

BRITISH INSTITUTE OF  
VERBATIM REPORTERS

ANNUAL GENERAL MEETING

held on

12 May 2005

Council Members:

President:

Valerie Doyle

Caroline Booth

Lisa Cordaro

Frances Dobson

Valerie Doyle

Karen Jobson

Ann Lloyd

Jean Lukins

Robyn Nott

Virginia Wason

Julie Whitaker

Betty Willett

Secretary/Treasurer/Register:

Mary Sorene

THE PRESIDENT: Good evening, I welcome you here tonight to our Annual General Meeting. The Secretary will now read the Notice of Meeting.

MARY SORENE: 2004 to 2005 British Institute of Verbatim Reporters. Notice is hereby given that the Annual General Meeting of this Institute will be held on Thursday 12 May 2005 at 6.30 pm at Cliffords Inn, Fetter Lane, London EC4A 1LD for the purposes of considering and, if thought fit, passing resolutions as to the ordinary business of the company relating to the Council Members, accountant and accounts, to receive and adopt the Report and Accounts, to elect Members to serve on the Council for 2005/2006, to elect a President-Elect for the ensuing year, to elect an accountant for the ensuing year, to appoint the date of the next Annual General Meeting and any other business.

That was signed by me, Mary C Sorene, Secretary, with the registered address, Clifford's Inn, Fetter Lane, London EC4A 1LD on the 31 March 2005.

THE PRESIDENT: I have apologies for absence from Jenny Chandler, Ann Hill, Diana Burden, Barbara Bennett, Margaret Beaumont, Cheryl

Slater, Christine Lawton, Caroline Booth, Julie Whitaker, Karen Jobson, Naomi Forrest.

I have been informed Ann Lloyd is on her way but unfortunately she is not with us at the moment.

CHRIS ARMSTRONG: Caroline Stewart said she would like to come. I do not know if she is a Member, but she would like to give her apologies.

THE PRESIDENT: I believe the Minutes have been circulated to members. Are they agreed?

[Proposed by Paul Brincau

Seconded Miriam Weisenger]

[Minutes Agreed]

THE PRESIDENT: There was a major blow to some writers last summer and that was the decision by Possum Controls to close down its Palantype Division responsible for maintenance and support of equipment. There was a short stay while they reconsidered the position but eventually support ceased. It has been possible, however, to keep certain materials and technical information which is being stored in case of need or for reference in the future.

The Council has discussed recently its role as to the way forward. It would seem that

the most effective and worthwhile direction ahead is towards training and learning. We are willing to organise courses and to subsidise them. During the year we did invite ideas from the membership, and even suggested the setting up of local groups, workshops or similar, but nothing came of it. We do encourage Members to tell us what they want and what would be useful. There may be other areas that Members think need to be addressed. If so, let us know. Every area has its own problems and answers, tips and so on and it would be helpful to exchange that sort of information.

There is in the offing, with a date yet to be arranged, a course on the use of Case Catalyst to be conducted by a training agent from Stenograph. I understand that the cost is perhaps \$1,000 a day, which sounds very expensive, but divided by the number of members attending, the favourable exchange rate at the moment, and with a possible contribution perhaps from the Institute, it might be good value. That is the sort of thing we would like to push.

We do cover a much wider range of work these days than ever in the past. For example, captioning on the television screen and in the

theatre. The work connected with persons who are hearing impaired has really grown. A growing number of Palantypists and Stenographers are now providing live verbatim communication support for deafened clients, and this is an increasingly important part of our profession.

BIVR is affiliated to the United Kingdom Council on Deafness and is represented on its Access to Communication in English Committee, which currently is looking at market size and possible sources of revenue to fund training courses for speech-to-text reporters. This is completely separate from applications that have already been made for funding, for sign language courses, as the needs of deafened people are very much different from those deaf persons who have no speech and rely on sign for their communication.

We are also represented on the Quality Standards Committee of the Council for Advancement of Communication with Deaf People which discusses required standards for speech-to-text reporters to enable them to be registered with the CACDP.

Another thing that is out there is the role of the notary in deposition work. That was an area researched a little while ago but not

taken further. If this is thought to be advantageous and helpful, we would once again investigate the position and we would like your input.

I would like to remind you of our forum web site, which of course is for the use of Members. It contains lots of information and sometimes work vacancies.

I do welcome this evening Tabitha Alum from StageText, a company responsible for captioning in the theatre, who is going to tell us about captioning in that area and give a demonstration which I think would be very interesting.

I would like to thank Robyn at short notice for standing in to take the note this evening.

I now come to a pleasant duty. I will give you a little bit of history. Ten years ago in 1995 the late Peter Girling wrote to Naomi Forrest, the then President, to suggest that long-serving, hard working ex-President and Council member Ron Chartres should be given Honorary Membership. We do not have Honorary Membership but under our rules we have power to

offer Life Membership. A few years later the council offered Peter Girling Life Membership.

There is one Council Member who has worked tirelessly for your Institute for more years than many of us can remember, and it gives the Council great pleasure to offer this to Betty Willett. I trust you all agree.

[Applause]

I would like to present Betty with her certificate of Life Membership.

BETTY WILLETT: Thank you, I am very touched.

THE PRESIDENT: I have kept my address very short this evening because I want to give as much time as possible to the discussion regarding the way forward. I invite questions and suggestions from you all. The fact that my speech is so short I think reflects what we want to try and question and achieve in looking for the way forward. There is not as much going on at the moment as there was years ago. Examinations are down, government work no longer requires accreditation, but we have to keep alive. We do not want to find ourselves in a position where we are not going anywhere, and that is the danger.

We would like to throw open a debate for this evening, and perhaps the forthcoming year, as to the path we should follow. As I have said, we think that can most effectively be in the training and learning forum and we want to discuss that this evening.

Are there any questions on anything I have said so far?

PAUL BRINCAU: One question was going to be a suggestion about the way forward with Possum. I am not Possum but we had some problems with Stenograph in the past where we had nobody to look after our machines here but we do now. Is Possum the software or the actual system?

THE PRESIDENT: Possum is the name of the company which supports, or used to support, the Palantype machine and software.

PAUL BRINCAU: Can it be supported by some other means?

THE PRESIDENT: By another company or person?

PAUL BRINCAU: It does not mean that people have to retrain on another system, does it?

THE PRESIDENT: No.

LINDSAY BICKERS: There is the point

that it is the hardware as well, not just the software. The hardware will need to be supported.

THE PRESIDENT: Possum, when they decided to close down, told us to look for an alternative company to take on Palantype but that was not successful.

PAUL BRINCAU: Have you approached the same people looking after our stenograph machines?

THE PRESIDENT: There is a firm looking after maintenance.

PAUL BRINCAU: Where is the problem?

THE PRESIDENT: I have reported it as something that happened during the year which has not been entirely resolved. Software I think perhaps would not create a huge problem, that can be written or dealt with, but, as Lindsay said, the hardware, producing a new input machine, is where the great expense lies.

LINDSAY BICKERS: What is the firm that is looking after the hardware?

BETTY WILLETT: It is only software.

FRANCIS DOBSON: In the past there was a the Palantype camp and the Steno camp. The software has now changed so Total Eclipse is now suitable for Palan writers on Palan machines that

can use real-time software. The software is not really an issue but just the writer.

BETTY WILLETT: I do not want to say too much because it is Valerie who should be dealing with this, but "Do not give up hope all ye who enter here". Things are being done. I do not know enough to say any more than that but we are hopeful.

I was terribly depressed because I was in on all the discussions and I thought they were going to continue. The profession let us down at the last moment, it has to be said. They wanted 30 contracts and we had 30 names but when the contract forms were sent out they were not returned. We have always been the worst for shooting ourselves in the foot.

LINDSAY BICKERS: Can I ask why the contracts were sent to just everybody who owned a machine even if they had not indicated that they were prepared to have a contract?

BETTY WILLETT: They went to the people who had a specific type of machine because Possum were only prepared to support the more modern version of the machines, so it was those people who were approached. Of those, we had 30 people

who said they would enter into a contract but in the end only 15 returned and Possum quite naturally said it was not enough to keep them going. They were going to develop a new machine on the basis of the money they got from those 30 contracts. We had their word on that, but the contracts were not returned, the money was not there and they were not prepared to go on.

We have somebody maintaining the software, and I am not completely pessimistic we might have a new machine at some point in the future. I am not certain.

PAUL BRINCAU: When they say they are going to have a new machine, we get that with Stenograph. They introduce a new machine which costs £4,500 and they stop servicing the old ones. They compel people to buy a new machine and a lot of new writers cannot afford that. There are firms who exploit these people who advance them money to buy new machines at huge interest rates. It is all right for us who can go out and buy one who have been in the job for so long. When they say they are developing new machines, they mean we are going to make money for ourselves and not help the writer out.

The other point I had was about a notary. I do depositions, as probably a lot of other people do here. Is there any advantage to being a notary other than administering the oath?

MARY SORENE: That is the advantage.

PAUL BRINCAU: I administer oaths at depositions without any problem. All you need is for counsel to stipulate. Sometimes they do not and sometimes you have to remind them that the witness has to be sworn. This morning I had to stop the deposition because they have forgotten. I wondered what the advantages were, whether there was anything else other than administering an oath.

THE PRESIDENT: Is there any more input on that?

CHRIS ARMSTRONG: I do lots of depositions, like Paul, and I have been asked before to swear people in for many, many years. I have also been asked by principals of firms whether I am qualified to administer the oath. I became qualified 12 years ago -- I think it is 12 years ago. There is something in the American system that I would be able to do this and I have never had any problems since. Sometimes notaries

will turn up because the lawyers from the States do not realise that we can do it and, therefore, they pay a lot of money to get someone to walk in with the Bible, or whatever they need to take the oath, then they leave.

That, of course, is very different from having someone sitting in who has been appointed under the Queen's Bench Division as an Examiner. We must not get confused between an Examiner sitting in because it is such an acrimonious case. That is very different from the notary. I think that the US lawyers are obviously paying out a lot of money because they do not understand that we can actually do it. You can ask anybody in the street. I could go up to Miriam now and say "Will you please take an oath." Under British law you can ask anybody to swear an oath.

THE PRESIDENT: You think the American lawyers do not know that you are able to do it?

LINDSAY BICKERS: What piece of paper have you got that allows you to do that?

CHRIS ARMSTRONG: I have got it at home.

LINDSAY BICKERS: What did you have to do to become qualified?

THE PRESIDENT: Do you need an American

stamp?

CHRIS ARMSTRONG: It is so long ago. You are going to say I am backing away from what I said but I am not. I actually became able to administer the oath. It has not meant anything ever since. That is acceptable when they go back to America. If they are at all concerned, they will stipulate between each other that they will accept Chris Armstrong or Paul Brincau to administer the oath.

THE PRESIDENT: Individuals or companies who accept deposition work, should they ask the lawyers at the time they are booking the job if they need notary facilities?

CHRIS ARMSTRONG: No, I do not think so. I think they should know that the court reporters over here can administer the oath. Most of the time, like Paul, when I swear witnesses they do not even ask me. You just say to them "Good morning, sir. Would you like me to swear the witness." They do not even say "Are you notarised to do it?" It is not a big deal.

LINDSAY BICKERS: Then you have to be sure, if there is any problem with the transcript afterwards and they come back and ask you what

basis you did this, you have some evidence that you are. I am not suggesting you are not qualified but you might at some stage in a court trial have to produce evidence that you were qualified. I would like to know what this bit of paper is that enabled you, or whatever you did, to become a notary. You would have to produce it just like we can be asked to produce our practising certificates.

CHRIS ARMSTRONG: What I would say to that is if they want to come back on anybody's transcript it has no relevance whatsoever to having sworn the witness.

BETTY WILLETT: There can be a point of appeal on a transcript unless the respective counsel have said that they waive the stipulation that we are notaries. That is the easiest way to get around it, to make sure it is on the record that they stipulate, which is different from what Chris is saying. That is the way most of us have got around it in the past.

PAT FRITH: I have done it, but I assumed this was as in America.

BETTY WILLETT: It is to everyone's benefit to say "Would you please stipulate on the

record" and then you are covered.

PAUL BRINCAU: I do ask them to stipulate from time to time. Sometimes I forget and I do not, but we do certify at the end of the transcript, we do put in a certification, which actually certifies that what is in the transcript is correct.

FRANCIS DOBSON: But it does not have a notary seal.

PAUL BRINCAU: No. The last deposition I did when a notary was asked -- I have been doing depositions for about 20 years and only two or three times has there been a notary -- he had to try four times before he got the oath right. They administer the English oath not the American one.

BETTY WILLETT: They are far more concerned to have a practising certificate than they are to have a notary certificate, so make sure you have your certificate when you go.

PAUL BRINCAU: Also a notary in this country is only empowered to administer the oath in this country, so telling a guy to raise his right hand and asking him to swear that the evidence he is going to give is the truth, the whole truth and nothing but the truth, you cannot

even say "so help you God" because the guy might not believe in God. It means nothing. When a notary swears a witness in this country, the transcript that is produced in America, as far as the oath is concerned, is useless. The words are completely different. It is another jurisdiction, so although we have spent a lot of time talking about it, it means nothing. Counsel are quite happy to make a stipulation. Sometimes they make it before, and if you remind them they will make it afterwards. They say "OK, we will stipulate that the court reporter can administer the oath."

PAT FRITH: A court usher will administer the oath and, as far as I know, they are not trained to do it.

LINDSAY BICKERS: It is not the training but the qualification to do it, having been empowered to do it somehow. That is the problem.

PAUL BRINCAU: What they are interested in more in depositions is whether you have done them, how many you have done before and can you read it back. That is what they want to know.

THE PRESIDENT: Any more questions on anything at all? The way forward debate will come in a little while.

ROGER BELL: I wondered why so very sadly there does not seem to be very many of us here. Does anyone have any ideas? There must be quite a large number of the Membership working in London. Can anybody speculate? We seem to be fewer and fewer as the years go by?

THE PRESIDENT: I have been told this week is very busy in the hearing impaired world. There is quite a bit going on there. Other than that, it is just a general malaise. Every year we seem to have fewer members and it is not good.

PAUL BRINCAU: The main reason is because ten years ago when I walked into a court they asked me for my Institute card before they let me practise. Now any Tom, Dick or Harry -- and there are firms not far from where we are sitting now who will send a trainee to sit in court for half a day and tell them that is part of the course. They get paid a lot of money for it and the guy knows nothing; he just has a tape recorder.

THE PRESIDENT: There has been a general decline in interest and attendances at meetings since the disappearance of accreditation from Government contracts.

BETTY WILLETT: To be fair, it is general apathy everywhere. Whatever field you are in, you are lucky if you get a big audience or attendance at an AGM. People are not interested in going to AGMs; they find it a big yawn.

PAUL BRINCAU: Are there bodies, maybe more important than ours, I do not know, chartered accountants, chartered surveyors, they have AGMs and they are well attended.

BETTY WILLETT: Pro rata you will find their numbers are down as well over the years.

PAUL BRINCAU: When you think that most of the people who do our job work in central London, most of them are within a stone's throw of where we are sitting now, but they all pack their bags and go home.

VIRGINIA WASON: I think they have always done that. If you think about the Crown Court reporters, they could not be bothered to wait a couple of hours to come to the meeting.

PAUL BRINCAU: The reason is they have no reason to.

VIRGINIA WASON: They have no reason, I agree.

ROGER BELL: Another point on that is

that I was at Middlesex Crown Court today and I spoke to a young woman who I did not know at all but I had heard in conversation she was a stenographer. I had phoned somebody because I had left all my papers at home and I could not remember where it was being held to tell the truth. I said to this young lady "Are you by any chance going to the AGM this evening", and she said "No. I understand because I am not a Member I cannot attend." I wanted to ask if that is correct. Is it only members who can attend?

THE PRESIDENT: No, non-members can attend but they cannot vote.

ROGER BELL: That is exactly what I explained to her. I said would she like me to ring somebody and make inquiries. I felt she might have been interested but she said she had not made plans.

CHRIS ARMSTRONG: I do not think it is on the way forward, and I do not think it is something that there will be an answer to immediately, but I mention that Caroline Stewart rung me yesterday and she went to a job near to where she lives in Milton Keynes but was unceremoniously thrown out. We all get this from

time to time. She rang me to say, because it was a job for Nick Vint, she left within five minutes. She said it is so appalling because it was a doctor and the PCT said "You cannot come in, you cannot bring a solicitor with you, you cannot bring a friend, and we do not want any note taken. We have already made our decision." That is nothing to do with Caroline and it is nothing to do with me, but I did say to Caroline when I came tonight I would ask the Institute what do you think is our responsibility, if any, when we are in those kind of situations?

THE PRESIDENT: Responsibility to the client who sent us there?

CHRIS ARMSTRONG: I do not expect an immediate response.

BETTY WILLETT: I have been in these situations but I have never been thrown out because I have always said to the client before I go "Would you please make sure you have checked with the Chairman that I can come. If he says no, I am not coming." I will not put my head on the line so I am thrown out unceremoniously. That is an awful thing to happen. It is courteous that you have made sure that you have asked the

Chairman.

CHRIS ARMSTRONG: I went to the Patent Office in Munich to an appeal in the middle of the Bavarian woodlands and I got thrown out of there. It took them two hours to decide whether I could stay in.

BETTY WILLETT: The person who booked you should have made sure that you could go. It is no good just turning up.

VIRGINIA WASON: The principal should have checked.

CHRIS ARMSTRONG: I am wondering whether we, being the people who are there on the spot, have a responsibility or any kind of action to take about the person who is not going to get a fair hearing.

BETTY WILLETT: That is not our responsibility, but it is our responsibility to make sure if we are going we have permission to go. It is the responsibility either of the person who is booking you, the agent for whom you are working, or, if it is a freelance job, you send an email and say "I have been asked to come along, may I have confirmation I am allowed to." In these days of email it is not difficult.

PAUL BRINCAU: What you will also find is that they might say "Yes, come", but they put you at the back or somewhere where you cannot hear, in which case I take the same stance and I say "I am sorry, I cannot hear from there and I am not staying" and I leave. It is a waste of time sitting there sweating it out.

BETTY WILLETT: You put in your email that you shall need to sit near the Tribunal and the witness. You have to fight your own battle before you go in.

CHRIS ARMSTRONG: Maybe this does come into the way forward.

PAUL BRINCAU: I fought my own battle in the European Court as well. I had to stand up and address three judges, who then stood up, left, and went out to make a decision. I was sent by counsel from this country to do a patent job and he did not turn up; he just sent me. All he wanted was the transcript. The other two sides stood up and said this is not fair. He will get a full transcript and we are here and there is no note. In the end the judge made me explain how the machine works and he said "Yes, that is allowed because that is not a tape recorder."

Then the other counsel, when the decision went against them, ordered a transcript.

CHRIS ARMSTRONG: Maybe we do have a role to play.

ROGER BELL: I was once in a tribunal in Ebury Bridge Road and it got well under way with a very fast talking prison education officer and the whole thing was stopped after a while and the chairman said to me "Are you using a mechanical recording device?" I said "It is to assist the written note." He said "You may not continue with it". I repeated it was just to assist the written note. He said "Either you leave or you stop using that device." That was the option I was presented with. Of course I stayed.

THE PRESIDENT: We move on to the Treasurer's Report and I call on the Treasurer.

MARY SORENE: The Report and Accounts have been previously circulated but there are spare copies here for Members to look at. Do you have any comments or questions? Can we have a proposer and seconder to approve them? Any comments on them?

[No comments]

[Proposed by Roger Bell]

Seconded by Paul Brincau]

[Report and Accounts adopted]

MARY SORENE: They are adopted, thank you.

THE PRESIDENT: We now come to the election to Council. Some members retired by rotation. We have had one nomination, Miriam Weisinger, however as there are more vacancies than candidates for the Council, no election is needed and we welcome Miriam on to the Council.

We do, however, have to elect a President-Elect, the person to be President at the conclusion of the next 12 months. The five candidates are Caroline Booth, Lisa Cordaro, Francis Dobson, Virginia Wason and July Whittaker. The voting slips will be passed out now.

[Voting slips handed out]

THE PRESIDENT: We have the result of the vote and the President-Elect for the forthcoming year is Lisa Cordaro.

I come to the appointment of our accountant. Mr Kypri, trading as Alliance Accountancy, is willing to continue. He is a Certified Accountant. Do I have a proposer?

[Proposed by Roger Bell]

Seconded by Val Tanner]

[Motion passed]

THE PRESIDENT: As to the date of the next AGM, we now intend to have our yearly meeting during the second week of May. We will return to Wednesday evening. I think that is what it has been traditionally. We are suggesting Wednesday 10 May 2006.

That is the business of the AGM concluded and I will invite Tabitha Allum from StageText to make her presentation.

[StageText presentation]

BETTY WILLETT: Thank you very much.

THE PRESIDENT: I now close the AGM and we will have refreshments and our discussion on the way forward.

[The meeting concluded]