becoming their preferred method. Whilst hair testing is not intended to replace 'under the influence' impairment type tests taken at the time of a particular incident, its real value is in differentiating between social and excessive drinkers - or recreational and habitual drug users. Samples can be collected non-invasively and will provide an accurate record of any alcohol or drugs dependency over a three to 12 month period. From a practical point of view, hair is much easier to handle in the 'chain of custody' than blood or urine as it does not need to be stored under any special conditions. It also avoids the embarrassment of chaperones 'observing' urine collection. Plus, if a urine sample is in any doubt, it is always possible to take a fresh, identical hair sample and eliminate any false positives or false negatives. A significant breakthrough came earlier this year when Trimega Laboratories combined the two most common types of tests - known as FAEE (fatty acid ethyl esters) and EtG (ethyl glucuronide) - to provide 'Gold Standard' results for any case requiring unequivocal evidence. The same sample collection methods are used for both tests and so the combined test costs less than having two tests conducted in isolation.

How It Works

Since hair growth is fed by the bloodstream, the ingestion of drugs or excess alcohol in the blood is revealed by analysing chemical markers absorbed by the hair. As the hair grows, it absorbs these markers into its structure, which remain in the hair. These markers are only produced when there is alcohol or drugs in the bloodstream. The more markers there are, the more has been consumed. A tuft of hair about the diameter of a pencil is required and the industry standard is to test a length of 1.5 inches, which provides a 90 day history. If no head hair is available, body hair can be used instead. Samples must be taken by a trained collector on behalf of clients. Results are generally available in seven to 10 working days from receipt of the sample and can be provided in a standard 'Section 9' legal statement. This is accepted, if required, by all UK courts - although in some cases it may be necessary to also provide 'expert witness evidence' to support the results.



Free CPD Training

Over the last 12 months Trimega Laboratories has delivered more than 200 CPD courses in the UK, reaching a wide target audience of Magistrates, Barristers and Solicitors. The course content covers the evolution of alcohol and drug testing in blood through to the latest technology using hair and provides an in-depth understanding of the need for medical technology, particularly in child protection cases. Our training courses are delivered free-of-charge direct to your desktop for a 1-to-1 session. Face-to-face presentations for professional groups can also be arranged, such as earlier this year when Trimega Laboratories presented at the Family Justice Council Conference. For more information on our CPD course or for copies of a 24-page guide entitled 'Substance Misuse Testing', contact Trimega Laboratories on 0845 388 0124 / www.trimegalabs.com.

UK Substance Abuse Table

In the biggest study of its kind - and published here first - Trimega Laboratories has released the findings from over 1,500 hair alcohol tests and nearly 2,000 hair drug tests conducted throughout the UK over the past twelve months. It shows that donors from the North East are slightly above the norm for alcohol abuse. 37% of women and 40% of men in the study showed to be consistently above the alcohol misuse limit (7.5 units of alcohol per day) against a national average of 32% for women and 39% for men. The findings for drugs, however, paints a different picture... the 34% of North East men who supplied a positive sample is well below the 40% average but, at 46%, the proportion of women is well above the 36% average and second only to the London region.

UK Substance Abuse Table

% of POSITIVE ALCOHOL SAMPLES					% of POSITIVE DRUG SAMPLES				
REGION	M	F	Both	Rank	REGION	M	F	Both	Rank
Wales	48	40	44	1	London	50	49	50	1
West Midlands	37	45	42	2	SW	34	33	44	2+
NE	40	37	39	3	Wales	40	42	44	2+
NW	34	40	37	4	NE	34	40	38	4
SE	40	30	36	5	West Midlands	35	26	31	5
East Wales	30	32	34	6	East Wales	30	29	30	6
London	38	33	36	7	NI	30	31	31	7
SW	40	25	33	8	NW	34	38	36	8
TOTAL	38	32	36		TOTAL	40	38	37	

Source: Trimega Laboratories www.trimegalabs.com



Website

For those of you who haven't yet had opportunity to browse through our new website, please log onto www.yorkshirelawsociety.org.uk. Statistics show a good number of "hits" per month and we are keen to build on this success, so any contributions and suggestions will be gratefully received.

We are pleased to announce a further six month extension to the free advertising offer on our Situations Vacant page. This can be used by firms to advertise positions for all levels of staff.

We have also launched a website referral scheme in conjunction with our local website designer, Network 19, whereby YLS members will be offered a 10% discount for website design and construction, together with a free 2 hour on-site photography session. If your firm has been considering updating its website and is interested in looking into this offer, please follow the link on our website.

Law Society Update - Fiona Tatton, Regional Manager (Yorkshire)

Lord Hunt's Legal Regulation Review

Lord Hunt's Initial Response to Evidence has been published and is available to view on www.legalregulationreview.org.uk. Lord Hunt has commented "This document is intended to encapsulate my interim thoughts. Nothing is written in stone and between the time of publishing the Initial Response and the signing-off of the final report, which I expect will take place in the summer of 2009, I remain open to persuasion on all or any of the points that I make". Response was therefore invited from all members of the legal profession by 30th June. The YLS Council was considering the document, with a view to responding to Lord Hunt on behalf of the Society. Should members wish to contact the review team, please e-mail legalregulationreview@beachcroft.co.uk.

Judicial Appointments Commission

The Law Society is working with the Judicial Appointments Commission to put together a South Yorkshire based event. This is provisionally scheduled for September.

North East Legal Support Trust

The Access to Justice Foundation was established to receive and distribute monies raised under Section 194 of the Legal Services Act 2007 to help increase access for Pro Bono legal advice to those who need it most. These monies are distributed through various regional Legal Support Trusts. Yorkshire and the Humber falls into the North East Region. Support is being sought from across this area. Lindsay Ward from the College of Law in York will be contacting local Law Societies to look for support at a local level. In various areas, including Leeds, the legal community are gathering to host a walk to raise funds for pro bono projects. YLS members will be kept informed of any planned events.

Up and Coming Events

Professional Indemnity Insurance Session in Leeds—6th July 2009 (For further information visit <http://services.lawsociety.org.uk/events/node/50480>)
Law Management Section—Managing Partners Forum—7th July 2009. This is the second Law Management Section networking forum in Leeds and will comprise of a focussed meeting of leaders of Law Management Section member firms. The number of attendees will be limited to allow delegates to talk informally and freely about problems being faced by most, if not all, law firms in the region and to learn from each others experiences and ideas. Aimed at Managing Partners, Chief Executives, Finance Directors, Senior Partners. Speaker: Mark Philmore ACII, Chartered Insurance Broker and Director of MFL Professional. (For further information contact Fiona at fiona.tatton@lawsociety.org.uk.)

Excellence Awards

The Law Society's Excellence Award nominations are now open. Visit <http://services.lawsociety.org.uk/events/awards/excellence>.

Junior Lawyers' Division

The Junior Lawyers Division (JLD) was set up in 2008 following the merger of the Trainee Solicitors Group and the Young Solicitors Group to provide Junior Lawyers with support, advice, information and networking opportunities. The JLD also represent young lawyers' views through lobbying and campaigns both internationally and here in the UK.

The York JLD is run for the benefit of all junior lawyers in and around the York area, and we welcome anyone from across North Yorkshire including Wetherby, Harrogate, Selby and Malton. The latest social event was a curry night which took place on 25th June, and a drinks evening is being planned to take place in early Autumn (full details TBC).

The JLD represents paralegals, trainee solicitors and qualified solicitors with up to 5 years PQE. If you fall into any of these categories you are automatically a member of the JLD, but to ensure you are kept up to date of the events taking place in York make sure you are on our mailing list. To join the mailing list or for more information, please email nicola.cooper@warekay.co.uk.

Lord Justice Jackson's Review of Civil Litigation Costs

As previously notified by e-mail, members are invited to attend a public seminar on 3rd July at Manchester University. The seminar, one in a series being held nationally, forms an important part of the consultation process in Lord Justice Jackson's review of the rules and principles governing the costs of civil litigation. The purpose of this review is to make recommendations in order to promote access to justice at proportionate costs. Members who are interested in attending should contact Kitty Doherty as soon as possible at kitty.doherty@judiciary.gsi.gov.uk.

(Those attending will be able to claim 6 hours CPD for the event. They should update their personal training record and quote the reference APF/LPMH).



Cricket - Yorkshire Law Society –v– York Accountants - 20th July

The Yorkshire Law Society will be taking on York Accountants at a cricket match planned to take place on Monday, 20th July, at Bishopthorpe. The match will start at 6.00pm, with a snack to follow in the Ebor pub in Bishopthorpe after the match.

Several members have indicated their willingness to participate, but if any others are able to play, or simply come along to watch, further support would be appreciated. If you, or anyone else in your firm is interested in taking part, please contact Martin Frost at mfbf@denisontill.com.

Forthcoming Events

The YLS Social Sub-Committee, this year made up of Jenni Bartram of Crombie Wilkinson (Vice-President), Chris Evans of Hethertons and Martin Frost of Denison Till, have wasted no time in drawing up an initial programme of proposed social events for 2009/10, with the aim of appealing to as many members as possible.

Although still in the early planning stages, events being considered are as follows:-

Quiz Night

Following on from the success of last year, a further quiz is being planned to take place on a Thursday or Friday evening in October once again, following a similar format as before, with teams of 4 being invited to take part.

Mulled Wine & Mince Pie Event

A mulled wine and mince pie evening to take place in early December at a city centre venue.

Sporting Events

YLS –v– York Accountants Cricket Match - 20th July at Bishopthorpe (details above)
Football 5-a-side Tournament.

Summer Outing

A river cruise to take place in early September.

Visit to the House of Commons

YLS Ball 2010

After the success of the 2008 Ball, a further one is being considered to take place in May/June 2010.

Further details will be circulated to all members in due course and will also be displayed on our website.

As always, the success of any event is dependent on the support of our members and for this reason, we would ask that members consider registering their interest in any/all of the above proposed events by e-mailing either Jenni Bartram at j.bartram@crombielwilkinson.co.uk, Chris Evans at ce@hethertons.co.uk or Martin Frost at mfbf@denisontill.com.

The Golf Society

The Yorkshire Law Society golfers have a strong membership of 30 golfers from all over the region. Membership is not only open to practising solicitors, but also to legal executives, paralegals and consultants.

Remaining fixtures for the 2009 season are:-

Wednesday, 1st July	Captain's Invitation Day	Ganton Golf Club - 9.30am and 2.30pm
Wednesday, 12th August	Estate Agents	Fulford Golf Club - 2.00pm
Thurs., 3rd and Fri. 4th September	"On Tour in Cumbria"	

If you are a keen golfer and wish to join, or simply want to know more, please contact Brian Copley on 01904 680134 or drop him an [e-mail: brian.copley@harrowells.co.uk](mailto:brian.copley@harrowells.co.uk). You do not need to be a member of a local club or even have an official handicap.



Dear Members

Once again, I hope you have enjoyed this issue of the YLS Newsletter. The next issue will be produced in October, and any feedback or contributions for that issue would be welcome.

Please remember to take time to log onto our website at www.yorkshirelawsociety.org.uk to keep up to date with news and events.

Best wishes

Kathryn

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