

ANNUAL GENERAL MEETING

Minutes of meeting held Wednesday, 18 April
at the Birmingham Hilton Metropole

SATURDAY



RM	*R79NQC11*	#2
	07/07/2018	
	COMPANIES HOUSE	
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1. WELCOME AND INTRODUCTION

Brett Evans (BD), President, formally welcomed members to the meeting and all non APIL members were asked to leave the room.

2. PRESENTATION OF ANNUAL REPORT

Gordon Dalyell (GD) Vice President, presented the AGM covering the period from 1 January 2017 to 31 December 2017, and includes a summary of activities undertaken by the association during 2017, the audited accounts, results of the Officer and Additional Officer elections, resolutions to be debated (approved or rejected), presentations to leaving executive committee members, with time at the end for any questions and any other business.

GD said 2017 was a challenging year and drew attention to this time last year when the change in the discount rate was announced. This was a significant victory for APIL after 16 years of lobbying, and six years after the first judicial review. The rate was reduced to -0.75%. A year on further changes are planned, in particular a review in the way the rate is calculated contained within the recently published Civil Liability Bill. The Justice Select Committee report in November 2017, and following oral and written evidence by APIL.

Small claims, whiplash and clinical negligence reforms have also played a large part of the workload, which will continue with the Civil Liability Bill and other work with the MoJ, DoH and other organisations. The long awaited consultation in fixed costs in clinical negligence claims valued at £25,000 or less was published. APIL's response said that a fixed predictable claims process was preferred rather than imposing fixed recoverable costs on the current scheme. APIL has been heavily involved in the MoJ sub and steering groups set up to look at whiplash and the small claims reforms and GD reported on APIL wins - the MoJ have recently confirmed that the reforms will not be extended to employers liability, nor public or occupiers liability cases until the RTA reforms have been implemented.

APIL continues to work closely with stakeholder and partners. With regard to clinical negligence we have liaised with AvMA, the Law Society, and SCIL amongst others. The Civil Liability Bill will provide the opportunity to continue our work with organisations such as MASS, and the Law Society.

Moving on to jurisdictions, in Northern Ireland Lord Justice Gillen published his final report on the civil justice system and APIL remains committed to working with the civil justice review group. APIL also responded to a consultation on a registration scheme for providers of publicly funded legal services. In Scotland the Civil Litigation (Expenses and Group Proceedings) (Scotland) Bill is currently moving through the Scottish parliament. APIL Scotland Regional Group Coordinator, Ronnie Conway, gave evidence on behalf of APIL to the Scottish Parliament Justice Committee and APIL has been actively involved throughout the bill progress. APIL also gave evidence to help shape the progress of the Limitation Childhood Abuse (Scotland) Bill. APIL is also campaigning for a tougher stance to be taken

in relation to people failing to disclose medical conditions when applying for a driving licence, following the Glasgow Bin Lorry Fatal Accident Inquiry recommendations.

APIL has put forward a number of campaigns, notably in relation to cold calling and the Financial Guidance and Claims Bill. APIL continues to campaign on bereavement damages, and APIL's Injury Prevention Day focussed on the Back Off Campaign. APIL is conscious of the potential impact of Brexit and a working group of executive committee and non-executive committee members has been established to monitor developments and look at influencing potential legislative changes.

Research forms an important part of the work APIL undertakes. Along with the Law Society and MASS, we commissioned a report which confirmed the likely cost of the impending reforms to injured people and the state is approximately £100m each year, whilst the savings to the insurers is approximately £200m each year. This comes at a time when the number of whiplash claims are decreasing, contrasting with the increase in vehicle repair costs. Research has also helped with clinical negligence campaigning and revealed the impact of delays in diagnosis and treatment cost NHS more than any other. As a result of failures over 2600 clinical negligence claims closed with damages worth almost £400 million.

In the media, APIL saw a 31% increase in print circulation and a 20% increase in Twitter followers, as well as an increase in interviews with a variety of media outlets.

APIL membership stood at 3414 members. APIL has introduced corporate deals with firms which allows for complimentary members depending on the number of paying members. As at 31 December there were 152 such members. Current membership numbers represent an attrition rate of 15% compared to 18% in 2016. BD and GD have spent time meeting with firms to discuss membership and to see how we can encourage more people to join and take advantage of these deals.

Accreditation remains an important part of APIL activity. 940 individual members are accredited, 62 in house accredited firms, 161 corporate accredited firms and 47 training providers in addition to APIL. APIL has 322 specialist accredited members which marks an increase of 39% over the last year.

In 2017 a new role was created in the APIL office of Public Enquiries Administrator. The administrator will pass on new enquiries from the public directly to an APIL accredited member. In November and December 2017 there were 288 enquiries of which 210 were passed on to members.

The APIL website receives over 5200 visits per month to the Find a Lawyer page, with clinical negligence being particularly popular. 2017 saw over 8000 posts to the member's forum, and SEO work continued to enable good placement in Google searches.

Moving on to training, APIL delivered 70 one day training courses, which resulted in 1743 bookings. Three one day conferences were delivered which resulted in a further 216 bookings, and 32 in house training courses were delivered. An increasing area of APIL's training provision is webinars. Throughout 2017 APIL delivered 36 webinars covering key areas as well as four quarterly review webinars free of charge. Webinars continue to be an ever popular method of people keeping up to date with developments in personal injury.

Special events continue to be popular and 2017 saw the annual conference return to the Celtic Manor Resort, Newport; the Advanced Brain and Spinal Cord Injury conference, and

the Clinical Negligence conference. In July a meeting with APIL trainers was held to look at the direction of the APIL training provision, including identifying any gaps within the training offering and widening the pool of trainers. The APIL training team are constantly looking for new ideas and ways to deliver training and the members were encouraged to get in touch with the APIL office if they have any ideas or would like to consider becoming an APIL trainer.

At this point recognition and thanks were extended to the recently departed chief executive, Deborah Evans. Deborah had held the position for seven years and played a significant part in the development of the organisation, and APIL extends its best wishes to her for the future. Tributes were also paid to the APIL senior management board and staff at the APIL office who do a great job, often in pressured circumstances, working hard for injured people.

The organisation faces a number of challenges in respect of the way it is structured. The reality is that with the increasing demands of private practice, it can be difficult for members to consider putting themselves forward for a seat on the executive committee. The officer roles in particular can take up a great deal of time. APIL is looking at broadening out these roles with a view to having a structure in place. With that in mind the executive committee have set up a sub group under the chairmanship of Michael Imperato, considering these issues and report back on the recommendations. An important part of the group's remit is to consider the interaction between the APIL CEO, executive committee and officers, APIL management team and staff, and the wider membership. As an organisation we have to adapt to change but we are confident we have the members and staff to enable us to rise to the challenge.

GD handed over to the APIL Treasurer.

Nigel Tomkins (NT), Treasurer, talked through the outline details of our financial position contained within the annual report covering 1st January 2017 to 31st December 2017. 2017 was not an easy year for the industry; however APIL fared much better than expected in the early part of the year. NT outlined the 2017 income for membership £841,166; conferences £598,068; and training £701,283, and compared this to the income in 2016, which revealed that overall income was down by £147,502.

The year end deficit figure was just over £12,000 and NT explained that APIL very nearly broke even.

Expenditure (membership, training, conference and publishing) remains important and due to cost efficiencies APIL were able to reduce sales by over £75,000. Efficiency savings took place in a number of areas including the termination of the DX service. This resulted in a saving of over £39,000. Two very successful conferences took place in 2017, were very well supported and generated very good income for APIL. The PI Update courses increased in numbers and training courses remain very well supported. A training profit of almost £250,000 was made in 2017. APIL remains in a healthy state with reserves of well over £500,000. There are robust and effective measures in place to ensure that things work and continue to work. APIL is financially strong and NT said he felt confident he was passing over the position of Treasurer to Jill Greenfield with APIL in a very healthy situation with good reserves.

NT referred members to the Annual Report financial for the full details of the accounts for 2017, and asked if there were any questions arising from the financial report. There being

no questions raised from the floor, NT asked for formal approval of the accounts. The motion was:

Proposed: Grant Evatt, Alma Law Ltd

Seconded: Robert Webb, HSR Law

NT asked for a show of hands for general approval of the accounts.

The vote was carried unanimously with the members approving the accounts for 2017.

RESOLUTIONS

John McQuater (JM), Secretary, spoke of the proposed general changes to the Articles of Association – three special resolutions and two resolutions – for consideration.

Special Resolution 1:

JM explained the proposed amendment to Article 37 is designed to encourage more barristers and junior barristers to join the organisation. Article 37

Proposed John McQuater, Atherton Godfrey

Seconded Nigel Tomkins, Freeths LLP

On a show of hands in the hall the proposal was passed. Therefore the resolution was CARRIED.

Special Resolution 2:

The next amendment relates to Article 22 and the amendment is proposed to include reference to e-memberships. APIL currently provides complimentary e-memberships to students in academic institutions, with a view to encourage younger members to join APIL.

Proposed John McQuater, Atherton Godfrey

Seconded Nigel Tomkins, Freeths LLP

On a show of hands in the hall the proposal was passed. Therefore the resolution was CARRIED.

Special Resolution 3:

That the provisions of Article 27.3 shall be dis-applied to the proposed election of Brett Dixon to the position of President and Gordon Dalyell to the position of Vice President, both for a second one-year term, each term to commence at the end of the Annual General Meeting held on 17 April 2018.

JM provided a background and explained that BD and GD made soundings regarding filling the role of vice president on the approach to the new year. Encouragingly there are APIL members who hope to seek the role in the future but at present it is not the right time. In these circumstances both the current president and vice president confirmed they would be willing to serve a further year. Robert Webb, a long serving EC member, who is due to retire from the EC, expressed an intention to stand for vice president if necessary. Robert however felt the best interest of the organisation was to allow the current president and vice president to serve a further term.

Proposed John McQuater, Atherton Godfrey

Seconded Suzanne Trask, Bolt Burdon Kemp

On a show of hands in the hall the proposal was passed. Therefore the resolution was CARRIED.

Ordinary Resolution 1:

To elect Brett Nicholas Dixon to the position of President and as a director of the company for a second term of office

Proposed John McQuater, Atherton Godfrey

Seconded Suzanne Trask, Bolt Burdon Kemp

On a show of hands in the hall the proposal was passed. Therefore the resolution was CARRIED.

Ordinary Resolution 2:

To elect Gordon Dalyell to the position of Vice President and as a director of the company for a second term of office

Proposed John McQuater, Atherton Godfrey

Seconded Suzanne Trask, Bolt Burdon Kemp

On a show of hands in the hall the proposal was passed. Therefore the resolution was CARRIED.

JM presented the results for the APIL officer's elections for 2018/9

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|---------------------|-----------------|
| • President | Brett Dixon |
| • Vice President | Gordon Dalyell |
| • Treasurer | Jill Greenfield |
| • Company Secretary | John McQuater |

JM congratulated both Brett and Gordon and were thanked for agreeing to give an important degree of continuity.

JM confirmed the following APIL members were duly elected to the executive committee as additional officers:

- **Shahram Sharghy, 9 Gough Square** (re-elected)
- **Sam Elsby, Dean Wilson Solicitors** (newly elected)
- **Jonathan Scarsbrook, Irwin Mitchell** (newly elected)
- **Suzanne White, Leigh Day** (newly elected)

JM highlighted the benefits of sitting on the executive committee and urged APIL members considering standing to do so in the future.

THANK YOU

JM spoke of the following members to leave the EC. Grant Evatt has been on the executive committee for a number of years and was thanked for the work he has carried out. Robert Webb has also played a great part over recent years.

Neil Sugarman also leaves the EC having spent time as an EC officer, vice president, president and finally as immediate past president. JM said it has been a pleasure to work alongside Neil over the years and thanked Neil for his extensive contribution to APIL.

Nigel Tomkins also leaves the executive committee and was thanked for his extensive contribution to APIL as an EC member and trainer.

There were no questions raised. JM confirmed the AGM was now concluded.