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May 2026



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The headache-inducing *Residential Tenancies Act*



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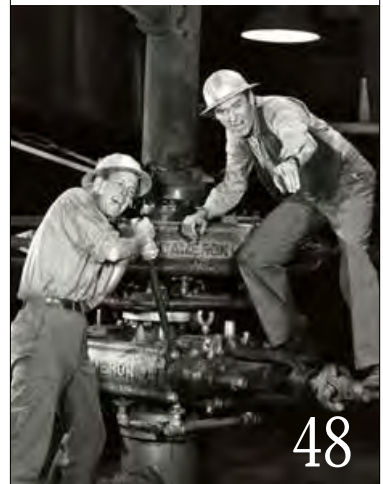


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UNDERPINNING THE RULE OF LAW

The Department of Justice's flawed proposals to reform criminal legal aid remain a high priority for me and for the Law Society. A detailed submission made at the end of March has set out the substantive reasons for our opposition, and why these proposals will not work.

Criminal legal aid underpins the rule of law. At its core, it is there to guarantee some degree of fairness: fair access to justice, regardless of means or where you live; fair procedures; the right to a fair trial; and fair remuneration for essential legal work. Any proposal that weakens effective legal representation strikes at the heart of the principles of a fair and accessible justice system.

Yet that is precisely the direction the department has chosen with its flat-fee proposal. It is fundamentally unfair, and we will continue to vigorously oppose it.

What drives delays?

A key element of the argument from the Department of Justice is that a defendant and their lawyers are responsible for all the delays and adjournments in court. We know from real-life cases that many, if not most, of the adjournments, hearings, applications, and delays are driven by the prosecution and the courts. A fixed fee for unlimited, unpredictable work simply places the blame on defendants and their solicitors for a system they do not control.

We know that cases can be profoundly different. A minor summary matter and a lengthy, contested trial are not the same – yet this proposed model treats them as if they were, with predictable and damaging consequences.

We know that this approach has already failed. When a flat fee was introduced in family law, it led to a significant withdrawal of participating solicitors – and there is every reason to expect the same outcome in criminal law.



The flat-fee proposal is fundamentally unfair, and we will continue to vigorously oppose it

We know rural and regional communities will be hit hardest, deepening geographic inequality in access to defence services.

It is 17 years since criminal legal aid was cut. Having finally extracted a commitment to restore fees to their 2009 levels, the Government instead proposes what will amount to a unilateral cut. This is indefensible.

I know how deeply frustrating and demoralising these proposals are for colleagues across all areas of law. We will continue working to secure a more equitable solution that achieves genuine efficiencies, while guaranteeing fairness for all stakeholders in the justice system.

Rights are not optional extras, and they cannot be protected on the cheap.

Media coverage

The Law Society's analysis of Central Bank insurance data received widespread media coverage in March and April, including an opinion piece in *The Irish Times* and interviews with solicitors across the country. That visibility matters, because insurance-industry spokespeople continue to blame legal costs and personal-injury claims for rising premiums, deflecting attention from their own pricing decisions and growing margins.

The data is clear. The primary driver of high premiums is insurer costs and profits – not legal costs. This misleading narrative and scapegoating of lawyers will not go unchallenged. It is a disservice to consumers and an excuse for inaction by insurers. The Law Society and I will continue to shine a light on the truth and advocate for greater transparency in the insurance market on behalf of consumers and the profession.

Calcutta Run

I am proud to see a wide range of Calcutta Run events lined up for Dublin, Cork, and Galway this year. It's a great chance to come together and share in the vibrancy of the profession, while supporting our flagship charity fundraiser. I hope to see many of you at the Dublin Run on 23 May.

ROSEMARIE J LOFTUS
PRESIDENT

the **BIG** *picture*

I'm still standing

Like an invader from HG Wells' *War of the Worlds*, the octopus-like tentacles of phosphorous bombs stalk a southern Lebanese village on 28 April 2026. Israel's military is deploying the incendiary munitions, despite an active ceasefire. Under the [1980 Convention on Certain Conventional Weapons](#), using incendiary weapons near civilian concentrations is explicitly forbidden. Phosphorous air-burst projectiles scatter 116 burning wedges across wide areas, indiscriminately threatening lives and buildings. Human Rights Watch warns that the substance "can burn to the bone" and engulfs civilian homes in violation of international law.





people

■ WHO ■ WHAT ■ WHERE ■ WHEN ■



All pics: Darragh Kane Photography

The beautiful south

At the Southern Law Association's annual dinner at the Maryborough Hotel in Cork on 27 February were Emma Meagher Neville, Elaine O'Sullivan, Leona McDonald (Waterford Law Society), and Catherine O'Callaghan



Michelle Cross and Elaine O'Sullivan



Grainne Cuddihy



Catherine O'Callaghan, Gerald AJ O'Flynn



Jonathan Lynam (president, Southern Law Association), Law Society President Rosemary Loftus, and Mark Garrett (director general)



(Front, l to r): Sean Durcan, Juli Rea, Jonathan Lynam (SLA president), Emma Meagher Neville, and Grainne Cuddihy; (back, l to r): Dermot Kelly, Joan Byrne, Richard Hammond SC, Elaine O'Sullivan, Catherine O'Callaghan, Robert Baker, Louise Smith, William Harvey, Fiona Twomey, Barry Kelleher (SLA vice-president), Gerald AJ O'Flynn, Brendan Cunningham, Michelle Cross, John Tait, Bill Holohan SC, Don Ryan, and John Fuller



Bill Holohan SC, Judge James McCourt (Circuit Court), and Judge Dermot Sheehan (Circuit Court)



Juli Rea, Peter Wyse, Judge Patricia Harney (District Court), Judge Helen Boyle (Circuit Court)



Grainne Cuddihy, Ciaran O'Tuama (Insurance Institute of Cork), and Dermot Kelly



Brendan Cunningham, Virginia Toombs, and Darren Toombs (Law Society of Northern Ireland)



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IN-PERSON AND LIVE ONLINE COURSES

13 May	Probate Update with Probate Bar Association	1 hour general	Live Zoom webinar	€65
19 May	EU & International Affairs Committee Talk 2026	1.5 general	Law Society of Ireland	€65
21 May	North-West Practice Update 2026	6 hours	Lough Eske Castle Hotel, Lough Eske, Co. Donegal	€165
27 May	In-House and Public Sector Panel Discussion - The Future Ready Lawyer	2 professional development	The Kingsley Hotel, Victoria Cross, Cork	€85
28 May	Bitesize Briefing - Defamation Update - Practical Implications of the 2026 Act	1.5 general	Live Zoom webinar	€75
4 June	Essential Solicitors' Update 2026	6 hours	Inn at Dromoland, Co. Clare.	€75
18 June	Bitesize Briefing: ADR, Mediation and the new ICDR	1.5 hours	Live Zoom webinar	€75
24 June	Employment Law Update 2026	3.5 general	Law Society of Ireland	€95
25 June	Essential Solicitors' Update Leitrim 2026	6 hours	Landmark Hotel, Carrick on Shannon, Co Leitrim	€165
30 June	Regulation Matters: Top Ten Tips for Compliance Solicitors Accounts Regulations	3.5 general	Law Society of Ireland	€65

ARTIFICIAL INTELLIGENCE (AI) TRAINING - IN-PERSON AND ONLINE

10 June	AI Literacy for Today's Lawyer	1.5 professional development	Live Zoom webinar	€75
1 July	AI in Practice - Prompting and Responsible Use	1.5 professional development	Live Zoom webinar	€75

SKILLS TRAINING

21 May	Dealing with High-Conflict Personalities	1.5 professional development	Law Society of Ireland	€145
3 June	Emotional Intelligence for Lawyers	1.5 hours	Live Zoom webinar	€75
4 June	Risk and Resilience in the Legal Sector: Being a Trusted Advisor by Managing our Client's Risk	4.5 hours	Law Society of Ireland	€225
4 June	Time Management for Lawyers	3 hours	Law Society of Ireland	€145
4 June	Managing Change in the Era of AI	3 professional development	Law Society of Ireland	€75
16 June	Speed-reading in a Legal Setting	3 hours	Live Zoom webinar	€65
17 June	The Impact of Impostor Syndrome on Decision-Making in the Office	2 hours	Live Zoom webinar	€65

TRAINING FOR LEGAL SUPPORT PROFESSIONALS

26 May	Legal Support Professionals Webinar Series: Data Protection in Practice		Live Zoom webinar	€65
23 June	Legal Support Professionals Webinar Series: Managing Client Expectations and Conflict in Legal Practice		Live Zoom webinar	€65

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At the official launch of the Calcutta Run at A&L Goodbody were Law Society President Rosemarie Loftus, Attorney General Rossa Fanning SC, Maura Lennon (Hope Foundation), Catherine Kenny (Simon Community), and Mark Garrett (Law Society director general)

Get ready for Calcutta Run 2026!

Registration is now open for the 2026 Calcutta Run – the legal sector’s flagship charity event. Since 1999, the run has raised over €5.9 million for homelessness services in Ireland and Kolkata.

This year’s event takes place on Saturday 25 May and is aiming to raise €500,000 for the Law Society’s charity partners, Dublin Simon Community and the Hope Foundation. Every year, more than 2,000 lawyers, family members, and friends run or walk (6km and 10km routes), play tennis, golf or tag rugby in Dublin, Cork and Galway.

Calcutta Run 2026 is supported this year by official event partner Arachas. You can register for this year’s run at www.idonate.ie/forms/c/calcuttarun262.



Mary Kennedy was a special guest at the launch



Sarah Shiels, Nicholas Donnelly (both Office of the DPP), and Miriam Taber (Law Society)



Helen Butler (Law Society), Sarah Kelly (The Panel), Alan Bluett (The Panel), and Mary McNeice (Law Society)



David Jermyn and Julie Galbraith (both of Arachas)



Sinead Smith (A&L Goodbody)



Patricia Gannon



At the 'Creative Disruption in Legal Services' event were Ben Garron, John Hogan, Ciara Byrne, and Marie O'Brien



Bjarne Tellman and Mark Garrett (director general)

Disruptor beam

Bjarne Philip Tellmann, an expert on AI's impact on law firms and CEO of FjordStream Advisors, headlined the Law Society's 'Creative Disruption in Legal Services' event at Blackhall Place on 24 March. The event highlighted how legal leaders must adapt to a fast-changing landscape, often termed as 'creative disruption'. Tellmann, who has written about building outstanding legal teams, provided insights into how AI and new service models are changing legal work.



Antoinette Moriarty (director, Solicitor Services), Patricia Gannon (solicitor and tech founder), and Colin Carroll (solicitor and strategic project lead at the Law Society)



Photo: Cian Redmond

The only way is up!

A group of trainee solicitors is tackling Mount Kilimanjaro in July 2026 to raise €10,000 for the Ballymun Community Law Centre. Donations are being accepted via a dedicated [GoFundMe](#) page. At the funding launch at Blackhall Place were (front, l to r): Caoimhe Cummins (Arthur Cox), Alanna Nic Ghiolla Phadraig (Mason Hayes & Curran), Sean Fahey (Matheson), and Molly McHugh (A&L Goodbody); (back, l to r): Aoife Stewart (McCann FitzGerald), Niall Barrett (McCann FitzGerald), Rosemarie Loftus (Law Society President), Maeve Hassett (Matheson), and David Cullen (Mason Hayes & Curran).

All photos: Cian Redmond

■ Free 'Practice Essentials' tools ■ Irish lawyer receives *Trophé l'Egalité* ■ MOOC on AI, tech, and the law

news

■ YOUR MONTHLY UPDATE ON ALL THINGS LEGAL ■



Image: Shutterstock

First family courts start next year

The first dedicated family courts will begin operating at the start of next year under a timescale announced by the Minister for Justice on 22 April. The details are contained in an implementation plan for the *Family Courts Act 2024*, which introduces changes to the operation of the family-justice system in Ireland.

Minister Jim O'Callaghan said that the legislation would result in "the most significant reforms of the family-justice system in the history of the State".

The changes will include full-time specialist judges assigned to deal with family law within new family-court divisions, and the introduction of divorce applications at both District and Circuit Court levels. →

IRISHMAN ELECTED CHAIR OF NOTARIAL BODY



Brian O'Brien (treasurer, Ireland), Stewart Germann (New Zealand), Anthony Northey (England and Wales), Seedy Jallow (Gambia), Russell Clark (Guernsey), Laura Carter (secretary, England and Wales), Bill Holohan (chair, Ireland), and Kate Roome (British Columbia)

Cork solicitor Bill Holohan SC is the newly elected president and chair of the Association of Common Law Notaries. The worldwide body is a representative group of notaries public from Australia, British Columbia (Canada), England and Wales, Gambia, Guernsey, Ireland, Jersey, New Zealand, Nigeria, and Northern Ireland.

Bill succeeds outgoing chair Kate Roome (British Columbia). Says Bill: "Aided by my fellow Irish notary, Brian O'Brien from Swords in Dublin, who will continue in the role of treasurer, I am sure there will be exciting times ahead."

A proposal was passed to hold the 2027 AGM and conference Bill's home city of Cork.

Bill is a senior partner at Holohan Lane LLP. Over his career, he has received multiple awards, including an Irish Law Award for 'Alternative Dispute Resolution Practitioner of the Year' in 2013, while his firm took the Irish Law Awards accolade for 'Best Law Firm of the Year' in 2017.

He has served in a variety of executive roles with the Chartered Institute of Arbitrators, as a director and council member of the Mediators Institute of Ireland, and is a founder member and council member of the Irish Society of Insolvency Practitioners. He currently serves on the Law Society Council and is a member of the Charity Appeals Tribunal.

Phased process

The minister said that the implementation plan would bring the family courts into operation in selected locations over a series of stages before a full national roll-out. "Following the outcome of extensive stakeholder consultation last year, the best approach, both in terms of minimising disruption to the operation of the courts, as well as ensuring lasting change, is a phased implementation that will start at the beginning of the legal term in January 2027," the minister stated.

Under the first phase in January 2027, three locations will be chosen to start operating as family courts under the new system, which will include a Family District Court, a Family Circuit Court, and a Family High Court.

Judges to be assigned

As part of this phase, judges with specific expertise in dealing with families and family-law matters will be assigned to these three locations on a full-time basis. Additional divisions will be added in January 2028 as part of the second phase. The final phase will see the full implementation of the act and is expected to start from January 2029, with more family-court divisions and specialist judges assigned.

The Department of Justice has set up a steering group to oversee and monitor the implementation process and lead coordination and collaboration between those involved. A more detailed project plan will be published in the autumn.

GEDI night in Paris



Pic: Cian Redmond

Law Society past-president Maura Derivan has been awarded the inaugural *Trophée de l'Égalité* in Paris in recognition of her work in advancing gender equality, diversity, and inclusion (GEDI) within the Irish solicitors' profession.

The award was presented at a summit of women leaders in law, business, and the public sector on 18 March. Presenting the award, Julie Courturier (president of the Conseil

National des Barreaux) commended Derivan's sustained contribution to GEDI principles, particularly within the Law Society of Ireland and the wider Irish legal profession. Her work over a number of years was cited as instrumental in raising awareness of equality issues among solicitors.

"I'm very honoured to be the first to be awarded this specific distinction," Derivan told the *Gazette*. "I'm so proud of what we have achieved in Ireland and acknowledge all the assistance I have received from my peers in ensuring that our profession continues to be inclusive and forward thinking"

She added her thanks to retired solicitor Brendan Twomey, High Court judge Liam Kennedy (a former solicitor), and Council colleagues Sonia McEntee, Gary Clark, Siún Hurley, and Gary Lee. Derivan singled out the increased presence of women in leadership roles in Law Society committees in recent years.

"Progress has been collective," she said. "This award belongs to all those women who have come before me and on whose shoulders I have stood."

FREE TOOLS FOR PRACTICE CHALLENGES

The Law Society has unveiled a free, ready-to-use resource aimed at helping small and medium-sized firms modernise their operations amid growing pressure from AI, regulatory complexity, and resource constraints.

'Practice Essentials' offers immediately deployable templates, guides, and policy documents, covering everything from GDPR compliance and AI governance to HR management and business continuity planning.

Designed specifically by experts for the

more than 40% of Irish firms that fall into the SME category, the toolkit addresses a real need: smaller practices frequently lack the time, budget, or in-house expertise to develop robust operational frameworks from scratch.

Practice Essentials features nine resources to help practitioners to:

- Put essential policies and procedures in place,
- Reduce exposure to risk and regulatory issues,
- Create consistency across teams and offices,
- Build confidence in how the practice is run,
- Increase readiness for technology and AI-driven change, and
- Become more resilient and sustainable.

First phase

The first phase includes a suite of documents in the following categories:

- Data protection – including a GDPR guide for small firms, an AI usage policy, and how to handle data subject access requests,
- HR and people management – featuring an employee handbook that will support firms in implementing clear, consistent people policies, improving staff management, performance, and employee experience,
- Marketing and growth – providing structured ways for firms to step back from day-to-day work and focus on strategic growth, client development, and

long-term planning,

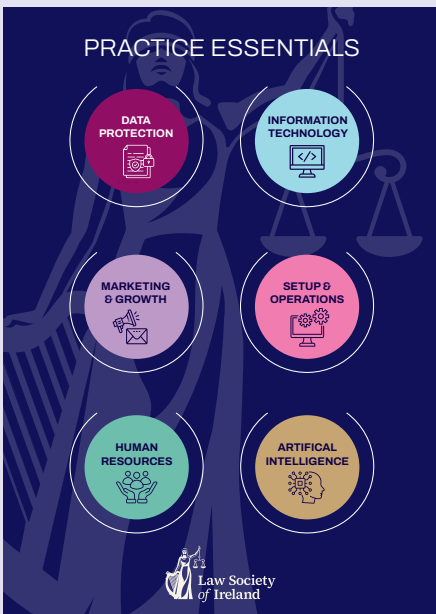
- AI – featuring a 'shadow AI audit report' to help firms identify uncontrolled or informal use of AI tools across the firm, and an AI vendor-assessment tool that will support firms in making informed decisions when procuring AI tools,
- Operations – including a business-continuity template to help firms prepare for disruption, build resilience, and ensure continuity of client services; as well as a file-retention and destruction policy that provides clarity on regulatory obligations, and that helps to reduce exposure to data protection and professional risk.

Time and cost savings

The Law Society says that the toolkit will deliver significant time and cost savings compared with drafting documents internally and will help firms meet regulatory obligations and build long-term resilience.

All resources are free of charge and designed to be adopted incrementally, allowing firms to implement materials at their own pace, rather than facing an overwhelming overhaul. To access the toolkit, visit lawsociety.ie/running-your-practice/practice-essentials.

Additional resources will be provided throughout 2026. Queries, suggestions, or feedback should be directed to solicitorservices@lawsociety.ie.



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ENDANGERED LAWYERS



Yu Wensheng, China

Yu Wensheng (58) was released from three years' imprisonment on 13 April, on completing a sentence for "inciting subversion of state power" in 2023. His wife, Xu Yan, had received a sentence of one year and nine months at the same time.

Yu Wensheng is a human-rights lawyer based in Beijing. He is known for criticising the Chinese Communist Party (CCP) and taking politically sensitive cases. In 2014, he was detained due to his support for the Yellow Umbrella movement in Hong Kong.

In 2017, the judicial authorities refused to renew his annual bar license, which forced his resignation from the Beijing Daoheng Law Firm. This inhibited Yu's ability to practise law, as one must be employed by an established law firm. Yu then sought to establish his own law firm, whose application for registration was denied in January 2018. Subsequently, Yu's legal licence was revoked on account of his not being employed by any law firm for six months.

On 18 January 2018, Yu published an open letter calling for reforms, such as the holding of fair elections, advocating for an oversight system of the CCP, and related matters. The next day, while walking his 13-year-old son to school, Yu was arrested by over ten people, including a SWAT team, on suspicion of "picking quarrels and provoking trouble". He

was held in 'residential surveillance at a designated location', where he was denied visits by his family and lawyer. In April 2019, the UN Working Group on Arbitrary Detention issued a statement calling for Yu's release.

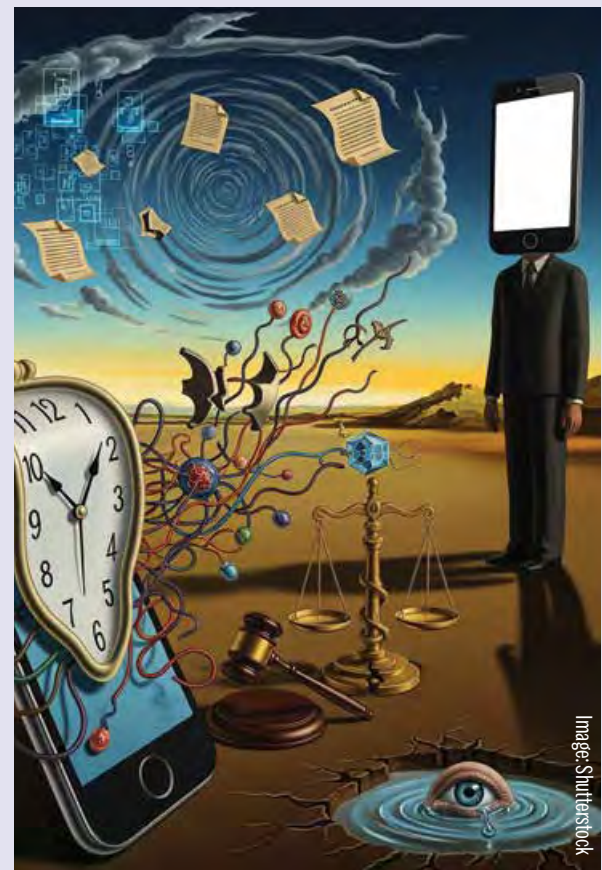
In May 2019, Yu was secretly tried without the knowledge of his family and sentenced for four years on the charge of "inciting subversion of state power" in June 2020. The Xuzhou City Intermediate People's Court furthermore deprived Yu of his political rights for a period of three years, during which he would be barred from taking public positions, speaking publicly, and publishing. An appeal was unsuccessful.

On 19 January 2020, the EU denounced the court's decision and called for Yu's immediate release. He was released on 1 March 2022.

On 13 April 2023, while on his way to attend a meeting with the EU delegation to China in Beijing, Yu and his wife Xu were taken into police custody. They were later charged with "picking quarrels" and "inciting subversion of state power". Their son, who had turned 18 before their detention, lived under public-security surveillance and suffered from medication overdose in November 2023. In January 2024, Yu and Xu were transferred to the Suzhou Detention Centre, 1,000km away. Again, an appeal was unsuccessful.

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

MOOC to probe AI, tech and the law



The Law Society has opened registrations for its 2026 massive open online course (MOOC), tackling one of the most pressing topics of our time: the intersection of social media, AI, and the law.

Launching on 9 June 2026, the free five-week course is open to everyone – no legal background is required. It builds on the remarkable success of previous years, with over 41,200 participants from 119 countries having signed up since the programme's debut in 2014.

This year's course promises to be timelier than ever. Participants will get expert-led insights into liability, regulation, privacy, data protection, cybercrime, social-media bans, and e-commerce. The course will also tackle digital manipulation and surveillance – issues that are reshaping workplaces and everyday life at a rapid pace.

Legal professionals can also earn seven CPD points upon completion. Register now at <https://mooc2026.lawsociety.ie>.



‘Essentials of Legal Practice’

Are you a solicitor returning to the workplace seeking a refresher on the essentials of legal practice? Are you a barrister with three years’ experience in practice who wishes to transfer to the solicitors’ profession? Or perhaps you’re a registered European lawyer or Qualified Lawyers’ Transfer Test candidate?

If the answer to any of these questions is yes, then the Essentials of Legal Practice Course is for you!

This course will take place from 24 August to 9 September 2026 inclusive (weekdays only) and will cover the core essentials of legal practice:

professional conduct, *Solicitors’ Accounts Regulations*, conveyancing, and probate and tax. The intensive course will bring professionals up-to-speed in all of these areas.

On successful completion of the course (and an in-office period of up to six months), barrister candidates are eligible to be entered on the Roll of Solicitors.

Further details can be found at www.lawsociety.ie/ELPC.

European title for Mayo lawyer

Mayo solicitor Chris O’Connor was a member of the legal team that took the coveted title of ‘European Legal Team of the Year



for Shipping and Transport’ at the Lexology European Awards 2026 in London recently.

Chris is a senior legal counsel with MSC Mediterranean Shipping Company SA. With his colleague Kirill Vahonin (manager, M&A and corporate transactions), they accepted the award on behalf of their team. Chris is based in Geneva and is son of former Law Society president Pat O’Connor, who is the senior partner at P O’Connor & Son, solicitors, in Swinford.

IRLI IN AFRICA



IRLI’s Elena Moustaka

Bringing justice closer in Zambia

Throughout numerous justice systems, procedural fairness is routinely undermined by resource limitations and logistical impediments, including geographic distance, inadequate funding, missing documentation, and institutional delays. In Zambia, these challenges have contributed to prolonged remand periods, case backlogs, and prison overcrowding. Through the mobile-courts initiative, Irish Rule of Law International (IRLI) is working with justice-sector partners to help address these challenges by bringing court hearings directly into correctional facilities.

Parallel route

Rather than relying solely on established court processes, mobile courts provide a parallel route to advancing justice by enabling judges, prosecutors, legal-aid providers, and correctional services to conduct hearings within prison facilities. This collaborative approach helps reduce delays and strengthen coordination across the justice chain.

From February to December 2025, a total of 1,853 cases were heard through

mobile courts across Lusaka, Central Province, and Copperbelt – exceeding initial targets and contributing to 378 release-related outcomes.

As one justice sector partner observed, “for many detainees, it was the first time they could speak directly to a judge about their case”. This reflects the core aim of the initiative: not only to move cases forward, but to ensure justice becomes accessible in practice.

The model draws on lessons learned from IRLI’s long-standing support for mobile courts in Malawi, adapted to Zambia’s institutional context through peer exchange and cross-jurisdictional collaboration. IRLI’s partnership-based methodology focuses on supporting national institutions to lead reform processes, ensuring solutions are embedded within local systems and sustained beyond project cycles.

Teamwork in action

Two local NGOs – Prisoners’ Future Foundation and UP Zambia – have played a central role in screening over 3,500 cases and supporting the delivery of 142 mobile court sessions. The judiciary, National Prosecution Authority, Legal Aid Board, Zambia Correctional Service, and the two NGOs work together to align case preparation, case listings, and hearings, while IRLI continues to offer strategic insight to programme development and facilitate policy and advocacy discussions at high level.

A notable achievement, widely celebrated among the programme stakeholders at the end of the pilot year, is the cost incorporation of mobile-court sittings into the judiciary’s annual budget for 2026, demonstrating institutional ownership and commitment to the sustainability of the model. Through initiatives such as mobile courts, IRLI’s work continues to support justice systems that are more responsive, inclusive, and grounded in the lived realities of those they serve.

Elena Moustaka is IRLI deputy director of programmes – Tanzania and Zambia.



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Books

A SENSE OF PLACE: STUDIES IN IRISH AND BRITISH LEGAL HISTORY, IN MEMORY OF WN OSBOROUGH

Sparky Booker and Kevin Costello (editors). Four Courts Press (2025), www.fourcourtspress.ie. Price: €49.50, incl VAT (hardback, 422 pages, illustrated).



Law graduates of Queen's University Belfast (1963-1967), or University College Dublin (1968-1977), or Trinity College Dublin (1978-1992), or UCD again (1993-2004) may particularly recall Nial Osborough (1939-2020) because of his penchant for diverting from the core topic of a lecture into more remote but interesting byways.

During his long career (his location alternating between these three universities), Nial was viewed by colleagues and students alike as a legal polymath with an abiding interest in every field of law and the historical parameters of each. This manifestation was to reach its zenith in 1988, when Nial became

the key innovator in the foundation of the Irish Legal History Society (ILHS), still thriving, north and south, 38 years on.

This book represents a richly deserved recognition of Nial's worth as an academic, in his teaching and his own writings and his encouragement of others to write about the confluences of law and history – that being the primary policy objective of the ILHS. The book's introduction, written by the joint editors Dr Sparky Booker (TCD) and Dr Kevin Costello (UCD), contains a full summary of Nial's life, initially as a law student in QUB, followed by Tulane University (New Orleans), and his return to the three universities mentioned above. The introduction also explains the title, *A Sense of Place*, as a linking theme of each of the following 16 studies – attributing the genesis of that phrase to the late Supreme Court judge Adrian Hardiman's summation (in a 2015 book review) of Nial's writings as “an exemplar of what law, history and a sense of place may do for one another”.

Each study in the volume has a heading designed to attract the curious, thus facilitating the random selection and reading (in less than an hour in one's favourite chair) of any particular study, thus providing the wherewithal to the reader to demonstrate due erudition to a colleague during the next coffee break, as, for example (with thanks to contributor Charles Lysaght): “Did you know that Winston Churchill was threatened by a retired WW2 British Army general with Irish libel proceedings in the 1950s?” This book abounds with such ‘coffee-break showstoppers’ throughout!

Michael V O'Mahony is a past-president of the Law Society of Ireland.

ONLINE DISPUTE RESOLUTION: LAW'S FUTURE IN THE DIGITAL AGE

Max Barrett. Globe Law and Business Ltd (2025), www.globelawandbusiness.com. Price: Stg £165 (hardback, 288 pages).



The first thing that strikes one about this interesting and quite engaging book is its Tardis-like quality – that is, it is bigger on the inside! In a mere 288 pages, there is an encyclopaedic exposition of the development of the worldwide response of the law to online dispute resolution (ODR). It provides a rich, in-depth global analysis, including examples in the UK, the US (notably Michigan and Utah), the EU, Canada, China, and even North Korea.

Barrett explains that ODR is not merely *e-ADR*, but is a transformative paradigm shift in how disputes are managed, integrating cutting-edge technologies, including AI and machine learning, to automate processes and create curated platforms that serve as tools of justice, allowing for global reach and

inclusivity and bridging gaps for those unable to access traditional systems due to geographical or financial barriers.

The text explores successful models like Michigan, “a national ODR leader”, and British Columbia’s Civil Resolution Tribunal, which offers an accessible means of resolving civil disputes without the need for lawyers. Additionally, even China’s unified ODR ecosystem is noted for its efficiency in streamlining arbitration, mediation, and litigation.

While the book highlights these successes, it also references those who urge caution, noting concerns about the impact of remote technology on judicial outcomes and the potential for scepticism and distrust regarding possible bias and lack of equity. Furthermore, Barrett explores the use of AI as a ‘fourth party’ to facilitate communications, while emphasising that human oversight is essential to ensure that judgments meet the quality and consistency expected of a reputable court system. Ultimately, this work successfully shows how far many countries have gone in the practical rollout of ODR.

By addressing issues that may seem novel in a European context through the lens of international experience, the book demonstrates how technology can enhance access to justice while prioritising user experience and efficiency.

One small personal criticism – the use of a single table of endnotes at the back of the book. This required looking up the single table of endnotes to find a reference to a bibliography where one could only then identify the referenced text – this elongated process, in my view, being disruptive of the flow of reading. Other than that, an extremely informative and pleasurable read. 📖

Bill Holohan SC is a member of the Law Society’s Alternative Dispute Resolution Committee.

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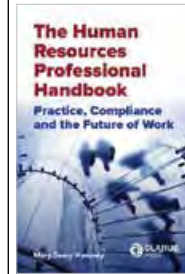
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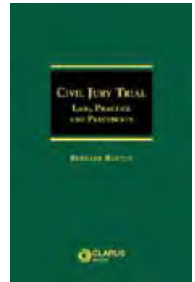
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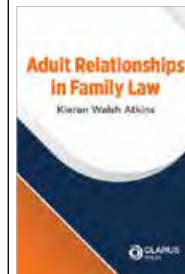
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A SYSTEM IN TATTERS

The Family Law Private Practitioner Scheme is an example of access to justice at its best. However, if it is to continue, it must be properly resourced, argues Siún Hurley – before the remaining practitioners are lost

The Family Law Private Practitioner Scheme is one of the quiet, but indispensable, pillars of access to justice in Ireland. Operating under the *Civil Legal Aid Act 1995* and regulated by the *Civil Legal Aid Regulations 1996–2021*, the scheme allows privately practising solicitors to provide legally aided family-law services on behalf of the Legal Aid Board.

It ensures that vulnerable individuals and families can access high-quality legal representation within their own communities, delivered by experienced practitioners. However, the sustainability of the scheme is now under acute pressure. Flat-rate fees, no refund or recovery for outlays for cases taken under the scheme, together with rising compliance obligations and escalating business costs threaten its continued viability and, by extension, meaningful access to justice in local districts.

Scheme structure

The family law scheme forms part of a broader network of private practitioner (PP)

The uncomfortable truth is that private practitioners on the scheme and their firms are subsidising the Legal Aid Board and, ultimately, the State. This is neither sustainable nor fair

schemes administered by the Legal Aid Board, such as the Public Law Child Care Scheme and the International Protection Scheme.

As of the most recent figures, there are 379 practitioners nationwide on the family law panel. While coverage appears strong in some urban centres, the reality on the ground tells a different story. Many practitioners indicate their availability across multiple counties, often outside their own base. This masks the emergence of legal-aid deserts – areas where few or no locally based solicitors remain on the panel.

Counties such as Laois, Kilkenny, Mayo, Offaly and Sligo now have either no, or minimal, locally based PP scheme solicitors. For legally aided clients, particularly those experiencing domestic violence or complex family breakdown, the absence of a nearby practitioner can present insurmountable practical and emotional barriers.

Eligibility

Eligibility for a legal-aid certificate is determined by two tests:

- The merits test considers

- whether a reasonable person would pursue the case using their own funds, and
- The means test currently requires net income below €18,000 and capital assets below €100,000 (excluding the family home).

Applicants are required to pay a contribution to the Legal Aid Board, ranging from €30 to €150. Exceptions apply in cases involving domestic violence and severe financial hardship.

Notably, a review committee has recommended increasing the income threshold to €23,500 and providing for regular reviews every three years. These recommendations, while welcome, have yet to be implemented and should only be implemented when the resources are there to meet the inevitable increase in demand for legal aid.

Operation in practice

The practical operation of the scheme has changed significantly in recent years. Whereas, historically, files were transferred from the law centre to private practitioners with proceedings already issued and served, solicitors must now take full instructions and complete all procedural steps themselves.

This includes drafting increasingly lengthy District Court application forms, issuing proceedings, arranging for service and filing documentation, as many court appearances as it takes, and drafting interim and final court orders. Crucially, many of these steps involve outlays, for example, swearing fees and registered post, for which there is no reimbursement under the PP scheme.

Prior approval for experts' fees is required from the Legal



Image: Shutterstock/AI

Aid Board, adding further administrative layers and delays to already urgent and complex cases.

Financial reality

Fees under the scheme are fixed and are inclusive of counsel's fees (where applicable), excluding VAT. For District Court family-law matters, the standard fee for most applications is €339, rising to €423 or €508 where multiple issues are involved.

In Circuit Court judicial-separation and divorce proceedings, the maximum fee payable at the conclusion of a case is €3,386. Where counsel is instructed in such cases, the flat fee is shared with the solicitor. Interim fees are limited, and discontinued proceedings attract significantly reduced payments.

These figures stand in stark contrast to the actual costs of delivering legal services. Solicitors must meet office

overheads and costs, including mortgage or rent for business premises, staff salaries, Revenue, insurance, IT systems and user-licence fees, professional indemnity insurance, costs of regulation, practising-certificate fees, including fees to the LSRA, and CPD requirements for practitioners and staff. None of these costs are static – all have increased substantially in recent years.

Stark imbalance

The financial imbalance is illustrated starkly by real case examples. In a District Court custody dispute that involved complex welfare issues, repeated non-compliance with court orders, and 15 court appearances (including travel between rural District Courts), the total fee payable under the scheme was €508. This was paid some 15 months after initial instructions were taken from the client. Independent

costs-assessment demonstrated that this bore little relation to the work required or responsibility assumed.

Similarly, in a Circuit Court divorce case involving property, third-party interests, and financial complexity, the total fee of €3,386 (to be shared with counsel) – recoverable at the end of the case 15 months later – contrasted sharply with independent assessment for the solicitor's professional fees when these were calculated on a *quantum meruit* basis. Expenses for travel and parking are not recoverable under the scheme, which can often involve significant distances for rural practitioners.

These examples are not exceptional – they are increasingly typical.


Access to justice

Family-law disputes are emotionally charged, fact specific, and resource intensive. They demand time, skill,

judgement, and resilience from practitioners. Yet the PP scheme remunerates these cases as if they were routine, predictable, and administratively simple. The inevitable consequence is practitioner withdrawal. As more solicitors conclude that participation is no longer economically viable, coverage gaps widen, delays increase, and vulnerable clients are left without meaningful choice or local representation.

The uncomfortable truth is that private practitioners on the scheme and their firms are subsidising the Legal Aid Board and, ultimately, the State. This is neither sustainable nor fair. Practitioners carry significant professional and financial risks while delivering a public service that underpins the rule of law. Without urgent reform, the scheme risks collapse by attrition rather than design.

Access to justice is not an abstract principle; it is delivered by individual practitioners in local communities, day after day, in difficult circumstances. The Civil Legal Aid Family Law PP Scheme now runs on the goodwill and collegiality that is forged between us private practitioners and our colleagues in the law centres and at the bar.

Fair, realistic professional fees are essential to maintain that access to justice, to attract and retain skilled family-law practitioners to the scheme, and to sustain local legal practices. If the scheme is to continue, it must be recognised, valued, and properly resourced – before the remaining practitioners are lost. 

Siún Hurley is a solicitor with O'Donovan, Murphy & Partners LLP, Bantry, and is chair of the Law Society's Family and Child Law Committee.

CRIME DOESN'T PAY

The LRC has launched a victims of crimes of violence report that proposes scrapping the current 30-year-old scheme in favour of a statutory, rights-based compensation framework that finally puts victims – not process – at the centre. Sorcha Corcoran reports



Image: Alamy

On 23 March, the Law Reform Commission (LRC) published a new report, proposing that the State's scheme for compensating victims of crimes of violence be placed on a statutory footing. This would include the establishment of a dedicated independent statutory body charged with delivering the compensation to these victims.

The current scheme, in existence since 1994, is purely administrative. The report, *Compensating Victims of Crime*, addresses the need for substantial reform and modernisation, incorporating a completely new structure that would be "trauma-informed, victim-centred and rights-based".

The recommendations are designed to bring the State compensation scheme into compliance with European law and with a recent decision of the Court of Justice of the EU that the scheme should compensate for pain and suffering. The decision came from the High Court referring questions to the Court of Justice following *Blanco v Criminal Injuries Compensation Tribunal and Ors* ([2024] IEHC 171).

In arriving at its recommendations, the LRC carried out an extensive consultation process with victims, professional bodies, human-rights organisations, advocacy bodies, individual experts, and relevant Government departments. The researchers also conducted a broad sweep of international best practice.

Draft bill

Along with the report, the LRC has prepared the draft *Compensation for Victims of*

Crimes of Violence Bill, which LRC president Mr Justice Frank Clarke hopes will speed implementation up if the Government decides to go along with its recommendations.

At the launch event, he explained that the proposed independent statutory body would have three layers. The first ‘assistive tier’ is largely focused on ensuring victims can produce all the necessary documentation to support their claim. Once victims have been supported at the assistive-tier level, their case would move up one step to what the LRC refers to as the ‘adjudicative tier’. The intention is that, in the vast majority of instances, a case shouldn’t require any further information and would be ready to be dealt with straight away. A major recommendation at this stage is to ensure that compensation is paid as quickly as possible. The third tier would be an appeals process, whereby victims who are dissatisfied with the decision of an adjudicator would have a right to appeal to a three-person panel, which the LRC believes provides a further layer of robustness to the system.

Ruth Maxwell, a prominent Irish victims’ rights advocate and campaigner, was one of the key contributors to the consultation paper on the LRC report. A survivor of a knife attack in 2016, she has personally gone through the Criminal Injuries Compensation Tribunal process and has been engaged in its reform for almost nine years. The issue for Maxwell is not what the scheme says it will do, but what victims will actually experience when they try to use it.

“The people I support are not straightforward cases. They are traumatised. Many are dealing with ongoing abuse.

I work with families who have lost loved ones to violent crime, and who are then expected to navigate a complex and intrusive application process while grieving

Many struggle to engage consistently. I also work with families who have lost loved ones to violent crime, and who are then expected to navigate a complex and intrusive application process while grieving,” she says.

“In many cases, they simply cannot complete the applications because they haven’t the heart to put a value on their loved ones’ lives. So this is not just about access in theory; it’s about whether people in these circumstances can realistically engage with the system at all.”

Three-tier process

Acknowledging that a three-tier administrative application process would give clarity, with the potential to create greater efficiency, Maxwell says that the assistive tier could be crucial in providing a victim-focused pathway.

“Most victims and bereaved families don’t come to this process with a clean set of documents and evidence ready to go. In domestic and sexual-violence cases, victims often don’t report immediately, don’t have medical documentation, and have fragmented or incomplete evidence.

“Even if a conviction isn’t required, in reality, victims still need to prove their case, and that means gathering evidence that many cannot access. If the system still depends on the victim knowing what documents are needed, knowing where to get them, and having the capacity to follow that through, then the burden hasn’t been removed, it has been renamed.”

Caseworker support and evidence gathering are intended to be part of the assistive tier. The key issue, says Maxwell, is not whether these supports exist in principle, but how they will operate in practice. “Will every applicant be automatically assigned a named caseworker from the outset? Or will support depend on the victim understanding the system and requesting help? And, in relation to evidence gathering, will the statutory body take primary responsibility for obtaining documents or will victims still be expected to source them themselves? In practice, that distinction is critical.

“From my experience of supporting victims and working on this at policy level, there are practical elements that need to be clearly embedded. Support must be active, automatic, and consistent across all cases.”

Legal support?

Regarding the question of whether there ought to be some form of legal support in the new system, the commission is of the

view that as much as possible of the funding that the State is prepared to make available should go into the pockets of victims.

“But we do recognise that there may be cases where there may be a need to have something a bit more than the assistive tier in the form of legal advice or legal representation,” says Frank Clarke. “The recommendations allow for lawyers in appropriate situations, including with complex cases or due to the vulnerability of the applicant. There should also be a mechanism for applicants who cannot afford legal representation.”

The commission recommends a new application time limit of two years from the date of the crime giving rise to the claim, with some exceptions. This is to reflect the understanding that victims can be deeply traumatised after a violent crime and may need recovery time before making an application.

The law already allows the courts to order convicted persons to pay compensation to victims. However, this provision is not widely or frequently used in the courts, for a variety of reasons. The LRC acknowledges that not every accused person will be in a position to pay compensation, but is advocating the increased use of the existing provision.

“We believe that, while the State has a clear obligation to compensate victims of crime, the perpetrators of the crime should be the first port of call wherever that’s practicable,” says Clarke.

Sorcha Corcoran is a freelance journalist and a regular contributor to the Gazette.

Pass the paracetamol!

The *Residential Tenancies Act* grows more complex with each new instalment. While some reforms are welcome, increased regulation risks driving out smaller landlords in favour of larger, better-resourced landlords who can navigate the constant changes. Dr Úna Woods checks her eviction notice

F

or over 20 years, successive governments have been trying to solve certain intractable problems presented by the residential tenancy sector. The goal has been to curb rent inflation and to provide more security of tenure for residential tenants, while, at the same time, increasing the supply of rental

properties by encouraging new landlords to enter the market and existing landlords to remain.

The latest legislative tinkering has produced the *Residential Tenancy (Miscellaneous Provisions) Act 2026*, which, on 1 March 2026, added to a quagmire of complex, technical, headache-

inducing rules that govern residential tenancies in Ireland.

While this article provides an overview of the latest changes in the rules governing rent increases and tenancy terminations, it is also worth mentioning that the Residential Tenancies Board (RTB) ran a series of helpful webinars on this topic during the first half of March and that the RTB website (www.rtb.ie) sets out simplified, easy-to-read [guidelines](#) on the recent rental-law changes.

Castle Rackrent

Market rent: since the *Residential Tenancies Act 2004* came into force, a landlord has been restricted under section 19 when entering into a tenancy to setting a rent that does not exceed the 'market rent'. The market rent is the amount a tenant would reasonably pay a landlord for a similar home in a comparable area at the relevant time. Since 1 March 2026, when a landlord is setting the rent, they must be in a position to refer to three comparable properties in the area appearing on the RTB Rent Price Register. At the start of the tenancy, a landlord is required to send a 'rent-setting notice'



Image: Shutterstock AI

to the tenant (and the RTB), including a statement that the rent is not more than the market rent and including details of the comparable properties on a printout from the RTB Rent Price Register.

Rent-pressure zones: these were introduced in 2016 as an emergency response to spiralling rents. In what was viewed at the time as a temporary measure, a targeted response was taken so that electoral areas where the rents were rising fastest would be designated as rent-pressure zones. Rent reviews in relation to tenancies located in a rent-pressure zone were subject to a rent-increase cap (initially set at 4%; subsequently reduced to 2%), and restrictions were set in relation to the frequency of such reviews (every 12 months).

National system: since 20 June 2025, we have moved from a rent-pressure zone approach to a national system of rent control. In a nutshell, the entire country could now be considered a rent-pressure zone. This means that rent for private tenancies or licences of student-specific accommodation can only be increased by 2% or the rate of inflation, whichever is less.

Since 1 March 2026, the rate of inflation is calculated by reference to the Consumer Price Index instead of the Harmonised Index of Consumer Prices. In a measure designed to promote the supply of rental accommodation, rent reviews of tenancies of new apartments (where building commenced after 10 June 2025) are not subject to the 2% cap, and rent increases in line with inflation are permissible.

Landlords are directed to the rent calculator on the RTB website to calculate the permissible rent increase. For most tenancies, a rent review can only take place every 12 months (but where the tenancy was created before the area was designated a rent-pressure zone, the rent can only be reviewed two years after its creation or the last rent review and, subsequently, every 12 months).

When conducting a rent review, there are a number of procedural requirements that a landlord must observe. They must serve a rent-review notice (90 days' notice is required) on the tenant (and submit a copy to the RTB on the same day) and send a printout of the rent-calculator calculation and details of three comparable dwellings from the RTB Rent Register to the tenant. Finally, the landlord must notify the RTB of the increased rent when it takes effect.

The tenant of Wildfell Hall

One of the more radical features of the 2026 reforms, designed to improve supply into the future, is that a landlord may reset the rent to the market rent in five specific cases:



The latest legislative tinkering has produced the *Residential Tenancy (Miscellaneous Provisions) Act 2026*, which, on 1 March 2026, added to a quagmire of complex, technical, headache-inducing rules that govern residential tenancies in Ireland

- 1) When a new tenancy begins, but only if the last tenancy ended because the tenant left by choice, breached their obligations (for example, was in rent arrears), or if the property no longer suited the needs of the tenant,
- 2) If the last tenancy ended to facilitate substantial renovation and the landlord had offered it back to the previous tenant,
- 3) At the end of a six-year tenancy cycle (called a 'tenancy of minimum duration'),
- 4) There was no tenancy in the property for at least two years,
- 5) The property is a protected structure and there was no tenancy in the property for at least one year.

For existing tenancies created before 1 March 2026, resetting to market rent is not allowed. Also, if the last tenancy ended on 'no-fault' grounds (for example, the landlord needed to move in or sell the property), it is not possible to reset the rent. It is interesting that if a landlord was charging substantially below market rent in relation to an older tenancy and was locked into a situation of minimal increases once the area was designated a rent-pressure zone, there is currently no way of resetting to market rent. For student-specific accommodation, landlords can only reset to the market rent once every three years, beginning on 1 March 2029.

The rules on when and why a landlord can end a tenancy depend on:

- Whether the first six months have expired,
- The tenancy start date,
- For new tenancies (created from 1 March 2026), whether the landlord is a small or large landlord (or a company).

During the first six months: a landlord can terminate for any reason by serving a 90-day termination notice. Less notice is required if the tenant is in breach of his obligations. For example, if the tenant is in rent

arrears, the tenant must be served with a 28-day warning notice, followed by a 28-day termination notice. Only seven days' notice is required if the tenancy is being terminated because of serious anti-social behaviour on the part of the tenant.

After six months: if the tenant has been in occupation for over six months, a tenant is entitled to a part 4 tenancy. The extent of the security of tenure provided by this part 4 tenancy is dependent on when the tenancy was created.

Note, however, that occupants of tenancies of student-specific accommodation do not qualify for a part 4 tenancy.

Tenancy creation date	Duration of part 4 tenancy
24/12/2016 to 11/6/2022	Six-year tenancy
11/6/2022 to 1/3/2026	Tenancy of unlimited duration
Post 1/3/2026	Six-year tenancy: a tenancy of minimum duration

Substantive grounds: the substantive grounds on which a part 4 tenancy can be terminated depends on the date the tenancy was created. In relation to tenancies created post 1 March 2026, the grounds also depend on whether the

landlord is a small landlord (one-to-three tenancies) or a large landlord (four or more tenancies or a company landlord).

If the tenancy was created before 11 June 2022, a landlord can terminate for any reason at the end of the current six-year tenancy cycle.

Bleak House

The grounds for terminating tenancies beginning before 1 March 2026 include both 'fault' and 'no-fault' grounds. A landlord may terminate if:

- The tenant does not meet their obligations, including not paying rent (fault),
- The property is no longer suitable for the tenant's accommodation needs (fault),
- The landlord wants to sell the property (within nine months of termination) (no fault),
- The landlord or a family member needs to live in the property (no fault),
- The landlord plans to substantially refurbish or renovate the property (no fault),
- The landlord plans to change the use of the property (no fault).

In certain circumstances, the landlord is obliged to give the tenant the right to return to the property: if the property is not sold/no longer needed for the family member or following substantial refurbishment.

Certain 'fault' grounds for terminating a tenancy created after 1 March 2026 may be relied on, regardless of when the landlord needs to terminate the tenancy and regardless of whether the landlord is small or large:

- The tenant does not meet their obligations, including not paying rent,
- The property is no longer suitable for the tenant's accommodation needs.

Whether a landlord can terminate a tenancy for other reasons depends on the landlord's size.

Large landlords (four tenancies or more): large landlords owning four tenancies or more, or operating through a company, can no longer terminate a tenancy for a 'no-fault ground' – that is, if they wish to sell with vacant possession, wish to substantially refurbish, or move a family member in. Large landlords must sell with the tenant in situ. However, the [Tyrrelstown Amendment](#) allows a landlord to sell with vacant possession if they are selling over ten properties in the same development and can prove that a sale without vacant possession would be 20% lower and cause undue hardship to the landlord. Presumably, this exception would still operate.



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Small landlords (one-to-three tenancies): there are some additional reasons why a small landlord can end a tenancy, both during and at the end of a six-year tenancy of minimum duration.

During a six-year tenancy of minimum duration: if a landlord owns one-to-three tenancies on the day they serve a notice of termination, they can also end a tenancy during a six-year tenancy of minimum duration if:

- They need to sell the property due to avoiding undue financial or other hardship (for example, to pay a debt or buy a home that will be a principal private residence),
- The landlord or a close family member needs to live in the property.

At the end of a six-year tenancy of minimum duration: if a landlord owns one-to-three tenancies on the day they serve a notice of termination, they can also end a tenancy at the end of a six-year tenancy of minimum duration if:

- They want to sell the property,
- They or a family member needs to live in the property,
- They plan to substantially refurbish or renovate the property,
- They plan to change the use of the property.

The landlord must serve a valid notice for the termination of a part 4 tenancy, giving the required period of notice (and including any necessary statutory declaration, statement, or other required documentation). This notice must be copied to the RTB on the same day it is served.

The notice periods (provided that the tenant is not in breach of his obligations) are, as follows:

Tenant in occupation for less than six months	90 days
Tenant in occupation for less than one year	152 days
Tenant in occupation for less than seven years	180 days
Tenant in occupation for less than eight years	196 days
Tenant in occupation for over eight years	224 days

Return of the native

In the High Court decision *Canty v Private Residential Tenancies Board*, Laffoy J described the *Residential Tenancies Act 2004* as “an extremely complex piece of legislation” and noted that certain provisions were “very technical and confusing”.

The latest instalment to the act has only added to its complexity. Certain provisions, such as the facility to serve electronic notices and the setting up of a Rent Price Register, seem sensible. While certain provisions are clearly designed to bolster the position of the small landlord, the increased regulation seems likely to encourage many to leave the market. Only larger landlords, who are in a position to keep up to date with



One of the more radical features of the 2026 reforms, designed to improve supply into the future, is that a landlord may reset the rent to the market rent in five specific cases

the frequent changes in the law in this area and engage in annual rent reviews, are likely to be attracted to the market.

Certain features may leave practitioners scratching their heads. For example, while a landlord of a new tenancy, who has only three tenancies, can terminate a tenancy if they wish to sell with vacant possession or move a family member into the property, a landlord with four tenancies must sell with the tenant in situ and cannot terminate the tenancy if they need it for a member of the family.

A landlord with four tenancies or more can never sell with vacant possession, while a larger landlord who is selling ten properties in the same development may perhaps be able to terminate those tenancies if they can prove that a sale without vacant possession would be 20% lower.

It remains to be seen whether the measures taken will increase supply but, in the meantime, let’s hope that the paracetamol works! 📄

Dr Una Woods is an associate professor in the School of Law, University of Limerick.

LOOK IT UP

CASES:

- *Canty v Private Residential Tenancies Board* [2007] IEHC 243

LEGISLATION:

- *Residential Tenancies Act 2004* - revised (up to date, as of 9 April 2026), prepared by the Law Reform Commission (all acts up to and including the *Residential Tenancies (Miscellaneous Provisions) Act 2026* (3/2026), enacted on 24 February 2026, and all statutory instruments up to and including the *Residential Tenancies Act 2004 (Prescribed Form) Regulations 2026* (SI 68 of 2026), made on 27 February 2026, were considered in the preparation of this revised act)



The Law Society’s dedicated anti-money-laundering unit is housed within the Regulation Department, where all AML matters are dealt with by a single team. Mary Hallissey acts a bit shady

Solicitors who provide AML-regulated legal services must comply with certain statutory obligations that apply to how solicitors both manage their AML compliance requirements within their practices and their mandatory obligation to report suspicions of money-laundering to the relevant authorities. Although the legislation that solicitors must comply with is not new, a number of significant changes are emerging at EU level.

In 2023/2024, the Law Society took the strategic decision to set up a dedicated AML unit housed within its Regulation Department, where all AML matters relating to regulation, education, and external-stakeholder engagement are dealt with by a single team, with input from colleagues in Financial Regulation and Regulatory Legal Services.

Manic Monday

Ciara McQuillan and Riona Leahy are both AML executives and solicitors in this new unit. A typical day could involve answering queries from the profession through the AML Helpline and attending both Regulation of Practice and Money-

Laundering Reporting Committee meetings, as well as external stakeholder meetings with Government departments, the Central Bank, and the CCBE. The team is also busy developing educational and training initiatives for the profession, such as the recent webinar in conjunction with the State’s Financial Intelligence Unit (FIU) and the Revenue Commissioners, which attracted over 1,700 attendees. (A recording, with CPD points available, can be viewed via the [AML hub](#) on the Law Society’s website.)

Ciara points out that a single rulebook is emerging for anti-money-laundering – and the majority of the EU *AML Regulation* will have direct effect in all EU member states, including Ireland.

These requirements will include:

- A directly applicable EU regulation creating a more harmonised ‘single rulebook’ for preventive controls,
- A new directive that updates how national systems, FIUs, and supervisors operate, and
- A regulation establishing the EU Anti-Money-Laundering Authority.

Separately, EU criminal-law measures continue to harmonise



Simon Treanor, Ciara McQuillan, Tina Beattie (head of AML), Riona Leahy and Tara Holden

“**Solicitors are now required to seek much stronger proof of identification from new clients, such as passports, along with proof of nationality and proof of birthplace**”



Photos: Cian Redmond

money-laundering offences and sanctions across member states. Customer due diligence (CDD) will become more prescriptive, with firms expected to apply more standardised checks and follow clearer, more detailed rule-sets than under many current national approaches. In practical terms, CDD will require the collection of more information, supported by more robust documentation, and a clearer evidential trail showing how identity, beneficial ownership, and the purpose and nature of the relationship were assessed.

Firms should also expect a stronger emphasis on consistency of outcomes, record-keeping, and being able to demonstrate compliance – not just that checks were performed.

Tuesday's gone

Since 1991, Ireland has been signed up to the Financial Action Task Force (FATF), which is the global framework of AML and CFT (countering the financing of terrorism) regulations.

“The FATF is the standard-setter internationally,” says Ciara, who has a background in financial regulation.

All these requirements will be harmonised by reform at EU level into a comprehensive package of regulations – the *Sixth Anti-Money-Laundering Directive* (6AMLD), which is a criminal-law instrument, and moves away from patchwork national laws. The directive will be fully transposed into the Irish regulatory framework by July next year.

Ciara and Riona explain that one of the biggest results of the 6AMLD era is the establishment of the Anti-

Money-Laundering Authority (AMLA), headquartered in Frankfurt. AMLA will also conduct peer reviews over the non-financial-sector supervisor and will be able to issue non-binding warnings. The authority has been established to strengthen convergence in supervision and to support consistent application of the rules across the EU, including through coordination and oversight tools.

Running alongside the preventive framework, EU criminal-law measures continue to align the definition of money-laundering offences and the minimum standards expected of member states in terms of available sanctions and enforcement tools. A new supervisor will be named in Ireland (yet to be identified) of the self-regulating bodies designated for AML oversight, including the Law Society.

Waiting for Wednesday

In terms of the forthcoming changes to the regulations, Ciara explains: “Solicitors are now required to seek much stronger proof of identification from new clients, such as passports, along with proof of nationality and proof of birthplace. Solicitors must also verify more than one source of client identification, with many more data points to be collected, before starting to deliver any AML-regulated legal service – particularly, but not solely, those concerning real estate.”

She points to the Register of Beneficial Ownership as an indicator of the beefed-up obligations to declare interests.

The Law Society’s Regulation of Practice Committee and Conveyancing Committee together recently published guidance for solicitors in this arena (see p54 of this *Gazette*).

The consequences for solicitors who fail to comply are grave, including a potential risk to livelihood and professional reputation. Not only do solicitors have obligations to comply with AML legislation to ensure that their practices cannot be used as conduits to launder illicit funds but, additionally, they have an obligation to submit a suspicious transaction report (STR) to FIU Ireland and to Revenue if a suspicion arises of an offence of money-laundering or terrorist-financing. Failure to comply with this obligation is a criminal offence.

“Solicitors will often say, ‘I know the family’ or ‘I know the client’ when placed in this difficult situation,” Ciara says. “But they are the gatekeepers of the profession, and that should be at the forefront of any decision. Obviously, it’s a very serious matter to report a client, and not one taken lightly,” she adds.

Understanding that property is the most usual route to launder dirty money, Ciara urges vigilance with property transactions. In addition, she cautions that “solicitors should be particularly on the lookout for social-welfare fraud or tax fraud, where substantial funds may get laundered through a property transaction”.

Thursday’s child

For good-housekeeping, Riona Leahy strongly encourages firms to register promptly with the [goAML](#) portal and to



Riona Leahy and Ciara McQuillan



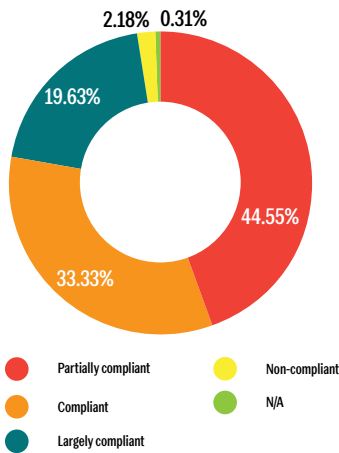
At the end of the day, we want to ensure that the description of solicitors as a ‘trusted profession’ rings true

ensure that all relevant support staff, such as bookkeepers and legal executives, are fully trained up in the requirement for STRs. The Law Society provides a free training video for non-solicitor staff, which is available from its AML hub.

Firms should also have clear internal escalation procedures, including prompt referral to the person responsible for AML reporting within the practice, where applicable.

Understanding that the rules are often complex, Riona also warns against inadvertently tipping off a client when reporting a suspicious transaction: “Solicitors must also make sure reporting of worries isn’t a ‘tipping off’ that could otherwise prejudice an investigation.”

The era of tick-box compliance is long past, say Riona and Ciara. The Law Society, through its inspection regime, monitors firms’ AML compliance pursuant to the legislation, including the *Solicitors (Money Laundering and Terrorist Financing) Regulations 2020* and, while statistics for firms inspected in 2025 show that very few firms are non-compliant, there are areas where clear improvement is needed, particularly in relation to client risk assessments.

AML compliance 1/1/2025 -31/12/2025


AML risk assessments should now be deeply embedded in business-risk assessments in every law firm, they stress. While minor compliance infringements are dealt with by the Law Society on a practical, case-by-case basis – with the focus on educating rather than heavy-handed sanctioning – failure to comply with the AML regulations is serious, not just with the Law Society as supervisor, but in terms of a criminal-offence element.

Firms who fail to demonstrate that they have sufficient measures in place to mitigate risk, and that they have been applying those measures, may find themselves subject to an external AML audit, issued with a formal direction to take certain action or, at the most serious end of the non-compliance scale, could be referred to the Legal Practitioners Disciplinary Tribunal.

It's not enough to have a beautifully written suite of business-risk assessments, policies, controls, and procedures in place in a practice if the

contents of them are not being applied by the solicitor on the files, advises Ciara. It is also crucially important that the reasons that a solicitor assesses risk in relation to a transaction in a certain way is fully documented.

Ciara and Riona also point to the potential reputational damage to a law firm if, for instance, it is linked to a Criminal Asset Bureau investigation.

“Protect yourself”, Ciara urges solicitors. Riona agrees, advising solicitors to “scrutinise your source documents carefully, and protect the integrity of your client account – because the final responsibility for any funds held is with the solicitor”.

Friday I'm in love

“Solicitors may not fully grasp what criminality can look like in the 21st century”, observes Ciara, and when this becomes clear, shock and worry are the outcome.

A growing factor in the AML sphere is the weight of funds from jurisdictions with capital controls. These countries may have very poor human-rights records – Ciara and Riona urge solicitors to keep this at the front of their minds when transacting, for instance, for ‘politically exposed’ people. To bypass restrictions, large sums are frequently broken into smaller, less noticeable amounts, so constant vigilance is essential.

The duo sees certain types of small practices as particularly vulnerable to money-laundering attempts. Younger and ‘greener’ solicitors, who may be new in business, are a potential weak link, as are sole practitioners.

A new national risk assessment (to which the AML unit contributed) is due to be published as this *Gazette* goes to press, and solicitors are urged to read it thoroughly. Whether solicitors going about

their day-to-day work want to believe it or not, professionals are vulnerable to being targeted by sophisticated criminal elements. Many solicitors might consider that the nature of the work they carry out is low risk but, as the AML unit cautions, where large monetary transactions are involved, the risk is usually closer to ‘medium’ or ‘medium/high’.

Forewarned is forearmed, and the Law Society’s AML unit is highly focused on ensuring that the profession is fully educated, informed, and supported to fully comply with AML requirements. Too often, Ciara and Riona say, solicitors and other professions are unfairly described as ‘professional enablers’ in relation to money-laundering. Every profession can have bad actors, but the AML unit is keen to dispel any misconceptions about the legal sector, and to assist the profession in demonstrating that both solicitors and the Law Society take their roles in relation to AML very seriously.

As Riona concludes: “At the end of the day, we want to ensure that the description of solicitors as a ‘trusted profession’ rings true.”

Mary Hallissey is a journalist with the Law Society Gazette.



Tina Beattie and Riona Leahy

Weekend Warriors

Five key takeaways for legal professionals:

- 1) Make sure that all your policies, controls, and procedures adequately address the risks of money-laundering and terrorism-financing,
- 2) Make sure that your client due diligence is up to scratch – apply your common sense and document your thinking,
- 3) Avail of the excellent, free, high-quality AML training provided by the Law Society, as well as bar associations,
- 4) Use the support resources, such as the AML query email address and the AML telephone line, and speak to colleagues about your concerns,
- 5) Register for [goAML](#) and check thresholds as a measure of good compliance.

Crossing the **RUBICON**

AI has reached a 'Rubicon moment' for the legal profession. The question is no longer whether to cross it – but who goes first, and whether those who hesitate will find themselves stranded on the wrong bank? Sorcha Corcoran reports from the AI in Legal Practice Summit





Caesar Crossing the Rubicon by Adolphe Yvon (1875)

The main thread running through the recent AI in Legal Practice Summit in Blackhall Place was the sheer pace at which artificial intelligence (AI) is advancing, making it imperative for everyone in the legal profession to get to grips with it – and to figure out what it means for them and their law firm.

On the same day, 26 March, members of the European Parliament agreed to postpone obligations for certain high-risk AI systems under the EU *AI Act* as part of the ongoing debate of the *Digital Omnibus Package* – a legislative initiative published in November aimed at simplifying digital laws.

The European Parliament’s position is that the compliance deadline for standalone high-risk AI systems (Annex III) should be pushed out from 2 August 2026 to 2 December 2027, while the one for high-risk AI embedded in products (Annex I) should kick in on 2 August 2028, instead of 2 August 2027.

Delays negotiation

Having confirmed the text of the *Digital Omnibus Package*, the European Parliament will now have to negotiate the proposed delays with the European Council and the European Commission. These are the latest deadlines in the phased implementation of the EU *AI Act* – officially in place since August 2024 – to be either missed or possibly moved as the legislator continues to try to play catch-up with the technology.

“The proposal for the EU *AI Act* was first published by the European Commission in 2021, and the AI that initial piece of legislation was dealing with was completely different to generative AI [genAI]. Other than early research versions, there was nothing in the public eye like the large language models and transformer architectures that we have now,” said Dr Barry Scannell (partner at William Fry), who chaired the AI in Legal Practice Summit.

At present, the European Parliament is trying to expand the list of prohibited practices under the act, which became legally binding in February 2025, to include notification-type apps. This follows the Grok scandal, where the X chatbot was generating non-consensual, sexualised deepfake images.

“We’re talking about a legal framework where you’re trying to make laws for things that were literally science fiction ten years ago,” Scannell observed.

Dramatic impact

In his view, AI is going to have a dramatic impact on the legal profession here, and soon: “In some jurisdictions, there are already significant impacts happening in areas such as graduate hiring, in the number of people being kept on after training, and so on,” he said. “And AI really is changing the structure of law firms and how we do work in Ireland – even fees are being affected. This is not something that might happen in the future; it’s starting to happen now.”

During the panel discussion, an anecdote shared by Kyle Gribben (head of Matheson’s Digital Services Group) about his experience of a recent roundtable breakfast meeting in London drove this point home.

A person at the meeting questioned why he should have to pay a law firm to do certain parts of his work when he had a choice of four different AI platforms at his disposal, in-house, that could do it for him. He stated that he wanted to give every law firm on his panel 12 months to explain how they were going to cut his fees by 50% using genAI.

Billable-hour threat

“The billable-hour model has been written off on several occasions over the past 20 years. I don’t think it’s going to go away lightly or easily. But this is the one time that it’s probably really, actually under threat,” said Gribben.

“That person at the breakfast wasn’t the first I’ve heard speaking like that about it. But they’re not taking into account the value they’re getting when a lawyer is using AI – that it costs money to bring in these platforms and train people up on them. There’s also the value in ensuring equality of arms by using AI when the other side is represented by someone who is able to enhance their practice with these technologies.

“So, it’s not just a simple thing of less time equals less value for what the client gets. I think what we’re probably going to see is some firms taking the first step away from the billable hour. There has to be someone that crosses the Rubicon, and when they do, they’ll be watched very intently by many people all across the world.”

Human in the loop

Regardless of what happens with how work is priced, Gribben maintains that AI doesn’t change what clients are actually buying from lawyers. With this in mind, he advised practitioners to see it simply as a new toolkit to practise with, and to see themselves as professional users of genAI tools.

“The key to all of this is to understand that, no matter what you do with AI, no matter what sort of efficiency you get from using it, you must make provision for a human in the loop. So, when pricing for a client, you might have an AI tool that can review a piece of work in 20 minutes rather than four hours, but you still have to



AI is changing the structure of law firms and how we do work in Ireland – even fees are being affected. This is not something that might happen in the future; it’s starting to happen now

build in time for you to review the output afterwards and be that professional user,” he said.

In his keynote address, technology futurist and author David Kerrigan cited a LexisNexis survey published in September that found legal leaders to be still struggling to balance speed with accuracy, increase billables without extra workload, and deliver greater value without undermining legal expertise. It showed that 61% of UK lawyers were using genAI in their work – up from 46% eight months previously.

AI tightrope

Kerrigan said: “Most people I come across regard AI as a tightrope. It’s not an easy path to navigate. When properly applied, it can deliver real business benefits today. But there are concerns about what AI is going to do to the legal profession: will it dumb things down? Will it make mistakes? Will it expose you as a practitioner? These are genuine and well-founded concerns.”

In the past six to 12 months, he has noticed that the tone of the debate around AI has become a lot more strident: “We’ve passed the phase of having polite discussions about whether or not to use it. Bosses have been warning employees to use AI or face the sack, and that not being on board with it will affect their chances of promotion,” he said.

“I always point out that the AI we now know – genAI – is still very young and nowhere near the potential that it will have in the future. It will be very different as we go forward. So an important decision point for legal practitioners is, when is it good enough to be useful?”

Just another technology?

When it comes to adoption, one of the common mistakes Kerrigan has observed all over the world, in all types of industries, is to think of AI as just another technology. “It’s incredible the number of companies that think it’s the equivalent of a new version of Microsoft PowerPoint – that they can just deploy it and it will work. It’s not like that,” he said.

LESSONS FROM A COURTROOM

At the summit, Ann Henry (partner at Bird & Bird) highlighted how a recent American ruling on AI-generated documents has significant implications for Irish practitioners. It's a stark warning for clients who treat chatbots as lawyers.

"A US federal court has issued what appears to be a first-of-its-kind ruling on the status of AI-generated documents in criminal proceedings, with consequences that extend well beyond American borders," she said. "The judgment of Mr Justice Rakoff on 17 February 2026 in *United States v Heppner* raises urgent questions about attorney/client privilege, confidentiality, and the governance of AI tools in legal practice."

The defendant, Bradley Heppner, was indicted on fraud-related charges, and the FBI executed a search warrant at his home, seizing numerous documents and electronic devices. Knowing some months previously that he was being investigated, Heppner used Anthropic's AI platform Claude to prepare reports outlining his own defence strategy - without any direction from a lawyer.

Following his arrest, about 31 AI-generated documents were recovered from seized devices. The government sought a ruling that these documents did not attract attorney/client privilege.

Judge Rakoff agreed on three grounds, Ann Henry explained: "First, Claude is not a lawyer, and there was, therefore, no communication between client and counsel.

"Second, confidentiality - the bedrock of privilege - had been destroyed by Anthropic's own privacy policy, which permitted the collection of users' inputs [prompts] and their outputs, that it then used to train the AI model. As such, it reserves the right to make disclosure to third parties, including governmental regulatory authorities, in certain circumstances.

"Third, the fact that Heppner later shared the documents with his lawyer did not retroactively clothe them with privilege."

Henry said that it was more likely than not that an Irish court would reach the same conclusion. This is because the conditions for privilege under Irish law touch upon those same issues considered by the US court, namely: (1) is there a communication between a client and lawyer, (2) was it made in confidence, (3) was it made in the course of a professional legal relationship, and (4) was the communication for the purpose of the giving or receiving of legal advice?

"The *Heppner* case is a lesson on the importance of using AI tools with enterprise-grade terms and conditions that ringfence confidentiality for users," Henry advised.

Governance concerns do not end with privilege, she added, highlighting a separate case, *Nippon Life v OpenAI*, Northern District Illinois, which was filed on 4 March 2026.

Nippon Life has issued proceedings against OpenAI, alleging tortious interference, the unlicensed practice of law, and abuse of process arising from ChatGPT allegedly inducing a user to reopen a full and final settlement that had been reached with Nippon Life.

"That case illustrates a broader risk - that of clients increasingly treating AI tools as a means of obtaining legal advice with potentially detrimental consequences. This issue creates challenges for clients, lawyers and, importantly, society," said Henry.




Julius Caesar leading his legions across the Rubicon river

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A person at the meeting questioned why he should have to pay a law firm to do certain parts of his work when he had a choice of four different AI platforms at his disposal, in-house, that could do it for him

"It's also not one thing. AI means different things to different people. How hard it is to define is one of the reasons why legislating around AI is so difficult. It's not a simple, straightforward concept and absolutely not something that you can hand over to your IT department to fix something.

"The reality about AI is that it's a mindset problem - it's all about how you approach your work to leverage the tools. So implementing it starts with the business process you're trying to improve, not with the AI itself. You have to arrange how you think differently to make the most of what AI is capable of." 

Sorcha Corcoran is a freelance journalist and a regular contributor to the Gazette.

LOOK IT UP

CASES:

- *Nippon Life Insurance Company of America v OpenAI Foundation*, Northern District Illinois (filed on 4 March 2026)
- *United States v Bradley Heppner* [25 Cr 503, Mr Justice Jed S Rakoff, Southern District of New York, 17 February 2026]

LEGISLATION:

- *Digital Omnibus Package*
- *EU AI Act*

The INSIDE TRACK

The Office of the Attorney General may not command the spotlight of a courtroom drama, yet its work touches the lives of every citizen and occupies a genuinely unique position in Irish public life. Lisa McCarthy and Aindreas Phelan bring us behind the scenes

At the heart of Irish governance, nestled on Merrion Street in Dublin, sits an institution whose influence quietly shapes the lives of every citizen in the State. The Office of the Attorney General may not command the public spotlight of a courtroom drama or the headline-grabbing profile of a high-stakes commercial deal, yet the legal work it produces – from urgent emergency legislation to landmark interventions before the International Court of Justice – touches everything from airport passenger caps to genocide conventions.

With a team of over 100 legal professionals advising 18 Government departments, drafting complex legislation, and representing Ireland on the world stage, the office occupies a genuinely unique position in Irish public life. For solicitors seeking work of consequence – work that Attorney General Rossa Fanning SC says carries “transcendent significance” for every citizen – it may well be the most compelling legal employer in the country.

The Office of the Attorney General is, both physically and institutionally, at

the centre of Government. The Merrion Street Office comprises advisory counsel and, within the Office of the Parliamentary Counsel to the Government, parliamentary counsel. It has grown steadily in recent years and currently employs over 100 legal professionals, of which 46 are solicitors. The Chief State Solicitor's Office – one of the three main branches of the Attorney General's Office – also employs a significant number of solicitors and is located in Smithfield Hall, Dublin 7 (see [December 2025 Gazette](#), p47). Regular recruitment campaigns are conducted through the Public Appointments Service (via [Publicjobs.ie](#)).

The office provides advice to Government as a whole and to individual Government departments on all initiatives that warrant legal advice. AG Rossa Fanning explains: “In practical terms, that involves advising Government in relation to all new legislative projects that require both legal advice by advisory counsel and expert drafting by parliamentary counsel. It also involves the provision of legal advice and representation in litigation involving the State, and advice on all of the complicated issues of transposition and compliance with EU law that arise on a regular basis.”



Attorney General Rossa Fanning SC





All photos: Cian Behrmond



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We advise Government on everything from the passenger cap at Dublin Airport, to the nudification of images on social media, to international protection

Breadth of work

The central constitutional mandate of the Attorney General forms the backdrop to a remarkably wide and varied range of legal matters with which the office engages. The AG points to the scale, breadth, and topical nature of the work that the office undertakes. “We advise Government on everything from the passenger cap at Dublin Airport, to the nudification of images on social media, to international protection. Particular highlights for me to date have been the reference of the *Judicial Appointments Commission Bill*, under article 26 of the Constitution, to the Supreme Court by former President Higgins, and defending the challenge to the constitutional propriety of Ministers of State attending and participating at meetings of Government.

“Internationally, I have intervened, on behalf of Ireland, in two disputes before the International Court of Justice concerning the *Genocide Convention*, one of which was brought by The Gambia against Myanmar in relation to allegations of genocide against the Rohingya population, and the other of which was brought by South Africa against Israel in relation to allegations of genocide in Gaza. This work, both domestic and international, is extremely important in highlighting Ireland’s long-standing policies that focus on an ethical, rules-based, and human-rights-compliant international order.”

Advisory counsel are key members of the legal team that represent the State in litigation, domestically and internationally, before the Court of Justice of the European Union (CJEU) and the General Court.

Cases before EU courts arise most frequently when an Irish court refers a question of EU law to a European court, but they can also arise in circumstances where the European Commission commences infringement proceedings against Ireland or where Ireland wishes to intervene in litigation before the CJEU, which involve questions that may affect the State’s interests.

Another side of the work of the office, and one which is growing in demand, concerns the Office of the Parliamentary Counsel’s role in



drafting Government legislation, such as bills and certain statutory instruments (including regulations transposing EU law and Government orders).

The primary workload of parliamentary counsel is determined by the Government Legislation Committee, which sets the legislation programme at the beginning of each legislative session. The programme is approved by Cabinet before being published by the Chief Whip. The Summer Legislation Programme includes 38 bills scheduled for priority publication, and a further 26 for priority drafting. The AG acknowledges that “the Office of the Parliamentary Counsel is particularly likely to grow as the political appetite for an expansion of that capacity is high, and it is essential to have a well-resourced office in order to assist Government in introducing legal reform”.

Of the growing demand for legislation, Margaret Kennedy (parliamentary counsel) says: “While Government initially signals legislative priorities in the Programme for Government, the demand for legislation can occur at any time, for example to respond to emerging developments and unforeseen emergencies.”

In that regard, she recalls four acts that were drafted urgently in 2023, which were required at the time to address acute energy challenges arising from the conflict in Ukraine and, in recent weeks, the urgent drafting of the *National Oil Reserves Agency (Amendment) Act 2026* to reduce the levy collected on certain fuel products.

The public interest

Behind this extensive portfolio of work is a diverse group of lawyers whose motivations and experiences reflect the unique nature of the office.

Úna McEvoy is the group coordinator for a team of seven advisory counsel in the office who each advise on a wide range of legal and policy areas, including education, children's rights, asylum, and migration. For Úna, it was the opportunity to work at the intersection of law, policy, and politics that attracted her to work in the office. On the differences between working as a solicitor in the private and public sectors, she comments: “In Government advisory roles, the primary client is the State itself, and the focus is on the public interest rather than on individual or commercial interests. This

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If a solicitor joins our office as a parliamentary counsel drafting legislation or as an advisory counsel advising Government, they know that their advice has transcendent significance in that it will affect every citizen in the State



means that advice must take into account not only what is legally permissible, but also what is appropriate in terms of policy instructions and long-term consequences.”

Margaret Kennedy leads a team of nine parliamentary counsel who draft legislation for five Government departments, including Transport, Housing, Local Government and Heritage, and Climate, Energy and the Environment. Margaret trained as a solicitor in Limerick, specialising primarily in property and probate work. An interest in public affairs and administrative law guided her career path, leading her to take up a position in the Office of the Parliamentary Counsel when an opportunity presented itself in 1999.

Stephen Tunstead joined the office in 2024 as an advisory counsel: “I was intrigued by the opportunity to practise primarily in the public-law field, with a view to specialising in constitutional, EU, and administrative law – all subjects I greatly enjoyed in UCD.” Regarding the quality of the work, Stephen comments: “By its very nature, the matters that an advisory counsel is involved in can be both complex and sensitive, which results in a high-profile and interesting workload that can have a direct impact on society.”



Unique set of skills

David Hennessy works as a parliamentary counsel in the office and specialises in drafting legislation for a number of Government departments, including those responsible for the finance, education and youth, and defence briefs. Like many others in the office, he trained in a large corporate law firm before joining the office in December 2021. He was motivated to work alongside a group of talented lawyers in the discipline of legislative drafting and to develop expertise and skills in this important legal field. David felt that working in the office offered him an opportunity to acquire a unique set of in-demand skills, and he was also motivated by “the nature and impact of the work of a parliamentary counsel in the office, touching as it does on advancing the latest legislative developments in the State, and directly impacting how our society is governed”.

Advisory counsel and parliamentary counsel work closely together in the office. For example, while the main role of a parliamentary counsel is to transpose the policy of a Government department, as set out in a general scheme, into a draft bill that is expressed in clear and precise terms and that is legally robust, advisory counsel are

involved throughout the drafting process.

An advisory counsel is assigned to every bill being drafted by a parliamentary counsel, and the advisory counsel may be required to advise on legal issues that arise during the drafting process. Stephen Tunstead observes that “teamwork and collaboration are central to the success of the office. You are working alongside dedicated and experienced public-law lawyers, motivated by public-service values. This collegiality in the office is unmatched, in my view”.

Progressive organisation

The office aspires to be a modern, progressive organisation that strives to be at the cutting edge of legal

innovation. The AG is acutely aware that “the future success of this office is absolutely dependent on it continuing to attract lawyers of a very high calibre”. A combination of strong legal ability and broader professional judgement is an essential characteristic of all lawyers who join the office, he says.

Úna McEvoy observes: “The core of the advisory counsel role is the provision of excellent legal analysis – advising on draft legislation, interpreting legislation, constitutional provisions and case-law with precision, and applying the law to often complex or novel situations.”

Regarding parliamentary counsel, Margaret Kennedy says that, in addition to sound knowledge of the law and excellent communication skills, lawyers need an “eye for detail, keen judgement in assessing what information and instructions are needed, and an ability to conceptualise and provide solutions that give clear legislative effect to Government policy”.

Career pathways within the office are carefully designed to support new advisory counsel and parliamentary counsel in developing specialist expertise and skills. They benefit, also, from an ambitious, structured, and highly engaging programme of training and professional development.

For example, following recruitment, advisory counsel typically spend a number of months in the office’s seconded training programme before being seconded for a period to work as a legal adviser within a Government department. The office currently has 47 advisory counsel seconded to Government departments. Stephen Tunstead’s experience of



Some new advisory and parliamentary counsel visiting the Europa building in Brussels



secondment has been positive and he is currently enjoying advising on a broad range of legal issues in the Department of Culture, Communications and Sport.

Hands-on experience

Within the Office of the Parliamentary Counsel, a solicitor or barrister recruited as a parliamentary counsel is not expected to be an experienced legislative drafter. New parliamentary counsel participate in a comprehensive training programme and work with senior colleagues to gain proficiency in the discipline of legislative drafting through practical, varied, and day-to-day experience.

Training for new advisory counsel and parliamentary counsel also includes visits to Luxembourg and Brussels, where

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By its very nature, the matters that an advisory counsel is involved in can be both complex and sensitive, which results in a high-profile and interesting workload that can have a direct impact on society

recruits meet Irish and European lawyers working in the CJEU, the European Commission, the European Parliament, the European Council, as well as seconded colleagues serving as legal attachés in the Irish Permanent Representation to the EU, who are currently preparing for Ireland's presidency of the Council of the EU later this year.

Maintaining a growth mindset is a core feature of work in the office. Úna McEvoy says: “Learning is not treated as something separate from one's role in the office – it is embedded and integral to the work itself.”

Advisory counsel and parliamentary counsel benefit from a strong culture of continuous professional development throughout their careers in the office. Through in-house and external training opportunities, attendance at conferences, and exposure to cutting-edge issues in practice, including AI governance and digital-services regulation, lawyers develop a unique expertise in legal and public-sector work.

Roles with impact

The impact and public value of the office's work are perhaps best captured by the AG himself, who offers the following perspective on the work of the office: “While much of the work in the private sector is enormously valuable and extremely fulfilling for the lawyers who are engaged in it, I do think that there is something particularly special about the opportunity to work in Government.

“The work we do doesn't just affect one client's narrow commercial interests, as can sometimes be the case in the private sector. On the contrary, it affects everybody and, if a solicitor joins our office as a parliamentary counsel drafting legislation or as an advisory counsel advising Government, they know that their advice has transcendent significance in that it will affect every citizen in the State. In a world where everybody seeks meaning and value in their work, we are in a position to offer something that many other law offices cannot.”

Lisa McCarthy is parliamentary counsel and Aindreas Phelan is communications officer in the Office of the Attorney General.



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The retirement game

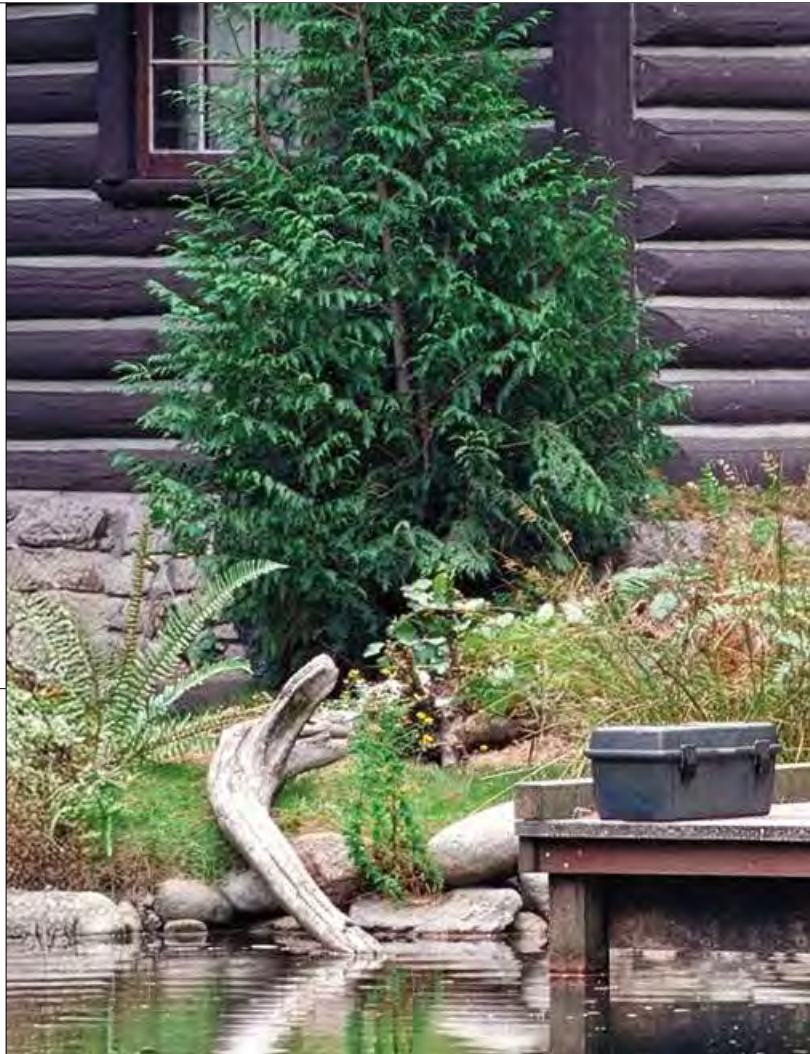
For legal practitioners, the retirement event itself gives rise to a number of practical issues. Michael Ó Scathail and Jonathan Ginnelly go fishing

Retirement is a major milestone for all of us and one that can throw up a range of challenges in areas as diverse as financial, psychological, health, and lifestyle. For solicitors, the retirement event itself gives rise to a number of practical issues, including how to exit or, in some cases, dispose of or close your practice; complying with various regulatory obligations that arise; and reassuring sometimes long-standing clients as you manage the process of transferring them to new practitioners.

It also gives rise to many tax issues – opportunities, as well as threats – but, while these are the focus of this series of articles, it is important that, when considering retirement, a ‘big-picture’ view should be taken with all issues considered in tandem.

At the outset, it is also important to appreciate the benefits of taking a long-term approach to retirement planning, and that early consideration of the issues

Ultimately, at a headline level, there are likely to be four options for a retiring practitioner: succession, merger, sale of practice, or close the practice



is key. From a tax perspective, many of the actions and structures that can be put in place to ensure a more tax-efficient retirement take a number of years to implement successfully.

Certain tax reliefs are also time-critical and, even if retirement is not imminent, it may be appropriate to take certain actions that will enable you to reap the benefits later; one example is CGT retirement relief and the importance of your 55th birthday – something we will discuss in part 2 of this series.

Early consideration and regular review of your retirement plans and any actions required is, therefore, important.

Retirement options

The options available to a practitioner on retirement will vary, depending on the nature of their business structure. Largely, in the context of legal practices, the structure will either be that of a sole practitioner or a partnership (albeit that partnership structures have significant variances in organisation and scale).

In the case of a partnership, there is a somewhat preordained structure to facilitate a retirement, either through there being three or more partners in the practice (and, thus, the retirement of one partner will not bring about an automatic end to the partnership) or, in the case of



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a two-person partnership, there is a pre-existing structure into which a new partner can be introduced to carry on the partnership with the remaining partner.

In the case of a sole practitioner, the options in relation to retirement are broadly restricted to either a sale of the business/client list (if possible) or a gradual wind-down and closure. If the sole practitioner wishes the business to continue, then consideration can be given to certain restructuring steps to ensure continuity, post-retirement. The sole practitioner will need to take steps at an early enough stage before their retirement date to

The old Fishin' Hole

Those planning their retirement should start looking at options in the five-to-ten-year period before their anticipated retirement

implement any such necessary restructuring.

Such restructuring could, perhaps, be the creation of a partnership structure, with either an internal appointment of a senior staff member to the partnership, entering into a partnership with another sole practitioner or a suitable pre-existing partnership (effectively a merger of two businesses), or bringing a partner into the existing business without any merger, with a view to that person taking over the business.

Any of these options will require a sufficiently long period to implement and bed in. As such, those planning their retirement should start looking at such options in the five-to-ten-year period before their anticipated retirement.

Ultimately, at a headline level, there are likely to be four options for a retiring practitioner:

- **Succession:** identifying a successor, internal or otherwise. Either way, this will likely involve this successor joining you in partnership for a number of years and being gradually eased in before you exit the practice.
- **Merger:** identifying another practice and effecting a successful merger. This is a more long-term process and can also be of relevance, even if retirement is not contemplated at this stage.
- **Sale of practice:** to another firm or practitioner.
- **Close the practice:** Simply 'closing the doors' and ceasing the firm. While this might seem like the most straightforward approach, it too requires some work.

Each approach gives rise to its own challenges, tax and otherwise.

Succession

The issue of identifying a successor is an issue for both sole practitioners and partnerships alike. However, it is somewhat more acute for a sole practitioner, given the fact that it will require some structural change.

In an ideal world, a successor might be drawn from the ranks of existing senior staff who already have a deep understanding of the business, have pre-established relationships with a lot of the client base of the firm, and also have a working relationship with other staff members. Where such an individual exists within a firm, their appointment can be a somewhat easy fix to the issue of succession, albeit that various commercial considerations will need to be ironed out.

Where there are no suitable senior staff within the firm that might be appointed as a partner/successor – or perhaps there is such an individual, but they do not wish to take on the mantle of running the business (an issue many practices are facing) – then it may be necessary to go out to the market to bring someone in from another firm.

This is not an easy task to undertake, as it will require careful consideration of the suitability of the person to fit into the culture of the business, be able to develop working relationships with key clients of the firm, as well as with the employees working in the firm. The search for such a person often takes considerable time, with several rounds of meetings and detailed assessment of their ability and suitability to ultimately take over the running of the business.



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The period after such a person has been identified and brought into the firm is critical to ensure that the individual integrates successfully, and/or to identify any changes that may be needed to smooth the path for the change in ownership/control of the business.

Merger

Rather than seeking to identify an in-house successor or recruit such a person from a very competitive market, a sole practitioner or, indeed, a partnership may look to take a proactive step to merge their business with another like-minded firm, perhaps of similar scale or somewhat larger, thereby creating a mechanism for the business to continue, albeit within a new firm structure.

In the case of a merger with a like-minded firm of similar scale, the brand name/culture

The options available to a practitioner on retirement will vary, depending on the nature of their business structure. Largely, in the context of legal practices, the structure will either be that of a sole practitioner or a partnership

of both businesses might be retained in the new structure. However, in the case of a merger of a smaller practice into a larger practice, it is often the case that the smaller business will be fully subsumed under the brand and structure of the larger firm.

A merger of two firms is a significant step for those businesses, with serious financial and commercial considerations. The merger needs to be attractive for both parties. The imminent retirement of the principal of one of merging firms is not likely to be an attractive prospect. However, if the merger is undertaken with a sufficient lead-in time to the retirement, it can allow both businesses to integrate fully and take advantage of the opportunities the larger combined firm offers in terms of client base, depth-of-service offerings, as well as

the possible higher earnings potential for the partners in those crucial years before retirement. Early planning is vital in pursuing this option to ensure any prospective merger is attractive to potential target firms.

Sale of practice

For a sole practitioner, selling the practice can be a viable way of ensuring continuity of service to clients and of employment for existing employees, as well as potentially enhanced career opportunities under the new ownership, while enabling the practitioner to realise some value from their exit. This, however, also brings its own challenges.

Much as a homeowner looking to sell would spruce up their house in advance, so the practitioner would aim to have their practice looking as well as possible before going to market. Therefore, ensuring that working capital (work in progress [WIP], debtors/cash collection, payment of creditors) is well managed, that a steady and recurring pipeline of work can be shown, that all regulatory matters are attended to and up to date, and that there are no unsettled disputes with employees or clients would be important.

From a financial perspective, key issues include WIP valuation and whether a payment for goodwill can be obtained. Carefully structured, the sale can be effected tax-efficiently (tax issues are considered in more detail in our next article).

Where the practitioner owns the business premises, this gives rise to a range of issues. A key determinant will be whether the purchaser wants to purchase them, which would give rise to a capital receipt for the retiring practitioner, which at



CGT rates and with potential reliefs applying could also be tax-efficient. Another alternative might be to lease the premises, which would produce an additional income stream in retirement.

Consideration should also be given as to whether the practitioner wishes to continue for a period of time as a consultant to the firm in the event that the purchaser is agreeable or, in some cases, requests them to do so. The terms of any such arrangement will have to be negotiated and structured carefully.

Finally, while in a continuing partnership, a sale of the practice might not appear to be a relevant consideration, it might, in some cases, be possible for the retiring practitioner

to seek a capital payment in recognition of their share of goodwill, especially in cases where they were a founding partner whose name is still 'over the door'. How this is structured is important from a commercial as well as a tax perspective.

Close the practice

In some cases, a sole practitioner might regard the simplest approach to be to wind-down their practice and then close it. This approach is not without its challenges, however, as, notwithstanding that you may aim to have all files completed and closed, invariably some issues will arise at a later stage, and consideration must be given to who will deal with those. There are also regulatory requirements to consider and a



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detailed process to be followed, which includes identifying another practice to whom your client files will be transferred and who will offer continuity of services to your clients, should they wish to avail of it.

From a financial and tax perspective, maximising earnings in the closing years and timing your cessation carefully can be key. These are considered in more detail in part 2.

process, with the tax issues then being considered.

This series follows this approach, and part 2 will delve into the key tax issues in some detail.

Michael Ó Scathail is a director of the owner-managed business service in the tax department at Crowe. Jonathan Ginnelly, partner, leads the private clients' service in the same department.



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Sensitive issue

Retirement can be a sensitive issue but, as outlined above, one that has to be broached in a timely manner, as there are myriad issues – financial and otherwise – to consider. Early consideration should enhance the prospect of effecting a successful retirement. In the first instance, the commercial objectives should drive the

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True crime

The Law Society's Criminal Law Committee is staunchly opposed to Government proposals for changes to the legal-aid system. Mary Hallissey gets out of jail free

Criminal defence solicitors have warned that proposed changes to the legal-aid system risk undermining access to justice, creating a two-tier system, and driving practitioners out of the sector.

From 1 July, a fixed €455 fee will apply to all cases, regardless of the number of appearances.

Amanda Connolly, vice-chair of the Law Society's Criminal Law Committee, says the Department of Justice proposals will leave solicitors effectively unpaid for significant portions of their work. The partner at Connolly Finan Fleming argues that it fails to reflect the volume of behind-the-scenes labour involved, including client communication, case preparation, and ongoing court supervision – and shows a poor understanding of the workload involved.

The committee is staunchly opposed to the proposals, and is particularly aggrieved at what Connolly perceives as the insufficient consultation and poor understanding of legal practice inherent in the plan.

Exodus

She says that the changes will inevitably lead to a “mass exodus” of solicitors from criminal legal-aid work, particularly in rural areas,

exacerbating existing shortages and making legal deserts worse. She points to similar reforms in legal aid for family law, where a flat-fee model has already resulted in significantly reduced participation by private practitioners, and long waiting lists for clients seeking representation.

The proposals could incentivise minimal-effort representation, she warns, with some lawyers taking on quick guilty pleas rather than more complex cases requiring sustained engagement. This would undermine defendants' rights and the overall functioning of the justice system.

She also predicts judicial reviews based on the constitutional right to a legal defence, and feels that these changes will end up being more costly to the taxpayer.

“Everybody takes for granted the rule of law and the precedent that our justice system is based on innocence until proven guilty in court, and that's very important. And if you undermine that, or create a two-tier legal system between those who can afford a defence and those who cannot, that's a very dangerous road to go down.”

Job

Aside from the contentious issue of legal-aid funding, the Criminal Law Committee works collaboratively with Government when requested.

How can you say that someone in custody could be represented ten or 11 times for €100? It's just impossible to provide services

The committee also works widely around the country engaging with colleagues with particular queries on difficult circumstances. It acts, too, as a liaison with the Irish Prison Service, with subcommittees working to create more efficient, streamlined systems.

Senior criminal defence solicitor Yvonne Bambury, who is also a long-standing committee member, runs her own practice, Fahy Bambury, in Dublin's Smithfield. She reiterates that the proposed changes could make representation in serious cases “financially not viable” and risk leaving vulnerable defendants without proper legal support. The likely consequences are stark: “Solicitors are going to refuse to do indictable offences – or, alternatively, start coming off the legal-aid panel.”

She echoes the complaint that the changes were introduced without meaningful consultation. A meeting with the department took place earlier this year, which Bambury describes as a *fait accompli*.

“This wasn't a consultation meeting; this was to inform us that this is what was coming in, and there was no debate or argument about it.”

She describes the plan as “pure cost cutting”, adding: “How can you say that someone in custody could be represented ten or 11 times for €100? It's just impossible to provide services.”

With almost 40 years of experience in criminal law, Bambury says that the proposal comes after years of financial pressure on the sector. Fees have remained largely unchanged since austerity-era cuts, while additional reductions were made to expenses and eligibility criteria.

“The fees have been static for 15 or 16 years,” she says. “They



Photos: Cian Redmond

Amanda Connolly (committee vice-chair) and Dr Shane McCarthy (chair)

haven't restored what they took. The hidden cuts were nearly as bad as the actual cuts."

She adds that legal-aid practitioners are now effectively being asked to subsidise the system: "They're expecting us to subsidise the State for indictable offences – the most serious categories of offences."

The impact is already being felt within firms. Bambury said she is considering stepping back from practice earlier than planned to protect the livelihood of younger colleagues with growing families and mortgages. "If someone has to go, it's better me than them. If you're going to have a 40% reduced income, you have to cut back somewhere. My company won't be able to afford to continue with salaries at this level," she says.

Judges

Bambury also criticises how legal-aid lawyers are portrayed in official reports. A recent review suggested excessive remands were being

driven by practitioners – a claim she strongly rejects: "No judge is going to give you an adjournment just because you asked for it," she says. "There has to be a justification – whether due to disclosure, clients in hospital, clients in treatment centres, etc."

She describes the report's conclusions as "insulting" adding: "It conveyed an impression that we were charlatans. Nothing could be further from the truth. I feel I'm being smeared to be honest, and I have a thick skin – that report made me angry"

The proposed flat-fee model, she argues, risks incentivising rushed case-handling. "Some people will just plead guilty. They won't bother looking into things the way you should," she says. "That's what this kind of flat-fee culture creates. It's not healthy.

"It's so egregious that it just makes absolutely no sense."

Numbers

The cumulative impact of funding cuts, administrative pressures, and policy changes

She describes the report's conclusions as 'insulting' adding: 'It conveyed an impression that we were charlatans. Nothing could be further from the truth. I feel I'm being smeared to be honest, and I have a thick skin – that report made me angry'

could undermine the fairness of the system: "The mark of any democracy is how they treat the most vulnerable," she says. "They don't care about people being effectively forced into pleading guilty on day one."

Both lawyers feel that a system of public defenders will inevitably cost more to the State in the long run.

And both criticise the laborious payment-claiming process for legal-aid work, which could be massively simplified by the use of AI, Amanda points out. Ironically, she also fears that the new payment system could actually incentivise less-committed practitioners, who might opt to pick up the flat fee without putting in any defence efforts.

Anyone who is on minimum wage currently does not qualify for legal aid for a garda station interview, Yvonne adds. "There's a lack of awareness of the nuances of the job we're doing," she says. "They think you just go in, you plead guilty, and that's it – your job is done. But it's nothing like that. You're in prisons in the evenings and garda stations at the weekends and courts on Saturdays to try and get the work done."

The perceived 'pro-prosecution' Government trend also needs checks and balances, Amanda argues. "Who protects the separation of powers?" she asks. "Criminal-defence lawyers are the ones with the education and the experience to do that. If you take us out of the equation, it's a dangerous precedent," she says.

Yvonne concludes: "There are people among us who think that 'express justice' is fine. But it's not healthy in a democracy. It will create inequality – I see that coming, and I really don't want to be here when it happens." ❏

Mary Hallissey is a journalist with the Law Society Gazette.

Machine head

For nearly 20 years, the *Machinery Directive* set out the EU's rules on health-and-safety-compliance requirements for industrial machinery. Now it's being updated. Bill Murphy takes a spanner to it

The *Machinery Directive* (2006/42/EC), which sets out the EU rules on health and safety compliance requirements for industrial machinery, will finally be repealed by the new *Machinery Regulation* (EU 2023/1230). Published in the *Official Journal* in June 2023, the substantive provisions will come into force (after a transition period of 42 months) on 20 January 2027. The first obvious legal change is that the old directive is being replaced as a new EU regulation and is, therefore, directly applicable across the member states and the EEA.

While an evaluation of the old directive by the EU Commission in 2018 concluded that the legislation was generally relevant, it needed substantial updating to address emerging technological advancements since its enactment. These include increasing digitalisation, the 'Internet of Things', robotics, cybersecurity and, more recently, the use of AI in industrial machinery and control systems.

As the old directive required transposing into domestic law across the EU, a commission impact analysis indicated that a divergent approach

The most noteworthy changes in the content of the legislation from the old directive to the new regulation relate to new technology

by some of the member states led to compliance challenges for machine manufacturers putting their products on the market in multiple European countries. And so, by elevating the directive to a regulation, the intent is to eliminate cross-jurisdictional ambiguity, lessen transposition complexity, and create immediate uniformity, which is a core aim of the union's New Legislative Framework in the legal harmonisation of product-safety law.

Never before

The old directive's catch-all term for 'machinery' resulted in wide and ambiguous interpretation of the core definition within the legislation. Clearer definitions of 'machinery' and 'related products' in the new regulation now provide more certainty on whether machine-related elements are brought within the scope of conformity requirements. Similarly, other terms such as 'safety components' and 'partly completed machinery' have been defined with more precision, enabling manufacturers to identify their obligations under the new regulation in accordance with more clearly defined technical parameters.

Under the directive, there was a considerable amount of doubt and confusion among machine users if a machine already in service, which was then subsequently upgraded or retrofitted, would require a new

CE Mark. The directive indicated that a substantial modification could require a new CE Mark but, without providing much guidance on what changes to a machine would amount to a 'substantial modification'.

Various national representative bodies, machine manufacturers, system integrators, or third-party machine-safety experts across the member states were left to judge for themselves what modifications would trigger the need for a conformity assessment and new CE Mark. As machine users seek to upgrade their machinery and production lines with new functional and safety features – both physical and digital – clarity in this





Photo: Alamy

aspect was badly needed to assess whether a new conformity assessment was required or not.

Article 3(16) of the new regulation sets out a more clearly delineated scope of what a ‘substantial modification’ entails and so gives a clearer, more consistent guide on the scope and obligations in relation to assessments and safety certification of modified machinery.

Smoke on the water

Article 18 now deems that those who carry out such substantial modifications may now be classified as a ‘manufacturer’ for the purposes of the regulation, and so assume

the duties and obligations of a manufacturer for those modifications to the machinery. This has implications for companies and sole traders that carry out machine upgrades or retrofits, who may now find themselves considered as ‘manufacturers’ for the purpose of the regulation and, therefore, need to be cognisant of their duties and responsibilities.

By way of not placing too much of a burden on these modifiers of machinery, their responsibilities as ‘manufacturers’ are related only to the modifications, or at least to the extent that the modifications affect the safety of the unmodified parts of the machinery or assembly of

Above: Thunder Bay, 1953

machines, or if the modifications compromise the overall safety of the machinery or assembly.

In the case of multiple upgrades on complex machinery, there can be a range of modifiers who are now responsible for their own part of the ‘substantial modification’. In such cases, differentiating the various responsibilities can be challenging, and a well-structured, overall risk-assessment approach will be needed. Exception is made for non-professional users who make substantial modifications to machinery (or related products), who are not regarded as ‘manufacturers’ under the regulation. Under the new regulation, the original manufacturer has more expanded requirements for its risk assessment to consider foreseeable user interactions with the machine, as well a reasonably foreseeable misuse – which may pose a challenge to foresee all interactions and misuse by the machine user, especially in the context of software use and AI-enabled systems.

Space truckin’

Perhaps the biggest factor in overhauling the directive was the increasing realisation that it did not adequately address the emergence of multiple technologies, such as AI-enabled safety functions, autonomous guided vehicles, robots and **cobots**, and the new threats to safety and security to machinery and users posed by increased digitalisation and connectivity.

The efficiency and cost-effectiveness of advanced automation controls with connected field devices, heralded by the so-called ‘Industrial Revolution 4.0’ and the ‘Internet of Things’, created new areas of vulnerability in safety in manufacturing environments for cybersecurity threats or

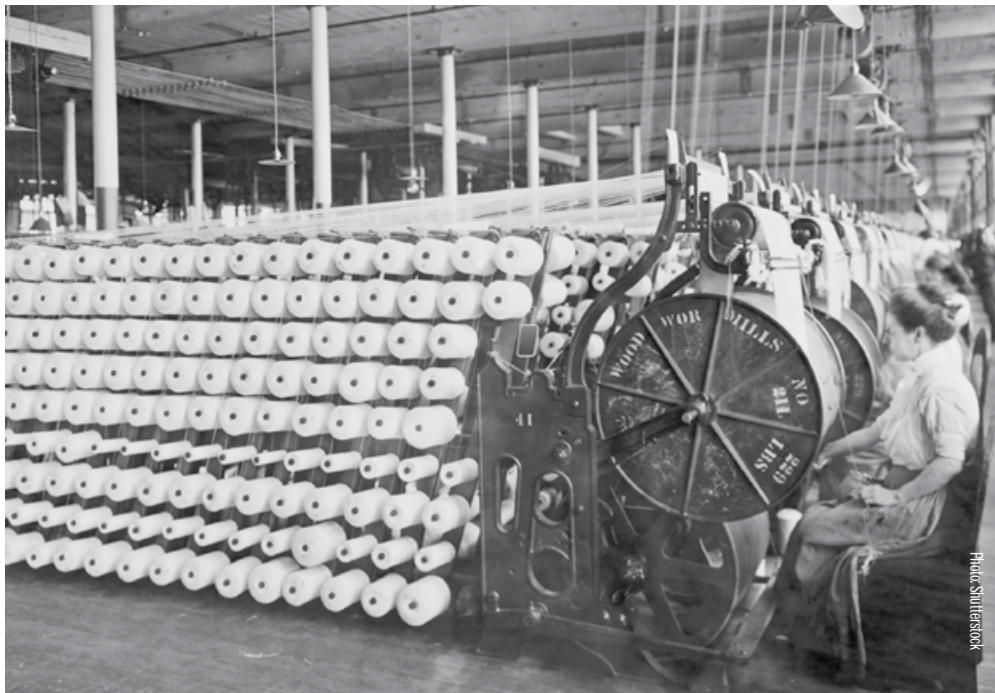


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safety gaps due to unsecure or malfunctioning software.

As part of the EU Commission's [2020 work programme](#) (under the strategic priority of 'A Europe fit for the digital age'), a range of technology-focused legislation has been adopted, including the *Data Act*, the *Data Governance Act*, the *Cyber-Resilience Act*, the *AI Act*, and others. A revision of the *Machinery Directive* would also be needed to respond to new technologies as part of this strategy. While all laws tend to lag behind the times, such has been the increasing threat of security breaches or vulnerabilities in recent years that machine security is now included as part of machine safety in the new regulation, and requires machine manufacturers to design-in 'protection against corruption'.

The old directive had included annexes for categorising higher-risk machinery, but the new regulation reorders the annexes and, for example, Annex 1 (Part A Category) now includes within its scope both safety

While there are substantial changes introduced by the new regulation, many of the provisions from the old directive remained unchanged, indicating some satisfaction with the overall approach over the last 20 years

components and machinery with embedded safety systems (not independently placed on the market), with fully or partially self-evolving behaviour using machine learning.

While not expressly mentioning artificial intelligence, this terminology captures AI-based machine-safety systems within the Part A category of high-risk machinery, and requires that they undergo mandatory inspection by a third-party notified body rather than a self-assessment by the machine manufacturer. Such categorisation clearly shows how the risk to safety and security posed by AI is perceived by the lawmakers when drafting the new regulation.

Pictures of home

Annex III in the new regulation also includes some important additions to essential health- and-safety requirements of machinery (and related components). At Annex III 3.6.3.3, manufacturers now need to provide instructions for use of

autonomous mobile machinery that specify the characteristics of the 'intended travel, working area and danger zones'.

Annex III 1.1.9 also outlines cybersecurity requirements for both hardware and software to guard against intrusion, corruption, or manipulation of machinery safety-control systems. And so, industrial security becomes an essential part of the new regulation, and shows a conceptual development of protecting the machine from security threats, rather than just protecting people from unsafe machinery – the sole emphasis of the old directive.

More detailed requirements in Annex III 1.1.9 now necessitate the recording of any 'interventions' or modifications of software installed in machinery, and this is supplemented by Annex III 1.2.1(f), in that such a 'tracing log' of interventions and updates is available for a period of five years after upload to demonstrate conformity.

This expansion of the regulation in the security space is aligned with other laws (such as the *Cyber-Resilience Act* and [NIS 2](#)) that cover different aspects of the industrial digital complex but are, in principle, part of a broad legislative initiative to protect machines, components, and industrial networks from attack and digital malfunction.

While it is difficult to guard against highly sophisticated cyberattacks, machine manufacturers will now have to consider how to design-in protection against corruption in machine operational technology so that security is built-in from the ground up, rather than as an afterthought or part of a costly retrofit.

There are also new

requirements in relation to machine documentation (such as manuals and instructions), which can now be made available by the manufacturer in digital format. This also modernises the approach in providing soft copies of essential technical and safety literature, which is more amenable to updates and access via digital platforms.

The documentation obligations of the old directive have also been expanded in regard to making available source code or programming logic for safety-control-related software, as part of the technical documentation that accompanies the EU declaration of conformity with the regulation.

Highway star

While Ireland is not, in comparison with Germany, Italy, France and others, a significant centre for industrial-machine manufacturing, the new regulation seeks to expand the role of machine importers and distributors under the term ‘economic operators’, so as to apply explicit responsibilities to importers and distributors of machinery, for example, in the Irish market.

Importers, while not taking over the obligations of the machine manufacture, now need to ensure that the machinery they are placing on the market is compliant with the health-and-safety requirements of the new regulation, and that all the necessary conformity assessments have been conducted and the CE marking affixed by the manufacturer. They need, also, to provide their contact details on machinery and related products when placing them on the market.

Distributors need to exercise ‘due care’ to ensure that the

It needed substantial updating to address emerging technological advancements since its enactment. These include increasing digitalisation, the ‘Internet of Things’, robotics, cybersecurity and, more recently, the use of AI in industrial machinery and control systems

handling and storing of any machinery and related products is carried out in such a way as to not affect the safety compliance of the machines.

While, in nearly all cases, the manufacturer will provide technical documentation as required under the new regulation, any importers and/or distributors in the supply chain now need to check and ensure that the documentation contains comprehensive technical and safety information available in a language easily understandable by the machine users in the local market, and that the compliance documentation is also available to the relevant national surveillance authorities.

In general, distributors are now under a duty, if they “consider or have reason to believe” that machinery is not in conformity, to take corrective actions to bring the machinery into conformity, or recall the non-conforming products and keep the relevant national safety authority informed.

Maybe I’m a Leo

While there are substantial changes introduced by the new regulation, many of the provisions from the old directive remained unchanged, indicating some satisfaction with the overall approach over the last 20 years. The most noteworthy changes in the content of the legislation from the old directive to the new regulation relate to new technology.

Over the past few years, a raft of legislation for the digital economy, safety, and security has emanated from Brussels, with directives and regulations (such as the *Data*

Act, the *Digital Services Act*, the *AI Act*, NIS 2, and the *Cyber-Resilience Act*) dealing with social-media platforms, cloud services, and cybersecurity for both domestic and industrial devices and everything in between. This has resulted in a complex regulatory landscape for nearly all companies that have operations or customers in the single market.

While the consolidation of such laws through the *Digital Omnibus* may help in streamlining the regulatory environment, it will remain to be seen whether the new *Machinery Regulation* itself will continue to be fit for purpose or consistently responsive to the challenges for safety and security of such rapidly developing technology.

However, the regulation itself takes cognisance of this and includes a periodic EU Commission review of the scope of essential health-and-safety requirements, and the conformity assessment procedures for high-risk machinery.

This regular review will aid in ensuring that the *Machinery Regulation*, like the old directive, remains one of the leading regulatory instruments, not only in Europe but for global machinery safety where large international manufacturing companies who, as part of their corporate safety policy, require their machinery to be CE marked or assessed in accordance with the procedures of the regulation, even in jurisdictions outside Europe. ☒

Bill Murphy is in-house lawyer with Pilz Ireland Industrial Automation.



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COUNCIL REPORT

Law Society Council meeting 6 March 2026

President Rosemarie Loftus noted the success of the event to mark International Women's Day and extended her thanks to all involved for hosting a very enjoyable evening.

Congratulations were extended to Susan Martin and Karl Dowling BL on the launch of the fourth edition of *Civil Procedure in the Circuit Court* at an event at the Law Society the previous week.

The president offered sympathies to Sonya Lanigan on the passing of her father, and a minute's silence was observed.

Regulatory and policy

Council approved a motion to adopt the draft *Solicitors (Money Laundering and Terrorist Financing) Regulations 2026*, following confirmation that the amendments primarily codify existing requirements.

The director of regulation provided a periodic update on the work of the department, focusing on the highlights from 2025 and several key initiatives for 2026. The director outlined that these initiatives are aligned to the Law Society strategy, with the overarching objective of promoting effective regulation. There continues to be good engagement from the profession in relation to embracing the many and varied supports that are available, and the ongoing approach to continuous improvement to enable effective and efficient regulation was welcomed by the members.

The director of policy reported significant political and media engagement with the Law Society's *Justice Indicators* paper, much of which recognised that high-quality, evidence-based research is an essential component in

providing high-quality law reform. A webinar for the profession was scheduled to take place on 19 March. Updates were also provided in relation to the recent submission on the general scheme of the *Civil Reform Bill*; a meeting with Minister Troy on insurance costs, and the Law Society has outlined its position with respect to the *Transparency Code*; and a recent meeting with the Department of Justice officials regarding the 'one flat fee' proposal for criminal legal aid at District Court level.

Members expressed deep concern about the Department of Justice's proposed 'one flat fee' model, highlighting its negative impact on vulnerable clients, access to justice, and the viability of practice in this area. The president noted the concerns raised and recognised that, while the Council will need to actively support members, the Law Society must ensure its response is considered and measured.

Programmes and funding

Council approved additional funding to progress the eConveyancing Project through to the end of 2026, to facilitate the next phase of the project, which includes plans to commence piloting with firms.

The director of education presented a detailed proposal for a new Professional Solicitor Apprenticeship Programme. The chair of the Education Committee outlined that this proposal has the unanimous approval of the members of the committee and is a particularly crucial step in removing barriers to qualifying as a solicitor. The proposal envisions structured routes for both school-leavers and legal clerks/legal executives, with blended practical and academic training

and defined qualification 'off-ramps'. Further development work will consider pastoral supports, employer participation, and financial modelling. The programme proposal and the work to date was welcomed by the Council.

Appointments

The Council confirmed the following appointments: Neil Dunne to the Alternative Systems of Handling Client Moneys Task Force; Bill Holohan SC, Niamh Ní Mhurchú, and Andrea Clarke to the Practice Support and Communication Committee; Niamh Ní Mhurchú to the Regulation of Practice Committee; Michele O'Boyle SC nominated for a further three-year term with the International Bar Association; Neil Keenan nominated for a further four-year term to the Company Law Review Group; and Susan Martin nominated as the Law Society representative to the Dublin Circuit Civil User Group.

Submissions

The meeting noted the following submissions made by the Law Society: submission on the feedback statement for phase one of reform of Ireland's taxation regime for interest to the Department of Finance; submission on civil legal aid to the Oireachtas Joint Committee on Justice, Home Affairs and Migration; submission on the draft *Competition Adjudication Rules and Guidelines* to the Competition and Consumer Protection Commission; letter re general scheme of the *Planning and Development (Amendment) Bill 2026* to the Joint Committee on Housing, Local Government and Heritage; submission on the general scheme of the *Civil Reform Bill 2025* to the Oireachtas Joint Committee on Justice, Home Affairs and Migration; submission on the EU rules on administrative cooperation in the field of taxation to the European Commission; and opening statement on civil legal aid to the Oireachtas Joint Committee on Justice, Home Affairs and Migration.

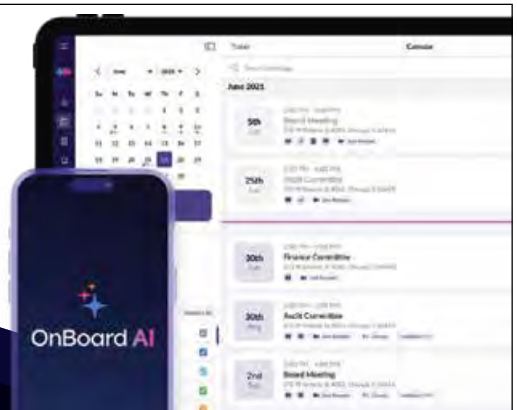


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Suspicious transaction reporting in conveyancing

This practice note is issued jointly by the Regulation of Practice and Conveyancing Committees. Its purpose is to:

- Remind solicitors of their reporting obligations relating to money-laundering and terrorist-financing and the consequences for solicitors who fail to comply,
- Draw attention to certain client behaviours in conveyancing transactions that, in the opinion of those committees, should cause practitioners to consider if a suspicious transaction report (STR) may be warranted, and
- Suggest some best practices.

Both committees wish to emphasise that the considerations in this note apply equally to past instructions, as well as to current and future cases.

Reporting obligations

Solicitors have an obligation to submit a STR to FIU Ireland and to the Revenue Commissioners if a solicitor knows, suspects, or has reasonable grounds to suspect that another person has been, or is engaged in, an offence of money-laundering or terrorist-financing (see section 42 of the *Criminal Justice (Money Laundering and Terrorist Financing) Act 2010* and the *Solicitors (Money Laundering and Terrorist Financing) Regulations 2020* (as amended), regulation 19).

Failure to comply with this obligation is a criminal offence – except as provided for under the legislation (see section 46 of the *Criminal Justice (Money Laundering and*

Terrorist Financing) Act 2010) – for the solicitor concerned, rendering the solicitor liable to a fine or imprisonment (or both) – see section 42(9) of the 2010 act (as amended).

In addition, it could result in a referral of the matter to the Legal Practitioners Disciplinary Tribunal on misconduct grounds, potentially leading to a solicitor being struck off.

When is STR warranted?

The following client behaviours should cause a solicitor to consider the reasons for such behaviours and whether an STR might be required. In particular, the solicitor should consider if the client's objective might be to conceal the transaction or the source of funds and/or ownership of the property from relevant statutory authorities.

Stamp duty

- A failure or refusal on the part of the client to put the solicitor in funds for stamp duty in advance of completion, noting that a solicitor must be in funds in any event in standard residential mortgage-lending cases,
- A client seeking the return of stamp-duty funds paid by the client to the solicitor, where such stamp duty has not been paid to the Revenue Commissioners,
- An instruction not to file a stamp-duty return, notwithstanding the solicitor's advice that such a return should be filed, or a refusal to provide information relevant to, or funds necessary for, such a filing, or
- An instruction to complete and file a return in a particular manner that is not in accordance

with the solicitor's advice or typical practice.

Registration of title

- A failure or refusal on the part of the client to put the solicitor in funds for registration fees in advance of completion, noting, once again, that a solicitor must be in funds in any event in standard residential mortgage-lending cases,
- An instruction not to register the title to the property, or to delay or abandon an application for registration,
- An absence of assistance from the client to progress a registration application.

Best practice

- Firms are strongly encouraged to ensure that they are registered with the [goAML](https://www.fiu-ireland.ie/home) portal (see [fiu-ireland.ie/home](https://www.fiu-ireland.ie/home)) so that relevant personnel can access it promptly when required,
- An STR arising out of a conveyancing case should contain details of the property concerned, to include folio numbers and Eircodes, where available, to enable relevant authorities to investigate the matter,
- Solicitors must ensure that actions taken in response to a suspicion do not constitute tipping-off or otherwise prejudice an investigation,
- Firms should have clear internal escalation procedures, including prompt referral to the person responsible for AML reporting within the practice, where applicable.

RZLT: further guidance

In light of the forthcoming second residential zoned land-tax return date, the Conveyancing Committee has been requested to issue further guidance and clarification regarding their previous practice note on the topic of RZLT, issued on 10 July 2025 (see lawsociety.ie/solicitors/knowledge-base/practice-notes/residential-zoned-land-tax-rzlt).

Multi-unit purchases

The committee wishes to clarify that the section of the July 2025 practice note relating to new homes was intended to apply to single-unit purchases, not multi-unit or block purchases that may require a more extensive level of enquiry and supporting documentation.

The committee advises that, in instances of multi-unit or block purchases, it is envisaged that full replies to requisition 45 should be provided by developers' solicitors. It may also be appropriate for taxation advice to be obtained by purchasers.

The following is a non-exhaustive list of additional documentation that might be

sought by a purchaser of multiple units:

- Copy of the site history summary (this can be obtained by the property owner on the RZLT portal under the Revenue Online Service),
- Copy of the return(s) made in respect of RZLT, including details of the deferral claimed for each liability date that RZLT applies (noting that a deferral claim must be made by a developer in respect of each liability date while the deferral applies),
- Copy of the valuation(s) supporting the return(s),
- Copy of the certificate of confirmation provided by Revenue in respect of RZLT pursuant to section 653Z(4) of the *Taxes Consolidation Act 1997* (TCA 1997), and
- Any other documentation that a purchaser's tax advisor reasonably requires.

Compliance cert

In the July 2025 practice note, the committee reported that purchasers of new homes were not required to look behind the BCAR Certificate of Compliance on Completion. This is in the context of a deferral under

section 653AH of the TCA 1997. In order for a deferral to apply (and ultimately the abatement of the tax), a return and deferral claim must be made in respect of each liability date occurring during the period in respect of which the deferral is claimed. This is required under section 653AGA(8) of the TCA in respect of the pre-development deferral, and under section 653AH(10) of the TCA in respect of the development deferral.

As a result, additional considerations arise as the next RZLT return date approaches (23 May 2026). Accordingly, the replies to requisitions should not be restricted to requisition 45.1 and 45.3, as advised in the July 2025 practice note. The committee recommends that the developer's solicitor reply to requisition 45.8. The committee further recommends that, on completion, the developer should furnish a certificate confirming that all necessary RZLT returns (in order to claim the relevant deferral) that were required to be made in respect of the relevant deferral period have been made in full and on time.

Therefore, where the developer's solicitor replies to requisition 45.8 by producing a draft of the certificate referred to above, with confirmation that the original of the certificate along with the Certificate of Compliance on Completion will be furnished on closing, this should be acceptable to the purchaser's solicitor.

The committee continues to keep the application of RZLT under review and will issue updated guidance as appropriate.

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Targeted workshops for in-house lawyers and legal support staff have taken place in both Cork and Dublin. For further details about upcoming AI sessions including advanced AI workshops, AI literacy webinars, a workshop on managing change during the AI era and a Micro-credential on AI see <https://www.lawsociety.ie/courses/cpd-courses/> or contact lawsocietyskillnet@lawsociety.ie to be added to our mailing list.



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Legal Practitioners Disciplinary Tribunal

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

In the matter of Noel Rhatigan (solicitor no S8833), currently practising at Rhatigan & Co, Royal Court Business Centre, Liosbán, Galway, and in the matter of an application by the Complaints Committee of the Legal Services Regulatory Authority to the Legal Practitioners Disciplinary Tribunal, and in the matter of the *Legal Services Regulation Act 2015* [2024-LPDT24]
Complaints Committee of the Legal Services Regulatory Authority (applicant)

Noel Rhatigan (respondent)

By determination dated 18 February 2026, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of professional misconduct in that he:

- 1) Failed to comply, either adequately or at all or within an adequate timeframe, with the undertaking given by him to the complainant dated 7 May 2007 (insofar as can be discerned from the handwritten date), either in part or in full, and/or
- 2) Failed to provide the complainant, either at all or within an adequate timeframe, a certificate of title and/or the title deeds in respect of the property, and/or
- 3) Failed to adequately engage with the complainant in relation to the undertaking referred to at (1) above.

The tribunal ordered that the respondent:

- 1) Is hereby censured in accordance with section 82(1)(c) of the act.
- 2) Is directed to arrange for the completion of the following two webinars: 'Land registry applications: what can go wrong' (hosted by the CPD Board) and 'Ethics and professional conduct'

(hosted by La Touche). The webinars should be completed within six months from 15 January 2026, and evidence of completion is to be provided to the Legal Practitioners Disciplinary Tribunal registrar within eight months from the date of the inquiry (15 January 2026). Such order is pursuant to section 82(1)(d) of the act.

- 3) Is directed to comply with the undertaking that is the subject of this inquiry, in accordance with section 82(1)(f) of the act.
- 4) Is directed to provide updates on his compliance with the undertaking to the Legal Services Regulatory Authority and to the complainant every three months, starting from 1 February 2026 until the undertaking has been fully complied with, in accordance with section 82(1)(g) of the act.
- 5) Is directed to pay the Legal Services Regulatory Authority a sum of €7,500 as a contribution towards the authority's costs within two years of the date of the inquiry (15 January 2026) in accordance with section 82(1)(j) of the act.

In the matter of Alan Harrison (solicitor no S3395), currently practising at Harrison Solicitors, Paradigm House, Dundrum Office Park, Dundrum, Dublin 14, and in the matter of an application by the Law Society of Ireland to the Legal Practitioners Disciplinary Tribunal, and in the matter of the *Legal Services Regulation Act 2015* [2024-LPDT32]

Law Society of Ireland (applicant)
Alan Harrison (respondent)

By determination dated 5 December 2025, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of misconduct in

that he failed to ensure that there was furnished to the Law Society of Ireland an accountant's report for the year ended 31 December 2023 within six months of that date, in breach of regulation 26(1) of the *Solicitors Accounts Regulations 2014* (SI 516 of 2014).

The tribunal ordered that:

- 1) The respondent be censured, pursuant to section 82(1)(c) of the act,
- 2) The respondent pay the costs of the application in the sum of €1,429.50, pursuant to section 82(1)(j) of the act,
- 3) The respondent pay to the Compensation Fund the sum of €5,000, pursuant to section 82(1)(l) of the act.

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WILLS

Broe, Dermot (deceased), late of 30 Kimmage Road Lower, Harold's Cross, Dublin 6W, who died on 11 January 2026. Take notice any person(s) having a claim against the estate or any person having knowledge of any will made by the above-named deceased please contact Mark Collins, Tom Collins and Co, Solicitors, 132 Terenure Road North, Terenure, Dublin 6W; tel: 01 490 0121, email: mark@tomcollins.ie

Heneghan, Deirdre (deceased), who died on 8 March 2026, late of 39 Edmondstown Green, Rathfarnham, Dublin 16. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Richard Lee, Lee Solicitors, 5F Nutgrove Office Park, Rathfarnham, Dublin 14; email: richardlee@leesolicitors.ie

Kehoe, Thomas (deceased), Parknashogue House, Ballygarrett, Gorey, Co Wexford who died on 16 January 2026. Would any person having knowledge or whereabouts of any will made or purported to have been made by the above-named deceased, or if any firm is holding same, please contact Ensor O'Connor Solicitors, 4 Court

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Deadline for the June 2026 Gazette is Monday 11 May 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*.

Street, Enniscorthy, Co Wexford; tel: 053 923 5611, email: info@ensoroconnor.ie

Kelly, Kathleen (deceased), late of Kilgarvan, Taghmon, Co Wexford. Would any person having knowledge of a will executed by the above-named deceased, who died on 24 March 2000, please contact Annmarie Egan, O'Flynn Exhams LLP Solicitors, 58 South Mall, Cork; tel: 021 427 7788, email: ame@ofx.ie

Murphy, Fr John (deceased), late of Newtownpark Nursing

Home, Newtownpark Avenue, Blackrock, Co Dublin, who died on 12 September 2025. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Gantly Keely Solicitors, Carlton Terrace, 5 Novara Avenue, Bray, Co Wicklow; tel: 01 276 1707, email: info@gantlykeely.ie

O'Donnell, Oscar (deceased), late of Apartment 146, Sandyford View, Dublin 14, who died on 24 April 2025. Take notice that any person(s) having a claim against the estate or any person having knowledge of any will made by the above-named deceased please contact Mark Collins, Tom Collins

and Co, Solicitors, 132 Terenure Road North, Terenure, Dublin 6W; tel: 01 490 0121, email: mark@tomcollins.ie

O'Riordan, Gerard (deceased), late of 13 Kirkwood Villas, Cobh, Co Cork. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Veronica Kelleher, Frank Kelleher & Co, Solicitors, 1 Pearse Street, Cobh, Co Cork; tel: 021 481 6300, email: vkelleher@fks.ie

O'Sullivan, Patrick (deceased), late of Knockanes, Headford, Killarney, Co Kerry, who died on 4 June 2016. Would any




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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 Micheál O'Dowd, O'Dowd Solicitors LLP, Unit 6C Crestfield Centre, Glanmire, Cork; tel: 021 482 4426, email: micheal@odowd.ie

Ryan, Bernadette (deceased), late of 64 Lower Clanbrassil Street, Dublin 8, who died on 14 December 2023. 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 contact with the deceased regarding her will, please contact PC Moore & Co, Solicitors, 39 Westland Row, Dublin 2; tel: 01 677 7333, email: john.greene@pcmoore.ie

Ryan, Maura (deceased), late of 131 Meadow Grove, Rathfarnham, Dublin 16, who died on 3 November 2025. Take notice any person(s) having a claim against the estate

or any person having knowledge of any will made by the above-named deceased please contact Mark Collins, Tom Collins and Co, Solicitors, 132 Terenure Road North, Terenure, Dublin 6W; tel: 01 490 0121, email: mark@tomcollins.ie

Twomey, Michael C (deceased), late of Barrachauring, Donoughmore, Co Cork, and Tara Court, Carrigtwohill, Co Cork, who died on 17 February 2026. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact James Lucey & Sons, Solicitors, Kanturk, Co Cork; tel: 029 5300, email: info@luceylaw.ie

TITLE DEEDS

In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978: lands comprising 28 Watergate Street, Bandon, Co Cork
Any persons having an interest

in the freehold or intermediate estates in the above property: take notice that Karen O'Donovan 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 an indenture of lease dated 3 January 1963 as between Allen R Tucker as lessor of the one part and Seán O'Donovan as lessee of the other part, whereby "the dwellinghouse, out-offices, and garden in the occupation of the lessee, situate on the northern side of Watergate Street in the town of Bandon, parish of Ballymodan, barony of Kinalmeaky and county of Cork, and bounded on the north by premises of John O'Donovan, on the south by Watergate Street, on the east by a vacant plot, and on the west by premises in the occupation of Lana Deasy" were demised for the term of 99 years as and from 29 September 1962 at a rent reserved of £2/11/- per annum, 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: 8 May 2026

Signed: Fleming & Barrett Solicitors LLP (solicitors for the applicant), 66A South Main Street, Bandon, Co Cork

In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2019, and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978, and in the matter of premises at 97 Rathmore Place, Old Youghal Road, in

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DATE	EVENT	VENUE
16 April	Midlands General Practice Update 2026 in collaboration with the Laois Solicitors Association, Kildare Bar Association, Midland Bar Association and Carlow Bar Association	Midlands Park Hotel, Portlaoise, Co. Laois
21 May	North West Practice Update 2026 in collaboration with the Donegal Bar Association and Inishowen Bar Association	Lough Eske Castle Hotel, Lough Eske, Co. Donegal.
4 June	Essential Solicitors' Update 2026 in collaboration with Clare Law Association and Limerick Solicitors' Bar Association	The Inn at Dromoland, Newmarket on Fergus, Co. Clare
25 June	Essential Solicitors' Update 2026 in collaboration with Leitrim Bar Association, Longford Bar Association, Roscommon Bar Association and Sligo Bar Association	Landmark Hotel, Carrick-on-Shannon, Co. Leitrim
1 October	Essential General Practice Update Kerry 2026 in collaboration with Kerry Law Society	Ballygarry House Hotel, Tralee, Co. Kerry
8 October	General Practice Update Kilkenny 2026 in collaboration with Carlow Bar Association, Kilkenny Bar Association, Waterford Law Society and Wexford Solicitors' Association	Hotel Kilkenny, College Road, Kilkenny
16 October	North East CPD Day 2026 in collaboration with Monaghan Bar Association, Cavan Solicitors' Association, Louth Solicitors' Bar Association and Drogheda Bar Association	Hillgrove Hotel, Old Armagh Road, Monaghan
5 November	Connaught Solicitors Symposium 2026 in collaboration with Mayo Solicitors' Bar Association	Breaffy House Hotel Castlebar, Co. Mayo
19 November	Practitioner Update Cork 2026 in collaboration with the Southern Law Association	Kingsley Hotel, Victoria Cross, Cork
3 December	Practice and Regulation Symposium 2026 in collaboration with Dublin Solicitors' Bar Association	College Green Hotel, College Green, Dublin 2.

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the city and county of Cork, T23 XOWF: an application by Kieran Heaphy

Take notice any person having any superior interest (whether by way of freehold interest or otherwise) in the following property, or who owns any encumbrance on the following property: premises at 97 Rathmore Place, Old Youghal Road, in the city and county of Cork, T23 XOWF, which premises are part of the premises demised by lease of 17 June 1856 from Joseph Harrison to John Peter Booth for a term of 500 years from 25 March 1856 at a yearly rent of £58 and 10 shillings.

Take notice that Kieran Heaphy, who now holds the lessee's interest in the said property, intends to submit an application to the county registrar for the county of Cork for the acquisition of

the freehold interest and any intermediate interest and any superior interest in the aforesaid property, and any party asserting that they hold a superior interest in the aforesaid premises, including but not limited to any person claiming to be entitled to the lessor's interest of the heirs, executors, administrators, successors, and assigns of John Peter Booth, merchant, late of the city of Cork in the county of Cork (deceased), are called upon to give notice of their said claim and furnish evidence of their title to the aforementioned premises to the below named within 21 days from the date of this notice.

In default of any such notice being received, Kieran Heaphy intends to proceed with the said application before the county registrar for the county of Cork at the end of 21 days from the date of this notice and will apply to the county registrar for the county of

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

Date: 8 May 2026

Signed: Murphy Lynam (solicitors for the applicant), Courthouse Chamber, 27/29 Washington 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 an application by Star Stone Property Investment Limited acting in its capacity as general partner of Star Stone Property Investment Fund 3 Limited Partnership

Any person having a freehold estate or any intermediate interest in all that and those the property now known as 1 and 2 Upper O'Connell Street, Dublin 1, being the property the subject of a lease dated 22 December 1900 between Thomas Boyd, William Stewart Cornwall, Harriett Elizabeth Cornwall, William Stewart Cornwall, Francis Victor Cornwall, and Rev Ernest Henry Lewis Crosby of the one part and John Tyler and Sons Limited of the other part for a term of 100 years from 25 June 1901 at the yearly rent of £490, and subsequently subject to a reversionary lease dated 10 April 1946 between the Very Rev Ernest

Henry Lewis Crosby and Robert Cornwall Lewis Crosby of the one part, the Very Rev Ernest Henry Lewis Crosby and Robert Cornwall Lewis Crosby and Reginald Arthur Maxwell Cornwall of the second part, and John Tyler & Sons Limited of the third part for a term of 94 years from 25 June 2001, subject to the yearly rent of £560.

Take notice that Star Stone Property Investment Fund 3 Limited, acting in its capacity as general partner of Star Stone Property Investment Fund 3 Limited Partnership, being the person being entitled to the lessee's interest in the said property, intends to apply to the county registrar of the county of Dublin to vest in them the fee simple and any intermediate interests in the said property, and any party asserting that they hold a superior interest in the said 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, 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 such directions as may be appropriate on the basis that the person or persons beneficially entitled to the superior interests including the freehold reversion in the aforesaid property are unknown or unascertained.

Registration Panel seeking new member with legal experience

The RISLI Registration Panel is seeking one member with legal expertise.

Duties of the Registration Panel

- defining the entry requirements and standards for the registration of Irish Sign Language interpreters.
- recognising education and training programmes for the purposes of the registration of Irish Sign Language interpreters.
- setting criteria for assessments of Irish Sign Language interpreters for entry onto the register.
- specifying guidance in relation to good practice

Meetings
 The Panel meets approximately 4 times a year. Most meetings are held online.

Expenses
 As voluntary members no fees will be paid, however, travel and subsistence expenses will be paid when applicable.

Closing date for receipt of applications is 5pm, Monday 25th May 2026



Law Society
of Ireland

Appointments to the panel of solicitor members for the Complaints Committee of the Legal Services Regulatory Authority

The Complaints Committee of the Legal Services Regulatory Authority was established to consider complaints of misconduct against solicitors. The Complaints Committee consists of 27 members who sit in divisions of 3 or 5 to investigate each individual complaint. Each divisional committee that considers a complaint made against a solicitor will have at least one solicitor in that division.

The Society is inviting expressions of interest from suitably qualified solicitors for appointment to a panel of solicitor members of the Complaints Committee, as vacancies arise. The appointments will be for a period not exceeding four years.

To be eligible for appointment, practising solicitors must have at least ten years' standing. A daily fee will be paid to successful appointees.

Solicitors who meet the criteria and who wish to be considered for appointment should submit a curriculum vitae (maximum 600 words) by email to regulation@lawsociety.ie with the subject line clearly stating: **"Application for appointment to the panel of solicitors for the Complaints Committee."**

Applications must be received on or before close of business on **Friday 5 June 2026.**



Law Society
of Ireland

Appointments to the panel of solicitor members for the Legal Practitioners Disciplinary Tribunal

The Legal Practitioners Disciplinary Tribunal is an independent statutory tribunal appointed by the President of the High Court to consider complaints of alleged misconduct against solicitors. The Tribunal consists of 33 members, comprising 6 nominees of the Law Society, 6 nominees of the Bar Council, with the remainder being lay members. The Tribunal sits in divisions of not fewer than three members. Tribunal hearings against solicitors will comprise of one solicitor member and two lay members.

The Law Society is inviting expressions of interest from suitably qualified solicitors for appointment to a panel of solicitor members of the Legal Practitioners Disciplinary Tribunal, as vacancies arise. Appointments will be for a period not exceeding five years.

To be eligible for appointment, practising solicitors must have at least ten years' standing. A daily fee will be paid to successful appointees.

Solicitors who meet the criteria and who wish to be considered for appointment should submit a curriculum vitae (maximum 600 words) by email to regulation@lawsociety.ie with the subject line clearly stating: **"Application for appointment to the panel of solicitors for the Legal Practitioners Disciplinary Tribunal."**

Applications must be received on or before close of business on **Friday 5 June 2026.**



Law Society
of Ireland

Appointments to the panel of solicitor members for the Review Committee of the Legal Services Regulatory Authority

The Review Committee of the Legal Services Regulatory Authority was established to consider complaints of misconduct against solicitors. The Review Committee consists of 27 members who sit in divisions of 3 to consider reviews requested by complainants or legal practitioners in relation to determinations made by the Legal Services Regulatory Authority. Each divisional committee that considers a review made against a solicitor will have at least one solicitor in that division.

The Society is inviting expressions of interest from suitably qualified solicitors for appointment to a panel of solicitor members of the Review Committee, as vacancies arise. The appointments will be for a period not exceeding four years.

To be eligible for appointment, practising solicitors must have at least ten years' standing. A daily fee will be paid to successful appointees.

Solicitors who meet the criteria and who wish to be considered for appointment should submit a curriculum vitae (maximum 600 words) by email to regulation@lawsociety.ie with the subject line clearly stating: **"Application for appointment to the panel of solicitors for the Review Committee."**

Applications must be received on or before close of business on **Friday 5 June 2026.**



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Date: 8 May 2026

Signed: *Dillon Eustace LLP*
(solicitors for the applicant), 33 Sir John Rogerson's Quay, Dublin 2

In the matter of the Landlord and Tenant Acts 1967-2019 and in the matter of an application by Austin Fitzpatrick to acquire the fee simple interest in the property now known as 17 Leinster Square, Rathmines, Dublin 6

Take notice any person having an interest in the premises now known as 17 Leinster Square, Rathmines, Dublin 6, held under lease dated 4 September 1928 between Godfrey Robert Wills-Sandford and Howard Rundell Guinness of the first part, Amy Henrietta Wills-Sandford-Wills of the second part, and Charles Joseph Priest, Frederick James Priest, Edward Percy Maybury Butler, and Herbert Wood of the

third part, the premises now known as 17 Leinster Square, Rathmines, Dublin 6, (formerly 11 Leinster Square) were demised to Charles Joseph Priest, Frederick James Priest, Edward Percy Maybury Butler, and Herbert Wood for the term of 153 years from 25 March 1928, subject to the yearly rent of £59.

Take notice that Austin Fitzpatrick will apply to the county registrar for the city of Dublin for the acquisition of the fee simple, and any party asserting an interest in the said premises is hereby called upon to furnish evidence of their title 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



The Irish Centre for European Law (ICEL) is delighted to announce the following two events as part of its 2026 ICEL Members' Committee Trade and Security Series:

EU Sanctions – Legal Perspectives from Dublin and Brussels – a one-hour breakfast webinar on 29th April at 8.30am (9.30am CET) to 9.30am will feature Ms Mihaela Carpus Carcea, Member of the Legal Service of the European Commission and Kate Harnett, Partner, A&L Goodbody. This webinar will focus on the development, implementation and enforcement of EU sanctions, and the related legal issues arising for Irish practitioners.- Philip Crowe, Department of Foreign Affairs and Trade, Legal Division, and member of ICEL Members' Committee, will chair the webinar. Tickets for Part 1 can be purchased here.

Legal Instruments in the EU Economic Security Toolkit – a one-hour breakfast webinar on 12th May at 8.30am (9.30am CET) to 9.30am will provide an overview of the EU economic security landscape, and its practical application in an Irish legal context. Amongst the confirmed speakers are Daniel Ferrie, Head of Sector, DG Trade and Dr Vincent Power SC, A&L Goodbody. Bernadette Quigley SC will chair the webinar. Tickets for Part 2 can be purchased here.

Tickets cost €15 for members (€20 for members who wish to attend both events in the series) and €35 for non-members (€60 to attend both events). For enquiries about these webinars, please email icel@tcd.ie. There is 1 CPD point available to attend each webinar.



Irish Centre
for European Law

application before the county registrar at the expiration of 21 days from the date of this notice and will apply for such directions as may be appropriate on the basis that the persons beneficially entitled to the superior interest, including the

freehold reversion, are unknown or unascertained.

Date: 8 May 2026
Signed: *O'Regan Little Solicitors LLP* (solicitors for the applicant), 7 Winetavern Street, Christchurch, Dublin 8, D08 YVH0



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Final verdict

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Two-body problem

A billionaire-backed biotech company has quietly pitched the idea of growing brainless human clones so aging or dying people can transplant their brains into them.

R3 Bio initially announced plans to develop non-sentient monkey 'organ sacks' - brain-free primate bodies for organ donation and medical testing. But a follow-up investigation by [MIT Technology Review](#) revealed that the company's founders harboured a far more ambitious vision: bodies to serve as replacement vessels for human brains.

R3 Bio has since done a *volte face* on the claims, but cofounder Alice Gilman said that the team "reserves the right to hold hypothetical futuristic discussions" about brainless clones.



Who'da thunk it?

Google's AI Overviews - the annoying AI summaries at the top of search results - are accurate about 91% of the time, according to a new analysis by AI startup Oumi. That sounds reassuring - until you do the maths, says [Futurism.com](#).

Google handles over 5 trillion searches annually. That 9% error rate translates to tens of millions of wrong answers every hour. Making things worse, research suggests that only 8% of users bother to verify what an AI tells them - the vast majority accept incorrect results without question. If you were reading this as a Google Overview, would you check its veracity? (*No Google was harmed in the making of this article.*)

Lego of that

A California man allegedly ran a tasty retail scam by replacing Lego pieces with dried pasta and returning the boxes to retail outlet Target.

[Foxla.com](#) reports that Jarrelle Augustine was arrested after investigators linked him to at least 70 thefts across the US, totalling around \$34,000 in losses. Police alleged that he would buy the Lego sets, strip out the valuable figurines - or swap everything for pasta - and then return the tampered boxes.

"That's a lot of missing pieces," the police commented, "but, like most bad builds, this one didn't hold together." Target's loss-prevention team first alerted police to the missing pieces in an opened, incomplete return. Investigators identified Augustine through surveillance.

Jargon junkies bad bosses



Do your synergistic value creation and blue-sky ideation tic-tac outside the box? If so, watch out - you might be a horrible boss!

[The Guardian](#) reports that workers most impressed by corporate buzzwords tend to make the worst practical decisions. Cornell University researchers developed a 'corporate bullsh*t receptivity scale' to measure susceptibility to vague, hollow business-speak - defined academically as "a type of semantically, logically, or epistemically dubious information that is misleadingly impressive, important, informative or otherwise engaging". Ironic in its own right - but often used by management to persuade and inflate perceptions.

The findings suggest that companies risk cultivating dysfunctional leaders by rewarding those who talk the talk, but who haven't a clue what they're talking about. 🐼



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The Amicus Brief
Reward information for Fee Earners



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