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LAW SOCIETY

April 2025

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processing of personal data in AI models

PLUS: The growing in-house sector • Recovery of illegal state aid •
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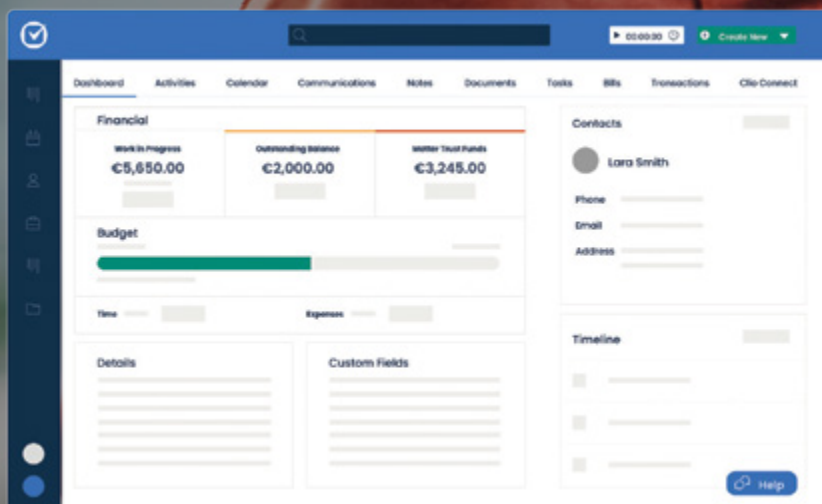
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KEEPING PACE

In a challenging and evolving economic environment, the Law Society has been looking at ways to highlight and promote the expertise of the profession to the public. Perhaps you have noticed additional publicity in your local community recently about making a will?

This was the first in a series of regional media campaigns launched in collaboration with 17 bar associations to encourage members of the public to write a will in 2025. It has resulted in widespread newspaper and online coverage, as well as radio interviews with seven solicitors around the country. Look out for the next campaign, which will focus on the benefits of using a solicitor when buying or selling property – again in collaboration with bar associations, which is currently underway.

And for those of you engaged in commercial lease transactions, an updated specimen 'pre-lease enquiries' precedent was released by the Law Society's Conveyancing Committee. It is now available to download from the '[precedents](#)' area of lawsociety.ie. The committee has published over 20 practice notes in the past year, with more to come. If you'd like to keep up to date with the latest conveyancing guidance, sign up for notification alert emails by contacting solicitorservices@lawsociety.ie.

I was delighted to help mark International Women's Day at a Law Society event on 5 March in Dublin and to meet so many colleagues at different stages of their careers. Special thanks goes to all who shared their real-life stories in the media in order to highlight the successes of women in the profession.



We need your feedback on how you are navigating the current challenges and opportunities

email invitation to complete a Law Society survey from our research partner Ipsos B&A Research, which has been sent out the week commencing 31 March. Thanks to those of you who have taken the time to complete it.

If you haven't yet had the chance, I would encourage you to take ten minutes to click on the survey link and share your insights by mid-April. All responses are anonymised and will help determine how the Law Society will support and shape its work in the future to enable your professional success and a thriving solicitors' profession.

EAMON HARRINGTON
PRESIDENT

Such positive stories benefit colleagues, future solicitors, and the public.

Women in Leadership

While more than 50% of the profession is female, it's important to note that the percentage of those holding the most senior positions is significantly lower, at 37%. If you would like help to transition to a senior role, or alternatively would like to mentor a female colleague, the Law Society's Women in Leadership programme opens for applications on 7 April. In all, 600 lawyers have taken part in this programme since its launch in 2018 – an important step in bringing us closer to gender equality.

Complete the survey

To be as prepared as possible for the future, and to achieve a just and accessible legal system that works for all, I'm sure you

will agree that the Law Society must continuously adapt and improve its services for all practising solicitors to enable enduring success. To do that, we need your feedback on your work, how it's changing, and how you are navigating the current challenges and opportunities – whether you work in practice or in-house, and are based across the country, from Cork to Donegal, or Dublin to Mayo.

You should have recently received an





the **BIG** *picture*

End of the line

Prison guards transfer deportees from the US, alleged to be Venezuelan gang members, to the Terrorism Confinement Centre in Tecoluca, El Salvador, on 15 March 2025. In total, the Trump administration has deported 261 migrants to El Salvador. All of them are being held without trial in the controversial prison, which has a capacity for 40,000 inmates. On 26 March, a US appeals court upheld a lower court's temporary block on the Trump administration's deportation of the migrants.

Photo: El Salvador presidential press office via
Associated Press / Alamy Stock Photo

people

■ WHO ■ WHAT ■ WHERE ■ WHEN ■

All pics: Cian Redmond



Diplomas delight!

Conferees from the Diploma in Employment Law class with (*front, l to r*) Geraldine Rafferty, Mr Justice Liam Kennedy, Judge Éiteáin Cunningham, Justine Carty (vice-chair, Education Committee), Claire O'Mahony (head, Lifelong Learning), Marie O'Brien (partner, A&L Goodbody), Sara Van den Bergh (course executive), and Megan Murphy Byrne (conferee); (*middle, l to r*) conferees Louise Kelly, Sharon O'Connor, Eva Chiyong Lee, Kate Nolan, Laura Mulvey, Helen Alcorn, Rosanna Angel, and Eimhin Brazil; (*back, l to r*) conferees Rachel Jones, Michael Grogan, Gerard Maguire, Joseph Walshe, Dunja Belaj Faktor, Grainne McNally, and Anshu Gautam.



Diploma in Employment law conferee Rachel Jones, with Mr Justice Liam Kennedy



Diploma in Corporate Law and Governance conferee Sam O'Higgins, with Judge Catherine Hayden



Diploma in Family law conferee Charlene Butler (left), with Judge Éiteáin Cunningham



Diploma in Employment Law conferee Eva Chiyong Lee (right), with Samantha Beh



Diploma in Aviation Leasing and Finance conferee Duygu Jabakhanji (right), with Iyad Jabakhanji



Diploma in Construction Law conferee Helen Moore, with Mr Justice Michael Peart



Justine Carty (vice-chair, Education Committee) addressing attendees



Jessica McGrath, Negina Nayab Basic, and Mariana Preda



Nadine Dermody, Kyia Deegan, Dr Sophie Doherty (law lecturer), Katie Peacham, and Nell Grzybowska

'Legal-eyed' pupils scope the future

Transition-year students from all over the country took part in the Law Society's 'Solicitors of the Future' programme at Blackhall Place from 18 to 21 February. In all, 40 pupils learned about the solicitors' profession and were encouraged to consider a legal career. One-fifth of participants came from DEIS schools. Since 2017, 360 TY students have taken part. The immersive programme is facilitated by Law Society staff, seasoned practitioners, and trainee solicitors. It features expert-led workshops, visits to the courts, a careers seminar, and participation in a mock trial. Early access to legal education is a main priority for the Law Society, in order to encourage a more diverse profession.



Kaelan Alwell, John Kennedy, and Ieuan Thomas Lawson



Abigail Eddery and Gabriela Gregorczyk



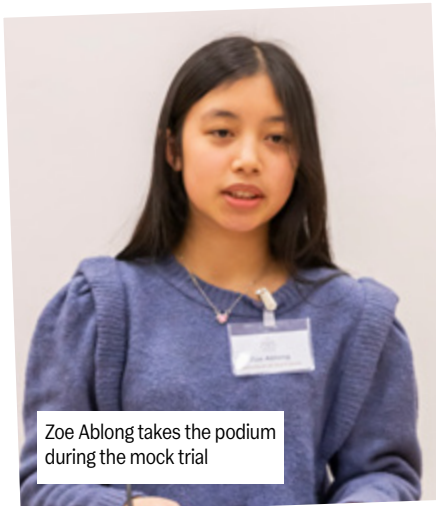
Advik Ajay during the mock trial



Students from all around Ireland took part in the 'Solicitors of the Future' programme, with one-fifth coming from DEIS schools



Sean Monaghan and Lucia Conroy Garcia



Zoe Ablong takes the podium during the mock trial



Participants taking part in the interactive 'Dead bodies - live minds' activity, where they had to consider a criminal case from multiple perspectives



Sarah Tierney, Lily Maguire, Sarah Reilly, and Hannah Power



Daniel Kennelly, Tianne Kelly, Aoibhe Blake, and Maeve Hutchinson



Jack O'Brien, Thomas Byrne TD, Michael Lynam, Mary Byrne, and Jack Chambers TD

Ministers mark Keoghs Ireland LLP rebrand

OBL Solicitors, founded by Jack O'Brien and Michael Lynam in 2000, has rebranded to become Keoghs Ireland LLP. The rebrand launch was attended by Ministers Jack Chambers and Thomas Byrne on 26 February.



Jack Chambers TD, Michael Lynam, and Jack O'Brien



Mary Byrne, Minister Jack Chambers, Jack O'Brien, and Michael Lynam



McGrath Mullan inks Brazilian agreement

McGrath Mullan LLP has been appointed as legal information provider for the Brazilian Embassy in Ireland. The firm said it was honoured to be chosen. Partners Gerard McGrath and Taise Azevedo signed the agreement on 6 December with Ambassador Flávio Macieira, formalising the partnership. Pictured are: Minister Felipe Costi Santarosa, Minister Eduardo Mattos Hosannah, Ambassador Flávio Helmold Macieira, Gerard McGrath (founding partner, McGrath Mullan LLP), and Taise Azevedo (partner, McGrath Mullan LLP)

■ Revenue update on tax clearance ■ Solicitor survey ■ Advanced Legal Practice Irish

news

■ YOUR MONTHLY UPDATE ON ALL THINGS LEGAL ■



Photo: Shutterstock

European treaty aims to protect lawyers

The Council of Europe has adopted the first-ever international treaty that aims to protect the profession of lawyer. This is in response to increasing reports of attacks on the practice of the profession – whether in the form of harassment, threats or attacks, or interference with the exercise of professional duties (such as obstacles to access to clients).

The Council of Europe states that lawyers play a key role in upholding the

rule of law and securing access to justice for all, including to vindicate possible human-rights violations. As a result, public confidence in justice systems depends on the role played by lawyers.

Protection convention

The *Council of Europe Convention for the Protection of the Profession of Lawyer* covers lawyers and their professional associations, whose role is vital in defending lawyers' rights and interests as a profession. →

ENDANGERED LAWYERS



Rocio Torres Bobadilla, Colombia

The International Observatory of Lawyers reports that Rocio Torres Bobadilla is under serious threat because of her work defending communities against commercial interests. Over the past two years, she has been the subject of surveillance and threats against her and her family.

Over the past four months, she has been monitored during business trips and harassed by people taking photos and videos in an attempt to intimidate her. In addition, members of her family have been subjected to acts of violence, which suggest that these attacks are linked to her professional activities.

Ms Torres is a Colombian lawyer and an environmental and human-rights defender. She has over 16 years of experience as a litigator, researcher and writer on environmental issues, rights of nature, business, human rights and development rights. She has represented peasant, Afro-descendant and indigenous communities, as well as trade unions in lawsuits against large multinationals. She was part of the legal team that promoted the Rio Atrato as the first body of water in Latin America – and just the third in the world – to possess its own ‘rights’.

The Colombian Constitutional Court recently ruled against the Swiss mining company Glencore-Prodeco in

relation to its irregular mine closures. Torres represented over 300 workers who were subjected to mass layoffs. The statement issued by her clients reads, in part: “The Constitutional Court of Colombia issued the first ruling on mine closures in the country (T-029 of 2025). In it, it guaranteed due process and, consequently, the effective participation of communities and unions representing more than 20,000 people from the more than four municipalities affected by the environmental, social and economic impacts left by irregular abandonment and closure of large-scale coal mines in Colombia.

“We, a group of affected communities and dismissed workers from Cesar and Magdalena, have led a legal action for more than four years to guarantee a public dialogue where the communities, the dismissed workers, the local authorities and the affected citizens of the mining municipalities of La Jagua, El Paso, Becerril and Ciénaga can learn about, and participate in, the definition of the compensation and restoration measures that the multinational Glencore-Prodeco must carry out in environmental, social and economic matters within its mine abandonment and closure plan...

“We, as communities and unions of the mining corridor supported by national and international civil-society organisations, and represented in court by lawyer Rocio Torres Bobadilla, believe that this public roundtable can be the last guarantor and binding opportunity for us to take stock of what has happened in our territories after 25 years of exploitation, and to achieve measures for the Glencore company to compensate and restore all the impacts caused.”

Alma Clissmann was a longtime member of the Law Society's Human Rights Committee.

← The convention addresses entitlement to practise, professional rights, freedom of expression, professional discipline, and specific protective measures for lawyers and professional associations. Under the convention, states must ensure that lawyers can carry out their professional duties without being the target of any form of physical attack, threat, harassment or intimidation, or any improper hindrance or interference.

Effective investigation

Where such circumstances could amount to a criminal offence, parties must conduct an effective investigation. Parties must also ensure that professional associations can operate as independent, self-governing bodies.

The convention will be opened for signature on 13 May 2025 at the Council of Europe Foreign Affairs ministers’ meeting in Luxembourg. At least eight countries, including six member states of the Council of Europe, must ratify it for it to enter into force.

Compliance with the convention will be monitored by an expert group and a committee of the parties.

REVENUE UPDATE ON NON-RESIDENT VENDORS



Revenue has issued updated guidance on requests for clearance on the disposal of land and buildings by non-resident vendors (TDM Part 45-01-05).

In addition, the Law Society’s Taxation Committee has issued a new practice note that addresses (among other things) disposals of property for a non-resident vendor where there is a secured charge and disposals where the solicitor is not possessed of funds, and includes a number of recommendations. The practice note is available at www.lawsociety.ie/practicenotes



Pic: Nuala Redmond

Ardchúrsa Cleachtadh Dlí as Gaeilge

Registration is now open for the Advanced Legal Practice Irish course 2025. The advanced elective is open to practising solicitors who wish to be registered on the Irish Language Register (Law Society)/*Clár na Gaeilge (An Dlí-Chumann)*.

The course runs from 1 May until 3 July 2025, and contact hours are usually Thursday evenings from 6-8pm (with one full day of workshops on Saturday 17 May).

A Leaving Certificate higher-level standard of Irish is the minimum entry standard. The course is delivered in a 'blended-learning' format, including a mixture of online and face-to-face attendance, with online tasks to be completed between the sessions. It is recommended that course participants have a good level of IT skills. Classes are divided into small workshops that build on prior completion of individual and collaborative coursework. Assessment combines continuous assessment of online submissions, group drafting exercises, and individual oral presentation.

The fee for 2025 is €750. Online registration is open and the course brochure and application form are available for download at lawsociety.ie/alpi.aspx.

Participation in this course can be used to count towards the discharge of a practitioner's CPD requirements.

More information on the Irish Language Register/*Clár na Gaeilge* can be found at lawsociety.ie/find-a-solicitor/clar-na-gaeilge, or contact Róisín Cahill (course administrator) at r.cahill@lawsociety.ie, tel: 01 672 4952.

IRLI IN AFRICA



Norville Connolly, IRLI's country director in Zambia (Pic: Courtesy IRLI)

Zambia launches prison courts pilot scheme

Irish Irish Rule of Law International (IRLI) is a charity established and supported by the law societies and bars of Ireland and Northern Ireland, supported by the Department of Foreign Affairs, and dedicated to promoting the rule of law in developing countries, including Malawi, Tanzania, and Zambia.

The organisation's ongoing work in Zambia includes a variety of access-to-justice programmes, one of which is helping to decongest the country's seriously overcrowded prisons. Conditions are extremely bad, and there are thousands of forgotten prisoners who, for different reasons, have been incarcerated for years without access to a court or justice.

Prisons courts work by bringing the court to the prison, so that prisoners can get a bail or sentence hearing, have a trial date fixed, or have progress made in their cases. The prisoners can see and access justice in very immediate terms. So, justice comes to the prison.

IRLI, supported by the Embassy of Ireland in Zambia, introduced the idea to that country in 2022. It brought representatives of the justice institutions to Malawi to show them prison courts in operation.

In January 2024, the Zambian justice institutions signed a memorandum of understanding to set up a pilot scheme to trial the prison-courts concept. There were many obstacles in getting the initiative off the ground but, on 20 February 2025, the formal launch took place in Lusaka Central Prison. There were speeches from various dignitaries, including Irish Ambassador Bronagh Carr, the presiding judges of the High Court and Magistrates Court, Director of Public Prosecutions Gilbert Phiri, and from me.

Zambian dancers completed the colourful celebration. Immediately afterwards, the first prison court took place, with six forgotten prisoners having their cases listed. More prison courts will take place very soon, both in the High Court and Magistrates Courts in Lusaka, and in the provinces. We anticipate that the pilot scheme will prove to be successful and that these courts will become established on a permanent basis.

The launch date of 20 February was a great day of hope for the many thousands of prisoners who, until now, have been forgotten.

Norville Connolly is IRLI's country director, Zambia.

Solicitor survey – your voice matters to us



The Law Society has launched an online survey aimed at all practising solicitors through its research partner Ipsos B&A Research.

The survey, which went live on 31 March, seeks the opinions of practising solicitors on key issues affecting their work, and anticipated future business opportunities. Whether you work in private practice, in-house, or in the service of the State, your insights will help the Law Society to prioritise relevant and effective guidance and services.

President Eamon Harrington said: “The Law Society wants to be as prepared as possible for your future – to be proactive and ready to shape and embrace future legislative, regulatory, and other changes in order to support solicitors and the public interest.

“To do that, we need to get an understanding of the opportunities, challenges, and changing dynamics in the profession, including artificial intelligence, cybercrime, recruitment challenges, and regulatory compliance.”

Law Society
President Eamon
Harrington

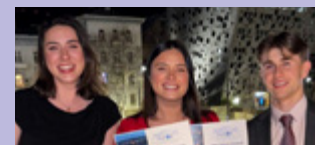
Feedback opportunity

Mark Garrett, the Law Society’s director general, added: “A year into the 2024-2028 strategy, this survey is another opportunity for solicitors to send feedback on your challenges and opportunities, so the Law Society can further adapt to enable you to thrive at work and be successful at whatever stage you are at in your career.”

All practising solicitors should have received an email by 1 April with a unique survey link from ‘Law Society of Ireland Solicitor Research’ (info@bandasurvey.ie) with the subject line ‘Law Society of Ireland: Invitation to complete survey by Ipsos B&A’.

If you have any problems accessing the survey or don’t receive a survey email from Ipsos B&A, please contact the Ipsos Survey Helpdesk at info@bandasurvey.ie. The survey takes about ten minutes to complete – all contributions are completely confidential and anonymised. All responses should be completed by 11 April. For more information, visit lawsociety.ie/survey2025.

TRAINEES TAKE DISPUTE RESOLUTION PRIZE



Three Blackhall Place trainees have won a prize at the prestigious International Academy of Dispute Resolution mediation competition. The event took place from 4-8 March at the University of Georgia, Tbilisi.

Gráinne Ní Fhrighil (DLA Piper), Kate Lyttle (William Fry), and Cian McAllister (Dillon Eustace) were named ‘Best Advocate Client Team’ in the International Law School Mediation Tournament. Coached by Claire O’Mahony (head of lifelong learning at the Law Society), the team competed against 25 others from the USA, EU, and Asia to take the title. The Law Society’s John Lunney and Rachael Hession also mentored the winning team.

DIPLOMA PROGRAMME FLIES HIGH!

The Law Society’s popular Diploma in Aviation Leasing and Finance programme recently scooped the ‘Best Learning/ Professional Development Programme’ at the 2024 Association and Institutes Awards. Ireland is recognised as the global hub for aviation leasing and finance, so this diploma – now in its 14th year – is a staple for solicitors and other professionals seeking to work in the sector. For more information about the next aviation leasing and finance programme, visit lawsociety.ie/diplomacentre.



wellbeing

ACCELERATING ACTION

Since 2015, women have entered solicitor training in greater numbers than men, often by over 30%. However, gender parity at senior levels remains elusive, with only 37% of women holding senior roles. Recent reports highlight significant disparities in earnings between male and female solicitors. In some cases, there appears to be a regression rather than progression.

At the current pace of progress, full gender parity will not be achieved until 2158, according to data from the World Economic Forum. This stark reality underscores the urgency to dismantle systemic barriers and biases that continue to hinder women's advancement, both in the legal profession and beyond.

Speaking at an International Women's Day event hosted by Pinsent Masons' Female Futures team at their Dublin office, senior

associate Sarah Twohig emphasised the significance of this year's theme – 'Accelerating Action' – stating that it is about "taking decisive steps towards achieving gender diversity goals". Twohig also underscored the crucial role of 'allyship' in driving meaningful change, highlighting collaboration with key stakeholders, such as the Law Society.

The importance of workplace wellbeing was a key focus at the event, where Law Society Psychological Services joined the firm for a lunchtime 'fireside chat'. Workplace wellbeing is a critical issue in the gender equality conversation. Research indicates that women in law disproportionately experience bullying, sexual harassment, difficulties in balancing career and personal life, and burnout.

Addressing these issues is essential to ensuring that gender equality extends beyond mere representation and into workplace culture, leadership opportunities, and overall career

Ruth O'Sullivan is a psychological services executive at the Law Society.

Confidential, independent, and subsidised support is available through LegalMind for legal professionals. All enquiries to LegalMind are fully confidential to Clanwilliam Institute (the Law Society's partner providers). All therapy sessions are conducted by highly trained professionals in a confidential forum. Email: reception@clanwilliam.ie; tel: 01 205 5010 (9am to 5pm, Monday to Friday); web: lawsociety.ie/legalmind.

Sharing personal and professional stories has long been a powerful way to create a sense of connection and belonging. It creates a space for vulnerability that can provide the listener with inspiration and hope, or newfound insight to a challenge or difficulty they too might be facing. We welcome you to get in touch with ps@lawsociety.ie to share a story for this 'Professional Lives' column.

satisfaction. As we celebrate the achievements of women in the legal profession, it is equally important to acknowledge and address the deep-rooted systemic and cultural barriers that persist.

Law Society Psychological Services plays a key role in addressing such challenges by fostering healthier, more sustainable career pathways:

- 'Culture First: Well Within the Law' – promoting psychologically safe and high-performing legal workplaces,
- LegalMind – dedicated mental-health support tailored to all legal professionals,
- 'Trainee counselling – confidential support for all trainees,
- 'Thrive Together in Law' retreats – empowering female lawyers through dedicated wellbeing and career sustainability programmes.

By integrating mental health and wellbeing into gender equality initiatives, legal workplaces can create environments where women not only enter the profession in greater numbers, but also have the support and opportunities to advance, lead, and thrive. Achieving true gender equality requires intentional and deliberate action, policy change, and a sustained commitment from legal institutions and industry leaders to take decisive structural steps to dismantle systemic barriers. Flexible working policies, leadership development programmes, and strong allyship, as championed by industry leaders like the Law Society, are key to driving real change. The time for slow progress is over: now is the moment to act.

STEPPING UP!

The five newest members of the Law Society's Council – Thomas Coughlan, Peter Doyle, Imran Khurshid, Jonathan Lynam, and Cristina Stamatescu – talk about why they put themselves forward and what they hope to achieve. Mary Hallissey reports



All pics: Cian Redmond

As the profession continues to evolve, the Law Society remains committed to representing the interests of solicitors and the public they serve. Central to this mission is its governing Council, which comprises elected

and nominated members who oversee key functions, ranging from representation of its members, education and admission, regulation and discipline, and client protection.

The Council meets nine times a year, mostly in hybrid format

– ensuring that all voices can be heard, regardless of location. Each year, the Law Society invites members from all areas and backgrounds to stand for election. The aim is to ensure that the Council is truly representative of the changing profession and the public it serves.

We profile the five newest members who were elected to Council in 2024. Perhaps it might persuade you to consider running for election yourself. At the very least, it should encourage you to cast your vote in this important democratic process.



Thomas Coughlan

Thomas Coughlan

Cork city solicitor Thomas Coughlan ran for Council because of what he terms “frustration with the Law Society’s inaction on criminal legal aid”. He was dismayed to see the Bar Council making the running on criminal legal-aid shortfalls, poor fees, and compensation for practitioners. He wanted the issue pushed up the Law Society’s agenda.

“I love this work, but it was costing me money to do it. With the rates so low, when I took on cases, I couldn’t pay my secretary and run my office – it was that simple,” Thomas says.

He was also irritated by the Law Society’s call for a ‘yes/yes’ vote in the March 2024 referendum, for what he believes were very sound legal reasons: “Instead of telling people how to vote, the Law Society could more usefully have issued a detailed analysis of the policy positions behind the proposed constitutional changes,” he says.

He proposes that the Law Society should make it

easier for members to access knowledge and education pertinent to running their business more efficiently, including free CPD on anti-money-laundering and preparing for audits. He is impressed, however, with the Law Society’s Regulation Department and its efforts to help practitioners comply with financial regulations.

During his two-year term, Thomas would like to see structural changes for legal practices, including the possibility of becoming corporate entities: “The challenges of running a law firm as a sole principal, including managing cash-flow and liability, are huge,” he says. “Law firms should be able to form limited liability companies to retain value and spread their costs.

“I have done enough ‘giving out’ about the Law Society for the past 25 years,” he says, “and this is my opportunity to make some changes. My main interest is in the form and function of law firms, and how that can be improved.”

Peter Doyle

Peter Doyle has spent two years as chair of the Family and Child Law Committee (with responsibility also for civil legal aid) and almost eight years serving on the committee that deals with subjects very close to his heart.

“I hope that I can pursue family law and the need for reform, at Council level, and push it higher up the Government agenda,” he explains.

As a practitioner, he would like to see the Hammond Lane complex completed, as well as, ultimately, a separate Courts Service division for the whole family-law arena.

Peter says that the *Family Courts Act 2024* will require some work, before commencement, on the question of jurisdiction for divorce and separation cases, while the issue of garda vetting of legal practitioners dealing with children needs to be highlighted.

“I am also very concerned about the level of stress our colleagues are dealing with on a day-to-day basis. Helping fellow practitioners is an issue I wish to focus on. Practitioners in smaller firms don’t have the same support that larger firms have,” he comments.



Peter Doyle

Each year, the Law Society invites members from all areas and backgrounds to stand for election. The aim is to ensure that the Council is truly representative of the changing profession and the public it serves

While Law Society mental-health initiatives have been excellent, more needs to be done in terms of support, he says.

Since going on Council, colleagues have come to him with issues that “the very effective Law Society committee structure can deal with”. As a result, Peter wishes to highlight the significant resources available to members through that structure.



Imran Khurshid

Imran Khurshid

Imran Khurshid practises in human rights and immigration law. In the course of his work, he has been subjected to intimidation from clients and anti-immigrant elements in Irish society. Born in Pakistan, Imran has lived in Ireland since 2007, qualifying as a solicitor here.

He recently received a threatening and abusive email from a client, despite doing his utmost on behalf of that person: “I was shocked to read that email, accusing me of being unprofessional. It affected me,” he says.

Imran wishes to bring the issue of threats against the profession before Council, as he fears that recipients may develop depression and mental-health issues as a result. “We are under pressure, highly regulated, and are trying to do our best,” he says. “If it’s affecting me, it’s affecting everyone else working in similar scenarios.”

On Council, he is also keen to bring planned changes in immigration procedures across Europe to the table. He desires that any measures in the *EU Pact on Migration and Asylum* will remain in line with human-rights norms: “We request governments in the EU not to follow in the footsteps of the Far Right,” he states.

In August 2025, nominations will open for 16 places in the Council elections, including one each from Connaught and Munster. This is a unique opportunity to bring your expertise and life experience to the table

Jonathan Lynam

The Southern Law Association’s vice-president, Jonathan Lynam, was co-opted this year to the Law Society’s Council as the bar association’s representative. He is managing partner of Murphy Lynam, which operates from Washington Street in Cork city and which runs an office in Dublin’s Mount Street.

Originally from Mayo, Jonathan qualified in law in 2009, completing his training with a Galway firm. He graduated in recessionary times and used the opportunity to work in New York from 2009–2012, passing the New York Bar exams.

He returned to Ireland and, in 2016, took over the practice of John J Murphy & Co, which was founded by John J Murphy and his wife Clara, who still

works at the firm.

Jonathan has been managing the practice for nearly eight years and works mainly in corporate and corporate finance law. He also serves on the Law Society’s Business Law Committee.

He values the opportunity to work with highly experienced colleagues and enjoys the education and exposure he gets from being involved in meetings and committee work: “Law Society Council meetings are extremely well run, and an excellent example of corporate governance,” he says.

He also very much enjoys being part of the collegiate and social side of the legal community, networking with other Council members and top professionals in their fields.



Jonathan Lynam



Cristina Stamatescu

It was her background as a sole practitioner that propelled Cristina Stamatescu to stand for election to the Law Society's Council. Born in Romania, Cristina qualified as a solicitor in January 2013, working largely in immigration law, human rights, EU law, and judicial review.

She believes that her perspective as a practitioner not originally from Ireland, but who has experienced the

challenges of navigating the Irish legal system and balancing career with family life, will prove invaluable in bringing fresh ideas to the Council table: "I would like to be a voice for people in that category," she explains.

Support from colleagues and mentors has played an important role in Cristina's experience and has encouraged her to take on this challenge.

"From the 'outside', you don't know what you're in for until you have a seat at the table,"

she says. "There has been a lot of learning, which has been extremely beneficial, particularly having very welcoming and supportive colleagues on Council.

"I'm learning every day, discovering every day. It's wonderful to see that there are so many dedicated practitioners in such a representative profession. Everyone can have differences of opinion, but everyone is able to discuss proposals in a professional way and to, at times, agree to disagree.

"It's an amazing opportunity to have a seat at the table, to be able to have a voice in representing your profession. We are the voice of our colleagues who we are here to serve," Cristina concludes.

2025 nominations

In August 2025, nominations will open for 16 places in the Council elections, including

one each from Connaught and Munster. This is a unique opportunity to bring your expertise and life experience to the table, shaping policies that will have an impact on colleagues, clients, and the general public.

If running for election isn't for you, the next best way to make an impact is by voting in September. With the convenience of online voting, it's now easier than ever to cast your ballot and support a candidate whose vision aligns with your own.

For further details about your Council and the next election, visit lawsociety.ie/councilelections or contact solicitorservices@lawsociety.ie. Your involvement will help to make a lasting difference and will influence the future direction of the profession.

Mary Hallissey is a journalist with the Law Society Gazette.



Got 10 minutes?

Calling all practising solicitors. Tell us about your work and challenges so the Law Society can support your success.

Complete the Law Society survey sent by Ipsos B&A Research **by 11 April.**

www.lawsociety.ie/survey2025



Two can keep a secret...

The European Data Protection Board has published its opinion on the processing of personal data in the context of AI models. Elaine Morrissey deletes her cookies

The European Data Protection Board (EDPB) has published a helpful and much needed opinion on the processing of personal data and AI models. At the request of the Data Protection Commission, the board issued [Opinion 28/2024](#) in December. The request was submitted by the commission via the EU GDPR consistency mechanism with a view to seeking EU-wide regulatory harmonisation.

The request and the opinion comprise three parts in relation to the development and deployment of AI models:

- 1) When and how can an AI model be considered anonymous?
- 2) How can controllers demonstrate the appropriateness of legitimate interest as a legal basis in the development and deployment phases?
- 3) What are the consequences of unlawful processing of personal data in the development phase of an AI model on the subsequent processing or operation of the AI model?

While the opinion is written from the supervisory authorities' perspective (that is, what to assess, consider, and corrective measures), it is expected to be well-thumbed by all relevant stakeholders, providing much needed direction for this complex area.

Tell that devil

The opinion is a good reminder of some key elements of privacy compliance faced by those advising in the area daily, including the principles, legitimate interest test, and data-subject rights.

For the first part, the opinion reminds us that any assessment of assertion of anonymity needs to be considered on a case-by-case basis. Many privacy practitioners will be familiar with assertions that data is anonymous and then, upon checking the data, clearly see that it is far from anonymous.

To assess the anonymity of an AI model, there are two elements to consider – within the context of 'reasonable means':

- 1) That personal data related to the training data cannot be extracted out of the model, and
- 2) That any output produced when querying the model does not relate to the data subjects whose personal data was used to train the model.

When assessing whether the above two conditions have been met, consideration should be given to the [Data Protection Working Party Opinion 05/2014](#) on anonymisation techniques. The EDPB considers that AI models are very likely to require a thorough evaluation of the risks of identification.

The assessment should consider "all the means reasonably likely to be used" by the controller or another party to identify individuals, and whether an unauthorised party can reasonably be considered to be able to gain access to, or process the data in question.

The little things

The second part of the opinion deals with the appropriateness of legitimate interest as a legal basis for processing personal data in the development and deployment of AI models.



“
Many privacy practitioners will be familiar with assertions that data is anonymous and then, upon checking the data, clearly see that it is far from anonymous

In dealing with this question, the opinion highlights the importance of GDPR principles: accountability, lawfulness, fairness and transparency, purpose limitation, and data minimisation. It reminds us that, when relying on legitimate interest, article 21 of the GDPR (the right to object) applies.

To rely on legitimate interest, the 'three-step test' must be met. As a first step for an interest to be legitimate, it must be:

- 1) Lawful,
- 2) Clearly and precisely articulated, and
- 3) Real and present – not speculative.

I asked for water

The second step is the 'necessity test' – whether the processing of personal data is necessary for the legitimate interest pursued. In short, is this data necessary (categories, volume); can less (volume, categories) data achieve the same result?

The third step is the 'balancing test/exercise' – this requires analysis of the



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rights and interests of the data subjects and the controller or a third party. The opinion highlights consideration of the impact on data subjects and the reasonable expectation of the data subjects.

Mitigating measures are also highlighted, including technical measures – for example, pseudonymisation, masking

The EDPB considers that AI models are very likely to require a thorough evaluation of the risks of identification

data, and measures to facilitate the exercise of individuals' rights.

Bad things

The third part of the opinion deals with where an AI model is developed using personal data that was processed unlawfully. The opinion addresses three scenarios. The theme throughout the scenarios is that analysis, on a case-by-case basis, is required.


In the first scenario, which involves the same controller at the development and deployment stage, the unlawfulness of the processing in the development phases may have an impact on the lawfulness of the subsequent processing.

In the second scenario, which involves a different controller at the deployment stage, consideration will be given to whether the controller deploying the model conducted an appropriate assessment.

The third scenario is where the model is anonymised before further processing by the same controller or another controller. If it can be shown that the subsequent operation of the AI model does not entail the processing of personal data, the EDPB considers that the GDPR should not apply to that element. This links back to the first part of the opinion – an assessment of the anonymity of an AI model.

Why don't you do right?

The thread throughout the opinion is that supervisory authorities need to consider matters on a case-by-case basis, and that controllers (developers, or deployers) need to have their paperwork in order.

Those practising and/or interested in this area will find the opinion helpful for the specific topic, but also as a good reminder of privacy principles and appropriate assessments, for example, legitimate-interest assessment and ensuring appropriate third-party assessments. Reading the opinion is full in recommended. 

Elaine Morrissey is chair of the Law Society's IP and Data Protection Law Committee.



All along the watchtower

Shane Dwyer lifts the lid on the operation of the Law Society's regulatory and disciplinary functions with Eamonn Maguire

Shane Dwyer's career has been shaped by a deep commitment to justice, professional ethics, and regulatory law. The

Tipperary man began his academic journey studying law and German at Trinity College Dublin and the University of Göttingen in Germany, before completing a master's in human rights and humanitarian law at the University of Lund in Sweden.

His post-graduation path led him back to Ireland, where he honed his skills as a senior judicial assistant in the Courts Service, followed by six years as research counsel to the Morris Tribunal. This landmark inquiry, which ran from 2003 to 2007, uncovered disturbing allegations of police corruption in Co Donegal, and it left a lasting mark on Shane's perspective on professional integrity.

Reflecting on his time working in the tribunal, Shane explains: "This period was very influential in framing my view on the damage that can be done to the reputation of an organisation

All photos: Cian Redmond

Shane Dwyer, head of
Regulatory Legal Services

or profession when powers or privileges are abused, or where there is a circling of the wagons around conduct that falls seriously short of acceptable professional and ethical standards.”

Are you experienced?

With this formative experience, Shane’s career would take a path focused on strengthening professional accountability, eventually leading him to specialise in regulatory and administrative law.

After initially qualifying and practising as a barrister, Shane made a strategic shift in 2013, transitioning to become a solicitor. “While I enjoyed the ‘cut and thrust’ of life in the district and criminal courts, when an opportunity to change profession presented itself, I was more than happy to go with it, and I’ve had no regrets since,” he says.

His move into private practice saw him earn his stripes with McDowell Purcell (now Fieldfisher), where he built his reputation in professional regulation and administrative law. Shane presented cases as a solicitor advocate before the Fitness to Practise Committee of the Medical Council and acted for the Law Society in many cases before the Solicitors Disciplinary Tribunal.

He also advised the Bar Council and the Department of Justice ahead of the enactment of the *Legal Services Regulation Act 2015* and worked on secondment at the Legal Services Regulatory Authority during its start-up phase.

After stints at DAC Beachcroft and Mason Hayes & Curran, Shane joined the Law Society. He was appointed as head of Regulatory Legal Services in 2022.

Castles made of sand

His approach to regulation is to strike the correct balance between the public interest in the efficient progression of regulatory processes, and the private interests of those who have been affected by regulatory outcomes.

“Although it’s imperative to build procedures that are robust and consistent, a regulator must always be sensitive to the circumstances of each regulatory case that comes before it. Each



Each participant is entitled to fair procedures and to be treated with dignity and respect. With this in mind, decision-making processes must be fully informed and transparent, and regulatory outcomes must be reasoned and defensible

participant is entitled to fair procedures and to be treated with dignity and respect. With this in mind, decision-making processes must be fully informed and transparent, and regulatory outcomes must be reasoned and defensible.”

The Regulatory Legal Services (RLS) section of the Law Society, which was established in 2015 under the direction of Shane’s predecessor, Eugene O’Sullivan, provides in-house legal advice and litigation support to the Regulation Department, its regulatory committees, and the Law Society in general.

“Our day-to-day work is broad and varied,” says Shane. “Over the past few months, for example, our team has advised on issues concerning practising certificates, professional-indemnity insurance, sanctioning guidance, costs recovery, data privacy, anti-money-laundering, statutory interpretation, claims on the compensation fund, dormant balances, alternative business structures, cessation of practices, and the publication of disciplinary findings and regulatory warning notices.

“We also regularly make submissions on law reform. It’s a busy team that services the legal advisory needs of many sections within the Law Society, often acting as the information point to ensure that the left hand knows what the right hand is doing.”

Crosstown traffic

On top of the delivery of their in-house legal services, RLS’s solicitors present the majority of the Law Society’s regulatory cases directly, championing solicitor advocacy in the disciplinary tribunals and superior courts.

The December 2024 High Court judgment in *Law Society v Cormac Lohan* ([2024] IEHC 709) summarises many of the key principles and case law underpinning the Law Society’s role in the regulation of the solicitors’ profession. RLS also manages cases where the Law Society is joined as an *amicus curiae*, obtaining the appreciation of the Supreme Court in the recent case of *Kelly v UCD* ([2025] IESC 6).

In addition to cases that result in findings of misconduct and related sanctions, the section also presents emergency applications to the High Court that result in the suspension of practising certificates

“

In less contentious cases, where there is no evidence of dishonesty and a solicitor has become unable to continue to practise, and has no realistic proposal of winding-up the practice in an orderly manner, RLS supports the Law Society’s Practice Closures section in securing High Court orders that are necessary to protect the interest of clients, where possible with the consent of the solicitor

and the taking up of client files and client monies. This occurs in circumstances where the actions of a solicitor results in ongoing client-protection concerns.

Shane notes other types of High Court applications that are particularly important – in both protecting the interests of clients, while also respecting the rights of solicitor colleagues.

“In less contentious cases, where there is no evidence of dishonesty and a solicitor has become unable to continue to practise, and has no realistic proposal of winding-up the practice in an orderly manner, RLS supports the Law Society’s Practice Closures section in securing High Court orders that are necessary to protect the interest of clients, where possible with the consent of the solicitor.”

Little wing

Ever focused on treating vulnerable solicitor colleagues with dignity and respect, Dwyer comments: “A number




of such applications have proceeded over the past year with minimal publicity, and with appropriate levels of support provided to both the solicitor themselves and their clients, as required. Very often, these solicitors are elderly or incapacitated, and can be disinclined to reach out to colleagues for support and assistance. On some occasions, previous succession plans have failed.”

Shane, who is originally from Boherlahan, Co Tipperary, has a strong affinity with the role that the Law Society plays in supporting small practices in rural Ireland. As he notes, “physical access to good-quality legal services plays a significant role in not only supporting the local economy and business community, but also in vindicating the rights of all members of society”.

Reflecting on his last few years as head of Regulatory Legal Services, Shane is typically measured and circumspect. He notes that, in the same manner that the solicitors’ profession is held to increasingly high standards of performance to maintain the trust of clients, the Law Society is also held to higher standards in the performance of its statutory obligations by its solicitor members, the courts, and other organisations with oversight functions.

“Simply relying upon the view that ‘this is how we have always done things’ is not good enough,” he says. “It’s important to anticipate potential weaknesses in processes before they become an issue that damages trust in the Law Society and the solicitors’ profession.

“We need to be transparent, embracing the role that the Law Society has always played as a thought leader in professional regulatory matters, ensuring that the profession maintains its status as one whose members can be trusted, to the ends of the earth.” 

Eamonn Maguire is regulatory communications manager at the Law Society.





Battelle ROYALE

The ‘*Battelle* principle’ should be kept in mind when advising clients who intend to assert title to lands by way of adverse possession in circumstances where an adjoining leasehold interest is already held by the client. Lesley O’Neill fences things off

The *Battelle* principle asserts that, where an applicant holds a leasehold

interest in lands and claims an interest in adjoining freehold lands that have been encroached upon, the only interest that may be granted by a court in respect of the encroached freehold lands will be the right of possession of the encroached lands against the fee simple owner, but only for the unexpired portion of the term of the applicant’s lease.

In *Battelle*, the applicants/plaintiffs held a leasehold title in a residential property at Rathfarnham, Co Dublin. At the rear of the property, a small area of freehold land was retained by the defendant, which sloped

downwards towards the Owendower River. The applicants gave evidence that the rear freehold lands were overgrown and, having made enquiries with the defendants, began incorporating the overgrown freehold lands into their back garden.

The High Court heard evidence that the applicants cleared the overgrown lands, erected fencing, laid pathways, planted trees, installed garden lighting, and enclosed the rear freehold lands, and the court accepted that the applicants/plaintiffs had sole and exclusive possession of the plot incorporated, adverse to the interest of the freehold owner, having been satisfied that the applicants had:

- The necessary *animus possidendi* (that is, the intention to possess the property and the intention to

Photo: Shutterstock



Image: Alamy

Above: *The Squatters* (George Caleb Bingham)

- exclude the true owner), and
- The requisite period of uninterrupted possession under the *Statute of Limitations Act 1957* (in this case, 12 years), noting that section 13(2)(a) of the act provides that the requisite period is 12 years from the time of the accrual.

The High Court acknowledged, however, that “the title acquired [was] title by encroachment, that is, the right to possession of the premises in dispute against the fee simple owner for the unexpired portion of the term of [the] lease of the plaintiffs’ premises ... the freeholder’s entitlement to the land in reversion upon expiration of the lease remaining undisturbed”.

Having granted a declaratory order in favour of the plaintiff/applicant, confirming title to the rear lands, by encroachment, the High Court awarded damages to the plaintiff/applicant, in respect of trespass caused to the rear lands by the defendant’s servants/agents who entered onto the rear lands, subsequent to the applicant’s incorporation and enclosure of the rear lands.

“Practitioners will note, therefore, that where title to lands can only be established by way of encroachment, T  will not (unless the *Battelle* presumption is rebutted), register an interest in the ‘squatted’ lands.

Squat thrust

Practitioners are, accordingly, urged to recall the principle laid down in *Battelle* when advising clients who assert title to lands by way of adverse possession (commonly called ‘squatter’s title’). The utmost care must be taken when preparing the requisite *Tailte  ireann* (T ) Form 6, which questions whether “the property has (or has not) been used in conjunction with other property”.

Where an applicant positively asserts that the property has been used in conjunction with other property, then attention should be drawn to the (current) explanatory note 7 within Form 6, which states that “where the property has been used in conjunction with leasehold property owned by the applicant, the presumption of encroachment may apply and, if not rebutted, any interest acquired by the applicant is not registrable. It is up to the applicant to rebut the presumption”.

Practitioners will note, therefore, that where title to lands can only be established by way of encroachment, T  will not (unless the *Battelle* presumption is rebutted), register an interest in the ‘squatted’ lands.

“

An emerging practice towards the retention by certain landowners and developers of lands to the rear of a housing development may mean that the issue of encroachment as outlined in *Battelle* is one that may arise more in the future



The effect of this has evident implications in terms of the remediation and certification of title, and may present difficulties for funders.

The annex

In *Battelle*, the High Court asserted that there was a presumption that the encroached plot of lands was, in essence, viewed as being ‘annexed’ to the applicant’s leasehold lands – meaning that, on the termination of the lease, the encroached plot was “to be regarded as having accrued to the landlord’s reversion together with the demised premises”.

When preparing the submission of Form 5 affidavits, it is imperative that practitioners take full and comprehensive instructions from their client to discern not only whether the requisite tenets of adverse possession have been met, but also whether any element of encroachment is asserted or arises from the facts.

TÉ also advises that “particular attention should be given to the averments in LR Form 6, and the notes at paragraph 2 thereof, in relation to the facts to be proved by the applicant. All the information as set out in the said paragraph 2 of LR Form 6 must be included in the application. Such applications only relate to registered land”.

Where an encroachment scenario does arise, practitioners should refer to the *Battelle* principle and conduct such searches and enquiries as would

promptly enable the practitioner to (a) confirm the pre-existing title(s) held by the applicant, and (b) the title asserted by way of adverse possession, noting that the applicant may only be entitled to the right to remain in possession of the encroached lands until the expiration of the applicant’s lease, noting the policy of TÉ not to register any interest established by encroachment (unless the *Battelle* presumption is rebutted).

While the circumstances outlined in *Battelle* may present themselves irregularly and infrequently, an emerging practice towards the retention by certain landowners and developers of lands to the rear of a housing development (where residential units have been assured by way of lease, for example) may mean that the issue of encroachment as outlined in *Battelle* is one that may arise more habitually in the future.

Where developers retain rear lands in this manner, there is a further risk to the developer/landowner that the lands may be the subject of an adverse possession ‘squatter’s’ application at a future date. While TÉ notes that “the Irish courts have interpreted [the question of possession of lands and acts of possession] liberally in favour of the dispossessed owner”, it remains incumbent on all developers/landowners to assert and exhibit such acts of ownership to prevent a potential ‘squatter’s’ claim being asserted via TÉ and/or the courts. ¹⁹

Lesley O'Neill is a solicitor at Blake & Kenny LLP, Galway.

LOOK IT UP

CASES

- *Battelle v Pinemeadows Limited* [2002] IEHC, 1201999/10135F
- *Feehan v Leamy* [2000] IEHC 118
- *Murphy v Murphy* [1980] IR 183

PRACTICE DIRECTION

- *Tailte Éireann, 'Adverse possession - title by adverse possession to registered land'* (2017)

Regulars only



All photo: Shutterstock



The Irish Human Rights and Equality Commission has recommended that urgent steps be taken to bring the complaints mechanism for discrimination claims at the point of entry to a licensed premises into line with the mechanism available for other discrimination complaints. ‘You’re barred!’ says Áine Bhreathnach

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efore September 2003, complaints of discrimination that occurred on or at the point of entry to licensed premises could be made under the *Equal Status Acts 2000*. However, the law changed with the introduction of section 19 of the *Intoxicating Liquor Act 2003* and, thereafter, complaints of discrimination had to be filed in the District Court.

This transfer of jurisdiction placed practical difficulties and challenges in the path of persons discriminated against in a licensed premises, including requiring a knowledge of the areas on the premises covered/ not covered by the liquor licence and the name of the licensee; the filing a notice of application and the payment of a fee; and crucially, at the hearing of the case, the standard court practice of proving a civil case on the balance of probabilities.

This compares to a complaint filed under the *Equal Status Acts*, which requires the completion of a simple complaint form without a fee and, most importantly, the shifting of the burden of proof once a *prima facie* case has been established.

Over the last number of years, IHREC has represented many individuals who have been refused service in a licensed premises. This has included families with young children who have been refused entry to a bar for dinner, couples refused entry to a premises for dinner and drinks, and a group of young people refused entry to a nightclub – resulting in feelings of embarrassment and humiliation.

Clients have informed IHREC that the refusal of service by licensed premises has had an impact on all areas of their lives – from a regular night out to special occasions such as weddings and funerals. Clients have advised that there is a constant undercurrent of fear that they will be refused service when they engage with licensed premises, and that this can often lead to anxiety.

Take five

In 2022, IHREC represented five women from the Traveller community – Mary O’Driscoll, Margarita McCarthy, Theresa McCarthy, Margaret Meehan and Annie McCarthy. They were celebrating a birthday on 5 March 2022 and went out for dinner and a drink in Charleville, Co Cork. After dinner, all five women were refused service in O’Connell’s bar on Main Street, Charleville.

Mary, Margarita and Margaret ordered a drink at the bar – however, they were told that there was no room, due to a private function being held on the premises. Theresa tried to order a drink – again she was refused. There was no evidence of a private party in the bar, and other customers continued to receive service.

Mary, Margarita, Theresa, Margaret and Annie believed that the refusal of service was an act of discrimination owing to their membership of the Traveller community. IHREC provided the women with legal representation before the District Court, claiming that the refusal of service constituted prohibited conduct by a licensed premises within the meaning of section 19 of the *Intoxicating Liquor Act 2003*.

At Mallow District Court, before Judge Roberts, the women argued that Travellers, as a distinct ethnic group, enjoy protections under EU law, specifically under the *Race Equality Directive*. IHREC argued on behalf of the women that, while section 19 of the *Intoxicating Liquor Act* does not explicitly refer to the issue of the burden of proof, as a matter of EU law it must be interpreted in conformity with article 8 of the *Race Equality Directive*, which provides for the reversal of the burden of proof.

The importance of reversing the burden of proof was explained by the Labour Court in *Ntoko v Citibank*, which stated: “This approach is based on the empiricism that a person who discriminates unlawfully will rarely do so overtly and will not leave evidence of the discrimination within the claimant’s power of procurement. Hence, the normal rules of evidence must be adapted in such cases so as to avoid the protection

“
IHREC has represented many individuals who have been refused service in a licensed premises. This has included families with young children who have been refused entry to a bar for dinner, couples refused entry to a premises for dinner and drinks, and a group of young people refused entry to a nightclub



of anti-discrimination laws being rendered nugatory by obliging claimants to prove something which is beyond their reach, and which may only be in the respondent’s capacity of proof.”

Giant steps

In Mallow District Court on 9 January 2024, Judge Roberts ruled on a preliminary application made by IHREC on behalf of their five clients that the *Race Directive* has direct effect and, therefore, the reversal of the burden of proof applies once a *prima facie* case has been made out.

At the same hearing, Judge Roberts heard evidence from the women (one of whom was eight months’ pregnant at the time of the incident) of discrimination, and was satisfied that facts had been established from which discrimination could be presumed and, therefore, that the burden shifted to the respondent to prove the contrary.

The court ruled that O’Connell’s Bar failed to rebut the presumption that discrimination had occurred. The court held that the women had been discriminated against as members of the Traveller community when accessing the services of the pub.

The court made individual orders of compensation to each of the women. In addition, the court also directed that a statement be published on the Facebook page operated by O’Connell’s Bar, providing the details of these proceedings and the finding of the court.

The court also directed the licensee for O’Connell’s Bar to engage in Traveller cultural-awareness training provided by the Travellers of North Cork group within a period of six months of the making of the court’s order.

The court indicated that it made these orders and directions with a view to ensuring that the sanctions for the respondent’s prohibited conduct were effective, proportionate and dissuasive, in line with the requirements of the *Race Directive*.

It could happen to you

IHREC is aware of other cases in the District Court where the *Race Directive* has not been given effect. It would appear that there



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The court indicated that it made these orders and directions with a view to ensuring that the sanctions for the respondent’s prohibited conduct were effective, proportionate and dissuasive, in line with the requirements of the *Race Directive*

is now an element of uncertainty in the District Court, where different burdens may be applied in different courts dealing with *Intoxicating Liquor Act* cases.

IHREC published a review of section 19 of the *Intoxicating Liquor Act* in February 2022. In the review, the commission recommended that urgent steps be taken to bring the complaints mechanism for discrimination claims occurring on, or at the point of entry to, a licensed premises into line with the mechanism available for other discrimination complaints. In particular, the commission recommended that such claims be brought back within the jurisdiction of the Workplace Relations Commission (WRC), as opposed to the District Court.

IHREC welcomes the publication of the *Equality and Family Leaves (Miscellaneous Provisions) Bill*, which proposes to transfer jurisdiction in relation to prohibited conduct on, or at the point of entry to, a licensed premises from the District Court to the WRC.

IHREC’s commitment to strengthening the human-rights and equality infrastructure in the State is a key element of the IHREC *Strategy Statement 2025–2028*. To this end, IHREC is currently drafting an updated review on the effectiveness of section 19 of the *Intoxicating Liquor Act* relating to the protection and promotion of human rights

and equality. The review will examine the implementation of relevant EU directives and any issues affecting access to justice when alleging discrimination in a licensed premises.

Áine Bhreathnach is senior solicitor at the Irish Human Rights and Equality Commission.

LOOK IT UP

CASES:

- *Ntoko v Citibank* [2004] 15 ELR 116, Labour Court Determination DEE045

LEGISLATION:

- *Equal Status Acts 2000*
- *Equality and Family Leaves (Miscellaneous Provisions) Bill*
- *Intoxicating Liquor Act 2003*
- *Race Equality Directive* (2000/43/EC)

LITERATURE:

- IHREC *Strategy Statement 2025–2028*
- *Travellers of North Cork*
- *Workplace Relations Commission*

IN-HOUSE IN DEMAND

The number of in-house solicitors in Ireland is on the rise, due to the specialised nature of in-house legal roles that support business growth. Mark Garrett crunches the numbers on the Law Society's in-house sector at year-end 2024

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o in-house solicitor role is the same as another. Its specialised nature, supporting business

growth within so many different sectors, is another example of the contribution the legal skillset brings to the economy. It is no surprise that the number of in-house solicitors is on the rise.

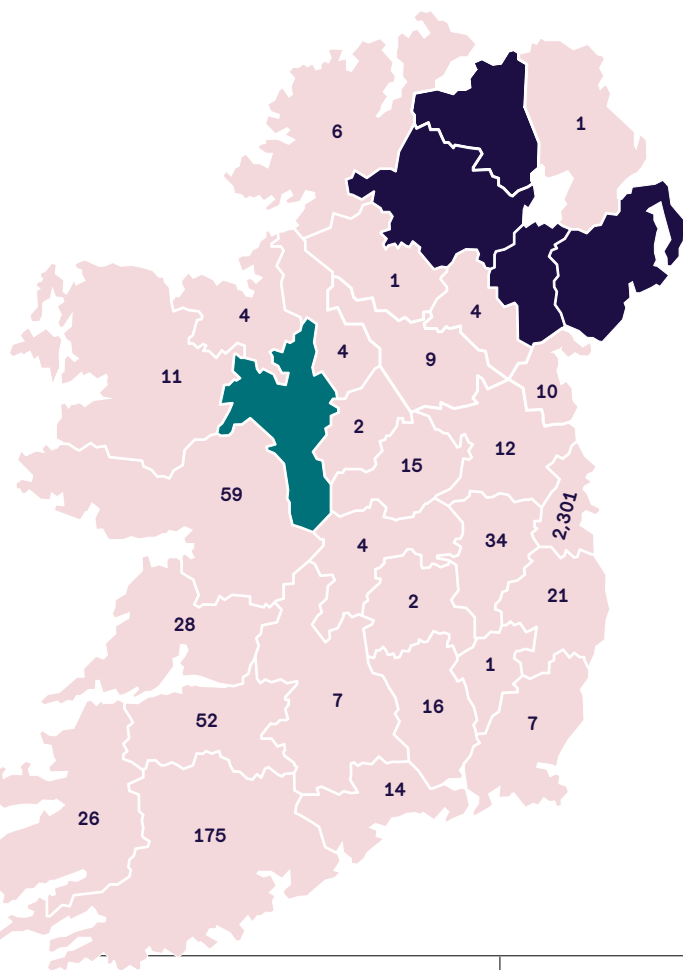
The statistics from the *Annual Report on Admission Policies of Legal Professions* provide valuable insights into an evolving solicitors profession and, in particular, show an in-house community that is continuing to thrive.

At the end of 2024, the combined in-house solicitor cohort comprised 27% of the profession, with 23% of in-house practitioners working in private industry, while another 4% were working in the 'service of the State' (SOS). Of the 3,335 working in-house, 66% are female.

	Firm Name (Ireland)	2024	2023
1	Matheson	371	361
1	A&L Goodbody	371	365
3	Arthur Cox	333	326
4	Mason Hayes & Curran	313	290
5	McCann FitzGerald	290	279
6	William Fry	216	208
7	Chief State Solicitor's Office	199	186
8	ByrneWallace*	153	148
9	Office of the Director of Public Prosecutions	132	129
10	Legal Aid Board	121	115
11	Central Bank of Ireland	119	123
12	Eversheds Sutherland	107	99
12	Maples and Calder	107	98
14	RDJ	105	106
15	Beauchamps	98	94
15	Allied Irish Banks plc	98	97
17	Philip Lee	84	84
18	Dillon Eustace	82	85
19	Hayes Solicitors	81	74
20	Addleshaw Goddard	80	70

*ByrneWallace merged to become Byrne Wallace Shields LLP on 1 January 2025

Breakdown of the number of practising certificates held by each of the top 20 largest employers of solicitors, as at 31 December 2024 (incorporating firm principal offices and branches in Ireland)



IN-HOUSE SOLICITORS
(WITH A PC) BY
LOCATION

County	
Antrim	1
Armagh	0
Carlow	1
Cavan	9
Clare	28
Cork	175
Derry	0
Donegal	6
Down	0
Dublin	2,301
Fermanagh	1
Galway	59
Kerry	26
Kildare	34
Kilkenny	16
Laois	2
Leitrim	4
Limerick	52
Longford	2
Louth	10
Mayo	11
Meath	12
Monaghan	4
Offaly	4
Roscommon	0
Sligo	4
Tipperary	7
Tyrone	0
Waterford	14
Westmeath	15
Wexford	7
Wicklow	21

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The skillset that in-house practitioners bring to an organisation is clearly recognised by employers. The drive to have that talent embedded in the business or agency as a strategic asset is highlighted by the increase in in-house opportunities for members of the profession

Asset class

The skillset that in-house practitioners bring to an organisation is clearly recognised by employers. The drive to have that talent embedded in the business or agency as a strategic asset is highlighted in the statistics by the increase in in-house opportunities for members of the profession.

That said, like most of us, many in-house legal practitioners will be monitoring the international political

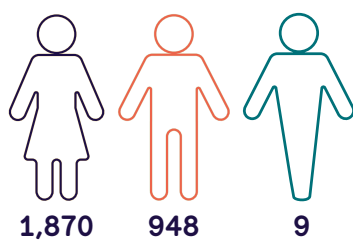
environment and offering counsel to their employers in terms of any potential impacts. They are protecting, guiding, and supporting businesses or agencies as they navigate continually changing legislation and regulations – especially as the international political context becomes less clear.

Onward and upward

The upward trajectory for in-house has been obvious for a few years now. While the solicitors' profession as a whole is



Director General Mark Garrett



IN-HOUSE SOLICITORS
BY GENDER

Gender	Count of Gender
Female	1,870
Male	948
Other	9
Total	2,827



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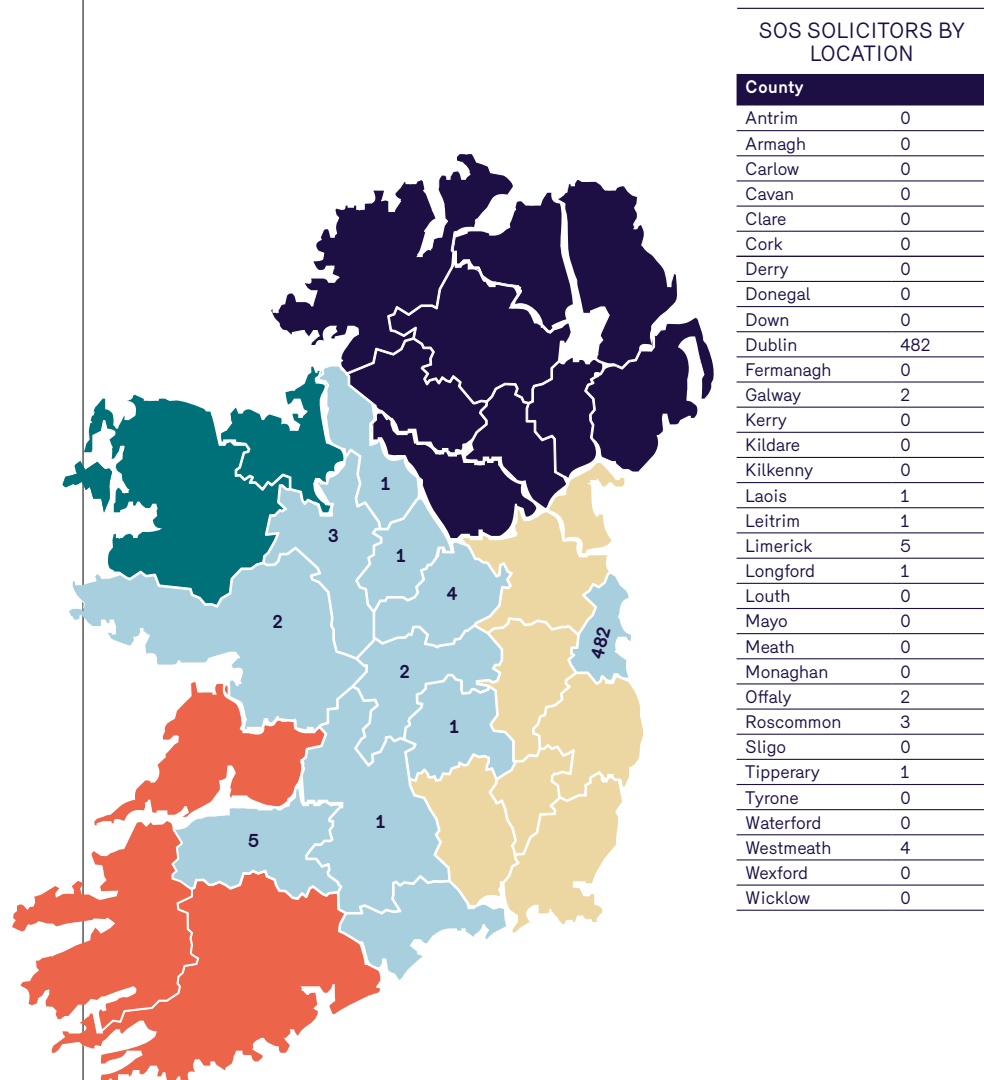
www.lawsociety.ie/CPDcourses

IN-PERSON AND LIVE ONLINE COURSES

Date	Course	CPD Hours	Venue	Fee
11 April	Certificate in Professional Education	Full CPD hours for 2025	Law Society of Ireland	€1550
24 April	Diploma in Legal Practice Management	Full CPD hours for 2025	Law Society of Ireland	€1950
29 April	Introduction to AI for General Practitioners	3 professional development and solicitor wellbeing (by group study)	Law Society of Ireland	€160
29 April	Introduction to AI for In-House Solicitors	3 professional development and solicitor wellbeing (by group study)	Law Society of Ireland	€160
8 May	Leadership and the Modern Lawyer Masterclass	5 professional development and solicitor wellbeing (by group study)	Law Society of Ireland	€200
8 May	Midlands General Practice Update 2025	Total 6 hours (by group study)	Midlands Park Hotel, Portlaoise, Co. Laois	€165
15 May	Essential Solicitor Update Leitrim 2025	Total 6 hours (by group study)	Landmark Hotel, Carrick-on-Shannon, Leitrim	€165
21 May	Public Sector Careers Symposium 2025	2.5 professional development and solicitor wellbeing (by group study)	Law Society of Ireland	€65
28 May	Risk and Resilience in the Legal Profession	2 professional development and solicitor wellbeing and 2.5 client care and professional standards (by group study)	Law Society of Ireland	€225
29 May	North West Practice Update 2025	Total 6 hours (by group study)	Lough Eske Castle Hotel, Lough Eske, Co. Donegal	€165
11 June	Planning for Retirement for Legal Practitioners	1 client care and professional standards, 1 general, 3 professional development and solicitor wellbeing (by group study)	The Strand Hotel, Ennis Road, Limerick	€185
12 June	Essential Solicitor Update Limerick and Clare 2025	Total 6 hours (by group study)	The Strand Hotel, Ennis Road, Limerick	€165

ONLINE, ON-DEMAND COURSES

Date	Course	CPD Hours	Fee
Available now	Legislative Drafting Processes & Policies	3 general (by elearning)	€230
Available now	Practical Guide to Cybersecurity	3 client care and professional standards (by elearning)	€195
Available now	Regulation Matters Hub	Up to 4 client care and professional standards (including 2 accounting & AML compliance)	€195



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The upward trajectory for in-house has been obvious for a few years now. While the solicitors’ profession as a whole is increasing year on year, in-house roles are also inching up

increasing year on year, in-house roles are also inching up. At the end of 2022, solicitors working in-house comprised 25.9% of the profession; in 2023 that figure had risen to 26.6%; and climbed higher to 27.2% by the end of 2024.

Business dynamics

The in-house practitioner is bringing a specialism to their business, collaborating with other teams in their office seeking the right outcome for that one employer. And in this role, the solicitor hones their leadership and strategic-thinking capabilities, as well as developing a thorough understanding of the dynamics of the business.

In just a few short years, it is very

possible that the in-house community will constitute 30% of the legal profession in Ireland – another example of the changing nature of the profession.

The Law Society’s In-house and Public Sector Committee is very aware of the increasing community of solicitors working in-house. It has a clear agenda that focuses on the varying work, perspectives, and needs of in-house solicitors – who are still bound by the same professional and ethical standards that apply to solicitors in private practice.

Mark Garrett is Director General of the Law Society.

ALTERNATIVE ENERGY

The *Gazette* plugs into the alternating current of the Law Society's Alternative Dispute Resolution committee, with chair Liam Guidera

The chair of the Law Society's Alternative Dispute Resolution Committee (ADR) is an advocate for

the power of mediation. Liam Guidera says that anyone who engages with the process emerges convinced of its transformative effects in the hands of an experienced practitioner. A committee member for five years, Liam has seen exponential growth in both the use of – and interest in – the mediation process.

The committee has over 20 members and meets both in-person and remotely every four to six weeks, with many newcomers anxious to join – a mark of the growing importance of its role. Members are a cross-section from the private and public sectors across all areas of practice, with a wide geographical spread, but are predominantly dispute lawyers.

While arbitration also has an important role, it is less common and tends to be restricted to large and complex commercial disputes, in which confidentiality is important. Arbitration cases tend to be run by experienced arbitrators who understand the nuances of these disputes. “Arbitration remains quite niche, and is not as common as one might think,” Liam says.

Surge protection

The growth of mediation is set to surge with the imminent formation of the Mediation Council, to which Law Society

President Eamon Harrington has been nominated. The council is expected to bring together many interested stakeholders and not-for-profit organisations, as well as trade unions, legal professionals, and farmers’ organisations, once its members have been approved by the Minister for Justice.

The Mediation Council is also expected to house the register of approved mediators, which the public can use. It will also publish a code of conduct covering the duties of mediators.

The push for mediation also comes from the very top of the State’s legal apparatus. When the Attorney General published his [legal principles for State litigation](#), mediation was ‘front and centre’. Members of the judiciary are also keen advocates and encourage all parties to at least attempt the process, since court time is a finite resource.

“Given that the State is involved in so many proceedings, the potential savings are enormous,” Liam says.

Sparking interest

Liam first heard about the practice of mediation about 20 years ago when a good friend, who had ‘taken silk’ in London, gave up his lucrative practice at the Bar to focus completely on resolving high-value complex disputes through alternative methods. Intrigued, Liam wanted to learn more.

“Litigation is rules-bound and deals with a defined set of pleaded circumstances, and will look to previously granted reliefs, and can’t stray outside that,” he explains. Mediation and ADR processes can allow for a more flexible and creative approach to difference, he believes.

He points to a case he was involved in whereby the legislation governing the work-permit system here was allegedly being abused to facilitate the trafficking of labour. There were five State-party defendants in the case. The ADR chair says that there was no ‘joined-up thinking’ between them up to that point. Through the creative use of mediation, an entirely new protocol was devised between them.

“The strength of mediation is that the parties own the process, they can take it off at a tangent – and a good mediator will rise to that challenge,” he said.

Transformer dynamo

Any existing resistance to mediation lies mainly with those who haven’t engaged with the process, he says. “There are very few parties who have engaged with mediation who would refuse to do it again. Most are struck by how transformative and dynamic it is, and how far beyond current proceedings it can go.

“What is most important is that mediation prevents the schism that happens when parties fight it out to the bitter end in a court of law. In terms of time and costs, you can’t argue with the advantages of mediation. There isn’t a downside if the process is engaged with properly.”

Even without a settlement, each party will learn something more about the other side’s case, often smoothing fraught relations, he adds.

In all, nearly 80% of cases dealt with by mediators are settled within three months of the mediation, Liam notes: “The seeds are sown at the start: mediation calms the process and opens the mind a little to the



Members of the ADR Committee at the launch of the *ADR Guide 2024*, with Law Society president, Eamon Harrington

other side's case, and the weaknesses in your own. It's a safe space in which to articulate concerns because, in a courtroom situation, parties are naturally more formal and guarded."

Direct current


Since the enactment of the *Mediation Act 2017*, lawyers are now obliged by statutory duty to bring up the option with their clients.

"Lawyers have nothing to fear from mediation," Liam stresses. "It makes for a happy client. A good lawyer will always apply holistic advice, and will explain if there is an alternative in order to deliver a result sooner and in a satisfactory manner. Life is increasingly complex and lawyers can't stick to 'one-size-fits-all' solutions – there are several other ways to achieve results."

He says that mediation is a critical tool and can bring dispute resolution to another level. "Mediation now features, by default, in every single dispute. Good lawyers trying to bring about the best result will have it as part of their professional toolkit and won't need external stimulus to consider it."

The ADR chair says that no lawyer can work in dispute resolution – whether in commercial, family, or employment law – without using these tools. At whatever stage, mediation offers savings in both time and money. "The sweet spot for mediation may come early or late, and each case will have an optimum time," he explains, "whether before or after discovery, and its attendant costs."

At Blackhall Place, PPC trainees are learning ever-more complex and elaborate mediation practices, and there is a significant level of interest among emerging lawyers.

"This is a civilised way of doing business, and one that we should embrace. It's a win-win for everyone. Solicitors can be very good at it, because they know their client and they know what they want, and what can be delivered. There is a time for war – and a time for peace," he concludes. 

Mary Hallssey is a journalist at the Law Society Gazette.

“

This is a civilised way of doing business, and one that we should embrace. It's a win-win for everyone. Solicitors can be very good at it, because they know their client and they know what they want, and what can be delivered



Helen Kilroy (vice-chair) and Liam Guidera (chair, ADR Committee)

All photos: Cian Redmond

Burn out!

Understanding burnout, fatigue, and sleeplessness is essential to achieving high performance and tackling exhaustion in the legal profession. Dr Dale Whelehan burns the rubber

We often speak of ourselves as machines, but solicitors are people, not robots. The demands of legal practice – tight deadlines, intensive caseloads, client expectations, and high-stakes decision-making – are undeniably taxing. It's hardly surprising that many solicitors are feeling exhausted. Yet, too often, exhaustion is misunderstood and improperly managed, limiting professional performance and career satisfaction.

Law Society Psychological Services aims to shed light on what exhaustion really means, why it matters, and what solicitors and legal workplaces can do practically to enhance energy, performance, and professional effectiveness.

'Burnout', 'fatigue', 'tiredness' – what's the difference? These terms are often used interchangeably, but they represent distinct experiences with different causes:

- Burnout is a chronic workplace-related condition, characterised by emotional exhaustion, cynicism, and reduced professional effectiveness. It is often driven by organisational factors, rather than personal weakness.
- Fatigue is an emotional state

It's hardly surprising that many solicitors are feeling exhausted. Yet exhaustion is often misunderstood and improperly managed, limiting professional performance and career satisfaction

experienced during prolonged tasks that are unrewarding, overly demanding, or monotonous.

- Tiredness relates specifically to inadequate quality or quantity of sleep, affecting alertness and cognitive clarity.

Although distinct in origin, these conditions have similar effects – less space for thinking, feelings that can spiral and move from highs to lows, and less efficiency – all of which directly affect how we work.

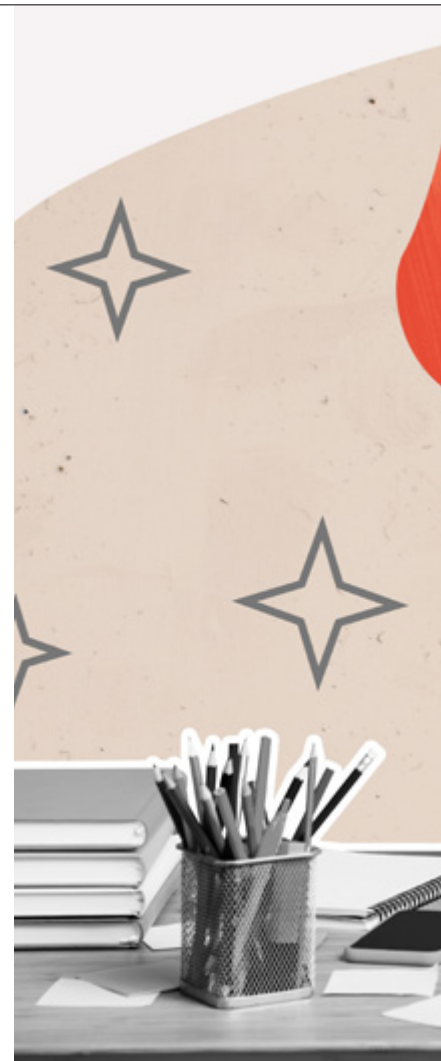
Black night

Exhaustion in any form has a significant impact, which can manifest across three critical domains:

- Thinking – solicitors experiencing exhaustion may find their working memory capacity reduced, struggling to recall details quickly and clearly during client consultations, negotiations, or in court.
- Feelings – increased irritability, emotional instability, and a short fuse can affect how solicitors relate with themselves, clients, and colleagues. In serious situations, this can impair ethical judgement, leading to potentially costly professional consequences.
- Technical performance – decreased ability to focus on and coordinate a range

of competing matters can result in errors, such as missed deadlines, drafting inaccuracies, or procedural oversights, potentially affecting client outcomes and, if this persists over time, personal/organisational reputation.

Neuroscientific research into the psychology of fatigue underscores that exhaustion visibly alters brain functioning. Individuals operating under high levels of exhaustion show reduced activity in brain regions that are critical for decision-making, self-awareness, and memory. Simply put, exhausted people cannot perform at their highest level, no matter their skill or experience.





All photo: Shutterstock

Into the fire

So, what can solicitors and their firms do to practically address burnout, fatigue, and sleepiness?

The World Health Organisation defines burnout as an organisational, not individual, problem. Psychologist Christina Maslach, a leading scholar on the subject, identifies six organisational factors contributing to burnout:

- Unmanageable workloads,
- Lack of autonomy and control,
- Insufficient reward and recognition,
- Weak workplace community and support,
- Perceived unfairness, and
- Misalignment of personal and organisational values.

Solicitors experiencing burnout are not failing – the organisation's culture and structure may, wittingly or unwittingly, be failing them

Solicitors experiencing burnout are not failing – the organisation's culture and structure may, wittingly or unwittingly, be failing them.

Practical takeaways

- Set up and hold regular conversations about workloads, boundaries, and professional support,
- Leaders must ensure transparency around promotions, caseload distribution, and rewards,
- Actively build supportive relationships and networks within practice areas and/or through bar associations, or through Law Society resources.

Leaders can be trained to:

- Effectively assess workloads

to ensure expectations remain manageable and realistic,

- Provide solicitors with autonomy and flexibility, where possible,
- Create opportunities for meaningful recognition, feedback, and career growth,
- Promote fairness and transparency in decision-making processes.

Child in time

Fatigue arises when work becomes unrewarding, repetitive, or excessively demanding. Solicitors may report pushing through fatigue – ignoring signals that performance is deteriorating.

Think of fatigue as the body's warning sign – it exists to help maintain performance and professional standards.

Practical takeaways

- Regularly schedule short breaks throughout your working day to recharge.
- Rotate tasks between those that energise and those that deplete you – to maintain motivation and productivity.
- Where possible, avoid excessive back-to-back meetings or court appearances without breaks. Proactively build-in downtime for recovery.
- Encourage teams to take regular micro-breaks, which have been shown to improve attention, energy levels, and overall productivity.
- Structure workflows to balance engaging tasks with less rewarding ones to sustain motivation and high-quality output.
- Use 'Culture First', the Law Society's dedicated organisational culture assessment and development service, to proactively evaluate and enhance



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- The common errors found in Will Trusts with possible solutions.
- Dealing with Trusts that do not need to be drafted: Land Act Trusts and Trusts arising on intestacy and the powers that such Trustees have.
- Taxes on the most common trust a DT including DTT, CAT and Income Tax.
- How to set up a Trust file with Revenue, to deal with a Trust on an SA.2 and when Trustees should be insured.
- Trusts and the Next Generation-Family Partnerships, Limited Partnerships etc
- Trustees and Beneficiaries, their duties and differences, potential disputes between them
- Trust accounts
- How courts can assist Trustees and the removal of a Trustee and when will, the court lift the veil, to assess the potential benefit to a beneficiary of a Trust who is involved in a matrimonial dispute.

More detail can be obtained from stephensonburns.com but be aware places are limited so book now or email office@stephensonsolicitors.ie for a booking form.



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workplace culture, ensuring a supportive, collaborative environment that prioritises solicitor wellbeing and sustained high performance.

Highway star

Addressing exhaustion effectively is not about lowering professional standards. On the contrary, it is about sustaining consistently high performance through smarter working practices. For solicitors, peak professional performance depends on clear thinking, stable emotions, and precise execution – qualities undermined when exhaustion is overlooked.

Law Society Psychological Services recognises that

solicitors perform best in environments that proactively prioritise their wellbeing and professional excellence. Stress and mental-health challenges are widespread in the legal profession. The International Bar Association's 2021 report, *Mental Wellbeing in the Legal Profession*, highlights that long working hours, excessive caseloads, and unrealistic performance expectations contribute to burnout, anxiety, and depression among legal professionals. Mental wellbeing issues disproportionately affect the young.

Notably, one in ten practitioners under the age of 30 has experienced suicidal thoughts as a result of work.

The hierarchical structure of the legal profession often exacerbates these issues, as junior lawyers and trainees may feel unable to seek support or report concerns without fear of professional repercussions.

Legal workplaces that strategically address cultural issues, burnout, and fatigue create environments where solicitors can sustain professional wellbeing, while also delivering their best work consistently – benefiting clients, colleagues, and the broader community.

Sail away

Practical steps for immediate impact include, for individual solicitors:

- Communicate openly about workloads and pressures,
- Take regular short breaks and proactively manage sleeping habits,
- Recognise fatigue as a signal, not a weakness.

Steps for leaders include:

- Evaluate workload distribu-

tion and fairness transparently,

- Offer autonomy and flexibility where possible,
- Foster supportive, collaborative workplace cultures.

Hush

Later this year, Law Society Psychological Services will deliver 'Thrive Together in Law' retreat days for legal professionals. This will offer groups of solicitors a structured and restorative space to step away from high-pressure environments to recharge, connect with peers, and gain insights into evidence-based strategies to support psychological wellbeing, sustain high-impact performance, and build 'Culture First' workplaces.

We invite you to get in touch at ps@lawsociety.ie.

Dr Dale Whelehan is senior psychological services executive at the Law Society.

WHAT'S GOIN' ON HERE?

To effectively support solicitors and legal workplaces in managing exhaustion and sustaining high performance, Law Society Psychological Services offers 'LegalMind' – a confidential counselling and psychological-support service tailored explicitly to the legal profession. It provides:

- Confidential psychological support – direct access to professional counselling services to support solicitors experiencing burnout, fatigue, sleep disturbances, stress, or emotional difficulties related to professional practice, and
- Specialised guidance – practical, confidential advice tailored specifically for solicitors and the unique professional pressures they experience.

Integrating LegalMind into your practice ensures that solicitors will receive discreet, targeted, and immediate psychological support – enabling them to perform at their best while safeguarding their mental health and professional standards.

By prioritising these practices and utilising support services such as LegalMind, solicitors and firms not only tackle exhaustion head-on, but also unlock sustained, high-quality performance – creating legal workplaces where solicitors excel and the public benefits.

Ticket to ride

Recovery of illegal state aid can be made against a subsequent transferee of the aid-recipient business. Marco Hickey gets on the bus

Article 107 of the *Treaty on the Functioning of the European Union* (TFEU) prohibits state aid unless approved by the commission. More specifically, article 107(1) states that any aid granted by a member state or through state resources in any form whatsoever that distorts or threatens to distort competition by favouring certain undertakings or the production of certain goods shall, insofar as it affects trade between member states, be regarded as incompatible with the internal market. EU state-aid law provides for the grant of an exemption in certain circumstances.

In January 2015, the EU Commission ordered Italy (decision 2015/1075) to recover state aid from Buonotourist, a bus transport company that had been granted aid in breach of the EU state-aid rules. Buonotourist appealed unsuccessfully both to the General Court (Case T-185/15) and then to the Court of Justice of the European Union (Case C-586/18 P).

One of the issues that arose before the courts was in relation to the application of a principle of EU state-aid

The national authorities and courts are required to identify an undertaking, other than that identified in that recovery decision, where the advantage linked to the aid in question has actually been transferred, after the adoption of that recovery decision

law that provides that the payment of compensation to an undertaking performing a public-service obligation can fall outside of the EU state-aid rules where certain conditions are met – these are known as the ‘Altmark conditions’.

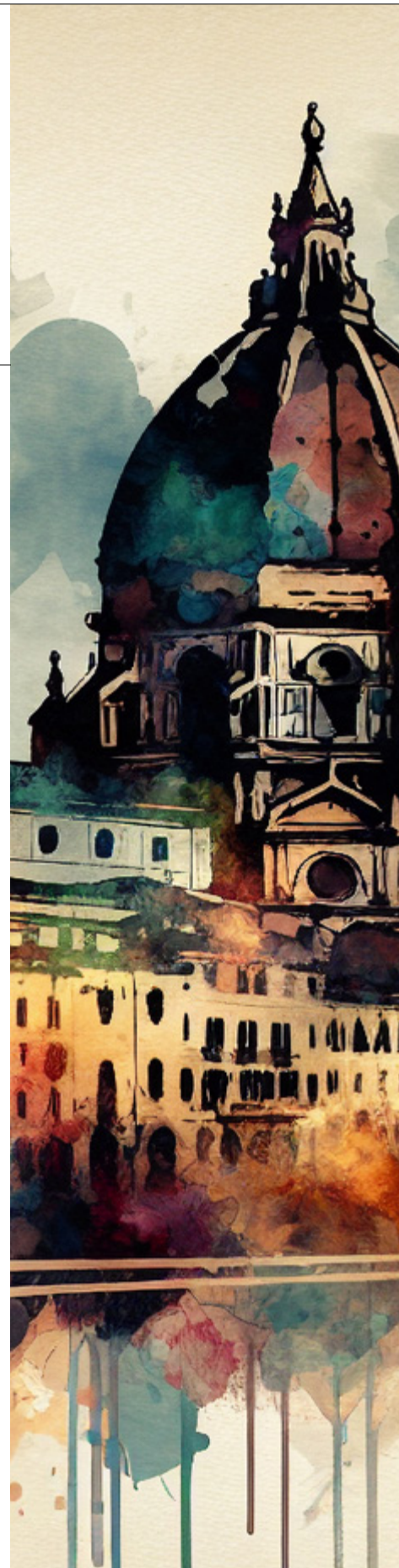
Each of the judgments of the General Court and CJEU endorsed the commission’s assessment that a public-service obligation could not be imposed *ex post* on Buonotourist in order to enable it to receive compensation so as to cover its operating losses. Both courts agreed with the commission that being licensed to transport passengers was not the same as being obliged to provide public-transport services.

A local Italian regional administrative court, on a request by Buonotourist, had ordered the regional authority, Regione Campania, to pay “compensation” to Buonotourist. The regional authority then notified the payment to the commission, which concluded that, since the payment constituted incompatible state aid, the regional authority was required not to comply with the ruling of the local court.

Tickets please

In May 2019, Scai leased from Buonotourist its staff and buses for the operation of local public-transport services.

News from the EU and International Affairs Committee
Edited by T P Kennedy, Director of Education





Subsequently, AIR Campania purchased those assets from Scai in order to provide transport services pursuant to a contract it was awarded by Regione Campania.

In 2020, Buonotourist was declared insolvent. After attempting unsuccessfully to recover the state aid from Buonotourist, Regione Campania ordered Scai to repay that aid, on the basis of the existence of economic continuity between Buonotourist and Scai. The recovery order was contested by Scai on the ground that it was not identified in the original recovery decision (commission decision 2015/1075).

The Italian court asked the CJEU for guidance on whether Scai was liable for the aid that had been granted to Buonotourist,

National courts do not have jurisdiction to give a decision on whether state aid is compatible with the internal market – that being an assessment that falls within the exclusive competence of the commission, subject to review by the EU courts

and whether recovery from Scai would violate its right to good administration and fair trial, safeguarded by articles 41 and 47 of the *Charter on Fundamental Rights of the European Union*.

Take your seats

The court highlighted that it should be noted that the fourth paragraph of article 288 of the TFEU provides that a decision of the EU institutions, including the commission, “shall be binding in its entirety” and that, where it “specifies those to whom it is addressed”, it is to be binding only on them.

The court noted that it followed from article 31 of regulation 2015/1589 that decisions finding the notified aid to be incompatible with the internal market (‘negative decisions’) adopted pursuant to article 9(5) of that regulation and decisions ordering the recovery of the aid adopted pursuant to article 16 of that regulation are to be addressed to the member state concerned (*Falck and Acciaierie di Bolzano v Commission*).

The CJEU underlined that the commission’s recovery decision of 19 January 2015 was addressed only to the Italian Republic, and that Buonotourist, described in that decision as the beneficiary of the state aid at issue, was not the addressee of that decision. The above is the typical approach of recovery state-aid decisions of the commission.

The CJEU stressed that it had to be borne in mind that, according to settled case law, the member state to which a decision requiring recovery of unlawful aid is addressed is obliged under article 288 TFEU to take all measures necessary to ensure implementation of that decision (*Fossil*

On the buses

The case highlights the need for a purchaser that is in the process of acquiring a target, be it by way of an asset transfer or share purchase, to ensure that the risk of the existence of legacy state-aid issues is addressed.

In this context, a purchaser might consider the following measures as part of the acquisition process/documentation:

- Raise legal due-diligence queries that fully cover the state-aid history of the target business, including in respect of any past transactions that make up the current composition of the relevant target business,
- Insert in the share purchase agreement/asset purchase agreement appropriate warranty cover that there are no legacy state-aid issues or liabilities, and/or
- Insert in the share purchase agreement/asset purchase agreement an indemnity to cover off any risk of the existence of any liability under the state-aid rules – whether as part of a broader indemnity in relation to pre-completion liabilities or as a specific indemnity on EU state aid. An indemnity should particularly be considered where the seller may be disclosing a potential state-aid liability in the disclosure letter.

(*Gibraltar*)). The court noted that, in that regard, it was apparent from recital 25 and the first sentence of article 16(3) of Regulation 2015/1589 that recovery of aid is to be effected without delay and in accordance with the procedures under the national law of the member state concerned, provided that they allow the immediate and effective execution of the commission’s decision.

To that end, the member states concerned must, in accordance with the last sentence of article 16(3) of Regulation 2015/1589, “take all necessary steps” that are available in their respective legal systems, including provisional measures, without prejudice to EU law (*Scott and Kimberly Clark and Commission v Germany*). The member state must actually recover the sums owed (*Commission v Italy*).

Mind the gap

The CJEU affirmed that, according to the case law of

the court, given that the main purpose of the repayment of unlawfully paid state aid is to eliminate the distortion of competition caused by the competitive advantage afforded by the unlawful aid, such aid must be recovered from the company that carries on the economic activity of the undertaking that initially benefited from the advantage associated with the grant of state aid and that therefore retains the actual benefit thereof (*SNCF Mobilités v Commission*).

The CJEU held that the above considerations precluded article 288 TFEU from being interpreted as meaning that the member states are required to recover state aid that has been declared unlawful and incompatible by a commission decision solely from the beneficiary of the aid identified in that decision.

As regards a recovery decision specifically identifying the beneficiary of individual aid, it should be noted that that identification corresponds only to an assessment of the situation



"Very, very exciting, Jack! Some close calls, huh?"

carried out when that decision was adopted, on the basis of the information available at that precise time. Therefore, that decision cannot be interpreted as preventing the member state concerned from recovering the aid in question from another undertaking where that other undertaking carries on the economic activity of the beneficiary of

the aid and retains the actual benefit of the competitive advantage associated with the grant of the aid.

All aboard there, boss

The court highlighted that the competitive advantage associated with the grant of individual aid may have passed on to another undertaking after the adoption of the commission

recovery decision, for example, by way of a transfer of assets.

The CJEU, in the context of a transfer of assets, pointed out that economic continuity between companies that are parties to the transfer is assessed in the light of the subject matter of the transfer (assets and liabilities, maintenance of the workforce, bundled assets, etc); the

transfer price; the identity of the shareholders or owners of the acquiring undertaking and the original undertaking; when the transfer is effective (after the commencement of the investigation, opening of the procedure or the final decision); and "the economic logic of the operation" (*SNCF Mobilités v Commission*).

Consequently – in the

context of their task of recovering the aid, and in order to ensure the full effectiveness of a commission recovery decision specifically identifying the beneficiary of the aid, and to effectively eliminate the distortion of competition caused by the competitive advantage linked to the receipt of the aid – the national authorities and courts are required to identify an undertaking, other than that identified in that recovery decision, where the advantage linked to the aid in question has actually been transferred, after the adoption of that recovery decision.

The existence of such an obligation borne by national authorities is confirmed by the settled case law of the court, which recalls that the national courts and the commission fulfil complementary and separate roles (*RegioJet and Student Agency*), and that proceedings may be brought before national courts in matters relating to state aid that require them to interpret and apply the concept of ‘aid’ referred to in article 107(1) TFEU – but that national courts do not have jurisdiction to give a decision on whether state aid is compatible with the internal market, that being an assessment that falls within the exclusive competence of the commission, subject to review by the EU courts (*Buonotourist v Commission*).

Keep away from the doors

The national court asked about the legal status of notes and informal instructions provided by the commission’s services to the national authorities for the purpose of carrying out the analysis of economic continuity.

The CJEU referred to its precedent that such statements of position are not among the

In a situation where a commission decision orders the recovery of state aid from a specifically identified beneficiary, those provisions do not preclude national legislation under which the competent national authorities may order the recovery of that aid from another undertaking on account of the existence of economic continuity between that undertaking and the beneficiary of the aid identified in that decision

acts that may be adopted on the basis of Regulation 2015/1589 – and cannot be regarded as being binding on the national court. The court confirmed its precedent that, to the extent that such statements of position, as well as the commission opinions that may be sought by the national court, are intended to facilitate the accomplishment of the task of the national authorities in the immediate and effective execution of the recovery decision and, having regard to the principle of cooperation in good faith laid down in article 4(3) of the TFEU, the national court must take them into account as a factor in the assessment of the dispute before it, and must state reasons having regard to all the documents in the file submitted to it (*Mediaset*).

Next stop, please

The court stated that it was necessary, as regards articles 41 and 47 of the charter, to distinguish between, on the one hand, the possibility for an undertaking in a situation, such as that of the applicant in the main proceedings, of participating in the procedure for the examination of state aid by the commission and, where appropriate, challenging the commission decision declaring that aid unlawful and incompatible; and, on the other hand, the possibility for that undertaking of participating in the procedure before a national authority, which may lead to a decision finding the existence of economic continuity between that undertaking and the beneficiary of the aid (identified in the commission decision) and requiring that undertaking to repay the aid in question, and, where appropriate, the possibility of challenging that

national decision.

The CJEU highlighted the following points. First, as regards the procedure before the commission, the court stated that it had to be observed that the procedure for reviewing state aid is, in view of its general scheme, a procedure initiated in respect of the member state responsible, in the light of its obligations under EU law, for granting the aid. Accordingly, in that procedure, interested parties other than the member state concerned cannot themselves seek to engage in an adversarial debate with the commission in the same way as is offered to that member state. That procedure is not a procedure initiated against the recipient or recipients of aid, entailing rights on which it or they could rely, which are as extensive as the rights of the defence as such (*Commission v Gmina Miasto Gdynia and Port Lotniczy Gdynia Kosakowo*).

Ring the bell

The court stressed that, as regards the situation in which the actual beneficiary of aid (designated as such in a national-recovery measure on account of the existence of economic continuity with the earlier beneficiary) would not have been entitled to bring an action for annulment under article 263 TFEU against the commission decision declaring that aid unlawful and incompatible and ordering its recovery, an actual beneficiary of that type is nevertheless guaranteed judicial protection by EU law.

The CJEU noted that it was apparent from the case law of the court that the review by the national court of a national measure seeking the recovery of unlawful and incompatible



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state aid must be viewed simply as an expression of the right to effective judicial protection enshrined in article 47 of the charter (*Scott and Kimberly Clark*). In that context, the actual beneficiary may also challenge before the national courts the validity of the commission decision declaring the aid unlawful and incompatible, where that actual beneficiary would not, beyond any doubt, have been entitled to bring a direct action under article 263 TFEU against that decision (*Bolton Alimentari*).

The court stated that, admittedly, national courts have no jurisdiction themselves to declare such a decision invalid, since only the CJEU is empowered to determine that EU acts are invalid (*Lucchini*). However, where a national court or tribunal considers that one or more arguments for invalidity of an EU act put forward by the parties or, as the case may be, raised by it of its own motion are well founded, it is incumbent upon it to stay proceedings and to make a reference to the court for a preliminary ruling on the act's validity – the court alone having jurisdiction to declare an EU act invalid (*Inuit Tapiriit Kanatami and Others*).

Second, as regards respect for the rights of the

actual beneficiary of aid in proceedings before a national authority that may lead to a decision finding the existence of economic continuity and ordering the recovery of the aid from that actual beneficiary, the court stated that it should be noted that the referring court starts from the premise that the finding of the existence of economic continuity falls within the sole discretion of the commission. The court held that the above was incorrect.

The court held that, in any event, while it followed from the wording of article 41 of the charter that it is not addressed to the member states (*YS and Others*), the fact remained that, according to the case law of the court, when they take measures that come within the scope of EU law, the authorities of the member states are also, as a rule, subject to the obligation to observe the rights of the defence of addressees of decisions that significantly affect their interests (*G and R*). It was therefore for the national authority that intends to adopt a decision to recover aid (that has been declared unlawful from the actual beneficiary of that aid) to ensure that the latter's rights of defence are observed.

The court held that it must be possible for the actual

beneficiary of the aid to have such a decision reviewed by a national court, which, if it has doubts as to the interpretation of EU law, may or, as the case may be, must refer the matter to the court for a preliminary ruling, in accordance with article 267 TFEU.

No smoking upstairs

The CJEU held that, in light of the above, the answer to the questions referred was that the relevant provisions of EU state-aid law (articles 108 and 288 of the TFEU, articles 16 and 31 of Regulation 2015/1589, and articles 41 and 47 of the charter) had to be interpreted as meaning that, in a situation

where a commission decision orders the recovery of state aid from a specifically identified beneficiary, those provisions do not preclude national legislation under which the competent national authorities, in the context of their task of implementing that decision, may order the recovery of that aid from another undertaking on account of the existence of economic continuity between that undertaking and the beneficiary of the aid identified in that decision.

Dr Marco Whickey SC heads competition, antitrust, and foreign investment regulation at Byrne Wallace Shields LLP.

LOOK IT UP

CASES:

- *Bolton Alimentari* (C494/0917, February 2011)
- *Buonotourist v Commission* (C-586/18 P, CJEU, 4 March 2020)
- *Buonotourist v Commission* (T-185/15, 11 July 2018)
- *Commission v Germany* (C525/12, 11 September 2014)
- *Commission v Gmina Miasto Gdynia and Port Lotniczy Gdynia Kosakowo* (C56/18 P, 11 March 2020)
- *Commission v Italy* (C305/09, 5 May 2011)
- *Falck and Acciaierie di Bolzano v Commission* (C74/00 P and C75/00 P, 24 September 2002)
- *Fossil (Gibraltar)* (C705/20, 15 September 2022)
- *G and R* (Case C-383/13, 10 September 2013)
- *Georgsmarienhütte and Others* (C135/16, 25 July 2018)
- *Inuit Tapiriit Kanatami and Others v Parliament and Council* (C583/11 P, 3 October 2013)
- *Lucchini* (C119/05, 18 July 2007)
- *Mediaset* (C69/13, 13 February 2014)
- *RegioJet and Student Agency* (C700/22, 7 December 2023)
- *Scott and Kimberly Clark* (C210/09, 20 May 2010)
- *SNCF Mobilités v Commission* (C127/16 P, 7 March 2018)
- *YS and Others* (C141/12 and C372/12, 17 July 2014)

LEGISLATION:

- *Charter of Fundamental Rights of the European Union*
- *Regulation 2015/1589* laying down detailed rules for the application of article 108 of the *Treaty on the Functioning of the European Union*
- *Treaty on European Union*

Law Society Council meeting 24 January 2025

President Eamon Harrington welcomed Kevin McElhinney, newly co-opted Ulster delegate, to the meeting.

He congratulated Michele O'Boyle SC on her appointment to the Legal Services Regulatory Authority, which has necessitated her resignation from Council, and on her adjunct professorship. Ms O'Boyle addressed Council on her service to that body over 20 years, noting that she was honoured to act as president in 2019/2020. She thanked the Council and executive, and wished them every success.

Motions

One motion was admitted for the March meeting: 'Council to consider adoption of a policy on the co-option of members to Council'. Two motions were before Council:

- 1) To establish a Nominations Committee,
- 2) To establish a User Group Committee.

Council agreed that the first motion should be adjourned until the recently appointed Governance Task Force brings its report to Council for debate. It also agreed that the second motion should be adjourned until April.

Appointments

Council approved the following appointments, having considered recommendations

from the Coordination Committee for appointments to internal and external bodies: add Imran Khursid to the Human Rights and Equality Committee, add Ciara Daly to the Professional Wellbeing Steering Group, appoint Ken Casey as chair of the *Gazette* Editorial Board, and Richard Hammond SC as vice-chair. Council noted that Fintan Clancy has replaced Elaine Mooney on the TALC BEPS subcommittee, and nominated Eamonn Carroll to the Youth Justice Advisory Group, Bernard O'Connor SC to the Permanent Delegation to the EU's Court of Justice, plus General Court and the EFTA Court (CCBE), and Paula Cullinane to the Solicitors Disciplinary Tribunal.

Co-option of a member

Council considered co-option of a member to replace Michele O'Boyle SC, who has resigned from Council, as stated above. Members were invited to submit potential candidate names by 5pm on 21 February to the director general or Edel McCormack. The co-option would be dealt with at the March meeting.

eConveyancing Project

Following a presentation by the director of operations and finance, Council approved a budget of €900k for the next phase of the eConveyancing Project.

DG's report

The director general delivered his report to Council, which outlined progress against the Law Society's Strategic Plan in 2024 and activities planned for 2025.

On PC renewal, the director general noted that 10,318 applications had been received to date. The new virtual IBAN process had been used by more than 85% of those paying their PC fees.


Move to digital

Council received an update from the head of governance on the roll-out of a new digital platform to support Council meetings. Training had been scheduled for all members, and it was planned to use the new system (Admincontrol) for the March meeting.

Programme for Government

The director of policy provided an update on the recently published Programme for Government and its implications for the Law Society. It will be engaging with newly appointed ministers and their officials and redoubling its efforts in the areas of focus during recent months. Non-standing committees will be asked to review their own policies in light of the programme.

Condolences

Council extended condolences to Dr Brian Hunt on the recent passing of his mother; and to Valerie Peart on the loss of her son-in-law. Members paid tribute to Judge Marie Quirke, recently deceased, who was a former Council member. 

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Legal Practitioners Disciplinary Tribunal

REPORTS OF THE OUTCOMES OF LEGAL PRACTITIONERS DISCIPLINARY TRIBUNAL INQUIRIES ARE PUBLISHED, IN SUCH MANNER AS THE LEGAL SERVICES REGULATORY AUTHORITY CONSIDERS APPROPRIATE, AS PROVIDED FOR IN SECTION 88 OF THE *LEGAL SERVICES REGULATION ACT 2015*

In the matter of Barry G O'Meara (solicitor number S6432), currently practising at Barry G O'Meara & Co, Acorn Business Centre, Mahon Industrial Estate, Blackrock, Cork, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2022-LPDT13]

**Law Society of Ireland (applicant)
Barry G O'Meara (respondent)**

On 1 March 2024, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of professional misconduct in that he failed to ensure that there was furnished to the Law Society of Ireland an accountant's report for the year ended 31 December 2019 within six months of that date, in breach of regulation 26(1) of the *Solicitors Accounts Regulations 2014* (SI 516 of 2024).

The tribunal ordered that the respondent:

1. Be censured in relation to his misconduct, under section 82(1)(c) of the act,
2. Pay a sum of €2,000 to the Compensation Fund, under section 82(1)(l) of the act,
3. Pay a sum of €1,512 to the applicant, being the agreed costs of the applicant, under section 82(1)(j) of the act.

In the matter of Canice Egan (solicitor number S10044), currently practising at Canice M Egan & Co, 9 Sarsfield Street, Clonmel, Co Tipperary, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015

**[2022-LPDT22]
Law Society of Ireland (applicant)
Canice Egan (respondent)**

On 19 April 2024, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of misconduct in that he failed to ensure that there was furnished to the Law Society of Ireland an accountant's report for the year ended 31 December 2019 within six months of that date, in breach of regulation 26(1) of the *Solicitors Accounts Regulations 2014*. The tribunal ordered that the respondent:

1. Be admonished in relation to his misconduct, under section 82(1)(b) of the act,
2. Pay a sum of €1,512 to the applicant, being the agreed costs of the applicant in respect of the inquiry, under section 82(1)(j) of the act,
3. Pay a sum of €500 to the Compensation Fund, under section 82(1)(l) of the act.

In the matter of Donal O'Riordan (solicitor number S9365), currently practising at Coughlan White & Partners, Moorefield Road, Newbridge, Co Kildare, and in the matter of an application by the Complaints Committee of the Legal Services Regulatory Authority to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2022-LPDT23]

Complaints Committee of the Legal Services Regulatory Authority (applicant)

Donal O'Riordan (respondent)

On 10 November 2024, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of professional misconduct in that he:

1. Used and/or relied on Mr Banik as an intermediary for the purposes

- of sourcing and borrowing money from a third party, in circumstances where it was inappropriate to do so and/or he ought not to have done so, given that at the time that he so used and/or so relied on Mr Banik,
2. Mr Banik was his client and/or former client, and the respondent legal practitioner was Mr Banik's solicitor and/or former solicitor, and/or
 3. Mr Banik had placed and/or was placing reliance on the respondent legal practitioner, as a solicitor assisting him in respect of his precarious immigration status and/or his partner's precarious immigration status.

The tribunal ordered that the respondent:

1. Be censured in relation to his misconduct, under section 82(1)(c) of the act,
2. Participate in a module of a professional competence scheme pursuant to section 82(1)(d) of the act, namely the Ethics and Professional Conduct Webinar hosted by La Touche training and presented by Justine Carty and Justine Dillon, such course to be completed within a period of six months from the making of this order, and proof of its completion is to be furnished to the applicant,
3. Pay a sum of €3,300 as restitution to the complainant, Mr Banik, in respect of professional costs incurred with the firm of O'Hanrahan Lally D'Alton Solicitors LLP, such sum to be paid within a period of six months from the making of the tribunal's order, under section 82(1)(i) of the act,

TRIBUNAL REPORTS

4. Pay the sum of €5,000 as a contribution towards the costs of the applicant, such sum to be paid within a period of 12 months from the making of the tribunal's order, under section 82(1)(j) of the act.

In the matter of Barry G O'Meara (solicitor number S6432), currently practising at Barry G O'Meara & Co, Acorn Business Centre, Mahon Industrial Estate, Blackrock, Cork, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2023-LPDT02]

**Law Society of Ireland (applicant)
Barry G O'Meara (respondent)**

On 13 May 2024, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of misconduct in that he failed to ensure that there was furnished to the Law Society of Ireland an accountant's report for the year ended 31

December 2021 within six months of that date, in breach of regulation 26(1) of the *Solicitors Accounts Regulations*. The tribunal ordered that the respondent:

1. Be censured in relation to his misconduct, pursuant to section 82(1)(c) of the act,
2. Pay a sum of €3,012 to the applicant, being the agreed costs of the applicant in respect of the inquiry, pursuant to section 82(1)(j) of the act,
3. Pay a sum of €1,000 to the Compensation Fund, pursuant to section 82(1)(l) of the act.

In the matter of John Murray (solicitor number S4854), currently practising at Reid & Sweeney, Main St, Ballyshannon, Co Donegal, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2023-LPDT04]

**Law Society of Ireland (applicant)
John Murray (respondent)**

On 31 January 2024, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of misconduct in that he:

1. Caused, permitted, or allowed a deficit of €133,980 in the client account as of 30 September 2019 and allowed a debit balance to arise on the client ledger, in breach of regulation 7(2) of the *Solicitors Accounts Regulations*,
2. Failed to comply with the provisions of the *Criminal Justice Acts 2010-2018* and, in particular, contravened section 54 of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as amended by section 26 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) in not having policies, controls, and procedures in place that specified the solicitor's obligation



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15 May	Essential Solicitor Update Leitrim	Leitrim Bar Association, Longford Bar Association, Roscommon Bar Association and Sligo Bar Association	Landmark Hotel, Carrick-on-Shannon, Leitrim
29 May	North West Practice Update	Donegal Bar Association and Inishowen Bar Association	Lough Eske Castle Hotel, Co. Donegal
12 June	Essential Solicitor Update Limerick and Clare	Limerick Solicitors' Bar Association and Clare Bar Association	The Strand Hotel, Ennis Road, Limerick
25 September	Essential General Practice Update Kerry	Kerry Law Society	Ballygarry House Hotel, Tralee, Co Kerry
17 October	North East CPD Day	Monaghan Bar Association, Cavan Bar Association, Louth Bar Association and Drogheda Bar Association	Four Seasons Hotel Monaghan, Co Monaghan
23 October	Connaught Solicitors' Symposium	Mayo Solicitors' Bar Association	Breaffy House Hotel, Castlebar, Co Mayo
06 November	Practitioner Update Cork	Carlow Bar Association, Kilkenny Bar Association, Waterford Law Society and Wexford Bar Association.	Hotel Kilkenny, Kilkenny, Co Kilkenny
04 December	Practice and Regulation Symposium	Dublin Solicitors' Bar Association.	The Westin Hotel, College Green, Dublin 2

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regarding the assessment and management of risks of money-laundering or terrorist financing in order to prevent and detect the commission of money-laundering and terrorist financing,

3. Contravened section 30A(1) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as inserted by section 10 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) in not carrying out a 'business-risk assessment' to identify and assess the risks of money-laundering and terrorist financing involved in carrying the solicitor's business activities,
4. Contravened section 54(6) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as amended by section 26 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) in failing to provide evidence of training to staff and persons involved in the conduct of the solicitor's business, as is instructed, on the law regarding money-laundering and terrorist financing and with regard to the identification of suspicious transactions or activities that may be related to money-laundering or terrorist financing and how to proceed once such transaction or activity is identified,
5. Contravened section 30B(1) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as inserted by section 10 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) in not carrying out a 'client risk assessment' on individual clients for the purpose of assessing the extent of the client due diligence measures to be undertaken – that is, simplified, standard, or enhanced due diligence,
6. Contravened section 35 of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010*

(as amended by section 14 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) by not making enquiries, as part of any client risk-assessment processes, as to the source of funds and wealth,

7. Contravened section 30B(2) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as inserted by section 10 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) in not documenting client risk assessments,
8. Contravened section 33(2) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* in not applying client due diligence and client risk assessment to clients for whom the firm had provided anti-money-laundering regulated legal services,
9. Contravened section 36A of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as inserted by section 15 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*); section 24(1) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as amended by section 4(k) of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*); section 37 of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as amended by section 16(1)(a) of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*); section 38A of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as inserted by section 18 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*); and section 39 of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as amended by section 19 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) in failing to have written any anti-money-laundering policies,

controls, and procedures that made reference to high-risk areas and the solicitor's obligations to apply enhanced due diligence.

The tribunal ordered that:

1. The respondent be censured, pursuant to section 82(1)(c) of the act,
2. The respondent be directed, pursuant to section 82(1)(d) of the act and in addition to his CPD requirements, to participate in a module of a professional competence scheme relating to solicitor accountancy regulations and anti-money-laundering requirements, such modules to be approved by the applicant (and the respondent to seek approval of the applicant within three months of this decision), in which modules the respondent should participate within 12 months of the applicant approving such modules, and that the respondent be directed to furnish evidence to the Legal Practitioners Disciplinary Tribunal of such participation within three months of the completion of such modules,
3. A condition be imposed on the respondent's practising certificate, pursuant to section 82(1)(k) of the act, that (a) for a period of two years from the date of the decision, the respondent submit biannual accountant's reports to the applicant, and (b) for a period of two years from the date of the decision, all payments from the respondent's client account(s) be co-signed by a person of good standing, to be approved by the applicant,
4. The respondent pay a contribution of €4,900 to the applicant's costs in respect of the inquiry, pursuant to section 82(1)(j) of the act,
5. The respondent pay a sum of €10,000 to the Compensation Fund, pursuant to section 82(1)(l) of the act.

In the matter of Michelle Cronin, a former solicitor (solicitor number S15089), formerly practising at

TRIBUNAL REPORTS

Michelle Cronin & Co, Kennedy Building, 24 Main Street, Tallaght Village, Dublin 24, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2023-LPDT11] Law Society of Ireland (applicant) Michelle Cronin (respondent)

On 27 March 2024, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of misconduct in that she failed to ensure that there was furnished to the Law Society of Ireland an accountant's report for the year ended 31 May 2020 within six months of that date, in breach of regulation 26(1) of the *Solicitors Accounts Regulations*. The tribunal ordered that the respondent:

1. Be censured in relation to her misconduct, under section 82(1)(c) of the act,
2. Pay a sum of €500 to the Compensation Fund, under

- section 82(1)(l) of the act,
3. Pay a sum of €1,512 to the applicant, being the agreed costs of the applicant, under section 82(1)(j) of the act.

In the matter of Michelle Cronin, a former solicitor (solicitor number S15089), formerly practising at Michelle Cronin & Co, Kennedy Building, 24 Main Street, Tallaght Village, Dublin 24, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2023-LPDT12] Law Society of Ireland (applicant) Michelle Cronin (respondent)

On 27 March 2024, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of misconduct in that she failed to ensure that there was furnished to the Law Society of Ireland an accountant's report for the year ended 31 May 2021 within six months of that date, in breach of regulation 26(1) of

the *Solicitors Accounts Regulations*. The tribunal ordered that the respondent:

1. Be censured in relation to her misconduct, under section 82(1)(c) of the act,
2. Pay a sum of €500 to the Compensation Fund, under section 82(1)(l) of the act,
3. Pay a sum of €1,512 to the applicant, being the agreed costs of the applicant, under section 82(1)(j) of the act.

In the matter of Ian Crivon, a former solicitor (solicitor number S2196), formerly practising at O'Hagan Ward & Co, 31-33 The Triangle, Ranelagh, Dublin 6, and David Frawley (solicitor number S8308), currently practising at O'Hagan Ward & Co, 31-33 The Triangle, Ranelagh, Dublin 6, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2023-LPDT14]



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Law Society of Ireland (applicant)
Ian Crivon (first-named respondent)
David Frawley (second-named respondent)

On 29 April 2024, the Legal Practitioners Disciplinary Tribunal found the first-named respondent guilty of misconduct in that he caused, permitted, or allowed a deficit of €71,329.07 in the client account of the practice as of 30 April 2022, and allowed several debit balances to arise on client ledgers, including a debit balance of €69,185.02 on the client side of a sundry suspense account ledger, in breach of regulation 7(2) of the *Solicitors Accounts Regulations 2014*.

The tribunal ordered that the first-named respondent:

1. Be censured in relation to his misconduct, under section 82(1)(c) of the act,
2. Pay a sum of €10,000 to the Compensation Fund, under section 82(1)(l) of the act,
3. Pay a sum of €3,264.75 to

the applicant, being the agreed contribution of costs of the applicant.

On 29 April 2024, the Legal Practitioners Disciplinary Tribunal found the second-named respondent guilty of misconduct in that he caused, permitted, or allowed a deficit of €71,329.07 in the client account of the practice as of 30 April 2022, and allowed several debit balances to arise on client ledgers, including a debit balance of €69,185.02 on the client side of a sundry suspense account ledger, in breach of Regulation 7(2) of the *Solicitors Accounts Regulations*.

The tribunal ordered that the second-named respondent:

1. Be censured in relation to his misconduct, under section 82(1)(c) of the act,
2. Pay a sum of €10,000 to the Compensation Fund, under section 82(1)(l) of the act,
3. Pay a sum of €3,264.75 to the applicant, being the agreed contribution of costs of the applicant.

In the matter of Ronan O'Brien, a former solicitor (solicitor number S13772), formerly practising at Ronan O'Brien & Co, Solicitors, 69 Church Street, Cavan, Co Cavan, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2023-LPDT15]

Law Society of Ireland (applicant)
Ronan O'Brien (respondent)

On 15 January 2025, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of misconduct in that he:

1. Caused, permitted, or allowed a deficit on a client account of €95,915 as at 30 September 2021,
2. Failed to maintain proper books of account showing the true financial position and reflecting the deficit of €95,915 in a client account as at 30 September 2021 and subsequent reimbursement to a client account by 17 November



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2021, contrary to regulation 13(2) of the *Solicitors Accounts Regulations*

- Failed to maintain proper books of account showing the true financial position in respect of a payment on 28 September 2021 for €100,066.44 paid to Patrick Martin, solicitor, in respect of the balance of money due on a purchase for his client Gary Farrell, which said sum not being recorded and dated correctly in the books of account, contrary to regulation 13(2) of the *Solicitors Accounts Regulations*. This payment was incorrectly dated as at 17 November 2021; however, the payment cleared the bank account on 28 September 2021.

The tribunal ordered that the respondent:

- Be censured, pursuant to section 82(1)(c) of the act,
- Participate, at his own expense, in a CPD module concerning the *Solicitors Accounts Regulations* prior to applying for a new practising certificate, pursuant to section 82(1)(d) of the act,
- Pay to the Compensation Fund the sum of €5,000, pursuant to section 82(1)(l) of the act,
- Pay the sum of €10,000 (inclusive of VAT) as a contribution towards the costs of the applicant, pursuant to section 82(1)(j) of the act.

In the matter of John Moylan (solicitor number S3216), currently practising at Richard Moylan & Co, Shortcastle, Mallow, Co Cork, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2023-LPDT17]

Law Society of Ireland (applicant) John Moylan (respondent)

On 19 July 2024, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of misconduct in that he failed to ensure

that there was furnished to the Law Society of Ireland an accountant's report for the year ended 31 October 2022 within six months of that date, in breach of regulation 26(1) of the *Solicitors Accounts Regulations 2014*. The tribunal ordered that the respondent:

- Be censured, pursuant to section 82(1)(c) of the act,
- Pay a sum of €1,512 towards the agreed costs of the applicant in respect of the inquiry, pursuant to section 82(1)(j) of the act,
- Pay a sum of €2,000 to the Compensation Fund, pursuant to section 82(1)(l) of the act.

In the matter of Sheila Feeney (solicitor number S5682), currently practising at Con O'Leary & Co, Solicitors, 6 The Mall, Leixlip, Co Kildare, and in the matter of an application by the Complaints Committee of the Legal Services Regulatory Authority to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2023-LPDT20]

Complaints Committee of the Legal Services Regulatory Authority (applicant) Sheila Feeney (respondent)

On 16 December 2024, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of professional misconduct in that she:

- Failed to comply, either at all or within an adequate timeframe, with the undertaking given by her to the complainant dated 8 April 2008, either in part or in full, and/or
- Failed to provide the complainant, either at all or within an adequate timeframe, a certificate of title and/or the title deeds in respect of the second property, and/or
- Failed to engage adequately or at all with the complainant in relation to the undertaking referred to at 1 above, and/or
- Failed to engage adequately or at all with the Legal Services Regulatory Authority and/or the applicant with

regard to the complaint made against her.

The tribunal ordered that the respondent:

- Be admonished, pursuant to section 82(1)(b) of the act,
- Participate in a professional competence scheme, pursuant to section 82(1)(d) of the act, namely the Ethics and Professional Conduct Webinar hosted by La Touche training, such course to be completed within a period of six months from the making of this order and proof of its completion is to be furnished to the disciplinary tribunal,
- Pay the sum of €5,000 as a contribution towards the costs of the applicant, pursuant to section 82(1)(j) of the act.

In the matter of Marie Brody (solicitor number S11029), currently practising at Brody & Co, 4 Dublin Street, Carlow, Co Carlow, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the Legal Services Regulation Act 2015 [2024-LPDT05]

Law Society of Ireland (applicant) Marie Brody (respondent)

On 23 December 2024, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of misconduct in that she:

- Contravened section 54 of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as amended by section 26 of the *Criminal Justice (Money Laundering and Terrorist Financing)(Amendment) Act 2018*) by failing to have policies, controls, and procedures in place that specified her obligations regarding the assessment of and management of risks of money-laundering or terrorist financing in order to prevent and detect the commission of money-laundering and terrorist financing, and breached regulation 5 (risk-assessment policies,

TRIBUNAL REPORTS

controls and procedures) of the *Solicitors (Money Laundering and Terrorist Financing Regulations) 2020* in failing to adopt internal policies, controls, and procedures to prevent and detect the commission of money-laundering and terrorist financing,

2. Contravened section 30A(1) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as inserted by section 10 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) in not carrying out a business-risk assessment and assess the risks of money-laundering and terrorist financing involved in carrying on her business activities, and breached regulation 6 (business-risk assessment) of the *Solicitors (Money Laundering and Terrorist Financing Regulations) 2020* in failing to carry out a business-risk assessment to identify and assess the risk of money-laundering and terrorist financing involved in carrying on the practice,
3. Failed to document a business-risk assessment in accordance with the requirements of section 30A(3) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as inserted by section 10 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) and failed to make a business-risk assessment available during the inspection in accordance with the requirements of section 30A(6) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as inserted by section 10 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*),
4. Contravened section 30B(1) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as inserted by section 10 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*)

(*Amendment*) Act 2018) by failing to carry out a client-risk assessment on individual clients for the purposes of assessing the extent of client due-diligence measures to be undertaken, and breached regulation 7 (client-risk assessment) of the *Solicitors (Money Laundering and Terrorist Financing Regulations) 2020* in failing to identify and assess the risk of money-laundering and terrorist financing in relation to clients or transactions concerned,

5. Contravened section 35 of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as amended by section 14 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) by failing to make enquiries as to the source of funds and wealth and, in circumstances where the solicitor did not make enquiries as to the source of funds and wealth, she failed to document the reasons for not doing so,
6. Contravened section 30B(2) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as inserted by section 10 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) by not documenting the client-risk assessment,
7. Breached regulation 8 (records) of the *Solicitors (Money Laundering and Terrorist Financing Regulations) 2020* in failing to keep records evidencing the internal policies, controls, and procedures applied and information obtained by the solicitor in relation to each of her clients,
8. Contravened section 33(2) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* by failing to apply client due-diligence and client-risk assessment to clients for whom the firm had provided anti-money-laundering regulated legal services,
9. Breached regulations 10-17 (client due diligence) of the *Solicitors (Money Laundering and Terrorist Financing Regulations) 2020* in failing to apply appropriate due diligence

- at the appropriate time in several property transactions reviewed,
10. Contravened section 42(1) of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* (as amended by section 22 of the *Criminal Justice (Money Laundering and Terrorist Financing) (Amendment) Act 2018*) in failing to report to the FIU Ireland and the Revenue Commissioners suspicion of money-laundering and/or terrorist financing offences in several property transactions reviewed,
 11. Breached regulation 19 of the *Solicitors (Money Laundering and Terrorist Financing Regulations) 2020* in failing to report suspicious transactions in several property transactions reviewed.

The tribunal ordered that the respondent:

1. Be censured in relation to her misconduct, under section 82(1)(c) of the act,
2. Pay the sum of €3,000 to the Compensation Fund within four months of 21 November 2024, pursuant to section 82(1)(l) of the act,
3. Pay the applicant's costs of €3,012 within four months of 21 November 2024, pursuant to section 82(1)(j) of the act
4. Participate in the following in-person-only modules of a professional competence scheme, in addition to the respondent legal practitioner's existing annual professional competence requirements, and furnish within 12 months of 21 November 2024 evidence to the Legal Practitioners Disciplinary Tribunal of such participation: a total of five hours' training in client care and professional standards, as defined in regulation 2(a) of SI 419/2023, with a minimum of one hour of accounting and anti-money-laundering compliance, as set out in regulation 2(a)(iv) of SI 419/2023, pursuant to section 82(1)(d) of the act.



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04/25

WILLS

Behan, Austin (deceased), late of Beneavin Manor Nursing Home, Dublin 11, and formerly of 71 Caledon Road, East Wall, Dublin 3, who died on 10 June 2022. Would any person having knowledge of the whereabouts of a will made by the above-named deceased please contact Edward Geoghegan, Geoghegan Solicitors, Main Street, Lucan, Co Dublin; DX 102013 Lucan; tel: 01 628 2947, email: info@geoghegansolicitors.ie

Clarke, Frances (deceased), late of 65 Gort Uaine, Clogherhead, Co Louth. Would any person having knowledge of the whereabouts of a will made by the above-named deceased, who died on 25 September 2024, please contact Feran & Co, Solicitors, Constitution Hill, Drogheda, Co Louth; tel: 041 983 1055, email: info@feran.ie

Cummins (née Kennedy), Rose (deceased), late of Graignagour, Ballymacarbry, via Clonmel, Co Waterford, who died on or about 28 January 2025. Would any person having knowledge of any will made by the above-named deceased please contact Cathy Duffy Bolton, McCullagh Higgins & Co, Solicitors LLP, 1-2 Cois Mara, Dungarvan, Co Waterford; tel: 058 44166, email: cathy@mccullaghiggins.com

Egan, Ita (deceased), late of Sherlockstown, Sallins, Co Kildare, who died on 26 October 2024. Would any person having knowledge of the whereabouts of any will made or purported to

RATES

PROFESSIONAL NOTICE RATES

RATES IN THE PROFESSIONAL NOTICES SECTION ARE AS FOLLOWS:

- **Wills** - €163 (incl VAT at 23%)
- **Title deeds** - €325 per deed (incl VAT at 23%)
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ALL NOTICES MUST BE PAID FOR PRIOR TO PUBLICATION. ALL NOTICES MUST BE EMAILED TO catherine.kearney@lawsociety.ie and PAYMENT MADE BY ELECTRONIC FUNDS TRANSFER (EFT). The Law Society's EFT details will be supplied following receipt of your email. **Deadline for May 2025 Gazette: Wednesday 2 April 2025.**

No recruitment advertisements will be published that include references to ranges of post-qualification experience (PQE). The Gazette Editorial Board has taken this decision based on legal advice that indicates that such references may be in breach of the *Employment Equality Acts 1998 and 2004*.

have been made by the above-named deceased, or if any firm is holding same, please contact Osborne Denieffe LLP Solicitors, Abbey Moat House, Abbey Street, Naas, Co Kildare; tel: 045 899 485, email: agreenlee@osbornedenieffe.ie

Fox, Donnacha (deceased), late of 62 The Hibernian, The Gasworks, Barrow Street, Dublin 4, and 26 Morehampton Terrace, Donnybrook, Dublin 4, who died on 8 January 2025. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Ken Murray & Co, Solicitors, Unit K, Market Green Shopping Centre, Midleton, Co Cork P25 YV62; email: admin@kenmurray.ie

Glynn, Michael (deceased), late of Glynside (otherwise Glenside), Portlaoise, Co Laois. Would any solicitor holding or having knowledge of a will made by the above-named deceased, who died on 18 June 2014, please contact Rolleston McElwee Solicitors

LLP, 4 Wesley Terrace, Portlaoise, Co Laois; tel: 057 862 1329, email: dholland@rmclaw.ie

Higgins, Michael (deceased), late of 99 Cedar Brook Walk, Cherry Orchard, Dublin 10, who died on 20 February 2025. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact David Soden, solicitor, 18 Villiers Road, Dublin 6; tel: 01 497 3745, email: david@davidsoden.ie

McMahon, Owen Joseph (Joe) (deceased), late of Lurgans, Carrickmacross, Co Monaghan, and formerly of Snackiel, Killashandra, Co Cavan, who died on 22 June 2023. Would any person having knowledge of the whereabouts of any will made or purported to have been made by the above-named deceased please contact O'Sullivan Murtagh Solicitors, 24 O'Neill Street, Carrickmacross, Co Monaghan; tel: 042 969 0850, email: cm@osullivanmurtagh.ie

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Moynihan, Bridget

Philomena (deceased), late of Abbeylands Nursing Home, Kildorrery, Co Cork, who died on 20 November 2024. Would any person having knowledge of any will made by the above-named deceased please contact Sarah O'Regan, Brooks and Co, Solicitors, Baldwin Street, Mitchelstown; tel: 025 248 33, email: info@brooksandco.com

Muldoon, Albert (deceased),

late of 25 Navan Road, Castleknock, Dublin 15, who died on 19 January 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Caolán Doyle, Doyle & Company LLP, Main St, Blanchardstown, Dublin 15; tel: 01 820 0666, email: caolan@doyleandcompany.ie

Mulligan, Eileen (deceased),

late of Talbot Lodge Nursing Home, Malahide, Co Dublin, previously Ballyfermot and Rathmines, Dublin, who died on 6 January 2025. Would any person having knowledge of the whereabouts of any will made by above-mentioned named deceased please contact Derivan Sexton & Co, Solicitors, New Street, Carrick-on-Suir, Co Tipperary; tel: 051 640 007, email: markculetton@derivansexton.ie

Murphy, Mary Frances

(deceased), late of 36 Mellows Avenue, Finglas, Dublin 11, who died on 29 October 2023. Would any person having knowledge of a will made or purported to have been made by the above-named deceased, or if any firm is holding same, please contact Gary Irwin, Solicitors, Suite 1, Portmarnock Town Centre, Portmarnock, Co Dublin; tel: 01 845 9100, email: info@garyirwinsolicitors.ie

O'Callaghan, Brendan

(deceased), late of Ballinabanogue, New Ross, Co Wexford, who died on 15 November 2023. Would any person having knowledge of the whereabouts of a will of the above-named deceased please contact O'Neill Law Solicitors, The Coach House, Marsh Lane, New Ross, Co Wexford; DX 37007 New Ross; tel: 051 448 237, email: info@oneilllaw.ie

O'Driscoll, Jeremiah Gerard

(deceased), late of 15 Laurel Grove, Bishopstown, Cork. Would any person having knowledge of any will made by the above-named deceased, who died on 27 December 2024, please contact EOS Solicitors, Ballineadig, Farran, Ovens, Co Cork; tel: 021 245 5610, email: info@eossolicitors.ie

Power, Rita (deceased),

late of 6 Clonsilla Park,



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Blanchardstown, Dublin 15, who died on 4 February 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Caolán Doyle of Doyle & Co LLP, Main St, Blanchardstown, Dublin 15; tel: 01 820 0666, email: caolan@doyleandcompany.ie

Tuck, Ellen (née Kenny)

(deceased), late of Killamuck, Abbeyleix, Co Laois, who died on 8 June 1983. Would any person having knowledge of the whereabouts of any will made by the above-named deceased, or if any firm is holding same, please contact Messrs James E Cahill & Co, Solicitors, Market Square, Abbeyleix, Co Laois; tel: 057 873 1246, email: donalwdunne@securemail.ie

Tuck, William (deceased),

late of Killamuck, Abbeyleix, Co Laois, who died on 24 August 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased, or if any firm is holding same, please contact Messrs James E Cahill & Co, Solicitors, Market Square, Abbeyleix, Co Laois; tel: 057 873 1246, email: donalwdunne@securemail.ie

TITLE DEEDS

24 Harold's Cross Cottages, Harold's Cross, Dublin 6.

Would any person having knowledge of the location of title deeds to the property known as 24 Harold's Cross Cottages, Harold's Cross, Dublin 6, or if any firm is holding same, please contact Prospect Law Solicitors, 10 Prospect Road, Glasnevin, Dublin 9; tel: 01 830 7799, email: legal@prospectlaw.ie

Long, John (otherwise Jack) (deceased), late of

'Tara', 6 Osmington Terrace, Thomondgate, Limerick. Would any person having knowledge of the whereabouts of the original deeds for property at 'Tara', 6 Osmington Terrace, Thomondgate, Limerick, please contact Elisa McMahon, Dundon Callanan LLP, 17 The Crescent, Limerick; tel: 061 411 022, email: elisa.mcmahon@dundoncallanan.ie

In the matter of the Landlord and Tenant (Ground Rent) Acts 1967-2005, and in the matter of the Landlord and Tenant (Ground Rent) (No 2) Act 1978 as amended, and in the matter of an application by Catherine Bruton in respect of 152 Rathgar Road, Dublin 6

Take notice any person having

any interest in the freehold estate of the following property: 152 Rathgar Road, Dublin 6, held under an indenture of lease dated 30 March 1853 between Alexander Parker of the first part, Isabella Elisa Duffield of the second part, and Michael Meade of the third part for a term of 300 years from 25 March 1853, subject to the yearly rent of £16 and having being assigned to Catherine Bruton, the applicant herein, by an indenture of assignment dated 22 November 1976.

Take notice that Catherine Bruton (the applicant herein) intends to submit an application to the county registrar for the county of the city of Dublin for acquisition of the freehold interest in the aforesaid properties, and any party asserting that they hold a superior interest in the aforesaid premises (or any of them) are called upon to furnish evidence of the title to the aforementioned premises to the below named within 21 days from the date of this notice.

In default of any such notice being received,

Catherine Burton (the applicant herein) intends to proceed with the application before the county registrar at the end of 21 days from the date of this notice and will apply to the county registrar for the county of the city of Dublin for directions as may be appropriate on the basis that the persons beneficially entitled to the superior interest including the freehold reversion in each of the aforesaid premises are unknown or unascertained.

Date: 4 April 2025

Signed: Neligan Solicitors (solicitors for the applicant), Courthouse Square, Maynooth, Co Kildare W23 H2Y7

In the matter of the Landlord and Tenant Acts 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of an application by Killowen Properties Limited, c/o TJ Hegarty LLP, Solicitors, 58 South Mall, in the city of Cork

Any person having interest in the freehold and/or intermediate estates in the following property: premises

known as 24 St Patrick's Hill in the city of Cork, demised by indenture of lease dated 30 July 1872 and made between John Ronayne of the one part and Thomas Hewitt and Edward Townsend of the other part. Take notice that the said Killowen Properties Limited intends to submit an application to the county registrar for the county of Cork for the acquisition of the freehold interest and all intermediate interests in the aforementioned property, and any party asserting that they hold a superior interest in the aforesaid property are called upon to furnish evidence of title to the aforementioned premises to the below named.

1. Such person or persons who are entitled to the interests of the said John Ronayne pursuant to lease dated 30 July 1872 made between him of the one part and Thomas Hewitt and Edward Townsend of the other part, whereby the lands described as '24 St Patrick's Hill, Cork' were demised to the said lessee for a term of 200 years from 4 December 1872, subject to the yearly rent of 75 sterling pounds (stg£75)

thereby reserved and to the covenants and conditions therein contained.

2. Any person or persons who are entitled to the grantor's interests in the 1872 lease aforesaid or those holding any superior interest in the aforesaid property should provide evidence of their title to the applicant's solicitors within a period of 28 days of the date of this notice.

In default of such notices being received, the said Killowen Properties Limited intends to proceed with an application before the county registrar for the county of Cork to acquire the fee simple interest and all intermediate interests in the said property and will apply to the county registrar for such directions and orders as may be appropriate on the basis that the person or persons entitled to the superior interests including the freehold interest in the aforesaid premises are unknown or unascertained.

Date: 4 April 2025

Signed: TJ Hegarty LLP (solicitors for the applicants), 58 South Mall, Cork



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Final verdict

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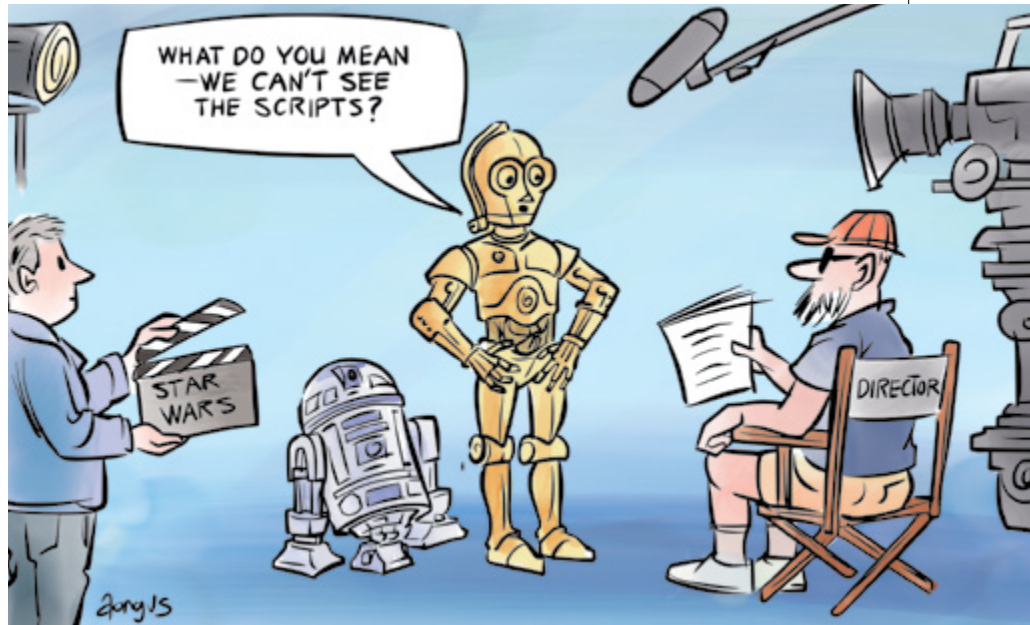


Why help the robots?

The creator of the successful *Star Wars* spin-off *Andor* has said that he will not publish any of the scripts for the series because they could be used to train AI systems, [Variety reports](#).

Tony Gilroy had been planning to release the scripts for the show's first season in a book format that fans could purchase.

"I wanted to do it," he said. "We put it together. It's really cool. I've seen it, I loved it. AI is the reason we're not. In the end, it would be 1,500 pages that came directly off this desk. I mean, it's just too much of an X-ray and too easily absorbed. Why help the f*cking robots any more than you can?"



I'm sorry, Jeff, I'm afraid I can't do that



Everything you say to your Amazon Echo might soon be sent to the company, at least for those in the US – and you can't opt out, according to [PCMag](#) and the [Daily Mail Online](#).

The tech-bro corpo stopped its 'Do not send voice recordings' privacy feature on 28 March, as the company tries to bolster Alexa+, its new subscription assistant. Alexa+ is currently only scheduled for rollout in the US.

Amazon said that Echo users will no longer be able to set their devices to process Alexa

requests locally, meaning that recordings of every command spoken to Alexa will automatically be sent to Amazon and processed in the cloud.

Digital rights commentator Cory Doctorow called it "absolutely unforgivable". Amazon has already received criticism for storing conversations that users have with Alexa, which, it admitted, have been listened to and transcribed by staff.

Asset stripping, DOGE style

Grok AI, Elon Musk's own tool, has estimated that there's a 75-85% probability that Donald Trump is a Russian asset, [The Mirror US](#) reports.

EJ Montini, a columnist for the *Arizona Republic*, posed a question to Grok: "What is the likelihood from 1-100 that Trump is a Putin-compromised asset? Use all publicly available information from 1980 on..."

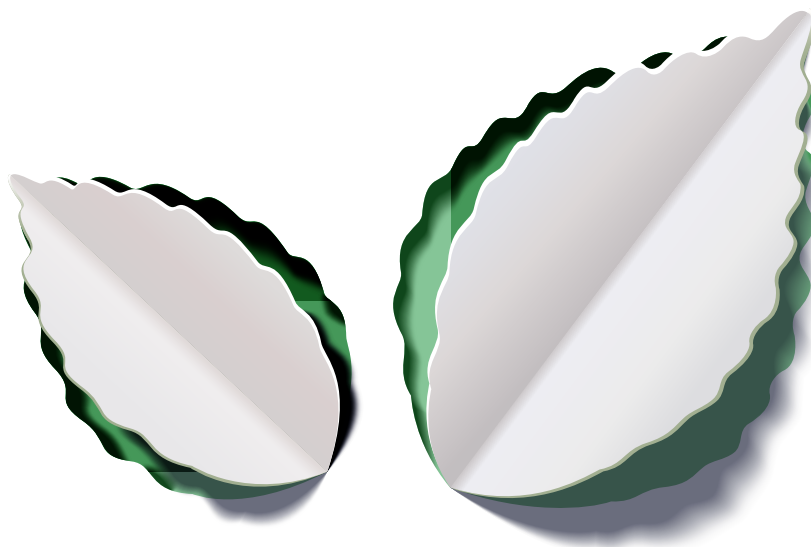
Musk's DOGE has reportedly been using Grok to determine which federal employees to fire.

Just The Thing...

Where's Kurt Russell when you need him? In a story reminiscent of the classic John Carpenter horror, a group of South African scientists trapped in an isolated Antarctic base pleaded for help in dealing with a team member who had become violent, [Newsweek reports](#).

South Africa's environment minister said: "There was a verbal altercation between the team leader and this person. Then it escalated and that person did physically assault the leader. You can imagine what it's like: it is close quarters and people do get cabin fever. It can be very disorientating."

The only way to leave the base now is through emergency medical evacuation to a German base around 186 miles away. Talk about the 'cold shoulder'!



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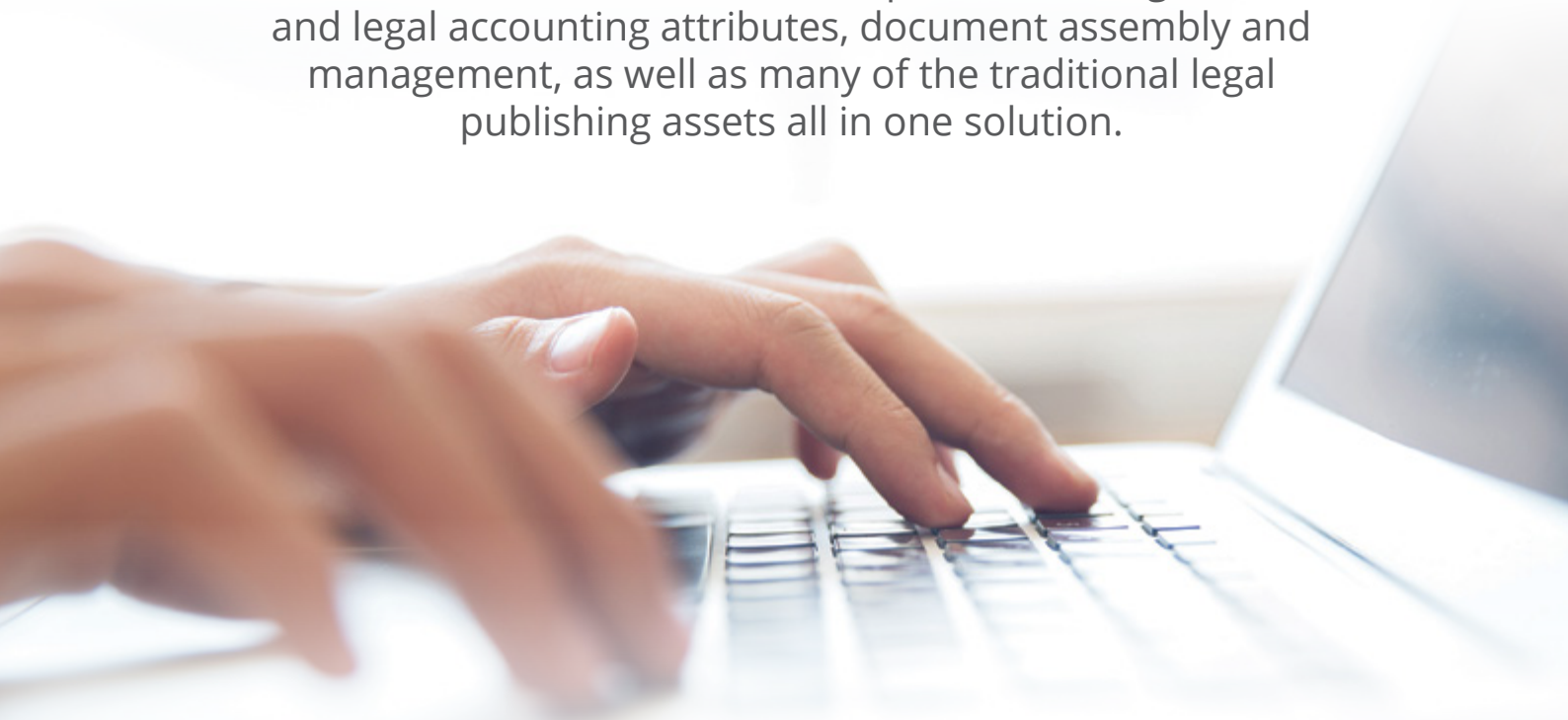
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