



Informing Progress - Shaping the Future

FOIL UPDATE

5 January 2021

Representation on the Law Society Council – The need for FOIL members to vote again

In October 2020, FOIL was successful in halting proposals to reform the membership of the Law Society Council. Following FOIL's success in moving amendments to the original proposals, a ballot of the full Law Society Membership became necessary. It will close on **Thursday 7th January at 4.00p.m.**

Resolution 1 relates to the proposal to reduce the number of geographical seats on Council; increase the number of seats for in house lawyers, lawyers at early stages in their careers, and those with particular characteristics; and ensure that Council members are elected by constituents rather than appointed by external organisations. This is of greatest relevance to FOIL and members are urged to vote against the resolution.

FOIL's concern is that although the proposals provide for representatives from a variety of 'work-practice sector constituencies', the Council member would be elected by a general vote (election) and not by nomination by a representative body. It would thus be possible for any eligible person to stand for election to the post currently representing FOIL and like-minded bodies, without that person necessarily having any connection with or significant experience of the type of work with which FOIL and its clients is involved. FOIL is fighting to retain its place on the Council, as the defendant representative.

Resolution 2 proposes the introduction of a 12-year maximum term which a person may serve as a Council Member.

In his statement opposing this resolution, Council member Peter Causton cites the importance of having experienced representatives on the Council and he questions why membership should be fettered by an arbitrary time or age limit as to who a member of the Law Society can pick as the person best suited for the job. He also stresses that representatives should be those who understand the problems facing business owners in a range of practice models. This is vital not just for

IN BRIEF

The Law Society is conducting a ballot on its proposal to reduce the size of its Council.

The proposed changes include the election of all members by way of geographical vote, abolishing the current arrangement under which organisations such as FOIL are able to nominate a Council member.

It is also proposed that membership of the Council is restricted to 12-years.

legal businesses but all those who seek strong employment or want to develop their careers or aspire to manage a firm.

The proposed 12-year rule is not acceptable because apart from the loss of skilled and knowledgeable members to fill leadership positions on boards and committees Council is a democratic body not an appointed board, where time limits are relevant or should be imposed. He sees the proposal leading, within a few years, to a Council comprised of largely inexperienced members.

FOIL again recommends that members vote against this proposal.

To vote: Full details of the content of the ballot will have been sent to eligible members with the link for voting. In the event that you have not received the necessary information go to [Voting in our online membership ballot – all you need to know | The Law Society](#)

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