

# ACL Council December 2015



## Minutes

**Attending:** Sue Nash (SN – from 1200) Chair, Stephen Averill (SA) Treasurer, Jon Lord (JL), Francis Kendall (FK – until 1330), David Cooper (DC), David Wright (DW), James Barrett (JB – from 1200) Vice Chair, Robert Cook (RCK), Robert Connelly (RC – from 1410)

**Apologies:** Steve Davies

**In Attendance:** Maurice Cheng (MC) Chief Executive, Claire Green (CG – from 1200), Diane Pattenden (DP), Kirsty Allison (KA)

Item	Action	By	When
1	<b>DC chaired until the arrival of SN, and welcomed David Wright to Council</b>		
2	<b>Minutes of 11 September 2015 Council</b> were accepted, subject to minor corrections		
3	<b>Minutes of the 15 October 2015 General Meeting</b> were approved, subject to minor corrections, and the agreement that the paragraphs were to be numbered		
4	<b>Chief Executive’s Report</b>		
4.1	MC thanked Council, and confirmed his contract had been extended until the next General Meeting in May 2016. His key focus was to ensure that, running up to the accession of new chair, the internal processes work as they should in terms of staff structure and enough resource being available.  Another priority was improving the relationship with the CLSB and looking at improvements to regulation in general.		
4.2	MC informed Council that he had recently been briefed by the MoJ that in Spring 2016 there will be 2 consultations. One will be to consult on a formal separation of front line regulators from the representative associations who were approved regulators. The other concerned a simplified process for ABS approval.		
5	<b>Policy &amp; Law Reform</b>		
5.1	Master Roberts has agreed to write an article for Costs Lawyer. The article will provide some useful guidance on what costs lawyers appearing on CMCs may need to prepare for. DC to liaise.	DC	Dec15
5.2	Report on Provisional Assessments completed in October but no further progress made.		
5.3	Fixed Recoverable Costs: Council debated whether and how to engage with this issue, and concluded that it was appropriate to do so. MC suggested that the policy committee focus on the impact of raising the threshold of fixed costs on access to justice. KA advised that an ACLT student had started a petition against raising the threshold and had so far gained 18000 signatures.	DC	2016

5.4	A mediation firm has asked ACL to assist with promoting ADR. DC to consider this with Policy Committee	DC	Jan16
5.5	A proposal on extending the ProBono pilot into a full scheme needs feedback from Council. CG to circulate detailed schedules and a proposal on budget. CG also to assess policy for litigants in person.	CG	Jan16
	DC passed the chairing of the meeting to SN on her arrival.		
<b>6</b>	<b>Operations</b>		
6.1	DP updated Council on the forthcoming ACL Conference at the Hilton Bankside		
6.2	It was discussed and agreed to hold the Manchester Conference at the Hilton Deansgate in 2016		
6.3	Annual subs notices have been emailed to members. A reminder will be sent to those who have not paid by the first week of January and a reinstatement fee of £30 will be imposed for any member not making the payment by 30 Jan 2016.  DP asked for clarification of whether a costs lawyer who does not renew their practicing certificate but is regulated by CILEx can apply as an Affiliate. All agreed that under the current regulations there were no issues with this.		
6.4	Membership benefits  FK has drafted a letter to a legal firm in response to their recent request regarding benefits of membership.  Discussion on Buying group idea suggested by Rachel Wallace. MC felt that discounts were widely available generally and that looking into benefits of this type was not a priority. CG stated that ACL used to have a professional advice line available to members. CG felt that this was of more benefit to members than general buying discounts. DP to look into this.		
<b>7</b>	<b>Chair's report</b>		
7.1	Election of next Chair: SN felt that ACL should communicate to members that the election process would soon be underway. Anyone who intends to put their name forward should put their name forward by 4 <sup>th</sup> January 2016 . Names will be put on website. Council will then invite them to submit their 'personal statement', then election run.  Agreed that nominees would be contacted and invited to meet with Chair and representatives of council. Personal statements to be on by 8 January.  Voting from 11 <sup>th</sup> – 21 <sup>st</sup> in time for the new chair elect to attend the next council meeting on Monday 25 <sup>th</sup> Jan.		
7.2	Due to the number of Council members in the northwest, SN proposed holding the March 2016 Council in Manchester.		

7.3	SN advised that a costs firm had recently made a number of redundancies, and suggested that we be aware of and record such movements in the industry		
7.4	SN asked for a proposal to set up a Benevolent Fund	MC	TBA
<b>8</b>	<b>PR &amp; Marketing</b>		
8.1	FK advised that ACL had been invited to take a judging slot at the Modern Claims Awards 2016. FK to take the slot.		
8.2	Website – SN gave brief overview of progress and current position. SN asked for a council member to help progress the Knowledge Hub. PR&M to take responsibility and liaise with Kings Chambers on supply of case summaries. FK to forward details regarding King’s involvement to David Wright.	FK	Dec15
<b>9</b>	<b>Education</b>		
9.1	[A discussion on student numbers with a costs firm]		
9.2	Council debated and agreed to continue with the agreed new prices for qualifications in 2016	KA	2016
9.3	CPD courses: KA confirmed that the online CPR modules could be available to members online shortly. However, KA was concerned that it was important to launch with a number of products aimed at a wide audience. She also stressed that when CPD modules are launched they must be done in a proper and professional way.  CPR face to face course to run in Jan and Bill Format course to run in February		
9.4	Professional development framework: KA reinforced this work to be a major work stream for 2016. Emphasised the importance of speaking with employers to make sure that the framework meets the needs of employers.	KA	Jan16
9.5	The application of the CLSB agreed exemptions policy to already qualified legal professionals wishing to undertake the costs lawyer qualification was discussed and an approach to communications agreed.	KA	2016
9.6	KA indicated that ACLT were considering a course for schools and universities on the role of CLs and the wide skillset that the profession represented		
9.7	Establishment of the ACLT Management Board: the proposal was presented by MC, and the key responsibilities and governance as set out in the table in the paper were approved.		
9.8	Draft terms of reference for the student council were discussed. Agreed they were largely accepted with some re-wording and additions regarding responsibilities. SN queried whether the ACL council should have the ability to remove a member of the Student Council, in the event of a breach of rules, and it was agreed that this would be appropriate.		

	All but the Chairman voted in favour of approval of the document. SN abstained.		
<b>10</b>	<b>Council meeting dates 2016</b>		
10.1	Agreed for 25 January, 11 March, 12 May, 8 July		
<b>11</b>	<b>Finance &amp; Governance</b>		
11.1	The Finance & Governance Committee report was noted		
11.2	SA recommended that the CEO and Chair's credit cards should be reapproved for use. This was agreed		
11.3	The management accounts using the new more detailed nominal codes still required more work, particularly around apportionment of costs between ACL and ACLT. This will be addressed in a meeting on 7 December 2015	MC/SA	Jan16
<b>12</b>	<b>Business plan 2016</b>		
	<p>MC asked council to review the 2015 strategy and business plan document and consider if they still believe the overall shape of the actions are still the right ones.</p> <p>Do council have any comments on the change in landscape – what are they and what is the impact?</p> <p>Clear that council needs to be more effective in winning hearts and minds of members. We know there are a number of members who feel council could be doing better. Council know they need to communicate better and engage better.</p> <p>Consider questions raised in the paper circulated prior to the meeting.</p> <p>Council to get back to Maurice by end December. MC to email all council members with full details.</p>		
<b>14</b>	<b>Date of next meeting: 25 January 2016</b>		