



## From the President

Dear Members,

The "Legal Year" is well underway now, marked first by the Legal Service in Westminster Abbey on 1<sup>st</sup> October, and by our own North Eastern Circuit Legal Service at York Minster on 11<sup>th</sup> October.

At Westminster we noted the attendance for the very first time of the Justices of the new Supreme Court, and the service was followed by a reception hosted by Jack Straw, as Lord Chancellor! I cannot resist punctuating that sentence with an exclamation mark.

Having practised for well over 30 years without giving a moment's thought to the annual service in London, it probably is tempting for us all to assume that it has no relevance to us as provincial practitioners. The pomp, ceremony and spectacle together with the solemnity of the occasion do, however, provide a reminder of the importance and the fundamental role played by those who administer the law in a variety of offices in the underpinning of society.

Solicitors' congregation at the Abbey was preceded by an impressive breakfast event in Chancery Lane. This was attended by lawyers from around the globe, including representatives of the Bar in Pakistan and Zimbabwe. For them, practising law has wider challenges than complex law, difficult clients, unpredictable court outcomes and profitability; they suffer threats to their very lives. Bob Heslett, as National President, was bravely outspoken regarding the rule of law needing to be sustained by genuine access to justice and legal representation. We can expect that he will make his point emphatically in opposing further erosion of legal aid, and taking a stance which, refreshingly, will not be supine. For my part, on behalf of those of our members who practise legal aid work, I told Jack Straw that legal aid practitioners are a "dying breed". I have no reason to think that he cared.

As I said at our AGM, we do need to retain our integrity. In this, however, it will be increasingly challenging for us to adhere to the Queensbury Rules, when those who are thrown into the boxing ring with us appear never to have heard of them.

I very much look forward to seeing members and their guests at our Annual Dinner on 20<sup>th</sup> November 2009, held, as customary, at the Merchant Adventurers' Hall.

*Andrew Faulkes*



The President,  
Mr Andrew Faulkes

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**Reminder - Pub Quiz - Thurs., 29th October at Kennedy's Bar, Little Stonegate, York.  
E: ce@hethertons.co.uk to enter**

## Annual Dinner - 20th November

**Tickets are still available for this year's Annual Dinner** which is to be held on Friday, 20th November, at the Merchant Adventurers' Hall, York. The 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.

The evening promises to be an enjoyable event and we hope members will once again show their support. Dress is black tie. The drinks reception will commence at 7.15pm, with dinner served at 7.45pm. Tickets are priced at £50 per person (£45 for trainee solicitors) and can be obtained from Georgia Bull, Honorary Dinner Secretary, at Ware & Kay LLP, Sentinel House, Peasholme Green, York YO1 7PP (georgia.bull@warekay.co.uk).

## Question Time

The Yorkshire Law Society is proposing to hold a 'Question Time' event in York during January 2010 for its members, in which we propose to invite local Members of Parliament and members from the local business community to take part in a debate about legal services as well as topics of more general interest.

With a general election looming, this event represents an ideal opportunity for members to raise issues with local MPs, both current and prospective, in an informal and relaxed environment. Light refreshments will also be provided.

The precise location and date in January has not yet been finalised, but in order to help us assess the likely turnout, if you would like to attend this event please express your interest by notifying David Hyams, The Parliamentary Liaison Officer, at the following e-mail address:

[question.time@warekay.co.uk](mailto:question.time@warekay.co.uk)



## Yorkshire Union

As your President I attended the latest meeting of the Council of the Yorkshire Union of Law Societies on 21 September, which was hosted by Hull. The President of the Union reported on the following matters: (1) with regard to the new Claims Process for lower value claims arising out of road traffic accidents; although this is due to come into force in April 2010, there has been no further progress from Government! (2) with regard to the Civil Costs Review; Jackson LJ is making recommendations with regard to fixed costs in fast track cases where he would like to see industry-wide agreement. APIL felt that there were issues wider than funding on which there needed to be a focus, and as those wider issues were not being addressed was not intending to make representations.

On the important aspect of training, which is one of the benefits to the Yorkshire Law Society of membership of the Union, information was provided with regard to potential trainers and topics. I have provided this information to the Council Member responsible for training, Paul Aber, so that consideration may be given by our next Council meeting as to what aspects of training are on offer which we may want to adopt. The training not only includes professional subject matter (costs update, civil litigation update, PI update, criminal law update, family law update) but also leadership management and investment understanding.

The Law Society Council member reported that the Lord Hunt review on regulation is now in draft form. He also confirmed that the Law Society was engaging with both the Abbey and Britannia with regard to the question of their unilateral removal of sole practitioners from panel membership.

Fiona Tatton, our Regional Manager, reported on certain updating matters from Chancery Lane. I would remind members that access to this information is available by a link from our website (via "Links & Resources" and also "Professional News").

We then had a presentation from our Law Society Council member, Philip Hamer, who is also the treasurer. With regard to PI insurance he confirmed that typically larger firms had placed their PI business very early on, followed by medium firms, but some smaller firms were having difficulties. It seems that the number of firms who are going into the Assigned Risks Pool may actually be doubling. He also reported to us on the progress of arrangements for the new handling of legal complaints, due to come into force in October 2010.

Andrew Faulkes

### The Institute of Paralegals

Setting Standards for Non-Lawyers doing Legal Work

[www.InstituteofParalegals.org](http://www.InstituteofParalegals.org)  
[www.ParalegalPractitioner.com](http://www.ParalegalPractitioner.com)  
[www.LegalStandards.org](http://www.LegalStandards.org)



## The New Route to Qualification for Paralegals Turning a job into a career, an occupation into a profession

**Increase the charge-out rates for your firm's paralegals and delegate more work to them (whilst improving their motivation and professionalism)**

As ever more complex work is delegated to paralegals, and they are employed in ever greater numbers, problems loom for employers:

- Will clients continue to accept unqualified paralegals handling ever more complex matters?
- How to create different charging bands for paralegals and how to justify them to clients?
- Good people are needed for the new client-facing, case-handling, largely autonomous paralegal role. But good people have options and won't stay without recognition and a career path. But many firms do not have the time to devise career paths, personal development plans, training frameworks, competency standards, etc;
- Often proper supervision of paralegals is honoured in the breach (not surprisingly: proper supervision would turn many solicitors into the world's most expensive full-time line managers). To date regulators have not pursued the issue. This is going to change as paralegals move from being 44% of fee-earners to outnumbering solicitors;
- Many PI insurers lump paralegals in with 'other employees'. As paralegals achieve a higher profile PI insurers will have to assess paralegal risk. Given paralegals are under-trained, under-supervised and unrecognised, this could prove expensive.

The Institute of Paralegals has addressed all these issues with the introduction of the first ever national (and nationally recognised) career path for paralegals. Called the Route to Qualification ("RTQ") it has been launched with the support of more than sixty firms, local law societies (including Yorkshire Law Society), university law schools, representative bodies, legal recruiters and others.

The RTQ is voluntary, employer-friendly and affordable. The only obligatory annual cost per paralegal for the first three stages is (before any employer discount) £25 (Affiliate), £50 (Associate) and £90 (Certified Paralegal). The fourth and final stage, Qualified Paralegal, costs £100 per year but requires completion of a mandatory examined course leading to proven competency. For more information visit [www.instituteofparalegals.org/membership\\_of\\_paralegal.jsp](http://www.instituteofparalegals.org/membership_of_paralegal.jsp)

The RTQ maps against the National Competency Standards for Paralegals which can be downloaded and used free of charge from [www.LegalStandards.org](http://www.LegalStandards.org) (along with standards for legal secretaries and legal assistants).

For more information on the RTQ, competency standards or paralegal development generally please email James O'Connell at [joconnell@InstituteofParalegals.org](mailto:joconnell@InstituteofParalegals.org) or call him on 020 7887 1420.



## Law Society Regional Manager's Update - Fiona Tatton

### **PII renewal: new market entrants & PII buyers guide: free download**

The Law Society is anxious to alert members to recent developments in the professional indemnity insurance (PII) market. In early September two new market entrants were confirmed as qualifying insurers for solicitors PII - one of which is targeting the smaller end of the market. The Law Society has collaborated with the British Insurance Brokers' Association and Association of British Insurers to produce a guide to buying professional indemnity insurance. It provides information about the rights and responsibilities of solicitors, brokers and insurers in the renewal process (to download go to [www.lawsociety.org.uk](http://www.lawsociety.org.uk) or click on the link at [www.yorkshirelawsociety.org.uk](http://www.yorkshirelawsociety.org.uk) under "Professional News")

### **Criminal legal aid: Society slams latest fee proposals**

The Law Society has criticised the latest Ministry of Justice proposals to cut legal aid fees for police station work. The government consultation raises the prospect of putting many firms out of business, further reducing access to justice.

### **Best Value Tendering proposals: Law Society seeks clarity**

Following the Legal Services Commission's response to the BVT consultation, The Law Society has written to them to express their concerns about the lack of clarity over the bid process and how the pilots will operate.

### **Trends in the Solicitors' Profession - Annual Statistical Report 2008**

The 25th report by the Law Society's research team has just been published.

### **Practice Notes** (one new and two updated practice notes have recently been issued):

#### **Acting in the absence of a children's guardian**

This practice note gives advice on what to do if a court appoints you to represent a child in the absence of a children's guardian. It is endorsed by Resolution, the national organisation of family lawyers.

#### **Disability Discrimination Act**

This practice note sets out your duties as a service provider and employer under current disability discrimination legislation.

#### **Legal disciplinary practice: update**

Section 8.3 of the Law Society practice note has been updated to acknowledge the anticipated launch date of 2011 for alternative business structures, and to highlight the latest SRA information on how to prepare.

To access these and other practice notes, as well as further details on any of the above items, go to [www.lawsociety.org.uk](http://www.lawsociety.org.uk), or click on the direct links at [www.yorkshirelawsociety.org.uk](http://www.yorkshirelawsociety.org.uk) under "Professional News".

### **Website**

The Law Society website now has a page devoted to the Yorkshire region ([www.lawsociety.org.uk/yorkshire](http://www.lawsociety.org.uk/yorkshire)). It contains regional contact details and links to Law Society events in the Yorkshire region and JLD groups. It is a work in progress and additional features are planned for the future.

### **Electronic newsletters - stay up to date**

Visit the newsletters page on [www.lawsociety.org.uk](http://www.lawsociety.org.uk) to subscribe to any/all of the update bulletins available, including *Professional Update* which summarises top issues; *Anti-money Laundering Update* which updates solicitors on anti-money laundering issues; *Legal Aid Update* with the latest information about the Law Society's Defending Legal Aid Campaign; *International Update* which focuses on international issues, including current practice rights campaigns, legal development projects and European Union lobbying activity; *Brussels Agenda* which summarises recent developments in European law from the viewpoint of solicitors; and finally *Junior Lawyers Update* which highlights the latest news and events relevant to the JLD community.

## York Junior Lawyers Division

The York JLD is run for the benefit of all junior lawyers in and around the York area, including York, Wetherby, Harrogate, Selby and Malton. This includes paralegals, trainee solicitors and qualified solicitors with up to 5 years PQE.

We organise various events throughout the year from pub quizzes to careers advice evenings, and of course a few casual evenings to get together over a drink or two. We are currently organising this year's Christmas event so look out for an email coming your way shortly with more details!

If you, or anyone else you know, has recently started a training contract or moved to the area and would like to join the York JLD's mailing list, please email Nicola Cooper at [nicola.cooper@warekay.co.uk](mailto:nicola.cooper@warekay.co.uk). Membership is free so you've got nothing to lose!

## YLS Annual Ball 2010

Plans are at an early stage for the next Yorkshire Law Society Annual Ball which it is proposed will be held at a York city centre venue in late June/early July 2010. Sharon Richardson and Belinda Poulter of Crombie Wilkinson will be organising the event and further details will be circulated to members in due course.

## Sheffield Law Society - Invitation to Members

YLS members have been invited to attend the next annual dinner of the Sheffield & District Law Society, to take place on 5th February 2010, and this year re-branded as the Yorkshire Law Banquet. The event is to be held in Sheffield's Cutler's Hall, and the speaker will be Nick Clegg MP, Leader of the Liberal Democrats.

Members interested in attending should contact Sheffield & District Law Society directly at [enquiries@sheffieldlawsociety.co.uk](mailto:enquiries@sheffieldlawsociety.co.uk), or telephone 0114 272 3655.



## YLS Wine Club

*Christmas is coming. . . .*

....so it's time to think about stocking up your cellars in preparation for the festive season. We are organising a meeting at 7pm on 1<sup>st</sup> December at Bedern Hall for that very purpose. Geoff Walker, our resident wine expert, has a wonderful range for you to sample; from very good quality bargain wines to Chateau Lafitte Carcasset 1998 for those who really want to push the boat out, and also including a sparkling white, a pudding wine and a port (to take you right through the Christmas meal) and a rare white Chateaufeuf du Pape. The ticket price will include a Christmas buffet supper prepared by Bedern Hall's own excellent caterers. There will of course be no obligation to buy anything – just come along and enjoy the evening. Guests are very welcome too.



We will shortly be sending out the invitation letters for this event – if you are not already on our mailing list and would like to be included, please contact Stephen Thorn at Drivers' Malton office [sgt@malton-drivers-solicitors.co.uk](mailto:sgt@malton-drivers-solicitors.co.uk) (01653) 600075.

## The Golf Society

A new concept has been introduced for the winter - **The Yorkshire Law Society Golfers Winter League.**

The games will be played on the second Monday of each month from October 2009 through to March 2010. The rules are very simple. Each event will be stableford three quarters of handicap. There will be individual medal prizes for each month and a cumulative stableford score of the best 4 rounds out of the 6 to find the winner of the most coveted Winter League Trophy. Details have been circulated to all members but if you have not joined – don't worry - if you are a keen golfer get your long Johns ironed and ready to put on! Details are shown below:-



2009			2010		
October 12th	Selby Golf Club	9.30am	January 11th	Sandburn Hall Golf Club	10.30am
November 9th	Easingwold Golf Club	9.30am	February 8th	Forest Park Golf Club	10.00am
December 14th	Forest-of-Galtres Golf Club	11.00am	March 8th	York Golf Club	10.00am

If you would like to know more, please contact: Brian W Copley, HON SEC, at Harrowells LLP, 1 St Saviourgate York YO1 8ZQ (DX 61506 YORK) email [brian.copley@harrowells.co.uk](mailto:brian.copley@harrowells.co.uk) Tel: 01904 680134



**Yorkshire Law Society Members and their Partners and Friends**  
are invited to a  
**MULLED WINE & MINCE PIE RECEPTION**  
in  
**The State Room**  
at  
**The Mansion House, York**  
(Pre Late Night Christmas Shopping)  
**On Thursday 10th December 2009 at 6.30pm-8pm**

Tickets are £8 each - available from **Crombie Wilkinson, Forsyth House, Market Place, Malton YO17 7LR (DX 63700 MALTON).** Tel: 01653 600070. E: [j.bartram@crombiewilkinson.co.uk](mailto:j.bartram@crombiewilkinson.co.uk)

Dear Members

I hope you have enjoyed this issue of the YLS Newsletter.

As always, I am keen to receive any feedback and suggestions for items to include in future issues of the Newsletter and/or on the website and would be very pleased to hear from you.

Best wishes,

*Kathryn*

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