

**Minutes of the FLBA Committee Meeting
Held in the Whitfield Room, Middle Temple
on 14th December 2016**

Present: Philip Marshall QC (Chairman)
Frances Judd QC (Vice-Chairman)
James Roberts (Treasurer)
Ian Bugg (Secretary)
John Wilson QC
Victoria Wilson
Malek Wan Daud
Sandra Eze
Cyrus Larizadeh QC
Morgan Sirikanda
Samantha Singer
James Holmes
Jessica Brindle
Katy Rensten
Charlotte Hartley
Tim Parker
Judith Fordham

The following joined the meeting by telephone link:

Edward Flood, Greg Williams, Jeremy Weston QC, Michael Jones, Jayne Pye, Justin Gray, Corinne Iten, Neil Owen-Casey, Jacqui Wall and Kate Burnell.

Item 1. Apologies for absence

Leslie Samuels QC, Lucy Reed, Tanya Zabihi, Nigel Page, Olivia Magennis, Kelan McHugh, Richard Jones, Maria Hancock, Elizabeth Isaacs QC and Susan Grocott QC.

Non-attendance:

Ruth Henke QC, Janet Bazley QC, Deepak Nagpal, Katharine Bundell, Sam King, James Rees, Timothy Scott QC and Mehvish Chaudhry.

Item 2. Minutes of the meeting of 9th November 2016:

i) For approval + posting on the website

The minutes were approved as drafted for posting.

ii) Matters arising from the minutes:

The Chairman reported that in relation to Item 5 of the November agenda 'Changes at the Financial Remedies Unit at the CFC', he has not received any feedback from sets of chambers which might be particularly affected by the changes to be introduced in January 2017. Therefore, the Chairman proposes to write to HHJ O'Dwyer setting out his thoughts. The Chairman will send these to the Finance sub-committee before the end of the year and before sending them to HHJ O'Dwyer, should there be time to do so.

Item 3. Sub-committees

i) Children

There was nothing to report on this occasion.

ii) Finance

There was nothing to report on this occasion.

iii) Equality and Diversity

Katy Rensten (KR) reported that the BSB are having a consultation regarding entry routes into the Bar and making it more accessible. The committee discussed proposals provided by the Bar Council, BSB and Inns of Court and the advantages/disadvantages of these. It was agreed that KR, Sam King (SK) and James Holmes (JH) would provide a response from the FLBA to the consultation and provide an outline for the next FLBA meeting. The deadline is 31st January 2017.

KR also reported that she attended a breakfast meeting with the Lord Chancellor, which was also attended by 10 chancery and commercial silks. There was an awful lot of disquiet expressed regarding the uncertainty around Brexit. KR raised Brussels IIA and was told that all the issues raised at the meeting would be dealt with by Sir Oliver Heald QC MP. KR observed that the Lord Chancellor was looking for assistance but there was little focus. Issues were also raised about the lack of diversity, both in terms of ethnicity and gender, amongst the judiciary. The Lord Chancellor said she was keen to address these issues but gave no indication as to how this would be addressed.

Item 4. Joint Project with *Resolution*:

i) Meeting with *Resolution* on 23 November 2016

The Chairman referred the committee to the briefing note prepared by John Wilson QC (JWQC), which was distributed ahead of the meeting. Both had met with a group from *Resolution* on 23 November 2016 to discuss cohabitee rights generally, and specifically issues arising on intestacy.

ii) Cohabitees rights in intestacy (project)

JWQC spoke about cohabitation, including intestacy, at Cumberland Lodge earlier this year and the unfairness of the current law. *Resolution* are keen to take forward this project, but are anxious to ensure they are not seen to dilute their wider agenda,

which is to provide rights across the board for all cohabitants. Therefore, they wondered whether the FLBA might wish to take the lead on this project, whilst being supported by Resolution. JWQC spoke about the concerns surrounding the lack of reform in this area and noted that this is not assisted by it being low on the government's agenda. JWQC discussed the proposed reforms by the Law Commission and what the new law gives us now and how the proposed reforms, if enacted, could take matters forward. JWQC proposed that the FLBA form a small committee and he would see whether the Chancery Bar Association would be interested in getting involved, as they too have a similar interest in reform.

iii) FLBA to take lead?

The Chairman explained that the FLBA would meet with Resolution in the New Year. He would return this matter to the committee after this meeting setting out what the proposals are and post it on the website for our members to view and comment.

Item 5. Brexit Matters:

i) Paper submitted by TSQC for Brexit Roundtable with MoJ on 29th November 2016

The Chairman reported that the document prepared by Timothy Scott QC (TSQC) for the meeting with the MoJ on 29th November 2016 will be posted on the website. The Chairman recorded his thanks to TSQC.

ii) Chairman evidence to HoCs Justice Committee on 20th December 2016

The Chairman will appear before the HoCs Justice Committee to give evidence about the likely impact of Brexit on Family Law.

iii) Joint Brexit Conference with Resolution and IAFL on 26th June 2017

The Chairman reported that he has been in discussion with IAFL and resolution to hold a joint Brexit Conference on 26 June 2017. The conference will be held at the offices of Charles Russell. An evening reception will take place on Sunday 25 June 2017.

iv) Involvement and sponsorship

The committee agreed that this is something the FLBA should be involved in and sponsor. The committee further agreed that James Roberts (Treasurer) could discuss and agree joint sponsorship with the other parties involved.

Item 6. FLBA Events in 2017:

i) Available funds (other proposals)

The Chairman referred the committee to the finalised accounts, a further copy of which were sent to the committee ahead of the meeting.

ii) Re-instating/replacing the FLBA Garden party (for further discussion and decision?)

A few committee members commented that in the past, this was always popular and people do often say how much they miss it. The Treasurer commented that it is a very expensive event for the FLBA but we do currently have healthy reserves and therefore something that we could do from a financial perspective. There then followed a discussion about the pros and cons of holding this event and alternative events. The committee agreed that the membership should be asked their views regarding whether the FLBA should host a garden party next year. Tim Parker suggested that we make it a fundraising event for a charity to provide it with some gravitas and purpose.

iii) National Regional Social Event?

JWQC thought it would be a good idea that the Regional officers are asked to suggest alternatives to the Garden Party, as this is often viewed as being London-centric. The Chairman will put this back on the agenda in January 2017 and would give some thought to the event taking place late summer/early autumn.

iv) Other events (to note in diary):

The Chairman reminded the committee of the forthcoming events in 2017:

FLBA Annual Dinner: 24 February 2017

Cumberland Lodge Conference: 5 to 7 May 2017

National Conference (Brighton): 4 November 2017

Bar and Young Bar Conference 2017: 4 November 2017 (which clashes with the FLBA National Conference)

Item 7. Committee Membership and Co-Options:

i) Members leaving the committee

The Chairman noted that the following people were leaving the committee as their term had ended and recorded his gratitude to each of them for all their hard work and support:

Janet Bazley QC

Leslie Samuels QC

Elizabeth Isaacs QC

Lucy Reed

Kelan McHugh

Judith Fordham

Special thanks went to LSQC and JBQC for their respective roles as Chair of the Finance and of the Children sub-committees and to recognize that each has taken a great deal responsibility and work on their shoulders

ii) New members joining the committee:

Mark Twomey

Caroline Topping

Joy Brereton

Victoria Flowers

Victoria Miller

Siân Gough

The Chairman looks forward to working with each of them over the next 3 years.

iii) New co-options

The Chairman proposed that subject to the committee's approval the following four people would be co-opted on to the committee for a one year term:

Lucy Reed (website)
James Holmes (Young Bar)
Tim Parker
Kelan McHugh

iv) Retiring co-optees:

Sandra Eze
Jessica Brindle

The Chairman thanked them both for their help and support over the last year and encouraged them to stand for election in due course.

v) Obligations to attend meetings (in person) in 2017

The Chairman reminded committee members of their obligation to attend as many meetings as possible in the New Year and noted that he did not wish to resort to the sanctions which can be imposed if attendance is lacking.

Item 8. Applications for membership:

i) Two applications received (for decision)

The Chairman reported that we have received two applications from young practitioners who had completed the BVPC but not yet obtained pupillage. In the past, we have said that provided it is their goal to obtain pupillage, we would not prevent them from joining. Both applicants describe themselves as County Court Advocates and both have been called to the Bar. The Chairman thought that if it transpires that they do not apply for pupillage within the next few years, we should review their membership. The committee approved them joining on the basis that they are aware that it is our expectation that they will apply for pupillage in due course.

Item 9. AOB

i) Family Affairs Christmas Edition

The Chairman thanked JWQC for producing the Christmas Edition. JWQC explained that the magazine was prepared on time, largely because everyone kept to the timetable. Bloomsbury publishers have approached him about advertising in the next three editions, which will cut the costs of printing and mailing the magazine. Currently, the advertising rates are £700 for a full page and £400 for half a page. It was agreed that a discount could be offered on the basis that they would be

advertising in every issue in 2017. A general discussion took place about the type of advertising we would accept and it was agreed that we would consider this on a case-by-case basis. Commercial companies, such as legal publishers who offer our members a discount are of the type we would agree to. It has previously agreed that individual chambers would not be permitted to advertise (e.g.) events or vacancies.

ii) Any other AOB

The Chairman reported that Mrs Justice (Lucy) Theis, former Chairman of the FLBA, would be chairing the National Conference in Brighton and that it was well in hand after having received an update on its progress from Maria Hancock. It was noted that the FLBA National Conference on 4th November 2017 (the date of which was brought forward) still nevertheless clashes with the Bar and Young Bar Conference in London next year.

The Chairman was pleased to announce that Cyrus Larizadeh QC has agreed to take over as chair of the Children sub-committee. Morgan Sirikanda and Deepak Nagpal have agreed to take over as co-chairs of the Finance committee. The Chairman expressed his gratitude to them.

Date of next meeting: The next meeting of the Committee will take place on 11th January 2017 at 5p.m. in the Queen's Room, Middle Temple.

The meeting concluded at 6.01 p.m.

Khadija Khan
FLBA Administrator