

THE LAW SOCIETY  
OF NORTHERN IRELAND



## CPD WEBINAR SERIES

On the 8th April 2020 the Council of the Law Society took the decision to disapply the current rules relating to compulsory Continuing Professional Development until further notice with members now encouraged to complete their CPD by means of self-certified private study.

The Society's CPD Department has been working to make new online CPD resources available to support members undertaking private study. In addition to written materials which have been uploaded online, the CPD Department is pleased to offer free online webinars for members to avail of. Please see below the third series of webinars and note that further webinars will be produced for the remainder of 2020.

If you have any queries regarding webinars or the completion of CPD please email:  
[jennifer.ferguson@lawsoc-ni.org](mailto:jennifer.ferguson@lawsoc-ni.org)

## GDPR – A 2020 Update

### BRIEFED GDPR Compliance Specialists

Tuesday 28 July 2020

12:00 noon - 1:30 pm

CPD: 1.5 Private Study Hours

Two years after the introduction to the GDPR, the risks of non-compliance for law firms continue to increase, demands from clients about their data protection rights are much more prevalent and due to increased cyber-crime, lawyers are facing potential data breaches 24/7.

Add to that an unprecedented lockdown where law firms have had to quickly pivot how they operate and provide services to their clients. This has required fast adoption of all types of new technology, and significantly changing the typical working day. Whilst our minds have been on a health crisis, and making sure we continued to have as busy a practice as possible, risks around personal data continue to increase exponentially.

In this 90 minute 2020 update Orlagh Kelly, Barrister and Caroline Boyle, Solicitor from Briefed GDPR Compliance Specialists will;

1. Summarise the key requirements of GDPR for Law Firms
2. Discuss real life data breaches experienced by lawyers and how they were handled behind the scenes
3. Identify common security risks in the legal sector and how to manage them
4. Provide advice as to how to manage your GDPR compliance to avoid sanctions by the Information Commissioner's office and your disciplinary body.



**Orlagh Kelly,**  
Barrister & Founder of Briefed

Belfast based barrister Orlagh Kelly ran her own legal practice for twelve years, representing clients in almost two thousand court cases before starting a technology-led GDPR Compliance business, Briefed.

As well as working with local clients such as Lagan Construction Group, The Office of the Police Ombudsman, The Odyssey Arena, Autoline Insurance and Belfast International airport, Briefed is the leading supplier of GDPR advice and training to the English barrister market with more than one hundred sets of chambers, and 3000 barristers using Briefed products and services to ensure they are GDPR compliant.



**Caroline Boyle,**  
Solicitor (NP)

With more than 15 years' experience as a dual-qualified solicitor in England and Wales and in Northern Ireland, Caroline has significant experience in advising UK companies on governance and compliance.

Caroline delivers GDPR training and consultancy projects with clients including schools, charities, construction businesses, financial services organisations, and law firms.

Caroline brings her extensive legal experience to the role to deliver a pragmatic, client-focused service.

All attendees will be in listen only mode and should participants wish to ask a question(s) they should do so through the chat/question box function or email questions to [jennifer.ferguson@lawsoc-ni.org](mailto:jennifer.ferguson@lawsoc-ni.org) in advance.

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## Employment Law Issues arising from the COVID-19 pandemic

**Emma McIlveen & Ciara Fulton**

**Thursday 30 July 2020**

**11:00 am - 12:00 noon**

**CPD: 1 Private Study Hour**

It goes without saying that COVID-19 has had a significant impact on employers in Northern Ireland. Indeed, some employers were forced to temporarily cease operations whilst others have had to make radical changes in order to keep functioning.

As Northern Ireland emerges from lockdown, many employers face numerous employment related issues as they plan for a post COVID-19 working environment. Employees on the other hand are regularly raising queries about their rights and entitlements in relation to furlough, home-working, leave of absence and health & safety.

As a result, this webinar aims to provide a high level overview of the key employment law issues which arise as a result of COVID-19.

The Panellists plan to address the following:

1. Overview of the redundancy process
2. Employment law claims which may arise as a result of COVID-19
3. Update on reopening of the Northern Ireland Employment Tribunals
4. Common queries being posed to practitioners

### Panellists



#### **Emma McIlveen BL**

Emma McIlveen is a barrister with extensive experience of employment law and discrimination issues.

She has appeared in the Employment Tribunals, Court of Appeal and in front of Regulatory Panels. Emma represents both Claimants and Respondents and has acted as sole counsel in a wide range of matters including complex discrimination matters dealing with disability, age, race, pregnancy and sex discrimination.

She also has experience of handling claims for unfair dismissal, discrimination by association, unfair recruitment and selection procedures, TUPE and unlawful deduction of wages. In addition to this, she has experience of representing vulnerable Claimants and is well versed on Galo adjustments.

Emma serves on the committee of the Employment Lawyers Group in Northern Ireland. Emma is also called to the Bar of Ireland and is an accredited mediator with the Resolution Centre in Belfast.



#### **Ciara Fulton Solicitor**

Ciara Fulton is a Partner in Jones Cassidy Brett, a niche employment law firm based in Belfast which is renowned for its expertise in employment and equality matters.

Ciara is dual qualified and advises on all aspects of employment law in Northern Ireland and the Republic of Ireland.

She has significant experience of advising clients on the full range of employment issues including complex discrimination issues, bullying and harassment claims, disciplinary and grievance matters, business reorganisations, redundancies, senior executive severances, restrictive covenants, employment related litigation and TUPE.

Ciara has been ranked as a leader in her field by both Chambers and Partners UK and the Legal 500 and is described as "excellent" and has been praised for her "practical and commercial approach". Ciara regularly speaks on a range of employment issues at internal and external events and delivers bespoke training to clients on the differences between NI and ROI employment law.

All attendees will be in listen only mode and should participants wish to ask a question(s) they should do so through the chat/question box function or email questions to [jennifer.ferguson@lawsoc-ni.org](mailto:jennifer.ferguson@lawsoc-ni.org) in advance.

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# Stamp Duty Land Tax

**Suzanne O'Hara**

**Friday 31 July 2020**

**10:00 am - 11:00 am**

**CPD: 1 Private Study Hour**

## **SDLT Hot Topics**

The rules in relation to SDLT are now more complex than ever. With this in mind, it is becoming increasingly difficult to remain compliant. This webinar will help you identify the key issues when advising on SDLT and provide you with a greater awareness of the wide variety of issues involved. In particular, the webinar will cover some of the hot topics in SDLT at the moment including:

- The recently announced 'SDLT holiday' and how this impacts transactions completing before 31 March 2021
- Chargeable consideration – exceptions to the rule
- Residential v non-residential property
- 3% Higher rate planning
- and
- Potential refunds for your clients

The webinar includes practical case studies and references to recent case law and HMRC manual updates.



### **Suzanne O'Hara**

Suzanne is Head of Moore (NI) LLP SDLT Advisory Service, providing specialist property tax advice to solicitors, private clients, accountants & other professionals.

Suzanne read Law and Accounting at Queen's University, Belfast. She is a Chartered Tax Adviser and also holds the Advanced Diploma in International Taxation, being awarded the Worshipful Company of Tax Advisers Medal for the highest marks in the Principles of Corporate and International Taxation paper. She also lectures for the Irish Institute of Tax on the Principles of

International Tax and more recently for the Institute of Professional Legal Studies at Queen's University. She is the author of 'A Practical Guide to SDLT in England & Northern Ireland' due to be published in August 2020 by Law Brief Publishing Ltd.

All attendees will be in listen only mode and should participants wish to ask a question(s) they should do so through the chat/question box function or email questions to [jennifer.ferguson@lawsoc-ni.org](mailto:jennifer.ferguson@lawsoc-ni.org) in advance.

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## Cross Border Practice and Procedure (Personal Injury)

### Ray Motherway

Thursday 6 August 2020

1:00 pm - 2:00 pm

CPD: 1 Private Study Hour

This webinar will be delivered by Barrister Ray Motherway and will discuss effective and efficient case management for cross border solicitors involved in personal injuries actions in the Republic of Ireland.

Topics which will be covered will include:

- Whether ROI courts have jurisdiction to hear a claim
- North or South?
- Interactions with insurers
- Letters before action / Pre-action Protocol
- Medical reports for applications to the Personal Injuries Assessment Board (PIAB)
- Information and documentation for an application to PIAB
- Statutory time limits for the institution of legal proceedings and the effect of the intervening application to PIAB
- PIAB process
- Information for instructing counsel to prepare proceedings
- Progressing litigation to settlement or hearing
- Costs



### Ray Motherway

Ray was called to the Bar of Ireland in 2008 and has been assisting solicitors on both sides of the border with their personal injuries and clinical negligence actions, advocating for injured parties, the State, domestic and international insurers, and self-insured companies in all courts in the Republic.

He has represented clients during mediations and arbitrations; families of deceased persons at inquests into deaths related to medical treatment; employers and employees at Workplace Relations Tribunals; and solicitors before Solicitors Disciplinary Tribunals.

Ray also acts in professional negligence and commercial disputes.

All attendees will be in listen only mode and should participants wish to ask a question(s) they should do so through the chat/question box function or email questions to [jennifer.ferguson@lawsoc-ni.org](mailto:jennifer.ferguson@lawsoc-ni.org) in advance.

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## Interim injunctions in commercial litigation

**Matthew Corkey**

**Wednesday 19 August 2020**

**2:00 pm - 3:00 pm**

**CPD: 1 Private Study Hour**

Interim injunction applications require a representative to come to grips with the case being made / defended very quickly. The representative will have to be in a position to provide preliminary advices to a client, manage commercial litigation correspondence and gather necessary documentation within a short period of time in order to effectively prosecute or defend an application for an interim injunction. This webinar will endeavour equip a lawyer with the basic knowledge to allow them to undertake all of those roles.

The webinar will include:

- The basic law relating to both prohibitory and mandatory interim injunctions;
- The American Cyanamid principles;
- The law relating to cross-undertakings for damages;
- The types of relief that can be sought on an interim basis;
- The procedure for obtaining an interim injunction.

The webinar shall also focus on some specific categories of interim injunction, specifically:

- Freezing injunctions;
- Search orders;
- Orders for the preservation of property.



### **Matthew Corkey BL**

Matthew is a barrister practising at the Bar of Northern Ireland since 2008.

He undertakes work in the High Court, in particular the Commercial, Judicial Review and Chancery Courts.

He has considerable experience of advising and representing clients involved in commercial disputes including contract disputes; banking disputes; property disputes; debt recovery; professional negligence; construction disputes; insurance disputes.

Matthew has represented and advised clients in respect of all forms of commercial dispute resolution including injunctive proceedings, arbitration, mediation, adjudication.

Matthew is a member of the British Irish Commercial Bar Association and the Commercial Bar Association of the Bar of Northern Ireland.

All attendees will be in listen only mode and should participants wish to ask a question(s) they should do so through the chat/question box function or email questions to [jennifer.ferguson@lawsoc-ni.org](mailto:jennifer.ferguson@lawsoc-ni.org) in advance.

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## Corporate Insolvency and Governance Act 2020

**Niall Mahon**

**Tuesday 25 August 2020**

**12:00 noon - 1:00 pm**

**CPD: 1 Private Study Hour**

This webinar will provide an overview of the recent updates to insolvency legislation in the United Kingdom arising from the Corporate Insolvency and Governance Act 2020.

This will cover;

and

- (i) the moratorium
- (ii) the restructuring plan
- (iii) the ban on ipso facto clauses
- (iv) the temporary suspension of the wrongful trading regime and
- (v) the temporary provisions relating to statutory demands and winding up petitions.

This webinar will be presented by Niall Mahon, Associate Solicitor of Arthur Cox.



**Niall Mahon,**  
**Associate Solicitor, Arthur Cox**

Niall attended Queen's University Belfast and qualified as an associate into the Arthur Cox Finance department in 2015. Niall specialises in banking and finance law and regularly advises corporate debtors, creditors and insolvency practitioners across a range of insolvency and restructuring matters.

All attendees will be in listen only mode and should participants wish to ask a question(s) they should do so through the chat/question box function or email questions to [jennifer.ferguson@lawsoc-ni.org](mailto:jennifer.ferguson@lawsoc-ni.org) in advance.

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## Vulnerable Witness Series (for Civil/Family and Criminal Practitioners)

### Practical Training Workshops

**Date:** See various below  
**Time:** See various below  
**CPD:** 2 Private Study Hours  
**Booking link:** Multiple links see below

Sir John Gillen's Report into the law and procedures in serious sexual offences in Northern Ireland in the Serious Sexual Offences review stated:

"There needs to be a radical rethinking of the current training that judges and the legal profession receive on the approach to the law and procedures governing child sexual abuse."

The Review recommends a fresh culture of cross-examination. In England and Wales (in anticipation of compulsory training for all publicly-funded advocates before they can act in serious sexual offences cases) specific training has been developed to help practitioners strike the balance between advancing their client's case effectively in court whilst ensuring vulnerable witnesses are not subjected to undue stress.

The Review of Civil and Family Justice in Northern Ireland Report recommended:

"Developing the voice of the child and extending the use of special measures and support for child and vulnerable witnesses to the family courts, with pilot schemes for the use of registered intermediaries and the National Society for the Prevention of Cruelty to Children's young witness service".

It went on to say that it is not only the child who needs to be listened to in an informed manner but other vulnerable witnesses in family proceedings, and particularly in care proceedings.

### Training

The Law Society of Northern Ireland has commissioned a specialist training course looking at all aspects of handling vulnerable witnesses and clients.

Parts 2 and 3 of the course will follow on from the Vulnerable Training Session presented by Sir John Gillen and Fiona Donnelly (Part 1).

Attendance at Part 1 session is **not** however essential for attendance at the practical workshops (Parts 2 & 3). These workshops provide you with the opportunity to learn how to reframe questions and approaches to accommodate witnesses with a variety of vulnerabilities.

#### **Part 2 is independent preparation and is essential for Part 3.**

For Part 2 you will be required to work on a short case file and prepare cross-examination questions which must be submitted one week in advance of Part 3.

The case file will be either criminal or civil depending on which session/date you opt for.

Questions **MUST** be submitted one in week in advance of the workshop you opt to attend i.e. Civil or Criminal.

Questions should be emailed to [fionadonnelly63@gmail.com](mailto:fionadonnelly63@gmail.com)



#### **Fiona Donnelly**

Fiona Donnelly is a Senior Lecturer at the Institute of Professional Legal Studies at Queen's University, Belfast, and has been admitted as a solicitor since 1987.

The Institute is the primary training organisation for solicitors and barristers in Northern Ireland. Fiona designs, teaches and examines courses in litigation and advocacy. She has held a number of positions within the Institute including Associate Director and Head of Teaching Quality.

## Vulnerable Witness Series (continued)

### Key Dates

Session	Date	Booking Link
<b>Part 2</b> Independent exercise for both Civil and Criminal sessions	<b>Monday 27 July 2020</b>  Begin independent work and submit questions one week in advance of your selected workshop	Materials will be emailed upon booking.
<b>Part 3A Civil</b>	<b>Monday 10th August 2020</b> 10:00 am – 12:00 noon  (Questions required by 03/08/20)	<a href="#">CLICK HERE TO BOOK</a> 
<b>Part 3B Criminal</b>	<b>Monday 17th August 2020</b> 10:00 am – 12:00 noon  (Questions required by 10/08/20)	<a href="#">CLICK HERE TO BOOK</a> 

Part 3 workshops will involve work in small groups and will follow the outline timetable below.

Time	Session	Content
10:00 am	Introduction	Identify problem questions.
10:05 am – 10:30 am	Question Construction	Discuss problem amend/discard
10:30 am – 11:00 am	Redrafting questions	Reflect savagely on own questions, exclude irrelevant, amend, check, signposting
11:00 am - 11:45 am	Advocacy Exercise	Practice questions
11:45 am – 12:00 noon	Review & Closing	