



# gazette

LAW SOCIETY

March 2026

## YOU SHALL NOT PASS

Understanding the  
practicalities of civil  
restraining orders



€4 MARCH 2026

PLUS: Criminal defence: the choice of champions • The road-racing RM  
• Dismantling barriers to the profession



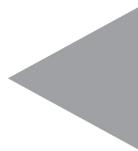
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# gazette

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# SHINING A LIGHT ON JUSTICE



**T**he legal profession has a solid understanding of the importance of a fair and accessible justice system.

The right of access to justice is central to upholding the law, protecting the public interest, and sustaining a strong democracy. When it functions well, a fair and accessible justice system protects rights, helps prevent abuses of power, and strengthens public trust by resolving disputes impartially and effectively.

As I have said previously, we need a more efficient system that serves the needs of the public. But effective reform depends on having a reliable and objective evidence-base to understand what is working well and what might need to change. Evidence-based policymaking can result in reforms that are more targeted and more effective. That's why the Law Society's Centre for Justice and Law Reform developed the recently published *Justice Indicators* report. It provides policymakers with reliable and objective evidence when making policy decisions.

Drawing on over 100 national and international data sources, the publication evaluates the resourcing, effectiveness, and efficiency of the Irish justice system across four critical areas: trust, policing, courts, and prisons. The findings include both positive and concerning trends, and also highlight several significant data gaps.

You may have already heard about *Justice Indicators* through the media. It generated significant interest when it was published in February, with widespread coverage on TV, national and regional radio, social media, and in print. This reflects positively on the profession. By consistently demonstrating our very genuine interest in shaping reform and improving the justice system, our collective voice becomes even more influential.

## The findings

Turning to the findings of the *Justice Indicators* paper, public trust in the gardaí and the judiciary remains high by international standards, although trust in the gardaí has

## The *Justice Indicators* demonstrate the value of data as a foundation for evidence-based reform

many cases are pending and contributing to the backlog.

The *Justice Indicators* report demonstrates the value and importance of data as a foundation for evidence-based reform. We intend to revisit the indicators next year, to examine progress on those already assessed and to identify others. In the meantime, the Law Society will use these findings to guide engagement with stakeholders and to support meaningful change-based reform. Access the report at [www.lawsociety.ie/justiceindicators](http://www.lawsociety.ie/justiceindicators).

## More trainees, more counties

I was encouraged to see a recent Law Society report highlight that the number of trainee solicitors has increased throughout the country. All but three counties now have at least one trainee solicitor, an improvement on six counties in 2023 and four in 2024. Grants and other funding initiatives under the Law Society's Access Programme (which our practising cert fees help to fund) are clearly making a difference. Advances have been made, but there is still more to do to strengthen support for rural practices. (See page 38 of this *Gazette*.)

Just announced, the proposed move to a single flat fee for criminal legal aid is deeply concerning. The Law Society has requested a meeting with the Department of Justice to discuss the proposal.

decreased slightly in recent years. In terms of crime, Ireland's homicide rate (including intentional murder) is 38% lower than the EU average.

Some findings are less positive. Ireland has the lowest number of judges per capita in Europe. Court cases in Ireland take far longer than in other Council of Europe member states, while the rate of recorded sexual offences is 43% higher than the EU average. Prison occupancy rates are rising, and the remand population continues to increase.

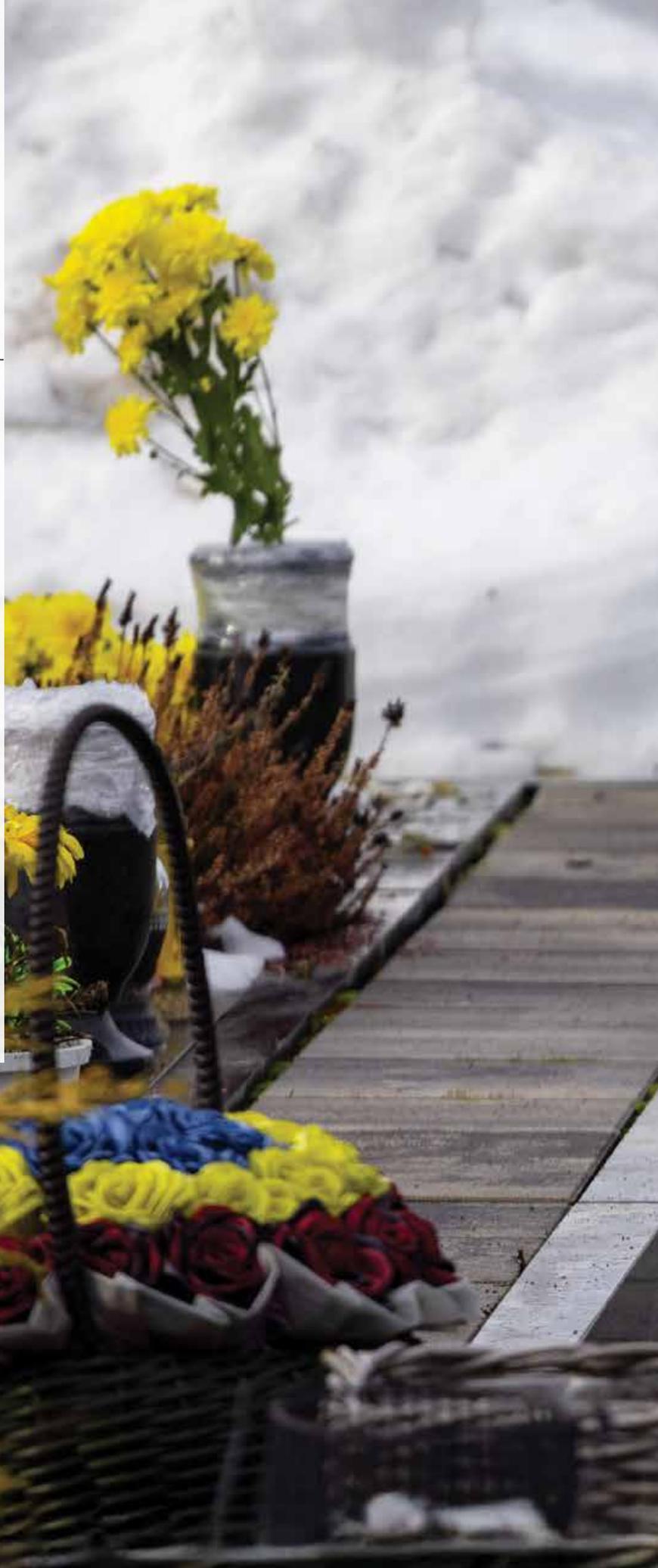
The report also shines a light on how much we still do not know, such as why prison sentences imposed in Ireland are lower than the EU average. Are people being released early, are more people being imprisoned for lower-level crimes, or are there other causes? We don't know how long court cases have been in the system, and it is not clear how

ROSEMARIE J LOFTUS  
PRESIDENT

# *the* **BIG** *picture*

## War – what is it good for?

A Ukrainian soldier weeps at the grave of a loved one at a cemetery in Bucha, Ukraine, during commemorations marking the fourth anniversary of Russia's full-scale invasion of the country, which began on 24 February 2022. The human cost has been staggering. Combined casualties on both sides are estimated at 1.8 million, with Russia alone said to have suffered around 1.2 million wounded personnel and up to 325,000 deaths. According to the Centre for Strategic and International Studies, Ukraine has seen up to 600,000 military casualties and has lost up to 140,000 troops. Nearly 15,000 civilians have been killed, with over 40,600 injured. Russia now occupies an estimated 19.4% of Ukraine, yet its territorial gains during the past year have been modest, taking just 0.79% of Ukrainian land in 2025 at great human cost. Foreign military aid to Kyiv fell by 13% in 2025, with 5.9 million Ukrainians remaining displaced abroad.





# people

■ WHO ■ WHAT ■ WHERE ■ WHEN ■

## Strictly Blackhall dazzles in the Helix

Law School PPC students strutted their stuff at the 'Strictly Blackhall' event at The Helix, Dublin, on 19 February. Held in support of the Kilimanjaro fundraiser for Ballymun Community Law Centre, the raffle on the night raised €1,689. The Glitterball winners were Ciaran Traynor and Lorraine Kelly.



Molly and Sean



Nadine and Chris



Anna, Sean, Molly, Ciaran, Lorraine, Louisa, Julia, Cian, Fiona, Gearoid, Kate, Anna and Luke.



Fiona and David

All pics: Cian Redmond



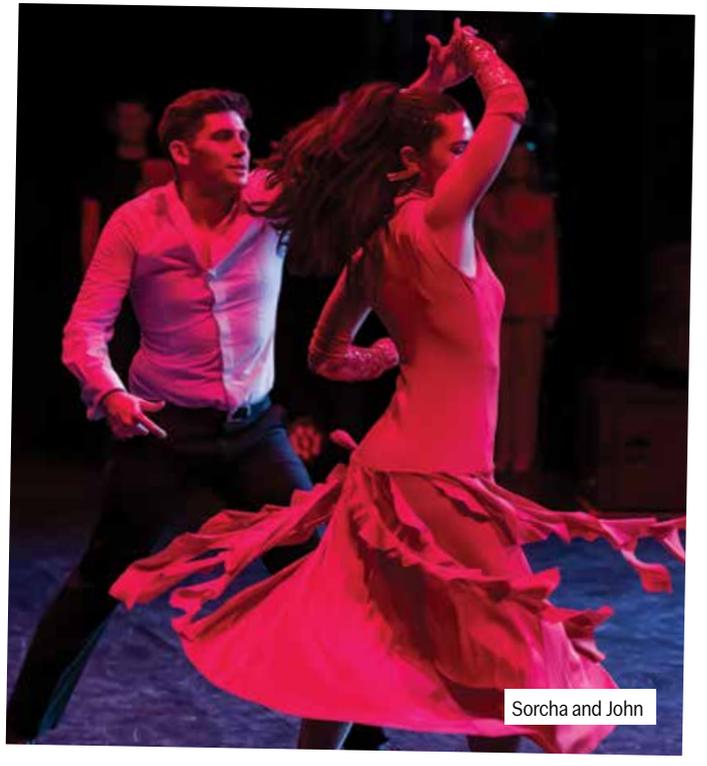
Anna and Luke



Lorraine and Ciaran



Gearoid and Kate



Sorcha and John



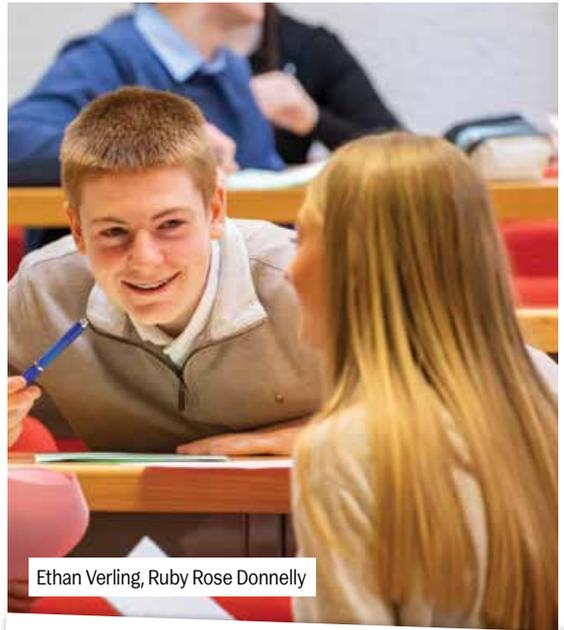
Lorraine and Ciaran celebrate their win



Caoimhe Cummins,  
Charlie McNiece,  
Molly Taylor



Sofia Nekrasova, Alice Kamgang, Julia Joyce



Ethan Verling, Ruby Rose Donnelly

## TY students eye-up a future in law

Forty transition-year students from across the country took part in the Law Society's 'Solicitors of the Future' programme from 17-20 February. Throughout the week, students heard from practising and trainee solicitors, visited law firms, and toured the Criminal Courts of Justice. In a student-favourite session, Aisling Grace (trainee solicitor in the Chief State Solicitor's Office) got the group thinking about how the law applies in real life. 'Solicitors of the Future' is just one of the Law Society's many public legal education initiatives to widen access to the solicitors' profession.



Maja Chodu



Jocelyn Feane, Eden Doyle Weston, Louis Lyons, Eanna Kenny



Caitlin Cushen



Eden Doyle Weston, Caly Flanagan, Emma Daly, Ruby Rose Donnelly



Emma Daly, Maja Chodup, Ethan Verling



Alice Kamgang, Katie Cregan, Maud Fahy, Julia Joyce



Ava Brennan, Luke O'Rourke, Ellie Murphy



Suzanne Crilly, Ruby Rose Donnelly



Maja Chodup, Liam Croghan



Jonathan Patel (Diploma Centre course executive), Conn Cleary (regional development manager, CGI Ireland), Dr Gabriel Brennan (Diploma Centre senior manager), Marie O'Brien (partner, A&L Goodbody), Mr Justice Liam Kennedy, Justine Carty (vice-chairperson, Education Committee), Eilish Rock, Jennifer Rock, Ms Justice Eileen Roberts, and George Alton (president, CGI Ireland)

## Conferees receive their diplomas



Diploma in Trust and Estate Planning prize-winner Aidan Toomey, with Aileen Keogan (chair, STEP Ireland)



Dr Gabriel Brennan, Donal Hamilton (Council member, Law Society), Judge Aine Clancy, and Judge Patrick McMahon



Diploma in Construction Law conferees Graham Maher and Paddy Mockler



Diploma in Judicial Skills and Decision-Making conferees Mick Corcoran, Shane Galligan, and David Irwin

■ Revenue flags avoidable delays ■ Comhdhlúthú ar Acht na dTeangacha Oifigiúla ■ 'Strictly' students sparkle for charity

# news

■ YOUR MONTHLY UPDATE ON ALL THINGS LEGAL ■



Photo: Cian Redmond

The Law Society's director of policy Brian Hunt and Keith Walsh SC

## Civil legal-aid system 'in crisis'

The Law Society has told the Oireachtas Committee on Justice, Home Affairs and Migration that the civil legal-aid system is "in crisis" and needs immediate reform.

Keith Walsh SC (member of the Law Society's Family and Child Law Committee) told TDs that the required reform cannot happen without proper resourcing and restructuring of the system – which must include the Legal Aid Board.

Appearing before [the committee](#) on 17 February with the Law Society's director of policy, Brian Hunt, Mr Walsh said that the Legal Aid Board should be allowed to lead the reforms, adding that it should be supported and resourced properly to do this.

## New bodies 'unnecessary'

He said that the Law Society believed that the proposed creation of two new bodies – a Legal Aid Oversight Body and an Implementation Group (backed by a majority report on the system last year) – was "unnecessary" and would divert resources from the Legal Aid Board.

Describing civil legal aid as "a cornerstone of the Irish justice system", Walsh told the committee that it was "not funded anywhere near the level that it should be". →

# ACHT NA DTEANGACHA OIFIGIÚLA



D'fhoilsigh an Coimisiún um Athchóiriú an Dlí Acht (Athbhreithnithe) as Gaeilge, comhdhlúthú ar *Acht na dTeangacha Oifigiúla 2003*. Is mór an chreidiúint é don fhoireann um Rochtain ar Reachtaíocht. D'úsáid siad a scileanna dlí, teicniúla agus teanga chun é seo a chur i gcrích.

Tá leasuithe móra déanta ar an acht ó 2003 le 120 ionráil sa tábla leasuithe. Tá leagan Béarla den acht athbhreithnithe 2003 ar fáil ó 2022, agus d'iarr roinnt eagraíochtaí Gaeilge ar an gCoimisiún leagan Gaeilge a chur ar fáil. Buíochas le scileanna teanga an taighdeora dlí Aoife Enright, bhíomar in ann an leagan nua Gaeilge seo a chur i gcrích.

Tá tagairtí sna hanótálacha do reachtaíocht eile as Béarla anois is arís, toisc nach bhfuil reachtaíocht áirithe aistriútha. Beidh sé suimiúil a

fhéiceáil conas a úsáidfeadh an leagan nuashonraithe seo den acht amach anseo.

## Official Languages Act 2003

The Law Reform Commission has published a revised act in Irish, a consolidation of the *Official Languages Act 2003*. Great credit is due to the Access to Legislation team, which marshalled legal, technical and linguistic skills to make this happen.

The 2003 act has been quite heavily amended, with 120 entries in the amendments table. An English version of the 2003 act (revised) has been available since 2022. The commission was approached by a number of Irish-language organisations requesting a version in Irish. Thanks to legal researcher Aoife Enright's language skills, this new Irish version has been realised.

References in the annotations to other legislation are sometimes in English, since much legislation has not been translated. It will be interesting to see how this updated version of the act in Irish will be used in the future.

He outlined seven recommendations made by the Law Society in its submission to the committee:

- 1) Immediate Government funding for the legal-aid system, with a commitment for longer-term increased funding to cope with existing demands, as well as its expanding remit into areas such as the introduction of civil restraining orders and the implementation of the *EU Migration and Asylum Pact*,
- 2) Revise the financial eligibility thresholds for legal-aid applicants, currently set at €18,000,
- 3) Adequately resource the Legal Aid Board and ensure that it can take steps to continue to attract solicitors,
- 4) Provide adequate funding for expert reports (particularly 'voice-of-the-child' reports) under civil legal aid,
- 5) Empower the Legal Aid Board as the appropriate body to devise and deliver reform,
- 6) Establish and resource the Mediation Council of Ireland under the *Mediation Act 2017* and seek to foster a far greater use of mediation, as well as other alternatives to court, and
- 7) While the proposed removal of the blanket ban on legal aid for quasi-judicial cases was welcome, Government should also reconsider the list of exceptions to legal aid (termed 'designated matters') in the *Civil Legal Aid Act 1995* to see whether they are still fit for purpose in a reformed system.

Representatives from the Bar of Ireland, FLAC, the Legal Aid Board, and Women's Aid also appeared before the committee.

## Call for LAB capacity review

Speaking after the hearing, committee chair Matt Carthy TD (Sinn Féin) said that it had heard "dire warnings" that the civil legal-aid system could collapse as a result of the pressures that would be put on it because of the requirements of the *International Protection Bill*. He added that the review of civil legal aid, published last summer, had been on the minister's desk for a number of months now.

"There were hopes that some action would follow the publication of this report – but nothing has happened and there is absolutely no sense of urgency from Government," Deputy Carthy commented.

The committee heard calls for the Minister for Justice to act on a recommendation in the majority report for an immediate review of the Legal Aid Board's capacity to administer the current Civil Legal Aid Scheme. "This is something that I called for when the review was published in July, but the minister has failed to take any action," the committee chair said, describing civil legal aid as "fundamental to access to justice".



## SOCIETY TEAM REACHES OCTO FINALS

A Law Society team reached the Octo Finals at the recent International Commercial Mediation Competition in Paris. Hosted by the International Chamber of Commerce from 2 to 7 February, this renowned mediation moot brought together 60 teams from third-level institutions around the world. More than 100 mock mediation

sessions were held over six days. The University of Auckland (New Zealand) won the event, defeating runner-up Bucerius Law School (Germany) in the final. The Law Society of Ireland team comprised Mollie Downes (William Fry), Emma Murphy (Branigan Feddis LLP), Laura McSweeney (RDJ), and coach John Lunney (Law Society).

# Deadline extended for student essay competition



Pic: Noel Bennett/Alamy

**T**he Law Society’s Human Rights and Equality Committee, in partnership with A&L Goodbody, has launched its 2026 annual student essay competition. This year’s contest offers a one-month paid internship at the firm’s Dublin office and a cash prize.

Launched on 28 January, the competition is open to all undergraduate and postgraduate students currently enrolled at third-level institutions across Ireland, regardless of their field of study. This year’s essay title is: ‘Despite years of progress on the protection of the rule of law in Ireland, Ireland’s progress on a number of rule-of-law issues has stagnated. Discuss how the rule of law in Ireland can be

**Fancy a one-month paid internship in A&L?**

strengthened to ensure adequate protections for vulnerable groups?’

All submissions will be expected to demonstrate original legal research and critical analysis. The use of generative artificial intelligence (AI) by entrants is prohibited. Entries should be no longer than 1,500 words (including footnotes and bibliography) and should be submitted by email to [hrecessaycompetition@lawsociety.ie](mailto:hrecessaycompetition@lawsociety.ie) by 5pm on Friday 20 March. Shortlisted candidates will be invited to Dublin for in-person interviews, where they will present their arguments to a judging panel. Final results are expected to be announced in April, with the winning internship scheduled for summer 2026.



## REVENUE FLAGS AVOIDABLE DELAYS

The Taxation Committee has been asked by Revenue to highlight an issue about practitioner queries under Revenue’s MyEnquiries function. The Revenue Commissioners have asked that solicitors ensure they are using their client’s PPSN when sending MyEnquiries messages on behalf of a client

Revenue says that, where a solicitor sends a MyEnquiries message under their own registration number, the query is directed to the wrong Revenue internal team. In turn, this causes delays when the query is actioned, because it has to be redirected to the appropriate team (as determined by reference to the client’s PPSN). Raising a MyEnquiries message under a client’s PPSN will facilitate smoother internal processing for Revenue and faster response times for solicitors.

While a MyEnquiries message can be submitted without an ‘Agent Link’, Revenue will generally only engage directly with a solicitor where an Agent Link is in place on ROS for the relevant tax head. Solicitors should, therefore, ensure that the Agent Link is put in place in advance of (or at the same time as) submitting the MyEnquiries message to avoid delays in Revenue engagement.

# ENDANGERED LAWYERS



Abdul-Majid Sabra, Yemen

**A**bdul Majid Sabra was arrested on 25 September 2025 from his office in Sana'a by a group of Houthi armed forces and armed men in civilian clothing, who confiscated personal belongings, including his mobile phone. According to a relative, the men presented him with an arrest warrant and said that his arrest was due to his social-media posts marking the anniversary of Yemen's 26 September Revolution – a revolution Sabra had described as a pivotal moment that restored the dignity of the people and liberated them from the myths of the Imamate rule. For days following the arrest, his family was neither able to communicate with him nor obtain any information regarding his whereabouts.

"Abdul Majid Sabra is one of Yemen's most prominent human-rights defenders," said Diala Haidar (Yemen researcher at Amnesty International). "He has worked tirelessly for years to defend those detained, based on their peaceful exercise of their human rights. His courage and dedication have made him the target of repeated harassment and threats from the Houthi authorities."

## Detention victims

Over the years, he has represented journalists, political activists, and other victims of arbitrary detention. He uses social-media platforms to advocate for human rights and provide updates on the cases he defends.

According to Frontline Human Rights Defenders, he informed his family by phone call, on 11 December 2025, that he had begun a hunger strike in protest against his arbitrary detention.

On 2 February, the IAPL Monitoring Committee on Attacks on Lawyers reported that Huda Al-Sarari, a colleague and prominent human-rights activist and lawyer, made a statement on X condemning his kidnap in September, describing this as a "direct targeting of every voice defending rights and freedoms in Yemen".

Al-Sarari emphasised that Sabra is one of the most prominent lawyers defending prisoners of conscience. She noted that his detention serves as a clear message of intimidation to anyone seeking justice or supporting victims behind bars.



Huda Al-Sarari

Al-Sarari revealed "serious" details regarding his detention conditions, stating that the Houthi militia had set arbitrary conditions for his release. These included a total withdrawal from following the files of detainees and the forcibly disappeared, and ceasing his legal role in defending victims of violations.

His kidnapping comes amid escalating crackdowns on legal and human-rights personnel in Houthi-controlled areas. It has sparked local and international demands for his release and an end to the policy of intimidating lawyers.

*Alma Clissmann was a longtime member of the Human Rights and Equality Committee.*



## Galway's sister act!

The managing partner of Galway's O'Donnell Waters Solicitors LLP, Gerard O'Donnell, has announced the appointment of his two daughters, Isabelle and Esther, as partners in the firm.

Isabelle has been working there since 2010, while Esther joined the team over a year ago, having practised with a commercial firm in Dublin since 2019.

The appointments mark a significant milestone, as the new partners represent the third generation of the O'Donnell family in legal practice in Galway, a legacy spanning over 90 years. Gerard O'Donnell (senior) practised as a solicitor in the 1930s and served as county registrar in Galway from 1958 to 1979. The current managing partner, Gerard, has over 40 years' experience as a solicitor practising in Galway. He was a former Council member of the Law Society, serving from 2009 to 2013, and was a member of the Regulation of Practice and Litigation Committees.

## Strictly Blackhall high-kicks for local law centre

Law School students donned their gladdest rags to strut their stuff at the 'Strictly Blackhall' event at The Helix, Dublin, on 19 February. The goal was to raise funds for the Ballymun Community Law Centre, writes *Charlie MacNeice*.

The dancers dazzled the audience, with the PPC Connect members showcasing fancy footwork that had been honed during many months of rehearsals, led by PPC colleagues Charlie MacNeice, Molly Taylor, Jessica Goodbody, and Caoimhe Cummins. Top-class choreography skills, allied with personal flair, ensured some highly challenging and original routines.

The atmosphere was electric as a packed audience of colleagues, friends, and family cheered on the contestants. Judges John Lunny, Eva Roantree, Nicole McDonnell and Zoe Talbot praised the students for their creativity and skill. The raffle on the night, in aid of the Ballymun Community Law Centre, raised €1,689. Congrats to the Glitterball winners, Ciaran Traynor and Lorraine Kelly.



## IRLI IN AFRICA



### Advancing Malawi's gender-based violence response

Gender-based violence remains a critical human-rights and public-health challenge in Malawi. Data shows that more than one in three women who have been in intimate relationships have experienced violence by a partner, and over 40% of girls are married before the age of 18. In 2024, the National Statistical Office recorded 17,007 sexual and gender-based violence cases across 11 districts (local government areas), while the Malawi Police reported approximately 24,900 gender-based violence cases nationwide, underscoring the scale and persistence of the problem.

In response to the grave issue, a Malawi-Irish Consortium on Gender-Based Violence (MICGBV) was set up, of which Irish Rule of Law International is currently chair. Established in 2014 and supported by the Embassy of Ireland in Malawi, MICGBV brings together six organisations: IRLI, ActionAid Malawi, Concern Worldwide, Oxfam in Malawi, Self Help Africa, and Trócaire. The consortium combines legal, humanitarian, development, and gender expertise to strengthen Malawi's national GBV response.

IRLI provides strategic coordination, convening, and technical leadership, while also contributing specialised legal and judicial expertise. This includes strengthening access to justice for

women and children affected by GBV through judicial training, development of trauma-informed guidelines, and legal support in cases involving vulnerable survivors.

Since IRLI has assumed the chair, the consortium has prioritised national visibility and collective messaging. This has included supporting national days of activism and coordinated advocacy across consortium members, as well as providing ongoing coordination and technical support to Malawi's Ministry of Gender, Children, Disability and Social Welfare. These efforts reflect the consortium's continued commitment to women's empowerment, adolescent girls' wellbeing, and GBV prevention.

Looking ahead, and guided by its 2026-2030 Strategic Plan, MICGBV will intensify awareness-raising and coordination through closer engagement with government partners, the establishment of an open-access GBV Evidence Hub, and the convening of a national symposium to strengthen learning, advocacy, and partnerships.

Consortium members reaffirm a shared vision: a Malawi that is safe, inclusive, and free from gender-based violence. 

*Nancy Chidzankufa is secretariat coordinator for the Malawi-Irish Consortium on Gender-based Violence.*

# IN-HOUSE OF THE RISING SUN

In January, in-house practitioners came together to discuss the evolving role of the in-house lawyer. The *Gazette* reports



Deirdre McDermott, Diarmuid Fahey, and Jennifer Hartnett O'Connor

The 'Future of Legal Practice' summit' on 9 January focused on the evolving role of in-house lawyers, the diversity of in-house careers, and the practical challenges facing in-house legal teams today.

The panel was chaired by Deirdre McDermott (European general counsel with Phoenix Tower International) and featured Jennifer Hartnett O'Connor (group general counsel and head of legal, risk and compliance at ESW), alongside Diarmuid Fahey, (advisory counsel with the Office of the Attorney General, on secondment to the Department of Justice).

Jennifer opened the discussion by asking Deirdre if, in her experience, all in-house roles are the same.

*In-house lawyers are expected to be strategic enablers rather than gatekeepers, helping the business move forward through proportionate risk management and defensible decision-making, often with lean teams and budget constraints*

Deirdre said that there is a great variety of in-house roles, depending on whether you work in the private or public sector and, if in the private sector, work for a local, European, US, or other international company. Roles also differ based on whether you are the sole counsel, or a generalist on a specific specialist team, or lead counsel for a specific region, or whether you work across jurisdictions – among many other considerations.

This variety makes the in-house role an exciting opportunity for solicitors, who can effectively target opportunities in a specific industry, specific role, or specific region and culture that works for them. Deirdre recommended that those considering an in-house career should consider all the variables that work for them

and then target the opportunities that meet those variables.

## Public works

Diarmuid added that a public sector in-house role in a government department is very different to an in-house role in the private sector. There is a work culture that is not solely commercially focused, but driven by policy priorities and the interests of the public at large.

The Office of the Attorney General has a well-developed secondment programme, with most departments having well-established legal units staffed by secondees from the office. Advisory counsel are trained to be generalists and advise on a broad range of constitutional and legal issues. The type of work varies across departments. Some departments deal with a high volume of litigation while, in other departments, the legal unit deals regularly with a particular area of law, such as employment, data privacy, criminal, or EU.

## Scope to expand

Turning to Jennifer, Diarmuid asked whether there was much scope to expand beyond the general counsel role. She answered that there can be significant scope to expand, but that this typically depends on factors such as the needs of the organisation, the mandate and trust afforded by senior leadership, and the strength of the underlying legal function.

In her own case, Jennifer joined ESW as sole legal counsel, built out the legal team, and assumed responsibility as group general counsel. More recently, her remit expanded to include legal, risk and compliance, covering areas such as data privacy, risk, insurance, and sustainability.

She noted that these were not areas she necessarily anticipated



as a trainee, but they have become business critical. The modern GC role, she explained, is not solely about technical legal expertise, but about acting as a trusted business partner who enables decision-making at pace, with proportionate controls, clear governance, and a defensible risk position.

Jennifer shared four key takeaways for those considering an in-house career:

- Learn the language of the business and translate legal advice into practical, commercial solutions,
- Be proactive in identifying gaps and stepping into challenges beyond your formal remit,
- Upskill in adjacent disciplines such as data privacy, cybersecurity, and sustainability, and
- Embrace leadership and the responsibility that comes with influencing strategy and culture.

In turn, Deirdre recommended 'owning' your career, having a growth mindset, developing

the idea of being a trusted business partner, being open to 'pivot', learning your business, developing your influencing skills, consistently upskilling to broaden your scope and position yourself for opportunities, and building relationships that can last a lifetime.

### Key challenges

Diarmuid went on to outline the key challenges facing in-house lawyers today.

Firstly, the role of legal adviser in a government department means continually ensuring adherence to rule of law both domestically and internationally in a continually changing legislative framework. Often the work can be extremely politically sensitive, and legal advice may be required on an urgent basis to address a developing legal issue that could have a lot of coverage in the media.

Secondly, as an in-house lawyer in a department's legal unit, you are part of a much

smaller team, and it falls on the legal advisor, as file handler, to make important calls and give complex advice directly to officials. Communication with officials on an ongoing basis is crucial to ensure that the legal unit is collaborated with, and not seen as an obstacle to obtaining Government objectives. In the public sector, officials are conscious of the possibility of freedom of information requests, and the in-house lawyer must always be conscious of legal privilege and the distinction between legal assistance and legal advice.

Thirdly, recruitment of talented lawyers is an ongoing challenge in the public sector, although there has been an increase in the number of competitions held in recent years. Private-sector solicitors and barristers are finding legal roles in the public sector increasingly attractive, given the nature of the work, the sense of working for the

greater good, and a good work/life balance.

Building on Diarmuid's comments, Jennifer grouped the challenges facing in-house lawyers into three broad themes. First is pace and complexity. In-house teams must constantly interpret fast-moving legal and regulatory change across multiple jurisdictions and translate it into workable operational guidance.

Second is the expanding risk perimeter. Issues such as data protection, cybersecurity, third-party risk, and technology adoption increasingly sit at the intersection of legal, compliance, and operational resilience, often with high impact and limited reaction time.

Third is the shift in expectations. In-house lawyers are expected to be strategic enablers rather than gatekeepers, helping the business move forward through proportionate risk management and defensible decision-making, often with lean teams and budget constraints.

Underlying all of this, Jennifer noted, is the professional challenge of maintaining independence, privilege, and sound judgement, while being embedded in the business, particularly when decisions are time-sensitive and reputational risk is real.

The session concluded with a moderated Q&A led by Deirdre McDermott, with students and attendees engaging directly with the panel on career paths in both the public and private sectors, skill development, and the future shape of the in-house profession.

# YOU SHALL NOT PASS

**Civil restraining orders provide a civil-law route for individuals seeking protection from harmful or unwanted conduct, without requiring a criminal prosecution or a prior relationship between the parties. Tony Collier bars the door**

# T

he *Criminal Justice (Miscellaneous Provisions) Act 2023* introduced a significant reform with the creation of civil restraining orders, which came into effect on 2 September 2024. These orders provide a civil-law route for individuals seeking protection from harmful or unwanted conduct, without requiring a criminal prosecution or a prior relationship between the parties.

Until recently, harassment and threatening behaviour in Ireland were mainly addressed through criminal charges or domestic violence orders. Section 28 of the 2023 act fills a gap by allowing individuals with no familial or intimate connection to a respondent to seek

protective relief through the civil courts. The reform reflects a broader move towards early, accessible, non-criminal interventions designed to prevent escalation and protect psychological and physical wellbeing. It is seen as an effective surrogate to criminal proceedings in circumstances where the applicant is experiencing harm from the respondent, but not at the evidential threshold required for a criminal investigation or prosecution.

Civil restraining orders (CROs) aim to provide swift relief in situations where victims may feel at risk but where criminal proceedings are not possible or appropriate. They are particularly useful in cases involving neighbours, colleagues, or other non-familial relationships where persistent harassment or threatening behaviour persists.

The introduction of CROs also recognises the psychological impact of harassment and unwanted attention. Victims often experience stress, anxiety, and disruption to daily life, even in the absence of physical violence. CROs are intended to address these harms directly and promptly, providing legal recourse that can be faster and less intimidating than criminal proceedings.

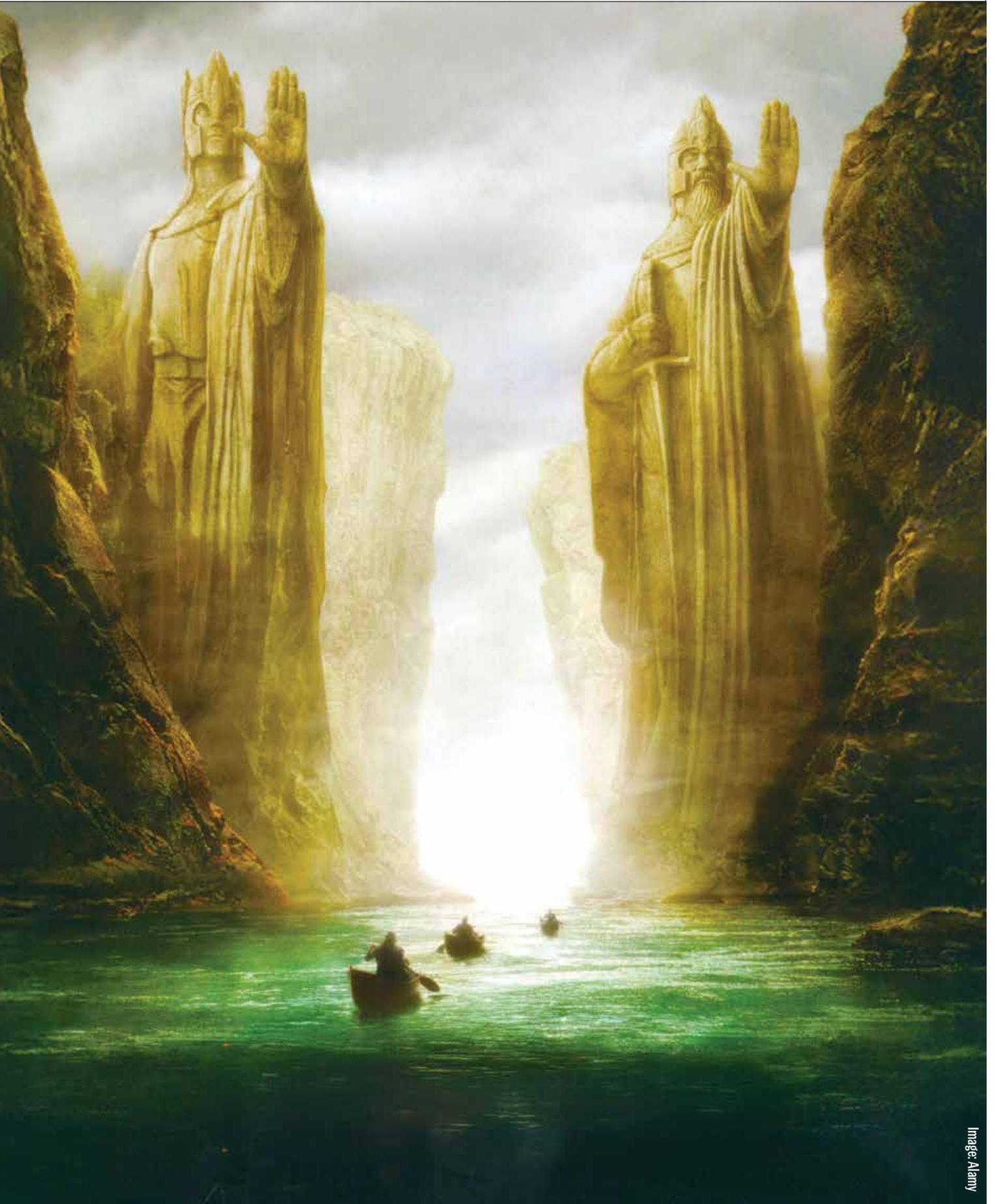


Image: Alamy

### Legislative framework

Civil restraining orders are grounded primarily in section 28 of the 2023 act and informed by the definition of harassment under section 10 of the *Non-Fatal Offences Against the Person Act 1997*. Together, these provisions allow a person to obtain a court order restricting conduct that causes alarm, distress, or fear – even where no crime has been charged or proven.

By establishing a civil route for protection, the legislation complements existing criminal law remedies. While criminal prosecution requires proof beyond a reasonable doubt, CROs rely on the balance of probabilities, making them more accessible and often faster for applicants. Importantly, the act removes the need for a prior relationship between the parties, which previously limited access to protective orders in many harassment cases.

**A**s a civil remedy, a restraining order is determined on the balance of probabilities. This lower standard allows individuals to secure protection where the evidential threshold for a criminal prosecution cannot be reached but the behaviour of the respondent is sufficient to cause distress.

Applicants may be any individual experiencing unwanted conduct, or a member of An Garda Síochána acting on their behalf. Respondents may be anyone alleged to have engaged in the behaviour, such as neighbours, colleagues, acquaintances, or complete strangers, giving the orders a broad protective reach.

CROs cover a wide range of behaviour. Common scenarios include repeated unwanted contact via social media, persistent following or monitoring, harassment at or near the applicant's workplace, or interference with property. By extending protection to non-intimate relationships, the legislation reflects a modern understanding of harassment beyond domestic or familial contexts.

In practice, solicitors advising clients on CROs have found that the flexibility of the orders allows them to tailor conditions to the unique circumstances of each case. For example, a CRO may prohibit the respondent from approaching the applicant's home or workplace, but allow professional interaction in a limited context where unavoidable, such as in public service or legal settings.

### Judicial considerations

When assessing an application, the court must consider whether the respondent's behaviour is likely to cause the applicant to fear violence or to experience serious alarm or distress, with a substantial adverse impact on daily life.

Conduct examined under section 27 includes following, monitoring, pestering, impersonation,



**Breach of a civil restraining order is a criminal offence, punishable by a fine or up to 12 months' imprisonment. Gardaí may arrest a respondent without a warrant where they believe an order has been breached**

unauthorised communication, dissemination of private information, interference with property or pets, loitering, and digital interference. Judges must also be satisfied that any order is necessary and proportionate to the risk faced by the applicant.

Evidence presented may include witness statements, screenshots of communications, photographic or video evidence, and logs of unwanted contact. Courts are mindful to ensure that orders are targeted and proportionate, avoiding unnecessarily broad restrictions on respondents' civil liberties. In addition, judges may consider any history of prior complaints or behaviour patterns, helping to assess the likelihood of future harm.

### Conditions and duration

A standard order may last for up to five years, although the court may set a shorter period if appropriate. *Ex parte* interim orders may be granted for up to eight days where there is an immediate risk to the applicant. When an interim order is made, the respondent must be served with the order, the supporting affidavit, and any note of evidence or judicial directions.

**C**onditions commonly imposed include prohibitions on violence, threats, or harassment; restrictions on contacting or communicating with the applicant; limitations on approaching specified locations, such as the applicant's home, workplace, or school; and any other measures necessary to ensure the applicant's safety. Courts have recognised that flexibility is essential, particularly in cases involving online harassment, where restrictions may include limiting social media interactions or monitoring digital accounts.

CROs are designed to be proportionate to the risk and the respondent's behaviour. For example, in cases of repeated online harassment, a court might specify particular platforms where communication is prohibited, while allowing legitimate professional or personal interactions elsewhere.

### Enforcement and sanctions

Breach of a civil restraining order is a criminal offence, punishable by a fine or up to 12 months' imprisonment. Gardaí may arrest a respondent without a warrant where they believe an order has been breached. They operate in the same manner as offences for alleged breaches of safety, protection, and barring orders under [section 33](#) of the *Domestic Violence Act 2018*. Solicitors working the criminal law courts will adapt easily to these newly created offences for alleged breaches of CROs for this reason.

**E**nforcement often requires timely reporting by the applicant and careful documentation of breaches. Gardaí play a key role in investigating and prosecuting breaches, while the criminal courts are tasked with dealing with these matters on the higher evidential standard of 'beyond a reasonable doubt'. Practitioners have noted that the threat of criminal sanctions enhances the protective effect of CROs and encourages compliance, reducing the likelihood of further errant conduct by respondents.

An order takes effect only once the respondent has been notified, either immediately if present in court or through service by An Garda Síochána thereafter. Orders may also extend to individuals connected with the applicant to provide wider protection.

Notification procedures balance expediency with fairness. Interim *ex parte* orders allow immediate protection, while full hearings enable respondents to present their side of the case. This ensures that the rights of respondents are respected, even while providing swift protection to applicants.

### Procedural safeguards

Orders may be appealed to the civil court within 14 days and can be varied or discharged on application by either party or by a garda.

Cross-examination of applicants under 18 or those in sensitive circumstances may be restricted. Where self-representation is inappropriate, the court may appoint a solicitor. It is not clear which Legal Aid Scheme is applicable in these circumstances. Judges are required



to provide reasons for granting, refusing, varying, or discharging an order, ensuring transparency and fairness in decision-making.

Courts must consider necessity and proportionality, tailoring orders to the specific risk presented by the respondent's behaviour. This protects applicants without imposing unnecessarily broad restrictions on respondents.

Under section 30 of the act, a successful applicant may apply to renew a CRO before its expiry. This application is made in the District Court on notice to the respondent. Either the applicant or the respondent may make an application to discharge an order on notice to each other, pursuant to section 29.

The legislation allows live video evidence in appropriate circumstances, such as for minors or vulnerable witnesses, and provides the court with flexibility in relation to costs. Courts may order that each party bear their own costs, to encourage applications while avoiding financial barriers to protection. There seems to be a general reluctance on the part of the District Court to award costs in these types of cases.

**S**ection 31 of the act allows gardaí to make applications on behalf of an individual where they become aware of an incident or series of incidents of relevant conduct that would justify the application. Consultation with the applicant is required by the act "as far as reasonably practicable". This mechanism enables the gardaí to act swiftly when victims are unable or unwilling to apply themselves, reinforcing the accessibility of the new civil remedy.

There are obvious issues here with the inadmissibility of hearsay evidence and, therefore, it is difficult to see how a garda could succeed in an application without the evidence of the injured individual.

### Victim centred

Civil restraining orders are a significant addition to Ireland's protective legal landscape. By offering a civil route to safety without the need for a criminal prosecution or a personal connection between the parties, the legislation provides a flexible, swift, and victim-centred mechanism.

The effectiveness of CROs will depend on consistent judicial application, careful attention to balancing protection with the procedural rights of respondents, and ongoing practitioner awareness. For solicitors, understanding the practicalities of applying for, enforcing, and varying CROs is essential for delivering timely and effective advice to clients. 

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*Tony Collier is a partner with Ferry's Solicitors, leading the firm in criminal law, public-interest litigation, human-rights law, and rights-based advocacy.*



# CRIMINAL MINDS



**Three recent graduates from the Law Society's Law School have opted for careers as criminal-defence lawyers. Mary Hallissey gets the skibidi deets on life in the fast lane**

**T**hree Irish solicitors, all recently graduated from the Law Society's Law School, have gravitated towards careers as criminal-defence lawyers. The three – Ciara Dinneny (Michael J Staines and Co), Aoife Dalton (Sheehan and Partners LLP), and Mary Lavelle (Keenan and Co LLP) – are deeply dedicated to their work, which they know performs an essential role in the justice system.

The trio has been driven by a long-standing interest in human rights and social justice, often sparked during their teenage years.

In a refreshing diversion from the traffic of young solicitors towards commercial firms, the three cite the very rewarding nature of the work and its endlessly varied days as part of the attraction. While the 'Big Law' firms are highly visible at graduate job fairs, finding criminal-law training contracts is often more difficult and less visible, the three note. They all express disappointment at the previous downgrading of criminal law to an elective by the Law Society Law School, which has since been rectified.

"It's not always spelled out that easily as an option of how to pursue this as a career, or what a career in criminal law would look like," says Ciara Dinneny, who hails from Cavan. "But it's quite a basic thing – to know how to defend a client and how to protect someone's rights."

### **A Hague on both your houses**

Ciara's ambition in getting a training contract with a criminal-law firm was solidified by a master's in international and transnational criminal law in Amsterdam, followed by working at the International Criminal Court in The Hague.

"Our work is very public facing. Every day, you're dealing with the public, and not just one or two – you could be dealing with ten to 15 different people each day, each one with varying needs," Ciara says.

Gaeilgeoir Mary Lavelle, who comes from Co Mayo, initially wanted to work through the medium of Irish but is now very happy that she pursued criminal-defence



**It is daunting knowing that, in most of the cases we deal with, our client's liberty is at stake, and you do feel a strong sense of responsibility to do your very best for them**

work, which she describes as "tough but very rewarding".

DUBLINER Aoife Dalton did some work experience in the Four Courts during her transition year and found the criminal courts "much more interesting". This sparked a curiosity in crime and human rights. On finishing university, she was fortunate to do an internship with Sheehan & Partners, where she has worked ever since. This, allied with an interest in crime and human rights, drove her towards criminal-defence work.

"It's such a significant thing for anyone to come before the criminal courts, and we are trying to support them through that, and make sure they are adequately prepared for what they are facing," explains Ciara. "Some people have their own afflictions – this may be addiction or mental-health issues, and you're trying to manage that as well as your caseload."

### **Significant autonomy**

"There is a huge amount of autonomy when you are in court. This is very rewarding, but it can be challenging too, because you don't get to practice an application before it's heard in court. It's very tangible, and it has a very real impact on your client," Ciara adds. "The significance of that adds a certain level of pressure because our job is to make sure our clients are protected."

Aoife agrees: “It is daunting knowing that, in most of the cases we deal with, our client’s liberty is at stake, and you do feel a strong sense of responsibility to do your very best for them.”

Ciara adds: “Liberty is obviously significant, but even a conviction in itself has such a significant impact. And we are making sure that clients fully understand the implications of that.”

Some clients are more familiar with the criminal justice system, while others have never been before a court and are absolutely terrified, the trio says. It’s also hard to manage expectations when there are so many variables on any given day in court.

And the three all understand how fundamental the right to a criminal-defence lawyer is and how any member of the public could need one, any day of the week.

“People think, ‘that’ll never be me who will end up in a court’, but we see people from all walks of life who have the misfortune of appearing before a judge,” says Aoife.

“Their lawyer is such an important support person for them in that situation,” says Mary.

**Grittier reality**

There are no glamorous glass-walled offices for these solicitors, but rather the grittier reality of garda stations, prison visits, and often acting as a makeshift social worker for marginalised clients, some of whom may not even have a telephone number.

The work of a criminal-defence solicitor involves regular on-call duty over week-ends, and at nights.

Aoife says that she initially believed

that barristers ‘ran the show’ but that, in reality, solicitors are the ones managing the District Courts and the foundational elements of every case. The solicitor is the first point of contact and the permanent anchor for every client.

Providing a robust defence often requires expert evidence – psychiatric evaluations, psychologists’ reports, and engineers’ reports. While a barrister may appear for the trial, the solicitor is the one visiting the prisons, chasing expert-witness reports, and managing what might be a number of variables in a client’s case.

Ciara, Mary, and Aoife all provide client support beyond legal advice every single day, often dealing with clients with addictions and various mental-health issues. The three explain that their jobs extend far beyond legal advocacy in the District Court, and they often act as a bridge between the client and the social-support system.

“That’s definitely an element of the job that people don’t see: going above and beyond for the clients,” says Ciara.

**The paper chase**

All three stress the paper-based nature of the District Court system, where judges use physical sheets of paper for each criminal case. This physical system can lead to misplaced documents and consequent adjournments, or directions for no order. Legal-aid applications are also paper-based and manually processed.

Original paperwork is an important part of the courts’ system, the three remark. A judge will look for original paperwork in



**You could wait four weeks to see a client in prison. Then it can often happen that you arrive and they’ve been moved to a different facility or, on the odd occasion, due to staff shortages, you might not get to see your client at all**

court – a warrant, for instance, must be an original copy.

“I don’t think that’s going to change, on the criminal side, for a long time,” observes Ciara.

However, it does add to the administrative burden for practitioners handling multiple cases each day. Given the physical nature of the courts’ system, practitioners also have physical files, notes, and letters in court.

Garda-station interview work also involves lengthy notetaking after a caution is issued, Mary adds. This all means that hauling around large files is simply part of the practitioner’s working day.

Defence solicitors may also spend hours on the telephone with homeless services and drug treatment centres, advocating for their clients. Often, the solicitor is the only link between an incarcerated person and their family. All three highlight the difficulties they can face accessing their clients in custody.

Sometimes, simply seeing a client is a victory: “You could wait four weeks to see a client in prison,” says Aoife. “Then it can often happen that you arrive and they’ve been moved to a different facility or, on the odd occasion, due to staff shortages, you might not get to see your client at all.”



Aoife Dalton, Mary Lavelle and Ciara Dinneny



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# COURSES FOR LEGAL SUPPORT PROFESSIONALS



**Law Society of Ireland**

Legal Secretaries, Legal Executives, Office Managers, Book-keepers

DATE	COURSE & DELIVERY	FEE
<b>LAW SOCIETY SKILLNET COURSES*</b>		
22 April 26	AI Practical Workshop - Law Society of Ireland	€120
27 April 26	AI Practical Workshop - Kingsley Hotel, Cork	€120
8 May 26	Micro-credential - Introduction to Bookkeeping & Accounts for Legal Practice - Law Society of Ireland	€750
<b>WEBINAR SERIES</b>		
27 March 26	AI literacy for Legal Support Staff - Live webinar 1-2.30pm	€65
28 April 26	Client Onboarding and Offboarding in Legal Practice - Live webinar 1-2.30pm	€65
26 May 26	Data Protection in Practice - Live webinar 1-2.30pm	€65
23 June 26	Managing Client Expectations and Conflict - Live webinar 1-2.30pm	€65
<b>ONLINE   ON-DEMAND</b>		
Available	A Practical Guide to Cybersecurity - Online on-demand	€75
<b>CERTIFICATES   DIPLOMAS</b>		
3 November 26	Certificate in Legal Skills for Legal Secretaries - Mainly online, live and recorded	€950
3 November 26	Diploma in Legal Skills for Legal Executives - Mainly online, live and recorded	€2500
Spring 27	Diploma in Property Law and Conveyancing for Legal Executives - Mainly online, live and recorded	€1950



\*Law Society Skillnet is co-funded by Skillnet Ireland and member companies, Law Society Skillnet members are eligible for this subsidised training. For a complete listing of upcoming courses visit our website To contact a member of the Law Society Professional Training/ Law Society Skillnet team Tel: 01 881 5727 or email: [lspt@lawsociety.ie](mailto:lspt@lawsociety.ie) [www.lawsociety.ie/courses/cpd-courses/](http://www.lawsociety.ie/courses/cpd-courses/)

If you would like to join our mailing list to hear about upcoming training for legal support professionals, please contact us on [lspt@lawsociety.ie](mailto:lspt@lawsociety.ie)



**P**rison visits are time limited – you could be in the middle of discussing important elements of a client’s case and be told that visiting time is over.

“You have the client getting frustrated because their lawyer’s visit isn’t as long as it should be,” says Mary.

Video calls are available – however, they often have a bad connection or there are loud background noises making them unsuitable.

Available visit-booths may be block-booked already for video-link court appearances, while crucial family visits also take up available slots. This means that there are limited slots available for solicitors seeking to visit their clients.

### Care-focused work

All three point out that the work is, ultimately, a vocation. A large part of their role is supporting people who find themselves in difficult positions; whether they are coming before the courts system for the first time or are individuals with recurring offending records, linked to unmet addiction and mental-health needs.

“Clients often ask for us to help them, in terms of either moving to a different prison, or getting a bed, or getting seen to by a doctor – they’re sleeping on the floor because of overcrowding and have health issues as a result,” explains Aoife.

“We’re not medical professionals, but again, you want to do your best for them. So it’s trying to find the balance of what we can do to help,” says Ciara.

They agree that more may be asked of them because they are caring women: “I definitely struggle to say no,” Mary says. “The other side of that is it’s so rewarding when the outcome comes right – and that doesn’t necessarily mean that someone’s found ‘not guilty’, but it’s about the right outcome – getting the proper help that they need,” she adds.

“It’s about getting the best outcome for them, whether that’s getting supports together or putting structures in place to help them,” adds Ciara.

The reality is, however, that many clients suffering from addiction will never get clean, even when offered help over several years.

Sometimes, their solicitor is the first person that the accused has disclosed their predicament to, adding a confessor element to the job, says Ciara. Some clients, sadly including juvenile ones, are without any support, often having emerged from the care system.

“I always say ‘you have to confide in some way, you can’t carry that weight alone,’” says Mary.

The Probation Service does good work, they agree, and assists with bail supervision, as well as training and employment opportunities.

### Low legal-aid payments

Payment to the representing firm under the Legal Aid Scheme is per case – irrespective of the number of hours or how much behind-the-scenes work is put in. This is what distinguishes the solicitor input from that of the barrister, the three lawyers point out.

“The amount of work that practitioners put in is not reflected by the payment under the scheme,” says Aoife, pointing to the heavy burden of reviewing disclosure materials and finding experts. “Especially when the court will put the onus on the solicitor to find a person psychiatric treatment or to obtain a psychiatric report, which can be extremely hard to come by these days, given the low rates of pay under the Legal Aid Scheme,” she adds.

Promised pay restoration will only be to previous 2012 recession-era levels, and will not lift rates significantly, they point out. They all remark that the cost of living has risen drastically since 2012 and restoring pay to that rate will not be sufficient.

**T**he entire serious-trial preparation period yields payment for just one two-hour client consultation, they add. And while the defence can apply for disclosure-review funding or funding for experts from the Legal Aid Board, the process is cumbersome and requires lengthy sign-off.

“If we could eliminate some of the red tape to make it a lot easier for us to access this funding, that would be really helpful,” says Ciara.

“It just feels like there are constant hoops you’re having to jump through to get to do your job. Disclosure is given in a piecemeal

fashion, experts are constantly having to update their reports and, obviously, want to get paid for the work they’re doing,” Mary adds.

“All of the interesting aspects of our roles can sometimes be overwhelmed by the paperwork-heavy side of things. Trying to get funding approved shouldn’t take up most of my time. I should have more time to go through the evidence for my client, take their instructions, and prepare for their case,” Ciara says.

**G**iven that all practitioners share the same frustrations, the work tends to be very collegial: “There’s always a sounding board and, in the office, you have that support, too,” says Aoife.

The pay rates are also often too low to entice a defence solicitor to travel to a rural garda station, the trio points out. Separately, the DPP has expressed her concern that pay rates are too low to attract a talent-pipeline into the field. However, Aoife, Ciara, and Mary highlight that they are more concerned from a defence perspective, as they are seeing an increasing trend of practitioners moving to the Office of the DPP after about five years on the job. This is leading to a decline in the number of experienced criminal-defence practitioners.

**I**nterestingly, all three have spotted some young-lawyer traffic from the big five law firms towards criminal-defence work. Several arrivals each year have completed a well-paid traineeship elsewhere, but then followed their hearts towards criminal-defence work.

“To be fair, a lot of them want the court experience, because it’s so valuable. It’s a heavy workload, but we generally can confine it to office hours. You do control your own diary, to a certain extent,” says Mary.

Ciara agrees: “I didn’t want to be confined to an office all day. Being on your feet to advocate on behalf of your clients is just so dynamic. It’s an exciting part of the job.”

“It’s very fast paced, so it doesn’t suit everyone. By the end of the week, you’re begging for an office day,” laughs Aoife.

“The work/life balance is better, for sure,” Mary concludes. ☒

*Mary Hallissey is a journalist at the Law Society Gazette.*



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## IN-PERSON AND LIVE ONLINE COURSES

Date	Course	CPD Hours	Venue	Fee
11 March	<b>Commercial &amp; Complex Property Transactions Masterclass 2026</b>	18 general hours	Hybrid	€495
12 March	<b>Probate &amp; Tax Update 2026 with STEP</b>	3 hours general	Live Zoom Webinar	€175
25 March	<b>Public Legal Education Outreach 2026</b>	2.5 professional development	Law Society of Ireland	Comp
26 March	<b>AI in Legal Practice Summit 2026</b>	3 hours general	Law Society of Ireland	€95
31 March	<b>Burn out to Resilience - Ronan Harrington</b>	1.5 professional development	Live Zoom Webinar	€65
16 April	<b>Midlands General Update 2026</b>	6 hours	Midland Park Hotel Portlaoise	€165
20 April	<b>Intellectual Property and Data Protection Law Committee Conference 2026</b>	3 hours general	Law Society of Ireland	€175
22 April - 4 November	<b>Diploma in Legal Practice Management 2026</b>	Full CPD requirement for 2026	Blended (online and onsite at the Law Society of Ireland)	€1950
29 April	<b>In-house &amp; Public Sector Committee Panel Discussion 2026</b>	2 hours professional development	Law Society of Ireland	€85

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

Date	Course	CPD Hours	Venue	Fee
From February	<b>AI practical workshops in Dundalk, Waterford, Cork, Tipperary &amp; Limerick. Will be repeated subject to demand.</b>	3 hours professional development	Regional venues	€160
4 March	<b>AI Workshops for Solicitors, Donegal</b>	3 hours professional development	Lough Eske Hotel, Donegal	€160
11 March	<b>AI Workshops for Solicitors, West Cork</b>	3 hours professional development	Fernhill Hotel, Clonakilty	€160
12 March	<b>AI Workshops for Solicitors, Kerry</b>	3 hours professional development	Ballygarry House Hotel, Tralee	€160
19 March	<b>AI Workshops for Solicitors, Galway</b>	3 hours professional development	Hardiman Hotel, Galway	€160
26 March	<b>AI in Legal Practice Summit 2026</b>	3 hours professional development	Law Society of Ireland	€95
21 April	<b>AI Workshops for Solicitors, Dublin</b>	3 hours professional development	Law Society of Ireland	€160
22 April	<b>AI Workshop - In-house lawyers, Dublin</b>	3 hours professional development	Law Society of Ireland	€160
27 April	<b>AI Workshop - In-house lawyers, Cork</b>	3 hours professional development	Kingsley Hotel, Cork	€160

# A COSTLY LESSON

**A recent decision underscores the High Court's unequivocal stance on compliance with section 14 of the *Mediation Act* and highlights the significant consequences for those who fail to adhere to its provisions. Bill Holohan SC counts the cost**

**A** recent judgment from Mr Justice Michael Twomey in *V Media Doo & Anor v Techads Media Limited* serves as a stark reminder to practitioners of the mandatory nature of the section 14 *Mediation Act 2017* obligations regarding mediation advice and information. Delivered on 29 July, this decision underscores the High Court's unequivocal stance on compliance with section 14 and highlights the significant consequences for those who fail to adhere to its provisions.

The judgment echoes and, indeed, gives practical effect to the warnings issued by Mr Justice Liam Kennedy in *Byrne & Ors v Arnold* regarding costs implications for non-compliance. (See also, 'Speak to me', in the July 2024 *Gazette*.)





**Justice Twomey noted that ‘there was no mediation and so, it appears, no reality check of the claims’. The sums claimed were substantial. The outcome? The court found that ‘neither the plaintiffs, nor the defendant, are entitled to any award’, concluding that ‘the only winners in this case are the lawyers’**

Justice Twomey’s judgment begins by setting out the foundational premise of the 2017 act – a significant restriction on the constitutional right of access to the courts, transforming litigation from a ‘first port of call’ to a ‘last resort’. This fundamental shift is primarily driven by section 14, which places clear obligations on solicitors and, consequently, on the courts.

### **Key provisions of section 14**

- *Solicitor’s duty to advise – section 14(1)*: a solicitor must provide detailed mediation advice to his/her client before issuing proceedings. This advice must cover aspects such as the benefits and advantages of mediation over litigating, the confidentiality and enforceability of mediation agreements, and the requirement for a mediation declaration. This dictates the “very nature of the advice which must be given to a client”, described by Twomey J as a rare interference by the Oireachtas in the lawyer/client relationship.
- *Mediation declaration – section 14(2)*: if proceedings are subsequently issued, a statutory mediation declaration must be sworn by the solicitor (confirming that this detailed advice was given) and must accompany the issue of legal proceedings, or follow before any further step is taken. Proceedings “cannot be, or should not be, issued without this mediation declaration”. Whether the Courts Service, in light of the judgment, starts to police the obligation remains to be seen.
- *Mandatory adjournment – section 14(3)*: most significantly, Twomey J decided that a court must adjourn a hearing if the proceedings were issued without the accompanying mediation declaration.

This is a mandatory obligation, meaning that the courts “must refuse to hear a case” if there is no evidence of the requisite advice having been given. The Oireachtas, he held, has removed the court’s discretion to adjourn in such circumstances.

**M**ust a court, before commencing hearing, look for the declaration? Justice Twomey emphatically states that the only logical answer to whether a court must seek evidence of mediation advice is ‘yes’, because section 14(3) is mandatory (“shall”). For the court to discharge its obligation to adjourn non-compliant proceedings, it “must first enquire as to whether or not there was an accompanying mediation declaration”, just as Kennedy J did in *Byrne v Arnold*. This, Twomey J said, places a clear “onus on all courts” to ensure that comprehensive advice has been given before hearing a case. The rationale behind this legislative intrusion is clear – to protect prospective litigants from “tens/hundreds of thousands of euros in legal costs and the many years of lost time and effort”.

### **Not just ‘box-ticking’**

The judgment makes it abundantly clear that compliance with section 14 is far from a mere ‘box-ticking exercise’. The mandatory adjournment of a hearing due to the absence of a mediation declaration demonstrates the “level of its interference with the discretion of the court” and the seriousness with which the Oireachtas views this requirement. Similarly, for solicitors, the detailed specification of required advice underlines that this is a substantive professional obligation, not a perfunctory task.

Justice Twomey highlights the “considerable onus on solicitors” to advise clients on the benefits of mediation, particularly the “very considerable financial benefits”. Solicitors are tasked with explaining that legal fees for a successful mediation are likely to be a “fraction of the legal fees generated over, say, four years of litigation”. This demands that solicitors act in a way that prioritises the client’s financial interests, even if it might seem counter to generating higher legal fees.

### **Reality check**

A crucial insight from Justice Twomey’s judgment is the concept of mediation as an opportunity for a ‘reality check’. Drawing on the Supreme Court case of *Rosbeg Partners v LK Shield*, Twomey J explains that courts apply “common sense and scepticism” to claims – a form of reality-checking. Human nature often leads litigants to view issues solely from their own perspectives (with the benefit of hindsight) and to portray damages at their absolute height.

Mediation, he said, offers a critical pre-litigation assessment by an “objective and completely independent” mediator, allowing litigants to receive an assessment of

the “flaws of their own claim and the merits of the other side’s defence” – for perhaps the first time. This ‘reality check’ is vital before claims become entrenched and “it is too late”.

The *VMedia* case itself serves as a powerful illustration of these points. Here, the court “sought sight of the mediation declaration at the opening of the hearing”. Counsel for the plaintiff confirmed that the proceedings had been issued without the declaration, in direct contravention of section 14(2). A subsequently sworn declaration could not “retrospectively remedy the breach”.

**J**ustice Twomey noted that “there was no mediation and so, it appears, no reality check of the claims”. The sums claimed were substantial (plaintiffs, circa €2.5 million; defendant’s counterclaim circa €1.8 million), with estimated costs exceeding €1 million. The outcome? The court found that “neither the plaintiffs, nor the defendant, are entitled to any award”, concluding that “the only winners in this case are the lawyers”.

This scenario, the judge remarked, “should, therefore, act as a salutary lesson for all plaintiffs” to undergo the reality check of mediation, reinforcing that litigation should be the “option of last resort”.

**Implications for practice**

The judgment in *VMedia* directly aligns with, and amplifies, the warnings previously issued by Mr Justice Liam Kennedy in *Byrne v Arnold*, particularly regarding costs.

Key warnings and takeaways from these cases include:

- *Mandatory adjournment and stays:* Kennedy J

Cassandra of Troy warns of impending disaster

had warned that failure to comply with section 14 “obliges the court to adjourn proceedings”. While in *Byrne v Arnold*, rising for a short period, he allowed time for compliance, but expressly stated: “If such a failure to comply with section 14 were to occur in future, the court may adjourn a hearing (at the plaintiffs’ expense) and stay the proceedings until the obligations had been discharged”. Justice Twomey’s actions in *VMedia* confirm this: the court will check, and non-compliance means the hearing cannot proceed.

- *Cost sanctions are real:* Kennedy J, with Cassandra-like prophesy, specifically highlighted that “significant cost sanctions will be likely in any event” for non-compliance. In *Byrne v Arnold*, he considered a 15% penalty, but he imposed a 5% penalty on recoverable costs for the plaintiffs due to their solicitors’ failure to comply with section 14. He expressly warned that “courts may be less lenient in future”. That day has come. Justice Twomey’s *VMedia* judgment, where millions were claimed and over €1 million in costs incurred, with no award for either party, powerfully demonstrates the financial perils of bypassing mediation.
- *No excuse for urgency:* Kennedy J, in *Byrne*, unequivocally stated that he could “not accept that the urgency justifies the default”, in compliance with the section 14 requirements, advising that the advice “should be given at the earliest opportunity”. Just weeks before the decision of Twomey J in *VMedia*, Mr Justice Kennedy made an order, on 29 May 2025, in the matter of *Colm Leahy v Pepper Finance Corporation*



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**Kennedy J expressly warned that ‘courts may be less lenient in future’. That day has come. Justice Twomey’s *V Media* judgment, where millions were claimed and over €1 million in costs incurred, with no award for either party, powerfully demonstrates the financial perils of bypassing mediation**

(Ireland) when he adjourned proceedings that had commenced by way of an application for an injunction, due to the lack of a section 14 declaration – but more particularly ordered that the plaintiff had to pay the costs of all proceedings, up to that date, to the defendant.

- *‘Planting the seed’*: even if immediate mediation is not successful, Kennedy J noted in *Byrne v Arnold* that, in providing the advice, “a seed is planted” that may lead to later settlement, emphasising that “most cases eventually settle before trial”.
- *No ‘sign of weakness’*: solicitors should not view proposing mediation as a sign of weakness. Kennedy J had stated that section 14 “offers an ideal basis for an overture, which can legitimately be presented as compliance with statutory and professional requirements”.

The decisions of Kennedy J and Twomey J are a critical reinforcement of the Oireachtas’s intent behind the 2017 act and the judiciary’s commitment to its enforcement. The main conclusions are:

- Solicitors must internalise the fundamental shift: litigation is to be a last resort, not a first. The comprehensive mediation advice under section 14(1) and the accompanying declaration under section 14(2) are non-negotiable, statutory, and professional requirements.
- The consequences of non-compliance are severe and direct, including mandatory adjournment of proceedings, the potential for proceedings to be stayed at the plaintiff’s expense and, critically, significant cost sanctions. The 5% penalty in *Byrne v Arnold*, costs to date in *Leahy v Pepper*, and the “lawyers being the only winners” in *V Media* should serve as strong deterrents.
- Embrace mediation as a ‘reality check’: it offers an in-



valuable opportunity for objective assessment of claims, protecting clients from unnecessary costs and prolonged disputes, often leading to better outcomes than court intervention.

The clear message from the courts is that the judiciary will rigorously enforce the 2017 act. Compliance is not merely a procedural formality – it is a substantive obligation designed to protect clients, conserve judicial resources, and foster the earlier, cheaper resolution of disputes. Practitioners would be wise to heed these warnings, lest their clients incur prohibitive costs for litigated disputes that could have been resolved through mediation.

In the immortal words that used to adorn a bankruptcy statutory demand and summons to attend before the Bankruptcy Court, ‘herein fail not at your peril’: ☒

*Bill Holohan SC is a senior partner at Holohan Lane LLP, Waterview House, Sundays Well Road, Cork, and The Capel Building, St Mary’s Abbey, Dublin.*

**LOOK IT UP**

**CASES:**

- *Byrne & Ors v Arnold* [2024] IEHC 308
- *Colm Leahy v Pepper Finance Corporation (Ireland) DAC* (2023/5921P)
- *Rosbeg Partners v LK Shield* [2018] IESC 23
- *V Media Doo & Anor v Techads Media Limited* [2025] IEHC 43

**LEGISLATION:**

- *Section 14 Mediation Act 2017*

**LITERATURE:**

- Bill Holohan SC, ‘Speak to me’, July 2024 *Gazette*, p26



Patrick, wife Ellie and daughters Margaret and Frances



Patrick S Brady (in white overalls) at a car rally (date unknown)

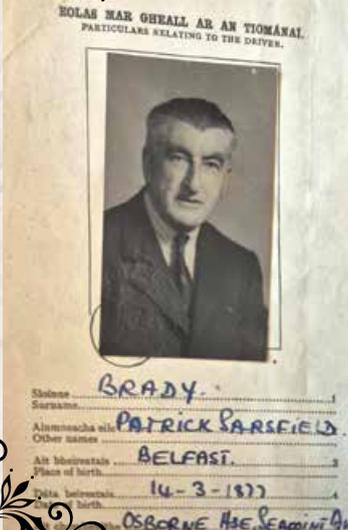


Resident Magistrate Patrick Sarsfield Brady's life mirrored that of a rally driver – he navigated varied and challenging terrain through twists and turns. Barry Whelan brings down the chequered flag



# The Irish RM

Patrick S Brady's driver's ID



A meeting of the United Irish League. In the centre (seated) is Joseph Devlin, with John Redmond (standing, left) and Patrick Brady (standing, centre right)



**P**atrick Sarsfield Brady was born in Belfast on 14 March 1877 to parents James and Mary Brady. His father was a successful publican and landlord, with the net result that the Brady family was quite wealthy and could afford to provide a good education for Patrick – first at St Malachy’s College, Belfast, and then at Blackrock College, Dublin.

Politically, the family was nationalist in outlook and Irish speaking. At a time when Whitehall was eager to put some ‘greening’ on the establishment in Ireland, Patrick became a firm supporter and ally of nationalist politician Joseph Devlin. Together, they worked for the Belfast branch of the United Irish League, a party that championed land reform and redistribution of acreage to smaller tenant farmers.

Professionally, Patrick embarked on a career as a solicitor and was placed on the Roll on 11 January 1901. Despite his heroic middle name and nationalist inclinations, he accepted an appointment to be the resident magistrate for Clare on 6 June 1910. This action would blight his reputation among nationalist supporters, who were critical that a Catholic would accept a position on the judicial bench:

*‘Patrick Sarsfield Brady sits upon the bench today  
And being a strictly honest man intends to earn his pay  
Alas our patriot was made of very common clay!’*

**Minor infractions**

His cases were tried in petty session courts and revolved around minor infractions, such as land disputes, debts, theft, and farmers charged with allowing “cattle to wander on the public road”.

The most common judgment he gave was a fine and, in time, he would be moved to other counties, such as Galway and Leitrim. His life seemed to be an easy jaunt – married, with two children, a steady career, and with the possibility of being called to the bar in the process. When the War of Independence began in 1919, however, he had to make a dramatic *volte-face*.

**B**rady was working in Cork, probably the most challenging county to be posted to, as the IRA and British forces were engaged in continual and deadly combat throughout the county. His life would have been in danger, as witnessed by the murder of a colleague RM, Alan Bell, in March 1920. In the summer assizes that year, which were frequently targeted by the IRA, Brady was hearing cases near Dunmanway, where he was commuting to work from his home at Ballylickey House in Bantry.

On 15 December 1920, his car broke down at the side of the road. A short time later, around 1.45pm, a convoy of cadets from the Auxiliary Division of the Royal Irish Constabulary

(RIC) drove by, on their way to a funeral for a colleague killed in a recent ambush by the IRA. The section’s commander, Cadet Sergeant Vernon Anwell Hart, ordered the convoy to stop to investigate Brady and his car.

As Hart was doing so, he noticed two men walking towards them further down the road. One of the men could clearly be identified as a priest from his clothing. Hart approached the younger man first to inspect his pockets before then “knocking him about with one hand while he presented the revolver with the other”.

**Double murder**

Brady rushed over to intervene, imploring Hart to stop, as he was a “principal government official in the district”. Undeterred, Hart shot the young man, 23-year-old Tadhg Crowley, dead. He then turned to the 73-year-old priest, who was Canon Thomas J Magner, parish priest of Dunmanway, and “threw his hat on the ground, and he made the priest kneel. He then fired his revolver and wounded the priest; he fired again and killed him”. Fearing for his life as a witness to the double murders, Brady ran to the remaining troops seeking protection and “narrowly escaped a similar fate”.

**T**he murders, particularly of a priest, shocked the local community. The Inspector-General of the RIC expressed his sympathies to the families of the dead, which drew a stinging response from the Bishop of Cork, Daniel Cohalan: “The verbal sympathy of the Inspector-General whose men are murdering my people and have burned my city I cannot accept or convey to the relatives of the murdered Canon Magner.”

Witnessing the killings and recalling that the rest of the military convoy did nothing to intervene changed Brady’s political outlook from pro-establishment to supporter of Irish independence. He wrote directly to the Chief Secretary for Ireland, Sir Hamar Greenwood.

*“A written statement by Mr Brady, setting out in full the circumstances of the murder, was fully considered in the course of the official investigation into the conduct of the cadets who were witnesses of the occurrence.”*

No charges were brought against these cadets, while Brady’s home was ransacked by the military and he was forced to flee to France for his safety. At a court-martial convened on 5 January 1921, Hart was found ‘guilty but insane’ and was released afterwards.

**Return to Cork**

In March 1921, Brady returned to Cork. This was a risky manoeuvre, because his life was still in danger from Crown forces seeking revenge for his informing on them. He was still a resident magistrate, but his work had all but ceased, and his family were kept safely in Belfast.

Perhaps the ebb and flow of the conflict in Cork, with successful IRA ambushes at Crossbarry



**He accepted an appointment to be the resident magistrate for Clare on 6 June 1910. This action would blight his reputation among nationalist supporters who were critical that a Catholic would accept a position on the judicial bench**

and Rathcoole, may have persuaded him that he was safe in Bantry, as the British were clearly unable to control the county or destroy the IRA brigades operating in the localities.

The next news that reached his family and the media was that he had been kidnapped by a group of eight men on 3 July: “I cannot tell you what a fearful shock I got when I read in the paper of Pat being kidnapped. I hope and trust in God that he will be alright,” a family friend said.

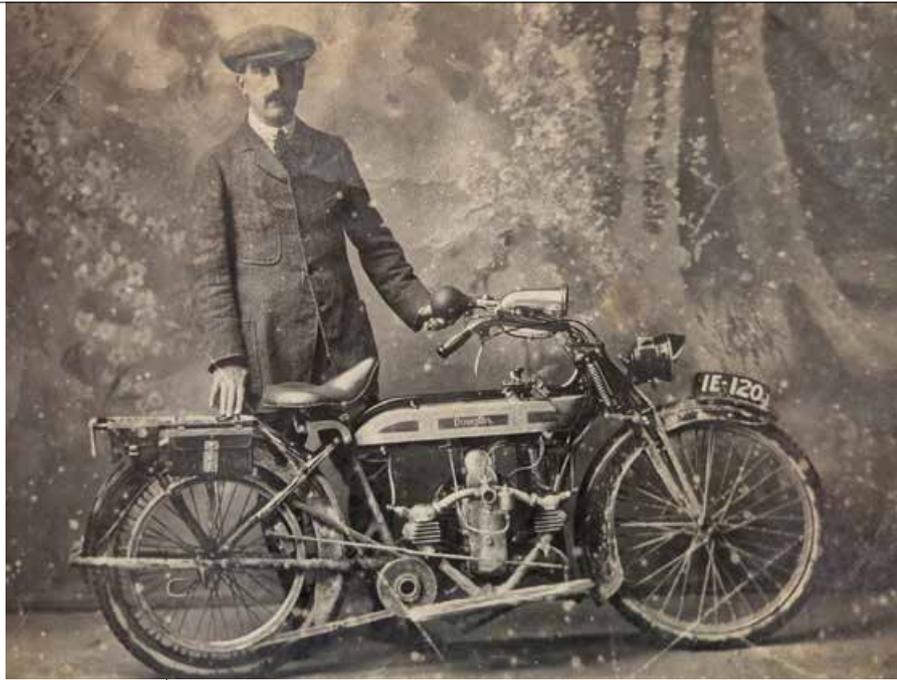
**W**ithin the family, the news was devastating: “I am trying to keep calm but sometimes feel it is too much for me,” Pat’s mother-in-law, Mrs Cullen commented.

He was actually in the custody of the Cork No 3 Brigade that operated in West Cork, encompassing the Bantry area. The brigade’s headquarters informed him he had nothing to fear: *“To Mr PS Brady RM. Your letters to Mr John French and to Mr Michael Collins have been delivered here and have been forwarded. We have received a communication from Mr French regarding you pointing out some good services you rendered to the IRA. There is no need for you to be unduly alarmed, you will probably be released soon.”*

### Bargaining tool

The brigade’s headquarters had ordered his detention as a bargaining tool for captured IRA prisoners facing execution by the British. While he was a hostage, Brady could write censored letters – he reported: “I am still a prisoner, but am treated with every consideration and kindness.”

Behind the scenes, negotiations with both sides had already taken place and the



Patrick Brady posing beside a Douglas motorbike

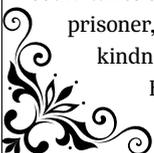
truce of 11 July greatly helped Brady’s early release. He successfully sought compensation from the British State for the original ransacking of his home by Crown forces. Incredibly, he then allowed his residence to become the operating headquarters for the IRA during the truce – a fact the latter politely conveyed to his wife in Belfast: *“Dear Madam. We have arrived here this evening for the purpose of setting up our Head Quarters here for a Week. We were disappointed to find you out of home but having no other place to go for the night we leave our papers here and will call tomorrow and work in a room for a few hours. We would be very pleased if you would allow us to remain for a few days, as Mr Brady has already invited us.”*

With the signing of the *Anglo-Irish Treaty* and the dissolution of the office of resident magistrate, Brady changed gear and resumed his career as a solicitor, operating from his offices in 19 Upper Merrion Street, Dublin.

### Dunlop Cup Trial

A citizen of the Irish Free State, Brady kept up his practice, but his first love was for motorcycle racing. In his youth, he had founded the Irish Motor Cycling Club and, as an adult, was an avid motorcycle and motorcar rally driver. His Free State passport is stamped with the countries where he competed in Europe and, in 1926, he was awarded a trophy at the Dunlop Cup Trial.

**H**e was a member of the Competitions and Technical Committee of the Royal Irish Automobile Club and owned many cars, including a Bugatti. He applied for a job as the representative of Daimler Ireland to import their cars into the country, providing Daimler Ireland with a letter and a ringing endorsement from Patrick Hannon MP: *“He is only 45 years of age, but has the energy and ability*





“

Having successfully sought compensation from the British State for the original ransacking of his home by Crown forces, incredibly, he then allowed his residence to become the operating headquarters for the IRA during the truce

of a man of 20. He knows Ireland from North to South, and from East to West, as few men know it. He has been stationed in all the chieftowns in the Counties of Galway, Clare, Limerick, Cork, Kerry, Leitrim and Roscommon, and, wherever he has gone, he has been a general favourite. His personal acquaintance with probable users of Daimler motor cars is, I believe, unique.”

Patrick Brady (front, centre) at the Monte Carlo Rally (the year and others in the photo are not known)

the Company and their expert advisors to meet the Government and have a full discussion on the matter.”

Brady was also a director of Western Hats Ltd in Castlebar, Co Mayo, that exported to markets on the continent.

Patrick Sarsfield Brady's life mirrored that of a rally driver – he had navigated over varied and challenging terrain but, through twists and turns, had finally found the finish line. He passed away on 31 October 1948 and was buried in Deansgrange Cemetery, Dublin. 📄

**B**rady continued his solicitor practice, but was more often found working in his car-tyre garage, Joyce & Brady Ltd, on Lemon Street and Duke Lane Dublin. When not repairing cars, he was usually abroad competing at rallies.

Despite his frequent absences from home, his marriage to Ellie was a happy one, and they enjoyed a comfortable life in South County Dublin. In many ways, Brady's change in political outlook can be measured by his investments in Ireland as he sought to promote indigenous industries and provide employment, particularly to rural areas – something Fianna Fáil and the first inter-party government championed.

### Miner's song

He was chairman of Mianraí Teoranta, a mining consortium with operations in Avoca Wicklow (lead-zinc ore) and Slievardagh Tipperary (coal). On 19 July 1948, Brady along with management, met at Government Buildings, where Minister for Industry and Commerce Daniel Morrissey discussed the potential value of this work to the country and economy: “*The Minister stated that the Government looked upon the question of mineral exploration as a very serious one and, before making a decision, they were anxious to give it very serious consideration. On that account they had decided on the rather unusual course of inviting the representatives of*

*Dr Barry Whelan is a historian with the Law Society of Ireland, specialising in 20<sup>th</sup> century Irish legal history. The author sincerely thanks Dr Monica McWeeney for kindly permitting extracts from the collection of her grandfather, Patrick Sarsfield Brady, to be reproduced for this publication. If you have an interesting relative who practised as a solicitor and may merit an article, please contact the author at [b.whelan@lawsociety.ie](mailto:b.whelan@lawsociety.ie).*

## LOOK IT UP

### LITERATURE:

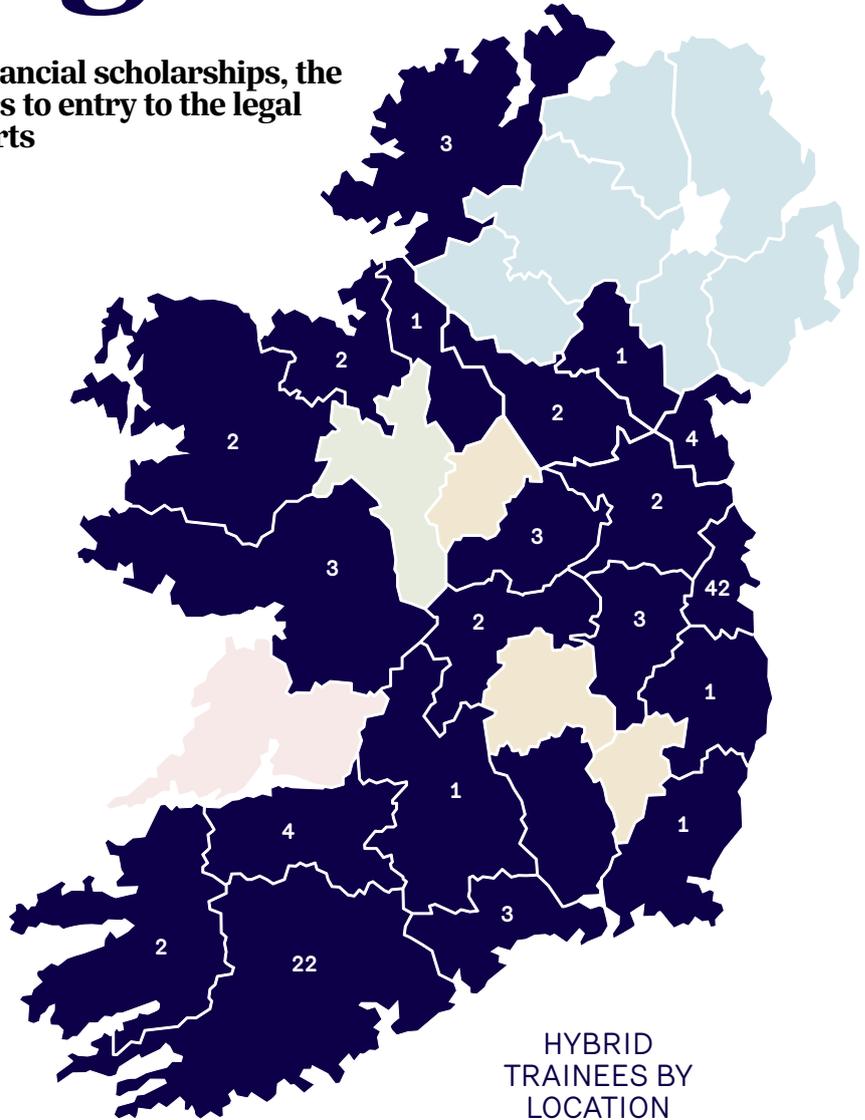
- Eunan O'Halpin and Daithí Ó Corráin, *The Dead of the Irish Revolution* (Yale University Press, 2020)
- Law Society of Ireland, Council Minutes (9 February 1916-9 March 1926)
- National Archives (Kew) (WO 35/129, WO 35/155B, WO 35/162, WO 35/208) National Archives of Ireland ([1911 census records](#))
- Penny Bonsall, *The Irish RMs: The Resident Magistrates in the British Administration of Ireland* (Four Courts Press, Dublin 1997)

# Opening doors

From flexible training routes to financial scholarships, the Law Society is dismantling barriers to entry to the legal profession. Mark McDermott reports

## 2025 PPC Hybrid

Cavan	2
Cork	22
Donegal	3
Dublin	42
Galway	3
Kerry	2
Kildare	3
Leitrim	1
Limerick	4
Louth	4
Mayo	2
Meath	2
Monaghan	1
Offaly	2
Roscommon	1
Sligo	2
Tipperary	1
Waterford	3
Westmeath	3
Wexford	1
Wicklow	1



**F**or much of its history, the path to becoming a solicitor in Ireland has followed a well-worn route: university degree, professional exams, a training contract in a firm and, for many, a relocation to Dublin. It was a pathway that worked well for those with the means, the mobility, and the time. For everyone else, it was frequently a door that never fully opened.

That is beginning to change. The Law Society has been quietly and, in some respects quite decisively, restructuring the way it admits new solicitors, with a series of initiatives designed to widen access, reduce financial barriers, and ensure that the profession more closely reflects the society it serves. The picture that emerges is not one of radical transformation overnight, but of a system that is changing in a measured way.

### New route opens

The most visible sign of that shift is the Professional Practice Course (PPC) Hybrid, a flexible, part-time training route that allows prospective solicitors to continue working and remain in their communities, while completing the academic component of their qualification. Combining online lectures with in-person weekend sessions, it removes the requirement that has long functioned as a silent filter – the ability to relocate to the capital for months at a time.



The latest cohort, which began the course in December 2025 with 105 trainees, offers a striking snapshot of how the profession is changing. Around 60% of those trainees are training outside Dublin – a figure that would have been almost unthinkable a decade ago. More than one-third are aged 30 or over, suggesting that the route is drawing in mature students and career-changers for whom the traditional full-time model was simply not viable. In total, approximately 22% of all new solicitor trainees in 2025 opted for the part-time hybrid route – a proportion that has grown steadily since the programme’s introduction and shows every sign of continuing to do so.

From 2027, a new form of PPC (Hybrid) will also be offered on a modular basis, allowing students to spread the course over a longer timeframe tailored to their individual circumstances. For those juggling caring responsibilities, part-time employment, or financial pressures, this represents a significant further step.

### Apprenticeships pathway

Beyond the hybrid model, the Law Society is now examining what could prove to be its most structurally significant reform yet – a solicitor apprenticeship pathway for school leavers and legal executives who do not follow the conventional university route. The Law Society’s Education Committee has approved, in principle, the introduction of a Professional

Solicitor Apprenticeship programme under the *Solicitors Acts 1954-2015*, with new regulations currently being drafted. Once approved internally by the committee and Council, the regulations will require ultimate sign-off from the Minister for Justice.

If approved, the apprenticeship model would represent a genuine break with tradition. The existing traineeship route is primarily graduate-led. Apprenticeships would open the profession to those for whom full-time, third-level study is financially untenable, or who simply never had the opportunity to take that path.

The regional dimension is also significant – by allowing trainees to qualify while remaining in their home communities, apprenticeships could help address what has become a persistent and serious problem – the chronic undersupply of solicitors outside the capital, in what have become ‘legal deserts’.

### A helping hand

While structural reform of training routes is welcome, the Law Society has also maintained and expanded a range of financial supports designed to ensure that money alone does not determine who gets to qualify.

The Access Scholarship Programme, which has been running since 2001, provides financial and practical assistance to socio-economically disadvantaged students from the FE1 exam stage all the way through



**Around 60% of hybrid students are training outside Dublin – a figure that would have been almost unthinkable a decade ago**

	2021	2022	2023	2024	2025
<b>TOTAL</b>	107	91	94	100	105
<b>FEMALE</b>	63	63	70	73	77
<b>%</b>	59%	69%	75%	73%	75%
<b>MALE</b>	44	28	24	27	28
<b>%</b>	41%	31%	25%	27%	25%
<b>30 OR UNDER</b>	83	52	63	69	70
<b>%</b>	78%	57%	67%	69%	66%
<b>31 OR OVER</b>	24	39	31	31	35
<b>%</b>	22%	43%	33%	31%	34%
<b>DUBLIN</b>	53 (50%)	49 (54%)	38 (40%)	45 (45%)	42 (40%)
<b>OTHER COUNTIES</b>	54 (50%)	42 (46%)	56 (60%)	55 (55%)	63 (60%)

*The PPC Hybrid is now a recognised mainstream route for a noteworthy minority of trainees, with strong indications that this will continue to grow*

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to qualification. There are currently 212 people participating in the scheme: 126 are receiving support to sit their FE exams, while 86 are progressing through their PPC.

Since the programme began, 267 Access participants have qualified as solicitors – a figure that represents not just individual achievement, but a cumulative shift in the composition of the profession.

In 2025, the Law Society introduced a member contribution as part of the annual practising certificate fee specifically to fund access programmes. The measure generated an additional €170,000, which has been used to fund five additional PPC places and 20 additional FE1 places. The signal is clear: the profession's existing members are now directly subsidising the entry of those who might find the financial challenge a step too far.

The annual Law Society Bursary Fund of €175,000 provides maintenance grants to trainees on both the full-time and part-time PPC where personal or family resources fall short. In 2025, a total of 25 trainees received bursaries. Five Scott Scholarships, covering the full PPC fees, have been awarded – a sixth will follow in 2026.

The Small Practice Traineeship Grant, which provides €18,000 to training firms and a €7,000 PPC fee discount to trainees, is specifically designed to support smaller practices in rural areas. In all, 32 such grants have been awarded since the scheme's introduction – six of those in 2025 alone.

The logic is simple: sole practitioners and small firms exist in almost every town in Ireland and, if they can afford to take on trainees, those trainees can stay local. A new Independent Law Centre Traineeship Grant, worth €25,000 annually, will begin in 2026, supporting training contracts with independent law centres.

## Reaching into schools

The Law Society's ambitions do not just begin at university level. A range of outreach initiatives aims to reach potential solicitors much earlier, in some cases before they have sat their Leaving Certificate.

The Street Law programme places trainee solicitors into schools and community settings to teach legal literacy

in practical, accessible ways. Over 3,000 transition-year (TY) students have taken part since 2013.

The Solicitors of the Future programme offers an in-person, week-long experience for TY students, with around 360 participants since 2017. Approximately 20% in recent years have come from DEIS (Delivering Equality of Opportunity in Schools) colleges. A free online TY law module, covering topics from criminal law to climate justice and human rights, attracted over 2,000 students in 2024 and early 2025. Student feedback suggests that the content is not only engaging, but has actively influenced many to consider a legal career.

At third level, the annual 'Becoming a Solicitor' Symposium offers online presentations, panel discussions, and direct interaction with Law Society staff, practising solicitors, and trainees. This is helping to demystify a profession that can still seem opaque to those without family connections to it.

## A profession in transition

None of this amounts to a solved problem, of course. The geographic concentration of solicitors in the capital remains a structural challenge, and the gap between aspiration and success for students from disadvantaged backgrounds is still significant. The emphasis on specialisation in areas such as artificial intelligence, data protection, and environmental law – all of them growth areas – carries a risk of pushing up costs for clients and reinforcing existing barriers in new forms.

But the direction of travel is clear. The combination of flexible training routes, financial supports, and early outreach is beginning to reshape who enters the profession – not dramatically, but measurably. In 2025, the Law Society moved further and faster than in most previous years: new cohorts, new grants, new modules, and new regulations in the pipeline.

The question of whether the legal profession reflects the society it serves has long been asked. The Law Society of Ireland is now, with deliberate intent, trying to answer it. 

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*Mark McDermott is editor of the Law Society Gazette.*



**Beyond the hybrid model, the Law Society is now examining what could prove to be its most structurally significant reform yet – a solicitor apprenticeship pathway for school leavers and legal executives**

# Thrive to survive!

The Irish legal sector is thriving, with practitioner numbers at record highs and demand surging across key industries – and now the profession has a real opportunity to extend that success to every corner of the country. Mark McDermott reports



Ireland's legal profession entered 2026 in robust health, with the latest data from the *Annual Report on Admission Policies of Legal Professions 2025* painting a picture of a sector that has not only weathered economic uncertainty, but is actively driving growth across the country.

With more than 12,000 solicitors now on the Roll and a burgeoning pipeline of new talent, the figures confirm what many practitioners already sensed: demand for legal services in Ireland has never been stronger.

The milestone is more than symbolic. Independent analysis, jointly commissioned by the Law Society and the Bar

*Of the 12,961 practising certificates held by solicitors at year-end 2025, a total of 8,827 – roughly two-thirds – were held by solicitors based in Dublin*

of Ireland, places the legal sector's contribution to Ireland's economy at €6.7 billion, a figure that underscores just how deeply embedded legal expertise has become in the fabric of Irish commercial and civic life.

The sector supports over 52,000 jobs, a number that stretches well beyond the courtroom, encompassing paralegals, legal executives, administrative professionals, and the wider ecosystem of firms and institutions that depend on legal services to function.

Ireland's position as a hub for global business continues to attract multinational investment, with the legal profession playing a central – if sometimes underappreciated – role in enabling that success

## Shaping the modern economy

The sectors driving legal demand in 2025 are indicative of Ireland's contemporary economy. Financial services, manufacturing, technology, and life sciences are all generating substantial legal work, with practitioners increasingly called upon to navigate complex regulatory compliance requirements, commercial contracts, mergers and acquisitions, and dispute resolution. It's a far cry from the profession of a generation ago, and it speaks to the adaptability of Irish lawyers in meeting the needs of an economy in constant flux.

Law Society survey data reinforces this picture of an



evolving profession. In 2025, 50% of private-sector in-house solicitors reported working on commercial matters, up markedly from 41% in 2023. That shift reflects both the rising complexity of corporate Ireland and the growing confidence of legal teams operating within businesses, rather than merely advising them from the outside.

### New frontiers

New frontiers in data protection, AI, and cybersecurity are also opening up rich seams of legal work, as businesses grapple with a regulatory landscape that is expanding faster than many compliance departments can keep up with. The result is rising demand for highly specialised expertise – and a profession responding to that challenge.

Some 86% of private-sector solicitors and 92% of their public-sector in-house counterparts reported seeking more professional training in 2025 – a statistic that speaks to a culture of continuous learning rather than complacency.

### Confidence runs high

Perhaps the most striking feature of the 2025 data is the mood within the profession itself. Some 65% of private-sector solicitors and 53% of those working in the public sector reported a positive outlook for the future of the profession.

While the proportion expecting significant growth in their own specific field over the next five years has softened somewhat compared with 2023, the majority still anticipates an expansion in work opportunities, reflecting a level of forward-looking confidence that many sectors would envy.

	Employer name (Ireland)	No of solicitors 2025	No of solicitors 2024	No of solicitors 2023
1	A&L Goodbody LLP	399	371	365
2	Matheson LLP	370	371	361
3	Arthur Cox LLP	344	333	326
4	Mason Hayes & Curran LLP	328	313	290
5	McCann FitzGerald LLP	289	290	279
6	William Fry LLP	220	216	208
7	Chief State Solicitor's Office	208	199	186
8	ByrneWallace Shields LLP	205	153	148
9	Legal Aid Board	144	121	115
10	Office of the DPP	128	132	129
11	Central Bank Of Ireland	117	119	123
12	RDJ LLP	115	105	106
13	Beauchamps LLP	105	98	94
14	Philip Lee LLP	102	84	84
15	Maples and Calder (Ireland) LLP	97	107	98
16	Allied Irish Banks plc	95	98	97
17	Addleshaw Goddard (Ireland) LLP	86	80	70
18	Dillon Eustace LLP	84	82	85
19	DLA Piper Ireland LLP	79	66	63
19	Fieldfisher Ireland LLP	79	74	70

*Breakdown of the number of practising certificates held by each of the top 20 largest employers of solicitors, as of 31 December 2025 (incorporating firm principal offices and branches in Ireland)*

Trainee solicitor admissions remained high, with an intake of 581 trainees at year-end. This suggests that the profession continues to attract ambitious graduates who regard legal work as a meaningful and sustainable career.

### Geography lesson

Yet for all the sector's evident strengths, the data contains a note of caution. The geographic distribution of legal services remains strikingly uneven, and that imbalance has real consequences for communities across Ireland.

Of the 12,961 practising

certificates held by solicitors at year-end 2025, a total of 8,827 – roughly two-thirds – were held by solicitors based in Dublin. Just 4,134 certificates were held by practitioners outside the capital. The contrast is sharp, and it raises legitimate questions about whether the growth and dynamism so visible in urban legal markets is being felt equally in rural Ireland.

Smaller firms outside the major urban centres face measurably greater challenges in recruiting and retaining qualified solicitors. The competitive pull of Dublin – with its higher salaries, greater



career variety, and concentration of large commercial clients – makes it difficult for regional practices to match what the capital can offer. The result is a profession that, despite its national reach, risks becoming increasingly concentrated in a handful of urban centres.

This is not merely a professional problem – it’s a public-access problem. Rural communities depend on local solicitors for everything from conveyancing and family law to probate and personal-injury claims. When those practitioners are difficult to recruit or retain, it is ordinary people – often those least able to travel long distances or pay premium fees – who bear the consequences.

### Proactive measures

To address the shortage of solicitors in regional areas, the Law Society is exploring several proactive measures. A solicitor apprenticeship model is currently being examined as a new qualification route for school leavers, aimed at lowering entry barriers for those without access to traditional academic pathways.

The PPC Hybrid model offers another alternative – a flexible, part-time professional practice course allowing trainees to work within their own communities while studying. This reduces the financial pressures for those



with family or other commitments.

Additionally, six Small Practice Traineeship Grants were awarded in 2025, supporting small regional firms of five or fewer solicitors outside major urban centres. The scheme provides €18,000 to the training firm over a two-year contract, with trainees receiving a €7,000 discount on their PPC fees.

With smaller practices present in almost every Irish town, these grants offer trainees a genuine opportunity to build their careers locally, without the need to relocate to larger urban centres.

### Pipeline pressures

There are early signs that the future supply of legal professionals may not keep pace with demand. Enrolments in the Law Society’s PPC fell by 3% in 2024, first-time practising certificates dropped by 9%, and new entrants to the barrister-at-law degree declined by 8%. These are not alarming figures – practitioner numbers remain at historic highs – but they suggest the pipeline that has sustained the profession’s growth may be beginning to narrow.

The Law Society has been clear in its advocacy for

reform of both civil and criminal legal aid, recognising that access to justice is not simply a matter of having enough lawyers, but of ensuring those lawyers are accessible and affordable to all.

Only 1.1% of complaints to the Legal Services Regulatory Authority in 2025 related solely to excessive costs – evidence that most clients see legal fees as reflecting the professional service on offer – but the picture is more complicated for those reliant on legal aid, where funding constraints and regional shortages continue to create real barriers.

Ireland’s legal profession stands at an impressive juncture. Its economic contribution is vast, its practitioners are highly trained and broadly optimistic, and its engagement with the cutting edge of commercial and regulatory life is deeper than ever.

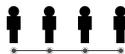
The challenge now is to ensure that the prosperity and dynamism visible in our urban legal quarters expand to solicitors’ offices in every town in Ireland – because justice, to mean anything at all, must be available to everyone. 

*Mark McDermott is editor of the Law Society Gazette.*

## KEY STATS



**PC holders:**

**8,827** 

the number of practising certificates (PCs) held by solicitors in Dublin at year-end 2025



**In-house/private:**

**2,911** 

the number of solicitors with PCs recorded as working ‘in-house’ in the private sector

**4,134** 

the number of PCs held by solicitors outside Dublin

**531** 

the number of solicitors listed as working ‘in-house’ with State or public bodies



# Producer pays?

**The new *Product Liability Directive* will open the doors much wider for the business of litigators. Class or representative actions will multiply. Third-party funding will become more prevalent. Duncan Grehan is a class act**

**P**roducers of products have faced strict liability risks under EU laws since 1985 (Directive 85/374/EEC), and this risk has been transposed into the laws of Ireland for some 35 years (*Liability for Defective Products Act 1991*).

Their risk will soon be even greater, as the burden of proof is placed heavily on their shoulders and its scope widens to include many AI products, as the *Artificial Intelligence Act* came into force in August 2024.

The old 1985 directive will be replaced by the new *Product Liability Directive* (EU

2024/2853) (PLD), which shall become law on 9 December 2026 in all EU member states, and by when it is required to have been also transposed into national law. Its definition of ‘product’ also expands to include AI.

## Pulp fiction

The new PLD will open the doors much wider for the business of litigators. Class or representative actions will multiply. Third-party funding will become more prevalent. Market surveillance tactics will underpin that business as – like in John Grisham fiction – research for defective products in the market becomes widespread. When one is identified,



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## Analysis



others like it (however branded) will then be discovered.

Producers face new rebuttable presumptions in favour of claimants, which alter and impose many proof burdens. The identity of a defective product has now a new appearance.

Producers, on the complainant's application, shall produce all evidential proofs, for and against the claim. Failure to do so shall result in their product being assumed to be defective.

'Forum shopping' may become even more frequently a tool for the business of the litigator. While the PLD requires the producer to furnish all such evidence, member-state laws and court rules may differ. Ireland, as the sole EU common-law member state, offers to claimants and litigators (and, indirectly, to the advantage of their underlying funders) the current right to require the defendant producer to make discovery of all relevant documentation and evidence (hard and soft), no matter in how many countries worldwide they may be located.

The ambit of this right is currently under statutory review and reform by our

Department of Justice, as per its [press release on 6 January](#). It is uncommon in many other EU states. It is a tool or weapon to threaten so as to bring a PLD claim to an early, profitable, private, and confidential settlement.

That route is, on balance, the optimal result, also, for the producer and for its defence funders/insurers. It avoids the huge cost risks of lengthy court processes. It avoids injurious publicity. Such private settlement also suits the claimant team, who can then stay in control of its terms. Mediation before any court hearing is increasingly mandatory and the courts' preferred direction.

### Great expectations

Production must respect consumer-expectation standards. The law has required care and safety to be never out of sight since the 1985 regime of strict liability became EEC/EU-wide. The test for the producer since then, similar to the common-law tort test, has been risk-foreseeability. That duty today does not expire. The producer remains at risk for the lifetime of its product in the market and in use by any person.



Under the new PLD regime, the claimant’s three-year limitation period (within which the claim may be initiated) shall be extended to 25 years in certain circumstances, for injuries that are latent and surface within that time.

Its article 7 widens the scope of proving a product to be defective. To fall successfully within the test that it is not defective, the product must be what “a person is entitled to expect”. To assess that, “all circumstances shall be taken into account, including...” – article 7(2) then names nine non-exhaustive illustrative examples of such circumstances.

These laws apply to all products in the EU market, irrespective of where in the world they were made.

Litigators before the courts of Ireland must be certified by our professional authorities in accordance with our law (be they solicitor or barrister), have their administrative-practice centre here, and have professional indemnity insurance. Lawyers from other EU states who wish to represent their client before our courts can only do so in conjunction with one of us (save in cases that are very rare, exceptional, and of proven specialism).

It remains to be seen whether the Oireachtas will transpose the PLD into Irish statutory law via a ‘copy-and-paste’ method, on the basis that it is aligned with our existing law standards, or whether, as did Germany and Sweden, it will be scrutinised, article by article, before the transposed draft becomes our law by the December deadline. Of concern is alignment with our current due and fair-process rights, burden-of-proof tests, and constitutional rights.

### In bloom

Our national economy blossomed due to foreign direct investment, especially in the product manufacturing sector – now including giant social-media and AI producers. Ireland will remain attractive for producers who prefer a base in an EU state that is English-speaking, has low corporation tax rates, and has a common-law tradition.

The ‘Ireland base’ choice may include balancing up the risk and threats of mass class or representative claims, clever market surveillance, and forum shopping



## Producers, on the complainant’s application, shall produce all evidential proofs for and against the claim. Failure to do so shall result in their product being assumed to be defective

– and also because of the classic range of available defence armour in our law, such as champerty, crowd funding, contributory negligence, voluntary risk taking, delay, and absent sufficient *locus standi*.

Our law infrastructure and fair process tests are currently due major statutory reform.

*Duncan Grehan is a solicitor, a CEDR-accredited mediator, and vice-chair of the Law Society’s EU and International Affairs Committee.*

## LOOK IT UP

### LEGISLATION:

- [EC \(General Product Safety\) Regulations 2004 \(SI 199/2004\)](#)
- [EU Artificial Intelligence Act \(EU Regulation 2024/1689, amending EU 2020/1828\)](#)
- [General Product Safety Directive \(2001/95/EC\)](#)
- [General Product Safety Regulation \(EU 2023/988\)](#)
- [Liability for Defective Products Act 1991](#)
- [Product Liability Directive \(85/374/EEC\)](#)
- [Product Liability Directive \(Directive \(EU\) 2024/2853\)](#)

### LITERATURE:

- [Duncan Grehan, ‘Right of audience’ \(October 2021 Gazette, p54\)](#)
- [Speaker papers at the IBEC/Irish Centre for European Law seminar on the Product Liability Directive \(19 November 2025\)](#)

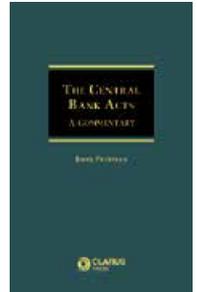
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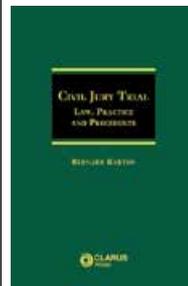


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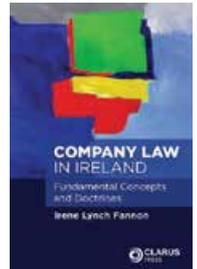


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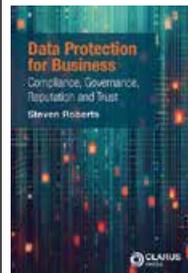


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# Let's work together

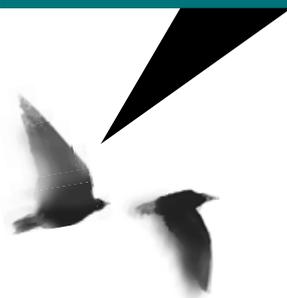
**Every acquisition is an act of succession. It carries forward the work, reputation, and relationships built over decades. Approached with care, it ensures that a professional legacy continues to thrive under new leadership, says Neal Morrison**

**A**cross the professional services world, firms are increasingly choosing acquisition as a route to future-proof their businesses. In the accountancy sector, we see how well-matched mergers can strengthen regional networks, attract new talent, and win larger clients that a single office could not have serviced alone.

The same opportunity exists for law firms. A carefully chosen acquisition can help a firm compete more effectively for complex mandates and maintain client relationships as those clients expand internationally or diversify their needs.

The benefits can extend well beyond growth. Merging with or acquiring another practice can also bring renewed energy, a broader skill-set, and greater resilience in a changing market. For many managing partners, it provides a way to future-proof not only the business, but also the culture they have built over time.

*Merging with or acquiring another practice can also bring renewed energy, a broader skill-set, and greater resilience in a changing market*



Acquisition, when handled with care, is not a sign of weakness. It is a sign of foresight.

## Fit (but you know it)

Before figures or valuations are discussed, the most important consideration is fit. A practice may look attractive on paper, but the real question is whether the two firms think and work in compatible ways.

Fit goes beyond structure and systems. It is about leadership style, communication, and shared values. How do the partners make decisions? How do they lead their teams? What does client care mean to them in practice?

Fit is also about trust between partners. Deals that work tend to involve people who respect each other's judgement and share a similar approach to decision-making. When that trust exists, challenges are handled quickly and privately. When it does not, even small issues can become obstacles.

The time spent understanding fit at the outset is rarely wasted. When the alignment is right, integration feels natural. When it is not, no amount of legal drafting can bridge the gap.

## Due time

Due diligence is often seen as a technical process. It is certainly essential to review the financials, assess liabilities, confirm profitability, and examine contracts. Yet, in a professional practice, due diligence must go further.

Ask who holds the key client relationships. Understand how new business is generated and who controls the flow of referrals. Identify whether there are informal arrangements that might not survive a transition.

*Cultural* due diligence is now as important as financial review. It considers staff turnover, training investment, and internal communication style. These indicators often reveal more about future stability than any spreadsheet.

These insights emerge only through conversation. Confidential and well-handled discussions provide a true





Photo: Shutterstock

picture of where value lies and where risk sits. This is where experience counts.

Having watched many transactions across both law and accountancy, I have seen that those who treat due diligence as an opportunity to learn rather than a box-ticking exercise are the ones who uncover the realities that matter most.

Well-run firms that invest time in preparation, documentation, and clarity before they ever reach the due diligence stage tend to come through the process with far less stress. It is another reminder that readiness always pays dividends.

### Understanding

There is no single formula for valuing a legal practice. Multiples of maintainable earnings and capitalisation of recurring fees are useful reference points, but they

rarely tell the whole story.

True value lies in the firm's ability to sustain its performance. Buyers look for clear governance, transparent reporting, and evidence that success is not tied to one or two individuals. Firms with defined service lines, structured handovers, and consistent client communication attract greater confidence and, ultimately, stronger offers.

The more a firm can demonstrate that its strength is institutional rather than personal, the more resilient and valuable it appears. That is particularly true when buyers are external or when the acquisition involves bringing together firms with different client bases and operating models.

A valuation is not just a number. It is a reflection of confidence in the firm's ability to deliver into the future.

### Deal

No two transactions are the same. Some involve a full transfer of ownership. Others are phased over time, allowing both sides to adjust. Many combine elements of both, with outgoing partners remaining for a period to oversee client transitions.

Earn-outs, deferred payments, or profit-linked arrangements can balance risk and reward, ensuring fairness for all involved. The most successful negotiations are collaborative rather than adversarial. Both sides need to feel that they have achieved a fair outcome. Often that means balancing immediate payment with longer-term reward, or agreeing practical steps to protect the legacy of the selling firm.

We have seen first-hand how flexibility and understanding lead to better outcomes. In

professional services, where relationships and reputation are central, the structure must reflect the human reality as well as the commercial one.

A well-structured deal allows both firms to move forward with confidence and clarity. The key is transparency, a sense of shared purpose, and the will to find solutions rather than positions.

### Expectations

Clients are at the heart of every firm's value. How they experience a transition determines whether the acquisition succeeds.

Clients rarely want change: they want reassurance. A carefully planned communication strategy helps. Joint letters, shared meetings, and open introductions between teams show continuity and respect.

The message should always be that clients will continue to receive the same care, with the added strength of a broader team.

The same care must extend to staff. Change naturally creates uncertainty. Being transparent about roles, leadership, and plans helps prevent speculation and fosters trust.

When people feel informed and secure, they remain engaged. When clients remain engaged, they tend to stay loyal.

Staff retention is one of the clearest indicators of a successful merger. People need to see that their experience and contribution are valued. This may mean offering development opportunities, reviewing reward structures, or simply acknowledging the effort that integration requires.

The firms that manage people transitions well usually share one trait: they listen. They make time to meet teams face-to-face and encourage honest discussion. They see communication not as an announcement, but as an ongoing dialogue.

### Two can keep a secret

Every transaction requires confidentiality, but within professional services, discretion carries particular weight. These are close-knit markets where speculation spreads quickly.

In most cases, conversations begin quietly. Maintaining confidentiality allows both firms to explore possibilities without pressure or disruption. It protects morale, supports stability, and demonstrates professionalism – and helps maintain client confidence.

*The goal is not simply to complete a transaction, but to achieve continuity for clients and stability for teams*



At this stage, it is often helpful for partners to seek an independent advisor or peer for a sense-check before progressing to formal discussions. Early objective input can help clarify whether an acquisition aligns with the firm's long-term goals and readiness to engage.

Handled well, confidentiality becomes a sign of respect between both sides. It allows space for reflection and honest dialogue before plans are shared more widely.

Even the best-prepared acquisitions face obstacles. The most common include underestimating the complexity of integration, overestimating potential synergies, and neglecting communication with teams or clients.

Sometimes, leadership dynamics differ more than expected. Sometimes, cultural contrasts only become visible once firms begin working side by side. Recognising these risks early allows them to be managed rather than discovered too late.

A thoughtful, transparent approach will always produce a smoother transition than one driven by speed or pressure. Preparation is rarely wasted time.

When two firms combine successfully, the result can be transformative. Clients benefit from a broader base of expertise. Staff gain opportunities to develop within a more structured environment. The market sees a firm that is forward-looking, confident, and well-equipped to meet changing demands.

The key is care at every stage: clarity of purpose, thorough preparation, respect in negotiation, and consistency in delivery.

An acquisition handled with thought and integrity is never

just a financial transaction – it is a strategic investment. It is a statement about leadership and the future. It is about preserving the essence of what made each firm successful, and combining it in a way that creates new strength.

### Dig for fire

Buying a legal practice requires courage, patience, and judgement. It is as much about people as it is about numbers.

Buying or selling involves clear steps: initial exploration, preparation of accurate financial and operational data, due diligence, and integration planning. Each stage benefits from open communication, detailed documentation, and early advice from trusted legal and financial professionals.

For firms beginning the process, starting with a realistic timeline and a shared understanding of objectives can make all the difference. The goal is not simply to complete a transaction, but to achieve continuity for clients and stability for teams. ☑

*Neal Morrison is the regional managing partner of Dains Ireland.*

For further details on succession planning and information on supports and services available from the Law Society, email Solicitor Services at [solicitorservices@lawsociety.ie](mailto:solicitorservices@lawsociety.ie).

For more information on retirement planning and succession, see [www.lawsociety.ie/succession](http://www.lawsociety.ie/succession). The Law Society's 'Buy/Sell/Merge' service is at [www.lawsociety.ie/succession-and-exit-planning/buy-sell-merge](http://www.lawsociety.ie/succession-and-exit-planning/buy-sell-merge).



# Screen time

**The Screening of Third Country Transactions Act 2023 is a significant piece of legislation designed to regulate foreign direct investment in Ireland. Marco Hickey is ready for his close up**

- Change/acquire the percentage of shares or voting rights it holds in an undertaking in the State either (i) from 25% or less to more than 25%, or (ii) from 50% or less to more than 50%, or
- Acquire control of an asset or undertaking in the State.

A third-country undertaking means an undertaking that is:

- a) Constituted or otherwise governed by the laws of a third country, or
- b) Controlled by at least one director, partner, member or other person that is either a person in (a)

**T**he *Screening of Third Country Transactions Act* came into force on 6 January 2025, implementing into Irish law EU Regulation (EU) 2019/452 establishing a framework for the screening of foreign direct investments into the union (*FDI Regulation*).

The *Screening Act* requires notification of a proposed transaction to (and clearance by) the Minister for Enterprise, Tourism and Employment involving third-country businesses, defined as any country that is not a member of the EU, EEA, or Switzerland – so it would include the UK and the US.

A notification must be made where each of the following four conditions is met.

**1. Third-country undertaking acquiring control**  
A third-country undertaking, or a person connected with such an undertaking, as a result of the transaction must:

above or is a third country national, or  
 c) A third country national.

A third-country national is defined as a natural person who is ordinarily resident in a third country or an unincorporated group or partnership of natural persons, at least one of whom is ordinarily resident in a third country.

A person is connected with a third-country undertaking if the person is:

- a) A spouse, civil partner, parent, sibling, or child of a relevant person (where the third-country undertaking is an individual, the individual, and where the third-country undertaking is not an individual, a third country national who exercises control over the undertaking),
- b) Acting in the capacity as the trustee of any trust, the principal beneficiaries of which are a relevant person, a person referred to in paragraph (a), or an undertaking controlled by a relevant person, or
- c) In partnership with a relevant person.

A person shall be regarded as exercising control of:

- An asset, where that person has ownership of, or the right to use, all or part of the asset, and
- An undertaking, where that person can exercise ‘decisive influence’ over the activities of the undertaking by any means, including as a consequence of either the existence of rights or contracts conferring decisive influence on the composition, voting, or

*It is important to review and understand the relevant definitions whose application to a particular transaction necessitates examining in detail the structure behind the parties, including their controllers and related persons*

other commercial decisions of the undertaking or ownership of, or the right to use, all or part of the assets of the undertaking.

Control of an asset or of an undertaking is regarded as being acquired by a person who gains an ability to exercise control of the asset or of the undertaking for the first time or to a greater extent.

The circumstances in which an asset shall be regarded as being in the State include where it is physically located within the territory of the State and, in the case of an intangible asset, where it is owned, controlled, or otherwise in the possession of an undertaking in the State. An undertaking shall be regarded as being in the State where it is constituted or otherwise governed by the laws of the State or has its principal place of business in the State.

As one can see, it is important to review and understand the relevant definitions whose application to a particular transaction necessitates examining in detail the structure behind the parties, including their controllers and related persons.

The Department of Enterprise Tourism and Employment has issued [Inward Investment Screening Guidance for Stakeholders and Investors](#), which provide helpful guidance on both jurisdictional and substantive questions arising under the *Screening Act*.

Some of the expressions used in the *Screening Act* are not defined, such as ‘decisive influence’ as used in the control test. This is a fundamental concept relevant for establishing jurisdiction under the act. The term ‘decisive influence’ is also

used in the Irish *Competition Act 2002* (as amended), which in turn was taken from the EU *Merger Regulation*). Neither the *Screening Act*, *Competition Act*, nor regulation define the expression ‘decisive influence’. However, the EU Commission has provided [guidance](#) on the meaning of the term (Commission Consolidated Jurisdictional Notice under Council Regulation (EC) No 139/2004 on the control of concentrations between undertakings) and a significant body of case law has been established interpreting the concept for EU merger-control purposes. The department’s *Screening Guidelines* highlight that the department’s understanding of ‘decisive influence’ reflects the concept of control used in both EU and Irish merger control. Therefore, practice and experience in EU and Irish merger control is helpful in advising on the concept of decisive influence for the purposes of the *Screening Act*. In short, decisive influence arises once the proposed transaction gives rise to sole or joint control.

**2. Value of transaction threshold**

The cumulative value of the transaction, and each transaction between the parties to the transaction, or persons connected with third-country undertakings that are parties to the transaction, in the period of 12 months before the date of the transaction, must be equal to or greater than €2,000,000 or such other amount prescribed by the minister (to date, the minister has not prescribed any other amount).

**3. Intra-group transactions excluded**

The same undertaking must not, directly or indirectly, control all

the parties to the transaction. In other words, intra-group transfers are generally excluded (this is similar to the approach taken to mergers under the *Merger Regulation* and the 2002 act).

**4. Relevant sectors caught**

The transaction must relate to, or impact upon, one or more of the matters referred to in points (a) to (e) of article 4(1) of the EU *FDI Regulation*:

- a) *Critical infrastructure*, whether physical or virtual, including energy, transport, water, health, communications, media, data processing or storage, aerospace, defence, electoral or financial infrastructure, and sensitive facilities, as well as land and real estate crucial for the use of such infrastructure, or
- b) *Critical technologies and dual-use items* as defined in point 1 of article 2 of Council Regulation (EC) No 428/2009, including artificial intelligence, robotics, semiconductors, cybersecurity, aerospace, defence, energy storage, quantum and nuclear technologies, as well as nanotechnologies and biotechnologies, or
- c) *Supply of critical inputs*, including energy or raw materials, as well as food security, or
- d) *Access to sensitive information*, including personal data or the ability to control such information, or
- e) *Freedom and pluralism of the media*.

The sectors as described in the *FDI Regulation* are couched in very wide language and would appear



Peter Burke TD, Minister for Enterprise, Tourism and Employment

on their face to potentially capture many transactions. The department, through the *Screening Guidelines*, has sought to put parameters and context to the scope of the relevant sectors

**Substantive test**

The substantive test to be applied by the minister as part of the screening review is whether the transaction will affect the security or public order of the State. The minister is obliged to have regard to the following factors in making the substantive assessment:

- Whether or not a party to the transaction is controlled (whether through ownership structures or by other funding) by a government (this includes

*The Screening Guidelines have been a valuable tool in interpreting and applying the act to proposed transactions*

state bodies or armed forces of the third country concerned) of a third country and, where relevant, the extent to which such control is inconsistent with the policies and objectives of the State,

- The extent to which a party to the transaction is, at the time the transaction is being reviewed, already involved in activities relevant to the security or public order of the State,
- Whether or not a party to the transaction has previously taken actions affecting the security or public order of the State,
- Whether or not there is a serious risk of a party to the transaction engaging in illegal or criminal activities,
- Whether or not the transaction presents, or is likely to present, a person with an opportunity to (a) undertake actions that are disruptive or destructive to persons in the State, or to enhance the impact of any such action; (b) improve the person's access to sensitive undertakings, assets, people, or data in the State; or (c) undertake espionage affecting or relevant to the interests of the State,
- Whether or not the transaction is likely to have a negative impact in the State on the stability, reliability, continuity, or safety of one or more of the matters referred to in points (a) to (e) of article 4(1) of the *FDI Regulation*,
- Whether or not the transaction would result in persons acquiring access to information, data, systems, technologies, or assets that are of general importance to the security or public order of the State,

- Where applicable, comments of member states and the opinion of the European Commission referred to in article 6(g) of the *FDI Regulation*,
- The extent to which the transaction affects, or would be likely to affect, the security or public order of a member state other than the State or of the EU, and
- The extent to which the transaction affects, or would be likely to affect, projects or programmes of union interest within the meaning of article 8 of the *FDI Regulation*.

### Timing of notification

The parties to a notifiable transaction must notify the minister of the transaction at least ten days before it is due to be completed. The *Screening Act* does not impose any other conditions on when a notification must be submitted. Notification can be made on the basis of a ‘good faith intention’ to complete a deal, so a transaction can be notified on the basis of a preliminary non-binding document such as heads of terms or offer letter. The *Screening Guidelines* clarify that the parties may decide to submit a notification at whatever time is most convenient to them.

### Timing of completion

A notifiable transaction cannot be completed until the required screening process is complete, either by confirmation that the *Screening Act* does not apply or approval by the minister. In many cases, the parties do not wish to notify a transaction until the terms of the acquisition agreement are

*The Screening Act requires notification to the minister of a proposed transaction involving third-country businesses, defined as any country that is not a member of the EU, EEA, or Switzerland – so it would include the UK and the US*



negotiated and agreed, which necessitates a split signing and completion. This will require a condition precedent in the relevant acquisition document, such as the share purchase agreement or business purchase agreement, which the parties will need to negotiate and agree

### Screening process

The minister is obliged, as soon as practicable after commencing a review of a transaction under the *Screening Act*, to provide all parties to the transaction (and any other person the minister considers appropriate) with a screening notice that (a) summarises the reasons for which the transaction is being reviewed, (b) states that the person to whom it is addressed may make written submissions to the minister regarding the transaction, and (c) a statement regarding any other matter that the minister considers to be appropriate in the circumstances.

Where a screening notice has been issued, a party to the transaction may make written submissions to the minister regarding the transaction within the period specified in the notice, or such further period as the minister may specify by notice in writing issued to the party before the date specified in the screening notice.

The minister must plan as to

whether or not the transaction affects, or would be likely to affect, the security or public order of the State (‘screening decision’). The minister must issue the screening decision within 90 days from the date of the screening notice or 135 days from the screening notice if the minister specifies such a longer period in the notice. These time limits are suspended if the minister makes a formal request for further information. If the minister fails to make a screening decision within the above timeframe, the transaction is deemed, on and from the last day of that period, to be subject to a screening decision that it has not affected, or would not be likely to affect, the security or public order of the State.

The minister may grant conditional approval, including to require the parties, whether jointly or separately, to do or not to do one or more of the following: (a) not to complete the transaction, or such parts of the transaction as the minister may specify; (b) not to complete the transaction, or such parts of the transaction as the minister may specify, before or after such date or dates as the minister may specify; (c) to sell or divest itself of any matter, including business, assets (tangible or intangible), shares, real property, or to cease a specified conduct or practice; (d) to



modify or constrain its conduct or practice in specified ways; (e) to cease a specified conduct or practice; (f) to prevent the flow of competitively sensitive information between undertakings or within divisions, units, departments, or other organisational units within an undertaking; (g) to report to the minister, on such terms as the minister may specify, on the parties' compliance with conditions imposed; (h) to pay to the minister, or such other person as the minister may specify, such amounts as the minister may specify in order to meet the reasonable costs associated with monitoring compliance with conditions imposed by the minister.

Where the minister prohibits a transaction, the parties must not complete the transaction or take any action for the purpose of completing or furthering the transaction.

### Author's experience

My experience of the department in dealing with

the *Screening Act* has been very positive. Furthermore, the *Screening Guidelines* have been a valuable tool in interpreting and applying the act to proposed transactions.

One practical drawback of the system is that it is not possible to make a jurisdictional submission requesting the department's view as to whether or not a proposed transaction meets the thresholds for mandatory notification where, for example, the parties are unsure as to whether a proposed transaction relates to, or impacts upon, one of the relevant sectors. The department will only accept a full notification.

However, helpfully, if one notifies a transaction and the department feels that it is not caught by the *Screening Act*, the department will issue a letter confirming that the act does not apply to the notified transaction, that no screening notice will be issued, and specify that, on that basis, the parties are free to proceed to completion.

*A notifiable transaction cannot be completed until the required screening process is complete, either by confirmation that the Screening Act does not apply or approval by the minister*

### Other features

The minister has a broad power to call in transactions for review, regardless of whether or not they are notifiable or notified, if the minister has reasonable grounds for believing that they would affect, or would be likely to affect, the security or public order of the State. The minister has the power to review transactions that do not meet the thresholds, including those that have completed in certain circumstances.

The *Screening Act* contains a retrospective look-back provision by empowering the minister to review completed transactions up to 15 months prior to the coming into force of the *Screening Act*, regardless of whether they are notified or notifiable. 

*Marco Hickey is head of Competition, Antitrust, and Foreign Investment Regulation at Byrne Wallace Shields.*



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# Ten steps to planning for disaster

**A** disastrous or emergency event can happen to anyone at any time, and can come unexpectedly. If it does, you and your firm may need to adapt quickly to the situation to ensure the survival of the firm. Solicitors have a professional, ethical, and regulatory obligation to implement reasonable measures to safeguard property and money they hold for clients or third parties, prepare for business interruption, and keep clients informed about how to contact them (see chapter 9 of the *Solicitor's Guide to Professional Conduct*).

How your firm reacts and adapts to a disastrous or emergency event can mean the difference between resuming work with some business continuity, without leaving your clients stranded, or – in the worst-case scenario – closing your firm. Being unprepared for emergencies can also leave your firm's staff, clients, and data vulnerable and at risk, including breaches of confidentiality, non-compliance with GDPR, or professional negligence.

## 1) Carry out an inventory

You should always know exactly what your firm has on hand, so that anyone following your plan knows what needs to be recovered or replaced. You should consider including the following in your inventory:

- **Software** – make a list of any software your firm uses. How many licenses do you have? Record how access is managed and ensure that passwords or credentials are stored securely in an encrypted system.
- **Hardware** – how many computers, servers, or other pieces of physical hardware does your firm have – and where are they located?
- **Client files** – should a disaster occur, have a list of all client files (digital and physical) so that they can be recovered.
- **Locations** – note the locations of everything. Include cloud and physical storage solutions, encrypted backups, and remote-access protocols, ensuring compliance with confidentiality and GDPR.

## 2) Do a risk assessment

Include everything in your inventory for a risk assessment. Identify the impact of each risk and ways to mitigate risks. This should include cyber-risks, data loss, fraud exposure, reputational damage and regulatory breaches, in addition to physical risks, such as fire or flood. Consider seeking the advice of your insurance broker to identify whether there are any additional insurance products available in the context of your own firm.

## 3) Identify and group critical services, systems, and data

For example, if client data is located on a single server, or has no back up, this could be considered critical. Items easily replaced or securely backed up may be considered lower risk, but ensure ongoing compliance with confidentiality obligations (see chapter 4 of the *Solicitor's Guide to Professional Conduct*).

## 4) Identify supporting tools

Do you ensure to back up your data? How often? Where is it located (consider whether all your back-ups are in a separate, secure location)? Document your current backup and IT arrangements and highlight any gaps that could expose client information or firm continuity. Use automation where appropriate to reduce human error and contract only with reputable GDPR-compliant providers. Consider outsourcing critical functions, such as data-hosting IT recovery – provided that contracts address GDPR compliance, confidentiality, liability, and professional-indemnity risks.

## 5) Assign responsible individuals

Nominate specific individuals to take responsibility for plans and procedures in the event of a disastrous or emergency event. Should an emergency occur, your response team and other people should know in advance what their assigned roles and specific responsibilities are. For example, who would be responsible for client communication? Identify any service providers to be contacted. Ensure that the plan is securely stored and accessible to designated individuals. Ensure that nominated successors or substitutes have been informed, agree to act, and are adequately

briefed (and possibly trained) in compliance with disaster-planning requirements.

## 6) Determine how to handle sensitive information

Document clear procedures for protecting and recovering essential records (such as employment, financial, and client files) while maintaining confidentiality, privilege, and GDPR compliance.

## 7) Communications plan

Prepare a written communications plan for use in emergencies. This should specify the approved means of communication (for example, phone, email, secure messaging, video-conferencing); how and when will essential personnel, service providers, and clients be contacted; and who will be responsible? Ensure communications are transparent, accurate, and in line with your professional duty of honesty.

## 8) Test and review the plan

Periodically test and regularly review your disaster plan to ensure all staff know their roles and that it reflects changes such as staff turnover, hybrid working arrangements, or office moves. Carry out walkthroughs or simulations (for example, cyber-attack, sudden illness, natural disaster) to identify weaknesses, document the lessons learned, and provide refresher training.

## 9) Finance

Try to maintain a buffer to cover unexpected expenses that may occur. This might not always be possible, and will vary from firm to firm. Review the details of your professional indemnity insurance coverage annually and ensure that the details of insurers are accessible in an emergency. Consider whether additional business-interruption insurance or cyber-insurance would be appropriate.

## 10) Do not panic – ask for help!

Emergency situations can be very stressful. An already stressful situation can be made much worse when you don't keep your cool. Reach out to colleagues, mentors, the [Consult a Colleague](#) helpline, or [Law Society resources](#) for assistance. Colleagues often have valuable experience in managing crises and can help minimise disruption. You may also access confidential support through the [Law Society's Psychological Services Hub](#) or [LegalMind](#). 



DISCIPLINARY

# NOTICES: THE HIGH COURT

**In the matter of Finghín O’Driscoll, practising as Finghín O’Driscoll & Co, Solicitors, 11 Pembroke Street, Cork [2025 88 SA]**

Take notice that, by order of the President of the High Court made on 9 October 2025, it was ordered that Finghín O’Driscoll, practising as Finghín O’Driscoll & Co, Solicitors, 11 Pembroke Street, Cork, be

suspended from practice and be prohibited from holding himself out as a solicitor entitled to practise.

**In the matter of Sinead Mulhall, practising as Mulhall & Co, Solicitors, 38C Manor Street, Stoneybatter, Dublin 7 [2025 95 SA]**

Take notice that, by order of the High Court made on 10 November 2025,

it was ordered that Sinead Mulhall, practising as Mulhall & Co, Solicitors, 38C Manor Street, Stoneybatter, Dublin 7, be suspended from practice and be prohibited from holding herself out as a solicitor entitled to practise.

*Niall Connors, Registrar of Solicitors, Law Society of Ireland, 28 November 2025. ☒*

TRIBUNAL REPORTS

## 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 Paul Bergin (solicitor number S14007), currently practising in O’Neill & Partners LLP, 25 Glentworth Street, Limerick, 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 [2025-LPDT15] Complaints Committee of the Legal Services Regulatory Authority (applicant) Paul Bergin (respondent)**

By determination dated 17 December 2025, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of professional misconduct in that he failed to comply, either at all or within a reasonable timeframe, with the undertaking dated 9 April 2018 given by him to Ulster Bank, either in part or in full, and failed in particular to (a) register Ulster Bank’s security over the property at Ballynoe, Mungret, Co Limerick, 61648F, so as to ensure that Ulster Bank obtained

a first legal mortgage/charge over the property; and/or (b) lodge with Ulster Bank the following documents relating to the property:

- The certificate of title, and/or
- Stamped and registered deed and/or the other title documents, and/or
- The original mortgage, and/or
- Deed of confirmation and/or life policy assignment.

The tribunal ordered that the following sanctions be imposed on the respondent:

- 1) Censure pursuant to subsection (c) of section 82(1) of the act.
- 2) A direction pursuant to subsection (d) of section 82(1) of the act that the respondent legal practitioner arrange for the completion of the following two webinars: ‘Applications: What Can Go Wrong? Preparing Applications’, offered by the CPD Board, and ‘Ethics and Professional Conduct’ webinar, offered by LaTouche training. The cost of both webinars is to be borne by the legal practitioner and completed within six months of the date of the inquiry and he should furnish evidence of having

- completed both webinars to the LPDT within seven months.
- 3) A direction pursuant to subsection (f) of section 82(1) of the act that the legal practitioner arranges for the completion of the legal services by discharging the undertaking per the allegation in a timely manner, and to update the LSRA every three months as to the status of compliance with the undertaking.
  - 4) A direction pursuant to subsection (j) of section 82(1) of the act that the legal practitioner pay a sum of €5,000 as a contribution towards the costs of the LSRA, to be paid within 12 months from the date of the inquiry.

**In the matter of Damien Carley (solicitor number S5275), currently practising at BC Law LLP, 32 Merrion Street Upper, Dublin 2, 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 [2025-LPDT18]**

**Complaints Committee of the Legal Services Regulatory Authority (applicant)**

**Damien Carley (respondent)**

By determination dated 3 December 2025, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of professional misconduct in that he failed to comply at all or within an adequate timeframe with part or all of the undertaking, dated 1 October 2020, given by him to Eamonn Walsh and/or Eamonn J Walsh & Co, and/or failed to engage adequately and/or at all with Eamonn J Walsh & Co in relation to the said undertaking.

The tribunal ordered that the respondent be censured pursuant to section 82(1)(c) of the act and be directed, in accordance with section 82(1)(f) of the act, that he arrange for the completion of the legal services by discharging the undertaking per allegation 19(i) in a timely manner, including but not limited to all future Land Registry requirements for the registration of the property, and the rectification at his own expense of any error, omission, or other deficiency arising in connection with the provision of the legal services the subject of the inquiry, and complying with the following as agreed between the complainant and the respondent legal practitioner:

- That the respondent legal practitioner withdraws the dealing D2025LR221490U from the Land Registry within seven days of Tuesday 4 November 2025,
- That the respondent legal practitioner provides all documents the subject matter of a Form 2 application available for inspection by the complainant within seven days of receipt of same from Tailte Éireann,
- That the respondent legal practitioner be directed to

respond to any queries raised by the complainant that may arise during the registration process within four working days of the query being communicated to the respondent legal practitioner,

- That the respondent legal practitioner be directed to provide all documents requested by the complainant within seven days of the request,
- That the respondent legal practitioner be directed to discharge all additional costs incurred by the complainant associated with the registration application within 28 days of these falling due, including discharge of any additional solicitor professional fees incurred by the complainant in completing the registration, not to exceed €3,500,
- That the respondent legal practitioner be directed to provide evidence that his client's mortgage with AIB has been discharged in full (part 2 of the undertaking) within seven days of 4 November 2025,
- That the respondent legal practitioner is directed to provide evidence of the LPT and service charge having been discharged in full (part 1 and 5 of the undertaking) within seven days of 4 November 2025.

A direction was also made, pursuant to section 82(1)(j) of the act, that the sum of €15,000 in relation to the costs of the LSRA and/or its legal representatives and witnesses be paid by the legal practitioner concerned within three months.

**In the matter of Thomas Rowley (solicitor number S8162), currently practising at Rowley Law Solicitors, 56 Main St, Rathfarnham, Dublin 14, 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 [2025-LPDT33]**

**Complaints Committee of the Legal Services Regulatory Authority (applicant)**

**Thomas Rowley (respondent)**

By determination dated 20 November 2025, the Legal Practitioners Disciplinary Tribunal found the respondent guilty of professional misconduct in that he:

- 1) Failed to provide title documents relating to a property at Credit Union House, Main Street, Rathfarnham, Co Dublin, either to the Heritage Credit Union or to Michael Powell Solicitors within a reasonable timeframe, notwithstanding that he was requested to so provide the said documents on one or more occasions commencing in July 2020,
- 2) Failed to respond adequately to correspondence and/or enquiries from the Heritage Credit Union and/or Michael Powell Solicitors in respect of the title documents referred to above.

The tribunal ordered that the respondent:

- 1) Be admonished, pursuant to section 82(1)(b) of the act,
- 2) Participate in a CPD webinar entitled 'Better Communication with Clients' within a period of seven months from the date of the inquiry hearing, and notify the applicant of the completion of same, pursuant to section 82(1)(d) of the act,
- 3) Complete the registration of the Heritage Credit Union property at his own expense, to advise the applicant as to progress every six months, and to advise the applicant when the application has been registered,
- 4) Pay the sum of €9,000 plus VAT to the applicant, as payment of its costs in respect of the application to the tribunal, pursuant to section 82(1)(j) of the act. 

## WILLS

**Brown, John Thomas (deceased)**, late of Hartenstraat 26-1 1016CC Amsterdam, Holland, who died on 4 August 2025. Would any person having knowledge of the 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 Jean Elizabeth Sharp, tel: +00 44 77 6206 7130, email: [jeansharp@btinternet.com](mailto:jeansharp@btinternet.com)

**Clare, Phyllis (deceased)**, notice is hereby given to find the original will of Phyllis Clare, late of Baltinglass, Co Wicklow, who died on 8 October 2025. Any person having knowledge of the whereabouts of a will (or any other testamentary document) of the above-named deceased is requested to contact the undersigned urgently: Gillick & Associates, Solicitors, 1, Avonlea, Main Street, Rathdrum, Co Wicklow; tel: 0404 43100, 43167, 0402 28759, email: [info@gillicksolicitors.ie](mailto:info@gillicksolicitors.ie)

**Cullen, Catherine (deceased)**, late of 19 Bath Avenue, Sandymount, Dublin 4, who died on 22 July 2025. Would any person having any knowledge of the 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 Mary Cowhey & Co, Solicitors, Suite 2/3 Manor Mills, Maynooth, Co Kildare; tel: 01 628 5711, email: [info@marycowhey.com](mailto:info@marycowhey.com)

**Cwynar, Michael Jan (deceased)**, late of 8 Church

## PROFESSIONAL NOTICE RATES

### RATES IN THE PROFESSIONAL NOTICES SECTION ARE AS FOLLOWS:

- **Wills** - €163 (incl VAT at 23%)
- **Title deeds** - €325 per deed (incl VAT at 23%)
- **Employment/miscellaneous** - €163 (incl VAT at 23%)

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ALL NOTICES MUST BE PAID FOR PRIOR TO PUBLICATION. ALL NOTICES MUST BE EMAILED TO [catherine.kearney@lawsociety.ie](mailto:catherine.kearney@lawsociety.ie) and PAYMENT MADE BY ELECTRONIC FUNDS TRANSFER (EFT). The Law Society's EFT details will be supplied following receipt of your email.

**Deadline for the April 2026 Gazette is Friday 13 March 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*.

Road, Union Hall, Skibbereen, Co Cork, who died on 9 April 2024. Would any person having knowledge of the 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 Marguerite Ryan, Hegarty Horgan Solicitors LLP, Law Chambers, Kinsale, Co Cork, P17 EC67; tel: 021 477 2557; email: [marguerite@hegartyhorgan.ie](mailto:marguerite@hegartyhorgan.ie) or [sophie@hegartyhorgan.ie](mailto:sophie@hegartyhorgan.ie)

**Farrell, Eamon (deceased)**, late of 70 St Canice's Road, Glasnevin, Dublin 11, who died on 9 April 2025. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Justin Hughes, Solicitors, 89 Phibsborough Road, Dublin 7; tel: 01 882 8583, 882 8628, email: [info@justinhughes.ie](mailto:info@justinhughes.ie)

**Furlong, David (deceased)**, late of 31 The View, Celbridge, Co Kildare, W23 R278, and 12 Hughes Road North, Walkinstown, Dublin 12, who died on 19 December 2025. Would any person

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having knowledge of the whereabouts of a will made by the above-named deceased, or if any firm is holding same or was in recent contact with the deceased regarding his will, please reply to **Box no 01/02/2026**

**Hickey, Anne (Porter, Anne) (deceased)**, late of Pairc Mhuire, Saggart, Co Dublin, and formerly Skeagh House, Lyons Road, Celbridge, and Ash Park Avenue, Lucan, Co Dublin, who died on 25 October 2025. Would any person having knowledge of the whereabouts of a will made by the above-named deceased please contact

James Hickey, tel: 085 725 7751, email: [jhickey01@hotmail.com](mailto:jhickey01@hotmail.com)

**Higgins, Martin (deceased)**, late of Rodstown, Cortown, Kells or Allentown, Kells, Co Meath, who died on 27 December 2025. Would any person having knowledge of any will made by the above-named deceased please contact Nathaniel Lacy & Partners, Solicitors, Kenlis Place, Kells, Co Meath; tel: 046 928 0718, email: [tcarolan@nlacy.ie](mailto:tcarolan@nlacy.ie)

**Holland, George (deceased)**, late of Derrycanton, Mountrath, Co Laois, who died on 12

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October 2025. Would any person having knowledge of the whereabouts of any will made by the above-named deceased, or if any firm is holding same, please contact Messrs James E Cahill & Company, Solicitors, Market Square, Abbeyleix, Co Laois; tel: 057 873 1246, email: [donalwdunne@securemail.ie](mailto:donalwdunne@securemail.ie)

**Hughes, Margaret (deceased)**, late of 40 Clonkeen Road, Ratoath, Co Meath, who died on 1 May 2024. Would any person having knowledge of any will made by the above-named deceased please contact Seamus Maguire & Co, Solicitors, quoting ref: HUD006/001, Rosemount, Main Street, Blanchardstown, Dublin 15; tel: 01 821 1288, email: [susancaffrey@seamusmaguire.ie](mailto:susancaffrey@seamusmaguire.ie)

**Hynes, Suzanne (deceased)**, late of 58 Carrig Glen, Blessington, Co Wicklow, who

died on 11 October 2024. Would any person having knowledge of the 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 Osborne Denieffe LLP Solicitors, Abbey Moat House, Abbey Street, Naas, Co Kildare; tel: 045 899 485; email: [agreenlee@osbornedenieffe.ie](mailto:agreenlee@osbornedenieffe.ie)

**Ní Cuinneagáin, Caitríona (Careen Cunningham) (deceased)**, late of 6 Scotia, De Vesci Court, The Slopes, Monkstown, Co Dublin, who died on 22 October 2025. Would any person or firm having knowledge of the whereabouts of any will made by the above-named deceased please contact Sabrina Dunny, Carlow, tel: 085 120 1017, email: [sabrinadunny@outlook.com](mailto:sabrinadunny@outlook.com)

**Owens, Joseph (Joe) (deceased)**, late of Mountainview, Knockskeagh, Leap, Co Cork,

who died on 11 February 2025. Would any person having knowledge of any will made by the above-named deceased (and in particular wills made on 23 September 2008 and 8 November, 2024) please contact Dermot O'Flaherty Solicitors, Market Street Roundabout, Skibbereen, West Cork, P81 VX05; tel: 028 59001, email: [dermot@doflahertysolicitor.ie](mailto:dermot@doflahertysolicitor.ie)

**Proctor, Thomas (Tom) (deceased)**, late of 16 Ambervale, Cookstown, Tallaght, Dublin 24, and previously of 13 Kings Hall, Waterside, Swords Road, Malahide, Co Dublin, who was born on 6 November 1952 and who died on 4 April 2025. Would any person having knowledge of the whereabouts of any will made by the above-named deceased, or if any firm is holding same or was in recent contact with the

deceased regarding his will, please contact Burns McGrath O'Sullivan LLP Solicitors, 6 & 7 George's Street, Newbridge, Co Kildare; DX 50009 Newbridge; tel: 045 432 382, email: [sbyrne@bmosolicitors.ie](mailto:sbyrne@bmosolicitors.ie)

**Smith, Joseph (Joe) (deceased)**, late of Donacorney Road, Mornington, Co Meath, who died on 24 April 2012. Would any person having knowledge of any will made by the above-named deceased please contact James Allen & Co, Solicitors, 49 Laurence Street, Drogheda, Co Louth; tel: 041 983 9412, email: [miriam@jamesallen.ie](mailto:miriam@jamesallen.ie)

**Trappe, Francis (Frank) (deceased)**, late of 15 Coultury Drive, Santry Avenue, Ballymun, Dublin 9, who died on 17 December 2025. Would any

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person having knowledge of the whereabouts of any will made by the above-named deceased please contact Justin Hughes Solicitors, 89 Phibsborough Road, Phibsborough, Dublin 7; tel: 01 882 8583, email: [stephen@justinhughes.ie](mailto:stephen@justinhughes.ie)

MISCELLANEOUS

Statutory notice to creditors in the estate of Peter Adrian Gerard Finnerty (otherwise Adrian Finnerty) (deceased), late of Athenry Road, Loughrea in the county of Galway. Notice is hereby given pursuant to section 49 of the Succession Act 1965 that particulars in writing of all claims against the estate of the above-named deceased, who died on 27 May 2025 (grant of probate to his estate being granted to the executrix

on 5 January 2026), should be furnished to the undersigned solicitors for the executrix on or before 1 May 2026, after which date the assets will be distributed having regard only to the claims furnished.

Date: 6 March 2026
Signed: VP Shields Solicitors (solicitors for the applicants), Westbridge, Loughrea, Co Galway

TITLE DEEDS

To the personal representatives of Richard Fitzarthur Waller and Eliza Ffrench (French) and any other persons having or claiming a documentary freehold in lands known as Carneybog, townland of Carneybeg, near Nenagh, Co Tipperary

Take notice that I, John Ryan of

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Frolic, Carney, Nenagh, Co Tipperary, being a person entitled under the Statute of Limitations, intend to apply to the Circuit Court, South Eastern Circuit, county of Tipperary, at the Courthouse, Nenagh, at the earliest opportunity for a declaration that, through long possession, I have extinguished the documentary fee simple title in the above-mentioned lands.

Let any person having or claiming to own the freehold or any other interest in the said property appear at the said court and/or contact my solicitors, Michael Collins & Company LLP of Borrisokane, Co Tipperary, tel: 067 27470.

Date: 6 March 2026
Signed: Michael Collins (solicitors for the applicant), Borrisokane, Co Tipperary

In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2019: notice of intention to acquire the fee simple

To: Henry I Hawkes, late of The Lodge, Bishopstown, Cork; Arthur Herbert Hawkes, late of 18 South Mall, Cork; Hilda Elizabeth Hawkes, late of 18 South Mall, Cork; James Moreton West, late of 18 South Mall, Cork; their executors, administrators, successors or assigns.

Description of the lands to which the notice refers: all that and those the land, hereditaments, and premises

known as 'Maryville', 48 Rossa Avenue, Bishopstown, Cork, comprising a portion of the lands described in Folio CK19626 of the register of freeholders; particulars of the lease or tenancy: held under a lease for the term of 150 years agreed between Henry I Hawkes as tenant for life and Dermot O'Leary, to run from 25 March 1960; part of the lands excluded: none.

Take notice that Matilda Guffogg and Brendan Bulfin, being the persons entitled under the above-mentioned acts, as amended, propose to purchase the fee simple and all intermediate interest in the lands and premises described in the foregoing paragraphs.

Date: 6 March 2026
Signed: Katherina White (solicitors for the applicants), 2nd Floor, 32 Oliver Plunkett Street, Cork

In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2019 and in the matter of the Landlord and Tenants (Ground Rents) (No 2) Act 1978: an application by College Square GP3 Limited, having its registered office at 25 Merrion Square North, Dublin 2

Take notice that any person having an interest in the freehold or any superior interest in the property known as all that and those a portion of

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the premises demised by an indenture of lease dated 20 January 1916 made between (1) Patrick Boland and (2) the Irish Feather Company Limited, which said premises is now known as College Square, Tara Street, Dublin 2, and which said portion of the premises is now comprised in Folio DN188952L.

Take notice that the applicant, College Square GP3 Limited, intends to submit an application to the county registrar for the county of Dublin for the acquisition of the freehold interest in the aforesaid property, and any party asserting that they hold a superior interest in the aforesaid property is called upon to furnish evidence of title to the aforesaid property to the below named within 21 days from the date of this notice.

In default of such notice being received, the applicant, College Square GP3 Limited, intends to proceed with the application before the county registrar for the county of Dublin for directions as may be appropriate on the basis that the person or persons beneficially entitled to the

superior interest including the freehold reversion in the aforesaid property are unknown and unascertained.

**Date: 6 March 2026**

**Signed: Ogier (Ireland) LLP (solicitors for the applicants), 8 Percy Exchange, Percy Place, Ballsbridge, Co Dublin**

**In the matter of the Landlord and Tenant Acts 1967-2005, and in the matter of the Landlord and Tenant (Ground Rents) Act 1967, and in the matter of an application by DIE Ireland ICAV, and in the matter of the rear of 38 & 39 Charlemont Street, Dublin 2**

Take notice any person or persons having an interest in the freehold estate or any intermediate interest in the property known as the rear of 38 & 39 Charlemont Street, Dublin 2, held under a lease dated 12 November 1930 between (1) Christina Cahill and (2) Teach Ultain Incorporated, granted for a term of 155 years and six months from 1 November 1930, subject to the yearly rent of two pounds, four shillings, and four pence.

Take notice that DIE Ireland ICAV intends to submit an application to the county

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Friday 17<sup>th</sup> April, 2026



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registrar for the county and city of Dublin for the acquisition of the freehold interest in the aforementioned property, and that any party asserting a superior interest in the aforementioned property is called upon to furnish evidence of such title to the aforementioned property to the undermentioned solicitors within 21 days from the date of this notice.

In default of such notice being received, the applicant, DIE Ireland ICAV, 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 in the county and city of Dublin for such directions as may be appropriate on the basis that the person or

persons beneficially entitled to the superior interest or interests, including the freehold reversion, to the aforementioned property is unknown or unascertained.

**Date: 6 March 2026**  
**Signed: BHSM LLP, incorporating OBH Partners (solicitors for the applicant), 76 Baggot Street Lower, Dublin 2**

**In the matter of the Landlord and Tenant (Ground Rents) Acts 1967-2019: notice requiring information from a lessor**

To: Heyward John St. Leger, late of London, in the county of Middlesex, England; James Isaac Carnegie, late of Belfast, in the county of Antrim; Joseph Woodley Lindsay, late of Janeville, in the county of Cork; Mary De Courcy, late of Monkstown, in the county

of Cork; Mary O'Malley, late of Dalkey, in the county of Dublin; their heirs, executors, administrators, successors, or assigns.

*Description of the lands to which the notice refers:* "all that and those the land hereditaments and premises known as 5 Harrington Row, Ballyhooley Road, Cork"; *particulars of the lease or tenancy:* held under a yearly lease arising by operation of law or by inference upon the expiration of a lease for the term of 150 years agreed between Heyward John St Leger of the first part, James Isaac Carnegie of the second part, Joseph Woodley Lindsay of the third part, Mary De Courcy of the fourth part, Mary O'Malley of the fifth part, and Daniel Harrington of the sixth part, dated 1 February 1869; *part of the lands excluded:* none.

Take notice that John O'Brien (as legal personal representative of Dónal O'Brien, deceased), being the person entitled under the above mentioned acts, as amended, proposes to purchase the fee simple and all intermediate interest in the lands described in the foregoing paragraphs and require you to give us within a period of one month after service of this notice on you, the following information: (a) nature and duration of your reversion in the land; (b) nature of any encumbrance on your reversion in the land; (c) name and address of (i) the person entitled to the next superior interest in the land and (ii) the owner of any such encumbrance; (d) the owner of the fee simple interest in the land and any other intermediate interest or encumbrance.

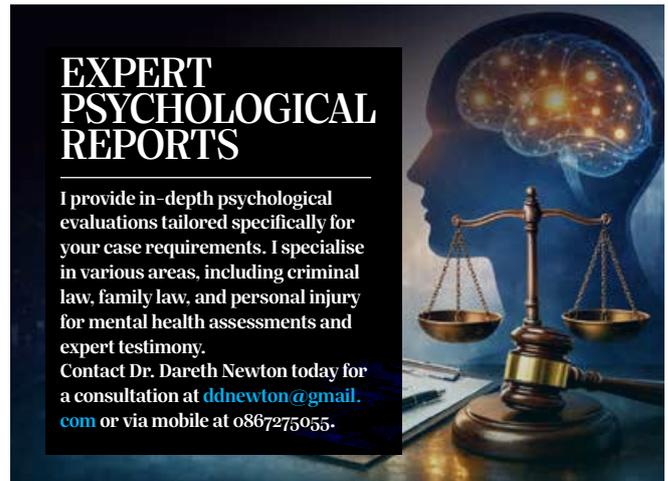
**Date:** 6 March 2026  
**Signed:** Carey Murphy & Partners LLP (solicitors for the applicants), 23 Marlboro Street, Cork

**In the matter of the Landlord and Tenant (Ground Rents) Act 1967-2019 and in the matter of in the Landlord and Tenant (Ground Rents) (No 2) Act 1978: lands comprising of Folio WW8148L, situate at Boghall Road, Bray, Co Wicklow**

Any person having an interest in the freehold or the immediate estates in the above property: take notice that Packaging Laundry Limited, the applicant, intends to submit an application to the county registrar of the county of Wicklow for the acquisition of the freehold interest and all immediate interests in the aforesaid property, and any persons asserting that they hold any superior interest in the property are called upon to furnish evidence of title to the premises to the below named.

In particular, any persons having an interest in a lease for lease for the term of 99 years from 1 August 1954 made between the Right Honourable Anthony Windham Normand, 14<sup>th</sup> Earl of Meath, of the one part, and the Portland Glass Company Limited of the other part should provide evidence of their title to the below-named solicitors.

In default of any such information being received, the applicant intends to proceed with the application before the county registrar and will apply to the county registrar for the county of Wicklow for directions as may be appropriate on the basis that the person or persons



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entitled to the superior interests, including the freehold interest, in the said premises and unknown and unascertained.

**Date:** 6 March 2026  
**Signed:** Ray Fitzpatrick (solicitors for the applicants,) Augustus Cullen Law Solicitors, 7 Wentworth Place, Wicklow, Co Wicklow

**In the matter of the Landlord and Tenant Acts 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 and in the matter of the application of the late Ronald (Ronnie) McCombe, formerly of Glengyle, Sandycove Road, Dun Laoghaire, Co Dublin: applicant Carl Haughton**

Any person having a freehold estate or any intermediate interest in either the original premises, the subject of an indenture of lease of 11 January 1932 between Granville Proby of the one part and Margaret Conway of the other part for a term of 150 years from 29 September 1931, subject to the yearly rent of £10 thereby reserved and to the covenants on the lessee's part and the conditions contained therein, and therein described as 'Glengyle', Sandycove Road,

Dun Laoghaire, in the county of Dublin.

Take notice that the personal representative of the late Ronald (Ronnie) McCombe, Carl Haughton, being the person entitled to the lessee's interest therein (the applicant) intends to apply to the county registrar of the county of Dublin to vest in him the fee simple and any intermediate interests in the property, and any party asserting that they hold a superior interest therein 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 said premises are unknown or unascertained.

**Date:** 6 March 2026  
**Signed:** Niall Cawley & Co (solicitors for the applicant), Main Street, Blackrock, Co Dublin ☒

# Final verdict

PRO BONOBO



## CTRL+P? GDPR

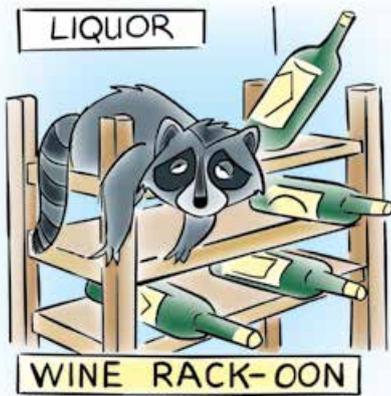
Employees in offices worldwide may be unaware that their printers can quietly archive the full contents of every document they print, according to a report by [The Intercept](#).

Several commercial printer-management systems allow administrators to view the complete contents of printed materials. PaperCut, a widely used platform, offers a print archive feature that, when enabled, creates a hidden copy and generates a page-by-page image of every document printed or scanned through its system. The process runs entirely in the background, with users receiving no notification.

The revelation has renewed concerns about workplace privacy and data security, and raises questions about how clearly such monitoring policies are disclosed to staff.



## Drunk as a raccoon



Staff at a liquor store in Virginia (not the Cavan one) received an unexpected surprise when they arrived at work to discover a passed-out raccoon in the jacks.

The Hanover County Animal Protection and Shelter reported that the “masked bandit” had been found collapsed in the bathroom, having ransacked shelves and consumed multiple types of alcohol.

Authorities described the animal as

“very intoxicated”. Animal shelter staff [posted on Facebook](#): “After a few hours of sleep and zero signs of injury (other than maybe a hangover and poor life choices), he was safely released back to the wild.”

## Catch the pigeon!

Russian scientists are apparently developing ‘cyborg pigeon drones’ for covert surveillance under a project codenamed PJN-1, [The Telegraph](#) claims.

The program implants neural chips into pigeons’ brains, straps cameras to their chests, and remotely controls their flight via electrodes in their skulls. A solar-powered backpack tops it all off. It is claimed that the pigeons outperform conventional first-person-view drones due to their greater range, endurance, and ability to access hard-to-reach locations.

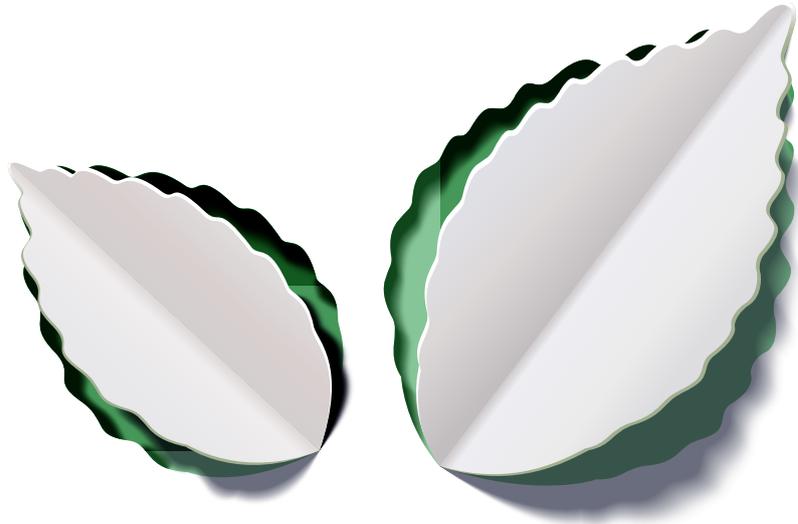
The development raises ethical and legal questions about the weaponisation of living animals and the future of biological surveillance in modern conflict zones.

## Musky minions mobilise

In related news, the Muskmeister General is pushing for “high-volume production” of Neuralink brain chips and wants to automate the implantation procedure, says [Current Affairs](#).

As of September 2025, 12 people had received the implant, with [10,000 more](#) on the waiting list. Clinical trials aim to assist people with paralysis by enabling them to control phones and computers using thought alone.

Critics, however, warn that Musk’s ambitions stretch far beyond medical applications, with the billionaire expressing a desire to fundamentally transcend human limitations. Concerns have been raised about regulatory oversight, particularly as Musk seeks to scale up the procedure and has refused to rule out the [Gazette’s](#) speculation about human cyborg drone armies. 🇸🇰



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OCTOBER – NOVEMBER 2026



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**APPLICATION DEADLINE:** Friday, 13 March 2026

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