Welcome to our New Look LEGAL EAGLE.

We hope that you find some stories of interest within.

And feel free to send us your comments and articles for the next edition.

Members of the Editorial Board: Christine Traynor, Alexander Layden, Sinead Travers and Shane Quinn

Under the Spotlight
This month we talk to Emma Ryan about her ambitions and her plans for the LSDSI

A new feature on short case notes, this month is Mercy Law Resource Centre, feel free to send us your case outlines to be published in the March-April issue

Devil’s Detail!
Advice for 1st Year Devilling

By Harry Buggy

Harry is a first year devil engaged in a mixed practice in both the civil and criminal courts. In terms of the work itself, I am fortunate in that my master has a wide exposure to most of the courts. While the majority of my work concerns criminal defence, I have appeared in various courts from the District Court to the Supreme Court. I have also attended more specialised courts, such as the Coroner’s Court, Admiralty Court and the Children’s Court. As a devil in a mixed practice, I have had the experience of making an application before the Master of the High Court while then appearing in the Criminal Courts of Justice on the same morning. One personal benefit of this is that you can meet colleagues located in the different court buildings. Many criminal devils do not have the opportunity to touch base with their civil colleagues in the Four Courts, and vice versa, which is unfortunate.

The primary benefit of devilling in a mixed practice is that you become trained in all aspects of legal practice. With regards to criminal proceedings, the majority of the devil’s time is spent in court. As a result, advocacy skills improve dramatically over a short space of time, and devils become accustomed to criminal procedure quickly. District Court work may also become available, at which point you may have the opportunity to make bail applications or pleas in mitigation yourself. Your master will guide you with such briefs. Criminal defence drafting primarily involves drafting advices on proof or appeal submissions.

With regards to civil proceedings, more time is spent drafting. Contrary to common belief, ‘APIs’ are kept to a minimum. Considerable time is also spent in court, whether that is making applications, bringing motions, or attending trials. In both criminal and civil proceedings devils will also take notes in consultations. You can learn a lot from listening to your master explaining both substantial and procedural law.

SEEKING CONTRIBUTORS

We want YOU to write articles for us! Articles of under 1,000 words or illustrations welcome on any subject, from general news, to comedy, to movie or book reviews, to serious legal subjects. Please send to christine.traynor@kingsinns.ie—our next issue is due March 2014
KSLR Launched

The King's Inns Student Law Review is an annual publication that is peer-reviewed, edited and produced by students of The Honorable Society of King's Inns. Submissions for articles usually open in March so watch out for your opportunity to submit some original and critical though articles.

A Christmas to remember  By Rachel Brien

The annual King’s Inns Christmas Ball took place on December 18th and was a roaring success.

Many committee meetings and a lot of organisation had gone into trying to create a most memorable experience for all the degree, diploma and modular students of the Inns.

Upon arrival the main atrium was decorated in Christmas glory with holly, mistletoe, cinnamon and ivy. When students arrived they were greeted by a Prosecco reception and then led into the main hall for their three course meal. Students were led up the stairs by giant candles and in the Main Hall the tone was set by beautiful candles alongside three large warm fires, which gave a very Harry Potter feel to the event.

Many people were to thank for the hugely enjoyable night, including all the students on the decorating committee and the catering staff of the Inns itself who never disappoint with their delicious meals and fabulous service. The food was superb and the wine was a plenty.

It was a glamorous event, all the ladies looked stunning in their full length dresses, and the men looked pretty good too in their dapper tuxedos. It was a very special evening.

Probably one of the most enjoyable parts of the night was when we were all serenaded by the upbeat and extremely talented band – Huey and the Hobgoblins which has one of our own, Francis Daly, as a member. The tables were moved to make way for dancing and everybody got their groove on, and even the band got involved on the dance floor (much to the delight of all the students!)
Befriend a studious person (aka nerd) – you might need a copy of their notes
You know the type: a little quiet, probably nervous. No girlfriend. Undoubtedly brilliant and always at lectures. It might cramp your style, but the truth is that you can learn something from people who are different from you. You never know, their good habits might even rub off.

Don’t call a Judge, ‘Your Honour’
I know they say it in America, but it’s not what we do here. It’s true that some Judges like to be called, ‘My Lord’, but you’re unlikely to meet them. Generally call a Judge just ‘Judge’, like you call a doctor, ‘Doctor’.

Practice problem questions
Unless you want to be an academic, the law doesn’t exist in some ephemeral third reality. The law affects the day to day lives of ordinary people and daily commerce. The law matters. Try and always consider the practical implications of the theory. Practising problem questions is a very helpful way of doing this and preparing for your exams

Keep your eye on admittance requirements for the Professional Bodies
The universities say it every year but people still mess it up. If you want to be a solicitor or barrister, you must have sat and passed a certain number of subjects in college, some of which is not compulsory. You can’t sit the entrance exams without them, and it could be very costly and annoying to have to spend a year studying one or two subjects after your degree to go to Black Hall or the Inns, because you weren’t on the ball in college.

Get Decent Summer Work Experience
Don’t be afraid to ask around. Send your CV off in January or February and try everywhere. It’s a numbers game, the more places you try, the more likely you are to get work experience. Remember to keep your options open. People with law degrees end up working in a variety of fields, including banking, politics, business etc. Why not try something non-legal?

Don’t tell everybody about your legal connections
If you have them, shut up about them. If you don’t have them, don’t worry because it doesn’t really matter. At the end of the day, connections can get you a good start, a good trainee contract or a decent Master – a foot in the door – but you’re on your own fairly quick and nobody gives a damn who you’re related to when they want the work done and you’re not doing it.

Don’t be obnoxious, self important or opinionated
For some strange reason obnoxious, pompous idiots are attracted to the study of law. It’s a mystery that has confounded most for some time now. There being no diagnosed cause as yet, the best advice is to keep your feet on the ground, because if you ever practice, ‘ordinary people’ for the most parts will be your clients and nobody wants to hire a snob.

Finally, remember that the only people who do not do it.

Participate, prepare and ask questions in your tutorials – you’ll be glad in the exam
Tutorials are where a lot of the real learning takes place. They matter, they really do. Very often, lecturers will base exam questions on topics covered in tutorials. Read the material so that you get maximum benefit from them and yes ask the questions that nobody else is brave enough to ask.

Get involved in College Debating Societies
A lawyer needs to learn how to make an argument, hold an argument and rebut an argument, especially when he be believes the opposite! The practice of law is essentially a very long and expensive argument about what some law said and if it did say what it said, whether it really meant that and if it did indeed mean that, should it be allowed apply in the given circumstances. Debating is a great way to harden you up. Being heckled in a debate is about the best preparation you’ll get for dealing with a cranky Judge.

Try become passionate about something – anything - remotely legal and study
People talk a great deal about specialising in the legal profession. The General Practitioner is more and more uncommon. If you really like a particular area, go for it! Read everything you can about it. Do Modules in it, consider a Masters in it, and you have a far more valuable education and formation 90% of the time.
1. Can you tell us a bit about yourself?
I’m 25 years old, from Dublin and I’m currently living at home in Palmerstown with my folks and a very spoilt cocker spaniel. I have an undergraduate Bachelor of Science degree in Psychology through Science from NUI Maynooth, where I studied for 4 years before I came to King’s Inns. In September 2011 I started the Legal Studies Diploma , graduated in 2013 and I’m currently half way through the full time BL degree.

2. So why Barrister-at-Law?
Every time I’m asked “why law” the only answer I ever give, which isn’t really a proper answer, is “it’s what I always wanted to do”. My dad is a solicitor and I suppose growing up around the law influenced my decision to get into the field (my BSc., was a bit of a side step; I did it more out of interest than anything else but I never really wanted to do law at undergrad level). I’m still not 100% sure as to why I chose the Bar over becoming a solicitor but I absolutely love what I’m doing now so I’m taking that as an indication that I’m on the right road! I do think that leaving law until I was a little older has given me the opportunity to work in different aspects of the legal profession and that led me to the conclusion that law is exactly what I wanted to do.

3. Plans for the future?
I have a Master lined up for next year and I’m really looking forward to going down to the library. At the moment, I have a pretty keen interest in judicial review and employment law but I wouldn’t rule anything out. My outlook on this profession is get the experience where you can and then decide on where to settle. I see it as a bit like buying a dress; the one you love looks great on the hanger but when you try it on it’s not for you-so you go and try on 10 more.

4. When your not studying law what are you up to?
When I’m not studying...well up to December 14th my full time hobby was organising the Christmas Ball!! I’m ashamed to say I’m not half as active as I used to be but my new year’s resolution of regularly going swimming is off to a good start and if time will allow it I’d like to get back to dance class. I’m a bit of a book worm so the bad weather this Christmas has been great because at long last I’ve started the Game of Thrones books.

5. Who is your greatest role model?
I don’t really have a role model. But I do admire people who work hard and are dedicated to achieving their goals. Based on that option, as cheese-tastic as I know it sounds, I would put my parents as top of the list of the people I look up to. They always taught me that it doesn’t matter how you do compared to the person beside you “you’re only in competition with yourself” and that statement is something I’ve come to appreciate so much as I’ve gotten older. I think people put far too much emphasis on doing better than the person beside them or being like the person who, seemingly, has everything; I admire my folks because they’ve opened my eyes to the fact that you only ever have to do your best and you should never be disappointed in what your best is.

6. What are your Plans for LSDSI this year?
Major plans for the LSDSI for what remains of the year-the only problem will be finding enough time to fit them all in! We’ll have information evenings with speakers coming in who can tell us what other job opportunities there are for qualified barristers who don’t want to practice at the bar. Sport will be a big thing this semester with rugby matches, tennis, hockey and tag rugby.

We’re hoping to run some short mooting and debating workshops and of course a number of social mixers with Blackhall. However, the very first thing to be planned is our weekend away followed closely by the summer ball (this isn’t as formal as the Christmas ball, nor is it nearly as expensive you’ll be pleased to hear!) which will be after classes and exams end in May.

Of course the NFO will continue to run throughout the year and we hope to get some more evening soap boxes going so please keep your interest coming- an envelope for topic suggestions is still on the LSDSI notice board downstairs in the main building!
History of the Auditor of the LSDSI

The Law Student’s Debating Society of Ireland (LSDSI) is the academic student society at King’s Inns. The objects of the society is the discussion of legal, historical, and general subjects contributing to and assisting the furtherance of the legal education of its members, the organisation of debates and moot court competitions, sports and entertainment.

Famous Auditors

In 1865 John Butler Yeats discovered something about his engaging personality, and he was appointed Auditor of the LSDSI, he worked tirelessly on his speech to be delivered to the Society called ‘The True Purpose of a Debating Society’ with him announcing that ‘the proper purpose should be the attainment of truth by oral discussion’. It should be the goal of the Society to sow ‘in mens’ hearts and consciences noble purposes, without which life would be barren indeed of all fruit of noble action’.

See William M. Murphy, Prodigal Father, The Life of John Butler Yeats (1839—1922)

Casenote: Mercy Law Resource Centre

By Sinead Travers

In Mr A v Community Welfare Service, Department of Social Protection (DEC-S2013-010) the Equality Tribunal upheld Mr A’s claim that the Community Welfare Service and the Department of Social Protection had discriminated against him, contrary to the Equal Status Acts 2000 to 2012, on gender, civil status and family status grounds in refusing his application for rent supplement at the family rate.

This case is important as the Tribunal made clear that the respondents’ policy that where parents don’t live together, rent supplement payment at the family rate is only given to one parent, save in exceptional circumstances, as implemented here, constituted direct and indirect discrimination.

The Tribunal awarded the maximum award of compensation (€6349) and ordered the respondent to review its policies and procedures in relation to rent supplement/housing assistance payment to ensure that they are in compliance with the Equal Status Acts with particular reference to how unmarried/separated fathers are treated.

This decision enables single fathers to access appropriate housing which is suitable for their children, which allows them to maintain family life with their children. In its decision, the Tribunal noted that the right to family life under Article 8 of the European Convention on Human Rights encompasses, as a fundamental part, the mutual enjoyment by a parent and child of each other’s company and that domestic (State) measures which hinder that enjoyment amount to an interference with that right. The Tribunal noted here too the High Court’s recognition in MacB v BAG (Barron J, unreported, High Court, 6 June 1984) of that it is essential that “the children know that they have a father and... that their father is able to take the place of a father in their lives.”

inBRIEF

The full decision is available on the Workplace Relations website:

BOOK REVIEW
This Issue Louise Ray reviews ‘The Doll’s House’

In a market already saturated with crime writers, it’s difficult to produce a piece of work that stands out however, Louise Phillip’s second crime fiction novel, The Doll’s House (for which she was awarded Crime Novel of the Year 2013) manages not only to stand out, but jumps out, pulls the readers in and takes them on a literary journey not easily forgotten, one which is every bit as good as her debut novel “Red Ribbons”.

The Doll’s House opens with a haunting image of a child on the beach: “sinking into the sand, seaweed between my toes. In my arms I hold a doll, with curly blonde hair and sea-blue eyes.”

Be prepared to be thrilled, frightened, enthralled and totally shocked! You will never guess the ending!

When the body of a popular talk show host is discovered in the icy waters of the canal, media attention gains momentum by the hour. The list of potential suspects is enormous. Is the killer a crazed fan? A disgruntled business associate? Or was the attack completely random?

While Criminal Psychologist Dr Kate Pearson teams up with Harcourt Street detectives in an attempt to find the culprit a second body is found in the canal, with no apparent links to the first. Gradually the story unfolds and links emerge to another mysterious death by drowning three decades earlier. Meanwhile, Clodagh, a recovering alcoholic, visits a hypnotherapist in an effort to solve the mysteries of her childhood, specifically, the events surrounding her father’s death and that of her baby sister years ago. As the secrets of the past are revealed and Clodagh discovers more and more about her personal history, it soon becomes possible that there is a link between her and the recent violent deaths. . .Can the mystery be solved before the killer strikes again?

An intricate series of sub plots and twists build skillfully towards the finale. The reader is hooked, devouring each page to an explosive finish.

Student Opinion: Honi soit qui mal y pense

It is no surprise that an institution as old as King’s Inns is rich in rituals and traditions – things that have been happening for over five centuries. Dining, bowing, hot ports at NFO meetings – they all act to colour the year and form a genuine sense of collegiality among the students here.

There is, however, one part of the King’s Inns experience which truly baffles me. We all returned to Henrietta Street last Monday to sit in a room and learn legal terminology in Irish. Why? Presumably those rural backbenchers in Leinster House still fear the Inns will produce a new Carson. “Well at least he’ll have a cúpla focal!”

I have great affection for the Irish language. I spent seven years learning it at school and I spent numerous summers and Easter breaks in deepest Donegal reading and re-reading Caisleáin Óir and feigning an interest in dancing; but I fail to see the purpose of the language in the Inns. Most of us lack the fluency ever happening for over five centuries. Dining, bowing, hot ports at NFO meetings – they all act to colour the year and form a genuine sense of collegiality among the students here.

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If language training is necessary then I can think of better ways of spending Monday afternoons. Our legal system owes more to 1066 than it does to 1916. Why are we not learning Anglo-Norman? A mad idea! Well from where else do we get words like “acquit” and “convict”, let alone cestui que trust or Cy-près. Or, for that matter, would we not be much better advocates of we could properly pronounce the Latin phrases which are peppered all over the Rules of the Superior Court?

In England Latin has been actively discouraged in the courtroom since 1999. This is a great shame. Certiorar is is now a “quashing order”. How bureaucratic. The aim is (as ever) to make the law more accessible to the layman. Hardly. What difference does it make to explain “quashing order” rather than certiorari?

Ireland has not yet fallen victim to this supposed progress but even we have non-Latin phrases which could confuse an outsider. Does an Article 40.1 application make any more sense than Habeas Corpus? And who on earth is Gary Doyle?

I very much suspect that what we learn in those six Irish classes will be quickly forgotten by the time we are all called to the bar. I have no illusions of succeeding in my plea to have Irish classes replaced with Latin classes but it could give us an edge over those Johnny-Come-Lately solicitor advocates. Just a thought.

If you have any thoughts on this issue or any other, please feel free to send in your opinion to the editorial board of the Legal Eagle.
With a heady mix of sex, violence and proprietary estoppel, this new drama promises to be the TV event of 2014.

Christopher Bermingham Reports

The recent proliferation of TV cameras in King’s Inns has not gone unnoticed in the corridors of power. And with numbers and revenues dwindling from their core business, a decision was made by the Honorable Society to produce their own drama, using the King’s Inns’ expertise in all matters legal. The recent success of Love/Hate and Breaking Bad was observed, and the story line for the first series borrows heavily from those shows, as the Legal Eagle can reveal in this exclusive preview of Series One of Law/Hate.

The series opens in a magnificent, august college in central Dublin, and introduces us to its central character, Horatio Wallbanger, a mild-mannered, affable, 50-something teacher of law. Though outwardly genial, Horatio is not without his concerns. Firstly, the true love of his life, Bonnie Hawkins, died the previous Valentine’s Day, while on a romantic date with Horatio – a screening of the seminal 9-hour French documentary on the holocaust, Le Chagrin et la Pitié. Secondly, he has recently been diagnosed with a rare and incurable disease, known as Uppercourtitis, giving him a year to live. Thirdly, and perhaps most seriously, his shoes are falling apart.

In order to provide himself with a new selection of footwear, Horatio hatches a plan. Having recently stumbled upon a class party, and been informed to the popularity of crystal meth by one of the students, he contrives to manufacture and distribute the drug, with the help of a fellow teacher, Maximillian Mooney, a quiet, professorial youth best known for his numerous epigrams, lending him the nickname of “Mad Maxim.”

When approached with the idea to set up a joint business manufacturing the drug, Max’s immediate response is “he who comes to crystal meth must come with clean hands,” thereby establishing the obsession with cleanliness and purity which will be the hallmark of their operation. Horatio and Max are initially successful in their enterprise, with the former investing in a new pair of Gucci loafers, and the latter employing a full-time barber to keep his goatee in optimum condition. But having got a taste for the vast profits to be made, they decide not to stop there, and instead extend their empire, which is where they face their first problem...

Their success comes to the attention of the local drug overlord, a formidable woman known only by the nickname “Heavy Dealer”, who was fiercely protective of her territory, having inherited it through a fee tail with no rights for remaindermen following a disentailing assurance. Upon confronting Horatio and Max, however, Heavy Dealer mysteriously disappears, never to be heard from again. Now in a position of dominance, Horatio in particular starts to assert himself more strongly. He shaves his head, adopts a more menacing tone in company, and demands that he be referred to by the new name of “Jidge.”

Jidge and Mad Maxim’s growing empire has been followed astutely by local law enforcement, and this promises to be a far more troublesome impediment to their plans. The head of the local anti-drugs division is a small, effervescent lady, Ellen Greene, whose slightly matron-like demeanour hides a quiet determination to preserve law and order. Many are unsure whether her nickname of “The Trainer” is due to her mentoring of law-enforcement students, or her predilection for comfortable footwear, but as a staunch defender of human rights, it is inevitable that her pursuit of the by now notorious drug duo will be a dogged one.

In order to build a substantive against her foe, she joins forces with state prosecutor Jake Leaney, a raflish, loquacious legal expert on how to catch criminals, having written the leading authority on the subject, “The Best Book about Law Ever Written”. It is perhaps his achilles heel that, though thoroughly well-versed in the O’Brien rule, the rule against hearsay, the rule against narrative and the rule against self-corroborate, Jack is seemingly oblivious to the rule against wearing tweed pants with suede shoes.

The Trainer and Jack, though vertically ill-matched, are like-minded, and decide that the best form of defence is attack. As the first series draws to a close, they hatch a plan to offend, shock and disturb! Horatio by procuring the corpse of his beloved Bonnie, embalming and stuffing it, and placing it in the lobby of the college where he lectures.

How will Horatio and Mad Maxim respond to this provocation? Will Heavy Dealer return to thwart their plans? Will they follow the advice of their wise-cracking lawyer, Saul “Better Call Saul” Mac-Dermott, and get out while they’re on top?

Law/Hate premieres this autumn, and is compulsory viewing for all students of law.

1. Handyside v. UK (1979-1980) 1 EHR 737 at paragraph 49
Devil’s Detail!
Advice for 1st Year Devilling
Continued from Page 1

The beginning of the year involves a plunge into the deep end, but your master will ensure that you find your feet quickly. Expect to be speaking in court within your first week, if not your first day. Devilling inevitably involves making mistakes, both inside and outside the courtroom. To make life easier, it is advisable to ask questions of your master. It is far less embarrassing to ask your master a question, rather than to find yourself at a loss before the court. Your master will be more than happy to help, and will not leave you without instructions. If you have a very basic question you will find that other barristers will also be of assistance, provided that the question is asked at an appropriate time. Second year barristers have fresh memories of their own baptisms by fire, and are always willing to be of assistance.

I came straight down to the Bar in 2013, following completion of the Inns’ full time degree course. I had organised my master before I began the Inns’ course, and so the pressure was alleviated somewhat as I had ample time to meet with potential masters. However, there is no cause for panic as the majority of my classmates did not meet with their future masters until the latter half of the Inns’ course. Difficulties finding a master tend to be rare, however it is advisable to phone (rather than email) barristers as soon as is practicable. It is also useful to ask busy masters to recommend colleagues who are willing to take on devils. Most, if not all, barristers are very approachable on the subject, and can provide helpful insights into their colleague’s practices.

It is undoubtedly true that you need to have a good relationship with your master. You will spend the majority of your day either with them, or reporting back to them. Clashes of personalities tend to be rare. For the most part, enthusiastic devils tend to get on well with their masters. Masters provide guidance, advice, and feedback on both your advocacy and drafting. They will introduce you to solicitors and other barristers. They will answer your questions and ensure that you are on the right path. You should also have the opportunity of meeting your devil brothers and sisters (your master’s previous devils). They will be of considerable help, whether it is answering questions you may have or giving practical tips. On occasion, this advice may extend to matters of advocacy or etiquette. If the opportunity is afforded to you, be sure to return the favour, whether that involves helping them with research or standing in court for them.

The year is challenging. No devil is oblivious to the financial woes facing them. You should not expect to be paid by your master, it is not an employer-employee relationship. (You may, however, find yourself to be the beneficiary of the occasional lunch or drink, whether alcoholic or non-alcoholic). On a more personal note, one very common challenge facing younger devils is that many clients will be their senior. To assuage any (natural) concerns that they may have, you need to have confidence in your own abilities. This is primarily achieved through preparation. At times of uncertainty, your master will be of invaluable help.

Importantly, if you do decide to come down to the Bar, enjoy the devilling year. Court terms last only a few months, and the time passes quickly. There is a fantastic social side to the year. Friday evenings will generally involve excursions to Ryans on Parkgate Street for criminal devils or to the Sheds in the Distillery building for civil devils (or to both for devils who want to stay in contact with all of their peers). These locations not only provide some much needed recreation but also the opportunity to get to know your master, meet new people and build contacts. Attending social functions is very important as the Bar always has been, and hopefully always will be, extremely collegiate. Perhaps the profession’s largest benefit is that barristers will always come to each other’s assistance.

To quote the cliché, which really is true, ‘the more you put into it, the more you get out of it’.

If there are any queries concerning devilling in a mixed practice, or of that nature, I can be contacted at harry.buggy@lawlibrary.ie.

Harry Buggy BL
16/01/2014

Cast your net: how to make networking work for you

There are plenty of conferences and events that take place nationally watch out for some Key Events on line or get registered with LinkedIn

◊ Law Library www.lawlibrary.ie
◊ Law Society of Ireland Conference
  www.lawsociety.ie - Events
◊ Legal Aid Board www.legalaidboard.ie
◊ The Women in Law Association www.lwia.ie/
◊ The Irish Centre for European Law www.icel.ie/

NETWORKING TIPS

ENGAGE – Just because it is a formal setting does not mean you have to be quiet, or reserved. Be engaging without being imposing. It makes you far more memorable.

BE PREPARED – Think about what you would like to talk about with people

BE AWARE – At many events everyone is in the same boat. Don’t forget that. Although you may feel nervous you can be sure everyone else feels similar.

TALK TO EVERYONE – This may, be an impossible task. However if you aim to speak to everyone, chances are you will get around most people in the room.

GRAB THE BULL BY THE HORNS – but don’t be bullish. People don’t respond to pushiness. People respond to honesty and openness.

FIND THINGS IN COMMON WITH PEOPLE – In the end that is the main reason why you are all there. Law is a key common denominator but there will be others. Sport, film, wine, food, clothes… the list is endless. It’s all about leaving a good, lasting impression.

REMEMBER NAMES – An obvious one, but cannot be stated enough.

They don’t call it the Bar for nothing! But really how much is too much? Beer or wine? The answer is, know your limits! Being a Barrister is a stressful job requiring meticulous adherence to high standards and alcohol can become an easy fix. Networking events are not to be mistaken for free bars or speed-dating. Drink what you like in responsible quantities, while complementing your unit intake with cans/pints and an occasional glass of water. Better safe than sick, we say.
Talk Of The Devil

Beatrice Vance B.L.

I studied undergraduate law in UCD and spent my third year studying in Paris as part of the Erasmus programme. Having completed my degree, I began an LLM in Trinity College and sat the King’s Inns entrance exams the following summer. I decided I would go straight down (to the law library) after the Inns (get used to this kind of lingo “how long are you down?”, “did you come straight down?”). I had organised my master the summer before the Inns (only because I had a friend who had organised hers and I decided to get in touch with some potential masters early on) but many people didn’t organise their masters until springtime.

Finding a master seems daunting but the most important thing is deciding between civil or criminal for your first year. There are a number of barristers practising in both areas which is great experience if you can get it. Once that decision is made it is a matter of ringing their numbers –emails take considerably longer to get a reply to. You may get a couple of negative responses – the barristers already being taken – but generally you will be given a list of names to try instead. Many of the people I initially contacted were already taken but they gave me other names to try or even spoke to their colleagues on my behalf. When you call, mention who sent you their way.

I am doing crime this year and my master does mostly prosecution work. I decided that crime was the area I was most interested and excited about doing so thought I would do that in my first year and see if my interest lasted – so far it has. As a prosecution devil you will see the case from the eyes of the Gardaí, as a defence devil you will see the case from the prosecution devil’s perspective. From day one I was on my feet, either letting things stand (until your master is available) or getting trial dates and speaking to Gardaí. When at trial there is research to do into relevant case law, rules of evidence and plenty of coffee.

The first few weeks are a bombardment of names, etiquette, inappropriate jokes and awkward moments, then you start to get into the swing of things and you will stop looking up your King’s Inns manual in the evenings (“what’s a 4E again?”, “section 99 re-entry of what?!”). In crime, day to day drafting is limited to indictments and advices on proofs. Drafting indictments gets you familiar with the most common sections in many of the acts and also with charge sheets. From day one I was on my feet, either letting things stand (until your master is available) or getting trial dates and speaking to Gardaí.

Contacts are everything, despite names going in one ear and out the other, it is important to remember people and to be friendly and willing to lunch/drink/party.

In terms of self-funding, I work part-time on the weekends, so my weeks are 7-day. I find it manageable, as often I will be able to leave my desk at 5pm during the week. If you are interested in tutoring, contact your undergrad university during the summer, they are the ones most likely to take you on. Do not expect to be paid by your master or have your fees paid, there are a few that do but don’t base your decisions on that aspect as often you won’t know until you start.

The social centre has moved from the Inns pub to the Sheds in the Distillery building. At any one time you will find a King’s Inns classmate in the vicinity. It is a great place to hang out, have some wine (free bar nights are ideal) and meet some new people. For criminal devils, Ryan’s on Parkgate Street is also a regular haunt.
Exploring Open Space

Originally named the Temple Gardens, the open space is situated to the front of the classically designed building on Constitution Hill, the building was commissioned by the benchers between 1795 and 1817, and built by the famous architect James Gandon who also built Custom House. The House seals off Henrietta Street which was Dublin’s first Georgian Street.

Walking through the gate at the King’s Inn the buildings and cobblestones transport you back in time. You find an oasis right in the city centre, a relatively unknown parklands that’s never too busy. There is no better place to chill in the Winter evening or to lie in the sun for a few hours reading, studying and catching up on all things legal.

There is no football or other ball-sports allowed on the grass though, so it’s strictly bring McGrath’s evidence or Courtney’s Company Law and just relax.

Photos Opposite

My Passion.....

Beara Peninsula

An insight into a rugged beauty and tranquility of an unspoilt peninsula

by Sinead Travers

I have a somewhat infatuation with the Beara Peninsula which is located in Ireland’s most south-westerly point. Beara can be best described as a remote mountainous headland jutting deep into the Atlantic from counties Cork and Kerry.

Travelling to Beara, is like taking a pilgrimage into the Irish wilds. Negotiating flocks of sheep and herds of cattle as I pass through Killmacalogue, a serene harbour hamlet, I can already feel myself physically relax.

As, I make my way to Beara, the outstanding landscape never ceases to amaze me. The most breath-taking point en route to Beara is at Caherkeem, where after ascending a steep humpback hill, a vista over Coulagh Bay virtually collapses before you. Above this, the misty Caha Mountains, with their crisscross of stone walled pastures are dotted with mountain sheep.

In the distance - the sights of the Skellig Islands, ancient monastic settlements, burst out of the Atlantic like a Gaelic Machu Picchu.

At this point in my journey to Beara, I can feel myself going into a somewhat meditative state as I continue on my voyage to Ireland’s most remote village; Allihies (meaning “cliff fields”) Legend has it that the four mythological Children of Lir are buried in Allihies.

Tucked between a mountain and ocean setting, this postcard village is a mesmerizing throwback to yesteryear Ireland. Town houses are splashed in purples and greens, pubs in blue and scarlet and even with its peach village chapel -- no building escaped its kaleidoscopic explosion. It is nearly always chilly, but on those rare summer days, when the white sands of Ballydonegan beach horseshoe into an ocean hued with turquoise, Allihies has the air of a Celtic Caribbean.

Beara manages to encapsulate a number of my many passions, nature at its rawest, the Sea, Mountains, Hill Walking, Irish Folklore, Traditional Irish music, the list can go on and on. However, Beara is also home to one of my greatest excitements, the Dzogchen Beara Buddhist Retreat. Beara Peninsula which is located in Ireland. Town houses are splashed in purples and greens, pubs in blue and scarlet and even with its peach village chapel -- no building escaped its kaleidoscopic explosion. It is nearly always chilly, but on those rare summer days, when the white sands of Ballydonegan beach horseshoe into an ocean hued with turquoise, Allihies has the air of a Celtic Caribbean.

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Bearing in mind the occasional ummmm. Nevertheless, I have a somewhat infatuation with the Beara Peninsula which is located in Ireland’s most south-westerly point. Beara can be best described as a remote mountainous headland jutting deep into the Atlantic from counties Cork and Kerry.

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Initially, it took me a while to get into my meditative mojo but my spiritual leader, Alvina, soon guided me toward a state of dharma.

My first experience was quite surreal. Beginning with a talk on Loving Kindness and the attitudinal changes we should embrace in order to love thyself, we continued with a video link to a lama’s presentation on the how to deal with our “Monkey Mind;” man’s predisposition to unsettling and capricious thoughts.

The activity session, I first partook in is embraced on my mind -- we were asked to diarize our dark regrets of the year past on one piece of paper, while charting our hopes and ambitions for the future on the next.

In quiet reflection, our group began to jot; some, succinct bullet points, mine was more like an, Oprah-like vision board. Then, in ceremonial fashion, we braced the outdoors to send those memories into ashes in the stone furnace, before lighting butter lamps in the grotto to cast our hopes and ambitions for the future on the next.

The Centre is really a sight to behold, rising unsettl

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Rehabilitation Orders
An Irish Solution to an Irish Problem
By Anita Finucane

The efficacy of probation orders assigning offenders to unregulated probation centres as an alternative to a jail sentence has recently been examined by Prime Time reporter, Brian O’Connor.

The report, airing before Christmas, focused on the Victory Outreach Centre; a private, US-based religious organisation with 5 centres in Ireland and an estimated 700 centres worldwide, treats drug users by providing temporary residential facilities.

Without a statutory framework governing these self-run organisations, it is suggested by Paul Anthony McDermott BL in the report, that the State could potentially open itself to liability in circumstances where such organisations are being used as suitable rehabilitation centres as part of court ordered probation orders. Given the practices espoused by religious groups running treatment centres, it presents itself as a hollow disciplinary measure in a state bereft of rehabilitative facilities.

The Prime Time report suggested that those admitted to the program were not being administered the required care for serious drug use, in particular heroin addicts. The documentary went as far as to suggest the Centre was a breeding ground for potential fundraisers for this privately run organisation.

Some of the treatments called into question by the report were entry conditional on sobriety, forming a relationship with God as a prescribed method of treating heroin addiction and a healthy contribution from a weekly dole allowance allegedly in the region of €140.

This report strikes a chord with those on the BL course visiting the Criminal courts in recent months. Re-offending among drug users is part-and-parcel of many of the various applications heard before the Courts while probation orders directing rehabilitation are just as commonplace.

The report suggests to me that the emphasis of such orders is not on long term recovery, but rather an unsatisfactory compromise failing to break the pattern of re-offending, particularly where such centres are not implementing recovery strategies approved by the State. As an alternative to serving a jail sentence, any rehabilitative measures should be in some way state regulated if being used by the courts setting out standards as required by other regulated bodies such as HIQA.

Rehabilitation Orders
An Irish Solution to an Irish Problem
By Anita Finucane

The seat-eating tree is located just inside the south gate entrance to the park from Constitution Hill and it is believed both the tree and the seat date back to the early 1800s. A series of ‘heels’ have been added to the forelegs of the seat throughout the decades, to ensure the seat does not become unstable.
Paul O’Grady Continues from Cover Story

However, he gained equal prominence on the bench and was involved in a number of high-profile cases, including the trial of drug baron John Gilligan at the Special Criminal Court.

Justice O’Donovan famously said: “Never before in the history of the state has one man been responsible for so much wretchedness to so many,” after he sentenced Dublin criminal John Gilligan in March 2001 to 28 years in prison for drug trafficking while acquitting him of the murder of Sunday Independent crime correspondent Veronica Guerin.

In January of 2000, the IFA, unhappy at a decision of the Government, announced that it was going to defy an order that Justice O’Donovan had made, banning picketing outside meat plants. Justice O’Donovan promptly fined the association IRE100,000 (EUR127,000) a day for every day it was in contempt. When it ignored that, he upped it to IRE500,000 (EUR 635,000) a day, and the strike was very quickly settled.

He was married to his first wife, Ann, for 39 years and they had three boys - Diarmuid, Donough and David. Ann very sadly passed away in 2001.

He had a passion for rugby, golf and the opera. He would rarely miss a chance to support St Mary’s Rugby Club, having played on their senior cup team in his youth.

He was also a former captain of the Grange Golf Club and a past captain of the Bar Association Golf Society, whose function he attended the night before he died.

He found companionship again late in life and married Sara Moorehead, a respected Senior Counsel in her own right. Ms Moorehead will present the cup to the captain of the winning team on the night.

The King’s Inn’s held the Justice Diarmuid cup in 2011 and 2012, only to lose it in 2013 by two penalties.

The Justice O’Donovan Cup will be awarded to the winner of the annual match between the Kings Inn’s and the Bar of Ireland on Friday the 7th February at 6.45pm at Lansdowne Rugby Club, Dublin 4. This is the premier sporting event in both the King’s Inn’s calendar, and the Bar of Ireland’s calendar and is well attended by both senior members of the bar and the judiciary.

The match will be followed by a drinks reception in the clubhouse and is always a very enjoyable night - it is also the final high profile event before the exam season starts.

Bar of Ireland v. The Honorable Society of King’s Inn’s takes place on Friday 7th February KO at 6.45 pm at Lansdowne RFC, Aviva Stadium.

Rugby, Seeks Supporters

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takes place on Friday 7th February KO at 6.45 pm at Lansdowne RFC, Aviva Stadium.

Anyone wishing to play please contact Paul O’Grady, otherwise please support Kings’ Inn’s

Running Club

Blackhall have started Training for ‘Hell and Back’ and other Hiking events throughout the year.

If anyone is interested in joining our energetic trainee solicitor friends, please contact me as soon as you can, at han-nah.cahill@kingsinns.ie.

An Garda Síochána

have issued a Crime Prevention Information Sheet on

Vehicle Security for Bicycles, you should have received one by email, but here are some Useful Contacts and Links

The Garda National Crime Prevention Unit,
Tel: (01) 6663314 Fax: (01) 6663314
Email: crime_prevention@ garda.ie
An Garda Síochána: www.garda.ie
Sold Secure: www.soldsecure.com

Eoin O’Higgins Memorial Moot

The current Eoin Higgins Memorial Moot winners, the Kings Inn team, is now looking for expressions of interest from students for the 2014 team

If you are interested please send an email with the subject line “Eoin Higgins 2014” to keithrooneybl@gmail.com and include your name and contact details

Library News

Library has instituted a library book “hold” system to better ensure the fairer circulation of Library materials. This will allow each student to place a hold/reservation on up to 2 library books at a time. In order to place a hold, you need to contact a member of the Library staff directly (in person or via telephone or email to library@kingsinns.ie

Get Involved & Thank You

Thanks to all who contributed to this Issue. If you are looking to contribute please feel free to submit all articles to any of the following Members of the Editorial Board:
Christine.Traynor@kingsinns.ie
Alexander.Layden@kingsinns.ie
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Shane.Quinn@kingsinns.ie