

To: reuben_irvine@entemp.ie
CC:
Subject: RE: Legal Profession Preliminary report

Hi Reuben,

Well done to yourself and the Authority for this superb piece of work. What I really need to know however is that as an employed barrister, what the Authority will do to ensure people like me are given formal advocacy rights before the Courts. An independent referral Bar is fine. However, employed Barristers are not "independent" and advocate their employer's cases on their merits alone. This is surely a matter of public interest, commerce and economics and not one of public interest through the Bar Council's particular coloured lens.

The "independence" argument surely lies in a Court hearing an issue to decide the merits or otherwise on the supporting evidence and associated jurisprudence (case law) of an issue being litigated. I really feel the Bar Council is being overly protectionist, restrictionist and anti-competitive in their view on this issue.

I would also like to hear your views as to how the Authority proposes to persuade the Bar Council to allow employed Barristers like myself (who are employed as advocates before Disciplinary Tribunals approved of by Government) access to the Law Library in the same way that employed Solicitors, who are currently afforded advocacy rights in all courts can use the Law Society facilities. I have absolutely no difficulty in paying my subscription to the Law Library.

A final issue for consideration is a proposal that all Barristers be mandated to have yearly practicing certificates. These certificates might only be issued to persons who have proactively engaged in recognised continuous professional development programmes. I understand this system is used by the Bar Council in England and Wales.

I would be delighted to meet with you at any stage regarding submissions going forward.

Kind regards,