

Ten years of PILS in Northern Ireland

To mark the Public Interest Litigation Support (PILS) Project's 10th anniversary, law firm Baker McKenzie carried out desk research and one-on-one interviews to help PILS plan future actions to increase the impact of its work in public interest litigation. (Please note that the text of this report was finalised in late 2019, prior to the global outbreak of the COVID-19 pandemic.)

From this research, three key areas emerged:

- 01 Making the case for Pro Bono Costs Orders (PBCOs) in Northern Ireland
- 02 Shining a greater spotlight on successful public interest cases
- 03 Preparing for emerging themes in strategic litigation

01 Making the case for Pro Bono Costs Orders (PBCOs) in Northern Ireland

A Pro Bono Costs Order is a court order that can be awarded (in England, Wales or Scotland) when a successful party to a case is represented pro bono. The payment (equivalent to the legal costs that would have ordinarily been awarded) is then provided to the Access to Justice Foundation.

PBCOs are not yet available in Northern Ireland and PILS may wish to continue voicing their support for PBCOs through their own publications and via their own members.

02 Shining a greater spotlight on successful public interest cases

One of the most significant hindrances to public interest litigation is that those individuals affected are unaware of their legal rights. Consistently promoting examples of successful public interest litigation can help increase awareness of PILS, its work, and ultimately promote participation in pro bono work.

It is important that public interest litigation's role as a vital counterbalance between the State and those whose interests are sidelined is conveyed to the media so that the positive outcomes achieved by PILS are recognised and publicised.

03 Preparing for emerging themes in strategic litigation

In the course of this research, the team at Baker McKenzie have identified a number of emerging trends that may influence the types of cases that PILS and the wider public interest litigation community pursue over the course of the next ten years and beyond.

The terms of the UK's withdrawal from the EU is likely to be one key area where educating individuals as to their rights and entitlements is vital, given the complexities of Brexit are not easily understood. The issue of status and citizenship are likely areas of the law in which PILS may be integrally involved in the future, in addition to environmental justice and legacy issues.