



OFF THE RECORD

Your Newsletter from **Bernadette Barry & Co Solicitors**

Volume 1 Issue 1 October 2017



Onwards and upwards

Welcome to the first edition of our newsletter.

This edition has a special emphasis on Halloween and we have great competitions for adults and children alike to enter. Go to page 5 to enter our launch competition for a €500 One4all voucher and page 12 to enter our special Halloween competition. This is a year of many firsts for us. We have just launched our website, our Facebook page and our newsletter. Some of our clients also have kindly taken part in our client testimonial video which you can view on our website or on our facebook page. Read more about our new office developments on page 4.

Our focus in this newsletter is to keep you, our clients and friends of our office, updated on legal issues and also on news that relates to our community.

To mark the occasion and to launch our new website we took a hot air balloon trip with our family. It was a fantastic experience, and one that we will treasure for a long time

to come. Go to our Facebook page, Bernadette Barry Solicitors, if you would like to see more photos and footage of the take-off and balloon flight preparation. Make sure you "Like" our Facebook page when you drop by so that you are kept up to date with our most recent news and legal developments.

Over the next few months we will be introducing you to our new team of staff and the experts that we work with. We will also be rolling out a new way of protecting your rights if you or a loved one are the victim of a road traffic accident. Parents of young adult drivers watch this space, as this is something you will want your son or daughter to have at all times.

We hope you enjoy reading our news.

Bernadette & Brian



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SPOOKTACULAR HALLOWEEN COMPETITION INSIDE

We respect your privacy. If you are getting this newsletter it is because you are either a client or an ex-client of Brian Doyle or Bernadette Barry. You may also have done business with our firm or be one of our expert consultants. If you no longer wish to receive our newsletter you can remove your name from our mailing list by emailing info@bernadettebarry.com with the subject title "remove me from mailing list" or by telephoning our office on 01 2444410. If you wish to join our mailing list to receive a hard copy of our newsletter then you can either call us on 01 2444410 and request to be put on the mailing list or email us on info@bernadettebarry.com with the subject title "add me to mailing list".

Good news story of the month



The Clondalkin Round Tower Centre opened its doors this July. As part of the Clondalkin Heritage umbrella group, Rally Round the Round Tower was set up in 2004 and after what was a 13 year commitment of lobbying to get a visitor's centre from various different local interest groups they finally achieved their goal.

The centre offers a beautiful amenity to our community, which is both educational (you will learn all about why the Tower was built in the first place and the purpose it served) and recreational. There is a Happy Pear restaurant on site which seats about 60 people and which serves amazing wholesome healthy vegetarian food. Every Sunday morning yoga takes place in the lavender filled gardens. It is very fitting that a vegetarian restaurant now serves food at the visitor's centre as it links in strongly to the original

purpose of these gardens which were used by monks to grow herbs used for medicinal and health purposes. The Tower originally formed part of the monastery of St. Chronain Mochua, a reputed healer from Connaught.

Sli Chronain

The Feast Day for the founder of the monastery in Clondalkin, is celebrated on August 6th. It was traditional to walk from the Round Tower in Clondalkin to Tobair Mochua in Celbridge on the

eve of the feast day. In commemoration of this, the Round Tower Heritage Group now have an annual event known as Slí Chrónáin.

People from Clondalkin walk along the Grand Canal in the direction of Celbridge and meet walkers from Celbridge at Gulliardstown Bridge.

Still Standing

The Clondalkin Round Tower is thought to be the oldest of its kind in Ireland. It even survived an explosion at the Moyle Park Gunpowder Mill in 1787. This was an explosion which was so massive that it was felt in the city centre. In Dublin 8 it blew out the windows of buildings on Usher's Quay, and yet the Tower remained intact. This is despite the fact that the Tower is built of local "calp" limestone. There is a very shallow foundation, of approximately 1 metre, so it is a miracle it is still standing. The buttress around the base of the tower is unique and is not a feature of any other tower. It was not part of the original structure and no one is quite sure when it was added. It may have been an early addition when it was discovered that slender towers were less stable.

The Tower was a popular tourist spot for the aristocracy.

Clondalkin Round Tower was considered a "must-see" item for aristocratic gentlemen of the eighteenth and nineteenth century on their tour of Ireland.

There are many paintings and illustrations of it by famous antiquarians including Samuel Molyneux (1725) and Berenger and Wakeman (1843).

Round towers are unique to Ireland which is why the visitor's centre continues to attract international visitors to it today.

What does the Tower look like on the inside?

We originally went to see the Clondalkin Round Tower back in July 2013 at the Clondalkin festival. We were among the lucky few who were allowed in to the Round Tower and got to hear about life back in the 7th century. For those of you looking to visit the centre you can get free tickets online. It is well worth a visit, it has lots of interactive things to see and do for adults and children alike. The Round Tower itself, due to health and safety requirements, is only open for two days of the year. Some of those who volunteer as guides at the visitor's centre recall going to play in the Round Tower as children with no adult supervision. Imagine that happening today! Here are some of the photos we took when we visited.



Unsung heroes

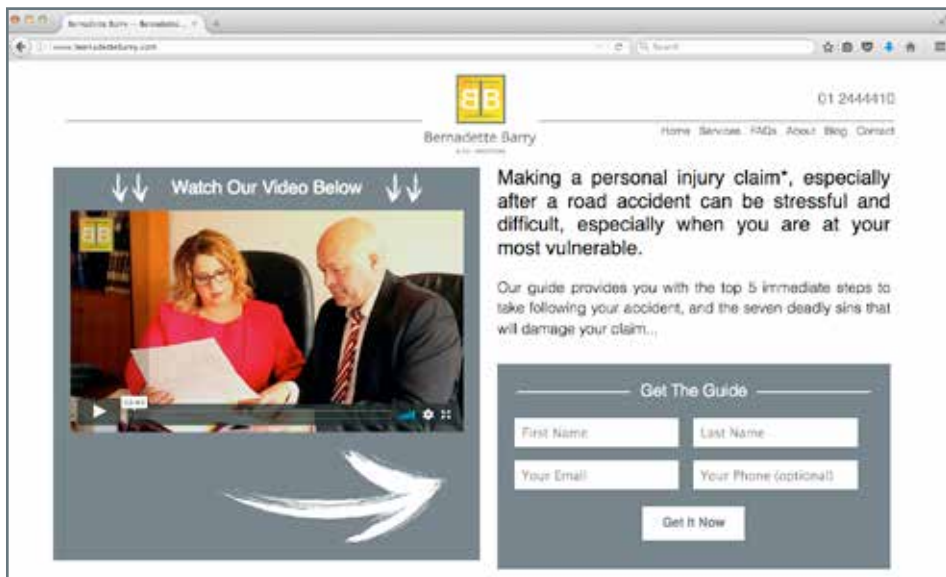
Go and take the tour with your family it is such a great amenity to have in our community. The tour guides are so committed and passionate about preserving Clondalkin's heritage and are a wealth of information and knowledge. They are happy to answer any questions you might have about the Round Tower and Clondalkin's history. They are the unsung heroes of our locality who have managed to realise their dream of getting Clondalkin on the visitor's map and now we can all benefit from their actions.



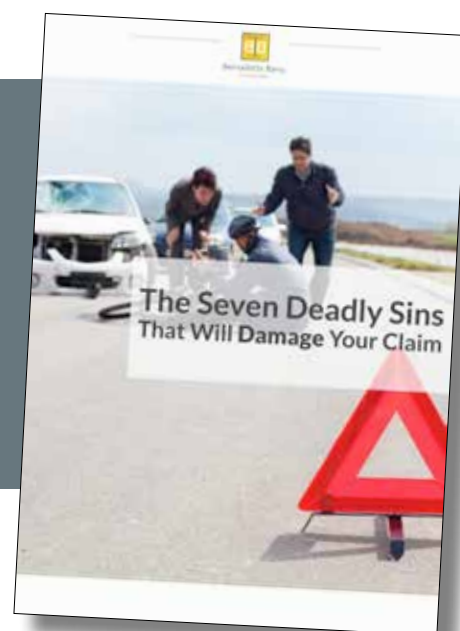
Our news

Our new website

We have just gone live with our new website www.bernadettebarry.com. Drop by and browse around our articles and Frequently Asked Questions. If you have just had an accident or are an existing client be sure to download our free guide *The 7 Deadly Sins That Can Damage Your Claim* and start to protect your claim right now.



Get a copy of our new guide



Client testimonial video

When we were preparing the content for our website we wanted to try to provide valuable information for both our existing clients and those who have just had an accident and might not know what to do next. We wanted to convey who we are as people, but we found that quite hard to do without sounding big headed or like every other solicitor's website out there. We asked a few of our ex clients how they had found their experience of being one of our clients. That was when we had the lightbulb moment and realised that it was best that our clients tell the story of who we are and what we do. The clients who took part in the video kindly gave up their time freely to participate in this video and we want to thank them for all of their kind words which means the world to us and really makes our work worthwhile.

Facebook

You can hear what Darren, Martin & Pamela and Charles had to say about us on the client testimonial video on our website or you can go to our new Facebook page Bernadette Barry Solicitors and view it there.

Please like our Facebook page so that you can get the most up to date news from us. We will be posting additional content to this newsletter so if you like what you are reading you can view more photos and content there.

You can also review our services there if you wish. We would love to hear from you.



Competition Time



WIN

€500

One4all voucher

To celebrate the launch of our website, newsletter and Facebook page we are running a competition for a **€500 One4all voucher**- just in time for a Christmas spree.

To enter the competition you can do any of the following:

- *Like and share our Facebook page Bernadette Barry Solicitors
- *If you already Like our Facebook page leave a review for us on Facebook or post a comment on our client testimonial video
- *Send us an email with the Subject heading "LAUNCH" and give us your name, address and phone number
- * Send us a text or whatsapp message to 0872582604 with the word LAUNCH and let us have your name, address and phone number
- * Call us on 01 2444410 and leave your contact details with our receptionist.

The draw will take place on Sunday the 5th of November at 6pm. The winner will be notified by phone or through Facebook if that is how you entered the competition. The winner must be available to have their photograph taken and will appear in our next newsletter. All entrants must be over the age of 18 years old. The judges decision is final.

Dublin Taxi Drivers are among the most compliant when it comes to providing security for their customers



The National Transport Authority, who regulate taxi drivers in Ireland, maintains a database of links between each licensed taxi or SPSV (small public service vehicle) and its current driver. It is the driver's responsibility to ensure that this information is current at all times by informing the NTA whenever they take over the operation of a taxi.

If the taxi is owned and operated by the same person then the driver need only register his details once to the NTA. However, if a vehicle is operated by more than one taxi driver, each driver must notify the NTA each and every time they commence driving that vehicle.

Using a new vehicle for your taxi?

It is important to note that if a taxi driver's licence expires or if the driver changes the vehicle associated with their licence, any links on these licences will be broken. The taxi driver must notify

the NTA of the vehicle they wish to drive before operating their new vehicle as a taxi. This is very relevant to any taxi driver whose car has been put off the road due to a car crash. If this happened to you, make sure you register your new details.

So how can taxi drivers register their details?

Taxi drivers can download a free app from the iTunes or Android store where they can input their details. A customer can then check that the

vehicle and taxi driver are registered with the NTA via the Driver Check app. It also displays an ID photo of the authorised driver. In addition, the app allows users to email a friend with the details of their trip with information on the vehicle and driver as an added safety feature. Customers can report a vehicle which is signalled as having “no registered details” to the NTA via the app.

Over 90% of Dublin taxi drivers have been found to be compliant with this new legislation. However, 20% of taxi drivers in Monaghan, Tipperary, Mayo and Carlow failed to register their details while in service.

Failure to comply with the legislation can result in a €40 fine. On average though taxi drivers

who have ignored paying these fines have been prosecuted and hit with a penalty of almost €400. New figures published by the NTA, shows 29 taxi drivers to date in 2017 had the higher penalties imposed on them after being prosecuted for ignoring the original fine.

Why would a taxi driver not register their details?

One of the reasons being put forward by Joe Heron from the Irish Taxi Driver’s Federation is that some of the taxi drivers, particularly older drivers, are not tech savvy and do not use smart phones. Very often these older taxi drivers will approach the Irish Taxi Driver’s Federation looking for help in getting their details registered.

For those taxi drivers who do not know how to download the app or who do not use a smart phone they can call the SPSV industry information line on 0761 064000 or get in touch with the Irish Taxi Driver’s Federation for more help.

We are also here to help any of our clients, who are taxi drivers, to register their details.





So what's happening on my case?

This is probably the most frequent question that we get asked by our clients who are taking a personal injury claim. The question usually starts to arise when legal proceedings have been issued. It is understandable that as a client you want to know when your case will settle or how long more you will have to wait before you will get closure on your accident.

It may even seem to you that nothing is happening on your case. I want to reassure you though that in our office we have a strict “active progression policy” which means that we are always moving your case forward. Here are 8 of the most common reasons that your case may be delayed in reaching a conclusion:

1. Liability is in dispute:

Sometimes establishing liability or who is to blame for your accident is not straightforward. If there is more than one person to sue in relation to an accident and you are not sure who is to blame then you may have to sue both. This may involve having to go further along the legal process simply because neither insurance company will take responsibility at the outset. Or delay can occur if the other party you are suing denies liability and you need to gather evidence to prove your case. This can take time.

2. Your injury is ongoing and you have no prognosis:

If your injury has not been fully diagnosed by your doctor or you require further medical investigations, treatment or surgery then it would

be unwise to settle your case without the full picture as to what your injuries are. It is impossible to put a value on a case where your injuries and your expenses have not been fully established. A general rule of thumb is that if your doctor can give a definite prognosis to your injury, you have followed a definite course of treatment and your injury is actually resolving then at that stage you can consider settling your case. Sometimes there can be long waiting lists to see certain doctors or consultants and this in turn will affect the length of time you will have to wait to settle your case. Very often their medical report can be crucial to you getting the compensation that you deserve.

3. The insurance company have offered you compensation which is too low and does not reflect the full value of your case:

We are very proactive in getting compensation for our clients. We do not believe that a client should have to wait years for their money once we can establish the value of their case. Sometimes the insurance companies try to undervalue a case and can offer compensation that is far below what

a client should accept. In these circumstances it is always better to move your case on to the next stage in the claim process and to hold out for the compensation that you deserve.

4. Dispute as to your injuries:

If your own medical report differs greatly to the medical report of the insurance company's doctor it may be difficult to reach agreement on what your case is worth. In these circumstances we will recommend that you get another expert medical report to clarify exactly what your injuries are and that you push on to the next stage of the claim process so that your case is still being actively worked on.

5. Discovery of your own medical records:

It is now far more likely than unlikely that the defendant's solicitor in your case will request copies of your past medical records. These are usually requested with a view to establishing if there is any aspect of your current injuries that they can blame on your past injuries or illnesses. In other words they are requested with a view to lowering the level of compensation that they will have to pay to you. Taking up copies of these records, particularly if you have had previous injuries or illnesses can take time. For this reason we now address this at our first consultation with you to try to avoid delays down the line.

6. You may need to seek discovery records from the person you are suing:

The most common example of this is when a client has a slip or fall and we need to get discovery of cleaning records or CCTV footage of the accident. If the defendant does not hand over this evidence voluntarily then it may become necessary to go to court to obtain a court order forcing them to do so. This can be a lengthy procedure, however, it is necessary to obtain the evidence you need to prove your case. We will always address what evidence needs to be gathered at your first consultation to keep any delays to a minimum.

7. You may need to get a court order to obtain access for your engineer to inspect the scene of an accident:

If you have an accident at work or on someone else's premises then it may be difficult to go back to the scene of the accident to take photographs or to obtain critical evidence. You may need to get the consent of your employer or the owner of a shop to allow your engineer to gain access to view the site of the accident. If that consent is not forthcoming, then you will have to go to court to get a court order forcing the defendant to allow your engineer to have access to the accident site or piece of machinery, or vehicle so that evidence can be gathered or preserved. This can delay your case, but as the responsibility is on you to prove your case it is a necessary delay if the consent is not being given upfront.

8. Court waiting list for Hearing date:

If you are further along the litigation process and legal proceedings have been issued on your case, one source of delay can be waiting to get a court date. These dates are given out by the court services in the Circuit court and there is also a procedure to be followed when obtaining a hearing date for the High Court. We have found that the waiting lists over the last few years have improved so this is not as big an issue as it used to be a few years ago.

I hope that this information helps you to understand a little of what might be going on in your case and why your case may not settled or may not have a hearing date.



The Legal Eejit



Meet The Legal Eejit[©], our resident court reporter and lawyer extraordinaire, who will be reporting on the funny things that people said in court.

Here is this month's roundup...

- > Barrister: "Was that the same nose you broke as a child?"
- > Witness: "I only have one, you know."
- > Barrister: "What is your date of birth?"
- > Witness: "July 15th."
- > Barrister: "What year?"
- > Witness: "Every year."
- > Solicitor: "What gear were you in at the moment of the impact?"
- > Witness: "Gucci sweats and Reeboks."
- > Solicitor to new client: "How far apart were the vehicles at the time of the collision?"
- > Barrister: "What is your marital status?"
- > Witness: "Fair."
- > Solicitor: "Doctor, did you say he was shot in the woods?"
- > Witness: "No, I said he was shot in the lumbar region."
- > Barrister: "Could you see him from where you were standing?"
- > Witness: "I could see his head."
- > Barrister: "And where was his head?"
- > Witness: "Just above his shoulders."

The Legal Eejit © does cross examination:

- > "You were there until the time you left, is that true?"

- > "So you were gone until you returned?"

- > "The youngest son, the 20 year old, how old is he?"

- > "Were you alone or by yourself?"
- > Now doctor, isn't it true that when a person dies in his sleep, he doesn't know about it until the next morning?



SPOOKTACULAR HALLOWEEN SPECIAL

The mid-term break will be upon us shortly. It only seems like yesterday that the kids were going back to school! We have put together some ideas to keep the mid-term madness at bay and to create some special memories with your children.

THIS IS THE ONE TIME OF THE YEAR WHEN WE CAN GET TO TRY ON BEING SOMEONE ELSE!

Most children have to dress up several times before Halloween night, usually for the last day of school and for other activities or hobbies that they go to. If you're all out of ideas as to what to dress them up as or if the cost of Halloween costumes is proving very expensive check out page 16 which showcases some homemade costumes which you can make quite easily and which won't break the bank. We also have put together a slideshow of more costumes on our facebook page Bernadette Barry Solicitor.

CREATE YOUR OWN HOUSE OF HORRORS

If the weather is bad and you are stuck for something to do to occupy the children then there is no better way of keeping them occupied than getting them to assist you in creating your very own haunted house.

GET BAKING AND GET THAT PARTY STARTED

Watch the pride on your child's face as they bake and decorate their own cakes and make some Halloween treats. We have given you some ideas to get your creative juices started.

We can't wait to see what you create and how you spent Halloween. Be sure to enter our competition on page 12.



RELEASE YOUR INNER GHOUL...



HALLOWEEN COMPETITION

for a €250 voucher for Smyth's Toystore

We hope that this special Halloween edition of our newsletter has inspired you to make some special Halloween treats, host a scary party or create a really special Halloween costume.

We are running this special competition for all those who love Halloween. The competition is open to all ages. We want to see all of your best Halloween efforts.

Send us in photos of

- **YOUR HAUNTED HOUSE**
- **YOUR SPECIAL EFFECTS MAKE UP**
- **HALLOWEEN COSTUMES**
- **SPECIAL HALLOWEEN FOOD OR TREATS THAT YOU HAVE MADE**



You can send them to us by email to info@bernadettebarry.com or send them to us by whatsapp or text message to 0872582604.

Entries must be received by 8pm sharp on Halloween the 31st of October 2017.

The winner will be announced live on our Facebook page on Halloween night at 9.00pm. Judges decision is final. The winner will be notified by phone as well and will have the opportunity of appearing in our next newsletter with their winning entry.

We will put together a slideshow on our Facebook page Bernadette Barry Solicitors of all entries received. So check back into our page. Best of luck!

HALLOWEEN PARTY MENU

STARTERS

EYEBALL SOUP

Tomato soup with floating Mozzarella cheese balls stuffed with green olives with pimento which will serve as the eyeballs.

MAIN COURSE

MONEY MASH

Traditional Dublin Halloween Colcannon made with mashed potato, steamed Kale and finely chopped spring onion. Mix together with some butter and add seasoning to taste. Finally, and here is the fun bit, put some euro coins in tin foil and wrap them up well and hide in the mash. Children will love finding the money in their dinner.

DESERT

JELLIED WORMS AND SPIDER ICECREAM

Make up some jelly according to the packet instructions and allow to fully cool down. In separate bowls put some Jelly snakes, or jelly spaghetti and make sure that they are hanging over the edge of the bowl for effect. Pour in the jelly liquid and allow to set for at least 12 hours. Serve with blackberry sorbet



HALLOWEEN PARTY GAME

LET'S GET THE PARTY STARTED



GROSS GOURMET CHALLENGE

The idea for this game came about when I had spent hours painstakingly decorating the house for a Halloween party with lots of gross food displays. One of the children attending the party began to eat the display food while the other children began shrieking with horror and delight. This is a great game for adults and children alike or for when you have a mix of ages to cater for. It is a firm favourite with our children and their friends.

You will need a blindfold for those who are taking the challenge. If you have no willing participant then you may need to put names into a hat. Usually there is one person who will want to do it especially if you have a prize for the person who manages to taste everything.

Set up a table with a mix of bowls or buckets with the following items clearly labelled on to the front so that those who are not participating in the challenge can react and make suitable shocked shrieking sounds as the people or person who accepts the challenge tastes the contents. You will need to cover the bowls until the challenge begins as the contestants should not be able to see the contents before they are blindfolded. Get the contestants to guess what it is they are eating and then after they have tasted the food call out the name on the label. The prize goes to the contestant who tastes everything.



BABY SPIT UP: Empty cans of ambrosia creamed rice into the bowl and add five or six soft jellies for added texture.

RAW EYEBALLS: Peel some grapes and keep them very cold until they are needed.

WORMS AND DIRT: Boil some spaghetti or tagliatelle and once cooled add one or two jars of Branston Pickle which will give a pungent scent to the mix. You could also add some brown food colouring for extra colour. Place the pasta on top of dark brown breadcrumbs and mix together.

BLOOD AND GUTS: Boil some fusilli pasta and once cooled add some tomato based pasta sauce. It is best to use a sauce that has chunky tomato bits or you could use a can of chopped tomatoes as well. You may need to add some tomato puree or red food colouring to get a dark red colour on the mixture.

STIFF LITTLE FINGERS: Cook some hot dog sausages in hot water and once cooled make the markings of knuckles like real fingers with a knife. At the top of each sausage make an opening with your knife and insert a piece of onion to act as the nail. Add some ketchup to the other end of the sausage so that they look like fingers that have just been chopped off. You can serve these on ice if you wish.

STUFFED ROACHES: Stuff some dates with cream cheese

EARWAX ON A SWAB: Stick some mini marshmallows on to lollipop sticks and add a squirt of caramel sauce

STEWED BATS: Empty the contents of two or three cans of prunes into the bowl

RAW HUMAN LIVER: Put some raw chopped meat into red jelly and allow it to set. For this challenge do not allow the participant to eat the meat. Usually the screams from the remainder of the group will be enough to make them stop, but do step in if you have to!



CREATE YOUR OWN COSTUME



THE KILLER WAITRESS /WAITOR

All you need is an old white top or shirt, black trousers or a skirt and some fake blood. In this photo I did do some make up on Isobel's face just to complete the look. Her accessories included a silver platter tray with some jellied eyeballs, a fake brain and a wine glass filled with blackcurrant jelly and some jelly spiders. You can add a fake plastic knife splattered with blood around the waist too. This idea works just as well for a boy.



THE PRESENT

Get a free empty cardboard box from your nearest supermarket and cover with wrapping paper. Cut out a section for the box to over the child's head and cut out two holes for the arms. Tie a big ribbon on the child's head and paint the face with some celebratory balloons. Add a gift tag to the front of the box, and some ribbon and bows to finish it off.



GEISHA GIRL

You need a silk dressing gown and some clips to put the child's hair into a bun. This look requires some strong red lipstick too which can also be used on the cheeks as I have done here.



ROCKSTAR

Use any clothing such as a leather or denim jacket, a cool T-shirt, basically anything that you might see a rockstar wearing! You can get an inflatable guitar in a joke shop. This look is best if you dye the hair or make the child's hair look different than it normally would.

Halloween dress up does not have to cost a fortune and if they are entering a competition it is a good idea to have something original. Here are some costumes I have made over the years with my own kids which are very simple to make:

SPECIAL EFFECTS MAKE UP

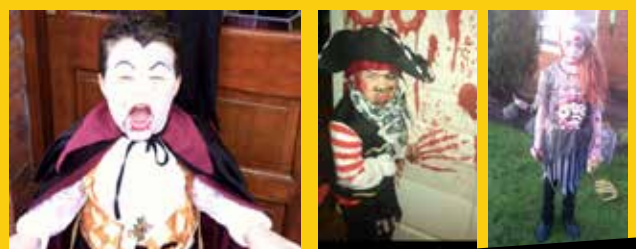
Snazaroo sell an excellent Special FX make up kit for Halloween which is really easy to use. You can create burn victims such as



Or cuts and scars by doing this:



Here are some more photos where I have used special effects make up to complete a costume



If you are looking for more ideas for Halloween costumes and make up or Halloween party food go to our Facebook page Bernadette Barry Solicitors now and take a look at the slideshows we have put together