

## Bill Holohan SC, Solicitor and Senior Counsel ADR Profile



**Bill Holohan, Solicitor and Senior Counsel** is the Senior Partner of Holohan Lane LLP solicitors, Cork and Dublin. His legal and commercial experience is unique among Irish solicitors, a fact recognised by the September 2020 decision of the Irish Government to award him a Patent of Precedence as result of which he became one of the first solicitors in Ireland to become a Senior Counsel Solicitor.

In 2013 he was awarded the Irish Law Awards Award for: *"Mediation, Arbitration & Disputes Resolution Lawyer of the Year 2013"* and in 2021 he was awarded the Irish Law Awards Award for: *"Irish Lawyer of the Year, 2021"*. His firm, Holohan Lane LLP has also won numerous awards over the years including Munster Law Firm of the Year.

In 2000 he was appointed by then Chief Justice of Ireland Ronan Keane, as a Notary Public for the cities and counties of Cork & Dublin, the first lawyer ever so appointed for separate districts, in Irish legal history. He is also an Irish and European Union Trade Mark Practitioner and Intellectual Property Attorney.

An Accredited Mediator: –

- ✚ He has been accredited by the Centre for Effective Dispute Resolution (London England), the Chartered Institute of Arbitrators (London England) and the Mediators Institute of Ireland.
- ✚ He is a past Chairman of the Chartered Institute of Arbitrators (Irish Branch) having also served as Treasurer and as Secretary.
- ✚ He is a member of the ADR Committee of the Law Society of Ireland, having been first appointed in 2015.
- ✚ He served as Director of the Mediators Institute of Ireland for many years.
- ✚ As well as being a member of the Irish Commercial Mediators Association, he was a Founding Member of CommercialMediators.ie.
- ✚ He is a member of the Irish Branch of Groupement Européen des Magistrats pour la Médiation (GEMME), the European Association for Judges interested in Mediation.
- ✚ He is a Board member of the Irish Professional Mediator's Organisation, (IPMO) and Chair of the Accreditation Committee.
- ✚ Uniquely for an Irishman, because of his international profile, he is also a member of the American Bar Association and a member of their Alternative Dispute Resolution Committee,

is a member of the ADR Committee of the Commonwealth Lawyers Association and is a member of the Ukrainian Bar Association.

- ✚ He served for six years as a member of the Residential Tenancies Board (RTB) Dispute Resolutions Committee, and acted as adjudicator/mediator/Tribunal Member in over 300 RTB cases.
- ✚ He is a member of the Charities Appeal Tribunal and the Insolvency Service of Ireland Practitioners Complaints Panel.
- ✚ He is a member of the Law Society of Ireland's Mediation and Arbitration Panels.
- ✚ He has acted both as a disputes resolver in a very large number of cases over the past 25 years, including appointments on the invitation / nomination / suggestion / request of:
  - the President of the Law Society,
  - The Chair/President of the Chartered Institute of Arbitrators,
  - insurance companies,
  - fellow solicitors,
  - accountants,
  - financial institutions,
  - The CEO of the Irish Dental Association and other professional representative bodies,
  - local authorities, and
  - other ADR professionals,

dealing with disputes arising (among other things) out of contracts for the sale of land, planning and development issues, Part V Planning contributions, commercial agreements of all sorts including share sale agreements, insurance policies, professional indemnity claims and coverage disputes, company / shareholder agreements, partnership agreements, franchising and commercial agreements, intellectual property agreements, publishing agreements, leases and letting agreements, employment disputes etc.

He has acted, successfully, over the past 15 years in this country as a Mediator in a wide range of commercial and non-commercial disputes, (as well as acting as a representative and advisor in many such matters). He has also participated in high value commercial mediations in the UK and abroad.

In 2010, through the Chartered Institute of Arbitrators, he produced a report on promotion of mediation in Ireland. In 2010, at the request of the Law Society of Ireland Diploma Programme he wrote "*ADR and Mediation in Ireland, 2010 & Beyond*" a comprehensive review of the development of ADR and mediation in Ireland up to that point in time. Other ADR articles published by him include:

- "*Mediation: a fact of life and our duty to advise.*" (Arbitration and ADR Review, 2010).
- "*The European Directive on Mediation*". (Arbitration and ADR Review, 2010).
- "*Judges powers under the new European Communities Mediation Regulations.*" (Arbitration and ADR Review, 2011).

published in the journal: "Arbitration and ADR Review", published by First Law, Dublin.

In 2012, he appeared before and advised the Oireachtas (Irish Parliament) Committee on Justice & Equality in 2012 in relation to the formulation of the heads of terms of the Mediation Bill 2012,

which ultimately became the Mediation Act 2017. He is currently pursuing a doctorate on the topic of mediation through Northumbria University in the UK.

In 2015, Chambers Ireland promoted a Business Mediation Scheme with the support of the Law Society of Ireland, the Chartered Institute of Arbitrators, the Mediators Institute of Ireland and the Bar Council of Ireland, and Bill Holohan had the unique distinction and honour of being the only person to be separately nominated by no less than three of the four supporting bodies for membership of the 12 member panel of Mediators for the Scheme, i.e. the Law Society of Ireland, the Chartered Institute of Arbitrators and the Mediators Institute of Ireland.

For 2017 – 2018, he was:

- Chairman of the Chartered Institute of Arbitrators in Ireland,
- Member of the Council of the Mediators Institute of Ireland, and Director of Marketing,
- Honorary Secretary/Treasurer of [www.commercialmediators.ie](http://www.commercialmediators.ie),
- A member of the Law Society of Ireland ADR Committee,
- A member of the Irish Commercial Mediators Association,

and consequently played a key coordinating role in relation to the advancement of ADR in Ireland and mediation in particular, particularly in light of the enactment in Ireland of the Mediation Act 2017.

In 2022, he was also awarded the “*RÉMY MARTIN CORK BUSINESS AWARDS 2021 – LIFETIME ACHIEVEMENT AWARD*” (the presentation of the award having been delayed due to Covid 19).

The January February 2024 edition of the Law Society Gazette<sup>1</sup> included an article by Bill: “*War – what is it good for?*” dealing with the British Court of Appeal judgement in *Churchill v Merthyr Tydfil County Borough Council* [2023] EWCA Civ 1416<sup>2</sup> which concluded that parties can be compelled to engage in some alternative, non-court based ways of resolving the dispute.

The July 2024 edition of the Law Society Gazette<sup>3</sup> published an extensive article entitled “*Speak to me: High Court rules on duty to advise on mediation*”, written by Bill in relation to the decision of Kennedy J in *Byrne v Arnold* [2024] IEHC 308, where he reduced an award of costs to a plaintiff’s solicitors by reason of the fact that they had failed to comply with section 14 Mediation Act obligations to advise on mediation before commencing legal proceedings and commenting on the implications for solicitors in terms of future practice.

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<sup>1</sup> <https://www.lawsociety.ie/globalassets/documents/gazette/gazette-pdfs/gazette-2024/jan-feb-2024-gazette.pdf>

<sup>2</sup> *Churchill v Merthyr Tydfil County Borough Council* [2023] EWCA Civ 1416, <https://caselaw.nationalarchives.gov.uk/ewca/civ/2023/1416>.

<sup>3</sup> Bill Holohan SC, “*Speak to me: High Court rules on duty to advise on mediation*”, Law Society Gazette, July 2024, page 26, <https://www.lawsociety.ie/gazette/issues/july-2024>.

He is also completing a Doctoral thesis on the subject of *"Irish Solicitors attitude towards and knowledge of mediation"*, through the Law Society / University of Northumbria DLaw programme.



**Bill Holohan SC**  
***Irish Lawyer of the year 2021***