

ACL Council Meeting  
27 January 2017



Held at Weightmans, St Mary Axe, London

Minutes – (Website Edition)

Council Members Present: Iain Stark, Chairman (IS), Francis Kendall (FK), Steven Davies (SD)  
David Wright (DW) David Cooper (DC)

Also in attendance Maurice Cheng, CEO (MC), Diane Pattenden, Head of Operations (DP), Kirsty Allison, Head of Education (KA)

Apologies: Robert Cook (RC), Jessica Swannell (JS)

Part of Item 12 of these minutes is deemed to be CONFIDENTIAL as it contains commercially sensitive information. These minutes are not available for public circulation, and are held separately by the Administrator.

Item	
1	The meeting started at 15.00
2	Minutes of the meeting held on 1 December 2016 Subject to the correct spelling of Shilpa Shah, the minutes were approved.
3	Actions arising from the council meeting held on 1 December 2017 Actions carried forward from the meeting are included on the attached sheet. <ul style="list-style-type: none"> <li>IS proposed that Francis Kendall was appointed as vice-chairman. All council members agreed.</li> <li>IS said that ACL should not be involved in the marketing of ACLT. This will be a question for the new ACLT Chair to address.</li> </ul>
4	Chair's Report IS reported that he had been to the first assessors meeting with Jackson and gave a quick overview – Chatham House rules applied.
5	Policy 1. The report from CG had been circulated prior to the meeting. There were 3 items in the report for council consideration. <ul style="list-style-type: none"> <li>Codes implementation and the NBF working party. DC said that with George Easten leaving, for continuity ACL should set up a small technical team. Council members agreed that DW should lead, assisted by Ken Corness and Bradley Meads.</li> <li>Civil Courts Structure review. DC felt it was too early to set up a working party. IS agreed. DC to keep under review.</li> <li>Legal Aid (Advocacy Costs in Crime Matters) . All agreed that a working party is needed and can be set up if recommended by Paul Seddon. CG should speak with Paul Seddon who in turn should contact council.</li> </ul> 2. DC felt that pro bono was in conflict with ACL members' interests and that the enthusiasm to offer free advice is diminishing.

	<p>3. Fixed Recoverable Costs consultation. FK said that he had reviewed it and was happy with it. Council members confirmed that the response had their sign off. Simon Murray, will be asked to sign it off.</p>
6.	<p><b>2015 Accounts</b></p>
	<p>Following the last meeting MC asked The Laurel Partnership to prepare consolidated accounts to be sent to members, rather than separate accounts for ACL and ACLT. Agreed that this should be emailed to members without explanation and without delay.</p>
7.	<p><b>PR and Marketing</b></p>
	<p>FK advised that there was nothing to report.</p>
8.	<p><b>Education</b></p>
	<ol style="list-style-type: none"> <li>1 SD has agreed with the CLSB to a monthly conference call. He will also have a monthly update with KA.</li> <li>2. MC stated that the LSB has advised that there will be a consultation this year around regulation and specifically whether there should be a single regulator. A potential risk is that costs lawyers could be deregulated or regulated with other legal bodies by a single regulator. If this happens the representative body would retain the right to decide title – ie for ACL, who call themselves a Costs Lawyer.</li> <li>3. SD expressed concern at the possibility of the CLSB removing the requirement for trainees to have compulsory membership of the Association. KA advised that to take a CILEx exam, a student had to be a member of CILEx. KA suggested that students continue to be charged their course fee which includes membership of ACL and that ACL then invoice ACLT for the membership. All agreed.</li> <li>4. LP (CLSB) has asked SD for clarification of the ACLT structure. IS suggested that SD sought her views based on her experience when setting up the CLSB.</li> <li>5. FK suggested holding a London based careers event.</li> </ol>
9.	<p><b>Operations</b></p>
	<ol style="list-style-type: none"> <li>1. Manchester Conference – Booked for 22 May In addition to the speakers suggested by DP, it was agreed:- <ul style="list-style-type: none"> <li>• Invite DJ Harris and DJ Moss</li> <li>• David Cooper and Francis Kendall to speak in their capacity as costs lawyers</li> <li>• Not Dere Street Chambers</li> <li>• Invite Sarah Robson (Alpha Court)</li> <li>• IS to chair the panel</li> </ul> </li> <li>2. ACLT will be running the Unit One compulsory seminar at the same venue on the same day. Unit One Students to be invited to attend the panel session. DP to confirm the time of the panel to KA. The student council are organising drinks for the students after the seminar.</li> <li>3. DP asked council to provide initial comments on the test website by 6 February.</li> <li>4. The council agreed to Kerry Jack being paid to spend 4 hours reviewing the website for consistency/writing and providing a style guideline.</li> <li>5. There are approaching 100 costs lawyers who are currently not members of the Association. IS suggesting publishing their names in the Costs Lawyer. There were no objections to this from other council members.</li> <li>6. Council agreed to appoint the Laurel Partnership to prepare the 2016 accounts for submission to Companies House.</li> <li>7. Council did not agree to the recommendation to ask BlackLetter to provide input with the ACL twitter account. DP to approach Jon Lord, Jessica Swannell</li> </ol>

	<p>and Adam Hood.</p> <p>8. Agreed that nominations should be sought for 2 vacancies on council. DP to action.</p> <p>9. SD asked if council wanted him to invite someone from the Irish State Claims Agency to speak at the London conference. IS said that it was not appropriate for Friday, a possibility for the Saturday and to carry the idea forward.</p>
10.	<p><b>PR - Black Letter presentation</b></p> <p>BlackLetter made a short presentation reviewing the activity and coverage in 2016.</p> <ol style="list-style-type: none"> <li>1. KJ advised that the surveys would be carried out again at both ACL 2017 conferences</li> <li>2. Once the new ACLT Chair is appointed he should be asked to write an article for the Costs Lawyer (MC)</li> <li>3. IS asked Black Letter to have a pipeline of articles and to set and publish goals and aspirations for ACL PR so that the membership knows what the council is trying to achieve through PR. He stressed the importance of ACL commenting as much as possible.</li> <li>4. DC to make contact with Terry Wisdom to establish the month in which ACL was set up. DC to advise BlackLetter.</li> <li>5. IS confirmed to Black Letter that in the next edition of The Costs Lawyer he would like to have all the names published of Costs Lawyers who are not currently a member of the Association. BlackLetter to consider the merit of this. FK suggested highlighting the firms and number of costs lawyers who were not members.</li> </ol>
11.	<p><b>LAG Briefing on MoJ review of LASPO</b></p> <p>Approved</p>
12.	<p><b>Any Other Business</b></p> <ul style="list-style-type: none"> <li>• IS asked when ACLT would have its own board/decision making process etc. KA said that the end of June would be ideal. Discussion took place on how the reserves could be split. Due to the confidential and commercial sensitivity of this item the remainder is minuted separately.</li> <li>• Two candidates have been shortlisted and recommended to council to select from. All agreed to offer the position to Carl Lygo.</li> <li>• Council papers to be circulated 7 days ahead of meetings and meetings will start at 2pm. DP to take over the organisation of the meetings. IS said that unless there was anything to report or to read in advance it was not essential to provide a paper; a verbal report would suffice. Agenda items to be sent to DP.</li> <li>• CADR. Due to the confidential and commercial sensitivity of this item it is minuted separately.</li> <li>• Emails have been received from Ed Strickland and Mark Kennard-Dwyer questioning the benefit of membership (ES has renewed, MKD has not)</li> <li>• ACL Consultation to members to be on the Agenda for the March meeting. IS to write an article in the next issue of the Costs Lawyer.</li> <li>• DP is currently employed by ACL; JG and TC are employed by ACLT. DP flagged the need for a TUPE to transfer contracts for TC and JG.</li> </ul>
13.	<p><b>Date of Next Meeting</b></p> <p>10 March 2017</p>
14.	<p><b>The meeting closed at 18.25</b></p>

