

**Minutes of the ACL Council Meeting**  
**held on 5 February 2021**  
 by Conference Call



**Council members present:** Claire Green, Chairman (CG), Francis Kendall, Vice Chairman (FK), Stephen Averill (SA), David Cooper (DC), Kris Kilsby (KK), Jack Ridgway (JR), Adam Grant (AG), Natalie Swales (NS), Rachel Wallace (RW)

**Also present:** Diane Pattenden (DP), Head of Operations

The meeting started at 1.30 pm

Item	
1	Welcome and apologies
	CG welcomed all to the meeting. There were no apologies for absence.
2	Minutes of the council meeting held on 3 December 2020
	The minutes of the council meeting held on 3 December were agreed for publication. It was acknowledged that due to the confidential nature of much of the meeting, the minutes were brief.
3	Actions arising from the council meeting held on 3 December 2020
3.1	The actions arising were discussed and updated.
3.2	Item 1 – DC pointed out that the ACL website included a note of the main court fees but questioned whether other fees relevant to costs lawyers should be included. RW suggested that historic court fees could be uploaded to the website. DC suggested uploading pdf copies of the information pages from old ACL diaries. A discussion followed on the relevance of providing this information and it was agreed that DP would look into the costs. RW can provide high quality PDFs if necessary.
3.3	Item 4 – DP will provide JR with copies of the professional indemnity policies provided.
3.4	Point 7 – KK to follow up with the Law Society
4	ACL/ ACL end of year figures
4.1	CG sought clarification on some of the figures and a general discussion followed regarding the draft accounts for 2020. DP will speak with the bookkeeper and ask for a footnote to be added to show when the 2020 forecast was revised.
4.2	A discussion followed regarding the fees for editing and publishing the Costs Lawyer. FK/CG to discuss fees in general with NR/KJ. DP will seek alternative quotes for publishing the journal (to include costs for printing a hard copy).
5	Education report
5.1	NS reported that the Education Executive is considering a date in April to hold student exams on the basis that the Government is currently allowing professional exams to be held. KA is looking at exam venues to see if suitable options are available. The committee have also looked further into the option of holding online exams but NS stressed that this would be a very expensive option.

5.2	CG reported on a conference call with KW in January at which the audit framework document was discussed. FK suggested that the working party move forward with their work on a viability report in which they should address the cost of running ACLT based on current student numbers and the vulnerability of ACLT when only one individual has full knowledge of the management and day to day running of the company. Following a full discussion regarding ACLT, CG asked JR/SA/KK to, as a matter of priority, continue their work on looking at the future of education and producing a viability report.
6	Options for attracting non-qualified costs professionals
6.1	A report by DC was circulated immediately prior to the council meeting and he gave council members a verbal synopsis of the report. He stated that there is potentially a lot of benefit but highlighted that the current Bye Laws would need to be amended. CG asked council members to review the document in preparation for a full discussion and vote on proposals at the next council meeting.
6.2	CG referred to the recent acquisition of A&M Bacon/PIC. A discussion followed and RW suggested asking Frenkel Topping to write an article for the Costs Lawyer.
7	Policy report
7.1	AG referred to a recent policy committee meeting and said that they were working through their action plan. AG will circulate a copy of the minutes to council members once approved. AG reported that the committee was also preparing a continuity plan for ACL.
7.2	AG has been contacted recently by the LSB to discuss changes to how they consider regulatory arrangement change applications. He has a meeting with the LSB in the next few weeks and will update council members following this.
7.3	AG confirmed that the LSB has published their annual regulatory performance assessment report which has been circulated to council members.
7.4	A key issue for the policy committee to address is the guideline hourly rates reports that have been prepared by the CJC working group. AG confirmed that he had sent a brief summary paper to council members and that the consultation was open to 31 March. He went on to say that he felt that members should be encouraged to respond but that they would also expect council to respond. All agreed. GC said that historically members have been emailed to ask if they would like to volunteer to be part of a working party. RW suggested sending a questionnaire to members to get feedback to gather information and at the same time ask for volunteers. DC abstained from the discussion due to his involvement with the CJC committee. It was agreed that KK would devise a questionnaire and send it to RW and AG for their input. AG agreed to chair the working party and will arrange for the questionnaire to be sent to the membership as soon as possible.
7.5	RW said she believed that some other professional bodies did not have the separation from their regulators that costs lawyers do regarding the collection of fees. AG said this has been raised a number of times over the years and that it is clear in the operational protocol and MoU that the two bodies are separate the rules of which are specified within the internal governance rules. Following discussion, AG said he would raise the issue with the LSB at his next meeting with them.
8	2021 Conferences/Operations report
8.1	DP reported that 481 costs lawyers had renewed their membership for 2021 and gave a breakdown of the main reasons for this. She confirmed that 82% of costs lawyers who hold a practising certificate are members. CG asked for a list of those members who had not renewed.
8.2	It was agreed that ACL would hold two online conferences in 2021 – one at the end of April

	and the other in November. CG said that she would like 2 costs lawyers to speak at each event and it was agreed that the format and timings should be the same as the November 2020 event.
9	PR
9.1	As agreed earlier in the meeting, FK confirmed that he and CG would meet with Black Letter
9.2	CG said she would like to hold online regional meetings in 2021. A discussion about whether meetings needed to be arranged by region took place and it was agreed that they did not. It was agreed to run a number of online meetings for a maximum of 10 attendees at a time. 'Go to Meeting' will be used and each meeting will be hosted by a council member. FK suggested inviting a speaker to the meeting to talk for the first 30 minutes. DP will provide a schedule for the meetings and allocate a council member to each meeting.
9.3	Discussion regarding the forum and its use took place. RW said she believed that many members did not use the forum due to problems with logging on or because they needed reminding of its existence. RW asked other council members to try to log on to see if they experienced issues. RW suggested that members could be regularly signposted to the Forum from the e-bulletin and encouraged to discuss a weekly topic via the forum. She also suggested allowing members to be anonymous in order to encourage engagement. DP will look at the functionality of the Forum to see if posting anonymously is possible. Further discussion took place regarding whether use of the forum has been overtaken by social media. RW pointed out that the value of using the Forum is that content is restricted to members. There was a general feeling that logging on to the Forum was cumbersome and could be streamlined. DP clarified that the Forum was an 'add on' to the website and a separate system that was accessed via the website.
10	Any other business
	FK referred to an approach by email in December regarding pro bono work which DP had circulated to council. DP will forward it to CG for reply.
11	Date of next council meeting
	The next council meeting will be held by conference call on Thursday 11 March at 11am.
	There being no further business the meeting ended at 4.20pm