



Constitution



Association of **Lawyers for Children**

Promoting justice for children and young people

This constitution was approved at a meeting of the Association held on 11th September 1992, and amended at the Annual General Meetings held on 21st September 1993 and 16th September 1999 and 15th November 2002.

1 Name

The name of the Association will be the Association of Lawyers for Children (hereinafter referred to as "the Association").

2 Objects

The objects of the Association:

- 2.1 To work to further and improve the knowledge and practice of all persons involved and interested in the law, social policy and practice relating to children and young people and associated issues.
- 2.2 To provide a forum for the exchange of use, opinions and ideas on the practice of child law and associated policies.
- 2.3 To research and publish reports on existing practice in connection with child law and ways of improving law, policies and practice.
- 2.4 To arrange and provide for, or join in arranging and providing for, the holding of exhibitions, congresses, meetings, lectures, seminars and training courses to deal with Child Care Law, practice and issues relating to children and young people.
- 2.5 To do all such things which the members may agree in connection with children and young people and issues relating to them.
- 2.6 To organise such money raising activities as may be determined by the Committee from time to time to raise funds to promote and encourage the activities of charities or voluntary organisations concerned with the care and protection of children.
- 2.7 To make, develop and maintain contact/working relations with other organisations and bodies to promote professional good practice and effective interdisciplinary links.
- 2.8 In furtherance of these objects the Association may procure contributions and/or subscriptions by personal or written appeal, public meetings or otherwise. All monies raised by or on behalf of the Association shall be applied to promote the purposes of the Association and for no other purpose provided that nothing herein contained shall prevent the payment in good faith of reasonable and proper remuneration to any employee or provider of services to of the Association or the payment of out-of-pocket expenses, including wherever the Committee considers it appropriate, partial compensation for loss of other earnings while engaged in Association business or activities to any such employee of, provider of services to, officer of or Committee member of the Association.

3 Membership

- 3.1 Full membership of the Association shall be open to all lawyers practising in the field of childcare law.
- 3.2 For the purposes of this constitution, 'lawyer' shall be defined as solicitor, trainee solicitor, barrister, trainee/pupil barrister, legal executive, law clerks, academics with a legal qualification or working in a legal department, members of the judiciary, all legal advisers to the courts and court staff with a legal qualification.
- 3.3 Individual associate membership of the Association shall be open to all those non-lawyers interested in pursuing the objects of the Association, who shall be entitled to attend meetings but not to vote.
- 3.4 Organisation membership of the Association shall be open to all duly constituted bodies interested in pursuing the objects of the Association, who shall be entitled to attend meetings but not to vote.

- 3.5 All members shall be admitted at the discretion of the Committee.
- 3.6 Membership of the Association shall cease if the subscription is unpaid for more than three months or by resolution of the Committee, provided that in the event of such a resolution being considered the member concerned shall be given at least 14 days notice of the meeting and be entitled to attend and be heard by the Committee.
- 3.7 In addition, any person may be invited to be an honorary member of the Association at the invitation of the Committee.

4 Subscription

- 4.1 Each calendar year members shall pay a subscription at a rate agreed by the members at the Annual General Meeting.
- 4.2 A solicitor's practice with four or more lawyers (as defined in paragraph 3.2 above) wishing to join the Association as full members will be entitled to Practice membership of the Association.
- 4.3 A local authority with four or more lawyers (as defined in paragraph 3.2 above) wishing to join the Association as full members will be entitled to Practice membership of the Association.
- 4.4 A Solicitor's practice or local authority will be entitled to add new lawyers to their Practice membership for the purposes of annual renewal, but subject always to persons subsequently joining them already being a full member, or applying to be a full member in their own right, and without lawyers subsequently joining having to pay an additional membership fee.
- 4.5 A group of up to four barristers from the same Chambers wishing to join the Association as full members will be entitled to Chambers membership of the Association,
- 4.6 An individual application form must be completed by each person in a legal practice, local authority or group of four barristers applying to be a full member of the Association within a Practice or Chambers membership, or subsequently joining that practice, authority or group.
- 4.7 Upon renewal of membership, each Practice or Chambers member shall provide the Administrator or Secretary with details of all full members, and any changes of membership, within that Practice, Authority or Chambers.

5 Management Committee

- 5.1 Members shall elect from amongst themselves a Management Committee (referred to in this Constitution as the "Committee") and such Officers as they may from time to time consider appropriate, but including:
 - 5.1.1 Chair
 - 5.1.2 Two Vice-Chairs
 - 5.1.3 Treasurer
 - 5.1.4 Secretary
- 5.2 The Committee shall consist of the officers and up to 12 ordinary members.
- 5.3 The Committee may fill casual vacancies by co-option from among the full or associate membership.

- 5.4 The Chair shall hold office from the AGM where they are first elected until the second AGM after they are first elected to the position and to be eligible for election must have been a serving member of the Committee for at least one full term. The Chair is eligible for re-election as Chair at the end of the term of office, but for no more than one further term of one year until the next AGM, and if not so re-elected may remain as a member of the Committee subject to their being elected as an ordinary Committee member.
- 5.5 The Vice-Chairs shall hold office for from the AGM where they are first elected until the second AGM after they are first elected to the position and to be eligible for election must have been serving members of the Committee for at least one full term. The Vice-Chairs are eligible for re-election as Vice-Chair at the end of the term of office, but if not so re-elected, may remain a member of the Committee subject to their being elected as an ordinary Committee member.
- 5.6 All other officers shall hold office from an AGM until the next AGM and be eligible for re-election.
- 5.7 The Committee members shall hold office from the AGM where they are first elected until the third AGM after they are first elected to the position, but on their retirement under this rule, will be eligible for immediate re-election.
- 5.8 The three-year term of office, as defined within clauses 5.4 – 5.7 and 7, of any Committee member co-opted onto the Committee during any particular calendar year and between AGMs, shall be deemed to run from the previous AGM.
- 5.9 The supervision of the election of the officers and Committee members in accordance with this clause shall be the responsibility of the retiring Secretary or such other Officer as the Committee may appoint.
- 5.10 For the purposes of electing the officers and members of the Committee, each full member shall have a single transferable vote. The elections shall be carried out in accordance with the recommendations of the Electoral Reform Society in force at the time of each such election.
- 5.11 Nominations for each vacant post are to be delivered to the Secretary not less than 28 days (or such shorter period as the Chair may accept) before the date of the Annual General Meeting and are to be signed by the candidate (to indicate willingness to stand for election) and one other full member of the Association.
- 5.12 For all elections or re-elections, nominations must be accompanied by: -
- a) A short statement of reasons for wanting to be on the Committee, including a clear declaration that they have no convictions, cautions, reprimands or warnings for any sexual or violent offences, or any offences involving children or young people, and that they are not aware of any such proceedings pending against them. This statement and declaration must be personally signed by the persons seeking the position or office.
 - b) A short statement of support by another full member personally signed by that supporting member.
- 5.13 The Committee has the right to require any applicant for any post on the Committee to attend for interview, and to determine whether that person should be a member of the Committee. The Committee decision on whether to accept the nomination shall be final.
- 5.14 The Committee has the right to exclude any member of the Association, including Committee member or Officer, from any meeting of the Committee or Association, or part of any such meeting where their presence or behaviour are not conducive to the orderly conduct of the particular meeting, or the interests of the Association generally.
- 5.15 The voting shall be by post provided that the ballot papers are received by the Secretary not later than first post on the morning before the date fixed for the Annual General Meeting or in person at the place appointed for the Annual General Meeting but not less than four hours before the time fixed for the meeting or such shorter time as the Chair may allow.

- 5.16 In the event of any query as to the membership status of members attending and voting at the Annual General Meeting, any other General Meeting or any Committee meeting of the Association, the membership records held by the Secretary or Administrator shall be deemed final and conclusive.
- 5.17 The list of members, and the details of any individual members are to be maintained by the Administrator, or such other person appointed by the Committee, and shall be confidential to the Association, and not disclosed to any other person or organisation outside the Association, whether for payment or otherwise.
- 5.18 This preceding clause shall not be taken as limiting the ability of the Committee to use the membership lists for appropriate circulations by, or on behalf of, other organisations or groups, or the Chair, Secretary, or Treasurer having access to, and copies of, the membership list, but in any event only for the genuine purposes of the Association.

6 Management of the Association

- 6.1 The overall management of the Association shall be the responsibility of the Committee, with the day-to-day administration of the Association as the responsibility of the Administrator, or such other persons as the Committee shall appoint, and both management and administration shall be subject to the provisions of this Constitution.
- 6.2 The Committee shall open a bank account for the Association and the terms of the bank mandate shall be agreed by the Committee.
- 6.3 Save as expressly provided by this Constitution, decisions of the Association shall be reached by a simple majority of full members present and voting at an Annual or Extraordinary meeting, and the Chair for the meeting shall have a second casting vote in the event of a tie.
- 6.4 Save as expressly provided by this Constitution, decisions of the Committee of the Association shall be reached by a simple majority of full members, including co-opted full members, present and voting, and the Chair for the meeting shall have a second casting vote in the event of a tie.
- 6.5 In giving notice of a General meeting to members the Committee shall include arrangements to enable members to appoint another member to act as their proxy for the purposes of exercising their vote at the meeting.
- 6.6 The quorum for meetings of the Association shall be twenty and the quorum for meetings of the Management Committee shall be six.
- 6.7 If at any General meeting of the Association no quorum is present within 30 minutes of the time given for the start of the meeting, the meeting shall be adjourned to a date at least 21 days from the date fixed for the meeting and subject to notification being sent to all members of the adjourned meeting time and date, those members present at the adjourned meeting shall constitute a quorum.
- 6.8 If at any Committee meeting of the Association, no quorum is present within one hour of the time given for the start of the meeting, the members present can adjourn to a date at least seven days from the date for the meeting, and subject to notification of all Committee members of the adjourned meeting time and date, those full Committee members present at the adjourned meeting shall constitute a quorum.
- 6.9 The Committee shall meet no less than five times during each calendar year between AGMs and at places and times decided by the Committee.
- 6.10 The Committee members shall be given at least five days notice of a Committee meeting, and the agenda for that meeting.
- 6.11 Any two of the Chair, the Vice Chair, the Secretary, or the Treasurer may together call an Emergency meeting of the Committee, provided that at least 2 full days notice are given to all other Committee members, together with a clear indication of the business to be conducted.

- 6.12 In the event of any officer, or Committee member not attending at least 3, or 50% whichever is the lower, regularly arranged Committee meetings following an AGM and before the next year's AGM, and without reasons acceptable to at least two-thirds of the remaining members of the Committee, they shall be deemed to have resigned forthwith from the Committee, subject always to them being able to reapply to continue their membership of the Committee at the forthcoming AGM.
- 6.13 The term of office of any officer or Committee member affected by this previous sub-clause who seeks to continue their membership of the Committee at a subsequent AGM, will run from the date of their originally joining the Committee in that position, or their most recent re-election, whichever is the later.
- 6.14 Subject to the provisions of this Constitution the conduct of all meetings shall be in the sole discretion of the Chair of the meeting, who shall also have a second casting vote.
- 6.15 The Association may enter into a contract for services, and in so doing employ the consultative services of a Development Officer and the services of an Administrator.
- 6.16 The Association may in addition enter into a contract for the purchase of goods and services generally in the furtherance of the business of the Association. Such a contract for services to be agreed by the Committee, or such Officer, or officers, as the Committee may decide from time to time. Any such contract for goods or services to include such conditions as may be agreed between the contracting parties and the Officers of the Committee. In entering such a contract for goods or services, and wherever the Committee deems it appropriate, an advertisement or tender will be published and the Committee, on behalf of the Association, will use equal opportunities recruitment standards.
- 6.17 The Committee of the Association may authorise any Administrator or other person to purchase goods or services on behalf of the Association, provided always that the authorisation is clearly noted in Committee records and in writing to the individual concerned, and subject always to a maximum of £1000 in any one transaction.
- 6.18 This previous sub-clause is not to be taken in any way to restrict the right of the Committee itself, or the Treasurer, together with at least one of the Chair, Vice Chair or Secretary, to enter into, or authorise the entering into agreements for goods or services of more than £1000, subject always to clear notification of the authorisation in writing in committee records.
- 6.19 The Association may enter into a contract or agreement for the purposes of charging other bodies or associations or members of the public for services provided by the Association, including published material, educational courses, conferences and such other or further services that the Association by agreement of its Development Officer and the Officers of the Committee consider to be appropriate.

7 Annual General Meeting

- 7.1 The Management Committee shall arrange an Annual General Meeting, with the first taking place within 15 months of the adoption of this Constitution and subsequent Annual General Meetings within 15 months of the preceding one. At least 21 clear days notice shall be given in writing to each member specifying the business to be conducted at the meeting.
- 7.2 At the Annual General Meeting, the following business shall be transacted, but the order of business shall be in the discretion of the Committee:
- 7.2.1 The election of Officers and Management Committee members to serve until the next Annual General Meeting.
- 7.2.2 To consider a report from the Officers on the work of the Association since the previous Annual General Meeting.

- 7.2.3 To approve the accounts of the Association for the preceding financial year.
- 7.2.4 To approve the minutes of the previous AGM, and deal with any matters arising.
- 7.2.5 To appoint honorary auditors for the Association.
- 7.2.6 To decide on the level of subscriptions for membership of the Association.
- 7.2.7 To consider plans for the Association for the following year.
- 7.2.8 To consider motions and any other business proposed and seconded by 2 full members of the Association and notified in writing to the Secretary at least 28 days before the AGM.
- 7.2.9 Any other urgent business.

8 Extraordinary General Meetings

- 8.1 The Management Committee may any time at their discretion, and shall within 28 days of receiving a written request so to do signed by not less than either 25 full members, or 20 percent of the full members of the Association, whichever is the smaller, and which in both of these cases, must include at least 4 current full and eligible members of the Committee, giving reasons for the request, call an Extraordinary General Meeting of the Association. At least 21 clear days notice shall be given in writing to each member specifying the business to be conducted at the meeting.

9 Change of Constitution

- 9.1 This Constitution may be changed by a two-thirds majority of members present and voting at the meeting considering the proposed changes to the Constitution, provided that the members are given notice in writing of the proposed change of the Constitution at least four weeks before the meeting at which it is to be discussed.
- 9.2 Any such proposed changes to this Constitution shall be in writing, clearly signed by 2 full members of the Association and notified to the Secretary as provided for in 9.1 above.
- 9.3 The proposed changes to the Constitution will be voted on, in whole or in parts, at the General Meeting where they are tabled, without amendment, and by two-thirds majority of full members present and voting by show of hands at that General meeting.

10 Dissolution

- 10.1 The members may dissolve the group by a two-thirds majority of those members present and voting at a General Meeting, provided at least four weeks notice of the resolution to dissolve is given to all members.
- 10.2 In the event of the Association ceasing to operate, or the members resolving to dissolve it, then, if any assets of the Association are left after paying out all expenses and other liabilities, they may be distributed in accordance with the instructions of the members of the Association, or in the absence of instructions by the Officers or remaining officers to a charity or other organisation involved in promoting the interests and welfare of children and young people.

11 Notices

- 11.1 Any notices required to be given under this Constitution shall be deemed to be properly given if posted by Royal Mail or DX Box to the member's last known address.

