



THE BAR
OF IRELAND

The Law Library

SAFEGUARDING
JUSTICE

May 2020



A Message from the Chairman

Welcome to the second edition of *Safeguarding Justice* – a newsletter developed as part of a new campaign overseen by the Public Affairs Committee to boost the profile of justice and the rule of law.

Upholding the rule of law, promoting access to justice and ensuring the interests of justice are the primary functions of a barrister. A key role of the Council of The Bar of Ireland in upholding and improving our justice system is through advocating for the reform and development of legislation and regularly participating in reviews of the operation of the justice system.

This newsletter highlights the range of advocacy work undertaken by the Council and its committees in recent months through its submissions and engagement with key stakeholders, including State bodies, business and voluntary sectors, and the media.

I am immensely grateful to the many members who volunteer their time, knowledge and expertise to the reform and development of law and policy across a range of areas on behalf of the profession. The Bar of Ireland welcomes and invites continued engagement with all interested parties on the issues raised within.

Micheál P. O'Higgins SC

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Justice Sector in Numbers

2020 TOTAL JUSTICE BUDGET

€3 BILLION 

3% OF OVERALL GOVERNMENT BUDGET

COURTS SERVICE

€156 MILLION 

5.2% OF JUSTICE BUDGET, 13% INCREASE ON 2019

CIVIL LEGAL AID

€42 MILLION 

3.5% INCREASE ON 2019

CRIMINAL LEGAL AID

€65 MILLION 

0.3% INCREASE ON 2019

Source: Department of Public Expenditure & Reform Databank

AT THE END OF 2018, THERE WERE

1,754

PEOPLE WAITING FOR CIVIL LEGAL AID SERVICES

A SURGE IN THE DEMAND FOR LEGAL AID SERVICES IS ANTICIPATED ARISING FROM COVID-19

Source: Legal Aid Board Annual Report 2018



THERE CAN BE WAITING TIMES OF UP TO

58 WEEKS 

TO SEE A LEGAL AID SOLICITOR

Source: A FLAC Manifesto for General Election 2020

IN 2018, THERE WERE

18,248

NEW APPLICATIONS FOR LEGAL AID

7% INCREASE FROM PREVIOUS YEAR



84% OF THESE INVOLVED A FAMILY MATTER

DEMAND FOR FAMILY LAW SERVICES ROSE 31% IN THE PRECEDING 12 MONTHS

Source: Legal Aid Board Annual Report 2018



Preserving justice during COVID-19

Designation of Barristers as an ‘essential service’

Barristers provide an essential and necessary service in the administration of justice, providing representation for clients before the courts and playing a key part in upholding the rule of law. The Council welcomes the designation of barristers as an **‘essential service’** by the Government as a vital measure to safeguard the rule of law, and to ensure the continued administration of justice in support of other essential services and vulnerable people during this crisis.

Remote Hearings

The Council is working collaboratively with the Judiciary in relation to remote hearings to ensure that the courts can increase the number of cases they can deal with in the current environment, that the system is workable, that it is in the interests of all litigants, and that it is consistent with the effective administration of justice. A remote hearing conducted by technology is no substitute for a live hearing where the client, solicitor and barrister are physically present, however access to a functioning court system is the bedrock of our democracy and we must find ways for the administration of justice to continue in this crisis.

Remote hearings are currently being piloted in the Superior Courts, with the intention to gradually roll out the initiative to other courts in suitable cases. Remote hearings will not be suitable for all cases and the ability of each court to utilise the remote hearing facility will vary. Much will depend on the type of case for hearing and the subject-matter involved.

The Council is strongly of the view that modern technology should be availed of to the maximum extent possible, particularly during the Covid-19 crisis. We welcome the introduction of remote hearings so that the administration of justice can proceed as efficiently as possible and litigants can get their cases on for hearing. However, the Council maintains the view that where a live court based hearing can be conducted in a way that is safe for practitioners and all court users in accordance with Government and public health directions on social distancing, then it should take place. The Council established a working group comprising of members of the Council to provide suggestions to the Judiciary and to the Courts Service on ways in which court business might continue, in addition to remote hearings, during the pandemic. The resulting proposal was submitted to the Courts Service on May 1st and is available on The Bar of Ireland’s website [here](#). As the Covid-19 context continues to evolve, The Bar of Ireland will continue to explore feasible options for the continuing administration of justice in a safe and productive manner, and welcomes on-going dialogue with the Judiciary and Courts Service to ensure effective access to justice for all litigants.



Pro bono at the Bar

Members of The Bar of Ireland continue to dedicate significant time to our pro bono initiatives, including the **Voluntary Assistance Scheme (VAS)**, the formal pro bono scheme of the Bar; and through a number of community-based organisations that operate outside of the Bar, including the law clinics run by FLAC and Community Law and Mediation (CLM). In 2019, CLM ran 47 free legal advice clinics with the assistance of 18 volunteer barristers. Assistance was provided in relation to 715 legal matters in that time, the majority of which related to family law and employment law.

As the COVID-19 crisis persists, the demand for free legal advice, advocacy and representation is increasing. A substantial increase in employment, housing and family-related queries has been observed by CLM.

FLAC and CLM continue to operate free legal advice clinics via telephone:



01 847 7804 or 061 536 100



1890 350250 or 01 8745690



VAS@lawlibrary.ie

Charities, NGOs and civic society groups who are working hard to provide a dynamic response to the needs of vulnerable groups during this national crisis, are reminded of the voluntary legal services of The Bar of Ireland's Voluntary Assistance Scheme (VAS). VAS can provide assistance in most areas of law including debt, housing, landlord and tenant, social welfare, employment and equality law. Legal services can be provided to the charity, NGO or civic society group directly, or to the organisation's clients where the organisation acts as the intermediary. Full details of the scheme and how to avail of its services can be found [here](#).

Campaigns

The Bar of Ireland regularly collaborates with the business and community sectors on a range of campaigns and initiatives that represent and promote our shared pursuit of fairness, effectiveness and efficiency within the legal and justice system. Below are some of the joint campaigns and initiatives embarked upon in recent months:



Promoting Justice

In February, The Bar of Ireland participated in its inaugural 'Justice Week' - a joint awareness campaign of the legal professions across the four jurisdictions (Scotland, Northern Ireland, Ireland, England & Wales) to boost the profile of justice and the rule of law.

The focus of the 2020 campaign was to engage with young people (the under 25s) through a series of events and social media to inform, educate and improve their understanding of the importance of the justice system, and to demonstrate the possibilities that the law can provide in protecting their fundamental rights and freedoms.



Each day of the week carried a distinct theme which reflect many of the common challenges facing citizens and states across Europe and beyond; issues such as climate justice, the protection of fundamental rights and freedoms, and access to justice. Bringing attention to the importance of law and the courts in addressing these challenges is an important and continuous exercise. The Bar of Ireland would like to see 'Justice Week' form part of the legal and justice sector's annual calendar of events and looks forward to the involvement of many more voices in 2021. If you would like to participate please get in touch communications@lawlibrary.ie.



Watch [here](#) for a look back at the week's activities.



Launching Justice Week: The Hon Mr. Justice Frank Clarke, Chief Justice, Anita Finucane BL, Chair of the Young Bar Committee, and Micheál P. O'Higgins SC, Chairman of the Council of The Bar of Ireland.



Ciara Ramsbottom of DCU, awarded for her participation in the Justice Week interuniversity debate by Micheál P. O'Higgins SC, Chairman of the Council of The Bar of Ireland.



Courting Disaster - Call on government to urgently allocate funding for a dedicated family law court

A number of organisations joined together to launch the 'Courting Disaster' campaign in December 2019, calling on Government to immediately allocate the funding required to develop a dedicated Family Law Court at Hammond Lane in Smithfield in Dublin.

A properly functioning courts system is essential to providing access to justice yet some of the most vulnerable members of society seeking to resolve family law and childcare proceedings are faced with wholly unsuitable court facilities in archaic conditions where not even basic needs are met such as separate waiting areas, family friendly spaces and consultation rooms to allow for privacy in these most sensitive of cases.

The construction of dedicated Family Law Court facilities has been agreed in principle for some time and the site at Hammond Lane is ready and waiting, however agreement has yet to be reached on its structure and funding. The ongoing failure to commit the necessary resources gives rise to a significant and serious risk that the existing system cannot adequately protect the rights of individuals or children participating in family law proceedings, and is inhibiting access to justice for some of the most vulnerable members of our society.



Our coalition partners

The Courting Disaster campaign echoes the recommendation of the **Joint Oireachtas Committee on Justice and Equality Report on Family Law Reform (published October 2019)** that the necessary funding be allocated to ensure the construction of a purpose-built family law complex is commenced as a matter of urgency. The campaign appeals to the next Government to make the necessary funding available without any further delay so that the deficiencies in the current family law system can begin to be addressed.



Campaign coalition pictured at its launch in December at Hammond Lane in Smithfield, Dublin, where it is proposed the new court be constructed



Ireland for Law

Following government’s endorsement of the **joint initiative** put forward by The Bar of Ireland, the Law Society and the wider legal community to promote Ireland as a leading centre globally for international legal services, an Implementation Group, chaired by former Taoiseach John Bruton, was established in October 2019 to implement an International Legal Services Strategy for Ireland.

Ireland for Law is the banner brand for the strategy and represents a key milestone in moving to a strategic and co-ordinated approach to promoting Irish Law and Irish Legal Services to the international business community, particularly in areas where Ireland is already a world leader, including aviation finance, funds, insurance, tech, pharma and life sciences. The Ireland for Law banner brand is a key action of the Government’s Brexit Strategy and complements the IFS2025 International Financial Services Strategy.



The Bar Review spoke to former Taoiseach, John Bruton, in December about his new role as Chair of the Implementation Group and its three-year action plan. To learn more about the strategy and to read his interview click [here](#).

10

REASONS TO CHOOSE IRELAND & IRISH LAW

<p>English speaking, common law and in the EU</p> <p>1 </p>	<p>World leader in aviation finance, funds, insurance, tech, pharma and life sciences</p> <p>2 </p>	<p>A specialist Commercial Court with related lists dealing with Competition, Arbitration and Strategic Infrastructure Litigation</p> <p>3 </p>	<p>Decisions easily enforced in other EU member states</p> <p>4 </p>	<p>A modern international arbitration law</p> <p>5 </p>
<p>A Government with a track record and commitment to respond to the changing nature and demands of international business</p> <p>6 </p>	<p>Experienced, independent and impartial Judiciary with Commercial Expertise</p> <p>7 </p>	<p>An experienced and expert legal profession, consisting of 12,000 solicitors and 2,200 barristers</p> <p>8 </p>	<p>Expertise in corporate mergers, global restructuring and insurance portfolio transfers</p> <p>9 </p>	<p>Widely available legal expertise from organisations such as the Commercial Litigation Association of Ireland and Arbitration Ireland</p> <p>10 </p>



ELECTION BULLETIN 2020

Election Bulletin

The Bar of Ireland Election Bulletin entitled ‘**Safeguarding Justice**’ was circulated to all election candidates, political parties and members of the Oireachtas, ahead of the General Election 2020 earlier this year. The Bulletin highlights a number of issues impacting the administration of justice and calls on the next government to prioritise investment and policy action in four key areas to ensure that timely and efficient access to justice is accessible to all those that need it:



1 Safeguarding the constitutional right of access to the courts



2 Safeguarding Access to Justice through Legal Aid



3 Allocation of appropriate budget to develop dedicated Family Law and Children’s Court at Hammond Lane



4 Promoting Ireland as a leading centre for international legal services



The Council welcomes the prioritisation of the development of a Family Law and Children’s Court complex in the manifestos of Fianna Fáil and Fine Gael, whose efforts to form a coalition are currently underway, however The Bar of Ireland once again reiterates that the allocation of funding must be of adequate levels to ensure the development of a court complex that is fit for purpose.

Informing and Reforming

Over the past number of months, The Bar of Ireland, through its Council and committees, has submitted independent expert opinion across a range of issues concerning the rule of law and the administration of justice. Full submissions are available on the website www.lawlibrary.ie.

Submission Spotlight

November 2019

Access to Justice and Legal Costs

Submission to the Joint Committee on Justice and Equality

Key Recommendations

- Significant additional resources required for the civil legal aid system in Ireland.
- Eligibility criteria and the areas of law to which civil legal aid applies need urgent review.
- Increased investment in legal aid can lead to significant government savings. A cost-benefit analysis would be of considerable assistance to the Government in understanding the additional value to be gained from increased investment in legal aid.



Safeguarding Access to Justice through Legal Aid

For any legal system to operate at its optimum level, access to justice must be available to all. Vulnerable sections of society often encounter difficulties in accessing the legal system and representatives of the Council of The Bar of Ireland appeared before the **Joint Oireachtas**



Committee on Justice and Equality on 27th November 2019 alongside representatives from FLAC, the Legal Aid Board and the Law Society, to discuss this very concerning issue.

Among the key issues highlighted by the Council in its submission is the importance of legal aid as a vital component to ensuring a person's constitutional right of access to the courts. The submission discusses how the structure of the independent referral bar and its commitment to pro bono legal services plays a vital role in narrowing the justice gap and highlights ways in which the State and the Courts can better support the principle of access to justice. In addressing the Justice Committee, the Council stressed the need for significant additional investment in civil legal aid if the scheme is to provide a meaningful service to the most vulnerable sectors of society on a long term and sustainable basis.

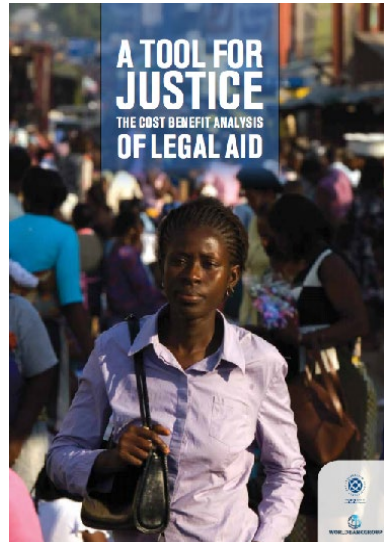
Impact of COVID-19 on demand for Legal Aid

An enhanced civil legal aid system competes in a finite pool of public resources, and legal aid does not feature as high on the political agenda as other priority issues such as health and housing. In the current climate, never before has there been greater demand

on public spending, as the Government takes every fiscal measure necessary, and rightly so, to deal with the devastating impact of Covid-19. However, the pandemic is going to have a severe impact on people's lives and it is inevitable that the demand for legal aid will increase further in the coming weeks and months. With unemployment levels on the rise, more and more people will become eligible for legal aid, and access to justice will become even more pertinent, as citizens seek to assert, protect and vindicate rights that may have been adversely affected by the crisis.

Cost Benefit of Legal Aid

There are strong economic arguments that support investment in legal aid. **A recent report of the World Bank, in collaboration with the International Bar Association** (September 2019) notes that the failure to address the justice gap through legal aid can be "a false economy, as the costs of unresolved problems shift to other areas of government spending such as health care, housing, child protection, and incarceration... Studies find significant net economic benefits [as a result of public investment in legal aid], even in the short term, including immediate benefits to clients and cost-savings to governments". The report demonstrates that by facilitating access to justice through the provision of an efficient, well-resourced, end-to-end legal aid service, it can help maximise positive outcomes for clients and decrease cycles of disadvantage, whilst alleviating pressures on other areas of public expenditure and contributing to the wider economy. At times of budgetary constraints where policy-makers are under increasing pressure to justify public expenditure and demonstrate evidenced-based decision-making, a cost benefit analysis of legal aid represents a prudent approach.



December 2019

Review of the Prohibition of Incitement to Hatred Act 1989 **Submission to the Department of Justice and Equality**



An Roinn Dlí agus Cirt
Department of Justice and Equality

The Prohibition of Incitement to Hatred Act 1989 criminalises certain conduct that is intended or is likely to stir up hatred against certain protected groups. The importance of such legislation cannot be gainsaid. However, there are fundamental weaknesses in the Act which limit its overall effectiveness. This submission sets out proposals for amendments that might be made to the 1989 Act so as to improve its functionality whilst ensuring proper protection of the right of freedom of expression.

Key Recommendations:

- Expand the scope of the Act to prohibit incitement to hatred against a broader category of groups so as to bring it into line with those afforded protection under equality legislation.
- The legislation should be amended to be far clearer about what exactly needs to be proven in order to secure a prosecution and go to the heart of what the 1989 Act aims to prevent: conduct that is intended to spread, promote, advocate, incite or justify hatred.

- The Act should be amended to make it more effective at facilitating prosecutions for material published online.
- The requirement for a guilty mind on the part of the accused (*mens rea*) is a fundamental component of any criminal offence. The Act is problematic, however, as it also allows for the prosecution to secure a conviction where it is proved that particular conduct was *likely* to stir up hatred against a particular group. Reference to “likelihood” should be removed and the Act amended to provide for the conviction of a person where he or she intends to promote hatred or is reckless as to whether or not hatred would be promoted.

February 2020

Admission Policies of the Legal Professions

Submission to the Legal Services Regulatory

Authority



An tÚdarás Rialála
Seirbhísi Dlí
Legal Services
Regulatory Authority

This submission was prepared at the request of the Legal Services Regulatory Authority (LSRA) who are in the process of preparing an annual report for the Minister for Justice and Equality on the admission policies of the legal professions. The submission provides an overview of Law Library membership trends and an assessment of whether the number of persons admitted to practise is consistent with the demand for barristers’ services and the public interest.

Key Observations:

- Despite a high population of barristers by international standards, retention issues exist at the independent referral Bar and attrition rates are relatively high in certain areas of law.
- There are a number of factors that explain the high rates of attrition:
 - an over-supply of barristers and insufficient demand for their services;
 - the consequences of severe cuts applied to professional fee levels in legally aided areas such as crime and family law giving rise to a real pressure on a barrister’s ability to sustain a reasonable income;
 - difficulties in getting paid is a significant factor in a barrister being able to sustain and develop a career at the independent referral bar.

March 2020

Capping Damages in Personal Injuries Actions

Submission to the Law Reform Commission



In this submission, the Council considers the constitutional implications of the four potential models put forward by the Law Reform Commission as a means of limiting the damages that courts may award in compensation for personal injuries. The Council considers the constitutional implications of the proposals including the impact on the doctrine of the separation of powers and on a number of constitutional rights, namely the right to bodily integrity, the right to an effective remedy, and the right to equality before the law.

Key Recommendations:

- The balance between providing more certainty to awards of damages, yet retaining judicial discretion is achieved with the fourth model i.e. the courts continue to set a maximum cap for catastrophic cases, and a proportionality test for others cases, taking into account the significant new arrangements for setting guidelines under the Judicial Council Act 2019.
- The Oireachtas has already established the Personal Injuries Guidelines

Committee under the Judicial Council Act 2019 and empowered that body to create guidelines with the strong implication that those guidelines will impose ranges of awards for injuries that are lower than current awards. The guidelines should be allowed to take their course to see whether the effect is appreciable or not. If the effect is not appreciable, then other more radical models may be considered.

- The selection of any particular model to limit damages in personal injuries actions will not by itself resolve the issue of the cost of insurance. It would be overly simplistic to assume that an issue as complex and multifactorial as this could be solved solely by capping damages for personal injuries.

March 2020

Gender Equality

Submission to the Citizens' Assembly



This submission, made jointly with the Employment Bar Association (EBA), recommends a series of actions to address gender inequality in areas of pay, recruitment/promotion, workplace structures and caring responsibilities. Elimination of the gender pay gap and other forms of gender inequality in Ireland will require a fundamental shift in workplace culture and in society generally. Legislation and government policies can greatly assist with tackling these issues and the benefits of doing so will not only increase wealth for individual women and their households but will accrue to the Irish economy and to Irish society generally.

Key Recommendations:

- The cost of paying for maternity and paternity leave to be borne by the State in order to avoid disincentivising the employment of prospective parents.
- The State should provide universal accessible and affordable childcare and tax credits for care in the home. It is noted that tax credits are available for elder care but not for child care.
- Companies that contract with the State or that are in receipt of State funding should be obliged to submit to a pay audit to ensure that they are complying with their equal pay obligations.
- There should be compulsory publication of the gender pay gap for companies with over 50 employees, reinforced by a statutory enforcement mechanism that can impose financial penalties for failure to comply. Publication of the gender pay gap is of itself insufficient to effect change.
- Measures designed to tackle the gender pay gap should similarly extend beyond employees to persons contracted personally to execute any work or service. This means that sole practitioners - such as accountants, barristers and IT professionals - will benefit from the measures.

THE BAR REVIEW

Latest from *The Bar Review*

The Bar Review, The Bar of Ireland's journal, is published six times per year. It contains articles from leading barristers on key developments and topical issues of practical and legal importance, as well as a comprehensive Legal Update detailing pertinent publications, judgments and legislation.

Recent Articles

- Alan Keating BL provides an analysis on a recent decision of the High Court concerning **Periodic Payment Orders** in catastrophic injuries.
- Katherine McVeigh BL discusses the **compulsory retirement age and discrimination**.
- Dr Miriam Delahunt BL examines **the trial of children** in the Central Criminal Court following the much publicised trial of Boy A and Boy B for the murder of Ana Kriégel
- Garrett Cooney BL discusses the recent establishment of the **Personal Injuries Guidelines Committee** by the Judicial Council and its likely effect on personal injuries awards.

Recent Interviews

- **Angela Denning**, CEO of the Courts Service, on plans to modernise and develop the service for all users.
- Former Secretary General of the European Commission **Catherine Day** on her belief in European values, and the challenges facing Ireland in a post-Brexit Europe.
- Former Taoiseach **John Bruton** on his new role as Chair of the newly established Implementation Group for the promotion of Irish legal services post Brexit.

The Bar Review is freely available online. Click [here](#) to access the latest edition. You can also access our extensive archive of past editions [here](#).



Available online now!

The Bar of Ireland's LinkedIn COVID Series



The Bar of Ireland has introduced a new series of LinkedIn guest posts, bringing perspectives from our members and our partners across various areas of legal practice and policy, with a particular focus on the impact of the Covid-19 pandemic.

[Irish Rule of Law International: Response to COVID-19](#)

Aonghus Kelly

Aonghus Kelly, Executive Director of Irish Rule of Law International reports on how Covid-response measures are impacting on prisoner welfare and criminal justice in two IRLI projects in Malawi and Tanzania.



[Remote Hearings: Overview of UK Experience](#)

Patricia Sheehy Skeffington BL

Drawing on lessons from the UK experience of remote hearings, Patricia Sheehy Skeffington BL highlights some of the issues arising with regard to certain classes of parties, and in the varied decision-making settings.



[ADR and the use of Online Communications Post-Pandemic](#)

James Bridgeman SC

James Bridgeman SC outlines how the Arbitration & ADR community have ably relied on technology pre-Covid; pointing to flexibilities post-Covid.



[Access Orders, Family Law and Covid-19](#)

Rachel Baldwin BL

Rachel Baldwin BL gives an overview of the guidelines prepared by the Covid-19 Response Steering Group of the Family Lawyers Association to assist family law practitioners and parents in relation to access orders during this difficult time.



[EU Fundamental Rights Implications: Covid-19 Pandemic](#)

Sunniva McDonagh SC

Sunniva McDonagh SC provides an insight into the work of the Fundamental Human Rights Agency and its current assessment of how the Covid-19 crisis is impacting on some of the most vulnerable sections of society including migrants and asylum seekers.



Safeguarding justice and the rule of law in Europe and beyond

CCBE

The Council of Bars and Law Societies of Europe (CCBE), founded in 1960, is recognised as the voice of the European legal profession representing, through its members, more than 1 million European lawyers. CCBE membership includes the bars and law societies of 45 countries, including Ireland.



Among its recent activities, was a **letter** to Ursula von der Leyen, President of the European Commission, earlier this month, expressing concerns over measures taken in response to COVID 19. Of particular concern to lawyers Europe-wide are restrictions on movement which, necessary though they are, potentially also restrict access to justice.

Through the use of innovative technical solutions and adherence to proper protections, the work of the Courts can, and must, be facilitated, particularly in cases involving the liberty of citizens, the rights of families and other urgent matters. Human and fundamental rights and freedoms must not be diluted or suspended in this period of uncertainty. Governments are reminded that Article 47 of the EU's **Charter of Fundamental Rights** – the right to an effective remedy and to a fair trial – still apply.

Defending the role of the lawyer

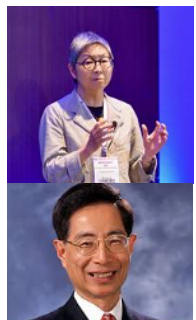
A core value of The Bar of Ireland is the defence of the rule of law and internationally recognised legal standards relating to human rights, including the right to a fair trial and due process.

The Human Rights Committee of The Bar of Ireland regularly monitors reports of alleged mistreatment of lawyers by governments and state authorities worldwide. The Committee has written to a number of embassies in recent times condemning the harassment, prosecution, arbitrary detention, threats and torture of lawyers targeted for their peaceful and legitimate work in defence of human rights in countries such as Turkey, India, China, Russia, Egypt, Iran and the Philippines.

Any harassment of lawyers, particularly those who represent some of the most vulnerable members of society, has a devastating impact on access to justice and the rule of law. The rule of law and the necessity for an independent legal profession, unhindered by any campaign which seeks to subvert lawyers' ability to fully represent their clients' interests and rights, must be respected and protected.

Mistreatment of lawyers in Hong Kong

The Human Rights Committee has written to Mrs. Carrie Lam, Chief Executive of the Hong Kong Special Administrative Region (HKSAR) and to the embassy of the People's Republic of China in Ireland, condemning the recent arrests of lawyers and democracy activists Martin Lee QC and Dr. Margaret Ng, whose peaceful and legitimate protection of human rights in accordance with domestic and international legal frameworks, causes grave concerns for access to justice and the rule of law. The Council joins its colleagues across the international legal community in calling on the Hong Kong authorities to immediately release these detainees; to drop all charges against them, and to cease what are alleged to be politicised and targeted prosecutions against those involved in peaceful demonstrations in Hong Kong. Read the letter **[here](#)**.



Specialist Bar Associations of The Bar of Ireland

The Bar of Ireland is home to a number of Specialist Bar Associations, each a vibrant hub of activity that facilitates the exchange and advance of specialist knowledge and expertise through conferences, seminars, papers and submissions, promoting members of The Bar of Ireland as a specialist provider of advocacy and legal advice services across a range of practice areas.



SBA Spotlight

EU Bar Association (EUBA)

The EU Bar Association is a specialist bar association for Irish barristers who practise in the area of EU Law. Established in December 2016, the EUBA provides specialist education to its members through seminars, conferences and briefing sessions which seek to keep members up to date on developments in the complex and fast moving area of EU law.



January 2020

Litigation Funding and Class Actions

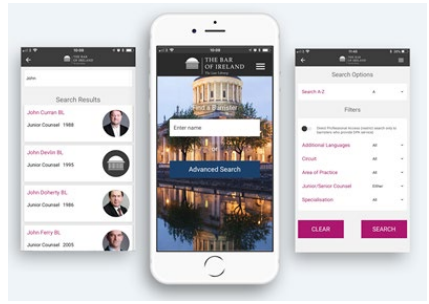
Joint report of the EU Bar Association with the Irish Society for European Law (ISEL)

The EU Bar Association (EUBA) and the Irish Society of European Law (ISEL) prepared this report for the Chief Justice of Ireland for the purpose of exploring the concepts of third party litigation funding and representative or class actions, which are currently not permitted in this jurisdiction. The report assesses whether the lack of either of these mechanisms in Ireland is a barrier to litigation in the context of access to justice and considers the comparative approaches of a number of other jurisdictions.

Find a Barrister

You can make direct contact with a barrister through our 'Find a Barrister' app on **iPhone** and **Android**.

Use the search tool to find a barrister by reference to his or her research skills, area of specialisation and location.



Do you need a legal opinion?

Direct Professional Access Scheme

The Direct Professional Access Scheme is a facility for approved bodies and their members to brief barristers directly (i.e. without going through a solicitor) in non-contentious matters. The scheme does not extend to contentious matters (for example, court appearances) but only legal opinion.

For more information on how to avail of this facility click [here](#).

Contact Us

Our Policy and Public Affairs Team welcomes the opportunity to speak with you, understand your priorities and clarify any queries you might have. Get in touch!

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