

LONDON CRIMINAL COURTS SOLICITORS' ASSOCIATION CONSTITUTION

Title

1. The name of the Association shall be “the London Criminal Courts Solicitors’ Association” (or by abbreviation “LCCSA”)

Objects

2. The objects of the Association shall be to encourage and maintain the highest standards of advocacy and practice in the Criminal Courts in and around London, to participate in discussions on developments in the criminal process, to represent and further the interests of the members on any matters which may affect Solicitors who practice in Criminal Courts and to improve, develop and maintain the education and knowledge of those actively concerned in the practice of Criminal Law in those Criminal courts and those who are in the course of their training.

Constitution and Particulars of Officers

3.1 The Officers of the Association shall be:-

- the President of the Association (who shall be the Chairman of the committee),
- the Law Reform Officer,
- the Secretary,
- the Treasurer, and
- the Training Officer.

In addition, there may be elected a Vice President, a Junior Vice President, an Editor of the Advocate, and/or a media officer.

3.2 The affairs of the Association shall be managed as it deems appropriate by a committee of the Officers of the Association between six and twelve elected members. Any five officers and/or committee members present will form a quorum. The committee may establish such sub-committees or separate bodies as it deems appropriate to further the objects of the Association.

3.3 At all meetings of the committee, in case of equality, the Chairman shall have a casting vote.

3.4 The committee may at its discretion co-opt not more than eight persons whether members or not for a period expiring not later than the next Annual General Meeting. The committee may further at its discretion invite any person or persons to its meetings as it may think fit as observers to assist the committee. Persons co-opted or invited as observers shall not be entitled to vote.

3.5 All the Officers and other members of the committee shall, except as otherwise provided in this Rule and Rule 3.10, be elected at the Annual General Meeting. The President shall remain upon the committee for one year after his retirement as President. If not elected at the AGM, the committee may elect without notice at any ordinary meeting from amongst their number a Vice President, Junior Vice President Media Officer or Editor of the Advocate. Officers shall retire annually but be eligible for re-election. All other members of the committee shall be elected for three years and retiring members shall not be eligible for re-election to the committee until one year after their retirement.

3.6 Nominations of candidates for elections as officers of the Association and for membership of the committee must be received by the Secretary not later than twenty one days prior to the date of the Annual General Meeting or any adjournment thereof at which the election is to take place. If no nominations at all as above have been received for an office or committee vacancy any member present at the Annual General meeting may be proposed for and elected to the office or vacancy by the members present at the Annual General meeting or any adjournment thereof.

If the number of candidates so nominated exceed the number of vacancies a vote of the members of the Association present at the Annual General Meetings shall be taken by ballot paper or by a show of hands. Each member of the Association present shall have one vote for each vacancy. A ballot shall be deemed properly completed if the number of crosses appearing against the names of candidates does not exceed the number of vacancies. Scrutineers shall be appointed by the Chairman of the meeting to count the votes and the scrutineers shall decide whether or not ballot paper is properly completed. In the case of equality of votes the Chairman of the meeting shall have a casting vote.

3.7 If the number of candidates does not exceed the number of vacancies the Chairman of the Annual General Meeting shall declare the candidate elected without the necessity of taking a vote. Any casual vacancy occurring among the Officers or the Committee of the Association shall be filled by the Committee. Any person chosen shall hold the office only until the next following Annual General Meeting and then shall be eligible for re-election.

3.8 The Secretary shall give seven days' notice to the members of the Committee of any Committee meeting specifying the nature of the business to be transacted.

3.9 The Committee shall have power to nominate any member of the Association as a delegate to any professional body and to confer on such delegate voting powers on behalf of the Association.

3.10 A candidate may be elected to the Committee in accordance with this rule. A Committee member may propose a candidate for extraordinary election to the Committee. This proposal must be in writing and circulated to the Committee no less than 14-days before a general meeting. At a general meeting the nomination must be put to the Committee and seconded. The Committee shall then vote on the nomination which shall succeed if approved by two-thirds of those members present and voting.

3.11 If a Committee member fails to attend 4 or more meetings within a 12-month period the Secretary may write to them and ask if there is a reasonable excuse, allowing 14 days for a response. After the expiry of that period the Secretary may recommend the removal of the Committee member to the Committee, after which the matter must be considered at the next general meeting. The Committee member may attend to address the Committee at the general meeting but will have no voting rights. The Committee will vote to decide the removal of the Committee member in their absence; the decision to remove requiring two-thirds of those members present and voting to agree.

4 Membership and Subscription

4.1 Categories: There shall be four categories of membership of the Association:-

- 1 Full Membership
- 2 Associate Membership
- 3 Life Membership
- 4 Honorary Membership

4.2 For full membership of the Association, the candidate shall be eligible as below and pay the relevant subscription)

4.3 Candidates for full membership shall be Solicitors of the Supreme Court, enrolled and practising.

4.4 Candidates for associate membership shall be any fee earner within a criminal firm or the CPS working within the field of criminal law (or a barrister practicing in criminal law who has previously been a member of the Association as a Solicitor)

4.5 The Committee of the Association may offer life membership to any member of the Association who has been a member for a continuous period of at least 15 years.

4.6 The Committee of the Association may offer honorary membership to any former member who has been appointed to a full time judicial office.

4.7 Associate and Honorary members shall be entitled to attend any general meeting of the Association but shall not be entitled to vote.

4.8 Any challenge to eligibility under the above criteria shall be notified to the Administrator or President, and resolved by vote at the next committee meeting.

Subscription

4.10 The annual subscription of each member other than a life member or an honorary member shall be either the current subscription or such other sums as shall be specified by the Committee on the recommendation of the Treasurer and notified to members at the Annual General Meeting.

4.11 The first annual subscription shall be payable within fourteen days after admission as a member and all subsequent annual subscriptions shall be payable in advance on 1 November each year. Failure to pay the first subscription within one month of the dispatch of the notice of election shall make such election null and void. No refund shall be payable upon the resignation or expulsion of a member.

Expulsion

4.12 The Committee may expel from membership of the Association any member whose subscription is more than three months in arrears. Notice shall be given to any such member giving the member ten days from the date of the notice to pay the subscription on penalty of exclusion from membership.

4.13 If any member shall be guilty of conduct which in the opinion of the Committee renders him or her unfit to be a member of the Association, the Committee may recommend the removal of his or her name from the list of members. If a recommendation for removal has been made then the following procedure must be followed:

- a) the Secretary shall so inform the member in writing of the recommendation for removal within 7 days of the decision.
- b) The member will be suspended from the Association from the moment the written notice of removal is sent until the expiry of their right to address the Committee (as set out at c) below), or until such time as a final decision has been made.
- c) The member has the right to address the Committee on the merits of its recommendation for removal if the Secretary is notified in writing within 14 days.
- d) The Committee shall then meet and afford the member the opportunity to make representations. Any such meeting shall take place within 28 days of the member notifying the Secretary that they wishes to address the Committee unless the Committee agree to extend the deadline.
- e) The Committee will reconsider the matter and make a further recommendation to reverse its earlier recommendation or not as the case may be and the Secretary shall so inform the member within seven days.

4.14 In an appropriate case removal of the name of the member from the list of members shall occur within 14 days from the date of any recommendation or final recommendation as the case may be by the Committee to the Secretary. The Committee shall not be obliged to give any further explanation for the expulsion to the member concerned.

Resignation

4.15 Any member may resign from the Association by giving notice in writing to the Secretary at any time of his or her wish to do so. On receipt of such notice by the Secretary he or she shall cease to be a member.

MEETINGS OF THE ASSOCIATION

5.1 Unless the Committee otherwise decides the Annual General Meeting shall be held in November of each year. The Committee may, whenever it thinks fit, and shall within twenty eight days of receipt of a requisition in writing signed by not less than ten members of the Association, convene an extraordinary general meeting to consider special business and any requisition shall express the object of the meeting proposed to be called and shall be delivered to the Secretary.

5.2 Twenty one days' notice at least of every general meeting specifying the place, day and hour of the meeting and in the case of special business the general nature of such business shall be given to each member of the Association.

5.3. At any general meeting seven of the members present shall form a quorum and if there shall not be a quorum after a period of fifteen minutes after the time appointed for the meeting, the members then present if more than three shall form a quorum.

5.4 The President or in his or her absence either Vice President in order of seniority, shall preside as Chairman at every general meeting of the Association. If none of these officers be present, the members present shall choose one of their number to be chairman of such meeting.

5.5 Any resolution to be considered at any meeting called or proceeding in the manner above specified shall if not included in the formal agenda circulated by the Secretary be in writing signed by the proposer and seconder who shall both be members of the Association and delivered to the Secretary at least twenty eight days prior to the day and hour of the meeting. The Secretary shall circulate details of such resolution to the membership within seven days of receipt of it in proper form.

ACCOUNTS

6.1 The Committee shall cause to be kept true accounts of the moneys received and expended for on or on account of the Association and of the assets and liabilities of the Association. The accounts shall be closed on 30th September in every year and a cash account showing receipts and expenditure and a balance sheet containing a summary of the assets and liabilities of the Association on such 30th September shall be made out and a copy of such balance sheet shall be given to every member on or before the date of the Annual General Meeting next following the closing of the accounts.

6.2 The accounts of the Association shall be audited as the Committee shall from time to time direct by auditors appointed by the Committee. The accounts of the Association shall be audited not less than seven days before the date of the Annual General Meeting next following the close of the Accounts. Any cost of the audit shall be a charge on the general funds of the Association.

ALTERATION OF RULES

7. The Rules of the Association may from time to time be altered or new rules made by any general meeting or adjournment thereof if passed by two-thirds of those members present and voting provided that particulars of any proposed alteration or new rules are specified in the notice convening such general meeting.

AIDS TO CONSTRUCTION

8. In the construction of these Rules unless the contrary intention appears: Words in the singular shall include the plural, and words in the plural shall include the singular. Save for questions arising

at any general meeting of the Association when the view of the majority of members present shall prevail, the Committee shall be the sole authority for the interpretation of these Rules, and the decision of the Committee upon any question of interpretation or upon any matter affecting the Association and not provided for by these Rules, shall be final and binding on the members.

INDEMNITY OF OFFICERS AND COMMITTEE

9. The Association shall indemnify the Officers and Committee of the Association from and against all claims liabilities and demands in respect of all acts done or purported to be done on behalf of the Association in good faith.