



THE BAR
OF IRELAND

The Law Library

BARRA NA hÉIREANN

An Leabharlann Dlí

ANNUAL REPORT

21/22

REPRESENT



PRESERVE



PROMOTE



SEEK



ADVOCATE



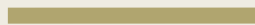
ENHANCE



DELIVER

ADVANCE

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



04

ORGANISATION

05

COUNCIL OF THE BAR OF IRELAND

06

CHAIR'S REPORT

08

CEO'S REPORT

12

PERMANENT COMMITTEES

14

NON-PERMANENT COMMITTEES

16

A NEW STRATEGIC PLAN FOR A CHANGING LANDSCAPE: OCTOBER 2021–OCTOBER 2024

Represent and defend the independent referral Bar	17
Preserve and support the excellence of the independent referral Bar	20
Promote and market members of the independent referral Bar	24
Advocate for the rule of law and access to justice	29
Seek out opportunities to facilitate practice development	32
Enhance access to online library and information services	38
Deliver best-in-class education and training for members	40
Advance the role of the Practice Support & Fee Recovery Service	43

45

OUR CORE ENABLERS

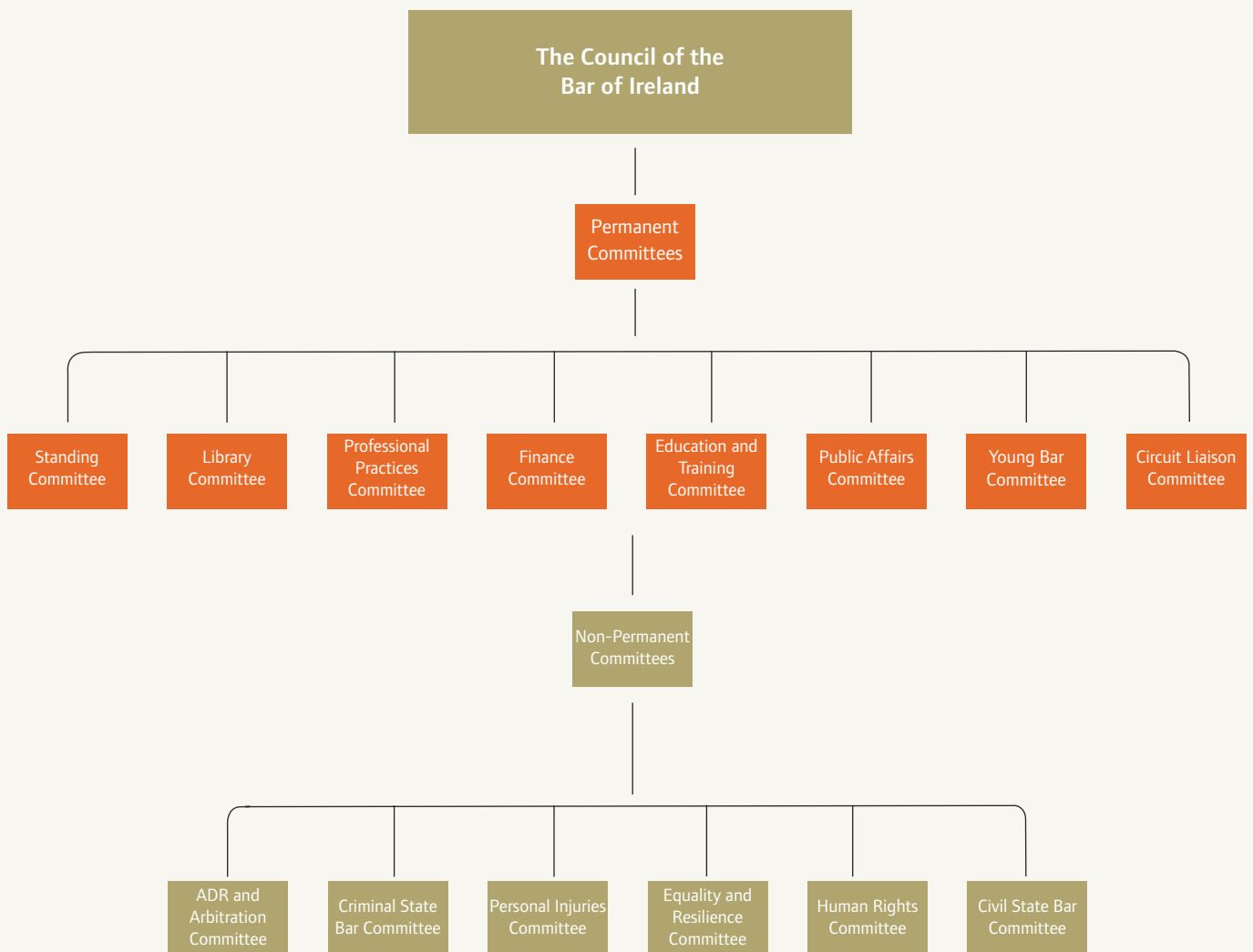
Financial performance in the year to date 2021/2022	45
Estate services	47
Systems and IT	48
Human resources	49
Governance review	50

51

TREASURER'S REPORT

54

FINANCIAL ACCOUNTS





Maura McNally SC
Chair



Séamus Clarke SC
Vice Chair



Seán Ó hUallacháin 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
(resigned November 2021)



Mark J. Dunne SC



Vincent Heneghan SC



Murray Johnson SC



Brendan Kirwan SC
(co-opted to replace
Conor Dignam SC in
February 2022)



Elizabeth O'Connell SC



Sara Phelan SC



Mema Byrne BL



Garrett Cooney BL



Aoife Farrelly BL



Paul G. Gunning BL



Dara Hayes BL
(resigned
December 2021)



Michael D.
Hourigan BL (co-
opted to replace
Dara Hayes BL in
February 2022)



Cathrina Keville BL



Aoife McNickle BL



Lewis Mooney BL



Heather Nicholas
BL



Joseph O'Sullivan
BL

Co-optees



Darren Lehane SC



Deirdre Browne BL



Rachel Duffy BL



Moira Flahive BL

Attorney General



Paul Gallagher SC –
Attorney General

Preparing for the future of the Bar

It is hard to believe that nearly two years have passed since I was elected to the role of Chair of the Council of The Bar of Ireland.

It has been a strange and difficult two years for all. Within that period, the Council has been to the forefront of advocating for our profession during a period of crisis, resulting in many successful outcomes. Similar to other sectors and industries, we were faced with the necessity of adapting to the changing environment in which we provide our professional legal services. Faced with such an altered landscape, the Council decided to engage the services of an external consultancy firm to undertake a strategic review of our profession, the first of its kind, to assist the Council in its ongoing decision-making in the best interests of the Bar.

EY – strategic review of the profession

In early 2021, the Council commissioned EY to undertake an independent 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 our profession. EY completed its report in July 2021. Since then, the Council has given detailed consideration to each of the 51 recommendations contained within the report. Many of the recommendations were uncontroversial and aligned with the activities already underway across the organisation, while others required more detailed analysis and discourse prior to the Council adopting a final position. Working groups were established to test certain recommendations and to receive input from across a broad spectrum of members, including from a practice or specialist area perspective, geographical and circuit perspective, and from members of both the outer and inner Bar. The Council then decided to implement 45 of the 51 recommendations made by EY. The EY Report was made available to members on June 30, 2022, along with the position of the Council in respect of each recommendation, with summaries of the working group reports. The EY Report is an independent report that contains useful insights about the profession. It is the first time that the Council has commissioned an external review of the profession. One benefit of the report is that its analysis and recommendations act as a catalyst for further discussion among the membership, and this should be welcomed. The main body of the EY Report includes some interesting research, such as:

1. An assessment of the market for legal services in Ireland and the role of the profession therein.
2. An assessment of the appropriate size for the barrister profession in Ireland.

3. An assessment of technology trends in legal services and how this may impact on the profession.
4. An assessment of existing and future member support services.
5. An assessment of whether or not the current business model of the Law Library is 'fit for purpose' to ensure equal opportunity for all members of the profession to access and pursue a viable career.
6. An assessment of the strategic opportunities that should be pursued by the Council to grow and maintain the market for legal services of barristers.
7. An assessment of how best to harness the financial assets of the Council to underpin any future strategic investment decisions.
8. An assessment of the resource requirements of the Council to support any future growth/investment decisions.

EY also undertook external consultations as part of its research, and reported that: "The Bar of Ireland is held in high esteem and recognised as a very effective and influential lobby group on behalf of members". The State agencies that brief barristers held a shared view that barristers provide good value for money for their services. Throughout the series of external consultations, members of the Law Library were regularly referred to as "highly intelligent", "skilled", and "capable", and were esteemed as valued advisors and advocates. The report goes on to state that: "The fact that the vast majority of barristers in Ireland practise as members of the Bar is an endorsement of the success of the Council of The Bar of Ireland in supporting the needs of members".

A further insight from the international benchmarking exercise undertaken was that The Bar of Ireland is seen to provide a large suite of services to its members, when compared with a number of its international counterparts. The report states that the "clear benefits of membership, such as access to necessary legal databases, ICT services, administrative support, and CPD programmes mean that Law Library fees represent real value", and goes on to note that there are "undoubtedly economies of scale achieved by The Bar of Ireland operating these services on behalf of their entire membership".

Along with some of the positive statements about The Bar of Ireland, there are also some challenging issues that we as a profession must confront. For example, the report notes that "the unbalanced allocation of available work is a factor in the high attrition rate of junior members within the Law Library". Some 72%

believe that there are downward pressures on the fees they charge for their services. Barristers are reporting increasing levels of isolation and stress given the demands of the profession, exacerbated by the impact of Covid-19 on work practices. As I have referred to above, several working groups of the Council were established during this legal year to assess many of the recommendations that required further consideration, including, among others:

- **a Property Working Group** to assist the Council in the creation of a 10-year plan for the development and maintenance of the property assets owned and occupied by The Bar of Ireland for the future benefit of members;
- **a Professional Fees Working Group** to take a fresh look at this area, to examine the options for structural changes to fees such as more upfront billing for consultations, to examine the position in relation to the law preventing barristers suing for their fees, and to consult with the Legal Services Regulatory Authority (LSRA) and the Law Society to urgently address the late payment of fees issue in the legal profession, as good cash flow management and credit control is fundamental to the success of any business;
- **a Business Model Working Group** to consider the introduction of alternative structures that could sit alongside the current structure of individual self-employed barristers who are members of the independent referral Bar;
- **a Subscriptions Review Working Group** to ensure that membership subscription rates remain equitable across all member groups, from practice area to geographical location; and,
- **a Desk Working Group** to assess how to monitor desk utilisation to: ensure that allocated desks are actively and regularly used; review the manner in which seats are assigned with a view to ensuring an appropriate allocation of seating to meet demand from those without offices and ensure greater cross-year interaction; have regard to the impact of Covid-19 on patterns of working from home and on site among the membership that may inform our future

requirements; and, align the value of space more clearly with the prices currently charged to encourage more efficient allocation and use.

The work undertaken by each group was substantial, and required significant time and resources by members and the executive staff to deliver on their remit. Each of the working groups completed their reports and set out a series of recommendations that were considered by the Council.

I would urge all members to take the time to read the EY report in order to have an understanding of the future opportunities and challenges facing our profession.

Thanks

As I end my term as Chair, I wish to take this opportunity to thank my colleagues on the Council, committees and sub-committees, and the volunteers who participated in working groups, all of whom worked tirelessly on behalf of the profession to make decisions in the best interests of the Bar. Of course, the work of the Council is only possible because of the able support from our talented staff and executive team, who work hard to deliver on the policy decisions taken by the Council. My thanks, which I extend on my own behalf and on behalf of members, to all staff for their unstinting support over the past two years.

It is very hard to single out any one person, but I especially would like to thank Cormac and Colin, and in particular Ciara Murphy, each of whom has provided me with words of wisdom along the way. The Bar of Ireland is very fortunate to have such a great team in situ.

I wish my successor, Sara Phelan SC, and the newly elected Council, every success over the year ahead.

Thank you for the honour of representing our profession over the last two years. Acting as Chair has been challenging and rewarding, and has been one of the proudest times during my career at the Bar.

Thank you.



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

Thank you for giving me the honour of representing our profession over the last two years. Acting as Chair has been one of the proudest moments during my career at the Bar.



MEMBERSHIP

As at June 2022,
membership of the
Law Library was

2,118

There were

108

new entrants in
October 2021,

7

of whom were
from other jurisdictions.

In the year to date,

106

have ceased
membership, with

11

re-entering membership.

Member numbers
show a small increase,
up from

2,115

in
June 2021 to

2,118

in June 2022.

Strategic plan and policy reviews

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 eight meetings of the Council took place during the 2021/2022 legal year.

Membership overview

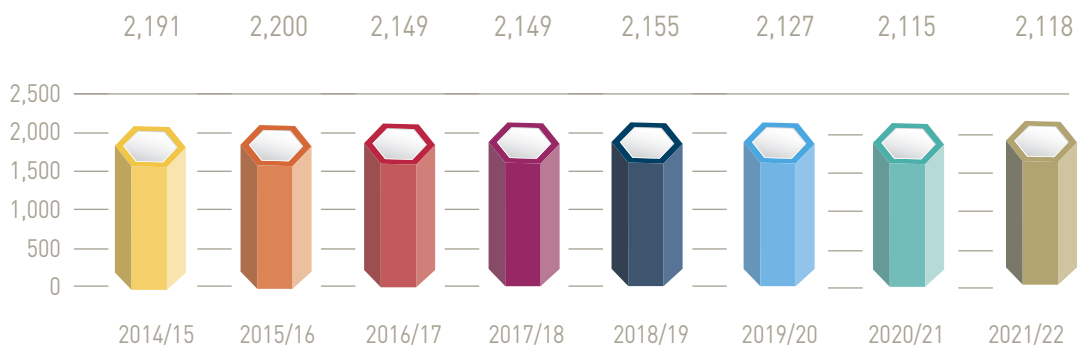
Membership of the Law Library remains strong, and all of the immediate indicators suggest that this will continue, in particular arising from the backlogs caused by the Covid-19 pandemic.

As at June 2022, membership of the Law Library was 2,118, slightly above the previous year when member numbers were 2,115. In the year to date, 106 have ceased membership, while 11 re-entered membership, which is above the average of 90 cessations per year. Of those leaving, the vast majority (40) indicated that they were

leaving membership for reasons related to work opportunities. A total of 19 members did not provide a reason for their cessation. A total of 10 were appointed to the judiciary, six retired, nine were excluded owing to subscriptions arrears, three were excluded for failure to provide evidence of professional indemnity insurance (PII), 13 members left for personal reasons, and six members sadly died during the period.

There were 108 new entrants to membership of the Law Library in October 2021, including seven new members from other jurisdictions.

TOTAL NUMBER OF MEMBERS
AT JUNE 2022



LAW LIBRARY MEMBERSHIP

AT JUNE 2022
2,118

764 FEMALE
(36%)



1,354 MALE
(64%)

LAW LIBRARY MEMBERSHIP

AT JUNE 2022
2,118

1,764 JUNIOR COUNSEL
(83%)



354 SENIOR COUNSEL
(17%)

SENIOR COUNSEL

AT JUNE 2022
354

293 MALE
(83%)



61 FEMALE
(17%)

JUNIOR COUNSEL

AT JUNE 2022
1,764

1,061 MALE
(60%)



703 FEMALE
(40%)

LAW LIBRARY MEMBERSHIP

AT JUNE 2022
2,118

OVER 12 YEARS
1,277
(60%)



YEARS 1 TO 7
550
(26%)

YEARS 8 TO 11
291
(14%)

YOUNG BAR YEARS 1 TO 7

AT JUNE 2022
550

331 MALE
(60%)



219 FEMALE
(40%)

My thanks also to all members of the Council and committees for their input, hard work and support over the year.

Implementation of new three-year strategic plan, October 2021–October 2024

Arising from a comprehensive examination of the profession and wider environment undertaken by EY, together with a survey of our members and staff, at the commencement of this legal year, the Council confirmed our strategic priorities from October 2021 to October 2024. Our new strategic plan is available at <https://www.lawlibrary.ie/about/governance/strategic-plan/>.

The Council is committed to maximising organisational resources in furtherance of those priorities, and ensuring that The Bar of Ireland can continue to achieve a high impact and realise each of the strategic priorities set out in this plan for the benefit of all members.

Our priorities for the next three years are centred on:

- representing and defending the independent referral Bar;
- preserving and supporting the excellence of the independent referral Bar;
- promoting and marketing members of the independent referral Bar;
- advocating for the rule of law and access to justice;
- seeking out opportunities to facilitate practice development;
- enhancing access to online library and information services;
- delivering best-in-class education and training for members; and,
- advancing the role of the Practice Support & Fee Recovery Service.

The activities undertaken in pursuit of these strategic priorities are detailed in this annual report.

Significant policy agenda

A significant workload of the Council is in responding to policy that impacts on access to justice and the rule of law. There are a range of policy matters now coming to the fore where the profession will have a significant interest in their development and implementation, many of these being driven by the Department of Justice Action Plans.

A review of the Civil Legal Aid Scheme, which commenced

in June 2022, will consider proposals for reform across a variety of areas, including financial eligibility. Family law reform includes the establishment of a new Family Courts System where the aim is to modernise the family justice system and expedite court proceedings for those experiencing delay, and will see the publication of a new family law bill later this year. The Courts Service also established a Courts Service Modernisation Programme Legal Practitioners Engagement Working Group this year, which includes representatives of the Council. High on the agenda of this Working Group is the family reform programme, the civil reform programme and ICT, and this Group will require a high level of continuous proactive engagement from the Council representatives.

Implementation of the report of the Review of Administration of Civil Justice is also underway and priorities have been set out in an implementation plan published in May 2022, including:

- **Civil procedure in the courts:** To reform a range of practices and procedures to improve and modernise the civil courts to ensure timelier hearings and reduce delay.
- **Discovery:** To reform the system of discovery to reduce the cost of litigation, improve procedures and reduce delay.
- **Judicial review:** To consider primary legislation for the non-statutory system of judicial review with the aim of enhancing the timeliness, efficiency, and cost-effectiveness of the process, and to amend elements of the Rules of Court.
- **Multi-party litigation:** To legislate for a comprehensive multi-party action procedure in Ireland.
- **Litigation costs:** To consider and advance measures to reduce the costs of litigation, including costs to the State.
- **Facilitating court users:** To achieve more effective outcomes for court users, with particular emphasis on vulnerable court users, including children and young persons, litigants who are ineligible for civil legal aid, and wards of court.
- **Technology and e-litigation:** To create a secure digital environment to facilitate e-litigation and to modernise the digital facilities of Irish civil courts.

Finally, the LSRA is also a driver of policy that impacts on the profession. Some of the areas where there has been significant engagement required from the Council are in reform of education and training of the profession, and access to the legal professions, where the LSRA has been asked to consider the economic and other barriers faced by young barristers following their qualification from the King's Inns, and to submit a report with recommendations for the consideration of the Minister for Justice.

Gratitude

I wish to express my thanks to my colleagues on staff for their continued hard work. A number of long-serving staff in the Library and Estates teams left the organisation to retire or to take up new opportunities this year. They will be greatly missed. Our Estates, Finance, Library, Communication and Member Services teams have all undergone a degree of reorganisation over the last year arising from those departures. The willingness of our staff to adapt to the evolving needs of members and the organisation is a reflection of their agility and commitment. The Chair of the Council, Maura McNally SC, completes her two-year term in September 2022. Much has been delivered and achieved during her tenure and this is a great tribute to her leadership skills. It has been a great pleasure to work alongside her over the course of the last two years and I wish her every success in all her future endeavours. My thanks also to all members of the Council and committees for their input, hard work and support over the year. New Council members often remark at the enormous volume of work that is undertaken on behalf of members of the Law Library, much of which goes unnoticed. The annual report is an important publication that provides insight into all of that work in a summary format – the challenge, as always, is to encourage members to read it!

I look forward to serving the members and the new Council in 2022/2023.

Ciara Murphy

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
Séamus Clarke SC
Conor Dignam SC
(resigned November 2021)
Mark J. Dunne SC
(co-opted in February 2022)
Vincent Heneghan SC
(co-opted in February 2022)
Seán Ó hUallacháin SC
Elizabeth O'Connell SC
Sara Phelan SC
Mema Byrne BL
Garrett Cooney BL
Paul G. Gunning BL
Dara Hayes BL
(resigned December 2021)
Lewis Mooney BL
Heather Nicholas BL

Library Committee

The Library Committee deals with all matters relating to admission to the Law Library, and membership thereof, including matters relating to the acquisition and maintenance of the materials, whether in book or electronic form, necessary within the Library for the profession.

Chair

Mema Byrne BL

Denise Brett SC
Séamus Clarke SC
Mark J. Dunne SC
Vincent Heneghan SC
(February 2022)
Darren Lehane SC
Seán Ó hUallacháin SC
Elizabeth O'Connell SC
Garrett Cooney BL
Rachel Duffy BL
Aoife Farrelly BL
Joseph O'Sullivan BL

Co-optees:

William Abrahamson SC
Cliona Kimber SC
Cliona Boland BL
Anita Finucane BL
Fergal Foley BL
Genevieve Hyland BL
George Maguire BL
Roddy Maguire BL
Eoin Martin BL
Brid O'Flaherty BL
Nikki O'Sullivan BL
Aisling Wall BL

Finance Committee

This Committee deals with all matters relating to the finances of the Council and its associate companies for the maintenance and development of the Law Library, Council properties, and IT infrastructure.

Chair

Seán Ó hUallacháin SC

Denise Brett SC
Séamus Clarke SC
Darren Lehane SC
Maura McNally SC
Sara Phelan SC
Mema Byrne BL
Rachel Duffy BL
Maura Flahive BL
Paul G. Gunning 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
Anne Bennett BL
Fiona Crawford BL
Shane English BL
Declan Harmon BL
Lyndsey Keogh BL
Elizabeth Maguire BL
Roddy Maguire BL
Eoin Martin BL
Helen Murray BL

Professional Practices Committee

This Committee monitors all matters concerning the proper professional practice of members of the Law Library and 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.

Chair

Sara Phelan SC

Denise Brett SC
Vincent Heneghan SC
Murray Johnson SC
Deirdre Browne BL
Mema Byrne BL
Rachel Duffy BL
Paul G. Gunning BL
Michael D. Hourigan BL
Aoife McNickle BL
Heather Nicholas BL
Joseph O'Sullivan BL

Co-optees:

Bernard Condon SC
Conor Devally SC
Paul McCarthy SC
Conor J. Maguire SC
Ronan M. Murphy SC
Cathleen Noctor SC
Barry O'Donnell SC
Ronnie A. M. Robins SC
Kate Ahern BL
Sara Antoniotti BL
Elizabeth Gormley BL
Brendan Savage BL

Education and Training Committee

The Education and Training Committee oversees training for new entrants (including master/devil relationships) and CPD for the membership at large, including ensuring that the profession's CPD requirements are met, and supports to barristers in practice are in place in light of the longer-term implications of regulation under the LSRA.

Chair

Denise Brett SC

Séamus Clarke SC
Mark J. Dunne SC
Murray Johnson SC
Brendan Kirwan SC
Darren Lehane SC
Sara Phelan SC
Deirdre Browne BL
Garrett Cooney BL
Aoife Farrelly BL
Lewis Mooney BL
Joseph O'Sullivan BL

Co-optees:

Úna Tighe SC
Niall F. Buckley BL
Nichola Delaney BL
Anita Finucane BL
Eoin Martin BL
Eoin Sreenan BL

Public Affairs Committee

The Public Affairs Committee assists in the promotion of members, establishes and maintains appropriate links with all regional and Specialist Bar Associations, the Voluntary Assistance Scheme (VAS), and Irish Rule of Law International (IRLI), and fosters relations and communications between the Council and outside bodies.

Chair

Paul G. Gunning BL

Séamus Clarke SC
Mark J. Dunne SC
Darren Lehane SC
Seán Ó hUallacháin SC
Garrett Cooney BL
Michael D. Hourigan BL
Aoife McNickle BL
Lewis Mooney BL

Co-optees:

Mark Harty SC
Cliona Kimber SC
Frank Crean BL
Amy Deane BL
James Egan BL
Elizabeth Gill BL
Amy Heffron BL

Young Bar Committee

The Young Bar 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.

Chair

Lewis Mooney BL

Ali Bracken Ziad BL
Cillian Bracken BL
Silvia Maria Crowley BL
Rachel Duffly BL
Marian Flanagan BL
Killian Flood BL
Marie Flynn BL
Daniel McNamara BL
Deirdre Moore BL
Catherine Needham BL
Jack Sreenan BL
Cian St. John O'Leary BL
Tanya Smith BL
Alison Walker BL
Richard Wixted BL

Council members:

Murray Johnson SC
Brendan Kirwan SC
Darren Lehane SC

Circuit Liaison Committee

The Circuit Liaison Committee provides a forum for practitioners to address matters that arise for members practising on Circuit, as well as maintaining close library and professional development connections.

Chair

Heather Nicholas BL

Séamus Clarke SC
Vincent Heneghan SC
Elizabeth O'Connell SC
Sara Phelan SC
Sharon Brooks BL
Garrett Cooney BL
James Egan BL
Paul G. Gunning BL
Elaine Hanniffy BL
Cian P. Kelly BL
Cathrina Keville BL
James McConnon BL
Adrian O'Higgins BL
Anne O'Meara BL
Aisling Wall 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 Keville BL

Mark J. Dunne SC
Darren Lehane SC
Seán Ó hUallacháin SC
Sara Phelan SC

Co-optees:

James Bridgeman SC
Peggy O'Rourke SC
Cathy Smith SC
Susan Ahern BL
Alan P. Brady BL
Niall Buckley BL
Arran Dowling Hussey BL
Geraldine Fitzpatrick BL
Barry Mansfield BL
Catherine Needham BL
Michael O'Connor BL
Hayley O'Donnell BL
Sara Jane O'Neill BL
Alison Walker BL

Civil State Bar Committee

This Committee engages with State agencies on whose behalf members are routinely briefed including the Attorney General/Chief State Solicitor's Office, the Legal Aid Board, and the State Claims Agency.

Chair

Mark Dunne SC

Darren Lehane SC
Garrett Cooney BL
Lewis Mooney BL

Co-optees:

David Conlan Smyth SC
Mícheál Ó Scanaill SC
Mary O'Toole SC
Ben Clarke BL
Cian Kelly BL
Patrick R. O'Brien BL
Deirdre O'Donohoe BL
Emma Ryan BL
Andrew Whelan BL

Criminal 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, the Office of the Director of Public Prosecutions, and others.

Chair

Vincent Heneghan SC

Séamus Clarke SC
Deirdre Browne BL

Co-optees:

Ray Boland SC
Michael Bowman SC
Maurice Coffey SC
Des Dockery SC
Dara Foynes SC
Kate Egan BL
Sinead Gleeson BL
Amy Heffron BL
Carl Hanahoe BL
Jane McGowan BL
Emer Ní Chúagáin BL
Aoife O'Leary BL

Equality and Resilience Committee

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

Chair Aoife McNickle BL

Séamus Clarke SC
Murray Johnson SC
Brendan Kirwan SC
Sara Phelan SC
Aoife Farrelly BL
Moirá Flahive BL
Lewis Mooney BL

Co-optees:
Miriam Reilly SC
Susan Ahern BL
Diarmuid Connolly BL
Mairead Deevy BL
Helen McCarthy BL
Helen Claire O'Hanlon BL
Caoimhe Ruigrok 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 on a national and international level (including those involving endangered lawyers) and participates in a number of bodies with a particular focus on human rights issues. It also co-ordinates The Bar of Ireland's annual Human Rights Award.

Chair Joseph O'Sullivan BL

Murray Johnson SC
Seán Ó hUallacháin SC
Lewis Mooney BL

Co-optees:
Thomas Creed SC
Michael Lynn SC
Sunniva McDonagh SC
Anthony Moore SC
Colm O'Dwyer SC
Alan D.P. Brady BL
Diane Duggan BL
Miranda Egan Langley BL
Marie Flynn BL
Andrew McKeown BL
Nora Ní Loinsigh BL
Gavin Rothwell BL
Emma Slattery BL
Colin Smith BL

Personal Injuries Committee

This 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

Darren Lehane SC
Maura McNally SC
Sara Phelan SC
Rachel Duffy BL
Moirá Flahive BL
Lewis Mooney 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
Miriam Reilly SC
Aidan Walsh SC
Tom Clarke BL
Tracy Ennis Faherty BL
Paul Gallagher BL
Grainne Larkin BL
Tim O'Connor BL

**REPRESENT
AND DEFEND**

the independent
referral Bar

**PRESERVE AND
SUPPORT**

the excellence of the
independent referral Bar

**PROMOTE AND
MARKET**

members of the
independent referral Bar

ADVOCATE

for the rule of law and
access to justice

SEEK

out opportunities to facilitate
practice development

ENHANCE

access to online library and
information services

DELIVER

best-in-class education and
training for members

ADVANCE

the role of the Practice
Support & Fee
Recovery Service

**A NEW STRATEGIC PLAN FOR A CHANGING LANDSCAPE:
OCTOBER 2021–OCTOBER 2024**

REPRESENT AND DEFEND THE INDEPENDENT REFERRAL BAR

A core role of the Council is to represent, secure and protect the interests of the independent referral Bar.

Participating in submissions and consultations

The Bar of Ireland Submissions 2021-2022

2021

June 2021	Submission to the Legal Services Regulatory Authority (LSRA) – Barriers for Early Career Barristers and Increasing Diversity – https://www.lawlibrary.ie/app/uploads/securepdfs/2021/06/Submission-to-the-LSRA-under-Section-34-of-the-2015-Act-June-2021.pdf
	Detailed submissions were made under the following headings: <ul style="list-style-type: none"> ■ remuneration of barristers during pupillage; ■ information for prospective pupils/devils on available masters; ■ ensuring the quality and standards of the master/pupil arrangements; ■ other costs associated with joining the profession; ■ maternity/adoptive leave at the Bar; ■ developing an equal, diverse, and inclusive culture at the Bar; and, ■ challenges for early career barristers in maintaining and building a career at the Bar.
July 2021	Submission of the Council of The Bar of Ireland on the Protected Disclosures (Amendment) Bill 2021 – https://www.lawlibrary.ie/app/uploads/securepdfs/2021/07/Submission-on-Protected-Disclosures-Bill-2021-28.7.21.pdf
July 2021	Submission to the Judicial Planning Working Group – https://www.lawlibrary.ie/app/uploads/securepdfs/2021/11/Submission-to-Judicial-Planning-Working-Group-30.7.21.pdf
September 2021	Submission to the Oireachtas Joint Committee on Justice – Courts & Courthouses – https://www.lawlibrary.ie/app/uploads/securepdfs/2021/09/Submission-to-Joint-Committee-on-Justice-on-Courts-Courthouses-August-2021.pdf
December 2021	Submission in response to the LSRA consultation on the Creation of a New Profession of Conveyancer in Ireland – https://www.lawlibrary.ie/app/uploads/securepdfs/2021/12/Submission-to-LSRA-re-Consultation-on-Creation-of-Conveyancer-Profession-Dec-2021.pdf
December 2021	The Council of the Bar of Ireland’s response to the UN Special Rapporteur on the Independence of Judges and Lawyers’ consultation for the preparation of its forthcoming report on protection of lawyers – https://www.lawlibrary.ie/app/uploads/securepdfs/2022/05/Response-to-UN-Questionnaire-final-2021.12.10.pdf

2022

January 2022	Submission by The Human Rights Committee of the Council of The Bar of Ireland to the Strategic Human Rights Committee of An Garda Síochána – https://www.lawlibrary.ie/app/uploads/securepdfs/2022/05/Submission-on-AGS-Human-Rights-140122.pdf
January 2022	Submission to the Committee on Children, Equality, Disability, Integration and Youth on the General Scheme of the Assisted Decision Making (Capacity) (Amendment) Bill 2021 – https://www.lawlibrary.ie/app/uploads/securepdfs/2022/06/Submission-on-the-General-Scheme-of-the-Assisted-Decision-Making-Capacity-Amendment-Bill-2021.pdf
February 2022	Submission to the LSRA on the Admission Policies of the Legal Professions as required by Section 33 of the 2015 Act –

<https://www.lawlibrary.ie/app/uploads/securepdfs/2022/02/Submission-to-the-LSRA-under-Section-33-of-the-2015-Act-11.2.22.pdf>

Under Section 33 of the 2015 Act, the LSRA is obliged to report to the Minister on admissions policies. The Council made a submission in respect of the barrister profession, regarding:

- specific data in respect of demographics, retention, etc.;
- demand for barrister services;
- costs of legal services in 2021 and whether these were available at a reasonable cost to consumers;
- the standard of education and training for persons admitted to practice;
- the extent to which the admissions policies of the legal professions are consistent with the public interest in ensuring the availability of legal services at a reasonable cost, taking into account the demand for services and the need to ensure adequate education and training standards for persons admitted to practice; and,
- the impact of Brexit and the Covid-19 pandemic on the above matters.

February 2022

Submission to Indecon Economic Consultants – Economic Evaluation of Options to Control Litigation Costs – <https://www.lawlibrary.ie/app/uploads/securepdfs/2022/02/FINAL-SUBMISSION-TO-INDECON-210222.pdf>

Representing the profession

Criminal professional fees

As part of its continued engagement with the State, the Criminal State Bar Committee continued to lobby the Minister for Public Expenditure and Reform to arrange for the immediate restoration of the link between fees paid to barristers and those applied under public sector pay agreements, and confirm the approach of the State in addressing the restoration of the cuts that were applied to the professional fees of criminal barristers. The Minister for Justice, Helen McEntee TD, has indicated her support for the restoration of the cuts that were applied; however, it is ultimately a decision of the Government and the Minister for Public Expenditure and Reform that is required.

Separately, following four years of lobbying, the Department of Justice agreed to introduce a scheme for the payment of disclosure to defence counsel in October 2021. A review of how the new scheme was operating took place in April 2022, which will likely result in a number of minor changes to the scheme.

Review of the Civil Legal Aid Scheme

Following a request to the Minister to include a representative of the profession on the Review Group on Civil Legal Aid, established in May 2022, Sara Phelan SC was nominated on behalf of the Council. The terms of reference of the review, to be chaired by former Chief Justice Frank Clarke, include:

- an assessment of how the Scheme operates today, and whether it should remain primarily a family law service;
- an examination of thresholds and eligibility criteria;
- the range and modes of legal representation; and,
- issues of resourcing and capacity for future demand.

Family law reform

A Family Law Oversight Group, established in September 2020 – at which

neither the Bar nor the Law Society is represented – is charged with agreeing a high-level vision and key medium- and longer-term objectives for the development of a national family justice system. A Phase 1 consultation process ended in winter 2021 and a report is awaited. While funding has been committed to the development of a new family law complex in Hammond Lane, we continue to input into each of the following areas that encompass the reform of family law:

- publication of the Family Law Justice Strategy;
- details of the new family courts bill;
- outcome of the first phase of consultation of the Family Justice Oversight Group; and,
- the Court Modernisation Programme.

The Bar of Ireland has made a number of submissions and has participated in a range of consultative groups to input into this new family law strategy.

Implementation of the Report of the Review of Administration of Civil Justice

In May 2022, the Minister for Justice, Helen McEntee TD, published an Implementation Plan setting out the approach and timescales to advance many of the recommendations arising from the Review of the Administration of Civil Justice – also known as the Kelly Report. The Implementation Plan identifies seven work streams aligned to the main themes from the Kelly Report, and sets out the timelines for implementation over the next three years.

The Council and its committees will be closely monitoring developments and engaging with the Department of Justice on the implementation of each of the work streams that arise.

One area on which the Kelly Review Group was not able to reach consensus was on how to reduce litigation costs and the Department of Justice

commissioned economic research in this area in January 2022. When completed, this research, together with appropriate legal advice on its findings and implications, will inform policy proposals that Minister McEntee intends to bring to Government next year.

The Bar of Ireland, in conjunction with the Law Society of Ireland, made a submission to the economic consultants appointed (Indecon) in February 2022, highlighting the lack of an evidential basis for claims that Ireland is a high legal cost jurisdiction. A review of reports into legal costs over the last 20 years has demonstrated there are considerable questions to be raised on the evidential basis of the assertion that Ireland is a high legal cost jurisdiction. On the contrary, there is evidence that legal costs have reduced over the last 10 years. Our submission also highlighted four areas that would assist in positively impacting on litigation costs:

- increased investment in the justice system, in particular the number of judges and support staff, better case management and adoption of technology;
- investment in effective civil legal aid to ensure access to justice for all regardless of means;
- the introduction of non-binding guidelines in respect of legal costs; and,
- a reduction in State-imposed revenue on a Bill of Costs.

The full submission is available at

<https://www.lawlibrary.ie/app/uploads/securepdfs/2022/02/FINAL-SUBMISSION-TO-INDECON-210222.pdf>.

Engagement with the Courts Service

Throughout 2021/2022, engagement took place with both the Courts Service and the Minister for Justice in relation to delays in progressing court lists arising from the impact of Covid-19. Those engagements assisted in ensuring that the delay in the County Registrar's list in Dublin, caused by the backlog arising during Covid-19 restrictions, was resolved by the President of the Circuit Court bringing forward the 2023 dates to the Trinity Term (June and July 2022).

The Council was invited by the President of the High Court to submit our observations on how the High Court could best manage its workload, and the extent to which remote hearings should be retained in the interests of justice in a post-Covid environment.

The Council broadly welcomed the decisions taken by the

President of the High Court on the management of the High Court; however, it is evident to all that there is a need for additional judges to be appointed.

Submissions were made by the Council to the Judicial Planning Review Group on the number and type of judges required to ensure the efficient administration of justice over the next five years. A report of this working group is expected in the coming months. Representatives of the Council are also actively participating in the new Courts Service Modernisation Programme Legal Practitioners Engagement Working Group to identify opportunities to improve efficiencies in the operation of the courts. High on the agenda of this Working Group is the family reform programme, the civil reform programme and ICT.

Justice Plan 2022



In March 2022, the Minister for Justice published Justice Plan 2022, the second in a series of annual plans introduced by the Minister and building on the work set out in the 2021 plan. Justice Plan 2022 can be viewed at https://justice.ie/en/JELR/DOJ_Justice_Plan_2022.pdf/Files/DOJ_Justice_Plan_2022.pdf.

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 at

https://www.lawlibrary.ie/app/uploads/securepdfs/2022/06/Policy-Newsletter-June-2022_Final.pdf.

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PRESERVE AND SUPPORT THE EXCELLENCE OF THE INDEPENDENT REFERRAL BAR

Attracting the best candidates to enter the profession and ensuring that they adhere to the highest standards of ethical and professional conduct.

Look into Law Transition Year Programme – 2022



Maure McNally SC, Chair of the Council of The Bar of Ireland, live in St Paul's Secondary School, Dublin 12, during the Big Legal TY Q&A panel discussion.

University Outreach Working Group

The University Outreach Working Group, established in January 2022 under the auspices of both the Public Affairs Committee and the Young Bar Committee, has commenced an engagement with all of the law schools, as well as The Honorable Society of King’s Inns, the Office of the Supreme Court and others, with a view to continuing our ambition to attract talent and diversity to the profession.



Pupillage

The Education and Training Committee oversees the pupillage process. Core to this function is the development of guidance and standards for masters and pupils regarding their roles, and the ongoing maintenance of the Register of Masters, which is made publicly available to prospective entrants. Updated Pupil Guidelines were introduced in October 2021 to complement the Master Guidelines introduced in July 2021. Revisions were made to the process for continuation on the Register of Masters to assist prospective entrants in identifying an available master. The application deadline for addition to the Register was also extended. A total of 146 of those named on the 2021/2022 Register opted to continue on the Register for 2022/2023. At the time of publication, 18 new masters have so far been added to the Register for 2022/2023.

A subcommittee was also established with representatives from the Library Committee, Education and Training Committee, Young Bar Committee and Equality and Resilience Committee to consider any changes to the criteria that might be necessary to enhance access to pupillage.

New Practitioner Programme

With the continuation of Covid-related restrictions on public gatherings, the 2021/2022 New Practitioner Programme was again delivered largely online.

Mindful of the limited opportunities for networking while public health restrictions were in effect, the 2021/2022 programme also included in-person ethics workshops, where pupils discussed a range of ethical scenarios through the use of both civil and criminal ethical case studies. This workshop contained insights into:

- the unique ethical competencies of the independent referral Bar;
- barristers’ obligations under the Code of Conduct and various legislative provisions; and,
- the supports provided by the Professional Practices Committee to the profession.

The pupil’s e-zine serves to update and inform new practitioners about the Programme, and other relevant activities and opportunities.

Equality at the Bar

Equality Action Plan

The Bar of Ireland continues to invest in and examine how we can, as leaders within the legal profession, give credence and a practical understanding to issues of diversity, inclusion, and equality. Our first Equality Action Plan, launched in June 2022, holds the organisation accountable across five primary objectives:

- to enhance public awareness of a positive equality, diversity, and inclusion culture at the Bar;
- to introduce and embed diversity awareness training at the Bar;
- to enhance access to the profession;
- to support fair and equitable practice development and career progression opportunities; and,
- to enhance the accessibility of member services at the Bar.

LOOK INTO LAW TRANSITION YEAR PROGRAMME – IN NUMBERS

Registered schools

360

DEIS schools

62

Schools registered for
the Big Legal Q&A

90

Barristers who contributed
to the TY Programme

75

Hours of recordings
offered to students

11



Pictured at the launch of The Bar of Ireland Equality Action Plan in June 2022 were (from left): Aoife McNickle BL; James Browne TD, Minister of State at the Department of Justice with responsibility for Law Reform; and, Maura McNally SC, Chair of the Council of The Bar of Ireland.

Equitable Briefing Policy adopted by Council

Following a lengthy consultation process with Ireland's leading law firms and the largest briefing authorities in the State, a new Equitable Briefing Policy was adopted by Council in June 2022, with its formal launch proposed to take place in the new legal year.

Race inclusion at the Bar



Clockwise from top left: Aoife McNickle BL, Chair of the Equality and Resilience Committee; Leon Diop, CEO and Co-Founder, Black and Irish; Sandra Healy, CEO and Founder, Inclusio; and, Simon Regis, Bar Council of England & Wales discussed the importance of building a more inclusive culture around race, ethnicity, and cultural background at the Bar.

Consult a Colleague

The Consult a Colleague confidential helpline, launched in October 2017, continues to provide support to all members of the Law Library with any problem, whether personal or professional. Five volunteers attended an updated training session, which was delivered in March 2022 in conjunction with the Dublin Solicitors Bar Association (DSBA). Improvements suggested included increased promotion and volunteer recruitment.

Bar joins disAbility Legal Network

In addition to our continued engagement with the OUTLaw Network, the 30%



Club and The Bar of Ireland Lean In Circle, we became part of the disAbility Legal Network in December 2021.

Parental supports at the Bar

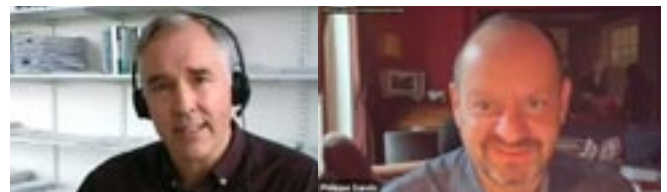
In June 2022, the Equality and Resilience Committee launched its new parental support initiative, an informational lunch to take place every term for any interested members with queries around parental supports at the Bar, including return to practice. The purpose of the programme is to provide colleagues who are any stage of parenthood (or impending parenthood) with regular support, and an opportunity to pose questions and discuss areas of concern with colleagues and the Member Relations team.

Professional practice support for members

Professional Practice Advisory Service

A total of 17 meetings of the Professional Practices Committee (PPC) took place during the legal year. The Professional Practice Advisory Service, overseen by the PPC, responded to 251 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 26 urgent rulings between meetings.

Provision of ethics CPD



Ethics and the Independent Referral Bar webinar, with Dr Chris Cowley (left), and Prof. Philippe Sands QC.

This year, The Bar of Ireland provided six ethics webinars for members to watch live or on playback on My CPD:

- The Ethics of Instructing an Expert Witness, with Mark Tottenham BL;
- LSRA Update and Anti Money Laundering, with Brian J. Doherty, CEO, LSRA;
- Understanding Race Inclusion in the Legal Profession, with Simon Regis, Sandra Healy, and Leon Diop;
- Ethics – Counsels' Disclosure Obligations, with Dr Thomas O'Malley SC and William Abrahamson SC;
- Ethics and the Independent Referral Bar, with Prof. Philippe Sands QC, Dr Chris Cowley, and Sara Phelan SC; and,

- Dignity at Work and Disciplinary Regulations, with Sara Phelan SC and Aoife Farrelly BL.

Law & Women Mentoring Committee



This year, the Law & Women Mentoring Committee matched 21 female barristers with 21 mentors. Each mentor and mentee pairing meet regularly throughout the year with a clear set of objectives. The committee regularly checks in with them and provides other events during the

year to enhance the experience.

The year began with online training sessions for both mentors and mentees. Other events included:

- a webinar in March with Prof. Ian Robertson entitled Confidence and the Female Barrister; and,
- in June, Karen Egan, actor and former barrister, ran an in-person workshop that further developed this theme of confidence.

Call to the Inner Bar

On October 6, 2021, 23 members of the Law Library were called to the Inner Bar at the Supreme Court. As well as being a significant achievement in a barrister's career, the proceedings were also one of the then Chief Justice, Mr Justice Frank Clarke's, final official ceremonies before retiring from the bench, and the first in-person event of The Bar of Ireland since 2019.

This year, the Law & Women Mentoring Committee matched 21 female barristers with 21 mentors.



PROMOTE AND MARKET MEMBERS OF THE INDEPENDENT REFERRAL BAR

Communicating and marketing the expertise of our members, domestically and internationally, to support the future growth of the profession.

Marketing: building capacity and a proactive strategy



Arising from the recommendations contained in the EY report, which undertook a review of the likely future landscape for the provision of legal services by barristers, a new 'Marketing the Profession' proposal was considered and approved by the Council in February 2022, to provide the basis for a more robust and proactive strategy to support the profession and take advantage of emerging trends, as well as market forces.

Additional resources were agreed to enhance the marketing focus and competence among the executive at The Bar of Ireland, and support the expansion of Specialist Bar Associations to 16, including expansion of their role in the marketing arena.

Strengthening the promotion and marketing of our members not only asserts the profession in an increasingly complex business environment, but also positions members to take advantage of opportunities and developments that arise. A Marketing & Business Development Manager has been appointed to drive this priority across the profession, developing supports and targeted initiatives that support our members' practice.

Ireland for Law – Dublin International Disputes Week



Caren Geoghegan BL.



Declan Murphy BL.

Under the auspices of Ireland for Law, an initiative of The Bar of Ireland, the Law Society of Ireland and the Department of Justice, and supported by IDA Ireland, the inaugural Dublin International Disputes Week 2022 (DIDW2022) took place in June. DIDW is a new forum for international practitioners and general counsel, providing access to thought leaders and prominent international practitioners specialising in litigating complex, cross-border disputes.

Over the course of the four days, DIDW2022 accommodated a number of panels, including:

- Uncommon Law: Resolving Cross Border Disputes;
- Cross Border Restructurings through Ireland;
- Collective Redress, Product Liability & Transnational Tort;



Ronan Lupton SC. Patrick Leonard SC. Paul McGarry SC.

- Europe: What's in store for International Commercial Arbitration;
- International Judicial Panel;
- Building a Multi-Jurisdictional Asset Recovery Team;
- Cross Border Challenges in IP Regulation; and,
- Tech & Data Disputes: A Cross Border View.

Celebrating a centenary

Over the course of 2021-2022, we celebrated the centenary of the first call to the Bar of female barristers Frances Kyle BL and Averil Deverell BL. A number of events took place to mark the occasion, including an audience with President Michael D. Higgins and his wife Sabina at Áras an Uachtarán. All initiatives and celebrations that took place can be viewed at <https://www.lawlibrary.ie/centenary/>.



Clockwise from top left: As part of the celebrations to mark the centenary of the first women called to the Bar in Ireland, President Michael D. Higgins hosted an audience in Áras an Uachtarán; The grave of Averil Deverell was restored during the year, and visited by Maura McNally SC, Chair, Council of The Bar of Ireland; and, a number of events were held to mark the centenary.

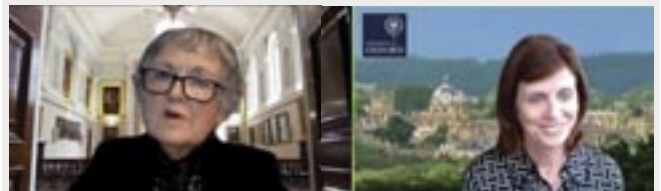
Inaugural In Plain Sight commission – a portrait of the profession

In Plain Sight seeks to celebrate the achievements and enhance the visibility of women in the field of law who have demonstrated significant leadership, influence and contribution to legal practice and education.

Artist Emma Stroude has been announced as the 2022 In Plain Sight recipient, and is now embarking on portraits of Frances Kyle BL and Averil Deverell BL. You can contribute to the In Plain Sight initiative for this year's commission and future commissions at <https://www.lawlibrary.ie/inplainsight/>.



International Women's Day



In celebration of International Women's Day 2022, The Bar of Ireland was delighted to host a fireside chat with Emer Woodfull BL (left) and Prof. Louise Richardson, Vice-Chancellor of the University of Oxford.

Events

This year, The Bar of Ireland facilitated a total of 66 events, in addition to our programme of CPD events. Of these events, 55 were hosted by the Specialist Bar Associations, including breakfast briefings, tech talks, conferences and open-to-all seminars. This amounted to:



SOCIAL MEDIA STATISTICS



THE BAR OF IRELAND



FOLLOWERS GAINED: 1,071



15% INCREASE
AVERAGE OF 88 FOLLOWERS
GAINED A MONTH



LIBRARY



1,971 FOLLOWERS



THE BAR OF IRELAND



FOLLOWERS: 8,887
INCREASE OF 1,773

AVERAGE MONTHLY FOLLOWERS GAINED: 141
INCREASE YEAR ON YEAR: 25%



TOTAL VIEWS: 11,100
(UP 32% ON PREVIOUS 12 MONTHS)



1,400 HOURS OF VIDEO WATCHED



12 VIDEOS UPLOADED IN LAST YEAR

NEWSLETTERS

IN BRIEF



40 EDITIONS SENT BETWEEN
AUGUST 2021 AND JULY 2022
AVERAGE OPEN RATE: 61%

DEVIL'S E-ZINE



5 EDITIONS SENT BETWEEN
AUGUST 2021 AND JULY 2022
AVERAGE OPEN RATE: 73%

PODCASTS



593 LISTENS: WOMEN AT THE BAR:
EXPERIENCES AND LESSONS FROM
RECENT DECADES



494 LISTENS: MENTAL HEALTH,
GRIEF AND A PRACTICAL RESPONSE



451 LISTENS: CELEBRATING A
CENTENARY: POET JANE CLARKE



15 PODCAST EPISODES RELEASED
IN 2021/2022 LEGAL YEAR
9,792 PLAYS

CHAIR'S COMMUNICATION



9 EMAILS SENT BETWEEN AUGUST
2021 AND JULY 2022
AVERAGE OPEN RATE: 62%

The Bar Review

The Bar Review was published five times in this past year. It contained articles from members of the Law Library on key developments and topical issues of practical and legal importance. *The Bar Review* is a publication for members, and is also circulated to several stakeholder groups including Government, academics, legal groups, professional bodies, NGOs, libraries, and media as a mechanism of showcasing the Bar. After over 20 years as Editor, Eilis Brennan SC stepped down in 2022. Helen Murray BL was appointed as the new Editor.



Helen Murray BL



Eilis Brennan SC

Viewpoints: thought leadership and analysis from members



Viewpoints – on our website and social channels – serves to showcase subject matter experts and thought leaders on debates that impact on law, policy, and society. The intention is to improve the visibility of the profession and not only to promote the contribution and expertise of barristers, but also to contribute to the public’s and media’s understanding of the issues.

Viewpoints published this year include:

- [The Bar of Ireland – ICCL Procedural Rights Fellowship 2021](#), Gemma McLoughlin Burke BL;
- [Drafting a new Environmental Code –What it would look like and what would it do?](#), Louise Beirne BL;
- [Game, Set, Match: How would the Djokovic saga play out here?](#), Tim O’Connor BL;
- [Remote Working Bill: Eight Issues for Debate](#), Brendan Kirwan SC and Katherine McVeigh BL;
- [The Competition \(Amendment\) Bill 2022: Proposing a new sanctions-procedure for breaches of Competition Law](#), Barry Doherty BL;
- [Caging the bear: Bringing Russia’s war criminals to justice at the International Criminal Court](#), Anthony Moore SC and Gavin Rothwell BL;
- [Ukraine’s application to join the EU – Realistic? Legal Steps towards Membership](#), David Conlan Smyth SC, Anna Bazarchina BL, William Morrin BL and Patrick Fitzgerald BL;
- [A Primer on The Temporary Protection Directive – Alternative protection for those fleeing Ukraine](#), Cillian Bracken BL;
- [Privacy for suspects never charged with offences – UK developments & the Irish law examined](#), David Leonard BL;
- [Sporting Bodies & Boycotts: The law reviewed](#), Tim O’Connor BL;
- [Entry & remaining: Routes to protection for arriving refugees](#), Lisa McKeogh BL;
- [Acting Up & Employee Status: The Supreme Court judgment in Power v HSE](#), Cathy Smith SC;
- [The Sick Leave Bill – key provisions for employers & employees](#), Katherine McVeigh BL and Anne Conlon BL;
- [A practical path to addressing race inclusion at the Bar](#), Aoife McNickle BL;
- [Compensation for Data Breach Claims – Where are we now?](#), R. Caroline McGrath BL and Mark Finan BL; and,
- [The Future of the Gig Economy: Karshan v. Revenue Commissioners](#), Kevin Bell BL.

Viewpoints are available at <https://www.lawlibrary.ie/viewpoints/>.

OVERVIEW OF MEDIA COVERAGE

AUGUST 2021 TO JUNE 2022

91

MEDIA
ITEMS



49

ONLINE ITEMS

TOTAL REACH
5,704,144



7

BROADCAST ITEMS

TOTAL REACH
389,675



15

REGIONAL PRINT
ITEMS

TOTAL REACH
142,941



20

NATIONAL PRINT ITEMS

TOTAL REACH
1,030,054



ADVOCATE FOR THE RULE OF LAW AND ACCESS TO JUSTICE

The Bar of Ireland has an important role in advocating for the rule of law and access to justice.

Fellowships

ICCL Fellowship



Seán Beatty BL, the Irish Council for Civil Liberties (ICCL)/The Bar of Ireland Procedural Rights Fellow for 2022, is based in Dublin and lectures on the LLM programme at Griffith College. Prior to starting at the Bar, Seán worked as a judicial assistant in the Supreme Court for three years and volunteered with the ICCL. He has previously worked at several Irish law firms, the US Federal Courts, a Chinese law firm, and has volunteered with Doras and Citizens Information. He holds an LLB from the University of Limerick and an LLM in Human Rights Law from the University of Nottingham.

Catherine McGuinness Fellowship



James Rooney BL, the current 2021/2022 Catherine McGuinness Fellow, works in the areas of immigration, asylum, employment, family, and general civil law. James has represented applicants in appeals before the International Protection Appeals Tribunal, in judicial reviews at the High Court, and clients in family law matters at both the District and Circuit Courts. James is also on the Public Interest Law Alliance Pro Bono Referral Scheme.

Denham Fellowship



There are currently 10 Denham Fellows, and this year marks the first Denham Fellow to 'graduate' from the programme. It is hoped that all Fellows who complete the five-year fellowship will continue to maintain links with the fellowship and its fellows. New developments this year include the recruitment of a member-based co-ordinator to assist Fellows with the master and mentor relationship, as well as acting as another point of contact for the Fellows as they build a career at the bar.

International support

Afghan Appeal



Since September 2021, The Bar of Ireland, together with the Association of Judges of Ireland, Irish Rule of Law and the Law Society of Ireland have been supporting 10 Afghan judges and their families through a community support model. Offers of accommodation were received from across the sector, and almost all of the judges and their families have been successfully placed.

Ukraine

Arising from the invasion of Ukraine, The Bar of Ireland, in conjunction with the Immigration, Asylum & Citizenship Bar Association (IACBA) and the EU Bar Association (EUBA), organised helpful webinars, which were open to the public:

- the EUBA hosted a public seminar on the legal ramifications of the invasion, and the rule of law in the European Union, on March 15; and,
- the IACBA held an informative webinar on the Temporary Protection Directive, international protection and related immigration issues arising from the current conflict in Ukraine on March 24.

In addition, a facility for NGOs to obtain pro bono legal assistance in respect of those displaced was commenced by the IACBA, providing a valuable resource at a time of urgent need. There were also a number of initiatives in the wake of the invasion of Ukraine by the Human Rights Committee.

Four Bars Statement

The Four Bars – The Bar of Ireland, the Bar Council of England & Wales, the Bar of Northern Ireland, and the Faculty of Advocates in Scotland – issued a statement condemning the invasion.

CCBE contact list

The Council of Bars and Law Societies of Europe (CCBE) facilitated a European-wide initiative to provide contacts for those seeking legal advice pro bono. The

IACBA worked to produce the list on behalf of The Bar of Ireland, referring people to certain solicitors. The list is available on the CCBE Human Rights portal.

Human Rights Award 2021



From left: Joseph O'Sullivan BL, Chair of The Bar of Ireland's Human Rights Committee; Lucky Khambule and Bulelani Mfaco of MASI – the Movement of Asylum Seekers in Ireland; and, Maura McNally SC, Chair of The Bar of Ireland. MASI – the Movement of Asylum Seekers in Ireland – was conferred with the Human Rights Award in recognition of its work with those in direct provision, and in the community, advocating for better legal and social protection, as well as access to State services, including education. A factor in the decision was that the timing was considered to be particularly apposite given the Government's commitment to end direct provision (articulated in the White Paper on ending Direct Provision), as well as the Supreme Court decision on the right to work in *NHV v Minister for Justice and Equality* [2017] IESC 35.

Watch back at: <https://www.youtube.com/watch?v=nhjF1a9MU68&t=1629s>

CCBE Human Rights Award



The CCBE Human Rights Award 2021 was granted to Belarusian lawyers Lilya Vlasova, Maksim Znak, Dmitry Laevski and Leanid Sudalenko for their courage, determination, and commitment to defending citizens' fundamental rights and the rule of law in Belarus. With this award, The Bar of Ireland, through its CCBE membership, extends its support to all Belarusian lawyers who fight for the respect of the rule of law and the core values of the legal profession, while risking their freedom and opportunity to practise.

Group of Experts on Action against Trafficking in Human Beings

On December 6, 2021, representatives of the Council and the Law Society welcomed the Council of Europe's Group of Experts on Action against Trafficking in Human Beings (GRETA). The thematic focus of the third-round evaluation is 'Access to justice and effective remedies for victims of trafficking in human beings'.

Day of the Endangered Lawyer

Supporting the Day of the Endangered Lawyer on January 24, 2022, The Bar of Ireland expressed solidarity with colleagues throughout the world who face persecution for carrying out their work. This year, the Day of the Endangered Lawyer was dedicated to our colleagues in Colombia, who are risking their lives by simply carrying out their professional duties.

The Bar of Ireland Voluntary Assistance Scheme



The Bar of Ireland's Voluntary Assistance Scheme (VAS) continued to provide pro bono legal assistance to charities and NGOs, and the clients those organisations have referred to the VAS.

Through these activities the VAS and the barristers who have provided assistance through the Scheme have sought to assist vulnerable sections and members of society who often encounter difficulties in accessing the legal system. The VAS participated in a number of activities during Pro Bono Week in November 2021. The VAS is due to host a conference in September 2022, the focus of which will be the relationship between law and social change, and which will be opened by the Chief Justice of Ireland, Mr Justice Donal O'Donnell.

Visit of CCBE Plenary to Dublin

The CCBE Plenary Session took place in Dublin on May 16, 2022, with a welcoming message from Taoiseach Micheál Martin TD, and keynote speakers James Browne TD, Irish Minister of State at the Department of Justice, and Laura Codruța Kövesi, European Chief Prosecutor, who presented the essential work of the [European Public Prosecutor's Office \(EPPO\)](#) in investigating fraud against the EU budget.



Following a presentation by the Azerbaijani Bar Association (ABA) containing detailed explanations of improvements in the Azerbaijani legal system, and with clear commitments for the future, the application of the ABA for observer membership of the CCBE has been accepted. Pictured with the Azerbaijani delegates were David Conlan Smyth SC and Cormac Little (Law Society), of the Irish delegation.

Justice Week 2022

The main event of Justice Week 2022 was the intervarsity debate, at which students from eight of Ireland's main university law schools debated the motion 'This House believes that international human rights law and international humanitarian law provide adequate protections in respect of the use of autonomous weapons and systems in warfare'. The winners on the day were the team for the opposition: Adam Connolly, NUI Galway; Emer Nolan, University College Dublin; Emma May, Dublin City University; and, Katherine Ahern, University of Limerick.

Three podcast episodes were also released on:

1. Big Data, Privacy and You – <https://soundcloud.com/user-878781524/bigdata>.
2. New Frontiers: Sea and Space – <https://soundcloud.com/user-878781524/seaandspace>.
3. Criminal Justice and AI – <https://soundcloud.com/user-878781524/criminal-justice-and-ai-justiceweek2022>.



Pictured at the Justice Week 2022 intervarsity debate were: Back row (from left): Melissa Ferris, University College Cork; Anne Spillane, Trinity College Dublin; Muhammad Awan, Technological University Dublin; and, Hira Khan, Maynooth University. Front row (from left): Adam Connolly, NUI Galway; Katherine Ahern, University of Limerick; Emma May, Dublin City University; and, Emer Nolan, University College Dublin. Standing (from left): Dr Tom Clonan; Ms Justice Nuala Butler; Maura McNally SC, Chair of the Council of The Bar of Ireland; and, Mark de Blacam SC.

Human rights letters of support

Country	Lawyers concerned	Date letter sent	Types of violation and summary of case
Algeria	Abderraouf Arslane	July 4, 2022	Continued arrest and detention
China	Song Yusheng	May 20, 2022	Disbarment/disciplinary hearing
	Wang Yu	May 20, 2022	Assault
	Xie Yang	May 20, 2022	Detention
	Chow Hang-tung	July 4, 2022	Detention
Egypt	Osama Bayomi	May 20, 2022	Arrest, detention, harassment
Israel	Salah Hammouri	July 4, 2022	Detention
Mexico	Verónica Guerrero	May 20, 2022	Murder
Nigeria	Fred Aburu	May 20, 2022	Abduction/kidnap
	Israel Unurierume Eda Gbejule	May 20, 2022	Abduction/kidnap
Pakistan	Zamir Gul	May 20, 2022	Murder
Qatar	Rashed bin Ali Abu Shurayda al-Marri	July 4, 2022	Detention
Turkey	Öztürk Türkdoğan	May 20, 2022	Harassment

SEEK OUT OPPORTUNITIES TO FACILITATE PRACTICE DEVELOPMENT

Identifying and expanding professional opportunities for our members in support of the future sustainability of the profession.

Specialist Bar Associations

In 2015, the Council agreed to support the activities of what were then five Specialist Bar Associations (SBAs) by providing access to staff resources employed by the Council. Since 2015, the demand for an expansion of the number of SBAs saw the Council giving formal approval to support for 16 SBAs in February 2022.

This member demand arises from ongoing development of niche areas of practice and the high quality of support provided by the staff resource in furtherance of their activities. The Council re-affirmed its commitment to supporting the SBAs, and has agreed to provide additional staff resources for the year ahead.

Climate Bar Association

Chairperson

Cliona Kimber SC



Comhshaoil, the Climate Bar Association, undertakes environmental initiatives within the Law Library and surrounding neighbourhoods, as well as being a think tank for environmental law expertise and enabling members to share their expertise to support NGOs and other litigants engaged in environmental advocacy.

This year it held its inaugural event, the Climate Bar Symposium: Towards a Model Environmental Law. Divided into three sessions, topics included: Duties and Principles of Environmental Law; Drafting a New Environmental Code: What it would look like and what would it do?; Ear to the Ground: What do the Stakeholders say?; Standing Issues in Environmental Litigation – Class Actions and Representative Actions; and, Current Sanctions and New Remedies.

www.climatebar.ie

Construction Bar Association (CBA)

Chairperson

Jonathan FitzGerald BL



The CBA is a professional network and forum for those who practise or have an interest in construction law and the resolution of disputes in the sector. This year, the CBA held its eighth major open conference, which took place in person in the Distillery Building. Split into three panels, topics included adjudication, insurance, multi-unit developments, and suspension and termination. The CBA also continued its popular tech talks, with six online talks taking place on topics such as adjudication and insolvency, updates from the TCC, procurement, and State funding.

The CBA periodical, with a regular summation of judgments and dispute resolution decisions drawn from Ireland and other common law and model law jurisdictions, continues to be developed. The inaugural CBA Sanfey Essay Competition was also launched.

www.cba-ireland.com

Cumann Barra na Gaeilge

Chairperson

Cormac Ó Dúlacháin SC



Bunaíodh Cumann Barra na Gaeilge chun fóram a chur ar fáil do dhlí-chleachtóirí, idir abhcóidí agus aturnaetha, a chleachtaíonn an dlí trí mheán na Gaeilge nó ar suim leo saineolas sa dlí-chleachtadh trí Ghaeilge nó saineolas maidir le cúrsaí dlí agus Gaeilge a fhorbairt. Reáchtáil Cumann Barra na Gaeilge a gcead chomhdháil ar líne. Bhí cainteoirí láirithe san aireamh: An Breitheamh Nuala Butler; Diarmaid Mac Mathúna, Gaelgram; Barry Lysaght BL; Julie O'Farrell, Cúirt Bhreithiúnais an Aontas Eorpaigh; Colm Mac Aodhain – Baile Átha Cliath; Máire Ní Shúilleabháin, Corcaigh; Seán Ó Cearrbhaill, Gaillimh; agus, An Breitheamh Cian Ferriter ag comhrá i mBéarla le Aled Roberts, Comisiynydd y Gymraeg – Welsh Language Commissioner. An téama: Foghlaim agus Feabhas: Foclóireacht, Téarmaíocht, Ceartúchán, Aistriúchán, Teicneolaíocht, Cailíochtaí, Foinsí; Taithí agus Dearcadh an Aturnae; agus, The Welsh Experience.

Bhí léacht acu freisin ar 'Suaitheadh Néarógach – Nuashonrú i ndiaidh Sheehan' i Seomra Gaffney, agus oíche trad ina dhiaidh sin.

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.

The 2021 EBA Annual Employment Law Conference was opened by Alex White SC on December 10. Although it remained online, over 240 people were in attendance, with several interesting and thought-provoking presentations delivered by members Eileen Barrington SC, Mark Connaughton SC, Cliona Kimber SC, Emma Davey BL, Cathy Maguire BL, Tom Mallon BL, and Jane Murphy BL.

The Mid-Term Conference was held on May 26 with a focus on cases before the Workplace Relations Commission (WRC), and 'Labour Court – A Decision Maker's Perspective'. Several breakfast briefings also took place throughout the year, and as the Covid-19 restrictions lifted, some even included an in-person element.

This year, the Association launched the EBA Annual Bursary, which is open to members of the Association in their first year of practice at the Bar.

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. The EUBA, Ireland for Law, and The Bar of Ireland hosted a seminar at the Embassy of Ireland in London in March 2022, entitled 'The importance of the common law in the post-Brexit world'. Mrs Justice Maura McGowan DBE had a very lively discussion with Mr Justice Gerard Hogan, Judge of the Supreme Court.

In light of developments in Poland and Ukraine, the EUBA also held a very topical webinar on 'EU Rule of Law and the CJEU', and 'The Invasion of Ukraine: War Crimes and the ICC'. Dean Mikołaj Pietrzak discussed the recent CJEU judgment, and its impact on Poland and the rule of law. Asst Prof. David Fennelly BL spoke on 'War Crimes: International Courts and the Invasion of Ukraine', while Anna Bazarchina BL, originally from Ukraine, gave a personal insight into the harrowing situation.

Family Lawyers Association (FLA)

Chairperson:

Alan Finnerty, Solicitor



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 this area.

Immigration, Asylum & Citizenship Bar Association (IACBA)

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.

This year, the IACBA held a stimulating series of well-attended CPD events with a variety of speakers from the judiciary, Law Library, and the International Protection Appeals Tribunal (IPAT). A noteworthy webinar entitled 'The Temporary Protection Directive, International Protection, and related immigration issues arising from the current conflict in Ukraine' also took place.

The highlight of the year was the IACBA Annual Conference, which was held on November 26, with interesting talks and presentations from: Mr Justice Donal O'Donnell, Chief Justice; Ms Justice Siofra O'Leary, European Court of Human Rights; Mr Justice Bay Larsen, CJEU; Prof. Niamh Nic Shuibhne; Michael McDowell SC; Michael Conlon SC; Emily Farrell SC; and, Anthony Lowry BL.

The Association was delighted to award the 2021 IACBA Bursary for the Advanced Diploma in Immigration and Asylum law to Mariana Verdes BL. In this inaugural year, after Covid delays last year, the committee decided to award a second bursary as an exceptional measure, which was won by Olaniyi Oriade BL.

www.iacba.ie

Irish Criminal Bar Association (ICBA)

Chairperson

Maurice Coffey SC



The ICBA advocates for all barristers working in the area of criminal law. Its aim is to be a voice for criminal barristers on issues specific to the criminal Bar, and to provide relevant continuing professional development seminars, information and public events to better inform the criminal practitioner and wider public of the criminal law.

www.icba.ie

Planning, Environmental & Local Government Bar Association (PELGBA)

Chairperson

Stephen Dodd 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. This year, the PELGBA Annual Conference took place on June 24, 2022, with a keynote address by Mr Frank Clarke SC, former Chief Justice of Ireland, on mediation in environmental and planning disputes. Topics included: planning law; environmental law; mediation in planning and environmental litigation; and, compulsory acquisition and compensation. The PELGBA also held several webinars throughout the year on topics including:

- updates on recent developments in planning and environmental law cases 2022/21;
- recent developments in Section 5 references;
- architectural heritage – legislation and planning matters;
- the new Large Scale Residential Developments Act; and,
- the Maritime Area Planning Act 2021.

www.pelgba.ie

Probate Bar Association (PBA)

Chairperson:

Vinog Faughnan SC



The PBA is a specialist association of Irish lawyers who practise in the area of probate and succession law and trusts. The Association held monthly breakfast briefing webinars throughout the year, including a variety of speakers such as: Laurence Masterson BL, who spoke on the non-contentious probate list; John Conway of Ormsby & Rhodes, Chartered Accountants, on discretionary trust tax; Mark Tottenham BL on 'Writing Wrongs – Expert Evidence in Disputed Handwriting Cases'; Derek Shortall SC on social welfare claims against estates; Andrea McNamara, Senior Associate Solicitor, TEP, O'Connell Brennan, on 'Capital Acquisitions Tax – common reliefs and exemptions'; John Glennon, probate officer, on court applications; and, Nick O'Reilly on the 'Fair Deal' nursing home scheme.

This year, the Association launched its inaugural essay competition, which was open to members in their first seven years of practice. Entrants were asked to discuss a quotation in respect to the decision of the Supreme Court in *Elliott v Stamp* [2008] 3 IR 387 and of the High Court in *Darragh v Darragh* [2018] IEHC 427.

www.probatebar.ie

Professional, Regulatory and Disciplinary Bar Association (PRDBA)

Chairperson

Frank Beatty SC



The PRDBA is 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. This year, the PRDBA held an exciting webinar on the recent decision of the Court of Appeal in *Law Society of Ireland v Katherine Doocey* 2022 IECA 2, delivered by Eoghan O'Sullivan BL. The Association also ran its first hybrid event on June 22, 2022, in conjunction with Mason Hayes & Curran LLP. Helen Callanan SC, Vice Chair, and Lorna Lynch BL spoke at this event.

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. This year the SLBA held their Winter Conference online and speakers included:

- Cian Ó Lionáin, Department of Tourism, Culture, Arts, Gaeltacht, Sport, and Media;
- Mr Justice Frank Clarke;
- Warren Deutrom, CEO, Cricket Ireland;
- Trudy Lindblade, CEO, 2023 Cycling World Championships;
- Linda Hoey, Rugby World Cup;
- Garrett Tubridy, IRFU – Women's Rugby World Cup;
- Aine Power, FEI General Counsel;
- Fintan Drury, Chief Executive, Platinum One Group; and,
- Jim Aughney, Race Director, KBC Dublin Marathon.

The SLBA also hosted two interesting webinars on mediation in sport, and regulations, inquiries, appeals and the legal principles that apply in horseracing.

Congratulations to Neal Horgan BL and Noel Campbell BL on winning the inaugural SLBA podcast on 'Brexit and the future of Irish football'. Congratulations also to Adam Hanlon BL who was runner-up with his podcast on gambling and e-sports.

www.slba.ie

Expanding our reach: additional Specialist Bar Associations

The Council of The Bar of Ireland was delighted to support the establishment of four additional SBAs. This expansion reflects the activity and potential for growth of the profession in these practice areas.

Financial Services Bar Association

Chairperson
John Breslin SC



The Financial Services Bar Association aims to promote members' expertise in all areas of financial services law. In addition, this new association will actively encourage and educate junior colleagues who want to grow their practice in financial services law. The Association will also proactively engage with relevant legislative developments and consultations.

Tax Bar Association

Chairperson
Ciaran Ramsay SC



It is the underlying aim of the Tax Bar Association to support specialist barristers who are working in

the area of tax law. The aims and objectives of the association are to:

- provide a forum for barristers who practise or who want to practise in the area of tax;
- promote the skillset of barristers as litigators and advisors to the wider community; and,
- represent and promote The Bar of Ireland and its members to other professional bodies.

Tort and Insurance Bar Association

Chairperson
Maura McNally SC



The Personal Injuries Committee was delighted to launch the new Tort and Insurance Bar Association in June 2022. This SBA is dedicated to overseeing matters relating to developments in the area of tort and insurance, and engages with a variety of bodies on the personal injuries landscape in

Ireland. The Tort and Insurance Bar Association was established to develop and strengthen the profession's position in respect of this area of practice, and to consider evolving issues.

Corporate & Insolvency Bar Association (CIBA)



Established in February 2022, the CIBA is focused on promoting the expertise of members in the area of corporate and insolvency law. The Association is keen to provide a forum for practitioners, run regular CPD and events, and to engage with bodies working in this area. The Association's first CPD will take place on July 27, 2022, with Mr Justice Brian Murray as guest speaker.

Specialist Bar Association conferences



From left: Mr Justice Garrett Simons; James Burke BL; Jonathan FitzGerald BL; and, Mrs Justice Finola O'Farrell DBE at the Construction Bar Conference in May 2022. Mrs Justice O'Farrell spoke on adjudication and her experiences in the courts of England and Wales.



Towards a Model Environmental Law (Cóir Dlí an Chomhshaoil) – from left: Ms Justice Marie Baker; Bláthnaid Ní Chofaigh, RTÉ; Orla Heatley LLB; Donnchadh Woulfe BL, Committee Member, Comhshaoil/Climate Bar Association; Cliona Kimber SC, Cathaoirleach, Comhshaoil/Climate Bar Association; and, Shirley Clerkin, Heritage Officer, Monaghan County Council.

Direct professional access

Direct access to the profession currently exists in respect of non-contentious matters for approved bodies under the Direct Professional Access Scheme operated by The Bar of Ireland. Section 101 of the Legal Services Regulation Act 2015 provides:

“No professional code shall operate to prevent a barrister from providing legal services as a practising barrister in relation to a matter, other than a contentious matter, where his or her instructions on that matter were received directly from a person who is not a solicitor”.

In preparation for the anticipated commencement of Section 101 later in 2022, the Code of Conduct for The Bar of Ireland was amended to provide for a new section, Rule 3.6, which will be commenced at the same time as the commencement of Section 101. Rule 3.6 of the Code of Conduct, when commenced, will provide for the circumstances in which a member of the Law Library may accept instructions directly from a client:

“A barrister may accept instructions directly from a client in matters other than contentious matters. However, where the matter becomes contentious, the barrister must not draft any formal document, engage in correspondence or make direct contact with third parties, and they must direct that a solicitor be retained in order for them to continue to advise and provide other professional services as barristers”.

Guidance is currently being prepared by the Professional Practices Committee to assist members in dealing directly with clients, where the provision allows and where they opt to provide such direct access. Further information is available at <https://www.lawlibrary.ie/legal-services/direct-professional-access/>.

New alumni association – Beyond the Bar

The Public Affairs Committee advanced the alumni association this year, and the concept was approved by Council in April 2022. The ‘Beyond the Bar’ Alumni Association aims to:

- retain a link with members and colleagues who are still engaged with the area of work that you are involved in;
- build a community of fellow alumni across a range of sectors to assist you in building personal and professional capacity, possibly leading to

exciting collaborations and partnerships; and,

- strengthen the culture and values of the Bar, recognising that integrity, professionalism, and collegiality extend to our former colleagues.

Events and communications to former members will be rolled out over the course of 2022–2023. Find out more at <https://www.lawlibrary.ie/join-us/alumni/>.

Honorary Membership

The concept of Honorary Membership was progressed through the Public Affairs and Library Committees, and obtained Council approval in spring 2022. The conferral of Honorary Membership will be advanced in the coming year, and will seek to recognise distinguished persons of national and international standing who have contributed to the rule of law, the legal profession, and other areas of public life.

Arbitration and mediation

The ADR and Arbitration Committee held a number of events, including webinars in conjunction with the Specialist Bar Associations and featuring external speakers. Other matters progressed by the Committee included:

- continuing participation in a mediation stakeholders group chaired by John McDaid, Chief Executive of the Legal Aid Board, for the purpose of establishing a Mediation Council under the Mediation Act, 2017;
- acting as members of the Irish ICC national committee for the selection of international arbitrators from Ireland for the purposes of ICC arbitrations;
- forming a subcommittee to develop a communications strategy in the area of arbitration and alternative dispute resolution (AADR);
- receiving updates on the progress of the Family Law Arbitration scheme, which is being researched in conjunction with the Family Lawyers Association; and,
- attending a stakeholders’ review group of the operation of the Construction Contracts Act, 2013.

The Committee also looks forward to launching a questionnaire to garner interest in AADR, and to increase the visibility of members interested in this area.

LIBRARY HELPDESKS

Total number of queries at the helpdesks:

33,348

Total number of user visits to the helpdesks:

18,837

COLLECTIONS

New book titles added:

2,013

Legal databases

38

VISITS TO THE ELECTRONIC RESOURCES

233,982

ENHANCE ACCESS TO ONLINE LIBRARY AND INFORMATION SERVICES

Access to online resources and information is a core benefit of membership.



Online library development

Practice area-specific library bulletins

Responding to member feedback requesting more practice-specific content, the Library and Information Service developed a series of bulletins on:

- land and property law;
- employment law;
- family law; and,
- asylum and immigration law.

More bulletins will follow. There are currently 234 subscribers to the bulletins (11% of members), and this is growing steadily. Members can access current and back issues of these bulletins on Barrister's Desktop.

Returning on-site opening hours to pre-pandemic levels

As activity levels increase post pandemic, the Library Service extended its on-site hours to reflect the returning activity. Members can access the on-site library service

from 8.00am in the Four Courts (closing at 5.30pm). We have also returned to late opening hours in the Legal Research Centre in the Distillery Building, which is now open until 6.30pm.

The remote desk continues to be a permanent and integral part of the Library Service, which is available to members from 8.00am to 6.30pm.

3,000 chat messages with a librarian

Since its launch in March 2021, the online chat service has gone from strength to strength with over 3,000 queries being responded to via the service.

With the ability to attach cases and other legal documents in the chat function, many members prefer this quick



EDI and Allyship Lending Collection

The Equality, Diversity and Inclusion (EDI) and Allyship Lending Collection has been created to support members of The Bar of Ireland in developing a more comprehensive understanding of allyship and EDI-related topics, including – but not limited to –

gender, social mobility, ethnicity, disability, and sexual orientation. Books from the collection are available to reserve via Library Services at <https://www.lawlibrary.ie/about/equality-diversity-and-inclusion/edi-allyship-collection/>.



method of accessing legal research expertise from the library staff.

Systems and delivery

Legal Search Connect

Agreement was reached with Thomson Reuters to implement Legal Search Connect (LSC) and roll it out to all members from October 1, 2022. It has the potential to save time and effort when interrogating online resources, as well as fulfilling our strategic goal to increase accessibility to all of our resources for all of our members.

Single sign-on

In conjunction with colleagues in the IT Department, the Library and Information Service has been working to streamline access to online subscription resources for members, linking them directly to their lawlibrary.ie network account and thereby removing the need for a separate username and password. Vizlegal accounts were integrated in January 2022 followed by Lexis Library in June. Bloomsbury Professional Online will follow later in 2022.

Collections and content

Extended access to Westlaw UK

From July 1, 2022, members have access to Westlaw UK beyond The Bar of Ireland premises. This enhanced access has been negotiated as part of a package to implement Legal Search Connect as outlined above.

Revised circulation policy

The Library's new circulation policy for printed materials took effect from April 25, 2022. Changes made to the previous policy include the lengthening of the standard loan period from three to seven days, and the reduction

of the initial late fine from €10 to €7. For the first time, members are also being informed in advance of the upcoming due date of books on their account.

Training

Our training team has been busy this year. Some of the initiatives they engaged in were:

- induction and mentoring scheme with the New Practitioners Programme;
- cross-departmental training events (in conjunction with CPD for events such as [Managing Your Digital Practice](#) or [Legal Research Skills: Let's Zoom in on Three Topics](#));
- database training (supplier led and staff led);
- vLexJustis move from JustisOne;
- move to SSO access for Lexis Library;
- reinstatement of on-site training; and,
- cross-departmental work, with publication of Library resources leaflets, circulated at CPD events, throughout the year.

LIBRARY HELPDESKS
CONTINUED

BARRISTER'S DESKTOP
PAGE VIEWS:

453,982

BARRISTER'S
BOOKSHELF APP

Devices

414

Usage

2,894

TRAINING

Members trained:

403
(+85%)

Training hours:

18.5

DELIVER BEST-IN-CLASS EDUCATION AND TRAINING FOR MEMBERS

High-quality education and training opportunities are core benefits of membership.

New CPD scheme

Practice has seen significant shifts since the initial introduction of a formal CPD scheme in 2005, in particular an increasing volume of information, the introduction of new technologies, new dispute resolution processes and fora, and an overarching diversification in the range of knowledge, skills, and abilities a barrister needs in order to thrive in modern practice at the independent referral Bar. In response to these developments, a new competency-based CPD scheme took effect from October 1, 2021. This scheme aims to support practitioners in their career at the Bar by recognising that excellence in practice is multifactorial and involves additional competencies beyond a practitioner’s expertise as an advocate or depth of legal knowledge in a given area of practice. The new scheme highlights the importance of communication, interpersonal and problem-solving skills as areas that also require development along the career path. The Competency framework for CPD that accompanies the scheme includes recognition for these, and many further areas of knowledge, skill and ability, by setting out 57 competency statements that barristers should consider when selecting CPD activities. These competency statements are organised under four groupings called domains:

- Legal Knowledge, Procedure and Skills;
- Advocacy, Dispute Resolution and Negotiation;
- Ethics and Professional Standards; and,
- Personal Professional Development and Practice Management.

It is recognised that individual competencies within the framework may be of varying degrees of importance in different practice areas and settings, and at different times over lifelong learning. The four domains, however, remain core areas for continued professional development for all practising barristers.

Members must complete a CPD activity related to a competency from each of these domains on an annual basis. This is in addition to meeting



a revised CPD points requirement and ensures that members continue to maintain and develop their skills in the areas they need for practice.

The programme of CPD activities offered by The Bar of Ireland has been revised to assist members in meeting their new requirements. These revisions include the increased availability of ethics, practice management and personal professional development seminars. 2021/2022 was also the first legal year where members could claim CPD points for developing a learning plan. This optional activity provided a structured set of reflective tools to assist members in self-assessing their practice to identify learning goals and activities suitable to their development. This activity will continue to be enhanced in subsequent years to provide additional support for members in their adoption of a proactive and targeted approach to their continuing professional development.

Exemptions and return to practice criteria

Following the introduction of the new CPD scheme in October 2021, the Education and Training Committee developed new policies regarding the return to practice requirements for members absent from the Library for extended periods.

CPD STATISTICS

CPD EVENTS – AUGUST 1, 2021, TO JULY 31, 2022



44 CPD
EVENTS



371 SEMINARS ON
MY CPD PLATFORM



75 HOURS OF FORMAL STRUCTURED
CPD ACTIVITIES



51% INCREASE IN ENGAGEMENT
WITH ON-DEMAND SEMINARS



4,214 LIVE PARTICIPANTS
AVERAGE OF 77 PARTICIPANTS
PER LIVE EVENT



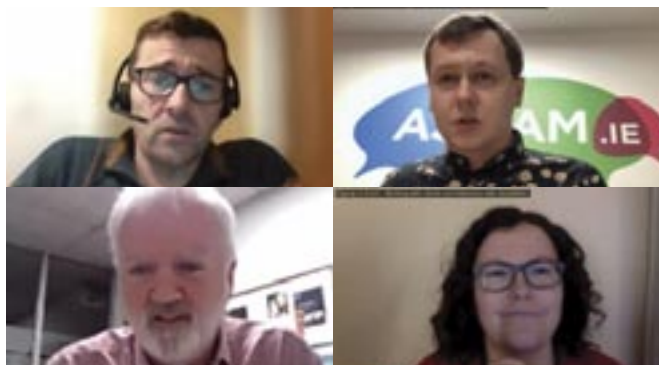
11% INCREASE IN MEMBER
ENGAGEMENT WITH CPD PROVIDED
BY THE BAR OF IRELAND

Members returning after an absence from practice of greater than two years will now be obliged to complete a return to practice learning plan and additional CPD in advance of their return. The Committee also reviewed the policy surrounding exemptions/modifications to the CPD requirements for members that may be experiencing temporary challenges in meeting their CPD requirements, e.g., arising from a significant illness.

Online CPD: My CPD platform

The catalogue of on-demand CPD content now exceeds 300 hours of CPD activities and provides a highly flexible resource to members. Updates to the system since its launch include improvements to the search functionality, a clearer tagging of activities by competency domain, and clearer highlighting of the CPD points available for completion of activities within the system.

Online learning aids inclusion and access



At a session discussing 'Dignity in Court – working with clients and witnesses with disabilities' were (clockwise from top left): John Fulham, Irish Wheelchair Association; Adam Harris, AsIAM; Aoife McNickle BL, Chair, Equality and Resilience Committee; and, Brendan Lennon, Chime.

Negotiation course

Work to develop a new negotiation short course is ongoing. The programme will be open to members in years 3-7 and will focus on further enhancing the practical skills needed to lead negotiation on behalf of clients.

Vulnerable witnesses training

Arising from the recommendations of the Review of Protections for Victims of Sexual Offences (O'Malley, 2020) a three-part training programme was developed to support members who may encounter vulnerable witnesses in their practice.

The programme received contributions from a broad range of speakers, including members of the judiciary, psychologists, an intermediary, and representatives of victim support groups, in addition to members of the profession.



All three Vulnerable Witness seminars and the training programme are available to view on demand via the My CPD portal.

Advanced advocacy

Maintaining, developing, and promoting our members' advocacy skills is the key objective of the Advanced Advocacy Committee. Advocacy skills in different areas of practice, including the Commercial Court, and witness handling in criminal cases and family law, were some of the key areas for 2021/2022. A junior course took place online in September 2021, with another junior course taking place in June 2022, this time in the Four Courts.

Webinar:	Date:
Advocacy in the Commercial Court	November 8, 2021
Advocacy – Witness handling in criminal cases	February 23, 2022
Advocacy and family law	July 13, 2022
Courses:	
Junior Advanced Advocacy Course Online	September 30, 2021
Junior Advanced Advocacy Course	June 17 and 18, 2022
Senior Advanced Advocacy Course	September 2022

ADVANCE THE ROLE OF THE PRACTICE SUPPORT & FEE RECOVERY SERVICE

Fee recovery is cited by members as one of the primary challenges in sustaining a career at the Bar.

Practice support

Over the past 12 months, additional resources have been made available for members to access, which have been promoted via *In Brief*. Development work is now complete on several supports in the areas of

billing and fee collection. Information and supports in a number of areas are now available on the Practice Support & Fee Recovery hub – <https://members.lawlibrary.ie/members-area/practice-support-fee-recovery/?src=home> (Table 1).

Table 1: Information and supports available from the Practice Support & Fee Recovery Service.

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 book-keeping requirements Book-keeping templates and video tutorials The role of the accountant and how to hire the right one
Billing and fee collection	Section 150/151 notices Fee notes/bill of costs Fee note collection process Invoicing
Banking	Banking contact information Links to Bank of Ireland members online portal

2

years since Service was launched (July 2020)

7%

Over 7% of membership now signed up to the Service (162 members)

€0.5m

In excess of €0.5m collected in overdue fee notes for members (152 fee notes – total value €567k)

205

Actively pursuing 205 fee notes with a value of €1.9m

250

Over 250 recovery contacts (email, phone calls, letters) dealt with on behalf of members each month

37

Managing 37 active LSRA complaints relating to non-payment of fees on behalf of members – €80k settled via LSRA complaints

11,000

Dedicated Practice Support & Fee Recovery Hub established with more than 11,000 member views

April 2022

Established a member drop-in service from April 2022

Table 1 continued.

Section	Content
Cash flow management	What is cash flow? How to manage cash flow How to prepare a cash flow budget including templates How to improve cash flow
LSRA – the Roll of Practising Barristers	Links to the LSRA guidance on applying for entry and amending an entry
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 services 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)

During the year, eight dedicated practice support member communications were issued, along with weekly updates in *In Brief*. We also issued reminders on key tax changes and deadlines, and provided information on the LSRA, including the complaints reports that are published twice per annum –

<https://www.lsr.ie/wp-content/uploads/2022/06/LSRA-2021-Annual-Report-FINAL.pdf>.

Professional Fees Working Group

In October 2021, a Professional Fees Working Group was established to consider several recommendations arising from the EY report on the profession, including taking a fresh look into the area of billing in order to improve billing and fee collection, and to examine the position in relation to the law preventing barristers suing for their fees.

In May 2022, the Council approved the key recommendations of this Working Group, which included a proposal to engage a barrister and/or an external tax expert to complete a review in relation to the current rules that prevent barristers suing for their fees. The group also recommended publishing a ‘Practice Protocol’ to provide support to members with billing and fee note collection. The protocol will be published following consultation on this initiative with the LSRA and the Law Society.

As part of the structured fee recovery process, a member has the option to lodge a complaint with the LSRA regarding non-payment of fees. The team is currently actively managing 33 such complaints on behalf of members. To date, 11 closed cases were deemed admissible by the LSRA and settled for a total value of €80k.

OUR CORE ENABLERS

To deliver on our priorities, the core operational capabilities required by the organisation are strong finances, appropriate systems and IT, a skilled and agile workforce, fit-for-purpose workspaces and physical infrastructure, and good governance.

FINANCIAL PERFORMANCE IN THE YEAR TO DATE 2021/2022

The Finance Committee is to deal with all matters relating to the finances of The Bar Council and its associate companies. The Finance Committee also deals with the maintenance and development of the Law Library and other properties of the Council, and the development of information technology in the Law Library. The Committee held 10 meetings between October 2021 and July 2022. In the half year October 2021 to March 2022, The Bar of Ireland Group reported a consolidated income and expenditure surplus of €1,022k, which is 8% ahead of budget for the period (Table 1).

Table 1: TBOI consolidated income and expenditure.

Period ended March 31, 2022	Current year	Prior year			
	Actual	Actual	% diff.	Budget	% diff.
	€'000	€'000		€'000	
Income	7,906	6,932	14%	7,925	0%
Expenditure	(6,884)	(6,169)	12%	(6,980)	-1%
Net surplus	1,022	762	3%	944	8%
% net surplus	13%	11%		12%	8%

There are several positive and negative variances contributing to this surplus in the half year to March 2022. In October 2021, 107 new members joined the Law Library. The previous year, 75 new members joined, and the average for the preceding five years was 86. The higher number of new members resulted in higher subscription income.

Expenditure at The Bar of Ireland is currently €198k less than budget, mainly due to reduced expenditure in several cost centres arising from the slower return to post-Covid activity and lower than expected staff costs due to delayed recruitment for vacant positions. However, because of the global economic crisis, energy costs have increased massively. Energy costs

for Law Library Properties Ltd increased from €96k during the period October 2020 to March 2021 to €276k during the period October 2021 to March 2022 – a staggering 288%.

- **Total income**, at €7.9m, is 14% higher than the previous year and in line with budget. Income was lower last year due to the provision of the Covid-19 subscriptions credit.
- **Total expenditure** for the period is €6.9m, 12% higher than the prior year. In addition to the points noted above, in most cases there was a return to normal activity levels, and costs in the prior year were lower due to receipt of pandemic State supports consisting of our participation in the Employment Wage Subsidy Scheme (EWSS) and waiver of commercial rates on our properties for the period October to December 2020.
- **The net surplus** recorded of €1,022k arises mainly from surplus in the organisation's commercial operations, Law Library Properties Ltd and Law Library Finance Ltd, but there is also a surplus of €286k in the member service entities at half year, reflecting higher than budgeted income and reduced expenditure (Table 2).

Table 2: Net surplus by entity.

Period ended March 31		Actual 2020/21 €'000	Budget 2020/21 €'000	Diff. %
The Bar of Ireland	Entity 1	274	32	743%
Law Library Services	Entity 2	29	17	78%
Church Street Club	Entity 5	(18)	11	-260%
Total member service entities		286	60	377%
Law Library Properties	Entity 3	659	811	-19%
Law Library Finance	Entity 4	78	73	7%
Total commercial companies		737	884	-17%
Total Group summary		1,022	944	8%

In the eight months to May 2022, subscription receipts, at €7.7m, are 22% higher than last year and 3% higher than 2018/2019, the last full year before the pandemic impacted on finances.

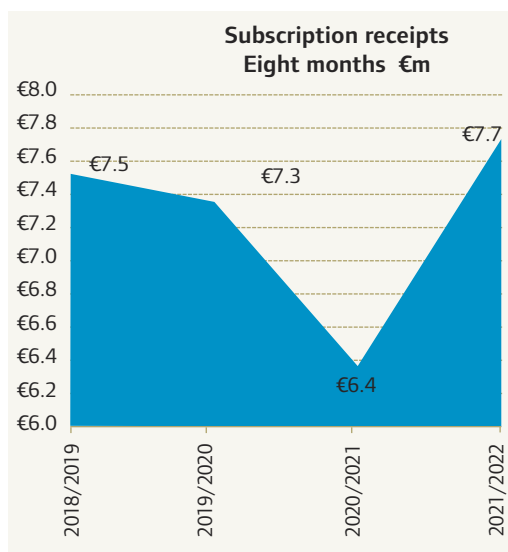


FIGURE 1: Subscription receipts.

Subscription receipts have returned to pre-pandemic levels

In the eight months to May 2022, subscription receipts, at €7.7m, are 22% higher than last year and 3% higher than 2018/2019, the last full year before the pandemic impacted on finances (Figure 1).

Budget process 2022/2023

While the budget for 2022/2023 is based on an expectation of normal levels of court activity, new challenges have emerged, most notably the impact of the Ukraine invasion and inflation. A key element of the budget plan for the year ahead is to plan for new services or service enhancements arising from member need and implementation of the new strategic plan, including a new marketing plan, additional resources to deliver our enhanced CPD programme, the introduction of the new Library and Information Service (Legal Search Connect), and a decision by the Finance Committee to invest further in our cybersecurity supports, which protect all users of the @lawlibrary.ie domain.

Membership subscriptions increase

Combining the issues of inflation and the cost of the new and enhanced member services means that the 2022/2023 budgeted income will need to increase by approximately €0.7m. In order to cover the additional costs arising, a general membership subscription increase of 6.5% is required and will be applied from October 1, 2022. To alleviate the burden of an increase in membership

subscriptions, the Council has decided to pay the 2021 LSRA Levy for members for a fourth consecutive year. This is due for payment in July 2022 and will cost approximately €195 per member, or €421k on behalf of all members.

It should be noted that until this year, subscription rates have remained below levels dating back to 2008 – 14 years ago. In recent years, there has been a transformational improvement in addition to new services provided for members. It is also important to note that the organisation’s financial objective, as a not-for-profit body, is to generate enough income to match the cost of delivering services. In recent years, when challenges arose, the Council has shown that it will support members when it can, such as paying the LSRA Levy on behalf of members and in the provision of credits to membership subscriptions during the pandemic.

The budget for the legal year 2022/2023 was approved by the Council on June 29, 2022.

Subscriptions Review Working Group

A Subscriptions Review Working Group was established under the auspices of the Library Committee in conjunction with the Finance Committee to review the membership subscription structure and rates.

A core element of this review required the working group to ensure that membership subscription rates remain equitable across all member groups, having regard to the level of investment required to maintain and upgrade member services, giving consideration to the fact that physical location is no longer the disadvantage it once was, and to also have regard to how diversity and inclusion can be supported within the subscription structure.

In all, five recommendations from the working group were considered by Council. All recommendations were approved, including a decision to apply an increase of 20% to the membership subscriptions of Cork-based members, and an increase of 15% to the membership subscriptions of all other members who are entitled to avail of the country membership subscription rate. Both of these rates currently provide a discount of an average of 44% of the Dublin rate. These increases will be applied over a five-year period commencing in October 2022 and will be applied in addition to any general membership subscription increase that may arise in each year.

Details of how these changes will impact on individual

members in each category will be communicated in the forthcoming membership subscription invoicing process.

Property financing

Law Library Properties Ltd’s (LLPL) property finance agreement with AIB expires in January 2023, seven years after entering this agreement. In January 2016, LLPL drew down €25m and settled the previous debt with KBC bank. Over the last seven years, we have fulfilled all our loan obligations in full, which include interest and capital repayments, covenant compliance and quarterly reporting. By January 2023, LLPL will have repaid €6.5m over the seven years, and will need to refinance €18m. Following a tender process earlier this year, AIB was successful in retaining its business with LLPL.

Office lease renewals

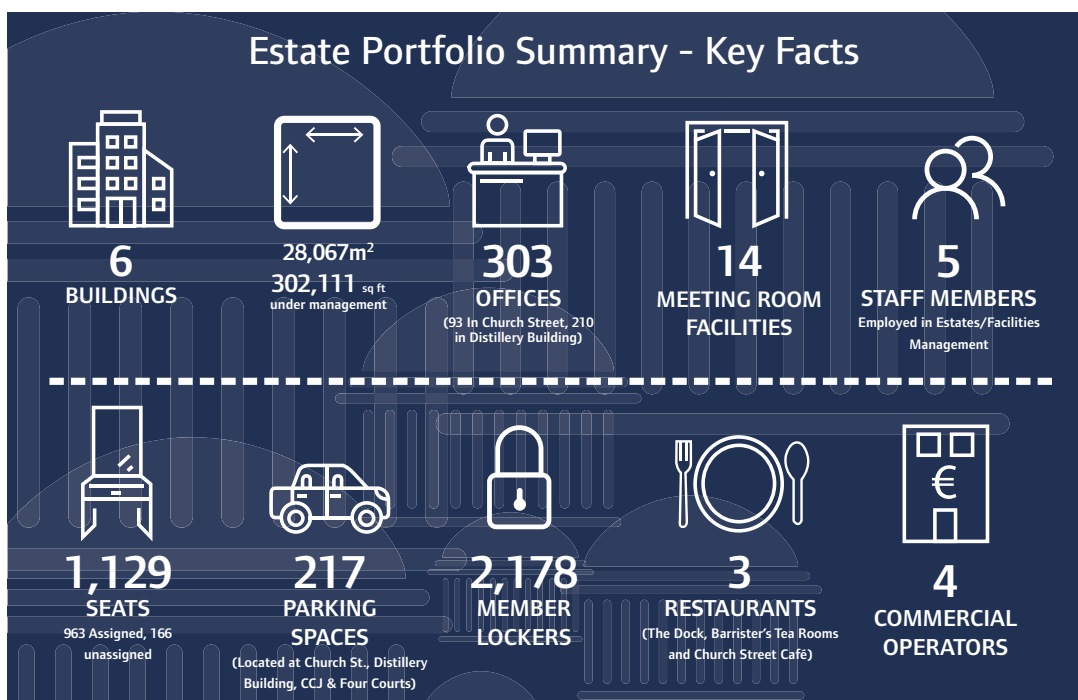
LLPL owns the Distillery and Church Street buildings, which provide offices for members. In September and October 2022, all current office leases expire and are due for renewal. In May 2022, the Finance Committee considered a commissioned report from Aramark, along with other important aspects, such as the custom and practice to permit members early exit from leases without any financial penalty. Following this review, and having regard to the general increase in market prices within the Dublin commercial office market, the Finance Committee decided to hold office rental levels at current rates and retain the early exit option, which has been agreed to by our property financier AIB. The administration of this renewal process has commenced. It is important that the renewal is completed speedily as AIB will require new leases to be in place prior to renewing the loan facility.

The review identified one minor anomaly in the annual carpark rental rate for spaces in Distillery. The Finance Committee decided to increase the Distillery rate to €2,700 from renewal in October, bringing it into line with the Church Street carpark rental rate. The carpark rental rates remain below the market rate in Dublin 7.

ESTATE SERVICES

As we exit the pandemic, a core focus will continue on health and safety across all of our buildings, as well as setting standards and reporting on environmental, social and governance (ESG) issues. We continued to invest in several key projects within our estates portfolio in order to provide better services for members:

- **Pharmacy Unit:** as demand for member offices has increased, this vacated unit was converted into office space – the refurbishment was completed in 2021 and offices are now occupied;
- **Remote Hearing/Consultation Pods:** in consultation with members, the Estate Department procured and installed three purpose-built soundproof booths at the Distillery Building to use for remote hearings and remote consultations – these are based in the rear atrium of the Distillery Building and are being used regularly by members;
- **Criminal Courts of Justice Refurbishment:** this project includes a practical change in the delivery of Library Services, but also additional private workspaces, four remote hearing/consultation pods, the provision of extra seating and additional storage space – the project is scheduled to be undertaken during the 2022 long vacation; and,
- **Summer Upgrade Plans:** the Estates team maintains our spaces throughout



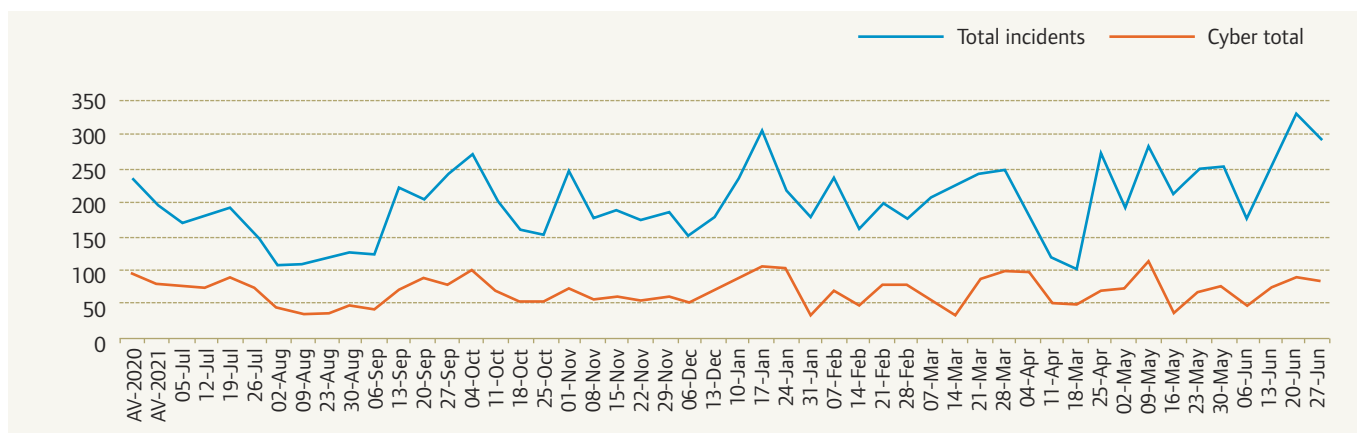


FIGURE 2: Weekly IT helpdesk incidents.

the year with our largest refurbishment programme of works taking place during the summer period to minimise impact on use of our spaces – this summer period will largely focus on energy upgrade and energy efficiency works, in addition to water conservation and general maintenance works.

Review of allocation of desks/seating

A working group of the Library Committee in consultation with the Finance Committee reviewed our approach to member desk allocation and use, with particular regard to demand, and the changing needs of our members.

The working group was tasked with assessing how to monitor desk utilisation to ensure that allocated desks are actively and regularly used, to review the manner in which seats are assigned, to have regard to the impact of Covid-19 on patterns of working from home and on-site among the membership that may inform our future requirements, and to align the value of space more clearly with the prices currently charged to encourage more efficient allocation and use.

In April 2022, the Council approved 12 recommendations, which it expects will meet the objectives set for this group. The impact of changes to how desks are managed will be communicated to members over the coming months.

Property Working Group

A Property Working Group was established in October 2021 to assist the Council in the creation of a 10-year plan for the development and maintenance of the property assets owned and occupied by The Bar of Ireland for the future benefit of members of the Law Library.

In April 2022, the Council approved a recommendation to engage external expert advice in order to undertake a feasibility study to advise on a property development plan in respect of all property, with an emphasis on reconfiguration of the Distillery Building and the development of the Jameson Building, and to give consideration to the opportunity to increase and enhance our meeting room spaces for the purpose of dispute resolution. The process to engage such external expertise has commenced and it is

hoped that a feasibility report will be available before the end of 2022.

It was agreed that facilities in the Four Courts, which are part of our national heritage, also require substantial improvement. However, given that costs would almost certainly be significant, together with the particular challenges of undertaking work in the Four Courts complex, it was agreed that this was a longer-term project that should be reconsidered in the future.

SYSTEMS AND IT

The usage level of our online services continues to increase, continuing a trend from last year, with many members conducting work across a range of devices in multiple locations in support of their practice. While there was a fall in the number of calls to the IT helpdesk by members during the lockdown periods, the amount of time spent resolving individual calls rose, primarily because many calls related to the use of technology that was new to members (Figure 2).

Increasing security: multi-factor authentication

Members will be aware from press reports of several significant data breaches in various organisations, and while we at the Bar continually work to avoid these, the threats are growing in their intensity and capability. The use of multi-factor authentication is now mandatory for all members of the Law Library; the roll-out is ongoing and is scheduled to be completed before the start of the new legal year.

New member management system – Project Connect

Project Connect is the name assigned to our member management system upgrade. Following a detailed tender process that was completed in July 2021, a contract was awarded to Smart Impact and work began in September 2021. The system development has four phases, and it is expected that this project will be completed in January 2023. Project delivery is on target and on budget. The primary benefit of the new system is that it will facilitate enhanced communications for members and new online portals enabling members to manage their own membership information.

Environmental and sustainability

The Estates Team continues to develop and improve upon environmental and sustainability initiatives introduced over the past two years to enhance our member services, such as:

1. Recycling of the majority of our waste produced across our buildings.
2. Reduction in emissions by a reduction in contractor traffic to site.
3. Introduction of sensor-controlled lighting.
4. Upgrade to LED lighting across various parts of the estate.
5. Elimination of single-use plastics at all water and coffee drinking facilities.
6. Use of environmentally friendly 'ozone water' cleaning solutions.
7. Roll-out of 25 additional bicycle stands and use of Bike to Work scheme by staff.

A suite of key performance indicators is being developed, which will enable us to capture our impacts on health, safety and the environment, and spot trends into the future. We are committed to reducing our carbon footprint, using resources efficiently and protecting the planet by:

1. Continuing to improve on the amount of waste produced and the recycling or reusing of resources.
2. Recruiting a dedicated resource to manage and track our energy consumption.
3. Continuing to roll out the introduction of sensor-controlled lighting and LEDs across the estate.
4. Sourcing and installing EV charging facilities.

HUMAN RESOURCES

A fundamental aspect of our human resource strategy is effective resourcing and ongoing professional development. Our objective is to ensure that we are fully resourced, that our people are appropriately positioned and skilled, with the necessary capabilities to deliver excellent services and benefits for our members, and on our strategic priorities.

Within our team structure, now operating in a hybrid format, we have experienced a significant degree of change, with new roles evolving in some areas alongside a number of staff retirements. The full-time equivalent (FTE) metric continues to be closely monitored, with redistribution of resources occurring as and when required. Our Estates Services, Finance, Library, and Communication and Member Services teams have all undergone a degree of reorganisation over the last year, aligning colleagues in the optimal structure to deliver their expertise and be responsive to the changing needs of our members. A staff Diversity and Inclusion Committee has been established to work in tandem with the goals and priorities set down in the organisation's Equality Action Plan. With an active employee voice guiding our staff activities in this area, we are advancing our responsibilities and taking the necessary preliminary steps to further embed an inclusive work environment at The Bar of Ireland. In the next legal year, we will begin reporting on our gender pay gap and also begin the process to become an Investor in Diversity.

Staff continue to demonstrate their resilience and commitment to delivering a best-in-class service through active involvement in strategic planning processes and professional development. With ambitious strategic priorities guiding us, our team continues to demonstrate a willingness to innovate, and to drive change and improvement for the benefit of our members.

Overview of staff employed

Department	Head count	Full-time equivalent
CEO	1	1
Communications and Member Services	10	9.8
Estate Services	5	4.53
Finance and Member Relations	9	8.6
Human Resources	2	1.2
IT Department	6	6
Practice Management & Fee Recovery	1	1
Reception	5	3.96
Regulation	2	2
Sheds Club Bar	3	2.06
Library and Information Services	27	22.5
DDRC	2	2
Arbitration Ireland and Ireland for Law	1	0.4
Totals	74	65.05

Work pattern split:	
31% part time	69% full time

Gender split:	
64% Female	36% Male

Staff training and development:	
Courses/seminars run:	15
Hours completed:	305.50

GOVERNANCE REVIEW

The role of the Council is set out in paragraph 1 of the Constitution of the General Council of The Bar of Ireland. The Bar Council is the accredited representative of the Bar in Ireland. Its role is generally:

- to consider, report upon and make representations as it considers necessary in all matters affecting the profession;
- to play a key role in the conduct and arrangement of the business of the profession: professional practice; relations within the Bar; relations between the Bar and the Bench; right of audience; the claims of the Bar in relation to the maintenance and disposal of offices; legislation; or,

alterations in the system of administration and all the matters in which the Bar is professionally concerned;

- to control and regulate the professional conduct of the members of the Law Library; and,
- to secure and protect the interests of the profession in relation to any of the foregoing.

In October 2021, the Council established a Council Composition Working Group to consider the issues raised in the EY report in relation to the composition of the Council, and also to address matters relating to equality, diversity and inclusion. Discussion took place on a proposal that the Constitutional provision that allows for four additional members to be co-opted onto the Council should be amended (by formal amendment or by agreed convention) to provide that all four additional members be junior counsel. However, the Council concluded that the Constitution should be amended to provide that at least three of the members co-opted shall be junior counsel and that regard should be had to members who have a disability, or are from a minority or ethnic background, and ensure that there is a gender balance on the Council or as close to a gender balance as possible.

The amendments to the Constitution in this regard will be placed before the 2022 Annual General Meeting.

OVERVIEW

The audited financial statements for The Bar of Ireland are set out in the following pages of this annual report. The following pages provide an overview of the financial performance of The Bar of Ireland. Also included is a consolidated income and expenditure report for The Bar of Ireland and the other entities that form part of the organisation's group financial structure, with commentary on the key year-on-year variances between the period under review and the prior year. The financial statements for all entities in The Bar of Ireland Group will be made available at the Annual General Meeting in July 2022.

The Bar of Ireland financial accounts

The pandemic continued to have a significant impact on the finances of the organisation in the financial year ended September 30, 2021. The re-introduction of major restrictions by the Government from December 2020, which carried through to the middle of 2021, presented members and the organisation with extended financial challenges. In response to these challenges, the organisation took action to reduce costs and, where available, apply for the emergency Covid-19 State support initiatives. Because of these actions, the Council was in a position to provide a second subscriptions credit to members, which was announced in February 2021. The credit provided equated to an approximate 33% subscriptions reduction over the Hilary and Easter terms in 2021. In February 2021, a credit of 16.5% on the full year's subscriptions for 2020/2021 was issued to members. It should be noted that some members in a more stable financial position decided to opt out of receiving this credit, which had the effect of increasing the credit to

other members, and we are extremely grateful to those members who, in the ethos of collegiality at the Bar, demonstrated solidarity to fellow members more severely impacted by the pandemic.

Prior to the pandemic, for several years post the recession, the financial position of the organisation had stabilised and, through prudent management of finances, the organisation had built up a reserve towards future service investments and for governance reasons where, to align with best practice for not-for-profit bodies, there is a policy to hold a minimum of six months' expenditure in reserve. This reserve was key to supporting the organisation through the pandemic while ensuring that all key services remained available to all members throughout. Because of these reserves being in place, the organisation was in a position to manage modest income and expenditure deficits during the pandemic years, while simultaneously providing financial relief to members and retaining reserves to support the aforementioned objectives.

Some members in a more stable financial position decided to opt out of receiving the subscriptions credit, which had the effect of increasing the credit to other members, and we are extremely grateful to those members who, in the ethos of collegiality at the Bar, demonstrated solidarity to fellow members more severely impacted by the pandemic.

IT service costs increased due to the enhancement of cybersecurity support within managed services and upgrade of IT infrastructure, which increased IT depreciation.

Review of income and expenditure

Income, at €8.6m, was 8.8% higher than the previous year. This was after providing the second Covid credit, which cost €1.7m and was funded through a combination of savings achieved in operational expenditure such as negotiated savings with suppliers and reduced staff costs, reduced capital expenditure, State supports such as Dublin City Council waiving of commercial rates, and use of surpluses from Law Library Finance Ltd.

Expenditure, at €8.5m, was 3% higher than the prior year. The following is a summary of the main variances in expenditure categories between this year and last year.

- **IT service costs** increased due to the enhancement of cybersecurity support within managed services and upgrade of IT infrastructure, which increased IT depreciation.
- **Member services** expenditure in total did not vary significantly but there are key points to note within this, detailed in Schedule 3 of the financial statements. The DX exchange services cost reduced from €0.6m to €0.55m as DX reduced the costs of the service during the pandemic. It should be noted that the King's Inns also reduced its subvention by 18% in recognition of the challenges Covid-19 presented. Members will note the full year cost of €145k invested in the new Practice Support & Fee Recovery Service.
- **Estate services** expenditure, at €1.4m, is based on the normal running costs of The Bar of Ireland estates services in the Four Courts, CCJ, Distillery and Washington Street, Cork. This compares to €0.69m in 2020 whereby, in exceptional circumstances of providing Covid supports to members, Law Library Properties Ltd covered the full costs of CCJ rent, Cork rent and Distillery service charge, totalling €0.75m.
- **Staff costs**, at €2.2m, fell by 10% from the prior year. Through a combination of Covid-related pay cuts, the State-supported Employment Wage Subsidy Scheme (EWSS) and a freeze on recruitment for vacant positions, staff savings of €1m were made to support the pandemic challenge.

- **Administration expenses** reduced from €450k to €240k.

– **Provision for bad debts:** In the midst of the pandemic, the level of unpaid subscriptions at year ended September 30, 2020, increased by 33% from the previous year to €1.94m. At the end of September 2021, the amount outstanding had reduced by 8% to €1.79m. Because of this improvement, the level of provision required for unpaid subscriptions reduced, and this resulted in an income and expenditure credit of €68k compared to a cost of €247k the previous year.

– **Legal and other consultancy:** At €148,170, legal and other consultancy costs increased on previous years, mainly due to two exceptional, non-recurring projects undertaken by Council. Firstly, 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 cost of this consultancy service was €106,405 plus VAT. A portion of this cost relating to the review of the property portfolio owned by the organisation though Law Library Properties Ltd was charged directly to this company.

Also included in legal and other consultancy costs this year is a portion of the consultancy fee relating to economic research analysing legal cost levels jointly commissioned by The Bar of Ireland and the Law Society.

Both projects were approved by Council in 2021 and in each case a comprehensive tender process was undertaken prior to engagement of the consulting firm.

– **Exceptional expenses:** At its meeting in June 2022, the Council once again agreed to cover the costs of the LSRA Levy for 2021 for members. The LSRA levy for 2021, recently received, indicates an estimate of €195 per member, which will result in a total cost of €421k, to be funded from accumulated reserves.

Summary

For year ended September 30, 2021, The Bar of Ireland incurred an income and expenditure deficit of €352,632 (deficit for year ended September 30, 2020: €427,827). Reserves for The Bar of Ireland at September 30, 2021, are €7,554,619.

Prior to the pandemic, following several years of conservative and prudent financial management, supported by increasing reserves and good financial performance of the subsidiary companies, the organisation had established strong reserves and the Council was pleased to be in a position to utilise some of these reserves to support members during the challenging years of Covid-19.

The Bar of Ireland Group consolidated income and expenditure

Table 1 summarises the consolidated income and expenditure position of The Bar of Ireland Group at the year ended September 30, 2021.

Table 1: The Bar of Ireland Group consolidated income and expenditure.

Year ended September 30	2021	2020
	€'000 Actual	€'000 Actual
Turnover	13,758	12,173
Administrative expenses	(11,048)	(11,056)
Operating surplus	2,710	1,117
Impairment of property	0	0
Interest payable and similar charges	(448)	(476)
Surplus on ordinary activities before taxation	2,262	642
Tax on surplus on ordinary activities	(399)	(175)
Surplus on ordinary activities after taxation	1,863	467
Exceptional item – LSRA Levy	(405)	(49)
Retained surplus for the year	1,458	418

The Bar of Ireland and subsidiary entities recorded a consolidated surplus of €1.45m for year ended September 30, 2021, an increase of €1.04m on the pandemic-influenced financial performance for 2019/2020.

Review of income

Consolidated income, at €13.7m, is 13% higher than the prior year. Consolidated income in a normal trading year is just over €15m. The variances between actual income of €13.7m and a normal trading year include: (1) the €1.7m Covid-19 subscription credit provided in February

2021; (2) major reduction in Law Library Service income relating to reduced demand for printing and copying; (3) fall in rental income in Law Library Properties Ltd due to reduced rent from our catering tenants arising from the pandemic and the closure of the pharmacy shop in 2019; and, (4) a major reduction in club sales at the Sheds, which was closed or had restricted opening times due to the pandemic for a large part of the year.

Review of expenditure

Consolidated administrative expenses, at €11m, are comparable to last year. The main variances are already explained under The Bar of Ireland review. In relation to the other entities, while it was noted that income fell in several areas, costs also reduced in many of these areas due to much-reduced activity.

Corporation Tax on profits in our commercial entities increased to normal levels, with profitability mostly returning to normal in Law Library Properties Ltd and Law Library Finances Ltd.

Table 2: Net surplus by entity.

Year ended September 30		2021	2020
		€'000 Actual	€'000 Actual
The Bar of Ireland	Entity 1	53	(380)
Law Library Services	Entity 2	50	25
Church Street Club	Entity 3	1	0
Total member service entities		103	(354)
Law Library Properties	Entity 4	1,520	596
Law Library Finance	Entity 5	240	225
Total commercial entities		1,760	821
Exceptional items			
LSRA Levy		(405)	(49)
Retained surplus for year		1,458	418

Trustees and other information

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.

Fieldfisher Ireland
The Capel Building,
Mary's Abbey,
Dublin 7.

The Council of The Bar of Ireland

Accounts year ended September 30, 2021

Contents

Trustees and other information	54
Statement of the Committee's responsibilities	54
Auditor's report	54
Income and Expenditure Account	56
Balance sheet	57
Schedules on accounts	58
Notes to the accounts	60

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 epidemic.

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. 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. Over the last two financial years, the Council of The Bar of Ireland has put in place a range of financial supports to help members maintain membership of the Law Library. In 2020, a 25% credit on subscriptions for 2019/2020 was provided. In February 2021, a further 16.5% credit on 2020/2021 subscriptions was provided. In addition, the Council agreed to pay the cost of the LSRA Levy for 2020 and 2021. The total value of pandemic supports provided to members amounts to €4.49m.

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 majority of the population has now been fully vaccinated, which should reduce the level of further restrictions and reduce the financial impact on both members and 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, 2021, which comprise the Income and Expenditure Account, the Balance Sheet, the Schedules on Accounts 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, 2021, and of its profit for the year then ended; and,
- have been properly prepared in accordance with FRS102 'The Financial Reporting Standard applicable in the UK and Republic of Ireland'.

Basis for opinion

We conducted our audit in accordance with 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 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 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

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

INCOME AND EXPENDITURE ACCOUNT
As at September 30, 2021

		2021	2020
		€	€
INCOME			
Entrance and application fees		111,150	133,610
Junior subscriptions		6,176,262	5,628,463
Senior subscriptions		2,124,300	2,001,306
External/LOA subscriptions		46,354	28,492
EU Lawyer registration fees		3,000	1,580
Other income		99,004	60,004
		-----	-----
		8,560,070	7,853,455
		=====	=====
EXPENDITURE			
Library services	Schedule 1	1,259,457	1,236,971
IT services	Schedule 2	1,033,267	955,898
Member services	Schedule 3	1,254,235	1,258,121
Placement/representation		-	16,000
CSR schemes		76,175	114,188
Communications and policy		170,527	161,345
Marketing and events		18,373	32,767
Participation international forums		20,526	56,733
Bar Council and Committee meetings/expenses		27,695	41,758
Membership of professional associations		11,077	11,999
Education and training		10,615	24,198
Regulation		177,287	169,241
Properties and facilities	Schedule 4	1,423,225	616,748
Administration expenses	Schedule 5	240,236	450,056
Staff costs	Schedule 6	2,783,195	3,086,660
		-----	-----
		8,505,890	8,232,683
		=====	=====
Exceptional expenses	Schedule 7	405,812	48,599
		-----	-----
Net (deficit) surplus to reserves		(351,632)	(427,827)
		=====	=====

BALANCE SHEET
As at September 30, 2021

	Note	2021 €	2020 €
FIXED ASSETS			
Tangible fixed assets	4	2,578,138	2,646,980
LONG-TERM ASSETS			
Amount due from LLPL		900,000	1,300,000
CURRENT ASSETS			
Subscriptions in arrears	5	267,244	323,023
Amounts due from related entities	6	6,661,077	6,882,935
Prepayments and sundry debtors		1,072,261	1,051,932
Cash at bank and on hand	7	611,522	333,479
		-----	-----
		8,612,104	8,591,369
LESS CURRENT LIABILITIES			
Subscriptions paid in advance		1,029,959	600,157
Creditors and accruals	8	3,380,130	2,961,616
Other creditors	9	-	990,161
Taxation creditors		124,534	79,164
		-----	-----
		4,534,623	4,631,098
TOTAL NET ASSETS		7,555,619	7,907,251
		=====	=====
FINANCED BY:			
Reserves	10	7,555,619	7,907,251
		7,555,619	7,907,251
		=====	=====

Signed:  Signed: 

Date: June 2, 2022

Date: June 2, 2022

SCHEDULES ON ACCOUNTS

As at year ended September 30, 2021

		2021	2020
	Note	€	€
SCHEDULE 1			
LIBRARY SERVICES			
Books		404,142	380,025
Book binding/storage		10,090	20,639
Legal databases	11	687,122	681,635
Law reports and pink sheets		150,000	150,000
Library system maintenance		38,079	32,694
Library printing and stationery		3,689	8,757
Other library costs		1,219	-
Commission on JILL database		(34,884)	(36,779)
		-----	-----
		1,259,457	1,236,971
		=====	=====
SCHEDULE 2			
IT SERVICES			
	11		
Software licensing		541,183	553,776
Managed services		89,338	56,973
Bandwidth		69,861	43,713
Software maintenance		52,380	50,370
Web services		6,796	5,992
GDPR expenses		3,309	17
Cybersecurity		66,827	71,148
Member system development		31,949	24,154
Depreciation charge (LLSL)		48,941	76,304
Depreciation		122,683	73,451
		-----	-----
		1,033,267	955,898
		=====	=====
SCHEDULE 3			
MEMBER SERVICES			
Document exchange service		543,031	594,528
Bar group life assurance		476,274	508,350
Subvention to King's Inns		72,000	86,632
Resilience and performance		12,406	17,166
Practice Support & Fee Recovery		144,755	18,507
Young Bar Association		2,409	3,755
Specialist Bar Association		1,022	-
Members' clubs and societies		3,360	28,161
		-----	-----
		1,254,235	1,258,121
		=====	=====

SCHEDULE 4	2021	2020
	€	€
ESTATE SERVICES		
Distillery usage fee and service charge	240,000	-
Criminal Courts of Justice rent	463,434	-
Cork rent	50,080	-
Rates	161,700	99,973
Light and heat	17,527	30,477
Security	215,126	171,306
Repairs and maintenance	28,794	50,478
Cleaning and laundry	38,357	45,405
Removals, storage and shredding	24,141	30,054
Property insurance	5,000	4,999
Depreciation	179,066	184,056
	-----	-----
	1,423,225	616,748
	=====	=====

SCHEDULE 5	Note	€	€
ADMINISTRATION EXPENSES			
Telephone, printing, stationery, etc.		42,255	66,432
Travel and meeting expenses		1,251	1,685
Professional subscriptions		2,906	5,691
Audit fees		7,502	7,596
Legal and other consultancy	11	148,170	12,805
General insurances		69,631	69,266
Bank charges		20,916	27,006
Provision for bad debts		(68,182)	246,546
Miscellaneous		15,787	13,029
		-----	-----
		240,236	450,056
		=====	=====

SCHEDULE 6	€	€
STAFF COSTS		
Salaries incl. employer's PRSI	2,217,240	2,688,205
Employer's contribution to pension scheme	459,186	318,860
Staff recruitment	26,707	33,653
Staff training	31,925	12,853
Other staff costs	48,137	33,089
	-----	-----
Regular staff costs	2,783,195	3,086,660
	=====	=====

SCHEDULE 7	€	€
EXCEPTIONAL EXPENSES		
LSRA Levy costs	12	405,812

		405,812
		=====

NOTES TO THE ACCOUNTS

Year ended September 30, 2021

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Statement of compliance

The financial statements of the Council for the year ended September 30, 2021, 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. 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 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 item

Exceptional items are those that the management's view 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 consider 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 review these asset useful economic lives and change them as necessary to reflect current thinking on remaining lives in light of prospective economic utilisation and the physical condition of the assets concerned. Changes in asset 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 which, 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.

The Council makes an estimate of the recoverable value of trade and other debtors.

(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 €9,901,427, making a total value (valuation plus net additions) at September 30, 2021, of €10,079,190, 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, 2020	3,625,765	460,136	191,602	525,235	4,802,738
Additions	-	2,000	-	230,907	232,907
Disposals	-	-	-	-	-
At September 30, 2021	3,625,765	462,136	191,602	756,142	5,035,645
Depreciation					
At October 1, 2020	1,497,456	353,084	117,650	187,568	2,155,758
Charge for the year	129,436	26,826	22,804	122,683	301,749
On disposals	-	-	-	-	-
At September 30, 2021	1,626,892	379,910	140,454	310,251	2,457,507
Net book value					
At September 30, 2021	1,998,873	82,226	51,148	445,891	2,578,138
At September 30, 2020	2,128,309	107,052	73,952	337,667	2,646,980

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 €1,527,134 (2020: €1,584,106).

6. AMOUNTS DUE FROM RELATED ENTITIES WITHIN ONE YEAR

	2021	2020
	€	€
Amount owed by LLFL	6,699,911	6,914,042
Amount owed by DDRC	(38,834)	(31,107)
	6,661,077	6,882,935
	=====	=====

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

	2021	2020
	€	€
Cash on hand	2,314	2,335
BOI account	609,199	331,135
BOI sterling account	9	9
	611,522	333,479
	=====	=====

8. CREDITORS

	2021	2020
	€	€
Trade creditors	603,329	238,747
Accruals	2,776,801	2,722,869
	3,380,130	2,961,616
	=====	=====

9. OTHER CREDITORS

	2021	2020
	€	€
Other creditors	-	990,161
		990,161
	=====	=====

In April 2020, the Council made a decision to provide members with a 25% credit on annual subscriptions for 2019/2020 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 2019/2020 subscription fees, which the Council provided for members in October 2020.

10. RESERVES

	2021	2020
	€	€
Opening balance	7,907,251	8,335,078
Add net deficit/surplus	(351,632)	(427,827)
	-----	-----
	7,555,619	7,907,251
	=====	=====

11. IT SERVICES, LEGAL DATABASES AND OTHER COSTS

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.

Legal and other consultancy

At €148,170, legal and other consultancy costs increased on previous years, mainly due to two exceptional, non-recurring, projects undertaken by Council. Firstly, 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 cost of this consultancy service was €106,405 plus VAT. A portion of this cost relating to the review of the property portfolio owned by the organisation through Law Library Properties Ltd was charged directly to this company.

Also included in legal and other consultancy costs this year is a portion of the consultancy fee incurred up to September 30, 2021, relating to the joint engagement of EY by the Bar of Ireland and the Law Society to complete economic research. Both projects were approved by Council in 2021 and in each case a comprehensive tender process was undertaken prior to engagement of the consulting firm.

12. EXCEPTIONAL EXPENSE – LSRA LEVY COSTS

As noted in last year's financial statements, the LSRA Levy was introduced under the Legal Services Regulation Act 2015. Each barrister is required to pay an annual levy to the Legal Services Regulatory Authority (LSRA) to meet the costs it incurs in carrying out its functions under the 2015 Act.

In order to support members in the early part of this new regulation, the Council of The Bar of Ireland agreed to fund 2018 and 2019 Levy costs for members from its accumulated reserves. In June 2020, the Council also agreed to pay the 2020 LSRA Levy on behalf of members.

The LSRA operates on a calendar year basis, and as the 2020 levy crosses two legal years, this charge appears in the financial statements in year ended September 30, 2020, and September 30, 2021.

The LSRA Levy for 2020 was issued on September 9, 2021, for a total sum of €346,939. The LSRA Levy charge for 2020 to financial statements for year ended September 30, 2021, is €112,189.

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 2021. The €293,623 included in the profit and loss account for 2021 is based on the 9/12ths of the €391,497 Levy estimated for 2021.

In total, the LSRA Levy charge for 2020 and 2021 to the financial statements for year ended September 30, 2021, is €405,812.

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 FRS102 in relation to the disclosure of transactions with group companies.



THE BAR
OF IRELAND

The Law Library

BARRA NA hÉIREANN

An Leabharlann Dlí

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