



MINUTES OF SPECIAL GENERAL MEETING

Minutes of a Special General Meeting of the members of the Law Society held on Thursday 17 July 2008, at 14:00, at the Society's Hall in Chancery Lane. The President, Andrew Holroyd, was in the Chair.

The President said there were more than 50 members of the Society present and declared a quorum.

Notice of the meeting

The notice of the meeting was taken as read.

Minutes of AGM

The minutes of the Annual General Meeting held on 19 July 2007 were taken as read, and the President was authorised to sign them as correct.

Resolution 1 (Confirmation of Charter amendments consequential upon provisions in the Legal Services Act)

Resolution 1 on the notice of meeting read –

That, subject to allowance by Her Majesty The Queen in Council, and to such further amendments as Her Majesty The Queen in Council may require, the amendments to the Charter of the Society made by the Council on 18 June 2008 and as set out in Appendix I be confirmed.

The President explained that a two-thirds majority was required for the resolution, and that the Charter amendments could not be amended by the meeting. There was a three-part procedure laid down which involved the Council amending the Charter, a special general meeting confirming the amendment and finally the amendment being approved by The Queen at a meeting of the Privy Council.

The Vice-President (Paul Marsh) moved the resolution. He said the amendments were required in order to continue the effect of Section 76 of the Solicitors Act, which was shortly to be repealed by the Legal Services Act. If the amendments were not confirmed, there would be a lacuna in the Society's constitution.

The Deputy Vice-President (Robert Heslett) seconded the resolution.

Arthur Weir (Henley-on-Thames) objected to the meeting continuing as he believed inadequate notice had been given, and asked the President to adjourn the meeting.

The President said that this matter had been discussed by the Council. There was no question that the meeting had been validly convened, and a number of steps had

been taken to draw it to the attention of the members, including a letter to all local law societies. He was not prepared to adjourn the meeting.

It was resolved on a show of hands by 56 votes to four, that, subject to allowance by Her Majesty The Queen in Council, and to such further amendments as Her Majesty The Queen in Council may require, the amendments to the Charter of the Society made by the Council on 18 June 2008 and as set out in Appendix I be confirmed.

Vivien Stern (West London) demanded a postal vote on the question. This demand was not supported by the requisite 20 members, and so no postal vote would take place.

The President said that the amendments would now be submitted to The Queen in Council for approval.

Resolution 2 (Confirmation of Charter amendments – enabling powers on non-corporate membership structure and non-membership relationships)

Resolution 2 on the notice of the meeting read –

That, subject to allowance by Her Majesty The Queen in Council, and to such further amendments as Her Majesty The Queen in Council may require, the amendments to the Charter of the Society made by the Council on 18 June 2008 and as set out in Appendix II be confirmed.

Kevin Martin (Coventry), a Council member and Chair of the Membership Board, proposed the resolution. He stressed the enabling nature of the amendments, which were aimed at allowing the Council to establish new relationships on a commercial basis with members of legal businesses. The amendments would also allow the creation of a category of student membership and the possibility of marks of professional distinction, such as fellowship of the Law Society. No definite decisions were being called for at the meeting, and the Membership Board had not yet come forward with detailed proposals. There would be full consultation before the Council took decisions. He stressed that the rights of full members would not and could not be affected by the proposals, and such rights would not be given to anybody else. This was specifically stated in the amendments.

The Vice-President seconded the resolution.

Vivien Stern (West London) opposed the resolution. She said that the enabling nature of the amendments was irrelevant, as the proposals sent out the wrong message to solicitors. They amounted to giving recognition to the profession's competitors.

Michael Franks (West London), a Council member, opposed the resolution. It was wrong to deal with membership arrangements without putting the full details of what was proposed before the whole profession.

Charles Fraser (City of Westminster and Holborn) opposed the resolution. It was wrong to delegate important membership issues to the Council.

Malcolm Fowler (Birmingham), a Council member, supported the resolution. The proposals were purely enabling and there was nothing sinister about them. The

advent of alternative business structures was imminent, and if the Society deferred changes under the proposed powers it could be at a disadvantage.

Sue Carter (Brockenhurst), a Council member, said the proposals would disenfranchise the profession. The kind of changes envisaged were not necessarily wrong, but it should be for the profession to decide on them.

Michael Singleton (North Middlesex), a Council member, said that opponents of the resolution were effectively saying they did not trust the Council. The amendments made it clear that the members would still control the Society and no corporate rights were being conferred on anybody else.

Kevin Martin replied to the debate.

It was resolved on a show of hands by 54 votes to 18 that, subject to allowance by Her Majesty The Queen in Council, and to such further amendments as Her Majesty The Queen in Council may require, the amendments to the Charter of the Society made by the Council on 18 June 2008 and as set out in Appendix II be confirmed.

Vivien Stern called for a postal vote and this was supported by 20 members. The President said that as the requisite number of members had supported the proposal, the postal vote would therefore take place. The Chief Executive would be in touch with Ms Stern concerning a statement by the opponents of the resolution which would be circulated with the voting papers, as provided in the Bye-Laws.

The President declared the meeting closed at 14:40.