



Meeting in the President's Office at the JFBA headquarters in Tokyo were (left to right): Kimitoshi Yabuki (immediate Past Chair, BIC), Berit Reiss-Andersen (Junior Vice-Chair, BIC), Reiko Fuchigami (President, JFBA), Ken Murphy (Chair, BIC) and Steven Richman (Senior Vice-Chair, BIC).

Japan Bar's first woman president welcomes BIC

For the first time since its foundation in 1949, the Japan Federation of Bar Associations (JFBA) has elected a woman as its president.

Reiko Fuchigami achieved this historic breakthrough for women in the mandatory membership organisation for Japan's 46,000 lawyers by commencing her two-year term as JFBA President on 1 April 2024.

Among the first international colleagues to have the opportunity to congratulate her in person were the ten Officers of the IBA Bar Issues Commission (BIC) who met to discuss matters of interest to the profession in Japan with President Fuchigami, together with other senior leaders of the JFBA, in the JFBA's very impressive headquarters in central Tokyo on 19 April 2024.

The BIC Officers had chosen Japan as the venue for their annual retreat, held in Asia for the first time, and prior to meeting with President Fuchigami had spent several days reflecting, discussing in detail and strategically planning the business of the BIC for the year ahead.

Following the meeting with the JFBA leadership, the female BIC Officers participated in a gender diversity seminar organised by the JFBA's Masako Banno, who is Co-Vice Chair of the IBA Women Lawyers Committee.

The seminar was delivered both to those present in person at the JFBA headquarters and to a much larger audience of Japanese lawyers online. A report on this fascinating seminar follows next in this issue of BIC News.

Gender diversity seminar in Tokyo

Each country has a different story to tell about their journey towards the empowerment of women lawyers. To understand the differences and learn from each other, in April, female BIC officers were invited by the Tokyo Bar Association in collaboration with the Japan Federation of Bar Associations (JFBA) to speak about the issues of gender diversity of lawyers at a seminar in Tokyo arranged by Kimitoshi Yabuki, Immediate Past BIC Chair. President Reiko Fuchigami, the first-ever female president of the JFBA in its 74-year history, attended the seminar and gave welcome remarks to the speakers and the audience of around 70 Japanese lawyers, including online participants.

Ratio of women lawyers in younger generation and senior level

First, the panel covered the ratio of women lawyers in the jurisdictions of the panelists: Australia, Brazil, England and Wales, Japan, Norway and South Africa. All five jurisdictions, except for Japan, have at least 50 per cent women as newly admitted young lawyers.

In response to a request from Masako Banno from the Tokyo Bar Association, who moderated the seminar, SPPI Representative Alessandra Nascimento S F Mourao from the Brazilian Bar Association spoke about the factors that have triggered an increase in young female lawyers in Brazil. Many female general counsels of global large companies in Brazil have encouraged fairer representation of women lawyers in the local law firms. Other factors include appointing judges from female lawyers and tightening disciplinary actions against sexual harassment.

Berit Reiss-Andersen, BIC Vice Chair and a former president of the Norwegian Bar Association, reported that women lawyers are the majority in Norway today in all ages under 40, but that it had not been very easily achieved even in the diversity, equity and inclusion (DEI) friendly Nordic country. She explained that the increase of women in the other fields, such as politics several decades ago, positively impacted the increase in women lawyers.

However, even such jurisdictions that have achieved a majority of women lawyers in their junior ranks still have an issue with

Christina Blacklaws

Officer, IBA Bar Issues Commission; former President, Law Society of England & Wales

Masako Banno

Co-Vice Chair, IBA Women Lawyers' Committee



The geographically diverse group of expert speakers at the webinar in the JFBA's Tokyo headquarters were: (left to right) Fiona McLeod (Australia), Masako Banno (Japan), Reiko Fuchigami (President, JFBA), Thsepo Shabangu (South Africa), Christina Blacklaws (England and Wales), Alessandra Nascimento Mourao (Brazil) and Berit Reiss Andersen (Norway).

underrepresentation of women in senior positions. Christina Blacklaws, BIC Officer and former president of the Law Society of England & Wales, reported that despite women being the majority of entrants to the legal profession in the UK for decades, this had not filtered through to representation at partnership level in private practice. Women represented 53 per cent of the profession, and over 60 per cent of new entrants, yet there were only 32 per cent of women at partnership level.

In addition, BIC Officer Tshepo Monica Shabangu from the Law Society of South Africa mentioned that 'boys clubs' in law firms and business communities may result in a lack of role models for female lawyers and less opportunity for business development, and hence difficulty in promotion. There is a 'vicious circle' with few women being promoted, resulting in fewer role models and fewer chances of business development for women lawyers. Tshepo suggested that getting a good mentor, including male mentors, is helpful to female lawyers in overcoming the challenges that she experienced in the early stage of her career. Christina Blacklaws introduced the 'male champions' projects in the Law Society of England & Wales and the IBA Women Lawyers' Committee, to enhance senior-level male lawyers' support for women lawyers.

Gender income gap and business development

In several jurisdictions where data is available, a gender income or pay gap is evident. Part (but not all) of such difference is explained by the fact that some women lawyers work for fewer hours than male due to their family responsibilities, or the

fact that there are more women at a junior level. England and Wales has a law which requires large companies (over 250 employees) including law firms to report annually on their gender pay gap. Berit supported the importance of transparency, to enhance voluntary efforts in law firms.

Fiona McLeod, BIC Officer and a former president of the Law Council of Australia, emphasised that today's major corporate clients require law firms to meet diversity principles, that team diversity enhances the productivity of business operations, and hence that the promotion of diversity and inclusion makes sense in terms of business efficiency.

Regional uniqueness and roles of local bar associations

It was noted that most lawyers in Japan (both men and women) are working for small law firms, where each partner develops their own clients and earn their profits on an individual basis while sharing the costs of their firm on a flat rate, rather than profit sharing between partners. In smaller firms, the largest issue is access to profitable clients and good opportunities for business development.

In conclusion, the panelists and the audience found that there are various factors to be changed both in the legal community and society. Bar associations need to take a lead and to collaborate to bring about positive change. Although our jurisdictions differ, this issue is consistent around the world. If we are to ensure that our profession thrives and is truly representative, we all need to strive for the same outcome: achieving equitable and fair representation of women lawyers in all levels.



Left: Akira Kawamura (IBA President 2011–12 and first Chair of the BIC) and Ken Murphy



2023 IBA Annual Conference session report: Diversity – focus on disability



Back (left to right): Luke Murphy, Ian Jeffries, Fiona McLeod. Front: Yasmin Sheikh, Patience Nkeonyeasua Etumudon.

Building upon the longstanding commitment of the BIC and our members to diversity and inclusion, the BIC arranged its first session focusing on the empowerment and inclusion of people living with disability at the 2023 IBA Annual Conference in Paris.

The session asked: how do we find ways to address barriers to full participation in the legal profession? How do we ensure our colleagues and employees are safe and supported and able to reach their full potential?

The session was moderated by BIC Officer and former IBA Diversity and Inclusion Council Co-Chair Fiona McLeod AO KC. Speakers Yasmin Sheikh, Diversity Trainer of Diverse Matters, and Patience Etumudon, Secretary of the Nigerian Bar Association Lawyers with Disability Forum, shared their experiences of working with disability. Each spoke of their personal journey to manage disability, including: navigating features of the workplace, such as offices, resources and

courtrooms; retraining with technology to adapt to changing circumstances; and the need to design appropriate places and ways of working. The speakers also shared the heavy burden of employer bias and low expectations and persistent ‘ableism’ of coworkers, and identified barriers that hinder participation and progression in the legal profession.

Yasmin described a report she had prepared for the Law Society of England and Wales in 2022 to help identify the needs of people with disabilities and implementation of an excellent framework in response. She described the difference between the ‘medical model’, which looks at the problem ‘with the person’ through the lens of their disability. For example, the person cannot walk, so therefore the problem lies with them and in getting into the building or around the office. They cannot read, so the problem lies with their vision and alternatives to the use of text. This model continually emphasises the ‘unable’ part of

the person by comparison with a conceived norm of health, individualising and reducing the person to the sum of their difference from the norm that filters into attitudes about ‘special’ measures, allocation of resources and effort to ensure the basic human rights of the person are protected. By comparison, the ‘social model’ is much more powerful. It starts from the assumption that what disables someone is not something innate – it is the barriers to full enjoyment of rights and full participation. It asks what is the external aspect disabling the person, what is getting in the way, and what are the physical or other barriers?

Patience described the absolute barriers of court infrastructure, with no accommodation for lawyers or clients with disabilities that had resulted in terrible injustice. For example, the absence of sign language interpreters in court proceedings meant in one rape case a complainant could not give evidence, resulting in the dismissal of charges. She spoke of stigma, discrimination and abuse occurring regularly without consequence and the total failure of health and legal systems to respond. She highlighted her own fight to be taken seriously and the challenges she had to overcome to rise to a senior position in the law, but also noted the benefits of being able to work at a senior level such as being able to support her extended family.

Speakers Luke Murphy, then-President of the Law Council of Australia, and Ian Jeffrey, Chief Executive of the Law Society of England and Wales, offered contributions from the perspective of the Bars regarding how membership organisations and firms can lead initiatives to assist in offering support and making the most of opportunities. They spoke of measures to address pervasive discrimination which had been normalised in the workplace.

Luke shared his experience as a senior personal injury lawyer in practice and things that had assisted his ability to offer services to clients, and the findings of the Law Council Justice Project and Royal Commission on Disability in Australia. Ian addressed the work of the Law Society in conducting research in 2022 and rolling out the implementation of recommendations after this important work.

The panel spoke of protective laws and the need for workplace standards. Speakers noted that people with disabilities struggle with the burden of having to endlessly lead the fight for change while also navigating the usual challenges of work, and having to maintain enthusiasm for that fight while dealing with the constant stigma that the problem lies with each of them.

Barriers to full participation can be described in broad terms as environmental, technological, and cultural/attitudinal/organisational. There should be template plans to manage these areas to benefit the entire workforce, and bespoke plans for new colleagues to adjust for those matters that hinder participation. Bars can offer examples of best practice and advice on designing workplaces to address the environmental and technical possibilities and how to be deliberate and successful in setting culture within firms.

The panel also reflected on how to be good allies, the best way to raise awareness of and talk about disability, noting that the most requested – and refused – adjustment pre-Covid was to be able to work from home. If there has been any benefit from the Covid-19 pandemic, it is the acceptance of working from home and working flexibly as a new norm which benefits the entire profession. Working flexibly has been life-changing for many.

The whole panel reflected on marginalisation and exclusion, widespread instances of inadequate support, and problems with fatigue and low self-worth. It also pondered the ways in which disability interacts with other forms of discrimination and the challenges posed by invisible disability, including mental health.

The frank assessment of the session is that we are failing our colleagues and missing out on the talent pool of remarkable lawyers who might, with some simple adjustments to the workplace, be empowered to make a significant contribution to the profession.

In failing to act we are also failing to serve the needs of our clients. While there has been recent progress in some parts of the world, in other places the stigma continues to shut people out of education, health, employment and other basic human rights.

Meeting with the CCBE in 'the birthplace of democracy'

In November 2023 the President of the Council of Bars and Law Societies of Europe (CCBE), Panagiotis Perakis, invited BIC Chair Ken Murphy to attend the CCBE's Plenary Meeting in his home city of Athens. There, in 'the birthplace of democracy', the BIC Chair

had the opportunity to engage with the representatives of Bars and law societies in no fewer than 45 countries from all over Europe. He participated in committee meetings and was honoured with the opportunity to address the CCBE Council.



Left to right: Ken Murphy, Panagiotis Perakis and CCBA Past President James MacGuill. The illuminated Parthenon is in the background.



CCBE Plenary Meeting in session in Athens, November 2023

Afghanistan Bar In Exile President addressed BIC in Paris



Left to right: Claudio Visco, Kimitoshi Yabuki, Ruhullah Qarizada (President of the Afghanistan Bar in Exile), Ken Murphy and Rafi Nadiri.



Left to right: Jorg Menzer, Valentyn Gvozdiy, Claudio Visco, Julie Couturier and Ken Murphy.

IBA President to brief BIC Open Forum in Bucharest on 'Impact Project'

The Open Forum is a twice-annual meeting of central importance to the BIC. It is an invaluable opportunity for the BIC leadership first to brief the representatives of member organisations on matters of interest and then, of equal importance, to receive feedback on these or any other issues that members wish to raise.

IBA President Almudena Arpón de Mendivil, together with Gloria Macias of the consultants McKinsey, will address the BIC Open Forum in Bucharest.

Their purpose will be to brief BIC members on a new IBA report on 'the impact of the legal profession on society'. The publication of this report, one of the IBA's most significant initiatives of recent years, is imminent at the time of writing.

Having received a briefing on the report, BIC members will have an opportunity to raise queries and give their feedback in response to it.

The BIC Open Forum in Bucharest will be held from 1400 to 1600 on Friday 24 May 2024. In addition to the above, a number of other items of BIC business will be on the agenda.



Almudena Arpón de Mendivil Aldama, IBA President

Lawyers as 'Gatekeepers' – no consensus at BIC Showcase in Paris



All smiles as the speakers line up in advance of the BIC Showcase (left to right): Michael Giesen, Steven Richman, Tshepo Shabangu, Jonathan Goldsmith, Ken Murphy (chair) and Patrick Dillen. Sara Carnegie joined later.

The BIC's three-hour 'Showcase' session in Paris was somewhat provocatively titled 'If the client wants it and it's legal, what's the problem?'

At the heart of a vigorous debate at the Showcase was what proved to be a controversial proposal that the IBA Council should approve a new 'Explanatory Note' to accompany Principle 5 of the IBA's International Principles on Conduct for the Legal Profession. Principle 5 is headed 'Clients' Interests'.

It was not proposed to change the wording of Principle 5 itself – only the explanatory guidance that accompanies it. Nevertheless, the proposal proved controversial.

The background was an intensive debate, over an 18-month period, within the BIC's Policy Committee on whether or not changes should be made to help the profession respond to accusations from some international authorities, politicians and commentators. These accusations were that some lawyers had been acting as 'facilitators' of client conduct that was contrary to the interests of society, such as in 'facilitating' tax avoidance or environmental damage. This

client conduct was probably not illegal and the lawyers were probably not acting in breach of their professional ethics. What was being complained of was so-called 'lawful but awful' activities.

Should the IBA's explanatory guidance in relation to Principle 5 be amended to address this issue and, if so, how? Could this be done without creating dangerous uncertainty about what the new standard of conduct would be?

An expert sub-committee of the BIC Policy Committee, representative of the differing views on the matter, worked hard to produce a compromise draft which, it was hoped, would receive consensus support. Relatively late in the day, however, it became clear that such a consensus did not in fact exist and accordingly, the day prior to the BIC Showcase, the draft was withdrawn from the IBA Council agenda for further consultation and consideration.

The speakers at the Showcase included Jonathan Goldsmith, Patrick Dillen, Michael Giesen and Sara Carnegie. These were the four members of the expert sub-committee who had produced the 'consensus draft' which, it had been

hoped, would meet the legitimate concerns on all sides. The other two valued speakers were Steven Richman and Tshepo Shabangu.

'The lawyer-client relationship engages every core value of the legal profession,' observed the chair of the Showcase, Ken Murphy. 'It is central to the profession's sense of its independence, its identity and its fundamental mission.'

He emphasised it was agreed by all that this discussion did not relate to representing clients in criminal law matters – only to representing, or choosing not to represent, clients in civil law cases and transactions.

With over 100 bar leaders present throughout the Showcase's three hours of high-quality, always vigorous, at times passionate, but genuinely respectful debate, with dozens of insightful interventions from the audience, the level of member engagement was both powerful and impressive. Absolutely no one left before the conclusion of the discussion.

A non-binding show of hands at the end indicated that the audience was divided almost 50–50 on whether the project of introducing new explanatory guidance on Principle 5 should proceed or not.

Nevertheless, everyone who had been present now had a much deeper understanding of the arguments, subtleties and sensitivities on all sides of this complex issue.

A full video recording of this BIC Showcase is available on the [IBA website](#).



The chair remained studiously neutral throughout the debate.

Principle 5 – Clients' interests

A lawyer shall treat client interests as paramount, subject always to there being no conflict with the lawyer's duties to the court and the interests of justice, to observe the law, and to maintain ethical standards.

The full text of Principle 5 of the IBA International Principles on Conduct for the Legal Profession (2011).



The BIC Dinner in Paris was held in the iconic Restaurant Angelina on the Rue de Rivoli

Emily Griffin-Saunders and Suzie Jaklova



Peter Koves and Rachel Holmes



Johannes Sahetapy-Engel and Margery Nicoll



Sara Carnegie



BIC in Paris

Kitomoshi Yabuki, Steven Richman, Christina Blacklaws and (standing) – Alessandra Nascimento Mourao



Jonathan Herman and Merete Smith



Riccardo Cajola and Claudia Amore



Panagiotis Perakis, Ken Murphy, Ian Jeffery, Deborah Enix-Ross, Berit Reiss-Andersen and Alessandra Nascimento Mourao

Panagiotis Perakis



Berit Reiss-Andersen



BIC in Paris

Some words of welcome and thanks to all BIC members from the BIC Chair



Deborah Enix-Ross and Tshupo Shebangu

Niko Jakobsson, Frederica Wilson and Erin Kleisinger



Turkey: IBAHRI and TALI release report documenting mass imprisonment of lawyers



The International Bar Association's Human Rights Institute (IBAHRI) and The Arrested Lawyers Initiative (TALI) have released a detailed report highlighting the declining independence of the legal profession and bar associations in Turkey. The report underscores the targeting of law professionals through unfair trials, arbitrary detention, imprisonment and harassment, as well as the alarming misuse of counter-terrorism legislation to prosecute lawyers in the course of their legitimate work.

In 2019, the designated country for the focus of the Day of the Endangered Lawyer was Turkey. Since that time, the independence of the legal profession has significantly diminished. In 77 of Turkey's 81 provinces, lawyers have been detained, prosecuted and convicted following the 2016 coup attempt, particularly on the basis of vague and broad anti-terror offences. Charges have included membership to an armed terrorism organisation and/or of spreading terrorist propaganda – under Article 314 of the Turkish Penal Code and the Anti-Terrorism Law No 3713. These charges are often combined with the misidentification of lawyers with their clients. More than 1,700 lawyers have been prosecuted, with 700 lawyers remanded to pretrial detention.

Thus far, at least 553 lawyers have been sentenced to a total of 3,380 years in prison.

This abuse of the law has led to a multitude of case rulings against Turkey at the European Court of Human Rights. Numerous court judgements have found Turkey to be in violation of the European Convention and that charges have led to arbitrary convictions without sufficient and clear evidence to support the allegations. On the situation, Dunja Mijatović, the Commissioner for Human Rights of the Council of Europe, stated: 'Laws with an overly broad definition of terrorism and membership of a criminal organisation and the judiciary's tendency to stretch them even further is not a new problem in Turkey, as attested in numerous judgments of the European Court of Human Rights. This problem has reached unprecedented levels in recent times. Prosecutors and, increasingly, the courts, consider lawful and peaceful acts and statements protected under the European Convention on Human Rights as proof of criminal activity. [...] What is used as evidence is sometimes so inconsistent and arbitrary [...] that it has become virtually impossible to foresee in good faith the legal consequences of actions. [...] This uncertainty discourages legitimate dissent and criticism.'

The IBAHRI and TALI are gravely concerned about the pervasive abuse of Turkey's anti-terrorism legislation, which has breached established international safeguards, such as the United Nations Basic Principles on the Role of Lawyers. The purpose of these protections is to guarantee the legal profession's safety and its capacity to serve in the administration of justice. Additionally, increasing interference by the government in the functioning of bar associations has curtailed their ability to act as effective bulwarks for the legal profession as more than 34 lawyers' associations have closed over the last seven years, leading to their diminishing independence.

IBAHRI Co-Chair and Immediate Past Secretary General of the Swedish Bar Association, Anne Ramberg, noted: 'The judiciary and the prosecution in Turkey have become central figures in the mass incarceration of lawyers and the criminalisation of lawyers' professional duties. Instead of upholding justice, the judiciary and the prosecution have played a disconcerting role in the imprisonment of 553 lawyers and the undermining of the rule of law. The IBAHRI is dedicated to supporting initiatives to promote justice, equality and the protection of human rights and calls on Turkey to meet its international obligations.'

IBAHRI Co-Chair, Mark Stephens CBE, commented: 'The undue influence of Turkey's

Executive imperils the role of bar associations as defenders of justice. It also poses a grave threat to checks and balances, accountability, and diminishes public trust in institutions and the justice system. Furthermore, such interference, coupled with the misuse of legal instruments, erodes the rule of law, increases risk of corruption within the judiciary, and undermines democratic principles. The IBAHRI calls for a halt to the targeting of law professionals as they undertake their professional duties.'

The Director of TALI, Ali Yildiz, stated: 'Lawyers play a pivotal role in upholding justice, preserving individual rights, and maintaining the rule of law in society. Their expertise is essential in navigating the complexities of the legal system, ensuring fair representation, and safeguarding the rights of individuals including freedom from torture. Turkish authorities continue to associate lawyers with their clients and consequently punish them. Many lawyers remain in prison on the same grounds. We ask the Turkish authorities to end the unlawful imprisonment of our fellow lawyers.'

The IBAHRI and TALI call on Turkish authorities to guarantee the independence of Turkey's judiciary and legal profession and to amend domestic anti-terror laws to ensure that they are in line with regional and international principles.

2023 Bar Executive Exchange meeting in Paris

During the 2023 IBA Annual Conference, we had our Bar Executive Exchange (BEX) meeting at the beautiful premises of the Paris Bar. The theme was ‘threats against lawyers’. Representatives from the Paris Bar talked about the impressive work the Bar is doing for lawyers at risk. The Paris Bar has several programmes, including the Lawyers Shelter Programme, the International Observatory of Lawyers at Risk and the Marianne Initiative.

We also had the pleasure of hearing Christopher H Stephens, Legal Senior Vice President and General Counsel of the World Bank Group, who spoke on the topic ‘Lawyers and rule of law in the global development agenda’.

The last speakers were Judith Aldersey-Williams and Penelope Warne, who introduced us to The Law Societies’ Compact and Forum for SDG16.

The Paris Bar was so kind as to serve us a wonderful lunch.

BEX meeting 2024 in Bucharest

The theme for this meeting: **Can lawyers go on strike?**

Historically it has seemed inconceivable that lawyers could go on strike. Lawyers are professionals and when working outside government as independent lawyers, they are

normally self-employed or part of a private law firm. So does ‘going on strike’ even make sense? In this session we will explore why and when lawyers might consider using the ‘strike weapon’, and what these strikes might have led to. Does it work? Does it matter?

PROGRAMME

0900

Transport to the Bucharest Bar Association

0930 – 0945

Welcome and introduction to the activities of the Bucharest Bar Association

0945 – 1030

Tour de table with short introduction of participants and the current topics from their association

1030 – 1045

Short break

1045 – 1200

Can lawyers go on strike?

To answer this question, we have asked Merete Smith from the Norwegian Bar Association, Ciara Murphy from the Bar of Ireland, Phil Robertson from the Bar Council of England and Wales and Edward Mapara from the Law Society of Zimbabwe to share their views and experiences.

1200 – 1330

Lunch hosted by the Bucharest Bar Association

1330

Return to Conference venue



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- 2024 is 'the global year of elections'. What should bars and law societies do during national elections? Heads down or speak up? How can you participate with impact on important issues without being seen as politically partisan?
- Generative AI could radically alter the practice of law: what are the issues that bars and law societies should be addressing right now and how?
- Governance of bars and law societies: what's changing and what should bar leaders be doing about it?
- What leadership role can bars and law societies play on climate change?

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Programme

Conference Chair

Ken Murphy *Law Society of Ireland, Dublin; Chair, IBA Bar Issues Commission*

Wednesday 22 May – All sessions will take place in the Constanta Ballroom

1130 – 1700 **Registration**

1200 – 1300 **Lunch**

1300 – 1330 **Welcome and opening remarks**

Ken Murphy *Law Society of Ireland, Dublin; Chair, IBA Bar Issues Commission*

1330 – 1500

2024 is ‘the global year of elections’. What should bars and law societies do during national elections? Heads down or speak up? How can you participate with impact on important issues without being seen as politically partisan?

Your members naturally have differing individual allegiances ranging across your nation’s party-political spectrum. But shouldn’t all lawyers support increased investment in the legal system, the courts and access to justice? Some bars and law societies now publish ‘manifestos’ at election time urging their various proposals for reform of the law and the legal system.

We live in a political era increasingly characterised by polarisation of views, populism, disinformation, discourtesy, intolerance of difference and binary, extreme, ‘us-and-them’ divisions. Human rights, the rule of law and democracy itself are at risk in an election atmosphere hostile to evidence-based, respectful and balanced debate. Crucial decisions are being made in this ‘global year of elections’. How can the independent voice, expertise and value-system of the legal profession play an appropriate role in the public interest, at election time?

Session Chair

Ken Murphy *Law Society of Ireland, Dublin; Chair, IBA Bar Issues Commission*

Speakers

Deborah Enix-Ross *American Bar Association, New York; Co-opted Member, IBA Credentials Committee*

Ian Jeffery *The Law Society of England and Wales, London*

Hung Ou Yang *Taipei Bar Association, Taipei*

Anne Ramberg *Anne Ramberg, Stockholm; Co-Chair, IBA Human Rights Institute*

1500 – 1530 **Coffee/tea break**

1530 – 1700

AROUND THE TABLE: a taste of hot topics – part one

Session Chair

George Artley *Legal Manager, Projects, IBA Legal Policy and Research Unit, London*

TOPIC ONE: Update on recent global developments concerning international trade in legal services

Iain Sandford *Sidley Austin, Geneva; Vice Chair, IBA BIC International Trade in Legal Services Committee*

Kimitoshi Yabuki *Japan Federation of Bar Associations, Tokyo; Chair, IBA Credentials Committee*

TOPIC TWO: Legal ethics and the IBA’s anti-corruption project: BIC perspectives

Sara Carnegie *Director, IBA Legal Policy and Research Unit, London*

TOPIC THREE: Wellbeing in the legal profession: the role of bars and law societies in tackling the crisis

Deborah Enix-Ross *American Bar Association, New York; Co-opted Member, IBA Credentials Committee*

Steven Richman *American Bar Association, Washington, DC; Chair, IBA Bar Issues Commission Policy Committee*

TOPIC FOUR: How to improve bar and law society engagement with the work of the IBA

Berit Reiss-Andersen *Norwegian Bar Association, Oslo; Vice Chair, IBA Bar Issues Commission*

Riccardo Cajola *Cajola & Associati, Milan; Officer, IBA Bar Issues Commission*

TOPIC FIVE: What should bars and law societies be doing about the climate crisis?

Dominique Hogan-Doran SC *Australian Bar, Sydney, New South Wales; Vice Chair, Bar Issues Commission Regulation Committee*

Ian Jeffery *The Law Society of England and Wales, London*

Headline social event sponsor



Wednesday continued

TOPIC SIX: Who speaks for the bar? Presidents, executive leadership or its members?

Christina Blacklaws *The Law Society of England and Wales, London; Officer, IBA Bar Issues Commission*

Ken Murphy *Law Society of Ireland, Dublin; Chair, IBA Bar Issues Commission*

1800 – 2000 **Reception at the JW Marriott Hotel hosted by Bucharest Bar**

Thursday 23 May – All sessions will take place in the Constanta Ballroom

0830 – 1730 **Registration**

0900 – 1030

Artificial intelligence and professional ethics: old wine in new bottles?

As part of the IBA presidential task force on artificial intelligence, the Bar Issues Commission is tasked with reviewing the impact on regulatory and ethical rules regarding lawyers. Several jurisdictions have already issued guidelines and best practice commentaries relating to the professional conduct of lawyers. The panel will provide a cross section of comparative responses by bars and regulatory authorities to artificial intelligence, and feature speakers from across the spectrum of IBA entities involved with the task force. The session will be interactive so that attendees may also provide input on their bar activities.

Session Chair

Steven Richman *American Bar Association, Washington, DC; Chair, IBA Bar Issues Commission Policy Committee*

Speakers

Riccardo Cajola *Cajola & Associati, Milan; Senior Vice Chair, IBA International Commerce and Distribution Committee*

Harvey Cohen *Dinsmore & Shohl, Cincinnati, Ohio; Member, IBA LPD Council*

Julie Couturier *Conseil National des Barreaux, Paris; President / Chairperson, Conseil National des Barreaux*

Derya Durlu Gurzumar *Istanbul Bar Association, Istanbul; Chair, IBA Artificial Intelligence Working Group*

Hanim Hamzah *KPMG, Singapore; Member, IBA SPPI Council*

Dominique Hogan-Doran SC *Australian Bar, Sydney, New South Wales; Vice Chair, Bar Issues Commission Regulation Committee*

1030 – 1100 **Coffee/tea break**

1100 – 1230

AROUND THE TABLE: a taste of hot topics – part two

Session Chair

George Artley *Legal Manager, Projects, IBA Legal Policy and Research Unit, London*

TOPIC ONE: Update on recent global developments concerning international trade in legal services

Mickael Laurans *The Law Society of England and Wales, London; Chair, IBA BIC International Trade in Legal Services Committee*
Kimitoshi Yabuki *Japan Federation of Bar Associations, Tokyo; Chair, IBA Credentials Committee*

TOPIC TWO: Legal ethics and the IBA's anti-corruption project: BIC perspectives

Sara Carnegie *Director, IBA Legal Policy and Research Unit, London*

John Guerin *Law Society of Northern Ireland, Belfast; Chair, Bar Issues Commission Regulation Committee*

TOPIC THREE: Wellbeing in the legal profession: the role of bars and law societies in tackling the crisis

Deborah Enix-Ross *American Bar Association, New York; Co-opted Member, IBA Credentials Committee*

Steven Richman *American Bar Association, Washington, DC; Chair, IBA Bar Issues Commission Policy Committee*

TOPIC FOUR: How to improve bar and law society engagement with the work of the IBA

Alessandra Nascimento *S F Mourão Nascimento e Mourão Advogados, São Paulo; Member, IBA SPPI Council Advisory Board*

Berit Reiss-Andersen *Norwegian Bar Association, Oslo; Vice Chair, IBA Bar Issues Commission*



Thursday continued

TOPIC FIVE: What should bars and law societies be doing about the Climate Crisis?

Dominique Hogan-Doran SC *Australian Bar, Sydney, New South Wales; Vice Chair, Bar Issues Commission Regulation Committee*
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TOPIC SIX: Who speaks for the Bar? Presidents, executive leadership or its members?

Christina Blacklaws *The Law Society of England and Wales, London; Officer, IBA Bar Issues Commission*
Paul Mollerup *Association of Danish Law Firms, Copenhagen; Commissioner, IBA Professional Wellbeing Commission*

1230 – 1400 **Lunch**

1400 – 1530

Independent regulation of legal services under the microscope – current threats and opportunities for bars and law societies

It is a bedrock democratic principle that the legal profession must be independent of the state. But what about the manner in which the legal profession and legal services are regulated? What exactly does it mean to be independent from the state and where does accountability lie? In places where 'self-regulation' has been unchallenged for years, governments have taken a closer look and asked whether the governance models for the legal services sector ought to change. Policy drivers have included the need to address fair competition, effective and independent complaints handling and increased access to justice – all with a view to fostering public confidence in the system of regulation of the legal services sector. And so, the need for good governance and independence must be balanced. Can they be and if so, how?

In this interactive session, we will hear from bar leaders in jurisdictions whose systems of governance have been or are in the process of being reviewed by the state, and learn how they are dealing with change or the prospect of change. Bar leaders everywhere should take note as real or perceived threats to independence may also present opportunities to improve how bars and law societies do their work.

Session Chair

Jonathan Herman *Federation of Law Societies of Canada, Ottawa, Ontario; Officer, IBA Bar Issues Commission*

Speakers

Frazer Barton *New Zealand Law Society, Wellington*

Erin Kleisinger *Federation of Law Societies of Canada, Ottawa, Ontario*

Susan Murray *Law Society of Scotland, Edinburgh*

Tshepo Shabangu *Law Society of South Africa, Pretoria; Officer, IBA Bar Issues Commission*

1530 – 1630 **Coffee/tea break**

1600 – 1730

AROUND THE TABLE: a taste of hot topics – part three

Session Chair

George Artley *Legal Manager, Projects, IBA Bar Issues Commission, London*

TOPIC ONE: Update on recent global developments concerning international trade in legal services

Mickael Laurans *The Law Society of England and Wales, London; Chair, IBA BIC International Trade in Legal Services Committee*
Kimitoshi Yabuki *Japan Federation of Bar Associations, Tokyo; Chair, IBA Credentials Committee*

TOPIC TWO: Legal ethics and the IBA's Anti-Corruption Project: BIC perspectives

Sara Carnegie *Director, IBA Legal and Research Unit Projects, London*
John Guerin *Law Society of Northern Ireland, Belfast; Chair, Bar Issues Commission Regulation Committee*
Steven Richman *American Bar Association, Washington, DC; Chair, IBA Bar Issues Commission Policy Committee*

TOPIC THREE: Wellbeing in the legal profession: the role of bars and law societies in tackling the crisis

Deborah Enix-Ross *American Bar Association, New York; Co-opted Member, IBA Credentials Committee*
Steven Richman *American Bar Association, Washington, DC; Chair, IBA Bar Issues Commission Policy Committee*

TOPIC FOUR: How to improve bar and law society engagement with the work of the IBA

Berit Reiss-Andersen *Norwegian Bar Association, Oslo; Vice Chair, IBA Bar Issues Commission*
Riccardo Cajola *Cajola & Associati, Milan; Officer, IBA Bar Issues Commission*

TOPIC FIVE: What should bars and law societies be doing about the climate crisis?

Dominique Hogan-Doran SC *Australian Bar, Sydney, New South Wales; Vice Chair, Bar Issues Commission Regulation Committee*
Ian Jeffery *The Law Society of England and Wales, London*

TOPIC SIX: Who speaks for the bar? Presidents, executive leadership or its members?

Paul Mollerup *Association of Danish Law Firms, Copenhagen; Commissioner, IBA Professional Wellbeing Commission*
Greg McIntyre *Law Council of Australia, Canberra, Australian Capital Territory; President / Chairperson, Law Council of Australia*

Thursday continued

1930 – 2200 **Conference dinner**

The Diplomat Restaurant

Sos Bucuresti-Ploiesti 2B, Bucharest

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* Source: www.imf.org

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