

LAW SOCIETY OF NORTHERN IRELAND

THE CHILDREN ORDER PANEL REGULATIONS 2011

The Council of the Law Society of Northern Ireland, in pursuance of the powers conferred on them by Articles 26(1), 73A, 74(1) and 75(1) of the Solicitors' (Northern Ireland) Order 1976 (as amended) and all other powers enabling them in that behalf, and with the concurrence of the Lord Chief Justice of Northern Ireland hereby make the following Regulations.

1. These Regulations may be cited as the Children Order Panel Regulations 2011 and shall come into operation on the 1st day of January 2012.
2. (a) The Interpretation Act (N.I.) 1954 shall apply to the interpretation of these Regulations as it applies to a statutory instrument.

(b) In these Regulations the following expressions have the following meanings respectively:
 - (i) The "Board" means the body appointed by the Council for the purposes of processing and assessing applications by solicitors for membership of the Children Order Panel and for administering the Panel generally
 - (ii) The "Children Order" means the Children (Northern Ireland) Order 1995.
 - (iii) The "Panel" means those solicitors accredited by the Board to represent parties in all public law proceedings under the Children Order.
3. Other expressions in these Regulations have the meanings assigned to them by the Solicitors' (Northern Ireland) Order 1976.
 - (a) The Board will consist of at least three solicitors appointed by the Council together with an equal number of persons with experience in Children Order work as are nominated by the Board for approval by the Council.
 - (b) The appointment of each Board member is for a three-year term and if a place becomes vacant during that time a replacement nominated by the Board for approval by the Council may be appointed for the unexpired period of the term.
 - (c) The Council will meet the reasonable expenses and remuneration of the members of the Board and in settling such remuneration it will take into account sums paid for the time being to the Society's part-time lecturers and to lay members of Society committees.
4. (a) The Board will draw up procedures and set a fee for dealing with solicitors' applications for Panel membership and for the renewal every two years of such membership or for such other period as the Board may determine.

(b) The procedures and any amendment thereto will be subject to the approval of Council.

- (c) The Board may require applicants to the Panel to undertake formal training by attendance at such lectures, courses or other training as it may from time to time direct as a prerequisite to admission to or renewal of panel membership.
 - (d) The Board in exercise of its functions of selection and renewal of Panel membership may accept, reject, defer, suspend, revoke or renew the membership of a solicitor of the Panel.
 - (e) An applicant shall not be accredited to the Panel unless he demonstrates that he is qualified and experienced to represent parties in public law proceedings as assessed under the procedures drawn up by the Board and the Board will consider compliance by the applicant with the requirements under Regulation 4(c) together with evidence of the practical experience gained and work carried out by the applicant in public law proceedings.
 - (f) In exercising its functions the Board may:
 - (i) interpret selection and reselection criteria for Panel members;
 - (ii) waive the selection and reselection criteria for Panel members;
 - (iii) have regard to complaints against a Panel member arising from work undertaken as such and which in the opinion of the Board adversely affects the suitability of the applicant to remain on the Panel;
 - (iv) have regard to a Panel member's general conduct which may affect his suitability to remain on the Panel and notwithstanding any action taken or penalty imposed by any committee of the Society or by the Solicitors Disciplinary Tribunal;
 - (v) suspend or revoke membership of the Panel where the Panel member's conduct or work undertaken as such or his general conduct renders it inappropriate for him to retain membership of the Panel either on a temporary or permanent basis and notwithstanding any action taken or penalty imposed by any committee of the Society or by the Solicitors Disciplinary Tribunal.
 - (vi) The Board may apply for and consider information held by the Society and may request disclosure by an applicant for Panel membership or by an existing Panel member of any matter which may affect the suitability of that person to be or remain accredited to the Panel.
 - (vii) The Board may apply to the appropriate authority for disclosure of criminal records or of other information available to that authority in relation to the applicant or to an existing Panel member.
5. In the case of an application for renewal of Panel membership the applicant may appeal against a decision of the Board made under Regulation 4(d) and the appeal will be heard by two members of the Board who have not participated in the appealed decision
6. Decisions of the Board may be taken by two members provided at least one is a solicitor appointed by Council.
7. The Solicitors' Children Order (Panel) Regulations 1996 are hereby repealed.