

Law Society welcomes publication of the Criminal Justice Review Report

The Law Society of Northern Ireland welcomed the publication on 30th March of the Criminal Justice Review Report and the opportunity afforded by the consultation process to consider further the detailed implications of these important recommendations.

The Report is a far reaching and formidable contribution to debate the modernisation and improvement of the Northern Ireland criminal justice system. The issues it raises are of critical importance to the future administration of justice.

Mr John Bailie, Chief Executive of the Society, said, "There is obviously much to digest in the Report. The Society will be examining and reflecting upon the proposals and commenting constructively from a professional perspective during the consultation period."

Commenting on some specific proposals, the President of the Society, Mr John Meehan, said, "The Society has long advocated a greater degree of transparency and consistency in the process for appointing judges at all court levels.

"We are supportive in principle of the concept of a judicial appointments commission and have made proposals as to how this should be formed and how it should operate.

"There are obvious advantages in ensuring that criminal prosecutions are subject to independent evaluation and oversight. In our submission to the Review Group we were supportive of this in principle. We also warned of the necessity to ensure that any new prosecution service was adequately funded and that lessons were learnt from

problems in other jurisdictions, notably the Crown Prosecution Service in England and Wales.

We are looking forward to supplementing the submission we have already made as part of the consultation process."

The written submission of the Society to the Criminal Justice Review Group can be found on the Society's web site:

www.lawsoc-ni.org

Enclosed with this edition of The Writ is a copy of the Summary document provided by the Review Team. Should any practitioner wish to contribute to the Society's further response, please submit comments in writing to John Bailie.



Success again for Newry Solicitor

The Annual Law Society 'Syntegra' Golf competition, held on the Annesley Course at Royal County Down Golf Club was once again won by Newry Solicitor Paddy Kinney, pictured left, receiving the trophy from Craig Aspey (right) of Syntegra and LSNI Junior Vice President, John Neill, who organised this year's event.

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BUDGET 2000 - STAMP DUTY

1 *New Rates of Duty on Sales*

Up to £60,000	nil
Over £60,000 up to £250,000	1%
Over £250,000 up to £500,000	3%
Over £500,000	4%

2 *Leases*

On the grant of a new lease, duty is charged separately on the premium (at the same rate as for a sale) and on the average annual rent (under a scale of rates varying with the length of the term). The new rates will apply to lease premiums as they do for sales. The separate scale of rates of duty on rent is unchanged.

3 *Increase in the Threshold for Short Leases*

It is proposed to increase from £500 to £5,000 the threshold for the stamp duty charge on the annual rent for new leases of up to seven years (or of indefinite term). So, where no lease premium is involved, it will not be necessary to have the lease stamped.

4 *Other Types of Property*

The new rate scale, like the old one, will apply to a range of transactions in property other than land and buildings, such as goodwill and some forms of debt. The rates of duty on transfers of shares and other securities (normally 0.5 per cent) are unchanged.

5 *Commencement*

The new rates will generally apply to documents executed on or after 28th March 2000. However, the old rates will apply where the document gave effect to a contract made on or before 28th March, unless the document

results from the exercise of an option, an assignment, or further contract made after 21st March.

Where an agreement for lease has been made on or before 21st March, but the lease resulting from the agreement is not granted until 28th March or later, the old rates of duty will apply to both the agreement and the subsequent lease. (Any duty paid on the agreement is credited against the duty on the lease.)

6

The Inland Revenue is also seeking to introduce anti-avoidance measures. These relate, amongst other matters, to exchanges and company re-organisation reliefs. Please request a copy of the Budget 2000 press release from the Inland Revenue if you would like to have further details.

INHERITANCE TAX-SIMPLER REPORTING ARRANGEMENTS EXTENDED TO MORE ESTATES

An extra 2000 smaller estates will qualify for the simplified reporting rules for inheritance tax (IHT) following an increase in the limit from £200,000 to £210,000.

The simplified reporting rules enable executors or administrators to obtain probate without completing a full IHT return.

Executors or administrators normally have to deliver a full account to the Inland Revenue before they can get a grant of representation. Smaller estates (known as "excepted estates") follow a much simpler procedure. This applies where the gross value of the estate (that is, the total value of the estate inclusive of the value of any gifts mentioned below and before deduction of any debts) falls below the qualifying limit and is otherwise straightforward - broadly:

- the deceased was domiciled in the United Kingdom;
- none of the assets of the estate pass under the terms of a trust or involves a "gift with reservation";
- the value of the estate outside the United Kingdom totals not more than £50,000; and
- any taxable lifetime gifts within seven years of death were only cash, quoted shares or quoted securities, totalling in value not more than £75,000.

These simpler rules will apply to estates of people who die on or after 6 April 2000.

PROPER USE OF UNDERTAKINGS

Guidance has frequently been issued to the profession on the proper and reasonable use of undertakings to facilitate client's business. Because a solicitor is an officer of the court an undertaking has a currency which no other professional is able to provide. Undertakings are solicitor's unique selling point which enables them to expedite client's business. Consequently undertakings should only be given where there is some reasonable expectation that they will be fulfilled. Reckless, careless or unsuitable undertakings can bring the profession into disrepute and may amount to breaches of Regulation 12 of the Solicitors Practice Regulations (N.I.) 1987. Solicitors have been prohibited from practising for failing to complete undertakings.

Premature undertakings where there has been no proper evaluation of the merits of a client's business can also be a breach of Regulation 12. Undertakings are frequently requested at the commencement of personal injury claims.

It is generally inappropriate to issue an undertaking shortly after instructions are received as there will be many cases where liability may seem clear cut but other issues such as previous medical history or claims history may have considerable bearing on the prospects of success. In cases where legal aid is subsequently obtained, the statutory charge will take precedence over and may oust completely the solicitor's undertaking. Such events are not readily foreseeable at an early stage in the litigation. Whilst Regulation 12C sought to preserve the solicitors discretion in the provision of undertakings the Committee has issued the following guidelines:

1. Undertakings in personal injury claims or other litigation should be given where the solicitor has formed an objective view that there is a reasonable prospect of success in the case and made an assessment on quantum.
2. The assessment of the value of the claim and the prospects for success will normally be dependent upon the contents of supporting expert evidence e.g. a medical report, a police report, or an engineer's report and these should be to hand.
3. There should be a file note recording the solicitor's assessment and explaining why the undertaking was given.
4. The solicitor should write to the client indicating that any loan received from a lending institution on foot of the undertaking will attract interest for which the client will be responsible, irrespective of the outcome of the case and the time taken to resolve the matter. The client should therefore consider making regular payments to discharge the loan during the currency of the case. If possible a signed acknowledgement of the advice should be obtained.

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Prison/Court Video Link Pilot Project

The following information has been received from the NI Prison Service

Video Link Pilot Project - Phase 2, Maghaberry

Video link equipment has now been installed at Maghaberry prison and with the agreement of the Northern Ireland Court Service it is intended to go "live" from the following dates -

Belfast Magistrates' Court (No 1) - 2 May 2000

Royal Courts of Justice (QB3 and QB6) - 3 May 2000

As with the Young Offenders Centre legal consultation facilities will be available and solicitors are encouraged to pre-book consultation slots where possible. The telephone numbers for booking consultations are as follows-

HM Prison Maghaberry - (02892) 616070

HM Young Offenders Centre - (02890) 253699

Solicitors who would like to see the new facilities at either establishment, or would like further information on these arrangements should call (02890) 525173. Copies of the "Legal Representatives Guide" booklet will be available in the consultation booths and in the Law Society's library.



LORD CHANCELLOR'S DEPARTMENT COUNTY COURTS ACT (NORTHERN IRELAND) 1959 APPOINTMENT - COUNTY COURT JUDGE

The Lord Chancellor invites applications from suitably qualified persons for consideration for appointment as COUNTY COURT JUDGE to fill both expected and unexpected vacancies that may arise within the next 12 months.

Qualifications

Section 103(1) of the County Court Act (Northern Ireland) 1959 as amended, states that a person shall not be qualified to be appointed a judge unless he/she

(a) Has practised for not less than 10 years at the Bar of Northern Ireland; or
(aa) is a solicitor who has practised for not less than 10 years as a solicitor in Northern Ireland; or

(b) has been a Deputy County Court Judge for not less than 3 years.

The Lord Chancellor will recommend for appointment the candidate who appears to him to be the best qualified regardless of ethnic origin, gender, marital status, sexual orientation, political affiliation, religion or disability (except where the disability prevents the fulfilment of the physical requirements of the post). Applicants should normally be aged between 40 and 60 years.

Remuneration

Salaries are determined in accordance with recommendations made by the Senior Salaries Review Body and County Court Judges normally fall into group 6.1 - the salary payable is £95,873 per annum.

However, because County Court Judges currently are required to carry out different duties from their

counterparts elsewhere in the UK, they are paid at Group 5 level, for which the salary is £103,516 per annum. A non-contributory pension scheme is available in respect of this post.

Persons wishing to be considered for appointment may obtain an application form together with supplementary information including the selection criteria for appointment to the post by writing to Mrs Christine Doherty, Judicial Appointments Branch, Northern Ireland Court Service, 22nd Floor, Windsor House, 9 - 15 Bedford Street, Belfast, BT2 7LT (DX 2005 NR, Belfast 2). Only those candidates who appear from the information available to meet the published eligibility and the selection criteria for appointment will be called for interview. Completed forms **MUST** be returned to arrive at the above address no later than **12.00 noon on Friday 19 May 2000**.

North Down And Ards Land Registration

Compulsory Registration of Title Order (Northern Ireland) 1999
SR 1999 No455

Please note that the above Order declares that the local government district of North Down and the remainder of the local government district of Ards, shall be compulsory registration areas for the purposes of entry 2 (d) in Part 1 of Schedule 2 to the Land Registration Act (Northern Ireland) 1970 from 1st May 2000. This means that when acting for a purchaser of an unregistered property situated within that area, you must proceed to register the title in the Land Registry by an application for first registration.

Please note that an updated map and a guide to procedures will be issued by the Land Registry direct to solicitors

NIHE - Certificates of Title

Just a reminder to members that reasonable charges can be claimed for completing a certificate of title up to a maximum of £30 plus VAT as part of any successful grant application. A claimant can seek reimbursement of any such charge as part of the grant itself.

Insolvency (NI) Order 1989 Part I Schedule 3

The Master (Bankruptcy) has asked us to remind practitioners acting for trustees in bankruptcy who wish to exercise any of the powers exercisable pursuant to Part 1 of Schedule 3 to the Insolvency (Northern Ireland) Order 1989 that it is not necessary to make formal application to the Court under Article 287 (1) (a) of the 1989 Order for leave to bring proceedings provided a Creditors Committee gives permission.

If no Creditors Committee has been formed it is clear from Article 275(2) of the Order that all that is required is the leave of the Department of Enterprise Trade and Investment which can be arranged by way of simple correspondence.

The Court would wish to see the costs in such cases kept to a minimum and therefore feels that formal application for leave to bring proceedings pursuant to Part 1 of Schedule 3 of the Order should only be sought in the absence of leave being granted by the Department of Enterprise Trade and Investment or a Creditors Committee.



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**CHILDREN (NI) ORDER 1995
CHILDREN PANEL
ACCREDITATION SEMINAR**



ATTENDANCE AT THIS SEMINAR IS COMPULSORY FOR ALL EXISTING MEMBERS OF THE SOCIETY'S CHILDREN ORDER PANEL, TO GROUND REACCREDITATION IN DUE COURSE, AND FOR SOLICITORS WHO INTEND SEEKING AN ACCREDITATION FOR THE FIRST TIME.

Date: Tuesday 16th May 2000

Time: 6.30 - 8.30pm

Venue: The Canada Room, Queens University Belfast

Cost: £35 (£25 for Solicitors under restriction)

Supper will be served from 6pm.

CASE LAW UPDATE

Gillian McGaughey BL will summarise recent key decisions, both English and local, relating to The Children (NI) Order 1995.

WORKING WITH EXPERT WITNESSES

Michael Green: Principal of Green and Co. Manchester, a specialist child care practice. Michael has over 20 years experience in child care cases and is an experienced speaker at seminars in GB.

- timetabling - tips on how to ensure your proposed case timetable matches that of the experts.
- joint instruction of expert witnesses.
- writing letters of instruction.
- 'initial' reports - the documents the expert must have.
- 'updated' reports - where instructing solicitors can easily go wrong.
- how the expert witness prepares for examination in chief and cross examination.
- how to get jargon-free reports.

CASE STUDY - EXPERT EVIDENCE IN COURT

- what to look for in reports.
- how to choose your experts.
- examinations in chief.
- challenging experts.
- meetings of experts.
- cross examination strategies and techniques.

Separate notification has been sent to all members of the panel but for more information or an application form please contact

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The Queen's University of Belfast, Belfast BT7 1NN
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LEGAL AID

Statutory Rules

Legal Aid (Financial Conditions) Regulations (Northern Ireland) 2000

Legal Advice and Assistance (Financial Conditions) Regulations (Northern Ireland) 2000

Legal Advice and Assistance (Amendment) Regulations (Northern Ireland) 2000

The above named Statutory Rules came into operation on 10 April 2000.

The purpose of the Regulations is to:

- (a) increase the disposable income limit below which legal aid is available without payment of a contribution (from £2,680 to £2,723)
- (b) increase the disposable income limits below which legal aid is available (from £7,940 to £8,067; and in connection with proceedings involving a personal injury (from £8,751 to £8,891);
- (c) increase the disposable income limit below which legal advice and assistance is available without payment of contribution (From £75 to £76);
- (d) increase the disposable income limit below which legal advice and assistance is available subject to contributions (from £178 to £180);
- (e) substitute a new scale of contributions payable by recipients of legal advice and assistance

Legal Aid (Financial Conditions) Regulations (Northern Ireland) 2000

Explanatory Note

These Regulations amend the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 so as to:

- (a) increase the upper income limit to make legal aid available to those with disposable incomes of not more than £8,067 (instead of £7,940), or in connection with proceedings involving a personal injury £8,891 (instead of £8,751)

- (b) increase the lower income limit below which legal aid is available without payment of a contribution to £2,723 (instead of £2,680)

No changes are made to the capital limits.

Legal Advice and Assistance (Financial Conditions) Regulations (Northern Ireland) 2000

Explanatory Note

These Regulations amend the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 so as to:

- (a) increase the upper income limit to make legal advice and assistance available to those with disposable income of not more than £180 a week (instead of £178) (Regulation 3);

- (b) increase the lower income limit below which legal advice and assistance is available without payment of a contribution to £76 a week (instead of £75) (Regulation 4);

No changes are made to the capital limits.

Legal Advice and Assistance (Amendment) Regulations (Northern Ireland) 2000

Explanatory Note

These Regulations amend the Legal Advice and Assistance Regulations (Northern Ireland) 1981 so as to substitute a new scale of contributions payable for legal advice and assistance under Article 7(2) of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981.

Crown Court Practice Editing Written Statements Practice Direction of 25 June 1998

Paragraph 5 of the above Direction referred to the practice to be adopted where oral statements of a defendant are recorded in the witness statements of interviewing officers. By paragraph 4(b), these can be edited of references to other offences not relevant to the proceedings. Paragraph 5 provides, however, that the principles in the Direction shall not apply to exhibited documents.

A record of an interview with a defendant may sometimes be presented as part of a witness statement and sometimes as an exhibited document. The Lord Chief Justice has issued a supplement to the 1998 Direction to clarify that paragraph 4(b) applies in either case, as printed below.

Supreme Court of Judicature of Northern Ireland Crown Court Practice Direction Editing Written Statements

Supplement to the Direction of 25 June 1998

For the purposes of paragraph 5 of the above Direction, an exhibited document which is a transcript or summary of an interview with the defendant, a recording of which is provided to the defence, is to be treated in the same way as an interviewing officer's witness statement.

"Solicitors On Line"

This year, the Society's Annual Conference was held at the Slieve Donard Hotel in Newcastle and included an IT Exhibition which attracted many exhibitors including...



Diane Coulter, Solicitor from Killeel talks to exhibitor Deirdre Cooke of AM Systems



Declan Branagan (right) of The Practice shows Paddy Kinney from Newry some case management software .

Exhibitor Robin Johnston of Blue Chip Technologies explains his company products to the Palmer family from Belfast.



LEXCEL *a new quality benchmark for legal practices in Northern Ireland*

The Law Society of Northern Ireland is to offer a new quality mark for legal practices in Northern Ireland.

The aims include improved and more efficient client care, effective deployment of resources, reduced costs, fewer mistakes and improved morale and motivation of staff. Failures in administration, not lack of legal knowledge, leads to most claims on the professional indemnity insurance against the Law Society of Northern Ireland's Master Policy.

LEXCEL provides a methodical and professional approach to management and administration which will reduce the risk of mistakes and waster effort, particularly in the areas of casework and communication with clients. Failings in these areas tend to lead to the largest volume of complaints.

LEXCEL is the quality mark developed by the Law Society of England and Wales for practices and legal departments which have been independently assessed as having achieved the Practice Management Standards. It is designed to be achieved either alone or in conjunction with ISO 9001 or Investors in People.

The Law Society of Northern Ireland now has a licensing arrangement to market and assess LEXCEL as a quality mark to solicitors in Northern Ireland. It will be a matter for individual legal practices to decide whether to undergo assessment.

The Practice Management Standards cover:-

- Management structure
- Services and Forward Planning
- Financial management
- Managing people
- Office administration
- Case management.



Presentations on the new Lexcel System were made to delegates at the Law Society's Annual Conference by Mary Norton SGS Yarsley ICS Ltd, LSNI Council member James Cooper; Gary Millar, G M Associates, Suzanne Bryson, Deputy Secretary, Law Society of Northern Ireland and Tracy Croft, Law Society of England and Wales

LEXCEL can be implemented by any legal practice, large or small, regardless of the type of work undertaken, including commercial and local government. The Standards declare what areas must be covered, but leave practices free to choose which are appropriate to their own circumstances.

www.lawsoc-ni.org goes 'on-line'

The Society's new web site, www.lawsoc-ni.org was launched at the conference in Newcastle by John Bailie, Chief Executive. It is still in its early stages as yet, but it will expand as more material becomes available for it.

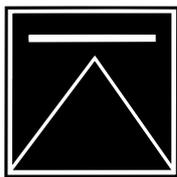
Mr Bailie said, "The web site was designed with usability as a major priority. This site will be used by legal practitioners, journalists and researchers - all of whom use the internet for serious professional purposes. They are busy people with little time to waste waiting for pictures to download. What they want is information and they want it fast.

"Therefore there are no complex images - just enough to prevent the site looking forbidding. In newspaper terms, the LSNI site is analagous to the broadsheet rather than the tabloid.

"Many more sections have still to be added for example, a list of all law firms, more of our regulations, all of our news releases, links to other useful sites and the text of the Writ."



Going 'on-line' to launch the Law Society's official website at the 'Solicitors On-Line' Conference are LSNI Chief Executive John Bailie, delegate John Pinkerton and LSNI President John Meehan.



NORTHERN IRELAND
YOUNG SOLICITORS ASSOCIATION

NIYSA
FOUR JURISDICTIONS
MILLENNIUM CONFERENCE

24 - 26 MARCH,
HILTON HOTEL, BELFAST

What an event! Without a doubt, this was the biggest and most adventurous project undertaken by the NIYSA to date and thankfully it was an immense success.

The busy weekend schedule commenced in Law Society House with a drinks reception. There, a welcome was extended to delegates from England, Scotland, Wales and the Republic of Ireland as well as those who had travelled a little further to attend the Belfast Conference. The countries which had sent representatives included Holland, Belgium, Italy, France and Denmark. It was particularly gratifying to see delegates from the Eastern European countries of Estonia and Slovakia - something which would not have been possible a few years ago.

After some refreshments, delegates were left to explore Belfast for a few hours. Apparently the Scottish contingent didn't make it any further than Magennis! A pub crawl for the majority of the Conference attendees was led by a few brave NIYSA committee members (namely Marty Harte, Catherine Calvert, Andy Small and Paddy Oliver) with strict instructions to end up at The Empire on Botanic Avenue. The remaining committee members (Jonathan Hewitt, Tracey Diamond, Mary Clare Kelly, Maureen Bell and Nessa Agnew) had the more civilised task of entertaining fifty guests for dinner at Metro.

There was a capacity crowd in The Empire - with all delegates in attendance. The Salsa Dancing instruction provided by the Empire, before the band came on stage was of limited use. Most delegates had clearly worked out their own dance moves well in advance! Certainly the world renowned 'Dancing Goat' (he knows who he is) went down well with the visitors to Belfast.

Some people clearly had a later night than others, judging by the ashen faces sported by a few delegates at the seminar session on Saturday at the Hilton. There was really a worthwhile programme in place, and those who did manage to scrape themselves together to attend it were well rewarded. The line up of speakers read like a legal who's who:- Nigel Tomkins of the Association of Personal Injury Lawyers; Professor Mads Bryde Andersen University of Copenhagen; Professor Brice Dickson, Human Rights Commissioner; Professor John Wylie, University of Cardiff; Anthony Monaghan CADR; Keith Turner, Murgitroyd Patent Agents; and Damien Collins, McCann Fitzgerald, Brussels.

The lectures ended at approximately 4.15 pm and from there, delegates moved on to the City Hall where Belfast City Council had kindly hosted a drinks reception. Most delegates then scurried back to their respective hotels after the reception to prepare for what was perhaps the highlight of the weekend - the Gala Ball at the Hilton.

The champagne reception kicked off at around 7.15 pm to the strains of a string quartet. Even the staff at the Hilton were impressed by the sight of nearly 370 well turned out Lawyers!

After dinner, a short 'welcome and thanks' speech was made by the NIYSA Chairman - Jonathan Hewitt. This cleared the stage for the band - 'The Untouchables' who ensured that the dance floor was packed all night. When the band finished, a DJ took over and the dancing continued until after 5am. Some party animals eventually got to their beds after 8am - needless to say there were a few 'bad heads' on

display on Sunday afternoon.

The goodbyes on Sunday came all too soon. It was a wonderful weekend on both a professional and social level. New friends and contacts were made and return visits planned by many. Thanks are due to a number of bodies - The Law Society gave enormous support to the event without which it would simply not have happened; our sponsors ZMB, the Bank of Ireland, Murgitroyd's, Indemnity and Boots gave valuable financial and practical assistance and the staff of the Hilton Hotel were very helpful and professional at all times. Finally, well done to the NIYSA committee members who under the guidance of their chairman, Jonathan, put a lot of work into the organisation of the conference.

Photographs of the weekend will appear in next month's Writ.

Lecture Notes

Arising from the aforementioned Conference, lecture notes on the following seminars are available for £5.00:-

1. "The Electronic Challenge to Private Law"
Professor Mads Bryde Andersen
2. "Europe Changes Everything - The impact of E.U. Health and Safety Law on Personal Injury claims"
Nigel Tomkins
3. "A Land Law System for the 21st Century"
Professor John Wylie
4. Handling the Acquisition of Intellectual Property Rights - A Checklist for Transactions,
Murgitroyd & Company, Patent Agents

Please enclose a cheque for £5 made payable to the NIYSA together with a large (A4) self addressed envelope (61p stamp required) and send to:- Tracey Diamond, Blaney & Diamond Solicitors, 36 Main Street, Toomebridge, Co. Antrim, BT41 3FT

GET ONLINE WITH NIYSA

The Northern Ireland Young Solicitors Association are now online at:-

<http://www.niysa.co.uk>

The Web site has been developed to provide instant online information for our members as well as people interested in the activities of the association.

On site, you will find an extensive selection of links to sites of legal interest, details of upcoming events, and how to contact the NIYSA.

If you have any questions or suggestions regarding the site please feel free to let us know - you will find the relevant details at www.niysa.co.uk

The Northern Ireland Young Solicitors Association and the Young Bar Association proudly announce their

MID SUMMERS BALL

*The Culloden Hotel, Holywood
Saturday June 10th 2000*

Ticket price £30 per person, reservations for tables of tens may be made by contacting:

Catherine Calvert (NIYSA) 028 9059 5300

Andrew Small (NIYSA) 028 9024 3878

Lee Brown (YBA) 028 9056 2226

Leona Askin (YBA) 028 9056 2337

Siobhan O'Hagan (YBA) 028 9056 2368

*Cheques to be made payable to the NIYSA - no cheque no reservation.
Closing date Friday 2 June 2000.*

Our annual black tie Ball, organized in conjunction with the Northern Ireland Young Bar Association will be held again this year at the Culloden on the above date. Anyone who attended last year's event will know that it is truly a great night out.

If you are interested in attending, be sure to make a note of the date and watch the Writ for further details in the coming months.

REPUBLIC OF IRELAND AGENTS

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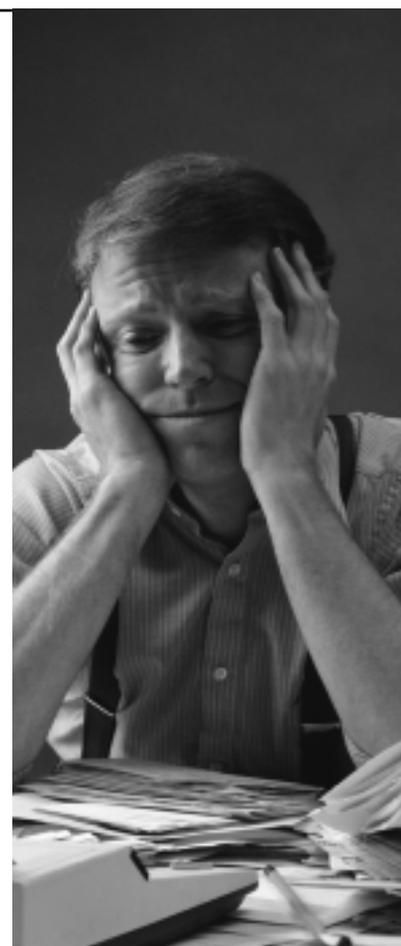
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Association of Women Solicitors (NI)

Millennium Woman Lawyer Forum Report

The Millennium Lawyer Forum took place on Saturday 1st April at the New Connaught Rooms London attended by over 300 lawyers, mainly women, including a strong delegation from Northern Ireland both from the Bar and The Law Society.

Speakers included Dr. Mo Mowlem, Cherie Booth QC and Dawn Airey - Head of Channel 5. Dr Mowlem encouraged women to come forward for senior positions, to consolidate the achievements which had been made over the past century and to ensure that the women who held the top positions made way for new talent to come through. She stated that women can be a negative influence on other women as well as a positive influence and urged those who achieved within their chosen career to mentor those at the bottom rung of the ladder.

Cherie Booth QC reviewed the progress and achievements of women over the past few decades which undoubtedly should inspire other women to strive for further progress. It was only in 1967 that a woman could have a child and remain in the Civil Service and the first female solicitor was admitted in 1922.

Dawn Airey was a last minute substitute for Germaine Greer and her interview with Sue Shipley was of little relevance. She believed she was excellent at what she did and was not afraid to say so. She portrayed herself as a complete workaholic and did not disclose any life outside Channel 5. Obviously this is not a role that every woman would want to aspire to.

Perhaps of more interest was the ZMB survey of the legal profession carried out over the past year. It talked about - **direct discrimination:**

1. Pay and opportunity. At least a 10% difference between male and female pay rates.
2. Women very much under represented at higher levels.
3. Much harassment and discrimination in the work place which goes unreported.

4. Great abuse of power and position.

Indirect discrimination:

1. Indirect discrimination by its nature is harder to quantify.
2. The culture of the legal profession promotes indirect discrimination and perhaps this is one of the most difficult issues to try to change.
3. Criteria for success is set largely by men.
4. With the long hours culture it is difficult to reconcile other commitments ranging from raising children, looking after elderly parents or simply wanting time to do something else. We also see a stigma attached to flexible hours. Does this mean that there is a lack of commitment if we want to work part time or job share? A tendency to steer women towards family work where fees billed will usually be less than other areas like commercial work.

Fortunately some solutions were suggested:

1. Formal structures to address discrimination.
2. Formal monitoring systems for both men and women.
3. Use of informal networking opportunities.
4. Use of vehicles such as "Opportunity Now".
5. Learn from best practice already in place.

So how should we go forward?

1. Involve men and women. This should never be seen as a male battering process. For progress to be made men must be included rather than excluded.
2. Offer practical business focused and cost effective solutions.
3. Consult clients.

4. Mentor others.
5. Lead from the top.
6. Persuade employers to look at flexible working issues as this is the key to change the legal culture.
7. Develop your own skills and confidence.

The workshops in the afternoon were varied ranging from Stress Management to the Internet and the Woman Lawyer. As always some of the workshops were better than others although I thought the content of the two workshops that I attended, Stress Management and Managing your Reputation, rather dull and uninspiring.

The day concluded with three awards sponsored by The Times - Dame Elizabeth Butler-Sloss, the most senior woman judge and president of the High Court Family Division was named the Millennium Woman Lawyer. The award for Woman Barrister of the Year went to Elizabeth Lawson QC and for Woman Solicitor of the Year to Yasmin Walljee, the pro bono officer of Lovell White Durrant.

For me all three women exhibited the qualities that we endeavour to strive for - confidence, energy and above all tremendous talent.

This year's conference lacked the international flavour that was so inspiring last year. The most positive aspect was the opportunity to network with colleagues in England as well as colleagues from Northern Ireland. How much can we learn from each other without being too arrogant to share our knowledge and experience.

For those who are interested the World Woman Lawyers Conference will be held in London February/March 2001 organised by Diana Kemp and details can be obtained from Margaret Magennis of Magennis Creighton Solicitors.

Caroline Boston

Part 6 of the Serialisation of the Equal Opportunities Commission Report

Part 6 RECOMMENDATIONS

The following recommendations, which are based on the findings of this report, are addressed to both the Law Society of Northern Ireland and employers.

Recommendations To The Law Society Of Northern Ireland

1. Develop, in consultation with the Association of Women Solicitors and the Equal Opportunities Commission for Northern Ireland, equal opportunities guidelines for the solicitor profession.
2. Promote the adoption of the guidelines by employers.
3. Provide training to employers on gender equality issues and methods to implement good equality practice within the profession.
4. The Law Society Course for prospective partners should be widened to include a section on good management practice.

It is considered important that the equal opportunities guidelines developed by the Law Society should incorporate the following thirteen recommendations which are addressed to those employing solicitors in Northern Ireland.

Recommendation to Employers

Equal Opportunities Policies

1. All firms should have comprehensive policy statements on Equality of opportunity. These statements should include the following: a declaration of good intent; details of legislative framework; procedures relating to selection, recruitment, promotion, terms and conditions of employment, and harassment/bullying; together with an appropriate mention of monitoring, training, appraisal, positive/affirmative actions, designated responsibilities and the

salary review process.

Statements of Employment

2. All the employees should be provided with formal, written statements, which detail the main terms and conditions of their employment.

Occupational Structures

3. The current gender composition of occupational structures should be examined. If women are under-represented in higher positions within a firm, then positive action measures should be developed to encourage greater representation of women in senior positions.
4. Targets should be set to address the under representation of women in senior positions in the profession.
5. The procedures for advancement and promotion should be assessed. If required, transparent and justifiable criteria for promotion and advancement should be developed.

Pay Structures And Remuneration

6. As recommended in the Code of Practice on Equal Pay (EOCNI, 1999) a regular review and monitoring of the levels of pay and remuneration for male and female solicitors should be undertaken. Where gender imbalances exist for work of equal value, a pay review exercise should be conducted.
7. The basis of remuneration to solicitors should be scrutinised. Examine why men and women are paid differently, and ensure that the reasons for different methods of payment are objectively valid, especially when the groupings concerned result in gender differences in payment.

Family Friendly Measures

8. The availability of both flexible and part-time working arrangements, and

career break schemes, should be extended, and measures should be introduced to facilitate such arrangements.

9. Women and men should have equal access to flexible and part-time working arrangements.

Maternity Rights

10. All policies directly or indirectly related to maternity and parental leave should be scrutinised, to ensure that arrangements for maternity and parental leave are clear and consistent with legal entitlement.
11. All Solicitors should be made aware of their entitlement to maternity leave (paid and unpaid), maternity pay, and paternal leave.

Sexual Harassment

12. Introduce and implement a model harassment policy, which is in line with the CRE/EOC/FEC harassment guidelines.

Gender Stereotyping

13. Female solicitors should not be expected to carry out tasks that would not also be assigned to male solicitors. Female solicitors should not be victimised for unwillingness to undertake tasks, such as making coffee.

WINE TASTING

AWS in association with
Nicholson of Crossgar -

Wine tasting

Thursday 11
May 2000 - 7.00pm:
Old staff common room,
Queen's University, Belfast.

Tickets from Margaret
Magennis Price £10.



Baroness Kennedy of the Shaws with Margaret Magennis (left) and Roisin McGrath (right) of P J McGrory's office celebrating her complimentary Tickets awarded as first to renew her membership of the Association of Women Solicitors (NI). Helena gave a very thought provoking talk on human rights, punctuating her talk with poetry, political philosophy and details of her encounters with today's political leaders and thinkers. The talk at the Ulster Museum was part of the Northern Bank Lecture Series and appropriately (in the human rights context) the photo is taken beside a statue of a Bomb Blasted Woman.

MAXIMISE YOUR COSTS!

Place Belfast Solicitors
Association Logo here

It has come to the attention of the Association's Committee that a number of Service Providers e.g. mobile telephone, electricity and gas and their Agents are endeavouring to dictate to Property-owning Clients the level of legal costs that they are prepared to contribute for the grant of proprietary rights such as Leases, Licences, Easements etc.

In certain cases it would appear that the level of costs being offered will not adequately compensate the Client's own Solicitor for the amount of legal work involved and the Solicitor is then faced with the dilemma of whether to raise a Solicitor/Client Bill or to "write off" the excess costs.

Invariably the Client will be in a strong bargaining position, in that the Service Provider may have little choice as to where to site its equipment etc. and accordingly one should endeavour to ensure that in addition to negotiating the best possible consideration for the Client whoever is negotiating on the client's behalf should also negotiate an adequate level of fees for the Client's Solicitor.

This is yet another example of "a plumber striking an electrician's rate" and it is your Committee's view that such practices should be resisted with the utmost vigour and that reasonable remuneration based upon the complexity of the documentation, the consideration paid and the amount of time expended should be demanded at no cost to the Client.

Place Belfast
Solicitors
Association Logo
here

'BSA Golf Outing'

*Belfast Solicitors' Association
Annual Golf Outing -
Thursday 18th May 2000 at
Malone Golf Club*

BSA Lunchtime Seminar

*"Recent Developments in
the Law of Tort".*

Lecture by Professor Desmond Greer

12th May 2000

Law Society House

Refreshments and sandwiches

12.30pm - 1.00pm

Lecture 1.00pm - 2.00pm

Admission Fee £10.00

*For further information contact
William Cross on 028 90 243141.*

TAKE NOTICE that on Thursday 18th May 2000 at 1.30pm or as soon thereafter as sport may commence, the Belfast Solicitors' Association will be moved to hold its Annual Golf Outing at Malone Golf Club, Upper Malone, Belfast.

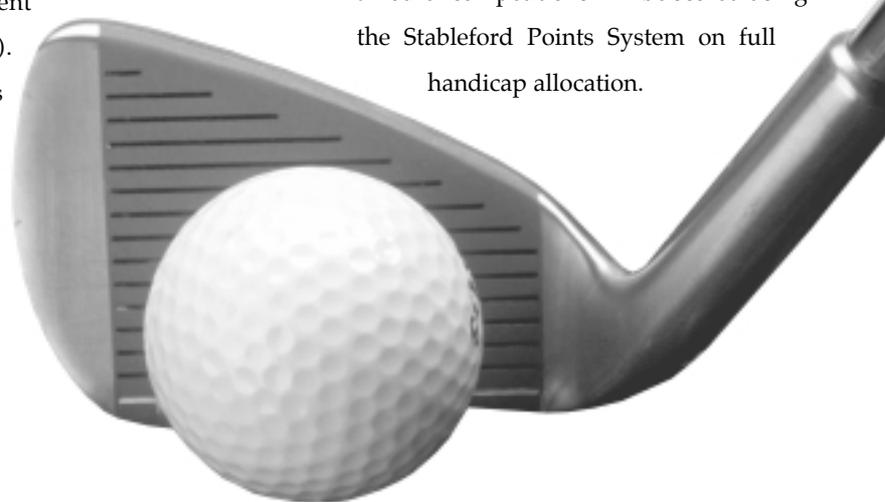
The cost per person is £42.00 (£33.00 green fee, £7.00 meal and £2.00 subscription - Malone Golf Club members and persons not wishing to take the meal should adjust their payment accordingly).

All members of the Association and their

visitors will be welcome and you are invited to complete the Form and return it as soon as possible.

The prizes will be for the main competition for members with official handicaps, together with second and third prizes; a visitor's prize and runner-up; and a special competition for non-handicapped members.

The special competition is for the best gross score for the first eleven holes and all other competitions will be scored using the Stableford Points System on full handicap allocation.



'BSA Golf Outing' - Thursday 18th May 2000

Name _____

Contact address _____

Telephone _____

Subscription attached £ _____

(payable to Belfast Solicitors' Association)

Please indicate against the names the prizes to be played for -
members / visitors / members special

*Return to: Richard Palmer of Peden & Reid, 22 Callender Street, Belfast, BT1 5BU
Law Society Box 82/DX 389NR BELFAST Telephone: 028 90 325617 and Fax 028 90 247343
E-mail: peden-reid@dnet.co.uk*

Association of Solicitors for Children

A small group of Solicitors has recently met with a view to creating an independent Association of Solicitors for children. The law governing the representation of children has become an increasingly complex area requiring specialist knowledge and expertise on the part of the practitioners involved. It is proposed that the Association will be set up for the purposes of promoting the interests of the children and young people within the legal system and to act as a pressure group lobby in favour of establishing properly funded legal mechanisms to enable all children and young persons to have access to justice. It is also proposed that the organisation will include associate members such as Guardians ad Litem, Barristers, Social Workers, Psychologists, Paediatricians, Psychiatrists and others involved in working with or for children.

An initial meeting has been arranged to take place at 3.00pm on Wednesday 10 May 2000 at Law Society House, 98 Victoria Street, Belfast with a view to establishing the Association and discussing the way forward.

If you are interested in attending please complete the form below and return it as soon as possible to Karen Fox, c/o Bogue & McNulty, Solicitors, 3 Carlisle Circus, Belfast BT14 6AT, DX 504NR.

An agenda of the meeting will be forwarded upon receipt of completed form.

Association of Solicitors for Children

I would be interested in attending the initial meeting of ASC on Wed 10 May 2000.

Name _____

Firm _____

Address _____

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S.C. Connolly & Co.
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history of client's case

included

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By *Brian Doherty*

IRISH ACTION ON SELLAFIELD

The Irish Minister of State of the Department of Public Enterprise has indicated that in the light of the latest startling revelations of mismanagement at Sellafield that Ireland felt it had sufficient information and was currently taking legal advice with a view to bringing the UK before the European Court in an attempt to close Sellafield.

EIRCOM PUTS ESAT TAKE-OVER ON HOLD

Eircom, the Irish Telecommunications operator, has objected to the European Commission regarding the proposed take-over of Esat Telecom by BT on the basis that this will lead to BT holding a dominant position for international telecommunications services in a substantial part of the common market.

NO LEEWAY FOR SHIPBUILDER

Harland & Wolff's current difficulties are conditioned by a European Law requirement restricting domestic Government assistance to offering limited subsidies on production (up to 9%). This restriction, say European shipbuilders, is in the face of subsidised South Korean non profit making competition across Europe.

INTEREST IN CREDIT

Decisions in Ireland on reforming tax application to the Credit Unions has been delayed in the face of an EU investigation into whether Credit Unions benefit from undue competitive advantages by their tax treatment.

NI GRANT DELAYS

The settling by the UK with the European Commission of aspects of the latest State Aid regime has not taken place with the result that payments of grants that might otherwise be made are being currently held back according to the Northern Ireland Federation of Small Businesses.

CHOCOLATE CONTENT

The European Commission has now settled the EU approved descriptions for the use of chocolate. Locally produced bars with a 5% vegetable fat content may still be called "chocolate". but must in addition to the requirement for chocolate with a 20% milk content being called "family milk chocolate" on the continent, also contain the description "containing vegetable fats in addition to cocoa butter."

DRINKING UP TIME

The European Commission have carried out "dawn" raids on major brewers across Europe including Heineken, Carlsberg and

Interbrew as part of an investigation into price fixing across Europe.

HUMAN RIGHTS LAWS FOR IRELAND

The Irish Cabinet are expected to accept that the European Convention on Human Rights should be included in Irish Law. Ireland is the last of 41 members of the Council of Europe and the 15 EU States not to have incorporated the European Convention into its national legal system.

CHARTER OF FUNDAMENTAL RIGHTS ARGUMENT

The proposed Charter of "new" rights to set out basic rights ahead of European Union expansion has been criticised by inter alia the CBI as a "back door" route to a European Constitution which would lead to jurisdictional confusion between the European Court of Justice and the European Court of Human Rights. The Charter would be likely to include social and employment clauses such as relating to fair remuneration adequate social security provision etc.



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?



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Newly Admitted Solicitors Ceremony



Newly admitted solicitors, pictured receiving their certificates at a ceremony with the Lord Chief Justice, Sir Robert Carswell, and the President of the Law Society, Mr John Meehan.

BROWN Patrick Richard George	Belfast	MAGUIRE Martina	Enniskillen
BURNS Conn Stephen	England	McCREESH Ciaran Paul	Armagh
CAIRNS Elizabeth Catherine	Bangor	McGRENAGHAN Aidan Edward	Belfast
CANTRELL Noelle	Ardee,Co. Louth	McKERGAN Lynne Jane	Portrush
CLARKE George Alexander	Newry	MO Ho Ling	Belfast
FRIPP Anthony Stephen	Belfast	PRICE Alison Jayne	Lisburn
HENEGBRY Karen Michelle	Belfast	RITCHIE Gillian Carol	Antrim
HUSSEY John	Fermoy	SMYTH Elizabeth Ellen	Antrim
JOHNSTONE Orla Camilla	Maghera	WARKE Heather Rosemary	Lisburn
KELLY Michael Robert	Armagh	WATTERS Anna (Mrs)	Belfast

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Chairperson Beverley Jones
Hon. Treasurer Orla Murray

E-mail: eamonn.mcardle@ireland.com
Website: www.legal-island.com/elg.htm

Lunchtime Seminar

Recent European developments in Employment Law

Speaker: Jason Coppell, a barrister practicing in chambers at 11 King's Bench Walk in The Temple, London.

Date: 12 May 2000

Time: 1.00pm (coffee and sandwiches served from 12.30pm)

Venue: Law Society House, Victoria Street, Belfast

Cost: Members £3.00 per talk
Non-Members £6.00 per talk

Booking forms and cheques should be sent to:- Orla Murray -
Departmental Solicitors Office, Victoria Hall, May Street, Belfast

Cheques payable to Employment Lawyers' Group (NI)

(Law Society Continuing Education points available for attendance)

Society for Computers & Law NI

Website Design

Date: Thursday 4th May

Time: 5.00 pm

Cost: Members: Free

Non-members: £25



For Information and Booking:
0117-923-7393

Booking Form

Recent European developments in Employment Law

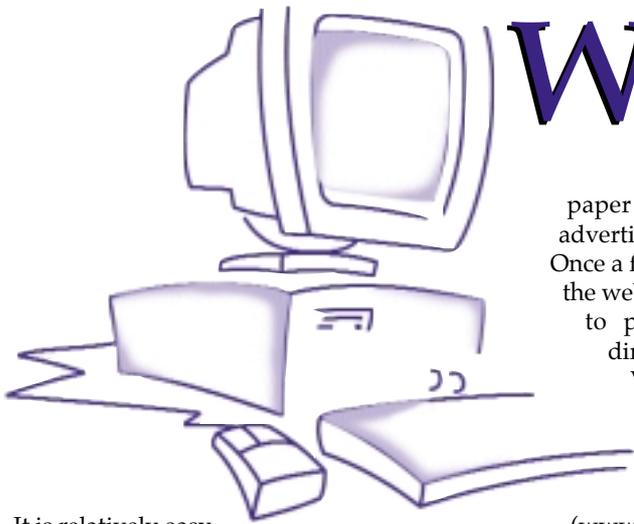
Name _____

Firm _____

Address _____

I enclose remittance of £ _____

**Jerry Doherty ad
from last issue
march 2000**



WEB WATCH

paper and in newspaper advertisements.

Once a firm is ready to publish its site, the web address should be submitted to popular search engines and directories such as Excite, Alta Vista, Yahoo and Legal-Island.

A few regional search engines might also be a good idea such as Search Ireland

(www.searchireland.com) and Swift

Kerna (<http://swift.kerna.com>). The web presence will then be logged (a process that can take several weeks) and the firm will be in a position to see whether, when certain search words are used, their firm's web page is returned by the search engine. High placement in a search engine's results page is vital. Research suggests that people who are looking for information on a specific topic usually only read the top 50 entries on a search engine's results page. Any listing greater

than this number is unlikely to lead to many visitors.

Ranking in search engines is so important that some companies try and outwit search engines by hiding key words in their web pages which they hope will improve their positioning. Alta Vista rejects over 60 percent of the submissions received because of cheating practices such as this. Penalties range from lower placement to removal from the search engine altogether.

Assistance in this delicate operation is available from www.searchenginewatch.com/. This tracks and records information on the major search engines, with the latest news and happenings concerning the promotion of web sites through such facilities.

barry-phillips@altavista.net

It is relatively easy nowadays for law firms to get a web presence. Getting it noticed is not so straightforward. In Northern Ireland there are now a number of firms on the web competing for attention - some more successfully than others. Good web site management requires a proper promotion strategy. This should include techniques to promote the web site through the Internet itself as well as through more traditional means of communication such as on headed note

Phibeta
1/3 ad

Indemnis
ad 1/6

The Internet - Empowering the Disadvantaged.

The Internet is the planet's greatest information tool. It provides a library of over 1 billion web pages which may be accessed for free 24 hours a day. It also supplies Net users with access via newsgroups and e-mail to advisors and experts on a full range of issues.

The signs are that the voluntary sector in Northern Ireland is beginning to harness the power of this great information tool. Many advice agencies now have a web site providing round the clock information on welfare rights issues as well as more general information such as opening times and contact details. Good examples are provided by a number of organisations in the voluntary sector including Disability Action (www.disabilityaction.org/) the Association of Independent Advice Centres (www.aiac.net) and the Housing Rights Service (www.housing-rights.org.uk) These sites not only enable greater access to information but they also carry the potential of saving strapped-for-cash agencies some money if used effectively. For example, callers wanting copies of various documents or information leaflets may be directed instead to their web site. Not only does this usually produce more immediate access but it reduces the cost significantly the cost of getting the information to the consumer.

Those with disabilities find that the Internet has much to offer them. Individuals with restricted mobility may encounter great difficulties even in getting to local advice outlets but few problems in learning a number of keyboard strokes which will give them access to a wealth of information on the world-wide-web. PCs connected to the Internet are a great source of information for the hard of hearing. Advances in audio technology now allow the visually impaired to have documents and web pages read to them.

Sometimes the Internet is likened to a Swiss army knife in that although it performs one or two main functions it also has a number of other useful gadgets. For example, those on limited means without a fax machine can use it to provide them with a free fax facility. Faxes can be sent

free from a number of web pages including www.a-free-fax.com and www.tpc.int/. It is also possible to send information from an e-mail which will actually be received through a person's fax machine. Details of this e-mail-to-fax service are to be found at: www.tpc.int/faxbyemail.html. Those looking to receive faxes as well as send them through the Internet are also well served by a number of companies including Digital Mail - www.digitalmail.co.uk and Jfax.com www.jfax.com/.

These companies provide anyone with an e-mail address a fax number such as 0705 0803138. Faxes sent to this number from a normal fax machine arrive attached to an e-mail and can be viewed on the recipient's PC. The fax is free to receive although the sender usually has to pay for the call at a premium rate.

A much under used part of the Internet is the Usenet facility. The Usenet is a huge, distributed, decentralized, international discussion system where people meet to kick around ideas on just about every subject imaginable. Participants in the Usenet exist read and write "articles" which are posted and relayed through the Usenet system and categorized into Newsgroups. There are about 60,000 newsgroups each dedicated to a single theme or topic. A popular one for the UK is Uk.legal which contains thousands of postings from people looking for, and replying to, legal queries.

E-mail lists also provide Net users with a discussion platform. A popular list is the Irish Lawyers list. This consists of over 300 people in Northern Ireland, the Republic of Ireland and overseas who discuss matters relating to Irish law. Joining instructions to this e-mail list can be accessed through the following web page www.legal-island.com/email.htm. There are thousands of e-mail lists from which to choose allowing Net users access to a full range of people with interests and expertise to offer. The Web contains a number of sites with details on many lists. These are probably the best place to find a suitable e-mail list.

Three examples are:

Mailbase - (www.mailbase.ac.uk) This contains a record of over 2,000 discussion lists for the UK higher education community;

Liszt - (www.lsoft.com/catalist.html). This is a directory of over 84,000 lists covering a vast range of subjects

Onelist (www.onelist.com). This has a strong commercial bias but contains some useful lists

The Government has recently announced plans to ensure that the voluntary sector is provided with sufficient funds to make good use of the Internet. Those who believe that social exclusion is due in part to an information deficit will appreciate that the Internet, if used effectively, is probably the greatest means to empower disadvantaged groups and those that help them.

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Northern Ireland Court Service

List of Coroners and Deputy Coroners at March 2000

Name of Coroner's District	Local Government Districts Comprising Coroner's District	Name and Address of Coroner	Telephone Number	Name and Address of Deputy Coroner	Telephone Number
Londonderry	Londonderry Limavady Strabane	R H C O'Doherty Esq Solicitor 45 Great James Street LONDONDERRY BT48 7DF Buncrana Office - 00353 7761286 Fax No. 00353 7762196	Londonderry (02871) 371894 Fax No (02871) 371894 Home - Co Donegal 00 353 77 62547 Fax No 00353 7762196	C G Copeland Esq Thomas Elliott & Son Solicitors 29 Patrick Street STRABANE BT82 8DP	Strabane (02871) 882262 Fax No (02871) 382770 Home - Londonderry (02871) 351834
North Antrim	Coleraine Ballymoney Moyle Ballymena	D J Hunter Esq McLernon & Hunter Solicitors 68 Causeway Street PORTRUSH BT56 8AD	Portrush (02870) 824658 Fax No (02870) 824658 Home - (02870) 321719	J L Baxter Esq Beardeville Ballyholme Road Cloyfin BUSHMILLS	Home - Bushmills (028207) 31552
Greater Belfast	Belfast Down North Down Ards Castlereagh Larne Lisburn Antrim Newtownabbey Carrickfergus	J L Leckey Esq Coroner's Office The Courthouse 37 Church Road NEWTOWNABBEY BT36 7LA	Belfast (02890) 869144 Fax No (02890) 869117 Home - Whiteabbey (02890) 861442 Forster Green (02890) 798115 Fax No (02890) 402160 +	Miss D K Malcolm c/o Central Services Agency 25-27 Adelaide Street BELFAST BT2 8FH	Belfast (02890) 324431 Home - (02894) 473437 Mobile- (07880) 504873
East Tyrone & Magherafelt	Magherafelt Cookstown Dungannon	J R H McLernon Esq Solicitor 15 Meeting Street MAGHERAFELT BT45 6BN	Magherafelt (028796) 32533 Fax No (02879) 301201 Home - Magherafelt (028796) 31350	J A Kincade Esq T D Gibson & Co Solicitors 107 Church Street PORTADOWN BT62 3AX	Portadown (02838) 332176 Fax No (02838) 330834 Home - Loughgall (02838) 891356
Fermanagh & Omagh	Omagh Fermanagh	Miss Angela F Colhoun Solicitor 21 Market Street OMAGH BT78 1EE	Omagh (02882) 242136 243023 Fax No (02882) 247310 Home - Omagh (02882) 247442	J A Kincade Esq T D Gibson & Co Solicitors 107 Church Street PORTADOWN BT62 3AX	Portadown (02838) 332176 Fax No (02838) 330834 Home - Loughgall (02838) 891356
Armagh	Craigavon Armagh	J H Rodgers Esq Solicitor 15 Church Street PORTADOWN BT62 3LN	Portadown (02838) 337211 Fax No (02838) 350980 Home - Waringstown (02838) 881873 Bushmills (028207) 32114	J A Kincade Esq T D Gibson & Co Solicitors 107 Church Street PORTADOWN BT62 3AX	Portadown (02838) 332176 Fax No (02838) 330834 Home - Loughgall (02838) 891356
South Down	Newry & Mourne Banbridge	J Daniel Thompson Esq Solicitor 72 Ardross Road PORTADOWN BT62 1SQ	Portadown (02838) 851347 Fax No (02838) 851347	B P Finlay Esq James Murland & Co Solicitors 15 English Street DOWNPATRICK BT30 6AP	Downpatrick (02844) 619980 Fax No (02844) 613527 Home - Bailies Mills (02892) 638472 or (02892) 638997

Issued by Court Business Branch Northern Ireland Court Service, Windsor House, 9-15 Bedford Street, BELFAST BT2 7LT. Telephone No 328594

Please note the above list of Coroners and Deputy Coroners replaces that published in the March 2000 edition of The Writ.

Solicitors Benevolent Association

136th Report and Accounts

Year 1 December 1998 to 30 November 1999

The Solicitors' Benevolent Association, founded in 1863 is the profession's voluntary charitable body. It consists of members of the profession throughout Ireland who contribute to our funds, and its aim is to assist members or former members of the profession and their spouses, widows, widowers, families and dependants who are in need. The Association also provides advice and financial assistance on a confidential basis and functions independently of both Law Societies.

The amount paid out during the year in grants was IR£198,614. Currently there are 56 beneficiaries in receipt of regular grants. One third of these are aged 50 years or younger and they have approximately sixty dependant children between them.

The directors anticipate that, particularly in view of the increasing number of families with young children being helped, there will be a need for increased assistance in the coming years. Again, in a number of cases the directors are conscious of the fact that grants have not been increased for some time - despite rising costs and in several instances increased needs apparent in cases where beneficiaries are of advanced age. For these reasons, the directors particularly welcome the higher level of subscriptions and donations and general support of the profession.

There are currently 23 directors, three of whom reside in Northern Ireland, and they meet monthly in the Law Society's office, Blackhall Place. They meet at Law Society

House, Belfast every other year. The work of the directors, who provide their services entirely on a voluntary basis, consists in the main of reviewing applications for grants. The Directors also make themselves available to those who may need personal or professional advice.

The Directors are grateful to both Law Societies for their support and, in particular wish to express thanks to Patrick O'Connor, Past President of the Law Society of Ireland, Catherine Dixon, Past President of the Law Society of Northern Ireland, Ken Murphy, Director General, John Bailie, Chief Executive and all the personnel of both societies.

I wish to express particular appreciation to all those who contributed to the Association when applying for their

Receipts and Payments Account YEAR ENDED 30 NOVEMBER 1999

	1999	1998
	IR£	IR£
Receipts		
Subscriptions	174,267	164,503
Donations	27,314	19,601
Investment Income	31,666	27,677
Bank interest	2,324	3,414
Tax refund	5,301	3,022
Repayment of grants loaned	<u>3,301</u>	<u>3,900</u>
	244,173	222,117
Payments		
Grants	198,614	175,223
Bank charges	910	823
Administration expenses	<u>11,543</u>	<u>9,599</u>
	(211,067)	(185,645)
Surplus for the year before special events proceeds	33,106	36,472
Lawyers Diaries	507	12,532
Maracycle	-	1,205
Irish Conveyancing Precedents Publication	39	5,082
Trial by Jury	-	5,500
Library book sale	<u>107</u>	<u>663</u>
	653	24,982
Surplus for year before legacies	33,759	61,454
Legacies	<u>5,027</u>	<u>2,238</u>
	38,786	63,692
Transfer from/ (to) reserve account	<u>(60,000)</u>	<u>(50,000)</u>
(Deficit)/Surplus for year	<u>(21,214)</u>	<u>13,692</u>

practising certificate, to those who made individual contributions and to the following Dublin Solicitors' Bar Association, The Law Society, Belfast Solicitors Association, County Galway Solicitors Bar Association Ltd, Faculty of Notaries Public in Ireland, Kerry Law Society, Limavady Solicitors Association, Local Authorities Solicitors Association, Southern Law Association, Tipperary and Offaly Bar Association, Younger Members' Committee and Waterford Law Society. To cover the ever greater demands on the association, additional subscriptions are

more than welcome as, of course, are legacies. Subscriptions and donations will be received by any of the directors or by the secretary from whom all information may be obtained at 73 Park Avenue, Dublin 4 and I would urge all members of the associations, when making their own wills, to leave a legacy to the association. You will find the appropriate wording of a bequest at page 26 of the Law Directory. I note with deep regret the recent death of our colleague Noelle Maguire who was a director of the association for many years and during that time gave of her time and

energy in furthering the aims of the association. Her kindness and courtesy will long be remembered by those with whom she came in contact both as a colleague and as an able representative of the association. I would like to thank all the directors and the association's secretary, Geraldine Pearse, for their valued hard work, dedication and assistance during the year.

*Thomas A Menton,
Chairman*

Accounting Policies

a) Accounting convention. The accounts have been prepared under the historical cost conventions. The currency used in these accounts is the Irish pound as denoted by the symbol IR£.

b) Receipts and payments. Receipts and payments are recognised in the accounts as they are received and paid.

c) Investments. Investments are stated at cost less provision for any permanent diminution in value.

d) Sterling. Assets and liabilities denominated in sterling are converted to Irish pounds at the rate of exchange prevailing at the balance sheet date. Income and expenditure denominated in sterling are converted to Irish pounds at the average exchange rate prevailing during the year. The rates applicable for the year ended 30 November 1999 were:

	IR£	Stg£
Year End	1	0.8031
Average	1	0.8463

Accountant's Report

We have prepared the accounts set out above for the year ended 30 November 1999 from the accounting records and information and explanations supplied to us. In our opinion, the accounts are in accordance therewith.

*PricewaterhouseCoopers
Chartered Accountants and
Registered Auditors
Dublin*

Directors and Other information

Chairman: Thomas A Menton
Deputy Chairman: John Sexton

Trustees (ex officio directors)

Brian K Overend
John M O'Connor
Andrew F Smyth

Directors

Sheena Beale, Dublin
Patrick J Daly, Galway
Desmond Doris, Belfast
Robert M Flynn, Cork
John Brian Garrett, Belfast
Colin Haddick, Newtownards
Gerald Hickey, Dublin
Carmel Jenkins, Ballina
Niall D Kennedy, Tipperary
Frank Lanigan, Carlow
Brendan J Lynch, Carrick-on-Shannon
Noelle Maguire, Dublin
Etta Nagle, Cork
Michael O'Connell, Tralee
John M O'Connor, Dublin
Sylvia O'Connor, Wexford
Brian K Overend, Dublin
Colm Price, Dublin
Tomas D Shaw, Mullingar
Andrew F Smyth, Dublin
Patrick F Treacy, Nenagh

Secretary

Geraldine Pearse

Bankers

AIB plc
37/38 Upper O'Connell Street
Dublin 1

First Trust
31/35 High Street
Belfast
BT1 2AL

Stock brokers

Bloxhan Stockbrokers
2-3 Exchanges Place
IFSC
Dublin 1

Auditors

PricewaterhouseCoopers
Chartered Accountants and
Registered Auditors
George's Quay
Dublin 2

Offices of the Association

Law Society
Blackhall Place
Dublin 7

The Law Society of Northern Ireland
Law Society House
90/106 Victoria Street
Belfast
BT1 3JZ



Wishes to appoint a

SOLICITOR/BARRISTER

NJC Scale: 30-35 (under review)

To provide specialist advice and assistance in respect of the law as it relates to children and young people.

The successful candidate will have:

- * Professional legal qualification as a solicitor/barrister
- * One years post qualification practice as a solicitor/barrister
- * Knowledge of the law as it relates to children
- * Good written and oral communication skills
- * Commitment to children's rights

The appointment will initially be for three years.
Attractive terms and conditions, including pension, apply.

For a job description and application form please apply to:

Paddy Kelly
Director
Children's Law Centre
123-137 York Street
BELFAST
BT15 1AB

Tel: 028 9024 5704
Fax: 028 9024 5679

Completed applications must be returned by 5 p.m. Friday 12 May 2000

Date of interviews: Friday 26 May 2000

*The Children's Law Centre is an equal opportunities employer.
The Children's Law Centre would welcome applications for secondment.*

New Chief Executive appointed to Legal Aid

The Law Society has appointed Mr Allan Johnston to the post of Chief Executive in the Department of Legal Aid. Mr Johnston will take up his appointment on Monday 3 April 2000.

Mr Johnston is a principal in the Northern Ireland Civil Service where he has gained considerable senior operational management and administrative experience in Finance, Personnel and Management Services.

He has been on secondment from the Department of Finance & Personnel as the senior civilian adviser in the RUC Change Management Team, who have responsibility for implementing recommendations contained in the Independent Commission on Policing for Northern Ireland.

Mr Andrew Carnson, Chairman of Legal Aid, said, "In warmly welcoming Mr Johnston to the post, I am also taking the opportunity to thank Sheila McPhillips for acting as chief executive in the interim period. Her work has been very much appreciated by myself, by the Committee, and by all in the Society."

District Judge Re-assignment

Please note that District Judge Brownlie will be assigned to the Eastern Circuit with effect from 4 September 2000 to replace District Judge Wheeler on his retirement.

Practice for Sale

Belfast based litigation practice. Current work comprises of 250 plus files. Apply to Box No 80, Citigate NI, Citigate House, 157-159 High Street, Holywood BT18 9HU

Solicitors required

KEARNEY SEFTON SOLICITORS

Assistant Solicitor required for our Commercial Property Department. Salary commensurate with experience.

Please apply in writing to the Staff Partner, Kearney Sefton, solicitors, Franklin House, 12 Brunswick Street, Belfast BT2 7GE.

LOCUM SOLICITOR required to cover maternity leave from September 2000 until March 2001. Litigation experience essential. Full time or part-time (minimum 25 hour per week) considered. Salary and working hours negotiable.

Applications in writing to Peter M. Thompson, Thompson Mitchell Solicitors, 12-14 Mandeville Street, Portadown, Co Armagh, BT62 3NZ. Tel: 02838 337172 email: petermthompson@ndirect.co.uk

ASSISTANT SOLICITOR REQUIRED

for busy expanding City Centre practice. Apply in writing with full CV. All applications will be treated with strictest confidence.

BARR & CO Solicitors
57 Clarendon Street Derry BT48 7ER
Tel: (01504) 264230

ASSISTANT SOLICITOR required for busy North Antrim Practice.

Ideal candidate should have 1-2 years + PQE, although newly qualified/qualifying Solicitors will also be considered. Applicants must be ambitious, have good communication skills and be able to work on own initiative or with limited supervision.

Attractive package and prospects for the right candidate. Apply in confidence with full C.V. to:

Campbell McKee Solicitors
82 Castle Street Ballycastle
Co Antrim BT54 6AR
E-mail: campbellmckee@aol.com

PLEASE NOTE

JAMES W RUSSELL SOLICITOR

is no longer a consultant with Russells Solicitors Newtownards.

He now practices at 65 Cootehall Road, Crawfordsburn, Bangor, BT19 1JA

Phone and Fax:
028 91 853116

Phone: 028 91 853489

McIldowies Solicitors Litigation Solicitor

Due to continued expansion, a position has arisen within the firm's Litigation Department.

The position would suit a recently qualified Solicitor.

Apply in writing enclosing current C.V. to:

Nigel T. J. Brown,
McIldowies Solicitors,
Lincoln House, 51-53 Victoria Square,
Belfast, BT1 4DG

Closing date: Friday 12 May 2000

SOLICITOR REQUIRED FOR EAST BELFAST PRACTICE

McAteer & Co - conveyancing essential - computer skills desirable - attractive remuneration package and flexible hours if required.

Telephone Robert Martin 028 90 471480

Missing Wills

Re: Evelyn Rainey Deceased Late of 75 Rosebery Road, Belfast.

Would any Solicitor who is aware of a Will made by the above named Deceased please contact S J Diamond & Son Solicitors 127 Stranmillis Road, Belfast BT9 5AJ. Tel: 028 9066 2220

Re: Thomas Gordon McMaster deceased late of 3 The Bay, Carnlough, County Antrim

Would any solicitor having a will for Thomas Gordon McMaster please contact J.M.Boyd, Solicitor, 38 The Square, Ballyclare, County Antrim. BT39 9BB. Telephone: 01960 342327

Re: Patrick Coyle, late of Carnanrancy, Glenhull, Omagh deceased

Date of Death: in or around 3 March 2000
Would any person having knowledge of the whereabouts of a will for the above named deceased, please contact Brian MacMahon, Doris and MacMahon Solicitors. 63 James Street, Cookstown BT 80 8AE.

Missing Land Certificates

LAND REGISTRY

Folio: 7865

County: Tyrone

Registered Owner: The Trustees of the Presbyterian Church in Ireland

Lands of: Loughermore Glebe

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.

Messrs Falls & Hanna Solicitors
24 East Bridge Street
ENNISKILLEN
County Fermanagh
BT74 7BT

LAND REGISTRY

Folio 27584

County Down

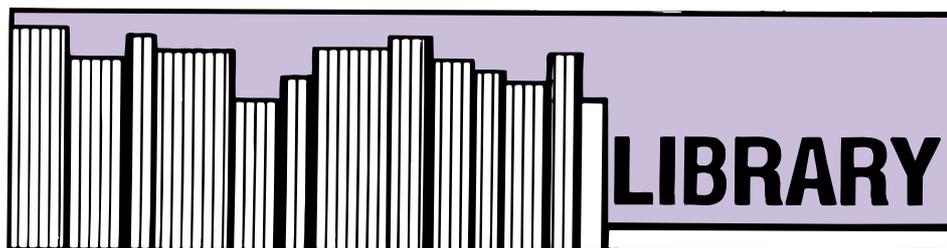
Registered Owner(s) James McCoy

Lands of Croreagh, Newry containing 24 acres approximately

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. The Land Certificate was issued to Northern Bank Limited, Belfast on 18 December 1957.

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.

Kevin J Neary
Donnelly Neary & Donnelly Solicitors
1 Downshire Road
Newry
Co Down
Tel No. 01693 64611
Fax No. 01693 67000



RECOMMENDED READING

PARENTAL LEAVE

Legislation	Employment Relations (Northern Ireland) Order 1999 NI 9
	Maternity and Parental Leave etc Regulations 1999 SR 471
Books	Lockton: The Employment Relations Act 1999: a practical guide. Jordans. 1999
Articles	Maternity and parental leave - the new regulations (main provisions and practical implications of the 1999 regulations) Rayner: 2000 Legal Action, Feb, 18-21
	Maternity and parental leave - main changes to the law 2000 EOR, 89, 34-44
	Maternity and parental leave - new legislative provisions simplifying maternity leave scheme, focusing on provisions relating to ordinary leave and additional maternity leave, and introducing parental leave scheme 1999, IRLB, 631, 4-12

E-MAIL DIRECTORY- 2ND EDITION

You may recall that the library compiled a directory of e-mail addresses of firms last year. The directory currently holds the addresses of nearly 50 firms and was distributed free of charge to all those who provided us with their addresses.

We are now producing a new edition of the directory and would be grateful if you could let us know whether your e-mail address has changed.

The invitation still stands for any new contributors - in return for giving us your address we will send you your first copy free.

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

New Books in the Library

1. Bagehot on sponsorship, merchandising and endorsement. Sweet & Maxwell. 1998
2. O'Hare: Civil litigation. 9th ed. Sweet & Maxwell. 2000
3. Tolley's termination of employment. Tolley. 1999
4. Bickford-Smith: Rights of light; the modern law. Jordan. 2000
5. Billins: Solicitors' duties and liabilities. Sweet & Maxwell. 1999
6. Bainbridge: Software copyright law. 4th ed. Butterworths. 1999
7. May: Criminal evidence. 4th ed. Sweet & Maxwell. 1999
8. Infield: The law of harassment and stalking. Butterworths. 2000
9. Singleton: Commercial agency agreements; law and practice. Butterworths. 1998
10. McGhee: Snell's equity. 13th ed. Sweet & Maxwell. 2000
11. Ray's practical inheritance tax. 5th ed. Butterworths. 1999
12. Peers: EU justice and home affairs law. Longman. 2000
13. Walters: Directors' disqualification; law and practice. Sweet & Maxwell. 1999
14. Loose: The company director; powers, duties and liabilities. 8th ed. Jordans. 2000
15. Grier: Voluntary liquidation and receivership; a practical guide. 4th ed. Sweet & Maxwell. 2000
16. Kerse: EC antitrust procedure. 4th ed. 1998. Sweet & Maxwell.
17. Butwick: Tolley's national minimum wage; a practical guide. Tolleys. 1999

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Wednesday 10th May 2000**

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