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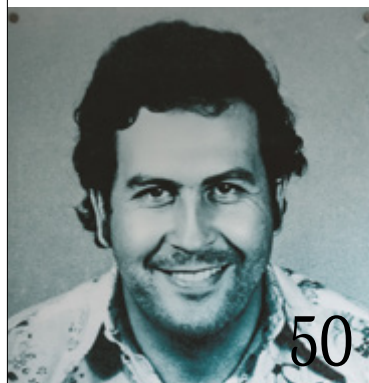
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SPRING FORWARD



Spring is finally upon us, and we can already see the difference that the additional minutes of daylight are bringing. In February, I hosted two parchment ceremonies to welcome over 100 solicitors to the Roll and took the opportunity to encourage them to get involved with the Law Society and to remind them that it is a resource that can support them throughout their career as practising solicitors.

One example of the valuable work being done to represent practitioners is the Law Society's ongoing engagements with the Land Registry (Tailte Éireann) to address issues with the registration process. As many of you are well aware, the changes in registration practice implemented since late 2023 have been a source of growing frustration for solicitors and their clients. We have been communicating those frustrations to Tailte Éireann and, on behalf of the Law Society, I want to thank solicitors from around the country who have provided practical examples of some of the ways that the current system is impeding the timely registration of properties at a time of a crisis in housing.

Tailte Éireann has taken on board some of the criticisms and concerns that we have shared and has made some changes – for example, now agreeing to provide more information on why an application is rejected, that it will notify us of changes in published processes and internal documents, and will begin issuing certain registration queries via email. However, we know more needs to be done.

Be assured that the Law Society is engaging proactively

The hope is that our collective feedback can help inform recommendations

it's also important to have support at whatever stage we are at in our career. Having the support of our family and friends and a safe working environment, where we can all share our opinions and challenge perspectives without fear of negative consequences, helps us to be better lawyers. So I was delighted last month to welcome human-resources representatives and colleagues from legal workplaces across Ireland at the launch of a new toolkit on psychological safety, another step towards building a culture where every voice is valued. This toolkit offers insights into making changes and improvements that can have a positive impact on performance and your bottom line. It's [available now](#) on the Law Society website: I encourage you to have a look and see what changes you might be able to make in your own work for the better (see also p48 of this *Gazette*).

EAMON HARRINGTON
PRESIDENT

and meeting regularly with Tailte Éireann, and I invite you to continue to share any issues you have with our Conveyancing Committee by emailing conveyancing@lawsociety.ie. Look out for further updates and guidance on the Law Society website.

More power to you

Another concern many of you have shared with me as I travel around the country is the enduring-power-of-attorney process. In my *President's Bulletin* sent by email a few weeks ago, I provided a link to a survey on the effectiveness of the Decision Support Service (DSS), as part of a review by the Mental Health Commission. It offered a welcome opportunity for the legal profession to share individual insights in respect of interactions with the DSS. The hope is that our collective feedback can help inform recommendations

for improvements. In the meantime, we will continue to press for changes to be introduced so that any person who wants to put an enduring power of attorney in place can do so without unreasonable obstacles being placed in their way.

As well as finding resolutions to the challenges we can encounter as lawyers,



the BIG picture

In defence of the realm

On the third anniversary of Russia's invasion of Ukraine, people gather at the memorial to the fallen Ukrainian defenders at Kyiv's Independence Square to light candles and honour their memory.

Photo: Oleh Tymoshenko/ZUMA Press Wire/Shutterstock



people

■ WHO ■ WHAT ■ WHERE ■ WHEN ■

Warm welcome for Ukrainian judges

The Law Society held a reception on 31 January for Ukrainian judges who were in Ireland on a judicial study visit. They were welcomed by Law Society President Eamon Harrington and the chair of Irish Rule of Law International, John Shaw. Guests included Ukrainian Ambassador Gerasko Larysa, representatives of the European Union Advisory Mission Ukraine, the Ukraine Legal Alliance, members of the Irish judiciary, IRLI board members, and Law Society representatives. Pictured are Tom Flanagan, Judge Svitlana Muratova (Kyiv District Court), and Michelle Drury



All pics: Cian Redmond



Justice Oleksandr Marchuk (head of the Cassation Criminal Court of the Supreme Court, Ukraine) and Law Society President Eamon Harrington



Ukrainian Ambassador Gerasko Larysa and Law Society President Eamon Harrington



Michelle Drury, Judge Svitlana Muratova, Justice Magdalena Koole (appellate judge at The Hague's Court of Appeal), Justice Oleksandr Marchuk, John D Shaw, Judge Iryna Shapovalova (District Court of the Dnipropetrovsk Region), Judge Oleksandr Harskyi (Malynovskyi District Court of Odesa), Judge Maryna Bondarenko (Darnytskyi District Court of Kyiv), and Oleksandr Ishchenko (legal officer, International Crimes Legal Unit of EUAM)



Judge Iryna Shapovalova and John D Shaw (chair, IRLI)



Ukrainian Ambassador Gerasko Larysa, Siobhán Miley, and Mr Justice Liam Kennedy



Aine Flynn, Cristina Stamatescu, and Michelle Drury



Tom Flanagan and Pavlo Bogachenko



Jonathan Patel (Diploma Centre), Maria Hennessy, Dr Thamil Venthan Ananthavinayagan, Hilkka Becker, and Ángel Bello Cortés

Spotlight on immigration law

On 6 February, the Diploma Centre hosted an immigration law alumni spotlight event. The panel was chaired by Dr Thamil Venthan Ananthavinayagan (assistant principal at the Department of Justice) and speakers included Hilkka Becker (chair, International Protection Appeals Tribunal), Maria Hennessy (assistant protection officer, UNHCR), and Angel Bello Cortes (partner, Fragomen). The next Certificate in Immigration Law and Practice will begin in November 2025. For more information, contact diplomateam@lawsociety.ie.





Dr Thamil Venthana Ananthavinayagan and Hilka Becker





Caoimhe Ryan (captain), Katelyn Dunleavy Larkin, Molly Ryan, Charley Moore, Deirdre Burchill, Clara McKenna, Rhia Cunningham, Aoife Fleming, Soracha Henderson, Emma-Kate Murphy, Lucy Donnelly, Eve Powderly, Niamh Newman, Dearbhla Mullins, Sarah Scott, Odie Fitzpatrick, Eve Reidy, Gráinne Ní Fhrighil, Gráinne Carey, Alison Carolan, Emma Taheny, Clodagh McCarthy, Alex Wilde, Deirbhile McCloskey, Ellie Woods, Emer Lyons, Alice O'Dowd, Sharon Murray, Emily Greene, Rachel O'Rourke, Michelle Cotter, Sarah Dillon, Áine Crowley, Rebecca Flanagan, Megan O'Donnell, Claire Conlon, Shelly Reilly, and Kate Lyttle

Blackhall takes title

The Blackhall Women's GAA team lined out against Belfast's Stranmillis University College on 19 February in the Louth Centre of Excellence. Both teams gave it their all, with Blackhall winning on a final score of 6-10 to 1-10.

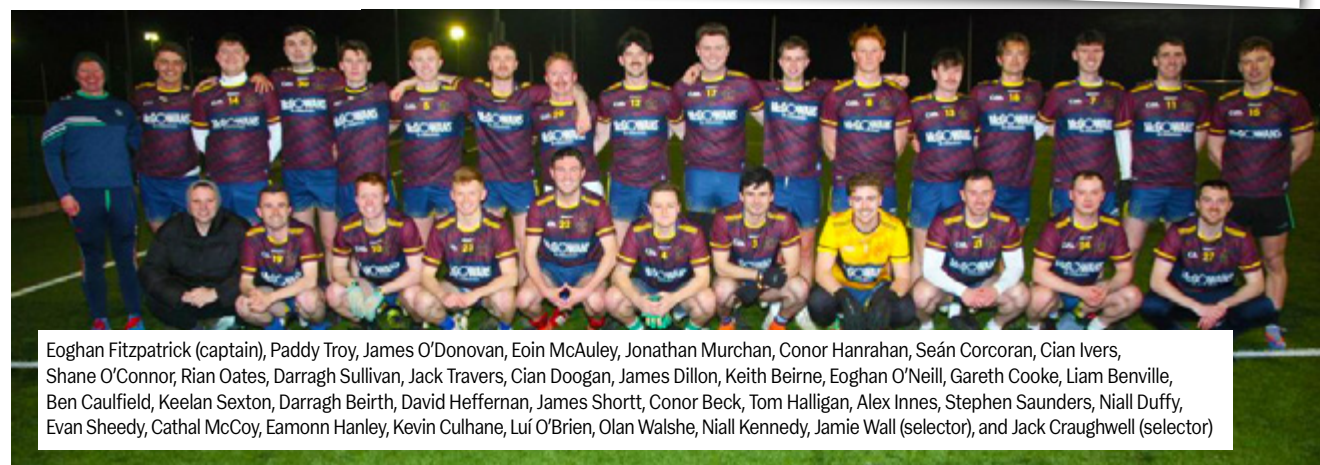
The strength of this year's Law School teams saw the Blackhall Men also reaching their championship final on 18 February. The keenly contested game finished with TUD Blanchardstown taking the honours.

Both teams wish to thank the Law Society and PPC Connect for all their support over the past number of months. Congratulations to both teams on their outstanding performances.



Cup-winning smiles

Pic: Cian Redmond



Eoghan Fitzpatrick (captain), Paddy Troy, James O'Donovan, Eoin McAuley, Jonathan Murchan, Conor Hanrahan, Seán Corcoran, Cian Ivers, Shane O'Connor, Rian Oates, Darragh Sullivan, Jack Travers, Cian Doogan, James Dillon, Keith Beirne, Eoghan O'Neill, Gareth Cooke, Liam Benville, Ben Caulfield, Keelan Sexton, Darragh Beirne, David Heffernan, James Shortt, Conor Beck, Tom Halligan, Alex Innes, Stephen Saunders, Niall Duffy, Evan Sheedy, Cathal McCoy, Eamonn Hanley, Kevin Culhane, Lui O'Brien, Olan Walshe, Niall Kennedy, Jamie Wall (selector), and Jack Craughwell (selector)

■ PPC negotiation win ■ 'Ethnic identifiers' ■ Ukraine judges visit

news

■ YOUR MONTHLY UPDATE ON ALL THINGS LEGAL ■



Photo: Alamy

AIB confirmed the attempted fraud, warning that fraudsters can mirror bank phone numbers

Vigilant solicitor thwarts fraud

The Law Society has reported a thwarted cyberattack targeting a solicitor's client account, where fraudsters attempted to manipulate the victim with a sophisticated scam.

The caller, claiming to be from the solicitor's bank, AIB, followed a well-practised script designed to appear legitimate. Speaking with an Irish

accent, the fraudster informed the practitioner of a potential fraudulent payment on a client account. He asked the lawyer to follow a URL in order to help resolve the issue.

The solicitor became suspicious, however, and requested the caller's name and direct contact number. The fraudster insisted that bank policy prevented him from giving a direct

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number, but promised to call him back from the bank's main fraud line.

When the solicitor received the return call, the number displayed matched AIB's legitimate fraud line. Despite this, the solicitor chose to verify the situation by contacting AIB directly, which confirmed the fraudulent attempt.

Mirrored numbers

The bank told the lawyer that, had they followed the URL, it would have allowed the fraudster access to their system. The bank also warned that fraudsters can 'mirror' bank phone numbers to deceive victims.

The Law Society urges all solicitors to be vigilant, to avoid clicking on unsolicited links, and always to contact their bank using verified phone numbers. It advises practitioners not to visit a website or click on a link that has been sent to them, nor should they allow anyone to take remote access of their computer.

In addition, never share one-time banking codes, no matter who the person on the line says they are – or why they say they need the code.

In order to help mitigate against cybersecurity risks, visit the Law Society's '[Cybersecurity and your practice](#)' resources page at [lawsociety.ie](#).

IILA conference draws a crowd



IILA committee members at the event

The Irish Immigration Lawyers' Association (IILA) held its biggest ever CPD event recently at Blackhall Place. The conference was attended by 200 members, solicitors, barristers and guests.

IILA was founded in 2021 by solicitors specialising in immigration law. It promotes and provides advice and representation in immigration, citizenship and asylum law, and on the free movement of persons within the EU.

Attendees were addressed by an expert panel of speakers, including

Stephen Kirwan (head of immigration and international law in KOD Lyons LLP), Patricia Brazil SC (specialist in public law and human rights, with particular expertise in the fields of asylum, immigration and citizenship law), John Stanley BL (specialist consultant with Gibson & Associates LLP and a member of Ireland's International Protection Appeals Tribunal), and Anthony Lowry BL (who specialises in EU and human-rights law).

IILA expresses its thanks to the Law Society's Education Department for its kind assistance in organising the event, which included a lively Q&A session.



The Law Society's winning team - Meadhbh Jones and Noor Choudry

OPEN TO NEGOTIATION

A Law Society team, comprising PPC trainees Noor Choudry (Maples) and Meadhbh Jones (A&L Goodbody), took first place in the 2025 National Negotiation Competition, held at Blackhall Place on 22 February. The team, coached by Ruth Tracey, overcame UCD's Ruth Morris and Mark McDwyer during the final session.

The competition involves a team of two law students, 'representing' a party or client, negotiating either an international transaction or the resolution of an international dispute with an opposing team of two law students.

Eight teams from Irish law schools participated in this year's competition, judged by a panel of legal practitioners. Across three rounds, participants negotiated scenarios that included an international sales-and-distribution agreement, a sports-management

contract, and environmental, social and governance issues in a commercial contract.

The trophy was presented to the winning team by competition convenor John Lunney (course manager, Law Society), in his role as national representative of the International Negotiation Competition.

UCD's Mark McDwyer picked up the award for 'outstanding negotiator' during the preliminary rounds, which was sponsored by the Mediator Academy.

The winning Law Society team will now represent Ireland at the International Negotiation Competition, which will take place in London in July. The event, the oldest and most celebrated international legal negotiation competition for students from around the world, offers a unique educational programme focused on international legal practice.

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Matthew Holmes, Barrister

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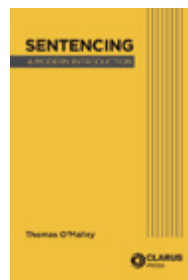
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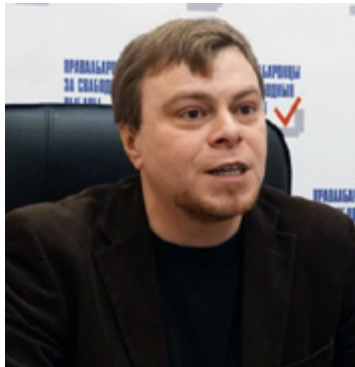
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ENDANGERED LAWYERS



Uladzimir Labkovich, Belarus

The annual Day of the Endangered Lawyer in January focused on the position of lawyers in Belarus. Civil society has long had a troubled coexistence with the increasingly authoritarian regime of Alexander Lukashenko, which brutally suppressed the mass protests of the 'Minsk Spring' in 1996.

Since its foundation after that event, the Viasna Human Rights Centre has been repeatedly raided, closed down, its property confiscated and its members arrested, detained for long periods, convicted, fined and sentenced. Many are in exile.

Following the presidential election and mass protests in 2020, the Belarusian government again targeted its critics, including lawyers, human-rights defenders, journalists, and political opponents.

One such lawyer is Uladzimir Labkovich (45), who was arrested with his wife Nina in July 2021. Labkovich is a lawyer member of the Viasna Human Rights Centre since 2001. He and two others ([Valiantsin Stefanovic](#) and [Ales Bialiatski](#)) were charged with smuggling money and the financing of group activities, grossly breaching public order.

In March 2023, Labkovich was sentenced to seven years, Bialiatski

(the chair of Viasna and a Nobel laureate) to ten years, and Stefanovic (deputy chair of Viasna) to nine years in a medium-security penal colony. Zmitser Salauyou (a human-rights defender of Viasna) was sentenced to eight years *in absentia*.

Meanwhile, the Belarusian human-rights community nominated Labkovich for the title of Human Rights Defender 2022. He remains in prison. His health has deteriorated significantly. He complains of frequent headaches, insomnia, and vision impairment. In his letters to his colleagues, he expresses his worries about his daughter and twin sons. His wife Nina was released after two years in July 2023.

According to the executive summary of the report of the Coalition for the International Day of the Endangered Lawyer in January 2025, vague and overbroad national security laws are being used to silence critics of the government and those upholding the rule of law; thousands of people have been subjected to arbitrary arrest, detention and prosecution, and have been sentenced to onerous prison terms following unfair trials; and there are also reports of widespread torture and other ill-treatment, as well as cases of enforced disappearance.

Constitutional and legislative changes have further eroded the independence of the judiciary and legal professional bodies. Such amendments have tightened the executive branch's control over the judiciary and the legal profession. Accordingly, the fundamental principle of the separation of powers has been extinguished.

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

O'Flaherty calls for 'ethnic identifier' in criminal process

The Council of Europe's Commissioner for Human Rights has said that "structural anti-Traveller racism and anti-gypsyism" is thwarting progress on protecting the rights of Travellers and Roma in Ireland.

In a 3 February [memorandum](#) examining the human-rights situation of both groups, Michael O'Flaherty said that Ireland had developed "ambitious strategies" aimed at a more effective protection of the rights of Travellers and Roma.

However, he criticised the effects of structural factors, including over-policing and the significant over-representation of Travellers in the criminal-justice system.

O'Flaherty recommends the introduction of an 'ethnic identifier' throughout the criminal-justice process to ensure that the contributing factors to the over-representation of Travellers in Irish prisons are adequately recognised and addressed.

COURTS SERVICE PROBATE PLANS

The Courts Service has apologised for any inconvenience that users might experience during its implementation of a new internal case-management system across its Probate Registry Office in Dublin and at all registries nationwide.

The system will pave the way for the next steps in the Courts Service's modernisation programme, including the introduction of a portal later this year that will support online filing and payments. The service describes the new [system](#) as "an important step towards our vision to enable faster and smoother case processing, as well as improved data quality and security".



NEW ILAI CHAIR, GINA DOOLAN



The Institute of Legal Accountants in Ireland has elected Gina Doolan as its new chair.

Gina has 25 years of experience working with legal firms on their finances, client-account compliance, and practice management. On her election, she said that her main objective would be to “encourage every firm to have a principal, accounts person, or practice manager in the institute, where they can avail of a huge network of experienced professionals and be made aware of current news on practice developments”.

More information is available at ilai.ie.

IRLI IN UKRAINE



Judge Maryna Bondarenko, Judge Iryna Shapovalova, Judge Oleksandr Marchuk, Judge Oleksandra Yanovska, Judge Svitlana Muratova, Judge Oleksandr Harskyi; (back) Aonghus Kelly, Iryna Khuda, Law Society President Eamon Harrington, Mr Justice David Barniville, Mr Justice Liam Kennedy, Michelle Drury, and John Shaw

Ukrainian visit to Dublin and Belfast

Irish Rule of Law International is an all-island not-for-profit organisation established to promote the rule of law worldwide. Recently, it hosted a Ukrainian judicial study visit in Dublin and Belfast, in partnership with EUAM Ukraine. The Ukrainian judges participating in the visit were Oleksandr Marchuk, Oleksandra Yanovska, Iryna Shapovalova, Maryna Bondarenko, Svitlana Muratova, and Oleksandr Harskyi.

The primary aim was to share expertise across the island of Ireland in the areas of international criminal law, international humanitarian law, and open-source investigations. The visit also provided an opportunity for the judges to meet members of the Irish and Northern Irish judiciary and other legal professionals.

The judges visited the Criminal Courts of Justice and the Four Courts and met President David Barniville. The judges also attended workshops at the Law Library with leading international academic experts Dr Paul Bradfield, Prof Raymond Murphy, and Prof Shane Darcy from the Irish Centre for Human Rights. Further workshops were delivered by Judge Fergal Gaynor (Kosovo Specialist Chambers), Prof Yvonne McDermott Rees (Swansea

University), and Jason Antley (international justice consultant).

In Belfast, the judges were welcomed to the Royal Courts of Justice by Chief Justice Siobhan Keegan, before enjoying a tour of the courts and the Bar Library led by Iryna Kennedy BL. The judges also met Mr Justice Stephen Fowler, HHJ Patricia Smyth, HHJ Geoffrey Miller KC, and HHJ Patrick McGurgan.

The judges attended workshops at Queen's University with leading professors Brice Dickson, Christopher McCrudden, and Luke Moffet, covering topics including reparations, the independence of the judiciary in Northern Ireland, and addressing legacy issues post-conflict.

The visit concluded with a reception hosted by the president of the Law Society of Ireland in Blackhall Place, where the judges met members of the Irish judiciary and legal profession. The judges expressed gratitude for the visit and expressed a willingness and desire to continue to strengthen the links between Ukrainian and Irish legal professionals with the aim of mutually learning and sharing experiences.

Michelle Drury is pro bono development manager, Irish Rule of Law International.



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LLM Advanced Legal Practice	22 March 2025	€3,700
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Certificate in Mediator Training	14 April 2025	€1,850
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MOOC in Artificial Intelligence	May 2025	Free
Legal Skills Through English	30 June - 4 July 2025	€995

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All lectures are webcast and available to view on playback, allowing participants to catch up on coursework at a time suitable to their own needs. Diploma Centre reserves the right to change the courses that may be offered and course prices may be subject to change.



wellbeing

MAKING A DIFFERENCE

I'm a non-contentious data-protection and technology lawyer, though at the start of my career, and for many years, I did mostly intellectual-property law. I had a good long stint as a corporate lawyer in the 2000s and, for all the lack of work/life balance, I loved it. I made lifelong friends in those early career years, and I'm very grateful for the tribe of friends I met there.

We laugh now at how ridiculously seriously we took it all, but we did manage to have some fun, too. And in those times, when progression for women was slower than it ought to have been, having role models who had real perspective on our situation was crucial. They inspired

us to plough on in the knowledge that things would turn for the better, and they did (mostly).

Compassion and decency

I'm from Mullingar, and my parents were both psychiatric nurses. They worked hard to give all of their children a third-level education when the country hadn't a bean. They always spoke about their work with great compassion and decency. They and their friends (mostly from the same workplace and sporting clubs) had a real understanding of mental-health issues through their work, many decades ahead of their time. They did their best for people in a terribly underfunded health service.

Jeanne Kelly is a co-founding partner of Browne Jacobson Ireland LLP.

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.

There was zero tolerance at home for the use of derogatory names or terms for the hospital, even in casual shorthand. To use it was demonstrative of profound ignorance and, to this day, I wince when I hear people say 'mental' hospital. They were great role models for working hard and building friendships.

Making a difference

I'm a co-founder of Browne Jacobson Ireland LLP, which is almost three years old. We are a law firm working to make a difference across business and society. That sounds like an advertising tag line, but it's genuine and core to us. Social and environmental impact are at the top of our business agenda.

We enjoy seeing our clients grow, and we train up our younger generation of lawyers in a respectful and happy environment. It matters a great deal to us to have a good atmosphere at work. Law can be a tough business, but law firms don't need to make it tougher. We expect people who work with us to have lives outside the office and to be well rounded.

No-one has to 'apologise' in our office for going to collect their kids or to attend a social event that's important to them. If you trust people and treat them fairly, they will rise to their highest level. I'm not big on business quotes, but I've always liked Lee Iacocca's line: "I hire people brighter than me and get out of their way."

LRC'S GOLDEN ANNIVERSARY DEVELOPMENTS

The Law Reform Commission is celebrating its golden anniversary this year, writes Alma Clissmann

Having focused on law reform for its first 30 odd years, the Law Reform Commission (LRC) was assigned an additional role in 2006: responsibility for restatements (consolidations, now revised acts) and, a little later, for the *Legislation Directory*.

In 2006, the situation for accessing legislation and related information online was like the opening bars of Haydn's *The Creation* – there were planets, but they were floating in a void.

The electronic *Irish Statute Book* (eISB) had come into being at the end of the 1990s, with acts and statutory instruments published there periodically, but infrequently. The *Legislation Directory* (chronological tables of the statutes) was available separately online, but was some years out of date. There was no *Legislation Directory* for statutory instruments.

The Law Society Library supplied the LRC with a list from hard copies until the electronic statutory

In tandem with a developing eISB managed by the Office of the Attorney General, bit by bit, a more integrated and complete system was built, and last year saw further improvements

instrument system came online in June 2007. The need for improvement was evident, and the field was wide open. There was a great sense of possibility – it was an exciting time.

A more ordered system

In tandem with a developing eISB managed by the Office of the Attorney General, bit by bit, a more integrated and complete system was built, and last year saw further improvements:

- We reached the landmark of 500 revised acts in February 2024. We now have 518 on the go – not counting 13 that are repealed. Our total is 531, and growing.
- Red and green banners on revised acts indicate whether they need updating or not. If they need updating, there is a link to show the amending legislation that is not yet incorporated.
- A new look for the HTML versions of revised acts, a new colour scheme, and the introductory material (put at the end), giving immediate access to the

table of contents. The new colour scheme shows up hyperlinks.

- Previous versions of revised acts going back five years are now available in PDF form from the 'revised acts' page on our website (click on the little pointers on the right).
- A short video on the eISB to show how to use the *Legislation Directory*, to be released shortly in English and Irish.
- A new version of the *Long List of Collective Citations*, with hyperlinks to the underlying legislation. The link is at the bottom of our 'legislation directory' page, as well as on the eISB 'acts' page.





Back-office developments

Not yet visible are some back-office developments. We are working on a *Legislation Directory* with a four-column layout (rather than the existing two-column version: the provisions being amended,

and the amending provisions). 'Column 3' will show the date of commencement of the amending provision, while 'column 4' will show the source of the date of commencement of the amending provision. This is intended to address a


(*Front, l to r*): Oisín Timoney (Department of Transport, working on *Road Traffic Act* consolidation), Alma Clissmann, Commissioner Richard Barrett, Brid Rogers, and Doireann Ansbro; (*middle, l to r*): Aoife Enright, Jenny McDonnell, Caoilín Young, Sarah Foley, Katie Conlon, Saoirse Hyland, and Andrea Nagi (intern); (*back, l to r*): Matthew Doncel, James Clarke, Kevin Gibson, Cameron Moss, Steven Marren, Fiachra Ó Cochláin, and Robert Noonan

The Statute Law Revision team: Matthew Doncel, Jenny McDonnell, and Aoife Enright - studying a bound volume of pre-1922 *Dublin Gazettes*

trap for unwary users, who may think that amending or repealing legislation is commenced, when it is not. We are using AI to help us read new legislation, analyse its amending effects, and feed these into our system. As well as sparing much of the work of a

researcher, it is giving us, also, important quality assurance (QA) on accuracy and completeness.

As with all of these things, there is a steep investment initially, but it is paying off. We are looking at using AI to do QA on some aspects of revised acts, based on techniques developed for the *Legislation Directory*. When this works well, it will improve productivity and quality.

This will see further developments, and we appreciate the support of our user base. We are always interested in your suggestions. Please email revisedacts@lawreform.ie. 

Alma Clissman is the LRC's access to legislation manager.



MARAtime forecast

The establishment of the Maritime Area Regulatory Authority in July 2023 is a key element of the new legislative and regulatory framework that has brought about a significant reform of marine governance in Ireland. John CHealy plumbs the depths

The Maritime Area Regulatory Authority (MARA) was established under the *Maritime Area Planning Act 2001*, which introduced a new development-management and licensing regime for Ireland's maritime area. This replaced the previous regime for the regulation of the foreshore through foreshore leases, licences, and consents issued under the *Foreshore Act 1933*. The *MAP Act* also introduced a new planning regime for development in the maritime area, which was introduced in part XXI of the *Planning and Development Act 2000*.

The abyss

In June 2019, the Government published a marine-planning policy statement that recognised the need for a fully integrated marine-planning system across all aspects of marine forward planning, marine-development management, and marine-planning enforcement. This policy also referenced the need for the State to introduce marine spatial planning due to its obligations under the *Maritime Spatial Planning Directive*. As a result, Ireland's first maritime spatial plan – the National Marine Planning Framework (NMPF) – was published in June 2021.

The NMPF sits next to the National Planning Framework



and sets out the Government's long-term planning objectives and priorities for the maritime area. It contains overarching marine-planning policies that apply to all maritime usages and development.

These policies are grouped under three pillars: environmental policies (ocean health), economic policies (a thriving maritime economy), and social policies (engagement with the sea). The NMPF also contains 16 sector-specific marine-planning policies, including sectors such as energy, fisheries, ports, telecommunications, and wastewater treatment. All public bodies, including MARA, must carry out their functions in a manner that secures the objectives of the NMPF.

20,000 leagues

The graphic on the next page shows the extent of the State's maritime area, which is given legislative effect in the *MAP Act*. It comprises an area that is ten times greater than Ireland's land mass, extending up to 200 nautical miles westward from the mainland.

The maritime area extends from the high water of ordinary or medium tides to the outer limit of the continental shelf, and it contains the State's territorial sea and tidal rivers, the exclusive economic zone, and the continental shelf. These concepts are derived from the *Maritime Jurisdiction Act 2021*, which gives effect to certain provisions of *UN Convention on the Law of the Sea*.

The State's territorial sea extends 12 nautical miles from the coastline and is regarded as sovereign territory. The exclusive economic zone extends from the outer limit of the boundary of the territorial sea to 200 nautical miles from the coast, and the State has exclusive rights within this area for the exploration and use of marine resources, including energy production from water and wind.

The continental shelf is an extension of the territorial seabed and subsoil, and also extends to an area approximately 200 nautical miles from the coast.

The Poseidon adventure

A central policy of the NMPF is the identification of designated maritime area plans (DMAPs) to provide for spatial designation for future activity within the maritime area. This policy was given legislative effect in the *MAP Act*, which provides for a systematic, planned approach to development within the maritime area through the adoption of DMAPs.

DMAPs must be consistent with the policy objectives contained in the NMPF. DMAPs identify areas within the maritime area for particular development, and detail the manner in which the development may be carried out within these areas.

DMAPs can be prepared by the Minister for the Environment, Communications and Climate Change for a variety of activities in the maritime area, and the minister may also designate other ministers and public bodies as competent authorities for the preparation of DMAPs.

On 10 October 2024, the Oireachtas approved the South Coast DMAP for offshore renewable energy in the Irish part of the Celtic Sea, located off the south-eastern coast of Ireland. This is the first DMAP adopted under the *MAP Act*, and it identifies four areas within which proposed future offshore-wind projects may be located.

Ocean's 11

MARA's functions are set out in section 44 of the *MAP Act*, and include:

- Assessing and determining applications for maritime area consents (MACs) within the maritime area,
- Assessing and determining applications for maritime usage licences (MULs) for certain prescribed activities,

- Managing the existing foreshore estate (foreshore leases, licences, and consents),
- Compliance and enforcement within the maritime area, and
- Promoting cooperation between the regulators of the maritime area.

In performing any of its functions, MARA must have regard to the NMPF, relevant Government policy, and the need for cooperation between users of the same or adjacent parts of the maritime area.

One of MARA's main functions is to consider applications for MACs from third parties. A MAC is a State consent to occupy the maritime area to carry out a maritime usage. A maritime usage constitutes any activity, operation, works or development within the maritime area.

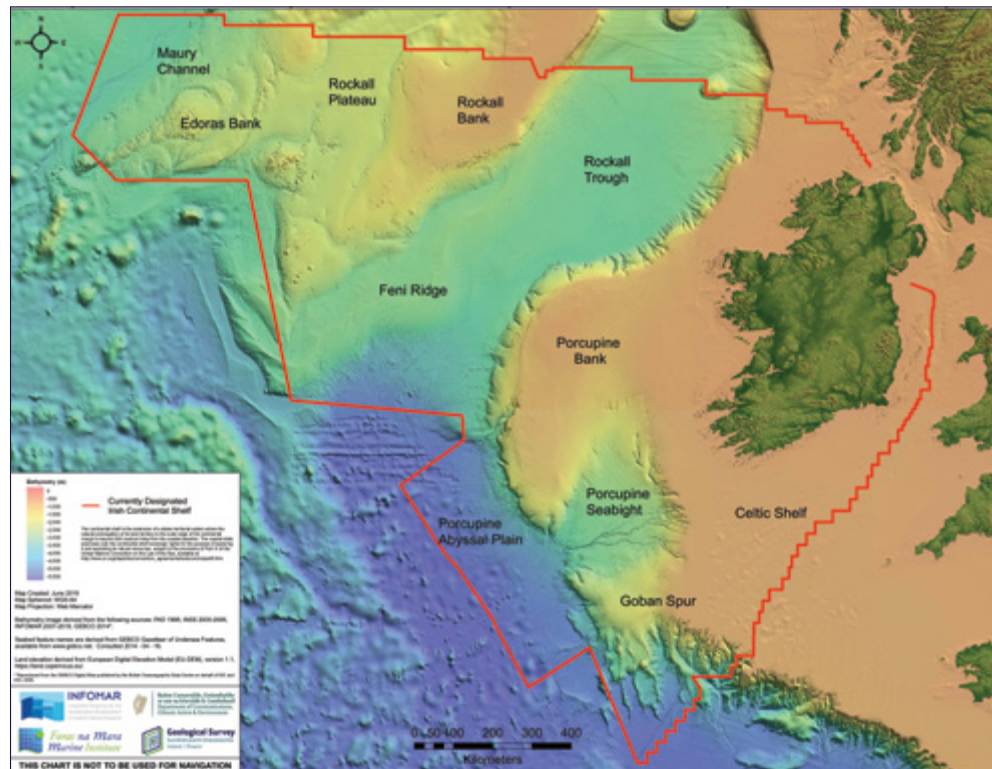
A MAC must be obtained before a person can apply for a planning permission within the maritime area. A MAC is also required to occupy the maritime area where a planning permission is not required for a maritime usage.

MARA may decide to grant or part-grant a MAC or refuse an application for a MAC. In making such a determination, MARA is obliged to have regard to various criteria set out in schedule 5 of the *MAP Act*, which includes an assessment whether the person has the technical and financial capacity to carry out the proposed maritime usage.

Prior to any final determination on a MAC application, MARA must issue a 'minded to determine' to the applicant, detailing its proposed determination on the MAC application, with reasons. An applicant has an opportunity to make a submission to MARA on the proposed determination, and MARA must take this submission into account before making a final determination on the application. There is no appeal to MARA's final determination on a MAC application.

MARA must make a determination on a MAC application within 90 days after MARA determines that the applicant has complied with all the requirements for application, to the extent that it is practicable for MARA to meet the 90-day deadline.

A holder of a MAC can apply to MARA to amend a MAC or assign the MAC to a third party. A MAC can also terminate



“MARA has been given responsibility to administer all existing foreshore authorisations (foreshore leases, licences, and consents), save for foreshore licences for aquaculture activity

by operation of law where a MAC holder experiences an insolvency event. The *MAP Act* contains a saver to the termination of a MAC in such circumstances by permitting the holder to assign the MAC to a third party.

A MAC is not required to carry out a maritime usage in the following cases:

- Where the person is the owner of the maritime area,
- Where the person holds a foreshore lease that contains a covenant requiring the person to carry out the proposed maritime usage,
- Where the person holds a foreshore licence that authorises the proposed maritime usage.



Application process preview

Dead calm

The *MAP Act* requires a MUL to be obtained from MARA for certain prescribed activities in the maritime area. These activities include marine environmental surveys, site investigations, certain dredging, and seaweed harvesting. Where a MUL is required, there is no requirement to obtain a MAC or a planning permission.

MARA has to carry out environmental assessments in respect of MUL applications. If an environmental impact assessment is required in respect of a proposed MUL activity, MARA is not entitled to grant a MUL, and an application for a MAC and a planning permission is required instead. MARA must also assess any proposed MUL activity as a competent authority under the *European Communities (Birds and Natural Habitats) Regulations 2011*. This involves undertaking an assessment process under these regulations to determine whether the activity can be carried out without adversely affecting the integrity of a 'Natura 2000' site.

MARA must also have regard to the State's obligations under various environmental European directives when considering a MUL application.

MARA may decide to grant, part grant, or refuse an application for a MUL. The 'minded to determine' procedure also operates in the same manner as detailed for the MAC process, as set out above.

MARA must make a determination on a MUL application within 30 days after it determines that the applicant has complied with all the requirements for the application, to the extent that it is practicable for MARA to meet the 30-day deadline. A holder of a MUL can apply to MARA to amend a MUL or assign the MUL to a third party.

MARA operates a prioritisation scoring system for MAC and MUL applications that prioritises applications that have a strategic national or European importance, and where applications relate to the State's national and regulatory priorities.

The cruel sea

MARA has been given responsibility to administer all existing foreshore authorisations (foreshore leases, licences, and consents), save for foreshore licences for aquaculture activity, which remain with the Minister for Agriculture, Food and the

“

The State's maritime area comprises an area that is ten times greater than Ireland's land mass, extending up to 200 nautical miles westward from the mainland. The maritime area extends from the high water of ordinary or medium tides to the outer limit of the continental shelf, and it contains the State's territorial sea and tidal rivers, the exclusive economic zone, and the continental shelf

Marine. MARA steps into the shoes of the Minister for Housing, Local Government and Heritage (or any other minister who has granted a foreshore authorisation) in respect of any existing foreshore authorisations.

The only statutory power remaining with the Minister for Housing, Local Government and Heritage in respect of foreshore authorisations is to complete any applications for foreshore authorisations received by the minister before 17 July 2023 (the date on which MARA was established).

MARA does not have any power to grant new foreshore authorisations. Instead, MARA's function is to manage the existing foreshore authorisations until they expire or until they are surrendered in favour of a MAC or a MUL.

Where a holder of a foreshore authorisation wishes to amend a foreshore authorisation or continue to occupy the maritime area for the same maritime usage beyond the term of the foreshore authorisation, the holder may surrender the foreshore authorisation and apply for a MAC or a MUL to continue the maritime usage.

This process also applies where a holder of a foreshore authorisation wishes to discontinue occupying the maritime area under the foreshore authorisation in favour of a third party who wishes to occupy the maritime area for the same maritime usage. In this case, the holder of the authorisation and the third party can make a joint application to surrender the foreshore authorisation and apply to MARA for a MAC or a MUL.

Sharknado 3

The *MAP Act* contains a pathway for a person to regularise any existing unauthorised maritime usage. A person may apply for a MAC or a MUL in relation to an unauthorised maritime usage within five years of 17 July 2023. In such case, MARA must assess the application as an existing maritime usage as opposed to a proposed maritime usage.

Where a person fails to apply for a MAC or a MUL to regularise an unauthorised maritime usage, MARA may take enforcement proceedings to deal with the

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IN-PERSON AND LIVE ONLINE COURSES

Date	Course	CPD Hours	Venue	Fee
11 March	Commercial & Complex Property Transactions Masterclass 2025	13 general (by elearning) plus 5 general (by group study)	Hybrid (online recordings, onsite at the Law Society of Ireland and via Zoom)	€495
18 March	Planning and Environmental Law Masterclass 2025	10 general (by elearning)	Online via Moodle and live Zoom Webinars	€350
19 March	Diploma in Legal Practice Management	Full requirement of CPD hours for 2025	Blended (online and onsite at the Law Society of Ireland)	€1,950
03 April	Irish Land Law – Conflicts and Challenges Summit	5 general (by group study)	Law Society of Ireland	€50
07 April	Certificate in Professional Education 2025	Full management and general CPD for 2025	Blended (online and onsite at the Law Society of Ireland)	€1,550
29 May	North West Practice Update 2025	Total 6 hours (by group study)	Lough Eske Castle Hotel, Lough Eske, Co. Donegal	€160
12 June	Essential Solicitor Update Limerick and Clare 2025	Total 6 Hours (by group study)	The Strand Hotel, Ennis Road, Limerick	€160

ONLINE, ON-DEMAND COURSES

Date	Course	CPD Hours	Fee
Available now	Legislative Drafting Processes & Policies	3 general (by elearning)	€230
Available now	International Arbitration in Ireland Hub	Up to 11.5 general (by elearning), depending on courses completed	€110
Available now	Professional Wellbeing Hub	Up to 23.5 hours (by elearning)	Comp
Available now	LegalED Talks - CPD Training Hub	Up to 6.5 hours (by elearning)	Comp
Available now	Practical Guide to Cybersecurity	3 client care and professional standards (by elearning)	€195
Available now	Legaltech Talks Hub	Depending on the course(s) completed	Comp
Available now	Common Law & Civil Law in the EU from a contractual perspective	2 general (by elearning)	€110
Available now	Regulation Matters Hub	Up to 4 client care and professional standards (including 2 accounting & AML compliance)	€195



unauthorised maritime usage.

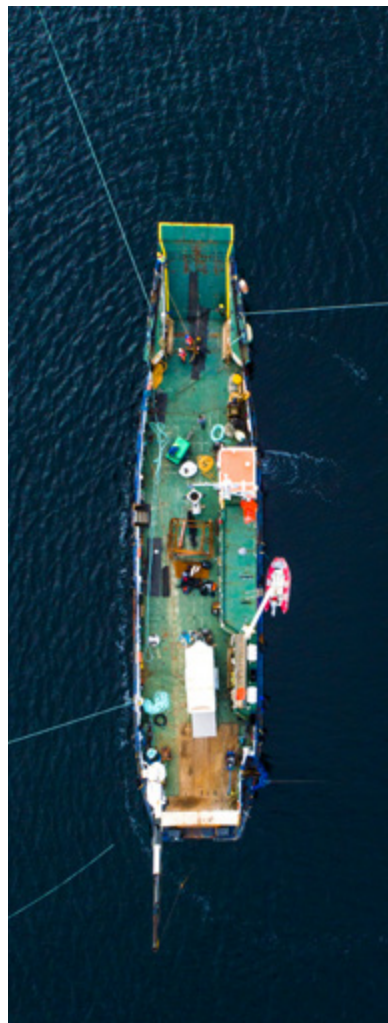
MARA has a compliance and enforcement function under the *MAP Act*, which permits MARA to take enforcement action against the holders of MACs or MULs for contraventions of MACs, MULs, or maritime development permissions ('authorisations'). The act granted MARA a variety of enforcement powers to deal with contraventions of authorisations. Fair procedures have been built into the operation of these powers to afford a person the opportunity to make representations to MARA at various stages of the enforcement process.

Where MARA suspects that a person may have contravened an authorisation, it may appoint an authorised officer to carry out an investigation. Where the investigation concludes that a contravention has been committed, MARA may impose a minor or major sanction, depending upon the gravity of the contravention.

A minor sanction may involve the issuance of advice, a caution, a warning, a reprimand, or any combination of these measures.

A major sanction may be imposed in certain circumstances and can involve the revocation or suspension of a MAC or a MUL, a financial penalty, the reimbursement of the cost of the investigation, or any combination of these measures. The imposition of a major sanction must be confirmed by the High Court.

The MAP Act requires a MUL to be obtained from MARA for certain prescribed activities in the maritime area. These activities include seaweed harvesting
(Pic: Shutterstock)



Separately, MARA may issue an enforcement notice upon a person who has contravened an authorisation. Where the contravention is not rectified, MARA may apply to the Circuit Court for an order compelling the person to comply with the enforcement notice.

MARA has the power to issue a special enforcement notice where the contravention is of sufficient gravity to warrant the revocation of a MAC or a MUL. Where the person does not comply with the special enforcement notice, MARA may issue a notice revoking the MAC or MUL. Any such revocation must be confirmed by the High Court if the person does not accept MARA's decision to revoke the MAC or MUL.

MARA has a further compliance and enforcement function under part VIII of the *Planning and Development Act 2000* to deal with unauthorised development in the maritime area. MARA may issue enforcement notices and take prosecutions or injunctions in respect of breaches of a planning permission or unauthorised development without a planning permission. This function relates to unauthorised development in the outer maritime area, which incorporates the entire maritime area, except for an area three nautical miles from the coastline, known as the 'nearshore area'. Coastal local authorities have been designated with the function to deal with unauthorised development within the nearshore area.

John C Healy is a deputy assistant chief state solicitor and former head of the MARA Section in the Chief State Solicitor's Office.

LOOK IT UP

- *European Communities (Birds and Natural Habitats) Regulations 2011*
- *Foreshore Act 1933*
- *Maritime Area Planning Act 2021*
- *Maritime Jurisdiction Act 2021*
- *Maritime Spatial Planning Directive (2014/89/EU)*
- *Planning and Development Act 2000*
- *UN Convention on the Law of the Sea*

Last of the independents

Veteran journalist Ray Managh has been a court reporter for 65 years. The *Gazette* steals his notebook

Colourful veteran journalist Ray Managh is a highly respected court reporter of 65 years' standing. He will be 82 on his next birthday. His news career began aged 17, on the *Tyrone Constitution*, the Unionist paper in his hometown of Omagh.

A flinty, yet twinkle-eyed Northerner, Ray believes that his entry into journalism broadened his mind. And the issue of the freedom of the press is close to his heart.

In May 2018, a disgruntled plaintiff shoulder-charged Ray at the Four Courts and stole his notebook. "He didn't damage me physically all that badly, but it was an awful attack on the freedom of the press. It had never happened to me as a reporter all through the Troubles," says Ray.

In January 2025, that person was convicted of assault and theft and sentenced to nine months, suspended. Ray asked that the €3,000 fine be given to charity.

Shadow play

Managh describes the recent media victory in Britain, reversing a ruling to [anonymise judges' names](#), as a great success for the press. "It is really heartening to see that ruling overturned," he says, which he describes as "very foolish".

"It would be ridiculous to think that judges could dispense justice in private. Justice must be dispensed in public. Thankfully, here, that's generally the way. No such claims for [judicial] anonymity, to my knowledge, have ever been made on this island – north or south. And that was at a time when judges were being murdered," he says, pointing to the bombing and shooting of several members of the judiciary in the North.

Managh also points to the late Circuit Court judge Jim

Carroll, who, if he was asked by lawyers to hear a case *in camera*, would respond "convince me!"

"I never heard any other judge use those words. A great judge; I loved him. He had a 'Victorian' attitude: there were no such thing as shops, always 'emporia'; no security people – they were 'private armies'.

"I haven't been asked to leave an *in camera* hearing for years now, because the judges know, and I know through experience, that I'm not allowed to use any evidence given in court that would identify any party."

Follow me

Sadly, the line of succession for experienced court reporters such as Ray, is far from secure.

"I don't know of any reporter who has shorthand at a good level, but the younger reporters are allowed to use phones and laptops," he says.

"I remember approaching a President of the Circuit [Court], when my hearing was beginning to go a little bit, and asking if he would mind if I recorded his judgments. He said, 'I wouldn't mind at all, providing you don't take them over to Hughes' [pub] and play them back and say listen to what this idiot across the way said today!'"

"I've always had brilliant shorthand, which I learnt in the Technical College in Omagh, after I failed the 11+."

Ray's first job on the *Tyrone Constitution* was secured on the basis of his superb 180-words-a-minute Pitman shorthand, good English, and excellent typing skills, even though the position was already promised elsewhere.

"From day one, I always wanted to be the star reporter. Eventually you would be taken with a senior reporter to county council and urban council meetings. You covered everything and

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If there hadn't been the Troubles and the civil-rights marches, Catholics would still be walked on in the North. Catholics always only got the jobs that Protestants didn't want to do. It was really awful looking back on it. Something had to blow



anything, and learnt the trade that way. And, of course, you covered courts and, very often, you would get a lift to the outlying District Courts with the judge concerned, who would call to give a lift to the local reporter. They all love publicity! They all love it, judges, barristers, solicitors. It's the way of getting their name out there."

Pistol-slapper blues

"We are very lucky with the judiciary we have here," Ray comments. "They are very fair, and straight, and honest."

If there is one criticism he has, however, it's that judges and barristers will sometimes, carelessly, push the microphone away, despite the Courts Service investing hugely in audio-visual equipment. (His slight hearing difficulty wasn't helped by bombs going off during the Troubles.)

"If justice is going to be dispensed in public, the guy at the back must be able to hear, instead of listening to whispering and murmurs from the bench."

As an ace reporter, Ray Managh broke many stories from the Circuit Civil Court, which he prefers to cover over criminal matters: "I don't think I would enjoy listening to rape and murder cases, day after day after day, although certain female reporters seem to handle it okay. In the civil court, it's different every day. Tomorrow a judge might say something wonderful. You're always looking for a good news line," he says.

Barley and grape rag

After the *Tyrone Constitution*, Ray moved to the *Belfast Telegraph* at the age of 23. "I lasted there for 11 months, before I got drunk at Stormont and was sacked the next day. Because of my good shorthand, I was on the parliamentary reporting team and Stormont only sat in the afternoons.

"In the morning, they sent me to a press conference of the licensed vintners associations ... I phoned in a front-page story and then lashed the drink into myself. I turned up at Stormont, fell in the swing doors and



It would be ridiculous to think that judges could dispense justice in private. Justice must be dispensed in public. Thankfully here, that's generally the way

had to be extricated by the RUC.

"The *Belfast Telegraph* had no further use for me. A fortnight later, I was headhunted by the BBC, where I worked for a year.

"I also got a job with the *Irish Press* in Dublin and, because of what happened in Stormont, the whole board of the *Press* group, including all the De Valeras, turned up for the interview, and had great fun. They enjoyed the story of my 'incompatibility' with the *Bel Tel* immensely, and they offered me the job. I turned it down for salary reasons.

"I was never, ever out of work because of what happened."

Shortly after being sacked, Ray had a world exclusive on his hands when he broke the story of what is thought to be the first murder of a Catholic during the Troubles in Belfast.

In an unremarkable occurrence for 1966, four Catholic barmen from the International Hotel went to the Malvern Arms in the Shankill for a late drink after work. Barman Peter Ward was shot dead and two of his companions were seriously wounded.

In Belfast, Ray also witnessed a breeze block being thrown at the bonnet of the late Queen Elizabeth's Rolls Royce.

"The car took off like a shot, but before it did, Prince Philip threw himself over the Queen, to protect her."

Ray rang the BBC newsroom with the story and heard his colleague who answered say: 'I've a feeling Managh's back on the drink – he's just told me the Queen has been attacked on Great Victoria Street!'

"Another exclusive, but they had to check it out first – boy, was I happy!" says Ray.

Calling card

Managh also wrote exclusively about the British Army's looting of Belfast shops for valuables, such as Irish linen and Waterford glass, which left for England with departing squaddies.

"There was nobody charged until I broke the story – then nine soldiers were charged and just one jailed, and he was sent back to England to do his sentence."

Ray's own nephew, Howard Donaghy, a



23-year-old police reservist, was shot dead by the IRA in 1978 outside Omagh.

Despite this grievous loss, as well as that of several school pals, he comments: “If there hadn’t been the Troubles and the civil-rights marches, Catholics would still be walked on in the North. Catholics always only got the jobs that Protestants didn’t want to do. It was really awful looking back on it. Something had to blow, and by Jesus, it blew big time.”

Bought and sold

Ray was eventually headhunted by the *Irish Independent* in Dublin, in 1974, who then sent him to their Belfast office.

“I jumped at it – the money was much better. There was a watertight *Indo* house agreement, negotiated by John Devine, who later led the NUJ and was honoured for services to journalism.”

Eventually Ray moved down to Dublin: “I always loved Dublin. It was just coming to life when I moved down in 1978. I never once was asked my religion down here.”

In 1993, at the age of 50, Managh

started his own court-reporting agency, which enjoyed tremendous success, both training and employing several journalists and filing copy to numerous news organisations.

“I think newspapers made a huge mistake when they did away with subediting. A lot of copy was going straight into the newspaper, without edits.

“The columnists were just let run riot, to this day. A lot of it is waffle. News suffered because of that, and court coverage suffered.”

At almost 82, Ray has no intention of slowing down.

“Why would I give it up? In 30 years, I’ve never been hit for libel. It gets me out of the bed, into town, and I meet all my friends, barristers and solicitors.

“I’ve always enjoyed my work. For a numbers of years, I worked 52 weeks a year. I’ve looked on my work as a hobby that I’m getting paid for. If I say it myself, I was always good at it. I love it.”

Mary Hallissey is a journalist with the Law Society Gazette.

Decision theory

A new decision-making framework signifies a generational shift in Irish capacity law, one that positions the relevant person's will and preferences above the once dominant paternalistic viewpoint. Stephen Walsh explains

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he *Assisted Decision-Making (Capacity) Act 2015* heralded a transformative moment in Irish law, supplanting

an 'all-or-nothing' wardship system with a rights-based framework that places autonomy at its core. Key to this evolution is the decision-making representation order (DMRO), which empowers courts to appoint a decision-making representative (DMR) when less restrictive supports (such as co-decision-making) prove inadequate. While the decision-making representation order strengthens respect for the individual's will and preferences, it has also laid bare a host of practical challenges – from simmering family tensions to the intricate demands of properly assessing capacity under the act's functional model.

Rights-based capacity

Before the act came into force, wardship operated on the premise that a person deemed 'of unsound mind' lacked the ability

to make decisions across the board. This binary approach left little space for the person's voice or for fluctuating capacity.

By contrast, the act embraces functional capacity: a person is assessed, decision by decision, taking account of whether they can understand, retain, and weigh relevant information, and communicate a choice. Section 8 of the act embodies the principle that a person's capacity must be supported wherever possible, including measures to ascertain or facilitate their will and preferences.

This approach contrasts sharply with the old wardship model, which tended to view capacity as a single, all-or-nothing trait. In *Joan Doe v HSE* (2023), O'Connor J emphasised that "the court must be mindful of the fact that a person not having the ability to make a decision on a particular matter does not mean that their wishes are to be totally disregarded".

This recognition demonstrates a shift toward understanding capacity as a situational concept rather than a static one, capable of emerging or strengthening, once appropriate supports are in place.



Tiered framework

The act envisions a tiered framework of decision-making supports, where a DMR becomes necessary only when a person cannot make specific decisions, even with appropriate assistance. Once appointed, the DMR must follow the individual's will and preferences, rather than substituting their own notion of 'best interests'. While this model starkly departs from older paternalistic practices, it can also pose real-world dilemmas when concerns about a person's welfare intersect with their autonomy.

A recent illustration arises with *In the matter of MA* (2024), where the court affirmed that maintaining a structured residential placement, complete with regulated family contact, was essential to the relevant person's wellbeing. Although the individual's expressed desire was to live elsewhere, the court's orders recognised that her capacity-related challenges necessitated a supportive environment to prevent potential risks.

This decision underscores how respecting autonomy under the act does not mean dismissing genuine safety or care needs. For solicitors, the lesson is clear: even when a DMR must manage practical necessities, the guiding principle remains the person's own wishes, so far as they can be ascertained, tempered by the need to ensure day-to-day security and support.

Solid foundation

Section 3 of the act frames capacity as a functional concept, moving beyond a simple medical label. Rather than concluding someone 'lacks capacity' altogether, an assessor must look at each decision in isolation, determining whether the person can understand, retain, and use or weigh the relevant information and communicate a choice in any way, be that orally, in writing, through assistive technology, or otherwise. A widely used 'Part 5' template illustrates how this process should be documented, including details of the person's past and present beliefs, the complexity of the decision in question, and any supportive measures that might enable them to make that choice.

Although the act does not stipulate who must carry out such assessments, in practice, GPs and other medical practitioners currently produce the bulk of capacity reports, sometimes relying on a standard medical form rather than the more granular functional approach envisioned by the act. In *CF* (2023), for instance, the High Court reinforced that a blanket diagnosis of dementia was insufficient to prove incapacity across all domains; instead, the court needed evidence of how the individual's cognitive challenges specifically affected each decision.

Because a person may be perfectly capable of deciding on everyday financial matters, yet struggle with more complex property transactions, the act stresses the importance of detailing any available supports (for



If we accept that 'voice' is the core of truly rights-based capacity law, we edge ever closer to an Ireland in which autonomy is not merely an aspiration, but a lived reality, even for those with complex support needs

example, simplified explanations or a co-decision-maker). If a report lumps every decision into one sweeping statement of incapacity or overlooks practical ways to enhance decision-making, the courts may find that a DMR has been prematurely appointed. For solicitors, therefore, ensuring the functional assessment is suitably tailored, covering the exact decisions at issue and the supports employed, is central to upholding the act's ethos: enabling the person's autonomy rather than sidelining them.

Evidential hurdles

Although the act places considerable emphasis on hearing the relevant person's voice, it offers only general guidance on how to achieve this, particularly when capacity issues make active participation stressful or impractical. Section 139 presumes that the relevant person will attend court (in person or by video-link) but, in reality, many individuals at the centre of capacity proceedings cannot meaningfully engage due to the very issues in dispute, and the prospect of a formal hearing may exacerbate their distress.

Independent advocacy organisations, such as Sage Advocacy, try to close this gap by producing reports that convey the person's will and preferences. However, these resources are frequently strained. Legal-aid provisions allow for the appointment of an 'independent solicitor' to protect the relevant person's rights and, in the absence of a dedicated advocacy report, that solicitor could adopt a dual role: with careful communication, they could submit an affidavit articulating the person's views.

Although some judges differentiate between an advocate's report and an independent solicitor's affidavit, nothing in the act precludes the solicitor from fulfilling both functions, provided they remain strictly faithful to the client's expressed wishes, rather than advancing a 'best-interests' approach.

This dual role is crucial where the relevant person cannot handle the strain of a personal or remote appearance. By allowing either an independent solicitor or an independent advocate to step in and capture the individual's voice, the act's core commitment to autonomy is more likely to be honoured, even when practical or clinical limitations

prevent the person from attending court in the usual manner.

Disputes over who should serve as DMR often cast a spotlight on the emotionally charged dimension of capacity law. Sometimes, siblings or other relatives believe that they alone can uphold the relevant person's will and preferences, yet end up clashing in ways that overshadow the individual's actual needs.

In *Joan Doe*, for instance, the siblings insisted that they were best suited to care for their sister, but O'Connor J concluded that "too many issues had been raised in the court which indicated a serious conflict of interest". The court instead appointed an independent decision-making representative from the Decision Support Service panel.

A similar tension emerged in *AB* (2024), where family members sought an order transferring property in the name of a loved one, but failed to persuade the judge that it matched the person's past or present will and preferences. In rejecting the application, the court stressed that "communication difficulties do not equate with reduced decision-making capacity", highlighting how vital it is to ascertain the individual's authentic wishes.

These rulings confirm that, while family input is important, judges will look beyond personal rivalries to protect the relevant person's welfare and autonomy. Conflict alone rarely disqualifies relatives, but if a family feud threatens to submerge the person's voice or run counter to their best interests, the court may opt for an independent DMR, thereby honouring the act's commitment to centring the individual's rights above all else.

Ethical considerations

By directing DMRs to respect the individual's decisions, even if they seem unwise, section 38 of the act embraces the concept often referred to as 'dignity of risk'. In practice, this can spark a healthy tension between preserving the person's welfare and upholding their freedom to make a choice that might appear precarious. Truly respecting autonomy means acknowledging the right to self-determination, even when outcomes are uncertain.

For solicitors, such scenarios pose a familiar dilemma. Advising a client who insists on a risky financial venture or a controversial medical refusal might sit uneasily with concerns for their wellbeing. Yet the act's key message is that paternalism must not override the person's express will and preferences, unless absolutely necessary. As long as the individual has made their voice clear through the act's formal processes, the law permits them to choose their own path, wise or unwise though it may appear.

Charting the next chapter


The decision-making representation order framework marks more than a legislative tweak: it signifies a generational shift in Irish capacity law, one that positions the relevant person's will and preferences above the once-



dominant paternalistic viewpoint. Courts have emphasised that capacity is context driven, that family tensions cannot eclipse an individual's autonomy, and that a flurry of medical opinions alone does not justify removing someone from their own decision-making role.

Yet the new model is not without its growing pains: uncertainty around how best to amplify the relevant person's voice, the challenge of obtaining robust functional-capacity assessments, and fraught family disputes have kept practitioners on their toes.

Still, the act's promise remains clear: real progress depends on empowering rather than displacing. For solicitors, medical practitioners and families alike, this requires vigilance in tailoring supports, a careful approach to conflict resolution, and an unwavering commitment to hearing the individual at every turn. If we accept that 'voice' is the core of truly rights-based capacity law, we edge ever closer to an Ireland in which autonomy is not merely an aspiration, but a lived reality, even for those with complex support needs.

Stephen Walsh is the principal solicitor at Stephen Walsh & Co, Solicitors, in Naas, Co Kildare. 

LOOK IT UP

CASES:

- *In the matter of CF (a ward of court)* [2023] IEHC 321
- *In the matter of MA (a ward of court)* [2024] IEHC 496
- *In the matter of the Assisted Decision-Making (Capacity) Act 2015, as amended, and in the matter of Joan Doe* [2023] IECC 10
- *In the matter of the Assisted Decision-Making (Capacity) Act 2015 and in the matter of AB* [2024] IECC 16

LEGISLATION:

- *Assisted Decision-Making (Capacity) Act 2015*
- *Convention on the Rights of Persons with Disabilities*, article 12



What lies beneath

Transparency and full financial disclosure have long been the cornerstones of equitable divorce settlements. But what about when parties withhold or misrepresent financial information? Ciara McLoughlin checks under the iceberg

In 2024, the issues of transparency and financial disclosure were brought into focus in a series of High Court judgments highlighting that, when parties withhold or misrepresent financial information, it complicates judicial determinations, undermines fairness – and often backfires. The judgments aserve to remind both clients and practitioners of the importance of full financial disclosure and to warn of the serious consequences of financial deception.

Family loans

In *LJ v PE*, the respondent (wife) claimed to have repaid €77,000 in family loans during the separation. However, the timing and documentation of these repayments were a significant issue. Jackson J expressed concern about the lack of clarity and evidence of the repayments, noting that they were made “on the cusp of proceedings”.

The court found that the respondent’s affidavit of means referenced family debt at a maximum of €62,000. This contradicted the later claim of €77,000 being repaid, which raised doubts about the completeness and accuracy of her financial disclosures. Further, a payment of €19,000 just prior to

the hearing lacked clear explanation and did not align with her stated legal fees.

Jackson J concluded that the respondent likely retained more financial resources than she claimed, estimating her true deposit for purchasing accommodation to be closer to €120,000, rather than the €100,000 that she had stated. The court noted that the discrepancies, and the vague explanations surrounding the repayments, diminished the credibility of her financial position.

This case highlights the critical importance of full and complete financial disclosure, particularly when large transactions are made near the time of the legal proceedings. Ultimately, the court’s analysis of the respondent’s loan repayments underscores the principle that vague or poorly supported claims can negatively impact ancillary relief awards in divorce proceedings.

Undisclosed income

RJ v EK involved an application by the respondent (husband) to discharge a spousal maintenance order that had been in place since 2005. The court ultimately granted the discharge, concluding that the applicant’s financial circumstances had improved significantly and that she no longer required

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Courts rely on verifiable evidence to adjudicate financial disputes. Parties who fail to provide traceable records risk unfavourable outcomes, as the burden of proof lies with those making the claims

maintenance. However, the judgment also highlighted issues surrounding financial transparency and disclosure on both sides.

The applicant (wife) accused the respondent of having undisclosed rental income and a gambling account, though these claims were not substantiated. The respondent, in turn, alleged that the applicant had additional income from short-term rentals or student homestays. While the applicant denied continuing such activities, she acknowledged that she previously received income from these sources and accepted that her home had been listed for such rental purposes.

It is clear that incomplete or vague financial disclosures from both parties hindered the court's ability to fully assess their financial positions. Despite the lack of concrete evidence, the judge formed the view that “each of the parties has some additional income derived from offering accommodation to third parties”, which underscores the suspicion that neither party had been fully transparent. This lack of transparency may have influenced the court's ultimate finding that the applicant's financial position was sufficiently strong to justify discharging the maintenance order.

RJ v EK demonstrates that, where there is incomplete disclosure, the court is required to fill in the gaps using the evidence it has before it. Like *LJ v PE*, this case reiterates the fact that unsubstantiated claims and incomplete disclosures not only weaken a party's credibility, but also risk adverse outcomes in litigation.

Concealed award

In *CCK v SLK*, the respondent (wife) deliberately concealed a €100,000 personal injuries award by omitting it from her affidavit of means and failing to disclose it during earlier stages of the proceedings. The award only came to light during the Circuit Court case, where the respondent initially claimed the funds had already been spent. However, this was later proven false, as she failed to account for the majority of the money.

The court included €45,000 of the personal injuries award in the marital pot, despite the respondent's attempts

'Life is an ocean,
and love is a boat,
in troubled water...
aaarrgh!'



to conceal it. Jackson J allocated one-third of this amount (€15,000) to the appellant (husband), explicitly linking the allocation to the respondent's litigation misconduct. The judgment underscored that non-disclosure disrupts the court's ability to make equitable determinations. Jackson J noted that, while litigation misconduct is often dealt with through costs orders, she expressly addressed it in this case by adjusting the allocation of the personal-injuries award, and in her treatment of the joint savings of the parties.

Notably, the appellant also engaged in financial misconduct by failing to disclose a savings account that had a balance of €6,500 before the separation. Although it is unclear what was in the account at the time of distribution, the court awarded the entire amount to the appellant. Jackson J linked this decision to the wife's earlier dishonesty, which had undermined her standing before the court. It should be noted that, while both spouses engaged in litigation misconduct, the respondent's more egregious concealment of significant assets led to more severe consequences.

Jackson J emphasised that non-disclosure is a particularly serious form of litigation misconduct because it impairs the court's constitutional duty to ensure proper provision. This case demonstrates that deliberate dishonesty not only erodes trust in the judicial process but also backfires, often resulting in less favourable outcomes for the dishonest party.

Verifiable evidence

In *FF v SB*, financial transparency played a central role, as both parties presented conflicting accounts regarding their assets and transactions. Jackson J repeatedly highlighted the challenges caused by untraceable financial dealings and stressed the importance of verifiable evidence in court.

The respondent (husband) was accused of failing to disclose several accounts and transactions, including a KBC account and savings invested to provide bridging finance to his mother. Although the respondent claimed the funds were returned, the lack of a full paper trail hindered the court's ability to verify these claims. Jackson J noted that this lack of



Photo: Alamy

documentation “did not help transparency”. The respondent was also accused of earning significant cash income through building works. While the court accepted that some cash income existed, the judge found that the precise amounts and dates of these earnings were unclear and that she was not informed of same, which made it difficult to quantify the financial impact.

The respondent alleged that the applicant (wife) had undisclosed accounts, including a PTSB term deposit account. Jackson J reviewed these claims, but ultimately concluded that the applicant’s explanations were credible and supported by evidence. She noted that “while it is most likely that these accounts were merged with others over the years, I simply cannot be certain of this on the evidence before me”.

Jackson J underscored the importance of clearly vouched evidence in financial disputes. She emphasised that vague claims or incomplete documentation undermine the court’s ability to make equitable determinations. In addressing the respondent’s lack of evidence to support certain claims, she observed that transparency is a prerequisite for credibility in financial matters.

Given the prolonged delays and conflicting accounts, the judge ordered the sale of the family home against the respondent’s wishes. She concluded that the respondent’s claims of having access to sufficient funds to buy out the applicant’s share were “somewhat opaque” and unsupported by verifiable evidence. The proceeds from the sale were to be divided equally.

The judgment in *FF v SB* reinforces the principle that courts rely on verifiable evidence to adjudicate financial disputes. Parties who fail to provide traceable records risk unfavourable outcomes, as the burden of proof lies with those making the claims.

Financial manoeuvring

Significant deficiencies and inconsistencies in financial disclosure were also central to the decision in *BS v SR*. The respondent (husband), while earning a combined income


Divorce

of €2,528.93 per month, failed to disclose certain assets, including a bank account and late-disclosed transactions on a Revolut account. His explanations for cash lodgements on this account were deemed “somewhat unconvincing”. The respondent’s rental arrangement also raised concerns, as he paid an unusually low rent, and the specifics of this favourable arrangement were not fully explained.

Similarly, the applicant (wife) failed to account for substantial income sources. Despite declaring only €230.20 per week in social welfare income in her most recent affidavit, evidence revealed approximately €19,000 in additional income over a 12-month period. This income included childminding earnings and significant financial contributions from her new partner (none of which were evident in her affidavit of means). Furthermore, the applicant omitted earnings from hosting lodgers in her home, a practice she had engaged in previously. Jackson J highlighted the unusual nature of the applicant’s contention that she was allowing two adults to reside in her home without payment, particularly in circumstances where one of them operated a business from the property. Ultimately, the court concluded that “the evidence given was most likely understating or misstating the financial circumstances”. This suggests a significant dent in the applicant’s credibility regarding her financial situation.

Both parties’ financial positions were scrutinised meticulously by the court, and it is evident that their lack of transparency damaged their credibility. As a result, the court was tasked with filling in the gaps of an incomplete financial picture. Parties should be reminded to engage honestly in divorce proceedings to prevent burdening the court and compromising the fairness of the judicial process.

Stark reminder

These recent High Court decisions act as a stark reminder that financial transparency is crucial in divorce proceedings. Parties who fail to provide full and accurate financial disclosure risk jeopardising their credibility, forfeiting a greater share of their assets, and facing adverse outcomes. 

Ciara McLoughlin is a barrister completing her LLM in family law as a Hauser Global Scholar and George Moore Scholar at New York University.

LOOK IT UP

CASES:

- *BS v SR* [2024] IEHC 736
- *LJ v PE* [2024] IEHC 181
- *CCK v SLK* [2024] IEHC 492
- *RJ v EK* [2024] IEHC 185
- *FF v SB* [2024] IEHC 745

Shaping Ireland's legal future

2024 statistics on the solicitors' profession provide valuable insights into the future trajectory of legal services, the potential for long-term sustainability, and the sector's ability to adapt to society's needs. Mark Garrett reports

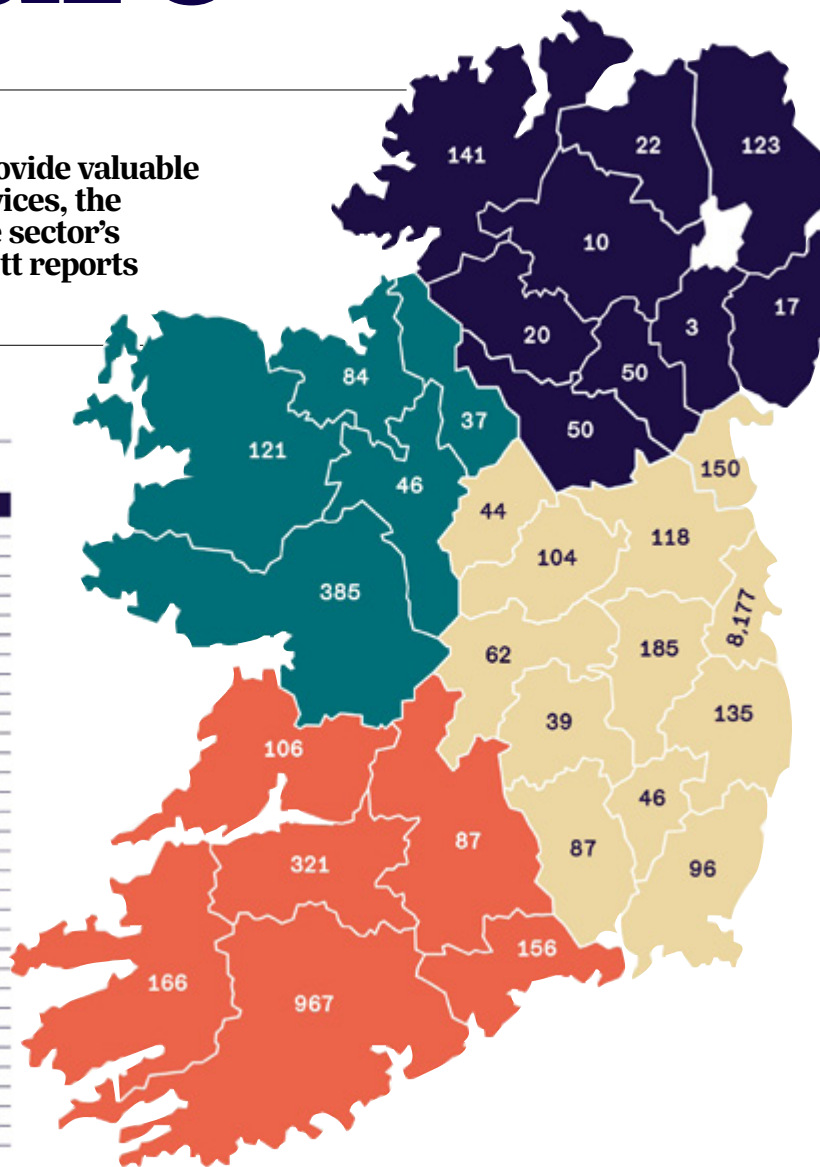
The Irish legal profession, like many sectors globally, has experienced a turbulent, yet resilient, few years. Despite the setbacks caused by global challenges, such as the COVID-19 pandemic, the sector has demonstrated adaptability and has largely returned to its pre-pandemic employment levels.

As the Irish legal landscape continued to evolve in 2024, certain key issues remain prominent – the demand for legal services, the cost of those services, and the accessibility of the profession itself. A deeper dive into these critical themes provides insight into the future trajectory of legal services in Ireland, the potential for long-term sustainability, and the sector's ability to adapt to the changing needs of society.

A mixed outlook

In 2024, the demand for legal services in Ireland reveals an upward trajectory driven by several factors, including an expanding economy and increasing complexity in commercial, financial, and technological sectors. According to the *SOLAS National Skills Bulletin 2024*, employment in

County	
Antrim	123
Armagh	3
Carlow	46
Cavan	50
Clare	106
Cork	967
Derry	22
Donegal	141
Down	17
Dublin	8,177
Fermanagh	4
Galway	385
Kerry	166
Kildare	185
Kilkenny	87
Laois	39
Leitrim	37
Limerick	321
Longford	44
Louth	150
Mayo	121
Meath	118
Monaghan	50
Offaly	62
Roscommon	46
Sligo	84
Tipperary	156
Tyrone	10
Waterford	123
Westmeath	104
Wexford	96
Wicklow	135



the sector saw a rise of 2,800 in 2023, with over 16,500 professionals employed. This marks a return to pre-pandemic levels and highlights the resilience of the sector, with solicitors making up the majority of those employed.

In 2024, the number of solicitors on the Roll has continued to grow, with over 12,000 practising solicitors registered with the Law Society. The average annual growth rate over the past five years stands at 3.7%, which is among the

	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)

highest for those in legal and security occupations.

Notably, large law firms based in Dublin and Cork report a generally positive outlook, reflecting the buoyancy of the wider economy and an increased intake of trainee solicitors. This trend is largely driven by Ireland's growing role as a hub for global financial services, life sciences,

aviation, and technology industries – sectors requiring specialist legal expertise.

As these industries expand, so too does the demand for highly skilled solicitors, particularly those with experience in complex legal matters like mergers and acquisitions, intellectual property, and international trade law.

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The 65% of sole practitioners aged 50+ indicates a looming challenge in the availability of legal services in rural areas unless new strategies for succession planning and workforce development are implemented

Looming challenge

However, the story is not entirely one of growth and optimism. Smaller, regional firms report a more cautious sentiment, with many facing unique challenges, such as recruitment and retention issues. A significant portion of solicitors in these smaller practices are over 50 years of age. With a large number of these expected to retire in the coming years, the future sustainability of these law firms remains uncertain.

The 65% of sole practitioners aged 50+ indicates a looming challenge in the availability of legal services in rural areas unless new strategies for succession planning and workforce development are implemented. A suite of targeted supports is required to safeguard access to small legal practices in rural communities.

Affordability of legal services

The cost of legal services remains a contentious issue in Ireland, with ongoing debates about whether these services are priced reasonably for the average consumer. The Services Producer Price Index (SPPI), compiled by the Central Statistics Office, shows that the price growth for legal services was modest, at just under 2% in Q3 2024 – much lower than in sectors like real estate or transport. In addition, the annual rate of inflation for legal services dropped from 2.6% in early 2024 to just 0.6% by year end.

While costs have remained relatively flat in the past year, the Law Society, in its *Budget 2025 Submission*, called for an increase in legal-aid fees and payments to solicitors to ensure access to justice for the most vulnerable of consumers. The current system clearly no longer reflects the rising complexity of legal work or the substantial increase in associated costs and expenses (not to mention inflation)

that have arisen since the 2008 financial crisis.

The Law Society has strongly advocated for reforms to the legal-aid system. We have called for the restoration of criminal legal-aid funding to pre-2008 levels, enabling solicitors – especially those in smaller practices – to effectively serve their clients. Without this restoration, many solicitors will continue to struggle to sustain legal-aid case work, potentially leaving large sections of the population without access to adequate legal representation.

Following similar calls from the Bar of Ireland for the full restoration of cuts made around 15 years ago, the Government committed to an 8% rise in fees for criminal legal aid from 1 January 2025.

In addition, the Law Society has been calling for an increase in the eligibility thresholds for civil legal aid, which have remained largely unchanged since the financial crisis. These reforms are crucial to ensure that legal services are accessible to everyone – regardless of their financial circumstances.

On a positive note, complaints related to excessive legal costs have been declining, with only 22 complaints recorded in the 12 months leading up to September 2024 – down from 51 in the previous year.

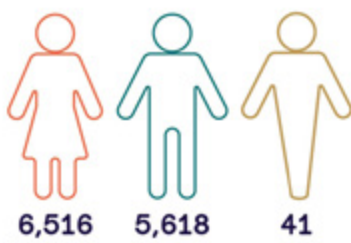
Quality and accessibility

The admission policies for the legal profession in Ireland are designed to maintain high standards of education and training, at a reasonable cost, while ensuring that legal services remain accessible.

Ensuring the availability of legal services at a reasonable cost also requires a robust framework for education and training standards. In order to better meet public demand and ensure the representativeness of the general public in the profession, the Law Society consistently supports a variety of learning models, offering part-time and

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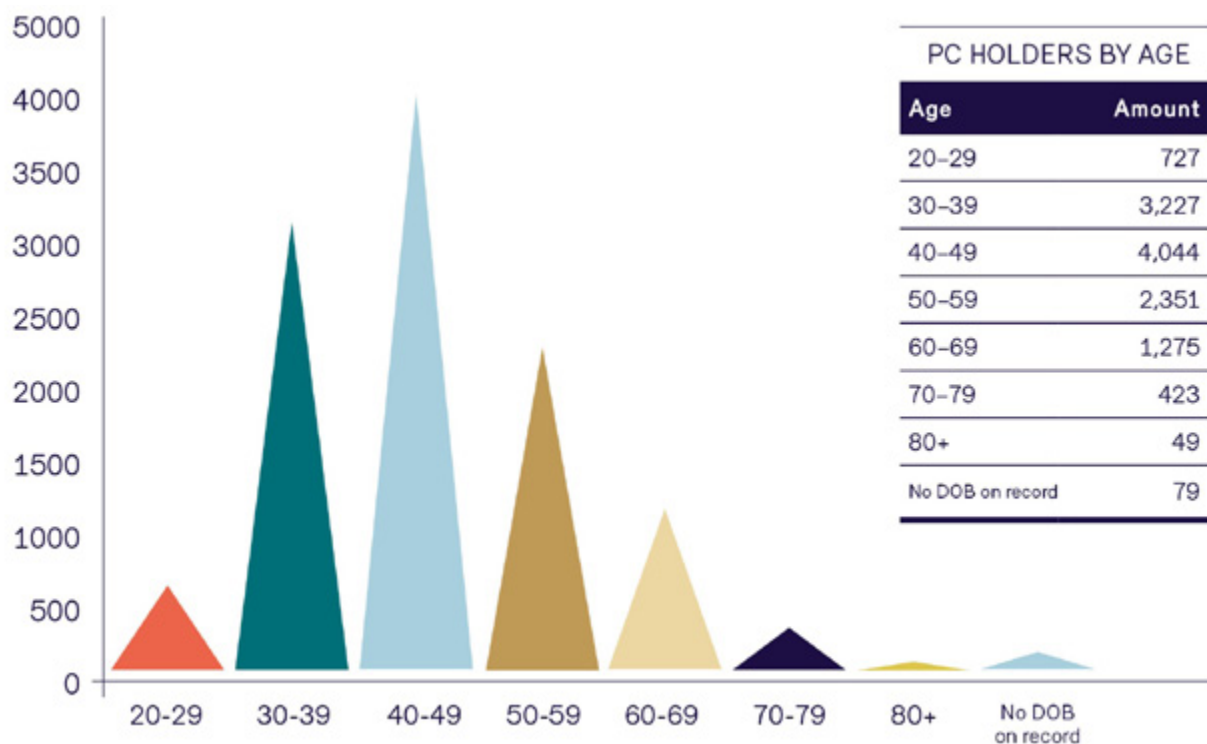
We have been innovative in providing alternative routes into the profession. The introduction of the PPC Hybrid model – a flexible, part-time professional practice course – has been one of the most notable initiatives in this regard



PC HOLDERS BY GENDER	
Gender	Count of Gender
Female	6,516
Male	5,618
Other	41
Total	12,175



Director General Mark Garrett



remote routes into law.

We are currently examining a solicitor apprenticeship model as a new route to qualification for school leavers. This should help address the shortage of solicitors in regional areas. By offering apprenticeship opportunities, we hope to continue lowering entry barriers, particularly for students who might not have access to the traditional academic pathways into law.

Innovative approach

We have been innovative in providing alternative routes into the profession. The introduction of the PPC Hybrid model – a flexible, part-time professional practice course – has been one of the most notable initiatives in this regard. The sixth PPC Hybrid course was launched in December 2024. This route allows trainees to work while completing their studies, reducing financial burdens and increasing access for those with family or other commitments.

This innovative approach is particularly relevant for mature students or those from socio-economically disadvantaged backgrounds, helping to diversify the profession and ensure that a wider range of perspectives are represented in the legal system.

Solicitors play an integral role in

shaping the future of the legal system.

Their responsibilities extend beyond providing legal advice and representation – they are also key advocates for reforms that enhance public access to justice.

The Law Society has consistently called for greater investment in alternative dispute resolution (ADR), which helps to alleviate pressure on the courts and reduce the cost and time associated with litigation. By expanding access to mediation and other forms of ADR, solicitors can help clients resolve disputes in a more efficient and cost-effective manner.

Family justice is another area where solicitors have a pivotal role to play. The *Family Courts Act 2024* represents a significant step toward modernising Ireland's family-justice system, but the Law Society cautions that adequate resources must be put in place for it to succeed. Solicitors are actively engaged in ensuring its effective implementation.

Better resourcing

The Law Society continues to call for better resourcing of the family courts. It has been advocating for the creation of the dedicated Family Courts complex in Hammond Lane, Dublin, and in other locations throughout the country.

As the Irish legal profession continues to navigate the complexities of 2024, several key challenges and opportunities lie ahead. While the demand for legal services is growing, particularly in urban areas, smaller regional firms face difficulties related to recruitment, retention, and succession planning.

The cost of legal services remains a sensitive issue, and there is a pressing need for reforms to ensure that justice remains accessible to all. The efforts of the Law Society to introduce flexible training routes and advocate for legal-aid reform are crucial in ensuring the sustainability of the profession, and its ability to serve the public interest.

As Ireland moves forward, there is a clear recognition that solicitors will continue to play a vital role in upholding the rule of law, ensuring access to justice, and contributing to the ongoing evolution of the legal system. By embracing innovation, diversifying training pathways, and advocating for necessary reforms, the Irish legal profession can navigate the challenges of the present and continue to serve as a cornerstone of a fair and equitable society.

Mark Garrett is Director General of the Law Society.

BIG data

The remit of the Law Society's IP and Data Protection Committee is getting broader. A key part of its role is to engage with regulators, so that they, the committee, and lawyers in the field reap the benefits. Mary Hallissey reports

The Law Society's IP and Data Protection Committee began life simply as the Intellectual Property Committee but, given the pace of technological change, its remit has expanded in recent years. Committee chair Elaine Morrissey, aided by vice-chair Gerard Kelly (MHC) and Ruth Tracey as committee secretary, took over the role in January this year.

Elaine explains that data-protection lawyers – more broadly referred to as 'tech lawyers' – wrangle with an ever-increasing array of fast-changing legislation, including artificial intelligence regulations.

"It's like a whirlwind in terms of legislation, so that is the most challenging piece as a practitioner, but also for the committee. It's a steep learning curve," she says.

Just recently, the European Commission quashed two major pieces of proposed legislation – the [ePrivacy Regulation](#) and the [AI Liability Directive](#). The former aimed to defragment cookies and tracking-technology compliance across Europe, and had been in the works since 2017. It was intended to take effect alongside the EU [General Data Protection Regulation](#), which entered into force in 2018.

I think many practitioners working with clients across Europe might have preferred the [e-privacy] regulation to come in. It's fair to say there are mixed views in relation to the decision-making



"I think many practitioners working with clients across Europe might have preferred the [e-privacy] regulation to come in," notes Elaine. "It's fair to say there are mixed views in relation to the decision-making."

AI robot

The suppression of the *AI Liability Directive* was noted in the European Commission's 2025 work programme, adopted on 11 February 2025 and presented to the European Parliament on 12 February. It could be construed as demonstrating the political landscape's impact on regulation and its consequences for businesses and lawyers working in the field. "That, again, is something our committee needs to consider in terms of impact on those practising in the area," says Elaine.

The committee interacts frequently with the various regulators for online safety, data protection, and media. Certain existing regulators including the Data Protection Commission and Coimisiún na Meán, have been given additional powers under the EU *AI Act*, the committee chair points out.

"Naturally, AI and data protection go hand in hand, so the regulators have been very vocal and are already active in the AI regulatory space," she says. "Our remit is getting broader, and engaging with regulators is a key part of the work we do,

though that is very much a two-way engagement, of course," she adds. "It is important that the regulator, the committee, and the profession get the benefit of these engagements."

The IP and Data Protection Committee is also awaiting the announcement of the national competent authority(ies) under the EU *AI Act* – and whether this will be another stakeholder with which it will need to engage. This announcement is expected by August this year.

Winds of change

With this welter of legislative change approaching, the committee hopes to publish extra guidance and become even more visible to practitioners, leveraging the considerable expertise of its





All pics: Cian Redmond

Vice-chair Gerard Kelly with chair Elaine Morrissey

20-plus members. Its members often speak at Law Society Skillnet updates and through *Gazette* articles: “I think you will see our members popping up at a lot more Law Society events,” Elaine comments.

“We will focus on publishing practical information updates to help with the deluge of information practitioners are working through. We have been collaborating with other committees as well, because we see the benefit of regular engagement with touchpoints of other specialist lawyers.”

An intellectual-property seminar is also in the works, given developments in the area.

There is a breadth of expertise on the committee, which includes experts from large

law firms, boutique firms, and in-house legal teams. Some members are IP specialists, while others focus on data protection, AI governance, and tech regulation. “We have a number of experts on the media and copyright side as well,” explains Elaine.

Second foundation

Though now practising at the intersection of data protection, privacy, and AI – and currently a privacy consultant at Dell Technologies – Elaine Morrissey began her training in a general practice in Tipperary.

She benefited greatly from the guidance of solicitor Joseph Kelly in Templemore back in 2005. “The amazing mentoring I got from Joe Kelly has always stood to me. I couldn’t have asked for a better mentor,” she comments.

Elaine eventually moved on to DAC Beachcroft in Dublin, where she was instructed in relation to one of the largest reported cyberattacks in Ireland at the time, which affected data subjects all across Europe.

Subsequently, at McDowell Purcell in Dublin, she gravitated towards data-protection law and freedom-of-information work, as well as public and regulatory law. She also assisted clients in preparing for the GDPR.

This led to a role at the global giant ICON, building out their data-privacy programme and AI governance programme, and serving as privacy manager legal counsel.

Edge of tomorrow

“I was looking for ways to stay on top of all the various developments when I joined the committee in 2016. It’s been a continuous baptism of fire ever since.

“I love the committee – it’s been one of the best things I’ve ever been part of – and the

members are amazing. I’m looking forward to making an impact as chair. There are definitely things I want to achieve this year.”

She has plans to increase the committee’s visibility through publishing practical articles, hosting an IP seminar, and engaging with other committees on relevant issues.

Elaine also points to several key areas in the Programme for Government 2025 that are particularly relevant to the committee’s role: “We will be closely monitoring these developments,” she explains.

For instance, the programme refers to intellectual property rights for medicines, investment in the Data Protection Commission and ensuring the commission has the resources to fulfil its mandate effectively, and Ireland as a leader in the digital economy and AI.

Also on the committee’s radar are amendments related to the *Electoral Reform Act*’s misinformation provisions and the broader intersection of IP and media law in the digital landscape.

“In addition to these points, we will also be keeping a close eye on developments in copyright and media regulation, especially in the context of Ireland’s creative industries and its obligations under EU law,” Elaine adds.

Key areas of interest include the implementation of the *Copyright Directive* and the *Audiovisual Media Services Directive*, with a particular focus on AI-related issues. “We aim to track these closely ahead of the EU review of both directives in 2026,” says Elaine.

Mary Hallissey is a journalist with the Law Society Gazette.

The committee interacts frequently with the various regulators for online safety, data protection, and media

A collection of dental hygiene items including a toothbrush, a spoon, a pill, and a dental mirror, all featuring a teal and pink color scheme.



Photo: Shutterstock AI

If the 'Regulation Answers' helpline and hub can help solicitors avoid infringing their obligations, this will only enhance the regulatory regime overall and add value to the delivery of our services

profession as part of the development of its five-year strategy.

The profession's perspective

When it came to regulation, key takeaways from the 2023 survey by B&A Research included:

- Solicitors identified that a challenge in practice is regulatory compliance, with 33% of respondents viewing this as 'extremely challenging', with 48% categorising it as 'challenging'. The report also indicated that smaller firms are more likely to see increased regulatory obligations as 'extremely challenging' compared with those working in larger organisations.

- Maintaining high standards in regulatory compliance is a top priority for solicitors, with 68% of respondents viewing this as a 'high priority', and 28% viewing it as a 'medium priority'.
- Solicitors made it clear that greater regulatory communication is an area in which the Law Society

can strengthen its services offering to the profession.

In response to this feedback, the Law Society has taken deliberate and proactive steps towards addressing the concerns and needs identified. In the first instance, a new regulatory

In focus

'Regulation Answers' is a free-to-use solicitor helpline, with an online hub providing practical support and guidance on all matters relating to regulatory compliance. Regulation Answers can be accessed via the 'For solicitors' tab on the Law Society website (www.lawsociety.ie); tel: 01 879 8788; email: regulationanswers@lawsociety.ie. Lines are open, Monday to Friday, from 9am to 12pm.

Note: the Regulation Answers helpline is for general guidance queries only. It cannot provide legal advice, offer second opinions, or comment on specific scenarios or circumstances.



IMPORTANT NOTICE: MERGER OF AVANTCARD DAC, TRADING AS AVANT MONEY, AND BANKINTER S.A.

We would like to advise you of the proposed merger by absorption* of Avantcard DAC, trading as Avant Money, into Spanish bank, Bankinter S.A. which is intended to take effect on 1 April 2025.**

Loan Pack Documents

When completing and returning loan pack documents (in particular, the Undertaking in the Law Society standard form and the Deed of Mortgage (Form 51)), please carefully note:

1. Documents (other than the Loan Offer***) executed and dated on or after 1 April 2025 should reference Bankinter S.A.
2. Loan pack documents executed and dated on or before 31 March 2025 are unaffected and can be submitted as normal.
3. Documents (other than the Loan Offer) that are executed and dated on or after 1 April 2025 and reference the legal entity 'Avantcard DAC' or 'Avantcard DAC trading as Avant Money' or similar will not be acceptable. References to Avantcard DAC should be amended to Bankinter S.A.

* in accordance with the applicable provisions of the European Union (Cross-Border Conversions, Mergers and Divisions) Regulations 2023 (S.I. No. 233 of 2023).

** unless we subsequently issue a notification indicating a different date.

*** Loan Offers dated on or before 31 March 2025 will, by operation of law, have effect as if Bankinter S.A. is party to them.

Avantcard DAC trading as Avant Money is regulated by the Central Bank of Ireland.

4. If you store any of the above listed documents in template form on your practice management system, please ensure they are updated accordingly.

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communications function was created, with the purpose of increasing practical support and guidance to solicitors with all aspects of regulatory compliance through a series of strategic communications campaigns and initiatives.

Throughout 2024, Law Society regulation staff delivered 36 CPD presentations on a range of topics, including the *Solicitors Accounts Regulations*, anti-money-laundering (AML), cybersecurity, advertising, and complaints handling. The organisation also launched a new autumn CPD webinar series, 'Regulation Matters'. This initiative was aimed at providing practical guidance on matters relating to daily practice, such as how to prepare for a Law Society inspection, and how to manage a client's expectations. In addition, two dedicated CPD days ran on 4 and 10 December, which provided a total of 11 CPD hours for attendees.

In addition, and in an effort to lead best practice with the implementation of AML, a dedicated AML unit has been established. Cooperating with relevant State authorities, reporting money-laundering and other relevant offences, and developing practical guidance materials are just some of the unit's functions – all aimed at improving the supports provided to solicitors with meeting their statutory AML obligations.

Finally, and in response to the profession's demand for greater regulatory communications, the Law Society has launched 'Regulation Answers'. Available on the Law Society website (lawsociety.ie/solicitors/regulation), Regulation

In an effort to lead best practice with the implementation of AML, a dedicated AML unit has been established

Answers is a free helpline and hub that provides guidance and information on all areas of regulatory compliance. There is also helpful information on cybersecurity, Law Society accounts investigations, and what to do if a complaint is made against you.

Better than the cure

The Law Society appreciates that, although robust regulatory enforcement is essential, the organisation is uniquely positioned to share its regulatory expertise and experience with solicitors so that they can best meet their compliance obligations and avoid breaches from happening.

In short: prevention is better than cure. And if the Regulation Answers helpline and hub can help solicitors avoid infringing their obligations, this will only enhance the regulatory regime overall, and add value to the delivery of our services.

And the work continues –

throughout 2024, we reached out to solicitors through the bar associations' network to better understand how we can continue to improve our services' offering. This engagement will continue throughout 2025, so if you have any questions or suggestions, the Law Society wants to hear from you. There is a comment box on the Regulation Answers hub, or you can email regulationanswers@lawsociety.ie. Alternatively, you can provide feedback via your local bar association.

The Law Society wants to help, and we hope that through such a collaborative approach, we will ensure that our regulatory framework is not only robust, fit-for-purpose and future-proofed, but that it is dynamic and responsive to the needs of solicitors in an ever-evolving legal landscape.

Eamonn Maguire is regulatory communications manager at the Law Society

At your fingertips

Modules on the 'Regulation Matters' CPD webinar hub can be accessed via the 'Regulation Answers' webpage.

Four 'client-care and professional standards' CPD points (including two 'accounting and AML compliance') are available, on demand, for €195. Modules in the course include:

- AML in practice (one hour client-care and professional standards - accounting and AML compliance, by e-learning),
- Managing client expectations (one hour client-care and professional standards, by e-learning),
- Cybercrime (one hour client-care and professional standards, by e-learning),
- Preparing for an inspection (one hour client-care and professional standards - accounting and AML compliance, by e-learning).

Note: the current modules in the Regulation Matters Hub were produced over a period from September to December 2024. An additional four new modules will be recorded and published for the 2025 CPD cycle.

Supercharger

The Law Society's 'Psychological Safety Toolkit' puts the tools in law firms' hands to supercharge their performance. Ruth O'Sullivan floors it

Are legal workplaces psychologically safe? This question is being actively considered by a growing number of solicitors. An increasing understanding of the psychology that underpins 'high performance' is leading to a reframing of what a successful team, unit, or legal department needs to thrive.

Law Society Psychological Services recently hosted a lunchtime event, unveiling its latest offering for legal teams – the 'Psychological Safety Toolkit'. The launch event heard from Law Society President Eamon Harrington, who observed that "law is a tough but rewarding job that requires the support of family, friends and colleagues in order to be done well". He emphasised the essential role of trust, openness, and psychological wellbeing in fostering strong, cohesive legal teams.

Toolkit author Eadine Hickey explored how legal leaders can actively integrate psychological safety principles into their teams – enhancing high-performance and building real collaboration. Hickey was particularly encouraging of openness about the inevitable mistakes that are part of any professional

Psychological safety is about cultivating a learning culture where team members can feel comfortable having uncomfortable conversations, troubleshooting difficult and complex issues, raising concerns and ideas, and learning from mistakes without fear of consequences



Eadine Hickey

practice – citing Volkswagen's 'Dieselgate' as a costly example of how a culture of fear can lead to transgressions of a much more serious nature.

She emphasised the significance of psychological safety in team performance: "Psychological safety has been proven through research to be a key for unlocking team learning and team performance. It's about cultivating a learning culture where team members can feel comfortable having uncomfortable conversations, troubleshooting difficult and complex issues, raising concerns and ideas, and learning from mistakes without fear of consequences. It's about creating an environment where team members can grow and thrive and deliver their best work for the organisation."

Removing fear

By addressing the unique pressures of the legal profession, the Psychological Safety Toolkit underscores that psychological safety is not about lowering standards, but about fostering environments where individuals can perform at their best without fear of judgement.

The legal profession is renowned for its high-stakes environment, hierarchical structures, and risk-averse culture. While these factors contribute to precision and diligence, they can also stifle open communication, collaboration, and innovation. A recent study by

the International Bar Association revealed that 41% of legal professionals who experienced high levels of stress displayed a reluctance to seek support due to stigma or fear of repercussions.

Psychological safety plays a pivotal role in mitigating burnout, encouraging mentorship, and creating workplaces where individuals are empowered to raise concerns and seek guidance without fear.

Antoinette Moriarty (head of Law Society Psychological Services) said that law firms and legal departments within other corporate or public-sector settings are traditionally competitively structured: "This can lead to a zero-sum game mindset, making any real collaboration challenging, if not impossible. However, all of the psychologically informed research points to the limitations of such thinking. Growth of business is now being directly linked with growth of mindsets. The more agile the thinking, the more collaborative a group is, and the more innovative and impactful it will be."

Unlocking team performance

Harvard Business School professor Amy Edmondson highlighted that organisations with high psychological safety experience fewer errors, improved learning cultures, and increased adaptability – all essential elements for modern



legal practices navigating an evolving industry landscape.

Edmondson does not see a trade-off between psychological safety and performance standards. In fact, she sees them as working hand-in-hand. In legal teams, 'high performance' is defined not only by output and efficiency, but also by continuous learning, open dialogue, and collaborative problem-solving

So what does a high-performing legal team look like?

- *Trust and collaboration* – team members feel comfortable sharing ideas and admitting mistakes without fear of judgement,
- *Continuous learning* – teams leverage experiences, including setbacks, as opportunities for growth,
- *Open communication* – leaders and employees engage in transparent discussions, improving efficiency and problem-solving,
- *Resilience and adaptability* – teams that embrace psychological safety

navigate challenges with confidence and agility.

Psychological safety is a cornerstone of a positive workplace culture, particularly in legal environments where high-pressure situations are common. When law firms and legal teams prioritise psychological safety, they find that:

- Junior solicitors feel empowered to ask questions and learn from senior colleagues without fear of judgement,
- Leaders foster trust by encouraging open dialogue, active listening, and constructive feedback,
- Legal professionals experience increased engagement, leading to reduced burnout and turnover,
- Innovation flourishes as individuals are comfortable proposing new ideas without fear of criticism,
- Client outcomes improve, as teams collaborate effectively and make well-informed decisions, and
- Diversity, equity and inclusion

efforts are strengthened, ensuring that all voices are valued.

The launch event marked a significant step towards transforming the culture of legal workplaces, prioritising wellbeing alongside professional excellence. As firms and organisations adopt these principles, they become equipped to cultivate environments where legal professionals thrive, both in their careers and in their contributions to justice and society.

The Law Society's director general, Mark Garrett, said: "We take immense pride in this work, and we will continue to invest in the necessary resources to support the growth and wellbeing of our profession. We are confident that this toolkit will be a powerful resource for solicitors who wish to nurture high-performing teams."

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

CULTURE FIRST

One of the Law Society's broader missions is to 'enable solicitors to thrive' through three strategic priorities: placing culture first, enhancing psychological wellbeing, and building high-impact professionals.

As part of its 'Culture First' initiatives, the Psychological Safety Toolkit serves as a practical and essential resource for fostering legal environments where solicitors feel empowered to contribute, collaborate, and excel. Designed for legal professionals at all levels, it provides valuable insights for managing partners, team leaders, and aspiring leaders – offering actionable steps to cultivate supportive, high-performing teams.

As firms and organisations adopt the toolkit, they are more likely to enjoy stronger collaboration, offer enhanced client service, and a more fulfilling work environment. By investing in these cultural shifts, the legal profession can ensure that solicitors are not only successful in their roles, but also supported in their careers – building a more engaged, motivated, and resilient legal community.

The new toolkit resource is primarily aimed at anyone who leads or manages people – from the managing partner of a law firm to general counsel or team leaders. To learn more about building psychological safety in your legal workplace, download the [Psychological Safety Toolkit](#) at [lawsociety.ie](#).

If you or your firm are interested in partnering on initiatives related to psychological safety or would like to explore ways to implement psychological safety in your workplace, we encourage you to reach out to the Law Society's Psychological Services section at [psychologicalservices@lawsociety.ie](#).

RECENT DEVELOPMENTS IN EUROPEAN LAW

INTELLECTUAL PROPERTY

Case T-255/2

Escobar v EUIPO, 17 April 2024

In September 2021, Escobar Inc, established in the USA, applied to the EU Intellectual Property Office (EUIPO) for registration of the word sign ‘Pablo Escobar’ as an EU trademark.

Pablo Escobar had been the leader of the Medellin Cartel in Colombia involved in trafficking and the selling of drugs. EUIPO rejected the application on the ground that the mark was contrary to public policy and to accepted principles of morality.

Escobar Inc brought an action against that decision before the General Court. The court upheld the refusal to register the trademark. It held that EUIPO could rely, in its assessment, on the perception of reasonable Spaniards with average sensitivity and tolerance thresholds, and who share the values on which the EU is founded and the principles of democracy, the rule of law, and the right to life and physical integrity.

EUIPO correctly found that those persons would associate the name of Pablo Escobar with drug trafficking and

Pablo Escobar had been the leader of the Medellin Cartel in Colombia involved in trafficking and the selling of drugs. EUIPO rejected the application on the ground that the mark was contrary to public policy and to accepted principles of morality

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

narco-terrorism, and the crimes and suffering resulting therefrom. The trademark would, therefore, be perceived as running counter to the fundamental values and moral standards prevailing within Spanish society.

ASYLUM

Case C-222/22

*Bundesamt für
Fremdenwesen und Asyl*
(subsequent religious
conversion), 29 February
2024

An Iranian national had his application for international protection dismissed in Austria. He converted to Christianity and reapplied, arguing that he feared prosecution in his state of origin. The applicant was then granted subsidiary protection status and a fixed-period residence permit. The Austrian authorities were satisfied that he had converted out of inner conviction and actively practised his faith. For that reason, he risked persecution if he returned to his state of origin.

Austria refused to give him refugee status. Austria requires that new circumstances on an asylum application must be the continuation of convictions held in the country of origin.

The Austrian Administrative Court asked the CJEU whether

such a condition is compatible with the *Qualification Directive*. The court answered the question in the negative. It held that there is no presumption that a subsequent asylum application based on circumstances the applicant has created by his/her own decision since leaving their state of origin stems from abusive intent and abuse of process. Any subsequent application must be assessed on an individual basis. If an applicant could demonstrate that he had converted to Christianity out of inner conviction and actively practises this faith, that is such as to rule out any potential abuse.

If such an applicant fulfils the conditions provided for by the directive to qualify as a refugee, he must be granted that status. If there is abusive intent and abuse of the procedure, the granting of refugee status may be refused, even if the applicant has justified fears of being persecuted in his state of origin by virtue of the circumstances created by his own decision. In that case he would still retain the status of a refugee under the *Geneva Convention*. Such a refugee cannot be expelled or returned to the frontiers of territories where his or her life or freedom would be threatened on account of his or her religion.

CITIZENSHIP

Cases C-808/21, C-814/21

Commission v Czech Republic, Commission v Poland (ability to stand for election and membership of a political party), 19 November 2024

Czech and Polish legislation confers the right to become a member of a political party only on nationals of member states. EU citizens residing in those states are unable to stand as candidates in municipal and EU elections under the same



conditions as Czech or Polish nationals. This right to stand as a candidate is enshrined in EU law.

The commission brought two cases against these states for their breaches of EU law. The CJEU upheld the legal actions and found that both member states had failed to fulfil their obligations under the treaties.

EU citizens have the right to stand for election in local and EU elections, and must have equal access to the means available to nationals of a member state for

the purpose of exercising those rights effectively.

Political parties play a crucial role in the system of representative democracy. This gives concrete expression to democracy as one of the values on which the EU is built. The prohibition puts EU citizens in a much less favourable position than Czech or Polish nationals. The difference in treatment is prohibited by EU law and cannot be justified on grounds relating to respect for national identity.

CONSUMER RIGHTS

Case C-405/23

Touristic Aviation Services, 16 May 2024

In 2021, a flight operated by TAS from Cologne to Kos was delayed by three hours and 49 minutes. The main reason for the delay was a shortage of staff at Cologne-Bonn Airport to load baggage onto the plane.

Some of the passengers affected assigned their possible rights to compensation to Flightright.

That company then sued in the German courts, claiming that delay was attributable to TAS and could not be explained by extraordinary circumstances.

Regulation 261/2004 provides that an airline company is not required to pay compensation for a long delay (more than three hours) if it can prove that the delay was caused by exceptional circumstances that could not have been avoided, even if all reasonable measures had been taken.

The German court asked the CJEU whether a shortage of airport baggage-handling staff could be considered an exceptional circumstance. The CJEU held that it might.

An 'exceptional circumstance' arises where the event is not inherent in the normal exercise of the activity of an airline company, and is beyond its actual control. It is for the German court to assess whether those two conditions were satisfied.

It must first decide whether the baggage-loading failures were general failures. It must then decide whether those failures were beyond the control of TAS. That would not be the case if TAS were able to effectively control the airport operator.

Even if the German court decided that the shortage of staff was an 'extraordinary circumstance' TAS would have to show that the circumstance could not have been avoided even if all reasonable measures had been taken, and that it adopted all measures appropriate to the situation to remedy the consequences stemming from it to be exempted from its obligation to compensate.



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COUNCIL REPORT

Law Society Council meeting - 13 December 2024

President Eamon Harrington welcomed Darren Toombs from the Law Society of Northern Ireland. He congratulated Michele O'Boyle SC, on behalf of Council, on her appointment to the board of the Legal Services Regulatory Authority. Michele has now resigned from Council.

Two motions were admitted for the January meeting: to establish a nominations committee and to establish a user-groups committee.

The president outlined that Council had decided to co-opt an eligible member to Council as there was no valid nominee for the Ulster provincial seat at the recent Council elections. Co-option is in accordance with byelaw 6. The Council first approved the method of election as outlined in the papers before it and by the director general. Council then proceeded to vote by online ballot. It confirmed the outcome of the poll and co-opted Kevin McElhinney as the Ulster provincial delegate to Council.

Following consideration of recommendations from the Coordination

Committee for appointment to internal and external bodies, Council approved the appointment of Jonathan Lynam to the Business Law Committee, Denise Healy and Anna McLoughlin to the Conveyancing Committee, Louise Harrison to the Employment and Equality Law Committee, Dermot Kelly to the Technology Committee; the reinstatement of Olive Doyle to the Mental Health Law and Capacity Task Force; and the nomination of Michael Jackson to the Department of Finance - Industry Advisory Committee/Joint Committee (professional services seat). It also approved the appointment of Rosemarie Loftus, Paul Keane, and Martin Lawlor as directors of the Benburb Street Property Company.

AML Task Force dissolved

The Council dissolved the Anti-Money-Laundering Task Force. It decided to nominate to the Cultural and Educational Panel for Seanad Election 2025, and delegated the nomination to the Coordination Committee. It also approved the adoption of the policy of the

Law Society on future referenda, as submitted and outlined by the director of policy.

UNRWA ban condemned

The Council approved the proposal that the Law Society publicly endorse the statement issued by the International Bar Association's Human Rights Institute condemning Israel's ban on UNRWA, the UN's Palestinian aid agency.

Governance proposal

A motion to amend the regulations came before Council. The president advised that it was proposed to create a Governance Working Group to review the governance arrangements in the Law Society, including byelaws and regulations, and that the motion would be withdrawn at this time, with the permission of the meeting, except for those matters already amended and approved at previous meetings. Council agreed to the proposal and the withdrawal of the motion (save for those matters already approved).

The director general delivered his report to Council, which included details of the practising certificate renewal for 2025. The earliest renewal process to date has opened, and 4,710 applications have been received.

Council considered the Law Society's Risk Register, as presented by the director of finance and operations.



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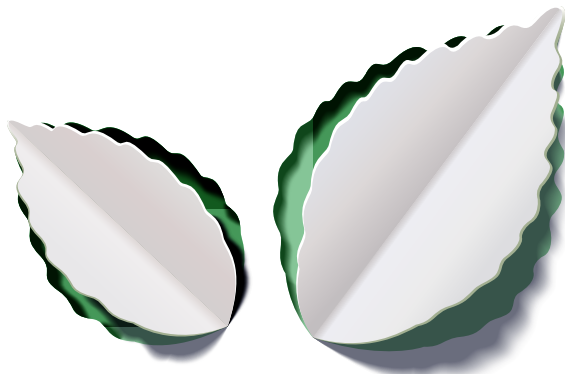


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CONVEYANCING COMMITTEE

Croí Cónaithe (Cities) Scheme

The Housing and Sustainable Communities Agency has launched the Croí Cónaithe (Cities) Scheme, whereby the agency is paying a subsidy to developers of apartments to bridge the viability gap between the cost of building apartments and the market sale price.

The proposed purchasers of these apartments are owner-occupiers. As part of the scheme, purchasers will be obliged to enter into a clawback agreement that will provide that, if the purchaser sells the property within the first ten years, a clawback will be repayable to the agency in respect of the subsidy paid towards the

construction of the apartment. In order to secure its right to this potential clawback, the agency proposes to register a caution over the purchaser's interest in the apartment.

The Conveyancing Committee has had a positive engagement with the agency, with a shared focus on minimising the obligations and responsibilities that fall on the purchasers' solicitor when acting in the purchase of an apartment in the scheme. The agency requests that purchasers' solicitors advise the agency's solicitors of the dealing number when the dealing to register the purchaser's ownership is lodged in the Land Registry, to facilitate

lodgement of the caution. The Conveyancing Committee considers this a reasonable request.

Purchasers' solicitors will need to familiarise themselves with the scheme, and the agency has prepared a guidance note. The contract received from the developer's solicitor will include special conditions relating to the operation of the scheme and will include the clawback agreement and a form of statutory declaration to be completed by the purchaser(s).

The Conveyancing Committee is of the view that it is not necessary for solicitors acting for purchasers of apartments within the scheme to qualify their certificates of title, as the lender will still hold a first legal charge over the property and the existence of the clawback agreement and registration of the caution does not render the purchasers' title less than a good marketable title.


CONVEYANCING COMMITTEE

Latent defects insurance

Latent defects insurance (LDI) is being offered by some developers in the purchase of new apartments, in place of HomeBond or other protection against building defects. It is not the role of the Conveyancing Committee or conveyancing solicitors to compare the advantages or disadvantages of one insurance product as against another.

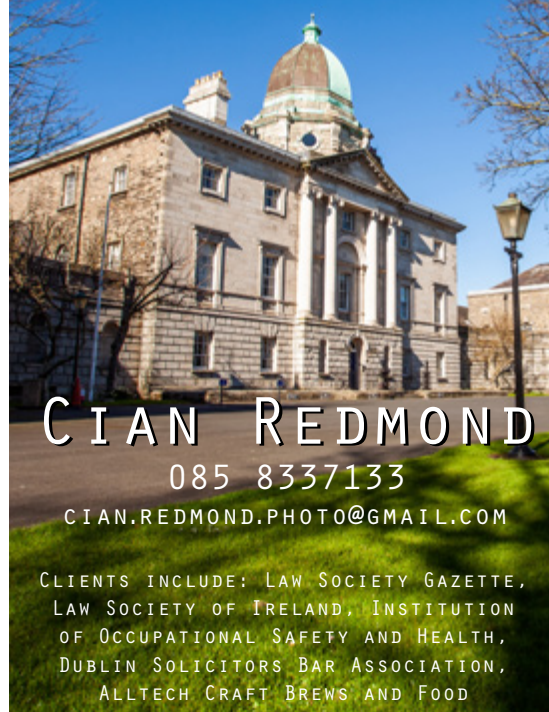
In general, and provided that the purchaser is satisfied that the LDI policy provides adequate protection against building defects, an LDI policy is an acceptable alternative to HomeBond or other similar insurance product. However, as LDI policies typically do not provide

any deposit protection, alternative arrangements to protect the purchaser's deposit pending completion ought to be in place.

The Law Society's residential mortgage-lending certificate-of-title system does not require that HomeBond or a comparable alternative be in place. It is the view of the Conveyancing Committee that solicitors do not need to qualify certificates of title in circumstances where an LDI policy is being offered in lieu of HomeBond. However, where it is a condition of a loan offer that HomeBond be in place, the purchaser ought to confirm with the lender that the lender is prepared to accept the LDI policy. 

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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 Ian (Quentin) Crivon (solicitor number S2196), a former solicitor 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* [2022-LPDT03]

Law Society of Ireland (applicant)

Ian (Quentin) Crivon (respondent)

On 8 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 an accountant's report for the year ended 31 October 2019 within six months of that date, in breach of regulation 26(1) of the *Solicitors Accounts Regulations 2014* (SI 516 of 2014).

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 €3,045.75 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 €3,000 to the Compensation Fund under section 82(1)(l) of the act.

In the matter of Ian (Quentin) Crivon (solicitor number S2196), a former solicitor 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* [2022-LPDT05]

Law Society of Ireland (applicant)

Ian (Quentin) Crivon (respondent)

On 8 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 an accountant's report for the year ended 31 October 2020 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 censured in relation to his misconduct under section 82(1)(c) of the act,
2. Pay a sum of €3,045.75 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 €3,000 to the Compensation Fund under section 82(1)(l) of the act.

In the matter of Michael Malone (solicitor number S9512), currently practising at Michael Malone & Co, 8A Blarney Shopping Centre, Blarney, 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* [2022-LPDT07]

Law Society of Ireland (applicant)

Michael Malone (respondent)

On 15 March 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 an accountant's report for the year ended 30 June 2021 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 censured in relation to his misconduct under section 82(1)(c) of the act,
2. Pay a sum of €1,000 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 Michael Malone (solicitor number S9512), currently practising at Michael Malone & Co, 8A Blarney Shopping Centre, Blarney, 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* [2022-LPDT08]

Law Society of Ireland (applicant)

Michael Malone (respondent)

On 15 March 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 an accountant's report for the year ended 30 June 2020 within six months of that date, in breach of

TRIBUNAL REPORTS

regulation 26(1) of the *Solicitors Accounts Regulations*.

The tribunal ordered that the respondent:

1. Be censured in relation to his misconduct under section 82(1)(c) of the act,
1. Pay a sum of €4,000 to the Compensation Fund under section 82(1)(l) of the act,
2. 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 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-LPDT12] 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 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 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 Suzanne Glazier (solicitor number S8501), currently practising at ST Glazier & Co, Ormond Building, 31-36 Ormond Quay Upper, Dublin 7, and formerly practising at ST Glazier & Co, 9/11 Rock Hill, Blackrock, Co Dublin, 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-LPDT20]

Law Society of Ireland (applicant) Suzanne Glazier (respondent)

On 28 February 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 an accountant's report for the year ended 31 August 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 advised in relation to her misconduct under section 82(1)(a) of the act.
2. Pay a sum of €1,524 to the applicant, being the agreed costs of the applicant, under section 82(1)(j) of the act.

In the matter of Eamonn K Moloney (solicitor number S10901), formerly practising at Eamonn Moloney & Co, 1/2 Anglesea Street, 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-LPDT03]

Law Society of Ireland (applicant) Eamonn K Moloney (respondent)

On 6 October 2023, 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 a closing accountant's report, as required by

regulation 33(2) of the *Solicitors Accounts Regulations*, in a timely manner or at all, having ceased practice on 31 December 2018.

The tribunal ordered that the respondent:

1. Be censured in relation to his misconduct under section 82(1)(c) of the act,
2. Pay the sum of €1,512 to the applicant, being the costs of the applicant in respect of the inquiry, under section 82(1)(j) of the act,
3. Pay the sum of €10,000 to the Compensation Fund under section 82(1)(l) of the act.

In the matter of Peter Downey (solicitor number S12722), formerly practising at Eagleton Downey, Triton Road, Bettystown, Co Meath, 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-LPDT06]

Law Society of Ireland (applicant) Peter Downey (respondent)

On 13 December 2023, 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 an accountant's report for the year ended 31 January 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 under section 82(1)(c) of the act,
2. Pay the sum of €1,500 to the Compensation Fund under section 82(1)(l) of the act,
3. Pay the sum of €1,512 to the applicant, being the agreed costs of the applicant.

WILLS

Coyle, Oliver (deceased), late of 83 Patrician Villas, Stillorgan, Co Dublin, who died on 23 September 2024. Would any person having knowledge of any will made by the above-named deceased please contact Creavin & Co, Solicitors, 18 Lower Kilmacud Road, Stillorgan, Co Dublin; tel: 01 283 2922, email: solicitors@creavinco.com

Cuddy, Grainne (deceased), late of 33 Cashed Road, Crumlin, Dublin 12, who died on 10 February 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Gaffney Mullins & Co, Solicitors, 413 Howth Road, Raheny, Dublin 5; tel 01 831 4133, email: mcrawford@gaffneyhalligan.com

Drake, Walter (deceased), late of 20 O'Neill's Place, Cobh, Co Cork, who died on 16 November 2005 (date of birth 21 April 1930). Would any person or firm having knowledge of the whereabouts of any will made by the above-named deceased please contact Patrick J O'Shea & Co, Solicitors, 77 Main Street, Midleton, Co Cork; tel: 021 463 1991, fax 021 461 3149, email: sol1@pjos.ie

Foley, Brendan (deceased), late of Scurlockstown, Trim, Co Meath, who died on 27 December 2024. Would any person having knowledge of any will made by the above-named deceased please contact Brian Callaghan, Regan McEntee & Partners, Solicitors, High Street, Trim, Co Meath; DX92002 Trim; tel: 046 943 1202

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%)
- **Employment/miscellaneous** - €163 (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 April 2025 Gazette: Wednesday 5 March 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*.

Grogan, Gerard (deceased), late of Lackabeg Road, Kildavin, Co Carlow, who died on 3 December 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Neville Murphy McGarry Solicitors, 9 Prince of Wales Terrace, Bray, Co Wicklow; tel: 01 286 0639, email: info@nevillemurphymcgarry.ie

Kelly, Dora (née Histon) (deceased), late of Newcastle, Co Dublin, and formerly of Churchtown, Newcastle West, Co Limerick, who died on 2 January 2025. 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 Annemarie Cusack, Gleeson McGrath Baldwin Solicitors, 29 Anglesea Street, Dublin 2; tel: 01 474 4300, email: solicitors@gmgb.ie

Kenny, Noel Desmond (deceased), late of Lugmore, Saggart, Co Dublin, who died on 6 December 2023. Would

any person or firm having knowledge of the whereabouts of a will made by the above-named deceased please contact Cullen & Co, Solicitors, 86/88 Tyrconnell Road, Inchicore, Dublin 8, D08 FW01; DX 1038 Four Courts; tel: 01 453 6114, email: enquiries@cullencosolicitors.com

Molloy, Gloria (otherwise Gloria Roseanne Molloy) (deceased), late of 337 Orwell Park, Avenue, Templeogue, Dublin 6W, who died on 1 March 2022. Would any person having knowledge of the

whereabouts of any will made by the above-named deceased please contact Murphy Brady & Co LLP, Solicitors, 86 Lower Drumcondra Road, Dublin 9; tel: 01 860 1073, email: kieran@murphybrady.ie

Quinn, Anne (deceased), late of 19 Ivy Hill, Gort Road, Ennis, Co Clare, who died on 21 December 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Doherty Solicitors, 1 Carmody Street Business Park, Carmody Street,

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Williams, Marie (deceased), late of 42 Kickham Road, Inchicore, Dublin 8, who died on 20 December 2024. Would any person or firm having knowledge of the whereabouts of any will made or purported to have been made by the above-named deceased please contact David R Fowler Solicitors, Tramway Cottage, 19 Rathfarnham Road, Terenure, Dublin 6W; tel: 01 490 0020, email: info@davidrfowler.com

STATUTORY NOTICE TO CREDITORS

In the estate of Daniel Flynn (deceased), late of The Cobbs, Templemore, in the county of Tipperary

Notice is hereby given pursuant to section 49 of the *Succession Act 1965* that particulars in writing of all claims against the estate of the above-named deceased, who died on 9 October 2022 (letters of administration to his estate being granted to the administrator on 2 June 2023), should be furnished to the undersigned solicitors for the administrator on or before 2 July 2025, after which date the assets will be distributed having regard only to the claims furnished.

Date: 7 March 2025

Signed: James J Kelly & Son,
Solicitors, Patrick Street,
Templemore, Co Tipperary

TITLE DEEDS

Moriarty, Kathleen (deceased), late of 3 Old Road (otherwise known as Lumper Lane), Urlingford, Co Kilkenny

Would any person having knowledge of the whereabouts of the title deeds of the above-named property, or if any firm is holding same, please contact David Doyle Solicitors, Main Street, Urlingford, Co Kilkenny, E41 D9W9; tel: 056 888 3667, email: info@daviddoyle.ie

In the matter of the Landlord and Tenant (Ground Rents) 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 Dr Vincent Walsh and in the matter of McKenna's, Main Street, Celbridge, Co Kildare

Take notice any person having an interest in the freehold estate or any intermediate interests of McKenna's, Main Street, Celbridge, Co Kildare, which said premises is more particularly described and delineated on the map or plan endorsed upon indenture of lease dated 20 April 1956 and made between Mary Vickers, Alice Farrell and Ellen Waters, Trustees of the Sisters of the Holy Faith of the Convent of the Holy Faith, Glasnevin, in the city of Dublin, of the one part and William McKenna of the other part, held for a term of 500 years from 29 September 1955 subject to the yearly rent of £1

and subject to the covenants and conditions therein.

Take notice that Dr Vincent Walsh intends to submit an application to the county registrar for the county of Kildare for the acquisition of the freehold interest and all intermediate interests in the aforesaid property, and that any party asserting that they hold the fee simple or any intermediate interest in the aforesaid property are called upon to furnish evidence of title to the said property to the below-named solicitors within 21 days from the date of this notice.

In default of any such notice being received, Dr Vincent Walsh 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 Kildare for directions as may be appropriate where the person or persons beneficially entitled to the intermediate interests including the fee simple in the aforesaid property are unknown or unascertained.

Date: 7 March 2025

Signed: James V Tighe & Co
(solicitors for the applicant),
Main Street, Celbridge, Co
Kildare

In the matter of the Landlord and Tenant (Ground Rents)

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 Dr Vincent Walsh and in the matter of Kiernan's, Main Street, Celbridge, Co Kildare

Take notice any person having an interest in the freehold estate or any intermediate interests of Kiernan's, Main Street, Celbridge, Co Kildare, which said premises is more particularly described and delineated on the map or plan endorsed upon indenture of lease dated 20 April 1956 and made between Mary Vickers, Alice Farrell and Ellen Waters, Trustees of the Sisters of the Holy Faith of the Convent of the Holy Faith, Glasnevin, in the city of Dublin of the one part, and Marcella Kiernan and Annie Kiernan of the other part held for a term of 500 years from 29 September, 1955, subject to the yearly rent of £1 and subject to the covenants and conditions therein.

Take notice that Dr Vincent Walsh intends to submit an application to the county registrar for the county of Kildare for the acquisition of the freehold interest and all intermediate interests in the aforesaid property, and that any party asserting that they hold the fee simple or any

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intermediate interest in the aforesaid property are called upon to furnish evidence of title to the said property to the below-named solicitors within 21 days from the date of this notice.

In default of any such notice being received, Dr Vincent Walsh 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 county of Kildare for directions as may be appropriate where the person or persons beneficially entitled to the intermediate interests including the fee simple in the aforesaid property are unknown or unascertained.

Date: 7 March 2025

Signed: James V Tighe & Co

*(solicitors for the applicant),
Main Street, Celbridge, Co
Kildare*

In the matter of the Landlord and Tenant (Ground Rents) 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 Dr Vincent Walsh and in the matter of Martin's, Main Street, Celbridge, Co Kildare

Take notice any person having an interest in the freehold estate or any intermediate interests of Martin's, Main Street, Celbridge, Co Kildare, which said premises is more particularly described and delineated on the map or plan endorsed upon indenture of lease dated 20 April 1956 and made between Mary Vickers, Alice Farrell, and Ellen Waters,

Trustees of the Sisters of the Holy Faith of the Convent of the Holy Faith, Glasnevin, in the city of Dublin, of the one part, and Kathleen Mary Martin of the other part held for a term of 500 years from 29 September 1955, subject to the yearly rent of £1 and subject to the covenants and conditions therein.

Take notice that Dr Vincent Walsh intends to submit an application to the county registrar for the county of Kildare for the acquisition of the freehold interest and all intermediate interests in the aforesaid property, and that any party asserting that they hold the fee simple or any intermediate interest in the aforesaid property are called upon to furnish evidence of title to the said property to the below-named solicitors within

21 days from the date of this notice.

In default of any such notice being received, Dr Vincent Walsh 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 Kildare for directions as may be appropriate where the person or persons beneficially entitled to the intermediate interests including the fee simple in the aforesaid property are unknown or unascertained.

Date: 7 March 2025

**Signed: James V Tighe & Co
(solicitors for the applicant),
Main Street, Celbridge, Co
Kildare**

In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2019 and in the

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matter of the *Landlord and Tenant (Ground Rents) (No 2) Act 1978* and in the matter of an application by Dr Vincent Walsh and in the matter of Martin's, Main Street, Celbridge, Co Kildare

Take notice any person having an interest in the freehold estate or any intermediate interests of Martin's, Main Street, Celbridge, Co Kildare, which said premises is more particularly described and delineated on the map or plan endorsed upon indenture of lease dated 18 September 1970 and made between Alice Farrell, Theresa McSherry, and Mary Ryan, Trustees of the Sisters of the Holy Faith of the Convent of the Holy Faith, Glasnevin, in the city of Dublin, of the one part, and Kathleen Mary Martin of the other part held for a term of 500 years from 25 March 1970, subject to the yearly rent of £3 and subject to the covenants and conditions therein.

Take notice that Dr Vincent Walsh intends to submit an application to the county registrar for the county of Kildare for the acquisition of the freehold interest and all intermediate interests in the aforesaid property, and that any party asserting that they hold the fee simple or any intermediate interest in the aforesaid property are called

upon to furnish evidence of title to the said property to the below-named solicitors within 21 days from the date of this notice.

In default of any such notice being received, Dr Vincent Walsh 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 county of Kildare for directions as may be appropriate where the person or persons beneficially entitled to the intermediate interests including the fee simple in the aforesaid property are unknown or unascertained.

Date: 7 March 2025

Signed: James V Tighe & Co (solicitors for the applicant), Main Street, Celbridge, Co Kildare

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* (as amended) and in the matter of the hereditaments and premises at Priory Park, Priory Drive, Stillorgan, Co Dublin: an application by Close Line West Four Limited (company number 777096)

Take notice any person having any interest in the freehold estate or intermediate

interest(s) of the hereditaments and premises at Priory Park, Priory Drive, Stillorgan, Co Dublin, being part of the lands formerly known as the Priory, otherwise Stillorgan Priory, Stillorgan, situate in the barony of Rathdown and the county of Dublin (the property), being part of the property demised by an indenture of lease dated 17 November 1949 and made between (1) John Sisk & Son (Dublin) Limited and (2) the Minister for Posts and Telegraphs (the lease) for a term of 999 years from 1 September 1946 (except the last three days thereof), and subject to the yearly rent and to the covenants and conditions contained in the lease.

Take notice that the applicant, Close Line West Four Limited (company number 777096), being the person entitled to the lessee's interest under the leases insofar as they affect the property, intends to apply to the county registrar for the county of Dublin for the acquisition of the freehold and intermediate interest(s) in the property, and any party or parties asserting that they hold a superior interest in the premises are called upon to furnish evidence of title to the premises and to the below named within 21 days from the date of this notice.

In default of any such notice being received, Close Line West Four Limited (company number 777096) 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 such orders or directions as may be appropriate on the basis that persons entitled to superior interest(s) in the premises are unknown or unascertained.

Date: 7 March 2025

Signed: McGroddy Brennan

Solicitors LLP (solicitors for the applicants), 33 Merrion Street Upper, Dublin 2

In the matter of the *Landlord and Tenant Acts 1967-2005* and in the matter of the *Landlord and Tenant (Ground Rents) (No 2) Act 1978* and in the matter of an application by Alan J Crossan and Loraine N Hanratty concerning the land and premises known as 197 Crumlin Road, Crumlin, Dublin 12

Take notice that any person having an interest in the freehold estate or any lesser, superior or intermediate interest in the said property and premises known as and situate at 197 Crumlin Road, Crumlin, Dublin 12, in the city of Dublin, being the land demised by a lease dated 15 November 1933 and made between Patrick J Watchorn of the one part and John Barran & Sons (Dublin) Limited of the other part for the term of 900 years, commencing on 1 September 1933, subject to the yearly rent of £8 and the conditions and covenants therein contained (carved from an indenture of lease dated 26 May 1933, Patrick Fullam of the one part and Patrick Watchorn of the other part for the term of 999 years from 25 March 1933, subject to the yearly rent of £87.20) should give notice of their interest to the undersigned solicitors.

Further, take notice that the applicants, Alan J Crossan and Loraine N Hanratty, being the persons entitled to the lessees' interest under the said lease, intend to apply to the Circuit Court for the county of the city of Dublin for the acquisition of the fee simple and all intermediate interests in the said property, and any party asserting that they hold any interest in the said property

superior to that of the said applicants is called upon to furnish evidence of their title to the undersigned solicitors within 21 days from the date of this notice.

In default of any such notice of interest being received, the applicants, Alan J Crossan and Loraine N Hanratty, intend to proceed with the application before the Circuit Court at the end of 21 days from the date of this notice and will apply to the Circuit Court for the county of the city of Dublin for such direction as may be appropriate on the grounds that he person or persons beneficially entitled to all or any of the superior interests in the said property, up to and including the fee simple, if appropriate, are unknown or unascertained.

Date: 7 March 2025

Signed: Crossan Hanratty & Co Solicitors (solicitors for the applicants), 197 Crumlin Road, Crumlin, Dublin 12

In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of property known as Bank of Ireland premises, Church Road, Rathdown Lower, Greystones, Co Wicklow: an application by the Governor & Company of the Bank of Ireland

Take notice any person having an interest in any estate in the above property that the Governor & Company of the Bank of Ireland (the applicant) intends to submit an application to the county registrar of the county of Wicklow for the acquisition of the fee simple interest and all intermediate interests in the aforesaid property, and any person asserting that they hold a superior interest in the property

are called upon to furnish evidence of title to the below named within 21 days from the date hereof.

In particular, any person having an interest in the lessor's interest in a lease of 31 January 1919 between Deborah Eleanor Webster of the one part, Northern Bank & Company Limited for the second part, and Hibernian Bank Limited of the third part in respect of property described therein as "all that and those that piece or parcel of ground part of the lands of Lower Rathdown, situate at Greystones in the half barony of Rathdown and county of Wicklow, fronting to the road leading from Greystones Railway Station to the Church, on which is now erected and stands the dwellinghouse, yard, and premises known as 'Cremona', number three Commercial Buildings, Church Road, Greystones" and currently covered by buildings now known as the Bank of Ireland premises, Church Road, Rathdown Lower, Greystones, Co Wicklow, should provide evidence to the below named within 21 days hereof.

In default of such information being received, the applicant intends to proceed with the application before the county registrar and will apply for orders and directions as appropriate on the basis that the person or persons entitled to the superior interests, including the freehold interest, are unknown and unascertained.

Date: 7 March 2025

Signed: MW Keller & Son LLP (solicitors for the applicant), 8 Gladstone Street, Waterford

In the matter of the Landlord and Tenant (Amendment) Act 1980 and in the matter of an application by Peter Ging and others, and in the matter of

the property known as Tower Centre, Clondalkin, Dublin 22

The aforementioned property is held under an indenture of lease dated 16 March 1925 and made between (1) Mary O'Toole and (2) John Tallon and William Haycock of the one part and (3) Peter Ging of the other part for the term of 99 years from 1 January 1924, subject to the annual rent of £80.

Any party asserting to be a successor in title to Mary O'Toole in respect of the aforementioned property is called upon to furnish evidence of the same to the undermentioned solicitors within 21 days from the date of this notice. Take notice that, in default of any successors in title being found and proven, the applicant intends to proceed with an application before the county registrar and city of Dublin for a grant of a reversionary lease in respect of the aforementioned property on the basis that any successor in title to Mary O'Toole in respect of the property is unknown or unascertained.

Date: 7 March 2025

Signed: Mason Hayes & Curran (solicitors for the applicant), South Bank House, Barrow Street, Dublin 4

In the matter of the Landlord and Tenant (Ground Rents) 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 Mary Browne: premises situate at 53 High Street and St Kieran's Street in the city of Kilkenny

Any person having an interest in the freehold or intermediate estates in the above property: take notice that Mary Browne intends to submit an application to the county registrar of the county of Kilkenny for the

acquisition of the freehold interest and all intermediate interests in the aforesaid property, and any person asserting that they hold a superior interest in the property are called upon to furnish evidence of title to the premises to the below named.

In particular, any persons having any interests in a lease of 9 October 1929 made between the Right Rev John Godfrey Fitzmaurice Day and the Very Rev John Percy Phair of the first part, Arthur Geoffrey Davis of the second part, and Ellen Murphy of the third part, wherein the above property was demised to the said Ellen Murphy for a term of 99 years from 25 September 1928 subject to the yearly rents and covenants and conditions therein contained, should provide evidence of their title to the below-named solicitors. Further, any persons having any estate or interest in any interest superior to that of the grantors of the lease of 9 October 1929 aforesaid and/or the fee simple interest in the above premises should provide evidence of their title to the below-named solicitors.

In default of any such information being received, the applicant intends, within a period of 14 days from the date of the publication of this notice, to proceed with the application before the county registrar and will apply to the county registrar for the county of Kilkenny for directions as may be appropriate on the basis that the person or persons entitled to the superior interests, including the freehold interest, in the said premises are unknown and unascertained.

Date: 7 March 2025

Signed: Kearney Roche & McGuinn LLP (solicitors for the

applicant), 9 The Parade, Co Kilkenny

In the matter of the *Landlord and Tenant (Ground Rents) Acts 1967-2019* and in the matter of an application by Patrick McGoldrick

Any person having a freehold estate or any intermediate interest in, or who is the owner of an incumbrance on, all that and those the dwellinghouse situate at Emmet Street, Ballina, in the county of Mayo (Eircode F26 X3Y5), being the property the subject matter of an indenture of lease dated 18 December 1959 between George B West, Hamilton V West, and Walter Oliver West of the one part, and James Coggins of the other part, for a term of 99 years from 1 July 1956 at a yearly rent of IR£17 and therein described as "all that plot of ground situate at James Street in Barrack Hill in the town of Ballina, parish of Kilmoremoy, barony of Tyrawley and county of Mayo, containing in front to James's Street 30 feet and in depth from front to rear 260 feet be the same more or less, which said plot is more

particularly delineated and described on the map or plan endorsed hereon and therein coloured yellow".

Take notice that Patrick McGoldrick, the legal personal representative of Noel Coggins, the deceased person entitled to the lessee's interest in the said property, intends to apply to the county registrar of the county of Mayo to vest in him the fee simple and any intermediate interests in the said property, and any party asserting that they hold a superior interest in, or that they hold an incumbrance on, the said premises is called upon to furnish evidence of title to same to the below named within 21 days from the date of this notice.

In default of any such title or notice being received, the applicant 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 Mayo for such directions as may be appropriate on the basis that the person or persons beneficially entitled to the

superior interests including the freehold reversion in the aforesaid property are unknown or unascertained.

Date: 7 March 2025

Signed: John J Gordon & Son (solicitors for the applicant), John Street, Ballina, Co Mayo

In the matter of the *Landlord and Tenant Acts 1980-1994* and in the matter of *Landlord and Tenant (Amendment) Act 1980* and in the matter of an application for a reversionary lease under part III of the 1980 act and in the matter of premises situate at and known as the Barracks, Ballyscaddane, barony of Coshlea, Co Limerick

Take notice persons having an interest in any estate in the following property: the dwellinghouse and premises situate at and known as 'The Barrack', Ballyscaddane or Castlejane, barony of Coshlea in the county of Limerick, and take notice that Charles Taylor and Frances Taylor as personal representatives in the estate of Charles Taylor, deceased (the applicants), intend to submit an application to the Limerick

Circuit Court for a reversionary lease in the aforementioned property, and any party believing that they hold an interest in that property are called upon to furnish evidence of their title to the below named.

In particular, any persons who have an interest in the premises, which are held by the applicants under lease of 7 March 1921 made between Major George McKenzie Franks of the one part and John Heaphy of the other part in respect of premises, should furnish evidence of the title to the below named and take notice that, in default of any such notice being received, the applicants intend to bring the application before Limerick Circuit Court and will apply to the Circuit Court for directions as may be appropriate on the basis that a person or persons entitled to the superior interest in the premises are unknown and unascertained.

Date: 7 March 2025

Signed: MJ O'Callaghan and O'Keefe LLP (solicitors for the applicants), New Market Square, Mitchelstown, Co Cork

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Final verdict

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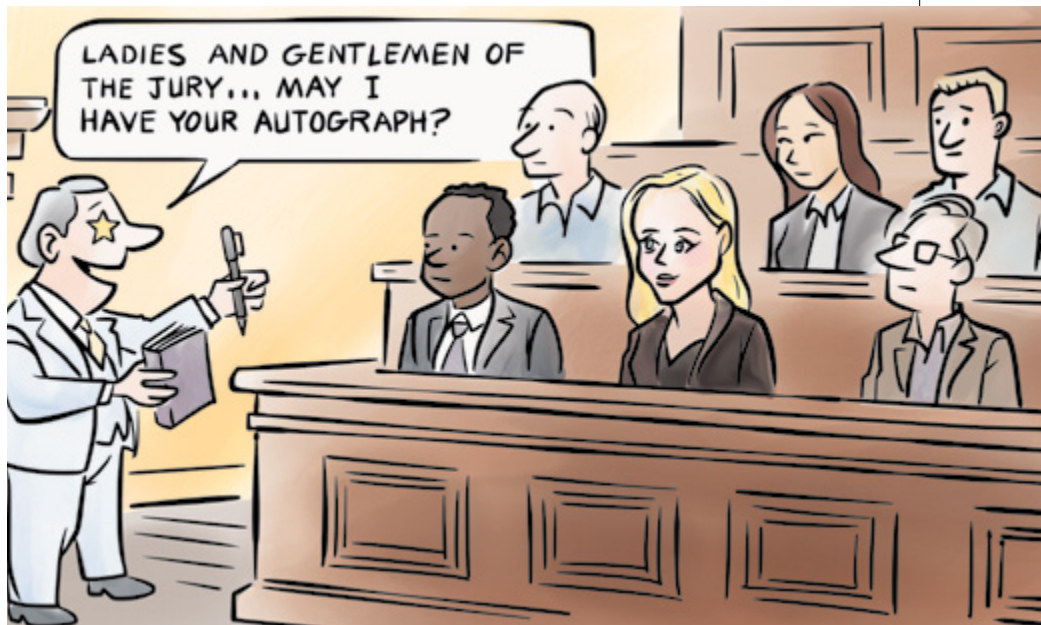


The script, the whole script...

Reese Witherspoon has said that her iconic role in the comedy *Legally Blonde* caused some confusion when she served on a jury, [Legal Cheek](#) reports.

On a recent TV appearance, she said that she was called for jury service about seven years after the film came out. When it came to selecting a foreman, her fellow jurors unanimously pointed to her. "They were like, 'You went to law school!'" she recalled.

The experience was slightly concerning: "I started realising people don't know much about the law." She continued: "Some bad stuff goes down in there."



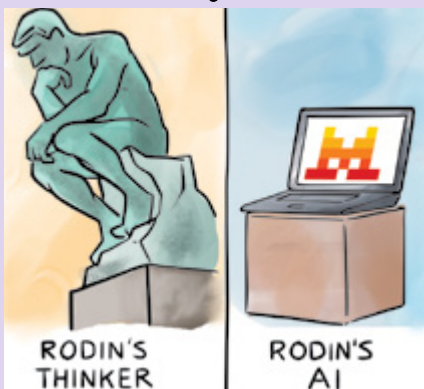
Musky mind manipulation?

If only you could completely control someone without [having to spend \\$270 million](#). Well, Elon 'Musky MasterRace' may have the answer, [The Guardian](#) suggests.

Musketeers have implanted a chip in a paralysed man's brain – and now he can move things with his mind. After nearly eight years of being quadriplegic, Noland Arbaugh agreed to become the first human recipient of a brain-computer interface developed by the billionaire boyman's Neuralink company.

Arbaugh recognises the dark possibilities of the tech. Neuralink says it doesn't monitor his brain or track what he does online, but warned him that someone might be able to 'reverse engineer' the data produced. On the day of the US presidential election, Arbaugh tweeted (or is it 'X'ed, now?) a headline from *The Onion*: 'Neuralink patient unable to stop hand from voting for Trump'. "So true," he joked.

Le chat in your shoes



[The Economist](#) reports that a pressing question at the recent AI summit in Paris was whether Mistral AI's assistant is, in fact, a cat. Called 'Le Chat' and developed by a French startup as a competitor to ChatGPT, it launched as a smartphone app on 6 February. To the English speaker, 'Le Chat' looks like a French twist on AI chat. But French President Macron introduced it using a soft 'sh', rendering Le Chat distinctly feline. Arthur Mensch, Mistral's 32-year-old boss, says his baby is indeed one of fur. Look at the icon in the shape of the letter M, he said: it is also a cat's face. Whether Le Chat has a taste for muskrat, time will tell.

That's capitalism, baby!

One of the world's most prominent mental-health support lines is using the data it collects from people in their darkest moments to create and market customer-service software, [Politico](#) has reported.

Crisis Text Line – a tech-driven nonprofit that uses big data and artificial intelligence to help people cope with traumas such as self-harm, emotional abuse, and thoughts of suicide – says that any data it shares with its for-profit spin-off Loris.ai has been wholly 'anonymised'. The Loris USP is to "turn customer conversations into the data you need to improve quality, efficiency, and customer satisfaction". 📊



EU & INTERNATIONAL AFFAIRS COMMITTEE

STAGE INTERNATIONAL À PARIS 2025

OCTOBER – NOVEMBER 2025



Every year, the Paris Bar organises an International *Stage* in Paris and invites a limited number of lawyers from each jurisdiction to participate. The *Stage* is a fantastic opportunity for lawyers to discover and practice French law in the heart of Paris.

It takes place during the months of October and November and entails: one month attending classes at the *l'Ecole de Formation du Barreau*, and one month of work experience in a law firm in Paris. The programme also includes a visit to Brussels to the European Institutions.

The Irish participant will be selected by the EU and International Affairs Committee of the Law Society of Ireland.



Candidates must:

- **Be qualified in Ireland and registered in the Law Society,**
- **Have a good knowledge of French,**
- **Be under 40 years old,**
- **Have insurance cover** (for accidents and damages).

Tuition is fully covered by the Paris Bar; candidates must be willing to cover other expenses (such as, travel, accommodation, meals)¹

Pour plus d'informations: <https://www.avocatparis.org/stage-international>
See article from a previous 2023 participant at: *Law Society Gazette*.

INTERESTED?

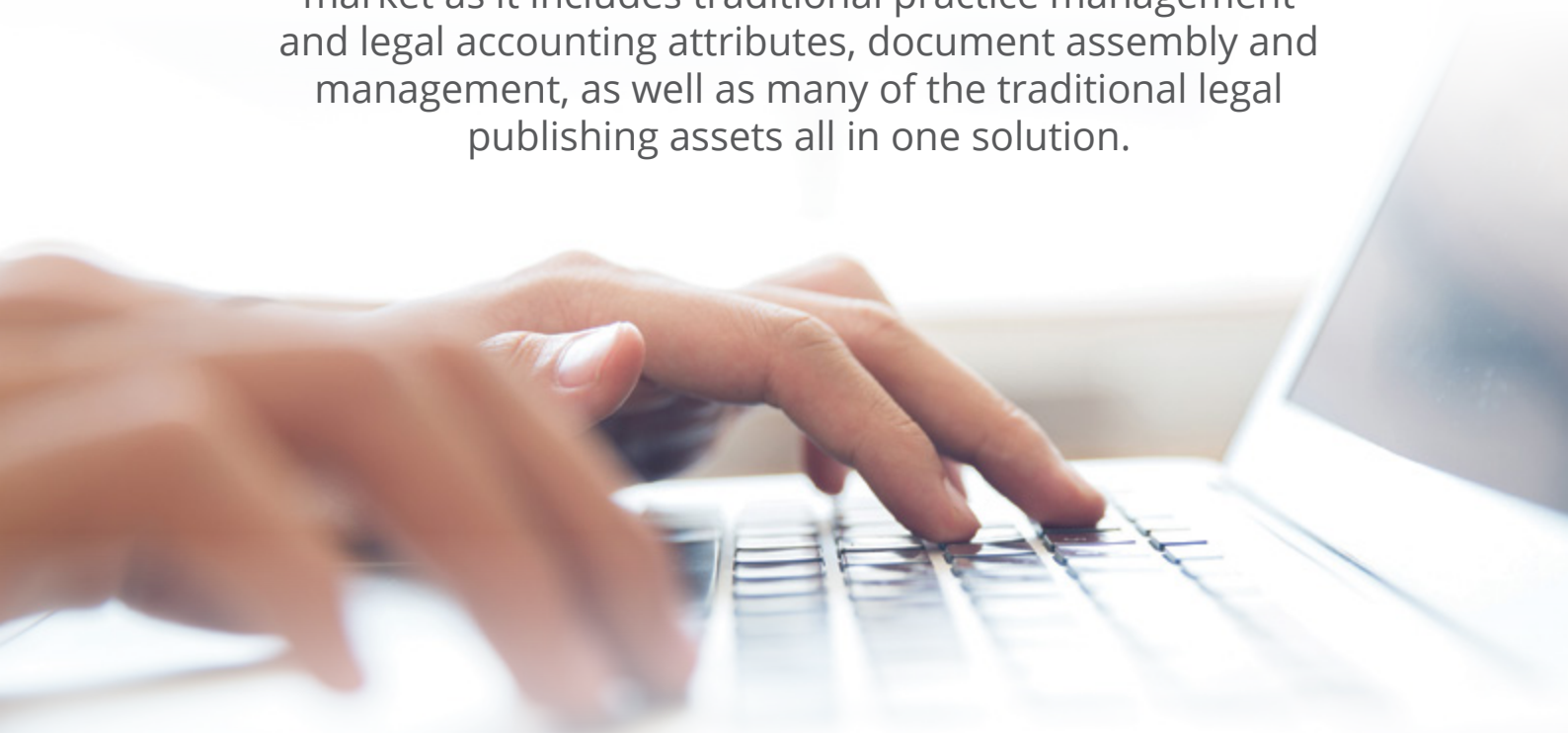
To apply, please send your CV and a letter explaining your interest in the Stage (in both English and French) to Deirdre Flynn at: D.Flynn@LawSociety.ie

¹ The EU & IA Committee will sponsor the participant with €3,500.

APPLICATION DEADLINE: Friday, 14 March 2025



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