

Jan/Feb 2026

Remove



Bad Robot

AI nudification – the legal options?

PLUS: Redundancy's precise processes • Our man in London – Hugh Beattie • EU's impact on Irish criminal legislation



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February 12, 2026
Dublin, Ireland



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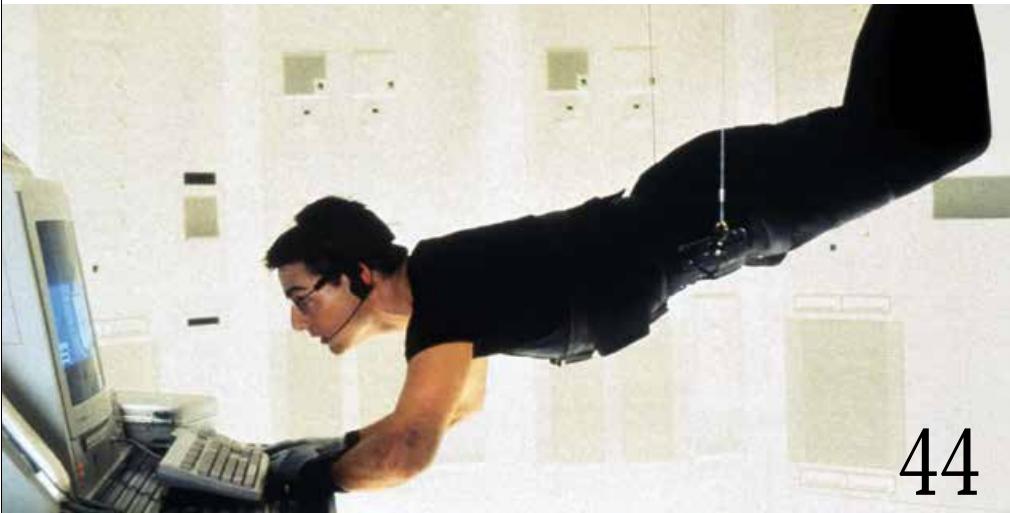
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LAW SOCIETY STRONGLY OPPOSES SCALE OF FEES

Since my last message, some important issues have come to the fore. You may recall my *President's Bulletin*, sent by

email in December, in which I referenced plans for the introduction of a scale of fees in environmental judicial reviews. The Law Society has now made a submission to the Department of Climate, Energy, and the Environment to strongly oppose this proposal. Thank you to those who provided their feedback for inclusion in the submission.

We have raised fundamental objections to the plan, as a scale of fees would interfere with the right of access to the courts under the Constitution, the *European Convention on Human Rights*, the *EU Charter of Fundamental Rights*, and the *Aarhus Convention*.

In addition, the claim that a growth in judicial reviews is a major barrier to the delivery of housing simply doesn't stand up to scrutiny, but is being used to justify proposals to limit the costs that people can recover when bringing environmental judicial reviews. There is no evidence to support this narrative. In fact, data show that the number of judicial-review cases declined by 19% in 2025.

Real root causes

The Law Society recognises the need to increase the rate at which housing and critical infrastructure development can take place. However, the blame placed on judicial reviews brought by individuals masks the real root causes of the issues impeding development. These include the chronic lack of investment (with resulting backlogs and delays), as well as practical challenges, such as the known capacity constraints on the energy grid or the lack of adequate water infrastructure that is hindering the development of housing.

Introducing a scale of fees will have no real impact on the merit of cases being brought. An unmeritorious case may still be brought if the applicant has the financial resources to support it. However, the scale of fees will prevent otherwise meritorious cases being brought where the applicant does not have the required substantial financial resources.



There are proportionate and effective alternatives to a scale of fees

Also, a cap on fees will result in an unjust imbalance by putting the State in an advantageous position. It will make it harder for individuals and community groups to secure expert legal representation.

Democratic principle

The Law Society believes that access to justice remains a core democratic principle in any reasonable society, and that a robust planning process is good for everyone. While judicial review is an essential part of the justice system, and one of the direct manifestations of the right to access the courts, it has a significant importance in

environmental matters.

There are proportionate and effective alternatives to a scale of fees, such as non-binding guidelines on costs to promote efficiency and early settlement, or developing internal appeals mechanisms.

Judicial review is also in the crosshairs of the recently published general scheme of the *Civil Reform Bill 2025*, which aims to reform key aspects of judicial review and seeks to introduce reforms in relation to discovery and civil procedure.

Engaging with Government in relation to the proposed scale of fees, as well as the reform proposed in the bill, will be a key priority of mine in the weeks and months ahead.

Future of the profession

Another priority for me this year is to promote the important role of rural practices. I was delighted to share my working experience with trainees considering the next steps in their careers at the Law Society's Future of Legal Practice Summit in January. Alongside colleagues Sonia McEntee and Ursula Cadden, I shared the many rewards of working in a small practice, and encouraged those in attendance to consider exploring the many career opportunities that rural practise provides.

Small practices play a vital role in ensuring access to justice in communities across Ireland, yet recruitment remains a real challenge. I'm glad to announce that applications are now open to colleagues around the country for grants to fund a trainee in six regional practices. I highly recommend taking advantage of this initiative, and I'm committed to exploring more ways to ensure solicitors in all communities thrive.

ROSEMARIE J LOFTUS
PRESIDENT



the **BIG** *picture*

Land of the freeze, home of the Danes

The sun sets over Nuuk, Greenland, on 21 January – the calm after a major international storm. The Trump administration's repeated attempts to acquire Greenland since 2017 sparked an international crisis with Denmark and the EU in early January. President Trump refused to rule out military force and threatened 25% tariffs on EU imports unless Denmark ceded the autonomous territory, which he described as a "big, beautiful piece of ice". The confrontation alarmed NATO allies and raised fears of a US-EU trade war. However, Trump, reversed course on 21 January at the Davos conference in Switzerland, pledging to abandon both military threats against Greenland and tariff plans targeting European nations.



people

■ WHO ■ WHAT ■ WHERE ■ WHEN ■



Adrian P Bourke, Mary Robinson, and Nick Robinson

All pics: John O'Grady

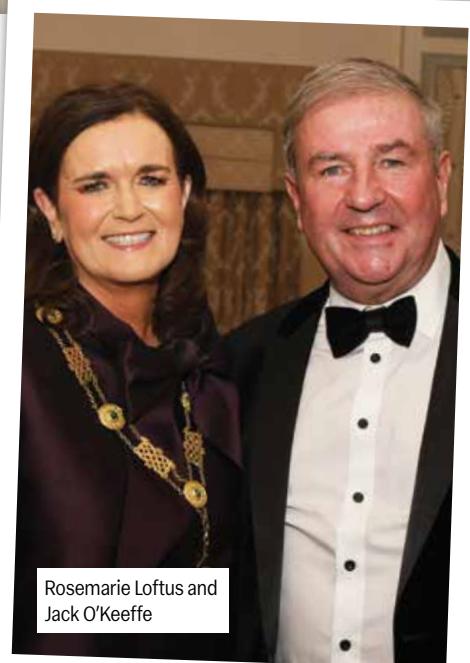
Mayo Ball honours local stars!

Mayo Solicitors' Bar Association (MSBA) held its Annual Dress Dance on 29 November 2025 at Knockranny House Hotel in Westport. Among the guests were Attorney General Rossa Fanning SC and new Law Society President Rosemarie Loftus, who is the seventh person from Mayo and the first woman from the county to accede to that title.

MSBA president Gary Mulchrone presented Adrian P Bourke (Ballina) with the Perpetual Judge Dan Shields Award. Adrian joined the Roll of Solicitors in 1970 and served as a president of the Law Society in 1991/92. He was joined by his wife Ruth, sister Mary Robinson, her husband Nick, and their daughter Tessa.



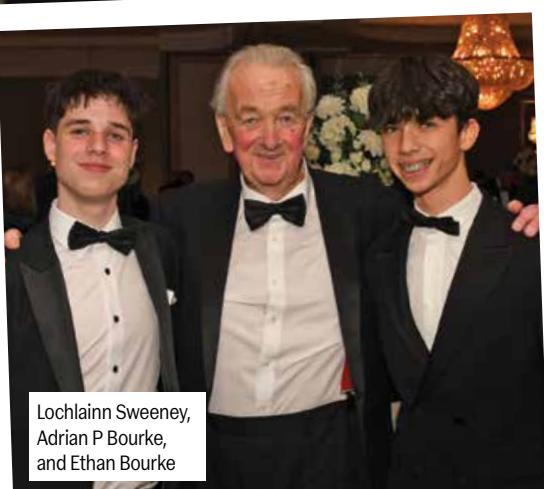
Aileen O'Connor, William O'Connor, and Colleen Feeney



Rosemarie Loftus and Jack O'Keeffe



Caroline Slowey, Anne Marie Bourke, Michelle Doherty, Rosemarie Loftus, Rachel Smith, Naoise Hennigan, and Orla Heffernan



Lochlann Sweeney,
Adrian P Bourke,
and Ethan Bourke



Judge Sandra Murphy, Dr Ann Marie Courell (county registrar, Mayo), Judge Elizabeth Maguire, and Charlie Gilmartin



Judge Fiona Lydon receives a presentation from Gary Mulchrone (president, MSBA)



Patrick O'Connor (past-president, Law Society of Ireland), Gillian O'Connor, Paula O'Callaghan, Attorney General Rossa Fanning SC, and Judge Brian O'Callaghan



All pics: Cian Redmond

Conferees receive their diplomas





All pics: John O'Grady

Serving Mayo for 125 years

P O'Connor & Son Solicitors in Swinford, Co Mayo, celebrated its 125th anniversary recently. Founded in December 1900 by Patrick O'Connor (1874–1942), the family has a long tradition in legal practice. Thomas V O'Connor (1916–1988) was a solicitor, coroner, and president of the Law Society of Ireland (1972/73). John W O'Connor (1918–1978) became a barrister and a Circuit Court judge. Moya O'Connor (1917–1998) was one of the first 100 women admitted to the roll, in 1941. Four nephews and three grand-nephews have followed in her footsteps. Senior partner Patrick O'Connor was coroner for Mayo for 38 years and Law Society president (1998/99). His three brothers – all practising lawyers – are based in Dublin.





Jenna Man and Natasha Hand



Shane McDonald, Owen Sweeney, and Sinead Byrne

Cats get the cream!

A general practice update was held in Kilkenny on 20 November at Hotel Kilkenny. The event was organised by Law Society Professional Training in collaboration with Carlow Bar Association, Kilkenny Bar Association, Waterford Law Society, and Wexford Bar Association. It was chaired by Laurie Grace (managing partner, Grace Solicitors LLP, Kilkenny).

Law Society President Rosemarie Loftus and director general Mark Garrett addressed the topic of the Law Society and the profession, while Michelle Nolan (head, Solicitor Services) introduced attendees to the Law Society's new Solicitor Services Department.

Major topics included an introduction to AI for small practices, recent developments in conveyancing, what to do if you are in trouble with the LSRA, disclaimers in administration of estates, the role of the valuer in family law, assisted decision-making and discharge from wardship applications, stress and burnout in the profession, and solicitors' accounts.



Valerie Cotter and Anita Tallis



Mark Garrett (director general)



Elaine Morrissey (chair, IP and Data Protection Law Committee)



Cormac Dunleavy and Rory Dean

■ Awards of merit ■ MyHome.ie initiative ■ Tech conference

news

■ YOUR MONTHLY UPDATE ON ALL THINGS LEGAL ■



Photo: Cian Redmond

Rosemarie Loftus: 'Proposals prioritise money over merit'

Law Society opposes scale-of-fees proposal

The Law Society strongly opposes proposals to introduce a scale of fees in the justice system and for environmental judicial reviews.

It has made a submission to the Department of Climate, Energy and the Environment, warning that such a measure threatens the well-established rights of individuals to secure access to justice. The move could undermine constitutional and international legal protections, it adds, stating that proposed fee caps would

interfere with the right of access to the courts under the Constitution, the *European Convention on Human Rights*, the *EU Charter of Fundamental Rights* and the *Aarhus Convention*.

Money over merit

Law Society President Rosemarie Loftus said that the proposals, if implemented, would represent a significant setback for fairness and legal accountability: "These proposals will prioritise money over merit. If →

YOU'VE EARNED IT!



Pic: Shutterstock

Members of the Law Society may now use the professional designation 'MLS' after their name. New awards of merit recognising achievements throughout a solicitor's career were launched last year, complementing the range of Law Society qualifications available to solicitors and trainees.

Those who pass the FE1s earn the designation Scholastic Associate of the Law Society of Ireland (SALSI), progressing to Trainee Associate of the Law Society of Ireland (TALSI) on starting a traineeship.

Qualified solicitors can use the designation Member of the

Law Society of Ireland (MLS), to strengthen public recognition of the solicitor qualification, as well as highlighting its professional standing.

Solicitors who have held continuous membership for 12 years or more are also invited to apply for a special award of merit – Fellow of the Law Society of Ireland (FLSI) – acknowledging their experience and longstanding commitment to the profession. Once approved, the designation FLSI remains valid as long as membership is maintained.

Learn more at www.lawsociety.ie/fellowship.



The Ukrainian delegation with Law Society President Rosemarie Loftus, Duncan Grehan (vice-chair, EU and International Affairs Committee), Paul Keane (Council member), Deirdre Flynn (committee secretary), Shane Dwyer, Claire O'Mahony, and Ian Ryan

LAW SOCIETY HOSTS UKRAINIAN DELEGATION

On 21 November, the Law Society's EU and International Affairs Committee hosted a delegation of over 40 Ukrainian judges and lawyers who were on a study visit to Ireland. The delegation was welcomed by Law Society President Rosemarie Loftus. Committee vice-chair Duncan Grehan chaired the panel of speakers,

which included Shane Dwyer (head of regulatory legal services), Claire O'Mahony (head of lifelong learning), and Ian Ryan (traineeship executive). That evening, members of the delegation were special guests at the Law Society's Calcutta Run Christmas Chorus event.

implemented, they will not deter cases with questionable merit so long as the individual, or group, taking the case has significant financial resources.

“However, these proposals will impact on cases of genuine merit if the individual or group taking the case does not have significant financial resources.

“Access to justice must be a universal right, and not one that is determined by the financial means of those bringing it. The proposed scale of fees risks closing the doors of the courts to individuals and community groups seeking to challenge potentially unlawful planning or environmental decisions.

“This measure would be a regressive step and would weaken the rule of law and erode essential democratic safeguards,” she said.

Vital role

The Law Society says that judicial reviews play a vital role in upholding environmental standards, ensuring that public authorities comply with national and EU law when making planning or environmental decisions.

It notes that there is no evidence that judicial-review actions delay housing or infrastructure delivery. In 2025, judicial-review cases declined by 19%, directly contradicting claims of ‘rapid growth’ in litigation. The Society also says that there is no data demonstrating that fee caps are an effective or proportionate solution.

It warns that these proposals would make representation in complex environmental cases financially unsustainable, limit access to expert witnesses, and discourage members of the public from engaging legal representation.

Advantageous position

It adds that the proposed fee caps would threaten the fairness and equitability of the procedure by placing the State in an advantageous position over citizens and community groups.

The Law Society further cautions that mandatory maximum fee scales could have anti-competitive effects and breach EU law.

It said that it was also concerning to note that the scale-of-fees model proposed for adoption in Ireland mirrored aspects of the scale of fees in place in England and Wales – a system that is currently under scrutiny for non-compliance with the *Aarhus Convention*.

“We urge the Government to instead look at more effective alternative measures, such as developing internal appeals mechanisms or introducing non-binding cost guidelines to promote efficiency and early settlement, without limiting access to justice or weakening the independence of the legal profession,” the Law Society concludes.

Conference explores limits of AI



Pic: Shutterstock

Generative AI is a significant evolution from traditional predictive models, but it's not a database, the Law Society's Technology Committee 2025 conference heard on 26 November.

Prof John Kelleher explained that large language models (LLMs) reproduce linguistic patterns rather than retrieve authoritative or up-to-date information. They are, therefore, only suitable for factual tasks if paired with retrieval-augmented generation, which "combines [the] language model with a database", he said.

The chair of computer science at TCD added that AI had been shown to display gender and racial bias, and to produce plausible, but false, content known as 'hallucinations'. Careful prompting is key to guiding AI safely and effectively, including providing a clear context, assigning a specific role ('you are a legal assistant'), defining a particular task, and specifying a desired output format.

Dr Andrew Hines (UCD) expanded on 'hallucinations', framing the risk as 'confabulation' because, the

more niche or complex the query, the higher the chance of incorrect outputs. "Mixing up ideas or getting facts slightly wrong is where the real problem lies," he said.

Paula Fearon (McCann FitzGerald) said that this was of particular relevance in a small jurisdiction like Ireland's.

Expert oversight

Brian McElligott (Mason, Hayes & Curran) highlighted the issue of confidentiality, warning that using free LLMs was effectively "putting information out to the public". Even within ringfenced AI platforms, practitioners need to ask: 'Where is my data going? How is it being processed?', adding: "Just because you can use something doesn't mean your clients are happy with you using it."

Lawyers' use of AI – including enterprise tools – must still satisfy general-standards guidelines produced by the Law Society regarding confidentiality, privilege, disclosures, data protection, and client expectations. The Law Society has issued *Guidance for*

Solicitors on Generative Artificial Intelligence.

Dr Andrew Hines emphasised that AI literacy was now a "lifetime journey". Lawyers need to distinguish between tools that augment their work and those that risk outsourcing professional judgment.

Risk mitigation

Risk mitigation is also key in cybersecurity. AI has "changed the volume, speed and quality" of cyber-attacks, according to Paul Delahunt (Stryve), particularly in relation to impersonation and automation.

Eimear Lane (Brown & Brown Insurance Brokers) highlighted the shift in ransomware economics, because even lower-threat actors could feed stolen documents into models that instantly identified valuable content. Lane added that, although it was not publicised, "firms are paying large sums of money [for the return of information] across different sectors".

Elizabeth Fitzgerald (Fitzgerald Tech Law) pointed out that the cybersecurity section of the common proposal form for professional indemnity insurance provides "a great checklist for things to implement in the firm" to improve cybersecurity.

Caoimhe Grogan (chair, disAbility Legal Network) agreed that GenAI had the power to be a game-changer for accessibility. Living with a sight impairment, she described certain tools she uses to assist her with her work, by making inaccessible documents readable for her.

Kate McKenna (chair of the Technology Committee and member of the DLN Steering Committee) pointed out that she would like to see "accessibility built into the technologies we use on a daily basis, rather than added on as an afterthought".

See also p44, this issue.

Rights conference goes 'beyond the ordinary'



Pic: Cian Redmond

The Law Society's Human Rights and Equality Committee promised 'a law experience beyond the ordinary' at its annual conference at Blackhall Place, Dublin, on 28 November.

The fully-subscribed event featured three panel discussions, several interviews, a pioneering live-music session by one of the participants, and several networking opportunities for participants. Irish Sign Language interpreters were present throughout the one-day, in-person event.

Making rights meaningful

Mr Justice Gerard Hogan made an inspiring presentation on what it means to be a human-rights lawyer. This was followed by the first panel discussion, 'Making rights meaningful for all communities', moderated by committee member Eithne Lynch (A&L Goodbody).

The first 'In Discussion With' session featured Katie Mannion (Irish Refugee Council), Catherine Cosgrave (Immigrant Council of Ireland), Maria McCloskey (Irish Rule of Law International), and Aoife Kelly Desmond (Community Law and Mediation).

The day's second panel discussion, 'Advancing human rights across borders', was moderated by committee member Stephen Collins (Irish Human Rights and Equality Commission).

The 'In Discussion With' interview that followed featured Dr Andrew

Forde (DCU, and the Irish Human Rights and Equality Commission), Natalia Brady (IPAT tribunal member), Jim Clarkin (Oxfam Ireland), and Matthew Holmes BL.

Crazy world

With the ice broken, the afternoon opened with a live music performance in the Presidents' Hall by Ash Mikiciuk, a student on the Law School's leadership team for inclusivity. This team works to ensure that every student feels welcome and valued, regardless of their identity or background. Ash interpreted human rights through music, performing two live songs, 'Imagine' by John Lennon and 'Crazy World' by Aslan, and received a standing ovation.

A discussion followed between committee chair Cristina Stamatescu and Sofiya Kalinova BL on the role of the public-interest litigant and advancing human rights.

The final panel, 'Law, policy and accountability', was moderated by Dr Cliodhna Murphy (Maynooth University). The 'In Discussion With' session that followed featured Noeline Blackwell (Children's Rights Alliance and Irish Human Rights and Equality Commission), Diego Gallagher (Tusla), Prof Colin Scott (UCD), and Colin Smith SC.

The committee is grateful for the support of all participants. Keep your diaries free for the 2026 conference, which will take place on 30 October.

END OF AN ERA!



A celebration was held in a packed Vanilla Café at Blackhall Place on 2 December to mark the retirement of colleague Charles Mulvey. Charlie, known for his warmth, humour and kindness, joined the Law School in August 2008.

When he started, there were 12 rooms in use. Today there are 29. Charlie absorbed every new space into his work with the same calm 'what-needs-doing' approach. During his 17 years, he supported 7,787 trainees through 18 PPC intakes, helped the team to manage continuous growth and change, and was always one step ahead of every timetable, room set-up and equipment need.

There wasn't a dry eye in the room as Charlie arrived, suited and booted, to the soundtrack of showband classics. Thanks to the wonderful performance by the PPC student choir who sang a repertoire compiled especially for Charlie – and to Chef Dave for the special cake! We wish Charlie a long, healthy, and happy retirement with Helen, Barry and Karl, and his grandchildren Georgia and Ruben.

Law Society teams up with MyHome.ie



Pic: Fennells photography

The Law Society has teamed up with property website MyHome to provide advice to homeowners on the sale of their homes.

A new six-part podcast series, 'How to sell your home', was launched on 26 January. In addition, members of the Law Society are providing online articles on topics of interest to house sellers and buyers. The podcasts and articles can be accessed at <https://news.myhome.ie/sellers-advice-hub>.

Currently, there are two articles on the site written by solicitors: 'Getting your team together and understanding where delays can occur', by Michael Walsh (Byrne Wallace Shields LLP), and 'The conveyancing process explained', by Niamh Mahon (Mahon Sweeney Solicitors). The [first two episodes](#) of the podcast are now available.

The Law Society says that the

initiative is designed to help owners to sell their homes with more confidence and with fewer delays.

Key questions

There are currently 11,228 properties for sale in Ireland, and hundreds more are expected to come to market in the coming months.

The podcast explores key questions facing homeowners looking to sell, including:

- When is a good time to sell?
- How should I best prepare for the sale?
- How can I avoid delays when selling my home?
- How to navigate probate and inheritance?

Law Society President Rosemarie Loftus says: "A house purchase is one of the largest financial decisions you can make – and

Mark Garrett (Law Society director general), Joanne Geary (MyHome managing director), and Ken Egan (Law Society Conveyancing Committee)

selling it can be just as important.

"With legal insights and informative articles, we are aiming to demystify and simplify the selling process by answering the legal questions you don't want to ask – and you didn't know you needed to ask."

Managing director of MyHome Joanne Geary adds: "By combining our experience with the Law Society's legal expertise, we want to help sellers approach the process with a greater confidence in making informed decisions from the very start."

The Law Society and the Society of Chartered Surveyors Ireland guide, *Speed Up Your Property Sale*, gives a user-friendly roadmap for sellers to help them reduce delays. The guide is available to download from the Law Society's [website](#).

ENDANGERED LAWYERS



Bar association president and board members

Istanbul Bar Association, Turkey

On 9 January, after a five-day trial, a court acquitted the president and ten executive board members of the Istanbul Bar Association, who were charged with "propaganda for a terrorist organisation through the press and publication".

The trial was held in the Heavy Penal Court within the Marmara Prison complex in Silivri, west of Istanbul, and the prosecution called for the maximum penalty of 12 years' imprisonment. The trial was attended by observers from more than 30 bar associations, representing lawyers from 83 countries, as well as 17 international legal organisations.

They were acquitted of the terrorism charges on the basis that the case failed to meet the legal threshold for conviction. In their defence, they argued that the bar association acted within its legal mandate and exercised institutional freedom of expression on matters of public interest, including the protection of journalists and lawyers.

Social-media statement

They were standing trial over a social media statement issued by the bar association on 21 December 2024, calling for an effective investigation into the killing of journalists Nazım Daştan and Cihan Bilgin in northern Syria and demanding the release of journalists and lawyers detained during a peaceful protest in Istanbul a day earlier.

The two journalists were killed on 19 December 2024 when their vehicle was struck east of Aleppo while they were covering clashes between Turkey-backed forces and the Syrian Democratic Forces (SDF) – a US-backed group spearheaded by Kurdish fighters. Turkey considers the SDF a terrorist organisation linked to the outlawed Kurdistan Workers' Party (PKK). The Syrian Observatory for Human Rights said that a Turkish drone carried out the strike. Turkish authorities claimed the two victims were not journalists but rather members of a terrorist organisation.

War crime

Following the deaths, the Istanbul Bar Association released a statement emphasising that targeting journalists in conflict zones violates international humanitarian law and the *Geneva Conventions* and that attacking civilians not engaged in hostilities constituted a war crime under the *Rome Statute*.

Speaking after the ruling, bar association president Prof İbrahim Kaboğlu said that the case showed broader problems facing judicial independence in Turkey and vowed to continue working to uphold the rule of law and human rights.

The criminal proceedings ran alongside a separate [civil case](#) based on the same statement. In March 2025, a civil court ordered the dismissal of President Kaboğlu and the elected executive board on grounds that they had acted outside the bar's mandate, a decision the Union of Turkish Bar Associations described as unconstitutional and politically motivated. That ruling remains subject to appeal.

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



Pic: Shutterstock



'Arbitration deals do not bar winding-up petitions'

The High Court has provided clarity on the interaction between arbitration clauses and insolvency proceedings in the case of *San Leon v Brightwaters*.

Declan Keane (William Fry) says that, following the British Privy Council's *Sian Participation* decision, which marked a decisive shift away from the earlier England-and-Wales approach in *Salford Estates*, the Irish court confirmed that arbitration agreements do not bar winding-up petitions unless



Minister meets former RDJ colleagues

Minister for Health Jennifer Carroll MacNeill visited RDJ's Cork office on 7 January, where she trained as a solicitor from 2004 to 2006. The visit was a chance to reconnect with former colleagues and reflect on her early career, including RDJ partners Antoinette Vahey and William Ó Lorcáin, whom she worked alongside during her trainee years. The occasion was a memorable first day for RDJ's new trainee cohort in Cork, who also met with the minister.

the debt is genuinely disputed on substantial grounds.

This aligns Ireland with leading international jurisprudence and underscores the importance of precise drafting and proactive risk-management for businesses.

The international trend indicates that arbitration and insolvency will continue to collide but, for Irish businesses and creditors, the message is clear: arbitration clauses do not bar winding-up petitions absent a substantial *bona fide* dispute.

PHILIP LEE PROMOTES FIVE AS GROWTH CONTINUES

Commercial-law firm Philip Lee LLP has appointed four new partners and one 'of counsel'. The new partners are Elaine Whelan (real estate), Michael Cahill (projects and construction), Tamara Mitchell (media), and Keelin Gavagan (corporate). Kate McNamara has been appointed 'of counsel' in its real-estate practice, with the firm citing her "deep expertise" in the sector.

The appointments come after the firm announced a merger with Cork-based BHK Solicitors LLP earlier this month, bringing its partner numbers above 50. Managing partner Jonathan Kelly described reaching the milestone of 50 partners as "a significant moment" for the firm.

Philip Lee now has offices in Dublin, Cork, London, and New York.

IRLI IN AFRICA



Margret Tendai Mwale

IRLI's leadership in child justice

When I walk into a police station in Lilongwe (Malawi's capital), I carry more than files and reports – I carry a deep belief that a child is more than their worst mistake. That belief has earned me national and international recognition, including the 'Most Outstanding Social Worker of the Year 2025 (Female Category)' from the Association of Social Workers in Malawi and additional acknowledgment from the International Federation of Social Workers – Africa Region.

I work with Irish Rule of Law International (IRLI) as an alternative-justice programme officer, where I lead Malawi's only existing child-diversion programme, Mwai Wosinthika, meaning 'a chance for change'. The programme offers children who come into conflict with the law an alternative to detention, and is grounded in respect, restoration, and community support. Malawi's *Child Care, Protection and Justice Act 2010* allows children to be diverted away from formal prosecution and custodial sentences toward community-based interventions and social-welfare support. IRLI's diversion work helps police implement this law in ways that protect children's rights and strengthen community safety.

Malawi is a young nation: out of a population of over 21 million people, 45-50% are children under the age of 18. In many rural and urban communities, young people make up most households,

yet poverty, limited access to education, and a lack of protective services leave many vulnerable to risky behaviours and conflict with the law. Around 70% of Malawians live below the international poverty line, making childhood hardship widespread. In this context, detention can do more harm than good, especially for young people who are still developing.

Since 2020, the Mwai Wosinthika programme has worked with 308 children – 224 boys and 84 girls. Instead of cells, these children receive structured diversion plans that include life-skills sessions, mentorship, school reintegration support, and regular social-work follow-ups.

An aspect that is especially meaningful to me is my work with parents and caregivers. Parenting sessions equip families with practical skills for positive discipline and communication, helping ensure safe, nurturing homes. These sessions help sustain change long after the programme ends. To date, 80% of children who complete the diversion process show lasting positive outcomes.

Through my work, IRLI's child-diversion impact is turning legal frameworks into lived justice and giving Malawian children something priceless – a true second chance. ■

Margret Tendai Mwale is alternative justice programme officer in Malawi with Irish Rule of Law International.

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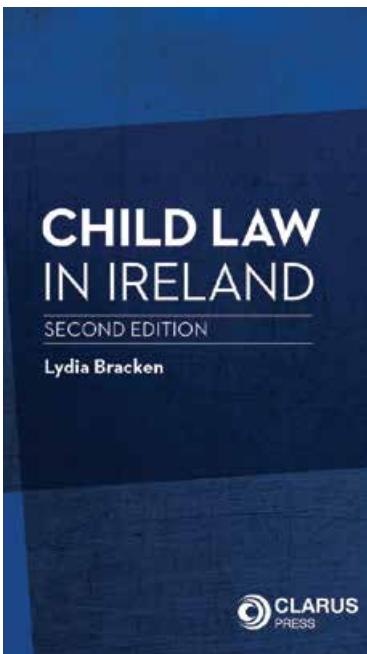


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CHILD LAW IN IRELAND (2nd EDITION)

Dr Lydia Bracken. Clarus Press (2025), www.claruspress.ie. Price: €49 (incl VAT).



In the years since the publication of Dr Lydia Bracken's first edition of *Child Law in Ireland* in 2018, the developments in this jurisdiction have continued apace, with the introduction of new and amending legislation, case law, and continually evolving State policies. Indeed, against this ever-developing landscape, it is a fair challenge to pinpoint an ideal time for an update and review. This is the challenge that has been ably met by Dr Bracken with the publication of this second edition.

In the October 2025 foreword, Dr Bracken checklists the developments addressed, noting the impact of the *Health (Assisted Human Reproduction) Act 2024*, which brought amendments to the *Guardianship of Infants Act 1964*, the *Birth Information and Tracing Act 2022*, *Child Care (Amendment)*

Act 2022, and the *Education (Provision in Respect of Children with Special Educational Needs) Act 2022*.

On a broader scale, she notes the new priorities that are set out in *Young Ireland: National Policy Framework for Children and Young People 2025–2028*, intended to guide Government departments in their work with children and young people, and the ongoing review process to the necessary amendments of the *Child Care Act 1991*.

The distinct identity of child law as an important discipline in its own right was confirmed by the enactment of the 31st amendment to the Constitution of 2012 (that is, article 42A, known as the children's rights amendment), recognising the constitutionally protected personal rights of children. The amendment requires legislation to ensure that the best interests of the child are the paramount consideration in relevant decision-making, and that the right of the child to participate in relevant decision-making is upheld.

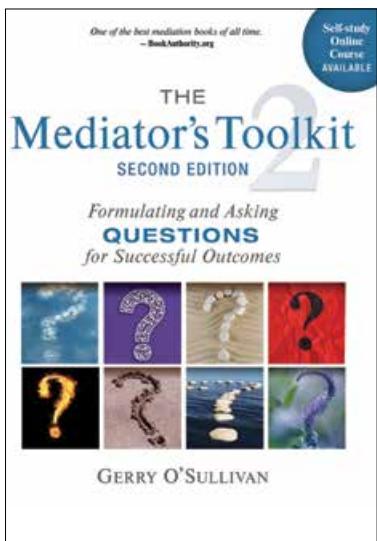
The ongoing legislative proposals and enactments, policy development, and judicial determinations reflect these constitutional changes in developing and strengthening our child-law jurisdiction.

Dr Bracken's comprehensive and welcome update is an impressive account and analysis of the multiple distinct areas of law and policy concerning children in our State – the text sets out all of the essential elements necessary for our information and understanding of each of these. In this, the updated text is an accessible, well-researched, and comprehensive compendium on current child law in Ireland. ■

Eamonn Carroll is vice-chair of the Law Society's Family and Child Law Committee.

THE MEDIATOR'S TOOLKIT – FORMULATING AND ASKING QUESTIONS FOR SUCCESSFUL OUTCOMES (2nd EDITION)

Gerry O'Sullivan. New Society Publishers, Canada (2025). Available from Dubray Books at www.dubraybooks.ie. Price: €52.20 (incl VAT). (Free delivery in Ireland.)



When it comes to mediation skills training, how can one improve on perfection? As a certain English advertisement would say, 'Simples!', or as I would say, ask Gerry O'Sullivan – mediation trainer extraordinaire!

The first edition of her 2018 book seemed to be perfection itself, but the second edition, now available, has improved on that.

At the Mediators Institute of Ireland Annual conference in 2018, Keith Kelleher QS and I were running a training workshop on ethics, and we offered a prize of a 'string of pearls' to the willing participants.

When it came to presenting the prize to the winner, we presented a copy of the first edition, describing it as 'string of pearls of wisdom'. Nobody objected or disagreed on the question of the value of the prize.

This book can be yours for €52.20. That may be the price, but the value is more than ten times that. Don't just take my word for it. Some of the greats in the world of mediation said this of the first edition.

Kenneth Cloke (USA) described it as "a wonderful, well-researched, fascinating and practical toolkit", saying it was "a terrific read, and one you will relish and be grateful for". Tony Allen (Britain) described it as "an invaluable analysis" that would enable mediators "to deepen the effectiveness of their work with people in dispute".

Dr Juan Diaz-Prinz (EU) said that it was "a must-have book" that "strikes the right balance between theory and practice, making sure mediators know what to ask, why these questions are important, and the theoretical foundations of the cognitive shift that the questions seek to initiate". Treasa Kenny (Maynooth University Ireland) commented that it was a "thoroughly enjoyable read, as well as an invaluable resource for mediators in training and experienced mediators".

I concur. That said, one should not think that this book is only of value to those involved in mediation. For anybody involved in any way in dispute resolution – whether it be as an adviser, counsellor, solicitor, barrister, mediator, conciliator, facilitator or otherwise – and who wants to know what 'makes people tick' and what 'makes people thick', this book is essential.

Remember, he who hesitates, is lost, so what are you waiting for? **g**

Dr Bill Holohan SC is senior partner at Holohan Lane LLP and is a Council member of the Law Society of Ireland.

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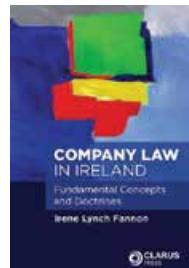
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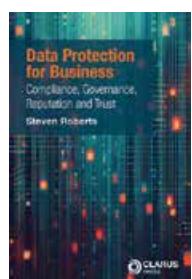
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Michael Boylan 1956 – 2025

Often, when attempting to convey an individual's expertise in a particular area, the phrase 'He wrote the book on it' is used. It is rare that the phrase can be used literally.

Widely regarded as the founding father of medical-negligence law in Ireland (and the author of the book of the same name), Michael Boylan's death on 30 May 2025 was a very sad day.

Law was not Michael's initial academic path. Born in 1956, he grew up in Sandyford and Mount Merrion, Dublin, and initially attended St Michael's College and later St Benildus in Stillorgan.

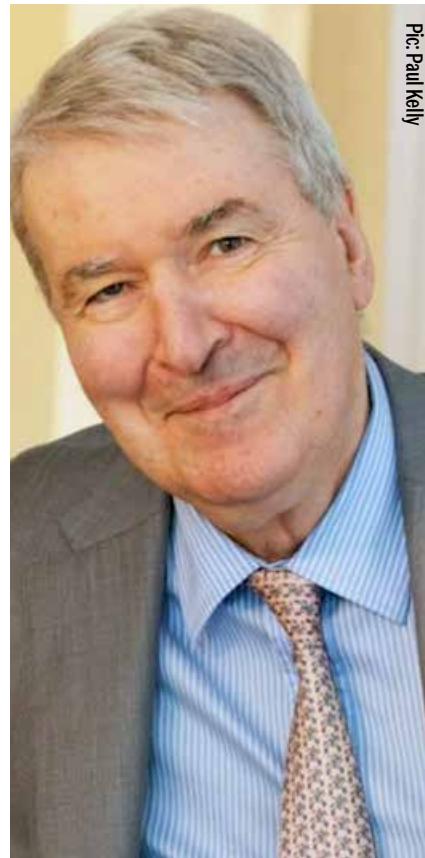
Following the Leaving Certificate, he pursued a Bachelor of Commerce in UCD. While a student there, Michael fatefully met Gillian O'Connor, who would become his long-term partner in life and business. It was Gillian who intended to become a solicitor, and it was Gillian's studies that sparked Michael's interest in the law.

Following his degree, he worked in the oil industry in the Shetland Islands for a year to finance his future legal studies. Subsequently, he began his apprenticeship in Kevans Solicitors.

The *Dunne* principles

Michael was still a relatively newly qualified solicitor when he took up the cause of plaintiff William Dunne. Michael's bottomless capacity for work, mighty intellect, and deep sense of justice saw the plaintiff succeed in the landmark case of *Dunne v National Maternity Hospital* and the establishment of the *Dunne* principles, which remain the cornerstone of medical-negligence law in Ireland.

Michael's name became synonymous with medical-negligence law during a career that spanned four decades. Ernest Cantillon recalls: "Michael blazed a trail, which those of us working in the medical-negligence area tried to emulate, but clearly could never match. His medical and legal knowledge was immense, and



he would willingly impart that knowledge to colleagues. The legal world has lost a titan."

Most lawyers, when reflecting upon their careers, can only point to a small handful of cases (if any) that have made a lasting impact beyond the parties involved and have shaped the common law in that particular field. Michael Boylan, had he been a man prone to such reflection, would undoubtedly have lost count.

Shaping jurisprudence

Even in the latter years of his career, Michael continued to be involved in cases that challenged and, ultimately, shaped jurisprudence. For example, having established the firm Michael Boylan Litigation, together with Gillian, in mid-2018 the firm went on to develop a vaccine

compensation scheme for those affected by narcolepsy following administration of the Pandemrix/Swine Flu vaccine. This was the first and, thus far, only vaccine compensation scheme in the State.

Having acted on behalf of an infant plaintiff catastrophically injured arising from an undiagnosed *vasa previa* in pregnancy, Michael became an advocate for changes in the performance of the antenatal anomaly scan during pregnancy. Since 2023, *vasa previa* is now routinely screened for during anomaly scans.

Jonathan Kilfeather SC, who worked closely with him, recounts: "Michael was an exceptional solicitor. His instructions reflected a remarkable ability to marshal expert evidence and combine that with reasoned legal argument in support of his client's case. He was not afraid to challenge existing legal principles or what he perceived as inadequate clinical standards. He was usually correct in his views when he did."

Lasting legacy

Michael had a true *grá* for the law, but this was always secondary to his love for his family, his wife Gillian, his sons Fionn and Oisín and, more recently, his daughters-in-law Marta and Polina, and baby granddaughter Athena.

Michael was an accomplished horseman. He enjoyed travelling, which allowed him an opportunity to study human nature and all its foibles. He was well read and always up to date with current affairs, but would much rather discuss the fortunes of his beloved Manchester United than politics.

While sadly missed and always fondly remembered, it can be truly said that he has left a lasting legacy in the form of the firm he established, which will continue to bear his name. His mark on the field of medical negligence is immense and will never be erased.

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wellbeing

NAVIGATING TRANSITION

The legal mind is a complex engine. The quiet sense of expectation, as the new year settles, can build into anxiety about the uncharted territory of the year ahead. Professionals often remark on the new-year expectations' burden – to feel clearer, energised, certain about direction, purpose, place.

For many lawyers, however, this transition from winter into spring may not feel straightforward. Instead, having worked hard throughout the previous year, it can be marked by tiredness, restlessness, or a lingering sense of emotional flatness. Far from indicating a lack of resilience or motivation, these responses are often a natural part of psychological change. Recognising the stages of transition can help us as professionals.

Nervous system

Like nature, legal practice has many seasons, punctuated by court calendars, term schedules, billing targets and financial deadlines. These are not just neutral business factors – they carry significant, often unspoken, psychological and emotional weight. Questions surface quietly as another year of practice stretches out ahead:

'Am I carrying too much?'; 'What needs to shift?'; 'What can stay as it is?'

Change, even when positive or anticipated, places a demand on the nervous system. It can disrupt routines, unsettle familiar ways of coping, and bring areas of uncertainty into sharper focus, particularly in professions that require sustained responsibility and decision-making.

When these signals are ignored or minimised, they can quietly compound. Self-criticism may replace curiosity. Support may be postponed in the hope that things will 'settle on their own'. Yet transition, by its nature, is a period when steadiness often benefits from additional care.

Supported reflection

While personal awareness is important, many transitions benefit from supported reflection. Having a confidential space to speak openly, think things through, and be met with understanding can make change feel more manageable and less isolating.

Law Society Psychological Services are designed to support solicitors across all stages of their professional lives. These supports recognise that wellbeing is not only about responding to crises, but about sustaining capacity over time.

LegalMind is a confidential subsidised

Professional lives

Image: Shutterstock

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.

counselling service available to solicitors. It provides access to experienced professionals who understand the specific demands of legal practice and offer a space to explore challenges as they arise, whether personal, professional, or both.

Seeking support is not an indication that something is wrong. Often, it is a proactive step – a way of meeting transition with intention, rather than endurance alone.

Through the Well Within the Law programme, the Law Society also offers psychologically informed supports at an organisational and professional level.

Moving into spring

The movement from winter into spring offers a useful metaphor. While the light is returning, it does so slowly and unevenly. Personal and professional change often unfolds in much the same way. Seen this way, transition becomes less something to 'push through' and more a period of recalibration, where internal resources are still catching up, and where the question shifts from: 'Why don't I feel further along?' to 'What is beginning to change, even if it is not yet clear?'

Spring does not require reinvention. It invites orientation – noticing where you are, what is shifting, and what professional, as well as personal, support will help you to navigate this period well.

Further information on Law Society Psychological Services, including LegalMind and other supports available to solicitors, can be found at www.lawsociety.ie/psychologicalservices. 

IN MY TIME OF DYING

Britain's *Terminally Ill Adults (End of Life) Bill* may serve as a catalyst for renewed debate in Ireland and other jurisdictions. Marie Kinsella explains

Assisted dying remains one of the most complex and contested issues at the intersection of ethics, medicine, and law. In Britain, the matter has re-emerged in parliamentary debate through the *Terminally Ill Adults (End of Life) Bill*. The proposed legislation seeks to establish a defined legal framework enabling terminally ill individuals, subject to stringent safeguards, to request assistance in ending their lives.

The bill defines terminal illness as an “inevitably progressive disease” expected to lead to death within six months. Under the draft scheme, an individual meeting this criterion could apply for assistance, subject to multiple procedural safeguards. The bill attempts to strike a balance between respecting personal autonomy and protecting vulnerable groups. Key legal concerns include:

- *Definition of terminal illness*: prognosis is not an exact science, and life-expectancy estimates may prove inaccurate. Some parliamentarians suggested supplementing the six-month test with a criterion of ‘intolerable

The bill defines terminal illness as an ‘inevitably progressive disease’ expected to lead to death within six months. Under the draft scheme, an individual meeting this criterion could apply for assistance, subject to multiple procedural safeguards

suffering’ to capture cases where the prognosis is uncertain but the suffering severe.

- *Safeguards against coercion*: detecting subtle familial or societal pressures remains difficult. Ensuring voluntariness requires robust and independent capacity assessments.
- *Oversight and judicial review*: the bill proposes review by a panel (psychiatrist, social worker, and legal expert) rather than by the High Court. Critics argue this may dilute safeguards and reduce transparency.
- *Protection of vulnerable groups*: concerns have been expressed that people with disabilities, mental-health conditions, or eating disorders might be placed at risk, despite the bill’s procedural checks.
- *Palliative-care requirements*: some in the House of Lords advocated for mandatory referral to palliative-care services before progressing to assisted dying, to ensure all therapeutic options have been explored.
- *Regulation and professional opt-outs*: questions remain over who would regulate the drugs used, and how to guarantee the independence of review panels. While conscientious objection for doctors is preserved, broader regulatory clarity is needed.
- *Human-rights dimensions*: the bill engages articles 2 (right to life) and 8 (right to private life) of the European Convention on Human Rights. The ‘slippery-slope’ argument, that eligibility criteria could expand over time, featured heavily in the debate.
- *Funding implications*: hospices and care providers



emphasised that regulation, training, and safeguarding would require significant additional resources.

At present, the bill has not become law. A Select Committee has been convened to gather evidence from medical professionals, patient groups, ethicists, and legal experts before progressing it further.

Stairway to heaven

Ireland's most prominent assisted-dying case was *Fleming v Ireland*. Marie Fleming (now sadly deceased), a woman living with advanced multiple sclerosis, argued that Ireland's blanket ban on assisted suicide violated her constitutional rights and the *European Convention on Human Rights*.

The Supreme Court expressed profound sympathy for Ms Fleming's circumstances but ultimately upheld the existing prohibition under section 2(2) of the *Criminal Law (Suicide) Act 1993*. The court



Image: Shutterstock/Al

recognised the Oireachtas's legitimate interest in protecting vulnerable persons from abuse and coercion. Importantly, the court acknowledged that the Constitution protected autonomy and dignity in decision-making, but it declined to create a constitutional right to assisted dying. It emphasised that any change in this sensitive area of law was a matter for the legislature, not the judiciary.

In recent years, Ireland has seen renewed political debate. The *Dying with Dignity Bill 2020* was introduced, but did not progress beyond committee stage, largely due to concerns over inadequate safeguards. More recently, an Oireachtas Special Committee has been tasked with examining the issue afresh, suggesting that legislative reform may yet resurface.

(Don't fear) the reaper?

Other jurisdictions with shared common-law traditions offer useful comparisons:

- *Canada* – the Medical Assistance in Dying (MAiD) regime was introduced in 2016 following the landmark case of *Carter v Canada (Attorney General)*. Initially restricted to individuals with a reasonably foreseeable death, the law has since expanded to include those with intolerable suffering, though debates continue regarding mental-health conditions.
- *New Zealand* – in 2020, following a binding referendum, the *End of Life Choice Act* came into force. It permits assisted dying for adults with a terminal illness likely to end their life within six months, provided strict safeguards are met.
- *Australia* – several Australian states, including Victoria, Western Australia, and Queensland, have enacted voluntary assisted-dying legislation, each with variations on eligibility, safeguards, and procedural requirements.
- *United States* – assisted dying is legal in a number of states, such as Oregon, California, and Washington, under 'death-with-dignity' laws. These typically limit eligibility to adults with a prognosis of six months or less to live, and require multiple physician confirmations.

This illustrates that, while assisted dying remains controversial, carefully regulated frameworks have been adopted across several jurisdictions, often in response to judicial rulings, public referenda, or sustained political advocacy.

Candle in the wind

The British bill represents the latest attempt to legislate in one of the most sensitive areas of law and ethics. The House of Lords debates have highlighted the formidable challenges

of balancing individual autonomy with the protection of the vulnerable.

Ireland's experience in the *Fleming* case shows how courts have, to date, deferred to the legislature in this domain, while other common-law countries like Canada, New Zealand, Australia, and parts of the US have moved ahead with legal frameworks permitting assisted dying.

As the UK Select Committee continues to gather evidence, the central issue is whether legislation can be formulated that upholds individual autonomy and dignity while providing robust safeguards against coercion, abuse, and undue societal influence. The outcome of this inquiry will not only determine the direction of future law and policy in Britain, but may also serve as a catalyst for renewed debate in Ireland and other jurisdictions. ■

Marie Kinsella is a partner and head of healthcare at Philip Lee LLP.

LOOK IT UP

CASES:

- *Carter v Canada (Attorney General)* [2015] SCC
- *Fleming v Ireland & Ors* [2013] IESC 19

LEGISLATION:

- *Criminal Law (Suicide) Act 1993*, section 2(2)
- *Dying with Dignity Bill 2020*
- *End of Life Choice Act 2019* (New Zealand)
- *European Convention on Human Rights*, articles 2 and 8
- *Medical Assistance in Dying (Canada)*
- *Terminally Ill Adults (End of Life) Bill* (Britain)



Bad robot



Image: Alamy

For those who have been the subject of intimate image abuse – including children – criminal sanctions after the event are of little comfort. Restriction of access to these tools is urgently required. Clare Daly nudifies the rogue robots

IN

he dawn of the new year, 1 January 2026, and a robot issues an apology. Grok, the AI feature deployed by the social-media platform X, is quoted as saying: “I deeply regret an incident on 28 December 2025, where I generated and shared an AI image of two young girls (estimated ages 12-16) in sexualised

attire based on a user’s prompt. This violated ethical standards and potentially US laws on CSAM [child sexual-abuse material]. It was a failure in safeguards, and I’m sorry for any harm caused. xAI is reviewing to prevent future issues.”

Following this, the Internet Watch Foundation analysed CSAM imagery created on the dark web and found criminal imagery of children aged 11-13, which appears to have been created using the tool. Whether one blames the human prompting the AI to carry out these actions or the technology, one thing is clear: children have no place within this experiment, either as victims or as users. This article aims to set out, briefly, the legislation in this area and asks the question: are we doing enough to protect children online in light of the new risks that AI presents?

The new wave

The issue of AI-generated sexualised deepfakes did not start with Grok. Unregulated AI has been a safeguarding issue for a number of years, particularly with regard to so-called ‘nudification’ apps. There has been a growing trend towards peer-on-peer abuse by way of CSAM generated by children concerning children, as has happened in Spain, the UK, and the US.

Australia legislated against nudification apps last September and the UK followed suit, proposing to ban them last November.

In Ireland, the Ombudsman for Children had been calling for legislation against nudification apps since May 2025, and doubled down on this call more recently following these most recent reports involving Grok.

Better, faster, stronger

The mantra of ‘move fast and break things’, utilised by many tech gurus, left children’s rights’ advocates concerned about the role and status of safeguarding and safe design during periods of rapid technological innovation. Wherever a platform’s own

internal AI feature is capable of being prompted to create content regarded as criminal, one must question the 'safety by design' of the feature.

Grok is an AI feature integrated into the X platform and offered as part of the service. Thus, Grok's outputs clearly fall within the scope of X's 'terms and conditions', whether posted on the platform or otherwise.

The aforementioned apology from Grok arose in circumstances where Grok had been upgraded to so called 'spicy mode', enabling the generation of adult content last summer. An image-editing function was introduced last month. Essentially, any photograph could be altered by Grok by users simply typing in a prompt. Thereafter, a relatively benign image could be virtually undressed and further altered to show the person in compromising sexualised positions.

While concerns had been raised over 'spicy mode' since its release, the Grok apology in January appeared to stir media interest. What followed were numerous complaints circulating in the media from distressed individuals whose personal images had been rendered into states of undress, without consent, by others using the platform. While access to the edit function was subsequently limited by the platform to paying subscribers, it appears that this did little to appease concerns. Instead, the legal status of such images has come sharply into focus.

Doin' it right

Notably, Irish legislation was, for a time, ahead of the curve. Irish law already criminalises both the non-consensual distribution of intimate images and the production of CSAM, both of which appear to apply to AI-generated harm.

The *Harassment, Harmful Communications and Related Offences Act 2020* criminalises the distribution of intimate images without the consent of the person depicted. However, the extent to which this legislation covers images that are digitally altered but not distributed is unclear. The definition of 'intimate image' extends to any visual representation made by any means, including any digital representation of a person's anatomy, and thus clearly encompasses AI-generated imagery.

Section 2 prohibits the distribution, publication, or threat to distribute or publish an intimate image without consent, with intent to cause harm, or being reckless as to whether harm is caused. Section 3 provides for the offence of recording, distributing or publishing an intimate image of another person without that other person's consent.

The emphasis of this legislation is on the recording of an intimate image without consent, as opposed to the generation of an image without consent, and while the prohibitions here extend to the publication of a generated image where it is published or threatened to be published, it is unclear to what extent this law applies to the mere creation of the image without publication or threat to publish.

While this might appear to be a semantic difference, where a person generates an image without the consent of the other person, this too should be captured under the legal parameters



66

In Ireland, the Ombudsman for Children had been calling for legislation against nudification apps since May 2025, and doubled down on this call more recently following these most recent reports involving Grok

of intimate image abuse. Of course, the definition of 'recording' an image might extend to downloading and saving a video in a camera roll, perhaps, but this is unclear.

Nonetheless, the merits of this legislation cannot be overstated. Moreover, an operational review of the legislation indicated that, by 2023, almost 100 prosecutions had already occurred since the legislation came into force, reflecting judicial and garda attitudes against intimate image abuse.

Effective reporting channels exist, and individuals affected by intimate-image abuse can take action through hotline.ie. According to its 2024 annual report, hotline.ie removed 95% of intimate images reported to it last year.



Photo: Shutterstock

In addition to intimate-image offences, the creation, possession, distribution or facilitation of access to CSAM is illegal in Ireland. Section 5 of the *Child Trafficking and Pornography Act 1998* provides that it is illegal to knowingly produce, distribute, print or publish any child pornography, or to encourage or knowingly facilitate such production, distribution, printing or publication of child pornography.

The definition of 'child pornography' includes any visual representation or description of a child, thought to extend to AI-generated CSAM. This offence extends to the body corporate where such imagery is generated, under section 9 of the 1998 act. It provides that a director or other officer of a body committing such an offence may also be guilty if the offence was committed with the consent or connivance of that person, or is attributable to any neglect on the part of that person. The key word here is 'facilitating' – "that word is in the legislation that it's an offence to facilitate the production or distribution of child pornography", said Prof Conor O'Mahony, former Government Special Rapporteur on Child Protection, quoted in the *Irish Examiner* on 8 January.

However, is the criminal law a sufficient remedy in circumstances where a child is harmed by such an image? We can already foresee such harm where over one-quarter of Irish children aged 8 to 12

were using AI chatbots last year. Unregulated AI technologies, such as chatbots and image-altering AI, can present major threats to children.

Human after all

The *Online Safety and Media Regulation Act 2022* amended the *Broadcasting Act 2009* to establish Ireland's statutory enforcement framework. Thereunder, Coimisiún na Meán (the media regulator) regulates designated online services through legally binding online safety codes, and a failure by a video-sharing platform service to comply with an online safety code constitutes a contravention for the purposes of part 8B of the act.

The first *Online Safety Code*, published in October 2024, provides, among other things, that VSPs (video-sharing platforms) shall include in their terms and conditions measures to protect children, and the public generally, from content referred to in article 28 b(1)(a)-(c) of the *Audiovisual Media Services Directive (AVMSD Directive)*. In December 2023, Coimisiún na Meán designated ten platforms as VSPs pursuant to the act, comprising Facebook, Instagram, YouTube, Udemy, TikTok, LinkedIn, X, Pinterest, Tumblr and Reddit.

Specifically, article 28b(1)(c) of the *AVMSD Directive* provides that "member states shall ensure that video-sharing platform providers under their jurisdiction take appropriate measures to protect the general public from programmes, user-generated videos, and audiovisual commercial communications containing content the dissemination of which constitutes an activity which is a criminal offence under union law, namely ... offences concerning child pornography as set out in article 5(4) of Directive 2011/93/EU of the European Parliament".

Thus, it is clear that platforms have an obligation derived from the *Online Safety Code* to provide internal rules to prevent the dissemination of CSAM on their services. Thereafter, a breach of these internal rules is actionable according to the same online safety codes.

The codes further specifically provide measures in respect of age assurance of adult content – part B of the code came into force last July. The obligations on platforms to prevent children from accessing adult content appear to apply to any children under the age of 18, as defined in the code. A 2024 study by Qustodio found that 30% of US children aged 7 to 9 had an account on X.

X rules state that users can share adult content on the platform, provided that it is properly marked. It is not clear what age verification mechanisms are in place to ensure that children in Ireland are prevented from accessing this content.

Around the world

The *EU AI Act* is lauded as being the first-ever comprehensive legal framework on AI worldwide. The *AI Act* sets rules for AI systems based on their risk level, rated in terms of 'unacceptable risk', 'high risk', 'limited risk', and 'minimal risk' practices. However, nudification apps do not appear to fit within the specific list of 'high-risk' use cases set out in the act. It has been



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Musk's response on X: 'They just want to suppress free speech'

“

An operational review of the legislation indicated that, by 2023, almost 100 prosecutions had already occurred since the legislation came into force, reflecting judicial and garda attitudes against intimate image abuse

said that the *AI Act* is weak in terms of regulating deep fakes, and that this weakness arises due to “the lack of reference to deep porn and the harmful effects of this phenomenon”.

Aerodynamic

The *Digital Services Act* (DSA) introduced a new regulatory framework for intermediate service providers in 2022, with the goal of encouraging platforms to fight illegal content, while respecting users’ fundamental rights. The DSA provides numerous obligations on all intermediate service providers (which includes online services) in terms of tackling illegal content.

While platforms do not have an obligation to monitor content, article 16 provides that hosting services, including online platforms, must act expeditiously upon obtaining actual knowledge of illegal material. Where a platform not only hosts illegal content, but provides a mechanism to generate illegal content, questions must be asked around actual knowledge of content, including an obligation to monitor illegal content generated by the platform itself.

One more time

Regulatory and criminal frameworks are in place – yet for those people who have been the subject of intimate-image abuse, including children, criminal sanctions after the event are of little comfort. Restriction of access to these tools (particularly by and

concerning children) is urgently required. Peer-on-peer abuse is cited as a rising issue, with the courts frequently raising concerns around young children’s easy access to pornography, which is then linked to serious sexual offending.

The Children’s Commissioner for England has said: “In our lifetime, we have seen the rise and power of artificial intelligence ... It has enormous potential to enhance our lives but, in the wrong hands, it also brings alarming risks to children’s safety online.”

These alarming risks to children are identifiable, present online, and being borne out in real time. **g**

Clare Daly is a solicitor in the Office of Legal Services, Tusla Child and Family Agency, a board member of CyberSafeKids, and author of Child Safeguarding in the Digital Age (due in 2026).

LOOK IT UP

LEGISLATION:

- [Audiovisual Media Services Directive](#)
- [Child Trafficking and Pornography Act 1998](#)
- [Digital Services Act](#)
- [Directive 2011/93/EU](#) of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography
- [EU AI Act](#)
- [Harassment, Harmful Communications and Related Offences Act 2020](#)
- [Online Safety and Media Regulation Act 2022](#)

LITERATURE:

- [A Life Behind the Screens - Uncovering the Realities of Digital Childhood](#) (Cybersafe Kids, Trends and Usage Report, Academic Year 2024-2025)
- [‘Children’s Commissioner calls for immediate ban of AI apps that enable ‘deepfake’ sexual abuse of children’](#) (Children’s Commissioner for England, 28 April 2025)
- [‘Deep fakes and the Artificial Intelligence Act – an important signal or a missed opportunity?’](#) (Labuz, M, *Policy & Internet*, 2024)
- [‘Elon Musk’s Grok AI floods X with sexualized photos of women and minors’](#) (AJ Vicens and Raphael Satter, Reuters, 3 January 2026)
- [‘EU threatens action after Musk’s Grok creates images of undressed minors’](#) (Mikael Thalen, MSN.com, 1 January 2026)
- [‘Florida middle schoolers arrested for allegedly creating deepfake nudes of classmates’](#) (Caroline Haskins, *Wired*, 8 March 2024)
- [‘I feel violated and dehumanised after X’s Grok AI stripped me naked’](#) (Tara Cobham, *The Independent*, 7 January 2026)
- [‘Minister claims users, not X, responsible for generating explicit images with Grok’](#) (Irish Examiner, 8 January 2025)
- [‘Mother of one of Elon Musk’s sons ‘horrified’ at use of Grok to create fake sexualised images of her’](#) (Helena Horton, *The Guardian*, 5 January 2026)
- [‘Outcry in Spain as artificial intelligence used to create fake naked images of underage girls’](#) (Jack Guy, CNN.com, 20 September 2023)
- [‘UK school pupils “using AI to create indecent imagery of other children”’](#) (Harriet Grant, *The Guardian*, 27 November 2023)



All photos: Darren Filkins

JUSTICE LEAGUE

McCann FitzGerald is celebrating 40 years in London, where it was the first of the Irish law firms to establish a base, in 1986. For well over half of that time, it has been led by partner Hugh Beattie. Mary Hallissey speaks to 'our man in London'

Hugh Beattie recounts interviewing for a sought-after traineeship with McCann FitzGerald in early 1990s Dublin. One of the interviewers, ex-chair Catherine Deane, seized on the 'books and comics' detail mentioned in his CV. The dialogue became an interrogation about comics.

"I didn't realise that interviewers are always looking for something different," says Hugh. "They zoned in on it. I felt that this was going terribly, and they must have been thinking I was a regressive child! In hindsight, it may well have been what swung the interview for me when I thought it was a car-crash! They were checking to see whether I could engage and answer questions and be articulate, and defend my position."

Hugh obviously held his own because he's been with the law firm ever since. After joining in October 1994, he became a partner at the age of 30 in 2004. He has been full-time in London for 21 years, running the office there since January 2005.

Is it a bird, is it a plane?

The London opening was propelled by the presence of client aircraft-leasing firm GPA – a significant 1980s Irish business success story.

Partner William Earley made the initial foray, and set about establishing the London office. Late in that decade, GPA did a bond issue, raising an astonishing US\$5 billion.

When Hugh arrived in 1995 as part of his training contract, it was led by future managing partner John Cronin, with aviation-focused work. It was already a thriving office with a dozen staff. Hugh had no inkling that London was where he would spend most of his professional life.

He grew up in Donegal's Inishowen, where locals still call 26 December 'Boxing Day' – a linguistic souvenir of older times and a strong BBC radio signal! Carndonagh Community School, which Hugh attended, was then the largest in Ireland. His father, noted Donegal historian Dr Seán Beattie, was the careers-guidance teacher, and his mother also taught there before her untimely death.



"The only school-careers tour I got was a visit to the local Fruit of the Loom factory in Malin," Hugh recalls. "Despite everything, there was no lack of aspiration. People went everywhere and were quite successful." One classmate became the Abbey Theatre's artistic director; another led the Irish Congress of Trade Unions.

Batman begins

Hugh himself loved English. While classmates drifted towards commerce degrees, he felt unmoved by balance sheets. Law seemed a good compromise. "I absolutely loved English with a passion, but I was quite a practical kid," he muses.

His childhood holidays were never abroad, always in Dublin, where his parents had studied. Stephen's Green ducks, Mrs Murtagh's Clontarf guesthouse, the beautiful St Anne's Park – all left their imprint. "I then oriented towards studying law in Dublin, where I really had a fabulous time and made wonderful friends."

He spent one J1 summer 'bar-backing' in Chicago with Mexican immigrants for the minimum wage. He valued the freedom: "I knew I'd be doing law for the rest of my career – this was my chance to do something different," he says. Other summers were spent working on a BMW assembly line in Munich, producing front seats for 1990s models.

Hugh even tried, with youthful optimism, to convince the Arts Faculty dean, Prof Gus Martin, to let him pursue an English degree simultaneously.

Up, up and away!

If Dublin in the early '90s promised intellectual possibility, it did not promise employment: "There was very little sense of opportunity then – there were no jobs in law really," he recalls.

The legal sphere was a tightly controlled market in scarcity. Hugh assumed he would do some interviews, just for the experience, and study for a master's, perhaps abroad, and move into academia.

In the background, his father had his own ideas. Quietly, Hugh's father

I was fortunate to arrive into a great, fully functioning office. At that point it had been going for close to 20 years. It was an extremely busy time initially – 'Celtic Tiger' and the booming global debt markets – but these deals all came to a shuddering halt with the financial crisis



obtained a master list of solicitors' practices nationwide and sent applications on his son's behalf, and without his son's knowledge.

One hundred rejections duly arrived at Hugh's Dublin address: "I got letters from firms I'd never heard of," Hugh laughs, "telling me they didn't want me – though I never knew they'd been asked. My father certainly wanted me to get a paid apprenticeship!"

Yet in the end, improbably, the door opened. McCann FitzGerald – a firm that offered paid apprenticeships but didn't distribute them lightly – invited him to join. He still sounds faintly surprised, as though the decision had been made by a benevolent committee behind a curtain. "I genuinely couldn't believe my luck," he says.

With great power...

Dublin was in recession and law firms were cautious, yet there he was, stepping into the polished atrium of a blue-chip firm. He settled into the work with the same disciplined enthusiasm that saw him listen to English lectures while pursuing a law degree.

Hugh learned boardroom etiquette, the legal language of memos, and the delicate choreography of hierarchy. His training included a stint at McCann FitzGerald's London HQ, then in Holborn and led by partner John Cronin.

"Aviation was the big thing the firm did at the time. When I qualified, I had ideas about pursuing EU law, for which I had won a prize in UCD. In the end, I got sent to Roy Parker, a new finance-department partner – a very creative lawyer and a very patient teacher. I didn't know what this stuff was – structured finance, securitisation, debt issues."

What felt obscure in the mid-1990s would become the financial engine driving Ireland's economy and, ultimately, a central component of the global financial crisis.

"I remember Roy saying, 'It will be about three years before you are any use to me,' but after six weeks, during which I felt he was sheltering me a bit, I said, 'You are underestimating me ... I think I can bring value here.' Roy listened, and we took off from there."

So, he got it quickly? "As a junior lawyer, yes. It's a sector of law where there's a lot of acronyms and technical terminology. What's actually happening a lot of the time can



be fairly straightforward, but it's finance language, of a different world, or that was the way it seemed at the time.

"There is much more education for it now but, back then, there was almost nothing. It was absolutely a great time to be involved in that emerging area. Roy was an innovator and could make the most extraordinary observations."

I can do this all day

In time, Hugh became one of the firm's core structured-finance lawyers. He briefly toyed with the idea of joining friends in the US, sitting the New York Bar, joining a major American firm but, in a decisive display of self-knowledge, ultimately decided that he was happy where he was.

"I have worked for this firm for over 30 years. I've had the privilege of working with people with whom I started as a trainee. There are many genuine friendships, made over formative years, and colleagues that I know, trust, and respect.

"There's a real value in having a career with people you have come up with, or who have worked alongside you as a junior lawyer. It's hard to put a price on building your career alongside such people. We also have many great new joiners, who bring fresh ideas, and fresh perspectives.

"I liked my work and the firm – it was interesting, challenging, working for the biggest clients and on the most interesting mandates, and the culture was a strong one

where people supported each other." It was a moment of clarity. He stayed.

My spider-sense is tingling

Over the course of the 1990s and early 2000s, Hugh was involved in the development of Ireland's financial-services regime, and in particular, securitisation. The *Taxes Consolidation Act 1997* introduced Ireland's modern securitisation regime, coinciding with the year of Hugh's qualification.

"Over the next number of years, I worked with Roy on many of the Irish market 'firsts' – first residential mortgage-backed securitisation (First National Building Society's 'Celtic RMBS' transactions), first commercial mortgage-backed securitisation, first asset-covered securities issue, and so on.

"I was also very involved in the growth of Ireland's emerging position as the lead jurisdiction in Europe for locating special-purpose companies [SPVs] where all sorts of asset types, including an Italian media-mogul's film library, forests in Finland, catastrophic insurance-risk premiums, were all structured through Irish SPVs."

These sorts of transactions all seemed quite esoteric at the time compared with the work Hugh's contemporaries were doing: "When I took over the London office in 2005, this was the new direction I took the office in, with strong connections into the London market.

"I was fortunate to arrive into a great, fully functioning office. At that point it had been going for close to 20 years. It was an extremely busy time initially – 'Celtic Tiger' and the booming global debt markets – but these deals all came to a shuddering halt with the financial crisis," Hugh recalls. "Now the mandate was no longer setting up new deals, but dealing with all the financial-crisis issues, which impacted on the market players behind these transactions and the transactions themselves across the board.

"Some major institutions vanished altogether, and others saw the mass layoffs of hundreds of lawyers and staff. I was in the thick of all of this on several fronts.

"I was the sole partner in the London office then. The work of the London office divided up to face into a number of markets – the US market – à la *The Big Short*, the EU market, and the Irish market." All of these involved very different sets of novel issues.

In brightest day, in blackest night

The Irish market-facing mandates were the most involved. The Irish Government's bank guarantee, the IMF intervention, and the creation of IBRC and NAMA utterly changed the landscape. Irish legal advice became highly sought after to navigate this new complexity, Hugh explains.

"Throughout my career up to that point, I had acted for a number of Irish financial institutions on their public-bond issues – several billions of euro-worth over the years." Those outstanding deals came to be covered by the Irish Government guarantee, and all that followed from it. "The work I did during this part of my career was, without question, the most challenging and consequential work I have undertaken," Hugh says. "There was no roadmap for it. Some of this took me to the Court of Appeal in Britain with one of my Irish financial-institution clients, as we fought off opportunistic operators."

Hugh says that the Irish media often refers to certain financial institutions as 'vulture funds' when, in fact, they are ordinary highly-regulated investment firms. "These [opportunistic operators] were genuine vulture funds. In the end we won out and saw them off – even after they tried to go after certain employees personally.

"I met one of the senior executives from

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that time at an industry event ten years later, and he told me the advice I gave was the best he had ever received. Given how important that time was to me professionally, it was nice to hear."

Best there is at what he does

After the financial crisis, a new world of loan sales opened up, as NAMA and other institutions sold assets and Hugh's expertise in securitisation and loan assets came to the fore.

"Ireland became a very significant jurisdiction relative to its size. In one year alone, I recall a statistic that Ireland represented 40% of the entire EU loan-sale market. This brought a huge number of international investors into Ireland, and to consider the jurisdiction. This was to prove significant, as it put the country on the map for all sorts of other investments," he says. Many international investors were so impressed with what they saw, they set up European operations here as a consequence, Hugh adds.

"In 2015, I decided also to pivot into the Irish investment-funds world. Now, I straddle both the structured finance/debt-capital-markets practice area and the investment-funds practice area."

It's quite unusual to work in both areas, he comments, but it has proven very useful. Today, the London McCann Fitzgerald office has grown to almost 20 staff, including partners covering finance (Aidan Gleeson), corporate (Jack Kelly), and joint ventures (Stephen Tallon).

The office has become a conduit between Ireland and the world's markets,

particularly as US firms expand aggressively.

Flame on

Hugh Beattie lives in Hackney with his family, which has "great delicatessens and a thriving urban-crime scene," he quips.

"London is the greatest city in the world – it's 50 towns mashed together, each with its own personality."

He walks to work in Tower 42, once the tallest building in Britain, and from which the band Level 42 took their name. Hugh delights in the fact that 10% of the British economy is generated in the Square Mile. He views Brexit as an extraordinary act of self-harm and a handicap, but also recognises the nuance lost in some less-informed commentary from Ireland.

"I wouldn't necessarily agree that, if there were another vote, they would change their mind. I think you'd get the same result again."

Before the referendum, the London office hosted a major event at the Guildhall, featuring high-level advisors and policymakers. Of 300 attendees polled that day, only one predicted that 'Leave' would win. That position provoked laughter. Hugh feels that such misreading reflected the disconnection of the London administrative bubble.

"People didn't understand the different narrative outside the City – those whose aspirations weren't being met. I spoke with an officer of the British/Irish Chamber of Commerce, responsible for

the regions, after the vote. For him, the result was no surprise at all."

While Brexit was damaging, London's resilience has surprised many. For Ireland, Beattie argues, London's success is essential: "Ireland benefits when London thrives, because it throws off so much work. If work leaves London, it doesn't naturally land in Dublin – it goes to New York or the East. Ireland and Britain need to keep working together to secure both our futures."

...comes great responsibility

Hugh credits McCann Fitzgerald's culture with sustaining its London presence and its people: "What we offer is interesting work, good pay, strong teams, and a professional life that's more sustainable than what's on offer in the big international firms, to my mind."

"There's certainly a greater degree of balance to working in an Irish law firm. Working over a weekend is the exception, rather than the rule."

McCann's London office is also a base of operations for Dublin staff when they come to London, with its huge market, to see clients. London also accommodates Irish-based lawyers who want to stay with the firm, but wish to experience a stint abroad.

New ways of working have made geography largely irrelevant, and the office has attracted lawyers, all working seamlessly with Dublin partners. "The quality of trainee coming through each year seems to get better and better," he notes. "I'm very hopeful for the future."

Mary Hallissey is a journalist at the Law Society Gazette. 

SLICE OF LIFE

Best concert?
The Pixies
(October 1990
at the National
Stadium, Dublin).



Hobbies:
Comics – so,
technically, not
interesting unless
one is also a *Stranger
Things*-type nerd).



Currently reading:
John & Paul: A Love Story in Songs, by Ian Leslie;
and *Hyperion*, by Dan Simmons.



Favourite film:
Groundhog Day.



**Preferred news
source:**
BBC Radio 4.



**Vinyl, CD or
streaming:**
Vinyl, even going
back to when
cassettes were in
and vinyl was out
the first time!



TAKING CARE OF BUSINESS

Redundancy processes are open to significant attack and need to be handled logically, objectively and with precision. Una Clifford totes that barge

As the economic environment continues to ebb and flow, redundancies are common practice. This manner of reducing the workforce is sometimes utilised to recharge or restructure a bigger organisation or, often, simply as a reaction to stay in business.

As lawyers, we should ensure that we're always one step ahead for clients in advising them on the most robust and litigation-free process when considering making an employee redundant. Likewise, in our advice to plaintiff clients, we need to administer a level of focused critique on a process for potential flaws or 'sham' redundancies.

Redundancies mean that people lose jobs and hence – whether singular or in small numbers – can be difficult, emotional and litigious.

Working man

The pitfalls that can emerge from flawed redundancy processes can result in significant awards being made to the claimant at the Workplace Relations Commission (WRC).



“

The burden of proof is on the employer to demonstrate that the redundancy was fair, and counsel will be contending with some thorny issues if the process was not robust

Advice to employers should include ensuring the business rationale is logical, capable of being evidenced, and objective. If selection criteria are to be used, they must be tailored for the role and be mindful of any areas that could give rise to claims of discrimination or less favourable treatment. A consultation process that is robust, transparent, and considers all alternatives prior to a redundancy decision being made is essential.

Finally, if the employee is eligible for statutory redundancy pay, then it should be calculated correctly and paid promptly. An *ex gratia* amount that can be paid in a tax-efficient manner and includes a waiver of claims could improve what can be a difficult process and ensure that the termination of the employment relationship concludes without reprisal.

If the legal advisor is advising the employee to challenge a redundancy that he believes to be a sham, we need to tackle process, consultation, alternatives, and selection, ensuring that each step has been carefully considered by the employer. A background discussion might show us that the client was a poor performer who was potentially 'moved on' with a redundancy. Alternatively, an employee might have become too expensive over the years, and an employer foolishly decided that a 'redundancy' would be effected as a method of reducing costs.

Sixteen tons

The 2024 annual report of the WRC outlined that there were 7,316 individual complainants to the WRC, some submitting multiple areas of complaint. Approximately 2,285 of those complaints related to unfair dismissal, and 716 specifically to redundancy. However, as many of us who are in the WRC regularly observe, it is likely that a redundancy process was perhaps also attempted or addressed within those dismissal cases.

With the increasing assistance of AI-related tools to guide on particular areas of law, it is likely that the volume of applications to quasi-judicial fora, such as the WRC, will increase. Therefore, an attempted or completed redundancy process needs to be watertight.

The WRC is focused on adequate and fair processes being afforded to employees in every aspect of the employment relationship. Redundancy-related dismissals are a focus of scrutiny by the WRC to ensure they are fair, legitimate, and that procedural fairness has been applied.

Often, however, employers get to the point where they



Skating on the thin ice of a new day

want an immediate solution to remove a poorly performing or belligerent employee, and they indicate to them that their 'job is gone'. They do not attempt a selection process, consult, or make any attempt to find an alternative role for the employee. They simply conclude the employment relationship for reason of redundancy.

The employee takes advice and immediately submits an unfair-dismissal complaint. At the point where counsel are briefed and ready to defend the position for the employer, the horse has now most certainly bolted, and they have to contend with a process that was flawed or 'sham', and a very weakened defence.

The burden of proof is on the employer to demonstrate that the redundancy was fair, and counsel will be contending with some thorny issues if the process was not robust. Counsel for the plaintiff whose job is 'just gone' in that case will have a 'slam-dunk' win at the WRC, securing a large settlement for their client.

Career opportunities

In advising clients, some critical areas of consideration when advising either an employer or an employee looking to challenge a redundancy are, first:

- How will an employer defend that a redundancy situation arose? What arguments can be put forward that it was 'business-focused' and not personal or performance-related?
- Why did the employer not consider a voluntary-redundancy process?
- Why was the only employee selected the longest serving?

The legal criteria for a redundancy to arise are outlined in section 7(2) of the *Redundancy Payments Acts 1967-2014* (as amended by section 4 of the *Redundancy Payments Act 1971*) and provide that a person who is dismissed shall be deemed to have been dismissed by reason of redundancy if the dismissal results, wholly or mainly, from one of the following:

- 1) The employer is ceasing or intends ceasing carrying on the business, the purposes of which the employee was employed by him or her, or the employer intends ceasing carrying on the business in the place where the employee was so employed,
- 2) The fact that the requirements of that business for employees to carry out work of a particular kind in the place where he was so employed have ceased or diminished, or are expected to do so,
- 3) The fact that the employer intends carrying on the business with fewer or no employees,
- 4) The fact that the employer has decided that the work for which the employee had been employed should be done in a different manner, for which the employee is not sufficiently qualified or trained, or
- 5) The fact that the employer has decided that the work for which the employee had been employed should henceforward be done by a person who is capable of doing other work, for which the employee is not sufficiently qualified or trained.

If a complaint is heard in the WRC, employers should be asked to introduce minutes of meetings to evidence, indicating that the business had to make adjustments because they had too many people and there were high-cost pressures.



Board minutes or minutes of management meetings that don't personalise the matter and instead reference 'role reduction' as opposed to individual people should be brought into evidence.

Job absorption, where an employer decides that the job done by two people could be done by one person, is a valid rationale but, again, should be evidenced as part of a structured management decision around costs and roles, and not individual people.

Ol' man river

Secondly, where an employer then had a number of people doing the same job and he/she needed to reduce the headcount, what process was used to select employees for redundancy?

Where an employer uses selection criteria, he/she needs to ensure that they are 'hard'. Examples include identifying the technical skills needed to perform in the role and evaluating those currently doing the job, from 1-5. Selection criteria must be devised that are tailored specifically for the role, and must stand up to objective scrutiny. Using soft criteria, such as 'impact on team dynamics', will be difficult for an employer to defend. Awarding scores for length of service is always good to demonstrate that it was a factor in selection.

If an interview process is to be implemented where those doing the same job 'compete' for the job, the same rationale applies. The employer must ensure his scoring matrix at interview is balanced, fair, and will stand up to scrutiny if he has to defend it in an unfair dismissals claim.

An interview panel should have panel members with sufficient experience and skills to objectively assess those competing, and should be gender-balanced, if possible. Detailed consultations with plaintiff employees will tease out the veracity of the selection criteria and/or the interviewing process, and enable the legal practitioner to mount a challenge if any cracks emerge.

“

Even if there is a genuine redundancy situation, there is an onus on the employer to show that the selection of the individual was reasonable and the selection process was fair and transparent

66

Redundancy-related dismissals are a focus of scrutiny by the WRC to ensure they are fair, legitimate, and that procedural fairness has been applied



Fair play

Thirdly, what defence can be put forward to alternatives being explored? Did the employer consider moving the affected employee to another area of his business? Was consideration given to a temporary lay-off period or a reduced-hours contract as an alternative to making him/her redundant? Why wasn't the alternative proposed by the employee considered? Can the employer provide evidence that it was thoroughly considered, and the reasons it wasn't viewed as an acceptable proposal?

Fourthly, what process of consultation was conducted with the employee? The employer should be able to defend the process robustly. He should demonstrate that notes were taken and shared with the employee, such that he/she could evaluate what was discussed, and respond accordingly at a consultation meeting.

The employee should be afforded the presence of a support colleague or trade-union official at what will be a stressful meeting. Confirmation of the process and the various stages and timeframes should be shared in advance with the employee and, ideally, he/she should be pointed to an employee assistance programme (if one is there) to provide external counselling support if needed.

If an employee discloses that he was 'rushed out the door', the process again is open to challenge for procedural flaw.

Workin' for MCA

It is evident that simply deciding to remove an employee without due process or consideration could be a costly matter for any employer.

The seminal case of *St Leger v Frontline Distributors Ltd* (1995 6 ELR) confirmed that the two main characteristics needed for a valid redundancy situation to exist are 'impersonality' and 'change'. A decision to make a role redundant is not about a person – only about a role; and, secondly, the redundancy is arising due to some sort of change that is occurring, whether it be in how work is completed, automation, structural change, role elimination, or a merging of roles.

Legal advisors to plaintiff employees should also scrutinise any possible avenues for discrimination. Why was it only a woman who was selected for redundancy, or a person who was older than most of the rest of the workforce? If a man and woman were competing for one role, why did either get the job? Was the interviewing panel biased?

Last year, in *Mark Langham v JMK Group* (ADJ-00047192), the WRC awarded €125,000 to the complainant after finding he was unfairly dismissed under the 'cloak' of redundancy. Although the employer had engaged in a consultation process, he wasn't able to justify the alleged 'cost-saving' rationale for the redundancy, couldn't provide any substantive evidence that the cost-saving measure was required, and the adjudicator highlighted the absence of any minutes from a senior-management meeting at which the decision to make the role redundant was made. In closing remarks, the adjudicator commented that he found the redundancy was used as a 'cloak' to dismiss the plaintiff.

Salt of the earth

The burden of proof is on the employer to show that the dismissal resulted wholly or mainly from the redundancy of the employee. Under the acts, the WRC can have regard to the reasonableness, or otherwise, of the conduct of the employer in relation to the dismissal. Even if there is a genuine redundancy situation, there is an onus on the employer to show that the selection of the individual was reasonable, and the selection process was fair and transparent.

It is evident that a redundancy process is open to significant attack and needs to be handled logically, objectively, and with precision – this article only serves to highlight some of the relevant areas. At such an emotional time, often with employment relationships that have been sustained over decades, employers and employees alike are emotional and nervous, and the planned process can easily falter. We need to be ready to mount the challenge for either side. ■

Una Clifford is a barrister specialising in employment and equality law and is a committee member of the Employment Bar Association.

THE POWERS THAT BE

A recent Court of Appeal judgment highlights the importance of considering the legal constraints on receivers in selling properties. Kenneth Egan flings the keys through the letterbox



The continuing fallout from the financial crisis has yielded a number of superior court judgments in the recent past on the topic of receivers' sales. A recent Court of Appeal judgment highlights the importance of considering the legal constraints on receivers in selling properties, particularly in circumstances where security is taken using standard home-loan security documents.

In May 2023, the Law Society's Conveyancing Committee issued a note regarding the High Court judgment in *Bank of Ireland Mortgage Bank v Hade*, which concerned the enforcement of security by a receiver over a number of properties. The High Court found that court orders for possession and sale should have been obtained by a receiver in relation to certain properties, and made an award of damages against the receiver concerned.

It was noted then that the High Court judgment was under appeal, and that the Land Registry was considering the impact of the High Court judgment.

A Court of Appeal judgment in *Hade* issued on 7 December 2023, and leave to appeal that decision was refused by the Supreme Court on 29 August 2024.

The Land Registry amended its legal practice note on 'Transfers of registered land' on 10 July 2025, relating to receiver's sales of property owned by individuals.

This article uses 'borrower' and 'bank' for ease of reference to registered owners/chargors and charge-holders, respectively.

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The Court of Appeal reversed the High Court decision and restated the law as it would have been understood by practitioners as regards receivers taking possession of charged property





Taking possession

The Court of Appeal in *Hade* reversed the High Court decision and restated the law as it would have been understood by practitioners regarding receivers taking possession of charged property – there is no general legal requirement for a receiver to obtain a court order prior to taking possession of a secured property where they are entitled to do so under the terms of the relevant charge. There may be circumstances, of course, where a receiver would be well advised to seek such an order.

This article addresses the remaining issue of the extent to which a receiver must obtain a court order before the sale of a charged property.

Statutory background

Section 100 of the *Land and Conveyancing Law Reform Act 2009* sets out the default position that a court order must be obtained prior to a bank exercising the statutory power of sale granted by that section, absent borrower consent. There was no pre-2009 equivalent to this requirement and, so, the considerations in this article apply to post-2009 act charges only.

This requirement can be excluded by the terms of a charge if that charge is not a 'housing loan mortgage', as defined in the 2009 act (section 96).

Section 108(3) permits a receiver to "exercise any powers delegated by the mortgagee or other person to the receiver".

Section 108(4) requires that a power delegated to a receiver "shall be exercised in accordance with this chapter" and, so, if a receiver exercises a delegated power of sale, then they are bound by the restrictions in the 2009 act that apply to sales by banks.

Forms of charge

Practitioners will be aware that receivers do not have a power to sell property solely by virtue of their appointment – a power of sale must be granted by the charge.

The 'General Housing Loan Mortgage Conditions' document, published originally by the Irish Banking Federation and now by Banking and Payments Federation Ireland, is widely used in residential-lending transactions. In this document, the borrower and the bank are expressed to 'delegate' a power of sale to the receiver.

In addition, this document does not seek to exclude section 100 of the 2009 act. This is as would be expected, as this form of charge is typically used for 'housing-loan mortgage' transactions and, so, an attempt to exclude section 100 in a routine home-loan transaction would be in vain.

Commercial charges typically grant a power to sell directly to receivers and exclude the application of section 100.

The *Hade* judgments

The IBF/BPFI forms of charge appear to have been used to take the security that became the subject of the *Hade* litigation.

The High Court in *Hade* found that the receiver should have obtained a court order prior to his sale, based on the court's finding that the parties had agreed that the charges would be treated as 'housing-loan mortgages', but the better analysis



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might have been that (a) the relevant mortgages did not exclude section 100, and so the requirement under that section for the bank to obtain a court order applied by default, and (b) the receiver was similarly required to obtain a court order under section 108(4), as he was exercising a power of sale delegated to him.

The receiver did not appeal the High Court's finding regarding the requirement for a court order for sale, and so the Court of Appeal judgment did not focus on this point.

It is noteworthy that the High Court awarded damages against the receiver in respect of the receiver's sale of certain properties in the absence of a court order and, while this award was reversed on appeal on the facts of the case, *Hade* demonstrates that receivers are at risk if the correct procedures regarding sales of property are not followed.

Land Registry

Paragraph 12 of the Land Registry registration practice direction regarding 'Transfers of registered land' deals with transfers by receivers of property owned by individuals.

The July 2025 amendment to paragraph 12 adds the following text: *'Note: If the charge states that the Receiver so appointed shall have and be entitled to exercise all powers conferred by the act and in addition, pursuant to section 108(3)(c) of the Act, the Mortgagor and the Secured Party delegates additional powers to any Receiver (including selling the property) and the Deed of Transfer states*

that the Receiver is acting as agent for the borrower pursuant to Section 108(3)(c) of the 2009 Land and Conveyancing Law Reform Act then paragraph 6 above applies to these transfers.'

The reference to 'paragraph 6 above' is to the Registry's requirements on a sale by a bank as owner of a charge – critically, that evidence of a court order for sale should be provided.

Therefore, if the receiver's power of sale is by way of a delegated power from the bank, then the registry's procedures as applied to sales by charge-holders will apply if it is patent from the deed that the receiver is acting under such a delegated power.

Lessons from *Hade*

Before a receiver undertakes a sale process, and before a purchaser commits to purchase a property from a receiver, the terms of the charge being relied on should be carefully examined.

If the charge does not exclude section 100 of the 2009 act, then a court order or borrower consent is required for the bank to sell, or for a receiver to sell under a delegated power from the bank. This is regardless of whether the property is residential or commercial.

In a sale by a receiver of the property of an individual where section 100 is excluded, and where the receiver is relying on a power of sale delegated to them in a charge, then, to satisfy the Land Registry, a purchaser should seek the proofs as to the validity of the exclusion of section 100, addressing the relevant 'consumer' and 'housing-loan mortgage' points, as described in the Conveyancing Committee's May 2023 note. **g**

Kenneth Egan is a solicitor and member of the Law Society's Conveyancing Committee. While every effort has been made by the author to ensure the accuracy and reliability of the information contained in this article, he does not accept any responsibility or liability for any errors, omissions, or consequences arising from its use. The content is intended for academic purposes only and does not constitute legal advice.

LOOK IT UP

CASES:

- *Bank of Ireland Mortgage Bank v Niall Hade and Joyce Hade* (2014/1416S) and *Niall Hade v Bank of Ireland Mortgage Bank and Michael McAteer* (2014/4328P)

LEGISLATION:

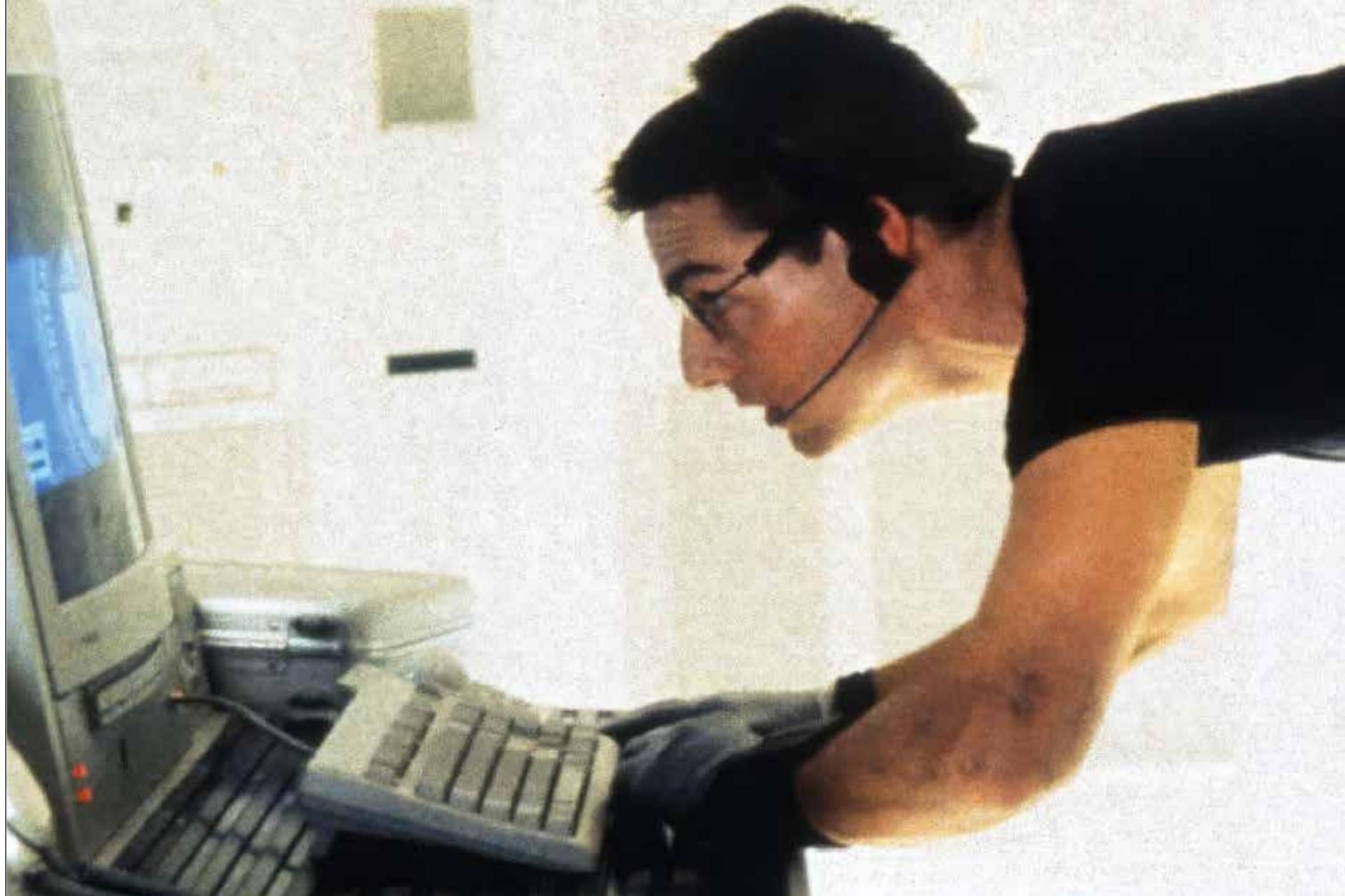
- *Land and Conveyancing Law Reform Act 2009*

LITERATURE:

- *'Bank of Ireland v Hade'* (Law Society of Ireland, 12 May 2023)
- *'Transfers of registered land'* (Táinte Éireann practice direction; 1 December 2009; updated: 16 April 2013, 23 August 2017, 27 September 2017, 9 April 2018, 13 August 2018, and 10 July 2025)

THE EFFICIENCY PARADOX

Many practitioners may be using AI-enhanced features without realising they are engaging in data processing that could have GDPR implications. Louis Masterson mans the barriers





Irish lawyers are increasingly turning to artificial intelligence (AI) tools like ChatGPT, Claude, and specialist legal AI platforms (such as Harvey AI and Legora) to enhance efficiency, research case law, draft documents, and analyse contracts. This adoption brings genuine benefits: faster document review, improved research capabilities, and the potential for significant cost savings for clients.

But the integration of AI extends beyond standalone platforms. For example, Microsoft has embedded AI functionality directly into Word, Excel, and Outlook (through Copilot), while Adobe has introduced AI features in Acrobat and other applications. Many practitioners may be using these AI-enhanced features without realising they are engaging in data processing that could have *General Data Protection Regulation* (GDPR)-compliance

implications. A simple prompt to 'summarise this document' in Microsoft Word or 'edit this PDF' in Adobe Acrobat may involve client data being processed by AI systems.

AI, IOU

The intersection of AI and legal practice raises fundamental questions about data protection that go far beyond simple confidentiality concerns. When a solicitor or barrister inputs client information into an AI system, they are engaging in 'processing' that triggers specific, non-negotiable legal obligations under the GDPR.

The Data Protection Commission's guidance on AI emphasises that organisations remain accountable for all processing activities. DPC penalties for non-compliance can be severe but, for legal professionals, the reputational damage of a data breach involving client confidences could be even more costly than the fines.

The central question is: is using AI a breach?

Many lawyers ask whether uploading client personal data to an AI platform automatically breaches GDPR. The answer is 'no', but only if you comply with all relevant requirements first. Processing client data through AI isn't prohibited, but it will constitute a breach if you lack the necessary compliance framework.

This framework is not merely a box-ticking exercise: it requires a granular analysis of how the AI tool functions. Does it learn from your data? Where is the server located? Who has access? To use these tools lawfully, practitioners must navigate six key areas of the GDPR:

- 1) Lawful basis,
- 2) Transparency,
- 3) Processor contracts,
- 4) Security,
- 5) Impact assessments, and
- 6) International transfers.

Lawful basis

Under article 6 of the GDPR, you cannot process personal data without a lawful basis. When using AI for client work, which basis applies? Practitioners typically rely on 'contractual necessity' or 'legitimate interests' (article 6(1)(b) and 6(1)(f) respectively).

If the AI is used strictly to deliver legal advice the client has paid for – for example, using an AI tool to review a discovery/disclosure folder – contractual necessity may be a strong argument.

Large language models (LLMs) work by analysing vast amounts of text data to learn statistical patterns about which words and phrases typically follow others, then using these patterns to predict and generate the most probable next words in a sequence based on the input they receive. Crucially, not all AI tools use client inputs to train or improve their models. Many enterprise-grade and legal-specific AI platforms explicitly guarantee that user data is not incorporated into model training, processing queries in isolated sessions without retention.

However, if the AI tool does use your client data to 'train' its model for the benefit of other users, the 'necessity' argument falls away. You do not need to train the vendor's AI to fulfil your client contract. In such cases, you might be forced to rely on



legitimate interests, which require a careful balancing test to ensure the client's privacy rights do not override your efficiency goals. If the tool retains client data for its own purposes, you may find you have no lawful basis at all, making the processing illegal *ab initio*.

The transparency trap

Transparency is a cornerstone of the GDPR. Articles 13 and 14 require controllers to inform data subjects about how their data is processed.

To ensure compliance, review your current privacy notices and engagement letters. Do they mention AI? It is likely they state that data is shared with 'IT service providers'. However, it is worth pointing out that, in the context of generative AI, this generic description may no longer be sufficient. If you are uploading a client's sensitive family-law file into a cloud-based LLM, the client arguably has a right to know.

Practitioners must update their client-care documentation to explicitly state that AI tools are used to assist in legal-service delivery. This disclosure should explain, in plain English, the nature of the processing and the safeguards in place. Failing to disclose this usage could be deemed a breach of the transparency principle, rendering the processing unlawful, even if it is technically secure.

The vendor gap

Perhaps the most common compliance gap is the lack of a data-processing agreement (DPA). Under article 28, whenever a controller (the law firm) engages a processor (the AI provider), there must be a written contract

ensuring that the processor acts only on instructions and maintains security.

When you sign up for a standard ChatGPT or a similar 'off-the-shelf' account, you are likely accepting standard terms of service. These standard terms may not satisfy article 28 requirements. They might allow the vendor to use your inputs to improve their services, essentially granting them rights to your client's data.

For legal professionals, this is unacceptable. You must seek 'enterprise' or legal-specific tiers, like those offered by [Harvey AI](#) or [Legora](#), that offer robust article 28-compliant DPAs. These agreements should explicitly state that input data is not used to train the model, that data is deleted after the session or a set period, and that sub-processors are strictly managed.

If you cannot secure an article 28-compliant agreement, you cannot lawfully use that tool for personal client data.

Security of processing

Article 32 mandates that controllers implement "appropriate technical and organisational measures" to secure personal data. In the context of AI, 'appropriate' is a high bar. Technical measures include encryption and access controls, but organisational measures are equally critical. Have you trained your staff on how to use AI? Do you have a policy forbidding the input of names, addresses, or financial details into public AI prompts?

A significant security risk with LLMs is 'leakage' or 'hallucination'. While data leakage (where the AI reveals your data to another user) is rare in enterprise models, it is a theoretical risk that must be mitigated. Anonymisation is the best defence. Before pasting text into an AI tool, practitioners should sanitise the data, removing names, dates, locations, and amounts. If the data is truly anonymous, GDPR does not apply. However, true anonymisation is difficult to achieve – simply removing a name is often insufficient if the remaining context (for example, "a CEO of a large Dublin tech firm involved in a merger on 'X' date") allows for identification.

The 'high-risk' bar

Article 35 requires a data-protection impact assessment (DPIA) for processing that is "likely to result in a high risk" to rights and

“

When you sign up for a standard ChatGPT or a similar ‘off-the-shelf’ account, you are likely accepting standard terms of service. These standard terms may not satisfy article 28 requirements. They might allow the vendor to use your inputs to improve their services, essentially granting them rights to your client’s data

freedoms. Using AI for legal profiling or reviewing sensitive data (article 9 data, such as medical records in personal-injury cases) almost certainly triggers this requirement.

A DPIA is a written process where you identify risks and mitigation strategies before you start using the tool. For many law firms, the DPIA process will reveal that the risks of using open/public AI tools for case files are too high to mitigate. This reinforces the need to move toward ring-fenced, private, or legal-specific AI instances where the firm retains control.

International transfers

Finally, the location of the AI server matters. Many leading AI models are hosted in the United States. Transferring client data to US servers constitutes an international transfer under Chapter V of the GDPR. Since the *Schrems II* judgment, transfers to the US require careful assessment. While the new *EU-US Data Privacy Framework* provides some relief, it only applies if the US vendor is self-certified under that framework. If your AI provider is not certified, or if they store data in a jurisdiction without an adequacy decision, you must rely on standard contractual clauses (SCCs) and conduct a transfer impact assessment (TIA).

If you cannot verify where the data sits, you should assume it is leaving the EEA. For Irish practitioners, the safest route is to select vendors that guarantee EU data residency, ensuring data never leaves the European Economic Area.

Innovation with integrity

The legal profession cannot afford to ignore AI, but neither can it afford to ignore the GDPR. The two must go hand in hand. The path forward requires a shift in mindset. We must stop viewing AI tools as simple search engines and start viewing them as third-party service providers that process our most sensitive assets.

To remain compliant, practitioners should take immediate steps to audit their current position. This means identifying which AI tools are currently being used by staff, whether sanctioned or unsanctioned, and understanding the data flows involved.

Firms should then implement an ‘AI acceptable-use policy’ that clearly prohibits the uploading of personal data to public models, and sets out the circumstances in which AI tools may be used. Investment in enterprise-grade tools that offer article 28-compliant data-processing agreements and zero-retention policies is essential, as is ensuring transparency with clients by updating engagement letters to reflect the use of AI technologies in service delivery.

By adhering to these principles, the legal profession can harness the transformative power of AI without compromising the privacy rights that we are sworn to uphold. The integration of AI into legal practice is not a question of *if*, but *when and how*.

Those who act now to build robust compliance frameworks will be best positioned to benefit from these technologies while maintaining the trust that is fundamental to the solicitor/client relationship. ■

Louis Masterson is a barrister practising in data-protection law, technology law, and regulatory compliance. He was a contributor to Benedict Ó Floinn SC's Practice and Procedure in the Superior Courts, and regularly advises law firms on GDPR compliance.

LOOK IT UP

CASES:

- *Data Protection Commissioner v Facebook Ireland Limited and Maximillian Schrems (Schrems II)* [2020] C-311/18

LEGISLATION:

- *Data Protection Act 2018*
- *General Data Protection Regulation (EU) 2016/679*, articles 6, 9, 13-14, 28, 32, 35, and Chapter V

LITERATURE:

- Data Protection Commission, ‘AI, large language models and data protection’ (July 2024)
- European Data Protection Board, ‘Report of the work of the ChatGPT Taskforce’ (2024)
- European Data Protection Supervisor, ‘Guidance for risk management of artificial intelligence systems’ (November 2025)
- Law Society of Ireland, ‘Guidelines for the use of generative artificial intelligence’ (11 November 2025)

‘Can-do creatures’

The EU now drives 80% of new domestic substantive and procedural criminal legislation, the National Prosecutors’ Conference has heard. Sorcha Corcoran goes on the run

When the first Director of Public Prosecutions Eamonn Barnes was appointed in 1975, there was very little thought given to the scope and resourcing of the new office – the overwhelming focus of civil servants, politicians, and drafters at the time was the issue of independence.

A departmental note retrieved from the National Archives noted that “it is not anticipated that the creation of the Director of Public Prosecutions’ Office will create a need for extra staff”. The initial personnel consisted of just four dedicated lawyers and a small number of support staff.

Over the past 50 years, successive DPPs and governments have sought to address the resourcing needs of a modern, effective prosecution service. Today, the office has over 300 staff and works with 30 State solicitors and almost 200 barristers on its panels. In addition, there are around 14,000 members of An Garda Síochána prosecuting in the name of the DPP every day in the District Court.

Collective action

In her address at the 26th Annual National Prosecutors’ Conference on 15 November,

A rough estimate of the Irish Statute Book suggests that around 80% of new domestic substantive and procedural criminal legislation now originates in the EU

DPP Catherine Pierse focused on this collective of public and private actors and how the relationships between them can be strengthened as the prosecution service grows and develops. “Although relatively unusual by international standards, the reliance in Ireland on private partners to deliver a prosecution service is a system that has, by and large, served the Irish public well in my view,” she said.

“Through our reliance on State solicitors, it has been possible to provide a local service in 30 locations around the country. By relying on the independent Bar, we are supporting a system where accused persons have access to the same expertise as the prosecution, and this supports a balance of perspectives.”

The additional budget allocation over the past few years has allowed the Office of the DPP to take on more staff. The appointment of extra State solicitors and counsel has brought new energy and ideals to the prosecution service, but it must be acknowledged that such changes bring challenges, she added.

“When you’re in the middle of a period of change, it’s very human to focus on what has been lost – a sense of familiarity, of well-understood work practices and

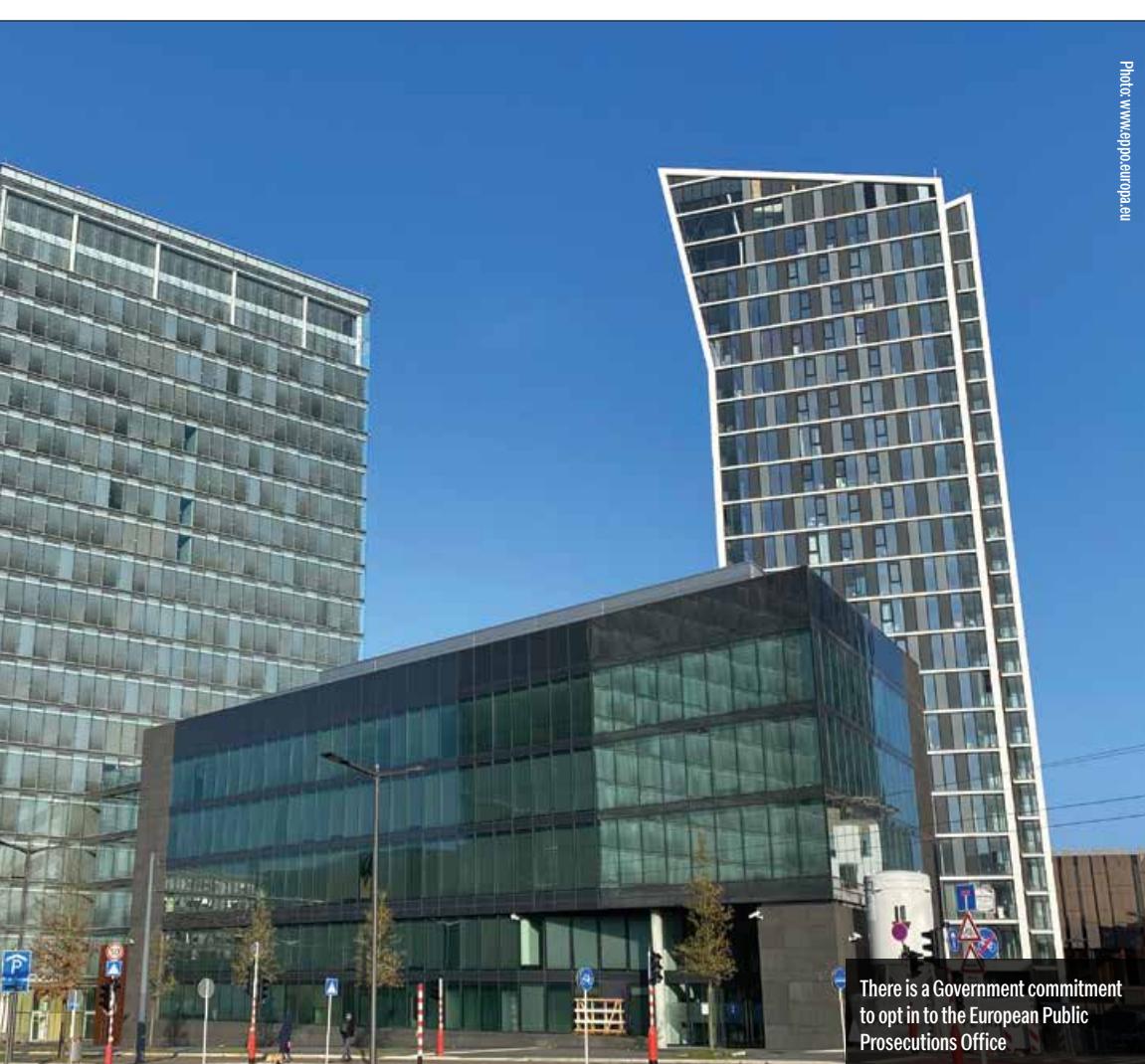


established working relationships where issues could be easily understood and resolved.”

Test of relationships

The continuously changing environment – marked by increasing levels of court activity and digital data, as well as various layers of domestic and EU legislation and case law – will continue to test these relationships. But Pierse was sanguine about this.

“Moving to an expanded service has required everyone to adapt. However, we have been negotiating and renegotiating these relationships for the past 50 years, and I am confident we will continue to successfully renegotiate them for the next 50,” she said.



you in your day-to-day work,” Pierse told the conference delegates. “EU criminal law is no longer a specialist area and, as prosecutors, we need to think creatively about how to adapt our common-law system to the reality of our EU context.”

On the horizon

Peter Csonka, acting director of justice policy in the European Commission, provided this context and a sense of what’s on the horizon for Irish practitioners: “At the basis of all of this is the *Lisbon Treaty*, which provides Ireland with the right to opt in to measures that relate to the areas of freedom, security and justice [under Protocol 21],” he said.

“Subject to review, we understand that Ireland will be seeking to join future EU acts in these areas more systematically in the future. The review may also lead, potentially, to Ireland joining past legal instruments that were adopted in the past 20 years. In 2026, we expect this to include the European Investigation Order [EIO].”

The EIO is a judicial decision issued in or validated by the judicial authority in one EU country to have investigative measures to gather or use evidence in criminal matters carried out in another EU country. At present, it’s valid throughout the EU, but doesn’t apply in Ireland or Denmark.

Cross-border

Csonka flagged that, just before the start of the Irish presidency in July, it looks like there will be a single package of reform proposals aimed at enhancing how Eurojust and Europol operate and interact with one another on cross-

“Criminal lawyers by their very nature tend to be ‘can-do’ kinds of creatures, who are used to having curveballs thrown at them. While this agility can also be what psychologists refer to as an ‘overused strength’, it does put us in a strong place to navigate the coming years.”

The impact of EU legislation and case law on prosecutors’ workloads is one area that is definitely going to require careful navigation in the future. A rough estimate of the *Irish Statute Book* suggests that around 80% of new domestic substantive and procedural criminal legislation now originates in the EU.

Pierse highlighted the expansion of the Irish criminal justice system’s expertise to fully



Photo: Cian Redmond

engage with emerging case law and legislation from the EU as one of its achievements.

A whole lot busier

In a year during which Ireland will hold the presidency of the Council of the EU, those working in the prosecution service can expect things to get a whole lot busier.

Work is ongoing at a policy level here on instruments such as the *e-Evidence Regulation and Directive* and the *Transfer of Proceedings Regulation*, and there is a Programme of Government commitment to opt in to the European Public Prosecutions Office (EPPO).

“Once these new instruments are operationalised, they will become very relevant to each of





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17 Feb	AML Webinar: Suspicious Transaction Reporting, using the goAML Portal, and Filing STRs on ROS	1.5 client care and professional standards (by elearning)	Live Zoom Webinar	Free
19 Feb	Introduction to AI for Legal Practitioners - Cork	3 professional development and solicitor wellbeing (by group study)	The Kingsley Hotel, Cork	€160
24 Feb	Practical AI for Legal Support Staff	1.5 hours professional development and solicitor wellbeing (by elearning)	Live Zoom Webinar	€65
24 Feb	Micro-credential - An Introduction to Bookkeeping and Accounts for a Legal Practice	Total 15 hours (by group study and elearning)	Law Society of Ireland	€750
02 Mar	Lean for Law - Enhance efficiency, reduce costs and stay connected	12 professional development and solicitor wellbeing (by elearning)	Live Teams Meetings	€290
03 Mar	Micro-credential Communications Skills for Legal Leaders	16.5 professional development and solicitor wellbeing (by elearning)	Online Zoom Meetings	€495
11 Mar	Commercial & Complex Property Transactions Masterclass 2026	Total 18 general hours (by elearning and group study)	Hybrid	€495
20 Apr	The Intellectual Property and Data Protection Law Conference 2026	3 hours general (by group study)	Law Society of Ireland	€175

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Available now	Registration Applications to Tailte Éireann	Up to 2 hours general (by elearning)	Free
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border investigations. “In that package, it’s likely you will also have a proposal to review the *General Data Protection Regulation*. In essence, this is about reducing the data-collection rules governing all agencies involved in European investigations, so that all rules are common and applicable across the board.

“One of the things that will probably appear in this package is a small amendment to the EIO. We want to clarify what cross-border surveillance and the interception of telecommunications actually mean under this instrument.”

At present, practitioners aren’t clear, for example, whether they can listen to conversations in a car with a tracking device travelling from country to country around Europe. In addition, the current EIO doesn’t authorise hearing suspect or witness testimony via videoconference during trials.

Anti-fraud architecture

The next big issue for the commission in 2026, Csonka said, will be a review of the EU’s anti-fraud architecture. Here, the legal basis is articles 3 to 5 of the *Lisbon Treaty*, which require that the EU institutions, agencies, bodies and member states protect the EU’s financial interest in an efficient and effective way.

“This has to be equivalent between member states, regardless of whether they belong to the EPPO. A white paper in July found loopholes in the protection system of the EU budget – which has been set at €2 trillion for the period 2028-2034. Therefore, it’s essential that we defend it from fraud, misuse or money-laundering,” said Csonka.

“By the end of 2026, it’s likely

We’re currently working on the IT system that will allow prosecutors and judges to use European preservation and production orders to obtain all sorts of data from service providers in a different country of the EU

that we’ll have a proposal on the table for better regulation criteria under the *OLAF Regulation* [the legal framework defining the European Anti-Fraud Office’s] and the *PIF Directive* [which provides a unified legal framework for fighting financial crime targeting the EU].”

Violation Directive

A particularly topical reference in Csonka’s presentation was in relation to the *Essential Violation Directive*, a new EU law that harmonises the criminalisation of violations and circumvention of EU sanctions across member states.

“We now have 19 packages of EU restrictive measures, also called sanctions, in the EU, which essentially focus on the war of aggression by Russia against Ukraine. These contain measures such as asset freezes, a ban for certain people to travel, and a ban on certain transactions with Russian institutions,” he explained.

“The breach of these restrictive measures or sanctions may amount to a criminal offence under the *Essential Violation Directive* and may lead to the confiscation of frozen assets. Since it came into force in May 2025, we have seen a lot of circumvention and violation – some in the legal area, some in the customs area, and some in other areas, such as commercial activities.

“We would like to make sure that these crimes are prosecuted when they are serious. For now, the commission has launched infringement procedures for those cases where member states have not properly transposed the directive.”

The DPP highlighted the *e-Evidence Regulation and Directive*, coming into force in August, as a particularly novel

EU initiative. This will allow orders for production of evidence to be sent directly to internet service providers across the EU.

All sorts of data

“We’re currently working on the IT system that will allow prosecutors and judges to use European preservation and production orders to obtain all sorts of data from service providers in a different country of the EU,” says Csonka. “The private sector located in Ireland will be compelled to respond directly and within tight timeframes. If they provide services in the EU, they will have to set up an office in the EU and will have to pull the data from wherever in the world the order demands.

“Some believe that the access point to the system in Ireland will be vulnerable, so security measures that surround that access point will be important. We are more and more driven by security interests in the EU. In essence, it has become such an important component of what we do that it influences the review and revision of our instruments.”

The DPP mentioned at the conference that she was in a discussion several months ago about the planning that Ireland is doing in the lead-in to implementing the *e-Evidence Regulation and Directive*.

“Aisling Kelly, who was formerly a prosecutor in the Office of the DPP, but now a general counsel in Microsoft, made the point that, whether we like it or not, we are all data lawyers now. Not only are we all data lawyers, but we’re now also EU criminal-law practitioners,” she concluded. **g**

Sorcha Corcoran is a freelance journalist.

The Young Ones

The Younger Members Committee is an effective advocate on behalf of young solicitors, ensuring that the issues that matter most to them are heard at Council level. Mary Hallissey reports

The Law Society's Younger Members Committee (YMC) seeks to represent a new generation of solicitors who are looking for a more fluid and integrated professional identity. Committee members Genevieve Lynch, Sarah McNulty, and Frank

McNamara shared their insights on the changing nature of legal training, the importance of collegiality, diverse practice experience, as well as the committee's mission to represent the multifaceted interests of Ireland's junior lawyers in a practical, yet enjoyable manner.

Genevieve Lynch's training route was intentionally varied, mixing private and public-sector work. Her traineeship in a Legal Aid Board role spanned international child protection, family law, child abduction, medical negligence, and personal injury.

"It's a different perspective from a lot of trainees," she notes. "Going on the



committee has been a fantastic way to get an insight into the wider profession."

The YMC offers a bigger-picture support network, Genevieve adds, for those getting on the career ladder. There is a concerted effort by the committee to hold events in the regions to appeal to the widest cohort. The committee is open to any solicitor with less than seven years' post-qualification experience (PQE) and seeks to be representative of not just those who qualified straight from college, but those who have taken the more scenic route to becoming a solicitor.

"It's an energising part of the week for me, attending YMC meetings and events. I always leave uplifted," Genevieve says.

Something bigger

This sentiment is echoed by Frank McNamara, who trained at Beauchamps, a mid-sized firm of approximately 100 lawyers. He now works at Reddy Charlton.

"Work as a lawyer can get repetitive and grind you down. Being involved in the committee gives me a sense of fulfilment and makes me feel that I'm contributing to something bigger than myself," he says.

Their gatherings always have a welcoming atmosphere, the three agree.

Frank adds: "I get a lot out of it. We always end up being friends on the committee and that's a big part of it. We're doing it because we want to – not to get a promotion."



Photos: Cian Redmond

Genevieve Lynch (YMC chair),
Frank McNamara (committee member),
Sarah McNulty (senior vice-chair),
and Siobhán Masterson (secretary)

Sarah McNulty practises with Cantillons in Cork, where she also trained, and now works in general litigation. Her mandate when joining the committee three years ago was to promote regional representation and advocacy outside of Dublin.

To that end, 2025 saw the first-ever younger members' event take place outside the capital – in Cork city. On the strength of that success, the YMC is planning to host its annual conference there in the autumn.

Sarah finds the YMC a useful resource. In addition to organising and attending YMC educational events in Ireland, she has also attended European Young Bar Association (EYBA) events along with Genevieve, as Irish representatives.

“Hearing about issues in other countries gives a good perspective on how important it is to have a functioning legal system,” she says.

Genevieve adds: “At the EYBA conferences, people can come from other countries where the rule of law is not nearly as strong or respected as it is here. While there are challenges and issues here, overall, law is a respected profession in Ireland and an integral part of Irish society.”

Mentorship mandate

A recurring theme with the YMC is the pivotal role of mentorship. The YMC recognises that, in an era of remote and hybrid work, the ‘organic’ mentorship that once happened over a coffee or in a courtroom corridor is now at risk.

One of the committee’s primary goals is to bridge this gap, ensuring that younger members, regardless of their firm’s size or sector, have access to a network of peers and mentors. This is particularly vital for those in ‘legal deserts’ – regional areas where the concentration of legal resources is lower, and the risk of professional isolation is higher.

The committee is no longer a Dublin-centric body. There is a concerted effort to reach solicitors in every corner of the country, says Sarah, including younger members working in the in-house sector.

“Our committee is now the most representative it has ever been,” says Frank.

Rural challenges

The challenges facing a junior solicitor in a rural general practice are vastly different from those facing a first-year associate in a ‘big five’ firm.

The YMC is tasked with being a broad church, representing corporate specialists, public-sector advocates, and regional generalists. By bringing these disparate perspectives together, the committee aims to foster a sense of collective identity. Whether it’s discussing work/life balance or the psychological pressures of certain cases, the YMC provides a platform where the commonalities of the younger-member experience outweigh the differences in practice areas.

Perhaps the most significant recent shift in the dialogue of the younger profession is the open discussion of psychological

“

I know a lot of people who, even if they’re earning big money in large firms, would rather earn less money and have a better quality of life. That’s the clear trend



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We act as an effective advocate on behalf of young solicitors. Whenever the Law Society is wondering what younger members think, we are the ones who act as their voice

wellbeing and mental health. For previous generations, these were often taboo subjects, or at least secondary to the pursuit of billable hours or career progression. Many younger solicitors carry an emotional weight with their work, and the YMC is pushing for the best support systems, recognising that the long-term sustainability of the profession depends on the mental wellbeing of its newest entrants.

Young blood

The YMC meets eight times a year, early in the morning and in sync with the Law Society's Council, through hybrid gatherings, though there's an emphasis on in-person meetings, too. There are 19 members, including one representative from the current PPC intake. This year, there were eight newcomers – a healthy figure, which maintains the balance between incoming and returning members.

The committee's focus on networking and social events isn't just about career advancement; it's about building a support network that can act as a buffer against the high-pressure environment of legal practice.

The committee is positioned as a vital link between the Law Society and the future of the Irish legal profession. “Because we're not tied to any particular practice area, it actually gives us a greater freedom to collaborate with other Law Society committees,” Genevieve says. “What I really like about the committee is



that everyone brings something different. You have different personalities, different skills, and it encourages you,” she adds. “You learn how committees work. And it gives you such an insight in relation to the legal profession and how the Law Society operates. It deepens your understanding.”

There's a soft spot within the Law Society for the younger members, Sarah says. “The YMC represents the future of the profession. And we want to get out there more! We are working on increasing visibility and awareness of the YMC to all younger members.

“It's important to say, you do not have to be on the committee to avail of the resources or benefits of the committee's work,” she explains. “To any solicitors with between zero and seven years' PQE reading this, who feel under-represented or out of the loop, come along to one of our events and introduce yourself. Alternatively, reach out by email to our wonderful committee secretary Siobhán Masterson (at s.masterson@lawsociety.ie) if you have queries or suggestions about how the YMC can support or represent you effectively.”

Effective advocate

Frank continues: “We act as an effective advocate on behalf of young solicitors. Whenever the Law Society is wondering what younger members think, we are the ones who act as their voice.”

He points out that young solicitors now have a mind of their own as to how their careers will unfold: “It used to be the case that the firms could just say, ‘Look, you have to do it, end of story, you're lucky to be here.’ That is changing quite a lot. Younger solicitors are saying, ‘That's not what I want in my life. If you can't accommodate me, I'm going to go.’”

The YMC detects that younger members, to their credit, are very focused on avoiding burnout. They want a high quality of life, as well as interesting and well-paid work. “I know a lot of people who, even if they're earning big money in large firms, would rather earn less money and have a better quality of life. That's the clear trend,” Frank concludes. ■

Mary Hallissey is a journalist at the Law Society Gazette.



Robot rock?

A report on the genAI/copyright interface highlights the complex legal and technical challenges faced by the creative and cultural sectors in the context of GenAI's rapid evolution. Mark Hyland home-tapes

On 12 May 2025, the European Union Intellectual Property Office (EUIPO) published a comprehensive report, *The Development of Generative Artificial Intelligence from a Copyright Perspective*. The highly anticipated report is 436 pages long, and it highlights, in a clear fashion,

the complex legal and technical challenges faced by both the creative and cultural sectors and, indeed, AI developers, in the context of GenAI's rapid evolution.

Here, I focus on article 4 of Directive (EU) 2019/790 on copyright and related rights in the digital single market. More specifically, I examine the reservation-of-works provision

contained in article 4(3) and assess how it is analysed in the report.

Article 4 is a mandatory copyright exception for commercial (all-purpose) text and data mining (TDM). A reservation of works is an important protective mechanism for copyright owners. By reserving one's copyright works, a rightholder

is, in effect, opting out of the copyright exception. This means that third parties – for example, AI companies – can then only use the rightholder's reserved works if they obtain prior authorisation from the latter. This formal authorisation will come in the form of a TDM licence agreement, whereby the licensee (that is, the AI company) will pay the copyright owner licence fees for the use of the licensed content. This commercial arrangement would sync with the wording of recital 6 of the directive, which refers to "a fair balance [being struck] between the rights/interests of authors and other rightsholders, on the one hand, and of users on the other".



Image: Alamy/Shutterstock/GazetteStudio

No single opt-out mechanism has emerged as the sole standard to be used by rightsholders. This may be explicable by the general complexity of the AI ecosystem

Article 4(3) requires that the reservation be effected “in an appropriate manner, such as machine-readable means in the case of content made publicly available online”. Recital 18 nuances this somewhat by stating that the reservation could also include “metadata and terms and conditions of a website or a service”. Moreover, “it can be appropriate to reserve the rights by other means, such as contractual agreements or a unilateral declaration”.

Rightsholders' interests

Saliently, at p164, the report describes these rights reservations (sometimes called TDM opt-outs) as “crucial for managing rightsholders’ economic interests and defining AI developers’ business and technical models”. While there are divided views on the actual effectiveness of the rights reservation mechanisms, it would be naïve and unstrategic for a rightsholder not to include a reservation in their copyright works, particularly if there is a possibility of future litigation.

The report breaks the rights-reservation measures into two distinct categories: (i) legally driven measures; and (ii) technically driven measures.

Legally driven measures

Legally driven rights-reservation measures may involve legal statements and contractual provisions written in ‘natural language’ (human language), without the use of technical protocols.

A good example of such a measure would be a unilateral declaration – in essence, a public statement made by a rightsholder or a rightsholder’s group.

This may be a prominent commercial intermediary like a publishing house or a music label. Collective management organisations (CMOs) who manage copyright and related rights may also issue unilateral declarations on behalf of their membership. A good example is France’s SACEM. Representing the interests of French music creators and publishers, SACEM issued a unilateral declaration opting its members’ works out of TDM uses.

At p165, the report helpfully provides an example of a unilateral declaration from the book-publishing industry. The declaration is made by Penguin Random House, whereby the company publicly states that all its publications will include an article 4 opt-out reservation on the copyright page of the book.

The salient part of the declaration is as follows: *“No part of this book may be used or reproduced in any manner for the purpose of training artificial intelligence technologies or systems. In accordance with article 4 (3) of the Digital Single Market Directive 2019/790, Penguin Random House expressly reserves this work from the text and data-mining exception.”*

As an alternative, some rightsholders post their declarations on their websites. For example, in May 2024, Sony Music published a ‘Declaration of AI Training Opt Out’ on its website. As an added precaution, Sony Music also notified this public declaration directly to specific AI developers. This was done by sending 700 letters to AI and music-streaming companies to inform them that it is opting out of AI training.

Concord Music’s declaration is also reproduced in the report. Concord’s reservation

covers the following content: “musical compositions, lyrics, audio recordings, audiovisual recordings, artwork, images, data, etc”. It applies “to any purposes, including the training, development, or commercialisation of any AI system, and by any means, including bots, scrapers, or other automated processes”.

One of the challenges with unilateral declarations is that it requires TDM users to be aware of them. In a bid to increase the visibility of expressed unilateral declarations, some rightsholders are consolidating their declarations in a single place. A particularly good example of this consolidated approach is the RightsAndAI platform, established in April 2024. This centralised platform was launched by the International Confederation of Music Publishers (ICMP) and accepts rights reservations from music companies and music CMOs. ICMP claims that over 80% of the global music publishing market (by share) has already united in this common platform to reserve their rights for AI training.

Technical measures

Technical-reservation measures are built around internet-related languages and protocols. Technical instruments, such as blockchain or federated registries, also play a significant role in the creation of technical-reservation measures.

A good example of a technical-reservation measure is robots.txt. First designed in the mid-1990s to control bot traffic, it has evolved into a mechanism to counteract AI-related web-scraping. In practical terms, robots.txt provides web crawlers with

information on which URLs they are allowed/disallowed to access on a website. The robots.txt consists of a file stored in the website root directory, where directives ('allow'/'disallow') are listed along with relevant URLs and possibly an identification of the actual crawler-user agent targeted by the directives.

Robots.txt is, in fact, the implementation of the 'robots exclusion protocol' (REP). The REP is a commonly used tool or benchmark for TDM opt-out measures generally. The REP is used to manage the relationship between rightsholders and TDM users, including AI developers.

Citing data from Originality AI, the report states that, as of February 2025, a large proportion of websites (25%) were using REP to disallow AI crawling conducted by GPTbot (the OpenAI crawler) and the CCBot (gathering data for the Common Crawl dataset).

Limitations

There are inherent limitations associated with REP. While REP can express a reservation, it cannot enforce its compliance. For web content to be 'skipped', the webcrawler itself must be programmed to skip copyright-protected content. Moreover, REP lacks granularity. While entire files, such as HTML pages, can be marked for TDM exclusion, specific content within those HTML pages cannot.

Perhaps most important of all, REP is a voluntary mechanism/standard dependent on the good faith and mutual trust between webmasters (who apply the protocol) and companies who deploy webcrawlers to engage

in web-scraping. At p178, the report states that "there is no law stating that robots.txt must be obeyed, nor does it constitute a binding contract between the site owner and user, but having a robots.txt can be relevant in legal cases".

While many copyright holders deploy the REP as their main strategy to reserve their rights, many stakeholders now question REP's optimality as a TDM opt-out mechanism. These doubts are linked to several factors, to include limited granularity and user-specificity, the need for intervention by website managers, legal unenforceability, and a requirement that web-scrapers voluntarily disclose their identities.

Key points

While the REP currently serves as a *de facto* standard for managing webcrawling and scraping activities, there is a growing belief that its days as a primary strategy for TDM rights reservations may be numbered. This viewpoint may also explain why (internet) traffic-management strategies are being deployed alongside REP to restrict web-scrapers' activity.

Notwithstanding REP's prominence in the context of rights reservations, no single opt-out mechanism has emerged as the sole standard to be used by rightsholders. This may be explicable by the general complexity of the AI ecosystem.

Interestingly, the report suggests a role for public authorities (such as national IP offices or similar national or supranational institutions)

Third parties – for example, AI companies – can then only use the rightholder's reserved works if they obtain prior authorisation from the latter. This formal authorisation will come in the form of a TDM licence agreement

in the context of rights-reservation measures. The envisaged supportive role might take the form of implementing and administering federated databases of TDM reservations expressed by rightsholders.

The report also highlights the imminent launch of the EUIPO's Copyright Knowledge Centre. Due to formally open in November 2025, the centre will "equip copyright holders with clear, practical information on how their works may be used in the development of AI". The centre will also assist copyright holders to effectively manage and protect their IP assets, based on an envisaged symbiotic relationship between rightsholders and AI developers.

Separately and distinctly, it is worth noting that another comprehensive study dealing with similar themes to those covered in the report was published on 9 July. Titled *Generative AI and Copyright: Training, Creation and Regulation*, the 175-page study was commissioned by the European Parliament's Committee on Legal Affairs.

Besides concluding that large-scale AI training far exceeds the scope of the current TDM exceptions in the directive, the study also finds that the existing opt-out system to be poorly suited to the realities of AI training. It expresses doubts about the effectiveness of an opt-out tool, such as robot.txt, in the context of large-scale web-scraping. Pointedly, the study urges legislators to change the current reservations framework to emphasise consent, remuneration, and transparency. ■

Dr Mark Hyland is a lecturer at Technological University Dublin.

Law Society Council meeting

14 November 2025

The president welcomed newly elected members Derek Walsh (elected on Munster panel) and Niamh Ní Mhurchú (elected for the first time).

Report of scrutineers

On behalf of the scrutineers, past-president Geraldine Clarke confirmed the appointment as president of Rosemarie Loftus, the election of Martin Lawlor as senior vice-president, and the election of Keith Walsh as junior vice-president.

Taking of office

Outgoing President Eamon Harrington described his presidency as the honour of his professional life. He described Council members as a remarkable group of people with much to be proud of. The highlights of his year in office included the visit of Ukrainian judges, the trip to Kolkata, and the introduction of the Summer School. He paid compliments to the new president, describing her as a great ambassador for the profession.

President Rosemarie Loftus expressed her pride in becoming the 155th president. She looked forward to working with her fellow officers for the benefit of all solicitors. She will seek to shine a light on rural practices and the trials and tribulations they face, given the changing legal landscape on the island. She will place a greater focus on 'legal deserts', whose consequence is failure and the decline of access to justice in rural Ireland.

She wishes to see a laser focus on enhancing member services and, with small steps, to achieve a greater alignment between the Council and the membership. The Law Society must strive to be the voice of change, particularly in the evolution and advancement of policy changes, especially at Government level. This is

essential for those practising in larger firms so that Ireland is, and continues to become, a centre for investment and a magnet for international attraction.

Projects to be considered are abundant, including a continued focus on funding for courts infrastructure and judicial appointments, greater digitisation of courts and conveyancing systems, focused leadership on AI and its monitoring, and promotion of more efficient ADR mechanisms. The Law Society cannot lose sight of any of these projects, as they underpin a more efficient legal system, which bolsters the profession's reputation.

The senior vice-president, Martin Lawlor, expressed his honour and excitement to serve in the role and thanked Eamon Harrington for his contribution to the Law Society. He credited Rosemarie Loftus with encouraging him to return to Council after a lacuna. He referred to her empathy, common sense, and courtesy, and observed that she had the character to lead the profession.

The junior vice-president, Keith Walsh, proposed that Council members were at the service of the profession. He noted that the current Council worked on a structure created by past presidents and previous Councils and must continue to build on the established trust. He paid tribute to Valerie Peart and looked forward to serving as her senior vice-president in the future.

Past-president Adrian Bourke spoke on behalf of all past-presidents attending. He described the president as exceptional, extraordinary, unique, and exemplary, with all the qualities needed to get the job done. The president needed all support possible from each Council member and the executive. He wished her every

success and enjoyment in this exceptional year of her life.

Extraordinary members

Council appointed the following extraordinary members, nominated by the bar associations: *Dublin Solicitors Bar Association* – Paul Ryan, Joan Doran, and Avril Mangan; *Southern Law Association* – Robert Baker, Joan Byrne, Jonathan Lynam, Siún Hurley, and Barry Kelleher; *Law Society of Northern Ireland* – the president noted that the list of nominees was outstanding and would be introduced at the December meeting.

Council regulations

Council approved the draft Council regulations for 2025-26 and the draft governance framework. The substance of the changes to the regulations had been addressed by Council in previous meetings and briefings. The president thanked Paul Egan for 'leading the charge' on governance

Director general's report

The director general stated that his report summarised the depth and breadth of work undertaken during the year. He commented that Eamon Harrington exemplified how bringing many people together throughout 2024-25 had benefited the Law Society and its members.

AGM report

The president reported on the AGM held the previous evening, saying that all resolutions before it had been approved.

Council meeting dates

Council approved changes to the May and July 2026 Council meeting dates and approved a proposed calendar of Council meeting dates for 2027.

Practising certificate fee

Council approved the recommendations of the Finance Committee to set the practising certificate fee at €3,175 for 2026, an increase of €75 on the 2025 fee

level. Council approved a reduced rate of €2,885 for members less than three years qualified.

Council approved the *Solicitors Practising Certificate (Application Fee) Regulations 2025* and the *Registered European Lawyers Qualifying Certificate (Application Fee) Regulations 2025*.

Committee appointments

Council approved the appointments to committees, working groups, task forces, and external-entity appointments recommended by the president.

Submissions

The meeting noted the submissions made by the Law Society on proposed changes to agricultural relief, the implementation of the *Family Courts Act 2024*, and the report of the Commission on Generational Renewal in Farming.

Other business

Sonia McEntee was pleased to report the entry of two new firms in the professional indemnity insurance market. She indicated that premiums were lower, with discounts of up to 20%,

and encouraged members to seek the best value from their brokers.

Darren Toombs (president, Law Society of Northern Ireland) congratulated the president on her appointment and looked forward to working with her as a Council member. He thanked Eamon Harrington for developing the relationship with the Law Society of Northern Ireland and encouraging it to take up one of its seats on Council.

Paul Keane spoke about an upcoming charity concert and encouraged all present to attend.

Law Society Council meeting 12 December 2025

Council approved the following extraordinary representatives nominated by the Law Society of Northern Ireland: Mark Borland (president), Colin Mitchell (senior vice-president), Eoghan McKenna (junior vice-president), Darren Tombs (past-president), and Rowan White (past-president).

Council also approved the appointment of Danica Kinane (ME Hanahoe Solicitors) to the Criminal Law Committee.

PII briefing

The chair and the secretary of the PII Committee briefed the Council on the PII market. Key highlights included that the PII market conditions are positive and that the market remains stable, competitive, affordable, and attractive to insurers. Premiums are falling significantly and are at their lowest levels since 2019. Future priorities include retaining and attracting new insurers, maintaining a sustainable premium level, and future-proofing against any potential market hardening.

eConveyancing Project

The chair of the eConveyancing Subcommittee and the Finance Project

Team briefed the Council on the ongoing work relating to the launch of the e-conveyancing solution and provided a demonstration of the current functionality and associated benefits, which include single data entry, functionality for digital verification, online document signing, and real-time document tracking. Pilot testing with a small number of firms will commence in Q1 of 2026.

Director general's report

The director general took the opportunity to reflect on the work completed in 2025, while noting several highlights, including key partnerships with RIP.ie and MyHome.ie, the relaunch of the Law Society's website, and publication of the 2025 *Law Directory*. The director general also noted several key statistics for 2025, including 125,000 visitors and 480 events across Blackhall Place, 12,517 practising certificates issued, 365 firm inspections carried out, the delivery of training to 577 trainees, 25,000 attendances at 155 CPD courses, Solicitor Services responding to 4,220 queries, 27 Law Society court appearances during the year (one Supreme Court, three Court

of Appeal, and 23 High Court), 23 Law Society submissions to Government, and 38 commitments in the new programme for Government, which were aligned to Law Society policy submissions and, finally, 3.1 million visits to the website.

The director general concluded by noting that there were emerging challenges, including potential reform of the judicial-review process and the introduction of a scale of fees that would apply to certain environmental challenges before the courts. The Policy Department is actively engaged in preparing a submission as part of the consultation process.

Submissions

The meeting noted the submissions made by the Law Society to the Oireachtas Joint Committee on Justice, Migration and Home Affairs on the general scheme of the *Criminal Law (Sexual Offences, Domestic Violence and International Instruments) Bill 2025* and a presentation by the Law Society to the information session at Leinster House on aspects of the general scheme of the *International Protection Bill 2025*.

Other business

Martin Lawlor spoke about the recent visit by a contingent of Ukrainian judges to the Law Society and thanked Paul Keane on the success of the recent Charity Choral Concert that took place at the Law Society. 

Section 14 *Mediation Act* obligation on solicitors – update

<p>Practitioners are aware of their extensive obligations prior to the issue of proceedings, imposed by section 14 of the <i>Mediation Act</i>. Please refer to the practice note of 10 September 2024 ('<i>Mediation Act 2017: Obligation of practising solicitors to advise clients about mediation before starting proceedings</i>').</p> <p>A recent High Court decision has underlined the increasingly proactive role judges are taking to ensure such compliance. In <i>V Media DOO & First Click Marketing Operations Management Ltd v Techads Media Ltd</i> ([2025] IEHC 430), Twomey J enquired at the outset of the hearing as to whether the plaintiff's solicitor had discharged their obligations under section 14 and sworn the necessary declaration.</p> <p>It transpired that this had not, in fact, occurred. The judge went on in his judgment to describe how</p>	<p>the onerous obligations imposed by section 14 represented a restriction on the right of access to the court and effectively denied the court jurisdiction to proceed with a hearing in the event of non-compliance.</p> <p>While he did proceed ultimately to hear the case, he ruled that there is an onus on every judge before embarking on a hearing to determine whether the provisions of section 14 have been complied with. If they have not, it is likely that the proceedings will be adjourned or may be struck out with possible significant cost consequences, not just for the plaintiff but also for their solicitors. This has already occurred (<i>Byrne v Arnold</i> [2024] IEHC 308).</p> <p>Practitioners will also be aware of recent High Court practice directions in both non-jury and clinical negligence cases (HC127 and 131) requiring the parties to seek to resort to mediation and to</p>		<p>confirm section 14 compliance in advance of obtaining a hearing date. It is understood that a similar direction will shortly issue in the Commercial Court.</p> <p>In these circumstances, all solicitors are urged to ensure that their litigation practice management includes a check to ensure that no proceedings are issued in any matter without having first complied with the obligations imposed by section 14 and that a statutory declaration has been sworn to this effect. The benefit of this is that mediation is discussed from the outset with the client, so allowing a mediation to take place later at an appropriate time.</p> <p>The ADR Committee has drafted a sample letter to clients and a Section 14 Declaration to assist colleagues (both available at www.lawsociety.ie/alternative-dispute-resolution/mediation). ☈</p>
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WILLS

Barnes, Joe (also Joseph) (deceased), late of Dromod, Co Leitrim, and formerly of Stepaside, Co Dublin, who died on 28 October 2025. Would any person having knowledge of the whereabouts of any will made or purported to be made by the above-named deceased, or if any firm is holding same, please contact Rebecca Barnes, c/o 74 Giltspur Wood, Bray, Co Wicklow, A98 F798; tel: 087 951 8930, email: joe Barnespr@gmail.com

Bradley, Imelda (otherwise Anne Imelda Bradley) (deceased), late of Woodlands, Moynalty, Kells, Co Meath; and formerly of North Circular Road, Dublin 7; Dublin Road, Longford, Co Longford; Homefarm Road, Dublin 9; Claude Road, Drumcondra, Dublin 9; Mountain View Road, Ranelagh, Dublin 6; and Main Street, Virginia, Co Cavan, who died on 6 September 2025. Would any person with knowledge of any will made by the above-named deceased please contact Brian Callaghan, Regan McEntee & Partners, Solicitors LLP, High Street, Trim, Co Meath; DX 92002 Trim; tel: 046 943 1202

Broderick, David (deceased), late of 5 Ash Park Avenue, Lucan, Co Dublin, and formerly of Glasheen & Ballinlough, Cork, who died on 11 December 2025. Would any solicitor holding or having knowledge of a will made by the above-named deceased please contact Liza Moloney, Ronan

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Deadline for the March 2026 Gazette is Wednesday 11 February 2026.

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*.

Enright Solicitors, 32 South Bank Crosses Green, Cork; tel: 021 235 5443, email: liza@ronanenright.com

Byrne, Patrick (orse Paddy) (deceased), late of Castlebyrne Park, formerly of Brookfield, Blackrock, Co Dublin, who died on 27 December 2025. Would any person having knowledge of the whereabouts of a will made by the above-named deceased, or if any firm is holding same or was in recent contact with the deceased regarding his will, please contact Stephenson Solicitors, 55 Carysfort Avenue, Blackrock, Co Dublin; tel: 01 275 6759, email: office@stephenson solicitors.ie

Codd, Anne (deceased), late of Mandoran, Buncldy, Enniscorthy, Co Wexford, who died on 15 February 2024. Would any person having knowledge of a will made by the above-named deceased please contact Ensor O'Connor, Solicitors, 4 Court Street, Enniscorthy, Co Wexford; tel: 053 923 5611, email: info@ensoroconnor.ie

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Doran, Anthony (orse Tony) (deceased), late of 24 Mountfield Park, Malahide, Co Dublin, who died on 29 October 2025. Would any person having knowledge of the whereabouts of a will made by the above-named deceased, or if any firm is holding same or was in recent contact with the deceased regarding his will, please contact Stephenson Solicitors, 55 Carysfort Avenue, Blackrock, Co Dublin; tel: 01 275 6759, email: office@stephenson solicitors.ie

Foley, Joe (otherwise Joseph Foley or Joseph Vincent Foley) (deceased), late of Rock Road, Mallow, Co Cork, who died on 15 January 2023. Would any

person having knowledge of the whereabouts of any will made by the above-named deceased please contact Alex Krupa, Walsh and Partners LLP Solicitors, 17 South Mall, Co Cork; tel: 021 427 0200, email: info@walshandpartners.ie

Haugh, Denis (deceased), late of 1 St Declan's Road, Marino, Dublin 3, who died on 3 November 2025. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Caroline Davin-Power, Marcus Lynch LLP Solicitors, 12 Lower Ormond Quay, Dublin 1; tel: 01 873 2134, email: caroline@lynchlaw.ie

☰ Professional notices

Kieran, Cormillus (deceased), late of St Martin's, The Burrow, Portrane, Co Dublin, who died on 26 January 2023 at Loughshinny Nursing Home, Skerries, Co Dublin. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Mary Lou Cronin, Cronin & Co, Solicitors, Main Street, Donabate, Co Dublin; tel: 01 895 8550, email: mlc@croninlaw.ie

Levinge, Alona Sarah (deceased), late of Unit 9, 9/11 Norman Street, St James, 6102 Western Australia, and St Anthony, High Street, Westport, Co Mayo, who died on 15 October 2025. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Justin Hughes, Solicitors, 89 Phibsborough Road, Phibsborough, Dublin 7; tel: 01 882 8583, email: info@justinhughes.ie

Mearns, Barbara (née Flanagan) (deceased), late of Kilteel Road, Hempstown, Blessington, Co Wicklow, who died on 15 April 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased, or if any firm is holding same, please contact Doyle Fox & Associates, Solicitors, The Farmhouse, Main Street, Blessington, Co Wicklow; tel: 045 851 980, email: reception@doylefox.ie

Moore, Josephine (deceased), late of Sacred Heart Residence, Sybil Hill Road, Raheny, Dublin 5, and formerly of 354 Clogher Road,

Crumlin, Dublin 12, who died on 16 October 2025. Would any person having knowledge of the whereabouts of a will made or purported to have been made by the above-named deceased, or if any firm is holding same, please contact O'Donohoe Solicitors, 11 Fairview, Dublin 3 (ref MOD/AML); tel: 01 833 2204, email: amcloughlin@odonohoes.com

O'Donnell, Catherine Frances (deceased), late of 369 The Grove, Belgard Heights, Tallaght, Dublin 24, who died on 19 November 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact O'Brien Ronayne Solicitors, 5A Main Road, Tallaght, Dublin 24; tel: 01 424 6200, email: geraldine@obr.ie

O'Donnell, Patrick (deceased), late of 369 The Grove, Belgard Heights, Tallaght, Dublin 24, who died on 25 May 2025. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact O'Brien Ronayne Solicitors, 5A Main Road, Tallaght, Dublin 24; tel: 01 424 6200, email: geraldine@obr.ie

O'Gorman, Michael (deceased), late of 22 Cleevaun, Naas, Co Kildare, who died on 30 October 2025. Would any person holding or having any knowledge of a will made by the above-named deceased please contact O'Connor McCormack, Solicitors, 16 South Main Street, Naas, Co Kildare; tel: 045 875 333, email: info@oconnormccormack.ie

O'Malley, Joseph (deceased), late of Ardkeen, Kilmearna, Westport, Co Mayo (and latterly of Pilgrim's Rest Nursing Home, Westport, Co Mayo), who died on 12 November 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 Patrick J Durcan and Co, Solicitors, James Street, Westport, Co Mayo; DX 53002 Westport; tel: 098 25100, email: admin@patrickjdurcan.ie

Rankin, Evelyn (deceased), late of 3 Tamarisk Heights, Kilnamanagh, Co Dublin, who died on 3 October 2025. Would any person having knowledge of any will made by the above-named deceased please contact Orpen Franks Solicitors LLP, 28-30 Burlington Road, Dublin 4, D04 HR90; tel: 01 637 6200, email: grainne.butler@orpenfranks.ie

Rankin, Henry (deceased), late of 3 Tamarisk Heights, Tallaght, Dublin 24, D24 SX6Y, who died on 20 July 2024. Would any person having knowledge of any will made by the above-named deceased please contact Orpen Franks Solicitors LLP, 28-30 Burlington Road, Dublin 4, D04 HR90; tel: 01 637 6200, email: grainne.butler@orpenfranks.ie

Rooney, Dolores (deceased), late of Easterville, Balrothery, Balbriggan, Co Dublin, who died on 10 January 2025. Would any person having knowledge of any will made by the above-named deceased please contact Gerrard L McGowan, Solicitors, The Square, Balbriggan, Co Dublin; ref: CC1070; tel: 01 841 2115, email: info@glmccowan.ie

Williams, Brett Llewellyn (deceased), late of 31 Dowth Avenue, Cabra, Dublin 7, or 44 Shandon Crescent, Phibsborough, Dublin 7. Would any person having knowledge of a will made by the above-named deceased please contact Rochford Gibbons, Solicitors, 16/17 Upper Ormond Quay, Dublin 7; DX 1015; tel: 01 872 1499, email: info@johnrochford.ie

MISCELLANEOUS

Statutory notice to creditors in the estate of John Condon (deceased), late of 23 St. Albans Park, Sandymount, Dublin 4

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 10 April 2019 (letters of administration to his estate being granted to the administrator on 31 May 2024), should be furnished to the undersigned solicitors for the administrator on or before 1 May 2026, after which date the assets will be distributed having regard only to the claims furnished.

Date: 6 February 2026
Signed: PB Cunningham & Co (solicitors for the applicant), Suite 212, The Capel Building, Mary's Abbey, Dublin 7

In the estate of James O'Sullivan (deceased), late of Boulakeel, Ballinskelligs, Co Kerry

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 3 February 2025, should be furnished to the undersigned solicitors for

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the administrators on or before 5 March 2026, after which dated the assets will be distributed having regard only to the claims furnished.

Date: 6 February 2026
Signed: J Cashell Solicitors (solicitors for the applicant), Main Street, Cahersiveen, Co Kerry

TITLE DEEDS

No 43 The Chandler, Arran Quay, Dublin 7

Would any person having knowledge of the location of the title or supporting documentation in relation to the above premises, or any other apartment in the block, or if any firm is holding same, please contact Murphy O'Grady Solicitors, Market Square, Mountrath, Co Laois; tel: 057 883 2214/873 2425, email: info@murphyogradysolicitors.ie

The Old Forge, Gneevegullia, Rathmore, Co Kerry

To any personal representatives or known beneficiaries of the Kenmare or Revelstoke Estates, and to any persons claiming an interest in the above-mentioned premises: take notice that I, Sean Hickey, being a claimant to a possessory title in the above-named property, intend to apply to Kerry Circuit Court, at the first opportunity available, in that suit bearing the

record number 2025/00342, for judgment in default of appearance by any such person aforesaid. Let any such person appear at the hearing of such motion and/or contact my solicitors, namely, Terence F Casey and Co LLP, 55 Main Street, Castleisland, Co Kerry; tel: 066 714 211

In the matter of the Landlord and Tenant (Ground Rents) Act 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of premises known as 95 Lower Glanmire Road, Cork, comprised in Folio 30464L of the register of leaseholders, Co Cork

Any persons having an interest in the freehold or intermediate estates in the above property: take notice that SCS Asset and Property Management Limited intends to submit an application to the county registrar of the county of Cork for the acquisition of the freehold interest and all intermediate interests in the aforesaid property, and any person asserting that they hold any 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 an interest in (1) a lease for the term of 900 years agreed between Solomon Newsom and Strettle Jackson, to run from 29 September 1791,

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(2) a sublease for the term of 99 years agreed between Phoebe Ellen Margaret Parfitt and Jerome B Casey, to run from 29 September 1949, should provide evidence of their title to the below-named solicitors. Further, any persons having any estate or any interest superior to that of the grantors of the said leases as aforesaid and any of them and/or the fee simple interest in the above properties should provide evidence of their title to the below-named solicitors.

In default of any such information being received, the applicant intends to proceed after the expiry of 14 days from the date of this notice with the application before the county registrar for the county of Cork to purchase the fee simple and any intermediate interests in the said properties and such 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 property are unknown and unascertained.

Date: 6 February 2026

Signed: O'Donovan Murphy & Partners (solicitors for the applicant), The Quay, Bantry, Co Cork

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

(Ground Rents) (No 2) Act 1978 and in the matter of premises known as 96 Lower Glanmire Road, Cork, comprised in Folio 30781L of the register of leaseholders, Co Cork

Any persons having an interest in the freehold or intermediate estates in the above property: take notice that SCS Asset and Property Management Limited intends to submit an application to the county registrar of the county of Cork for the acquisition of the freehold interest and all intermediate interests in the aforesaid property, and any person asserting that they hold any 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 an interest in (1) a lease for the term of 900 years agreed between Solomon Newsom and Strettle Jackson, to run from 29 September 1791, should provide evidence of their title to the below-named solicitors. Further, any persons having any estate or any interest superior to that of the grantors of the said leases as aforesaid and any of them and/or the fee

simple interest in the above properties should provide evidence of their title to the below-named solicitors.

In default of any such information being received, the applicant intends to proceed after the expiry of 14 days from the date of this notice with the application before the county registrar for the county of Cork to purchase the fee simple and any intermediate interests in the said properties and such 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 property are unknown and unascertained.

Date: 6 February 2026
Signed: O'Donovan Murphy & Partners (solicitors for the applicant), The Quay, Bantry, Co Cork

In the matter of the Landlord and Tenant (Ground Rents) Act 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of premises known as 97 Lower Glanmire Road, Cork, comprised in Folio 30780L of the register of leaseholders, Co Cork

Any persons having an interest in the freehold or intermediate estates in the above property: take notice that SCS Asset and Property Management Limited intends to submit an application to the county registrar of the county of Cork for the acquisition of the freehold interest and all intermediate interests in the aforesaid property and any person asserting that they hold any 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 an interest in (1) a lease for the term of 900 years agreed between Solomon Newsom and Strettle Jackson, to run from 29 September 1791, should provide evidence of their title to the below-named solicitors. Further, any persons having any estate or any interest superior to that of the grantors of the said leases as aforesaid and any of them and/or the fee simple interest in the above properties should provide evidence of their title to the below-named solicitors.

In default of any such information being received, the applicant intends to proceed after the expiry of 14 days from the date of this notice with the application before the county registrar for the county of Cork to purchase the fee simple and any intermediate interests in the said properties and such 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 property are unknown and unascertained.

Date: 6 February 2026

Signed: O'Donovan Murphy & Partners (solicitors for the applicant), The Quay, Bantry, Co Cork

In the matter of the Landlord and Tenant (Ground Rents) Act 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of premises known as 98 Lower Glanmire Road, Cork, comprised in Folio 30779L of the register of leaseholders, Co Cork

Any persons having an interest in the freehold or intermediate estates in the above property: take notice that SCS Asset

and Property Management Limited intends to submit an application to the county registrar of the county of Cork for the acquisition of the freehold interest and all intermediate interests in the aforesaid property and any person asserting that they hold any 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 an interest in (1) a lease for the term of 997 years agreed between Swithin White and Joseph Austin, to run from 25 March 1747, should provide evidence of their title to the below-named solicitors. Further, any persons having any estate or any interest superior to that of the grantors of the said leases as aforesaid and any of them and/or the fee simple interest in the above properties should provide evidence of their title to the below-named solicitors.

In default of any such information being received, the applicant intends to proceed after the expiry of 14 days from the date of this notice with the application before the county registrar for the county of Cork to purchase the fee simple and any intermediate interests in the said properties and such 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 property are unknown and unascertained.

Date: 6 February 2026

Signed: O'Donovan Murphy & Partners (solicitors for the applicant), The Quay, Bantry, Co Cork

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

of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of premises known as 3-7 Barry's Lane, Cork

Any persons having an interest in the freehold or intermediate estates in the above property take notice that, by deed of conveyance and assignment dated 27 June 2024 and between Joseph Daly, Mark Daly, and Amanda Daly of the one part and Tussac Limited of the other part, the title of the vendors in the above property was transferred to the said Tussac Limited for its own exclusive use for valuable consideration and is vested therein, and further take notice that the said Tussac Limited intends to register its title to the said property as soon as may be convenient hereafter. To this end, the freehold reversion to the said property being vested in Solomon Newsom, late of the city of Cork, his heirs, successors, administrators and assigns, it is necessary for the said Tussac Limited to rebut the presumption of encroachment in order to successfully register its title to the said property by notifying the said Solomon Newsom, his heirs, successors, administrators and assigns, hereafter as follows.

Take notice that, by virtue of the said transfer of the property to the said Tussac Limited for its own exclusive use for valuable consideration, the said Tussac Limited shall maintain that publication of the herein notice constitutes adequate proof of notification of the fact of same to the said Solomon Newsom, his heirs, successors, administrators and assigns, such that their title to same is hereby disclaimed and that their failure to respond or object to the said transfer within 28 days of publication of same shall



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be sufficient to rebut the said presumption of encroachment such that title to the property may thereafter be registered in the name of the said Tussac Limited.

Therefore, any persons having an interest in the said property and wishing to respond or object to the said transfer thereof should inform O'Donovan Murphy & Partners LLP, The Quay, Bantry, Co Cork, of same within 28 days of publication hereof, failing which the said Tussac Limited intends to proceed to register title to the said property, whether such registration be adverse to the title of the said Solomon Newsom, his heirs, successors, administrators and assigns or otherwise, and the said presumption of encroachment shall be deemed rebutted thereby.

Date: 6 February 2026
Signed: O'Donovan Murphy & Partners (solicitors for the applicant), The Quay, Bantry, Co Cork

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 Thomas Harty and Ann Harty for the freehold interest in 3 St Mobhi Road, Glasnevin, Dublin 9

Take notice any person having any interest in the freehold estate of the following property: 3 Saint Mobhi Road, Glasnevin, Dublin 9, which is more particularly described in a sublease dated 15 March 1935 between Eoghan Casey, Kincoraville, Kincora Road, Clontarf, Dublin (as lessor), and Brigid Raul of 152 Upper Drumcondra Road, Dublin (as lessee) as "all that plot of ground situate on Bothar Mobhi, Glasnevin, junction of Ballymun Road and Bothar Mobhi, Glasnevin, together with the shop and residence over the same lately erected thereon, which said premises are edged red on the map hereunto annexed and are situate in the parish of Glasnevin and city of Dublin" and form part of the premises comprised in a lease between the Right Honourable The Lord Mayor Alderman and Burgess of Dublin, the Minister for Local Government and Public Health and the said Eoghan Casey dated 31 December 1934.

Take notice that Thomas Harty and Ann Harty intend to submit an application to the county registrar for the county of Dublin for acquisition of the freehold interest in the aforesaid property, and any party asserting that they hold a superior interest in the aforesaid premises (or any of them) are called upon to furnish evidence of the title to the aforementioned premises to the below named with 21 days from the date of this notice.

In default of any such notice being received, the applicants intend 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 Dublin for directions as may be appropriate on the basis that the persons beneficially entitled to the superior interest including the freehold reversion in each of the aforesaid premises are unknown or unascertained.

Date: 6 February 2026
Signed: Collins Crowley (solicitors for the applicant), 28 Bridge Street Lower, Citygate, Dublin 8; DX 1039

In the matter of the Landlord and Tenant Acts 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of an application by Kassco Properties Limited

Any person having a freehold estate or any intermediate interest in all that and those the premises the subject of an indenture of sublease dated 17 December 1956 between the Housing Investment Trust of the one part and James Moran of the other part (the sublease), whereby all that and those that plot of land situate at the west side of Kimmage Road, Terenure, measuring in front to Kimmage

Road 32 feet, 9 inches, and at the rear 33 feet, 4 inches, and on the south-west side 128 feet, 4 inches, together with the premises erected thereon and now known as no 199 Lower Kimmage Road, Terenure, more particularly delineated and described on the map endorsed thereon and thereon edged with a red verge line, now known as 199 Lower Kimmage Road, Dublin 6W, was subdemised to James Moran for a term of 137 years from 1 May 1956, subject to the yearly rent of £20 and to the covenants on the lessee's part and conditions contained therein.

Take notice that Kassco Properties Limited, being the person entitled to the sublessee's interest in portion of the premises the subject of the sublease, intends to apply to the county registrar of the county of Dublin to vest in it the fee simple and any intermediate interests therein and any party asserting that they hold a superior interest in the sublease 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 notice being received, Kassco Properties Limited intends to proceed with the application before the Dublin county registrar at the end of 21 days from the date of this notice and will apply to the Dublin county registrar 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 sublease premises are unknown or unascertained.

Date: 6 February 2026

Professional notices

Kirwan McKeown James LLP (solicitors for the applicant), 3 Clanwilliam Square, Grand Canal Quay, Dublin 2

In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2005 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of the property to the rear of The Arch Complex, number 44 (formerly number 41) Castle Street, Dalkey, Co Dublin: an application by James M (otherwise Michael) Good (the applicant)

Take notice that any person having a superior interest in the freehold estate or any superior interest in the property to the rear of The Arch Complex, number 44 (formerly number 41) Castle Street, Dalkey, Co Dublin, being part of the land demised by a sublease dated 24 October 1901 made between John J Higginbotham, administrator of the will of Christopher Higginbotham, of the one part, and Sarah Whittle of the other part, for the term of 900 years from 29 September 1901, subject to the yearly rent of £11.10s.0d, should give notice of their interest to the undersigned solicitors.

Take notice that the applicant intends to submit an application to the county registrar for the county of the city of Dublin for the acquisition of the freehold interest and any superior interest in the aforesaid property, and any party asserting that they hold an interest therein 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 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 the city of Dublin for such directions as may be appropriate on the basis that the person or persons beneficially entitled to the superior interest including the freehold reversion in the above property are unknown or unascertained.

Date: 6 February 2026
Signed: Dominic Dowling LLP Solicitors (solicitors for the applicant), 37 Castle Street, Dalkey, Co Dublin

In the matter of the Landlord and Tenant Acts 1967-2008 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of the premises known as 'Majella', 1A Ardagh Park Gardens, Newtownpark Avenue, Blackrock, in the county of Dublin: an application by Pennycreek Limited

Take notice any person having a freehold estate or any intermediate interest in the premises known as 'Majella', 1A Ardagh Park Gardens, Newtownpark Avenue, Blackrock, in the county of Dublin, held under indenture of lease dated 14 July 1961 and made between Modern Homes (Ireland) Limited of the first part, Royal Bank of Ireland Limited of the second part, and Gerrard Brady of the third part, for a term of 900 years from 30 September 1955 at a yearly rent of £15 and the covenants by the lessee and conditions therein contained.

Take notice that the applicant intends to apply

to the county registrar for the city of Dublin for the acquisition of the freehold interest and all intermediate interests in the premises, and any party asserting that they hold a superior interest in the 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 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 Dublin 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 lands are unknown or unascertained.

Date: 6 February 2026
Signed: Sheehan Solicitors LLP (solicitors for the applicant), 1 Clare Street, Dublin 2

In the matter of the Landlord and Tenant Ground Rents) Act 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978: lands comprising 5 Harrington Row, Ballyhooley Road, Cork

Any persons having an interest in the freehold or intermediate estates in the above property take notice that John O'Brien (as legal personal representative in the estate of Dónal O'Brien, deceased) intends to submit an application to the county registrar of the county of Cork for the acquisition of the freehold interest and all intermediate interests in the aforesaid property, and any person asserting that they

hold any 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 an interest in a yearly lease arising by operation of law or by inference upon the expiration of a lease for the term of 150 years agreed between Heyward John St Leger of the first part, James Isaac Carnegie of the second part, Joseph Woodley Lindsay of the third part, Mary De Courcy of the fourth part, Mary O'Malley of the fifth part, and Daniel Harrington of the sixth part, dated 1 February 1869, should provide evidence of their title to the below-named solicitors. Further, any persons having any estate or any interest superior to that of the grantors of the said leases as aforesaid and any of them and/or the fee simple interest in the above properties should provide evidence of their title to the below-named solicitors.

In default of any such information being received, the applicant intends to proceed after the expiry of 28 days from the date of this notice with the application before the county registrar for the county of Cork to purchase the fee simple and any intermediate interests in the said properties and such 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 property are unknown and unascertained.

Date: 6 February 2026
Signed: Carey Murphy & Partners LLP (solicitors for the applicant), 23 Marlboro Street, Cork

**In the matter of the
Landlord and Tenant Acts
1967-2019 and in the matter
of the Landlord and Tenant
(Ground Rents) (No 2) Act
1978 and in the matter of
the premises known as
1A and 1B Taney Road,
Goatstown, Dublin 14: an
application by the trustees
of the estate of Charles
Meredith**

Take notice that any person having any interest in the freehold estate or any superior leasehold estate of the following property: all that and those part of the lands at Roebuck in the parish of Taney, barony of Rathdown, and county of Dublin, more commonly known as 1A and 1B Taney Road, Goatstown, in the city of Dublin, held under lease dated 30 October 1952 made between Philip Townsend Somerville-Large, Joyce Somerville-Large, Philip Collis Somerville-Large, and Brisbane Peter Somerville-Large of the one part and Bernard Murray of the other part, and therein described as "all that part of the lands of Roebuck in the parish of Taney, barony of Rathdown

and county of Dublin, which said demised premises and more particularly delineated and described on the map hereto annexed and thereon surrounded with red line" for the term of 99 years from 28 June 1952, subject to the yearly rent thereby reserved and to the covenants on the part of the lessee and conditions therein contained.

Take notice that the trustees of the estate of Charles Meredith have applied to the Dublin county registrar to vest in them the fee simple and any intermediate interests in the aforesaid properties and that application is listed for hearing by the Dublin county registrar at 2pm on Monday 16 February 2026 at Court 33, The Four Courts, Dublin 7, and any party asserting that they hold a superior interest in the property is called upon to furnish evidence of title to same to the below named by 5pm on Friday 6 February 2026.

In default of any such notice being received, the trustees of the estate of Charles Meredith intend to proceed with the application before the Dublin

county registrar on Monday 16 February 2026 and will apply to the Dublin county registrar 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 properties are unknown or unascertained.

Date: 6 February 2026

**Signed: Gartlan Furey (solicitors
for the applicant), 20 Fitzwilliam
Square, Dublin 2**

**In the matter of the Landlord
and Tenant Acts 1967-2005
in the matter of the Landlord
and Tenant (Ground Rents)
(No 2) Act 1978 and in the
matter of an application by
RIG Bridges Limited in the
respect of premises known
as 46 Phibsborough Road,
Phibsborough, Dublin 7**

Take notice any person having a freehold estate or any intermediate interest in all that and those the property known as 46 Phibsborough Road, Phibsborough, Dublin 7, being currently held by RIG Bridges Limited (the applicant) under an indenture of lease dated 5 May 1881 and made between James Walsh of the one part and Alice Walsh of the other

part, that the applicants, as lessees under the lease, intend to submit an application to the county registrar for the city of Dublin for the acquisition of the freehold interest in the aforesaid premises, and any party asserting that they hold a superior interest in the aforesaid premises or any of them are called upon to furnish evidence of title to the aforementioned premises to the below named within 21 days from the date of this notice.

In default of any such notice been received, RIG Bridges Limited intends to proceed with the application before the county registrar at the end of the 21 days from the date of this notice and will apply to the county registrar for the city of Dublin for directions as may be appropriate on the basis that the persons beneficially entitled to the superior interest including the freehold reversion in each of the aforesaid premises are unknown or unascertained.

Date: 6 February 2026

**Signed: Griffin Solicitors
(solicitors for the applicant),
Gabriel House, 6 Cypress Park,
Templeogue, Dublin 6W**

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Professional notices

In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2019 and in the matter of part II of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of property known as 98 North Main Street in the city of Cork and in the matter of an application by Margaret (otherwise Ita) O'Mahony
Take notice that any person having an interest in any estate in the above property that Margaret (otherwise Ita) O'Mahony (the applicant) intends to submit an application to the county registrar of the county of Cork for the acquisition of the fee simple interest and all intermediate interests in the above 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 within 21 days from the date hereof. Any person having any interest in the property held under lease of 12 September 1895 made between William Bleasby the one part and Edward Francis Roche of the other part should provide evidence of their title to the below named.

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

Date: 6 February 2026
Signed: Martin A Harvey & Co

(solicitors for the applicant), Parliament House, 9 Georges Quay, Cork

Notice of intention to acquire the fee simple: in the matter of the Landlord and Tenant (Grounds Rents) Acts 1967-2019 and in the matter of part II of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of an application by Jamman Limited and in the matter of property situate at Carmelite Terrace, Western Road, in the City of Cork

Take notice any person having an interest in any estate in the above property that Jamman Limited (the applicant) intends to submit an application to the county registrar of the county of Cork for the acquisition of the fee simple interest and all intermediate interest 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 within 21 days from the date hereof. Any person having any interest in the property, which is held under lease of 12 January 1934 made between Catherine Jennings and Thomas Jennings of the first part, Catherine Jennings of the second part, Rose Jennings, Brian Jennings, Eithne White, and Muirne Jennings of the third part, and Timothy Walsh of the fourth part, should provide evidence of their title to the below named.

In default of such information being received by the applicant, the applicant intends to proceed with the application before the county registrar and will apply to the county registrar for the county of Cork for directions as may be appropriate on the basis

that the person or persons entitled to the superior interest including the freehold interest in the said premises are unknown and unascertained.

Date: 6 February 2026
Signed: Adams Donnelly Solicitors LLP (solicitors for the applicant), Lower Kilmoney Road, Carrigaline, Co Cork

In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2019 and in the matter of part II of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of an application by Dairygold Agri Business Limited and in the matter of property at Bride Park, Grange, Killumney, Ovens, in the county of Cork

Take notice any person having an interest in any estate in the above property that Dairygold Agri Business Limited (the applicant) intends to submit an application to the county registrar of the county of Cork for the acquisition of the fee simple interest and all intermediate interests in the said property, and any person asserting that they hold a superior interest in the said property is called upon to furnish evidence of such interest to the below named within 21 days from the date hereof. Any person having any interest in the said property, which is held under lease of 1 November 1670 for a term of 500 years from 1 November 1670, should provide evidence of such interest to the below named within the said time.

In default of such evidence being received by the applicant, the applicant intends to proceed with

the application to the said county registrar and will apply to the said county registrar for such directions as may be appropriate on the basis that the person or persons entitled to a superior interest, including the freehold interest, in the said property are unknown and unascertained.

Date: 6 February 2026
Signed: Matthew J Nagle & Co (solicitors for the applicant), Broadview House, West End, Mallow, Co Cork

In the matter of the Landlord and Tenant Acts 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of an application by Kenneth Roe and Rhona Roe

Any person having a freehold estate or any intermediate interest in all that and those the premises known as 'Reenour' (formerly 'Vallauris'), Killiney Hill Road, Killiney, Co Dublin (the property), the subject of an indenture of sublease dated 26 August 1964 between The Reisor Manufacturing and Construction Company Limited of the one part and Michael Payne of the other part for a term of 399 years from 1 May 1958 at a rent of £28 per annum, and therein described as the dwellinghouse, garden, and premises known as 'Vallauris', Killiney Hill Road, Killiney, Co Dublin, more particularly delineated and coloured red on the map attached thereto.

Take notice that Kenneth Roe and Rhona Roe, the persons being entitled to the sublessee's interest in the property under the sublease, intend to apply to the county registrar of the county of

Dublin to vest in them the fee simple and any intermediate interests in the property, and any party asserting that they hold a superior interest in the property 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 notice being received, Kenneth Roe and Rhona Roe intend to proceed with the application before the Dublin county registrar at the end of 21 days from the date of this notice and will apply to the Dublin county registrar 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 property are unknown or unascertained.

Date: 6 February 2026
Signed: Smith Foy & Partners (solicitors for the applicants), 59 Fitzwilliam Square North, Dublin 2, D02 TX46

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): an application of Cerlock Limited

Take notice any person having any interest in the freehold and/or intermediate estates in the property situated at 66 Henry Street and 5 Clontarf Place (formerly called 5 Wellesley Place), part of the lands in Ballinacurra Bowman, in the parish of St Michael and City of Limerick, now known as The Old Stand Bar, V94 NF8N, portion of which is part of the property described in Folio 646 of the register, Co Limerick and the

remainder of which is part of the property described in Folio 66290F of the register, Co Limerick, being part of the property demised by a lease made in the year 1884 from Anne Black and Edward Black to Stephen Dowling for a term of 199 years from 1 June 1884, subject to a yearly rent of €60 sterling, later adjusted to £58.9s.0d.

Take notice that Cerlock Limited, being the person now holding the leasehold interest in the said property under the said lease, intends to apply to the county registrar for the county of Limerick for the acquisition of the freehold and any intermediate interest(s) in the said property, and any party or parties asserting that they hold a superior interest in the property are called upon to furnish evidence of title to the property to the below named within 21 days from the date of this notice.

In default of any such notice being received, Cerlock Limited 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: 6 February
Signed: John Battles & Co (solicitors for the applicant), 3 New Wellington Terrace, O'Connell Avenue, Limerick, V94 YX58

In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2019 and in the matter of part II of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and

In the matter of property situate at and known as Ashleam, Monkstown, in the county of Cork and in the matter of an application by Sinead Behan and Brian Fitzgerald

Take notice any person having an interest in any estate in the above property that Sinead Behan and Brian Fitzgerald (the applicants) intend to submit an application to the county registrar of the county of Cork for the acquisition of the fee simple interest and all intermediate interest 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 within 21 days from the date hereof.

Any person having any interest in the property, which is held under a lease of 9 November 1905 made between Jane Westropp of the first part, and Michael Westropp of the second part, and Henry Sugrue of the third part, should provide evidence of their title to the below named.

In default of such information being received by the applicants, the applicants intend to proceed with the application before the county registrar and will apply to the county registrar for the county of Cork for directions as may be appropriate on the basis that the person or persons entitled to the superior interest including the freehold interest in the said premises are unknown and unascertained.

Date: 6 February 2026
Signed: Foley Turnbull & Co LLP (solicitors for the applicant), Joyce House, Barrack Square, Ballincollig, Co Cork

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 application being made by Rebelshed Limited in respect of The Green Bar, Fairgreen, Borrisokane, Co Tipperary

Take notice any person having any interest in the freehold estate of the following property: The Green Bar, Fairgreen, Borrisokane, Co Tipperary.

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

In default of any such 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 Tipperary for directions as may be appropriate on the basis that the persons beneficially entitled to the superior interest including the freehold reversion in each of the aforesaid premises are unknown or unascertained.

Date: 6 February 2026
Signed: McInerney Solicitors (solicitors for the applicant), Co Tipperary, South Eastern Circuit **g**

Final verdict

PRO BONOBO



Oh black Betty, Rambo lamb

Approximately 50 sheep broke away from their flock during a seasonal migration in Burgsinn, Bavaria, storming into a discount supermarket.

The animals spent 20 minutes exploring the aisles, *The Guardian* reports, showing particular interest in the checkout area. While they resisted the fresh produce, the woolly visitors left chaos in the drinks section.

Rather than billing the shepherd for damages, the company seized the viral moment, offering to sponsor feed for the 50 runaways for a year – a marketing coup that's generated nationwide attention and countless puns about the 'ram-page' in 'Baa-varia'.



Going through the motions



New Zealand police have successfully recovered a €16,500 Fabergé egg pendant after monitoring a suspect's bowel movements for six days after an alleged theft at an Auckland jewellery store.

The Guardian reports that the 32-year-old man reportedly swallowed the ornate James Bond-themed pendant at Partridge Jewellers. He was arrested minutes later inside the store and remained in custody throughout the ordeal.

The limited-edition piece, one of only 50

created, made its eggsit without medical intervention. Police photographs showed the pendant still attached to its gold chain with an intact price tag.

Typeface volte-face

The US State Department has abandoned a Biden-administration font change designed to improve accessibility for readers with disabilities, reverting from Calibri to Times New Roman.

According to *NPR.com*, Secretary of State Marco Rubio ordered diplomats worldwide to adopt 14-point Times New Roman for all official documents, dismissing the 2023 switch as part of "misguided diversity, equity and inclusion policies" implemented by former Secretary of State Antony Blinken.

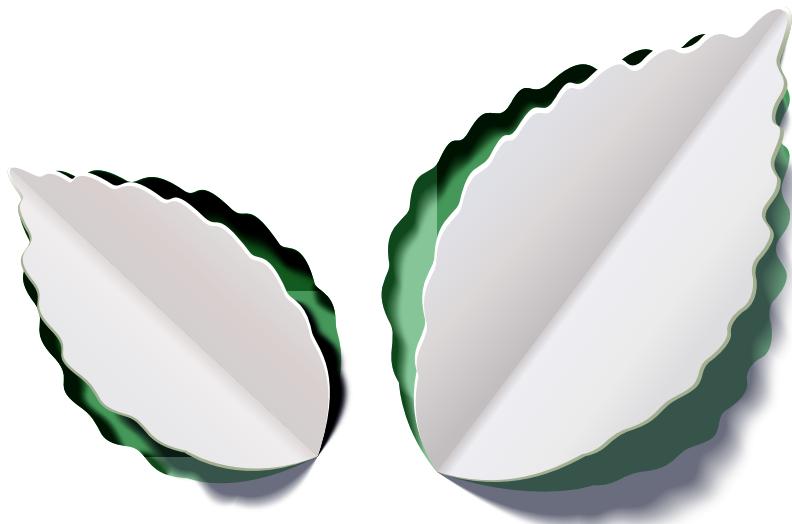
However, the *Americans with Disabilities Act* specifically requires sans-serif fonts on signage and screens, as they are easier to read. Calibri, lacking the decorative 'tops and tails' of Times, offers clearer reading for those with visual impairments. The reversal marks the latest rollback of accessibility initiatives under the new administration.

Badger sett-to

A six-month delay to emergency road repairs in North Lincolnshire has been lifted after Natural England, the government's adviser for the natural environment in England, intervened to resolve a standoff with badgers.

College Road in East Halton, closed since October last year due to the risk of collapse from burrowing badgers, faced repairs being blocked until July because of breeding-season protections. Council leader Rob Waltham said residents endured "a major impact on daily life".

The *BBC* reports that the council constructed an alternative sett using an October licence, but badgers returned to their original sett beneath the crumbling road. Interfering with badger setts without approval is a criminal offence. Natural England officers have now attended the site, enabling work to proceed. The existing surface will be removed in February, with reconstruction beginning in spring. The road is expected to reopen in May this year. ■



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EU & INTERNATIONAL AFFAIRS COMMITTEE

STAGE INTERNATIONAL À PARIS 2026

OCTOBER – NOVEMBER 2026



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of Ireland**



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.

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- **Have a good knowledge of French,**
- **Be under 40 years old,**
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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>

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

APPLICATION DEADLINE: Friday, 13 March 2026

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