

**ANNUAL GENERAL MEETING - 2023**

Minute of the Annual General Meeting of the Law Society of Scotland held via telephone and video conference on 29 June 2023 at 5.30 pm.

Present: Shelia Webster (President), Susan Murray (Vice President), Murray Etherington (Past President), , Peter Nicholson (Honorary Member), Michael Samuel (Honorary Member), Ken Dalling, Paul Gostelow, Austin Lafferty, John Mulholland, Vlad Valiente, Sheekha Saha, Alison Attack, Beatrice Nicholas, Andrew Hintridge, Philip Lafferty, Fiona Dalling, Rognvald Mason, Serena Sutherland, Kate Johnstone, Peter Walsh, Martin Kotsev, Nyree Conway, Campbell Read, Amna Ashraf, Pat Thom, Ross Taylor, Jim Keegan KC, Simon Roudh, Elaine Motion, Sarah Alexander, Andrew Stevenson, Fiona Watson, Alexander Spence, David McClements, Morag McLintock, Diane Ciarney and Colin Anderson.

In attendance: Sue Carter (Lay Council Member), Fiona Larg (Lay Council Member), Graham Watson (Lay Council Member), Alastair Rae (Auditor, BDO LLP), James Paterson (Auditor, BDO LLP), Diane McGiffen (Chief Executive), Loraine Strachan (Executive Director of Finance and Operations), Kevin Lang (Executive Director of External Relations, Paul Mosson (Executive Director of Member Services and Engagement), Valerie McEwan (Media and Communications Manager), Andrew Healey (Head of Finance), Liz Campbell (Executive Director of Education, Training and Qualifications), Simon Frazer (Communications Manager), and Laura Crocker (Council Minute Secretary, Vialex Limited).

Apologies for absence were intimated from: Derek McIntyre, Aisha Holloway, Rachel Wood and Struan Ferguson.

<p>1.</p>	<p><b><u>Welcome</u></b></p> <p>The President welcomed everyone to the 74<sup>th</sup> Annual General Meeting ("AGM") of the Law Society of Scotland (the "Society").</p> <p>The President invited the Council Minute Secretary to run through the principal procedural arrangements for the meeting.</p> <p>The Council Minute Secretary summarised the procedural arrangements for the AGM. The formal notice for the AGM had been issued on 1 June 2023.</p>
<p>2.</p>	<p><b><u>Approval of the Minute of the Annual General Meeting held on 26 May 2022 and Special General Meeting on 21 October 2022</u></b></p> <p>The President referred to the minute of the Annual General Meeting held on 26 May 2022 and the minute of the Special General Meeting held on 21 October 2022, circulated in advance of the meeting.</p>

	<p>The minutes were proposed by Murray Etherington and were seconded by Paul Gostelow. The minute of the Annual General Meeting held on 26 May 2022 and the Special General Meeting held on 21 October 2022 were approved.</p>
3.	<p><b><u>The President's Address</u></b></p> <p>The President addressed the meeting stating:</p> <p><i>"Tonight's AGM is a very special one as we welcome not one, but two honorary members:</i></p> <p><i>Michael Samuel and Peter Nicholson</i></p> <p><i>I am delighted that you have both been able to join us this evening.</i></p> <p><i>Honorary membership is the highest award that the Society can bestow, giving lifetime membership to a very distinguished group of people who have made outstanding contributions to the Scottish solicitor profession during the course of their careers.</i></p> <p><i>Michael and Peter join a very select list of people as the 20th and the 21st members to be honoured by the Law Society.</i></p> <p><i>Firstly I would like to turn to Michael, whom I'm sure many of you will know.</i></p> <p><i>Michael was a founding Partner of Miller Samuel when it was established in 1973 and became the firm's first, and only, chairman for more than four decades. And this was a role he continued when the firm merged to become Miller Samuel Hill Brown in 2016.</i></p> <p><i>During his career, Michael practiced across all aspects of private client work and chose to retire from private practice at the end of 2021. But despite retiring, he remains very much connected with the firm and the profession.</i></p> <p><i>Alongside his private practice, Michael was also involved in a whole swathe of organisations – including the Society - offering his time and expertise. At the Society, he was Convener of our Business of Conveyancing Committee and then long-time Vice Convener of the Property Law Committee. He was also Dean of the Royal Faculty of Procurators in Glasgow for three years, from 2004 to 2007.</i></p> <p><i>In addition, he was chairman of the Glasgow Solicitors Property Centre for 22 years and spent time as director of the International Lawyers Network and as a trustee and chair of a number of boards for charitable and non-</i></p>

*profit organisations. These included the Merchants House of Glasgow, Children's Classic Concerts, Spina Bifida Hydrocephalus Scotland, the Queens Park Charitable Trust and the Western Club which all benefited enormously from the knowledge and expertise that Michael shared so generously.*

*Peter I'm sure needs no introduction to many of you. He has had a very different kind of legal career - though no less impactful - through his work over the past 20 years as the editor of the Society's membership magazine, The Journal.*

*Peter started out as a University of Edinburgh Law School student and qualified as a solicitor in 1981 after serving his apprenticeship at Balfour & Manson. As an alternative to staying in practice, Peter then chose to join the legal publisher W Green & Son as a legal editor. There, he spent more than 20 years editing the Scots Law Times and was the founding editor of Greens Weekly Digest, a title he managed for 16 years, alongside editing other reference sources including Parliament House Book and Scottish Current Law.*

*He became editor of the Journal in 2003 and, for the past 20 years, has been at the very heart of the Scottish legal profession's conversations, ensuring that the Journal is a hugely valued and important resource for our members, offering news and updates, and a forum for respectful debate and discussion.*

*Under Peter's leadership, the Journal has consistently provided content of interest and relevance to an increasingly diverse profession and he has overseen its evolution into the digital age, with the introduction of online news and social media content, and the digitisation of the magazine.*

*His work on the Journal has seen him named the PPA Scotland Business and Professional Editor of the Year at the Scottish Magazine Awards three times, in 2010, 2012 and 2015.*

*Peter retired from full-time editorial work in May this year, but will remain as consultant editor for the time being. I'm sure you will all agree that whoever takes over as editor of the Journal has some big shoes to fill!*

*Michael, Peter - many congratulations to you both. The honorary memberships are justly deserved and a fitting tribute to both of your careers.*

*Now, may I ask everyone here to unmute yourselves and offer your congratulations to Michael and Peter in the usual way. Thank you everyone and many congratulations once again to Michael and Peter.*

*I will now invite Murray Etherington, our Past President, to report on his year as President during 2022 -2023."*

The Past President thanked the President and provided a short report on his year as President.

The Past President began by stating one of his highlights of the year had been the presidential tour, enabling him to speak to Members across Scotland. The Past President stated it had been a real privilege to listen to Members' issues and concerns and consider what the Society can do in terms of assistance and improvements for its Members. The Past President touched on diversity, noting that while the Profession is diverse, there are many more things that bring us together than keep us apart.

The Past President reported that other highlights included furthering the development of Lawscot Wellbeing, hosting the annual dinner of the Society, noting its sustainability focus this year, and his attendance at a number of record events, including the record number of admissions at the latest admission ceremony with over 100 new qualified solicitors entering the Profession, and his attendance at a number of historical events, including the swearing in of the First Minister of Scotland and the 100 year anniversary conference of the Law Society of Northern Ireland.

The Past President concluded by thanking the staff of the Society, the Chief Executive, the President and Ken Dalling, for their unwavering support during his time in office and extended his best wishes to the President and Vice President for the coming year.

The President thanked the Past President and continued by stating:

*"I would like to take a few moments to say just what a huge honour and how immensely proud I am to represent the profession as your President.*

*One of my key aims for my year in office is to make sure that the Society is accessible to you, our members, regardless of where you practice and whatever your practice involves.*

*So I fully intend to pick up where Murray, our immediate Past President, left off in meeting solicitors right across the country to learn about issues*

*you may be facing and what we can do to provide support and services which will help you in meeting the needs of your clients - whether you are working in a busy practice on the high street, at a large international firm or in-house for organisations in the private or public sectors. My Presidential tour will start in August and I hope to meet many of you as I travel the country.*

*Our public interest work is also core to what we do. We are dealing with something of a double whammy this year in that there are two very important Bills which have a direct impact on the legal sector - the new proposals for criminal justice reforms under the Victims, Witnesses and Justice Reform Bill, and, as you will all be aware, the Regulation of Legal Services Bill.*

*All of our policy work in scrutinising Bills is important to seeing good, workable law being introduced, but both of these bills are part of the very fabric of the profession and what it is to be a solicitor.*

*We may not all work as criminal defence lawyers or be a prosecutor, but it is essential that any proposals to reform Scotland's criminal justice system do not undermine the fundamental principles of our justice system and the right to a fair trial.*

*And the Regulation of Legal Services bill has thrown up major concerns, including the unprecedented possibility of Scottish Ministers being able to directly intervene in how we are regulated as a profession.*

*The Council, committees and executive team at the Society are working incredibly hard at present to respond to the calls for evidence relating to those proposals that we believe will risk undermining the independence of the legal profession from the state.*

*It's a concern that has drawn criticism not just from us, but international bodies such as the International Bar Association and in May this year we signed up to the Commonwealth Lawyers Association international declaration on protecting the independence of the judiciary and the legal profession.*

*We want to see reform and to modernise the current regulatory system. But it must be change that brings benefits. Change that allows you, the profession to thrive. Change that enhances protections for the public and which works in the public interest.*

	<p><i>There is real opportunity to make this work and it will be for all of us as a profession to guard against any proposal which undermines our independence and the rule of law.</i></p> <p><i>As the Society's newest president, that feels like no small undertaking but even in these first few weeks I have had huge support:</i></p> <p><i>From Murray as Past President, who has been a great source of advice and insight, from my Vice President Susan Murray, and fellow Council members and from Diane McGiffen and our team at the Society who do so much on behalf of the profession.</i></p> <p><i>Thank you all for your insight and wise counsel. It is very much appreciated."</i></p>
<p>4.</p>	<p><b><u>Adoption of Reports</u></b></p> <p>The President referred to the reports from The Treasurer, the Audit Committee Convener, and the Client Protection Fund Committee for 2021/2022 (the "Reports"). The President reminded the meeting that the Reports had been placed on the Society's AGM website page. The President invited questions.</p> <p>There were no questions on the Reports which were all duly adopted by the meeting.</p>
<p>5.</p>	<p><b><u>Chief Executive's Report</u></b></p> <p>The Chief Executive reported to the meeting, stating:</p> <p><i>"Good evening everyone.</i></p> <p><i>Thank you for joining us at this year's AGM. we very much appreciate you taking the time to attend.</i></p> <p><i>I'd like to give you an update on our work which we set out in our current annual plan, and which aligns with our strategy for 2022 to 2027.</i></p> <p><i>We developed our five-year strategy by consulting with members and stakeholders through online meetings and surveys - and published it in October last year at an online member event.</i></p> <p><i>From those discussions we had with our members want the Society to provide support you throughout careers and which promotes access to justice and the independence of our legal system.</i></p>

*Promoting health and wellbeing and the use of technology in the legal sector were key issues for our strategy, alongside how we develop our work on sustainability, both within the Society, and to support the profession.*

*Our operating year runs from 1 November 2022 - 31 October 2023 – and throughout the year we aim to make progress on our annual plan and provide our day-to-day services for our members, the public and the organisations we work closely with.*

*In the course of the past year we have helped to shape the law by scrutinising legislation at Holyrood and Westminster and providing briefings to inform debate – We have commented on 16 Bills and responded to 86 consultations on behalf of the profession.*

*We also hosted fringe events at Scottish political party conferences to talk about issues that matter including constitutional change, climate law, and the rule of law,*

*We provide a range of support and services directly to our members including support for trainee and newly qualified solicitors – last year 791 traineeships started;*

*We deliver thousands of hours of CPD so our members can maintain and enhance their skills. Last year we added 37 new seminars and conferences, totaling an additional 210 hours of online CPD. We are growing our CPD content and introducing more hybrid options to support both online and in-person learning and development.*

*We offer confidential advice to members on practice rules and ethics – last year 11,600 enquiries were handled by our Professional Practice team. We also provide help and guidance for members to support their emotional wellbeing through our Lawscot Wellbeing initiative. We help keep our members informed through email updates and our award-winning monthly Journal magazine.*

*As a regulator, we also:*

- set, enforce and monitor standards to ensure the provision of excellent legal services - meaning the public can have confidence in Scotland's legal profession;*
- investigate complaints about solicitor conduct, last year 205 complaints were received and 248 were closed;*

	<ul style="list-style-type: none"> <li>• <i>process Client Protection Fund claims efficiently, inspecting hundreds of legal firms to ensure client money is protected; and</i></li> <li>• <i>intervene in firms when there is a critical need.</i></li> </ul> <p><i>As we respond to the Legal Services regulation Bill, we are also working to improve our processes and approach so that our regulation is proportionate, and risk based.</i></p> <p><i>We are growing our CPD content and introducing more hybrid options to support both online and in-person learning and development.</i></p> <p><i>We carried out our latest Profile of the Profession survey. Conducted every five years, this significant piece of work allows us to get an in-depth understanding of the profession and experiences of our members, and directly informs our future policy work.</i></p> <p><i>Our new Sustainability Committee is now up and running and will lead our work on how we respond to the climate crisis and play an active role in policy and legislative developments - so do look out for updates on this.</i></p> <p><i>The Society hosts a diverse range of members, who practice areas interests and priorities can diverge, but what shines through to me is how much everyone cares about what they do and is concerned about the future of the profession and the issues we hold dear.</i></p> <p><i>So much of that is down to the work of our Council and committees which are made up of volunteer members. Alongside my wonderful Society colleagues, they do a huge amount of work for us, for the profession, and indeed for us all as citizens living here.</i></p> <p><i>I'd like to thank everyone who commits their time, energy and expertise and who make the Society such a special organisation to be part of.</i></p> <p><i>Thank you"</i></p>
<p>6.</p>	<p><b><u>Resolution Number 1 – Approval of the Annual Report and Financial Statements of the Society and the Client Protection Fund for the year ending 31 October 2022</u></b></p> <p>The President referred to the following resolution:</p> <p>"the approval of the Annual Report and Financial Statements of the Society and the Client Protection Fund for the year ending 31 October 2022" ("<b>Resolution Number 1</b>").</p>



	<p>Resolution Number 1 was proposed by Murray Etherington and was seconded by Serena Sutherland.</p> <p>The President asked if anyone present at the meeting wished to move the direct negative in relation to Resolution Number 1.</p> <p>No one moved the direct negative and Resolution Number 1 was approved.</p>
7.	<p><b><u>Resolution Number 2 – Approval of the Re-appointment of the Auditors (BDO) to the Society</u></b></p> <p>The President referred to the following resolution:</p> <p>"the re-appointment of BDO LLP as the Auditors to the Society" ("<b>Resolution Number 2</b>").</p> <p>Resolution Number 2 was proposed by Pat Thom and was seconded by John Mulholland.</p> <p>The President asked if anyone present at the meeting wished to move the direct negative in relation to Resolution Number 2.</p> <p>No one moved the direct negative and Resolution Number 2 was approved.</p>
8.	<p><b><u>Resolution Number 3 – Approval of the increase in Practising Certificate fee from 2023/24 to £731.25</u></b></p> <p>The President referred to the following resolution:</p> <p>"that, as from 1 November 2023, the Annual Subscription payable by each member of the Society holding a Practising Certificate will be £731.25" ("<b>Resolution Number 3</b>").</p> <p>Resolution Number 3 was proposed by the President and was seconded by the Vice President.</p> <p>The President asked if anyone present at the meeting wished to move the direct negative in relation to Resolution Number 3.</p> <p>No one moved the direct negative and Resolution Number 3 was approved.</p>
9.	<p><b><u>Resolution Number 4 – Approval of the amendment to the Constitution to accommodate mutual tax status</u></b></p> <p>The President referred to the following resolution:</p>

	<p>"the approval of an amendment to the Constitution to accommodate mutual tax status" ("Resolution Number 4").</p> <p>Resolution Number 4 was proposed by Murray Etherington and was seconded by the Paul Gostelow.</p> <p>The President asked if anyone present at the meeting wished to move the direct negative in relation to Resolution Number 4.</p> <p>No one moved the direct negative and Resolution Number 4 was approved.</p> <p>The meeting noted that all four resolutions had been carried.</p>
10.	<p><b><u>Conclusion of the Meeting</u></b></p> <p>The President thanked all members who had attended. The President also thanked the Society's executive for their work in arranging the meeting.</p> <p>There being no other business, the Meeting ended at 6.15pm</p>

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