

Peter Rows for Charity

Between 1992 and 1994, a friend and club mate of mine, David Armour, cycled around the world. Six years later he couldn't cycle down the drive, he had cancer. He recovered but was then struck down by Leukaemia and despite a courageous fight, finally succumbed on 25th September 2002.

Aged 36 he left behind Clare, his wife, whom he had met in China and his twins, Matthew and Ellen, 13 months old at the time of his death.

I wanted to commemorate David's life with a challenge – and to raise a few quid for his kids. After having completed 10 marathons, 7 Mara cycles, 6 swimathons and 5 Ironmen competitions, I wanted to tackle something a little bit different. A marathon is the same distance whether you are walking, running or cycling, 26.2 miles of 42,195 metres.

As you gym aficionados will know, the Concept II Ergometer is a serious bit of kit and the control panel on the machine will tell you everything that you want to know – and everything you don't – about the effort you are putting out eg stroke/rate per minute, time elapsed, amount of metres travelled and the average pace per 500 metres. For some even

obscurer reason I resolved that my pace for my marathon attempt would be 2 minutes, 15 seconds per 500 metres. As my longest row on the machine ever had been only 5kms (ie 37k less than what I needed to do) I had to try to squeeze in a serious bit of training in between the

Writs, the Civil Bills, the Petitions and the Indictments and so it came to pass that I gradually increased my longest row to 10k, then 12k, 14k etc.

I eventually made it to 21k ie halfway. I am a firm believer in the philosophy that if you want to achieve something which seems impossible, then you have to get to halfway for starters, and then every step is one step closer to home.



Checking out Peter's back-up preparations for his endurance task was leisure attendant, Gavin O'Kane.

When you look every morning at kick off time in your office at the morass of post on your desk, the voluminous amount of phone calls to return and the number of clients to see in your diary, you sometimes wonder you will ever see the woods from the trees. Training for an Ironman or a marathon row requires some of the same skills that it takes to be a good lawyer – efficient use of your precious, precious time and a desire to get a result.

The only limitation that holds you back is your mind. I tried to think of the similarities between sitting at a desk and sitting at a rowing machine. As opposed to gabbling on a Dictaphone, all I had to do was channel that energy into pulling a handle and driving back with my legs,



then sliding forward to repeat the process. I worked out that at an average stroke rate of 28 per minute, I merely had to pull the handle during my marathon row about 5,800 times...

The other problems were the brain and the butt. If it had been possible to have a lobotomy before every training session on the Concept II, believe me, I would have been first on the operating table. The only problem then was the butt – I tried extremely hard not to think about the nether regions. One day I was doing 1 hour 20 minutes on the infernal machine and my head was concentrating hard on other issues, ie the decision of the Northern Ireland Court Service to close six Courts out of seven at Limavady Court House (despite all Court users wanting it to remain fully open) the rise of 4.3% on County Court costs which hadn't even kept up with inflation etc when a fellow gym user wandered over and woke me out of my reverie by demanding "Is your bum not sore yet?!" Arg! My calm was shattered as both my brain and butt went immediately on fire.

Continued on page 2...

CONTENTS

Risk Management	p3	Belfast Solicitors' Association	p8	Law Centre NI	p16
NIYSA	p6	Web Watch	p14	Conference 2003	p17

Continued from front cover...



Peter Jack setting out on his marathon row at Roe Valley Leisure Centre. Checking all was well were Gavin O'Kane, leisure attendant and Nicky McCreedy, fitness instructor.

Despite my best endeavours the longest I could manage on the machine in training was 28k ie two thirds distance. I decided to let the adrenalin of race day deal with the remaining third. My long sessions were usually on a Sunday afternoon when Ski Sunday was on Grandstand. I have this surreal wired connection therefore between skiing and rowing deeply embedded in my cerebral processes.

As you know there is no better way of forcing yourself to achieve a target than by stating it loudly and proudly. I therefore sent a missive to my Solicitor colleagues who are unfortunate enough to know me. They staggered me with their generosity and very quickly over £2,400 came flowing into the coffers of the Matthew & Ellen Armour Trust. There was now no going back, no chickening out. What date would be best to attempt the challenge? I picked 9th February ie my birthday. As I usually do something daft on that date to celebrate advancing years, ie I biked 42 miles on my 42nd, I swam 4.4km on my 44th etc.

My 45th happened to fall on the Sunday and as the best gym in the world ie Roe Valley Leisure Centre kindly allowed me to monopolise the machine on the 9th February 2003, and the usual rule of "only 20 minutes per machine" was waived with the same type of leniency as is usually exercised by the Law Society's Disciplinary Committee in dealing with errant brethren.

As 'Race Day' approached I tried to cut down on the training and increase the calorie intake – it's a dirty job etc. Race day dawned and the time for prevarication and procrastination had disappeared, and so at exactly 2pm in

the words of Bruce Springsteen, I strapped my hands across my engine and pulled the handle back and oh deep job, only 5,799 pulls to go! When you have a target, either in Law or Sport it helps if you write it down. It then gets pretty hard to ignore. So I typed up my schedule from 42,195 metres to 0, at 2.15 per 500 metres which would bring me in at 3 hours, 10 minutes. However, I

needed to factor in a 'comfort break' – hey, this is a 45 year old bladder you're talking about!

Apart from that I was going to drink approximately 4 litres of juice, water, carbohydrate drink as well as stuff myself with power gels, chocolate bars, bananas etc. I had timed my practice run from machine to loo (downstairs) and back up in 2 minutes so that put me back to 3 hours 12 minutes. I also wanted to change my shirt at half way, to help me feel 'fresh'.

Guys, I will have to confess, I felt pretty grim for the first half, but once you're half way to achieving a target you realise that it really is possible. I started to perk up as I had the most fantastic support from friends and family. Several of my Ironman colleagues and friends of David and myself made a point of dropping by.

Normally in a marathon when you are in the middle of nowhere you can slow down and nobody is there to nag you. Unfortunately, when everything is so prominently displayed on the Concept II Computer, if I slipped a few seconds down on schedule I was very quickly reminded that this was not acceptable and I had to increase my pace accordingly.

After 2 hours my arms were on fire, after 2 hours 15 my butt was on fire, after 2 hours 30 my brain was on fire and then....David's widow Clare and the twins appeared and sat down on the bench beside me to watch. I thought of David and how he had battled around the world. What were a few transient moments of pain compared to what he had endured? I felt renewed energy surge into my bones. I pulled on the handle as if it was my most trusted friend and when my own family came in

through the door I knew I was not going to let David – or the twins- down. There was support and encouragement every step or pull. As the last few kilometres approached the crowd of supporters grew noisier and I became more animated as I tried to match their support with my renewed effort. Gone was the prosaic pace of 2.15 per 500 metres as I suddenly dug out a 2.01 entirely fuelled by adrenalin.

I was looking at the twins as my body and mind behind to grasp the possibility of relief at the finish line. All present were friends of David. We had trained with him, we had raced with him, we had been with him during his illness. We now saw the uncomprehending gaze of his son and daughter. The finish line came as the crowd counted down the last few metres. My target had been 3 hours 11 minutes 30 seconds. As the machine registered the fact that I had rowed 42,195 metres, the clock stopped at 3 hours 11 minutes 12 seconds. I hadn't let David or the twins down, I had done what it said on the tin – I had met the target I had set. There wasn't a dry eye in the house as someone put a towel over my shoulders. The usual feelings at the end of a marathon – any marathon- of relief and euphoria washed over me. The pleasure of standing up was matched only by the pleasure of beating a lodgement.

Other than a sore behind I recovered well, and 48 hours later I was doing my usual 3km swim. My legacy was £2,700 (and counting) and a feeling of pride that you can't buy. The trust fund will be there as some solace for the twins in the absence of their father.

David had cycled round the world, I had done a marathon but not moved an inch. As a friend of David and mine used to say. "Don't confuse motion with progress" – sounds like a typical day in the office, doesn't it?

Peter Jack

PS I wish to pay tribute to all of my generous colleagues, especially Howard McClean of Millar Shearer Black who was the most munificent. The winner of the bottle of Champagne for guessing the time closest to my actual time was Alexander Ross of John McKee & Son who predicted 3 hours 10 minutes and 35 seconds.

Any further donations will be gratefully received by Peter Jack at R G Connell & Son, 13 Main Street, Limavady, BT49 0EP. Cheques should be made payable to the Matthew & Ellen Armour Trust.

Risk Management

ADVICE

Induction for Oldies

Modern technology has greatly increased the amount of work that can be completed in a day. With the Internet and e-mails we have instant communication all around the world. Clients that used to expect to wait for the post to arrive before receiving a solution to their problems now expect the response by return. In many ways, technology has been a boon to the legal profession, enabling fee earners to deliver far more profitable work in a week than their predecessors would have dreamed possible. However, in these days of a burgeoning compensation culture, technology has brought a major headache to partnership risk managers, with 'e-errors' running up claims and notifications across the board. Let's take an example. E-mail is so fast and informal that we tend to overlook that it can also be regarded as part of the documentation in any case. There can be few people who use e-mail on a regular basis who have not sent a flippant reply

they later regret – or worse – clicked on 'reply' rather than 'forward' and have sent a withering comment. In one recent notification a partner forwarded an e-mail to the firm representing the other side, little realising that the message – which had been replied to many times within his own firm – included the basis of his client's case at the start of the e-mail. Had he thought to scroll down and check the whole message he would not have inadvertently released confidential information that materially affected his client's settlement.

Interestingly, 'e-errors' are far more likely among senior staff. Any partner much older than 40 started work in an era where everybody had their own secretary and the fax machine was a thing of scarcity and wonder. In comparison, young employees have used computers throughout school and university and use of new technology is second nature.

Technology is clearly an area within a firm where partners responsible for risk management should pay particular attention. How many of

the two-finger typists at the senior end of the firm are tuned into the risks of technology? In many firms a technology 'induction course' for senior staff may be a valuable addition to the risk manager's armoury.

In any event, close attention needs to be given to the risk of technology whatever the risk of erroneous e-mail, but this is compounded by the risks of circulating inappropriate Internet content, harassment claims arising from e-mail 'joke' and even the risk of sending a virus to a client. Risk management procedures for Internet and e-mail should include sensible guidelines about what can and cannot be communicated or downloaded. However, as with all procedures, perhaps the most effective solutions are the most simple – why not encourage a culture where all staff, whatever their level, ask a colleague to 'sanity check' external e-mails before clicking 'send'.

This article was prepared by Alexander Forbes Professions' risk management team.



This article first appeared in 'The Gazette', the journal of the Law Society of England and Wales, 99/24 13 June 2002 and is reproduced here with the kind permission of the editor.



The Environmental and Planning Law Association for Northern Ireland

**2 April 2003 - New Environmental (Northern Ireland) Order 2002
Law Society House, Victoria Street, Belfast**

This half-day seminar will examine the three parts of the Order namely the changes to Waste, Air and Nature Conservation. This will be of interest to all, particularly those dealing and working with environmental legislation on a daily basis. The speakers will include DOE officials and Professor Stephen Tromans. Stephen practices environmental, planning and related areas of EC, public and common law at the Chambers of Nigel Fleming QC, London. A sandwich lunch will be provided at 1.15 pm with the seminar starting at 2.00 pm sharp, finishing at 4.00 pm.

Please note that the attendance fee for this seminar is £25.00 per person and includes a sandwich lunch.
(This seminar carries 2 hours CPD)

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BOOKING FORM

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NIYSA NEW SPONSOR

First Trust Bank has announced that they are taking up sponsorship of the Northern Ireland Young Solicitors' Association (NIYSA). The three-year deal will see First Trust Bank lend support to the varied events programme.

Nessa Agnew, Chairman of the NIYSA, says, "We are delighted to be embarking on this new relationship with First Trust Bank. Our partnership with them will help us to provide an excellent programme of events for all our members in the next few years."

Noelle Mullan, Student & Graduate Banking, First Trust Bank commented, "We consider this sponsorship to be very worthwhile. We are helping the NIYSA to provide a calendar of events, which will help young solicitors network and build up essential contacts with their peers. The sponsorship of the NIYSA is very much in line with our own strategy for assisting law graduates. Our legal postgraduate package is aimed specifically at law graduates,



L-R: Noelle Mullan (First Trust Bank); Catherine Calvert (Vice Chairperson); Nessa Agnew (Chairperson); Amanda Graham (First Trust Bank); Nuala Sheeran (Treasurer) and Martin Hart (Members Secretary).

attending the Institute, to help them meet their living and course expenses."

The NIYSA calendar of events is due to be finalised soon and will be distributed to all members in due course.



NIYSA FORTHCOMING EVENTS

1 NIYSA ANNUAL CONFERENCE

The NIYSA's annual conference 2003 will be run jointly with the SYS and EYBA. It will take place in Dublin on 8th-11th May 2003. A variety of lectures will be delivered covering topical legal subjects and CPD points will be available to delegates. Further details to be confirmed shortly.

2 NIYSA MIDSUMMER BALL

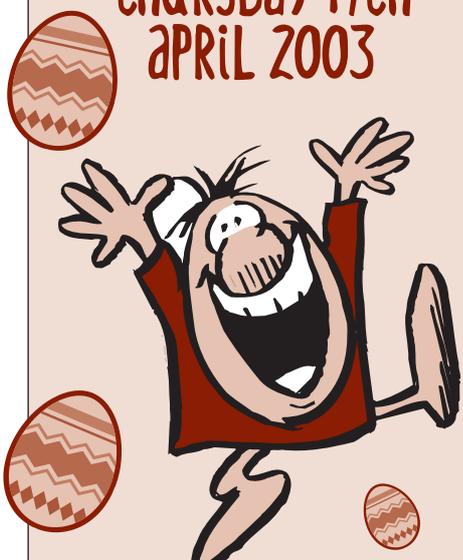
The NIYSA's annual Midsummer Ball will take place on Saturday 21st June 2003 at The Ramada Hotel, Belfast. It will be run jointly with the Young Bar Association, as in previous years. Further details to be confirmed shortly.

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APRIL 2003



9.00PM - to Late

admission £ 5.00

NIYSA MEMBERS' DATABASE

The NIYSA is presently compiling a database of its members' e mail addresses. We propose to e mail members about upcoming NIYSA CPD lectures/seminars and events. If you wish to be notified of these, please contact Catherine Calvert at Samuel D. Crawford & Co. Solicitors, 105-109 Victoria Street, Belfast BT1 4PD with your e mail address. Tel: 028 9059 5300
catherine@sd Crawford.co.uk

Northern Ireland Young Solicitors' Association presents a Practice Management Seminar

Date: Friday 11th April 2003
Time: 1.30pm- 4.30pm (tea, coffee and sandwiches from 1.00pm)
Venue: Law Society House, Victoria Street, Belfast
Cost: £40 for members of the NIYSA* and £60 for non- members.

LECTURES

- 1 "Building the Customer Relationship" First Trust Bank
- 2 "Funding Litigation – Draft Access to Justice (NI) Order 2002".
Frances Gallagher, LL.B
- 3 "The Operation of Practice Management Standards"
Mary Norton, Client Manager, Lead Auditor, SGS ICS Ltd

Attendance at this Seminar will provide three hours' CPD entitlement.

Cheques and Booking Forms to NIYSA c/o Catherine Calvert, Samuel D. Crawford & Co., 105-109 Victoria Street, Belfast BT1 4PD
 E Mail – Catherine@sdcrawford.co.uk

* All Solicitors aged 36 or under are automatically members of the NIYSA.



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ASSOCIATION

BSA Costs Success

Remember the BSA's March 2002 Article in *The Writ* highlighting our concerns regarding costs in minor settlements? We raised this important issue with the County Court Rules Committee and asked them to take urgent steps to rectify the situation.

Following the recent publication of the new County Court Rules on costs, we are pleased to report that as from 3 March 2003 solicitors and Counsel will be entitled to full scale costs in respect of minor approval hearings, whether commenced by Civil Bill or Petition.

Still on the issue of costs, on 4 November 2002, the half costs Rule (Order 55 Rule 19) was quietly abolished and replaced by 2/3rds scale costs where the damages award does not exceed the District Judge's limit of £5,000. The BSA has been campaigning on behalf of its members for many years to remove this inequitable Rule and whilst not abolished completely, the new Rule is still a minor improvement on the previous position.

Inequality For Northern Ireland Solicitors

Many of you will have already obtained a copy of the new County Court Rules on costs which come into operation on 3 March 2003. Although some welcome changes have been made including reducing the number of costs bands and providing for enhanced costs in certain complex cases, the new Rules fall well short of the "intensive" review which we had been promised.

In particular, the general increase in costs by only 4.3% is far from adequate and still leaves Northern Ireland solicitors lagging far behind our English counterparts. Why are solicitor's costs in Northern Ireland not comparable with at least some regions in England and Wales? Why should we be treated any differently by the Lord Chancellor's Department? As part of the Review process Mr Paul Kerr, Law Costs Draftsman, examined some thirty County Court cases. His work was necessarily brief because of the limited time available. His conclusion was that:

"the swings i.e. the cases in which underpayment occurs do seem to substantially out number the roundabouts i.e. those cases in which there is overpayment."

Will this situation be addressed by an increase of 4.3%? Respectfully we do not believe so. All we are asking for is fair and reasonable

remuneration for the professional service we provide.

Prior to the publication of the new Rules, was it unreasonable to expect the Rules Committee to advise the profession of the outcome of the Review and to advise us of the basis for the decisions they arrived at?

In light of our concerns regarding the process and outcome of the review of County Court costs, the BSA has joined forces with the Law Society to seek clarification from the Rules Committee of a number of issues, including the basis of the calculations for arriving at the new scale costs figures and the extent to which the Committee took into account comparable scales or rates applicable in England and Wales.

Until we receive this further information, we cannot properly assess the factors which the Rules Committee took into account in reaching their conclusions under the Review.

BSA EGM

An EGM will be held at the offices of Campbell Fitzpatrick on Monday 7th April at 5.30pm to:

- Approve last year's accounts and
- To appoint a firm of auditors

Anyone wishing to attend should contact the Association by e-mailing us via our website or contacting any of the committee members of the Association. This is to ensure that numbers can be accommodated.

Pub Quiz Notice

The BSA is pleased to announce the re-introduction of its Table Quiz to its social calendar. The event will take place at the Boathouse, Stranmillis, Belfast, on Friday 25 April at 8pm. Entry details will appear in the next edition of 'the Writ'. Start assembling your teams now!



BSA On-Line

The BSA website can be found at:
www.belfast-solicitors-association.org

BSA Annual Dinner Dance

The annual BSA dinner dance was held on Saturday 11 January at the Ramada Hotel, Shaw's Bridge, Belfast.

The event was well attended by the Association's supportive membership and friends. Having introduced the Association's guests, the Chairman provocatively remarked that 2003 was the first time in many a year that the Belfast Solicitors' dinner had been staged in Belfast. This morsel released the physical and mental appetite of the gathering and thus an evening of culinary and musical delight began. Many patrons gave terpsichorean expression to the rhythmic tunes of the Band, The Booze Brothers. Those who were too embarrassed or fatigued for dancing had a not so quiet drink at the bar. Thanks are due to the membership for its continued support.



Mark Feeney, President of the Liverpool Law Society, Nessa Agnew, Chairwoman of the Northern Ireland Young Solicitors Association, Peter Campbell, Chairman of the Belfast Solicitors' Association and Jacqueline Durkan, President of the Mayo Solicitors Bar Association



Peter Campbell, Chairman of the Belfast Solicitors' Association, Joe Donnelly, President of the Law Society of Northern Ireland, James McCourt, President of the Dublin Solicitors Bar Association and Peter Cush, Vice-Chairman of the Bar Council of Northern Ireland





Seminar Programme

In an effort to avoid the end of year panic for CPD points that some of you experienced at the end of 2002, we are giving you advance notice of the seminars which will be available this year so that you can plan ahead.

LAND REGISTRY PROCEDURES

Joint seminar arranged by the Law Society and the Belfast Solicitors' Association in conjunction with the Land Registry

In two parts on:

- 1) Thursday 27th February 2003 and
 - 2) Monday 10th March 2003
- Both at Law Society House

Part one will cover: Transfers of whole and/part, New Developments, Charges, Mergers and the Ground Rent Scheme.

Part two will cover: Compulsory First Registration, common mistakes in the Land Registry and Registry of Deeds and Land Web Direct Scheme.

TRIAL ADVOCACY

By Mr Tony Caher of Campbell & Caher Solicitors
At Law Society House
On 13th March 2003

WILLS UPDATE: THE EFFECT OF THE TRUSTEE ACT (NI) 2001 ON DRAFTING WILLS

By Mr Alastair Rankin
At Law Society House
On Friday 28th March 2003

RECENT DECISIONS BY ECHR

By Brice Dickson
At Law Society House
On Thursday 10th April 2003

DERMATITIS – WHAT IS IT?

By Dr Clifford McMillan FRCP
At Law Society House
On Thursday 17th April 2003

“LOUSY LEASES”

By Rowan White of Arthur Cox Solicitors
At Law Society House
On Friday 9th May 2003

LIBRARY SERVICES

By Heather Semple of Law Society, Library
At Law Society House
On Thursday 12th June 2003

RECENT DEVELOPMENTS IN ADR

By David Gaston and Brian Speers
At Law Society House
On Thursday 19th June 2003

Coffee and sandwiches will be available from 12.30 p.m. and the talks will start at 1.00 p.m.

The cost of all lunchtime seminars is £10.00 for BSA members and £20.00 for others. The cost of each Land Registry seminar is £10.00 for each seminar.

Cheques payable to BSA c/o Karen Henebry at Cleaver Fulton & Rankin Solicitors.

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L'Estrange and Brett	ISO 9001	Lexcel
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EMPLOYMENT LAWYERS' GROUP (NI)

Sec. John O'Neill, Thompsons McClure Solicitors, 171 Victoria Street, Belfast

Chairperson Adam Brett

E-mail: JohnO'Neill@thompsons.Law.co.uk

Hon. Treasurer Orlagh O'Neill

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

Lunchtime Seminar

The New Flexible Working Arrangements

Speaker: Rosemary Connolly, Solicitor

Date: Friday 4 April 2003

Time: 1pm (tea coffee and sandwiches from 12.30pm)

Venue: Law Society House, Victoria Street, Belfast

Cost: Members £3, Non-members £6.

Booking forms and cheques, payable to The Employment Lawyers' Group (NI), should be sent to our Treasurer, Ms Orlagh O'Neill, Napier & Sons, Solicitors, 1-9 Castle Arcade, High Street, Belfast BT1 5DE.

Booking Form

Name _____

Firm _____

Address _____

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Membership Renewal

Membership fees are now due for 2002-03. Fees are unchanged at £10 per annum. Members are invited to renew their membership for the forthcoming year. New members are encouraged to join. Please return the form below to our Treasurer, Ms Orlagh O'Neill, at the address cited above, with cheques made payable to Employment Lawyers' Group (NI).

Membership Form

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

Name _____

Address _____

Tel (work) _____

E-mail _____

News from the Institute

Visit from Attorney General

On 9th December 2002 the Institute was honoured with a visit from the Attorney General, Lord Goldsmith.

During his visit Lord Goldsmith observed a mock action being run by our Bar trainees and then spent time discussing legal education and life at the Bar with them.

After this he met the staff of the Institute over a cup of coffee.

Lord Goldsmith was very impressed with the unique system of joint Bar/Solicitor training offered at the Institute.

Disability Discrimination Act Workshop at the Institute of Professional Legal Studies

Many busy practitioners have had little time to consider the implications of the

Disability Discrimination Act 1995 as its various provisions become operative. With this in mind I.P.L.S. organised a half day workshop on the Act which took place in December 2002.

The workshop was taken by Ms Maria McMahon and Mr Harry McConnell. Both Maria and Harry have distinguished career records in personnel and human resources. Both are now independent consultants who include among their specialisms a detailed knowledge in the area of equality issues in the workplace.

The thirty practitioners who attended the workshop heard presentations on the effect of the D.D.A. on recruitment and treatment of staff, and on the provision of services to clients with disabilities. They then worked through a number of scenarios which enabled them to apply



Lord Goldsmith, Anne Fenton and David Brumell.

what they had heard to situations which may arise/have already arisen in real life. Participants were delighted with Maria and Harry's contribution but were also sobered by the realisation of what needs to be done by practitioners to meet the requirements of the legislation. Not least among their concerns was the level of damages already being achieved by plaintiffs in some settlements of D.D.A.-based actions. There is no doubt that the D.D.A. is going to have a profound effect on how we run our practices, and the workshop acted as a loud wake up call to this fact.

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WEB WATCH

Suddenly, the Internet is interesting again. So say the experts anyway. Take a quick look at recent developments relating to mobile phones and you may well agree.

When WAP technology was introduced a few years ago it was over-hyped and taken to market before it was really capable of doing anything exceptional – and for a long time anything at all. What it did do was severely damage consumer confidence in what has been termed the “mobile Internet.”

The news now is that the mobile Internet is back and this time it works. The new GPRS technology (General Packet Radio Service for those who don't go in for acronyms) enables the mobile phone user to stay permanently connected to the Internet rather like ADSL providing a connection frequently referred to

as “always on”.

The great thing about this new technology is that it is a lot faster than most mobile phone connections to the Internet. Before, if you were lucky, you could collect email via a mobile and a laptop but little else and even this task could be painfully slow –especially for emails with hefty attachments. Now, with GPRS, connection speeds are available in the region of 40,000 bits per second. This means surfing the web could be about as quick with a laptop and a mobile phone as it is for the person using a standard dial up connection with a PC and static phone line.

This newly introduced technology offers the legal profession all sorts of possibilities and opportunities. The freedom to check email from the beach and draft pleadings atop

a Land Rover traveling through the Sahara may at last be truly with us. The mobile Internet is one subject that will be covered in this year's seminar “Law Firms – Getting the Most from the Internet” by Michael Cunningham, Commercial Manager, of the Belfast Telegraph Digital on Thursday 8th May 03. Details are available :

www.legal-island.com/EventsNI.htm



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Law Centre (NI)

Neighbour harassment in public sector housing

The gap between rhetoric and reality in dealing with anti-social tenants in public sector housing has recently been highlighted in a judicial review action against the Housing Executive. The facts of this case, when contrasted with the Housing Executive's enthusiasm for new powers to deal with anti-social tenants, throw the practical issues of tackling this matter into sharp relief.

Judicial Review

In *Donnelly vs Northern Ireland Housing Executive* (judgement given on 29 January 2003), the applicant sought to challenge the Housing Executive's decision not to take proceedings against an anti-social neighbour. The facts are stark. The applicant's next door neighbour had engaged in a long standing campaign of sectarian and paramilitary harassment for over twelve years. In that time over one hundred incidents had occurred, with the police notified 64 times and seven successful criminal prosecutions taken against the neighbour. The Housing Executive had been informed of incidents of intimidation on sixteen separate occasions. Recently, an interim injunction had been obtained against the neighbour under the Protection against Harassment (NI) Order 1997. The Housing Executive's solution to the harassment was to offer the victim family alternative accommodation and financial assistance, leaving the perpetrators in place. This decision was taken on the grounds of health and safety concerns for Housing Executive staff if proceedings for eviction were taken. The decision followed a risk assessment and discussion with both the applicant and the police. The details of the risk

assessment were, however, not disclosed.

There was common ground between the parties that a statutory basis existed for taking proceedings against the anti-social neighbour and that such action was likely to succeed. The question for the High Court was whether the health and safety of Housing Executive staff was a relevant consideration and, if so, was it given undue weight in the Housing Executive's decision. The second issue before the Court was whether the failure to take proceedings was contrary to Articles 2, 3, 6, 8 and Article 1 of the First Protocol of the European Convention of Human Rights (right to life, freedom from torture, inhuman and degrading treatment, right to a fair hearing, right to respect for private and family life and right to peaceful enjoyment of possessions respectively).

In giving judgement, Weatherup J unsurprisingly held that, in exercising its discretion, the Housing Executive is entitled to take the general health and safety of its staff into consideration. Beyond this, however, he noted that the question of proportionality must be examined and whether proper weight was given to all interests and considerations including the private interest of the applicant and the public interest in maintaining an effective housing management scheme. This doctrine of proportionality must be looked at in the light of the Human Rights Act and the Convention.

Applying the doctrine, Weatherup J acknowledged the particular sectarian and paramilitary problems that arise when allocating housing in Northern Ireland. Taking into account the Housing Executive's experience and expertise in housing management and its consultation with police, he stated that the Executive should be granted a wide discretion in exercising its decision making judgement. In the circumstances of this case, a fair balance was struck in spite of the failure to disclose the information on which the decision was based. In addition, the extent of the harassment was not sufficient to amount to inhuman and degrading treatment or a threat to the right to life (a somewhat surprising conclusion given the volume and extent of intimidation and acceptance of the threat to health

and safety of Housing Executive staff).

New powers to tackle anti-social behaviour

The Housing (NI) Order 2003 currently proceeding through Parliament will give the Housing Executive and Housing Associations increased powers to deal with anti-social behaviour and nuisance caused by tenants. In particular, the legislation creates introductory tenancies that can be more easily brought to an end than secure tenancies. In effect, new tenants will be placed on probation for twelve months and an order for possession can be sought during this period without having to prove any grounds. New grounds for possession are also being created including nuisance caused by a tenant's visitors or guests, or nuisance caused to a person carrying out his or her lawful business in the area (for example, Housing Executive staff or police officers) or where an arrestable offence has been committed by the tenant, his or her visitors or guests. The grounds for obtaining an order for possession against a tenant who commits domestic violence have also been strengthened. Further, a new power has been created to allow public sector landlords to take out injunctions against tenants for anti-social behaviour by someone who is not a tenant.

The Housing Executive has welcomed these increased powers. The voluntary sector has been less enthusiastic, pointing out that these legislative powers are not being underpinned by a strategy for dealing with anti-social behaviour through early stage intervention and adequately resourced prevention and rehabilitation services. Moreover, concerns have been expressed about introductory tenancies being ended without objective third party scrutiny of the decision. Research in England and Wales on similar powers in operation found 68 per cent of evictions had occurred because of rent arrears and less than one in five were the result of neighbourhood nuisance. Eviction proceedings should be a measure of last resort following the end of an intense process, not the first recourse to action.

Conclusion

In *Donnelly*, the Housing Executive were faced with a difficult decision. The Law Centre in taking the action

was acutely aware of the sensitivities. Nonetheless, what motivated our decision to assist the applicant was the knowledge that the Housing Executive has no effective strategy for dealing with the problem beyond moving the victim. Increased legislative powers will not improve the predicament of the Donnelly family. A strategy that addresses the underlying problem of anti-social behaviour at the earliest possible stage, wherever possible, is long overdue. Instead, there appears to be an unwillingness to take proceedings in the face of prolonged and sustained anti-social and violent behaviour yet a desire to evict at an early opportunity tenants whose behaviour falls far short of this standard. On instruction, the Law Centre is appealing the judicial review decision to the Court of Appeal.

Les Allamby
Law Centre (NI)

Human Rights Guide

The Law Centre has published Rights in Progress – a guide to the European Convention of Human Rights and Human Rights Act. Rights in Progress details case law in both domestic courts and European Court of Human Rights since the Act was passed, covering the main areas of Law Centre practice. One copy of the guide is free to our online member agencies and is otherwise available for £9.95 including postage and packaging from: Hilary Dillon, Law Centre (NI), 124 Donegall Street, Belfast BT1 2GY. Telephone 028 9024 4401.

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Law Centre (NI) training courses attract CPD points for solicitors. For further information, contact Patricia Morgan, Assistant Director (Training and Support Services) or request a complimentary training programme from: Publications Department, Law Centre (NI), 124 Donegall Street, Belfast, BT1 2GY. Telephone: 028 9024 4401. Fax 028 9023 6340.
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BANK OF ENGLAND NOTICE

Notice Containing a Direction Under Article 8 of the Al-Qa'ida and Taliban (United Nations Measures) Order 2002 (SI2002/111)

1. On 16 January 2002, the United Nations Security Council adopted resolution 1390 (2002). As from 25 January 2002, effect has been given in the United Kingdom to this resolution by the Al-Qa'ida and Taliban (United Nations Measures) Order 2002 by Order in Council in exercise of the powers conferred on Her by section 1 of the United Nations Act 1946 (c.45).

2. In exercise of their powers under article 8 of the 2002 Order, the Treasury (through the Bank of England acting as the Treasury's agent) hereby direct all relevant institutions that any funds which they hold for or on behalf of a person listed in Annex 1 hereto must not be made available to that person except under the authority of a licence granted by the Treasury. This direction is to have effect until revoked by further notice given by the Treasury.

3. Where a relevant institution holds funds for or on behalf of any of the person listed in Annex 1, it must without delay send a copy of this notice to the person for whom, or on whose behalf, they are held.

4. A person who contravenes the direction given under paragraph 2, or who fails to comply with the requirement in paragraph 3, is guilty of a criminal offence under the 2002 Order.

5. In this notice, "funds" and "relevant institution" have the meaning given by the 2002 Order (SI 2002/111).

6. Enquiries concerning any matter contained in this notice are to be addressed to the Bank of England, Threadneedle Street, London, EC2R 8AH and marked for the attention of the Financial Sanctions Unit (FSU). Enquiries may also be made at sanctions.unit@bankofengland.co.uk, on 020 7601 4309 (fax) or by telephone (020 7601 4768/5811/4783/5580).

Annex 1

The Al-Qa'ida and Taliban (United Nations Measures) Order 2002
Individuals

1. ISAMUDDIN, Nurjaman Riduan – (aka "Hambali" aka Riduan Isomuddin aka Nurjaman aka Encep Nurjaman), DOB 04/04/1964 Alternate DOB 01/04/1964, POB Cianjur, West Java, Indonesia, Nationality Indonesian.

2. ABDURRAHMAN, Mohamad Iqbal – (aka "Abu Jibril" aka Mohamad Iqbal Rahman aka Mohamad Iqbal Rahman aka Abu Jibril Abdurrahman aka Fikiruddin Muqti aka Fihiruddin Muqti), POB Tirpas-Selong Village, East Lombok, Indonesia, Nationalist Indonesian.

BANK OF ENGLAND NOTICE

The Al-Qa'ida and Taliban (United Nations Measures) Order 2002
This press release is issued in respect of the financial measures taken against Al-Qa'ida and the Taliban. The Bank of England, as agent for Her Majesty's Treasury, issues this press release to advise that the United Nations Sanctions Committee has added a further entity and two individuals to the UN Consolidated List maintained under resolution 1390 (2002). The entity and individuals therefore fall within the UK financial sanctions regime under the Al-Qa'ida and Taliban (United Nations Measures) Order 2002 (SI 2002/111, as amended by SI 2002/251).

Entity

1. Stichting Benevolence International Nederland – (aka Benevolence International Nederland, aka BIN). Radeborg 14B, 6228 CV Maastricht, Netherlands. Chamber of Commerce registration: 14063277.

Individuals

1. SAYADI, Nabil Abdul Salam – (aka Abu Zeinab), DOB 01/01/1966, POB El Hadid, Tripoli, Lebanon, Nationality Belgian since 18/09/2001, Spouse of Patricia Vinck, Married on 29/05/1992 in Peschawar, Pakistan.

2. VINCK, Patricia Rosa – (aka Souraya P Vinck), DOB 04/01/1965, POB Berchem, Antwerp, Nationality Belgian, Spouse of Nabil Sayadi. The names are in addition to those listed in:

- The Bank's Notices dated 24 January 2003, 19 April 2002 and 11 March 2002 – each entitled NOTICE CONTAINING A DIRECTION UNDER ARTICLE 8 OF THE AL-QA'IDA AND TALIBAN (UNITED NATIONS MEASURES) ORDER 2002 (SI 2002/111);

- The Bank's Notices dated 24 January 2003, 13 December 2002, 19 November 2002, 24 October 2002, 18 October 2002, 14 August 2002, 18 July 2002, 19 April 2002, 9 January 2002, 28 December 2001, 21 December 2001 and 6 December 2001 – each entitled NOTICE CONTAINING A DIRECTION UNDER ARTICLE 4 OF THE TERRORISM (UNITED NATIONS MEASURES) ORDER 2001 (SI 2001/3365).

Copies of this release are available on the Bank of England's website.

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Obituary

THOMAS QUIN KING

It was with great sorrow that members of the solicitors' profession learned of the death of Thomas Quin King on 28th September 2002.

Tom, or 'TQ' as he was sometimes affectionately known, was someone of whom the soubriquet 'a doyen of the legal profession' would be a definition severely lacking both in depth and breadth. Shortly before his death he told me that he had sat behind a desk in a solicitor's office for the first time just over 65 years previously. During that time he was respected and admired by all who had the privilege of come into his company or to be involved with him on other side of a transaction.

He had always wanted to be a solicitor and after leaving The Royal Belfast Academical Institution in 1937 he availed himself of a course at the Faculty of Law at Queen's University, Belfast, which ran parallel with the traditional apprenticeship. It was a fast track to the solicitors' profession upon which he entered with diligence and enthusiasm. He had become apprenticed to a relation by marriage, Mr Bob Crymble, a partner in the firm of S&R Crymble which had been founded by the two brothers Sam and Bob Crymble (members of a well known Belfast family) in the latter years of the 19th century. Tom qualified as a solicitor in June 1941, taking first place in the final examination and being awarded a gold medal. By this time the Second World War was in full sway and the last of the two Crymble brothers had died.

Tom, aged 21, joined the Royal Navy as an ordinary seaman and shortly after was posted for officer training, firstly as a sub-lieutenant and then a lieutenant. He served in Landing Craft Infantry Squadrons and at the D-Day Landings he saw action at Juno Beach in Normandy. He ended his service as Lieutenant Commander RNVR.

Legal work had come to a virtual standstill during the war years, and

the practice to which Tom had been apprenticed and had inherited on qualification was looked after by Pearson Elliott to whom he always felt indebted.

At the latter end of the war years, Tom returned to Belfast and along with Mr Alex Merrick was Legal and Welfare Adviser to the Royal Navy. He remarked that his duties were sufficiently light to enable him to walk daily from his shore base to 8 Mayfair Buildings, Arthur Square, Belfast to keep an eye on his own practice.

Those practitioners who knew him in his heyday would be surprised to learn that his experience as a Legal and Welfare Adviser in the Royal Navy gave him a very good grounding in Family law and Petty Sessions work. Drunk and disorderly naval ratings regretting shore romances took up a fair bit of his time.

His burgeoning legal practice enabled him to concentrate on the type of work with which practitioners most associate him, mainly probate and conveyancing. However, there were other legal cases on which Tom was instructed and which demonstrated the breadth of practice which he enjoyed.

One of these was the well known case involving the Toome Eel Fisheries which lasted 30 days in the Chancery Court and 15 days in the Court of Appeal. At that time it was a record. He was also involved with the Princess Victoria Inquiry, he was General Solicitor for Minors in the Belfast Telegraph case and was joint solicitor to the Scarman Tribunal. Throughout his very extensive practice he always maintained that his client was first and foremost an individual person.

Tom never fought shy of doing what he thought was his duty. He was an early member of the Belfast Solicitors' Association and later became a member of the Council of the Law Society and was elected its

President in 1955. At that time he was the youngest ever President of the Society.

Despite his active involvement in his practice and the Law Society, Tom found time also to participate in a number of other activities. He was a member of the Council of the Belfast Old Instonians Association and its President, a member of the Board of Governors of The Royal Belfast Academical Institution, a member of the Committee of the Belfast Association for the Blind, and a member of the Board of Trustees of the Trustee Savings Bank of Northern Ireland. Tom was known throughout the profession as someone of the utmost integrity, loyalty and good manners. He was quite prepared to help gratuitously other members of the profession who needed wise counsel and even more assistance to draft a difficult deed, a skill of which Tom was the veritable master. Many of his former apprentices still retain the dusty first drafts of Conveyances to Uses or similar arcane documents upon which Tom's unmistakable manuscript red ink amendments still glow as reminders of the fact that having just graduated from university, they still had a lot to learn about the practicalities of life as a solicitor.

I make no apology in quoting from Shakespeare's "Comedy of Error" as my summation of his personality and character:

*"How is the man esteem'd here in the city?
Of very reverend reputation sir.
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Tom, as a friend, mentor, colleague and adviser will be sadly missed by all who were fortunate to cross his path.

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NI COURT SERVICE NOTICE

Notice of Judicial Appointment

Please note that the Lord Chancellor has appointed the following person as President of the Special Educational Needs Tribunal for Northern Ireland: Mr Damian Gerard McCormick. This appointment is part-time and is effective from 3 February 2003.

NI COURT SERVICE NOTICE

Notice of Judicial Appointment

Please note that the Permanent Secretary of the Department for Employment and Learning and the Lord Chancellor have jointly appointed the following persons as Chairman of the Industrial Tribunals and Fair Employment Tribunal for Northern Ireland: Mr Neil Patrick Cecil Drennan QC. This appointment is full-time and is effective from 10 March 2003.

NI COURT SERVICE NOTICE

The Magistrates Courts (Detention and Forfeiture of Seized Cash) Rules (Northern Ireland) 2003 [SR 2003 No 17]

These Rules prescribe the procedure to be followed for applications to a magistrates' court for the detention, further detention, forfeiture or release of cash seized by a constable or customs officer under Chapter 3 of Part 5 of the Proceeds of Crime Act 2002. Cash may be seized by a constable or customs officer on reasonable suspicion that the cash represents the benefit from unlawful conduct or intended for use in unlawful conduct. The Rules also prescribe the procedure to be followed for applications to a magistrates' court for compensation where no forfeiture order is made and prescribe the forms to be used in connection with the application and hearings. The Rules came into operation on 3 February 2003.

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LAW SOCIETY NOTICE

Solicitors' Practice Regulations 1987 – Regulation 12

The Society's Professional Ethics and Guidance Committee should like to remind members of the provisions of this Regulation, which is set out below and reads:-

"A solicitor shall not, except where is expressly permitted so to do by these regulations or any waiver thereof, directly or indirectly obtain or attempt to obtain, or permit to be obtained, instructions for professional work in any manner which compromises or impairs, or is likely to compromise or impair the client's freedom to instruct a solicitor of his choice or the solicitor's independence and shall not in any circumstances take any action which compromises or impairs, or is likely to compromise or impair,

- (a) his integrity;
- (b) his duty to act in the best interests of the client;
- (c) the good repute of the solicitor or of solicitors in general;
- (d) his proper standard of work"

This Regulation is intended to protect both solicitors and their clients. It underwrites two of the core values of the legal profession, namely the avoidance of conflicts of interest and independence, so that the solicitor acts only in the client's interests and avoids any perception or reality that he has commercial relationships or referral arrangements, which conflicts with his over-riding duty to his client. If you are asked to participate in any referral arrangements, whether or not there is an implication of fee sharing, you will almost probably be in breach of this Regulation.

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 QUEENS BENCH DIVISION
 20 JANUARY 2003
 COGHLIN J

IN THE MATTER OF AN APPLICATION BY SHAY DONNELLY FOR JUDICIAL REVIEW OF A DECISION OF THE NORTHERN IRELAND HOUSING EXECUTIVE MADE ON 20 DECEMBER 2001

Application for judicial review against NIHE's refusal to undertake possession proceedings against tenant. - intimidation and harassment. - risk to personal safety of NIHE staff. - application refused
 QUEENS BENCH DIVISION
 20 JANUARY 2003
 WEATHERUP J

IN THE MATTER OF AN APPLICATION BY TREVOR HINTON FOR JUDICIAL REVIEW

Rape and murder. - application for judicial review of Life Sentence Review Commissioners' decision refusing release under Life Sentences (NI) Order 2001. - arrested for attempted murder while out on licence. - whether Commissioners evaluated need to rehabilitate applicant. - errors in Commissioners' correspondence to applicant. - Commissioners' decision quashed and hearing directed to be heard afresh
 QUEENS BENCH DIVISION
 20 JANUARY 2003
 KERR J

HURL, COLM and FUTURE TRAVEL LIMITED

Appeal against Order of Master that summons should be set aside. - damages. - personal injuries. - negligence. - contract. - choice of law. - whether Northern Ireland appropriate forum for hearing

QUEENS BENCH DIVISION
 29 JANUARY 2003
 GILLEN J

MCCULLY, ERIC STEPHEN and FARRANS LTD

Personal injuries. - health and safety at work. - occupiers liability. - negligence. - damages of £19,350 awarded
 QUEENS BENCH DIVISION
 17 JANUARY 2003
 SHEIL J

IN THE MATTER OF N AND L (CARE ORDER: INVESTIGATIONS BY GUARDIAN AD LITEM OUTSIDE NORTHERN IRELAND)

Application by Trust for care order. - child abduction. - whether Guardian ad Litem has power to interview persons outside the courts' jurisdiction in order to prepare a report to court on the best interests of the child. - role and powers of the Guardian. - HELD that court approval not necessary and guardian ad litem should have discretion to travel outside jurisdiction
 FAMILY DIVISION
 22 JANUARY 2003
 GILLEN J

IN THE MATTER OF AN APPLICATION BY PAUL NICHOLL FOR JUDICIAL REVIEW

Prisons. - interpretation. - calculation of period of detention. - HELD that applicant's detention unlawful
 QUEENS BENCH DIVISION
 31 JANUARY 2003
 CARSWELL LCJ

O'NEILL, SHANE and ACRO CONTRACTORS LIMITED

Personal injuries. - forearm fracture. - damages of £15,423 awarded
 QUEENS BENCH DIVISION
 22 JANUARY 2003
 SHEIL J

PARKINSON, MICHAEL and THE SENIOR PARTNER, CHESNEY & CO

Application by Inland Revenue for production of documents by solicitor relating to a client whom Revenue suspects is involved in tax evasion. - application resisted by solicitor. - legal professional privilege. - costs of compliance. - HELD that there is power to order Inland Revenue to bear costs of a person against whom the order is

made. - also HELD that resistance by solicitor on grounds of privilege is premature
 COUNTY COURT
 6 FEBRUARY 2003
 HART J

IN THE ESTATE OF THOMAS WILSON POTTER DECEASED BETWEEN MARTHA MARIA POTTER AND SAMUEL EDWARD POTTER

Wills. - testamentary capacity. - whether testator was of sound mind, memory and understanding. - whether will procured by means of undue influence. - whether will should be revoked. - HELD that will valid and plaintiff's claims dismissed
 PROBATE AND MATRIMONIAL OFFICE
 5 FEBRUARY 2003
 GILLEN J

ROONEY, ARTHUR AND ANTHONY ROONEY and KELTERS, SEAMUS, STOCKMANS RESIDENT ASSOCIATION & OTHERS

Application for provisional grant of new in/off licence premises. - whether licence is subsisting licence. - HELD that licence not subsisting since trading was discontinued after a fire. Application dismissed
 COUNTY COURT
 31 JANUARY 2003
 HART J

SCOTT, PAUL and AIB GROUP (UK) PLC t/a FIRST TRUST BANK

Appeal against dismissal of complaint. - Health and Safety at work. - whether defendant had carried out appropriate risk assessment. - whether risk was reasonably foreseeable. - appeal allowed and action remitted to Magistrate's Court
 COURT OF APPEAL
 24 JANUARY 2003
 CARSWELL LCJ

IN THE MATTER OF AN APPLICATION BY JAMES STEWART FOR JUDICIAL REVIEW

Appeal against dismissal of appellant's claim for judicial review of Planning Appeals Commission decision to allow for motor factor's shop adjacent to appellant's property. - whether infringement of ECHR rights. - fairness of informal PAC hearing. - appeal dismissed
 COURT OF APPEAL
 31 JANUARY 2003
 CARSWELL LCJ

Solicitors' Benevolent Association AGM

Notice is hereby given that the One Hundred and Thirty Ninth Annual General Meeting of the Solicitors' Benevolent Association will be held at the Law Society, Blackhall Place, Dublin 7 on Monday 14th April 2003 at 12.30pm

1. To consider the Annual Report and Accounts for the year ended 30th November 2002.

2. To elect Directors.
To deal with other matters appropriate to a General Meeting.
Geraldine Pearse
Secretary

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Legal Appointments

Solicitors Required

Due to the continued rapid expansion of our practice we are seeking a Solicitor with at least three years' post qualified experience to manage and run our branch in Bangor. We are looking for an enthusiastic, self-motivated individual up for a challenge. Conveyancing experience essential together with a wide knowledge of all other areas of the law.

If interested please forward CV by post to Linda McFadden at Springhill Shopping Centre, Killeen Avenue, Bangor or by e-mail to lindamcfadden@btconnect.com An opening for a solicitor is also available in our busy Belfast City Centre branch.

Conveyancing experience again essential.

If interested please forward CV by post to Lois Dunn at 109/113 Victoria Street, Belfast BT1 4PD or by e-mail to loisdunn@btconnect.com

MacAllister Keenan & Co Solicitors require a Solicitor to primarily deal with litigation. Salary will be commensurate with experience. Please apply in writing with CV to:- MacAllister Keenan & Co Solicitors
20 High Street
Larne
BT40 1JN

Conveyancing and Probate Solicitor required for Property & Estates Department (full-time/part-time considered). Minimum 3 years PQE. Salary commensurate with experience. Please apply in writing with CV to: Fionnuala McGrady
McGrady Collins Solicitors
48 St Patrick's Avenue
Downpatrick
BT30 6DW
All applications will be treated in strictest confidence.

Assistant Solicitors Required

Assistant solicitor required for busy County Armagh practice, experience in Matrimonial and Litigation would be an advantage. Salary commensurate with experience. Application in writing with CV to Hagan and McConville Solicitors of 34 Edward Street, Portadown. All applications will be treated in strictest confidence.

Assistant solicitor required for busy practice. Two year's p.q.e preferred but we will also consider applicants graduating from the Institute of Legal Studies this year. Application in writing with CV to Daniel A McKenna & Company, Solicitors, 29 New Row, Coleraine, BT52 1AD. All applications will be treated in strictest confidence.

Missing Wills

Information sought re: Will of Francis Ellerker Hart late of 6 Brownhill Fold, Irvinestown, County Fermanagh. Previously of The Old Rectory, Muff, Donegal. Please contact Georgina Evans, 16 Dulwich Village, London SE21 7AL Tel 0208 693 7927.

Re: Mrs Josephine English Deceased Late of 41 Stratheden Street, Belfast BT15 2DS and of 35 Stratheden Street, Belfast BT15 2DS. Obit: 6th May 1999
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/5277).

Premises: 35 Stratheden Street, Belfast BT15 2DS
Registered Owner: Mrs Josephine English (Deceased)
Would any solicitor holding or having knowledge of the whereabouts of the deeds of the above premise please contact Francis Crilly Solicitors, 24 Antrim Road, Belfast BT15 2AA. Telephone 028 9075 5722 (Ref: JC/5277).

Re: Mrs Margaret Helen Stallabross (nee Hamill) (formerly Davidson) deceased
Late of 12 Woodford Park, Craigavon, Co Armagh
Deceased: 29 January 2003
Would any solicitor who is aware of a Will made by the above named deceased, please contact Conor Downey, Solicitors of Unit 8, First Floor, Legahory Centre, Craigavon, BT65 5BE.
Tel: 028 3834 9911
Fax: 028 383 49920

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(PLEASE CONTACT JOHN W CARROLL B.COMM BCL)

Missing Land Certificates

Folio: 3897 L
 County: Antrim
 Registered Owner: Brian Baillie deceased
 Lands of: 15 Cidercourt, Crumlin, County Antrim
 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.
 Donnelly & Kinder
 Solicitors
 Claims Exchange Building
 11 Victoria Street
 BELFAST
 BT1 3GA

Folio: 4291L County Armagh
 Registered owner: Margaret Elizabeth Park and Trevor William James Park
 Lands at: 12 School Road, Newtownhamilton, County Armagh
 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 under-mentioned Solicitors.
 And further take notice that unless the said Land Certificate is so produced or adequate information as to its whereabouts is so communicated within three weeks of the publication of this notice, a duplicate Land Certificate may be applied for
 Nelson-Singleton
 Solicitors
 21 Gallows Street
 Dromore
 County Down
 BT25 1BG

Folio: 10326 County Armagh
 Registered owner: Margaret Elizabeth Park and Trevor William James Park
 Lands at: Ballintemple, Newtownhamilton, County Armagh
 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 under-mentioned Solicitors.
 And further take notice that unless the said Land Certificate is so produced or adequate information as to its whereabouts is so communicated within three weeks of the publication of this notice, a duplicate Land Certificate may be applied for
 Nelson-Singleton
 Solicitors
 21 Gallows Street
 Dromore
 County Down
 BT25 1BG

Notice to Creditors

Statutory Notice to Creditors and Others in the Estate of Edward Graham Deceased late of 257 Islandbawn Drive, Greystone Road, Antrim
 Notice is hereby given pursuant to Section 28 of the Trustee Act Northern Ireland 1958 that all persons claiming to be Creditors of the above named Deceased who died on the 5th day of January 2003 are hereby required to send on or before the 18th day of April 2003 particulars of such claims or interest to the undersigned Solicitor for the Personal Representative of the Deceased.

And notice is hereby further given that after the said 18th day of April 2003 the said Personal Representative will proceed to convey or distribute the property of the said Deceased among the parties entitled thereto having regard only to the claims and demands of which particulars will have been received.

Dated this 14th day of February 2003-
 02-14 Adrian Travers, Solicitor for the Personal Representative, 82A Newry Street, Banbridge, Co Down, BT32 3HA.

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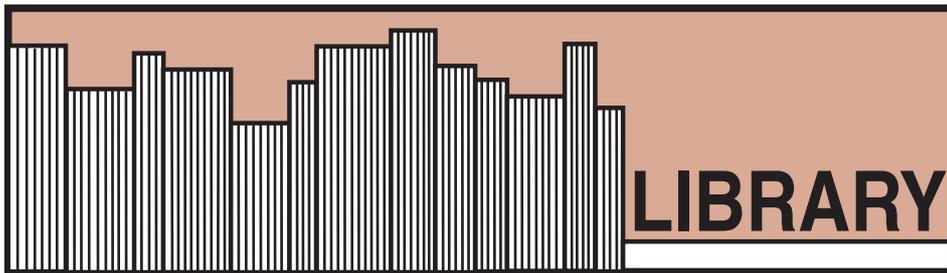
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Recommended Reading

Sale and Supply of Goods to Consumers Regulations 2002

The Sale and Supply of Goods to Consumers Regulations 2002 were laid before Parliament on 11 December 2002. They will come into force on 31 March 2003.

The Regulations transpose the Directive 1999/44/EC on the Sale of Consumer Goods and Associated Guarantees.

Useful Website

<http://www.dti.gov.uk/ccp/topics1/saleandsupply.htm#directive>
This site has information about the Directive and the new Regulations, as well as direct links to guidance notes for businesses and consumers.

Legislation

Sale of Consumer Goods and Associated Guarantees EC Directive 1999/44
<http://www.dti.gov.uk/ccp/consultpdf/1stsalescon.pdf>

Sale and Supply of Goods to Consumers Regulations 2002 (These Regulations apply in Northern Ireland)
<http://www.legislation.hmso.gov.uk/si/si2002/20023045.htm>

Articles

New Regulations on sale and supply of goods to consumers (Reports the changes made in Regulations taking effect on March 31, 2003. Discusses: (1) the existing law; (2) confusion over the suggestion that Council Directive 1999/44 provides a two year guarantee; (3) reversal of the burden of proof during the first six months and the buyer's remedies; (3) changes to the Unfair Contract Terms Act 1997; (4) consumer guarantees; and (5) the impact of the Regulations on UK consumers and for shopping in the EU.)
Cons. L. Today 2003, 26(1), 8-12

Faulty sales (Key features of proposed new regulations implementing Directive 1999/44, that will give consumers new contractual sale of goods rights, discussing right to repair and guarantees; includes flow chart.)
Hoggett: Adviser 2002, 94, 54-55

New Books in Library

- 1) Exall: APIL guide to fatal accidents. Jordan. 2002
- 2) Mynors: The law of trees, forests and hedgerows. Sweet & Maxwell. 2002
- 3) Lloyd: A practitioner's guide to powers and duties of trustees. Butterworths. 2002
- 4) Saunders: Tolley's Tax Planning 2002-03. Butterworths. 2003
- 5) Blackstone's Criminal Practice. 13th ed. Oxford University Press. 2003

Litigators

Are there any Solicitors conducting or contemplating actions with regard to the MMR Vaccine? If so, we are likewise contemplating litigation and would value the opportunity to discuss the issues involved with you.

Please contact Moira McGleenan of Wilson Nesbitt Solicitors, 77 High Street, Holywood, Co. Down, BT18 9AQ.
Tel: 028 90 428600
Email: mmcgleenan@wilson-nesbitt.co.uk

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Replies to PO Box 112, c/o Citigate Northern Ireland Ltd, Citigate House, 157-159 High Street, Holywood, County Down, BT18 9HU

**Copy deadline for March
Wednesday 12th March 2003**

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