

**DRAFT MINUTES**  
**BOARD MEETING**  
**7 JUNE 2016**

**Board:** Sir David Bean, Chairman  
Mr Phil Golding, Chief Executive  
Professor Nicholas Hopkins, Commissioner for Property, Family and Trust Law  
Mr Stephen Lewis, Commissioner for Commercial and Common Law  
Professor David Ormerod QC, Commissioner for Criminal Law  
Mr Nicholas Paines QC, Commissioner for Public Law  
Sir David Bell (Non-Executive Board Member)

**Attendees:** Mr Matthew Jolley, Team Manager, Property, Family and Trust Law Team (Items 1, 2, 3, 4, 7)  
Ms Phil Hodgson, External Relations (Item 3)  
Ms Amy Perkins, Mr Spencer Clarke, Ms Rebecca Huxford, Mr Brad Lawlor from the Property, Family and Trust Law Team (Item 7)  
Mr Dan Leighton, Note-taker (Items 1 – 5)

**Special Item – Guest Speaker: The Rt Hon Lord Toulson**

1. The Chairman welcomed Lord Toulson, who had been Chairman of the Commission from 2003 to 2006, as guest speaker.
2. Lord Toulson addressed the Board in a wide-ranging speech and subsequently took questions.
3. The Chairman thanked Lord Toulson for attending the meeting.

**Item 1: Minutes of the Board Meeting on 26 April 2016**

4. The minutes were approved subject to two minor amendments.

**Item 2: Matters Arising**

5. The Chairman mentioned the following points:
  - The original plan to peer review the Form and Accessibility and the Mental Capacity drafts was no longer necessary. The Chairman asked Mr Paines to convey thanks to his team in particular for the drafting of the Mental Capacity statement.
  - The 13th Programme launch was to take place on 11 July. The Welsh event would take place on 12 July. It was agreed that a Board Meeting would be held on 13 July instead of the two previously arranged dates: 28 June and 26 July.

**Item 3: Law Commission Annual Report 2015-16**

6. The Chairman welcomed Phil Hodgson to the meeting to discuss the Annual Report, thanking her for her work to date in compiling the draft Report.

7. Some amendments were noted. In particular, the Chairman's appointment should be included, and the reference to that of Mr Lewis should be deleted as it fell outside the period. The Board agreed that the Report should only include those events that fell within the period 1 April 2015 to 31 March 2016. It was also noted that there should be consistency over the events that were included, with particular reference to various symposiums that had been held during the period. The present list was too selective.
8. Ms Hodgson said she had noted several other amendments that had been sent to her. Commissioners were asked to email any remaining amendments or suggestions to Ms Hodgson by close 9<sup>th</sup> June in order to keep to the publication timetable.
9. It was noted that the special procedure for Law Commission law reform Bills and the procedure for Statute Law Repeals and Consolidation Bills were separate and this should be made clearer. Changes were also required to the process chart for law reform stages in Part 4.
10. Ms Hodgson confirmed that she had sent an earlier draft to MoJ sponsorship team, and they had made no comments. She confirmed that the final draft would need to be sent to the Lord Chancellor. She advised the Board that, with other conflicting priorities, including the EU referendum, there was a risk that the Lord Chancellor might not sign off in time to meet the publication date, and in that case, we might have to consider postponing the publication.
11. In answer to questions, Ms Hodgson explained that it was not the usual practice for the Commission to publicise the Annual Report extensively, although the report itself was used considerably throughout the year to publicise the work of the Commission. 150 copies were usually printed, and most of these were sent out during the year.
12. It was agreed that Ms Hodgson and the Chief Executive would look at the method, format, style and content of the Annual Report in future, and would investigate other options, such as the publication of financial information in the present format and possibly supplemented by more online material.
13. The Chief Executive confirmed that he had already started to look into alternative, and perhaps more cost-effective, methods of publication in relation to the Commission's entire publishing budget for all its reports, consultation papers and other publications.
14. It was noted that the previous Chief Executive, Elaine Lorimer, would sign off the Annual Report as she had been in post for over 11 months of the reporting year.
15. The Board approved the Annual Report to go forward to publication, subject to the amendments already noted and all further amendments to be sent to Ms Hodgson.

#### **Item 4: 13th Programme Planning**

##### *(1) Launch Event*

16. Mr Jolley reported that it had been arranged with Mark Ormerod, Chief Executive of the Supreme Court, that the Commission could stage a launch event at the Supreme Court on 11 July. The Wales launch, on 12 July, was to be more of a roundtable discussion event. The aim with both events should be to get together our major stakeholders.
17. Lists would be compiled of those who were to be invited by personal letters from the Chairman and Chief Executive. In addition, materials were being developed for the website, where the consultation would be highlighted, along with other publicity materials, in order to launch the 13th Programme effectively.

18. It was agreed that Mr Jolley and the Chief Executive would explore the options and report back.

*(2) Suggestions from the Teams for 13th Programme Projects*

19. The Board then moved on to discuss the suggestions which had been received from teams as to potential projects which may be considered for the 13<sup>th</sup> Programme.

20. The intention was to put forward a number of potential ideas to encourage debate, whilst also ensuring that the consultation generated new ideas for law reform work.

**Item 5: Board Report**

21. The Board then discussed the Board Report which had been circulated as part of the pack of papers for the meeting. The following points were raised:

- Mr Lewis confirmed that funding had now been secured for the Transfer Fees project;
- Professor Ormerod noted that a commitment had now been received in relation to paving provisions in an MoJ Bill;
- Professor Hopkins advised the Board that a series of regional roadshows were taking place on the Land Registration project. The Chief Executive noted that this would likely see an increase in T&S, which needed to be effectively planned for.

**Item 6: AOB**

22. No AOB was raised.

**Special Item: Team Focus, Property, Family and Trust Law Team – Family Law.**

Ms Amy Perkins, Mr Spencer Clarke, Ms Rebecca Huxford, Mr Brad Lawlor from the Property, Family and Trust Law Team joined the Board meeting to give a presentation on the Commission's work relating to Family Law.