

# APIL ANNUAL REPORT AND ACCOUNTS 2015

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# Aims & Objectives

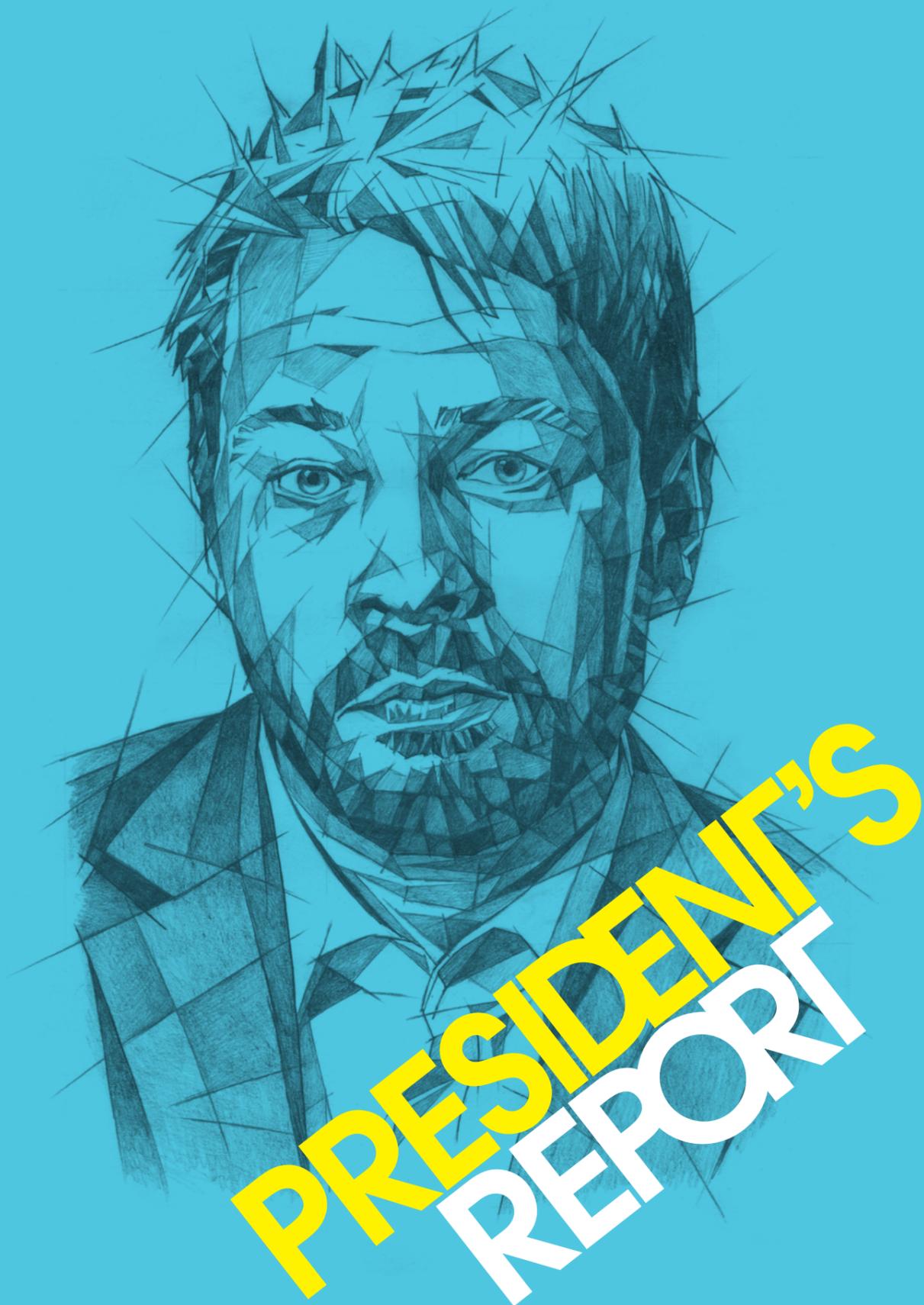
## Aims

- Believes passionately that victims deserve committed, well trained lawyers to support their fight for justice;
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- Understands that injured people can often be the most vulnerable in society and need help;
- 
- Campaigns to make a tangible difference to the lives of injured people and society as a whole;
- 
- Reassures victims and acts fairly with honesty and integrity;
- 
- Drives up standards in personal injury law and process, encouraging innovation and efficiency;
- 
- Is 'not for profit' and does not seek to make money out of the misfortune of injured people;
- 
- Treats law as a rewarding vocation, not a job, and encourages its members to thrive in their work.

## Objectives

1. To promote full and just compensation for all types of personal injury;
- 
2. To promote and develop expertise in the practice of personal injury law;
- 
3. To promote wider redress for personal injury in the legal system;
- 
4. To campaign for improvements in personal injury law;
- 
5. To promote safety and alert the public to hazards wherever they arise;
- 
6. To provide a communication network for members.





Jonathan Wheeler  
President

**When I started out as a lawyer, personal injury solicitors had a rather kindly and somewhat benign reputation, delivering results on legal aid for those who couldn't afford to pay; many of my colleagues (with the greatest respect) were kaftan wearing lentil eating lefties with a sense of right and justice. But that was 25 years ago!**

The Chancellor's autumn statement was a surprise to us all. It chimed however with the insurers' mantra, embodied in the Insurance Fraud Taskforce's unsatisfactory final report: blame the non-existent compensation culture for rising premiums, and put forward statistics of questionable probative value to evidence fraud. This has been bought hook, line and sinker, and suddenly we (and our clients) are the bad guys.

As a result, fundamental change is hurtling towards us like a comet. In the past year alone we have had to contend with proposals to raise the small claims limit (again), to remove the right to claim damages at all, to fix costs for cases under £250,000, and introduce an on-line court without lawyers. This is the time for APIL to do its work as we all stand up for our clients and our businesses. We have had high level access to government ministers and senior civil servants to put our case, and we will continue to do so in a thoughtful, well planned way. APIL will engage where appropriate to steer policy, but it will man the barricades when the government is not for turning.

It's not just about England and Wales: let's not forget Northern Ireland which is facing a huge shake-up of litigation funding, and Scotland where reforms to

the court system are still bedding down. We need to work together with our near-shore colleagues to keep getting our message out there, standing up for injured people.

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**Change in any form can make us braver and more dynamic, in the work that we do and how we best serve our clients**

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Amidst the mayhem, let's not lose sight of our pro-active achievements over the last year: The Negligence and Damages Bill introduced in the House of Commons by Andy MacDonald MP was a huge boost to one of our longstanding campaigns, tackling the inequities faced by clients when claiming damages for the loss of a loved one, and for secondary trauma. Our lobbying also helped bring a change to the statutory bereavement award in Northern Ireland, rising to £14,200. We assisted in the development of a toolkit for advocates

and judges dealing with vulnerable witnesses in court, and I introduced our campaign to make public liability insurance compulsory in parliament. These represent long-haul ambitions, but the seeds of our programme for law reform have been sown.

The changes for which we campaign would improve the lives of injured people. The changes to which we react may at first seem their antithesis. But change in any form can make us braver and more dynamic, in the work that we do and how we best serve our clients. I truly believe that – going forward – APIL will afford us the best chance of understanding and adapting to change, whilst helping the profession see off the more pernicious assaults on our civil justice system. As your outgoing president, my plea to you all is to stand steadfast with APIL.

Thank you for your support over the past year.

Stuart Kightley  
Secretary

**This has been yet another 'interesting' year to be a personal injury lawyer and a challenging year in terms of APIL's membership. Despite this, membership numbers held up better than expected in this difficult time of reform and change, with a fall in numbers limited to just over 200 individuals.**

In Nottingham, the average staff head count for the year was 25 and once again, I have been pleased to see the dedication and enthusiasm of the APIL team, providing support to the executive committee and the membership, carrying out much of the work that makes the organisation effective. This includes parliamentary lobbying and consultation responses, press and policy work, research, organising and delivering conferences and courses every week up and down the jurisdictions.

The executive committee comprises four officers and 14 additional officers, all of whom give up a lot of their time to work for APIL. The EC met eight times this year, member firms offering their meeting rooms and facilities. In addition to these meetings, much of the EC's work is carried in working groups, talking to other stakeholders, government and the media: responding to consultations, serving on committees, as well as working with APIL members, speaking at courses, conferences and other training events.

This year we said farewell to Matthew Stockwell (immediate past president), and Brian Dawson, and welcomed new EC members Grant Evatt and Shahram Sharghy, while John McQuater and Robert Webb returned to the EC after being re-elected.

**I have been pleased to see the dedication and enthusiasm of the APIL team, providing support to the executive committee and the membership**

The EC is a close knit, hard working group and we don't like to lose valued colleagues every year but the election

process means that we are looking forward to welcoming new lawyers onto the committee.

In 2015 I served my ninth year on the APIL EC and my third as secretary. This is my final year on the APIL executive committee as secretary: I am standing down to concentrate on my new senior partner role at Osbornes.

It has been a great privilege and quite an education to work with so many committed, knowledgeable and passionate lawyers, dedicated to APIL's cause. I will particularly miss the camaraderie of the executive committee and the help of the fantastic staff team in Nottingham, but I leave in the knowledge that the organisation will continue with the sterling work it does for injured people and for which it has earned such a formidable reputation. Thank you for your support over the years.



Deborah Evans  
Chief Executive

**It was yet another year of rapid change, reform and innovation in the world of personal injury. The Government finally implemented reforms designed to make it harder for fraudulent whiplash claims to proceed. Lawyers finally were able to access the AskCUE database and know as much about a client's accident history as an insurer.**

With summer and autumn came new threats from legal reform. The Government announced plans to look at fixed costs in clinical negligence cases up to first £100,000 via a press release, then £250,000 in a 'pre-consultation'. Where there is a fixed cost, our belief is that there should be a fixed process. APIL is working hard with the Department of Health to ensure that any reforms are contained to the lower value cases, rather than larger, multi-track cases with indeterminate numbers of experts and little likelihood of an admission of liability.

Medco was launched bringing with it the perceived advantage of the independence of medical reporting, reduced costs, but the disadvantage of randomised selection and all that it entailed. Accreditation, intended to improve the quality of medical reporting, was delayed until 2016. Teething problems ensued with policy points on multiple registrations, and a government consultation was accelerated to August. Dogged by judicial reviews, by the end of 2016 there was still no response from the Government. APIL, through representation on Medco, has contributed many quick fixes on initial technical problems, been involved in setting parameters for the review

of experts, and has had ongoing discussions on accreditation.

The Chancellor's autumn statement bought the unwelcome news that the Government intends to remove the right to compensation for minor whiplash injuries, and increase the small claims court limit to £5000.

**Our specialist conferences go from strength to strength, and webinars are proving an accessible and cost effective way for members to access up to the minute training.**

APIL has launched a staunch response and is working closely with the Law Society and MASS to give a co-

ordinated response and a unified claimant voice.

Members have rallied around all year: helping APIL with surveys, working parties, and the development of innovative schemes and processes. Members continue to take part in our extensive conference and training opportunities: our specialist conferences go from strength to strength, and webinars are proving an accessible and cost effective way for members to access up to the minute training.

In the breathing space between reforms, APIL has been proactive: concerned by dated rules as to who can, or cannot, claim damages for psychiatric harm and bereavement, and indeed the paltry amount of those damages, APIL campaigned hard for recognition of the problem and worked with Andy McDonald MP who launched the Negligence and Damages Bill.

More challenges lie ahead next year: APIL firmly believes in the true value of representation for an injured person – promoting competence and expertise in order that the injured person receives the service they deserve.





**Neil Sugarman**  
Vice President

There is still much to do to educate both sides of the personal injury divide about rehabilitation, but the time has come for there to be a joining of forces to make this work. The Government and the National Health Service also need to come to appreciate the benefits that can be achieved by a collaborative approach between personal injury lawyers and the insurance industry.

## Parliamentary Campaigns

The year ended with the surprise announcement from the Chancellor about proposals to increase the small claims court limit to £5,000 and remove general damages for low value soft tissue injuries. Soon after the announcement, APIL started to identify target parliamentarians and meetings were lined up with shadow ministers and senior backbench MPs for early in the new year. Other campaigns:

- At the start of the year APIL continued to oppose the widely ridiculed Social Action, Responsibility and Heroism Bill as it moved through its final parliamentary stages. Despite robust opposition both inside and outside Parliament, the Bill was passed and received royal assent on 12 February, but not before Lord Pannick QC told peers that the Bill “will stand as a monument to the jurisprudential and policy achievements of Lord Chancellor Grayling”.
- Following a surprise General Election result, with the first majority Conservative Government in almost 20 years, APIL got to work introducing the association to 182

newly-elected MPs. Each received a letter of congratulations, a reference card explaining the work of the association, and introductory meetings were held between APIL and new MPs. An Agenda for Change was also produced, which provided outlines of many of APIL’s campaigns. Lord Faulks QC remained as Minister of State with responsibility for civil justice after a Government reshuffle, and APIL met with the minister before the summer parliamentary recess to discuss APIL’s agenda, as well as the agenda of the Ministry of Justice.

- The Agenda for Change was the subject of APIL’s parliamentary reception, held in November. The reception was hosted by Andy McDonald, Labour MP for Middlesbrough and a former APIL member. The event gave both new and re-elected MPs the chance to learn about the association’s campaign work. APIL president Jonathan Wheeler addressed the reception about APIL’s campaigns on bereavement damages and psychiatric injury, as well as the need for compulsory public liability

insurance. Attendees came from across Parliament, and included shadow ministers and members of the Justice Select Committee, as well as journalists from national newspapers and legal publications.

- APIL supported the Negligence and Damages Bill, which was introduced into the House of Commons by Andy McDonald MP as a Private Members’ Bill. The aim of the Bill is to give more flexibility to the courts when deciding who should be entitled to bereavement damages, and how much those damages should be following the death of a loved one. It also provides for the availability of wider redress for those who suffer psychiatric injury as secondary victims. To support the Bill, APIL commissioned a short film which sets out the failings of the current law, and calls for fairness for families.
- Throughout 2015 APIL continued to lobby against the Medical Innovation Bill, which was introduced by Lord Saatchi with the aim of allowing doctors to use innovative medicines and practises without the fear of being sued. The Bill fell before the election



Jonathan Wheeler and Andy McDonald MP at the parliamentary reception.

but the baton was picked up after the election by the Conservative MP Chris Heaton-Harris, who introduced the Access to Medical Treatments (Innovation) Bill. The Heaton-Harris Bill took much from Lord Saatchi's Medical Innovation Bill, and APIL met with Mr Heaton-Harris to lay out the association's concerns that the Bill represented a threat to patient safety. Although it was subject to considerable opposition both inside and outside the House of Commons, the Bill was approved by MPs at second reading. APIL continued to brief on the Bill to parliamentarians, but it cleared committee stage at the end of the year.

- A campaign to make public liability insurance compulsory was taken to Parliament, when APIL president Jonathan Wheeler was invited to address the All-Party Parliamentary Group (APPG) on Insurance and Financial Services. Representatives from the association regularly attend meetings of All Party Parliamentary Groups, particularly the groups on

Patient Safety, which was launched in October, Occupational Safety and Health, and its asbestos sub-committee, and the APPG on Spinal Cord Injury.

#### Scotland Parliamentary campaigns

- Sheriff Principal Taylor's review of costs and funding was the basis for a consultation on the Government's draft Expenses and Funding of Civil Litigation Bill. APIL provided a detailed response to the Bill, welcoming many proposals, including damages-based agreements and QOCS, and repeating its support for robust pre-action protocols.
- The Apologies (Scotland) Bill was introduced into the Scottish Parliament by Conservative MSP Margaret Mitchell. The aim of the Bill is to make apologies inadmissible as evidence in certain civil legal proceedings, and it was passed to the justice committee of the Scottish Parliament for detailed scrutiny. Crucially, the definition of

apology in the original draft of the Bill included 'statement of fact' and 'admission of fault'. APIL submitted written evidence to the committee, and APIL Scotland co-ordinator Ronnie Conway was also invited to discuss the Bill and APIL's concerns at a meeting of the committee. Mr Conway told the committee that the Bill would have removed an "extremely powerful and persuasive piece of evidence". Following this and other representations the Bill was amended both by Ms Mitchell and the Scottish Government.

## Throughout 2015 APIL continued to lobby against the Medical Innovation Bill, with the aim of allowing doctors to use innovative medicines and practises without the fear of being sued.

#### Northern Ireland Parliamentary campaign

The issue of bereavement damages was forced back onto the agenda in Northern Ireland when APIL raised concerns about the issue after it appeared that it had been kicked into the long grass. MLAs were briefed at Stormont on the basis that bereavement damages were set at £11,800 in the jurisdiction - the lowest level of statutory bereavement damages throughout the UK. MLAs on the Assembly's justice committee raised the issues with the Northern Ireland Department of Justice, which then committed to reviewing the level of statutory bereavement damages. A consultation on the level was published by the Department in October.

## Safeguarding the rights of injured people – Law reform

#### Responding to consultations

APIL responded to 23 consultations across the jurisdictions in 2015, with the aim of highlighting the needs of injured people and ensuring access to justice for all. All of APIL's consultation responses can be found on the Association's website under "Campaigning" and "Consultations and Responses".

#### England and Wales

This year, APIL has responded to a wide variety of consultations affecting injured people in England and Wales, and their ability to access justice. These included:

- a number of further consultations on increasing court fees. In early 2015, the Government proposed to increase fees for general applications in civil proceedings. APIL stressed that general applications are made to draw the court's attention to a party in default of an order, to do something positive to advance the case. Compliance with directions timetables ensures the efficient administration of the court's function to ultimately have the case ready to be determined at trial whilst realising this aim within proportionate cost. Increasing the cost of application fees may, therefore, act as a disincentive in bringing a party's default to the attention of the court, thereby having an adverse effect on the proper administration of justice.

The Government later confirmed that increases in general applications would be going ahead, and asked for further views on increases to Court of Appeal and judicial review application fees. APIL highlighted the importance of judicial review and also the value of cases to go to the Court of Appeal for clarification. Higher fees will deter people from judicial reviews or taking their case to the Court of Appeal, which will have negative consequences for the civil justice system. As well as increasing fees further, the Government announced that

it has no plans to consult on revisions to the fee remissions system.

- Medco framework call for evidence

Another notable consultation this year was the MedCo Framework call for evidence. Stakeholders, including APIL, were asked for views on how the MedCo process was working and how it could be improved. APIL commented that whilst the qualifying criteria of MedCo are sufficiently robust, problems have arisen because medical reporting organisations have been permitted to "self-vouch" with no checks in place to determine whether they actually comply with the MedCo criteria.

## Stakeholders, including APIL, were asked for views on how the MedCo process was working and how it could be improved.

APIL suggested that the "offer" ratio (the number of first and second tier medical reporting organisations offered to the user) should be adapted to prevent market skew and lack of choice for users. APIL also recommended that there should be service level requirements for national MROs.

- Court closures

We also consulted widely with the membership on the Ministry of Justice's proposals to close a significant number of courts throughout England and Wales. Members were particularly concerned that closure of some of the more outlying courts would result in increased delays for the courts that

would remain open. APIL highlighted in a response that the impact assessment did not take into account the impact of the proposed closures on Welsh speakers and the Welsh language.

#### Scotland

APIL welcomed a consultation proposing to remove cases relating to historical child abuse from the limitation regime in Scotland. Currently, an abuse victim who has not come forward within three years of the alleged abuse must rely on the exercise of judicial discretion as to whether it is equitable to allow the case to proceed. Judges interpret this discretion very narrowly and a large proportion of pursuers are refused the right to proceed with litigation. The current regime ignores the realities of these kinds of cases, and that often it is the abuse itself and the impact that it has had on the victim that will prevent them from coming forward earlier.

#### Northern Ireland

Reform of legal aid continued in Northern Ireland. The Access to Justice 2 report was published and the recommendations within the report put out for consultation. The report acknowledges that the Department for Justice will remove legal aid for money damages claims, and sets out a suggested alternative for those claims. This would involve conditional fee agreements with no recoverability of ATE premiums or success fees, and a system of QOCS. There is no proposal that there should be an increase in general damages to reflect the position in England and Wales. APIL has strongly recommended that CFAs with recoverable success fees would be the best option for a workable alternative for legal aid in Northern Ireland, but urges that, if a "post-Jackson" style funding mechanism is adopted instead, there should be an increase in damages to ensure that the injured person is put back, as closely as possible, to the position they were in before they were injured as a result of another's

negligence. APIL also stressed that a workable alternative must be in place before legal aid is removed for these cases.

The Department of Justice for Northern Ireland (DOJNI) has also consulted on closure of a number of courts throughout Northern Ireland.

In a response, APIL highlighted the need for local justice and the negative consequences if injured people, particularly children and vulnerable adults, are required to travel long distances outside of their local community. APIL strongly recommended that Enniskillen courthouse should remain open, as

closure of that court would mean there would be no county court in the whole of county Fermanagh, and only two courts in the whole of Tyrone. DOJNI has since announced that Enniskillen and Newtonards will remain open.



APIL met Lord Justice Briggs in October 2015

## Legal affairs

### Mediation

Work on an APIL/FOIL/MASS register of mediators was almost complete by the end of the year, with a target to “go-live” in Spring 2016. Once live, the website will provide a facility for members of FOIL, MASS and APIL to access a list of mediators who meet certain criteria.

### Guide to the Conduct of Cases Involving Serious Injury

2015 also saw the launch of the much anticipated “Guide to the Conduct of Cases Involving Serious Injury”. The “Serious Injury Guide”, which sets out a best practice approach to the conduct of cases valued over £250,000, is the result of years of collaborative work with insurers and defendant solicitors. This collaborative work began as the multi-track code, but when user feedback indicated that the multi-track code was too prescriptive, the working group reassessed the code, creating the less prescriptive Serious Injury Guide. Over 45 claimant firms and 13 insurers, including AXA, Admiral, Direct Line and NFU Mutual, have signed up so far.

### Rehabilitation

We have now reviewed our Best Practice Guide to Rehabilitation, and the updated version can be found on the Rehabilitation pages of the APIL website. The guide has been updated in line with the Jackson reforms and the Care Act 2015, and also provides a summary of the revised Rehabilitation Code 2015.

### Post-LASPO monitoring

At the start of the year APIL’s working group discussed problems associated with costs budgeting rules, to determine whether APIL was able to put forward any proposals to the Civil Procedure Rules Committee (CPRC) for improvement in this area. The working group’s recommendations were turned into a briefing note for the CPRC. Pleasingly, a number of APIL’s recommendations have subsequently been adopted by the committee, including timing for filing of costs

budgets, retaining costs budgeting for clinical negligence claims, paper applications for budgeting in some circumstances.

APIL has commissioned research from Professor Fenn in order to ascertain the effects of the changes brought in by the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2013. That research will continue into 2016.

**In October, APIL was invited by Lord Justice Briggs to discuss his ideas for a review of the civil court structure.**

### Fixed costs in clinical negligence claims

APIL produced a robust response to the Department of Health’s four-week “pre-consultation” on reducing costs in clinical negligence claims in August. In our response, APIL identified that the data used by the DoH on claimant costs had been artificially inflated, as it was taken from claims which settled prior to the commencement of LASPO; that defendant costs data failed to include legal costs incurred within the NHS LA by its own lawyers, instead including only law firms which the NHS LA instructs externally; that fixed recoverable costs should not be categorised in terms of value but the nature and extent of the injury; and that the proposals do not provide incentives for defendants to make early admissions or settle early. A series of meetings with clinical negligence specialist members were organised in Manchester and London, to share information and ideas, and a twitter account @APILClnNeg was also

set up to keep members informed of developments.

The Department of Health’s full consultation on reducing costs in clinical negligence claims is expected in the new year. The working group is scheduled to meet several times in the first few months of 2016 in preparation for the consultation.

### MedCo

Following the Government’s decision in 2014 to set up MedCo to provide medico-legal experts for soft tissue claims, APIL worked with the MoJ, ABI and MROs on ensuring that its financial links rules and qualifying criteria were workable and that they did not bar new entrants to the market. The first MedCo board meeting took place in January 2015, and work continued throughout the year to assist with the implementation of the new system. By the end of the year, the date for MedCo experts to be accredited had slipped from its expected January 2016 to later in the forthcoming year.

### Insurance Fraud Taskforce

Despite a good working relationship within the sub-group set up by the taskforce, the draft interim report circulated to the group in September was unhelpful. APIL and the National Accident Helpline prepared comments in response to the draft. APIL was particularly concerned that insurers are using the taskforce as a vehicle to re-introduce changes which they have already had rejected in other forums, consultations and Government policy decisions.

### Lord Justice Briggs Civil Court Structure Review

In October, APIL was invited by Lord Justice Briggs to discuss his ideas for a review of the civil court structure. The on-going review, which forms part of the HM Courts and Tribunals reform programme, aims to identify how best to deliver civil justice in England and Wales in the “age of information technology”.

Topics within the review include the potential use of an “online court”, the use of case officers to carry out routine judicial tasks, and a reworking of the routes to appeal.

#### Vulnerable witnesses

Jonathan Wheeler (as vice president, then as president) put together a civil working group on behalf of the Advocate’s Gateway. This group was tasked with undertaking work on implementing rules to allow vulnerable witnesses to give their best evidence in civil disputes. The toolkit aims to give guidance to advocates, judges and other court users as to measures which should be put in place to safeguard vulnerable witnesses and parties.

#### Noise Induced Hearing Loss

A Civil Justice Council working group of claimant(including APIL) and defendant representatives was established this year to make recommendations to the government as to how a fixed costs regime for noise induced hearing loss claims might work. Following lengthy discussion, APIL submitted a paper to the CJC on “phase one” of the project, namely the structure for NIHL claims. The group is now awaiting approval from the CJC to move to “phase two” - the setting of fixed costs in 2016. Some outstanding issues from phase one, including how to reconcile the need for the HMRC schedule to accompany the letter of claim, with the current 9/10 month delays experienced by claimant representatives requesting the schedules, will be revisited in phase two next year.

#### Diffuse Mesothelioma Payment Scheme

Executive committee member Bridget Collier sits as APIL’s representative on the Diffuse Mesothelioma Payment Scheme oversight committee which has met regularly this year.

#### Speeding up mesothelioma claims

Early last year, Public Health England asked APIL to support an initiative to

improve the speed with which hospital notes are provide to the claimant’s solicitor and experts. The aim is to use the National Cancer Registration Service to provide an electronic source for the majority of health records required by solicitors conducting mesothelioma claims. APIL provided assistance with the practicalities of setting up the service, including attending a meeting with PHE to explain the issues and procedures which a solicitor will typically transact when dealing with a mesothelioma claim, but declined (as did the Association of British Insurers) to provide any funds towards start-up costs, due to a lack of clarity over the long term project running costs.

#### S.69 Enterprise and Regulatory Reform Act 2013

Throughout the year, APIL has been endeavouring to find out exactly how the Government responded to APIL’s complaint to the European Commission. APIL submitted that by implementing section 69 of the Enterprise and Regulatory Reform Act 2013, the UK breached its obligations under the Second Framework Directive [89/391/EEC]. In APIL’s view, the changes brought about by section 69 have reduced the levels of protection for workers to an extent which renders the section in breach of the Directive. The Commission found that there had been no breach but refused to release the UK response. A series of Freedom of Information requests failed to elicit further information.

#### Discount rate

In August last year, after being pressed on the subject, the MoJ announced that the Lord Chancellor intended to appoint a panel of three experts to advise him on the discount rate, reporting by Spring 2015. After some delays, the Panel was convened and has reported to the Lord Chancellor. Probing Freedom of Information requests have not obtained a copy of the panel’s

advice to the Lord Chancellor and by the end of the year no announcement on the review of the discount rate had been made.

#### Court fee remissions

In light of court fee increases last year, APIL has continued to raise a number of issues in relation to fee remissions with the Association of District Judges, the court Service and the Ministry of Justice in order to highlight difficulties in the current system of claiming remissions. Changes to the procedures are now being rolled out nationally.

#### HSE disclosure

APIL was approached by the HSE in May with a request to help it improve the way the HSE responds to requests for information when civil proceedings are proposed or underway. The HSE had been responding as if these were Freedom of Information requests and had identified, rightly, that this did not always produce satisfactory results. An APIL working group was set up to provide ideas for improvements to the process, and a meeting took place in September.

#### Northern Ireland Review of Civil Justice

APIL has had the opportunity to contribute to the review of the civil and family justice system which is currently being undertaken in Northern Ireland. There are various sub committees, led by a High Court judge and selected practitioners, looking at various aspects of the civil and family justice system, and the intention is for the review to culminate in a report of recommendations for the Department of Justice. Topics on the agenda, include the introduction of Part 36 offers, joint selection/instruction of experts, increasing court fees and the potential for the introduction of a personal injuries assessment board. APIL hopes to continue to have input into the review throughout 2016.

#### Judicial Review: Court Fee Increases

Early last year, APIL was asked to join the Law Society’s potential judicial review of the Lord Chancellor’s decision to raise court fees. The EC officers approved a decision to back this judicial review. Following a joint letter of claim and subsequent response from the Ministry of Justice, however, the Law Society decided not to issue proceedings. APIL considered whether to issue the judicial review alone, but did not have a sufficiently wide area of remit to allow it to provide the necessary evidence within the short timescales remaining.

APIL was also approached for financial and other assistance for potential a judicial review of the MoJ in connection with its implementation of MedCo’s policy of random expert selection and also the new arbitration clause of the

Motor Insurers Bureau’s most recent Uninsured Driver’s Agreement. APIL declined to offer financial assistance for the MedCo review.

#### Requests for funding and/or intervention

APIL’s officers regularly receive requests for financial assistance or to intervene, as well as pro-actively taking the initiative to intervene in individual cases. A strict set of criteria is applied to all applications: APIL will not provide indemnities for adverse costs in order to safeguard its own finances, but will make written submissions or make applications to intervene in support of particular issues.

In 2015 APIL received five requests for funding and/or intervention. It pro-actively applied to intervene in the successful Court of Appeal case of Broadhurst and Taylor v Tan and Smith,

making written submissions to the Court on the issue of Part 26 offers and indemnity costs where the claim has been conducted within a fixed costs regime.

#### Legal information exchange

APIL’s information exchange service on its website was improved and updated this year. A ‘Legal Information Search’ option amalgamates a number of databases to improve search results, including all case notes, useful practice documents such as forms, briefing notes, and the archive of back issues of JPIL. This section now also includes CPRC minutes and documents relating to the Civil Procedure Rules Committee meetings. The FAQ section was also updated. Members can now subscribe to updates on this service, so that any new documents of interest are automatically notified to their email address.



Simon Weston speaking at the Apil annual conference



Ronnie Conway giving evidence at the Scottish Parliament



Delivering a webinar on law reform issues

## APIL in the media

The year began with APIL publicising its own Agenda for Change. Media work focussed on the need for compulsory public liability insurance, injury prevention and fairness for bereaved families and victims of psychiatric harm.

The focus changed in the second half of the year as plans for fixed fees in medical negligence cases emerged, and the Chancellor made his surprise announcement in relation to small claims and whiplash damages.

Over the year APIL issued 25 press releases, 816 tweets, 22 blogs and two campaign videos.

Print circulation increased by 10 per cent increase on the previous year, reaching 12 million. More than half of this coverage was generated proactively, with the rest generated in response to media enquiries or through mentions of the association by third parties.

### National press and comment

APIL coverage in national newspapers included The Times, The Sunday Telegraph, and Daily Mail, which covered issues such as bereavement damages, the falling number of whiplash claims, and fees for medical negligence cases. All these articles were generated proactively.

### Consumer press and Injury Prevention Day

APIL launched Injury Prevention Day on 19 August to highlight one of the association's key objectives of preventing needless injury. For its first year, the association revived its anti-tailgating 'Back Off' campaign to persuade motorists to keep a decent distance from the vehicle in front. The animated video, 'A lesson in social graces' was re-launched and posted on Twitter, Facebook and LinkedIn, alongside messages for drivers, throughout the day. The hashtag #IPDay2015 was used to promote Injury Prevention Day in the run up to the day. An additional hashtag, #BackOff, was

used to refer directly to the 'tailgating' theme.

A freedom of information request generated statistics about police take-up of the new power to issue fixed penalty notices for offences including 'tailgating' and hogging the middle lane. This formed the basis of a press release which reached a circulation of half a million.

**Over the year APIL issued 25 press releases, 816 tweets, 22 blogs and two campaign videos.**

Nineteen other organisations, businesses and charities supported Injury Prevention Day and created themes of their own in accordance with their own objectives. These included: Gas Safe Register, which used the day to promote advice on what consumers should do if they smell gas; National Accident Helpline which published safety advice for young drivers; and ABA Engineering, which promoted injury prevention in the workplace. After this promising start, Injury Prevention Day will be repeated every third Wednesday in August.

APIL supported Road Safety Week, hosted by Brake, in November to encourage drivers to use "horse sense" and give a wide berth to, and slow down for, horses on the road. APIL also called for riding schools to include road safety in lessons to students. The association worked with the British Horse Society and highlighted figures which showed the number of injuries to riders and motorists in horse-related collisions has barely changed in the past five years.

Other campaigns included a warning to DIY enthusiasts about the dangers of moving asbestos. This was accompanied by a Twitter campaign, including infographics, with the message "Asbestos: Don't Do It Yourself".

### Letters to the press

APIL generates opportunities to write letters to the press to publicise the association's messages to both national and regional newspaper readers, and to generate debate. Some are used to rebut negative messages about personal injury and promote the right to compensation. Others are proactive messages and are either signed by the president, the chief executive or, in the case of local newspapers, by individual members.

Topics covered by APIL's letter campaigns in 2015 included: the need to extend the mesothelioma scheme; the real reasons for inflated car insurance premiums; concerns about the rise in court fees, and the cost and complications involved in pursuing medical negligence claims.

A highlight was a letter in the Daily Mail in August, which called for insurers to pass on savings from legal reforms to their customers after the Ministry of Justice pointed out the fall in claims.

### Reaching all four corners of the UK

Scottish daily newspapers The Herald and The Scotsman covered APIL's support for Government plans to lift the limitation period for historical child abuse claims. The Herald also reported exclusively on APIL's call for greater candour from medical staff after medical injuries.

In Wales, a letter campaign to highlight proposals to close several rural courts generated a circulation of 300,000.

In Northern Ireland, APIL highlighted the low level of bereavement damages through press releases and letters to regional newspapers. Executive

committee member Martin Hanna gave an interview to BBC Radio Ulster and the story and his comments were covered on the BBC News website.

### Social media

As well as keeping members up to speed through Weekly News, PI Focus and the APIL website, APIL updates its members daily through social media. A creative approach towards Twitter and LinkedIn, using images, videos, blogs, association news, infographics, and interviews has proved popular and, in 2015, APIL's tweets were seen potentially 7.6 million times.

The association has a growing presence on Twitter and counts legal professionals, journalists, opinion formers, social commentators and parliamentarians among its followers.

APIL's Twitter feed gained approximately 1,100 new followers in 2015.

APIL's chief executive writes a regular blog for the APIL website. Executive committee members and regional and special interest group co-ordinators have also been invited to make contributions on various specialist subjects. These are always co-ordinated with Twitter and LinkedIn, and promoted to members internally. These blogs are frequently among the most opened and most shared online links posted by APIL.

### Online news

The trend towards reading news online has continued and APIL news and views are covered regularly on The Times online law pages, Law Society Gazette, Litigation Futures, POST

Online and Solicitors Journal.

APIL has continued to rise to the challenge of the fast pace of 24-hour news. Within 90 minutes of the Chancellor's unexpected announcement on whiplash damages and the small claims track in November, for example, APIL had issued a statement which was published widely, including on the BBC News website, which attracts more than 7 million individual readers every day.

APIL's comments have also made their way on to several national newspaper online pages. These include the Daily Telegraph website with a story about noise-induced hearing loss claims, and the Daily Mail with stories about bereavement damages in England and Wales, and the cost of medical negligence cases.



Left to right: James Dalton (ABI), John Hyde (Law Society Gazette) and David Johnson (FOIL) at the annual conference panel session

## Publishing and publications – paper and online



### Experts and rehabilitation services directory

Details on APIL experts are accessible electronically via the APIL website and also in printed directory format. The 2015 directory was published in June and is provided as one of the benefits for experts enrolling on the database. Over £9,000 of additional income was secured from adverts within the expert and rehabilitation services directory to cover production costs. As at 31 December 2015, 704 experts were registered on the APIL database. Of those, 346 chose an enhanced listing, while 358 opted for the standard version.

### PI Focus

APIL's membership magazine published ten issues during the year, with a diverse mix of practical and relevant articles by leading solicitors, barristers, experts and other professionals. Topics covered included high-profile court decisions; procedural matters such as the new pre-action protocol and the launch of the new rehabilitation code; and costs issues such as QOCS and

fundamental dishonesty. The April edition was a special anniversary issue with contributions from leading legal commentators, drawn from the claimant and defendant sector and from the bench.

**There was a significant increase of 52 per cent in people viewing the accreditation pages on the website.**

### Website and online activity

Developments have included:

- New website at [www.apil.org.uk](http://www.apil.org.uk), providing a fresher more modern design and easy navigation for all users

- Simple access to the website from mobile phones, tablets and desktop computers
- Implementation of online chat service to provide assistance on the events and accreditation areas of the website
- New accreditation flow-charts for specialist accreditations
- Two new FAQs pages for training and accreditation
- Improved lawyers search facility now showing lawyers in other regions when the client enters a town name
- Further significant investment into Google Adwords advertising
- New advertising and sponsorship page including interactive map and pricing
- New [seriousinjuryguide.co.uk](http://seriousinjuryguide.co.uk) website detailing the APIL/FOIL "Guide to the conduct of cases involving serious injury"
- Online feedback forms for injured people that have requested an injury lawyer from APIL
- Average monthly visits:
  - 5,085 visits to the "Find a lawyer" page
  - 2,576 unique visitors to the "Find a lawyer" page

There was a significant increase of 52 per cent in people viewing the accreditation pages on the website. The webinar section also increased by ten per cent. There has also been a large increase in the number of mobile devices used to view the website which has increased by 20 per cent; we have accommodated these devices by ensuring the layout of the website is optimised for screens of all sizes.

## Events and networking

### APIL consumer panel

APIL's consumer panel met in July and November. With representatives from BackUp Trust, RoadPeace, ROSPA, SIA, and Headway, the panel continued to discuss consumer messages, the APIL website, and campaigning activity.

### Groups

33 special interest, regional and membership group meetings were held during 2015 with the meetings continuing to be one of the many benefits of membership.

### Training

- A total of 82 one-day training courses were delivered nationally this year, comprising 2,332 registrations. APIL's spring and autumn PI updates continued to be extremely popular, along with our annual Accidents at Work series. Other popular training courses have been in the specialist areas of clinical negligence and brain injury.
- A further four one-day conferences were also held this year including our annual military claims conference, child and adult abuse conference,

asbestos conference and a brand new conference covering 'Accidents abroad'.

### In-house training

Demand continued for our in-house training course provision; 36 courses were delivered to firms across the UK.

### Webinars

Webinars have become very popular with members: 22 webinars were delivered, on subjects raised by leading judgments and covering key areas in personal injury. Additionally, four free-of-charge quarterly reviews were presented by APIL's president and CEO, offering four hours complimentary CPD to members.

### Special events

- APIL hosted yet another successful golf day at the Celtic Manor Resort, Newport in April 2015. Sponsored by Just Costs Solicitors, it was fully subscribed with 22 teams. We were able to donate £1,500 to our nominated charity, Brain Injury is Big.
- The 2015 annual conference and AGM was enjoyed by 168

delegates, 39 speakers and 138 sponsors/exhibitors on 68 stands. The conference celebrated APIL's 25th anniversary and opened with the AGM and a thought-provoking keynote address by Simon Weston OBE.

- In its second year, the Advanced brain and spinal cord injury conference took place at the Hinckley Island Hotel in Leicestershire. With an overall theme of the 'Gold standard of care', this event attracted 88 delegates, 20 speakers and 56 exhibitors (which included 22 exhibition stands and five sponsoring companies).
- The autumn clinical negligence conference took place at the Hilton Brighton Metropole, with the theme of 'Neurosurgery and neurology' attracting a capacity crowd. The conference attracted well over 300 attendees, including 244 delegates, 18 speakers, 60 exhibitors and 16 sponsors (on a total of 37 stands).

### New accreditation procedure

In order to encourage more members to apply for accreditation, APIL simplified the application process by merging the candidate record sheets with the assessor's report sheets. The new applicant portfolios were launched in the Autumn.

APIL accredited litigators can now upgrade to senior litigator status without completing all the litigator criteria again. The procedure has been adapted for members in Scotland.

All forms, along with step-by-step guides are available at [www.apil.org.uk/individual-accreditation](http://www.apil.org.uk/individual-accreditation).

With the introduction of the new "Guide to the conduct of cases involving serious injury", APIL's accreditation scheme was amended at senior litigator and fellowship levels to incorporate new compliance criteria.



## Statistics

### Membership

At the end of the year, the membership total had reached 3,799, against a forecast of 3,489. A number of complimentary memberships were given to those firms paying for over 100 members. A total of 548 new members were recruited during the year; an average of 45 per month.

At the beginning of the year APIL had a membership of 3,889 members. 3,859 renewals were circulated and 3,267 renewed, resulting in an attrition rate of 15.34 per cent. This compared with 16.86 per cent in 2014, and 16.43 per cent in 2013.

A number of mergers have taken place during the course of the last 12 months and by the end of the year APIL represented just over 1,360 firms, with 200 fewer firms than in 2014.

### Categories

There are ten categories of membership:

Practitioners	3,285
Non practising members	18
Honorary life members	19
Barristers in chambers	139
Paralegals	165
Students	12
eStudents	32
Academics	8
Overseas	96
Associate members	25
<b>Total</b>	<b>3,799</b>

### Attendance

Attendance at executive committee meetings (maximum eight)  
January – December 2015

Jonathan Wheeler (President) a Bolt Burdon Kemp, London	8
Neil Sugarman b GLP Solicitors, Bury	7
Stuart Kightley (Secretary) c Osbornes Solicitors LLP, London	5
Nigel Tomkins (Treasurer) d Nigel Tomkins Consultancy, Nottingham	6
John Spencer (Immediate Past President) e, j	6
Matthew Stockwell f, j Outer Temple Chambers, Liverpool	1
David Bott Bott & Company Solicitors Ltd, Wilmslow	6
Cenric Clement-Evans NewLaw Solicitors, Cardiff	7
Bridget Collier Slater + Gordon Lawyers, Manchester	6
Gordon Dalzell Digby Brown LLP, Edinburgh	7
Brian Dawson i, j Walker Smith Way Ltd Slater + Gordon Lawyers, Chester	2
Brett Dixon Smith Jones (Solicitors) Ltd, Burnley	8
Colin Ettinger Irwin Mitchell LLP, London	6
Grant Evatt g, k 9 Gough Square, London	5
Stephen Glynn, e j 9 Gough Square, London	5
Martin Hanna Francis Hanna & Co, Belfast	4
John McQuater h Atherton Godfrey, Doncaster	8
Sharham Sharghy g, k 9 Gough Square, London	4
Mark Turnbull Thompsons Solicitors, Liverpool	7
Robert Webb g, k HSR Law, Gainsborough	4

- a elected as president at AGM, 23 April 2015
- b elected as vice-president at AGM, 23 April 2015
- c re-elected as secretary at AGM, 23 April 2015
- d re-elected as treasurer at AGM, 23 April 2015
- e post as president ended at AGM, 23 April 2015
- f post as immediate past president ended at AGM, 23 April 2015
- g elected at AGM, 23 April 2015
- h re-elected at AGM, 23 April 2015
- i did not stand for re-election
- j out of a possible three meetings prior to AGM
- k out of a possible five meetings post election at AGM

### Accreditation

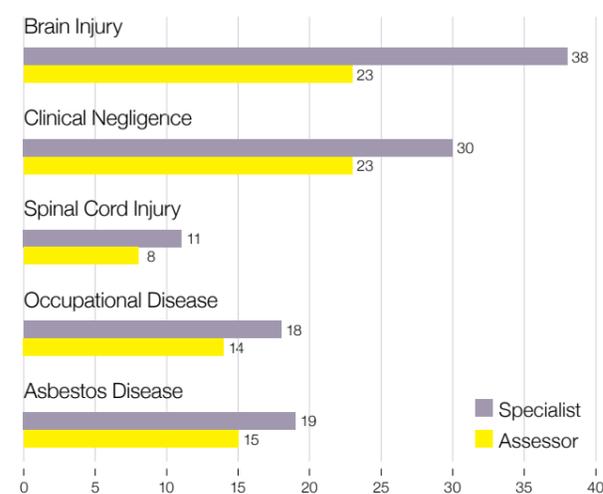
Over 28 per cent of eligible members are accredited, just under 0.75 percent less than were accredited last year. Figures as at 31 December 2015.

Litigators	166
Senior litigators	678
Fellows	155
Senior fellows	9
Specialist counsel	8
<b>Total</b>	<b>1,016</b>
Emeritus	19

- 47 externally accredited training providers
- 195 corporate accredited firms
- 66 in-house accredited firms

### Specialist accreditation

Further quality marks for occupational and asbestos disease were introduced this year. At the end of 2014, the number of specialists and assessors in each specialist area was as follows:



	Specialists	Assessors
Totals 2015	116	83
Totals 2014	105	80
Totals 2013	69	57

### Revalidation

98 members revalidated during 2015. Unfortunately, 15.66% of those due to revalidate during 2015 failed to do so, the main reasons being either not renewing their membership and/or changes in their circumstances.

### Corporate monitoring

Site visits were undertaken at 10 firms; recommendations were made at some of these but all passed their inspection.

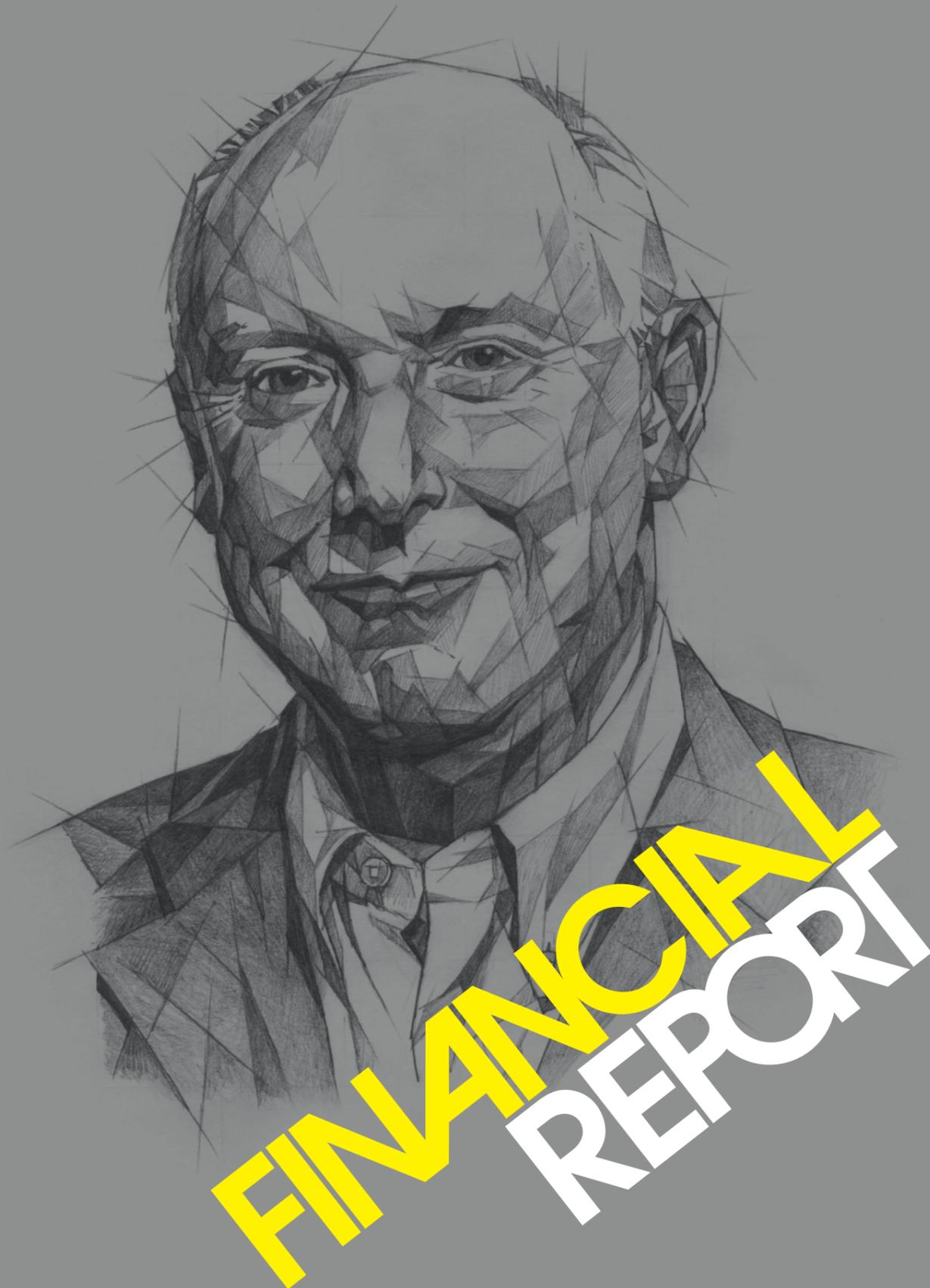
### Other monitoring

We continued to check individual training logs to ensure members have accrued sufficient CPD hours and also to check that such training was accredited, thus meeting APIL standards.

Training delivered in-house, training delivered by other providers, and APIL training events were all monitored during 2015. For all training, we monitor content, environment, quality of speakers, materials, and presentation skills. Monitoring activity and changes to accreditation criteria continue to be overseen by the training and accreditation committee and APIL's executive committee.

548  
New members

1,360  
Firms represented  
in 2015



**Nigel Tomkins**  
Treasurer

**As I come to end of my second term as APIL treasurer, I am extremely pleased to report that in the financial year ending 31st December 2015, the association has once again made a very healthy after tax surplus of some £122,506.**

As a consequence of the above, my comments in our previous annual report are as true today as they were then “the fact that we are in such an excellent financial position at the year-end, at a time when we have all seen further shrinkage in the personal injury sector, is due to a large degree to the commitment and professionalism of the members of APIL’s Executive Committee, all our speakers, to the un-stinting efforts of all our employees at the APIL Office, and of course to all those APIL members that continue to support us”.

Remarkably, for the 2015 financial year, our turnover fell by only £62,000 equating to just 2.53% of our total income. This compares extremely well with the previous financial year, when our total income had dropped by some £413,000. The reduction in income in 2015 was primarily within the revenue streams of membership subscriptions and advertising for PI Focus. However, the loss of revenue was more than off-set by a reduction in our cost of sales and administrative costs.

For a second year in succession, I am pleased to report that we have seen a lower than expected reduction in membership numbers, with some 260 (fee paying) members failing to renew their APIL membership for one reason or

another. Of course, we feel the impact of any reduction in our membership numbers, however small, because each one we lose can have a knock-on effect on our other revenue streams.

**The fact that we are in such an excellent financial position at the year-end, is due to a large degree to the commitment and professionalism of the members**

In 2015, our major financial successes included the following:

- APIL’s annual conference at Celtic Manor, which due to the increased number of sponsors and exhibitors proved commercially extremely successful, and enabled us to reduce the price of some packages for the 2016 event.

- The Clinical Negligence Conference held at the Hilton Metropole Brighton and the Brain and Spinal Injury Conferences held at the Hinckley Island Hotel Leicestershire, were both very heavily subscribed in 2015, and extremely well supported by exhibitors and sponsors alike, which of course improved our bottom line on both events.
- The autumn series of Personal Injury Updates (with Nigel Tomkins and John McQuater), were incredibly popular and exceptionally well supported by APIL members across the country.
- The four one-day conferences (Military Claims, Child and Adult Abuse, Asbestos and the Accidents Abroad), were all well attended and extremely successful events.

In terms of our public training, the surplus generated in 2015 equates to approximately 40% of the total public training income figure, this is almost exactly in-line with the previous year.

In addition, the combined income generated by our in-house training events and our webinars, continues to rise for a third straight year, with

income up by 7.5% on the 2014 figure. Furthermore, the profit from these activities increased by some 17%, almost £14,500 year on year.

I am happy to report, that once again in 2015, we have not incurred any expenditure that was not provisioned for in our annual budget, although we have still not settled our outstanding account with the Treasury Solicitors (TSols), in relation to the Judicial Review challenge that we undertook way back in March 2013. We have of course made the necessary provision in our accounts for the full settlement of this account when the time comes.

In terms of our cash holdings, I am delighted to say that year on year, they have increased even though it is only ever so slightly, by some £35,303 in 2015, meaning we have an improved cash balance amounting to £1,277,652 at the year end.

There has once again been no requirement to call on APIL's reserves in 2015, which means with the after tax surplus from the year added to them, they now stand at £1,091,669. This is of course a substantial sum, and it does afford the organisation the financial ability if deemed appropriate, to robustly challenge the proposed changes to the Small Claims Limit outlined in the Chancellor's 2015 autumn statement, as well as any other advertising/political campaigns that we consider are aligned to APIL's aims and objectives.

APIL made three charitable donations in the year under review, donating £1,500 to our chosen charity for 2015 (Brain

Injury is BIG), from the funds raised at our annual golf day held at Celtic Manor in April 2015. A further £500 was given to the Campaign for Freedom of Information and finally £100 to the Spinal Injuries Association.

**As outlined earlier, financially, 2015 has turned out to be a better year than we expected. All aspects of APIL's training, have proved to be extremely popular with the APIL membership**

As outlined earlier, financially, 2015 has turned out to be a better year than we expected. All aspects of APIL's training, including the residential events, have proved to be extremely popular with the APIL membership, who once again, have supported us magnificently. As always, we enter a new financial year with increasing pressures, the most significant of those being the government's determination to make changes to the Small Claims Limit, which could have catastrophic effects on our individual members and their respective firms. It goes without saying, that any negative impact on our

members will obviously have a similar impact on APIL.

However, I know that the APIL Executive Committee and everyone connected with the organisation, is prepared for and up to the challenges that lie ahead.

Year ended  
31 December 2015

# Report of the Executive Committee

The Executive Committee present their report and the audited financial statements for the year ended 31 December 2015. This report also forms the report of the directors, as required under s.415 of the Companies Act 2006.

## Principal activity

The principal activities of the company are to campaign for improvements in personal injury law on behalf of injured people; to promote, encourage and develop expertise in the practice of personal injury law by education and the exchange of information and knowledge.

## Directors

The directors shown below have held office during the whole of the period from 1 January 2015 to the date of this report.

D E Bott	C Clement-Evans
B Collier	G Dalyell
B Dixon	C B Ettinger
G Evatt	S Glynn
M Hanna	S D Kightley
J E Mcquater	S Sharghy
J L Spencer	N L Sugarman
N Tomkins	M Turnbull
R Webb	J Wheeler

Other changes in directors holding office are as follows:

B M Dawson resigned 23 April 2015  
M Stockwell resigned 23 April 2015  
G Evatt appointed 23 April 2015  
S Sharghy appointed 23 April 2015  
R Webb appointed 23 April 2015

## Financial risk management

The company's objective regarding financial risk management is to keep exposure of price risk, credit risk, liquidity risk and cash flow risk to a minimum. The company makes sales on normal credit terms and manages the related risks through its credit control procedures. In the opinion of the Executive Committee the exposure of such risks has been assessed

and at present deemed to be low and at an acceptable level for the company to continue to operate.

## Qualifying third party indemnity provisions

The company maintains liability insurance for directors and officers as permitted by section 234 of the Companies Act 2006

## Provision of information to auditor

So far as each of the members of the Executive Committee are aware at the time the report is approved:

" there is no relevant audit information of which the company's auditor is unaware, and

" the members of the Executive Committee have taken all steps that they ought to have taken to make themselves aware of any relevant audit information and to establish that the auditor is aware of that information.

## Statement of Directors' responsibilities

The directors are responsible for preparing the Report of the Directors and the financial statements in accordance with applicable law and regulations.

Company law requires the directors to prepare financial statements for each financial year. Under that law the directors have elected to prepare the financial statements in accordance with United Kingdom Generally Accepted Accounting Practice (United Kingdom Accounting Standards and applicable law). Under company law the directors must not approve the financial statements unless they are satisfied that they give a true and fair view of the state of affairs of the company and of the surplus or deficit of the company for that period. In preparing these financial statements, the directors are required to:

- select suitable accounting policies and then apply them consistently;
- make judgements and accounting estimates that are reasonable and prudent;
- prepare the financial statements on the going concern basis unless it is inappropriate to presume that the company will continue in business.

The directors are responsible for keeping adequate accounting records that are sufficient to show and explain the company's transactions and disclose with reasonable accuracy at any time the financial position of the company and enable them to ensure that the financial statements comply with the Companies Act 2006. They are also responsible for safeguarding the assets of the company and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities.

## Statement as to disclosure of information to auditors

So far as the directors are aware, there is no relevant audit information (as defined by Section 418 of the Companies Act 2006) of which the company's auditors are unaware, and each director has taken all the steps that he or she ought to have taken as a director in order to make himself or herself aware of any relevant audit information and to establish that the company's auditors are aware of that information.

This report has been prepared in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small companies.

## On behalf of the board:

**S D Kightley**  
Director  
14 March 2016

A company limited  
by guarantee

# Independent Auditor's Report to the Members

We have audited the financial statements of Association of Personal Injury Lawyers (A company limited by guarantee) for the year ended 31 December 2015 on pages five to ten. The financial reporting framework that has been applied in their preparation is applicable law and the Financial Reporting Standard for Smaller Entities (effective April 2015) (United Kingdom Generally Accepted Accounting Practice applicable to Smaller Entities).

This report is made solely to the company's members, as a body, in accordance with Chapter 3 of Part 16 of the Companies Act 2006. Our audit work has been undertaken so that we might state to the company's members those matters we are required to state to them in a Report of the Auditors and for no other purpose. To the fullest extent permitted by law, we do not accept or assume responsibility to anyone other than the company and the company's members as a body, for our audit work, for this report, or for the opinions we have formed.

## Respective responsibilities of directors and auditors

As explained more fully in the Statement of Directors' Responsibilities set out on page three, the directors are responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view. Our responsibility is to audit and express an opinion on the financial statements in accordance with applicable law and International Standards on Auditing (UK and Ireland). Those standards require us to comply with the Auditing Practices Board's Ethical Standards for Auditors.

## Scope of the audit of the financial statements

An audit involves obtaining evidence about the amounts and disclosures in

the financial statements sufficient to give reasonable assurance that the financial statements are free from material misstatement, whether caused by fraud or error. This includes an assessment of: whether the accounting policies are appropriate to the company's circumstances and have been consistently applied and adequately disclosed; the reasonableness of significant accounting estimates made by the directors; and the overall presentation of the financial statements. In addition, we read all the financial and non-financial information in the Report of the Directors to identify material inconsistencies with the audited financial statements and to identify any information that is apparently materially incorrect based on, or materially inconsistent with, the knowledge acquired by us in the course of performing the audit. If we become aware of any apparent material misstatements or inconsistencies we consider the implications for our report.

## Opinion on financial statements

In our opinion the financial statements:

- give a true and fair view of the state of the company's affairs as at 31 December 2015 and of its surplus for the year then ended;
- have been properly prepared in accordance with United Kingdom Generally Accepted Accounting Practice applicable to Smaller Entities; and
- have been prepared in accordance with the requirements of the Companies Act 2006.

## Opinion on other matter prescribed by the Companies Act 2006

In our opinion the information given in the Report of the Directors for the financial

year for which the financial statements are prepared is consistent with the financial statements.

## Matters on which we are required to report by exception

We have nothing to report in respect of the following matters where the Companies Act 2006 requires us to report to you if, in our opinion:

- adequate accounting records have not been kept, or returns adequate for our audit have not been received from branches not visited by us; or
- the financial statements are not in agreement with the accounting records and returns; or
- certain disclosures of directors' remuneration specified by law are not made; or
- we have not received all the information and explanations we require for our audit; or
- the directors were not entitled to prepare the financial statements in accordance with the small companies regime and take advantage of the small companies' exemption from the requirement to prepare a Strategic Report or in preparing the Report of the Directors.

## Jill Evenden

(Senior Statutory Auditor) for and on behalf of EBS Chartered Accountants  
Gothic House  
Barker Gate  
Nottingham  
Nottinghamshire  
NG1 1JU

18 March 2016

Year ended  
31 December 2015

# Income & Expenditure Accounts

	Notes	2015 £	2014 £
Turnover		2,385,959	2,447,972
Cost of sales		976,917	1,001,244
Gross surplus		1,409,042	1,446,728
Administration expenses		1,262,859	1,296,081
Operating surplus	2	146,183	150,647
Interest receivable and similar income		9,771	9,450
Surplus on ordinary activities before taxation		155,954	160,097
Tax on surplus on ordinary activities	4	33,448	34,843
Surplus for the financial year		122,506	125,254

Year ended  
31 December 2015

# Balance Sheet

	Notes	2015 £	2014 £
Fixed assets			
Tangible assets	6	521,499	531,052
Current assets			
Debtors	7	133,040	101,277
Cash at bank		1,277,652	1,242,349
		1,410,692	1,343,626
Creditors			
Amounts falling due within one year	8	695,239	730,353
Net current assets		715,453	613,273
Total assets less current liabilities		1,236,952	1,144,325
Creditors			
Amounts falling due within one year	9	(143,595)	(174,100)
Provisions for liabilities	10	(1,688)	(1,062)
Net assets		1,091,669	969,163
Reserves			
Income & expenditure account	11	1,091,669	969,163
Members' funds		1,091,669	969,163

The financial statements have been prepared in accordance with the special provisions of Part 15 of the Companies Act 2006 relating to small companies and with the Financial Reporting Standard for Smaller Entities (effective January 2015).

The financial statements were approved by the Board of Directors on 14 March 2016 and were signed on its behalf by:

**N Tomkins**  
Director

Year ended  
31 December 2015

# Notes to the Financial Statements

## 1. Accounting policies

### Basis of preparing the financial statements

The financial statements are prepared in accordance with the Financial Reporting Standard for Smaller Entities (effective January 2015) and the Companies Act 2006. The financial statements are prepared under the historical cost convention. The profit and loss account has been replaced by an income and expenditure account as the Executive Committee considers that this statement is more appropriate given the nature of the company's activities.

### Income

Membership subscriptions to the association cover a period of twelve months to 31 March each year. Subscriptions received during the year have been credited to the income and expenditure account, subject to the deferral of three months of each subscription, representing that portion attributable from 1 January 2016 to 31 March 2016.

Other income represents income from conferences, training events and publishing, and is recognised when the contractual obligations of the service for which the receipt relates have been delivered.

### Tangible fixed assets

Depreciation is provided at the following annual rates in order to write off each asset over its estimated useful life.

Freehold property	2% on cost
Fixtures and fittings	20% on cost

### Deferred tax

Deferred taxation is made for material deferred tax assets and liabilities arising from all timing differences between the recognition of gains and losses in the financial statements and recognition in tax computation.

A net deferred tax asset is recognised only if it can be regarded as more likely than not that there will be suitable taxable profits from which the future reversal of underlying timing differences can be deducted.

Deferred assets and liabilities are calculated at the tax rates expected to be effective at the time the timing differences are expected to reverse.

Deferred tax assets and liabilities are not discounted.

### Pension costs and other post-retirement benefits

The company operates a defined contribution pension scheme. Contributions payable to the company's pension scheme are charged to the profit and loss account in the period to which they relate.

### Interest receivable

Interest receivable is credited to the income and expenditure account on an accruals basis.

### Leases

Operating lease rentals are charged against income in equal amounts over the lease term.

## 2. Operating Surplus

The operating surplus is stated after charging:

	2015	2014
	£	£
Depreciation - owned assets	15,253	17,733
Pension costs	40,442	38,195
Directors' remuneration and other benefits etc	-	-

## 3. Auditors' remuneration

	2015	2014
	£	£
Auditors remuneration	4,500	4,500

## 4. Taxation

### Analysis of the tax charge

The tax charge on the surplus on ordinary activities for the year was as follows:

	2015	2014
	£	£
Current tax		
UK corporation tax	32,914	34,935
Deferred tax	534	(92)
Tax on surplus on ordinary activities	33,448	34,843

## 5. Membership subscriptions

	2015	2014	2015	2014
	No	No	£	£
Practitioner members	3,442	3,638	723,442	750,683
Student members	44	22	738	1,155
Paralegal members	165	156	16,216	17,160
Academic members	8	9	697	810
Overseas members	96	78	9,115	7,900
Associate members	25	12	3,282	1,560
Honorary members	19	-	-	-
Total	3,799	3,915	753,490	779,268

Add deferred income brought forward		193,733	212,728
Less deferred income carried forward		(185,309)	(193,733)
Total		761,914	798,263

Corporate accreditation income received in the year		76,099	84,942
Add deferred income brought forward		31,218	32,710
Less deferred income carried forward		(29,736)	(31,218)
		77,581	86,434
		839,495	884,697

## 6. Tangible fixed assets

	Land & Buildings	Plant & Machinery	Totals
	£	£	£
Cost			
At 1 January 2015	577,135	49,810	626,945
Additions	-	5,700	5,700
At 31 December 2015	577,135	55,510	632,645
Depreciation			
At 1 January 2015	57,715	38,178	95,893
Charge for year	11,543	3,710	15,253
At 31 December 2015	69,258	41,888	111,146
Net book value			
At 31 December 2015	507,877	13,622	521,499
At 31 December 2014	519,420	11,632	531,052

## 7. Debtors: Amounts falling due within one year

	2015	2014
	£	£
Trade debtors	82,732	53,292
Other debtors	50,308	47,985
	133,040	101,277

## 8. Creditors: Amounts falling due within one year

	2015	2014
	£	£
Trade creditors	20,542	32,686
Taxation and social security	79,773	57,560
Other creditors	594,924	640,107
	695,239	730,353

**9. Creditors: Amounts falling due after more than one year**

	2015	2014
	£	£
Other creditors	143,595	174,100

Creditors include amounts not wholly repayable within 5 years as follows:

	2015	2014
	£	£
	30,487	38,694

The mortgage is secured on the property, Unit 3 Riverside Business Park, Nottingham.

**10. Provisions for liabilities**

	2015	2014
	£	£
Deferred tax	1,688	1,062

	Deferred tax
	£
Balance at 1 January 2015	1,062
Utilised during year	626
Balance at 31 December 2015	1,688

**11. Reserves**

	Income & Expenditure Account
At 1 January 2015	969,163
Surplus for the year	122,506
At 31 December 2015	1,091,669

**12. Related party transactions**

The following amounts have been paid to members of the Executive Committee for their provision of services as trainers (applies only to full day training provision), to the company in the year. All transactions are at arms length and are on normal commercial terms. The amounts disclosed only relate to the period in which the members are elected to Executive Committee.

	2015	2014
	£	£
N Tomkins	53,099	62,454
D Bott	-	-
B Dawson	-	1,179
J McQuater	67,794	67,073
C Clement - Evans	5,094	5,581
S D Kightley	-	707
B Dixon	19,647	10,830
N Sugarman	4,448	2,566

**13. Share capital**

The company is limited by guarantee and does not have share capital. Every member of the Association undertakes to contribute such amount as maybe required (not exceeding £1) to the assets of the Association if it should be wound up.

**14. Ultimate controlling party**

The company is limited by guarantee and has no shareholders. Under the constitution the Executive Committee is the ultimate controlling party.

Year ended  
31 December 2015

# Detailed Income & Expenditure Account

	2015	2014		2015	2014
	£	£		£	£
Turnover			Expenditure		
Membership	954,463	1,020,219	Wages	745,064	833,374
Conference, SIGS and regional meetings	621,438	607,064	Social security	104,435	77,094
Training events	739,971	730,762	Pensions	40,442	38,195
Publishing	70,087	89,927	Recruitment	1,938	202
	2,385,959	2,447,972	Property costs	64,959	63,537
Cost of sales			Staff training	7,851	7,985
Membership	26,279	22,755	Post and other costs	211,480	198,602
Conference	429,922	440,085	Travelling	11,214	5,740
Training events	416,484	421,588	IT costs	15,373	15,273
Legal affairs, research & comms	37,852	49,484	Executive committee	40,150	33,837
Publishing	66,380	67,332	Judicial review	-	10
	976,917	1,001,244	Auditors' remuneration	4,500	4,500
Gross surplus	1,409,042	1,446,728	Depreciation of tangible fixed assets	15,453	17,732
Other income				1,262,859	1,296,081
Deposit account interest	9,771	9,450	Net surplus	155,954	160,097
	1,418,813	1,456,178			

2015

# Officers & Executive Committee Members



**Jonathan Wheeler / President**  
Bolt Burdon Kemp  
London



**Neil Sugarman / Vice President**  
GLP Solicitors  
Bury



**Stuart Kightley / Secretary**  
Osbornes Solicitors LLP  
London



**Nigel Tomkins / Treasurer**  
Nigel Tomkins Consultancy  
Edwalton



**John Spencer / Immediate Past President**  
Spencers Solicitors



**David Bott**  
Bott & Company Solicitors Ltd  
Wilmslow



**Cenric Clement-Evans**  
NewLaw Solicitors  
Cardiff



**Bridget Collier**  
Slater + Gordon Lawyers / GLP  
Solicitors Bury



**Gordon Dalzell**  
Digby Brown LLP  
Edinburgh



**Brett Dixon**  
Smith Jones (Solicitors) Ltd  
Burnley



**Colin Ettinger**  
Irwin Mitchell LLP  
London



**Grant Evatt**  
Hilary Meredith Solicitors  
London



**Stephen Glynn**  
9 Gough Square  
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**Martin Hanna**  
Francis Hanna & Co  
Belfast



**John McQuater**  
Atherton Godfrey  
Doncaster



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