



ANNUAL REPORT 20/21



THE BAR OF IRELAND
The Law Library
BARRA NA hÉIREANN
An Leabharlann Dlí

REPUTATION
KNOWLEDGE
SERVICES

TO PROVIDE LEADERSHIP AND REPRESENTATION
ON BEHALF OF MEMBERS OF THE INDEPENDENT
REFERRAL BAR OF IRELAND, ENSURE THE HIGHEST
STANDARDS OF ETHICAL AND PROFESSIONAL
CONDUCT WITHIN THE PROFESSION AND
TO DELIVER VALUED AND QUALITY SERVICES
FOR THE BENEFIT OF MEMBERS

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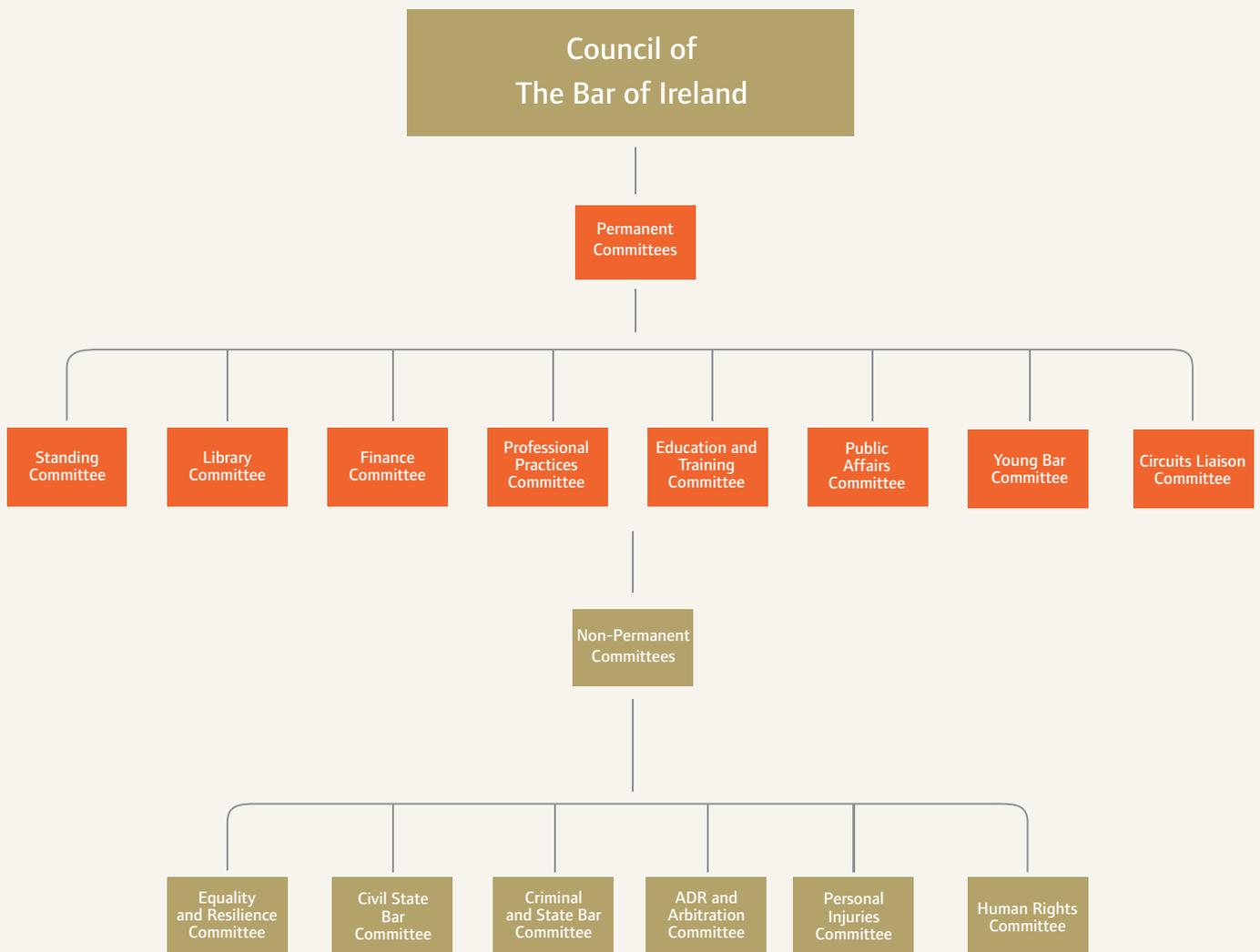
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*Maura McNally SC
Chair*



*Seán Ó hUallacháin SC
Vice Chair*



*Séamus Clarke SC
Treasurer*

The Council of the Bar of Ireland

The Council is comprised of 24 members, elected and co-opted from the membership on an annual basis. The members of Council, along with Committee members, give their time and expertise voluntarily, contributing to the direction and policy of the Bar.



Denise Brett SC



Conor Dignam SC



Vincent Heneghan SC



Elizabeth O'Connell SC



Micheál P. O'Higgins SC



Tim O'Leary SC



Sara Phelan SC



Mema Byrne BL



Garrett Cooney BL



Tracy Ennis Faherty BL



Anita Finucane BL



Paul G. Gunning BL



Dara Hayes BL



Cathrina Keville BL



Aoife McNickle BL



Heather Nicholas BL



Joseph O'Sullivan BL

Co-optees



Robert Barron SC



Helen Callanan SC



Aoife Farrelly BL



Eoin Martin BL

Attorney General



*Paul Gallagher SC –
Attorney General*

Reflecting on an extraordinary year

While our profession, reflective of society and the economy, will likely forever be disrupted, hopefully we can find some solace in our new-found sense of resilience and fortitude.

I am proud to lead a Council that has analysed, advocated for, and advanced measures to protect the independent referral Bar and the Law Library family.

Today we stand on what we hope is stronger, more certain and more hopeful ground than we did this time last year. It will not be easy to forget, or overcome, the travails that we have suffered, some more than others, over the course of the last 12 months, but as a profession we continue the innate march forward, returning to court, and seeking justice and access to justice for our clients.

This Annual Report provides an opportunity to reflect on the last 12 months, and hopefully mark and celebrate achievements in that time.

The fundamental mission of the Council is to assist, guide and represent the members of The Law Library; additionally, we as a profession have a role to play in voicing the concerns of our clients, and in assisting in the rule of law, by commenting, when and where appropriate, on the appropriateness or otherwise of laws, rules and regulations that impact upon each and every Irish citizen, and indeed humankind generally, thus ensuring and guaranteeing human rights, constitutionality and fair play, the very tenets of our *raison d'être*.

An activist Council

I am proud to lead a Council that has analysed, advocated for, and advanced measures to protect the independent referral Bar and the Law Library family. I am proud that we are a forward-thinking profession, leading initiatives that have included:

- continued lobbying of and engagement with our stakeholders on issues impacting on barrister practice and welfare, arising from Covid-19 and other matters;

- financial initiatives and flexibility so that membership of the Law Library can be supported through a challenging period; and,
- the commencement of a professional development scheme that serves as a quality mark of the profession in an increasingly dynamic and changing sector.

These measures inherently recognise one key reality: that a long-term strategic assessment of our profession and our trading environment will provide a framework to ensure that we are prepared for future shocks, allowing us, and those who come after us, to build in a strategic focus and plan. The forthcoming EY report will provide the commencement of a constructive and defining internal dialogue at the Bar.

Collegiality

The issue of collegiality is synonymous with practice at The Bar of Ireland. Unquestionably, that cultural and professional doctrine of the Bar has come under strain due to the physical distance rules, the limiting of numbers allowed to congregate, and reduced court schedules, a further negative impact of which has been upon members' livelihoods. Against that backdrop we have seen a growth in online activities and our IT experts, our communications staff, our Education Committee and all Specialist Bar Associations each deserve special mention for their work in this regard.

Has the Council always got it right? Probably not! And for that, as Chair, I apologise.

Has the Council thought of and actioned every possible response? Again, probably not, but we have tried to

communicate and keep members abreast of issues as they were arising. The Council, through prudent management of resources, has offered assistance to members, and has tried to 'keep the show on the road', while investing in our now very essential IT, education and training. Reality has caused some limitations on the scope of activities the Council could engage in.

I am personally grateful to each and every member who has taken the time to communicate with members of the Council, and those of you who have taken the time to raise issues with me directly, particularly when commentary or criticism has been positive! No one person can know the issues affecting each of our 2,115 members, and it is this communication – colleagues being frank with one another – that allows the Council to function. I would encourage every member to engage, particularly in the dialogue that will ensue over the coming months and years commencing with the strategic review and the EY report.

What lies ahead

In consideration of Legal Services Regulatory Authority (LSRA) requirements, a revitalised CPD Scheme that supports and develops us as practitioners has been generated and prepared. The CPD scheme, and our education and training generally, will assist in preparing members for a somewhat changed working environment. The Council aims to continue its focus on diversity, access

and retention. We are cognisant that there are opportunities ahead that, with astute management, external awareness and a willingness to adapt, will see the Bar and the Law Library not only survive, but grow.

The continued success of the Bar will rest on the confidence, ambition and security of each of us as colleagues at the Bar. It is the role of the Chair, together with the indefatigable and dogged determination of the members of the Council and the innumerable Committee members, to ensure that we achieve that survival and success.

Larry Greiner, Associate Professor of Organizational Behaviour at Harvard University, wrote in 1972 – and it still holds true today – that out of revolution and disruption comes evolution and growth: "The resolution of each revolutionary period determines whether or not an entity will move forward into its next stage of evolutionary growth". This, my friends, is where I perceive we stand today.

I would like to extend my gratitude and thanks to our CEO, Ciara Murphy, and her team for all of their hard work throughout what, despite my minimisation, can only be described as a busy, anxious, complex but rewarding legal year.

Hindsight is such a great teacher!

Finally, please continue to stay safe.

The continued success of the Bar will rest on the confidence, ambition and security of each of us as colleagues at the Bar.



Maura McNally SC
SENIOR COUNSEL, BARRISTER
– MEMBER OF THE INNER BAR
CHAIR OF THE COUNCIL OF
THE BAR OF IRELAND



MEMBERSHIP

As at June 2021,
membership
of the Law Library
was

2,115

There were

76

new entrants
in October 2020,

7

of whom were
from other jurisdictions.

In the year to date,

68

have ceased
membership, with

11

re-entering membership.

Member numbers
show a small reduction,
down from
2,127
in June 2020 to
2,115 in June 2021.

As numbers leaving
remain consistent,
the drop in membership
is due to lower
re-entry figures
in 2020/21.

Enhanced member services and strategic review

This annual report sets out a detailed summary of what the Council of The Bar of Ireland and its committees, together with the support of the executive staff, have done on behalf of members of the Law Library over the last year. A total of 11 meetings of the Council took place during the 2020/2021 legal year.

Membership overview

As at June 2021, membership of the Law Library was 2,115, a slight decline on the previous year of just under 1%. In the year to date, 68 have ceased membership, while 11 re-entered membership. It had been anticipated that the number ceasing membership over the course of the last year would be greater, owing to the reduction in court business as a consequence of the Covid-19 pandemic. However, that has not transpired to be the case and the number leaving is less than it was in the previous three years, where the average number leaving was hovering in

and around 90 per year. There is a strong likelihood that the membership retention figure was maintained as a consequence of the various measures put in place by the Council to provide financial relief to members in the form of two 'Covid credits' applied to membership subscriptions and a further decision to pay the Legal Services Regulatory Authority (LSRA) levy on behalf of members for a third year.

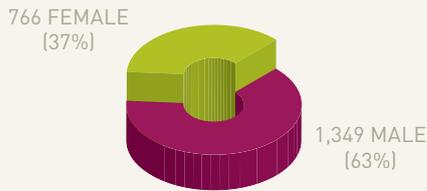
There were 76 new entrants to membership of the Law Library in October 2020, including seven new members from other jurisdictions.

TOTAL NUMBER OF MEMBERS AT JUNE 2020



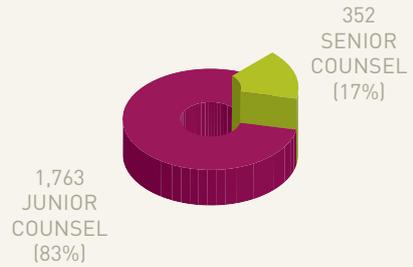
MEMBER BREAKDOWN BY GENDER

AT JUNE 2021
2,115



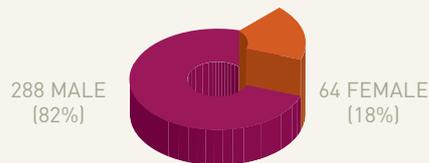
LAW LIBRARY MEMBERSHIP JUNIOR/SENIOR BREAKDOWN

AT JUNE 2021
2,115



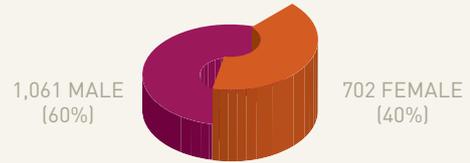
SENIOR COUNSEL BREAKDOWN BY GENDER

AT JUNE 2021
352



JUNIOR COUNSEL BREAKDOWN BY GENDER

AT JUNE 2021
1,763



LAW LIBRARY MEMBER BREAKDOWN YEARS

AT JUNE 2021
2,115



YOUNG BAR YEARS 1 TO 7 BREAKDOWN BY GENDER

AT JUNE 2021
549



The new in-house Practice Support and Fee Recovery Service established in July 2020 has proven invaluable throughout the year.

Table 1: Financial supports for members.

Member support	Amount
25% credit on subscriptions for 2019/20	€2.2m
16.5% credit on subscriptions for 2020/21	€1.7m
Payment of LSRA Levy for 2020	€0.3m
Rent relief on member offices for May and June 2020	€0.5m
Total cost of member support	€4.7m

How were member supports funded?

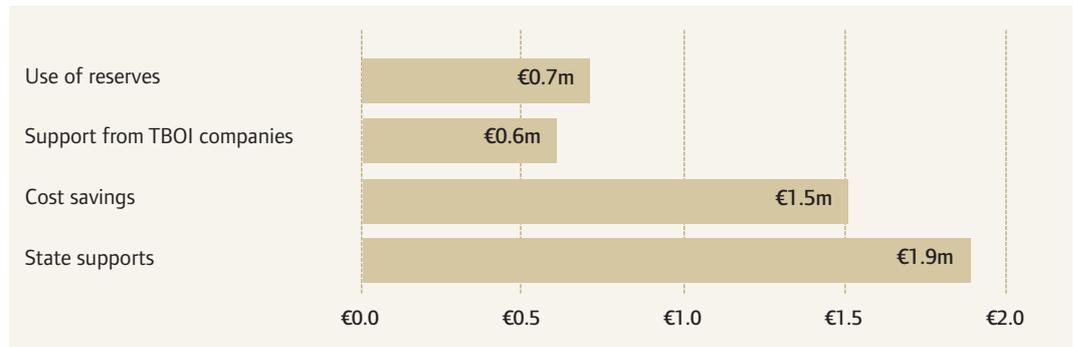


FIGURE 1: How member supports were funded.

Covid-19 member supports

Over the last year, the Council put in place a range of financial supports to help members maintain their membership of the Law Library (Table 1). The results of two member surveys undertaken in May 2020 and December 2020 indicated that 90% of members had experienced a decline in their income during the course of 2020. The total value of the financial supports put in place for members during the course of the pandemic amounts to €4.7m.

The financial support for members was made possible arising from the use of Council reserves, support from the other companies within The Bar of Ireland Group, a series of cost savings secured from both capital expenditure and negotiations with suppliers, and a range of supports made available by the State to business in the form of waivers of rates in 2020 and our ability to avail of the Temporary Wage Subsidy Scheme and subsequently the Employment Wage Subsidy Scheme in respect of staff costs (Figure 1).

Member services

While undoubtedly the provision of financial support for members was important, of equal importance was the need to maintain the maximum range of member services under the new remote and online conditions. Further improvements have been made over the course of the last year in enhancing the member experience and access to the Library and Information Service. The new-look Barrister’s Desktop was enhanced further with the addition of an online ‘chat’ service, which has been very popular and enables an instant response to member queries. The Library aims to provide the widest range of communication tools for members to avail of the full range of Library resources.

The continued support from the ICT team to ensure that members could maximise their use of the Office 365 platform and participate in remote court hearings was invaluable. The demand for CPD continued to climb with a doubling in the number of members attending the online CPD events.

The new in-house Practice Support and Fee Recovery Service established in July 2020 has proven invaluable throughout the year. The need for this service arose out of ongoing challenges members have experienced, for many years, in collecting fees, and a demand for more information in relation to financial and practice management. Currently there are 182 active cases outstanding with the Service, totalling €1.287m. The number of members actively using the Service equates to 6% of the total membership, of whom 51% are full juniors and 22% are senior counsel. The Service also fulfilled a key role in monitoring and communicating the various Government Covid-19 financial supports for members that came on stream during 2020/21. There are up to 50 individual services and benefits available to members of the Law Library and further information is available on the members' section of the website.

EY – strategic review of the profession

In confronting the Covid-19 pandemic crisis and its impact on the Bar, the Council engaged EY in January 2021 to undertake an analysis of the likely future landscape for the provision of legal services by barristers with a view to identifying a strategic response from the Council to ensure the future of the profession.

The EY report, which is currently being considered by the Council, has assessed the future likely landscape and conditions under which the profession can continue to provide and expand its role in the provision of legal services, having regard to the core values of an independent referral bar, together with a detailed plan, setting out recommendations on where the Council should focus its priorities and an analysis of how best to maximise organisational resources in furtherance of those priorities.

The report will be made available to all members of the Law Library when finalised.

Gratitude

I wish to express my sincere gratitude to all of the wonderful staff of the Council who are a very loyal and committed group who have served, and continue to serve, members of the Law Library to the best of their ability.

It has been my privilege and pleasure to work alongside the new Chair, Maura McNally SC, the first female elected to the position of Chair of the Council of The Bar of Ireland in 42 years. My thanks also to all members of the Council and Committees for their input, hard work and support over the year. Members can never fully appreciate the enormity of work that is carried out on their behalf by their colleagues, who voluntarily give of their time and expertise, until they dip a toe into the work of the Council and the Committees.

I look forward to serving you the members and the new Council in 2021/22.

Ciara Murphy

Chief Executive



Ciara Murphy
CHIEF EXECUTIVE



Standing Committee

This Committee comprises the chairs of the permanent committees, the Chair and Vice-Chair, and the Treasurer. The business of the Standing Committee shall be to consider and, if necessary, determine all such matters within the competence of the Council as may be of an extremely urgent nature and require such determination between meetings of the Council.

Chair

Maura McNally SC

Denise Brett SC
Seamus Clarke SC
Conor Dignam SC
Seán Ó hUallacháin SC
Elizabeth O'Connell SC
Sara Phelan SC
Mema Byrne BL
Anita Finucane BL
Paul G. Gunning BL
Dara Hayes BL
Heather Nicholas BL

Library Committee

The functions of the Library Committee shall be to deal with all matters relating to admission to the Law Library, membership thereof, and general services to members, including matters relating to the acquisition and maintenance of the materials, whether in book or electronic form, necessary within the Library and Research Centre for the profession to deliver its services to clients, and support of clubs and societies.

Chair

Mema Byrne BL

Denise Brett SC
Seamus Clarke SC
Darren Lehane SC
Seán Ó hUallacháin SC
Sara Phelan SC
Garrett Cooney BL
Anita Finucane BL
Paul G. Gunning BL
Cathrina Keville BL
Aoife McNickle BL
Joseph O'Sullivan BL

Co-optees:

Cliona Kimber SC
William Abrahamson BL
Cliona Boland BL
Sharon Brooks BL
Fergal Foley BL
George Maguire BL
Roddy Maguire BL
Genevieve Reid BL
Aisling Wall BL

Finance Committee

The Finance Committee shall have the function of dealing with all matters relating to the finances of the Council and its associate companies for the maintenance and development of the Law Library and other properties of the Council, and the development of information technology in the Law Library.

Chair

Seamus Clarke SC

Denise Brett SC
Vincent Heneghan SC
Maura McNally SC
Seán Ó hUallacháin SC
Mema Byrne BL
Garrett Cooney BL
Tracy Ennis Faherty BL
Paul G. Gunning BL
Dara Hayes BL
Cathrina Keville BL
Joseph O'Sullivan BL

Co-optees:

Gabriel Gavigan SC
Nuala Jackson SC
Dermot Kelly SC
Paul McGarry SC
Aidan Walsh SC
Declan Harmon BL
Elizabeth Maguire BL
Roddy Maguire BL

Professional Practices Committee

The functions of the Professional Practices Committee shall be to monitor all matters concerning proper professional practice of members of the Law Library. In particular, and without prejudice to the generality of the above, the Professional Practices Committee may investigate and, if thought fit, prefer and present a complaint against any member without the necessity of having the matter referred to it by any third party. Such complaint shall be made to the Barristers' Professional Conduct Tribunal in respect of such matters within its jurisdiction in accordance with the provisions of the Legal Services Regulation Act 2015.

Chair

Sara Phelan SC

Denise Brett SC
Vincent Heneghan SC
Elizabeth O'Connell SC
Tracy Ennis Faherty BL
Paul G. Gunning BL
Dara Hayes BL
Aoife McNickle BL
Heather Nicholas BL
Joseph O'Sullivan BL

Co-optees:

Bernard Condon SC
Conor Devally SC
Sean Gillane SC
Paul McCarthy SC
Conor J. Maguire SC
Ronan M. Murphy SC
Cathleen Noctor SC
Barry O'Donnell SC
Siobhan Phelan SC
Ronnie A. M. Robins SC
Susan Ahern BL
Sara Antoniotti BL
Elizabeth Gormley BL
Shiela Reidy BL
Brendan Savage BL

Education and Training Committee

The functions of the Education and Training Committee shall be to develop and oversee education and training for members, including the new CPD Scheme, the New Practitioners' Programme, the master/devil relationship, and mentoring programmes.

Chair Denise Brett SC

Conor Dignam SC
Seán Ó hUallacháin SC
Sara Phelan SC
Mema Byrne BL
Anita Finucane BL
Moirá Flahive BL
Cathrina Keville BL

Co-optees:
Marguerite Bolger SC
Úna Tighe SC
Niall F. Buckley BL
Nichola Delaney BL
Aoife Farrelly BL
Emily Gibson BL
Katherine McVeigh BL
Eoin Martin BL
John Martin BL
Emer Ní Chúagáin BL
Patricia Sheehy Skeffington BL
Eoin Sreenan BL

Public Affairs Committee

The Public Affairs Committee shall have the function of promoting members of the Law Library, establishing and maintaining appropriate links with Specialist Bar Associations, and overseeing a programme of outreach that furthers the aims of the profession and fosters good relations between the Council and all outside bodies, including community and local organisations.

Chair Paul G. Gunning BL

Denise Brett SC
Seamus Clarke SC
Seán Ó hUallacháin SC
Micheál P. O'Higgins SC
Garrett Cooney BL
Tracy Ennis Faherty BL
Anita Finucane BL
Vincent Heneghan BL
Cathrina Keville BL
Eoin Martin BL

Co-optees:
Mark Harty SC
Cliona Kimber SC
Frank Crean BL
Elizabeth Gill BL
Lewis Mooney BL

Young Bar Committee

This Committee provides a forum for Young Bar members, and co-ordinates initiatives directed at the needs of practitioners who practise in years 1-7, as well as contributing to wider Bar priorities. Ordinary members of this Committee are elected by their respective years at the commencement of the new legal year.

Chair Anita Finucane BL

Elected members:
Hannah Cahill BL
Shauna Colgan BL
Patrick Fitzgerald BL
Marian Flanagan BL
Jennifer M. Good BL
John D. Monaghan BL
Catherine Needham BL
Raphael O'Leary BL
Kate O'Loughlin BL
Genevieve Reid BL
Tanya Smith BL
Cian St. John O'Leary BL
Alison Walker BL

Co-optees:
Seán Ó hUallacháin SC
Garrett Cooney BL
Aoife Farrelly BL

Circuit Liaison Committee

This Committee shall have the function to encourage initiatives and liaise with relevant parties to improve facilities in the various Circuit Court houses, co-ordinate dedicated CPD events and strengthen networks between colleagues. In addition, members of this Committee act as a liaison for various Circuit areas to assist and progress matters within the Council structure.

Chair Heather Nicholas BL

Elected members:
Sean Ó hUallacháin SC
Elizabeth O'Connell SC
Sara Phelan SC
Garrett Cooney BL
Paul G. Gunning BL
Cathrina Keville BL

Co-optees:
Sharon Brooks BL
James Egan BL
Elaine Hanniffy BL
Cian P. Kelly BL
James McConnon BL
Adrian O'Higgins BL
Anne O'Meara BL
Aisling Wall BL

Equality and Resilience Committee

The function of the Equality and Resilience Committee is to oversee the development and implementation of initiatives and events that promote equality, diversity, and inclusion of members of the Law Library. The Committee also supports members in building resilience and developing their performance in carrying out their professional function.

Chair

Aoife McNickle BL

Séamus Clarke SC
Conor Dignam SC
Sara Phelan SC
Mema Byrne BL
Tracy Ennis Faherty BL
Aoife Farrelly BL
Dara Hayes BL

Co-optees:

Bernard Condon SC
Miriam Reilly SC
Susan Ahern BL
Anne Conlon BL
Moirá Flahive BL
Niall Nolan BL
Helen Claire O'Hanlon BL
Caoimhe Ruigrok BL

Criminal and State Bar Committee

This Committee monitors trends and developments within the criminal Bar, liaising with key justice stakeholders on issues of concern, including the Department of Justice and Equality, the Office of the Director of Public Prosecutions and others. A key priority of the Committee remains advocating for reasonable and fair recompense from State schemes.

Chair

Dara Hayes BL

Séamus Clarke SC
Aoife McNickle BL

Co-optees:

Michael Bowman SC
Orla Crowe SC (appointed as Judge of the Circuit Court in April 2021)
Desmond Dockery SC
Dara Foynes SC
Ray Boland BL
Maurice Coffey BL
Kate Egan BL
Sinead Gleeson BL
Carl Hanahoe BL
Amy Heffron BL
Jane McGowan BL
Emer Ní Chúagáin BL
Aoife O'Leary BL

ADR and Arbitration Committee

This Committee raises awareness of alternative dispute resolution (ADR) practices among practitioners and the wider public through partnerships with relevant stakeholders, a programme of education, and its inclusion in wider Bar debates.

Chair

Cathrina Keவில் BL

Sean Ó hUallacháin SC
Sara Phelan SC
Tracy Ennis Faherty BL

Co-optees:

Teresa Blake SC
James Bridgeman SC
Darren Lehane SC
Paul McGarry SC
Susan Ahern BL
Niall Buckley BL
Geraldine Fitzpatrick BL
Noelene Healy BL
Hayley O'Donnell BL
Peggy O'Rourke BL
Louise Reilly BL
Cathy Smith BL
Alison Walker BL

Human Rights Committee

This Committee works to promote justice and respect for human rights through the rule of law. It monitors human rights issues, in particular those involving endangered lawyers. It also co-ordinates the Annual Human Rights Award.

Chair

Joseph O'Sullivan BL

Elizabeth O'Connell SC
Garrett Cooney BL
Tracy Ennis Faherty BL
Paul G. Gunning BL
Dara Hayes BL
Nóra Ní Loinsigh BL

Co-optees:

Thomas F. Creed SC
Sunniva McDonagh SC
Anthony Moore SC
Colm O'Dwyer SC
Alan D.P. Brady BL
Patricia Brazil BL
Diane Duggan BL
Natalie McDonnell BL
Lewis Mooney BL (VAS Coordinator)
Colin Smith BL

Civil State Bar Committee

The function of the Civil State Bar Committee is to oversee matters concerning the interaction of the Civil Bar with the State, including the Attorney General/Chief State Solicitor's Office, the Legal Aid Board, and the State Claims Agency.

Chair

Conor Dignam SC

Tracy Ennis Faherty BL
Cathrina Keville BL
Eoin Martin BL

Co-optees:

Nuala Butler SC (appointed to the High Court September 2020)
David Conlan Smyth SC
Rachel Baldwin BL
Ben Clarke BL
Katie Dawson BL (RIP February 2021)
Patrick R. O'Brien BL
Deirdre O'Donohoe BL
Niall O'Driscoll BL
Emma Ryan BL
Andrew Whelan BL

Personal Injuries Committee

The Personal Injuries Committee oversees matters relating to developments in the area of personal injuries, and in particular seeks to engage and co-operate with all key stakeholders involved in the insurance reform programme.

Chair

Elizabeth O'Connell SC

Maura McNally SC
Sarah Phelan SC
Garrett Cooney BL
Tracy Ennis Faherty BL
Aoife Farrelly BL
Heather Nicholas BL

Co-optees:

Declan Buckley SC
Henry Downing SC
Oonah McCrann SC
Jeremy Maher SC
Derry O'Donovan SC
Lorraine O'Sullivan SC
Liam Reidy SC
Miriam Reilly SC
Aidan Walsh SC
Tom Clarke BL
Maira Flahive BL
Paul Gallagher BL
Grainne Larkin BL
Conor Kearney BL
Tim O'Connor BL



REPUTATION

TO PROVIDE LEADERSHIP AND
REPRESENTATION FOR AND
ON BEHALF OF THE
PROFESSION

REPUTATION

To provide leadership and representation for and on behalf of the profession

1 Representing the profession

Supporting and promoting gender diversity

Equitable briefing

Throughout this year, the Equality and Resilience Committee has undertaken an extensive piece of research, benchmarking and analysis on an Equitable Briefing Policy. The aim of the policy is that briefing entities make all reasonable endeavours when briefing barristers with the required seniority, expertise, and experience in the relevant practice area, that the distribution of briefs by gender be considered. While acknowledging that the selection of counsel is ultimately the decision of the client, and equally capable male and female counsel are available, the policy aims to ensure that arbitrary and prejudicial factors should not operate to exclude the engagement of female counsel. Following what has been a very positive and constructive round of engagement with Ireland's leading law firms and

the largest briefing authorities in the State, including the Office of the Director of Public Prosecutions, the Chief State Solicitor's Office, the Office of the Attorney General, the State Claims Agency and the Legal Aid Board, the Committee is in the process of finalising a draft policy for adoption by the Council in July. It is proposed to formally launch the policy in the new legal year. Actions under the policy include:

- data collection and sharing (anonymous) by briefing entities;
- awareness raising;
- improved promotion and engagement by the Bar of its members' expertise; and,
- monitoring and review.

Equitable briefing presents clear benefits to the career development of female counsel but having both genders participating equally in the provision of legal services leads to significant gains for the client, and the wider legal and justice sector.

International Women's Day



In celebration of International Women's Day 2021, The Bar of Ireland was delighted to be joined by The Rt Hon. The Baroness Hale of Richmond DBE, Former President of the UK Supreme Court, as our special guest speaker. In a virtual 'fireside' chat with Emer Woodfull BL, Lady Hale emphasised the importance of having practitioners from all backgrounds represented on the bench, stating that greater diversity in the judiciary leads to better decision-making. Her remarkable career and her wise words proved to be a source of great inspiration to the many attendees.



Supporting and promoting access to the profession

Equality Action Plan



Work continues on the development of an Equality Action Plan to identify and examine the potential challenges facing underrepresented groups in pursuing a career at the Bar, and to specify strategies or initiatives that can be implemented to help alleviate those challenges.

The Committee has engaged with a number of relevant stakeholders and advocacy groups in recent months who can provide crucial insight into the distinct needs of various underrepresented groups, including: 'Ahead' – an independent non-profit organisation working to create inclusive environments in education and employment for people with disabilities; the National Disability Authority – Ireland's independent statutory body that provides information and advice to the Government on policy and practice relevant to the lives of persons with disabilities; the National Women's Council of Ireland; the Dyslexia Association of Ireland; and, OUTLaw – a network that seeks to promote and drive the inclusion of LGBT+ people across the Irish legal community.

The ultimate goal is to expand upon existing Bar initiatives and to cater to a broader category of underrepresented groups, such as persons with a disability and ethnic minorities.

Denham Fellowship



The Denham Fellowship is entering its fifth year, with two new fellows selected following a comprehensive application and interview process with the Denham Fellowship Board. The campaign to attract applicants was entirely online and generated a higher number of enquiries and applications than in recent years. The Fellowship endeavours to encourage more diversity in the legal profession. In a five-year programme, Denham Fellows will be provided with financial, educational and professional support from point of entry to the Barrister-at-Law degree programme at the King's Inns all the way through their first four years of practice at the Law Library, and ultimately in what is sure to be a successful and rewarding career at the Bar. Interested in a career in law? [Find out more here.](#)

Look into Law Transition Year Programme



In February 2021, the Look into Law Transition Year (TY) Programme went online with the help of a sub-committee from Education and Training and a TY co-ordinator focus group. The Programme was designed to be as flexible as possible, allowing an unlimited number of students to take part, whether in a classroom led by a teacher, or at home in the evening. Over 400 schools signed up, of which 70 were DEIS schools, with 12,000 students registered, representing about one-quarter of all TY students in the country. The Programme comprised five modules, each with a different theme, with a combination of videos, quizzes, links and reflections in each one.

Setting the bar high



Mary Mulcahy and her daughter, Grace Mulcahy @ Sullivan, Mount Mercy College, Cork, with a preview of The Bar of Ireland's sixth annual Look into Law, which starts today. Usually restricted to 100 students in Dublin, this year the event — which gives transition year students insights into a career as a barrister — is being attended online by 10,000 young people from 320 schools nationwide. Picture: Clare Keogh

This Programme could not have been created without the generosity of the barristers and invited guests who agreed to give up their time and be recorded for the Programme, nor could it have been created without the assistance of the barristers who suggested content and structure. Look into Law allowed the Bar's outreach programme to be accessed by so many more students, many of whom may not be interested in a career in law, but will now have gained an insight into life at the Bar and the justice system.



Robert O'Reilly was one of 12,000 students who took part in Look into Law 2021.

A look at law from comfort of home

STUDENT Robert O'Reilly from Coláiste Éinde in Salthill, Co Galway, tuning into the Bar of Ireland's 'Look into Law' transition-year programme.

Normally, only 100 students can take part in the programme when it is hosted in Dublin.

However, this year 10,000 students from 320 schools are participating online.

"At first, I did not think I would enjoy this course, but it has surprised me how much I have, so thank you. This gave me a really good insight into law and really did help me maybe consider being a barrister or solicitor in the future. I hope to possibly see you guys soon. You were all so sweet :) Will definitely miss doing this every week!"

"I learned so much! Thank you so much for this programme and for all your hard work! I cannot wait to study law now! (A little sad that it has ended)."

"Thank you very much for making this great course. I really enjoyed hearing from different barristers about how they became barristers and that not everyone goes straight into studying to become one."

"Thanks so much for putting together this fascinating course. It was so interesting to learn about the many different areas of law and I really enjoyed hearing from the different barristers!"

"A very eye-opening experience! I really enjoyed listening to all the barristers who came from different avenues of life. I learnt that everything is truly possible if I put my mind to it."



Engagement with State agencies in response to the Covid-19 crisis

CSSO – electronic briefing liaison group

In January, the Chief State Solicitor’s Office (CSSO) adopted a new policy to no longer routinely provide hard copy papers for counsel in order to reduce the numbers of its staff physically attending the office to produce hard copy material.

A transfer to electronic briefing has presented difficulties for counsel, however. For example, the electronic format in which documentation from the CSSO is furnished is not capable of manipulation or annotation, which is a vital element in the preparation of any case.

As such, a liaison group was established between the Civil State Bar Committee and the CSSO to explore and identify potential solutions to the difficulties experienced by counsel in respect of e-briefs.

The Council remains committed to continue working in partnership with all stakeholders to maximise access to justice and at the same time ensure the health and safety of all parties.

CSSO – counsel fee notes

The Civil State Bar Committee continued to engage with the CSSO with regard to the timely and efficient processing and discharging of counsel fees. As reported by the Office of the Comptroller and Auditor General in its Report on the Accounts of Public Services 2019, the payment of counsel fees by the CSSO has drifted into a significant level of arrears. Despite the agreement in place between the Council and the CSSO, which sets out timelines to ensure payment within the agreed timescales, there are numerous examples where this has not been complied with.

These delays are of particular concern to members given the difficulties with practising in the current climate, and the fact that overheads for practice remain in place notwithstanding the reduction in earning potential for members given that the Courts have been operating on reduced capacity over the period of the pandemic.

Legal Aid Board – terms and conditions

Following extensive engagement between the Civil State Bar Committee and the Legal Aid Board over the past number of months, the Board agreed to temporarily amend its terms and conditions for the retention of counsel in respect of emergency and interim care orders in the context of Covid-19.

Members had expressed concern as to the rigidity of a provision wherein counsel could only claim a fee in respect of each application for an interim care order where the barrister was physically present when the application was heard. In light of the fact that members have been

prevented from attending hearings due to the public health restrictions put in place by the Courts Service, the Board agreed to remunerate counsel for the work done in preparation for the court hearing, notwithstanding that counsel was unable to attend.

The Civil State Bar Committee is grateful to the Board for accommodating our members in the context of these public health restrictions and thanks the Board for its flexibility and ongoing engagement on the exceptional issues presented by the Covid-19 pandemic.

Legal Aid Board – Consultative Panel

The Bar of Ireland continues its representation on the Legal Aid Board’s Consultative Panel, which meets four times per year and is comprised of key stakeholders operating within the justice field.

The meetings provide stakeholders with a valuable platform on which to exchange information surrounding legal aid services and to raise with the Board any issues/concerns experienced by clients and practitioners on the ground.

Dept. of Justice/Criminal Legal Aid – payment for disclosure

Engagement continued throughout the course of the year with the Department of Justice in relation to the payment of disclosure to defence counsel under the Criminal Legal Aid Scheme.

In March 2021, Department of Justice representatives confirmed that they accepted the need to address payment in respect of disclosure and sought to discuss with the Criminal State Bar Committee the mechanism to pay an appropriate fee to counsel in that regard.

It is expected that the detail of the mechanism to make payment for disclosure to defence counsel will be made available in the coming weeks and will finally resolve this longstanding issue.

DPP and Dept. of Justice: restoration of professional fees of criminal barristers



Over the past five years, the Criminal State Bar Committee has tried to engage with Government, and in particular with the Department of Public Expenditure and Reform, in relation to a process to unwind professional fee cuts that were imposed on barristers during the period 2008-2011 who are instructed to prosecute criminal cases on behalf of the State.

Both the Office of the Director of Public Prosecutions (DPP) and the Department of Justice have indicated their support for such fee restoration since July 2018. Unfortunately, the Department of Public Expenditure and Reform has resisted any meaningful and constructive engagement over the last five years.

The approach being taken in relation to the unwinding of cuts applied to the professional fees of barristers is at odds with the approach taken in relation to other groupings. For example, State solicitors, who are independent contractors (similar to barristers), and are engaged by the Office of the DPP to work on the same cases prosecuted by barristers, have had a process of pay restoration implemented since 2017. This is an obvious anomaly and demonstrates a clear unfairness in the approach of Government in its pay policy.

Up until 2008, the fees paid to barristers were linked to the increases applied under public sector pay agreements and the Department of Public Expenditure and Reform has unilaterally broken this link.

All other groups of workers who were subjected to the emergency cuts throughout the justice system have since had their cuts reversed and no other group of workers in the State is having to endure a pay level that was in place 19 years ago.

In May 2021, the Criminal State Bar Committee mounted a lobbying campaign with elected officials to have this matter addressed at a political level.

The Chair of the Council wrote a personal letter to each elected official, and members were also urged to write to their local representative. A series of meetings took place with justice spokespersons and media were briefed on this issue, resulting in coverage in the national press and broadcast media.

The campaign will continue over the coming months until a satisfactory outcome has been achieved.

Dublin City Council – Government Restart Grant Scheme

In November 2020, the Council became aware that many members who were successful in applying for the Government’s Restart Grant Scheme, some of whom had actually been paid the grant, received a communication from the Restart Grant Team of Dublin City Council (DCC), rejecting claims they previously approved for those occupying shared spaces in our Law Library seating areas.

The Council was dismayed by this surprising and disappointing decision made by DCC and the Department of Enterprise, Trade and Employment, which would impact negatively on up to 500 members.

All resources of the Council immediately turned to a political lobbying campaign to have the decision reviewed and reversed. Following a week of intensive

lobbying activity, the Council was very pleased with the decision taken by DCC in early December confirming their intention to reverse their decision to reject the previously approved claims. This was a great example of how effectively the collective effort to right an obvious wrong can be mobilised to achieve a positive outcome.

Working groups

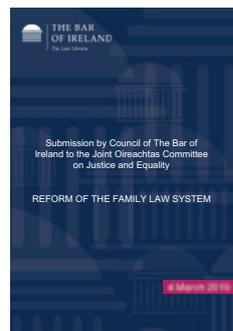
The Council established a number of working groups to drive forward issues of concern to members.

Defamation/Civil Juries

Members: Tracy Ennis Faherty BL (Chair), Declan Doyle SC, Mark Harty SC, Eoin McCullough SC, Liam Bell BL, Shane English BL. The Defamation/Civil Juries Working Group was established by the Council in anticipation of impending reforms in the area. Of particular concern to the Working Group are calls for the removal of juries from civil actions. It remains the position of the Council that civil juries ought to be preserved.

The rights that are the subject matters of the relevant torts, namely the rights to liberty and bodily integrity and the rights of free speech and reputation are of critical importance and by virtue of this importance the Oireachtas and the courts have at all times respected the need to have such actions tried before a jury.

Family Law Reform



Members: Seán Ó hUallacháin SC (Chair), Nuala Jackson SC, Paul McCarthy SC, Raghnaid O’Riordan SC, Mary O’Toole SC, Rachel Baldwin BL, Clive Brennan BL, Linda Coughlan BL, Sarah Fennell BL, Elaine Hanniffy BL, Eithne Hegarty BL, Lyndsey Keogh BL, Lewis Mooney BL, Stephen O’Herlihy BL, Paul Scannell BL, Marie Slattery BL, Michelle Smith de Brúin BL, Catherine White BL.

The Family Law Working Group was established by the Council to consider reform in the area of family law, having particular regard to the publication of the General Scheme of a Family Court Bill by the Minister for Justice and the establishment of a Family Justice Oversight Group by the Department of Justice.

A submission was made to the Joint Committee on Justice on the General Scheme of the Family Court Bill in February. A new family court structure with a division of each court dedicated solely to administering and adjudicating upon private family law and public childcare cases will undoubtedly have a positive impact on the management of family law and childcare applications. The Council is strongly of the view that while distinct in their specialisation, these court divisions should sit within the current jurisdictional structure, save for the Circuit Court, which should have

concurrent jurisdiction with the District Court in childcare matters. The Council is furthermore of the view that a dedicated family law division must be matched at the outset with appropriate resourcing for the medium to long term. A separate submission was also made to the Family Justice Oversight Group in February. The Family Justice Oversight Group was established by the Department of Justice in September 2020 in order to develop a high-level vision for the development of a national family justice system. The

oversight group comprises representatives of key State agencies that will need to deliver the substantial reforms arising from the development of a modernised family justice system in parallel with the reforms envisaged by the forthcoming Family Court Bill. It includes officials from Government Departments, the Courts Service and the Legal Aid Board, as well as nominees of the Chief Justice from the District, Circuit and High Courts. The submission is available [here](#).

The Bar of Ireland submissions

Total number of submissions: 14 Number of Oireachtas attendances: 2
 2019-20

June 2020	Submission to the European Commission - Targeted Stakeholder Consultation on the 2020 Rule of Law Report
July 2020	Submission to the Department of Public Affairs and Expenditure on the transposition of the EU Whistleblowing Directive [Directive (EU) 2019/1937]
July 2020	<p>Submission to the Department of Justice on the Draft Youth Justice Strategy 2020-2026</p> <p>This submission was prepared in response to the Department’s public consultation on a draft Youth Justice Strategy. The Strategy for 2021-2027 has since been published and encompasses a range of issues connected to children and young people at risk of coming into contact with the criminal justice system, from early intervention and preventive work, including family support and diversion from crime, through to court processes and facilities, supervision of offenders, detention, and reintegration and support post release. Key submissions related to the following:</p> <ul style="list-style-type: none"> ■ prosecutorial delay; ■ Diversion Programme reform; ■ evidence gathering; and, ■ physical court buildings and custody areas. <p>The Council welcomes the Strategy and its stated objective to review the requirement for guidelines on appropriate approaches to interviewing for professionals and others involved in court processes, and the commitment to review of the facilities and procedures in Garda stations and courts with reference to obligations under Part 6 and Part 7 of the Children Act and fundamental human rights standards. It is vital that there is a consistency of experience for all child defendants across the country.</p>

2020-21

August 2020	Submission to the Department of Justice & Equality on Setting the Discount Rate in Personal Injury Cases
September 2020	<p>Submission to the Special Committee on Covid-19 Response - Legal and Justice Matters</p> <p>Oireachtas attendance: Maura McNally SC, Chair of the Council of The Bar of Ireland, and Joseph O’Sullivan BL, Chair of the Human Rights Committee, appeared before the Oireachtas Special Committee on Covid-19 Response to contribute to discussion and provide perspectives on the legal and constitutional issues arising during this fast-moving period of legislative response to control the spread of the virus. The Council’s submission and contributions to the debate related to the importance of proportionality, access to justice, and the important role of the courts and the rule of law during these challenging times. The Bar of Ireland’s contribution to the committee debate can be found here and viewed here.</p>

- September 2020 [Submission to the Department of Children and Youth Affairs on the Review of the Child Care Act 1991](#)
- September 2020 [Submission to the Department of Justice & Equality on the implementation of the recommendations of the O'Malley Report on the Review of Protections for Vulnerable Witnesses in the Investigation and Prosecution of Sexual Offences](#)
The Bar of Ireland welcomed the publication of the Report on the Review of Protections for Vulnerable Witnesses in the Investigations and Prosecution of Sexual Offences, which was prepared at the request of Government by a working group chaired by Tom O'Malley. The Bar continues to engage with the Department on the O'Malley recommendations, with a particular focus on delivering additional professional development supports, and on the issue of adequate resourcing.
- November 2020 [Submission to the Legal Services Regulatory Authority in response to draft Legal Services Regulation Act 2015 \(Advertising\) Regulations 2020](#)
- January 2021 [Submission to the Department of Justice on the General Scheme of the Judicial Appointments Commission Bill 2020](#)
- February 2021 [Submission to the Legal Services Regulatory Authority on the Admission Policies of the Legal Profession as Required by Section 33 of the Legal Services Regulation Act 2015](#)
- February 2021 [Submission to the Joint Committee on Justice on the General Scheme of The Smuggling of Persons Bill 2020](#)
- March 2021 [Submission to the Joint Committee on Justice Victim's Testimony in Cases of Rape and Sexual Assault](#)
Oireachtas attendance: Dara Hayes BL, Chair of the Criminal and State Bar Committee, and Fiona Murphy SC appeared before the Joint Committee on Justice to discuss the topic of victims' testimony in cases of rape and sexual assault. Significant emphasis was placed on the need for greater judicial and court resources to minimise the impact of delays and adjournments on victims and witnesses. The Bar of Ireland's contribution to the committee debate can be found [here](#).
- March 2021 [Submission to the European Commission - Annual Rule of Law Report 2021](#)
- April 2021 [Submission to the Department of Enterprise, Trade and Employment in response to the public consultation on enhancing and reforming the Personal Injuries Assessment Board](#)
- June 2021 [Submission to the Legal Services Regulatory Authority – Barriers for Early Career Barristers and Increasing Diversity](#)



Dara Hayes BL addressed the Joint Committee on Justice.



Bar of Ireland representatives addressed a number of Oireachtas Committees.

Human rights advocacy

Endangered lawyers and public interest representations



Human rights Committee representations

Since June, The Bar of Ireland's Human Rights Committee has made representations in respect of the following overseas colleagues:

- the establishment of a full, independent public enquiry into the murder of Pat Finucane;
- re-instatement of Lyudmila Kazak, Belarusian lawyer;
- Belarussian lawyers refused permission to meet with clients in respect of presidential election protests;
- harassment and arbitrary detention of Salah Hamouri, Israel;
- arrest and detention of Pygamberdy Allaberdyev, Turkmenistan;
- detention of Ilya Slaei and Maksim Znak, Belarus;
- arbitrary arrest and detention of Turan Canpolat, Turkey;
- mistreatment of Qin Yongpei and Wang Quanzhang, China;
- arbitrary arrest and detention of Hejaaz Hizbullah, Sri Lanka; and,
- harassment and intimidation of Esteban Emanuel Celada Flores, Guatemala.

Call for establishment of Oireachtas Committee on Human Rights

Letters supporting the call for the establishment of an Oireachtas Committee on Human Rights were sent in March 2021 to both Houses of the Oireachtas. This is supporting calls made by other organisations, including the Irish Human Rights and Equality Commission and the Irish Penal Reform Trust.

First International Fair Trial Day and launch of Ebru Timtik Award

The Bar of Ireland joins international bar associations and human rights groups to support International Fair Trial Day and the Ebru Timtik Award. The first International Fair Trial Day was held on June 14, 2021, to honour the memory of Ebru Timtik. The day will become an annual event and will also include the Ebru Timtik Award in her honour.



2 In the Community

Human Rights Award 2020



Joseph O’Sullivan BL, Chair of the Bar’s Human Rights Committee, and Maura McNally SC, Chair of the Council of The Bar of Ireland, presented the Bar’s Human Rights Award 2020 to Dr Mike Ryan of the WHO.

The Bar of Ireland presented its 2020 Human Rights Award to Dr Mike Ryan, Executive Director at the World Health Organisation, on November 26, 2020. The annual award is made in appreciation of outstanding contributions in the field of human rights and Dr Ryan was selected as a most worthy recipient in recognition of his tireless work in safeguarding and promoting public health.

Dr Ryan has been at the forefront of managing acute risks to global health for nearly 25 years and, as the WHO Executive Director with responsibility for its Health Emergencies Programme, he is leading the charge on the international containment and treatment of Covid-19.

CCBE Human Rights Award



Eren Keskin, nominated for the CCBE Human Rights Award.

The Irish Delegation to the Council of Bars and Law Societies of Europe (CCBE) (the Bar of Ireland and the Law Society) has nominated Eren Keskin for the forthcoming CCBE Human Rights Award. Eren is a lawyer and advocate for women’s and minority rights, as well as co-chair of Turkey’s Human Rights Association.

She is also the founder of the Legal Aid Bureau against Sexual Harassment and Rape in Custody.

Justice Week 2021



Justice Week debate: Showcasing excellent debating skills were Chloe Feighery (TU Dublin), Roisin Madden (DCU), Matthew Mulrooney (NUIG) and Eoin Jackson (TCD) of Team A, the proposition, and Rachel Deasy (UCC), Oisín Magfhogartaigh (UCD), Cameron Moss (MU) and Eoin McGloin (UL) of Team B, the opposition (winners).



In March, The Bar of Ireland held its second annual Justice Week – a joint awareness campaign of the legal professions across the four jurisdictions (Ireland, Scotland, Northern Ireland, and England and Wales).

The campaign aims to promote an awareness and understanding of access to justice and the rule of law. This year, the focus of Justice Week was the impact that Covid-19 has had on citizens’ rights and the administration of justice, with particular emphasis on the important role that the rule of law and the justice system play in responding effectively to a public health crisis. Each day of the week held a distinct theme, and utilising our social media and online events platforms, The Bar of Ireland brought a series of virtual events, podcasts, and interviews to as wide an audience as possible. The week’s activities included:

- launch of Justice Week with a video message from the Chief Justice;
- panel discussion with legal and policy experts on the topic of disinformation;
- launch of an e-resource for secondary school students about the Constitution of Ireland;
- live virtual intervarsity debate on the theme of freedom of expression;
- survey of TY students on how the pandemic has impacted on their education;
- interview with Dr Mike Ryan on the importance of the rule of law and justice in a global health pandemic;
- interview with Colm Scott-Byrne BL on the constitutionality of mandatory vaccinations; and,
- interview with Claire Bruton BL on the rights of employers and employees in a public health crisis.

The Bar of Ireland was delighted to see such a fantastic level of response and engagement across the wider legal and justice community, and particularly among our younger citizens. A video round-up of events is available [here](#).

PILA Pro Bono Pledge Ireland



Our association with Free Legal Advice Centres (FLAC), the Public Interest Law Alliance (PILA), and other similar free legal advice centres, and indeed our own Voluntary Assistance Scheme (VAS), all represent examples of the Bar working to share its skills with those most in need. The launch of the PILA Pro Bono pledge in November includes a shared definition of pro bono legal work and a commitment to an aspirational target of 20 hours per lawyer per year. The Pledge is being supported by The Bar of Ireland, The Law Society of Ireland, and the Dublin Solicitors Bar Association. Law Library members have a long tradition of providing assistance and advice, both to individuals and organisations, on a pro bono basis.

View and sign up to the Pledge online [here](#).

Fellowships

The Bar of Ireland is proud to support and contribute to the following fellowships:

ICCL – Bar of Ireland Procedural Rights Fellow – Gemma McLoughlin-Burke BL



Gemma qualified as a barrister in 2018 and entered the Law Library in 2020. She is currently apprenticing with Tony McGillicuddy BL in the area of crime. Prior to entering the Law Library, Gemma worked as a judicial assistant in the Commercial Court for three years and thereafter as a support lawyer in commercial litigation and dispute resolution. Gemma works as an editor for *Decisis* online and has also published articles on both civil and criminal matters. She came third in the International Criminal Court Moot in 2018.

Children’s Rights – Catherine McGuinness Fellow – Noeleen Healy BL



Noeleen is a practising barrister working in the areas of immigration, asylum, family law and general civil law. Noeleen represents applicants in appeals at the International Protection Appeals Tribunals, in judicial reviews at the High Court, and in family law matters at both the District and Circuit Courts.

Call to the Inner Bar



The October call.

Patents of precedence were granted by Chief Justice Frank Clarke conferring on 20 barristers the status of senior counsel, member of the Inner Bar, and recognising their specialist skills and expertise. The new senior counsel are: John Breslin; Nessa Cahill; Eoin Carolan; Maurice Coffey; Catherine Donnelly; Marcus Dowling; Stephen Dowling; Michael Duffy; Emily Farrell; Brian Foley; Damien Higgins; Dean Kelly; Brian Kennelly; Suzanne Kingston; Darren Lehane; Anthony Moore; Bernadette Quigley; David Sharpe; Derek Shortall; and, Kelley Smith.



Direct Professional Access

The Direct Professional Access scheme allows Approved Bodies direct access to counsel in respect of non-contentious matters. The Scheme is currently open to 122 Approved Bodies, including Government Departments, State agencies, and regulatory and representative bodies, as well as a number of other entities. The Scheme is overseen by the Public Affairs Committee, who will continue to develop the Scheme as a direct benefit for members and Approved Bodies. Over the course of 2020/2021 we welcomed a number of additional bodies (pictured, right).



3 Communications and engagement

The Bar Review

Editorial Board:

Members of the Law Library: Ellis Brennan SC (Editor); Brian Kennedy SC; Paul McGarry SC; Sara Moorhead SC; Sean Ó hUallacháin SC; Peggy O'Rourke SC; Alex White SC; Susan Ahern BL; Patricia Brazil BL; Lydia Bunni BL; Simon Donagh BL; Elizabeth Donovan BL; Anita Finucane BL; Tom Flynn BL; and, Alison Walker BL. Executive staff/publishers: Ciara Murphy, CEO, The Bar of Ireland; Vanessa Curley, Assistant Librarian, The Bar of Ireland; Aedamair Gallagher, Policy and Public Affairs Manager, The Bar of Ireland; Tom Cullen, Publisher, Think Media; Paul O'Grady, Publisher, Think Media; and, Ann-Marie Hardiman, Think Media.

The Bar Review, The Bar of Ireland's journal, is published six times per year. It contains articles from members of the Law Library on key developments and topical issues of practical and legal importance, as well as a comprehensive Legal Update detailing pertinent publications, judgments, and legislation. *The Bar Review* is also fortunate enough to interview leading figures in the legal world and beyond. Over the course of the pandemic, *The Bar Review* was brought seamlessly into the digital sphere, bringing an awareness of the publication to a wider audience, as well as accommodating embedded media.



Media

Engagement with the media is an important activity and element in how The Bar of Ireland engages with the public, the legal community and policy makers. National, regional and in some cases international media – print, online and broadcast – all offer an important channel to articulate the priorities of the Bar, and the legal aspects of a wide range of subject matter. Over the past 12 months, our members have appeared in broadcast media on a wide number of issues, including:

- the restoration of fee rates to criminal barristers;
- the appointment of Maura McNally SC as Chair of the Council;
- advocating against sanctions by the People's Republic of China on UK barristers;
- online TY Programme;
- Green Street Lecture Series;
- Cervical Check Scheme;
- Justice Week and combatting disinformation;
- life at the Bar today;
- Covid-19 and the rule of law;
- employment law;
- the Bar Human Rights Award;
- education law;
- sports law;
- the use of remote hearings;
- mandatory vaccination and quarantine;
- judicial independence;
- Covid-19 and the eviction ban; and,
- the O'Malley Report and vulnerable witnesses.

The work of the Council, Committees and the Specialist Bars continue to drive requests from the media for participation and comment.



The Bar of Ireland Podcasts



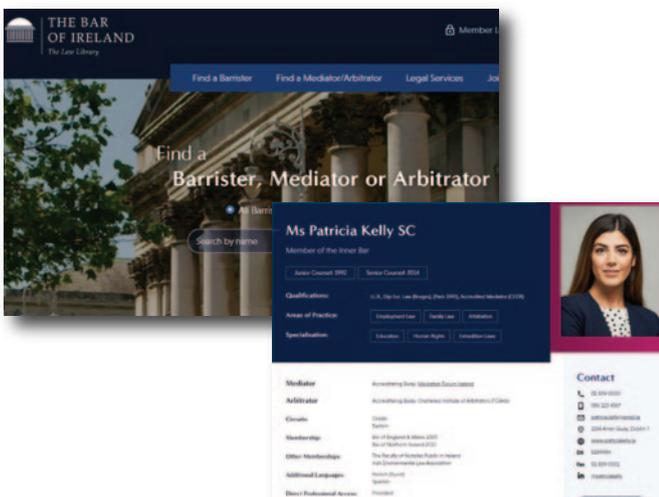
Our audio content is streamed across all major podcast platforms, including Apple Podcasts, Google Podcasts, Soundcloud and Spotify. Content includes interviews on a range of topics, including legal technology, employment law, and well-being. Members featured include Kevin Byrne BL, Claire

Bruton BL, David Perry BL, and Colm Scott-Byrne BL. Additionally, high-profile events such as the Green Street Lecture Series, the Human Rights Award, and International Women’s Day are available in audio format. Podcasts can be found by searching for ‘The Bar of Ireland Podcasts’ on any major podcast service. With over 30 audio files, ranging from policy to history, we look forward to developing this channel over the coming year.

Delivery of new public-facing website

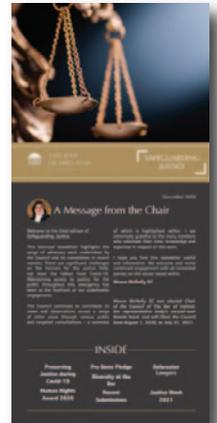
The new-look public-facing website has the central objective of showcasing members’ expertise more effectively, allowing solicitors, in-house counsel and others to get a better understanding on their prospective and existing counsel. With a modern design, enhanced mobile capability, and a commercial focus, members now have increased freedom and control over their individual barrister profiles. Innovations in the new site include:

- more expanded and self-service facility for members’ ‘shop window’;
- capacity for richer media and greater dynamic presentation; and,
- ease of access and use, in particular ‘Find a Barrister/Mediator/Arbitrator’.



Safeguarding Justice – policy newsletter

The Bar of Ireland continued publication of its bi-annual newsletter, which summarises and highlights the range of advocacy work undertaken by the Council and its committees on the reform and development of law, policy, and the justice system. The newsletter is issued to all stakeholders and senior personnel across the justice sector, including Government Departments, NGOs and all Oireachtas members. Read a recent issue [here](#).



Green Street Lecture Series



The Bar of Ireland was delighted to announce the return of the Green Street Lecture Series. This series follows our 2016 Green Street Lectures, and portrays the intersection between law, politics, and literature,

detailing some of the notable characters, culture, and controversies that defined the Irish State through the years. Revisiting landmark cases and their lasting impact, the lectures are presented by pre-eminent barristers passionate about their respective themes, and delivered from the Honourable Society of King’s Inns. Lectures include:

- Frank Callanan SC: ‘John Francis Taylor’s speech at the King’s Inns in 1901, and Ulysses’ ([available here](#));
- Marguerite Bolger SC: ‘Evolution of Employment Equality Law in Ireland’ ([available here](#));
- John O’Donnell SC: ‘The Trial & Error of Patrick Kavanagh’ ([available here](#));
- Bobby McDonagh: ‘Diplomacy and Identity: Understanding, Managing & Celebrating Complexity’ ([available here](#));
- Ms Justice Mary Rose Gearty: ‘The Cats’ Tails: Societal and Evidential Impediments to a Successful Sorcery Trial’ ([available here](#));
- Sean Gillane SC: ‘Germany Calling – The Trial of Lord Haw Haw’ ([available here](#));
- Patrick Fitzgerald, Attorney at Law: ‘Special Counsel – Watergate and Onwards’;
- Ms Justice Nuala Butler: ‘The Legacy of Nurse Cadden’ ([available here](#)); and,
- Dominic Grieve QC: ‘The Roots and Realities of English Legal Exceptionalism’ ([available here](#)).

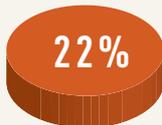
All lectures can be accessed on YouTube or wherever you get your podcasts.

SOCIAL MEDIA STATISTICS


BAR OF IRELAND



FOLLOWERS GAINED: 1,281



AVERAGE OF 102 FOLLOWERS
GAINED A MONTH
22% INCREASE


LAW LIBRARY



+11% TO 1,880 FOLLOWERS



BAR OF IRELAND



FOLLOWERS: 7,100
INCREASE OF 1,349



AVERAGE MONTHLY FOLLOWERS GAINED: 112
INCREASE YEAR ON YEAR: 20%


YouTube



TOTAL VIEWS: 7,532
(UP 53% ON PREVIOUS 12 MONTHS)



493 HOURS OF VIDEO WATCHED



12 VIDEOS UPLOADED IN LAST YEAR

GENERAL COMMUNICATIONS STATISTICS

IN BRIEF



52 EDITIONS
61% AVERAGE OPEN RATE

DEVIL'S EZINE



6 EDITIONS

EDUCATION AND
TRAINING BULLETIN



22 EDITIONS
49% AVERAGE OPEN RATE

DLÍ-NUA



22 EDITIONS
42% OPEN RATE



20 CHAIR'S UPDATES

PROACTIVE MEDIA ENGAGEMENT

23

NATIONAL (TV AND RADIO): 23



51

REGIONAL (BROADCAST, PRINT AND ONLINE): 51



+63%

TOTAL 152 - 63% INCREASE ON 2019/2020

78

NATIONAL PRINT AND ONLINE: 78



32

ATTENDEES AT PILOT ONLINE MEDIA FAMILIARISATION SESSION FOR MEMBERS OF SPECIALIST BAR ASSOCIATIONS



Key events

VAS

Speaking for Ourselves: Digital Advocacy



The Bar of Ireland's Annual Voluntary Assistance Scheme (VAS) Conference took place online on September 30, 2020. Faced with ongoing Covid-19 disruptions, organisations must learn to circumvent new challenges as they seek to engage with stakeholders and policymakers in what is an almost exclusively digital world. Sharing their insights was an esteemed panel of speakers including: Minister Anne Rabbitte TD; Senator Barry Ward; Oonagh Buckley, Deputy Secretary General, Department of Justice and Equality; Ms Justice Úna Ní Raifeartaigh; the then Nuala Butler SC; and, Lewis Mooney BL, VAS Coordinator.

Charities and private benefit



The Bar of Ireland VAS hosted a joint online event with the Charities Regulator, which brought a large audience tuning in to a discussion on untangling the law and policy on charities and private benefit from an esteemed panel of speakers, including:

Joe O'Brien TD, Minister of State for Community Development and Charities; Turlough O'Donnell SC; Neil Steen SC; Thomas Mulholland, Director of Compliance and Enforcement, the Charities Regulator; and, Lewis Mooney BL, VAS Coordinator.

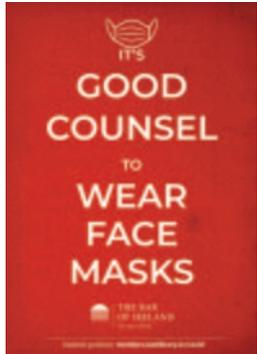
The Heather Blazing: in conversation with Colm Toibín

The Bar of Ireland's Young Bar Committee, in conjunction with the Young Solicitors Committee of the Law Society of Ireland, held a conversation between award-winning writer Colm Toibín and Ms Justice Mary Rose Gearty examining his 1992 novel *The Heather Blazing*.

The novel tells the story of Eamon Redmond, a High Court judge, and the intertwining connections and struggles of his personal and professional personas, in late twentieth century Ireland. Colm was questioned about his childhood, growing up in 1980s Ireland, his inspiration for characters, and his thoughts on barristers and judges after his research!

All of these events are available to watch back through the Bar's CPD Playback facility.



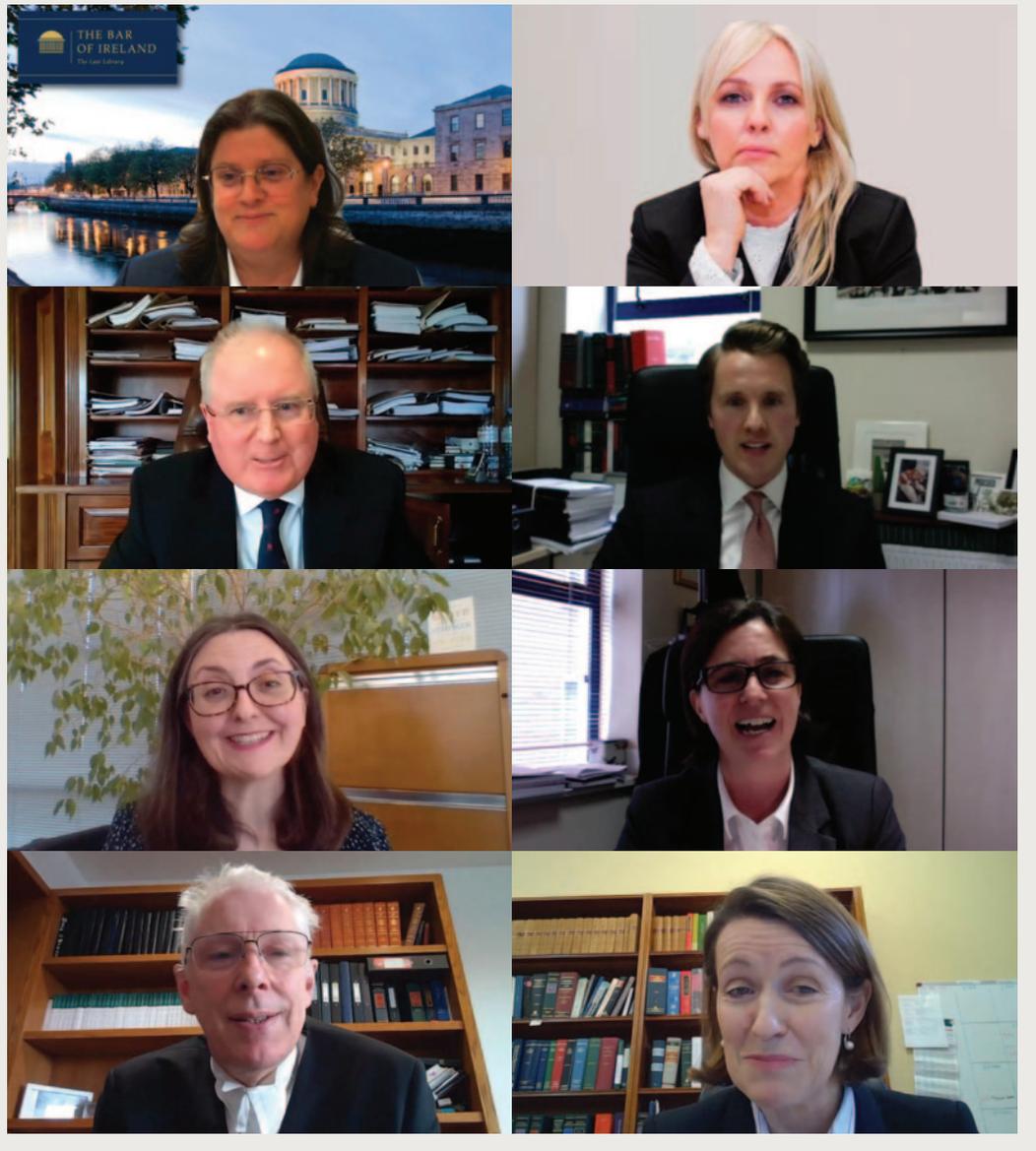


Panel members at the Justice in Transition Event included (clockwise from top left): Maura McNally SC, Chair, Council of The Bar of Ireland; Dara Foynes SC; Peter Paul Daly BL; Moira Flahive BL; Ms Justice Mary Irvine, President of the High Court; Judge Martin E. Nolan; Henry Downing SC; and, Angela Denning, CEO, Court Service.

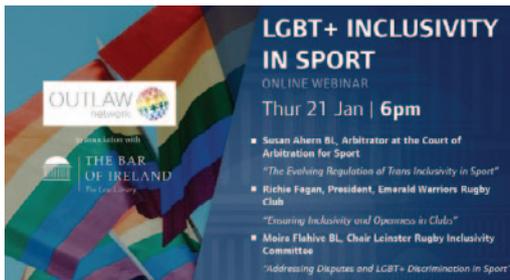
Justice in Transition

Marking the one-year anniversary of Covid-19 restrictions, The Bar of Ireland held a dedicated CPD event regarding the operations of the courts, which allowed members to hear and engage directly with the judiciary and the Courts Service on operational issues affecting High and Circuit Court jurisdictions, both civil and criminal. The remote event was attended by in excess of 300 members, and a number of salient points came to the fore, in particular the need for increased resourcing to deal with the longer-term impacts on access to justice. With in excess of 1,100 staff, 180

judges and almost 25,000 court hearings annually, the Courts Service employs only 11 dedicated ICT staff – akin to “taking a nut to the sledgehammer”. In a post-Covid court system, it is vital that in-person and hybrid hearings are adequately supported. By logical extension this includes judicial resources. President of the High Court Ms Justice Irvine outlined the urgent need for up to 20 additional High Court judges in order to deal with the backlogs and incoming matters. No assessment of the requirement for additional Circuit or District Court judges was addressed.



Joint event with OUTLaw



The OUTLaw Network was founded in 2018, with the aim to generate discussion and debate through various events in an effort to promote and foster the inclusion of LGBT+ individuals and allies across the legal sector in Ireland. The Bar of Ireland has been involved since its inception and the first joint event by OUTLaw and The Bar of Ireland took place on Thursday, January 21, 2021, on the theme of inclusivity for trans athletes and clubs, as well as addressing discrimination.



Contributors to the OUTLaw event (clockwise from top left): Susan Ahern BL, arbitrator at the Court of Arbitration for Sport; Moira Flahive BL, Chair, Leinster Rugby Inclusivity Committee; Maura McNally SC, Chair, Council of The Bar of Ireland; Sean O'Sullivan BL, Bar Rep on OUTLaw; and, Richie Fagan, President, Emerald Warriors Rugby Club.

International arbitration events

An increasing number of international networks and events continue to be capitalised upon, in part due to the ease of technology. Below is an overview of selected events and initiatives:

A joint webinar with the Asia-Pacific Forum for International Arbitration and The Bar of Ireland on April 12, 2021, focused around the recent arbitral and litigation trends in Australia, Kazakhstan, Hong Kong, Singapore and Ireland



Ireland for Law, in conjunction with the New York State Bar Association's International Section, hosted a series of four free and interactive online webinars, which covered data privacy, international arbitration, the aviation sector and financial services.



On March 23, 2021, Ireland for Law hosted a webinar where Mr Justice David Barniville and Chief Justice Zaki Azmi of the DIFC Courts discussed 'Commercial courts: protecting trade and investment between the UAE and Ireland'.



A webinar was held in conjunction with Arbitration Ireland and Irish Rule of Law International (IRLI) on the theme of 'The Winds of Change for the Rule of Law: A Discussion on Climate Impacts and the Role of Arbitration', involving EU and national experts.



Arbitration Ireland held a webinar entitled 'Arbitration – Controlling time and cost in innovative ways'. The webinar examined the Engineers Ireland 100-day arbitration procedure and other ad-hoc and institutional procedures (ICC and LCIA).



DIFC Academy, in collaboration with The Bar of Ireland and the Emirates Maritime Arbitration Centre (EMAC), proudly presented a webinar that examined some important current issues and trends in maritime arbitration from a multi-jurisdictional basis.



KNOWLEDGE

TO ENABLE ACCESS TO INFORMATION,
EXPERTISE AND ADVICE, AND
UPHOLDING THE HIGHEST
STANDARDS OF ETHICAL
AND PROFESSIONAL
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1 Library & Information Services

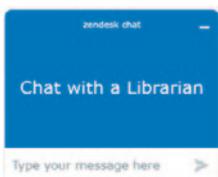
Virtual library developments

Remote desk service



The remote information desk service, first introduced in March, continues to prove popular with members and has extended our real-time information service beyond our library walls. Service delivery in a remote setting continues to be improved and refined.

Chat with a Librarian



In January 2021, the remote desk service received a major enhancement with the addition of an online chat service. Chat with a Librarian allows instant text communication with library staff and has been used for every kind of library query, both simple and complex. Hours of operation match the remote desk hours – 8.00am to 6.30pm during term – and all messages are received the following morning where left overnight.

Enterprise – the new library OPAC

Our online public access catalogue or OPAC received a much-needed upgrade in July 2021. It has a modern look and feel to match our revamped online information portal Barrister's Desktop. Additional functionality includes:

- customisable content management system that allows us to tailor the content to our members' needs;
- keyword-based search experience so there will be no dead ends in your searching;
- supports fuzzy logic, which means it will return a relevant search even if the search terms don't match the resource metadata completely;
- mobile friendly and works from all devices;
- as well as increased functionality, members may still check their library accounts and renew their borrowings; and,
- the log-in process has been streamlined, providing seamless click through access from Barrister's Desktop.

Expanding content on Barrister's Desktop

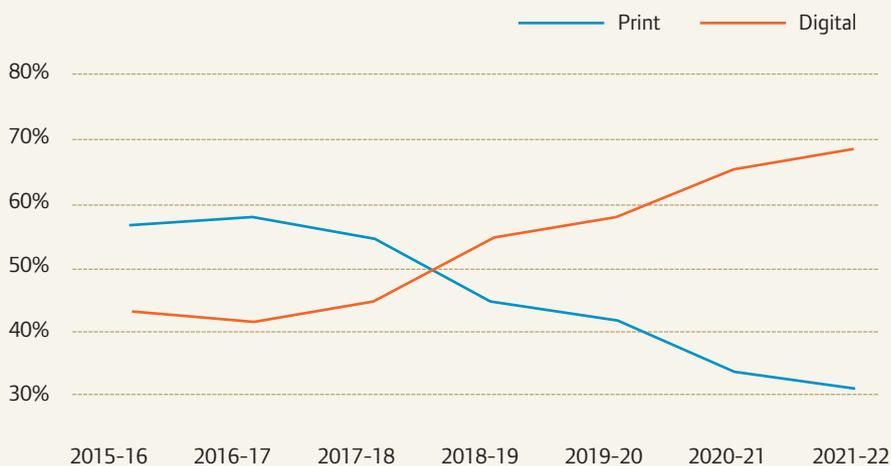
Barrister's Desktop is our shop window to our library services. It provides a single point of access to our information desks, our library catalogue or OPAC, our subscribed databases, news of our latest acquisitions, our Twitter feed and more. The Current Awareness section contains curated content by practice area. Since January 2021, three new practice areas, Commercial Law, Environmental Law and Medical Law, have been added, bringing the total number of practice areas to 12. Each practice area is updated with new book acquisitions, recent cases, legislation and journal articles received into the library on the topic.



Collections and content: Balancing collections between print and digital

Covid-19 has continued to propel the trajectory of the library's transition from primarily a print-based collection to one that is increasingly digital. Increased emphasis on access over acquisition, per the Strategic Plan, has seen a significant refocussing of resources on online material. New digital content made available to members in 2020/21 included Irish Planning Law and Medical Law modules on Bloomsbury Professional, and the Dispute Resolution module of Lexis PSL. Reductions in subscriptions to low-use loose-leaf and serials have permitted this development to take place while minimising reductions to printed textbook purchasing.

Law Library – legal content budget



Information skills training

Library resources to complement CPD events



A new initiative between Library Services and CPD was introduced in January 2021. To complement internal CPD events, Library Services developed a set of resource leaflets related to the CPD topic for circulation at the event. The resource leaflets collate and showcase recent library acquisitions, online resources, journal articles and other relevant items. At time of writing,

almost 20 leaflets have been created, on topics including Climate Litigation, Asylum Law, Termination of Employment, Construction Adjudication, Personal Injuries, and more. All leaflets can be downloaded from the Research Skills section of Barrister's Desktop:

Legal research skills training

The Legal Research Skills Training section of Library Services has been supporting members in their move to finding and researching the law from home during the past 14 months. The service has been operating on three different levels:

- delivery of online training;
- on-demand video tutorials; and,
- database helpline.

Ensuring relevant services

To obtain an in-depth understanding of our members' information-finding behaviours and their use of our current resources, we commenced a series of one-to-one interviews with a random selection of our members across all years. We focused particularly on how members use our service offering on Barrister's Desktop and how they view its relevance in their information search. Emerging high-level themes from feedback Interviews included:

- need for a legal update service;
- need to refine our content, with more sub-division of practice areas;
- need to improve our reach, and introduce more push notices;
- need to improve delivery method; and,
- need for greater promotion and showcasing of the range of library resources.

Library heritage

Online exhibition: history of the Law Library

A new online exhibition was posted to the Law Library website presenting a brief history of the Law Library as an organisation, from its earliest beginnings to the present day. The exhibition, titled A Law Library Like No Other, makes extensive use of the Library's digital archive, including the Minute Books of the Library Committee and Bar Council, historical photographs, and illustrations.



2 Professional Practice Advisory Service

A key focus of the Professional Practices Committee (PPC) in 2020/2021, alongside delivering guidance to members, was the development of a replacement disciplinary framework for the Barristers' Professional Conduct Tribunal (BPCT) and the Barristers' Professional Conduct Appeals Board (BPCAB), which will be presented separately to the AGM.

A total of 20 meetings took place during the legal year. The Professional Practice Advisory Service, overseen by the PPC, responded to 295 enquiries from members who had sought the advice and guidance of the Committee in relation to matters under the Code of Conduct for The Bar of Ireland, including 30 urgent rulings between meetings. The PPC continues to note that two out of every three potential enquiries are informally resolved by the querist themselves using the enquiry template 'five steps' process. Further details of the PPC and its procedures can be accessed [here](#).

Ethics as a part of continuing professional development

Over the course of the year, a number of dedicated ethics events were convened:

- Access to Justice in a Time of Pandemic: Justice, Professional Ethics and Privacy: October 15;
- Anti-Money Laundering Obligations of Barristers: December 8;
- Ethics – Witness Statements/Affidavit Evidence & The LSRA Advertising Regulations: June 21, 2021; and,
- South Eastern Circuit CPD Conference – April 26, 2021.

These are available on our CPD Playback, by filtering for Ethics.

Maintenance of ethical standards within the Law Library

The Education & Training Committee (ETC) and the PPC agreed a position statement articulating the organisation's understanding of ethics and competencies.

Compliance assurance monitoring

The insurance certificates for professional indemnity insurance (PII) renewal provided by all members have been digitised into a secure and searchable format, cross-referenced with the statutory Roll of Practising Barristers, and indexed. The data was also published and uploaded to the Legal Services Regulatory Authority (LSRA) in accordance with S.I. No. 572/2019 - Professional Indemnity Insurance Regulations 2019 and the Rules of Membership of the Law Library.



In the June 2021 Bar Review, Sara Phelan SC, Chair of the PPC, with Dr Peter Stafford BL, examined the trajectory of the independent referral Bar's ethical framework, and pinpointed the enduring qualities of the profession that an awareness of ethics provides.

Additional ethical toolkits

The Ethics subcommittee under the PPC oversaw the development and publication of the following guidance for members:

- senior counsel and clients;
- barristers who are not members of the Law Library;
- continuing to act for clients;
- counsel attendance in court;
- anti-money laundering obligations of barristers;
- court dress; and,
- counsel's attire in remote hearings – virtual courtrooms and remote hearings – identifying yourself clearly as counsel.

20

PPC
MEETINGS

295

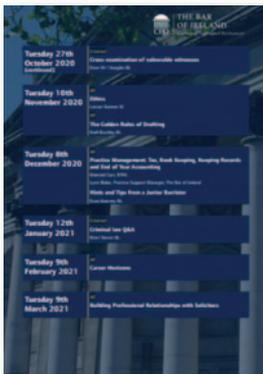
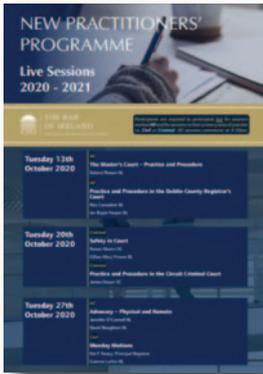
ENQUIRIES

30

URGENT
RULINGS

3 Education and training

Introduction of new CPD Scheme



Engagement in CPD is vital for the profession and supports the provision of high-quality legal services. The review of The Bar of Ireland CPD Scheme was completed in April 2021 and a

new competency-based CPD Scheme will take effect from October 1, 2021. The scheme has been designed to respond to the needs of modern practice and to prepare the profession for CPD compliance that will be overseen by the LSRA. Details of the new requirements and accompanying competency framework are available in the CPD area of the Law Library website.

The Education and Training Committee extends its sincerest thanks to the review project subgroup, comprised of Úna Tighe SC, Niall F. Buckley BL, Nichola Delaney BL, Emily Gibson BL, Katherine McVeigh BL, and Eoin Sreenan BL for their extensive contributions throughout the project.

New Practitioner Programme

With the continuation of Covid-related restrictions on public gatherings, the 2020/21 New Practitioner Programme was delivered entirely online.

The traditional range of seminars was supplemented by a number of additional pre-recorded lectures and practitioners were encouraged to network using MS Teams channels throughout the year. A pupils' e-zine was also developed to support communication during the year.

Revision of Masters Guidelines

Arising from the passing of Motion 1 at the July 2020 AGM, the Education and Training Committee convened a subgroup to review the Guidelines for Masters to reflect the revisions to the Code of Conduct.

It was opportune to also consider the aims of pupillage as part of this review. Following the subgroup's work, a new annual continuation process was developed for masters wishing to remain on the Register of Masters. The application form was revised and the Guidelines for Masters were updated.

The aims of pupillage were updated to emphasise the formative nature of the relationship between master and pupil.

YOUNG BAR ARTICLE COMPETITION

OPEN TO YEARS 1 – 7 | DEADLINE: 26 FEB 2021

This inaugural competition aimed to showcase and raise the profile of young members of the Bar. We are very fortunate to have the support and co-operation of an esteemed panel of judges, to include:

- Ms Justice Mary Rose Gearty;
- Ms Justice Niamh Hyland;
- Seamus Clarke SC; and,
- Brendan Kirwan SC.

Entrants were invited to consider an area of law for reform. The winners of this inaugural competition were:

- Michael O'Doherty BL – Norwich Pharmacal relief and the identification of anonymous online users;
- Seamus Collins BL – Break the lock or not: commercial leases; and,
- Grace Sullivan BL – Covid-19 restrictions and the free practice of religion.

Online CPD

The increased range of online CPD activities has proved extremely popular. Member feedback, particularly from members on Circuit, has reinforced the need for CPD content to be available online beyond the pandemic.

To build a more interactive and meaningful online CPD offering for members, a learning management system platform was developed that enables the delivery of a wide variety of content and activity types in a structured manner. Members can now log in via the members' area and access over 120 hours of CPD activities on demand. Online offerings will continue to supplement in-person CPD opportunities as restrictions on physical gatherings are relaxed.

The learning management system also offers a CPD recording function that simplifies the CPD recording process by automatically storing a member's Bar of Ireland CPD in one place and by allowing members to add activities undertaken elsewhere to their CPD record.

Advanced Advocacy

The Advanced Advocacy Committee had an incredibly busy and productive year. In response to Covid-19, the Committee paused its two-day courses and instead organised regular advocacy-related webinars online, which have been extremely successful with significant numbers in attendance at each one. The webinars included a member of the judiciary to give the view from the bench, and were all highly regarded and well received.

In April the Committee ran the first online Advanced Advocacy course for third and fourth years. A total of 25 participants took part in the one-day event, with 20 faculty members and 18 first-year volunteers. Instead of multiple courtrooms in the Four Courts, groups were divided into virtual breakout rooms with at least three faculty members, with first years playing the parts of the witnesses. It is hoped to return to in-person advocacy courses at a later time in the year, as well as using hybrid options.



Chair's Conference 2021

In June, the Bar of Ireland hosted their Chair's Conference online, with a high calibre of international and national speakers including:

- Chief Justice Mr Justice Frank Clarke;
- Mr Justice Donal O'Donnell, Supreme Court;
- Paul Gallagher SC, Attorney General;
- Baroness Helena Kennedy QC;
- The Rt. Hon. the Baroness Hale of Richmond DBE, former President of the UK Supreme Court;
- The Honourable Rosalie Abella, Justice of the Supreme Court of Canada;
- Prof. Claire Hamilton, Professor of Criminology at Maynooth University Department of Law;
- Sir Declan Morgan, Lord Chief Justice of Northern Ireland;
- Ms Justice Mary Finlay Geoghegan, former Judge of the Irish Supreme Court;
- Micheál P. O'Higgins SC, former Chair of Council of The Bar of Ireland 2018-2020; and,
- Michael McDowell SC, Senator and Former Attorney General.

The conference ran over three evenings and issues such as the power of the courts, and the impact of Brexit on judicial and political economy, were presented and debated by a diverse legal community. The Conference also focused on the role, participation and experiences of female lawyers and judges.

ADVANCED ADVOCACY WEBINAR ATTENDANCE

169

SUBMISSION ADVOCACY – OCTOBER 1

142

ADVOCACY IN ADDRESSING A JURY – NOVEMBER 12

149

ADVOCACY IN NON-JURY HEARINGS – DECEMBER 16

262

ADVOCACY IN NON-JURY HEARINGS – DECEMBER 16

162

DISTRICT COURT ADVOCACY – MARCH 11

113

JUDICIAL REVIEW ADVOCACY – APRIL 15

102

REMOTE ADVOCACY – MAY 13

OTHER EVENTS
(SBA AND
SIMILAR)

98

EVENTS

62.5%

OPEN TO THE PUBLIC

80.75

CPD HOURS

230

PRESENTERS

6,662

ATTENDEES

CPD STATISTICS

CPD EVENTS - AUGUST 1, 2020, TO JULY 31, 2021

47

47 CPD
EVENTS

7,620

7,620 CPD POINTS AWARDED VIA LIVE
ACTIVITIES (UP FROM 4,070 IN 2019/20)

69

69 HOURS
OF ACTIVITIES

3,256

3,256 ON-DEMAND WEBCAST VIEWS AND 3,689
CPD POINTS AWARDED VIA ON-DEMAND ACTIVITIES
(UP FROM 1,084 AND 1,579 IN 2019/2020)

5,200

5,200 PARTICIPANTS
(UP FROM 2,668 ATTENDEES IN 2019/20)

132

132 SPEAKERS

CPD ON CIRCUIT

200

NOVEMBER 9 - CORK - 200 ONLINE

162

MARCH 4 - GALWAY - 162

148

APRIL 26 - SOUTH EAST - 148

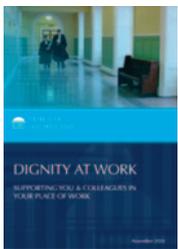
146

JULY 1 - SOUTH EAST - 146

4 Professional practice support

Promoting respect, dignity, safety, and equality between members

Dignity at Work Protocol



The Equality and Resilience Committee launched a 'Dignity at Work Protocol' in October 2020. The Protocol, which was developed in response to the Balance at the Bar member survey, aims to promote respect, dignity, safety, and equality between members, and to ensure that all members of the Law Library are aware that all forms of bullying, harassment, and sexual harassment are unacceptable.

A series of online seminars were rolled out to the membership during Michaelmas to explain the scope, aims and principles underlying this protocol, and the recommended steps and procedures individuals may take if they believe that they have been bullied, harassed, or sexually harassed.

Additional training seminars are being planned for the new legal year in order to enhance awareness. The Education and Training Committee has furthermore approved inclusion of compulsory training on the Protocol as part of the New Practitioners Programme. Access the information hub [here](#). The Protocol is available [here](#).

Promoting well-being at the Bar

In response to feedback from members, the Equality and Resilience Committee initiated a new wellness series with the support of the Education and Training Committee, covering topics such as 'Resilience, Self-care and My Legal Practice' and 'Stress and Overwhelm – Recognising



and Resolving the Warning Signs', as well as a CPD dedicated to the issue of unconscious bias and intersectionality. Member feedback has been extremely positive, and the series will continue into the new legal year.

Consult a Colleague

The Consult a Colleague confidential helpline, launched in October 2017, continues to provide support to all members of The Bar of Ireland with any problem, whether personal or professional.

Law and Women Mentorship Programme



The Law & Women Mentoring Programme, now in its fifth year, ran another successful programme for 20 pairs of mentors and mentees.

A series of online workshops and a virtual 'tearoom' for mentees complemented this year's Programme in order to ensure a positive and rewarding experience to the greatest extent possible for all participants during Covid-19.

Feedback from the 2019-2020 Programme found that over 90% of mentees would recommend the Programme to a colleague.

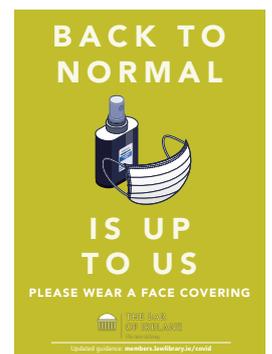
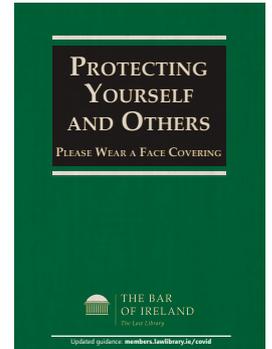
The Committee is seeing a notable increase in demand for the Programme, and it is hoped to be able to accommodate more mentees in future programmes.

Clubs and societies

While the last number of months curtailed the organising of sporting and club events, the membership can hopefully look forward to a more active scene.

Members old and new are encouraged to join groups of interest. 2021 saw the formation of a new club:

The Bar of Ireland's Art Group – an informal setting where members can explore their creative side and engage in informative evening talks. An overview of current clubs can be accessed in the members' section of the website.





SERVICES
TO DELIVER VALUED AND QUALITY
SERVICES FOR MEMBERS
IN SUPPORT OF THEIR
PRACTICE

SERVICES

TO DELIVER VALUED AND QUALITY SERVICES FOR MEMBERS IN SUPPORT OF THEIR PRACTICE

GDPR

The Working Group has worked on two areas, namely data processing agreements as a member resource and how to treat the data of deceased members. The issue of privacy notices for members has been resolved as part of our website update, and this feature will facilitate members who wish to post their own privacy notice on their profile page. Our first GDPR Guidance Notes for Members were issued in 2018, and an updated guide has now been produced to reflect the passage of time and our learnings to date. These are available online in the members' section of the website.

Digital identity

Digital identity is a big issue as compromised usernames and passwords are used to infect IT systems with malware, which causes no end of distress, inconvenience, and reputational damage. Multifactor authentication (MFA), which increases the security of every single member, has been available for some time now, but take-up has been too slow. Our MFA programme for the second half of 2021 and beyond is designed to address this and increase the security of all members' online activity.

Cybersecurity

Cybersecurity has featured in the media and should raise our collective recognition of this as a major issue, threat, and risk. Professional service providers are targeted regularly, and while the organisation does what it can, each member needs to focus on what their own devices are doing and how they are protected. Many

members are now utilising the password self-service utility that is available 24x7x365 for members. This ensures that they are never left without access to lawlibrary.ie services, regardless of where they are or what time it is. We would encourage more members to use this service, which facilitates password resets as well as scheduled password changes. Our statistics tell us that cyber-related incidents reported to the IT helpdesk have risen dramatically over the last two years, and now account for between 33 and 50% of the calls that we see every week. Cybersecurity should be a great concern to all of us.

IT Helpdesk

During the Covid period, and especially during lockdown, the IT Helpdesk remained open by phone and online to deal with members' IT queries. While the number of incidents has remained consistent when compared with other years, the amount of time required to deal with each caller has extended. Occasionally, this can lead to waiting times for other callers, so we ask that you use the call queuing, voicemail or email channels provided to get in touch.

Implementation of Pexip

The new Pexip Infinity is being trialled, and IT Services has worked with the Courts Service IT Department to ensure that we have our own channel so members can test "Pexip 2" as they did with the original service. We are building a stronger relationship with the Courts Service IT Department, which has recently been



ESTATE PORTFOLIO SUMMARY – KEY FIGURES



6 BUILDINGS



1,129 SEATS
963 ASSIGNED, 166 UNASSIGNED



28,067M²
302,111 SQ. FT UNDER MANAGEMENT



217 PARKING SPACES
(LOCATED AT CHURCH STREET,
DISTILLERY BUILDING, CCJ AND FOUR COURTS)



334 OFFICES
(94 IN CHURCH STREET AND 240 IN DISTILLERY BUILDING)



2,178 MEMBER LOCKERS



14 MEETING ROOM FACILITIES



3 RESTAURANTS
(THE DOCK, BARRISTER'S TEA ROOMS, CHURCH STREET CAFÉ)



4 STAFF MEMBERS EMPLOYED
IN ESTATES/FACILITIES MANAGEMENT



5 COMMERCIAL UNITS

expanded to ensure that it can provide appropriate technical solutions to all stakeholders in the justice system. We will continue to seek improvements in the services provided to members during their time working at these locations.

Practice Support and Fee Recovery

In July 2020, the Council introduced the new Practice Support and Fee Recovery Service. This service, which is included as part of members' subscriptions, is seen as a vital support for members. The need for supports in this area, and in particular fee recovery and cashflow management, has been catapulted to the forefront as a result of the devastating impact that Covid-19 has had on members' livelihoods and ability to earn an income and to remain in business. The Practice Management and Fee Recovery unit provided essential support and guidance, especially regarding Government supports, such as the Restart Grant, which provided over a quarter of our members with funding supports last year.

Practice support

Over the past 12 months the team has worked on the continued development of the information and supports available for members in the area of practice management. Information and supports are available to members via the Practice Support and Fee Recovery Hub, direct member communications and CPD events.

With regard to educational supports and assistance in the area of practice management, a number of sessions were developed for members as part of the New Practitioner Programme, which covered the basics of getting started in practice, with topics including banking, bookkeeping, registering with Revenue and tax compliance.

The team also worked with the Education and Training team to hold several focus groups with members during the year. The aim of the focus groups was to obtain a deeper understanding of the challenges faced in areas of practice management. The consultation uncovered valuable information in terms of current challenges and concerns of participants in this area and in the wider context of their business. A detailed report was prepared on the focus group discussions, which will be used to assist in the development of CPD in this area and the development of the wider practice support offering. Over the coming year, we look forward to

Information and supports on the following areas are now available on the PSFR Hub:

Section	Content
Latest updates	Links to the latest member communications, including State supports and resources
Getting started in practice	Key steps to take when starting out as a self-employed individual
Revenue and tax	Income tax registration and requirements Income tax returns and deadlines Revenue Online Services guides and video tutorials Tax clearance certificates VAT registration and requirements Revenue audits – what to expect and how to prepare
Record keeping and the role of the accountant	Basic bookkeeping requirements Bookkeeping templates and video tutorials The role of the accountant and how to hire the right one
Banking	Banking contact information Links to Bank of Ireland members' online portal
LSRA – The Roll of Practising Barristers	Links to the LSRA guidance on applying for entry and amending an entry
Cashflow management	What is cashflow? How to manage cashflow How to prepare a cashflow budget including templates How to improve cashflow
Insurance	Professional indemnity insurance Income protection Voluntary life assurance scheme
Retirement planning (pension)	Links to Aon Retirement Planning Links to JLT Financial Planning
State procurement and employment opportunities	Link to State Work Support Hub for information on ways the State procures the service of barristers Link to work/employment opportunities section for information on external, tendering, scholarships, and work opportunities available
Fee recovery	Details of the fee collection process How to register for the service
Rule 12.15 reporting	Online reporting facility for members to make a report regarding overdue fee notes in line with rule 12.15 of the Code of Conduct (Motion 5 of AGM 2019)

OVER
€278,000
COLLECTED IN
OVERDUE FEES

ACTIVELY PURSUING
180
FEE NOTES WITH A
COMBINED VALUE OF
€1.3m

DEDICATED PSFR HUB
WITH OVER
6,000
MEMBER VIEWS

63%
OF MEMBERS ENGAGING
WITH FIVE DEDICATED EMAIL
COMMUNICATIONS

PROVIDING INFORMATION
AND SUPPORTS ON
BOOKKEEPING
**CASHFLOW
MANAGEMENT**
REVENUE & TAX

GO TO
MEMBERSLAWLIBRARY.IE
AND CLICK "PRACTICE
SUPPORT AND FEE RECOVERY"

continuing to expand the information and supports we have on offer to help members in optimising the 'business end' of their practice.

Fee recovery

Since the service was launched last year, over 6% of the membership have now signed up for assistance in recovery of overdue fee notes. To date, the team has successfully secured payments in excess of €270,000 for 77 overdue fee notes.

The Fee Recovery team is currently pursuing over 180 fee notes for members with a combined value of over €1.3m.

As part of the structured fee recovery process, a member has the option to lodge a complaint with the Legal Services Regulatory Authority (LSRA) regarding non-payment of fees. The team has actively engaged with the LSRA in relation to the complaints process, and has agreed a more streamlined method for submission of a complaint regarding non-payment of fees by a member via the Fee Recovery service.

The team is currently actively managing 19 such complaints on behalf of members. Extensive work has been undertaken in the development of the fee recovery database and members' fee recovery portal. The database allows for more detailed reporting on fee recovery statistics. The information collected is analysed (on an anonymised basis) and allows us to identify trends regarding fee collection, including those who repeatedly default on payment of fees to members.

Member feedback

"I was extremely impressed by the Law Library Fee Recovery Service. The set-up was very quick and straightforward, and within one week of receiving a letter from the Service, I received payment on a fee note that I had completely written off. I would recommend the service to anyone who has encountered difficulties in obtaining payment from solicitors." (Member – fifth-year junior)

Estate services

The Estates Services team's primary focus has continued to be on providing a safe working environment for people, whether they are our members, our colleagues, our own team, our service providers, or visitors to one of our facilities.

Given the ongoing nature of the pandemic situation, there have been regular working group meetings to ensure that our facilities remain open, operational, and safe for users. The team has been behind a number of successful measures, including:

- a dedicated estates email desk;
- an information hub;
- advice booklets;
- enhanced cleaning and sanitation regimes; and,
- a roll-out of sanitisation stations.

The Estates Services team, while overseeing management of the portfolio, which covers 302,111 sq. ft. of space over six buildings, has rolled out a number of initiatives to support our members, including:

- changing the access system to the Cork Law Library, thereby allowing members greater hours of access to this facility;
- roll-out of remote hearing and consultation spaces to support our members' new way of working; and,
- the installation of a fully covered area adjacent to The Sheds to support outdoor dining and provide our members with a safe and suitable outdoor space to connect with their colleagues.

The team remains diligently working on the delivery of all infrastructure-related services and capital projects planning, property management, contractor management, fire safety, health and safety (infrastructural risk), and environmental services (water, waste, energy, etc.), together with general maintenance and technical support.

The ageing buildings present challenges but these challenges are being addressed in the development of a capital projects plan, which will factor in core building systems that are reaching the end of their expected life and are due to be upgraded or replaced with more energy-efficient alternatives. In partnership with our contractors we are continuing to incorporate environmental sustainability and carbon emission considerations to our approach to maintaining our portfolio, having previously rolled out waste management and water management initiatives.

A member-led focus over the next phase will be a planned approach to support biodiversity and ecosystems within our immediate surroundings.

Plans are underway to resume the 'Future Property Strategy' focus, including the need to develop a long-term plan on space utilisation, future development and future investment to provide the best working environment for members of the Law Library.

Environmental and sustainability

We continue to examine how our operations are run with regard to impacts on the environment and where changes can be made:

Waste:

- reduced waste within our operations, including the use of paper materials;
- preference for use of recycled paper in our printers; and,
- elimination of single-use plastic and replacement with BPA-free water bottles.

Energy efficiency:

- electricity sourced from Ireland's largest provider of 100% green energy;
- sensor-controlled lighting in specific work areas;
- light fittings upgraded to LED on a rolling basis; and,
- end-of-life building equipment replaced with energy-efficient alternatives.

Environment:

- environmentally friendly cleaning and sanitation products used across sites;
- reduction of carbon footprint by minimising service providers' vehicle emissions;
- supported EV charging points for designated member parking spaces; and,
- roll-out of additional bicycle stands and use of 'Bike to Work' Scheme by staff members.

Staffing at The Bar of Ireland

Throughout 2020 and 2021, our staff resourcing strategy has been tested in ways we could not have foreseen. The prolonged period of restrictions on in-person interaction has challenged our abilities, required additional processes and demanded new routes for collaboration.

The need to redesign our way of working for the virtual environment and the freeze on recruitment have brought the existing agility and range of talent within our team to the fore.

Colleagues have demonstrated remarkable flexibility and willingness to adopt change in the pursuit of continuity of service to members.

While at times difficult to navigate, this period has expanded disciplines, brought new insights to our workforce plan and identified opportunities.

Balanced approach to staffing

Achieving the right balance in resourcing is a fundamental component of a successful people strategy and is

absolutely crucial for delivery of organisational goals. The staffing structure has remained stable with the support of the Employment Wage Subsidy Scheme (EWSS). The full-time equivalent (FTE headcount metric) is largely unchanged, with minimal attrition experienced.

Our learnings over the past 12 months have refocused our attention on the importance of a dynamic staff structure, which enables employees to be positioned appropriately to meet the changing needs of members.

The introduction of a hybrid workforce model (a blend of on-site and off-site resources) has had a positive impact on productivity, staff morale, absence rates and overall output.

Health and safety

While the health, safety and welfare of colleagues has always been a primary consideration of the organisation, the public health crisis has significantly expanded the demands of this responsibility.

Consequently, a substantial amount of both management and staff time was required to manage this priority across the year. Colleagues co-operated in full and showed readiness to adopt new and enhanced safety measures to ensure a safe work environment for all. New protocols, a Response Plan Group of management and staff representatives, and enhanced training have been introduced.

An investment was made into an external health and safety advisory support and learning management system to cope with the increased responsibilities and to facilitate compliance with statutory training.

Building for the future

Continued professional development is key to our strategy. We must consistently develop ourselves to ensure that we are informed, adequately skilled and capable to deliver as required. A range of training and development sessions were undertaken by colleagues including cybersafe, research data management, improved project management techniques, and O365 user skills.

Looking on into 2022, with restrictions easing we are preparing to move forward. We will adopt the learnings and opportunities identified, continue to develop and, importantly, move beyond this challenging period as a stronger team.

STAFFING MAY 2021

75

EMPLOYEES (FTE: 68.1)

1

CEO

11

COMMUNICATIONS AND
MEMBER SERVICES

30

LIBRARY AND
INFORMATION SERVICES

20

FINANCE AND OPERATIONS

6

ICT

1

HR

2

REGULATION

2

DDRC

2

SHEDS

The Council is delighted to continue to support and develop our Specialist Bar Associations. In addition to providing a valued platform for professional development and external engagement, they have over the course of this year also operated as an (online) resource for colleagues to meet and maintain vital connections. Bar of Ireland Executive Staff support the delivery of the SBAs' activities, including events, website maintenance and related matters. All webinars are recorded and available as an ongoing resource, along with papers and slides for viewing on the members' section of most of the respective sites. Past events may also be viewed on our CPD Playback facility.

Climate Bar Association

Chairperson
Cliona Kimber SC



The Climate Bar Association is a new Specialist Bar Association set up in 2021, dedicated to pursuing environmental initiatives both within the Law Library and in society more widely.

Committee members: Christopher Mills BL; Deirdre Ní Fhloinn BL; Conor O'Higgins BL; Louise J. Reilly BL; Aoife Sheehan BL; and, Donnchadh Woulfe BL.

This newly launched Association has as its objectives:

- pursuing practical green and environmental initiatives in the Law Library and surrounding neighbourhoods, e.g., planting and landscaping for pollinators and achievement of energy efficiency – ties in with the Law Library's green status, as well as outreach to the community in Dublin 7;
- being a think tank of environmental law expertise and thought leaders in environmental law and biodiversity protection for the Irish legal community and Irish society – supporting The Bar of Ireland's public service objectives as well as raising the profile and highlighting the expertise of the Bar; and,
- enabling members to use their expertise to support NGOs and other litigants to engage in environmental advocacy and litigation where relevant – this supports the Bar's pro bono commitments, and also opens up and supports areas of work for our members.

Those interested in joining can make contact with the above Committee members.

www.climatebar.ie – new website coming soon

Construction Bar Association (CBA)

Chairperson
Jonathan FitzGerald BL



A professional network and fora for those who practise or have an interest in construction law and the resolution of disputes in the sector.

Committee members: John McDonagh SC; John Trainor SC; Lydia Bunni BL; James Burke BL; Claire Cummins BL; Anita Finucane BL; Patricia Hill BL; Barra McCabe BL; Deirdre Ní Fhloinn BL; and, Martin Waldron BL.

Over the past year, the Association's activities included:

- the inaugural Sanfey Essay Prize 2021 was introduced in honour of one of the founders of the Association, Mr Justice Mark Sanfey – our esteemed colleague Anthony Hussey acted as chairperson of the judging panel and it is anticipated that the winners will be announced before the end of the legal year;
- a series of 'Tech Talk' webinars dealt with themes that included adjudication, construction contracts, disputes, and delay and disruption;
- throughout the pandemic, the *Construction Law Periodical* continued to be published as a great resource for practitioners to keep up to date with construction law developments; and,
- a new adjudication library was added to the CBA website as a resource to members.

www.cba-ireland.com

Cumann Barra na Gaeilge

Chairperson
Cormac Ó Dúlacháin AS



Is sain-chumann barra nua é Cumann Barra na Gaeilge atá tiomanta d'fhorbairt na Gaeilge a spreagadh sa Leabharlann Dlí.

Coiste bunaithe: Cliona Kimber AS; Gearóid Mac Unfraidh AS; Dáithí Mac Cárthaigh BL; agus, Proinsias Ó Maolchalain BL.

Mar shain-chumann tá sé i gceist againn le linn na bliana dlí 2021/22 cúig sheimineár ghairmiúla a reáchtáil i mBaile Átha Cliath, i gCorcaigh, i nGaillimh, i Leitir Ceanainn agus i mBéal Feirste chomh maith le léachtaí agus ócáidí sóisialta. Mar abhcóidí tá muid ag tabhairt cuireadh d'aturnaetha agus do phobal léinn an dlí, thuaidh agus theas, teacht linn ar an turas teanga seo. Tá fúinn úsáid na Gaeilge i ngach réimse den chleachtas dlí a éascú agus tacaíocht a thabhairt dá chéile.

Tá gach eolas ar fáil ach scríobh chuig cumannbarra@lawlibrary.ie nó chuig duine den choiste bunaithe.

www.cumannbarra.ie

Employment Bar Association (EBA)

Chairperson
Alex White SC



The EBA supports the development of practitioners who work in employment, equality and labour law. Its members routinely advise and support employers and employees in resolving workplace disputes, and provide advisory, mediation and litigation services.

Committee members: Cliona Kimber SC; Brendan Kirwan SC; Oisín Quinn SC; Claire Bruton BL; Kevin Bell BL; Anne Conlon BL; Emma Davey BL; Lorna Lynch BL; Niamh McGowan BL; Katherine McVeigh BL; Cathy Maguire BL; Roderick Maguire BL; Jane Murphy BL; Caoimhe Ruigrok BL; and, Lauren Tennyson BL.

The EBA held its Annual Employment Law Conference on November 18 and 25 online, with over 200 people in attendance each day. A series of EBA Symposiums took place in July 2020, January 2021 and July 2021 giving years 1-7 an opportunity to present to EBA members. The EBA Mid-Term Conference took place on February 18, 2021, chaired by Niamh McGowan BL. Three podcasts have also been completed this year. Several Breakfast Briefings also took place during the year, as well as the EBA Spring Series in March, April and June 2021, with over 450 in attendance each time. The EBA Spring Series focused on 'The Future of Work and the Judgment in *Zaleski*', bringing together speakers from the Law Library, academia and external organisations.

www.employmentbar.ie

EU Bar Association (EUBA)

Chairperson
David Conlan-Smyth SC



The EUBA aims to develop and act as a fora for Irish barristers who practise in the area of EU Law.

Committee members: Suzanne Kingston SC (Vice Chair); Eileen Barrington SC; Catherine Donnelly SC; Brian Kennedy SC; Paul McGarry SC; Noel Travers SC; Patrick Fitzgerald BL; Grainne Gilmore BL; Hannah Godfrey BL; Donogh Hardiman BL; Imogen McGrath BL; Ellen O'Callaghan BL; and, Adrian O'Higgins BL.

The EUBA, in conjunction with the Bar European Group of the Bar of England & Wales, held a webinar on October 14, 2020, on 'Brexit at 'Half Time' and the Future UK/EU Deal'. A stimulating webinar took place on climate litigation on December 3, 2020, chaired by Judge Colm MacEochaidh, General Court of the European Union. This year, Hannah Godfrey BL and David Conlan-Smyth SC contributed on behalf of the EUBA to the work of the Implementation Group of the Government's International Legal Services Strategy (Ireland for Law) Project to ensure that the profile of barristers practising in EU law is promoted. The EUBA hosted several stimulating webinars on topics surrounding post-Brexit enforcements, including the EU Charter of Fundamental Rights in Domestic Proceedings and the *Zaleski* judgment and its implications on regulatory sanctions, ECN+ and Comreg.

www.euba.ie

Family Lawyers Association

Chairperson
Nuala Jackson SC



The Family Lawyers Association (FLA) seeks to represent the interests of legal professionals practising in the area of family law. The Association has a research and law reform role, making representations in this regard in relation to proposed legal developments in the area.

The FLA has been involved in the following research/submissions:

1. Reform of the Child Care Act (Chair: Gareth Noble).
2. Child Maintenance Review (Chair: Raghnaid O'Riordan SC).
3. Family Court Reform (Chair: Dervla Browne SC).
4. Domestic Violence Reform (Chair: Teresa Blake SC).
5. Practising Family Law during Covid and Beyond (Chair: Paul McCarthy SC).
6. Mental Health Law reforms (Chair: Katharine Kelleher).

The Association continued its CPD programme, using webinars. A highlight was the 'Children and Disability Law' conference in May 2021 in association with AslAm, the national autism charity. There were three other conferences:

- the AGM in November;
- the Four Jurisdictions Family Law Conference in January (hosted by Northern Ireland); and,
- the Annual Circuit conference, chaired by Judge Keenan Johnson.

www.familylawyers.ie

Immigration, Asylum & Citizenship Bar Association

Chairperson
Denise Brett SC



The IACBA is an association of barristers who are members of The Bar of Ireland specialising in immigration (including EU free movement of persons), asylum and citizenship law, in addition to related areas such as employment permits, family reunification and trafficking in human persons.

Committee members: Michael Conlon SC; Sarah Cooney BL; Anthony Lowry BL; Aoife McMahon BL; Tim O'Connor BL; Niamh O'Sullivan BL; and, William Quill BL.

This year, the IACBA held a stimulating series of well-attended CPD events with a variety of speakers from the judiciary, Law Library, the International Protection Appeals Tribunal (IPAT) and the United Nations Human Rights Council (UNHRC). A noteworthy webinar took place on April 20, 2021, in conjunction with the Young Bar Association, as Ms Justice Tara Burns, William Quill BL and Triona Jacob BL presented practical advice on navigating the asylum list.

The highlight of the year was the IACBA conference, which was held online on November 27, 2020. The event was chaired by Mr Justice Brian Murray, with engaging and thought-provoking talks from: Advocate General Gerard Hogan; Prof. Cathryn Costello, University of Oxford; Prof. Steven Peers, University of Essex; Jonathan Tomkin, European Commission; Sara Moorhead SC; Michael Lynn SC; Prof. Suzanne Kingston SC, UCD; and, Dr Aoife McMahon BL.

www.iacba.ie

Irish Criminal Bar Association (ICBA)

Chairperson
Maurice Coffey SC



The Irish Criminal Bar Association advocates for all criminal barristers working in the area of criminal law.

Committee members: Roderick Hanlon SC; Michael Lynn SC; Garnet Orange SC; Simon Donagh BL; Geraldine Fitzpatrick BL; Deirdre Flannery BL; Amy Heffron BL; Imelda Kelly BL; Mary Murphy BL; John Noonan BL; David Perry BL; and, Ann Sheridan BL.

2020-21 has been a challenging time for the Association and its members, reflecting the difficulties faced in society with Covid-19. Lockdowns, social distancing requirements and general curtailments meant that all our usual calendar of events were put on hold, but behind the scenes great work was done, in conjunction with The Bar of Ireland, in lobbying in the area of fees and court matters.

We look forward to society reopening, which will mirror our resurgence back to normality. We hope to have a fresh start with conferences, social events and our AGM in person, and will strive to bring our members together like never before!

www.icba.ie

Planning, Environmental & Local Government Bar Association (PELGBA)

Chairperson
James Connolly SC



The PELGBA aims to develop and support those who practise in or have an interest in the areas of planning, the environment and local government.

Committee members: Conleth Bradley SC; James Devlin SC; Stephen Dodd SC; Jarlath Fitzsimons SC; Dermot Flanagan SC; Eamon Galligan SC; Rory Mulcahy SC; David Browne BL; Deirdre Conroy BL; Tom Flynn BL; Christopher Hughes BL; Stephen Hughes BL; Katherine McVeigh BL; Suzanne Murray BL; Conor Sheehan BL; and, Fintan Valentine BL.

This year, the PELGBA Annual Conference took place on May 27, 2021, chaired by the Ms Justice Nuala Butler. Topics discussed included: planning law enforcement; special planning policy requirements; Strategic Housing Developments; climate change and environmental law; and, recent developments in CPO law (compulsory purchase orders). The PELGBA also held several webinars throughout the year on topics including:

- Practice and Procedure in the Commercial Planning and Strategic Infrastructure Development (SID) Lists;
- Access to Information on the Environment: Recent Trends and Developments;
- Recent Case law in Planning and Environmental Law;
- Strategic Housing Developments: an overview and recent development; and,
- The Implications of the Supreme Court Judgement in Climate Case Ireland.

www.pelgba.ie

Probate Bar Association

Chairperson

Elaine Finneran BL



The Probate Bar Association (PBA) is a specialist association of Irish lawyers who practise in the area of probate and succession law and trusts.

Committee members: Robert Barron SC; John E. Donnelly SC; Karl Dowling BL; Maeve Brennan BL; Catherine Duggan BL; Michael Hourican BL; Kevin Lenahan BL; Anne Marie Maher BL; Laurence Masterson BL; Mark O'Riordan BL; and, Declan Whittle BL.

This year, the PBA prepared and submitted a submission for the Dying with Dignity Bill.

The Association held monthly breakfast briefing webinars throughout the year, including a variety of speakers such as: Brian Broderick of O'Hanlon Tax, who spoke on tax aspects in relation to disclaimers and family arrangements; Niall Fahy BL, who presented on Section 117 of the Succession Act 1965 – lessons from abroad; Mark O'Riordan BL, who discussed social welfare and discretionary trust considerations in Section 117 cases; Michael Hourican BL, who spoke about administration and probate costs; John Donnelly SC, who discussed cohabitants and the estates of deceased persons; Robert Barron SC, who spoke on the 'Last Rites for *Dunne v Heffernan*?'; Patricia Hickey, who examined wards of court; and, Kevin Lenahan BL, who reviewed the purposes of s. 98 of the Succession Act. All webinars are recorded and available as an ongoing resource, along with papers and slides for viewing on the members' section of the Probate Bar website.

www.probatebar.ie

Professional, Regulatory and Disciplinary Bar Association (PRDBA)

Chairperson

Elaine Finneran BL



An association of practitioners who appear before professional regulatory tribunals (such as the Solicitors Disciplinary Tribunal and the Fitness to Practise Committee of the Medical Council) and who are interested in professional regulatory and disciplinary law.

Committee members: Nicholas Butler SC; Remy Farrell SC; Louise Beirne BL; Neasa Bird BL; Hugh McDowell BL; Cathal Murphy BL; and, Maurice Osborne BL.

This year, the PRDBA held three webinars:

- Maurice Osborne BL gave an update on 'Recent Case Law';
- Louise Beirne BL presented on 'Prosecutorial Duties in Fitness to Practise Inquiries'; and,
- Tony McGillicuddy BL spoke on 'Unanswered Questions on Privacy and Privilege from the CRH Case'.

The PRDBA also engaged with solicitor firms to give members networking and educational opportunities, and a joint event was held in conjunction with Mason Hayes & Curran in July 2021.

www.prdba.ie

Sports Law Bar Association (SLBA)

Chairperson

Susan Ahern BL



The SLBA aims to increase awareness of sports law and support barristers in providing the most up-to-date regulatory and commercial advice to sports industry clients.

Committee members: Dermot Flanagan SC; Paul McGarry SC; John O'Donnell SC; Patrick O'Reilly SC; Cliona Boland BL; David Casserly BL; Ben Clarke BL; Francis Thomas Daly BL; Robert McTernaghan BL; Roderick Maguire BL; Eamon Marray BL; Beibhinn Murphy BL; Tim O'Connor BL; Michael O'Sullivan BL; and, Louise J. Reilly BL.

The SLBA Winter Conference took place on December 4, 2020, on the theme 'Innovation in Anti-Doping', with the introduction of the new World Anti-Doping Code 2021. The event was opened by Paul McGarry SC. John Treacy OLY, CEO of Sport Ireland, and Prof. Richard H. McLaren OC, delivered fantastic keynote speeches. The event was moderated by Louise Reilly BL. The SLBA held several motivating webinars throughout the year, including:

- 'The rise of the machine in esports': Andrew Nixon, Sheridan's Law Firm, and Trev Keane, Epic Global Agency, presented with Michael O'Sullivan BL;
- 'The Impact of Covid-19 on football': Gareth Farrelly, CAS Arbitrator, and Laura McCallum, Dundee United, discussed with Rob McTernaghan BL (Chair); and,
- 'Equality in Dispute Resolution in Sports' on the issue of gender inequality and challenges to the Paralympics, with Roderick Maguire BL, Alison Walker BL and Susan Ahern BL.

www.slba.ie



TREASURER'S REPORT

Overview

The Finance Committee met in October 2020 to agree the key objectives for the forthcoming legal year. As Covid-19 continued to heavily influence members and the organisation, the committee's priority objective for the 2020/21 legal year was to focus on steering the organisation through the major financial challenges caused by this pandemic. The Committee also set other important strategic and operational objectives for the year, including, but not limited to, the following important projects:

- overseeing the establishment of the process and systems for recouping the LSRA Levy from members from 2020;
- overseeing the performance and service of the new Practice Support and Fee Recovery service through its first year of operation;
- considering the 'Future Property Strategy' discussion document, providing feedback, and establishing a working group to aid in the development of a medium/long-term property masterplan;
- overseeing progress on the Member Management System Replacement Project, the objective of which is to enable the organisation to upgrade to a contemporary and reliable platform;
- reviewing the IT Policy for members to ensure that it is aligned with current best practice, and working to increase members' awareness of cybersecurity and the challenges it brings; and,
- overseeing the first three-year review of the DB Pension Scheme following the 2018 Section 50 amendment.

Over the course of the last 10 months, the Committee made significant progress on all key projects. As noted earlier, the key focus in the early part of the legal year, October 2020 to February 2021, was on the financial impact of Covid-19 on the organisation and on members due to the ongoing restrictions on court activity and, more specifically, the reintroduction of the lockdown in January 2021. Despite the earlier support of the 25% member credit provided in 2019/20, it was clear that the ongoing reduced court activity was continuing to impact on members' finances.

Another detailed financial review was undertaken by the Committee, which ultimately led to the Council deciding to provide a second credit equating to an approximately 33% subscription reduction over the Hilary and Easter terms in 2021. In February 2021, the Chair announced a further 16% credit

on annual membership subscription rates for the legal year 2020/21.

This second financial support for members, costing €1.7m, was funded from a combination of: savings achieved in our operational expenditure, such as staff costs; State supports such as Dublin City Council's waiving of commercial rates; negotiated savings with some suppliers of member services; reduced levels of capital expenditure; use of surpluses from Law Library Finance Ltd; and, the use of reserves. In further pandemic-related supports, the Chair announced in the June 2021 *Bar Review* that the Council also agreed to pay the 2020 LSRA Levy on behalf of members at an estimated cost of €313k. This brings the total Covid-related financial supports provided to members to €4.7m over the last 14 months.

Update on financial performance: half year to March 2020

In the half year October 2020 to March 2021, The Bar of Ireland Group reported a consolidated income and expenditure surplus of €850k, which is 16% lower than the same period in 2019/20 (Table 1).

Table 1: Bar of Ireland consolidated income and expenditure

Half year to March 2021	Current year			Prior year	
	Actual €'000	Actual €'000	% diff.	Budget €'000	% diff.
Income	6,971	7,890	-12%	7,376	-6%
Expenditure	(6,121)	(6,876)	-11%	(6,554)	-7%
Net surplus	850	1,014	-16%	822	3%
% net surplus	12%	13%		11%	9%

Total income, at €6.9m, is 12% lower than the prior year, reflecting a portion of the second Covid-19 credit processed in February 2021. Rental income, at €2.3m, is 2% down on the prior year, but remains on target for the year. Due to the ongoing closure of the Sheds, there was no income earned for most of the period.

Total expenditure for the period is €6.1m, which is 11% lower than the prior year, mainly arising from savings targeted to deal with the impact of the pandemic, State supports received due to our participation in the Employment Wage Subsidy Scheme (EWSS), and waiver of commercial rates on our properties for October to December 2020.

The net surplus recorded of €850k arises mainly from surplus in the organisation's commercial operations, Law Library Properties Ltd and Law Library Finance Ltd. The member service entities just about broke even for this period.

Budget 2021/22

The Finance Committee oversees the preparation of annual budgets for the organisation. Last year, the budget was heavily influenced by the pandemic and, for this reason, the financial plan for 2020/21 was approached with caution, certain caveats and review clauses, which, for example, included a hold on major capital expenditure.

The budget process for 2021/22, while not as difficult as last year during the height of the pandemic surrounded with high levels of risks, unknowns and uncertainty, did present some challenges. However, there were some key factors that enabled the Committee to look more optimistically at the year ahead, including the vaccination roll-out plan and a growing expectation of returning to normality towards the end of 2021. The budget process commenced in March 2021 just after the 'Justice in Transition' event held on March 19, and this was very much the message, with Justice Irvine specifically noting that the expectation is a return to normal levels of court activity by October 2021.

This was a core driving factor in the budget process, with service plans catering for an expectation of full-service delivery for the year, with committees tasked with continuing to progress service development plans such as investment in systems, legal databases/e-books, the Practice Management and Fee Recovery Service, and the new learning and development CPD programme.

In this regard, I am pleased to inform members that at the Council meeting held on June 23, 2021, the Budget for 2021/22 was approved and there will be no increase in subscription rates for the forthcoming legal year.

Update on other financial matters

Member management system

The procurement of a new member management system is a key strategic project for the organisation and a priority project for the Finance Committee, owing to the fact that the current system is a risk due to its age and

limitation in meeting the needs of a modern Bar of Ireland and its members. The objective of this project is to provide a fully integrated modern system covering all aspects of member services, including membership information from admission to progression over the lifetime of membership, education and training services, regulation and compliance, event management, member communication, etc., and will, importantly, provide member online access to all member services.

There was significant progress on this project in 2019/20 but, unfortunately, due to the impact of Covid-19, the project was temporarily put on hold in March 2020.

At the time of writing this report, the team is checking references and has sought last and final bids from each provider, following a formal evaluation and selection process. It is expected that a preferred system will be selected in July 2021 and the installation phase will commence in the new legal year.

Bank of Ireland termination of service from Four Courts

On March 1, 2021, when announcing their annual results, Bank of Ireland informed The Bar of Ireland that from September onwards, a number of Bank of Ireland branches will close and this includes the Law Library branch. Unfortunately, it was confirmed that from January 2021, Bank of Ireland does not wish to enter into further service agreements with The Bar of Ireland and from then, there will be no Bank of Ireland in the Four Courts. The Smithfield branch will continue to be available to members. The Finance Committee is currently assessing options in this regard, but with many retail banks exiting the Irish market, these options are limited.

Other capital expenditure projects

• Conversion of 'pharmacy' to offices

Currently, the demand for member offices is strong and the Estates Services team is managing a waiting list. Last year, we consented to an early termination of lease of the adjoining pharmacy unit, and the Finance Committee approved a proposal to convert this space into offices. Following receipt of planning permission, a tender process was undertaken, and a contractor selected.

• Sheds external area

Earlier this year, the Finance Committee approved a proposal to develop the external area of the Sheds by installing a high-quality pergola, with retractable roof covering, effectively extending the size of the Sheds to allow greater flexibility in events and attendant revenue, as well as avoid costs such as marquee tents, etc.

The development cost is in the region of €30k, part funded from reserves within the Club and a Covid-19 restart grant, which the Sheds received earlier this year.

Review of financial performance for The Bar of Ireland and related entities

for year ended September 30, 2020

The financial statements for The Bar of Ireland are set out in the following pages of this annual report. Further on in this report, I have included a financial review of the consolidated income and expenditure performance of The Bar of Ireland Group of entities. The financial statements for all entities in The Bar of Ireland Group will be made available at the Annual General Meeting in July.

The Bar of Ireland financial accounts

In the 19/20 Annual Report, the then Treasurer Sean Ó hUallacháin SC outlined the exceptional financial risks caused by the sudden and dramatic impact of Covid-19 on members' income and the organisation. He explained in detail the immediate steps taken by the Council to reduce costs and to support members financially. In summary, the following is a reminder of the key points:

- Covid-19 presented both members and the organisation with unexpected and immediate financial challenges, which necessitated an emergency review of the potential impact on our income and expenditure in order to deal with these substantial risks, including:
 - the ability of The Bar of Ireland to provide services to members during the lockdown; and,
 - from March 2020, especially over the lockdown, court activity was greatly scaled back, which severely impacted on demand for services and members' ability to earn;
- subscription receipts in March 2020 fell 45% on March 2019, and in the three-month period April to June 2020, subscription receipts fell by 36% on the prior year;
- in April 2020, the Council decided to provide members with a 25% credit on subscriptions for 2019/20 at a cost of €2.5m – this effectively equated to a 50% saving to members over the then anticipated period of the lockdown, April to year end; and,
- the credit was funded from a combination of operational cost savings, reduced procurement, negotiated savings with key suppliers, deferral of capital expenditure, use of profits from subsidiary entities, and use of accumulated reserves.

Review of income and expenditure

Income, at €7.8m, was 21% lower than the previous year's, specifically due to the impact of the pandemic leading to the subscription credit. In normal times, with full services provided, subscription income is in the region of €10m.

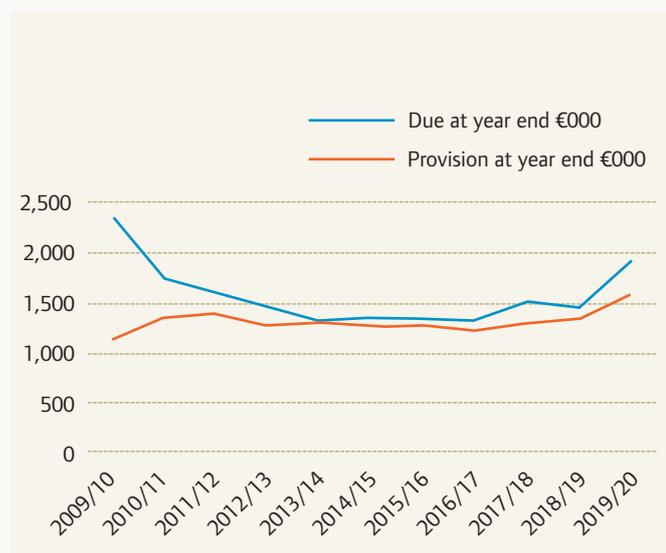
Expenditure, at €8.2m, was 17% below expenditure for the prior year, also as a direct consequence of the actions taken to deal with the pandemic and reduced court activity.

The following is a summary of the main variances in expenditure categories between this year and last year:

- Library Services expenditure reduced from €1.26m to €1.24m, a minor reduction of 2%. However, there are two important points to note: (1) in 2019, we expanded the legal database service by providing open access for all members to Westlaw E-books, supplied by Thomson Reuters, and the Vizlegal database was also introduced, which increased costs in this area; and, (2) other library expenditure was reduced from March 2020, in a Covid-19 saving support measure.
- IT service costs reduced to €0.88m (7% reduction) from the prior year following the decision to hold capital expenditure, which led to the deferment of procuring the new member management system.
- Member services expenditure reduced from €1.3m to €1.25m. The mailroom management services and DX network services were scaled back due to Covid-19 and costs reduced from €675k to €594k, an annual saving of €81k, which equated to a 27% saving on these services between April and September 2020.
- Estate Services expenditure includes the costs of The Bar of Ireland using the Distillery Building, rental costs for Cork, and licence costs for the Criminal Courts of Justice (CCJ), which cost €873k annually. It also covers estate service costs for the Law Library in the Four Courts. The normal annual running costs of Estate Services are €1.64m, but for 2019/20 these reduced to €0.69m. This is because it was decided to utilise the profits of Law Library Properties Ltd and Law Library Finance Ltd for 2019/20 to directly provide the Covid-19 members' credit by covering the above costs for this legal year. In addition, as part of the State pandemic supports, commercial rates were credited from April to September 2020, saving the organisation €100k.
- Staff costs fell by 17% to €3.1m from prior year through a combination of Covid-19-related pay cuts, State supports through the Temporary Wage Subsidy Scheme (TWSS) and Employment Wage Subsidy Scheme (EWSS), and a freeze on recruitment for vacant positions.
- Administration expenses increased from €0.3m to €0.45m. In most expense headings, major cost reductions occurred to support the Covid-19 credit. However, due to a major deterioration in subscription payment compliance, obviously as members felt the impact of Covid-19 on cashflow, the level of outstanding subscriptions increased significantly at year end (Table 2). At €1.94m, debtors outstanding at year end have increased 33% from last year, leading to an increase in the provision for bad debts to €247k for 2019/20.

In summary, The Bar of Ireland incurred a net income and expenditure deficit of €0.43m for the year. In recent years, following several years of prudent

Table 2: Subscriptions due at year end.



management, and improved results from the subsidiary commercial entities, the organisation has established a healthy reserve, which is partly driven by good governance and risk management, but is also related to building resources for investment in strategic development and capital projects. This assisted The Bar of Ireland in providing support to members to the value of €2.5m in 2019/20 with a manageable reduction in our reserve.

The Bar of Ireland Group consolidated income and expenditure

Table 3 summarises the consolidated income and expenditure position of The Bar of Ireland Group for the year ended September 30, 2020.

The Bar of Ireland and subsidiary entities recorded a consolidated surplus of €0.42m for the year ended September 30, 2020, a decrease of €1.7m on 2018/19. The financial performance of the group was significantly impacted by Covid-19. However, the stable financial position of the organisation enabled the Council to provide important support to members by way of the Covid credit and, at the end of this very difficult year, still managed to report a consolidated surplus (Table 4).

Review of income

Consolidated income at €12.2m is 20% lower than 2018/19 due mainly to provision of the Covid-19 credit.

In addition, members with offices in Law Library Properties Ltd buildings were granted a two-month moratorium in May and June 2020, reducing the rental income by €0.5m. This was possible because banks were open to providing temporary capital repayment moratoriums for business affected by Covid-19 and AIB, our property debt provider, granted a six-month moratorium on loan repayments in 2020. Thankfully, our occupancy level stayed strong, with a waiting list for offices remaining throughout.

Table 3: The Bar of Ireland Group consolidated income and expenditure.

Half year ended September 30	2020 €'000 Actual	2019 €'000 Actual
Turnover	12,173	15,369
Administrative expenses	(11,056)	(12,411)
Operating surplus	1,117	2,959
Impairment of property	0	653
Interest payable and similar charges	(476)	(497)
Surplus on ordinary activities before taxation	642	3,115
Tax on surplus on ordinary activities	(175)	(439)
Surplus on ordinary activities after taxation	467	2,676
Exceptional item – LSRA Levy 2018 and 2019	(49)	(600)
Retained surplus for year	418	2,076

Importantly, as legal services were deemed an essential service, our properties remained open and available throughout the year.

Income in the Sheds was severely hit in the second half of the year, but we were able to reduce costs and avail of State supports to reduce the negative impact of the forced closure.

Review of expenditure

Consolidated administrative expenses, at €11m, were 12% lower than the prior year because of actions taken to reduce costs in response to the pandemic. The main variances are already explained under The Bar of Ireland review. There was a major reduction in our Corporation Tax bill to €175k on profits in Law Library Properties Ltd and Law Library Finance Ltd due to the fall in profits in these companies.

Table 4: Net surplus by entity.

Year ended September 30		Actual 2019/20 €'000	Actual 2018/19 €'000
The Bar of Ireland	Entity 1	(428)	116
Law Library Services	Entity 2	24	73
Church Street Club	Entity 5	0	(22)
Total member services entities		(404)	(167)
Law Library Properties	Entity 3	596	1,680
Law Library Finance	Entity 4	226	231
Total commercial companies		822	1,911
<i>Exceptional items</i>			
Revaluation surplus			653
LSRA Levy 2018 and 2019		(49)	(600)
Total group summary		418	2,078

The Council of The Bar of Ireland

Accounts year ended September 30, 2019

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Statement of Committee's responsibilities

The constitution of the entity requires the members of the Committee to prepare financial statements for each financial year, which give a true and fair view of the financial position of the entity and of its income and expenditure for that period.

In preparing the financial statements the members of the Committee are required to:

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

The members of the Committee are responsible for keeping proper accounting records, which disclose with reasonable accuracy at any time the financial position of the entity and to help them to ensure that the financial statements comply with the entity's constitution. They are also responsible for safeguarding the assets of the entity and for taking reasonable steps for the prevention and detection of fraud and other irregularities.

Covid-19 pandemic

The Covid-19 pandemic in the second quarter of 2020 has had a major impact around the world. The Irish Government has taken increasingly stringent measures in an attempt to slow the expansion rate of the pandemic.

The Government has placed different levels of lockdowns on individuals and companies. The Government has categorised legal services as an essential service. However, the level of court activity has been severely curtailed arising from decisions of the judiciary and the Courts Service to radically cut back on all court business necessitated by public health considerations and the need to comply with Government policy and HSE advice.

As a direct result, members' ability to earn a living was severely impacted. At its meeting of April 1, 2020, the Council reached a decision on how best to support members during this difficult time. It was also recognised that members cannot avail of the full range of services normally available to them as part of their annual membership subscription because of the Covid-19 pandemic.

The Council decided to process a credit of 25% to the annual membership subscription on all member accounts for the legal year 2019/20. The total cost of this measure was in the region of €2.2m, with some members in a position to do so, opting out of this credit.

This financial support for members was funded from a combination of savings achieved in our operational expenditure, such as staff costs, negotiated savings with suppliers of member services, a freeze on non-essential capital expenditure, use of surpluses from Council-owned companies, and the use of reserves.

As at the date of the Annual Report, the pandemic is still evolving, bringing many uncertainties, which makes it impossible to predict the scale of the impact of the Covid-19 crisis on the Council's operations, and financial performance. However, the Government is in the first phase of the Covid-19 vaccine roll-out, and it is projected that a significant portion of the population will be vaccinated by end of the third quarter of 2021. The vaccination programme will reduce the financial impact on the Council.

Auditor's report

To the members of The Bar of Ireland:

Report on the audit of the financial statements

Opinion

We have audited the financial statements of The Council of The Bar of Ireland for the year ended September 30, 2020, which comprise the Income and Expenditure Account, the Balance Sheet, the Schedules on Accounts,

Trustees

Conor J. Maguire SC
Denis McCullough SC
Turlough O'Donnell SC

Bankers

Bank of Ireland,
Law Library Financial
Services,
Four Courts,
Dublin 7

Auditors

HLB Ryan,
Chartered Accountants and
Statutory Auditors,
5 Clarinda Park North,
Dun Laoghaire,
Co. Dublin

Solicitors

McKenna Durkan
Solicitors,
66 Lower Leeson Street,
Dublin 2

McCann FitzGerald
Solicitors,
Riverside one
Sir John Rogerson's Quay,
Dublin 2

and the related notes to the financial statements. The financial reporting framework that has been applied in their preparation is the accounting standards issued by the Financial Reporting Council including FRS 102 'The Financial Reporting Standard applicable in the UK and Republic of Ireland'.

In our opinion the financial statements:

- give a true and fair view of the assets, liabilities and financial position of the entity as at September 30, 2020, and of its profit for the year then ended; and,
- have been properly prepared in accordance with FRS 102 'The Financial Reporting Standard applicable in the UK and Republic of Ireland'.

Basis for opinion

We conducted our audit in accordance with the International Standards on Auditing (Ireland) (ISAs (Ireland)) and applicable law. Our responsibilities under those standards are further described in the auditor's responsibilities for the audit of the financial statements section of our report. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Conclusions relating to going concern

We have nothing to report in respect of the following matters in relation to which the ISAs (Ireland) require us to report to you, where:

- the Committee's use of the going concern basis of accounting in the preparation of the financial statements is not appropriate; or,
- the Committee has not disclosed in the financial statements any identified material uncertainties that may cast significant doubt about the entity's ability to continue to adopt the going concern basis of accounting for a period of at least 12 months from the date when the financial statements are authorised for issue.

Other information

The Committee is responsible for the other information. The other information comprises the information included in the Committee report and financial statements other than the financial statements and our auditor's report thereon. Our opinion on the financial statements does not cover the other information and, except to the extent otherwise explicitly stated in our report, we do not express any form of assurance conclusion thereon. In connection with our audit of the financial statements, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If we identify such material inconsistencies or apparent material misstatements, we are required to determine whether there is a material misstatement in the financial statements or a material misstatement of the other information. If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Opinions on other matters

Based solely on the work undertaken in the course of the audit, we report that in our opinion:

- we have obtained all the information and explanations that we consider necessary for the purposes of our audit,
- proper books of account have been kept by the Committee;
- the financial statements are in agreement with the books of account; and,
- the information given in the Committee Report is consistent with the financial statements.

Respective responsibilities

Responsibilities of the Committee for the financial statements

As explained more fully in the Statement of Committee Responsibilities, the Committee is responsible for the preparation of the financial statements and for being satisfied that they give a true and fair view, and for such internal control as they determine is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error. In preparing the financial statements, the Committee is responsible for assessing the entity's ability to continue as a going concern, disclosing, as applicable, matters related to the going concern and using the going concern basis of accounting unless the Committee either intends to liquidate the entity or to cease operation, or has no realistic alternative but to do so.

Auditor's responsibilities for the audit of the financial statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an Auditor's Report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the ISAs (Ireland) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

The purpose of our audit work and to whom we owe our responsibilities

Our report is made solely to the Committee's members, as a body. Our audit work has been undertaken so that we might state to the Committee's members those matters we are required to state to them in an auditor's report and for no other purpose. To the fullest extent permitted by law, we do not accept or assume any responsibility to anyone other than the entity and the Committee's members, as a body, for our audit work, for this report, or for the opinions we have formed



Derek Ryan

HLB Ryan Limited

Chartered Accountants and Statutory Auditors

5 Clarinda Park North, Dun Laoghaire, Co. Dublin.

INCOME AND EXPENDITURE ACCOUNT

As at September 30, 2020

		2020	2019
		€	€
INCOME			
Entrance and application fees		133,610	108,800
Junior subscriptions		5,628,463	7,195,340
Senior subscriptions		2,001,306	2,481,658
External/LOA subscriptions		28,492	40,997
EU lawyer registration fees		1,580	16,750
Other income		60,004	92,579
		-----	-----
		7,853,455	9,936,124
		=====	=====
EXPENDITURE			
Library services	Schedule 1	1,236,971	1,261,143
IT services	Schedule 2	882,447	949,660
Member services	Schedule 3	1,258,121	1,311,569
Placement/representation		16,000	10,500
CSR schemes		114,188	113,940
Communications and policy		161,345	207,866
Marketing and events		32,767	68,786
Participation international forums		56,733	75,108
Bar Council and Committee meetings/expenses		41,758	49,187
Membership of professional associations		11,999	12,606
Education and training		24,198	30,703
Regulation		169,241	170,088
Properties and facilities	Schedule 4	690,199	1,641,820
Administration expenses	Schedule 5	450,056	304,075
Staff costs	Schedule 6	3,086,660	3,615,148
		8,232,683	9,822,199
Exceptional expenses	Schedule 7	48,599	599,685
Net (deficit)/surplus to reserves		(427,827)	(485,760)
		=====	=====

The Council decided to process a credit of 25% to the annual membership subscription on all member accounts for the legal year 2019/20.

BALANCE SHEET

As at September 30, 2020

	Note	2020 €	2019 €
FIXED ASSETS			
Tangible fixed assets	4	2,646,980	2,698,942
LONG-TERM ASSETS			
Amount due from LLPL		1,300,000	1,700,000
CURRENT ASSETS			
Subscriptions in arrears	5	323,023	122,935
Amounts due from related entities	6	6,882,935	6,158,847
Prepayments and sundry debtors		1,051,932	1,050,803
Cash at bank and on hand	7	333,479	449,501
		-----	-----
		8,591,369	7,782,086
LESS CURRENT LIABILITIES			
Subscriptions paid in advance		600,157	582,199
Creditors and accruals	8	2,961,616	3,191,516
Other creditors	9	990,161	
Taxation creditors		79,164	72,235
		-----	-----
		4,631,098	3,845,950
TOTAL NET ASSETS		7,907,251	8,335,078
		=====	=====
FINANCED BY:			
Reserves	10	7,907,251	8,335,078
		7,907,251	8,335,078
		=====	=====

Signed: _____ 

Signed: _____ 

Date: March 2, 2021

Date: March 2, 2021

SCHEDULES ON ACCOUNTS

As at September 30, 2020

SCHEDULE 1	Note	2020 €	2019 €
LIBRARY SERVICES			
Books		343,246	430,452
Book binding/storage		20,639	27,949
Legal databases	11	681,635	624,251
Law reports and pink sheets		150,000	124,996
Library system maintenance		32,694	37,280
Library printing and stationery		8,757	13,815
Other library costs		-	2,400
		-----	-----
		1,236,971	1,261,143
		=====	=====

SCHEDULE 2	Note	2020	2019
IT SERVICES			
	11		
Software licensing		553,776	557,652
Managed services		56,973	62,028
Bandwidth		43,713	69,734
Software maintenance		50,370	48,949
Web services		5,992	2,880
GDPR expenses		17	38
Cyber security		71,148	24,954
Member system development		24,154	54,458
Depreciation charge (LLSL)		76,304	12 8,967
		-----	-----
		882,447	949,660
		=====	=====

SCHEDULE 3	Note	2020	2019
MEMBER SERVICES			
Document exchange service		594,528	675,349
Bar group life assurance		508,350	476,071
Subvention to King's Inns		86,632	86,113
Resilience and performance		17,166	21,055
Practice support and fee recovery		18,507	
Young Bar Association		3,755	12 ,853
Specialist Bar Association		1,022	6,031
Members clubs and societies		28,161	34,097
		-----	-----
		1,258,121	1,311,569
		=====	=====

SCHEDULES ON ACCOUNTS

As at September 30, 2020

	Notes	2020 €	2019 €
SCHEDULE 4			
ESTATE SERVICES			
Distillery usage fee and service charge		-	342,000
Criminal Courts of Justice rent		-	481,499
Cork rent		-	49,656
Rates		99,973	191,251
Light and heat		30,477	39,208
Security		171,306	122,890
Repairs and maintenance		50,478	80,163
Cleaning and laundry		45,405	55,144
Removals, storage and shredding		30,054	32,387
Property insurance		4,999	5,002
Depreciation		257,507	242,620
		-----	-----
		690,199	1,641,820
		=====	=====
SCHEDULE 5			
ADMINISTRATION EXPENSES			
Telephone, printing, stationery, etc.		66,432	64,524
Travel and meeting expenses		1,685	12,495
Professional subscriptions		5,691	5,608
Audit fees		7,596	9,256
Legal and other consultancy		12,805	80,017
General insurances		69,266	65,324
Bank charges		27,006	32,662
Provision for bad debts		246,546	10,375
Miscellaneous		13,029	23,814
		-----	-----
		450,056	304,075
		=====	=====
SCHEDULE 6			
STAFF COSTS			
Salaries incl. employer's PRSI		2,688,205	3,165,326
Employer's contribution to pension scheme		318,860	355,663
Staff recruitment		33,653	27,751
Staff training		12,853	37,220
Other staff costs		33,089	29,188
		-----	-----
Regular staff costs		3,086,660	3,615,148
		=====	=====
SCHEDULE 7			
EXCEPTIONAL EXPENSES			
LSRA levy costs	12	48,599	599,685
		-----	-----
		48,599	599,685
		=====	=====

NOTES TO THE ACCOUNTS

Year ended September 30, 2020

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Statement of compliance

The financial statements of the Council for the year ended September 30, 2020, have been prepared on the going concern basis and in accordance with FRS 102 'The Financial Reporting Standard applicable in the UK and Republic of Ireland' (FRS 102).

Basis of preparation

The financial statements have been prepared on the going concern basis and in accordance with the historical cost convention. Historical cost is generally based on the fair value of the consideration given in exchange for assets.

Income

Income is recognised to the extent that the Council obtains the right to consideration in exchange for its performance. Income comprises the fair value of consideration received and receivable exclusive of value-added tax and after discounts and rebates. Income from the provision of services is recognised in the accounting period in which the services are provided. Income from donations and other sponsorships is recognised when it is receivable.

Trade and other debtors

Trade and other debtors are recognised initially at transaction price (including transaction costs) unless a financing arrangement exists, in which case, they are measured at the present value of future receipts discounted at a market rate. Subsequently these are measured at amortised cost less any provision for impairment. A provision for impairment of trade debtors is established when there is objective evidence that the Council will not be able to collect all amounts due according to the original terms of receivables. The amount of the provision is the difference between the asset's carrying amount and the present value of estimated future cash flows, discounted at the effective interest rate. All movements in the level of the provision required are recognised in the profit and loss.

Provisions

Provisions are recognised when the Council has a present legal or constructive obligation arising as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made. Provisions are measured at the present value of the expenditures expected to be required to settle the obligation using a pre-tax rate that reflects current market assessments of the same value of money and the risks specific to the obligation. The increase in the provision due to passage of time is recognised as interest expense.

Trade and other creditors

Trade and other creditors are classified as current liabilities if payment is due within one year or less. If not, they are presented as non-current liabilities. Trade payables are recognised initially at the transaction price and subsequently measured at amortised cost using the effective interest method.

Related parties

For the purposes of these financial statements a party is considered to be related to the Council if:

- the party has the ability, directly or indirectly, through one or more intermediaries to control the Council or exercise significant influence over the Council in making financial and operating policy decisions or has joint control over the Council;
- the Council and the party are subject to common control;

The financial statements have been prepared on the going concern basis and in accordance with the historical cost convention

It is the policy of the Council of The Bar of Ireland to write off the cost of books against income in the year in which they are purchased.

- the party is an associate of the Council or forms part of a joint venture with the Council;
- the party is a member of key management personnel of the Council or the Council's parent, or a close family member of such as an individual, or is an entity under the control, joint control or significant influence of such individuals;
- the party is a close family member of a party referred to above or is an entity under the control or significant influence of such individuals; or,
- the party is a post-employment benefit plan, which is for the benefit of employees of the Council or of any entity that is a related party of the Council.

Close family members of an individual are those family members who may be expected to influence, or be influenced by, that individual in their dealings with the Council.

Exceptional items

Exceptional items are those that the management views are required to be separately disclosed by virtue of their size or incidence to enable a full understanding of the entity's financial performance.

2. CRITICAL ACCOUNTING JUDGEMENTS AND ESTIMATES

The preparation of these financial statements requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets and liabilities, income and expenses.

Judgements and estimates are continually evaluated and are based on historical experiences and other factors, including expectations of future events that are believed to be reasonable under the circumstances.

The Council makes estimates and assumptions concerning the future. The resulting accounting estimates will, by definition, seldom equal the related actual results. The estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year are discussed below.

The management considers the accounting estimates and assumptions below to be its critical accounting judgements and estimates:

(1) Establishing useful economic lives for depreciation purposes of property, plant and equipment

Long-lived assets, consisting primarily of plant and machinery, fixtures, fittings and equipment, comprise a significant portion of the total assets. The annual depreciation charge depends primarily on the estimated useful economic lives of each type of asset and estimates of residual values. The management regularly reviews these assets' useful economic lives and changes them as necessary to reflect current thinking on remaining lives in light of prospective economic utilisation and physical condition of the assets concerned. Changes in assets' useful lives can have a significant impact on depreciation and amortisation charges for the period. Detail of the useful economic lives is included in the accounting policies.

(2) Providing for doubtful debts

The Council makes an estimate of the recoverable value of trade and other debtors. The Council uses estimates based on historical experience in determining the level of debts that the Council believes will not be collected. These estimates include such factors as the current credit rating of the debtor, the ageing profile of debtors and historical experience. Any significant reduction in the level of customers that default on payments or other significant improvements that resulted in a reduction in the level of bad debt provision would have a positive impact on the operating results. The level of provision required is reviewed by management on an ongoing basis.

(3) Provisions and accruals

Provisions are recognised when the Council has a present obligation (legal or constructive) as a result of a past event, it is probable that the Council will be required to settle the probable outflow of resources, and a reliable estimate can be made of the amount of the obligation.

(4) Prepayments

Prepayments have been estimated based on payments made in one period, for services which the Council expects to receive the benefit of in a future period. The basis of estimation used by the Council has been formed by a calculation of the number of days to which the expense relates, and therefore the deferral of this expense.

3. STOCK OF BOOKS

It is the policy of the Council of The Bar of Ireland to write off the cost of books against income in the year in which they are purchased, thereby leaving a nil value for the stock of books held on the balance sheet. The actual stock of books was valued in December 1979 at €177,763. Additions at cost less sale proceeds since December 1979 amounted to €9,497,285, making a total value (valuation plus net additions) at September 30, 2020, of €9,675,048, excluding any books lost or damaged.

4. TANGIBLE FIXED ASSETS

	Leasehold premises	Fixtures and fittings	Equipment	IT systems and infrastructure	Total
Cost or valuation					
At October 1, 2019	3,617,023	439,113	162,429	378,641	4,597,206
Additions	8,742	21,023	29,173	146,594	205,532
Disposals	-	-	-	-	-
At September 30, 2020	3,625,765	460,136	191,602	525,235	4,802,738
Depreciation					
At October 1, 2019	1,367,418	322,343	94,373	114,130	1,898,264
Charge for the year	130,038	30,741	23,277	73,438	257,494
On disposals	-	-	-	-	-
At September 30, 2020	1,497,456	353,084	117,650	187,568	2,155,758
Net book value					
At September 30, 2020	2,128,309	107,052	73,952	337,667	2,646,980
At September 30, 2019	2,249,605	116,770	68,056	264,511	2,698,942

Tangible fixed assets and depreciation

The cost of tangible fixed assets is their purchase cost, together with any incidental cost of acquisition. Depreciation is calculated so as to write off the cost of tangible fixed assets, less their estimated residual values, over the expected useful economic lives of the assets concerned. The principal annual rates used for this purpose are:

Long leasehold	-	10% straight line
Fixtures, fittings and equipment	-	12.5% straight line
Equipment	-	20% and 33.3% straight line
IT systems and infrastructure	-	20% straight line

5. SUBSCRIPTIONS IN ARREARS

Subscriptions in arrears are stated after the bad debt provisions of €1,584,106 (2019: €1,337,560).

6. AMOUNTS DUE FROM RELATED ENTITIES WITHIN ONE YEAR

	2020 €	2019 €
Amount owed by LLFL	6,914,042	6,199,903
Amount owed by DDRC	(31,107)	(41,056)
	<u>6,882,935</u>	<u>6,158,847</u>

All balances due from connected parties are unsecured, non-interest bearing and repayable on demand.

LLFL stands for Law Library Finance Limited.

DDRC stands for Dublin Dispute Resolution Centre Limited.

7. CASH AT BANK

	2020 €	2019 €
Cash on hand	2,335	571
BOI account	331,135	448,921
BOI sterling account	9	9
	<u>333,479</u>	<u>449,501</u>

8. CREDITORS

	2020 €	2019 €
Trade creditors	238,747	304,181
Accruals	2,722,869	2,887,335
	<u>2,961,616</u>	<u>3,191,516</u>

9. OTHER CREDITORS

	€	€
Other creditors	990,161	-
	<u>990,161</u>	<u>-</u>

In April 2020, the Council made a decision to provide members with a 25% credit on annual subscriptions for 2019/20 due to the Covid-19 pandemic, to be applied by way of an immediate credit of 12.5%, with the balance of 12.5% to be credited in October 2020.

The other creditors were related to Covid-19 credit provisions against 2019/20 subscription fees, which the Council provided for members in October 2020.

10. RESERVES

	2020	2019
	€	€
Opening balance	8,335,078	8,820,838
Add net (deficit)/surplus	(427,827)	(485,760)
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	7,907,251	8,335,078
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11. IT SERVICES AND LEGAL DATABASES

All income and expenditure associated with the delivery of information technology services are now included in the Council of The Bar of Ireland's Income and Expenditure Account. Up until September 30, 2017, these services were provided through Law Library Services Ltd.

12. EXCEPTIONAL EXPENSE – LSRA LEVY COSTS

The Legal Services Regulatory Authority (LSRA) Levy was introduced under the Legal Services Regulation Act 2015. Each barrister is required to pay an annual levy to the LSRA to meet the costs it incurs in carrying out its functions under the 2015 Act. The Council of The Bar of Ireland agreed to fund the 2018 and 2019 Levy costs for members from its accumulated reserves.

The €599,685 included in the Profit and Loss Account for 2019 was based on the €194,947 Levy for 2018 and nine-twelfths of the €539,651 Levy estimated for 2019. The final bill charged by the LSRA for 2019, at €218,586, was significantly less than estimated due to delays in commencing certain parts of the Act.

The Council has also agreed to provide members with a further Covid-19 support measure by paying the LSRA Levy on behalf of all members for 2020. The estimated levy for 2020 is €150 per member. The €234,750 included in the Profit and Loss Account for 2020 is based on the nine-twelfths of the €313,000 levy estimated for 2020.

The net effect on the 2019/20 accounts arising from the reversal of the overprovision for 2019 and the decision to pay the 2020 levy is a charge of €48,599.

13. RELATED PARTY TRANSACTIONS

The related parties of the Council are Law Library Properties Limited (LLPL), Law Library Services Limited (LLSL), Law Library Finance Limited (LLFL), Dublin Dispute Resolution Centre Limited (DDRC) and Church Street Club due to common ownership and control. The Council has availed of the exemption under FRS 102 in relation to the disclosure of transactions with group companies.

All income and expenditure associated with the delivery of information technology services are now included in the Council of The Bar of Ireland's Income and Expenditure Account.



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