

## TEMPORARY MEMBERSHIP OF THE BAR OF NORTHERN IRELAND

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20. (1) A practising member of the Bar of England and Wales must apply in writing to be admitted to temporary membership of the Inn of Court of Northern Ireland (The Inn) and the Bar of Northern Ireland (The Bar) if he or she wishes to accept instructions in a particular case or particular cases which arise out of the same facts or involve the same point of law before a Court or Courts in Northern Ireland.
- (2) In order to be admitted to temporary membership an applicant must:
- (i) (a) specify the case, or group of cases for which temporary membership is sought and the court at which the case or cases are to be heard; and
    - (b) provide evidence which establishes that either a solicitor or solicitors of the Court of Judicature of Northern Ireland or an Instructing Professional Client who is a member of a Recognised Professional Body which has been granted by the Bar Council the right to instruct a barrister without the intervention of a solicitor wish to brief the applicant to appear in the case or cases in respect of which he seeks temporary membership
  - (ii) satisfy the Inn that the applicant has been in independent practice at the Bar of England and Wales for at least 3 years before the date of the application;
  - (iii) satisfy the Inn that the applicant has a valid practising certificate issued by the Bar of England and Wales; and
  - (iv) satisfy the Inn that the applicant has in place professional indemnity insurance valid in Northern Ireland which is the equivalent in all respects to that required by the Bar of Northern Ireland at the time of the application.
  - (v) The applicant must undertake in writing to comply with the Code of Conduct of the Bar at all times during the applicant's period of temporary membership and to be bound by the disciplinary procedures of the Bar of Northern Ireland in respect of the applicant's conduct during the

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period of temporary membership, irrespective of whether any complaint is made in respect of that conduct during or at any time after the period of temporary membership. This duty to comply with the Code of Conduct of the Bar at all times, includes a requirement that if temporary membership is sought by an applicant who is instructed by an Instructing Professional Client, also to act at all times in compliance with the Guidelines on Direct Professional Access, during the applicant's period of temporary membership

- (vi) The applicant shall obtain a practising certificate from the Bar of Northern Ireland before the applicant appears in court or acts in any fashion whatsoever in the case or group of cases for which temporary membership has been granted.
  - (vii) The application must be accompanied by a Memorial and Undertaking in the form set out in Schedule 4A, together with the prescribed fee.
- (3) Temporary membership lasts until all procedures (including appeals) have been completed in respect of the case or group of cases for which temporary membership has been granted and only permits the applicant to appear in those proceedings during the period of temporary membership.
- (4) After 1<sup>st</sup> March, 2015 temporary membership will be granted on no more than three occasions in total.
- (5) Applications for temporary membership of the Inn of Court and the Bar of Northern Ireland may be granted by a committee of the Inn.
- (6) (i) The committee shall meet once each term to consider applications for temporary membership and shall have power to regulate its procedure and to regulate the form and procedures required to make applications for temporary membership, as it considers necessary;

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- (ii) In exceptional circumstances the committee may meet more frequently, in relation to applications for temporary membership.
- (7) Applications for temporary membership shall be accompanied by such fee as the Inn of Court of Northern Ireland may determine from time to time.