

# INBrief

The Journal of the Northern Circuit of the Bar

OCTOBER 2023



## Autumn Edition

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# Leader's Column

## Jaime Hamilton KC, Leader of the Northern Circuit



It is also a good opportunity to get a photograph of the last three Attorneys-General of the Northern Circuit in our ridiculous get up.

Circuit and beyond, but deserves special thanks from me as she subbed for me when I was struggling with a cold and unable to get to Mess in Preston.

Sam Hillas KC, the current AG, has been tireless in the work that she has done for

If I was to have one ambition for my time as Leader it would be that every

**The Circuit Leader gets about a bit. I appreciate that this sounds like I am now talking about myself in the third person in the style of Caesar, but do not worry, I am not quite there yet.**

What I mean is that the role of Circuit Leader requires a fair amount of whizzing up and down to London and elsewhere, even in this age of Zoom and Teams. Whilst it might seem that the South Eastern Circuit Dinner, the CBA Summer Reception and the Opening of the Legal Year are just jollies that is not right. They ARE jollies, but not just jollies. They represent a real opportunity to meet with people central to the future of our profession providing the chance to discuss issues with them and to make the case for the Northern Circuit.

I have also been to two events connected with the opening of the Government Legal Department in the North West, where I have been able to make the case for the barristers of the Northern Circuit to be instructed in more of the work on behalf of the GLD, making the case to the Treasury Solicitor, the Attorney-General and Solicitor-General. I have also been encouraging those members of the Bar who are employed by the GLD to become members of Circuit.

The Opening of the Legal Year is the first of such services that I will attend in the first half of October, with Manchester and Liverpool to follow. A reminder of the place in which the legal system sits amongst the wider civic society.



single member of Circuit attends at least one Mess. If you are lucky, it may even be the Mess where I am poorly and Sam is in charge.

These occasions are not how you may recall them. The venues are different. The atmosphere is different. The food is different. If you have not been for a while, resolve to reconnect with this vital component of life on the Northern Circuit. Whilst they may not envy my speech duties, the other Circuit Leaders do envy the collegiate nature of this Circuit, to which Mess makes a significant contribution.

It is that collegiate nature that means we all get to share in the joy of the success of others, with the appointments to the Circuit Bench coming thick and fast in recent weeks. Congratulations to HHJ Mills, HHJ Crangle, HHJ Prowse, HHJ Pierpoint, HHJ Close, HHJ Woodward, HHJ Usher, HHJ Horgan, HHJ Hudson, HHJ O'Brien and HHJ Harris.

That is a lot of HHJ action going on there. And a fine crop of them too. We continue to share in the excitement and joy of each other's professional success. Sadly the collegiate nature means that we feel keenly the losses. HH Brian Carter KC, HH Alan Philips, Gordon Bellis, HH Eddie Slinger, HH Anthony Russell KC, Penelope Hewitt CBE and HH Ian

Leeming KC all sadly passed away in recent times. Each of them remembered in the various corners of the Circuit.

The Autumn always sees the new influx of pupils to the Circuit and it was great to meet so many of the latest intake at events in Manchester and Liverpool. All I can do is thank my fortune that I was not competing with this terrifyingly bright collection of individuals as I started my journey 30 years ago. If I had, my career would have been Trussian in nature and length.

The month of October also sees Black History Month. Circuit is marking the event by supporting a play in Liverpool, Just An Ordinary Lawyer, which deals with the life of the first black Head of Chambers and first black part time Judge in England and Wales. Tunji Sowande was appointed a part time Judge in 1968. The most senior members of my chambers were called only three years later. I was born three years later. History can be a relatively recent thing and can serve to remind us of not only where we were, but where we need to be.

Thank you to everyone that contributes to such events, everyone that contributes to Circuit life, from education, to this publication, to representing us. The Circuit is only a vehicle for what its members want to do. Get involved.

And so I finish with special thanks to someone who has very much got themselves involved, Jennifer Devans-Tamakloe. Jennifer will finish her time as Junior of the Circuit at the end of this term. She has been brilliant. But I always knew she would be. From Chester to Carlisle, Jennifer has organised successful event after successful event, always with a smile and always with a laugh at the jokes in my speech. A Leader cannot ask for anything more. Thank you, Jennifer.

#### Jaime Hamilton KC

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# From the Editor

## Prudence Beaumont, Deans Court Chambers

#### Dear Circuit,

Those of you with your fingers on the pulse will have noticed the absence of the August issue. We did not simply shirk our editorial duties in favour of sunshine and rosé but we've had a bit of a re-jig. Much like Mess, In Brief has been quietly evolving too. We have reduced our 'print run' so to speak (we are now an entirely electronic publication) to twice a year. So this is a plea to submit more articles;

more photographs and more news for future issues. Our next issue will be in April so there is plenty of time to put together your submission.

This issue contains some firm favourites with a restaurant review and Collected Ramblings. The details of "Just an Ordinary Lawyer" appear at p 7 which is due to take place on 20 October and set to be an excellent evening. There are several carefully crafted obituaries

remembering stalwarts of the Bar and Bench, please note that there is a collection of eulogies and obituaries on the Circuit website as the Leader notes within his column we have keenly felt the losses of many in recent months.

We look forward to seeing many of you across an exciting term of events in the lead up to Christmas.

**Pru & Toby**

# Restaurants on Circuit

## Da Noi, Bridge St, Chester

**Tasting menus. Two words which will always divide opinion. Generally, I'm not a fan of them. I rarely feel fed at the end of proceedings. Presentation appears to matter more than flavour, and some are so endless that one wonders whether the whole thing is just a sit-down canapé-fest.**

I'm not even sure when a menu becomes a 'tasting' menu, either. A four-course dinner including maybe a cheese plate; a complimentary amuse-bouche or palate-cleanser is practically a tasting menu. So when we sat down for my Dad's sixtieth at Da Noi to discover there was a mandatory tasting menu on, I wasn't thrilled. The last time I ate here I'm pretty sure you could order à la carte. One of our guests did spot in small print at the bottom of the menu that you could order individual dishes, but the waitress said a single dish would cost the price of a main meal for a portion the same size. Hmmm, we thought.

The restaurant sits in a nice little spot at the end of Bridge Street in Chester. It opened in 2018 and, for the first time this year, it is now featured in the Michelin guide. The décor is tidy enough, but the walls a very particular shade of grey: Farrow & Ball might call it 'Wigan Mizzle', or 'Slough Apathy'. A few picture frames hang gaily. One contained a wicker heart, which is at once unchic as it is a dangerous step from wooden letters that read 'LIVE LAUGH LOO' being placed on the cistern.

The website says "*Chef Valentina creates a culinary experience like no other, her husband Fabrizio manages the front of house and is in charge of the delectable wine list*". It goes on to say "*Chef's inspiration comes from rustic recipes taken from old cookbooks that she then transforms in ideas for the dishes of her seasonal tasting menus*". The first course arrived but I can't remember what it was, but it did have caviar on it. The next thing that came out was a gazpacho

which had not been blended, but its constituents were cut up into a brunoise instead and served with a teaspoon of gleaming burrata on the top. This was quite nice especially because burrata is everywhere these days and too often it bursts like a bladder spilling milk all over your food. It can be ruinous. This burrata had just enough integrity though and made a lush creamy canvas for fresh chunks of late summer vegetables. From this to rare, sesame-sprinkled tuna seared with fresh strawberries (yes, really). That was followed by a few silky soft handkerchiefs of pasta, daubed with a sweet, nutty, basil pesto and lashed with piquant olive oil. This was tasty, but not mind-blowing.

Something truly glorious then happened. A chilled bowl of beef tartare appeared with a small scoop of gelato made from English mustard. And perched on the side was a type of warm spring roll filled with a slow-cooked ragú. The gelato was fab: it was icy-cold, melty and fiery. The burnished golden filo tube provided vital crunch to the sumptuous squish of aged beef fillet. It was a textural masterpiece. Alas, it was over too soon and undone completely by the next dish.

A clumsy mix of razor clams in a pork collar broth with samphire was brought out. The solids were left to float sorrowfully in a brown pool of boiled pork stock cube. Samphire is such a salty ingredient, and so its presence in a salty pork broth was barbaric. As I fished around trying to avoid specs of chewy pork collar which had been left to lurk, I was saddened as I watched the long sweet clams being strangled by green knitting.

Another course came, which felt superfluous by this stage because it was just a piece of braised beef. Cheese followed, as did the pudding which was another deconstructed thing with crumbs all over the plate and something spongy which tasted of almonds. Just for fun though, it featured a quenelle of sambuca sorbet, which acted as lush and cathartic ying to that mustard gelato yang before. Stand out glasses as part of the accompanying wine flights were the 2018 zero-dosage Ca' Del Bosco Franciacorta Riserva (Italy's answer to Champagne) and the 2020 Ruche DOCG 'Na Vota' by Cantina Sant'Agata.

The whole meal was, on balance, alright. Some felt that the menu would not have cost much to produce. Many of the ingredients in the different dishes after all, are inexpensive to buy. To force upwards of £140 per head (including a wine flight) makes for a very large bill at the end. Some things were very right but other things very wrong. And I can't help but return to the fact that the issue here is the format – not necessarily the food. Marco Pierre White wasn't talking about tasting menus when he said, 'perfection is lots of little things done well'. Michelin gave him 3 stars in the end. I wonder what they'd give Da Noi if lots of little things were done well across a more straightforward menu.

**Oliver Saddington**, Chavasse Chambers

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# Barristers support Black History Month with historic St George's Hall play

**Barristers from across the region are marking Black History Month by supporting a historic play at St George's Hall in Liverpool.**

*Just An Ordinary Lawyer* is a full-length play by actor, singer and playwright Tayo Aluko.

The play, which has been performed in five countries, focuses on the life and times of Tunji Sowande, who arrived in the UK from Nigeria in 1945 and rose to become a well-respected barrister, the first black Head of Chambers and the first (part-time) black judge in Britain. Tunji was also an active solo concert performer as a baritone singer, giving concerts for charities and to entertain residents of old people's homes. On top of it all, he was a great lover of sports, particularly cricket, proudly becoming a member of the exclusive Marylebone Cricket Club (MCC), known as "the home of cricket."

Like the character he plays, Tayo Aluko was born in Nigeria. He believes Black History Month is an opportunity to share stories, particularly positive and uplifting ones, about African history with everybody.

Talking about his play in the context of Black History Month, Tayo, who is now based in Liverpool, added:

"*Just an Ordinary Lawyer* is an example of what I try to do with my work, which is use individual stories to look at history and the world, from the point of view of someone who might be just an ordinary person.

"If such a person opens their eyes, their ears and their mind, they will hopefully understand why the world is the way it is today, and particularly how people who went before us fought for the freedoms we enjoy today. Hopefully they will be inspired to accept a responsibility to also fight when they see those freedoms being threatened, or being denied others."

Said Jaime Hamilton KC, leader of the Northern Circuit:

"Black History Month is an opportunity for the Northern Circuit to look both inwards and outwards. That opportunity is important as it allows us to learn things we may not have known, allows us to acknowledge the significance of certain historical events and provides us with the chance, together and individually, to think whether we should do anything differently. We should always embrace an opportunity.

"*Just an Ordinary Lawyer* is important because it places an aspect of the history of the Bar in a personal light. The Bar is a very old profession. For centuries and centuries, it was made up of white men. Exclusively. We celebrated the stories

recently of the first women who were admitted to the Bar on the hundredth anniversary of that event. Before that, the prejudice against women in a courtroom had been written into the laws and the regulations. The prejudice against people of colour just existed as a fact of life. It is important that we look at ourselves and ask why it is that it took until 1968 for the first black practitioner to become a part time judge. It was not written into the regulations that a black barrister could not be a part time judge, it was written into the people.

"That is why the Northern Circuit is supporting this play. It is very easy to think that the modern world is easy for everyone. It is very easy to think that the sort of barriers that existed up to 1968, do not exist anymore. That is what allows the barriers to continue to exist. As Leader of the Northern Circuit, I want the Bar to be open to everyone with the ability to be a barrister and also to attract everyone that wants to be a barrister and has that ability. Breaking down the barriers involves a lot of conscious work on ourselves and on the processes. It also requires opportunity being projected to those that may not think it exists. Events such as the staging of this play help with those goals."

*Just an Ordinary Lawyer* is being performed on 20 October 2023 at St George's Hall in Liverpool. The play is being sponsored by the Northern Circuit and will be attended by barristers and members of the judiciary from across the North.

For further details please go to [www.toyalukoandfriends.com/](http://www.toyalukoandfriends.com/)

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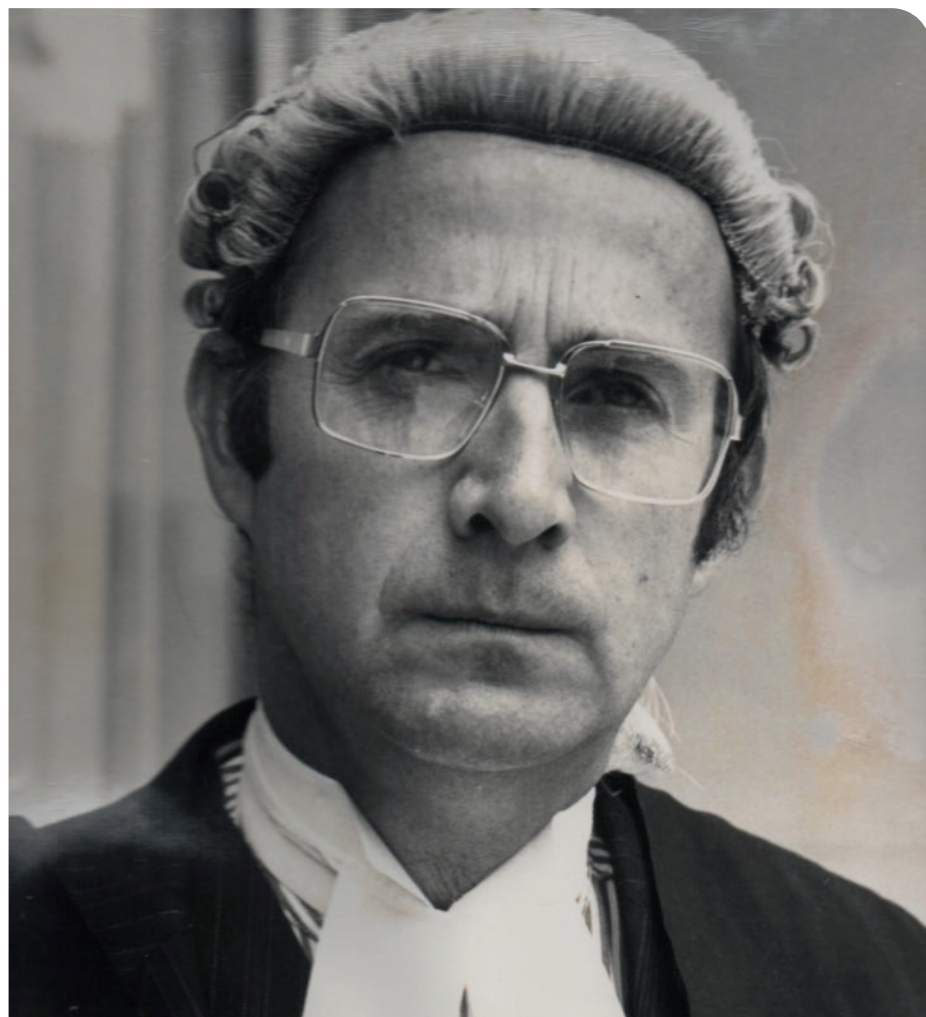
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# HH Brian Carter KC



Northern Circuit of the Bar

**Brian Carter died on 8th June, just 4 weeks after he celebrated his 90th birthday with his wife Betty and their 4 children and many grandchildren. He'd married Betty in 1960, but unfortunately their planned diamond wedding celebrations in 2020 had to be cancelled at the last minute as covid struck.**

Brian was born on 11th May 1933. He was christened Frederick Brian Carter, signed as F B Carter and was always known as Brian. The 'Frederick' was after Fred Monks, a well-known solicitor for whom his father Arthur, a Managing Clerk, worked. So why Frederick Brian and not Brian Frederick? Because his parents, Arthur and Minnie, thought that if his initials were BF he'd be name-called and ridiculed as a 'bloody fool'. This was the 1930s. He grew up in Stretford and although he was evacuated to the countryside during the war, Stretford was always in his heart and he'd often speak with affection of Old Trafford's cricket and football teams. He was a proud United supporter, a rare bone of contention and source of banter with this former pupil!

Brian was educated at Stretford Grammar School and King's College,

London. Upon graduating he joined the RAF for 2 years National Service, passing his Bar Finals while serving. He was called to the Bar by Gray's Inn in 1955 and elected to the Northern Circuit in 1957. His pupil master was Godfrey Heilpern, a future leader of the Circuit and famously Leading Counsel for Myra Hindley in the Moors Murder trial at Chester Assizes in 1966. He relocated with his chambers several times, and finally to 28 St John Street, Manchester (the forerunner of the present giant that is St Johns Buildings).

The bare facts of his professional career can be shortly stated. He enjoyed a substantial personal injury practice, almost always for plaintiffs, as they then were. He was prosecuting counsel for the Inland Revenue on the Northern Circuit 1973-1980, a Recorder 1978-1985 and took silk in 1980. He was a popular Head of Chambers. (succeeding Joyanne Bracewell QC), for 2 years before being appointed a Circuit Judge in 1985, sitting primarily in Manchester. He retired in 2001, the year he was appointed Acting Deemster in the Isle of Man, but continued to sit as a Deputy, mainly at Bolton Crown Court.

He had 4 pupils, all of whom remained close to him. I was the first, followed by Richard Humphry, Graham Platts and Iain Hughes KC, 3 future CJs and a gifted theatrical director.

Brian had a massive paper practice from a loyal following of solicitors and a good instinct for what was achievable and right for his clients in a negotiated settlement, whether during proceedings or at the door of the court. As an advocate his style was down-to-earth and pragmatic; no flurries of advocacy: to-the-point, polite and always relevant. Opponents and judges trusted him absolutely. He was so much a plaintiff's man that once he returned to chambers from sitting as a Recorder in a glum mood. I asked him what was wrong. He said he was sorry but he'd had to find for a defendant in a PI factory case. "I had no choice". Without knowing that story, his daughter Helen has summed him up well - "He always had a passion for the underdog".



Bernard Lever remembers 'his outstanding patience and generosity with his time for us youngsters with help from his massive experience. He was never too busy to give a quantum, often reading lengthy reports to do so'. He was also exceptionally kind and supportive of any member of chambers experiencing personal difficulties. He would also from time to time pick up the whole bill if out for lunch with junior members.

The bare facts above don't describe Brian the man. He was a wonderful and humane barrister, silk and judge. He would have been the first to admit he wasn't the most outstanding legal brain but he was something much more important, a man of compassion, modesty, humanity and sound judgment. He was irreverent and practical, with a dry sense of humour, full of common sense and totally lacking in pomposity.

He demonstrated all these qualities in my first week as his pupil. It was a boiling hot July day. Brian, working in chambers, took off his jacket and rolled up his sleeves. So I did the same. He sent me on an errand to the clerk's room, when I walked an immaculately dressed senior member of chambers known, as I later discovered, for his volatility and capacity to bully. When I was introduced as the new pupil he went apoplectic, saying I was half-undressed and what if a solicitor came and saw me like that, and that I wasn't fit to be a pupil and shouldn't be allowed to remain in chambers. In tears, I ran back to Brian, explained what had happened and asked what I should do. Brian, ever the pragmatist, was clear: "Just tell him to \*\*\*\*". That was the only time I didn't accept his advice!

Brian sat in the criminal, civil and family jurisdictions. Indeed he was 1 of only 5 CJs authorised to sit in High Court family cases in pre-Children Act days. His approach to family work was emotional and instinctive rather than legalistic. He once began a judgment quite conventionally but became aroused as he rehearsed the father's repeated unreasonable behaviour, set aside the papers and became quite emotional: "As a father, grandfather and human being. . . ." he continued. His humanity and goodness shone through. Similarly when at the Bar and representing a child who'd run into the

road, giving the motorist no chance to avoid him. He pleaded emotionally and in what can best be described as robust language with the defendant's silk. "I know I've no case but just look at him. He's in a wheelchair. His life is ruined. Tell your insurers to look at him and give him at least a percentage of the damages". They did!

He knew his limitations. He was once instructed at the last moment to appear in the Court of Appeal on what he thought was merely a directions hearing in a case about Habeas Corpus. The Treasury Junior rolled up just before the hearing and handed Brian a list of about 30 authorities, all of which suddenly were then placed on counsels' bench. Brian was armed with the County Court Practice, the Green Book. In walked Lord Denning, Master of the Rolls, who announced in his friendly but broad West Country accent that this was a really interesting point and he was looking forward to hearing it. Was Brian ready to argue it then and there? Poor Brian looked at the mounds of authorities feet away from him, looked at Lord Denning, looked back at the books and said: "At this stage, My Lord, not in depth". The case was adjourned.

Michael Redfern KC has described him actually venturing into one chancery case after taking silk, but breathing a huge sigh of relief when the case settled at the door of the court. In a similar vein, he was once sitting in Oldham County Court when he had to hear a winding up petition. Brian knew as much about this branch of the law as most non chancery/commercial lawyers, so kept quiet and when chancery counsel at the end of the hearing rattled off the orders he was seeking, including 'the usual order for costs', Brian nodded wisely and said 'so be it'. The following day the court clerk came to see him in chambers with a worried look on his face. He said that the staff in the office were drawing up the order but were divided over what the usual order for costs was. Some thought one thing, some another. Brian asked the clerk what he thought. The clerk gave his version. Brian immediately said that he agreed with him and they should draw up the order accordingly. When he told me that story, Brian puffed out his cheeks and then lit up with a huge grin.

Brian was a keen sportsman, playing football for his school and then their

Old Boys, an excellent tennis player in his youth, including representative tennis for the RAF, but later turning to golf. He was President of Chorlton-cum-Hardy Golf Club in 1990 and a regular participant in the annual Bar Golf competition, winning on one occasion. He formed the 'Big Four (Manchester) Club' with Christopher Rose and Charles Mantell, both future Lord Justices of Appeal, and Simon Fawcus, another future CJ. (It was his only Club entry in Who's Who). He was always very competitive. He had a table tennis table in the garage and his son Chris throughout his childhood hated that Brian used to ask Chris whether he'd like him to be beaten playing with his (dominant) right or left hand. To his dismay Brian would always win - he was that good with both hands. When Chris was 21 and they were on holiday in America, a game was very close, father and son battled away and "I finally beat my Dad! He was gutted!"

His funeral took place on Friday 30th June in Whaley Bridge, at the Church where he and Betty had been active members for many years.

He will be remembered as a much-loved colleague and friend, as a humane, fair and understanding judge, but above all as a good and decent person who had a deep dislike of anything dishonest, nasty or in his view disingenuous. But his true legacy is a wonderful, warm, caring and close-knit family. He always put them first. They were his world and in a sense his finest achievements. His love affair with Betty - a magistrate in Stockport for many years - lasted 63 years. His greatest regret at the end of his life was that he'd no longer be there to look after Betty, who herself has not enjoyed good health in recent times. His children (and their children) were his pride and joy, and he was their adored role model: Helen, a Supervising Fostering Social Worker, Jacqui, an Advanced Nurse Practitioner. Chris(topher), a solicitor, and Nicola a teacher and Special Needs Advisor; his grandchildren - Rebecca, David, Zoe, Kerry, Jessica, Millie, Joseph, Hannah and Ben; and 3 great grandchildren, Henry, Mia and Theo.

An inspiring man. May his memory be for a blessing

**Martin Allweis**

# Eric Geoffrey Goldrein



On 5 December 2022, at the age of 101, Eric Goldrein passed away having seen the world change to an extraordinary degree and after a life in which he took full advantage of all that it had to offer.

Born in London on 29 May 1921, he grew up in Hull where the family business involved importing eggs, so his initials EGG were entirely appropriate. In those early years, electricity was replacing gas in British homes, telephones were connected by wires to an exchange which was not automatic; cars were rare. He went to Hymers College and was the first of his family to attend University after the school suggested that he apply for a scholarship to Cambridge, which he won, to read English. He was followed at Pembroke College first by his brother Neville, then his nephew Iain Goldrein KC and his son Timothy.

After two years at Cambridge where he was an officer cadet, on the outbreak

of war, he volunteered and was commissioned into the Royal Artillery. He was involved on Day 4 of the D Day landings in the course of which he was scouting as ordered but came across a small company of German soldiers. He was shot and captured but he understood more than enough German to realise that his captors were becoming concerned about being caught by a greater Allied force. He didn't admit to speaking German though – he communicated with them in French. He demonstrated true advocacy by informing them of the large force nearby and the (concocted) story of a Typhoon raid that he had ordered on where they were sitting, suggesting that the Germans surrender to him rather than risk being bombed. They did and so he and his driver returned to Allied lines with the prisoners. When he handed them over, he promptly fainted but, after hospitalisation and recovery, insisted on returning to the front line. He celebrated VE day in Florence.

A story he never got tired of telling concerns his approach to the war. He explained that he never expected to survive because he knew what had happened in the First World War, so when he had some leave from the front and landed in Harwich, he visited his old tutor in Cambridge and asked, 'What should I do now, Sir?'. 'Come back here, of course!' was the reply and he did, changing to law on the basis that he didn't want to follow the only career an English degree would enable, which was teaching. In October 1949, he became a solicitor and later a partner in the firm of Silverman & Livermore, headed by Sir Sydney Silverman who, as an MP, was the driving force behind the abolition of the death penalty and Sir Harry Livermore, later Lord Mayor of Liverpool.

Over the years, Eric found that he increasingly enjoyed the cut and thrust of advocacy although, at that time, his

rights of audience were restricted to the Magistrates Courts, the County Courts and the District Registry. He decided to move to the bar and in November 1960 was called to the Bar by the Middle Temple. He joined what was then 34 Castle Street. In those chambers was Inge Bernstein with whom he had been stepping out for some six years. In 1967, they were married and for over 50 years were a truly devoted couple. Three years later, I was introduced to the family and in September 1970 became Eric's pupil. He dealt with every type of work – crime, personal injury, contract and family law: Eric was a true polymath. He was a favourite of the National Coal Board and dealt with the enormous flood of

pneumoconiosis cases. Eric had a system. He worked out the way in which the pleadings were constructed and devised generic defences and requests for further and better particulars depending on the type of claim. There was no computer template.

It was a production line. The generic pleadings were printed. I assembled the relevant documents, Doris Jones typed the name and Eric sat at the end of the table with a cigar in his mouth, signing his name always with a flourish.

Eric had a marvellous way with words and he is responsible for one of the finest exchanges I ever heard in court. After being pressed by Lord Denning, then Master of the Rolls to accept that a well-established principle of law was no longer fit for purpose, Eric said with great aplomb: 'My Lord, I can only address your Lordship upon what the law was this morning. What your Lordship chooses to make the law this afternoon is a matter for your Lordship'. Lord Denning could only respond: 'We will have to see about that' – but didn't reject the principle. Suffice to say that there lurked within Eric a real intellect; he could master the most complex cases and present the most cogent arguments. He successfully spent eight months leading Sean Duncan in a fraud trial and





conducted complex high profile civil litigation in England and the Isle of Man always demonstrating the great ability to focus on the big picture as well as what he considered to be the relevant details. His strategic sense was never wanting and his use of language – perhaps from his first two years at Cambridge – was always clear, concise and to the point.

He was always fun. He loved to buy gadgets coming home with a strawberry husk remover and a device to produce square boiled eggs. He could turn out humour at all times. So, he was very friendly with Monty Dovenor QC. When Monty invited him to his fourth wedding, Eric asked casually: 'Tell me Monty, what do I usually give you as a

wedding present?' He could tease as he did with the family housekeeper who heard the cheery cry to Inge as he left for court in the morning: 'I will see you in the divorce court'. Eric lived life to the full: rushing to the Racquets Club to play squash, drinking only the finest wines and smoking only the finest cigars.

In 1976, the family moved to Hale where Eric became Lord Mayor of Hale, the President of its British Legion and a Freeman of Hale and England. On his 97th birthday, he was awarded the Legion d'Honneur by the French Honorary Consul for his participation in the D Day landings with speeches of congratulation from the High Sheriff and Lord Lieutenant along with personal letters from The

Queen and the Prime Minister. On his 100th birthday, the village closed its main road and there was an amazing military parade past the house with Eric taking the salute. He would then comment that the first 100 years were the hardest. He bore the death of Inge in April 2022 after her debilitating condition with great fortitude.

Eric Goldrein was born into an era that has long since past and lived through a most tumultuous century. He leaves behind his children, Timothy and Anna, and his grandchildren, Laila and Nina. Their loss is far greater than that of the circuit but we all mourn the passing of a truly great man.

**Brian Leveson**

# His Honour Edward Slinger



**Members of the Northern Circuit will have been saddened to learn of the sudden death of His Honour Edward Slinger in July 2023, aged 85.**

Eddie, as he was known to his friends, was a popular and well-respected circuit judge based at Preston Crown Court from 1995 to 2010. He brought to the bench three qualities which make for a good judge: sound judgment, fairness and the experience of life which comes with age, having been appointed a circuit judge at the age of 57.

Eddie was born in Accrington in 1938 and educated at the local grammar school. He went on to Balliol College Oxford, obtaining a distinction in Law Moderations, and after obtaining his degree he was articled to his uncle Edwin Slinger of Sharples, Son and Slinger of Accrington and admitted to the roll of solicitors in 1961. He joined

Ramsbottom and Co. of Blackburn and advanced to a partnership 3 years later. He was President of the Blackburn Incorporated Law Association in 1986.

He sat as a Deputy Registrar, Assistant Recorder and Recorder before his appointment as a circuit Judge in 1995, sitting from then usually in crime and usually at Preston with the occasional foray elsewhere. Unlike some judges Eddie never complained about his workload or the cases he was called upon to try, but just got on with the job. Hard working and diligent, as a judicial colleague he was kindly, wise, happy to give advice and a congenial and witty companion. He was particularly supportive of Recorders. There was always a twinkle in his eye. He slipped into the role of judge with ease and enjoyed the connections with the bar which resulted, regularly attending Bar Mess at Preston and the congratulatory dinners in London. It often came as a surprise to the bar that the judge could remember many more details of the cases in which they had appeared before Judge Slinger than they did! He was a generous host, who provided us with produce from his garden which he tended with much joy. He sat in the Immigration Appeal Tribunal from 1997 and the Parole Board from 2009 until his death.

Outside the Law Eddie had a distinguished career as a cricketer, captaining Lancashire's Second XI between 1967 and 1975 making 72 appearances for the team. He became a Vice-Chairman, Trustee and Vice-President of Lancashire Cricket Club. In 1967 he played for the MCC against Oxford University at Oxford, scoring 12 not out! He became Deputy-Chairman of the disciplinary committee of what was then the Test and County Cricket Board and from 2000-2014 he was a member of the Jury of Appeal for the Horse of the Year Show. He was also a governor of Westholme School, Blackburn for 33 years from 1985, latterly as Vice-Chairman. His four children attended the school as did some of his grandchildren. From 1986 he was a governor of Samlesbury Church of England School.

Married to Rosalind since 1965, he is survived by her, their two sons and two daughters, Nicola, Giles, Emma and Fergus, and several grandchildren and great grandchildren. Those of us who had the privilege of knowing Eddie have lost a good friend and valued colleague.

**His Honour Anthony Russell KC,**  
Recorder of Preston 2006-2015

# The Collected Ramblings of a Disaffected Northern Circuiteer

## Part 26: A BIG Money Special

**One of the hallmarks of the Bar of England and Wales is its propensity to exaggerate. At Northern Quarter Chambers we have this down to a fine art. The Crim boys don't just do any old crime, they do serious crime, serious fraud and serious sex. In fact, some of them even do heavyweight crime. It took me a long time at the Bar to realise that this was, indeed, a reference to how heavy you have to be to do this sort of work, but by any standards it's big stuff. The PI boys only seem to do high value personal injury claims. They skip the low to medium value ones. We even have one or two oddballs in Chambers who do Wills and Probate work, whatever that is, and they only do complex estate litigation. But credit where credit's due. The Family department just does big money cases. They know their onions. Of all the things to be big at, money is the thing.**

Regular readers of this column will know that nothing speaks to a barrister's soul more than money. When you start out at the Bar, you tend to be derailed by concepts of justice and helping people and honourable stuff like that. But they don't pay the bills. They might make you feel better about not having any money, but sooner or later you are going to come to that great crossroads in life. One way is signposted 'Big Wigs this way' and takes you along a brightly lit superhighway to fame and fortune. The other, a dirt track, peters out after just a few yards. I had a rather unfortunate conversation about this with one of the juniors in Chambers the other day in which I miraculously avoided being reported to my close friends at the BSB, again. He was trumpeting the Cab Rank Rule, which in fairness I had heard of. I told him my cab only stopped at Tebay and Gloucester Services whereas he was likely to keep breaking down between Burtonwood and Birch. I sensed he was either unsure of my understanding of the Cab Rank Rule or he was unsure he was in the right Chambers.

I wandered back to my sumptuously appointed suite of offices that come with the burdensome role of Head of Chambers for tea and bikkies. As I slowly scooped a Tunnocks caramel coated wafer I happened to notice something printed on the wrapper: "More than 7,000,000 of these biscuits made and sold every week". I stared at this for a while before reaching down for my calculator. Blimey, it came to £2.1M. This is big money.

And then I picked up the evening paper and hit upon a headline about some unknown Liverpool footie player completing a transfer to the Saudi Pro League club Al-Ettifaq with a pay rise taking him from his current £190,000 per week to a whopping £700,000 per week, making him the highest paid English footballer. And at 33 years of age. This is very big money, especially for a bloke from Sunderland, indeed I expect he could probably buy the whole of Sunderland after a couple of years in the desert.

Big money is all around us, and this got me thinking about where we at the Bar could fulfil the dual aims of getting a lot of money for not doing very much at all.

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Just at that moment, there was a knock on my door and in walked our chief clerk, Danny Davies Jnr, who had been re-appointed on the promise of delivering silverware more times than Sam Allardyce. He slapped down a copy of Counsel on my desk with a page open and a big post-it sticker which read 'READ THIS', in case he forgot what he was going to ask me on his way from the clerks room. "Beginning of the end, Sir!" he exclaimed, rather indignantly. I looked down and started reading. It was about a set of Barristers' Chambers that had secured substantial private equity funding. It didn't say how much but said it ran into ten figures, which is a lot. The banner headlines said they were introducing "disruptive tech-enabled solutions to the legal market in a move that offered greater flexibility and alternative ways of working for the bar, whilst importantly improving access to justice for the public". Hmmm...

I hadn't got a clue what any of this meant, but it said they had a virtual clerk called Billy Bot. I re-read that bit a couple of times then glanced up at our actual clerk and thought there might be something in this.

It didn't say what the investment was in but I suspect it is AI which, if you read my previous column, probably means Chat-GPT software to draft opinions and pleadings and offer virtual conferences and the like, with a fully automated platform and a 'pay as you go' system to support it. This is, indeed, the beginning of the end for the Bar. What intrigued



me most about it was how an investor is actually going to make any money from the Bar, bearing in mind that we've been trying it for hundreds of years and have frequently come up short, unless of course you happen to be Jonny "The Bank" Sumption.

As Danny Davies disappeared, I thought back to football and figured maybe there was money to be made in the transfer market. In a light bulb moment, I recalled being emailed by our Chambers Admin manager with a list of members, so I got it up on screen and started putting some figures to names under the heading 'Transfer List'. I've got to say, this wasn't quite as straightforward as I expected. How do you actually value a barrister? In the end, the list was fairly alarming with quite a few of the Crim boys attracting negative valuations, meaning we were either going to have to give them away or pay someone to take them off our hands. I think I surprised myself by valuing the Family department quite highly, with Miranda Molyneux KC, the Head of Family and our 'Queen of Big Money' topping out at £1.5M. I pressed a button to save it, then wandered off in search of more Tunnocks.

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No sooner had I got past the clerks room than I started to hear raised voices. It was like being on Noah's Ark when it started to rain. Doors were flung open and there was general commotion. I used this as a bit of a diversion to help myself to whatever I could find in the kitchen, only to be confronted on my way back, by a gang of hostile Criminal barristers, some in the heavyweight division, being forcibly restrained by one of our junior clerks called Dafydd (I call them all Dafydd now). He was shaking his head and muttering something fairly derogatory about me but all I could hear were those classic words "You pressed reply all!"

I stood there, in splendid isolation, clutching fifteen packets of Tunnocks. Big money had handed me my comeuppance on a plate.

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*John Knott is clinging on as Head of Northern Quarter Chambers. He is also reflecting on the wisdom of chasing big money and yearning back to the golden days when barrister did cases out of the goodness of their own hearts.*



Opening of the Legal Year

# Recent Scientific Developments in Hair Strand Testing and Racial Bias in Current Practices of Hair Strand Testing

Forensic Testing Service (FTS) were delighted to be asked to support Sarah Branson in developing her latest, very interesting article focusing on racial bias in some practices of hair strand testing. The article was originally published in Family Law in June 2023.

Sarah Branson is a barrister at Coram Chambers, specialising in acting for children, parents, and local authorities in the most complex public law proceedings. Paul Hunter is the Technical Director at FTS and is an accomplished expert witness in the field of drug and alcohol testing, with over 20 years' experience developing and running specialist substance-misuse analytical laboratories. This is a summary of what is covered in the article:

The use of hair strand testing for drugs and alcohol has been around for over twenty-five years and is now commonplace in the family courts.

Despite case law setting out its limitations as examined below, a positive hair strand test will often lead to the seemingly irrefutable conclusion that drugs or excessive alcohol have been consumed.

Often conclusions are drawn about the amount of drugs consumed from the tests alone. A positive drug test in the face of a denial about using substances (or using them at the levels suggested) will lead to professionals, working with that

### NATURAL HAIR COLOUR

SAME LEVEL OF CODEINE INGESTED – VERY DIFFERENT RESULTS

Red, Blonde, Grey hair = Negative

Brown and Black hair = Positive



Reporting against cut off levels does NOT take this in to account

Rollins, D. (2004) Role of Melanin in Drug Incorporation into Hair, Presentation, SOHT, Des Plaines, IL

family, to accuse them of being dishonest about their substance misuse problems, lacking insight or being in denial.

Despite the certainty with which these results are often treated, studies and data accumulated over the past 10 years cast doubt on the reliability of previously drawn conclusions.

This article explores the recent academic research into this evolving scientific field and highlights areas where caution must be exercised in drawing definitive conclusions. It demonstrates that in many cases the standardised use of cut off levels used for interpretation and reporting hair strand testing, employed by the majority of testing companies, creates a racial bias and therefore caution must always be exercised when results are presented as 'positive' or 'negative'.

FTS has been innovating and leading the way in best practice D&A testing for over 13 years. They do not use cut-off levels providing a complete

forensic investigation into all the variables available to help determine the correct decision for the child and the parents. They have their own in-house laboratory which is accredited by UKAS to ISO Standards, and they deliver a gold standard model to support vulnerable children. They are the only laboratory that currently meets the guidance provided by the High Court and TIAFT,

delivering the necessary burden of proof for the family court.

The full article can be found on the FTS website – just search for Sarah Branson. [www.forensic-testing.co.uk/](http://www.forensic-testing.co.uk/)



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# Cumbria Family Justice Conference 2023

Friday 22nd September saw delegates from the legal profession across the North-West descend upon The Halston Hotel in Carlisle, for the 'Cumbria Family Justice Conference' hosted by Deans Court Chambers.

Designated as a 'non sitting day' across Cumbria by His Honour Judge Baker, the day was one of great significance to the area, evidenced by the presence of over 100 guests, including several members of the local judiciary, who attended to listen to the various family law seminars on offer.

The start of the day saw an opening address from His Honour Judge Baker, who pressed home the significance and value of such an event, expressing his desire to see a conference such as this happen on an annual basis.

Upon the conclusion of the welcoming addresses, the day began in earnest, seeing a variety of seminars and presentations on areas such as Children law and Financial Remedies as well as from key guest speakers such as George Mathieson, Forensic Testing Services, PAUSE, The Family Justice Young People's Board and Family Wizard.



An excellent lunch followed the morning sessions, as conversation flowed between friends old and new. The room buzzed with chatter of the morning's presentations and well overdue catch ups.

The afternoon sessions provided by PAUSE and the Family Justice Young People's Board, reminded everyone why this particular area of work is so

important to families across the country, and we hope gave everyone a renewed vigour to provide the best possible service to clients and their families.

At the end of an extremely productive and thought-provoking day, there was still just enough time to network with a drink or two, as everyone celebrated the conclusion of an excellent event and the drawing to the close of another working week.

Thank you once again to everyone who attended, as well as a special thank you to our sponsors who made such an event possible:-

- George Mathieson Consulting
- Family Wizard
- Forensic Testing Service

Our thanks also to HHJ Baker and the other members of the Cumbria Judiciary who lent their support to making this event possible.





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