



THE BAR
OF IRELAND

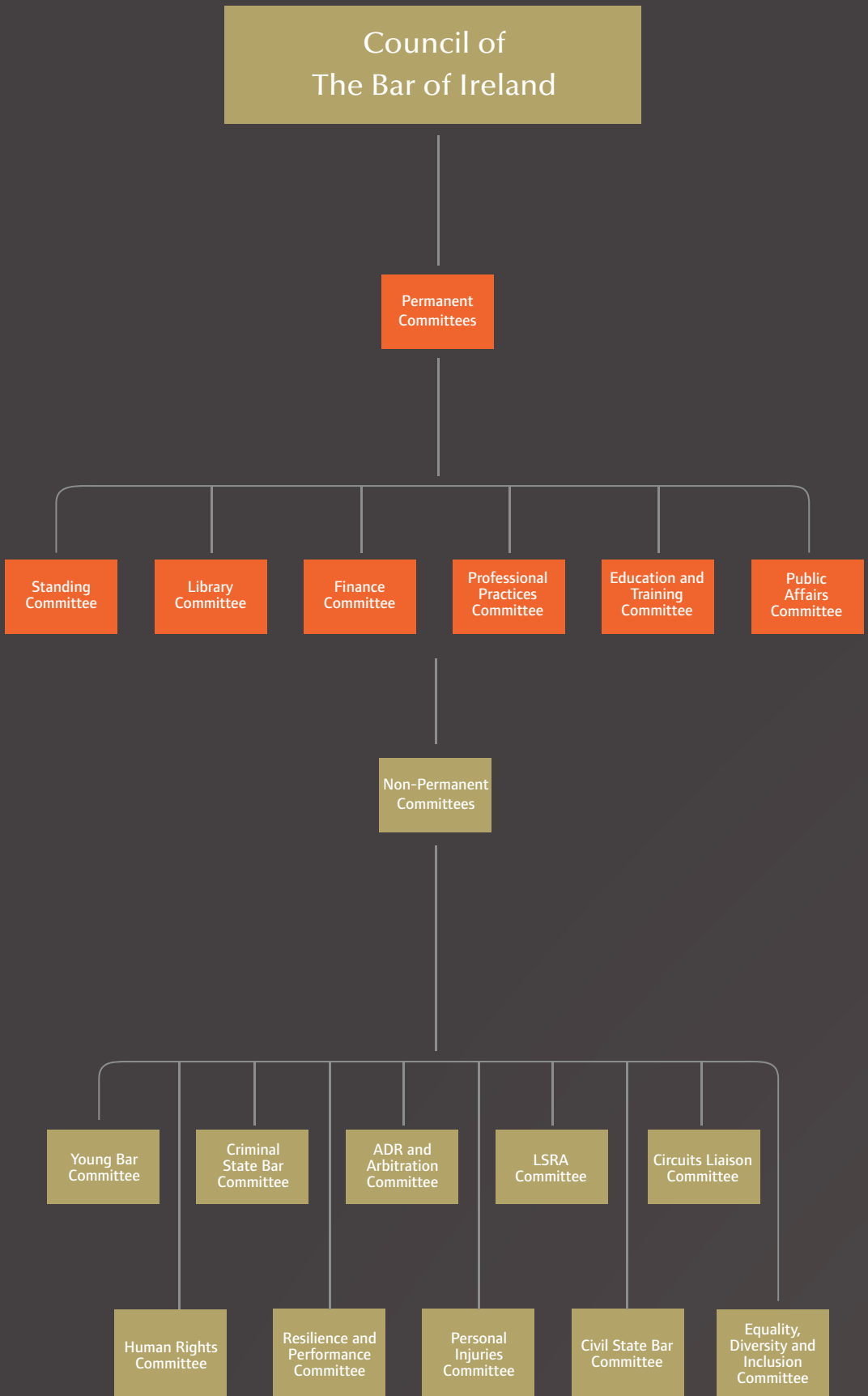
The Law Library



REPUTATION | KNOWLEDGE | SERVICES

ANNUAL REPORT 2018 - 2019

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*Micheál P O'Higgins SC
Chairman*



*Thomas Creed SC
Vice Chairman*



*Seán Ó hUallacháin SC
Treasurer*



Bernard Condon SC



Conor Dignam SC



Mary Rose Gearty SC



Sean Gillane SC



Paul McGarry SC



Maura McNally SC



Barry O'Donnell SC



Rachel Baldwin BL



Garrett Cooney BL



Moira Flahive BL



Paul Gunning BL



Dara Hayes BL



Claire Hogan BL



Maura King BL



Darren Lehane BL



Tony McGillicuddy BL



Joseph O'Sullivan BL

Co-optees



Nuala Butler SC



Miriam Reilly SC



Aoife Beirne BL



Vincent McKechnie BL



*Seamus Woulfe SC
Attorney General*

Standing Committee

- ▶ **Micheál P. O’Higgins SC** (Chairman)
- ▶ Tom Creed SC
- ▶ Conor Dignam SC
- ▶ Mary Rose Gearty SC
- ▶ Sean Gillane SC
- ▶ Sean Ó h’Uallacháin SC
- ▶ Barry O’Donnell SC
- ▶ Rachel Baldwin BL
- ▶ Dara Hayes BL
- ▶ Claire Hogan BL
- ▶ Darren Lehane BL
- ▶ Tony McGillicuddy BL
- ▶ Joseph O’Sullivan BL

Finance Committee

- ▶ **Sean Ó hUallacháin SC** (Chairman)
- ▶ Marguerite Bolger SC
- ▶ Bernard Condon SC
- ▶ Gabriel Gavigan SC
- ▶ Nuala Jackson SC
- ▶ Dermot Kelly SC
- ▶ Paul McGarry SC
- ▶ Barry O’Donnell SC
- ▶ Cormac Ó Dúilacháin SC
- ▶ Micheál P. O’Higgins SC
- ▶ Aidan Walsh SC
- ▶ Rachel Baldwin BL
- ▶ Anne Bennett BL
- ▶ Adrienne Cawley BL
- ▶ Garrett Cooney BL
- ▶ Síne Creamer BL
- ▶ Suzanne Dooner BL
- ▶ Moira Flahive BL
- ▶ Paul Gunning BL
- ▶ Declan Harmon BL
- ▶ Claire Hogan BL
- ▶ Lyndsey Keogh BL
- ▶ Darren Lehane BL
- ▶ Elizabeth Maguire BL
- ▶ Roderick Maguire BL
- ▶ Helen Murray BL
- ▶ Joseph O’Sullivan BL
- ▶ Emma Roche-Cagney BL

Education and Training Committee

- ▶ **Tony McGillicuddy BL** (Chairman)
- ▶ Denise Brett SC
- ▶ Rossa Fanning SC
- ▶ Mary Rose Gearty SC
- ▶ Sean Gillane SC
- ▶ Micheál Ó Scanail SC
- ▶ Úna Tighe SC
- ▶ Aoife Beirne BL
- ▶ Niall Buckley BL
- ▶ Patricia Hill BL
- ▶ Hugh McDowell BL
- ▶ Jeananne McGovern BL
- ▶ Eoin Sreenan BL

Professional Practices Committee

- ▶ **Mary Rose Gearty SC** (Chairman)
- ▶ Bernard Condon SC
- ▶ Thomas F. Creed SC
- ▶ Conor Devally SC
- ▶ Sean Gillane SC
- ▶ Seán Guerin SC
- ▶ Conor J. Maguire SC
- ▶ Paul C. McCarthy SC
- ▶ Paul McGarry SC
- ▶ Maura McNally SC
- ▶ Ronan M. Murphy SC
- ▶ Cathleen Noctor SC
- ▶ Barry O’Donnell SC
- ▶ Siobhan Phelan SC
- ▶ Ronnie A.M. Robins SC
- ▶ Kate Ahern BL
- ▶ Sara Antoniotti BL
- ▶ Garrett Cooney BL
- ▶ Suzanne Dooner BL
- ▶ Emily Gibson BL
- ▶ Elizabeth Gormley BL
- ▶ Dara Hayes BL
- ▶ Darren Lehane BL
- ▶ Tony McGillicuddy BL
- ▶ Vincent McKechnie BL
- ▶ Joseph O’Sullivan BL
- ▶ Brendan Savage BL
- ▶ Emer Woodfull BL

Legal Services Regulatory Authority Committee

- ▶ **Dara Hayes BL** (Chairman)
- ▶ Nuala Butler SC
- ▶ Conor Dignam SC
- ▶ Sean Gillane SC
- ▶ James Byrne BL
- ▶ Anita Finucane BL
- ▶ Claire Hogan BL
- ▶ Ronan C. Kennedy BL
- ▶ Tony McGillicuddy BL
- ▶ Joseph O’Sullivan BL
- ▶ Brendan Savage BL

Library Committee

- ▶ **Claire Hogan BL** (Chairman)
- ▶ Robert Barron SC
- ▶ Thomas F. Creed SC
- ▶ Conor Dignam SC
- ▶ Sean Gillane SC
- ▶ Micheál D. O’Connell SC
- ▶ Sean Ó hUallacháin SC
- ▶ William Abrahamson BL
- ▶ Rachel Baldwin BL
- ▶ Aoife Beirne BL
- ▶ Seamus Breen BL
- ▶ Ben Clarke BL
- ▶ Fergal Foley BL
- ▶ Siobhán Gaffney BL
- ▶ Paul Gunning BL
- ▶ Dara Hayes BL
- ▶ Darren Lehane BL
- ▶ George Maguire BL
- ▶ Roderick Maguire BL
- ▶ Tony McGillicuddy BL
- ▶ Vincent McKechnie BL
- ▶ Helen Murray BL
- ▶ Joseph O’Sullivan BL

Public Affairs Committee

- ▶ **Barry O’Donnell SC** (Chairman)
- ▶ Thomas F. Creed SC
- ▶ Conor Dignam SC
- ▶ Desmond Dockery SC
- ▶ Paul McGarry SC
- ▶ Micheál P. O’Higgins SC
- ▶ Seán Ó hUallacháin SC
- ▶ Maria Brosnan BL
- ▶ Garrett Cooney BL
- ▶ Moira Flahive BL
- ▶ Imogen McGrath BL
- ▶ Sonja O’Connor BL
- ▶ Joseph O’Sullivan BL

Young Bar Committee

- ▶ **Rachel Baldwin BL** (Chairman)
- ▶ Kate Ahern BL
- ▶ Aoife Beirne BL
- ▶ Anne Bennett BL
- ▶ Marian Flanagan BL
- ▶ John Flavin BL
- ▶ Jennifer M. Good BL
- ▶ Claire Hogan BL
- ▶ Evan Kearney BL
- ▶ Lyndsey Keogh BL
- ▶ Darren Lehane BL
- ▶ Micheál Mac Aoidh BL
- ▶ Niamh O'Sullivan BL
- ▶ Shane Manus Quinn BL
- ▶ Niamh Ryan BL
- ▶ Tanya Smith BL
- ▶ Jack Sreenan BL
- ▶ Daragh Troy BL

Circuit Liaison Committee

- ▶ **Paul Gunning BL** (Chairman)
- ▶ Thomas F. Creed SC
- ▶ Maura McNally SC
- ▶ Fiachra Breathnach BL
- ▶ Sharon Brooks BL
- ▶ Garrett Cooney BL
- ▶ Tom Fitzpatrick BL
- ▶ Moira Flahive BL
- ▶ Sinéad Garry BL
- ▶ Elaine Hanniffy BL
- ▶ John Madden BL
- ▶ Vincent McKechnie BL
- ▶ Patrick Murphy BL
- ▶ Vincent Nolan BL
- ▶ Anne O'Meara BL
- ▶ Aisling Wall BL

Resilience and Performance Committee

- ▶ **Maura McNally SC** (Chairman)
- ▶ Robert Barron SC
- ▶ Bernard Condon SC
- ▶ Thomas F. Creed SC
- ▶ Grainne Berkery BL
- ▶ Mema Byrne BL
- ▶ Owen Connolly BL
- ▶ Femi Daniyan BL
- ▶ Suzanne Dooner BL
- ▶ Cathrina Keville BL
- ▶ Tanya Smith BL

Equality, Diversity and Inclusion Committee

- ▶ **Moira Flahive BL** (Chairman)
- ▶ Bernard Condon SC
- ▶ Conor Dignam SC
- ▶ Micheál P. O'Higgins SC
- ▶ Sara Phelan SC
- ▶ Miriam Reilly SC
- ▶ Susan Ahern BL
- ▶ Dara Hayes BL
- ▶ Grainne Larkin BL
- ▶ Helen McCarthy BL
- ▶ Imogen McGrath BL
- ▶ Vincent McKechnie BL

Personal Injuries Committee

- ▶ **Garrett Cooney BL** (Chairman)
- ▶ Declan J. Buckley SC
(resigned May 2019)
- ▶ Michael Byrne SC
- ▶ Jonathan Kilfeather SC
- ▶ Patrick C. O'Connell SC
- ▶ Miriam Reilly SC
- ▶ Eve Bolster BL
- ▶ Rachel Duffy BL
- ▶ Adrienne Fields BL
- ▶ Eavanna Fitzgerald BL
- ▶ Moira Flahive BL
- ▶ Paul Gallagher BL
- ▶ Grainne Larkin BL
- ▶ Heather Nicholas BL
- ▶ Patrick R. O'Brien BL
- ▶ Stephanie O'Connell BL
- ▶ Andrew Whelan BL

Civil State Bar Committee

- ▶ **Joseph O'Sullivan BL** (Chairman)
- ▶ Denise Brett SC
- ▶ Nuala Butler SC
- ▶ Barry O'Donnell SC
- ▶ Rachel Baldwin BL
- ▶ Aoife Carroll BL
- ▶ Katie Dawson BL
- ▶ Grainne Duggan BL
- ▶ Brian Foley BL
- ▶ Matthew Judge BL
- ▶ Damien Keaney BL
- ▶ Darren Lehane BL
- ▶ Sarah McKechnie BL
- ▶ Deirdre O'Donohoe BL
- ▶ Emma Ryan BL

Criminal State Bar Committee

- ▶ **Sean Gillane SC** (Chairman)
- ▶ Thomas F. Creed SC
- ▶ Desmond Dockery SC
- ▶ Maurice Coffey BL
- ▶ Kate Egan BL
- ▶ Carl Hanahoe BL
- ▶ Dara Hayes BL
- ▶ Tony McGillicuddy BL
- ▶ Jane McGowan BL
- ▶ Aoife McNickle BL
- ▶ Karl Monahan BL
- ▶ Emer Ní Chúagáin BL
- ▶ Aoife O'Leary BL

Human Rights Committee

- ▶ **Conor Dignam SC** (Chairman)
- ▶ Thomas F. Creed SC
- ▶ Sean Gillane SC
- ▶ Michael Lynn SC
- ▶ Sunniva McDonagh SC
- ▶ Barry O'Donnell SC
- ▶ Colm O'Dwyer SC
- ▶ Alan D.P. Brady BL
- ▶ Patricia Brazil BL
- ▶ Diane Duggan BL
- ▶ Conan Fegan BL
- ▶ Alison Fynes BL
- ▶ Bláithín Gallagher BL
- ▶ Elizabeth Gill BL
- ▶ Dara Hayes BL
- ▶ Pádraig Langsch BL
- ▶ Natalie McDonnell BL
- ▶ Anthony Moore BL
- ▶ Sarah O'Malley BL
- ▶ Colin Smith BL
- ▶ Venetia Taylor BL
- ▶ Fintan Valentine BL

ADR and Arbitration Committee

- ▶ **Darren Lehane BL** (Chairman)
- ▶ James Bridgeman SC
- ▶ Dermot Flanagan SC
- ▶ Patrick Leonard SC
- ▶ Paul McGarry SC
- ▶ Susan Ahern BL
- ▶ Niall F. Buckley BL
- ▶ Sarah Cooney BL
- ▶ Arran Dowling Hussey BL
- ▶ James Egan BL
- ▶ Kieran Falvey BL
- ▶ Cathrina Keville BL
- ▶ Gerard M. Murphy BL
- ▶ Louise J. Reilly BL
- ▶ Anna Shanley BL
- ▶ Venetia Taylor BL
- ▶ Alison Walker BL

Advocating for the Bar and for the justice system

Looking back on my year as Chairman, I feel a great sense of pride and honour to have presided over the Council of The Bar of Ireland, who work hard in the interest of all members of the Law Library.

The right to access justice

These past 11 months of my Chairmanship have seen an unprecedented scrutiny of the justice system, with a number of high-profile cases shining a spotlight on the operation of our courts system, in particular in cases relating to personal injury, medical negligence, sexual assault, and other criminal matters. The issues that have been discussed across the airwaves and in the houses of the Oireachtas are of concern to all of us in both our professional and personal lives, as the core principles underpinning the rule of law and access to justice lie at the heart of the debate.

While it is wholly valid that balancing the rights of victims and plaintiffs with those of defendants is discussed, when the heightened public discourse risks the integrity of the operation of the justice system, the independent referral Bar of Ireland must take the lead in highlighting the fundamentals that underpin the rule of law and the right of every citizen of this country to access justice. From time to time, this may also involve defending the role of judges who, too frequently in recent times, have been attacked for doing no more than their duty of administering justice in individual cases.

In the view of the Council, where a person has suffered an injustice or personal injury, or has been the victim of a crime, or where a person has been accused of wrongdoing, nothing should detract from their entitlement to go to court to have their rights vindicated or their interests defended by the legal profession. Barristers promote and protect their client's best interests fearlessly and do so without regard to

their own interests. They perform their functions with independence and in a manner that is consistent with their duty to participate in the administration of justice. As we know, a barrister is professionally obliged to represent a person if the case is within his or her capacity, skill and expertise. Whether prosecuting or defending, or acting for plaintiff or defendant, barristers are contributing to the maintenance of a robust justice system. While the media plays an important role in keeping the public informed on the day-to-day operations of the courts, justice can only be served in a court of law, not in the court of public opinion. The badge of a properly functioning system is that outcomes will differ, depending on the merits of a case and the evidence heard. In this way, differing verdicts show that the justice system is working, not that it has broken down.

Changing the system

What should be of concern to all are the shortcomings and inadequacies of the system we are operating in as professionals. These inadequacies include: incomprehensibly constricting budgets that make it harder for the courts to do their work; a continuing shortage of judges, which leads to delays in cases getting on and in appeals; inadequate court facilities; and, a chronic under-resourcing of legal aid. Over the past year, the Council and its committees have made submissions, attended meetings and spoken across the media on behalf of the profession about all of these deficits.

Two areas where these deficiencies are most keenly felt are family law and criminal law. The failure to construct a purpose-built family law court venue at Hammond Lane, in conjunction with inadequate facilities, 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. The failure to provide separate waiting areas in court venues, whereby parties are forced to conduct themselves in close proximity, can also increase anxiety and tension, and has given rise to significant safety issues for clients and barristers. There have been a number of completely unacceptable attacks on members of the legal profession in recent times, which are also a direct attack on the primacy of the rule of law. Issues of the safety and security of barristers, and all those working in the courts system, are an absolute priority for the Bar, and the Council has been actively engaging with the Courts Service to ensure the protection of our members and to facilitate a safe environment in which barristers can advocate on behalf of their clients.

The Council of the Bar of Ireland has been calling for improvements in court facilities, and for the cuts in legal aid, both criminal and civil, to be restored, for some time now. A positive response from Government is urgently needed to ensure continued access to justice for the most vulnerable members of society. Such are the severity of cuts to professional fees on the criminal side that new entrants to the Law Library are voting with their feet and choosing not to devolve in criminal law at all. Apart from the fee cuts, the ongoing failure to provide a proper fee structure for reviewing disclosure materials, despite an exponential increase in the amounts of documents served as part of the criminal trial process, means that the real rate of pay for counsel acting in a criminal case has fractioned over the last decade and a half. We would urge all members with an interest in this area to read the extensive submissions made by the Council to the office of the Director of Public Prosecutions and to the Department of Justice and Equality in this regard.

Advocacy

A separate role undertaken by the Council of The Bar of Ireland in upholding and improving our courts system is through advocating for the development of legislation and regularly participating in reviews of the operation of the justice system. We have made 11 submissions so far this year, not including position papers and policy initiatives. Like all sections of society, we must always seek to evolve and improve, and we were pleased to proactively

focus on the experience of plaintiffs and victims in pursuit of access to justice through the legal system at our Chairman's Conference, Laws and Effect, held in May 2019.

Another focus of our advocacy this year has been on the opportunity for Ireland to increase the market for international legal services post Brexit. Ireland is best placed to reassure the international business community that post Brexit, legal services can continue to be transacted within an EU, English speaking, common law system through the use of Ireland and Irish law as a preferred jurisdiction and/or governing law for international businesses, transactions and disputes. Ireland's independent judiciary possesses an international reputation for fairness, integrity and commercial awareness, and the certainty of enforceability of judgments of Irish courts within EU member states is a significant advantage. To fully capitalise on the opportunities that may arise from the UK exiting the European Union, a joint initiative was produced by The Bar of Ireland, the Law Society and the wider legal community (with support from the IDA and the Department of Justice and Equality) to promote Ireland as a leading centre globally for international legal services. The initiative was endorsed by the Government in January 2019, and work is currently underway to establish an implementation group in order to further develop the proposed strategy. It is important to highlight that the benefits that will accrue in promoting Ireland as a global legal hub are not limited to the legal industry but will also assist the wider Irish economy as we have estimated that even a 1% movement of legal services from the UK to Ireland could add between 1,100 and 1,600 jobs to the Irish economy in a year.

Also central to the debate on Brexit is its impact on the legal and justice sectors north and south of the border, and we are determined to ensure that our close bonds and working relationship with The Bar of Northern Ireland are strengthened in the face of Brexit uncertainty. Indeed, the opportunity for members of the Law Library to be called to The Bar of Northern Ireland was promoted throughout February 2019 and nearly 80 members were assisted with their applications to be called in Northern Ireland. The call took place on March 22, 2019, in Belfast.

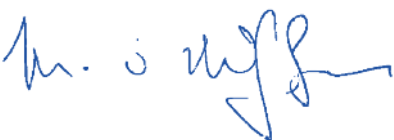
Working for social change

I am proud to say that over the last year members of The Bar of Ireland have continued to dedicate significant time to our *pro bono* initiatives, including the Voluntary Assistance Scheme (VAS), the formal *pro bono* scheme of the Bar, through which hundreds

of barristers provide legal assistance and training to charities on a wide range of legal areas including debt and housing, landlord and tenant issues, social welfare appeals, and employment and equality law. Members of the Law Library also continue to provide voluntary legal assistance in a private capacity through a number of community outreach projects that operate outside of the Bar, including the law clinics run by FLAC – which this year celebrates 50 years of exceptional service, working tirelessly to achieve greater equality for the disadvantaged and the marginalised in our society – and also by Community Law and Mediation through their clinics in Dublin and Limerick. Members of The Bar of Ireland are proud partners in furthering the campaign to promote equal access to justice, to eliminate discrimination and to advance social change.

Legal Services Regulatory Authority

Other areas of change for the profession over the last number of months include the ongoing enactment of the Legal Services Regulatory Act, with the establishment of the Roll of Practising Barristers in December and the expected commencement of its Code of Practice for Practising Barristers shortly. The Council of The Bar of Ireland continues to proactively engage with the Authority, including developing a competence and standards-based approach to CPD for members of the Law Library.



Micheál P. O'Higgins

Chairman,

Council of The Bar of Ireland

Finally, I wish to take this opportunity to thank the volunteer members of the Council of The Bar of Ireland and its committees for all of their hard work. I am honoured to have led a very committed cohort of members this year. These volunteers devote considerable time and effort to advance the objectives of The Bar of Ireland for the benefit of all members of the Law Library. I would like to express my gratitude to each and every member who has acted on a Council committee or participated in the preparation of a Council submission. I want to thank every member for their hard work and dedication over the past number of months. My thanks also to the dedicated staff of The Bar of Ireland – ably led by our CEO Ciara Murphy – who have been instrumental in providing excellent services for the benefit of members and implementing Council policy across a range of areas.

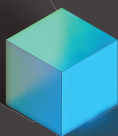


**REPUTATION**

to provide leadership and representation for and on behalf of the profession.

**KNOWLEDGE**

to enable access to information, expertise and advice, and upholding the highest standards of ethical and professional practice.

**SERVICES**

to deliver valued and quality services for members in support of their practice.

Implementation of the new Strategic Plan 2018-2021

The new legal year 2018/2019 coincided with the implementation of our second three-year strategic plan, and progress in its implementation is well underway.

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.

Overview of membership

As of June 2019, membership of the Law Library was 2,155. There were 82 new entrants in October 2018, nine of whom were from other jurisdictions. In the year to date, 90 have ceased membership and 29 former members have re-entered the Law Library. A review of membership over the past five years indicates that a slow reduction in membership has plateaued and membership numbers are slightly higher in June 2019, in comparison with June 2018, where membership stood at 2,149. The number of new entrants has stabilised at an average of 85 over the

last three years. The number leaving membership is below average this year at 90.

An anticipated fall off in membership numbers with the inception of the Legal Services Regulatory Authority (LSRA) has not materialised. The numbers in membership of the Law Library may or may not change as new structures through which barristers can practise come on stream later this year, i.e., legal partnerships. A key aim of the Council is to ensure that membership of the Law Library represents value for money. The quality of services delivered to members must always be improving, and new services implemented to support members in their day-to-day practice.

Legal Services Regulatory Authority

While the Legal Services Regulatory Authority (LSRA) was established in October 2016, it has taken some time to get up and running, primarily owing to a lack of resources. A detailed update on the LSRA was published in the February 2019 edition of *The Bar Review*.

During the period October to December 2018, the LSRA established and populated the Roll of Practising Barristers. The overwhelming majority of members of the Law Library were entered onto the LSRA Roll by the beginning of January 2019. It is now expected that Part 6 of the Legal Services Regulation Act 2015 – Complaints and Disciplinary Hearings – will be commenced at the beginning of the new legal year in October 2019.

The LSRA will this year begin to apply a levy on the legal professional bodies to fund its activities. Part 7 of the Act provides for the imposition of a levy on professional bodies and certain barristers to cover expenses of the Authority and Disciplinary Tribunal, as follows:

- (a) The Law Society;
- (b) The Bar of Ireland; and,
- (c) each barrister who is not a member of the Law Library.

Earlier this year, the LSRA informed the Council that the levy to be imposed on The Bar of Ireland on behalf of members in respect of 2018 will be in the region of €200,000 (€100 per member), and in respect of 2019 will be in the region of €538,000 (approximately €250 per member). The sharp increase in 2019 reflects the fact that the complaints and disciplinary function will be up and running in the latter part of 2019. The quantum of the levy is likely to rise again in 2020 as the LSRA becomes fully operational for an entire year, perhaps in the region of €450-€500 per member per annum. This is a significant additional cost being levied by the State, the burden of which falls directly on all legal professionals.

During the time that the Legal Services Regulation Act was going through the Oireachtas, the Council took a decision to establish a reserve to provide a cushion for members in respect of the initial costs that could arise from the establishment of the LSRA. In this regard, the Council took a decision in May 2019 to fund the cost of the LSRA levy for both 2018 and 2019, totalling an estimated €738,000, from the accumulated reserves of The Bar of Ireland. This is a significant decision for the Council and one that is of enormous benefit to members. While it is a significant cost to the organisation to proceed in this manner, the Council aims to ensure that all decisions taken on behalf of members have the primary objective and effect of supporting our members. From 2020 onwards, members will be levied with the cost.

Other key projects

Member management system

Another key investment identified in the strategic plan is to upgrade our internal member management system. The current system, while functionally operational, is over 15 years old and no longer capable of integrating with new technologies.

Fee information and recovery system

The Council made a decision in June 2019 to establish an in-house fee information and recovery service. It is intended that the service offering will be two-fold:

- ▶ the provision of an information service for members to address gaps in practice management best practice and provide a 'one-stop shop' for general information in relation to the various schemes and panels operated by the State; and,
- ▶ the provision of a fee recovery service for members to avail of where they have been unsuccessful in collecting their fees.

Planning on how to implement the new service has commenced and it is hoped to have it in place for members to access during the 2019/2020 legal year.

Review of estates portfolio

Another long-term project has also commenced to review the appropriate maintenance of our space and maximise its use for the benefit of members.

Staffing update

From a staff resourcing perspective, 2018-2019 was a period of stability for our employee structure. Like all teams, personnel changes are a natural occurrence across the calendar year. This year, we said a fond farewell to some long-service team members as they moved on to new opportunities, and also welcomed a number of new colleagues onboard. We have advanced our HR policies, introduced improved systems to share employee information, and heightened our focus on employee well-being to engage and retain our expert staff during what is now a challenging time in the employment market.

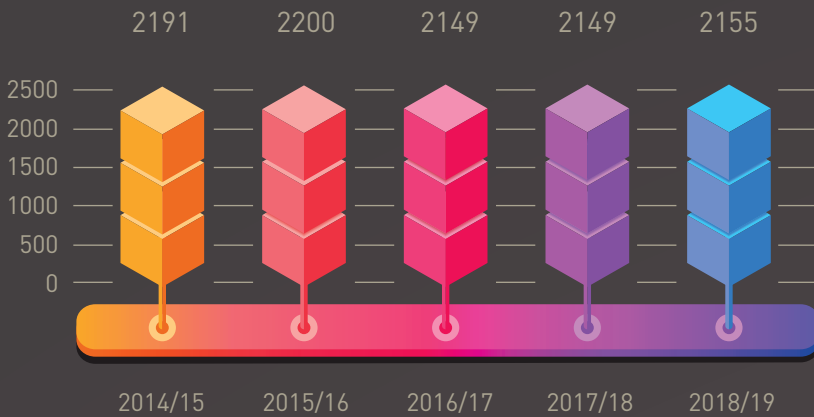
The strategic plan remains the primary driver of all staff activity and our staff colleagues began implementation of 16 key strategic projects this year, adopting a cross-functional approach, to combine strengths and align actions to deliver improvements in member services.

Financial health of the organisation

As noted in the Treasurer's Report, the overall financial health of the organisation is positive. A review of some organisational indicators, and making a comparison

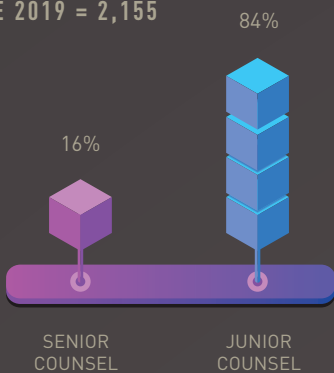
TOTAL NUMBER OF MEMBERS

AT JUNE 2019



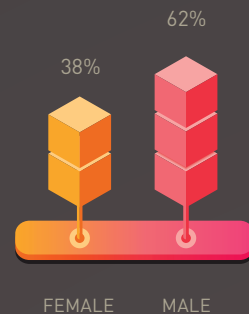
JUNIOR/SENIOR COUNSEL BREAKDOWN

JUNE 2019 = 2,155



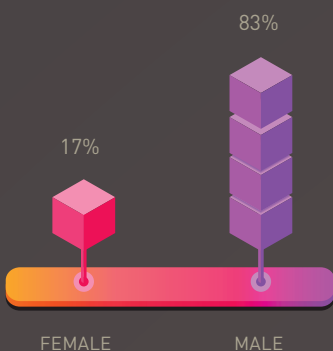
MEMBER BREAKDOWN BY GENDER

JUNE 2019 = 2,155



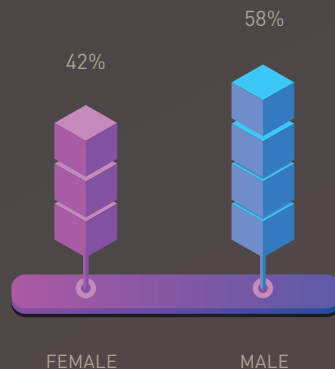
SENIOR COUNSEL BREAKDOWN BY GENDER

JUNE 2019 = 352



JUNIOR COUNSEL BREAKDOWN BY GENDER

JUNE 2019 = 1,803



with the position 10 years previously, are useful ways of demonstrating how the organisation has improved its overall financial position during that period (Table 1), while at the same time making enormous strides in the improvement of services for the benefit of members.

I wish to take this opportunity to commend my colleagues on staff for their hard work throughout the year, and in particular the senior management team, who take the brunt of many difficult situations and challenges throughout the organisation. My thanks to the Chairman, the Council and all of the committees for their input and support over the year. As I have said on many occasions in the past, the volunteer members who contribute endless hours of their time and expertise for the benefit of the profession are the lifeblood of The Bar of Ireland.

Ciara Murphy
CHIEF EXECUTIVE



Table 1: Financial comparison.

| THE BAR OF IRELAND | | |
|-----------------------------------|---------|---------|
| | 2009/10 | 2019/20 |
| Subscription rates Senior Counsel | €9,100 | €8,944 |
| Subscription rates Junior Counsel | €6,100 | €6,065 |
| Early payment discount | None | 3% |
| | '000 | '000 |
| Group staff costs | €4,751 | €4,595 |
| Outstanding subscriptions | | |
| | 2010 | 2018 |
| Gross | €2,360 | €1,521 |
| Provision | €1,151 | €1,323 |
| Net | €1,209 | €198 |
| % of subscriptions | 13.2% | 2.1% |
| LAW LIBRARY PROPERTIES | | |
| | 2009/10 | 2019/20 |
| | €M | €M |
| Property debt | €34 | €20 |
| Property values | €40 | €52 |
| Loan-to-value ratio | 85.0% | 38.5% |
| Loan guaranteed by Bar Council | Yes | No |
| Office occupancy | 90.0% | 100.0% |



REPUTATION

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

MEDIA

Don't blame the courts for high cost of insurance

Micheál P O'Higgins
Opinion

...s are made by
...t judges

23

23 PRESS RELEASES,
MEDIA INVITES AND OP-EDS LED TO

MICHEÁL P O'HIGGINS
Chair, The Bar of Ireland

RTÉ News

90

90 PIECES OF COVERAGE
ACROSS ALL MEDIA SOURCES:

Half of barristers experience threats in their work, survey finds

Family law cited as most dangerous practice area by 44% of respondents

© The Irish Times, 2019, 05/27

Conor Gallagher, Chief Counsel

30

PRESS

2

TV

8

BROADCAST

Role of defence counsel in jury

© THE IRISH TIMES

1 Sir – It was claimed in an article on October 1st that the role of defence counsel has been used by defence barristers to "impede the delivery of an accused person's case and to delay the trial being used to impede their driving career".

2 This opinion shows a concerning misunderstanding of the legal system and of the role of defence counsel. It is not the role of defence counsel to "impede the delivery of an accused person's case and to delay the trial being used to impede their driving career".

3 This opinion shows a concerning misunderstanding of the legal system and of the role of defence counsel. It is not the role of defence counsel to "impede the delivery of an accused person's case and to delay the trial being used to impede their driving career".

4 In a democratic society, nobody should go to jail without proper admissible evidence and a presumption of innocence. It is the role of the State to prove a person is guilty beyond a reasonable doubt. It is not the role of the State to prove a person is innocent.

36

ONLINE

14

REGIONAL/TRADE

THE IRISH TIMES

IRISH NEWS

...ID > IRISH NEWS

... (social media icons)

... (courtroom image)

30.59
MILLION

TOTAL ESTIMATED AUDIENCE REACH
30.59 MILLION (+ 31%)

thejournal.ie

Gay cake case: How the court balances competing rights

There has been much debate and anger, since the Supreme Court decision, writes Aoife McMahon.

BY AOIFE MCMAHON | WEDNESDAY 17 OCT 2018

PERIOD COVERED: OCTOBER 1, 2018, TO JULY 9, 2019

REPUTATION

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

Cost of Insurance Working Group/Personal Injuries Commission

The Bar of Ireland’s Personal Injuries Committee has been very active over the last year in response to public discourse on the high cost of insurance in Ireland. An opinion piece, authored by the Chairman of the Council of The Bar of Ireland, Micheál P. O’Higgins, was published in *The Irish Times* in April 2019 and highlighted the right of access to justice and the role of barristers in advocating on behalf of genuinely injured persons. The Personal Injuries Committee actively responded to requests from the Minister for Business,

Enterprise, and Innovation, Heather Humphreys TD, with regard to the implementation of recommendation six of the ‘Second and Final Report of the Personal Injuries Commission’, in respect of promoting awareness among the membership of the prompt notification obligation of personal injury claims under section 8 of the Civil Liability and Courts Act 2004 (as amended by section 13 of the Central Bank (National Claims Information Database) Act 2018). Members of the Personal Injuries Committee represented personal injuries (PI)

Submissions

2018

- July 25 Submission by the Council of The Bar of Ireland on Draft Order 99 of the Rules of the Superior Courts and related issues.
- July 25 Submission by the Council of The Bar of Ireland to the Legal Services Regulatory Authority (LSRA) concerning a review of the operation of the Legal Services Regulation Act 2015.
- July 25 Submission by the Council of The Bar of Ireland and the Employment Bar Association to the Irish Human Rights and Equality Commission.
- August 3 Submission by the Council of The Bar of Ireland to the expert group on the review of the law of torts and the current systems for the management of clinical negligence claims.
- October 23 Submission by the Council of The Bar of Ireland to the Minister of State for Financial Services on the development of a new strategy for Ireland’s international financial services sector.
- November 19 Submission by the Council of The Bar of Ireland to the LSRA concerning the Draft Code of Practice for Practising Barristers.
- November 30 Observations of the Employment Bar Association and the Council of The Bar of Ireland on the Irish Human Rights and Equality Commission’s proposed revised Code of Practice on Sexual Harassment and Harassment at Work.
- December 3 Submission to the LSRA on foot of consultation with professional bodies on regulations regarding professional indemnity insurance.

2019

- January 14 Submission by the Council of The Bar of Ireland to the Joint Committee on Justice and Equality on the General Scheme of the European Convention on Human Rights (Compensation for Delays in Court Proceedings) Bill.
A delegation of The Bar of Ireland appeared before the Joint Oireachtas Committee to present and discuss the submission.
- March 4 Submission by the Council of The Bar of Ireland to the Joint Oireachtas Committee on Justice and Equality on reform of the family law system.
A delegation of The Bar of Ireland appeared before the Joint Oireachtas Committee to present and discuss the submission.

practitioners at the Personal Injuries Assessment Board (PIAB) conference in April 2019, and a meeting was held with the President of the Circuit Court, Judge Raymond Groarke, in May 2019, to seek clarification on Circuit Court Practice Direction CC21 and its application to personal injury actions. At the request of the Minister of State at the Department of Finance, Michael D'Arcy TD, a meeting was held in May 2019 on personal injury awards, at which the Council reiterated support for the introduction of a judicial council who will have responsibility for creating guidelines in personal injury awards.

Diversity, equality and inclusion at the Bar Denham Fellowship

The Denham Fellowship, which provides financial and professional support to two aspiring barristers from socioeconomically disadvantaged backgrounds, is entering into its third year with another two fellows selected following a comprehensive application process in February 2019.

On foot of a Seanad debate regarding judicial diversity, an information pack was issued to 60 senators highlighting initiatives to increase diversity at the Bar, including the Denham Fellowship. On foot of these letters a meeting was held with Senator Lynn Ruane in May 2019 to discuss the Bar's efforts in enhancing diversity in the profession, specifically access to education and professional practice for aspiring barristers who come from socioeconomically disadvantaged backgrounds via the Denham Fellowship.

New maternity rate policy

A new maternity rate policy led by the Equality, Diversity and Inclusion Committee will come into effect in October 2019. In recognition of the potential shortfall that can arise in work and income in the period after having a baby, this new policy aims to afford women greater flexibility in balancing family life with a practice at the Bar. Full details of the policy will be communicated to the membership in the new legal year.

Equitable briefing policy

Work continued on the development of an equitable briefing policy throughout the year, which seeks to encourage those who brief the Bar to make a conscious effort to look beyond their usual pool of barristers and to assist in the equitable distribution of briefing to both male and female counsel in all areas of practice. Engagement with key briefing authorities (State agencies and solicitor firms) on the development of this policy was commenced with a view to implementing the policy in the new legal year 2019-2020.

Law & Women Mentoring Programme

This programme is now in its fourth year. In March 2019, 24 mentors and mentees were paired and will work together over the next 12 months. Positive feedback has been received since the Programme's inception in 2016. Participating mentees have praised the support, encouragement, camaraderie, and practical advice that is offered by their mentors. Participating mentors have enjoyed playing a positive role in the career development of their more junior colleagues.

Criminal State Bar

The Bar of Ireland has been seeking a review of the professional fee levels paid to barristers who conduct criminal cases in the higher courts, both for the prosecution (instructed by the Director of Public Prosecutions (DPP)) and on behalf of accused persons (paid under the Department of Justice, criminal justice legal aid scheme) since February 2016. Over the last 12 months, representatives have continued to proactively engage with the DPP, the Department of Justice and Equality, and the Department of Public Expenditure and Reform. A meeting with Minister for Justice and Equality, Charlie Flanagan TD, took place in January 2019 and one of the items discussed was in relation to the submissions made to review the professional fee levels paid to barristers, and the formal process that was undertaken and concluded in that regard in July 2018. The outcome of that process was that all parties were in unequivocal agreement that the ongoing flexibility being delivered by barristers is considered comparable to the flexibility delivered by other groups to justify the reversing of cuts imposed during the financial emergency. Despite several exchanges of correspondence with the Department of Public Expenditure and Reform, no commitment has yet been forthcoming to reverse the cuts in professional fee rates that were applied.

Civil State Bar

Following The Bar of Ireland's submission to the Legal Aid Board in February 2018 as part of its review of the terms and conditions of the civil legal aid scheme barrister panel, the Bar sought further engagement with the Board to provide its expertise to this process. The submission was only the first step in the proposed engagement. The Board agreed to engage with the Bar, including through requests for information, meetings, and sharing of draft terms and conditions, which were provided in January 2019. The Bar made a detailed written submission on these draft terms and conditions for the retention of counsel, and a meeting was held with the Board in February 2019, at which the Bar was afforded further opportunity to share observations on the Board's revised draft. The views and concerns of barristers who are instructed under this scheme were

actively represented and the final outcome on foot of these representations is awaited. The Bar has been advised, however, that any change to civil legal aid fees will be done in tandem with criminal legal aid.

Court safety and reform of family law

The prevalence of aggression, threats and violence towards barristers in the course of their professional work has been steadily increasing over the last number of years, including the serious incident that occurred in December 2018 in the Family Circuit Court in Phoenix House, which was widely reported in the media. On foot of this incident and other serious incidents that have impacted on members of the Law Library, a survey was conducted by Council of The Bar of Ireland in January 2019 on security in the courts. This found that 53.4% of respondents said that they had experienced aggression, threats or violence in a court setting or as a result of court proceedings, whether in person or on social media, via text or otherwise. Such experiences mainly occurred in cases relating to family law (44%), criminal law (36%), debt/repossession (32%) and child care (12%). The overwhelming majority, 81% of respondents, said that an increased Garda presence in all court buildings is essential to act as a deterrent against any violent, aggressive or threatening behaviour. The introduction of security screening at the entrance to all courthouses and the installation of panic buttons throughout the courthouses was also recommended. Feedback from the survey also referenced the lack of facilities available in the courts, in particular inadequate consultation facilities, and the absence of a restaurant facility for members of the public in the Four Courts. The Courts Service responded swiftly to the incident that took place in Phoenix House and new security measures have been put in place since January 2019 to address security concerns, including security screening at the entrance, along with a number of G4S security personnel present while the courts are sitting. The Council of The Bar of Ireland will continue to engage with the Courts Service on these matters.

Seán Ó hUallacháin SC, Rachel Baldwin BL and Dr Sarah Fennell BL appeared before the Joint Oireachtas Committee on Justice and Equality on behalf of the Council of The Bar of Ireland on March 6, 2019, to discuss much-needed reform of the family law system. A copy of the submission is available on our website: www.lawlibrary.ie. A meeting was held with family lawyers on May 28, 2019, to hear feedback from members on the proposed reform of family law, the development of Hammond Lane and family court safety issues.

State tenders and barrister-led consortia

Guidance for members on how to form consortia with other barristers and solicitors to respond to requests for

tenders (RFTs) for the provision of legal services to the State is now available on the State Work Support Hub on the Members' Section of the website. By way of sample agreements, this guidance ensures that barrister-led consortia are formed and operated in a manner compatible with the Code of Conduct and the underlying principles and values of the independent referral bar. This new initiative was presented to members at an event attended by the Office of Government Procurement (OGP) and over 130 members in November 2018.

The Bar of Ireland post-Brexit initiative

In January 2019, the Government formally approved a legal services initiative, led by the Council of The Bar of Ireland in conjunction with the Law Society of Ireland and the wider legal community, with support from the IDA, which seeks to position Ireland to fully capitalise on the legal opportunities that may arise from the UK exiting the European Union. This effectively makes Ireland the only English-speaking common law jurisdiction fully integrated into the European legal order. Representatives of the Council of The Bar of Ireland attended an event in the Irish Embassy in Washington DC on March 15, 2019, to promote the initiative to make Ireland a global hub for international litigation and arbitration post Brexit.

Pro bono at the Bar

Since its establishment in 2004, the Voluntary Assistance Scheme (VAS) has arranged for barristers to provide *pro bono* legal assistance in over 650 matters for over 100 charities and non-governmental organisations (NGOs). To date in this legal year, the VAS is assisting in 20 new matters in addition to continuing to work on ongoing cases from previous years. The legal assistance provided includes opinion work, legal research, advice, consultations and representation in court. One matter last year involved 22 barristers working together to provide legal research and analysis to Justice for Magdalenes Research and the Adoption Rights Alliance via the Clann Project to assist them in making their submission to the Commission of Investigation into Mother and Baby Homes. The VAS was delighted to host the launch of the Clann Project report in the Gaffney Room in October 2018.

Human Rights Committee

Azerbaijani lawyer Khalid Bagirov gave a presentation to the Human Rights Committee in December 2018 outlining the negative influence of the autocratic regime of the Azerbaijani authorities on the functioning of the Azerbaijani Bar Association. Bagirov has been disbarred on foot of his human rights advocacy work before the European Court of Human Rights. Various measures that

the Law Library may be able to take to assist Bagirov are under consideration by the Human Rights Committee.

To coincide with the ninth annual international Day of the Endangered Lawyer on January 24, 2019, the Human Rights Committee wrote to the embassies of Turkey, India, China, Russia and Egypt, condemning the harassment, prosecution, arbitrary detention, threats and torture of lawyers in their respective countries. In writing to the embassies, Conor Dignam SC, Chairman of the Human Rights Committee, urgently called upon these governments to cease their campaign of persecution against the legal profession and reminded them of Principle 16 of the United Nations Basic Principles on the Role of Lawyers. In April 2019, the Human Rights Committee wrote to the embassy of Iran

to express its very grave concern in respect of the case and treatment of Iranian human rights lawyer, and recipient of the European Union’s Sakharov Prize for Freedom of Thought in 2012, Nasrin Sotoudeh.

Young Bar Committee

A number of opportunities were offered to the Young Bar over the last year, including the annual fellowship with the Children’s Rights Alliance, three scholarships to travel to the US to volunteer with Innocence projects, and stagiaires in the European Court of Justice. Junior Bar members were also represented at the Northern Ireland Young Bar Conference and the Four Jurisdictions Conference in Northern Ireland, with places allocated following a draw that was open to all members from years 1-7.

November 2018

- 1** Pictured receiving the Daniel O’Connell Memorial Medal 2019 was former US Ambassador to Ireland Kevin O’Malley.
- 2** Pictured at the 2018 Employment Law Conference were (from left): Cliona Kimber SC, Chair of the EBA; Caoimhe Ruigrok BL; Ms Justice Caroline Costello; Lorna Lynch BL; Marguerite Bolger SC; and, Katherine McVeigh BL.

January 2019

- 3** Pictured at the joint event between the Voluntary Assistance Scheme of The Bar of Ireland and the Charities Regulator were (from left): Jonathan Miller BL; Sonja O’Connor BL; and, Tom Malone and Sarah Mongey from the Charities Regulator.
- 4** Micheál D. O’Connell SC addressed delegates at the joint event between the Voluntary Assistance Scheme of The Bar of Ireland and the Charities Regulator.



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Support to specialist bar associations

- ▶ 41 events from October 1, 2019 to May 30, 2019
- ▶ 1,459 people in total attendance
- ▶ 67.5 CPD hours

The Council of The Bar of Ireland continues to assist the majority of specialist bar associations through the provision of secretarial and event management support. This year, the executive staff supported 10 specialist bar associations, including helping to set up two new associations; the Immigration, Asylum and Citizenship Bar Association; and, the Probate Bar Association. Some of the key events supported this year were:

- ▶ the employment law conference run by the Employment Bar Association (November 2018);
- ▶ the housing conference by the Planning,

- Environment, and Local Government Bar Association (December 2018);
- ▶ the sports law conference run by the Sports Law Bar Association and LawInSport, a UK organisation (February 2019);
- ▶ the annual Construction Bar Association conference, which was attended by Mr Justice Frank Clarke, Chief Justice of Ireland, Sir Declan Morgan, Lord Chief Justice of Northern Ireland, and the Attorney General, Seamus Woulfe SC (March 2019);
- ▶ the first CPD session run by the Immigration, Asylum and Citizenship Bar Association (April 2019);
- ▶ the EU Bar Association annual conference, where Advocate General Gerard Hogan spoke about protecting the common law in a post-Brexit EU (April 2019);

February 2019

5 A full room pictured at the 2019 Sports Law Conference, which was hosted by the Sports Law Bar Association and LawInSport.

6 100 students representing 100 schools from across the country, including 32 DEIS schools, attended The Bar of Ireland’s ‘Look into Law’ Transition Year Programme 2019.



6

- ▶ the 2019 annual Professional Regulatory and Disciplinary Bar Association conference (May 2019); and,
- ▶ the Probate Bar Association launch (July 2019).

The Bar of Ireland events

The Bar of Ireland hosted several notable events during the year.

- To mark the centenary of the end of World War I, and the members of the Bar who lost their lives in the war, an exhibition was organised by Library staff. 'They Shall Not Grow Old' provided an overview of how World War I affected Ireland and the Bar, with a special focus on the 25 barristers killed in action and subsequently commemorated

on the war memorial in the Four Courts. The exhibition is now on permanent display near the Main Library and can also be found on the Law Library website.

- At the 2018 Daniel O'Connell Memorial lecture on November 28, 2018, The Bar of Ireland was delighted to welcome former US Ambassador to Ireland Kevin O'Malley to deliver the keynote speech.
- The Voluntary Assistance Scheme (VAS) of The Bar of Ireland held a joint event with the Charities Regulator on the newly launched Charities Governance Code in the Gaffney Room on January 17, 2019. The Gaffney Room was fully booked with a large audience present from numerous charities, and the event was also watched online by over 300 people from all around Ireland.
- The International Women's Day Dinner 2019 took place at King's Inns on Thursday, March 7, 2019, with

7 *Mr Justice Frank Clarke, Chief Justice of Ireland, speaking to the students who took part in this year's The Bar of Ireland 'Look into Law' Transition Year Programme 2019.*

8 *From left: Maria Watson BL; Katelynn O'Byrne-Troy from Thomond Community College, Limerick; Micheál P. O'Higgins SC, Chairman, Council of The Bar of Ireland; and, Olaniyi Oriade BL, who took part in the The Bar of Ireland's 'Look into Law' Transition Year Programme 2019.*

March 2019

9 *Pictured at the 2019 International Women's Day Dinner were (from left): Claire Cummins BL; Judge Mary Collins; and, Jennifer O'Connell BL.*

10 *Pictured at the 2019 International Women's Day Dinner were (from left): Moira Flahive BL, Chair of The Bar of Ireland's Equality, Diversity and Inclusion Committee; and, Judge Siofra O'Leary, European Court of Human Rights.*



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210 women attending, including members of the Law Library and judiciary, solicitors, and other guests. The keynote speaker was Judge Siofra O’Leary, European Court of Human Rights.

- On Friday, April 5, The Bar of Ireland hosted a delegation from The Bar of Northern Ireland for the seventh annual Joint North South Bar Meeting. This meeting was held in the Distillery Building, followed by drinks and dinner on site.

- The Bar of Ireland ‘Laws & Effect’ Conference was held at The Heritage, Killenard, on May 25, and attended by 150 people. It comprised a day conference and gala dinner.
- Several dinners were held in the Distillery Building throughout the year to build and strengthen relationships with the principal political parties and members of the media.

11 The main dining hall during the opening remarks from Moira Flahive BL at the International Women’s Day Dinner.

12 From left: The Attorney General, Seamus Woulfe SC; Sir Declan Morgan, Lord Chief Justice of Northern Ireland; and, Mr Justice Frank Clarke, Chief Justice of Ireland, at the Construction Bar Association’s Annual Conference 2019.

13 Pictured at the Construction Bar Association’s Annual Conference 2019 were: Front row (from left): The Attorney General, Seamus Woulfe SC; Mr Justice Frank Clarke, Chief Justice of Ireland; Sir Declan Morgan, Lord Chief Justice of Northern Ireland; and, John Trainor SC, Chair of the Construction Bar Association. Back row (from left): Martin Waldron BL; Jonathan FitzGerald BL; John McDonagh SC; Claire Cummins BL; Barra McCabe BL; Anita Finucane BL; and, Deirdre Ní Fhloinn BL.



April 2019

14 Pictured at the EU Bar Association's Annual Conference 2019 were (from left): Ulrike Willoughby, Presiding Judge, Chamber for International Commercial Disputes, Frankfurt; Attorney General, Seamus Woulfe SC; Chairperson Ms Justice Caroline Costello; Duco Oranje, President of the Netherlands Court of Appeal; Emilie Vasseur, Darrois Villey, Paris; and, Jacques Bouyssou, Alerion.

15 Pictured at the EU Bar Association's Annual Conference 2019 were (from left): Seamus Woulfe SC, Attorney General; Micheál P. O'Higgins SC, Chairman, Council of The Bar of Ireland; Advocate General Gerard Hogan; and, Paul McGarry SC.

16 Pictured at the seventh annual Joint North South Bar Meeting were members of The Council of The Bar of Ireland and a delegation from The Bar of Northern Ireland.

17 Sarah Ramsey, Chair of The Bar of Northern Ireland, and Micheál P. O'Higgins SC, Chairman, Council of The Bar of Ireland.

May 2019

18 Pictured at the Professional, Regulatory and Disciplinary Bar Association 2019 Annual Conference were (from left): Dr Brian Doherty, CEO, Legal Services Regulatory Authority; Aideen Ryan, Consultant, DAC Beachcroft Dublin; Mr Justice Charles Meenan; and, Ms Justice Mary Ellen Ring.



19 From left: Micheál P. O’Higgins SC, Chairman, Council of The Bar of Ireland; keynote speaker Leona O’Callaghan; and, keynote speaker Vicky Phelan, at The Bar of Ireland’s ‘Laws & Effect’ Conference 2019.

20 Attendees at The Bar of Ireland’s ‘Laws & Effect’ Conference 2019 at The Heritage, Killenard, on May 25.

21 To mark the centenary of the end of World War I, and the members of the Bar who lost their lives in the War, an exhibition was organised by Library staff. *They Shall Not Grow Old* provided an overview of how World War I affected Ireland and the Bar, with a special focus on the 25 barristers killed in action, and subsequently commemorated on the war memorial in the Four Courts. The exhibition is now on permanent display near the Main Library and can also be found on the Law Library website.

22 The annual Chairman’s Dinner took place in the King’s Inns on June 27, attended by over 200 representatives of the many sectors of Irish society with whom the Bar interacts throughout the legal year.

23 Micheál P. O’Higgins, Chairman, Council of The Bar of Ireland, addressed guests at the Chairman’s Dinner on June 27.



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KNOWLEDGE

TO ENABLE ACCESS TO INFORMATION,
EXPERTISE AND ADVICE, AND UPHOLDING
THE HIGHEST STANDARDS OF ETHICAL
AND PROFESSIONAL PRACTICE.

Knowledge

To enable access to information, expertise and advice and uphold the highest standards of ethical and professional practice.

The Library and Information Service (the Service) has implemented a range of actions to deliver on the three-year strategic plan.

Virtual library and online resources

Services by text

In June 2019, the Service began accepting queries by text message. Both SMS and WhatsApp can be used for information requests, document delivery, book renewals, and any other service currently provided by telephone or email. A dedicated mobile number has been created for this purpose: 086-606 3218.

Barrister's Bookshelf

A new Law Library mobile phone app was introduced to provide access to the library catalogue. It acts as a substitute library card and allows book renewals. It is available for free on Android and iOS.

E-books

Our e-book collection continues to grow. Key titles added to Westlaw IE are *McGrath on Evidence, 2nd edition* (2014) and *Walsh on Criminal Procedure, 2nd edition* (2016). This brings the number of e-books on Westlaw IE to 19. They are available to members inside The Bar of Ireland premises.

Database additions

The Irish tax law module has been added to Bloomsbury Professional. The chartered tax advisor (CTA) manuals and archive are now on TaxFind, and the employment law module has been uploaded to Better Regulation. All of this content is available to all members, via Barrister's Desktop, from any location.

Workplace relations adjudications

The Workplace Relations Commission's adjudications complete collection, over 5,000 items, was indexed by

the Service's metadata staff during the year. It is possible to search by date, legislation, adjudication officer and more. This material is currently available on Barrister's Desktop and a more advanced search interface is under development.

Meeting the needs of members on Circuit

Three initiatives with the most potential to achieve greater engagement with Circuit members were identified and presented to the Circuit Liaison Committee.

Waterford Central Library partnership

This initiative is a book-sharing partnership with Waterford Central Library for barristers who practise on the South-Eastern Circuit.

Waterford Central Library was chosen based on its enthusiasm to support us, its proximity to Waterford Courthouse (less than a 10-minute walk away), and the excellent printing, photocopying, scanning and free Wi-Fi access available to our members. We have provided 22 core textbooks to the Waterford library for the exclusive use of our members.

Dedicated Circuit library and dedicated Circuit helpline

A dedicated Circuit library has been set up providing exclusive services for members working on Circuit. It includes a collection of core textbooks with special borrowing privileges. A separate Circuit library phone helpline (01-817 5844) has been set up. Members on Circuit may borrow, renew and request material through this phone line.

A dedicated Circuit library email (circuitlibrary@lawlibrary.ie) was set up in Trinity term. These initiatives are in addition to our current library services. Our goal is to reach and support all members regardless of where they are based, and this new service is another step towards this goal.

Improving physical library spaces

A reorganisation and renovation of space at the issue desk in the Four Courts was undertaken as a precursor to a broader strategy on the use of library space for the benefit of members.

Developments in technology, the growth of online services and the streamlining of our physical collections allowed this project to take shape. The result is an open, light-filled library space incorporating a self-issue machine, printer, photocopier, scanner and worktops, ensuring the space is more conducive to members' needs.

Maximise print collection

The introduction of an RFID security system for the print collection preceded a significant improvement in the circulation of materials, with fewer books going missing and a major reduction in overdue books and resultant fines. The Service's management team is now looking at amending the circulation policy to create a less punitive system, while ensuring that items are available to members when required.

An agreement has been reached between The Bar of Ireland library and the libraries of King's Inns and The Law Society to collaborate on collection development, retention and document supply. The initiative between the three libraries will free up valuable spatial and financial resources for other purposes.

Library and information training

The Service recognises that legal research skills are a key competency for the modern practitioner. Search and retrieval is a major area in which information technology is developing. Artificial intelligence (AI) and algorithms are the new concepts affecting how we work, and it is our constant goal to keep members up to date with the changes that impact on our offering.

JustisOne: JustisOne went live on April 14, 2019. It merges Justis and JustCite into one search platform, and is a result of developments in search technology and end user expectations. It reflects the trends taking place with other large database providers such as LexisNexis and its US offering. In anticipation of the launch, the Service planned and delivered an information and training campaign for all members – 19 JustisOne training events were delivered in several formats including online, one to one, lecture style, and in multiple locations.

Employment Bar Association: a tailored training session in employment law resources was delivered by library and information staff to members of the Employment Bar Association. It proved to be very successful and will serve as a model for delivering training in other practice areas.

Induction programme – follow-up support:

new members were inducted at the start of the legal year. To provide support at a crucial time in any practitioner's career, this year we followed up with our new members by offering them a four-week programme on core legal research skills. Each week a training session was offered on a specific legal research skill, namely: essential research skills; searching for legislation; searching for case law; and, using the library's e-book collection.

There have been over ten CPD seminars held in the Cork Law Library buildings, along with the second annual Cork Circuit CPD event, to which solicitors were also invited to attend. Eight Circuit events were organised in close collaboration with the Circuit liaison officers across the country, five of which solicitors were also invited to attend. Such events, involving a two- to three-hour CPD seminar, plus an opportunity to talk over refreshments, have proved very popular and a welcome new addition on circuit.

ICT training

The ICT department delivered a number of CPD-accredited events to ensure that members are continually updated on technology matters and challenges. These events were delivered in our own buildings and across the country with the co-operation of the Circuit Liaison Committee. This year the events have primarily focussed on cybersecurity and the issues faced in terms of identity theft, device security, data protection and cyber awareness. Events have been held on Circuit in Athlone, Galway, Limerick, Tralee, Cork, and in the Gaffney Room. The Gaffney Room seminar was recorded and is available to view online. Our Circuit events also included workshops, which offered members the ability to meet with IT helpdesk personnel and get some answers to their technical queries. These were started in the 2017-18 legal year, and due to their popularity, they will continue into next year.

An online cyber awareness programme was also developed, which is designed to increase members' awareness of and ability to evaluate suspicious emails. This worthwhile programme is designed to enhance members' understanding of the threats posed by these emails, in both their professional and personal lives.

Advanced Advocacy

A further two Advanced Advocacy courses took place this year in the Four Courts thanks to the continued involvement and dedication of the trainers, who give up time during vacation periods to assist members to hone their advocacy skills. The Hampel method is

LIBRARY

LIBRARY HELPDESKS



TOTAL NUMBER OF
QUERIES AT
HELPDESKS:
38,792 (+21%)



TOTAL NUMBER OF
USER VISITS TO
HELPDESKS:
27,981 (+28%)

TRAINING



MEMBERS
TRAINED:
423
(+38%)



TRAINING
HOURS:
112.5
(+14%)



TRAINING
EVENTS:
60
(+46%)

PRINT COLLECTIONS



NEW PRINT ITEMS:
2,925
(+16%)



FOLLOWERS:
1,445
(+13%)



TWEET VIEWS:
170,200
(-15%)

TWITTER

DIGITAL



BARRISTER'S
DESKTOP VISITS:
155,058
(0%)



VISITS TO THE
ELECTRONIC
RESOURCES:
184,553
(+5%)



LEGAL DATABASES:
36
(0%)



E-BOOK TITLES:
706
(+4%)

EVENTS AND TRAINING

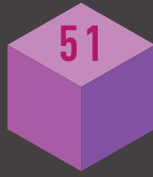
CPD EVENTS

AUGUST 1, 2018 TO JULY 31, 2019



59
CPD EVENTS

+



51
OTHER EVENTS

THE CPD EVENTS:

132 HOURS
2,400 ATTENDEES
213 SPEAKERS
4,194 WEBCAST AUDIENCE TOTAL OVER 24 WEBCASTS, WITH AN AVERAGE OF 174 VIEWS PER WEBCAST

CIRCUIT EVENTS



8
CIRCUIT EVENTS
ORGANISED



397
ATTENDEES AT
CIRCUIT EVENTS



22
CPD HOURS
DELIVERED THROUGH
CIRCUIT EVENTS



37
SPEAKERS AT CIRCUIT
EVENTS

ADVANCED ADVOCACY



51 ADVOCACY
PARTICIPANTS



40 ADVOCACY
TRAINERS



6 ADVOCACY GUEST
TRAINERS



25 ADVOCACY
VOLUNTEERS

employed in training by independent bars throughout the world. It involves watching participants as they question a witness, identifying one area for improvement, explaining why it should be changed, how it can be improved, demonstrating the change, and asking the participant to replay his/her questions. Groups are assigned according to years of experience at the Bar. The course includes general lectures on advocacy skills delivered by experienced trainers and members of the judiciary. Both the senior and junior advocacy courses are regularly described by participating members as the best professional course they have ever attended.

New CPD initiatives

The 'Education and Training Bulletin' now issues twice a month during term time to all members. It provides a reminder of forthcoming events, as well as links to recent and older webcast seminars that members may have missed. In order to assist members in determining which seminars are best suited to their professional needs, CPD events are advertised, where possible, with a short list of learning outcomes. New seminars that took place this year include: two back to basics seminars organised by the Young Bar Committee; a seminar with guest speaker Frank Sheridan on negotiation – key principles; and, a seminar on vulnerable witnesses organised by the Advanced Advocacy Committee.

Master–pupil relationship

One of the Education and Training Committee's key objectives for this legal year was to make some improvements to the master–pupil relationship, starting with new masters. The Committee introduced a new application form effective from the beginning of this legal year, which requires a far greater amount of information about the prospective master's practice, including significant cases they were involved in. In addition, all new masters must attend a mandatory CPD session before becoming a first-year master.

TY programme – Look into Law

Over a four-week period at the end of 2018, we received applications from 260 individual schools for places on the Look into Law TY programme. At least 20% of places are reserved each year for designated disadvantaged schools, and this year 32 of the 100 places went to DEIS schools. Many remarked that this year's group was particularly attentive, enthusiastic and engaged. They spent the week shadowing host barristers and participating in guided tours and talks, including extra morning talks this year illustrating the paths to a career at the Bar and encouraging them to use their voice. The week was a resounding success,

thanks to all those who were involved, including: over 30 barristers; four judges; the Chairman and the Chief Justice; two legal affairs correspondents; three solicitors; and, two members of An Garda Síochána.

LSRA education and training review

The LSRA report on the education and training of the legal profession, published in September 2018, recommended the adoption of a competence and standards-based approach to legal training (and consequently continuing professional development), which should be framed around what a competent legal practitioner ought to be able to do, and to what standard. This approach offers an opportunity to better define not only the core knowledge, skills and attitudes required by legal professionals, but also the specific tasks they should be capable of performing, and the standard at which such tasks should be performed. While there are currently a number of high-quality initiatives delivered by The Bar of Ireland in the CPD sphere including, in particular, the Advanced Advocacy course, these have developed organically rather than emanating from an over-arching standards- and competency-based CPD framework. On foot of the LSRA report, a working group of our Education and Training Committee prepared a preliminary report to consider and recommend the appropriate core competencies of legal practitioners, an appropriate thematic curriculum based around those competencies, a definition of required learning levels according to experience/expertise, and a revision of the CPD cycle (currently 12 months). The working group will continue to engage with the LSRA and other stakeholders on the review of our CPD programme over the coming months.

Professional Practice Advisory Service – information and guidance

The new Professional Practices Committee (PPC) requirement for members to complete an enquiry template has resulted in the efficient, expeditious consideration of responses. A total of 18 PPC meetings took place during the legal year. The Professional Practice Advisory Service, overseen by the PPC, responded to 186 enquiries (Figure 1) 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.

In addition to the enquiry template, the PPC has also established a weekly rota of two senior and one or two junior committee members to triage all enquiries received by the Committee. The triage process is intended to ensure that the heavy workload of the Committee is proportionally distributed across the whole expertise and competence of the PPC.

In accordance with the new strategic plan, an ethics subcommittee was established under the PPC to oversee development and publication of guidance for members. The PPC subcommittee has drafted and agreed a template for publishing guidance to members and engaged research counsel, each working with a member of the Committee to draft guidance on specific areas, and in June 2019, Council approved for publication the following six ethical toolkits that are available to members online at <https://www.lawlibrary.ie/secure/professional-practice-guidance-and-information.aspx>. This is the first tranche of such toolkits and it is planned to publish more toolkits on a range of topics over the coming weeks and months:

1. Handover of cases.
2. Direct professional access – contentious/non-contentious issues.
3. Direct access by clients/third parties.
4. Client incapacity.
5. Volunteering.
6. Lay litigants/litigants in person.

Compliance checks

The professional indemnity insurance (PII) renewal for 2019/2020 took place in April 2019. All members of the Law Library are required to have PII in place, where the standard minimum requirement of cover is €1,500,000 (any one claim), and to produce evidence of having a current policy each year to the Council.

This PII compliance information will be audited by the LSRA annually, to ensure that members of the Law Library are compliant with the LSRA PII regulations. An analysis of the records received are summarised in Table 1.

Table 1: PII statistics for The Bar of Ireland members.

| Brokers/providers: | Premiums 2019/2020: |
|---|-------------------------|
| 72% – The Bar of Ireland professional indemnity insurance scheme - Aon/Zurich | ▶ 8% – <€200 |
| | ▶ 14% – €200 to €300 |
| | ▶ 14% – €301 to €400 |
| | ▶ 19% – €401 to €500 |
| | ▶ 29% – €501 to €600 |
| 28% – other | ▶ 6% – €601 to €1,500 |
| | ▶ 4% – €1,501 to €3,000 |
| | ▶ 6% – >€3,001 |

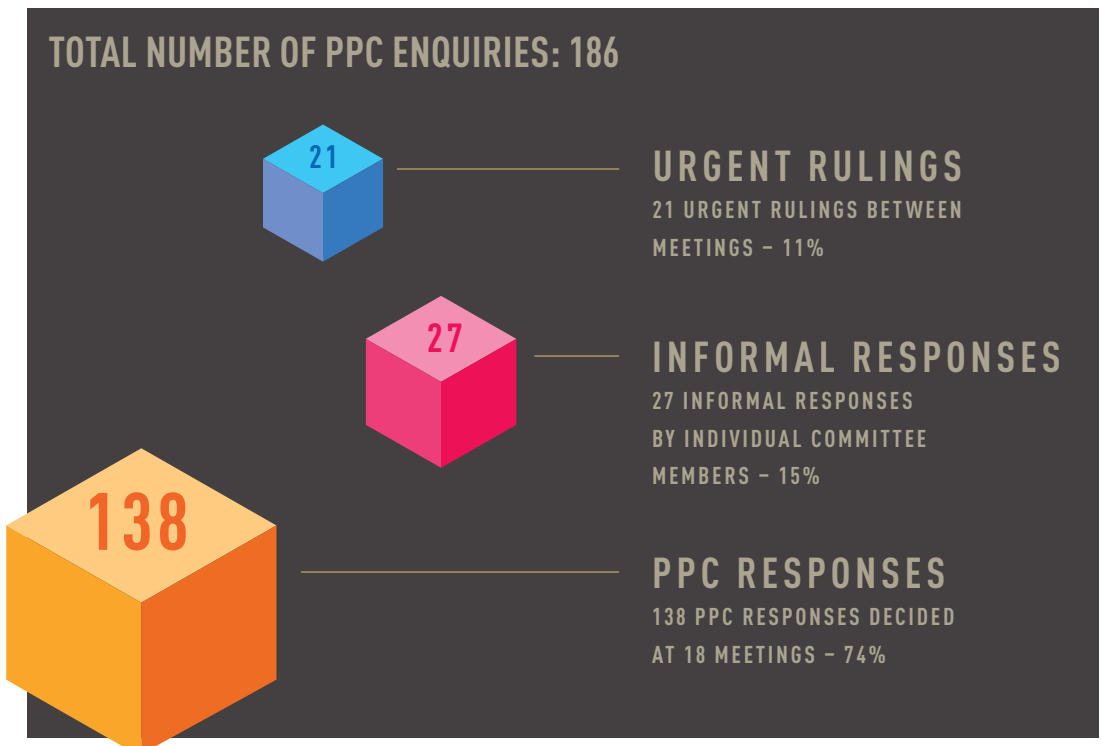
15% of members availed of a “criminal work discount”.

1% of members availed of a “USA/Canada endorsement” to their policy.

CPD certification 2018

Compliance with one’s CPD requirements as prescribed by the Council is one of the key ongoing obligations of a member of the Law Library. All members certified their compliance with their CPD obligations for the year 2017/2018.

Figure 1: PPC meetings.



COMMUNICATIONS

SOCIAL MEDIA



LINKEDIN FOLLOWERS
4,003 – INCREASE OF 773 ON LAST YEAR =
19.3% INCREASE



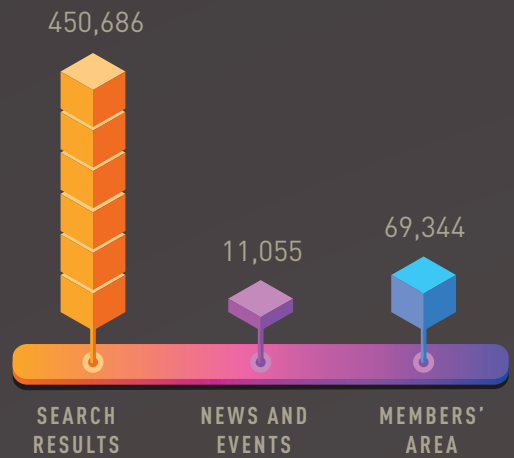
TWITTER FOLLOWERS
4,368 – INCREASE OF 963 ON LAST YEAR
= 29% INCREASE



80 NEW FOLLOWERS A MONTH

WEBSITE

3,034,088 WEBSITE PAGE
VIEWS – INCREASE OF
921,355 ON LAST YEAR
= 43.6% INCREASE



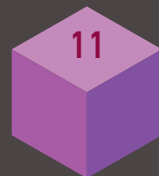
MEMBER COMMUNICATIONS



IN BRIEF
44 EDITIONS,
60% AVERAGE OPEN RATE
= INCREASE OF 2%
ON LAST YEAR



EVENTS E-ZINE
11 EDITIONS,
57% OPEN RATE



**EDUCATION
AND TRAINING
BULLETIN**
11 EDITIONS,
55% OPEN RATE



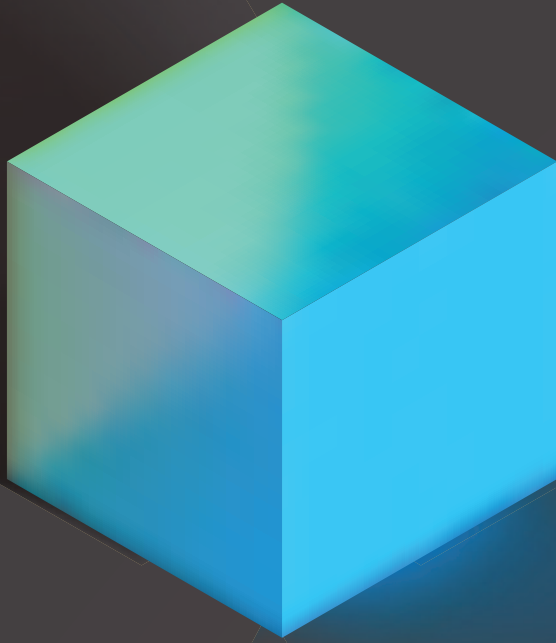
DLI NUA
22 EDITIONS,
50% OPEN RATE



BAROMETER
SEVEN EDITIONS
(OPEN RATE NOT AVAILABLE OWING
TO FORM OF PUBLICATION)



**THE BAR
REVIEW**
SIX EDITIONS



SERVICES

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

Services

To deliver valued and quality services for members in support of their practice.

Balance at the Bar member survey

The Resilience and Performance Committee continues to prioritise the importance of work–life balance at the Bar. In order to fully inform policy and supports, The Bar of Ireland commissioned a member survey, Balance at The Bar, that was issued to members at the end of May 2019. The Council is committed to raising awareness of the value of a positive working environment, to promoting discussion of physical and mental health, and encouraging members to seek help where necessary. It is hoped that the findings of this survey will help both the Resilience and Performance Committee and the Council to better understand the nature and prevalence of issues impacting on the psychological health and performance of participating barristers, and to identify what interventions and resources might be needed in response. Some of the key initiatives maintained by the Committee over the last year include:

- ▶ more volunteers trained for the Consult a Colleague helpline;
- ▶ continued collaboration with CPD, whereby an element of well-being is incorporated into CPD events; and,
- ▶ Bar Fair, which had its second outing to encourage members to maintain a healthy work–life balance and inform members of the clubs and societies that are available to all members of the Law Library.

Fee information and recovery service

Member surveys continue to flag up the problem of recovering fees due among the profession. The Council is aware of the continuing challenge fee recovery places on members, in particular among the Junior Bar. For this reason, a review of our services and supports in the area of fee recovery is a specific area identified for investment in the Strategic Plan 2018–2021.

Throughout the year, research was undertaken to review the supports available to members and a proposal to introduce an enhanced fee information and fee recovery service to assist members was agreed in June 2019.

The proposed service will introduce a dedicated resource to provide important information to members on best practice in managing their financial and administration affairs, including for example: getting started in practice; billing and fee collection systems; information on what to expect from your accountant; and, information on various ways through which the State procures legal services. The

proposed service will also offer a fee recovery service to members experiencing problems collecting fee notes issued.

The manner in which this new service will be financed is through the reserves of the organisation in its first year. It is hoped to establish the enhanced service in the new legal year 2019/2020. Further updates will be provided to members in due course.

Improving services on circuit

The Circuit Liaison Committee retained its focus on collaboration with the Courts Service to improve service and communication. The county courthouses opening hours issue was addressed with a directive from the Courts Service confirming opening hours throughout the country. Circuit members were encouraged to directly influence Courts Service policy through the Courts Office Review Implementation (CORI) survey, which reviewed the Courts Service customer service charter, specifically to enhance the charter for provincial Circuit and District court offices. The Circuit Liaison Committee sought to directly engage with Circuit practitioners through the dedicated circuit liaison e-zine issued in March 2019, detailing Circuit-specific initiatives such as:

- ▶ the success that was the CPD/networking events held on each Circuit throughout the year;
- ▶ the JustisOne training on Circuit;
- ▶ the library partnerships established on Circuit;
- ▶ the provision of funds to provide printers on Circuit – printers for members' use in bar rooms are now available in Athlone, Naas, Clonmel and Ennis; and,
- ▶ a credit for Circuit members within 150km of Dublin who are paying full subscription fees and who pay DX directly for an additional service outside Dublin. This new member benefit will be implemented in the new legal year 2019/20 and those eligible for the credit will be notified of the process for claiming this credit towards their 2019/20 subscriptions.

Implementation of a membership discount scheme

The Bar of Ireland Membership Plus discount card was introduced on a trial basis and issued to all members in October 2018, in response to requests from Young Bar Committee members for discounts for junior members and

also to address requests from Circuit members for hotel discounts. The card offers a range of discounts across the retail, services and hospitality sectors. To date, 29% of members have registered their cards and 51% are satisfied with their card. A survey of member satisfaction will be undertaken at the end of one full year of this new member service.

Accessible and secure ICT service

The ICT department remains focussed on the provision of high-speed secure internet, printing and Wi-Fi connectivity to all members. New anti-phishing software was deployed in November 2018 to enhance our cybersecurity capability. This has dramatically reduced the number of phishing emails arriving into email accounts. In order to enhance protection against identity theft and consequent data breaches, mandatory password changes after 90 days were introduced in March. All members are encouraged to use the multifactor authentication service that is available as an enhanced security option.

In the last year, over 50 open access PCs have been upgraded across all our premises. Our printers had a software upgrade in March 2019 to enhance their security capability. In February 2019, the network linking our buildings and our internet link was successfully upgraded. We now have a high-speed 1Gbit link direct to the internet to ensure members can find what they want quickly.

In December 2018, our IT Helpdesk extended its opening hours and is now available by phone to all members from 8.30am until 6.00pm Monday to Friday during term. During the course of the year we have engaged with the Courts Service's IT department regarding the reliability, performance and availability of the Wi-Fi service made available to members in bar rooms on circuit. We are hearing that the service is improving, and while the service is not available in all court buildings throughout the country, it has been performing well in most instances. We welcome and encourage member feedback in relation to this service and we will continue to pass this to the Courts Service IT management for action.

Capitalising on physical facilities and space

With 7,500 queries received since its introduction in January 2017, the use of the Estates Services helpdesk continues to grow among our membership. It is an important resource for all members to highlight any seating or building issues they encounter within our premises. The Estates Services team continues to engage with the Courts Service to seek improvements in the bar room facilities and address issues raised by members using facilities throughout the country, including those encountered in the Four Courts and the Criminal Courts of Justice. These matters include changes regarding security and access control. The access systems in the Bar Library in

Cork will be updated to replicate systems used by members in Dublin.

While both the Church Street and Distillery buildings are at full office occupancy, every effort is made to accommodate our members when offices become vacant throughout the year. Two additional offices were made available during the year following on from the relocation of the Finance and Member Accounts Service into the front atrium of the Distillery Building, which makes access for members more convenient.

Summer 2018 saw the Estates Services team manage a major refurbishment project within the Four Courts, which provided improved seating arrangements for over 160 members. This year's annual summer works will have a special focus on mechanical and electrical equipment replacement for the Distillery Building. Scheduling these essential works during the summer is intended to have minimum impact on members and building users. Some elements of this programme are being accelerated to provide an optimum working environment within the building. Other works will include enhancements to the fire safety systems within our buildings and general refurbishment works.

The Estates Services team is leading the development of a strategic property review, which will lead to a long-term plan for the Law Library in the Four Courts in order to enhance and maximise the use of space for the benefit of our members. This will form part of the strategic asset management plan covering priority projects in the Four Courts, and will include an investigation of opportunities to increase seating for members, including 'hot-desking' and free-standing PCs to enable quick access for members.

Think Green programme

The Bar of Ireland is an environmentally responsible organisation and recognises the importance of promoting green and sustainable practices. The organisation has introduced a number of environmental initiatives that have become part of our day-to-day way of life.

Our Think Green programme has introduced initiatives such as smart printing, separated recycling facilities, bin-less offices and, where possible, the installation of energy-efficient light bulbs. All of our actions contribute to the success of our environmental programme, and our successes include a reduction of waste sent to landfill and achieving a recycling rate of over 91%.

We are continuing our Think Green programme by eliminating the use of single-use plastics, ensuring that our suppliers source environmentally friendly products, and by monitoring and managing our resource usage. However, we don't plan to stand still in this area and the next phase of the Think Green programme is to investigate new technologies to further reduce our impact on the environment.

ICT



1,385 MEMBERS USE OUR PRINTING SERVICE



1,242 MEMBERS HAVE INSTALLED THE FULL MICROSOFT OFFICE SUITE THAT IS AVAILABLE AS PART OF THEIR MICROSOFT SUBSCRIPTION



1,836 MEMBERS ARE USING THEIR LAWLIBRARY.IE EMAIL ADDRESS



1,001 MEMBERS ARE USING THEIR ONEDRIVE ENCRYPTED STORAGE FACILITY ON A MONTHLY BASIS



THE IT HELPDESK HANDLES 2,500 AUTOMATED ALERTS EVERY MONTH



1,100 INCIDENTS ARE LOGGED BY PHONE, EMAIL OR IN PERSON EVERY MONTH

ESTATES



336 OFFICES LET



345 TENANTS



1,105 SEATS



150 CAR PARKING SPACES



4,500 ESTATE HELPDESK CALLS

Treasurer's report

Review of financial performance for The Bar of Ireland and related entities for year ended September 30, 2018.

The role of the Finance Committee is to deal with all matters relating to the finances of The Bar of Ireland and its associated companies. The Finance Committee also deals with the maintenance and development of the Law Library and other properties of The Bar of Ireland and the development of information technology in the Law Library. The financial statements for The Bar of Ireland are set out in the following pages of this annual report and the financial statements for all other entities in The Bar of Ireland Group will be made available at the Annual General Meeting in July.

The Bar of Ireland financial accounts

The Bar of Ireland incurred a managed deficit of €87k for the year ended September 30, 2018. Members will recall that in 2017, the separation of the IT licence from annual subscriptions caused much confusion and was inconsistent with how general services were provided to members. A decision was taken to consolidate the IT service into subscriptions from October 2017. Simultaneously, the organisation invested in the Office 365 cloud-based system in order to provide a platform to enable members to comply with the GDPR, and to provide a more robust email, data storage and encryption system. This was a significant investment and it was decided to phase in the necessary subscription rate increases, to cover the additional costs, over a two-year period. Therefore, a managed deficit for 2017/18 was expected.

Income and expenditure

Income at €9.55m increased by €0.83m arising from the aforementioned points on IT services. This additional income is matched with an increase in IT services expenditure, and corresponds with a fall in income in Law Library Services Ltd (LLSL), now that IT services are charged through subscriptions. Subscription income also reflects stable membership numbers. Expenditure at €9.63m is €0.26m higher than last year, which includes an exceptional adjustment of

€0.92m relating to the staff defined benefit pension scheme, reported on in detail in last year's annual report. On a comparative basis, excluding the exceptional item, total expenditure at €9.62m was €1.1m higher than last year.

The main expenditure variances include:

- ▶ IT services for the year cost €909k – previously these costs were included in LLSL – the highest expenditure is software licensing at €507k, which covers the costs of providing all members with a Microsoft Office 365 licence to access lawlibrary.ie email, secure storage, office products and encryption; the collective procurement power of the organisation assisted in securing significant discounts for members;
- ▶ library service costs, at €1.221m, were €246k higher than the previous year, mainly because approximately half of the total costs of providing legal databases was previously processed as a LLSL expense and charged as part of the IT licence – legal database costs were also higher due to supplier price increases, which continue to be a challenge; it is important to note that in the case of IT services and library services, both categories of expenditure were within budget levels for the year;
- ▶ in preparing submissions on a number of key policy issues of importance to the profession, research was undertaken and specialist advice received – this accounts for the increased expenditure in communications and policy;
- ▶ administration expenses increased from €211k to €360k; a requirement to marginally increase the provision for uncollected subscriptions at year end resulted in a cost of €67k – in the previous year, this provision had been reduced to €69k; this negative swing of €136k accounts for most of the variance; and,
- ▶ excluding last year's exceptional cost of €919k, relating to the staff defined benefit scheme, staff costs reduced from €3.6m to €3.5m, mainly due to delays encountered in filling a number of vacant positions in a more difficult labour market.

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

| Year ended September 30, 2018 2018 | Actual 2018 €'000 | Actual 2017 €'000 | % diff. |
|--|-------------------------|-------------------------|------------|
| Income | 15,386 | 14,805 | 4% |
| Operating expenditure | (13,558) | (13,060) | 4% |
| Net operational surplus | 1,828 | 1,745 | 5% |
| Exceptional items | | | |
| Defined benefit pension accrual | | (919) | |
| Gain on investment properties | | 12,070 | |
| Net surplus | 1,828 | 12,896 | |

Table 2: The Bar of Ireland Group income and expenditure summary.

| Year ended September 30, 2018 | Income €'000 | Expenditure before exceptional items €'000 | Surplus (deficit) |
|----------------------------------|-----------------|--|----------------------|
| The Bar of Ireland | 9,545 | (9,631) | (86) |
| Law Library Services | 403 | (382) | 21 |
| Church Street Club | 222 | (221) | 1 |
| Law Library Finance | 526 | (253) | 273 |
| Law Library Properties | 4,690 | (3,071) | 1,619 |
| Total Group summary | 15,386 | (13,558) | 1,828 |

The Bar of Ireland Group consolidated income and expenditure

Table 1 summarises the consolidated income and expenditure position of The Bar of Ireland Group for the year ended September 30, 2018. The Bar of Ireland and subsidiary entities recorded a consolidated net operational surplus of €1.82m, which is a 5% increase on the net operating surplus recorded the previous year. The main reason for the increased surplus is the improvement in rental income in Law Library Properties Ltd (LLPL) arising from increased occupancy. This resulted in a 15% increase in net profit to €1.62m.

Review of income

Total consolidated income at €15.4m is 4% higher than the previous year, mainly due to an increase in rental income by €239k to €4.69m, due to a significant take up in room occupancy from October 2017 and the 3% increase in subscription rates. Offices are at full

occupancy and Estates Services is maintaining a waiting list.

Review of expenditure

Consolidated expenditure increased by 4% to €13.6m. The main expenditure increases relate to The Bar of Ireland Group, and are explained in detail earlier in this report. The other entity with higher expenditure levels, LLPL, incurred expenditure of €3.07m, which is comparable to the previous year. A summary of income and expenditure is shown in Table 2.

Capital expenditure

As part of the strategic review and during the annual budget process, areas requiring capital investment are considered. A number of key projects have been identified as part of the strategic plan 2018-2021, which was approved by the Council last year. Two such projects that would fall under the capital investment category are:

(1) a ten-year investment plan for the Law Library in the Four Courts; and,
 (2) the upgrading of the membership management system, which is 15 years old and no longer capable of integrating with new technological developments. Over the last number of years, the Council has invested in several important projects providing improved services and facilities, including the provision of an additional 47 member seats in the Church Street building and the development of the Gaffney Room, primarily for CPD events.

In 2017/18, the Council invested €638k in capital projects. A summary of the main projects are as follows:

Capital expenditure summary 2017/18

| | €000 |
|--|------|
| ▶ Refurbishment of new library and blue room | 340 |
| ▶ RFID library collection security system | 95 |
| ▶ Replace boiler in Church Street | 75 |
| ▶ IT hardware and software infrastructure | 60 |

Summary

The Bar of Ireland and subsidiary entities recorded a consolidated net operational surplus of €1.82m, which is a 5% increase on the previous year. The consolidated financial position of the organisation is healthy. The retained surplus of €1.8m adds further to the financial stability enjoyed in recent years. The underlying performance of the commercial entities is strong and likely to remain so over the foreseeable future. The Bar of Ireland has established a reserve over the last number of years to support financial challenges posed by the Legal Services Regulatory Authority (LSRA), future capital investment and a sufficient reserve to deal with other financial risks.

Update on other finance matters

Imposition of LSRA levy 2018/2019

As noted in the report of the Chief Executive, the Council has decided to fund the full LSRA levy for both 2018 and 2019, totalling an estimated €738,000, from the accumulated reserves of The Bar of Ireland. This is a significant additional cost being levied by the State, the burden of which falls directly on all legal professionals. The Council and its committees discussed at length the decision to fund the levy on behalf of members and did so with the aim of supporting members, as previously the Council had taken the wise decision to build a reserve to provide a cushion for members in respect of the initial costs that would arise from the establishment of the LSRA.

The LSRA has informed the organisation that the levy to be imposed on The Bar of Ireland on behalf of members

in respect of 2018 will be in the region of €200,000, and in respect of 2019 will be in the region of €538,000.

Payment of the 2018 levy will be due in the coming months and payment of the 2019 levy will be due in April 2020. Thereafter, The Bar of Ireland will be required to recoup the levy from the membership.

Update on finance – half year to March 2019

For the half year to March 31, 2019, the organisation recorded a consolidated income and expenditure surplus of €1m, which is 10% ahead of last year and 4% higher than budgeted.

In most key areas, the financial performance is in line with expectations and there are no material positive or negative variances to note. The continued demand for rooms means LLPL premises are at full occupancy resulting in higher rental income. This is the most significant variance from the budget, accounting for a major part of the 4% improvement.

The consolidated budget surplus for 2018/19 is €1.77m and, based on the financial performance to date, it is forecast that the organisation will achieve or exceed this target.

Budget 2019/20

The budget for the legal year 2019/20 was presented to a meeting of the Council on June 19, 2019, and subsequently adopted. The primary objectives of the budget process included:

- ▶ minimising the impact of the LSRA on members;
- ▶ member retention;
- ▶ delivering a full range of core member services;
- ▶ implementing the objectives set out in the Strategic Plan 2018-2021; and,
- ▶ minimising the cost of membership of the Law Library.

The budget for 2019/20 presented several significant challenges such as the LSRA levy and increases in supplier costs.

As noted under the section on the LSRA levy, the Council has decided to support members by funding the LSRA levy from reserves in respect of the levy arising for the years 2018 and 2019. Many of our key suppliers are seeking significant increases, some of whom operate from a position of strength, such as Thomson Reuters, LexisNexis and Microsoft. In addition, we have had to take necessary steps to improve cybersecurity, which is an ever-increasing threat to all organisations. This puts upward pressure on costs and makes it difficult to maintain services without increasing income. In completing the budget process, the Council determined that an increase of 1% across all membership subscriptions for the year 2019/20 was necessary.

Financial Accounts

The Council of the Bar of Ireland Accounts year ended September 30, 2018

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Auditor's report

To the members of The Bar of Ireland
In our opinion the Balance Sheet and the Income and Expenditure Account give a true and fair view of the state of affairs of The Council of The Bar of Ireland affairs as at September 30, 2018, and of the results for the year then ended.
In our opinion, proper books of account have been kept by the Council and the accounts are in agreement therewith. We obtained all the information and explanations we considered necessary.



DEREK RYAN
For and on behalf of HLB Ryan Limited
Chartered Accountants and Registered Auditors

Date: December 20, 2018

The Council of the Bar of Ireland – Trustees YEAR ENDED SEPTEMBER 30, 2018

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,
Harmony Court,
Harmony Row,
Dublin 2.

Solicitors

McKenna Durkan
Solicitors,
66 Lower Leeson Street,
Dublin 2.

McDowell Purcell,
The Capel Building,
Mary's Abbey
Dublin 7.

INCOME AND EXPENDITURE ACCOUNT


AS AT SEPTEMBER 30, 2018

| | | 2018 | 2017 |
|---|------------|-----------|-----------|
| | | € | € |
| INCOME | | | |
| Entrance fees | | 137,585 | 139,600 |
| Junior subscriptions | | 6,910,614 | 6,191,465 |
| Senior subscriptions | | 2,372,534 | 2,248,565 |
| External/LOA subscriptions | | 57,368 | 47,190 |
| EU lawyer registration fees | | 2,000 | 4,500 |
| Other income | | 65,424 | 75,845 |
| | | ----- | ----- |
| | | 9,545,525 | 8,707,165 |
| | | ===== | ===== |
| EXPENDITURE | | | |
| Library services | Schedule 1 | 1,221,038 | 975,991 |
| IT services | Schedule 2 | 907,205 | - |
| Member services | Schedule 3 | 1,313,983 | 1,296,056 |
| Placement/representation | | 20,198 | 31,654 |
| CSR schemes | | 83,173 | 72,641 |
| Communications and policy | | 193,684 | 166,602 |
| Marketing and events | | 63,681 | 85,883 |
| Participation international forums | | 88,052 | 98,888 |
| Council and committee meetings/expenses | | 40,047 | 46,287 |
| Membership of professional associations | | 12,378 | 13,216 |
| Education and training | | 35,770 | 20,553 |
| Regulation | | 151,920 | 162,672 |
| Properties and facilities | Schedule 4 | 1,632,661 | 1,637,753 |
| Administration expenses | Schedule 5 | 359,499 | 210,866 |
| Staff costs | Schedule 6 | 3,508,867 | 4,550,971 |
| | | ----- | ----- |
| | | 9,632,156 | 9,370,033 |
| | | ----- | ----- |
| Net deficit/surplus to capital A/C | | (86,631) | (662,868) |
| | | ===== | ===== |

BALANCE SHEET

AS AT SEPTEMBER 30, 2018

| | | 2018 | 2017 |
|-----------------------------------|--------|-----------|-----------|
| | | € | € |
| FIXED ASSETS | | | |
| Tangible fixed assets | Note 2 | 2,726,926 | 2,447,908 |
| LONG-TERM ASSETS | | | |
| Amount due from LLPL | | 2,100,000 | 2,500,000 |
| CURRENT ASSETS | | | |
| Subscriptions in arrears | | 198,503 | 88,654 |
| Amounts due from related entities | | 6,517,233 | 6,656,664 |
| Sundry debtors | | 837,814 | 450,872 |
| Cash at bank and on hand | Note 3 | 249,404 | 249,638 |
| | | ----- | ----- |
| | | 7,802,954 | 7,445,828 |
| LESS CURRENT LIABILITIES | | | |
| Subscriptions paid in advance | | 686,505 | 634,034 |
| Creditors and accruals | | 3,046,424 | 2,702,314 |
| Taxation creditors | | 76,113 | 149,919 |
| | | ----- | ----- |
| | | 3,809,042 | 3,486,267 |
| TOTAL NET ASSETS | | 8,820,838 | 8,907,469 |
| | | ===== | ===== |
| FINANCED BY: | | | |
| Capital account | Note 4 | 8,820,838 | 8,907,469 |
| | | ----- | ----- |
| | | 8,820,838 | 8,907,469 |
| | | ===== | ===== |

Signed: 

Date: December 19, 2018

Signed: 

Date: December 19, 2018

SCHEDULES ON ACCOUNTS

YEAR ENDED SEPTEMBER 30, 2018

| | | 2018 | 2017 |
|------------|---------------------------------|----------------|---------|
| SCHEDULE 1 | LIBRARY SERVICES | € | € |
| | Books | 387,091 | 496,131 |
| | Book binding/storage | 39,565 | 46,897 |
| | Legal databases | Note 6 529,434 | 212,233 |
| | Law reports and Pink Sheets | 215,621 | 175,020 |
| | Library system maintenance | 31,487 | 24,449 |
| | Library printing and stationery | 14,538 | 18,273 |
| | Other library costs | 3,302 | 2,988 |
| | | ----- | ----- |
| | | 1,221,038 | 975,991 |
| | | ===== | ===== |

| SCHEDULE 2 | IT SERVICES | Note 6 | |
|------------|----------------------------|---------|-------|
| | Software licensing | 507,460 | - |
| | Managed services | 81,655 | - |
| | Bandwidth | 75,435 | - |
| | Software maintenance | 32,314 | - |
| | Web services | 15,062 | - |
| | GDPR expenses | 13,411 | - |
| | Cybersecurity | 22,439 | - |
| | Depreciation charge (LLSL) | 159,429 | - |
| | | ----- | ----- |
| | | 907,205 | - |
| | | ===== | ===== |

| SCHEDULE 3 | MEMBER SERVICES | | |
|------------|------------------------------|-----------|-----------|
| | Document exchange service | 696,190 | 680,307 |
| | Bar Group life assurance | 476,245 | 476,245 |
| | Subvention to King's Inns | 81,995 | 81,534 |
| | Wellness | 6,138 | 2,515 |
| | Young Bar Association | 15,696 | 17,562 |
| | Specialist Bar Associations | 3,399 | 7,658 |
| | Members' clubs and societies | 34,320 | 30,235 |
| | | ----- | ----- |
| | | 1,313,983 | 1,296,056 |
| | | ===== | ===== |

| SCHEDULE 4 | PROPERTY & FACILITIES | | |
|------------|---|-----------|-----------|
| | Distillery usage fee and service charge | 411,996 | 411,996 |
| | Criminal Courts of Justice rent | 452,341 | 466,910 |
| | Cork rent | 46,278 | 47,753 |
| | Rates | 205,583 | 204,459 |
| | Light and heat | 56,451 | 48,659 |
| | Security | 92,907 | 123,923 |
| | Repairs and maintenance | 52,596 | 73,438 |
| | Cleaning and laundry | 51,922 | 62,766 |
| | Removals, storage and shredding | 33,898 | 38,428 |
| | Property insurance | 4,917 | 4,123 |
| | Depreciation | 223,772 | 155,298 |
| | | ----- | ----- |
| | | 1,632,661 | 1,637,753 |
| | | ===== | ===== |

| | | 2018 | 2017 |
|-------------------|---------------------------------------|---------|----------|
| | | € | € |
| SCHEDULE 5 | ADMINISTRATION EXPENSES | | |
| | Telephone, printing, stationery, etc. | 64,574 | 64,307 |
| | Travel and meeting expenses | 11,508 | 12,216 |
| | Professional subscriptions | 3,517 | 3,745 |
| | Audit fees | 5,869 | 8,738 |
| | Legal and other consultancy | 86,807 | 76,454 |
| | General insurances | 68,245 | 73,241 |
| | Bank charges | 26,191 | 19,377 |
| | Provision for bad debts | 66,818 | (69,256) |
| | Miscellaneous | 25,970 | 22,044 |
| | | ----- | ----- |
| | | 359,499 | 210,866 |
| | | ===== | ===== |

| | | | |
|-------------------|---|-----------|-----------|
| SCHEDULE 6 | STAFF COSTS | | |
| | Salaries incl. employer's PRSI | 3,018,263 | 3,067,284 |
| | Employer's contribution to pension scheme | 403,755 | 437,384 |
| | Restructuring costs | - | 15,000 |
| | Staff recruitment | 21,134 | 33,204 |
| | Staff training | 36,254 | 48,105 |
| | HR expenses | 6,814 | 5,375 |
| | Other staff costs | 22,647 | 25,298 |
| | | ----- | ----- |
| | Regular staff costs | 3,508,867 | 3,631,650 |
| | | ----- | ----- |

| | | | |
|-------------------------|------------------------------|-----------|-----------|
| EXCEPTIONAL ITEM | | | |
| | DB scheme accrual adjustment | 5 | - |
| | | | 919,321 |
| | | ----- | ----- |
| | | 3,508,867 | 4,550,971 |
| | | ===== | ===== |

NOTES TO THE ACCOUNTS

YEAR ENDED SEPTEMBER 30, 2018

1. 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 €8,677,573, making a total value (valuation plus net additions) at September 30, 2018, of €8,855,336, excluding any books lost or damaged.

2. TANGIBLE FIXED ASSETS

| | Leasehold premises | Fixtures and fittings | Equipment | IT systems and infrastructure | Total |
|--------------------------|--------------------|-----------------------|---------------|-------------------------------|------------------|
| Cost or valuation | | | | | |
| At October 1, 2017 | 3,276,475 | 3,410,279 | 145,851 | 46,278 | 6,878,883 |
| Additions | 340,548 | 11,666 | 4,274 | 146,302 | 502,790 |
| Disposals | - | (2,999,103) | - | - | (2,999,103) |
| | ----- | ----- | ----- | ----- | ----- |
| At September 30, 2018 | 3,617,023 | 422,842 | 150,125 | 192,580 | 4,382,570 |
| | ----- | ----- | ----- | ----- | ----- |
| Depreciation | | | | | |
| At October 1, 2017 | 1,142,053 | 3,218,975 | 45,436 | 24,511 | 4,430,975 |
| Charge for the year | 96,144 | 70,302 | 23,740 | 33,586 | 223,772 |
| On disposals | - | (2,999,103) | - | - | (2,999,103) |
| | ----- | ----- | ----- | ----- | ----- |
| At September 30, 2018 | 1,238,197 | 290,174 | 69,176 | 58,097 | 1,655,644 |
| | ----- | ----- | ----- | ----- | ----- |
| Net book value | | | | | |
| At September 30, 2018 | 2,378,826 | 132,668 | 80,949 | 134,483 | 2,726,926 |
| | ----- | ----- | ----- | ----- | ----- |
| At September 30, 2017 | 2,134,422 | 191,304 | 100,415 | 21,767 | 2,447,908 |
| | ----- | ----- | ----- | ----- | ----- |

3. CASH AT BANK

| | 2018 | 2017 |
|----------------------|---------|---------|
| | € | € |
| Cash on hand | 4,047 | 1,363 |
| BOI No. 1 account | 245,348 | 248,266 |
| BOI sterling account | 9 | 9 |
| | ----- | ----- |
| | 249,404 | 249,638 |
| | ===== | ===== |

4. CAPITAL ACCOUNT

| | 2018 | 2017 |
|-------------------------|-----------|-----------|
| | € | € |
| Opening balance | 8,907,469 | 9,570,336 |
| Add net deficit/surplus | (86,631) | (662,868) |
| | ----- | ----- |
| | 8,820,838 | 8,907,469 |
| | ===== | ===== |

5. DEFINED BENEFIT SCHEME ACCRUAL ADJUSTMENT 2017

The staff defined benefit pension scheme was closed to new entrants and future accruals in December 2010 and replaced with a defined contribution scheme. The accrued benefits remain in place. In 2016, the organisation failed to meet the minimum funding standard as defined by the Pension Authority. In May 2017, the Trustee issued a demand to the organisation to pay additional annual contributions of €622,000, being calculated as sufficient to sustain the scheme without a reduction in benefits. The deficit on the scheme was calculated by the scheme actuary as being €4.4m. In order to reduce this liability, changes to scheme benefits were necessary. In June 2018, the Council of The Bar of Ireland approved a recommendation issued by the Labour Court, which followed a consultation process. The financial impact of the recommendation is to reduce the original liability of €4.4m to €0.9m, and it was decided to provide the full, reduced liability in the accounts in what is expected to be a one-off adjustment. The financial impact of this exceptional adjustment is €919,321.

6. IT SERVICES AND LEGAL DATABASES

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



THE BAR
OF IRELAND

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