

# Irish Criminal Bar Association

## Constitution

The Constitution of the Irish Criminal Bar Association

The name of the Association shall be the Irish Criminal Bar Association.

**1. Aims & Objects:**

The aims and objects of the Association shall be:

1. To promote the highest standards in the practice of criminal law.
2. To seek improvements in the area of criminal law, both in legislative provisions and administrative procedures.
3. To operate as a forum for barristers who practice in the area of criminal law.
4. To provide information and education in regard to criminal law.
5. To make representations on behalf of members' interests to the judiciary, the Courts Service of Ireland and any other body as appropriate.

**2. Membership:**

Membership of the Association shall be open to any practising barrister. Associate membership of the Association shall be open to such other persons involved in the area of criminal law as may be determined by the Executive Committee of the Association from time to time. An associate member shall not be entitled to vote at general meetings of the Association.

**3. Commencement & Cessation Of Membership:**

Applications for membership shall be made to the Executive Committee and such membership shall commence upon the Executive Committee approving the application and the applicant paying a membership subscription. Membership shall cease if:

- The member resigns.
- A member's subscription is two years in arrears, unless the Executive Committee otherwise determines.
- The person is removed from membership by a decision of a General Meeting of the Association

**Subscriptions:**

A member or associate member shall pay or discharge such yearly subscription as may be determined by the Executive Committee from time to time. The Committee may prescribe a different subscription rate for members and associate members, and for categories within members, such as newly qualified lawyers.

**Government & Administration:**

The government and administration of the Association shall be entrusted to an Executive Committee which shall consist of at least twelve persons, at least six of whom shall be junior counsel and at least one of whom shall be a devil. The Committee shall elect from amongst its members, a Chairperson, a Vice-Chairperson, a Secretary, and a Treasurer who shall be the Officers of the Association. The Executive Committee shall meet on not less than six occasions in any calendar year. The members of the Executive Committee shall be elected at each Annual General Meeting of the Association and shall hold office until the following Annual General Meeting. Nominations for election to the Executive Committee can be made at any Annual General Meeting by a proposer and seconder. In the event of a vacancy occurring in the membership of the Executive Committee during its period of office, the remaining members of the Committee shall have power to co-opt a person to fill the vacancy until the following Annual General Meeting.

**Chairperson:**

The Chairperson of the Association shall hold office for no more than two consecutive years.

**Committees:**

The Executive Committee shall be assisted in the government and administration of the Association by the following committees which shall have the membership and function set out hereunder:

- **The Finance Committee:**  
This Committee shall be responsible for the administration of the finances of the Association. It shall be comprised of at least four members, one of whom shall be the Treasurer who shall chair the Committee.
- **The Communications Committee:**  
This Committee shall be responsible for internal communication with members and

external communication with other persons and bodies. In particular it shall be responsible for the publication of the papers and circulars produced by the Association and the maintenance of its website. It shall consist of at least six members, one of whom shall be the Secretary of the Association, who shall chair the Committee.

- **The Law Reform Committee:**  
This Committee shall be responsible for the preparation and presentation of submissions and commentaries in areas where change or reform of criminal law is anticipated or required. It will consist of at least five members, one of whom shall be the vice-Chairperson of the Association who shall chair the Committee.
- **The Education Committee:**  
This Committee will be responsible for the preparation and provision of continuing education for members and for other persons involved in the area of criminal law. In particular it will be responsible for the organisation of meetings and lectures in regard to various aspects of criminal law. It shall comprise at least five members, one of whom shall be a member of the Executive Committee who shall chair the Committee
- **The Circuit Committee:**  
This Committee will be responsible for liaison between the Association and members who practice in different court areas throughout the country. In particular it shall attempt to exchange information between members as to what occurs in such areas. It shall consist of at least five members, one of whom shall be a member of the Executive Committee who shall chair the Committee
- **The Liaison Committee:**  
This Committee will be responsible for liaison with the members, the judiciary and the solicitors' profession. It will also organise social events within the Association and assist with the social aspects of conferences, whether national or international. It shall consist of at least five members, one of whom shall be a member of the Executive Committee who shall chair the Committee.
- **The New Members' Committee:**  
This Committee will be responsible for liaison, support and education for members in their first few years of practice. In particular it shall attempt to encourage education, integration and support for those members. It shall consist of at least five members, two of whom shall be in their first two years of practice, and one of whom shall be a member of the Executive Committee who shall chair the Committee.

The Executive Committee shall be entitled to establish other ad hoc committees to carry out particular tasks. The members of the various committees of the Association (other than the Executive Committee) shall be appointed by the Executive Committee from time to time for such period as that Committee may determine. The Executive Committee shall be entitled at any time to remove a person from membership of a Committee. The Committees of the Association shall report to the Executive Committee on a regular basis as to the progress of their work.

#### **General Meetings:**

The Association shall hold an Annual General Meeting during each calendar year, at such time and in such place as may be determined by the Executive Committee. Further the Executive Committee shall be entitled to hold an Emergency General Meeting at such time and in such place as it may determine, the Executive Committee shall convene an Emergency General Meeting if requested to do so by a requisition signed by thirty members of the Association, such meeting to take place not later than one month from the date of the receipt of such requisition. Any General Meeting of the Association shall be chaired by the Chairperson of the Association, or if the Chairperson is not available, by the Vice-Chairperson, or other Officer of the Association. Fourteen days notice shall be given of the holding of a General Meeting

#### **Resolutions:**

Any resolutions for consideration or debate at a General Meeting shall be signed by a proposer and seconder who are members of the Association and shall be submitted to the Secretary not later than seven clear days prior to the date of the meeting.

#### **Voting:**

Voting at General Meeting shall be by way of raising of hands unless at least 25% of the members present shall request a secret ballot in regard to a particular matter. A resolution shall be passed if a simple majority of those present at the meeting vote in favour of such resolution. A two thirds majority

of the members present at a meeting shall be necessary to pass a resolution to amend this constitution. The election of members of the Executive Committee shall be determined on the basis that the twelve candidates who receive the greatest number of votes of the members present shall be deemed elected. In the event of a tie a further vote shall take place as between the tied candidates. Voting at meetings of the Executive Committee or other Committees of the Association shall be determined by simple majority.

**Code Of Good Practice:**

The Executive Committee may adopt a code of good practice in respect of the practice of criminal law by its members.

**Power Of The Executive Committee & Officers:.**

The Executive Committee and the Officers of the Association shall have such powers as may be necessary to carry out their functions, including the opening of bank accounts and the signing of cheques. All cheques shall be signed by the Treasurer and another member of the Executive Committee and all items of expenditure (other than items costing less than €100.00) shall be subject to the approval of the Executive Committee.

**Notice:**

Any Notice required by the provisions of this Constitution may be given by way of ordinary prepaid post or by way of email, where the member has supplied an email address to the Association.

**Dissolution:**

Notwithstanding any other provisions of this Constitution, any resolution to dissolve the Association must be passed by two-thirds of the members present at the General Meeting of the Association.