

## Conference 2020

### Welcome Address

Denise Brett SC, Chair IACBA

Good afternoon and welcome to the annual conference of the Immigration Asylum and Citizenship Bar Association in what is its traditional last Friday in November slot. However there has been little else traditional about 2020, which has been a tough year for Members and colleagues throughout the profession, as it has been for the entire country. As practitioners, we are especially aware of the impact of Covid-19 on the myriad of applications which arise in the international protection and Immigration area in particular, the operation of the protection adjudication bodies, the Department of Justice and of course the courts. Our Members represent Clients in all these fora and there is no area within this field of practice which has not suffered difficulties and constraints. The efforts made by all involved across the spectrum of activity, within the restrictions of Government guidelines, is to be commended. One of the most notable and perhaps dramatic changes arising has been the migration of court hearings to a remote platform. Since March, the Appeal courts followed by the High Court all moved online, with a steep learning curve for all. The continued pace of hearings is a testament to the adaptive skills of practitioners.

Since we were together last year, the courts have continued to hear and determine cases and appeals notwithstanding the challenges of 2020. Almost 40 judgments have been delivered by the Supreme Court and the Court of Appeal in this area of law - dealing with citizenship; family rights; marriages of convenience; the meaning of 'child'; the Dublin III Regulation; the performance of statutory functions; EU free movement; the concept of 'family member' in the Citizens Directive; statutory interpretation; the procedure for subsidiary protection; disclosure of reasons to highlight but some. Many of you here today were a part of those cases. Our Conference speakers today will be addressing many of key issues of law they identify and clarify. In the High Court, we lost Mr Justice Humphreys after three years in charge of the List and Mr Justice Barrett, both of whose tireless efforts had delivered a prolific number of judgments over their respective tenures. We wish them both well in their respective new areas of responsibility. We have gained the talents of Ms Justice Burns who took charge of the List in October this year and the Association warmly welcomes her to this varied area of the law.

Throughout the volatility of the last year, IACBA has continued to be very active, delivering more than monthly CPD presentations to its Members with twelve speakers have contributing on a wide range of topics including restriction of free movement under EU law on grounds of health; marriages of convenience; revocation of citizenship; reception conditions; challenges to IPAT decisions and family reunification; engaging with the judiciary and communicating updates / practice messages to its Members. We are indebted to the many colleagues who freely give of their time to share their expertise for the ongoing enrichment of all.

When we gathered this time last year, where we could meet and mingle for all the additional social enjoyment a Conference can bring, none of us could then have envisaged what Conference 2020 would have to be. This new virtual delivery model however eliminates geographical challenges and made it possible to bring together an exceptional line-up of EU-based and colleague Speakers which we hope you will enjoy this afternoon. The Conference Schedule reflects the diversity and currency of the law we practice and I can assure you there will be many stimulating ‘take-aways’ from the contributions you will hear today. IACBA are immensely grateful to Michael Lynn SC; Professor Cathryn Costello; Professor Steve Peers and Jonathan Tomkin all of whom will participate in the first session and Advocate General Hogan; Suzanne Kingston SC; Aoife McMahon BL and Sara Moorhead SC who take over after the coffee break. They make for a fascinating afternoon.

The effort necessary to bring you Conference 2020 has been enormous and while a simple ‘thank you’ seems inadequate to do justice to all the time and effort the Committee have voluntarily invested, or to the incredible talents and patience of Aoife Kinnarney and her team on the Bar Council, I enthusiastically pass on all our appreciation.

Which brings me to the other significant development which has occurred in the time since our last Conference - the appointment of our Conference Chair today, Mr Justice Brian Murray to the Court of Appeal. Mr Justice Murray is well familiar with this area of law, having appeared in some seminal cases in the course of his stellar career at the Bar. He has delivered 2 notable judgments of the Court of Appeal in the area, in *Habte* and *U.M.* dealing with certificates of naturalisation and reckonable residency for derivative citizenship purposes respectively, both of which bear his hallmarks of incisive thought and clarity. We are honoured to have him Chair this afternoon’s event and thank him for his time.

Please enjoy the afternoon.

Denise Brett SC  
Chair, IACBA