

**Pro Bono Practices and Opportunities in Northern Ireland**

**I. Introduction**

Northern Ireland has a longstanding commitment to pro bono and a number of public interest groups offer pro bono legal services. The Bar of Northern Ireland operates a dedicated Pro Bono Unit offering free advice and representation to clients where public funding (legal aid) is unavailable or where the applicant is unable to afford legal assistance.<sup>1</sup> Since 2009, the PILS Project (Public Interest Litigation Support Project), a dedicated strategic litigation project established by Public Interest Litigation Support Ltd., has been working to advance human rights and equality in Northern Ireland through the use of and support for public interest litigation.<sup>2</sup> In addition, since 1977, the Law Centre (NI), a not-for-profit agency, has been working to advance social welfare rights and social justice in Northern Ireland through advice, casework, training, information, publications, information-sharing practitioner meetings and policy development.<sup>3</sup>

**II. Overview of Pro Bono Practices**

(a)	<b>Professional Regulation</b>	
	1. Describe the laws/rules that regulate the provision of legal services?	Every barrister called to the Bar of Northern Ireland is subject to the Code of Conduct of the Bar of Northern Ireland which sets the standards of professional conduct and practice required of barristers in Northern Ireland. <sup>4</sup>  Every solicitor registered with the Law Society of Northern Ireland is subject to various regulations which set the standards of professional conduct and practice required of solicitors in Northern Ireland. <sup>5</sup>
	2. Describe any licensure requirements governing the provision of legal services.	Both practicing barristers <sup>6</sup> and solicitors <sup>7</sup> must maintain a practicing certificate on an annual basis.  Providing any form of legal services without a current practicing certificate would constitute professional misconduct.
(b)	<b>Pro Bono Practice and Culture</b>	

<sup>1</sup> See <http://www.barofni.com/page/helping-the-community> (last visited on May 1, 2019).

<sup>2</sup> See [www.pilsni.org](http://www.pilsni.org) (last visited on May 1, 2019).

<sup>3</sup> See [www.lawcentreni.org/about-us/what-we-do.html](http://www.lawcentreni.org/about-us/what-we-do.html) (last visited on May 1, 2019).

<sup>4</sup> See Bar Code of Conduct [http://566ad0c461e77093ef13-65f8032302ddd1853f457c0e466d0549.r89.cf3.rackcdn.com/Code\\_of\\_Conduct\\_Complete%202018%204.pdf](http://566ad0c461e77093ef13-65f8032302ddd1853f457c0e466d0549.r89.cf3.rackcdn.com/Code_of_Conduct_Complete%202018%204.pdf) (last visited on May 1, 2019).

<sup>5</sup> See <https://www.lawsoc-ni.org/regulations-standards> (last visited on May 1, 2019).

<sup>6</sup> See sections 3.2(a) and 6 of the Bar Code of Conduct [http://566ad0c461e77093ef13-65f8032302ddd1853f457c0e466d0549.r89.cf3.rackcdn.com/Code\\_of\\_Conduct\\_Complete%202018%204.pdf](http://566ad0c461e77093ef13-65f8032302ddd1853f457c0e466d0549.r89.cf3.rackcdn.com/Code_of_Conduct_Complete%202018%204.pdf) (last visited on May 1, 2019).

<sup>7</sup> See Practising Certificate Regulations 1992 <https://www.lawsoc-ni.org/dataeditoruploads/doc/Practising%20Certificate%20Regulations%201982.pdf> (last visited on May 1, 2019).

	<p>1. Describe the rules that regulate the provision of pro bono legal services e.g. any explicit regulation or limitation on providing free legal services in some or all contexts, details of any mandatory or minimum fees imposed on provision of legal services.</p>	<p>There are no rules or regulations specific to the provision of pro bono legal services in Northern Ireland.</p> <p>See response to II.(a).1 above.</p>
	<p>2. Are lawyers required by such rules to work a minimum number of pro bono hours? If so, how many?</p>	<p>Lawyers in Northern Ireland are not required to work a minimum number of pro bono hours but they are encouraged to do so by both the Bar Council and the Law Society of Northern Ireland.</p>
	<p>3. Are aspiring lawyers required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers?</p>	<p>Aspiring lawyers in Northern Ireland are not required to complete a minimum number of hours of pro bono legal services in order to become licensed lawyers – this applies equally for both barristers and solicitors.</p>
	<p>4. What are the main areas of law which require or present opportunities for the provision of pro bono legal services? What are the major unmet legal needs?</p>	<p>The main areas of law which require or present opportunities for the provision of pro bono legal services in Northern Ireland are personal finance, housing and human rights.</p>
	<p>5. Who are the main providers of pro bono legal services? e.g., NGOs, governmental or other public services, schools and universities, private law firms (local or international) or corporate organizations?</p>	<p>The main providers of pro bono legal services in Northern Ireland are NGOs, private law firms and barristers, public services and universities.</p>
<b>(c)</b>	<b>Obstacles to Provision of Pro Bono Legal Services</b>	
	<p>1. Do lawyers require a license to provide pro bono legal services?</p>	<p>Lawyers in Northern Ireland require a license to provide legal services in order to provide pro bono legal services.</p>
	<p>2. Do foreign lawyers require any additional license(s) to provide pro bono legal services?</p>	<p>Foreign lawyers that are registered European lawyers do not require any additional license(s) to provide pro bono legal services in Northern Ireland.<sup>8</sup> Foreign lawyers (which are not EU registered) should be licensed to practice in Northern Ireland.</p>
	<p>3. Do lawyers require professional indemnity legal insurance cover for any pro bono legal services that they provide? If so, are they prohibited from working under the cover of another pro bono provider, such as</p>	<p>All barristers in Northern Ireland are required to maintain professional indemnity insurance at a level</p>

<sup>8</sup> See <https://www.lawsoc-ni.org/registered-european-lawyer> (last visited on May 1, 2019).

	a private law firm or organization working on the same pro bono project?	and to a specification prescribed by the Bar Council. <sup>9</sup>  All solicitors in Northern Ireland in private practice (not in-house or government) are required to maintain professional indemnity insurance at a level and to a specification prescribed by the Law Society of Northern Ireland. <sup>10</sup> This applies to pro bono work and work at law centers, charities and other non-commercial advice services. <sup>11</sup>
	4. Are there any rules that prohibit advertising of pro bono successes or soliciting new pro bono clients?	There are no rules in Northern Ireland that prohibit advertising of pro bono successes or soliciting new pro bono clients by barristers, however advertising must generally conform to the British Code of Advertising Practice. <sup>12</sup>  There are no rules in Northern Ireland that prohibit advertising of pro bono successes or soliciting new pro bono clients by solicitors, however client consent is generally required for solicitors to advertise the identity of a client or items of the client’s business, and soliciting of business is generally subject to customary ethical standards e.g., no inaccurate, misleading or unjustifiable statements. <sup>13</sup>
	5. Do lawyers receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked?	Neither barristers nor solicitors receive any “Continuing Legal Education” or equivalent credit for pro bono hours worked.
<b>(d)</b>	<b>Sources of Pro Bono Opportunities and Key Contacts</b>	
	1. Describe any governmental sources of pro bono and/or other legal services in Northern Ireland.	There are no governmental sources of pro bono and/or other legal services in Northern Ireland.

<sup>9</sup> See 6.1(i) and 7 of the Bar Code of Conduct [http://566ad0c461e77093ef13-65f8032302ddd1853f457c0e466d0549.r89.cf3.rackcdn.com/Code\\_of\\_Conduct\\_Complete%202018%204.pdf](http://566ad0c461e77093ef13-65f8032302ddd1853f457c0e466d0549.r89.cf3.rackcdn.com/Code_of_Conduct_Complete%202018%204.pdf) (last visited on May 1, 2019).

<sup>10</sup> See the Solicitors Indemnity Insurance Regulations 2014 [https://www.lawsoc-ni.org/DataEditorUploads/Solicitors%20Indemnity%20Insurance%20Regulations%202014.pdf\\_02082017.pdf](https://www.lawsoc-ni.org/DataEditorUploads/Solicitors%20Indemnity%20Insurance%20Regulations%202014.pdf_02082017.pdf) (last visited on May 1, 2019).

<sup>11</sup> See <https://www.abi.org.uk/products-and-issues/choosing-the-right-insurance/business-insurance/liability-insurance/professional-indemnity-insurance/solicitors-professional-indemnity-insurance/> (last visited on May 1, 2019).

<sup>12</sup> See section 30 of the Bar Code of Conduct [http://566ad0c461e77093ef13-65f8032302ddd1853f457c0e466d0549.r89.cf3.rackcdn.com/Code\\_of\\_Conduct\\_Complete%202018%204.pdf](http://566ad0c461e77093ef13-65f8032302ddd1853f457c0e466d0549.r89.cf3.rackcdn.com/Code_of_Conduct_Complete%202018%204.pdf) (last visited on May 1, 2019).

<sup>13</sup> See Solicitors (Advertising, Public Relations and Marketing) Practice Regulations 1997 (as amended) [https://www.lawsoc-ni.org/dataeditoruploads/doc/regulations/Solicitors\\_%28Advertising\\_and\\_Public\\_Relations\\_and\\_Marketing%29\\_Practice\\_Regulations\\_1997\\_as\\_amended2006\\_PDF.pdf](https://www.lawsoc-ni.org/dataeditoruploads/doc/regulations/Solicitors_%28Advertising_and_Public_Relations_and_Marketing%29_Practice_Regulations_1997_as_amended2006_PDF.pdf) (last visited on May 1, 2019).

<p>2. Describe the main non-governmental sources of pro bono and/or other pro bono resources in Northern Ireland.</p>	<p>The main non-governmental sources of pro bono and/or other pro bono resources in Northern Ireland are:</p> <ul style="list-style-type: none"> <li>• Children’s Law Centre;<sup>14</sup></li> <li>• Citizens Advice Bureau;<sup>15</sup></li> <li>• Law Centre NI;<sup>16</sup></li> <li>• PILS Project;<sup>17</sup></li> <li>• Pro Bono Unit of the Bar of Northern Ireland;<sup>18</sup> and</li> <li>• Ulster University Law Clinic.<sup>19</sup></li> </ul>
<p>3. Is there any public or private organization with which a local or foreign attorney can register in order to be made aware of pro bono opportunities?</p>	<p>See responses to II.(d).2 above.</p>

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<sup>14</sup> See <http://www.childrenslawcentre.org.uk/> (last visited on May 1, 2019).

<sup>15</sup> See <https://www.citizensadvice.org.uk/nireland/> (last visited on May 1, 2019).

<sup>16</sup> See <https://www.lawcentreni.org/> (last visited on May 1, 2019).

<sup>17</sup> See <https://www.pilsni.org/> (last visited on May 1, 2019).

<sup>18</sup> See <http://www.barofni.com/page/helping-the-community> (last visited on May 1, 2019).

<sup>19</sup> See <https://www.ulster.ac.uk/lawclinic/home> (last visited on May 1, 2019).