

Solicitor - client confidentiality: Assembly debate

The Secretary of State has published for public consultation a draft Order in Council which will further extend the extensive powers available to investigating authorities under the Proceeds of Crime (NI) Order 1996. The draft Financial Investigation (NI) Order has been referred also to the Northern Ireland Assembly for consideration. One of the proposals is that investigators will have power to issue a general circular to all solicitors' offices seeking information (specified by the investigator) about transactions involving a named individual. This trawling process is not subject to meaningful judicial oversight, is subject to only minimal protection from disclosure on grounds of legal professional privilege, and raises important issues about solicitor - client confidentiality.

A small Society team, led by the President, gave evidence on the draft Order to the Ad Hoc Committee of the Assembly established to examine the proposals. The main points in the Society presentation were:

1. The Law Society does not condone the activities of criminals, nor do we have any interest in affording protection to drug barons, terrorists or racketeers. We do therefore understand and appreciate the objectives and sentiments which lie behind the proposals. However we are obliged to draw attention to the rights of every citizen to due process and equal treatment before the law.
2. The proposed Order will encroach further on the principles of solicitor/client confidentiality and legal professional privilege. These principles do not afford privileges to lawyers; they provide vital protections to individual citizens.
3. A solicitor is in the unique position of being unable, as a matter of both

professional and legal obligation, to disclose any information about a client's affairs without a waiver by the client or on foot of a clear and lawful authority for doing so.

4. These protections have not been devised by accident or by lawyers for lawyers. They are characteristic of all developed democratic legal systems over many centuries. The issue is not encroachment on lawyers' territory. These principles have evolved under judicial supervision over the years so as to prevent excesses such as furtherance of criminal interest. The principles do not provide carte blanche to criminals.

5. The Proceeds of Crime Order, which is to be amended by the proposed Order, represents a series of extensive powers already available to the investigating authorities. It is notable that the Explanatory Document refers to the fact that the provisions of the 1996 Order have been used to good effect. The powers therein are widely recognised as draconian, but the present provisions have the merit of being applied throughout the United Kingdom and have built-in safeguards.

6. There are indications that the measures have been proposed in response to views expressed by the law enforcement agencies, and on the basis of a study. The proposals have been prepared without any input from the Law Society. We make this point about the value of prior consultation because this would have allowed there to be: an exchange of information and experience about the operation of the present provisions; an evaluation of any problems which arise at present, and exploring alternative means by which the concerns of the authorities might be addressed; and may have avoided some of the questionable assumptions about the profession which appear in the

Explanatory Document.

7. The Government's assertion that the proposed legislation complies in all respects with the terms of the European Convention on Human Rights may not be well-founded.

8. The effect of the amendments to the 1996 Order now proposed would appear to be to make client information available to the financial investigator retrospectively. That is, on commencement of the proposed Order, it would be possible for an inquiry to be raised about a transaction which was entered into by an individual prior to the introduction of this legislation on the basis that his or her confidence with his or her solicitor would be respected and preserved by law.

9. We would invite the Committee to consider supporting the position of the Society on the following points

[a] to acknowledge the importance of safeguarding the public interest in the principles of solicitor-client confidentiality and legal professional privilege;

[b] having regard to the importance of those principles, to affirm that these should not be interfered with lightly, without careful consideration of other options or without the provision of effective safeguards;

Contents

Tomorrow's World - A Legal Odyssey . .	p2
New Challenges - New Risks	p9
Child Support Reforms	p12

'TOMORROW'S WORLD - A LEGAL ODYSSEY'

Dear Colleague,

I have pleasure in inviting you to join us at the Society's Annual Conference in Belfast on 6th/7th April 2001. It is surely time for us to show off some of the new features of our great City, not only to our visitors from outside the province, but also to many of our members who may not fully appreciate what Belfast has to offer.

We will be one of the first organisations to hold a major event at W5, the Interactive Science Centre which is part of the Odyssey Complex. The main events will be held in this venue on Saturday 7th April, where, as well as a business session of lectures on matters of current interest in the morning (further details later), members and their families will have a one hour preview of W5 before it is opened to the public at 2.00 p.m. At 3.00p.m. members and their families will have the opportunity to view a film in the new IMAX Centre. The Conference will also afford an opportunity to explore the remainder of this wonderful new complex.

As part of the Conference there will be an exhibition in W5 on Saturday morning from 11.00am - 3.00pm. Exhibiting will be the major providers of legal support equipment and systems for the profession, and this will provide an opportunity, at your leisure, to consider what is now on offer.

The Conference will commence on Friday afternoon, with Golf at the Hilton Templepatrick Course for the Syntegra Challenge Trophy. An early evening meal at the Hilton Hotel Belfast will be followed by a visit to the Grand Opera House and a performance of ART, a highly acclaimed play starring Nigel Havers. A taxi service will be available from the Hilton, Belfast to and from the Grand Opera House.

A function room has been reserved at the Hilton Hotel Belfast where those interested in the fortunes of the Irish Rugby team can watch the Ireland -v- Scotland match on television on Saturday afternoon. Others may wish to enjoy the facilities of the hotel's leisure centre and swimming pool. A courtesy coach will provide a shuttle service between the hotel and the Odyssey centre on Saturday.

A further alternative will be a guided tour of some of Belfast's historical pubs.

A Drinks Reception and the Conference Dinner (Black Tie) will follow on Saturday evening in the magnificent offices of the Belfast Harbour Commissioners, where Ulster Brass (members of the brass section of the Ulster Orchestra) will provide musical entertainment and visitors will have an opportunity to view the superb exhibition of maritime art and furnishings.

We have decided to depart from the customary concept of a residential weekend conference, as this format has



Law Society President, Mr John Neill.

not enjoyed widespread support in recent years. This year's conference will be semi-residential, in that our members and their families and friends will have the option of either staying at the Hotel for all or part of the time, or of attending specific events on a non-residential basis. A room will be made available at the Hilton Belfast for anyone requiring to change prior to the dinner on Saturday night.

I believe that there is something of interest for everyone at this year's conference. I would urge you to come along and enjoy with us our main event of the year - it is your Conference. I draw your attention to the pre-booking form opposite.

I look forward to seeing you there.

JOHN NEILL

President

Continued from page 1...

[c] that any legislation on the lines proposed or, at a minimum, implementation of those provisions affecting solicitor/ client confidentiality and legal professional privilege should not be brought forward pending full and meaningful consultations between the NIO and the Law Society;

[d] that if and when legislation on these matters is brought forward, it should not

be by way of Order in Council;

[e] that legislation on these matters should not be applicable to Northern Ireland on a selective and experimental basis.

A Committee Report will go to the Assembly shortly. Commenting on the attendance before the Committee, the President, John Neill said, "We appreciated the opportunity to address the Committee on these issues of fundamental importance to every citizen and welcome the attention given to date

to the matters we have raised.

"Our concerns are not about mere legal niceties or lawyers' self-interest. We have presented our concerns carefully and responsibly. We await with interest sight of the Committee's final report and will continue to press these points with the Assembly and the Government."

The consultation exercise on the proposals closes on 12th February. Any member of the profession wishing to express a view may wish to copy these to the Chief Executive at Law Society House.

Law Society of Northern Ireland Conference Booking Form

Friday 6 and Saturday 7 April 2001
 Conference Hotel – Hilton Hotel Belfast
 Conference venue - W5 Odyssey Centre

CONFERENCE PACKAGE

£225 PER PERSON SHARING/£290 SINGLE

2 nights bed and breakfast Hilton Hotel
 Friday pre theatre reception and dinner
 Friday Grand Opera House production "Art" ticket
 Saturday morning keynote lecture and legal business exhibition in W5 Odyssey Centre
 Saturday morning Preview of W5 –new interactive Science Museum
 Saturday Lunch – W5
 Imax Theatre ticket – Saturday afternoon
 Saturday night Formal dinner – Harbour Commissioners Belfast
 Reduced conference golf fees – Friday competition at Hilton Templepatrick

Names _____

Firm name _____

Type of room required (see below)

If unable to stay for 2 nights or do not require residential part of conference - please tick accommodation required if any and/or tick which part of conference programme you will be able to attend and total cost accordingly

BED AND BREAKFAST

£58 per person per night sharing – (£116 per room) £96 per person per night single

Children under 16 sharing room with parent - no charge. In own room - £29 per child sharing £48 per child single

- | | |
|---|---|
| <input type="checkbox"/> Friday night | <input type="checkbox"/> Saturday night |
| <input type="checkbox"/> No of rooms required | <input type="checkbox"/> No of rooms required |
| <input type="checkbox"/> Double | <input type="checkbox"/> Double |
| <input type="checkbox"/> Single | <input type="checkbox"/> Single |
| <input type="checkbox"/> Twin | <input type="checkbox"/> Twin |
| <input type="checkbox"/> Family | <input type="checkbox"/> Family |

Babysitting arrangements for resident delegates if required

FRIDAY 6 APRIL

Golf Syntegra Golf Conference Trophy
 Hilton Templepatrick Tee times 12.30pm – 1.30pm handicap _____
 Contact Alan Hewitt L'Estrange & Brett Tel 90230426

6pm Pre theatre dinner in Sonoma Restaurant Hilton Hotel incl. taxi to Opera House £25 (please tick and indicate how many and names)

7.45pm "Art" Grand Opera House West End production with Nigel Havers £22 (tick how many tickets required)

SATURDAY 7 APRIL

W5 Odyssey Centre Belfast Free (please indicate how many and names if possible)
 10.00 Keynote lecture
 11 – 3pm Exhibition

- | | |
|--|--|
| Lunch | <input type="checkbox"/> £10 (please indicate how many) |
| Special Preview of W5 at 1pm open to members' family and friends | <input type="checkbox"/> Free (please indicate how many and names if possible) |
| Imax Theatre Show – Titanic Group booking for family and friends | <input type="checkbox"/> £tba (please indicate how many and names if possible) |
| Historical Pub Tour of Belfast 3.00pm | <input type="checkbox"/> £5 (please indicate how many and names) |
| Ireland – Scotland Rugby Match on wide screen in private room Hilton Hotel – 2.45pm | <input type="checkbox"/> Free (please indicate how many) |
| Reception and Formal Dinner Harbour Commissioners Building Belfast with musical entertainment provided by Ulster Brass | <input type="checkbox"/> £40 (please indicate how many and names) |

CHEQUES TO BE MADE PAYABLE TO

Law Society of Northern Ireland and sent with booking form to
 Sheelagh Middleton, 12 Kings Crescent, Belfast BT5 6PR email sheelaghmiddleton@lineone.net

ATTENTION ALL NEW PRINCIPALS

SOLICITORS TRAINING (PRACTICE MANAGEMENT COURSE) REGULATIONS 1995

The above Regulations (reproduced below) apply to any solicitor becoming a principal for the first time after 30th of August 1995. For such solicitor it will be compulsory to attend a Practice Management Course. The solicitor in question can attend at any time up to 6 months after becoming a principal or alternatively up to 12 months before becoming a principal.

Anyone who wishes to attend the next available course should fill in the form provided and return same to Mrs. Blackstock, The Law Society, Law Society House, 98 Victoria Street, Belfast, BT1 3JZ.

I wish to attend the next available Practice Management Course.

Name _____

Address _____

Phone No _____ Date _____

Status (i.e., principal or assistant and if applicable date became principal)

The Regulations read as follows:

SOLICITORS TRAINING (PRACTICE MANAGEMENT COURSE) REGULATIONS 1995

The Council of the Law Society of Northern Ireland in exercise of its power under Article 6 and Article 74(1) of the Solicitors (Northern Ireland) Order 1976 as amended by the Solicitors (Amendment) (Northern Ireland) Order 1989 and all powers enabling it in that behalf and with the concurrence of the Lord Chief Justice of Northern Ireland hereby makes the following Regulations.

1. These Regulations may be cited as the Solicitors Training (Practice Management Course) Regulations 1995 and shall come into force on the 30th day of August 1995.
2. (i) The Interpretation Act (Northern Ireland) 1954 shall apply to the interpretation of these Regulations as it applies to a statutory instrument.
(ii) In these Regulations the following expressions shall have the following meanings respectively:-
"the Order" means the Solicitors (Northern Ireland) Order 1976 as amended by the Solicitors (Amendment) (Northern Ireland) Order 1989.
"the Council" means the Council of the Law Society of Northern Ireland.
"solicitor" means a solicitor of the Supreme Court.
"Practice Management Course" means a course of practical training in the management of a solicitor's practice, the duration, form and content of which shall be prescribed by the Council from time to time.
"principal" means a solicitor who is a sole practitioner or is a partner in a firm of two or more solicitors.
"practice" means the business of a sole practitioner or a firm of two or more solicitors.
3. A solicitor who becomes a principal for the first time shall, within a period not exceeding 6 months after the date on which he becomes such, be obliged to attend a Practice Management Course unless he has attended a Practice Management Course within the twelve months preceding that date.
4. Breach of these Regulations may be treated as professional misconduct for the purpose of Article 44 of the Order.
5. The Council shall have the power to waive any of the provisions of these Regulations in any particular circumstances or case.

ROSEMARY NELSON MEMORIAL LECTURE

The inaugural Rosemary Nelson Memorial Lecture will be given by Edmund Lynch, JD on the subject "Rosemary Nelson and Dr. Martin Luther King Jr. - Common Ground in the Ongoing Struggle for Human Dignity"

Ed Lynch JD is a Lawyer from New Jersey. He is a prominent member of the organisation Lawyers Alliance for Justice in Ireland.

The lecture will be followed by a reception. Everyone welcome.

Date: 7th March 2001 Time: 7.30 pm
Venue: Lecture Hall, Law Society House, Belfast.

**ARRANGED BY THE ROSEMARY
NELSON CAMPAIGN**

Republic of Ireland Agents

We are willing to act as agents in most legal matters.

Our offices are close to Courts, Government Buildings and Commercial Centre.

Fee splitting by arrangement.

Hughes & Liddy Solicitors

2 Upper Fitzwilliam Street
Dublin 2

Tel: (00 3531) 6766763
or (00 3531) 6789701
Fax: (00 3531) 6766702

BELFAST SOLICITORS**ASSOCIATION**

**BELFAST SOLICITORS
ASSOCIATION AND NORTHERN
IRELAND YOUNG SOLICITORS
ASSOCIATION.**

LUNCHTIME SEMINAR

Friday 6 April 2001

at Law Society House at 1.00 pm

"Financing Residential Care: An
Overview and Update of Legal Issues"
by Les Allamby, Belfast Law Centre

Coffee and sandwiches will be
available from 12.30 pm

Fee: £10.00 per person.

Please make cheque payable to BSA
and send to:

Pierre Boitel-Gill

Elliott Duffy Garrett Solicitors

Royston House

34 Upper Queen Street

Belfast BT1 6FD

BSA SUBSCRIPTION 2001

Annual subscriptions for 2001 have
been fixed as follows:

£7.00 for any Solicitor enrolled on or
after 1.1.97

£15.00 for any Solicitor enrolled prior
to 1.1.97

£100.00 for membership of all Solicitors
in a firm where there are 7 or more in
that firm.

Associate membership is open to any
pupil Solicitor at a Subscription of
£7.00

Application and renewal forms will be
posted to all Belfast Solicitors before
the end of January 2001.

BSA Go On-Line

We are pleased to announce that we
are presently constructing a web site
and expect our web presence to be up
and running within the next few weeks.
Through this medium we would hope to
keep you advised of all that is
happening with BSA as well as giving
you a fixed reference point for our costs
guidelines in certain areas of practice.

THE CORPORATE GAMES 2001-JUNE 15TH/17TH - LIMERICK

Persons interested in participating in this year's Corporate Games should contact their team captain or, if there is no captain, an event convener. Participation is £35 per person. Accommodation and (possibly) transport will be organised by the event conveners. The benevolence of sponsors (i.e. firms of solicitors) is most welcome.

TEAM CAPTAINS:

Basketball - Aidan Donnelly (J. Murland & Co) - 44619980

Dragon Boat racing - Kenny Chambers (Johnsons) - 90240183

Golf - John Caldwell (SD Crawford) - 9059 5300

Hockey/Hockey 7's - Jonathon Hewitt (L'Estrange & Brett) - 9023 0426

Karting - Sean McGahan (McKinty & Wright) - 90246751

Rugby 7's/Touch - Patrick White (Crawford & Lockhart) - 9032 2204

Soccer 6's - Patrick Barr (Peter Dornan & Co) - 9023 4559

Tennis - Aidan Deery (Deery McGuinness & Co) - 9023 3268

Triathlon - Triad - Terry McAllister (McAllister Keenan & Co) - 2827 8844

OTHER SPORTS:

Badminton, Cricket 8's, Match Fishing, Mountain Biking, Netball, Running, Squash, Table Tennis, Tenpin Bowling and Volleyball.

EVENT CONVENERS:

TC Smyth (Macaulay & Ritchie) 9032 9696 Oonagh McClure (Thompson McClure) 90320148

FURTHER INFORMATION:

UK & Ireland Corporate Games (Limerick 00 353 61 440 477; UK 01733 380 888; WWW.CORPORATE-GAMES.COM) Updates will appear in the "Writ".



Chest, Heart and Stroke illnesses can strike at any age, often without warning. The impact is devastating, accounting for two out of three deaths in Northern Ireland.

Northern Ireland Chest, Heart and Stroke is working hard to change this picture. As a local charity, we've made a real difference across Northern Ireland for over 50 years.

Through support and rehabilitation we have alleviated suffering and assisted families. And we have funded ground breaking research to win the fight against these often preventable diseases.

Much of this life-saving work is only possible through legacies.

None of us can bring back the missing years, but the legacy you leave in life could prevent someone else's death.

What's
missing?



21 Dublin Road, Belfast BT2 7HB.

Tel: 028 90 320184. www.nichsa.com



NORTHERN IRELAND
YOUNG SOLICITORS ASSOCIATION

**PLACES ARE STILL AVAILABLE FOR THE CONFERENCE (APPROX £120)
EXCLUDING TRAVEL**

**ANYONE NOW WISHING TO ATTEND MUST MAKE OWN TRAVEL
ARRANGEMENTS**

NIYSA ANNUAL CONFERENCE

We are pleased to announce that our Conference for 2001 will be taking place in conjunction with the Liverpool Young Solicitors Group in Liverpool, Friday 18th May – Sunday 20th May 2001.

Although our Conference Agenda has yet to be finalized it is anticipated that it will run as follows:

Friday 18th May 2001	am	Welcome and Registration
	pm	Social Event.
Saturday 19th May 2001	am	Lectures
	pm	Black Tie Ball
Sunday 20th May 2000	am	City Tour
	pm	Brunch and Goodbyes

We hope to keep costs in line with previous years at approximately £140.00 per delegate including travel (based on two persons per room) by availing of reduced air fares through early booking.

Accordingly all those wishing to attend should complete and return the attached Booking Form together with a deposit cheque in the sum of £40.00 made payable "NIYSA" .

Demand for our Belfast Conference in March 2000, (attended by over 380 delegates), greatly exceeded available places and so early booking is advised, places will be allocated on a first come first served basis.

(Details of our finalized programme and fee will appear in The Writ in early course.)

Booking Form

18th – 20th May 2001, NIYSA Conference.

(Please complete in type or block letters)

Name _____ Firm Name _____

Address _____

Cost (approx £140.00) _____

Tel(inc.code) _____ Fax _____

E-mail _____

I will be sharing with _____

I wish to book for the NIYSA Annual Conference. I prefer a double/twin room *(Please circle your preference)*. I accept that all payments are non-refundable and that my booking is subject to availability and to written confirmation by the Organisers. The remaining balance shall be payable by me to the NIYSA on request . I shall be responsible directly to the Hotel for any incurred room tab on check out.

Note We regret that we cannot accept bookings at the Conference Hotel for single rooms or single nights. All bookings must be made through NIYSA.*

Please tick if vegetarian

Signed _____ Date _____

Please return completed booking form and £40.00 deposit cheque in an envelope marked "NIYSA Conference" to: Maureen Bell, Vice Chairman, NIYSA, c/o Bigger & Strahan Solicitors, Sinclair House, 89 Royal Avenue, Belfast, BT1 1EX.



NORTHERN IRELAND
YOUNG SOLICITORS ASSOCIATION

BRITISH COUNCIL VISIT & DINNER 14TH FEBRUARY 2001

It will be the pleasure of the NIYSA to host a dinner at Belfast Castle on Wednesday 14th February for this years visit of European delegates during their week long study tour to Northern Ireland. The British Council scheme has this year 37 European Lawyers currently studying & placed in law firms in Edinburgh & London .

We are pleased to confirm that a limited number of places are available to our members (please note membership is automatic for all solicitors under 36yrs of age).All those who have attended in the past will know what an enjoyable event this is

All those wishing to attend please forward by return a cheque made payable to ' NIYSA' for £15 (ticket prices are subsidized and include dinner & entertainment) together with your name & contact details to:

Tracey Diamond
Chairman
NIYSA
C/o Blaney & Diamond
36 Main Street
Toomebridge
Co.Antrim
BT41 3TF

Or

Maureen Bell
Vice-Chairman
NiYSA
C/o Bigger & Strahan
89 Royal Avenue
Belfast
Bt1 1ex

DX 412NR Belfast

(Please note that places cannot be guaranteed).



NORTHERN IRELAND
YOUNG SOLICITORS ASSOCIATION

NEW HONORARY PRESIDENT FOR THE NIYSA

Following the retirement of Lord Justice O'Donnell as our Honorary President in October 2000, the NIYSA are delighted to welcome Mr Justice Gillen QC to this honorary position . Mr Gillen, J attended an inaugural dinner in his honour and proved himself to be a popular addition to the association

It is, however, with sadness that we bid a fond farewell to Lord Justice O'Donnell who has entertained us with his company & fine singing since the inception of the Association in the late 1980's. We would like to take this opportunity to thank both Lord Justice O'Donnell & Mrs O'Donnell for their valued support over the years and wish them all the best for the future .

SOUTHERN YOUNG SOLICITORS

SPRING CONFERENCE

FAITH LEGG HOUSE HOTEL
9-11 March 2001

Anyone interested in attending please contact a NIYSA Committee member for further details

REPUBLIC OF IRELAND AGENTS

15 Lr. Mount Street,
Dublin 2.
DDE Box 140

Tel. No. (01) 676 1100

Fax. No. (01) 676 1630

E-Mail: law@crowleymillar.com

**ALL LEGAL WORK UNDERTAKEN ON
AN AGENCY BASIS**

FEE SPLITTING BY ARRANGEMENT

CONTACT:

FINBARR J CROWLEY BCL

JOHN W CARROLL B.COMM BCL

REPUBLIC OF IRELAND AGENTS

**LAVELLE
COLEMAN**
SOLICITORS

51/52 Fitzwilliam Square,
Dublin 2, Ireland
Tel: (3531) 6619826
Fax: (3531) 6614581
DX 188.

E-Mail: info@lavelco.ie

**Willing to undertake agency
work on behalf of
Solicitors in Northern Ireland**

Contact AnneMarie
McCrystal LL.B.
(Also admitted N.I. 1991)

EMPLOYMENT LAWYERS' GROUP (NI)

Hon. Sec. Eamonn McArdle, Bar Library, Royal Courts of Justice, Chichester Street
Voice Mail: (028) 9056 2282
Fax: (028) 90231850
E-mail: eamonn.mcardle@ireland.com

Chairperson Beverley Jones
Hon. Treasurer Orla Murray

Website: www.legal-island.com/elg.htm

Lunchtime Seminar

Stress in the workplace: an employment lawyer's perspective

Speaker: Fiona Cassidy, of Jones & Cassidy
Date: Friday, 2 March 2001
Time: 1pm (tea, coffee and sandwiches served from 12.30pm)
Venue: Law Society House, Victoria Street, Belfast
Cost: Members £3 per talk, Non-members £6

Booking forms and cheques should be sent to: Orla Murray, Departmental Solicitor's Office, Victoria Hall, May Street, Belfast, BT1 4NL.

Booking Form

Name _____
Firm _____
Address _____

I enclose remittance of £ _____

Membership Renewal

Membership renewals for 2000-01 are now due. Please send your membership subscriptions (£10 per member per year) to the treasurer, Orla Murray, at the address above.

EMPLOYMENT LAWYERS' GROUP (NI)

Membership Form

I enclose cheque for £10.00 made payable to ELG (NI)

Name _____
Address _____
Telephone No: (work) _____ E-mail _____

Risk Management

ADVICE

New Challenges - New Risks

Consider the risk management issues raised by developments in the law and in the ways the law is practised.

The following points might apply equally to any significant change in the law.

- decide who needs to be conversant with the changes and ensure that all concerned have a thorough understanding of the changes and keep up to date with case law.
 - ensure that other personnel are not giving unchecked advice.
 - identify appropriate training events, ensure that appropriate personnel attend and that others in the practice receive a briefing from that delegate
 - where appropriate, advice letters should be double checked and "signed off".
 - review style and proforma documentation.
 - review any information sheets/guidance notes which are issued to clients on a thorough and regular basis.
 - review the content of any commentary contained in the practice's website.
- have procedures to ensure that reviews of style documentation and any information sheets are conducted at the appropriate level in the practice do actually happen and are recorded in a review schedule.
 - consider whether it is appropriate to amend terms (letters) of engagement.

Extract taken from an article by Mr Alistair Sim, Associate Director in the Professional Liabilities Division, Marsh UK Ltd which appeared in the Law Society of Scotland Journal, October 2000.



... ensure that other personnel are not giving unchecked advice



EPLANI PROGRAMME - WINTER 2001

Tuesday 30 January at 5.30 pm - Green Room, Belfast Waterfront Hall

Town Cramming -v- Town Planning
Speakers: Councillor Carmel Hanna MLA and Nic Deeny, Dunloe Ewart

Apartments are becoming more and more prolific throughout Belfast and Northern Ireland. Such development raises issues such as density, sustainability, traffic and amenity. Carmel Hanna MLA will speak from the perspective of those objecting to such schemes and Nic Deeny will speak generally on issues of density

and general town planning from a developer's perspective. This should be a seminar of general interest to the whole membership.

Thursday 1 March at 5.30pm - Green Room, Belfast Waterfront Hall

Environmental Impact Assessment - Lessons to be learnt from the Courts
Professor Malcolm Grant, University of Cambridge

Formal Environmental Impact Assessment has been with us since 1989 but it is only in the last number of years that the Courts have had to consider the technicalities of the system. Professor Grant will deal with the recent case law in this area which has a wide ranging impact upon more and more types of development. This seminar will be of particular interest to planning consultants, environmental consultants and lawyers.

Date for your diary

Wednesday 21 March - RICS/EPLANI Annual Development Control Forum

Belfast City Hall 12.30 - 4.30 pm
(Cost to include sandwiches, tea and coffee - £60.00)

The 8th Annual Development Control Forum is intended for individuals and groups who need to keep abreast of planning law and development control practice and will be invaluable to all members. Topics will include a general update on planning law, Human Rights, retailing and advice on planning appeals from the Planning Appeals Commission. Further details will follow but additional information can be obtained from Gillian Kane at the School of the Built Environment at Jordanstown on

028 9036 8505.

BOOKING FORM

Please reserve the following number of places at the above seminar(s):-

30 January 2001

1 March 2001

Members _____ Non-Members _____ Unwaged _____

£10.00

£15.00

£5.00

Delegate Name: _____

I enclose a cheque for £ _____ as a non-refundable fee made out to the Environmental and Planning Law Association for Northern Ireland.

Please return completed Booking Form to

Karen Blair,
Chair,
EPLANI,
c/o Cleaver Fulton Rankin,
Solicitors,
50 Bedford Street,
Belfast,
BT2 7FW,
DX 421 NR Belfast



WEB WATCH

Busy practitioners frequently complain that they just don't have the time to keep up with developments in IT. Such is the pace of change that as soon as one piece of software is mastered another takes its place. Questions to tackle include whether to use Outlook or Outlook Express in the office, Explorer or Netscape for browsing the web and which version is best for a particular computer work station.

Thankfully this year the legal profession

in Northern Ireland has a number of options from which to choose to help them keep abreast of IT issues relevant to the office. The Society for Computers and Law has already organised a number of hands-on seminars covering a range of basic IT skills

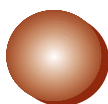
which will hopefully be repeated soon. Legal-Island is hosting its popular evening seminar "Lawyers - Getting the Most from the Internet" soon which will cover a range of Internet essentials from effective use of email, news groups and browsers to legal material currently on-line for free (Tel : 42771677). Meanwhile, the Law Society of NI promises to produce its usual bag of goodies at this year's conference including the opportunity to try out and compare a range of case management systems the number of which seems to increase

steadily each year. Practitioners are spoiled for choice.

Those wanting an excellent introduction to the Internet may like to try "The Rough Guide to the Internet 2001 Edition". This covers in detail the basics of the subject from connecting, to browsing, to really useful sites on the web across a number of categories. The author delivers on his promise to write short sentences, short on jargon and to mention a product because it's the best and not because he has a vested interest in it. This is a refreshing claim in an on-line world now so commercialised that it seems everything comes with a free coke and fries.

Back on-line there is a multitude of web sites waiting to assist those in the law firm looking to develop their IT skills or simply solve a technical problem at work. One of the best for anyone with a query relating to IT is the Zdnet site (www.zdnet.com) which is a complete warehouse of computing information with product reviews, on-line tutorials and a host of other materials. It provides everything the busy practitioner may need to resolve IT issues - except of course the spare time to do it.

barry-phillips@altavista.net



BlueChip Technologies Limited

Committed to Making IT work for you

Digital Dictation and Voice Recognition

IT Solutions to Improve your practice efficiency

BlueChip Technologies, Ireland's leading Digital Dictation Centre, can provide the latest in advanced integrated digital solutions incorporating

Mobile dictation, E-Mail dictation, Office dictation
Office and Mobile Voice Recognition

To revolutionise the way you organise your office.

To arrange your free demonstration

Telephone 028 91 275590

or

Fax 028 91 270043

BlueChip Technologies Ltd provide integrated solutions to meet your Practice needs.

BlueChip Technologies Ltd
Information Technology Centre
2-4 Balloo Avenue
Bangor BT19 7QT.

E-mail to infor@bluechiptechnologies.com
www.bluechiptechnologies.com



Law Centre (NI)

Child Support Reforms

The Child Support, Pensions and Social Security Act (NI) 2000 paves the way for child support reforms announced by the government following the publication of the White Paper.

It also introduces the State Second Pension to supersede the State Earnings Related Pension and makes changes to the regulatory arrangements for occupational and personal pension schemes. In addition, miscellaneous changes are made to social security benefits including reducing or withdrawing benefit from claimants in breach of community service order, probation orders or other specific criminal sanctions imposed by the courts. Pilot schemes applying this legislation are currently being applied in Britain. The transfer of housing benefit appeals from Housing Benefit Review Boards to the appeals service and other alternations to decision-making are also made. This article concentrates on the Child Support changes.

Calculation of Child Support

The major change contained in the Act is the scrapping of the much criticised formula for calculating child support. In its place a more simple calculation is introduced whereby a 'non-resident parent' with a net weekly income of £200 or more will be expected to pay 15 per cent of net weekly income for one qualifying child, 20 per cent for two qualifying children and 25 per cent for three or more children. Where the 'non-resident parent' has a new relationship and children in a second family then, his or her net weekly income will be reduced by 15 per cent if there is one child in a second family, 20 per cent if there are two and 25 per cent where

there are three or more. A ceiling is placed on the maximum amount of net income that can be taken into account, namely, £2000 a week. This will limit the weekly maximum amount of child support to £300 for one child, £400 for two and £500 for three children or more.

At the lower end of the financial scale non-resident parents with weekly net income of between £100 and £200 will pay a reduced rate of child support. This rate is not specified in the Act, but, is likely to be the sum set out in the White Paper.

For non-resident parents with a weekly income of £100 or less or receiving specific social security benefits the weekly payment will be £5. The Act does not set out which benefits are covered, but, government has indicated that it will include income support and income based jobseeker's allowance. In limited circumstances no payment of child support will be required. The conditions that apply have been left to regulations, but, they will include full time students in advanced education and prisoners.

Varying Child Support Payments

Greater flexibility to vary payments has been introduced where a 'non-resident parent' has special expenses. The Act sets out that these can include:

- costs of maintaining contact with children,
- long term illness or disability of another child,
- debts (to be prescribed in regulations) incurred before becoming a non-resident parent which were for the joint benefit of both parents or of a child,
- boarding school fees for a child covered by the child support calculation, and
- mortgage costs where the 'non-resident parent' no longer has an interest in the home, but, ex-partner and child continue to live there.

Shared Care Arrangements

More flexible arrangements have been introduced where shared care arrangements are in place. Shared care

must entail overnight care of at least 52 days a year though regulations will provide greater detail of what actually constitutes shared care. Where shared care arrangements apply, child support payments are reduced by between one seventh and a half depending on the number of overnight stays. Where child support is reduced by a half then, a further £7 a week reduction is also made providing the overall outcome is that at least £5 a week is still being paid.

Where shared care arrangements apply to a non-resident parent on specified benefits or with a net weekly income under £100 a week, then, no child support payment will be sought.

Child Support Applications

New rules will apply for claiming in that, parents with care of children on income support, income based jobseeker's allowance or other specified benefits will be treated as applying for child support unless they specifically opt out of the scheme. In practice, the Department will write and explain that a claim for one benefit has automatically triggered child support procedures unless a written opt out is exercised. Where an opt out is exercised, the parent with care will have to show reasonable grounds for believing that there is a risk of harm or undue distress to the claimant or one of his or her other children.

Establishing Parentage

The Act introduces four new circumstances in which a person who denies parentage is, nonetheless, assumed to be a parent. These are:

- where the man was married to the child's mother at any time between the period of conception and birth and the child has not been adopted,
- where a man is named on the birth certificate and the child was not subsequently adopted,
- where the alleged father refuses to take a DNA test or accept the result where no reasonable doubt exists,
- where the woman gives birth as a result of infertility treatment or artificial insemination unless the child is adopted.

The Act also amends part III of the

Family Law Reform (NI) Order 1977 (tests for determining paternity) and Part V of the Matrimonial and Family Proceedings (NI) Order 1989 governing declarations of parentage. Finally, the reduction of the parent with care's benefit for failing to co-operate has been extended to cover refusal to take a DNA test. This reverses the current position established by caselaw.

Non Social Security Benefit Cases

Parents with care of the children who are not on specific social security benefits do not have to apply to the Child Support Agency. In an important change, parents with a maintenance order from the courts made after the introduction of these reforms can apply to the Child Support Agency once the Order has been in force for a year. In effect, maintenance arrangements made in the courts will not be immune from child support where the partner with children is not on benefit.

Offences And Penalties

The Act toughens up the approach adopted against those people who seek to avoid child support legal obligations.

A new criminal offence is created where, following a request from the Child Support Agency, a person knowingly makes a false statement or representation or provides false information. Failure to comply with a request for information without a reasonable excuse is also an offence. The penalty for such offences is a fine of up to £1,000.

New powers are also provided to allow the Department to apply to the courts for an order to confiscate (or prevent the obtaining of) a driving licence in certain circumstances. The relevant section set out the procedures the court must adopt before such an order is made.

Jurisdiction

The Act extends jurisdiction to allow maintenance assessments to be made where a relevant party is habitually resident in Northern Ireland but, is employed by a company registered in Britain or Northern Ireland or by the civil service or defence forces.

The main changes contained in the Act,

particularly the new formula and variation arrangements, will not come into effect until April 2002 and even then, the arrangements will only apply to new claims. For current cases dealt with by the Child Support Agency it is likely that it will be April 2003 before the new formula is adopted.

The new arrangements for calculating child support are a distinct improvement on current procedures being fairer and taking more account of individual circumstances. In addition, parents with care on income support or income based jobseeker's allowance will be able to keep up to the first £10 of any child support payments made (though this is not covered in the Act). The penalties for non co-operation remain punitive. Whether these changes will end the controversy surrounding child support remains to be seen.

Les Allamby
Law Centre (NI)

Employability Assessment in Personal Injury Claims

A New Service for Litigation Lawyers



Ann Marie McMullan C.Psychol.
Chartered Occupational Psychologist
t/a Occupational Psychology Services
Crescent Business Centre
98 Botanic Avenue Belfast BT7 1JR
Tel: (028) 9028 0555 Fax: 244808
E. Mail: mm@cbs.dnet.co.uk

**The British Psychological Society
Regulates
Chartered Psychologists (C. Psychol.)**

AlphaLAW™

Legal Accounting Systems

one of the leading legal accounting &
case management systems,
with circa 2000 installations in the
UK and Ireland.

Systems suitable for every size of practice.



AM Systems

Tel: (028) 9045 6700
Fax: (028) 9045 6701

LAW REFORM ADVISORY COMMITTEE FOR NORTHERN IRELAND

PUBLICATION OF REPORT NO. 10 "MATRIMONIAL PROPERTY"

The Law Reform Advisory Committee has published a report entitled "Matrimonial Property".

The report flows from the identification of an area of family property law in which the Committee perceives injustices to exist. As the law stands at present if a family home is in the sole name of the husband, then the wife has no legal interest in the property unless she can satisfy certain criteria. In addition, under present law any money given to a wife by her husband for the purposes of housekeeping remains the property of the husband together with anything purchased by that money. This law dates back many years and is considered by the Committee to be unjust.

The Committee published a consultation paper on the subject in June 1999 and received comments from interested parties on these issues together with comments on the position of cohabitants in relation to the rights of ownership of the areas of property being considered. The report contains several recommendations calling for a change in the law in relation to these issues.

Copies are available from the Stationery Office, price £10.00.

LAW REFORM ADVISORY COMMITTEE FOR NORTHERN IRELAND

MARRIAGE LAW REPORT

The Law Reform Advisory Committee for Northern Ireland has published its 10th report on the subject of marriage law.

The report follows a detailed review of the area of law by the Committee after Government had considered the current system to be complex, anomalous and possibly discriminatory.

One of the key issues which comes under scrutiny in the report is the law governing the location of wedding ceremonies which at present is seen to be unnecessarily complex. In the case of religious ceremonies which are held at a venue other than a church, the law requires that strict building and licensing requirements are met. However, these requirements do not apply to those of Catholic, Jewish and Quaker faith where the religious body itself is free to decide whether or not a location is appropriate.

This is viewed as discriminatory by the Committee which recommends that an abolition of the requirements, instead placing the onus on the religious body to set its own criteria for venue suitability.

Present law also places a venue restriction on civil marriage ceremonies which currently can take place only in a registrar's office. As this is generally limited to council premises, the Committee views it as being unduly restrictive. The Committee recommends a system that enables local authorities to register alternative venues for such occasions.

Other reforms suggested in the report include the abolition of the complex law relating to notice of intended marriage and the requirements of local residence. In the Committee's view these should be replaced by a unified, less complex system, similar to that used in Scotland.

The report has been submitted to the Minister of Finance and Personnel. The Government's response is expected some time in early 2001.

The report (LRAC no. 9) is available from the Stationery Office, priced £15.

VIDEO LINK PROJECT

LISBURN AND BALLYMENA MAGISTRATES' COURTS

"Following the success of the pilot scheme providing video links between Maghaberry Prison, and the Young Offenders Centre with the Royal Courts of Justice and Belfast Magistrates Court, the Northern Ireland Prison Service, in conjunction with the Northern Ireland Court Service, plans to extend the current video link facility. In the first instance a link will be established with Lisburn Magistrates' Court in February, which will enable certain pre trial hearings (remands and bail applications) to take place by means of video conferencing equipment. In addition, proceedings currently heard at Maze Magistrates' Court will move to Lisburn and the Maze Court will then close. We also plan to have Ballymena Magistrates' Court on line in the Spring. Video Link consultation facilities will be available at both courthouses.

We will be having "Open days" for solicitors and other court users, to answer questions and explain how the system works. Whilst the dates have still to be arranged, I should be grateful if anyone who has an interest in this matter would let me know."

Glynis Dowling (Mrs)
Video Link Project Manager.
Prison Service NI

Editors Note

The operation of the pilot scheme has been considered by the Society's Criminal Law Committee, which does not share the assessment that the scheme has been an unqualified success.

RATHGAEL JUVENILE JUSTICE SERVICES

The Criminal Law Committee regret that solicitors have been breaching the Juvenile Justice Rules (NI) 1999 - part (X) paragraph 48(2) and (3) by providing cigarettes, lighters and matches to children under 16 in the care of the Rathgael Juvenile Justice Services.

Apart from the illegality of providing smoking materials per se, it has led to fires being lit on the Rathgael premises. It has to be appreciated that a number of young people retained there are on arson-related charges.

Professional visitors to Rathgael have the privilege of not being searched. They are also allowed to see young people on their own.

If the practice of giving cigarettes, matches, etc, to the young people detained in Rathgael continues, the authorities there would reluctantly have to introduce routine search procedures, to the detriment of the legal profession as a whole.

You are asked to note the position.

NORTHERN IRELAND HEALTH AND SOCIAL SERVICES SOLICITORS

Salary Scale: £17,323-£30,435

The point of entry on the salary scale will depend on the successful candidates qualifications, experience etc.

Applications are invited from qualified Solicitors to join a team providing a wide range of legal services to Health and Social Services Boards, Trusts and other HPSS organisations. These include those relating to Health and Social Services/childcare law, employers/occupiers liability, professional negligence liability, employment matters, mental health and administrative law.

The successful candidate will join an experienced team of Solicitors and administrative support staff providing a high quality professional and client-sensitive service.

Applicants should be able to demonstrate experience in a wide range of legal services in at least two of the areas referred to above and have experience in managing a substantial personal workload on their own initiative.

The postholder should be prepared to work flexibly to meet the demands of the workload which is demanding but interesting and challenging.

Applicants should hold a current full driving licence and be prepared to travel throughout Northern Ireland.

Applications must be returned no later than Friday 16 February 2001 at 4.00pm

Application forms and further information can be obtained by applying in writing, enclosing a SAE (10"x7" and 31p stamp) or calling in person to:

Human Resources Directorate
Central Services Agency
25 - 27 Adelaide Street
BELFAST
BT2 8FH

We are an Equal Opportunities Employer

NORTHERN IRELAND HEALTH & SOCIAL SERVICES



CENTRAL SERVICES AGENCY

ALTERATIONS TO LISTED BUILDINGS

The purchaser of a listed building could theoretically be liable to make good the illegal alterations of his predecessor. This is not necessarily a problem because many purchasers of listed buildings will wish to restore them properly in any case. However, it is important to realise that there is no time limit for making good alterations to a listed building and the owner can be held liable for work that was done many years previously.

When acting for a purchaser of a listed building a solicitor should check that listed building consent has been obtained for any alterations to the property. There may be some confusion regarding listed building consent. However it should not be too difficult to establish the extent of the listing. As a general rule, if a building is listed, the listing applies to the entire structure and usually also to anything in its curtilage. Technically this applies even if the architectural interest is confined say to the front elevation. It is not possible for the published listing description to include every element of interest, and the fact that the list only mentions one part of the building does not mean that the rest is not of interest, only that it is less exceptional.

Ordinary repairs do not require listed building consent but anything which would alter its character (even an apparently minor change like the eaves detail or changing the style of a window) does require consent. The existence of a building control approval should flag up the likely need for listed building consent for part of the works or correspondence confirming that listed building consent was not required.

Solicitors cannot be expected to know precisely what would have required listed building consent, particularly as they do not usually see the building that their client is purchasing. However the existence of the question in the pre-contract enquiries relating to listing helps to underline the importance of obtaining consent in order to ensure that no problems arise at a later stage.

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND

CHANCERY DIVISION

PRACTICE DIRECTION 2001 No. 1

PROCEEDINGS COMMENCED BY BRADFORD & BINGLEY BUILDING SOCIETY

1. With immediate effect, in any proceedings before the Court, Bradford & Bingley Plc shall be substituted for Bradford & Bingley Building Society.

2. Orders in which Bradford & Bingley Building Society is named as plaintiff may be enforced by Bradford & Bingley Plc without an application for leave to enforce being necessary by reason only of the conversion from Building Society to Public Limited Company and Rule 5(1)(b) of the Judgement Enforcement Rules (Northern Ireland) 1981.

BY THE DIRECTION OF THE HONOURABLE MR JUSTICE GIRVAN

16 January 2001

CALL ON US TO COVER LEGAL EXPENSES

Indemnity gives your clients financial peace of mind while you see their case to court. Our quick, efficient and confidential service provides after the event legal expenses insurance for claims such as:

- Public Liability
- RTA
- Unfair Dismissal
- Discrimination
- Commercial Disputes
- Insolvency
- Medical Negligence
- Employment Issues

By joining the Indemnity, making our service accessible and hassle-free.

For details, contact:

Sean Cunningham | sean@indemnity.ie
 Frances Gallagher | frances@indemnity.ie
 Geoff McLoughlin | geoff@indemnity.ie

INDEMNITY
LEGAL EXPENSES INSURANCE

11 Donaghy Square South, Dublin D11 D1L
 Telephone 01 232 572200 Fax 01 232 572311
 www.indemnity.ie




DIARY DATE : DIARY DATE: DIARY DATE:

'TOMORROW'S WORLD - A LEGAL ODYSSEY'

The date for this year's Law Society Conference is Friday and Saturday 6 and 7th April 2001 and the venue is W5 - the new "state of the art" interactive science centre, part of Odyssey, Northern Ireland's exciting Landmark Millennium Project at Laganside, Belfast.

In addition to a conference keynote lecture on Saturday and an exhibition on IT and business services, members and their families will have a special preview of the inspirational and stimulating whowhatwherewhenwhy W5.

"Visitors to W5 can build bridges, robots, racing cars, use microscopes and lasers, feel how air causes lift, explore your voice and fitness and discover that science, technology and engineering is fun."

An exciting social programme to the conference has also been arranged involving an evening at the Opera House to see "Art" the highly acclaimed West End Play on Friday 6 April, a formal dinner with musical entertainment at the magnificent Belfast Harbour Commissioners building on Saturday evening and other events suitable for all ages throughout the weekend. The Syntegra Golf Competition will be played on Friday 6 April at the Hilton Templepatrick Golf Course.

The Conference hotel is the Hilton in Belfast. Delegates will be able to pick and choose which activities or events they would like to participate in and whether or not they require accommodation.

Additional details and booking form on pages 2 & 3

For further information contact Clair Balmer 02870353217 or
email clair@cbpr.co.uk

LORD CHANCELLOR'S DIRECTIONS GIVEN AFTER CONSULTATION WITH THE LORD CHIEF JUSTICE IN ACCORDANCE WITH SECTION 47(2) AND (3) OF THE JUDICATURE (NORTHERN IRELAND) ACT 1978

CROWN COURT - DIVISION OF ARMAGH & SOUTH DOWN

The Crown Court shall sit at the Courthouse, New Street, Newry from Monday 8 January 2001 for the hearing of R -V- Garrett Michael Doran.

IN THE HIGH COURT OF JUSTICE IN NORTHERN IRELAND

Queen's Bench Division

Practice Note

No 1 of 2001

As and from Monday 22 January 2001, solicitors lodging papers asking for the removal of proceedings from the County Court to the Queen's Bench Division of the High Court must endorse the relevant summons with the name of the barrister (or solicitor) who is to appear in Court to move the application on the plaintiff's behalf.

J W WILSON
Master (Queen's Bench and Appeals).

January 2001

SITTINGS AND VACATIONS OF THE COURT OF APPEAL AND THE HIGH COURT: 2001 - 2002

ORDER 64 OF THE RULES OF THE SUPREME COURT (NI) 1980

Michaelmas Term

Wednesday 5 September 2001 to
Friday 21 December 2001

Christmas Recess

Monday 24 December 2001 to
Friday 4 January 2002 inclusive.

Hilary Term

Monday 8 January 2002 to
Friday 22 March 2002

Trinity Term

Monday 8 April 2002 to
Friday 28 June 2002
inclusive

Halloween Recess

Monday 29 October 2001 to
Friday 2 November 2001 inclusive

Easter Recess

Monday 25 March 2002 to
Friday 5 April 2002 inclusive

Long Vacation

Monday 1 July 2002 to
Wednesday 4 September 2002

REVIEW OF LEGAL-ISLAND'S ANNUAL EMPLOYMENT LAW CONFERENCE

by Michelle McGinley, Campbell Fitzpatrick, Solicitors.

Held on 30th November and 8th December, 2000 at the Aldergrove International Airport Hotel, Belfast, this year's long awaited Legal-Island annual review has been aptly branded by Chairperson, Mr Barry Fitzpatrick, as being "so good they ran it twice". Both dates accommodated a large number of delegates, representing a broad cross-section of lawyers and government bodies, as well as public and private companies.

The speakers covered a comprehensive overview of the previous year and included reviews of:

Part-Time Regulations.
Maternity Leave, Parental Leave and Time off for Dependants
Latest case law on Working Time Regulations.

All aspects of discrimination law (covering race, sex, religious, disability and harassment).
The new collective rights provisions.
Unfair dismissal law.
Future European legislation.

Each speaker highlighted the main areas of interest within their specific field and provided delegates with a comprehensive handout that presented further information pertaining to their topic. A cutting-edge digest of the Government's consultation paper: "Work and Parents - Competitiveness and Choice", which was issued on 7th December 2000, was delivered by Adrienne Brock. The presentation was particularly impressive given the fact that the paper had only been issued 12 hours prior to Brock's speech. Beverley Jones and Barry Phillips proved what true experts

they are in employment law by covering two different topics one each at very short notice. The mood of the conference was kept rather upbeat with regular light-hearted interludes between each speaker and the Chairperson.

Although there seemed to be a general agreement amongst delegates that the content of the conference was dense enough to cover two days, from a logistical point of view it was agreed that it would not be feasible. Each presentation was complemented well by a comprehensive set of notes which were themselves backed up by material available through Legal-Island's web site and its excellent email service up-dating subscribers on key employment developments specific to Northern Ireland.

Another impressive conference.

OPSIS Case Management Software

How much of every fee do you keep as profit?

- Clients complete histories at a glance
- Rapid document production
- Integrated diary/reminders
- E-mail/phone-call details
- Time recording
- Accounts

OPSIS Ltd
Belfast, Dublin & Manchester



Call 028 9033 1404
for an Information Pack

E-mail: opsiscom@talk21.com Internet: www.opsis.ie

Republic of Ireland Agents

All legal work undertaken on an agency basis

All communications to clients through instructing solicitors

Consultations in Northern Ireland if required

Contact:
Seamus Connolly
S.C. Connolly & Co.
Solicitors

Bank Building *or* Arran House
Hill Street 35/36 Arran Quay
Newry Dublin 7
County Down
Tel: (01693) 65311 Tel:(003531) 8725622
Fax: (01693) 62096 Fax:(003531) 8725404



TEMPORARY HEAD OF EU & WTO AFFAIRS

Salary: between 145,000 - 170,000 Belgian Francs gross per month

The Brussels office of the three Law Societies (England & Wales, Scotland and Northern Ireland) represents the interests of the solicitors' professions to the EU institutions' decision-makers. The office's responsibilities include reacting to draft legislation as it affects the profession and will be providing a range of services to solicitors. It plays an active role in promoting the opportunities for solicitors in legal services markets world-wide.

This temporary post has arisen in order to replace the current head of the office during her maternity leave (April - October 2001). The main responsibilities will be running the office (three full-time members of staff and one part-timer) and ensuring that solicitors' interests are represented at EU and WTO level.

THE ROLE

Representing and promoting the interests of the three Law Societies to decision makers;
Managing and promoting the Brussels office and its services;
Providing services to solicitors.

THE CANDIDATE

Degree level or equivalent;
At least three years' experience of EU Affairs;
Excellent communication and organisational skills;
Some management experience is desirable;
Knowledge of the UK legal profession is desirable;
Able to work under pressure and to tight deadlines;
English and French mother-tongue standard. Other languages, especially Flemish, an advantage.

If you wish to apply, please send a CV and covering letter to the head of the office, June O'Keeffe, by post: 142-144 Avenue de Tervuren, B-1150 Brussels or by email: june.okeeffe@lawsociety.org.uk

Closing date for returned applications is 15th February 2001

Interviews will be held on Monday 5th March 2001

WORKING TOWARDS EQUAL OPPORTUNITIES

IRISH LEGAL HISTORY SOCIETY - AWARD OF THE SOCIETY'S FIRST BURSARY

On Friday 3 November in Marsh's Library in Dublin, the President of the Irish Legal History Society, Professor Desmond Greer QC (Hon), presented the award of the Society's first Bursary to Mrs Margaret Clayton, a secretary in the Department of History, U.C.C., in recognition of her ongoing work in transcribing and preparing for publication the unique Munster Council Book, a manuscript presently housed in the British Library in London.

Mrs Clayton acquired a B.A. from U.C.C in 1972. More recently, she obtained, with first class honours, an M.A. in Local History for her thesis, 'The Claytons and their circle: New English arrivals in 17th century Cork.' The bursary is worth £1000 and is designed to facilitate the completion by Mrs Clayton of the work transcription begun by her two years ago. The Munster Council Book c.1601-c.1621 (BL, Harleian MS 697) contains a great deal of the invaluable information for students of legal, administrative and social history, in the Cork area, and more generally.

The Irish Legal History Society, established in 1988, is a joint North-South body charged with the remit of encouraging the study and advancing the knowledge of the history of law in the island of Ireland. It has already supported the publication of nine major legal historical texts. It also administers a scholarship, the funds for which are made available courtesy of the Minister for Justice, Equality and Law Reform in the Republic.

If any reader is interested in joining the Society, further information and application forms may be obtained from the joint Honorary Secretary, Mrs Sheena Grattan, School of Law, Queens University - email: (s.grattan@qub.ac.uk).

HEART TRUST FUND (ROYAL VICTORIA HOSPITAL)

The main object of this established and registered charity is the support and furtherance of the vitally important treatment, both medical and surgical, provided for patients in the Cardiology Centre in the Royal Victoria Hospital Belfast, and the equally important work of research into heart disease carried on there. The charity is authorised to use its fund to provide that support, or achieve that furtherance when, (but only when) public funds are not available, or are insufficient, for the purpose.

The Royal's splendid record in the fight against heart disease is so well known to need advertisement, and by an immediate cash gift or a legacy or bequest to this charity in your will, you can help directly to reduce the grave toll of suffering and death from this disease in Northern Ireland. The grim fact is that the incidence of coronary artery disease in Northern Ireland is one of the biggest in the world.

The administration of the charity is small and compact and the trustees are careful to ensure that its cost is minimal. As a result donors and testators can be assured that the substantial benefit of their gifts and bequests will go directly to advance the causes of the charity.

Further details about this charity and its work will gladly be supplied by the Secretary, The Heart Trust Fund (Royal Victoria Hospital), 9B Castle Street, Comber, Co. Down BT23 5DY. Tel: (028) 9187 3899.

(Registered Charity No. XN52409)

Trade Mark Attorney



F. R. Kelly & Co is Ireland's premier intellectual property law firm, employing over 90 staff in offices in Dublin, Belfast and Alicante. Established over 70 years, we advise and represent individuals and companies on Trade marks, Patents and related issues.

We are now seeking a solicitor interested in developing a challenging and rewarding career as a Trade Mark Attorney for our Belfast office. With our support, the person appointed will pursue a professional development programme leading to qualification as a Community Trade Mark Attorney.

This unique opportunity will particularly suit a solicitor with approximately 2 years post-qualification experience, although newly qualified solicitors may also be considered.

Excellent communication and interpersonal skills, coupled with a client focus and a professional manner, are essential requirements. A working knowledge of French or German and good computer skills would be advantageous.

An attractive reward package and excellent progression opportunities will be available to the right candidate.

If you meet the requirements of this challenging position, please write, enclosing a comprehensive C.V., to:

*Maura O'Connell, Human Resources Partner,
F. R. Kelly & Co., 9 University Street, Belfast, BT7 1FY.
e-Mail: post@frkelly.co.uk web: www.frkelly.com
Closing date for receipt of applications:
Friday, February 2, 2001*

Missing Land Certificates

**LAND REGISTRY FOLIO NUMBER: 4616L
COUNTY ARMAGH**

**REGISTERED OWNER: DALE SAMUEL
CARLISLE AND JILL WILSON BOTH OF 6
TULLYROAN COTTAGES DUNGANNON
COUNTY TYRONE**

TAKE NOTICE that any person having custody of or information as to the whereabouts of the Land Certificate relating to the above-mentioned Folio should forthwith produce the said Certificate or communicate such information to the undermentioned Solicitors.

AND TAKE FURTHER NOTICE that unless the said Land Certificate is so produced or adequate information as to its whereabouts is so communicated within three weeks of publication of this Notice, a duplicate Land Certificate may be applied for.

Gus Campbell

Solicitors, 13 Church Street, Portadown,
Co Armagh BT62 3LN

**FOLIO: LY9776L COUNTY:
LONDONDERRY
REGISTERED OWNER: NOEL DAVID
HARRISON & DAVID HARRISON
LANDS OF: UNIT 3, THE RICHMOND
CENTRE, LONDONDERRY**

TAKE NOTICE that any person having custody of or information as to the whereabouts of the Land Certificate relating to the above mentioned Folio should forthwith produce said Certificate or communicate such information to the undermentioned solicitors.

AND TAKE FURTHER NOTICE that unless the said Land Certificate is so produced or adequate information as to its whereabouts is so communicated within three weeks of publication of this notice, a duplicate Land Certificate may be applied for.

Cleaver Fulton Rankin Solicitors
50 Bedford Street
Belfast
BT2 7FW

**FOLIO: DN1125L
COUNTY DOWN
REGISTERED OWNER: CYNTHIA
ROSALIND GRAY**

TAKE NOTICE that any person having custody of or information as to the whereabouts of the Land Certificate relating to the above mentioned folio should forthwith produce said Certificate or communicate such information to the undermentioned solicitors.

AND TAKE FURTHER NOTICE that unless the said Land Certificate is so produced or adequate information as to its whereabouts is so communicated within three weeks of publication of this notice, a duplicate Land Certificate may be applied for.

NESBITT SOLICITORS
167 UPPER NEWTOWNARDS ROAD
BELFAST
BT4 3HZ

**RE: Anthony Murphy deceased late of
34 Ladbrook Drive, Belfast.**

Would any Solicitor having knowledge of the whereabouts of the title deeds to the property at 34 Ladbrook drive, Belfast. Please contact

Geraldine Cooley
Bogue & McNulty,
Solicitors,
3 Carlisle Circus,
Belfast
BT14 6AT

Telephone No 028 9074 0462



Computers — Networks — Imaging — Accounts — Time Recording

— Case Management — Office Management — Diary Systems —

Word Processing — Court Forms — Email — Internet Consultancy

— Training and Consultancy —

“Tie it all together with a PhiBeta system”

Complete Integrated Computer Solutions for the Legal Profession

PhiBeta

PhiBeta Business Systems Ltd
43 Rosetta Road, Belfast BT6 0LR
Telephone: 028 9049 1336 Fax: 028 9064 0753

GMA

G M ASSOCIATES MANAGEMENT CONSULTANTS

Lexcel Consultancy
ISO 9000 Consultancy
GMA File Manager

A comprehensive, fast efficient, and easy to use Case Management Application, based on Microsoft Office 97. The system incorporates:-

- Client Information
- Regular Contacts
- Time/Expenses/Invoicing
- Case Notes
- Review/Court Dates
- Wills
- Deeds
- Word Merge
- A range of useful Reports & Listings

For further information contact GMA at -
Pinetree Lodge, 40 Tullyhubbert Road
Ballygowan, Newtownards, BT23 6LZ

Tel: (028) 9752 8427

Mobile: 0831 530178

Fax: 028 9752 1256

Solicitor seeks

"Litigation Solicitor recently returned to Belfast having spent five years working with premier insurance firm in London, seeks full-time employment in Greater Belfast. Experience includes personal injury, professional negligence, property damage, policy wording and some fraud. Pupillage and professional studies undertaken in Belfast, so already listed on the Northern Ireland Roll of Solicitors. Can start work immediately."

Please reply to Box number 92
Citigate PLPR
Citigate House
157-159 High Street
Holywood
BT18 9HU

Missing Wills

JANET AGNES TOFTS DECEASED LATE OF 13 TOWER ROAD, CONLIG, COUNTY DOWN DECEASED - 18TH NOVEMBER 2000

Would any solicitor who is aware of a will made by the above named deceased, please contact Joseph F McCollum & Company Solicitors of 52 Regent Street, Newtownards.

Tel. No.: 028 9181 3142

Fax No.: 028 9181 2499

RE: MARY (OTHERWISE MARY AUGUSTA) CRILLY DECEASED LATE OF 35 NEWINGTON AVENUE, BELFAST BT15 2HP

Obit: 3 January 2001

Would any Solicitor who is aware of a Will made by the above named deceased please contact Francis Crilly Solicitors, 24 Antrim Road Belfast BT15 2AA,

Telephone: 028 9075 5722 (Ref: JC/5126)

EDITH MCCORMICK DECEASED (OTHERWISE KNOWN AS EDITH CHAPMAN) LATE OF 2A BUTE PARK, DUNDONALD, BELFAST, BT16 2NU

Would any person having knowledge of the whereabouts of a will for the above named deceased, please get in touch with David Carson & Company, Solicitors, 3 Market Street, Bangor, County Down, BT20 4SP (DX 2553 NR BANGOR 2)

Telephone Number: 028 9147 0400/

Fax Number: 028 9147 0401



LEGAL SERVICES DEPARTMENT

SENIOR LEGAL ASSISTANT - (CONVEYANCING AND CONTRACTS) JOB SHARE

SALARY SCALE PO5 SCP 44 - 47 £28,839-£30,891 PRO RATA PER ANNUM

The post holder will be required to carry out professional duties as a qualified solicitor providing legal advice and services in relation to an assigned case load (primarily contracts and conveyancing) to the Council and other public bodies to whom the Department provides a service.

Applicants must, at 19 February 2001:-

- be solicitors entitled to practise in Northern Ireland;
- possess an academic qualification equivalent to at least a Second Class Honours Degree
- possess at least 4 years post qualification experience

The Council reserves the right to invite for interview only those applicants who appear to be best able to satisfy the requirements of the post.

Application forms, job descriptions and conditions of employment may be obtained from the Human Resources Section, The Cecil Ward Building, 4 - 10 Linenhall Street, Belfast BT2 8BP, or will be forwarded on receipt of a large stamped addressed envelope.

Completed application forms must be returned to the Head of Human Resources at the above address no later than 4.00pm on Monday 19 February 2001.

Applications will not be accepted by fax.

Canvassing will disqualify.

Brian P Hanna
CHIEF EXECUTIVE

Belfast City Council is an equal opportunities employer and welcomes applications from all sections of the community.

Solicitors required

SOLICITOR REQUIRED FOR CONVEYANCING/PROBATE DEPARTMENT

Salary Commensurate with experience.

Apply in writing to:

The Senior Partner
Brendan Kearney & Co.
4 Clarendon Street
Derry

MURRAY McCOURT KELLY SOLICITORS

Will require an assistant solicitor who will qualify in September 2001 and who will have experience or an interest in matrimonial law.

Existing apprentices should forward their CV to

1 Dufferin Avenue
Bangor
BT20 3AL

ASSISTANT SOLICITOR REQUIRED

Attractive salary to suit right candidate
May suit newly qualified or September 2001 qualifier wishing to transfer apprenticeship.

All enquiries and CV's to

Keenan Solicitors
54 Knockbreda Road
Belfast
BT6 OJB

ASSISTANT SOLICITOR

Required for busy general practice.
Salary commensurate with experience

Applications in writing with CV in confidence to:

Geraldine Cooley
Bogue & McNulty
Solicitors
3 Carlisle Circus
Belfast
BT14 6AT

Tel: 028 9074 0462

L'ESTRANGE & BRETT

Solicitors
BELFAST

L'Estrange & Brett is one of the leading commercial legal practices in Northern Ireland.

The firm now has a vacancy for:

A RESIDENTIAL CONVEYANCING SOLICITOR

The successful candidate will be someone who can take a key role in the continuing development of the firm's residential conveyancing department and private client matters generally. Applicants should:

- be able to demonstrate solid experience in the field of residential conveyancing in Northern Ireland. Knowledge of general private client work (other than family or matrimonial) would be an advantage as would probate experience
- have an interest in and aptitude for the drafting and preparation of documentation for use within residential developments and preferably have experience of acting for developers.

The position offered is an attractive one and is open to being developed by the right candidate. The salary will be competitive and will depend upon age and experience.

If any candidate would like to discuss the above position on an informal and confidential basis he or she can do so by telephoning Ian Huddleston at the telephone number given below, or alternatively by e-mailing him at ian.huddleston@lestrangeandbrett.com

If you would like further information on the practice, please visit our web site at www.lestrangeandbrett.com

For an application form, please write or e-mail Sally Lowry (law@lestrangeandbrett.com) at

L'Estrange & Brett, Arnott House, 12/16 Bridge Street, Belfast, BT1 1LS
Telephone: (028) 9023 0426

The closing date for return of completed Application Forms is 17th February 2001.

L'Estrange & Brett is an equal opportunities employer.

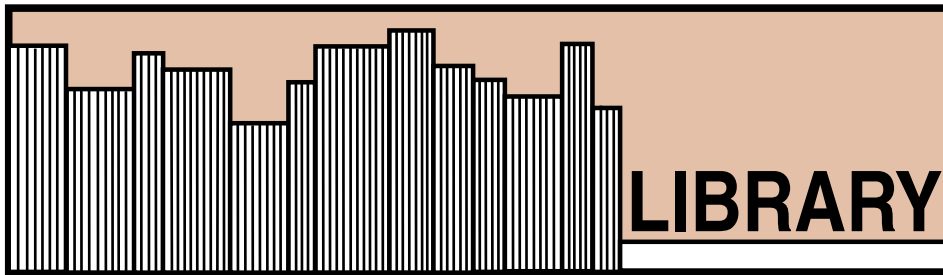
TO LET

COSTA BLANCA, JAVEA. 1 HOUR FROM ALICANTE AND VALENCIA.
Villa, private pool and garden, three double bedrooms ensuite. Beach,
town three miles. Adjoining comfortable self contained two-bedroom
apartment available between January and May.

E- mail fincafrancesca@teleline.es

or telephone

0034 9657 91632



Recommended Reading

E-MAIL POLICIES

Articles

Is your e-mail policy damaging your wealth? (importance of good management of email system, and issues to be addressed in formulating email policy to address internal and external security threats, with checklist)
McBride: 2000 JECL&P, 2 (Nov), 33-36

E-employment issues in the new millennium (employers' liabilities for employees' personal use of e-mail and Internet during work time and how carefully drafted electronic communications policies can mitigate risks)
Tweedie: 2000 ITLT, 2000 8(6), 1-4

Risk-e business: can you trust the net@work? (risks facing law firms in relation to use of Internet and e-mail in office and practical guidance on developing policy to manage such risks)
Kendrick: 2000 SJ 144 (18), Supp, 16-17

E-mail and the Internet (need for employers to have email policy, dismissal of employees for breach of policy and employers' liability for employee actions, and issues of defamation, privacy, pornography, harassment and copyright)
Singleton: 1998 TELL, 4(6), 41-43

Developing an e-mail policy (considerations when formulating policy to deal with legal risks posed by employees' use of electronic mail to communicate with persons outside company)
Walden: 1997 ITLT, 1997 5(7), 6-8

Model policy

<http://www.venables.co.uk/n0101emailpolicy.doc>

New Books in the Library

- 1) Statistics and Research Branch: Sentencing trends in Northern Ireland 1993-1997. NIO. 2000
- 2) Conway: Co-ownership of land; partition actions and remedies. Butterworths. 2000
- 3) Bird: Child maintenance; the new law. Jordan. 2000
- 4) Andrews: The law of guarantees. 3rd ed. Sweet & Maxwell. 2000
- 5) Matthews: Disclosure. 2nd ed. Sweet & Maxwell. 2000
- 6) Kitchen: Kerly's law of trade marks and trade names. 13th ed. Sweet & Maxwell. 2001
- 7) Sunnucks: Williams, Mortimer and Sunnucks on executors, administrators and probate. 18th ed. Sweet & Maxwell. 2000
- 8) Wadham: Blackstone's guide to the Human Rights Act 1998. 2nd ed. Blackstone. 2000
- 9) Davis: Tolley's taxation in corporate insolvency. 4th ed. Tolley. 2000
- 10) Nabarro Nathanson: Pensions law handbook. Tolley. 2000
- 11) Stannard: Northern Ireland criminal procedure; an introduction. Round Hall. 2000
- 12) Fair Employment Commission. Step by step guide to taking a case to the Fair Employment Tribunal. Fair Employment Commission. 1999
- 13) Fair Employment Commission. Religious and political discrimination in employment. 4th ed. Fair Employment Commission. 1999

**Copy deadline for February
Wednesday 7th February 2001**

Published by the Law Society of
Northern Ireland
98 Victoria St. Belfast, BT1 3GN
Editor John Bailie
The views expressed are not
necessarily those of the Law Society
of Northern Ireland

Law Society Library Email:
hsemp@lawsoc-ni.org