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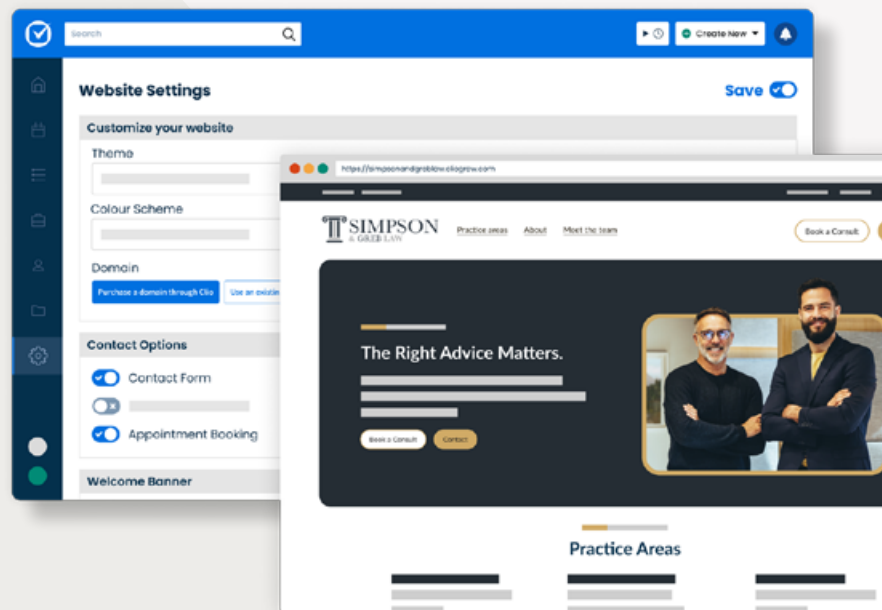
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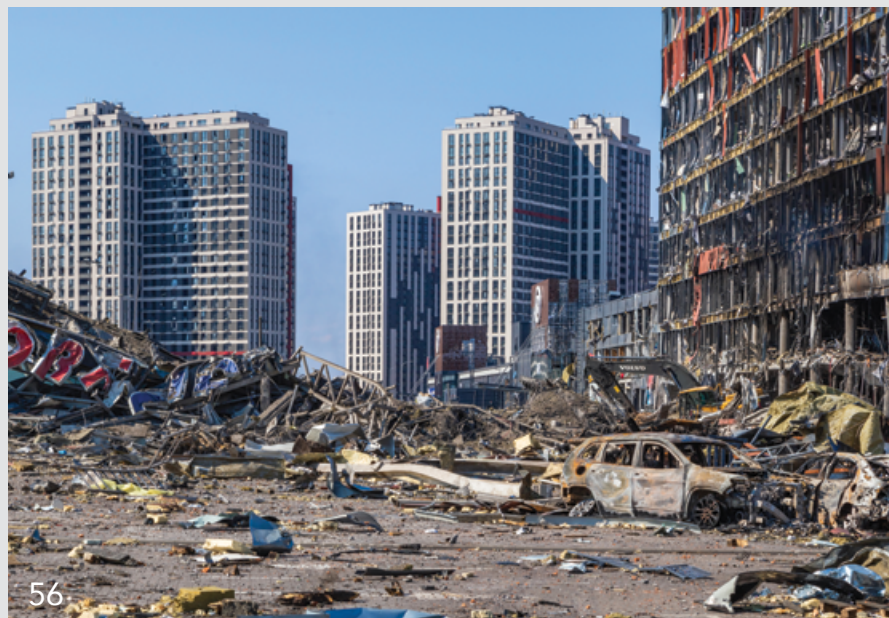
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Serving solicitors

The Law Society provides many services and programmes that are used by thousands of solicitors each year – I'm sure you'll be familiar with some, but there may be many others you are not aware of. These are all designed to enable solicitors to thrive in our work and professional lives.

The Law Society's CPD training is just one example. During 2023, over 22,000 attendees took part in the 169 courses and events that were offered. Many of these were designed and delivered by our colleagues. These include the ten Law Society Skillnet cluster events that take place around the country, which offer an excellent opportunity to meet other practising solicitors in regional areas, and to hear updates on areas of law relevant to general practice. The next one takes place on 20 June in Newmarket-on-Fergus, Co Clare, with the Clare and Limerick bar associations.

Having access to precedents and the latest practice guidance is key for day-to-day support and convenience. Through the Law Society website, there are currently 180 free downloadable precedents and 964 practice notes for 20 areas of law. The practice notes section alone was accessed 363,122 times in 2023. This resource is being added to on a regular basis.

Vital tool

Another important service for day-to-day practice is the Law Society Library. Last year, 1,360 solicitors borrowed 2,745 books, there were 520 precedent requests, and 4,019 legal research queries.

The library launched a new series of subject guides 17 months ago, offering a one-stop-shop for books, journal articles, guidance, and case law to solicitors seeking recommended resources or wishing to improve their knowledge in a specific area of practice. The most popular of the ten guides (to date) are: conveyancing (8,044), probate, wills and succession (5,488), and employment law (4,290).

Women in Leadership

Some lesser-known services, perhaps, include the Women in Leadership programme. Gender balance in the profession is improving – last year 60% of admissions to the Roll were women – but

there is still much room for improvement, particularly at senior level. This leadership programme has been mentoring women solicitors to career advancement since 2018. So far, 494 solicitors have been involved, and it's good to see that number increasing every year.

Solicitors are moving into different roles – the in-house sector now employs some 25% of the profession – giving rise to more distinct and evolving needs. Peer-support programmes, like the Law Society's 'Time to Think' series, are designed to support the leadership capabilities of senior in-house lawyers. Eight senior leaders from both sectors are currently participating in the pilot programme.

Matters of consequence

Advocating on behalf of the profession is another significant service worth highlighting. The Law Society is committed to supporting law reform in Ireland and helping to shape a justice system that reflects the needs of a modern, progressive, and democratic Irish society. Over 12 months, 25 justice and law-reform submissions have been made on various matters of consequence, not to mention the many phone calls, meetings, emails, and letters that are also required to deliver this valuable service for you and your clients.

This year, the Law Society proudly marks ten years of dedicated investment in the mental health and wellbeing of the Irish legal profession. Since 2014 (when the Law Society's trainee counselling service started), a total of 2,722 trainees from 385 legal workplaces have benefited from over 15,000 counselling appointments. That's nearly a third of trainee solicitors. Now, in 2024, we offer a subsidised, therapeutic service called LegalMind, designed for the unique needs of solicitors, which is independently provided by Clanwilliam Institute. This is in addition to initiatives like the 'High-Impact Professional' series of webinars, attended by almost 2,000 solicitors since it began a year ago.

These are just some of the services that we can benefit from to support us wherever we are and wherever we work. So, whether you have a particular requirement or are curious about what's available, contact the Law Society to see what we can do for you.



OVER 12 MONTHS,
25 JUSTICE AND
LAW-REFORM
SUBMISSIONS
HAVE BEEN MADE
TO GOVERNMENT

BARRY MacCARTHY,
PRESIDENT

THE BIG PICTURE





BREWING UP A STORM

The Northern Lights put on a magnificent display on the night of 10 May that was witnessed by tens of thousands of people across the country. Willie Forde captured this stunning image, which was taken at Lough Owel, Co Westmeath. This display of the *Aurora Borealis* was due to a very strong solar storm that caused collisions between charged particles ejected from the sun's atmosphere and gas particles in our atmosphere. The colours of the Northern Lights change due to the type of gas particles colliding. Oxygen molecules at 100km above the earth produce a greenish-yellow colour, while high-level oxygen molecules cause a red aurora. Blue or purple auroras indicate the presence of nitrogen molecules

Annual Dinner honours special guests



The Law Society held its Annual Dinner on 17 May at Blackhall Place and welcomed several notable guests, including Frances Fitzgerald MEP and the Ukrainian Ambassador Gerasko Larysa, among others. Enjoying the night were (l to r): Fiona McNulty, Rosemarie Loftus, Law Society President Barry MacCarthy, Sarah McNulty, and Justine Carty



Joan Doran, Áine Hynes, and Patricia Hickey



Barry MacCarthy addresses the audience



Maura Whelan and Susan Martin



Mary Keane, Rosemarie Loftus, and Director General Mark Garrett



Ukrainian Ambassador Gerasko Larysa



Angela Denning, Gary Lee, and Niall Connors

PICS: CIAN REDMOND



Judge John O'Connor and Sinead O'Carroll



Frances Fitzgerald MEP shares a joke with Law Society President Barry MacCarthy



Enda McGann and Tom Reynolds



Law Society President Barry MacCarthy, Fiona Roberts, and Tadhg McCarthy

Jubilee dinner for Class of '74



PIC: JASON CLARKE PHOTOGRAPHY

A golden jubilee dinner for the Class of 1974 took place at Blackhall Place on 9 May 2024. Stephen Hamilton, Pat O'Connor (past-president), and Ivan Durcan compiled the names of those who qualified in 1974 and issued invitations to those still practising 50 years later. In all, 18 solicitors attended. The guest speaker, Mr Justice Peter Kelly (who was called to the Bar in 1973), regaled guests with humorous recollections about the law – past and present. (Pictured, from left): Donal O'Connell, John Wood, Brian O'Brien, John C Reidy, Michael Hayes, Thomas Stafford, Matthew O'Donohue, Daniel Gormley, Patrick O'Connor, Law Society President Barry MacCarthy, Linda Scales, Mr Justice Peter Kelly, Stephen Hamilton, Stephen Miley, Paul Ferris, Ivan Durcan, Michael O'Shaughnessy, Brian Roche, and Michael Molloy

Authors launch book on domestic violence



At the launch of *Domestic Violence: Law and Practice in Ireland* at Blackhall Place on 10 April were Sonya Dixon (co-author), Senator Vincent P Martin SC, and Keith Walsh (co-author)



Ms Justice Kathryn Hutton, John O'Donnell SC, and Ms Justice Marguerite Bolger

PIC: PAUL SHERWOOD

Gráinne O'Neill Memorial Essay prizes awarded

PICS: JASON CLARKE PHOTOGRAPHY



Winners and finalists in this year's Gráinne O'Neill Memorial Legal Essay Competition: students submitted a 1,500-word essay on 'Climate change mitigation: the role the law can play in addressing the climate crisis'



Helen McMahon celebrates with her son, merit winner Conal McMahon of Saint Joseph's Secondary School, Tulla, Co Clare



The winner of the Gráinne O'Neill Memorial Legal Essay Competition for TY students was Patrick Galvin (Abbey Community College, Waterford). Patrick received a prize of €1,000 and a perpetual trophy at Blackhall Place on 30 April



Amelia O'Donnell (finalist), Evie Quigley (merit winner), and Erin Sharp (finalist) – all from Loreto College, St Stephen's Green, Dublin



Jack Wu (Jesus and Mary Secondary School, Enniscrone, Co Sligo) receives his merit award from Law Society President Bary MacCarthy

Darlin' Dublin welcome for Windy City visitors



P.C.: CIAN REMOND

The Law Society welcomed a delegation of 16 judges from Chicago, who visited Blackhall Place in early May. Discussion covered a wide range of topics, including vulnerable witnesses, case progression, and commonalities and differences between the respective jurisdictions. The visitors took in both Belfast and Dublin during their five-day visit. They were welcomed in Dublin by Law Society President Barry MacCarthy, Gary Lee (Council member), Niamh Coyne (policy consultant), Dermot Ryan (executive director, Ireland for Law), and Cristina Stamatescu (member of the Human Rights and Equality Committee)

The challenges of judging in a democracy



Law Society Director General Mark Garrett welcomed a German delegation of 30 judges to Blackhall Place on 8 May for a panel discussion on the challenges of judging in a democracy. The panellists included Chief Justice Donal O'Donnell, Prof Dr Andreas Paulus (justice of the German FCC, 2010-2022), Mr Justice Gerard Hogan (judge of the Irish Supreme Court), and Prof Dr Christine Langenfeld (justice of the German FCC)

In-house committee brainstorms hot topics

PICCIAN REDMOND



Eimear Branigan and Claudine O'Driscoll



Ticiana Romao Crispim Sargi and Leticia Riberio



Tommy Reilly and Michael Barrett



Mark Hughes, Nicola Curry, and Shane King



Attentive attendees at the In-house and Public Sector Committee's Panel Discussion, at Blackhall Place on 1 May



Alison Bradshaw, Jeanette Codd McDonagh, and Nicola Curry

Frank Clarke receives Hibernian Law Medal



Former Chief Justice Frank Clarke

● As we go to press, the *Hibernian Law Journal* will award its Hibernian Law Medal to former Chief Justice Frank Clarke. The ceremony will take place at the Law Society of Ireland on 5 June.

First awarded in 2018, the Hibernian Law Medal seeks to recognise individuals who have made outstanding contributions to the advancement of justice, the integrity of the rule of law, the independence of the judiciary and the legal professions, and/or public access to and understanding of the legal system, whether in Ireland or in a comparable jurisdiction.

Chief Justice Donal O'Donnell will chair the ceremony, at which Mr Justice Clarke will deliver an acceptance speech. Previous medal recipients include former Presidents of Ireland Mary Robinson and Mary McAleese, and former President of the British Supreme Court Baroness Hale of Richmond. Other awards have gone to Lord Neuberger and former Chief Justice Susan Denham.

MOOC targets ESG



● Environmental, social, and governance (ESG) is the theme of this year's massive open online course (MOOC) from the Diploma Centre. MOOCs are free online courses open to all and form part of the Law Society's public legal education initiative.

To date, the Diploma Centre's MOOCs have attracted over 27,000 participants from over 85 countries since they first launched ten years ago.

The courses feature online recorded and streamed presentations, interactive

discussion forums, and quizzes that allow participants to engage directly with topic experts.

This year's MOOC will examine ESG reporting obligations in detail. It will give an overview of common sustainability principles and frameworks, focusing on ESG's impact on various sectors and industries.

ESG experts, lawyers, and academics will consider the current legal landscape around the topic, and will provide participants with the tools to

develop an ESG strategy for their firm or business. They will examine ESG reporting obligations, biodiversity and ecosystems, climate change and decarbonisation, diversity and inclusion, ESG corporate-governance issues, and more.

A total of seven CPD points are available for completing the course, which will run for five weeks, beginning on Tuesday 11 June at 6pm. For further information and to register for this free course, visit mooc2024.lawsociety.ie.

Dáil passes surrogacy bill

● The Dáil has passed what the Government is describing as a "landmark bill" on surrogacy and assisted human reproduction.

Health Minister Stephen Donnelly welcomed the passing of the bill, saying: "We are dealing with extremely complex issues, and the work involved extensive consultation and consideration of a whole range of issues."

The *Health (Assisted Human Reproduction) Bill 2022* regulates, for the first time, a wide range of practices, such as gamete and embryo donation for assisted human reproduction

and research; domestic altruistic surrogacy; pre-implantation genetic testing of embryos; and embryonic and stem-cell research.

It also provides for the establishment of an independent agency, the Assisted Human Reproduction Regulatory Authority.

Minister Donnelly said that some of the issues that arose during committee stage needed further consideration: "In this regard, I propose to bring forward an amending bill in the autumn," he said. The bill will now proceed to second stage in the Seanad.

Law Society raises EPA concerns with Decision Support Service



Áine Hynes SC, chair of the Law Society's Mental Health Law and Capacity Task Force

● The Law Society is engaging with the Decision Support Service (DSS) on practical issues arising with enduring powers of attorney (EPAs). Through the Mental Health Law and Capacity Task Force, the Law Society is looking for solutions to address the very real concerns raised by solicitors and their clients.

The Law Society is continuing to support enhancements to the legislative framework around EPAs and decision-making arrangements that empower people to safeguard their interests in future decisions that will have an impact on their lives. It believes that anyone who wishes to express their will and preference through the vehicle of an EPA or decision-making agreement should be fully supported in doing so.

Issues raised

Last June, the Law Society made a number of requests, including that:

- The DSS create an electronic EPA instrument that could be easily downloaded,
- A facility be put in place to allow solicitors to log on to the DSS portal on behalf of clients (as is the case with other public agencies), and
- There would be a web-based form to use with clients or a paper-based workaround for solicitors and their clients.

To date, only the paper-based workaround is in place. Engagement between the DSS, the Law Society, and local bar associations is ongoing. Many Law Society members have expressed concern about one specific element of the proposed new accessibility policy that, in effect, makes the paper-based system unavailable for clients who are professionally advised by a solicitor.

The Law Society, along with members of the Dublin Solicitors' Bar Association, met with the DSS on 19 April to outline practitioner concerns and to spell out the impact that the level of complexity and delays due to the current system are having on their clients.

Specifically, the delegation raised its concern at the proposal to withdraw the paper-based process for clients who are being advised by a solicitor (or, indeed, any professional).

Solicitor portal

The delegation requested that the DSS should make available a web form or electronic template that could be used by solicitors and their clients. The DSS was also asked to implement a solicitors' portal.

On 24 April, over 240 solicitors attended a webinar with Áine Hynes SC (chair of the Law Society's Mental Health Law and Capacity Task Force) to discuss the processes relating to EPAs and decision-making arrangements and whether the system is working as it should.

The task force says that it continues to engage constructively with the DSS and welcomes its 29 April decision to temporarily defer the withdrawal of the paper-based process.

Members are being asked to share with the Law Society anonymised details of any practical difficulties encountered when seeking to engage with the DSS on behalf of their clients. The Law Society will then raise these matters directly with the DSS. Submissions should be sent to mhlctf@lawsociety.ie.

LRC to consolidate Road Traffic Acts



● **Robert Pierse (Pierse Fitzgibbon Solicitors), in his recent article on the Road Traffic Acts in the May Gazette (p34), has again called for a consolidation of the road traffic legislation. He is not alone in thinking that this is very necessary.**

Robert will be glad to hear that this is included in the current Programme for Government – and that the Department of Transport and the Law Reform Commission are embarking on a joint venture to achieve this over the next few years.

In the meantime, the commission has been maintaining revised versions of the Road Traffic Acts for many years now, and these will prove to be a useful starting point. Anyone interested in contributing to this endeavour is invited to contact the LRC at RTAconsolidation@lawreform.ie.

Matheson scholarship winner named

● Ciarán Cronin has been named as the winner of the 2024 Matheson Scholarship in Law Plus, in association with the University of Limerick (UL).

The annual scholarship was launched in 2022 and is open to first-year undergraduate Bachelor of Laws (Law Plus) students in UL.

As winner, Ciarán will receive a bursary of €5,000 for the academic year, and a position on Matheson's First Step programme – a dedicated programme for undergraduate students.

EU's AI office to employ more than 140 people

● The office that will oversee the implementation of landmark EU legislation on artificial intelligence (AI) is set to employ more than 140 staff when it starts work on 16 June.

The European Commission says that, as well as playing a key role in implementing the [AI Act](#), the EU's AI office will also work to foster research and innovation in trustworthy AI.

The office will be established within the commission and will support governance bodies in member states, but will also directly enforce the rules for general-purpose AI models.

Finance Team shortlisted for accountancy awards



Paul Baily, Sarah Kearns, Donna Lynch, Rosemary Loftus, Carol Doyle, Gillian Cregan (director of finance and operations), Brenda Murphy, and Jennifer Ross

● The Law Society's Finance Team was shortlisted at the 2024 Irish Accountancy Awards in the category 'Finance Team of the Year – SME'.

The awards celebrate innovation, dedication, and outstanding achievements shaping the future of the accounting industry. They were held on 8 May at the Dublin Royal Convention Centre.

The Law Society has recently benefited from a 'lean methodology' project, where all staff in the Finance Team devoted

months to streamlining processes by embedding value, efficiency, and continuous improvement – empowering the team to evolve into strategic partners, delivering excellence to stakeholders.

Director of finance and operations Gillian Cregan said: "The awards offered our team an opportunity to recognise their hard work. The nomination for 'Finance Team of the Year' is a fantastic achievement."

Despite not clinching victory this time, preparations are already in place for another attempt next year.

Legal Skills Through English

● The Legal Skills Through English programme will be offered from 8 to 12 July by the Law Society of Ireland at Blackhall Place, Dublin. This international legal-excellence programme gives participants the opportunity to improve their English-language skills and practical legal skills through interactive lectures and workshops.

The course will provide in-

depth, tailored training in the key legal skills of negotiation, client interviewing and advising, legal writing, and oral professional presentation. It will also assist participants in improving their fluency and confidence in communicating through English.

Students will also develop an understanding of the common-law legal system. In addition, the social and cultural events

that form an optional part of the course are designed to allow students to connect and create a network of legal professionals based in other countries.

The course is highly practical and based on 'learning by doing'. It will feature interactive lectures, workshops, role-plays, performance recordings, and one-to-one feedback.

For further information, visit www.lawsociety.ie/legalenglish.

‘Culture First’ – changing workplace culture



Antoinette Moriarty

● A series of hard-hitting articles, published in the *Business Post* since March this year, have explored toxic dynamics and structural challenges within the culture of the legal profession.

Uncovering how culture affects motivation, wellbeing, remuneration, and progression, it is clear that, if legal workplaces are to adapt to the rising generation of lawyers, culture needs to be addressed urgently – and head-on.

Putting ‘Culture First’

“Culture, if it’s nurtured, is the rocket-fuel for successful legal business,” says Antoinette Moriarty (head of Psychological Services at the Law Society). “It determines how well and how happy people are, their commitment to a team or organisation, also what is valued, how and with whom business is transacted, even influencing career progression – and who has a seat at the decision-making table,” she observes.

“Law Society Psychological Services is now partnering directly with legal workplaces – shaping a new kind of professional environment in which healthy culture is placed at the centre of business, and supporting solicitors and legal workplaces to thrive.”

Well Within the Law

These partnerships, known as the ‘Culture First’ programme, have just begun – starting with

the dynamic law firm RDJ LLP. Emphasising the link between professional wellbeing and high-performance culture, this RDJ-based pilot is titled ‘Culture First: Well Within the Law’.

Law Society Psychological Services is collaborating with RDJ to optimise culture across its three locations. This exciting process, the first of its kind, involves hosting open conversations, focus-group discussions, interviews, a review of policies, and a firm-wide survey to pinpoint RDJ’s cultural strengths, gathering fresh ideas from right across the organisation. The Culture First programme will guide RDJ’s strategy, future-proofing the firm and ensuring its ongoing attractiveness to talent.

Jamie Olden (RDJ managing partner) says: “RDJ is delighted to be the first law firm in Ireland to partner with the Law Society on this programme. Our core aim is for people to work hard, be rewarded, and enjoy work. I don’t believe we will ever get to a stage where working in a firm like RDJ does not have stressful times.



Jamie Olden (RDJ managing partner)

“What we need, however, is to ensure we identify areas where support is needed, that people are not working at a level where burnout takes place, and that clients are well served by this firm. This programme will hopefully go some way to supporting us as we continue to seek to improve.”

Reaching out

Alongside this pilot, Law Society Psychological Services is offering additional opportunities to engage with Culture First. These include:

- A [learning platform](#) – in order to assist teams to complete professional wellbeing CPD hours, a new hub has been launched, offering easy access to online courses on themes such as the business of wellbeing, working with clients who have experienced trauma, the High-Impact Professional Series, and links to personal stories from guests, including Alastair Campbell, Blind Boy, and author Sophie White,
- Suite of toolkits – offering psychological frameworks and guides for teams that want to begin a conversation about workplace culture or mental health and wellbeing at work, and
- Law Society ‘Culture First’ Chartership – this will be launched in the autumn and will provide Law Society recognition to legal workplaces that are actively creating healthier workplace structures and culture.

What can we do for you?

Law Society Psychological Services invites you to connect with us on ps@lawsociety.ie.

ENDANGERED LAWYERS

HODA ABDEL MONEIM, EGYPT



Hoda Abdel Moneim

● Hoda Abdel Moneim (65) was featured in this column in January 2019 shortly after her arrest and disappearance – one of 40 human-rights defenders picked up in a sweep in early November 2018.

Following the completion of a five-year sentence, which was based on a trumped-up charge of membership of a terrorist group, the public prosecutor has continued to unlawfully detain her by reissuing similar fabricated ('recycled') charges against her.

As reported by the NGO Lawyers for Lawyers, Hoda Abdel-Moneim marked 2,000 days of arbitrary detention on 22 April 2024. Six months earlier, she completed the five-year prison sentence issued by the Emergency State Security Court on 5 March 2023. Defendants faced what UN experts described as an unfair trial that was marred by numerous due-process violations.

On the last day of her sentence, on 31 October 2023, as she was imminently awaiting release, she was rearrested and re-charged under a new case, facing the same two charges listed in the 2018 case. Once again, she was charged with membership of a terrorist group – for which she had already served a five-year prison sentence. She was charged a second time with committing a terrorism-financing crime, despite being acquitted of the same charge by the Emergency Court. She allegedly committed these two crimes while held in solitary confinement under the supervision and control of the prison administration.

The 'recycling' of Hoda Abdel-Moneim into a new case with the same charges violates the provision that "a person may not be tried under the same charges for which he has been previously tried and punished," according to article 101 'Proof' and article 116 'Pleadings' in Egyptian law.

In poor health since before she was arrested, Hoda has been a lawyer and human-rights defender since 1983. She was a member of the National Council for Human Rights in Egypt and, with six other Egyptian lawyers, was awarded the 2020 Human Rights Award by the CCBE. She was also a legal advisor to the International Islamic Council for Preaching and Relief.

As noted in 2019, Hoda had been providing legal assistance to the families of people who have been victims of enforced disappearances in Egypt. She volunteered as a consultant for the Egyptian Coordination for Rights and Freedoms, a prominent human-rights organisation that was hard hit in the 2018 crackdown.

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

Calcutta Runners put their best foot forward



● On 25 May, the Law Society welcomed solicitors from all over the country to Blackhall Place for the 2024 Calcutta Run. The day was a huge success, with a record 1,100 runners and walkers taking part in Dublin, bolstered by another 100 athletes in Cork.

Afterwards, participants were joined by their families and friends at the Finish Line Festival, where they were treated to entertainment from the PPC Music Society, Shamrock Bhangra, face-painters and balloon artists, and enjoyed a well-deserved barbecue and refreshments. There was an increased emphasis on sustainability this year, with

additional recycling and organic-waste points.

The run raised much-needed funds for two charities, the Hope Foundation and Dublin Simon Community, which provide support to those affected by homelessness in Kolkata and Dublin.

The organisers wish to thank the Law Society team members for all their help in delivering this event. Their hard work and dedication, both before and throughout the day, made it a tremendous success and ensured that everything ran seamlessly.

The July issue will feature full coverage of the event.

Law Society website delivers the goods



Sonia McEntee

● Work on the Law Society’s website is always ongoing and improvements are continuously being made. The extensive work of the Law Society’s committees is now accessible quickly, using the same search techniques that solicitors have become familiar with over time.

Sonia McEntee (principal of Sonia McEntee Solicitors, Cavan) says: “I had cause recently to do some detailed research, an opportunity that doesn’t come up too often. As it was going to take some time, I based myself in the Law Society Library for a while. Like all searching nowadays, the process started online.

“All too often, it’s easy to share negative feedback, but not as much when the experience is better.”

Taking things for granted

“We can take for granted the practice notes from various committees, published with increasing regularity. The total number of those available is close to 1,000. We read them in the *Gazette*, or perhaps in some of the regular email updates received. These notes, often very succinct, are

typically the output of hours of discussion on changes to law and practice by many of our colleagues experienced in their fields of practice.

“Accessing information previously had typically been based on looking for something I already knew was there. The research I was doing now partly involved consideration of how practice in a particular area had evolved over the last 15-20 years.”

Fast and simple

“Over the course of about two hours, I identified 12 practice notes, a practice direction, and two *Gazette* articles relevant to my topic – two of these going back as far as 1992. All of these together, readily printable or downloadable, made collating that information fast and simple. The search function was easy to use, with relevant results available in a moment.

“Providing advice and guidance depends on being able to access historical information. This has to be achievable in reasonable timeframes – and the Law Society website delivered.”

IRLI IN AFRICA

BRINGING JUSTICE TO ZAMBIA’S PRISONS



The Prison Courts Pilot Scheme in progress in Zambia in April

● Irish Rule of Law International (IRLI) is a charity established and supported by the law societies and bars of Ireland and Northern Ireland, supported by the Department of Foreign Affairs, and dedicated to promoting the rule of law in developing countries, including Malawi, Tanzania, and Zambia.

IRLI’s ongoing work in Zambia includes different access-to-justice programmes, one of which is helping to decongest the country’s seriously overcrowded prisons. Conditions are extremely bad, and thousands of prisoners who should be on bail or released are kept in prison for various reasons, including lack of access to a lawyer or to a court, as well as frequently lost files. They are, for the most part, forgotten people who don’t have a voice.

In Malawi, IRLI runs a very successful prison courts operation, which essentially works by bringing the court to the prison so that prisoners can get a bail hearing or to progress their cases. The prisoners can get access to justice – and see it being done.

IRLI, with the help of paralegals running legal-advice desks in the prisons, identifies these forgotten prisoners, finds or reconstructs their files, fixes a date for their cases, and arranges for a magistrate or judge and a prosecutor to come to the prison for hearings. So, justice comes to the prison.

Last year, IRLI introduced this idea in Zambia and brought the senior leadership of the relevant justice institutions to Malawi to show them prison courts in operation. In January 2024, at a public event with wide media coverage, the Zambian institutions signed a memorandum of understanding to set up a pilot scheme to trial the prison-court concept there.

In April, IRLI brought to Malawi representatives of two NGOs that will support the pilot scheme to see and learn from the prison courts in action. While there is still preparatory work to be carried out, it is hoped that the prison-courts pilot scheme will begin in Zambia in July 2024. As a result, much-needed access to justice will be coming to many unrepresented prisoners in Zambia very soon.

Norville Connolly is IRLI country director – Zambia.



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LLM Employment Law in Practice	14 September 2024	€3,600
Diploma in Employment Law	20 September 2024	€2,660
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Certificate in Immigration Law and Practice	7 November 2024	€1,725

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

PROFESSIONAL LIVES

Sharing personal and professional stories has long been a powerful way to create a sense of connection and belonging. It creates a space for vulnerability that can provide the listener with inspiration and hope, or newfound insight to a challenge or difficulty they too might be facing. We welcome you to get in touch with ps@lawsociety.ie to share a story for this 'Professional Lives' column.

It's time to talk

Darkness pervades. It engulfs and suffocates. The 'black dog' is a euphemism of sorts, but it is more like an unwelcome visitor cloaked in misery. The type that outstays its welcome, no matter how often you yawn, clean up around them, and push them slowly towards the door.

This visitor becomes an intruder, stealth-like but vicious in its execution. And it can happen to anyone. You think you're immune but you're not. My friend Ivan, the life and soul of the party, charismatic beacon, met this impostor in the depths of COVID. He didn't invite it to stay but it inveigled its way in anyway. It never really left. Sure, there were moments of respite, but not enough to give Ivan the strength to banish its malign presence.

Ivan was a successful barrister. If you frequented the Law Library or lived in Ranelagh, you knew him. Everyone did. Larger than life, he dominated every room he entered – a big presence with a huge heart.

The dark invader

All he wanted was to do his cases, ride his bike, and drink his pints. Not much to ask, but COVID knocked all of that on the head. A mildly anxious disposition soon escalated to become his

dominant characteristic. And it spiralled until it became too much. Maybe he feared the dark invader would never leave.

He did talk about it with his friends. We counselled him in our own uneducated, inadequate ways and thought we were helping. I'm sure we were to some degree, but it wasn't enough. Maybe nothing would ever have been enough, but I wish I had tried harder. I wish I had known more about his pain, his helplessness and, ultimately, his despair.

He is not the only lawyer I know who couldn't find his way past the demonic intruder, just the one I knew best. Of course, the legal profession isn't special. Every job has its pressures, every life has its traumas. But this is the one we know, and the expectations are sky high. Regulation, billable hours, and professional pride are the primary attributes that make many of us question our career choices and our status.


We are, by and large, well paid, but money is only part of the equation. Are 80-hour weeks worth not seeing the kids grow up? Does four hours of sleep a night, interrupted by worrying about the email from an unhappy client, make a six-figure salary worthwhile?



Talking matters

There are no quick solutions to these problems. In fact, there may be none at all. But talking about them matters. It doesn't matter where. Many of my cycling friends, Ivan included, solve all the world's problems while riding their bikes. Others do so over a pint or a cup of coffee. Sometimes a phone call will do the trick.

On other occasions, you may need to knock on the door and sit on the edge of the bed until they come round. Counselling is a god-send if they can be persuaded to go.

But most of all, don't give up. Try and try again. You can never do it enough. You will never say you tried too hard. That won't be your regret. 

Stuart Gilbooly SC is a partner in Dublin firm Hf Ward and a past-president of the Law Society.

Confidential, independent, and subsidised support is available through LegalMind for legal professionals. All enquiries to LegalMind are fully confidential to Clancwilliam Institute (the Law Society's partner providers).

All therapy sessions are conducted by highly trained professionals in a confidential forum. Email: reception@clancwilliam.ie; tel: 01 205 5010 (9am to 5pm, Monday to Friday); see: lawsociety.ie/legalmind.

Could we, should we do more?

Solicitors who represent catastrophically injured clients see, first-hand, the difficulties they encounter in picking up the pieces. Johan Verbruggen asks whether solicitors should consider expanding their roles beyond maximising *quantum*

IT IS WORTH CONSIDERING HOW WE COULD BE OF MORE USE TO OUR CLIENTS, WHO DEPEND SO MUCH ON OUR KNOWLEDGE AND FAMILIARITY WITH THERAPISTS AND MEDICAL PROFESSIONALS, TO FACILITATE REHABILITATION AND IMPROVE OUTCOMES

In Ireland, solicitors representing catastrophically injured patients – such as those with cerebral palsy – are at all times mindful of our duty to secure the maximum amount of compensation that our clients are entitled to, in order to give them the best shot at leading as comfortable and normal a life as possible.

The concept of a solicitor having a role to play in our clients' physical and mental rehabilitation may, at first, appear unusual, but it is entirely reasonable. We learn over the lifetime of the case, from speaking with our clients and the experts retained, of all the ways in which their lives have been affected – and will continue to be. Given that we see, first-hand, the difficulties our clients encounter trying to pick up the pieces, it is worth considering how our roles could be expanded, beyond progressing a case and maximising *quantum*.

Rehabilitation Code

In Britain, it is well established that solicitors acting for the injured patient have additional duties. As a matter of course, solicitors representing catastrophically injured patients there now play a key

role in arranging and driving rehabilitation.

The *Rehabilitation Code* was first published in 1999. There are obligations imposed upon the plaintiff's solicitor in section 2, in particular: "The claimant solicitor's obligation to act in the best interests of their client extends beyond securing reasonable financial compensation, vital as that may be. Their duty also includes considering, as soon as practicable, whether additional medical or rehabilitative intervention would improve the claimant's present and/or longer-term physical and mental wellbeing. In doing so, there should be full consultation with the claimant and/or their family and any treating practitioner where doing so is proportionate and reasonable. This duty continues throughout the life of the case, but is most important in the early stages."

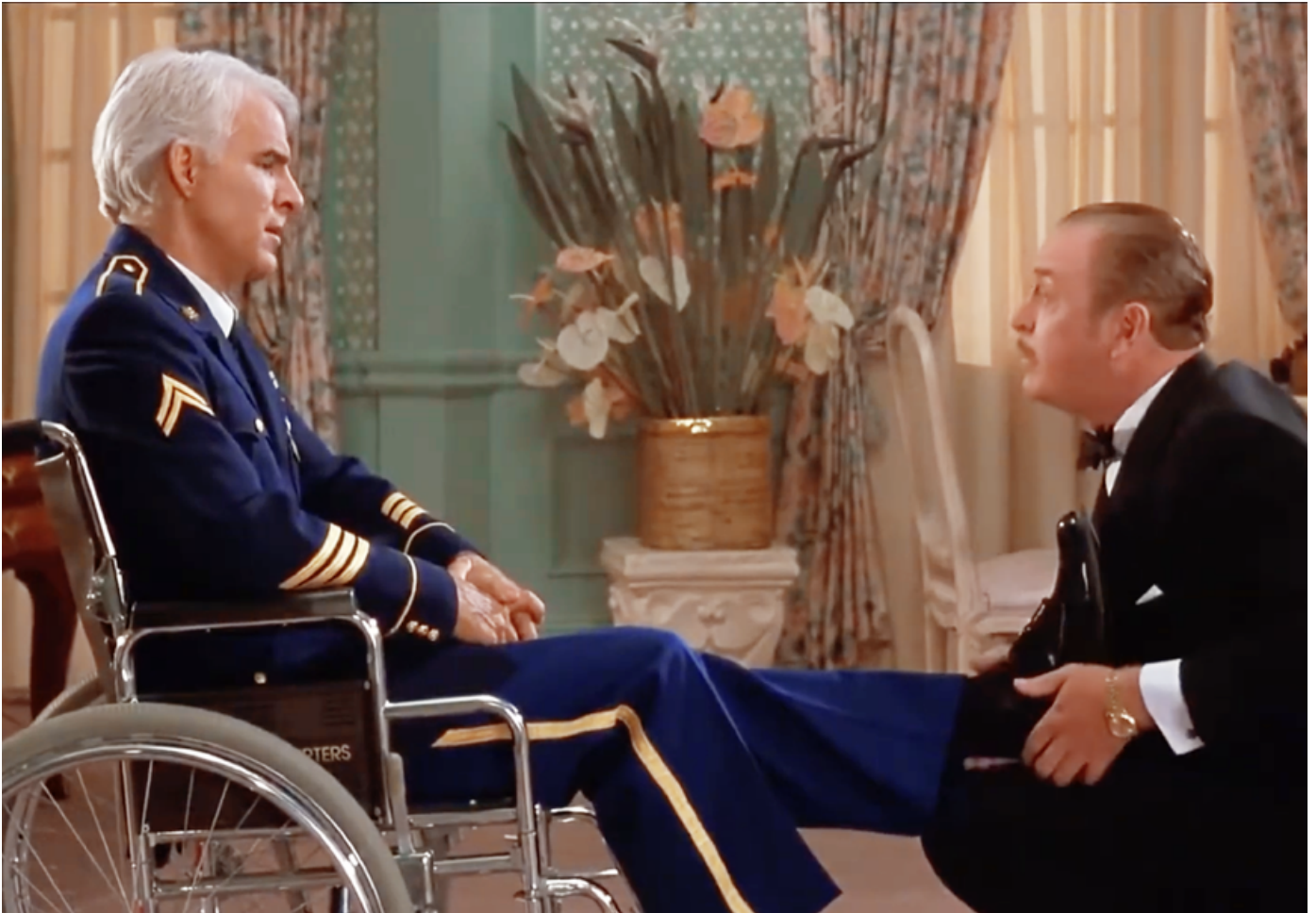
For plaintiff solicitors, adhering to the code involves promptly disclosing accident details to the opposing party, thereby initiating discussions on rehabilitation needs, even before liability determinations. Utilising mechanisms like the claim notification form streamlines

this process, ensuring that rehabilitation considerations are integrated into the earliest stages of the claim. By engaging in rehabilitation efforts, plaintiffs stand to not only expedite their recovery but also demonstrate their proactive approach to mitigating losses.

Compensators and their solicitors are tasked with proactively assessing the potential benefits of additional medical or rehabilitative treatments for plaintiffs. This includes offering, for example, physiotherapy and facilitating access to various forms of rehabilitation, whether through external providers or existing healthcare channels.

The assessment process, as outlined by the *Rehabilitation Code*, involves an impartial evaluation by independent rehabilitation treatment advisers. Through comprehensive assessments, these professionals identify suitable interventions tailored to the plaintiff's needs, ensuring a holistic approach to recovery and wellbeing.

Of particular significance is the provision within the code that allows for rehabilitation arrangements to be made without prejudice and irrespective of liability. This proactive stance,



Solicitors often have unique insights into the impact of catastrophic injuries on their clients, unlike these ‘dirty rotten scoundrels’

especially crucial in severe cases, enables compensators to offer vital treatments, such as physiotherapy, to the injured patient before liability decisions are finalised. Moreover, the code safeguards plaintiffs by stipulating that, if a claim fails or liability is disputed, the funding for rehabilitation isn’t reclaimed unless fraud or fundamental dishonesty is proved – a provision that underscores its commitment to the plaintiff’s wellbeing.

In essence, the *Rehabilitation Code* serves as a blueprint for fostering collaboration, prioritising claimants’ holistic recovery, and ensuring that rehabilitation remains a cornerstone of personal-injury claims in the pursuit of justice and restoration.

Serious Injury Guide

In Britain, there also exists the *Serious Injury Guide*. This is a ‘best-practice’ guide, designed to assist with conducting personal-injury cases involving complex injuries, particularly those with a potential value on a full liability basis of Stg £250,000 and above, as well as cases likely to involve a claim for future continuing loss. The guide provides a framework for parties to work together towards resolving the case by cooperating and narrowing the issues, while putting the claimant at the centre of the process.

The guide encourages positive collaborative behaviour from both sides, and works in parallel with the civil procedure rules. It does not affect a solicitor’s duty to act in the best

interests of the client and upon their instructions.

The principal aims of the guide include resolving liability as quickly as possible, providing early access to rehabilitation for the claimant to maximise their recovery, resolving claims in a cost-appropriate and proportionate manner, and achieving resolution within an appropriate agreed timeframe. Collaboration and dialogue are central objectives to achieving efficient case progression through an agreed action plan, dealing with, but not limited to, liability resolution, rehabilitation, *quantum* evidence, and overall settlement.

The *Serious Injury Guide* also includes provisions for multiple defendants and ongoing review and forward

THERE IS NO
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THE PROCESS



LAW SOCIETY EVENT TO MARK EUROPEAN PRO BONO WEEK

Thursday 13 June
4:30pm – 7.00pm
in Blackhall Place, Dublin 7

Hear from speakers who will showcase the impactful work of lawyers, including trainees, who volunteer their time and skills to increase access to justice for the benefit of those in need. The event will also feature the first in-person PILA NGO Pitch by three organisations for pro bono legal services from attending legal practitioners.

To learn more and sign up to attend this discussion on 13 June, visit www.lawsociety.ie/probono



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IN BRITAIN, IT IS WELL ESTABLISHED THAT SOLICITORS ACTING FOR THE INJURED PATIENT HAVE ADDITIONAL DUTIES. AS A MATTER OF COURSE, SOLICITORS REPRESENTING CATASTROPHICALLY INJURED PATIENTS THERE NOW PLAY A KEY ROLE IN ARRANGING AND DRIVING REHABILITATION

planning, including regular dialogue between the parties and prompt communication of material changes in circumstances. Additionally, the guide provides guidance on rehabilitation, escalation procedures, dispute resolution, and costs. It encourages the early commitment to pay an interim payment towards disbursements and a contribution towards base costs following the resolution of liability.

It includes an appendix that discusses ‘open-book’ rehabilitation best practice, emphasising the benefits of dialogues around rehabilitation progress, interim funding requests, and medico-legal assessments. It also outlines the benefits of giving insurers a high level of access to rehabilitation, and encourages them to act in the best interests of the rehabilitation process.

Hadley v Przybylo

This enhanced role for plaintiff medical-negligence solicitors was examined in a recent UK Court of Appeal decision.

In *Hadley v Przybylo* (15 March 2024), the matter of a solicitor’s duties to a catastrophically injured client were considered in the context of a costs dispute.

An appeal was brought by Thomas Hadley, represented by his litigation friend Laura McCarry, against Mateusz Przybylo, following a road-traffic accident in which Mr Hadley suffered catastrophic injuries. The key issue was whether the costs of a solicitor’s attendance at rehabilitation case-management meetings were recoverable as costs in litigation. The master disallowed these costs, stating they were not incurred in the progression of litigation.

On appeal, the plaintiff’s solicitor argued that the costs of attending rehabilitation case-management meetings are recoverable. The defendant acknowledged that recoverable costs can include funding the claimant’s rehabilitation, but disputed the large sums incurred for attendance at routine meetings.

The court held that the costs claim falls under the ‘issues and statements-of-case’ phase, and that these costs are recoverable in principle, based on the defendant’s own concessions and guidance from the *Serious Injury Guide* and *Rehabilitation Code*. It is also noted that the plaintiff’s solicitor’s involvement in rehabilitation had been

beneficial for both parties.

However, the court emphasised that the recoverability of costs will depend on the specific circumstances of each case. In this case, the amount of costs claimed was seen as high and open to challenge. The court suggested that the issue of recoverability should be addressed during the assessment of costs by a costs judge. The court allowed the appeal on this ground, but with the caveat that the figures claimed for costs are subject to challenge, and an acknowledgment that the defendant can raise reasonableness and proportionality arguments during the assessment stage.

The court referred to the *Serious Injury Guide and Rehabilitation Code*, both of which clearly recognise that plaintiff solicitors are integral in their clients’ rehabilitation. The decision reaffirmed the crucial role that plaintiff medical-negligence solicitors play in their clients’ rehabilitation. It reemphasised that early intervention with proactive rehabilitation, as part of the case being litigated, is considered to be in the best interests of all parties involved, not least the defendant who is to compensate the injured plaintiff.

Of more service

While there are case-management companies that offer to assist with rehabilitation of catastrophically injured plaintiffs, there is currently no duty on medical-negligence solicitors in Ireland to arrange rehabilitation or to otherwise become involved in the process. It is worth considering how we could be of more use to our clients, who depend so much on our knowledge and familiarity with therapists and medical professionals, to facilitate rehabilitation and improve outcomes.

The introduction of something akin to the *Rehabilitation Code* in Ireland ought to be considered. In putting the injured patient at the centre of the process and emphasising the restoration of their health, quality of life, independence, and employability, it naturally encourages earlier, more constructive engagement between plaintiff and defendant solicitors about liability. That stands to save all parties and the courts, significant time and money.

Johan Verbruggen is a partner and head of medical negligence claims at Fieldfisher.

Night of the long knives

Failed Blairite policies will not solve crime and antisocial behaviour, argues Prof Claire Hamilton. Experience has shown them to be, at best, ineffective and, at worst, counter-productive in terms of tackling crime

A WEALTH OF CRIMINOLOGICAL EVIDENCE HAS FOUND THAT THE DEEPER THAT CHILDREN ARE DRAWN INTO THE SYSTEM, THE MORE HARMFUL IT IS FOR THEIR PROSPECTS OF REFRAINING FROM OFFENDING. IN OTHER WORDS, THE SYSTEM ITSELF HAS A CRIMINOGENIC EFFECT

In politics, so the saying goes, there is nothing new under the sun. All the more so, it seems, when it comes to the feverish activity that often surrounds the politics of crime and its control.

Since his appointment as Taoiseach, Simon Harris appears to have recommitted the Fine Gael party to a tougher style of penal politics, taking up its traditional mantle as the ‘party of law and order’. This was followed more recently by Justice Minister Helen McEntee’s [announcement](#) of longer sentences for knife crimes and a crackdown to target antisocial behaviour, including provisions to make it easier to issue an antisocial behaviour order, or ASBO.

Such measures have about them a strong ring of failed New Labour justice policies. Indeed, the former Taoiseach Leo Varadkar’s recent assertion that Fine Gael “should be tough on crime and tough on the causes of crime” reproduces, verbatim, Tony Blair’s now infamous mantra.

Attractive as these policies may be as curtain-raisers for the next general election, the problem is that experience has shown them to be, at best, ineffective and, at worst, counter-productive in terms of tackling crime.

Bad boy boogie

Take knife crime, for example. Britain stands out here, among both English-speaking and European countries, for the media and political attention it has devoted to knife-related violence. A slew of legislation, stop-and-search policies, and initiatives have ensued, including laws increasing sentences on knife crime (none, incidentally as high as the seven-year maximum proposed by our minister).

However, international research published by the Australian Institute of Criminology and World Health Organisation suggests that criminal-justice based interventions and, in particular, tougher penalties for knife crime, have not had a deterrent effect. Young people carrying knives predominantly for self-protection are unlikely to be deterred. This is well illustrated [in an interview](#) carried out with a young knife carrier in Scotland, when he said: “No – cos you can’t just stop carrying a knife because you might get four, five years. You’ve got worries” (*Knife Crime Interventions: ‘What Works?’*). To some degree, therefore, lengthier sentences punish those who are most fearful.

Brain shake

What has worked, on the other hand, is a public-health

approach, involving multiple agencies engaged in prevention work for at-risk groups, as well as law-enforcement activity directed at offenders. Hospitals are particularly promising sites of intervention aimed at reaching out to young people at a ‘teachable moment’ or moment of intense crisis, with several of these programmes emerging as part of the British Government’s Serious Violence Strategy.

The situation in Ireland when it comes to knife crime is uncertain, and it is unclear on what evidence the minister is basing her assertion that it presents as an “incremental” problem.

‘Knife crime’ is a somewhat nebulous, catch-all term used to refer to a collection of different offences in which a knife is used. As such, it’s important to differentiate between, on the one hand, knife-carrying/possession offences and, on the other, the use of knives in violent crime. This observation feeds into attempts to measure the extent of the problem: possession offences in particular are susceptible to distortion due to police proactivity or ‘surge’ policing in this area. This issue was recently identified in Ireland in relation to the implementation of a new exhibit recording system.

The last report on knife crime was published over three years



ago and suggested generally declining levels of incidents involving knives, including a general trend of decline in discharges of patients for knife-related assaults. Pending the publication of an updated garda report on this area (currently being prepared), the extent to which we even have a problem that requires a response remains an [open question](#).

Problem child

Antisocial behaviour was also a key plank of the ‘New Labour’ agenda in the late 1990s/early 2000s, ushering in a range of measures, such as ASBOs, which were clearly designed with juvenile ‘antisocial behaviour’ in mind.

In Ireland, despite the introduction of our own antisocial behaviour legislation in 2006, there has been little recourse to ASBOs, reflecting perhaps a sense that they “[do not serve a clear purpose](#)” in the justice system.

ASBOs are essentially civil orders that seek to protect people from antisocial forms of behaviour, but which attract a criminal penalty for non-compliance. The result of their roll-out in England and Wales has been nothing short of a fiasco: a high rate of non-compliance or breach of the orders (up to 68% for children); the criminalisation of neurodiverse children, homeless persons and other vulnerable groups; and a long line of litigation that has sought to decouple the criminal from the civil element of the order, ultimately replacing the ASBO with new legislation.

There is also the question of lowering the threshold for entry to the justice system to what is, effectively, ‘sub-criminal’ behaviour, or what criminologists call ‘net-widening’. As the Council of Europe’s Commissioner for Human Rights, Alvaro Gil-Robles, pointed out in a searingly

critical 2005 report, because the ASBO system increases the numbers of young people in custody, “it is more likely to exacerbate antisocial behaviour and crime amongst youths than effectively prevent it”.

Rebooting the ‘anti-social-behaviour agenda’ in this jurisdiction also runs contrary to the stated aim of the youth-justice system, which is to divert children away from it. A wealth of criminological evidence, including the acclaimed longitudinal [Edinburgh Study of Youth Transitions and Crime](#), has found that the deeper that children are drawn into the system, the more harmful it is for their prospects of refraining from offending. In other words, the system itself has a criminogenic effect.

Breaking the rules

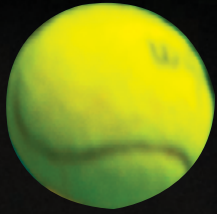
All of the above is not to deny the impact of antisocial behaviour on Irish communities or young

people themselves. As Fintan O’Toole argued in *The Irish Times* at the time of the 2006 legislation, “antisocial behaviour matters to the lives of too many people and causes too much daily misery to be the object of cynical gesture politics”.

Knife use, too, while only a small proportion of all violence, is clearly a serious event, which has been described as a ‘signal’ crime – one that communicates a powerful ‘warning’ message to a community that all is not well.

In both of these areas, we should seek to align ourselves with, rather than against, international best practice. A rehashing of the failed policies of our nearest neighbours will not do.

Claire Hamilton is professor of criminology in Maynooth University School of Law and Criminology.



AT YOUR SERVICE

What has the Law Society ever done for you? As it turns out – an awful lot! Its superb spread of solicitor supports can help you achieve excellence and wellbeing throughout your legal career. Mark McDermott reports



494 SOLICITORS in the Women in Leadership programme since 2018



The Law Society of Ireland provides a vast array of services to solicitors, helping you to achieve excellence and wellbeing throughout your legal career. It does this through its Representation and Member Services, Education, Regulation, and

Finance and Operations Departments.

The services provided by these departments have been created to take account of solicitors' evolving needs and requirements. All of the available facilities can be found at lawsociety.ie/solicitors.

The Law Society's provision of services falls under three 'pillars':

- Information Services,
- Practice Support, and
- Career Support.

Need to succeed

The three pillars were launched in 2023 to answer solicitor requirements throughout their career life-cycle. Each pillar is underpinned by a suite of Law Society services and supports. Most of these are the envy of other professional bodies – and, in many instances, the Law Society of Ireland is leading the way.

To give you a taster of what you can expect to find at lawsociety.ie/solicitors, the *Gazette* has put together the

following non-exhaustive list of services and supports.

Under the '[Information Services](#)' pillar, you'll find the legal and practice information that will help you to succeed, including guidance from the Law Society's committees, library and information services, and e-newsletters.

There are useful links, too, to the various practice areas, featuring practice and guidance notes, precedents, and news relating to specific areas of law. Submissions and reports of public interest produced by the Law Society's committees and task forces (listed by year) are also on tap.

In addition, there's a one-stop-shop for access to the *Gazette* and the *Law Directory*, as well as an online store where you can purchase a variety of legal publications and student manuals – as well as all of the information you need on CPD and diploma course electives and events.

Turbocharging tools

Under '[Practice Support](#)', the Law Society provides small and medium-sized law firms with the tools they need to turbocharge their

LAW SOCIETY SERVICES STATS 2023

- 25 justice and law reform submissions
- 1,973 solicitors attended the High-Impact Professional Series over 12 months
- 22,078 attendees at 169 courses
- 4,019 queries to the library
- 469 practice notes available

practices. There, you'll find the online Business Hub – this offers valuable resources and information that meet the unique needs of smaller practices.

You can duck into practice support [information sessions](#) and dive into the comprehensive archive of audio and video sessions, which provide topical information on:

- Operations and technology, including cyber-security,
- Finance and strategy,
- Human resources,
- Marketing and business development, and
- Legal practice and personal development.

In addition, there's a slew of valuable [practice-support resources](#) and [practice-support e-zine articles](#). These include advice on hiring staff, client-care leaflets, access to the Law Society's member logo, and others.

Career support

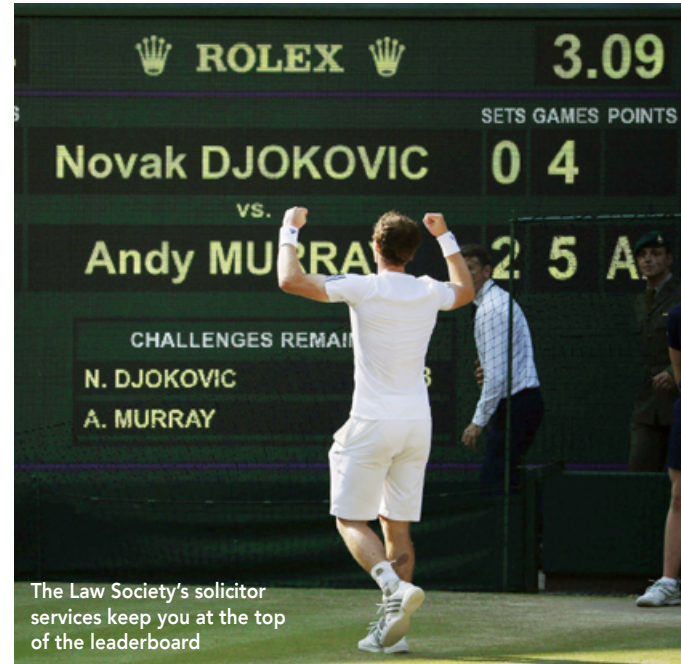
The 'Career Support' pillar provides services to solicitors and future solicitors that encourage them to reach their full potential.

[Law Society Psychological Services](#) delivers tailored psychological wellness support for solicitors and trainees. Its LegalMind service is available to members and practising-certificate holders. This independent, confidential, low-cost mental-health support is also open to post-PPC trainees.

A psychologically well-resourced solicitor enjoys professional success that benefits them, their clients, and their workplaces – without compromising their personal well-being. Law Society Psychological Services partners with the Clanwilliam Institute in providing this independent resource.

Separately, and in partnership with Law Society Skillnet, Law Society Psychological Services also hosts the High-Impact Professional Series of webinars. These and other wellbeing content can be found on the [LegalEd Talk Platform](#).

Also on offer is peer support that helps lawyers develop their 'psychological muscle'. This allows solicitors to process the impact of their work, and to give and receive support from their peers – giving our members the tools they need to stay at the top of their game.



The Law Society's solicitor services keep you at the top of the leaderboard

Every breath you take

Solicitors have many different professional requirements – from pre-qualification, through their professional career, and onwards to retirement. The Law Society is with you every step of the way, offering a broad range of educational, regulatory, and professional supports during your legal life-cycle. Its aim is to help you to be your best – for your clients, your colleagues, and at home.

Keep an eye out for spotlights on solicitor services that will be showcased across the country at the cluster events that are taking place from May through to December 2024. The Law Society also plans to discuss its new strategic plan at these cluster events, giving solicitors the chance to provide feedback and share their insights.

To find out more about how the Law Society can help you, visit lawsociety.ie/solicitors.

Mark McDermott is editor of the Law Society Gazette.

ALSO IN YOUR GAZETTE THIS MONTH

Throughout this special issue, you'll find in-depth articles on services for solicitors, including CPD (p44), the work of the Conveyancing Committee (p40) and In-house and Public Sector Committee (p46), the Law Society Library (p50), and Law Society Psychological Services (p52). That's alongside our regular offerings of committee practice notes and European news from the EU and International Affairs Committee. In the 'news' section, you'll find reports on this year's MOOC, the Law Society website, and efforts to encourage a healthy psychological culture in firms, among other things.

The UGLY TRUTH

'The truth is often ugly. That's why it gets buried.' Solicitor Darragh Mackin has finally helped to deliver justice for the Stardust families after a 43-year delay. He pulls no punches in his interview with Mary Hallissey

Truth, justice, and accountability for a troubled past – these are solicitor Darragh Mackin's watchwords. He has been described as the hero of the Stardust fire story. As the families' lawyer, Mackin has scored a notable victory in their long and dogged battle for justice and truth for their loved ones.

The solicitor believes that the truth is often ugly. That's why it gets buried, with processes used to subvert it.

But reconciliation to an often complex and ugly past means acknowledging wrongdoing and then apologising, he says. "Truth comes first, and it's the most important cornerstone of any functioning democracy and justice system. If you're not telling the truth, how can you say sorry for what has been done?"

The solicitor's grasp of the potential use of the inquest system to right historical wrongs was pivotal in finally wresting an apology from the State and Taoiseach Simon Harris. The apology came 43 years after the events of that tragic night on Dublin's northside, on 14 February 1981.

The Stardust families didn't have confidence in the justice system because they were shut out, and the truth buried deep, the solicitor says.

Mackin praises Simon Harris for taking the time to meet the families in person and to acknowledge the humanity of the dead. The Taoiseach read short biographies of each person who died in the blaze in his speech to the Dáil on 23 April. This engagement and response was a mark of humanity, Darragh Mackin says. "The State recognised that something really bad had been done."



TRUTH COMES
FIRST, AND
IT'S THE MOST
IMPORTANT

CORNERSTONE OF
ANY FUNCTIONING
DEMOCRACY AND
JUSTICE SYSTEM. IF
YOU'RE NOT TELLING THE
TRUTH, HOW CAN YOU
SAY SORRY FOR WHAT
HAS BEEN DONE?

Making a difference

33-year-old Mackin is from Camlough near Newry, Co Down, equidistant from both Dublin and Belfast, and feels equally at home in both cities.

The married father of two grew up with a strong awareness of both human-rights abuses and State violence in the North in the years prior to the peace process. There was no tradition of law in his family but big community involvement – a park in Newry is named after his late grandfather, community volunteer Jack Mackin.

His primary-school principal father steered him towards law at the University of Ulster as a means of helping his community.

“I wanted to help people. I just liked the idea of working with people to make a difference,” Mackin says. “When I was growing up, I consistently heard stories about my grandfather. At a time of huge conflict, he was trying his best to ensure that children would have access to sport. He was a great believer in justice and children’s rights, at the time.”

Darragh spent a couple of college years “partying and having a great time” until he met his now wife Ciara.

“Ciara had a clear path for where she wanted to go. She helpfully brought me into line and made me start thinking about trying to get some legal practice,” he says.

In second year, Darragh’s college attendance was so poor that he was threatened with expulsion – a fact he now jokes about with former lecturers at University of Ulster dinners.

Changing everything

With no legal connections, Darragh secured an internship through Kevin Winters (KRW Law), a fellow alumnus of St Colman’s College in Newry.

“I emailed him out of the blue and said: ‘We went to the same school, is there any chance you’d take me in and give me a go?’”

That email resulted in two weeks’ work experience, which led on to summer work and, eventually, a full career in law.

Putting the black-letter undergraduate law he had absorbed into actual practice changed everything for Darragh: “Once I got into practice, it completely changed who I was and it changed for me what law was about,” he says. Using his legal knowledge to make a difference in people’s lives made it real.

He gave up on the idea of a corporate



lifestyle to focus on being a criminal lawyer, initially working with troubled youths and prisoners: “Human rights and criminal justice in prisons was where it started, and that spun naturally into human rights with a focus on the past,” he explains.

He acted in cases where the dead had been wronged by the State, such as the shooting in August 1976 of 12-year-old Majella O’Hare, and the killing of the Reavey brothers – Anthony, John Martin and Brian – in Armagh the same year.

“These were circumstances where, in a functioning democracy, you should never need a lawyer to get what the families wanted – truth, justice, and accountability. Unfortunately, in the North, it doesn’t happen like that, and you are forced to go to court.”

Sword or shield?

Darragh says he quickly discovered the purpose of human rights – to make a real-life difference.

“Is the *European Convention on Human Rights* a sword or a shield? It’s effectively both – it protects people but, equally, when

the State does wrong, it can be used as a sword.”

Mackin saw the potential of the coroner system for uncovering the truth of what happened at the Stardust on that terrible night of 14 February 1981, when 846 patrons were admitted, some underage but most between 18 and 25.

“In my view, the wrong answer was being given because the wrong question was being asked,” he said of previous Stardust inquiries.

“I had seen at first-hand how the inquest system works. The coronial system, when it works, works very well because it puts families at the centre of the process. It now has the additional protections of the *European Convention on Human Rights*, which means that it has more teeth than we would ordinarily associate with an inquest.

“It would give the families access to the documentation at first hand, and access to their own experts. For me, it was an obvious avenue to take,” he says.

Entirely innocent

“The reality, when you look at the first inquiry, is that it just beggars belief how the



WHEN THE TAOISEACH APOLOGISED, HE MADE IT CLEAR THAT THERE WAS NEVER ANY EVIDENCE OF ARSON, AND THAT THESE PEOPLE WERE ENTIRELY INNOCENT. IN THE STORY OF THE STARDUST, THAT FACT IS ALMOST LOST. THE DAMAGE THAT HAS BEEN DONE IS UNTOLD. IT UNDERLINES THE IMPORTANCE OF TRUTH RECOVERY

conclusion of probable arson was ever reached. Looking at the report, it's clear there was no evidence of arson," he said.

"People forget the damage that the arson finding did. It criminalised all these families, and all these victims. People who had suffered life-changing injuries – was it one of them who had started this fire?

"People forget the damage that stigmatisation did," Mackin says. "When you speak to the families, it's the one thing that consistently stands out – the hurt that that caused.

"When the Taoiseach apologised, he made it clear that there was never any evidence of arson, and that these people were entirely innocent. In the story of the Stardust, that fact is almost lost.

"The damage that has been done is untold. It underlines the importance of truth recovery."

Locked doors

That the locking of nightclub exit doors was not uncommon in the pre-Stardust era is contested by Mackin.

"Firstly, it's debatable whether it was common practice. Secondly, there were clear bye-laws in place that it should not be done. Thirdly, the chains remained on the doors while people were on the premises, and that contributed to the loss of many, many lives.

"While people may say it was common practice, it was never acceptable to put metal plates over toilet windows – it was tantamount to a fortress. To this day, those photographs of handprints on the windows will never leave my mind."

Mackin believes that, given the evolution of human rights, people are more likely to stand up against the status quo and fight for truth and justice.

"The Keane Inquiry's greatest strength was its greatest weakness. It was fixated on expedition and expediency, turning this inquiry around within days. It was the wrong

approach in a case like this," he states.

The circumstances were that many families were either still grieving or physically recovering in hospital and were in no state to try and find or establish the truth, when their input would have been invaluable.

"That is a symptomatic factor, in the fact that the inquiry almost continued being driven by lawyers, rather than the families themselves."

The beauty of the rule of law is that the Stardust owners were fully entitled to test the lawfulness of the verdict, Mackin adds. However, the timing – after closing submissions, but before the jury went out – risked the jury being discharged and the entire process being halted, he says.

The timing of the second judicial review to halt the inquest finding of unlawful killing, taken by Stardust owner Eamon Butterly, was "disappointing and frustrating", he adds.

Redress mechanism

Redress has never been an important factor for the Stardust families, Mackin says. They wanted an acknowledgement and an apology for what happened.

"Given that an apology has been delivered and the truth has now been told, the next part in the reconciliation process is that the State ensures that they are compensated for the damage that has been done to them for all those years," he says.

His firm, Phoenix Law, is engaging with the Government to see what redress mechanism will work best in an unprecedented situation: "For me, this requires something totally different – and that payments are made to these families in a way that reflects what they've been through."

The families are the heroes of this story, their lawyer states. "They became much, much more than clients to us, we were truly privileged to act for them. They would have done anything for us, to make us welcome. They genuinely

became lifelong friends.”

He salutes the dogged determination and unparalleled commitment of the families: “Many people would have given up after one decade, never mind four,” he says. “They are absolutely incredible people. When you are on the right side of the truth, you’re never going to lie down.

“These families are now at peace with what they have achieved, knowing that their loved ones are no longer a number. The truth has now been told. They were innocent and they were unlawfully killed. For me, that has brought all those victims home.”

Clear vision

Mackin was one of the founders of Belfast-based Phoenix Law, moving on from KRW Law in 2018. Then 27, Darragh had a clear vision of what he wanted – a niche human-rights law firm that would work on an international stage but retain a commercial feel.

The initial six-strong team has now grown to 37 and the firm has taken instructions globally. Phoenix Law has no one lawyer’s name above the door and operates a democratic structure. Every member of staff has a say in the direction the firm takes and, uniquely, none of the staff has a family background in law.

As the father of two infant daughters, Darragh wants to also acknowledge the wider family sacrifice for a lawyer taking on a long and intense case, such as the Stardust inquest.

“We can never forget the family members who *aren’t* on the front line – it’s the families who deal with that commitment, and don’t get the credit they deserve.”

The only way to take on the Stardust case was to commit the time and to work in Dublin from Tuesday to Friday each week, he says: “We basically ran everything from our hotel [the Mayson Hotel on Dublin’s quays], and the staff were so good to us.”

In from the cold

He pays warm tribute to Dublin City Coroner Dr Myra Cullinane, who “brought the families in from the cold”.

“The families had no faith in the system, and she restored that faith by making sure they were listened to and given a fair crack of the whip,” he says.

A GOOD MAN CAME ALONG

Antoinette Keegan is a Stardust survivor who has campaigned relentlessly for justice for the 48 dead, which included two of her sisters, Mary and Martina.

She sings the praises of Darragh Mackin for his endeavours on behalf of the families. “He came and rescued us,” she said. “My late mother actually adored him, she used to say ‘Darragh is going to win it for us’.”

Antoinette recalled the families’ efforts to raise money for legal representation in the dark days after the blaze. In those early days, they borrowed the then-enormous sum of €1,000 from the bank, paid back with interest, to pay their first solicitor. They later did bucket collections in “hail, rain and snow”, as well as running evening functions. Antoinette describes fundraising to pay expert witnesses, lawyers, researchers, and pathologists – all without legal aid.

Abandoned by the State

“We were on our own. We were left stranded, abandoned by the State, like lambs to the slaughter. I used to have nightmares if I walked down there [Stardust site],” said Antoinette. “And we’ve got justice now.”

She recalls her late father John, who was superstitious, asking his four eldest children not to go to the disco, because it fell on Friday 13th.

Antoinette said everyone looked beautiful that night, dressed up for the disco-dancing competition. “It was a night that we had built ourselves up for.”

No charge

In 2017, after years of fruitless campaigning, a good man came along.

Solicitor Darragh Mackin’s telephone number was given to Antoinette by Senator Lynn Boylan, saying he wanted to help.

“And I said, how much is he going to charge? And I was told, he’s not going to charge anything; he wants to help us.”

Antoinette brought all her paperwork to that first meeting with Mackin – the various reports, as well as the coroners’ reports on her sisters Mary and Martina. “I kept asking for reports because I was with them that night, I was the last person with [the dead] that night, and I wanted to know what happened to them,” Antoinette said.

Darragh Mackin looked through the reports and pushed them all aside.

He said: “We’re not going to look for a new inquiry from the Government. We’re going to look for the inquest to be reopened.”

“I said, ‘I’ve already done that, Darragh’, and he said, ‘let me try’,” recalled Antoinette.

New inquest

The families gathered 48,000 signatures requesting a new inquest in the public interest. In March 2019, an application was made to then Attorney General Seamus Wolfe.

A 37-page submission was filed by Phoenix Law on behalf of Antoinette Keegan and relatives of 42 of the 48 people who died in the fire. The Attorney General granted the request, saying the case was similar to Hillsborough.

Antoinette believes this wouldn’t have happened without Mackin’s input. “The Attorney General would never have done that if it wasn’t for Darragh Mackin. He’s an absolutely brilliant solicitor and I commend him. I will thank him until the day I die, for coming a long way, and helping us. We would never have done it without Darragh Mackin and all his legal team. We were always up against the State and we always lost.”

Antoinette also points to Mackin’s success in getting legislation through

for payment for a new inquest jury. Antoinette's campaign was always for her two sisters, and the 46 other victims, though many didn't know each other before the fire. "We became one big, huge family, united in grief for the biggest disaster in the history of the State."

After years of closed doors, knock-backs, and blank refusals to engage, Antoinette is now feeling stronger. "The insults that were thrown at us over the years were disgraceful. My mother was told by an official that she had two less mouths to feed.

"How dare they speak to my parents that way about their loved ones. That's what gave me the determination. It was shocking the way we were treated."

There were times Antoinette felt like giving up. She credits her parents' determination to never let the injustice go, and carried on their campaign after they died. "Darragh Mackin didn't leave a stone unturned. He was absolutely brilliant in everything he did for us, and never asked for one cent. He said, 'I don't care about money, I know I'm going to win this'.

"What a fantastic job he did for us, I'll keep thanking him until the day I die. He is one brilliant solicitor and I'll never take that away from him. No words can show the gratitude that my family has for him. It was a long road and it wasn't easy. It cost – emotionally, psychologically, physically, and financially, and it cost time," she said.

The most hurtful part was being told by officials to go home and get over it. "They knew quite well all along that this was all wrong. But they closed the door on us, until a human-rights solicitor came along. I just class him as the best solicitor I've ever met in my whole life.

"I recommend him to anyone who has a human-rights problem against the State. He helped us so much. It's immense."



The sharing of pen portraits of the dead was novel, and Mackin hopes that the practice will continue in future inquests.

Has the State learned lessons from this? "Let's learn *this* lesson," Mackin says, pointing to the previous practice of garda selection of jury members for inquests.

"That was only changed for the Stardust [Inquiry] – it now needs to be changed across the board, as part of ongoing reform of the coronial process."

The law favours the truth, he adds, but a gap remains for legal aid in human-rights and access-to-justice matters.

Pointing to the Loughinisland massacre documentary *No Stone Unturned*, the human-rights lawyer says that the role of investigative journalists has been as important as that of lawyers as a truth-recovery mechanism.

"Information is power, and telling the truth is part of the process whereby the community fights back. This was a community that was repressed, with no access to justice, no access to truth. Through investigative journalism and litigation, they were telling their stories, and the truth was getting out," he says.

Mackin is a natural leader and politician, but fears he wouldn't have the necessary diplomatic temperament, despite the clear public hunger for politicians who truthfully speak their mind.

"I like the idea of making change, but I think it's better delivered from outside the box, as a lawyer, holding politicians and the State to account. But equally, I'd never say never!"

Mary Martina Hallissey is a journalist with the Law Society Gazette.

LOOK IT UP

- [Information on the Rights of Families at Inquests](#) (Irish Human Rights and Equality Commission, 6 May 2022)
- [PSNI apology to Loughinisland documentary duo](#) (*Law Society Gazette*, 17 July 2020)
- [Report of the Tribunal of Inquiry on the Fire at the Stardust](#), Artane, Dublin, on 14 February 1981 (Stationery Office, Dublin, 30 June 1982)
- [State apology delivered by Taoiseach Simon Harris in Dáil Éireann](#) (speech, Department of the Taoiseach, published 23 April 2024; last updated 30 April 2024)

PICTALAMY

IT'S OFF TO WORK WE GO

AI is changing how we recruit, manage, retain, and dismiss employees. So what are the potential benefits, challenges, and top tips for success for your organisation and your clients. Elaine Morrissey interrogates The Machine



Artificial intelligence (AI) is changing how we work, from the advent of AI assist tools to the automation of tasks and the need to upskill for this new way of working. It is also changing how we recruit, manage, retain, and dismiss employees.

AI tools are now available to assist with the life-cycle of employment – from hiring, to performance management, to termination. One existing use-case is candidate CV screening – the AI tool will recommend the top candidates based on their CV. This can save significant resources in working through high volumes of CVs.

Another example is candidate-assessment screening. The candidate completes an online assessment, including a video and competency and/or role-based questions, which automatically generates a score/

rating. The organisation can then decide to move the top-scoring candidates to the next round of the recruitment process.

As part of the employment life-cycle, employee retention absorbs significant resources, and organisations are looking to employee-turnover-prediction tools to assist in managing employee engagement and retention. Such tools can provide useful data points for those who manage large teams and global/remote teams.

Benefits

In short, the benefits are time and better data points to make more informed decisions. Freeing up resources is always a priority. This allows employees to focus on more complex issues and can also prevent ‘task fatigue’ – where employees get bored of doing the same or similar tasks.

There are several other benefits. If an organisation can recruit faster, they will keep the top candidates engaged. In

competitive markets or for highly sought-after talent, organisations need to act promptly and be seen to be sophisticated, including having a sleek hiring process.

Are you concerned that the AI tool might miss a good CV or miss nuances in a CV or be unfair or biased? AI in the employment context is categorised as ‘high-risk AI’ under the *EU AI Act*. This means that the AI system and process should be subject to rigorous checks and balances.

AI has the potential (once done correctly) to be (dare we say it) fairer and more consistent. Each candidate will be assessed in the same way. There is the same approach for all, with no human bias – noting the challenges of building AI models that avoid or limit bias. However, this is all predicated on the AI model being designed appropriately. Humans will not have the same checks and balances as an AI tool, and bias is a human trait.



But overall, organisations can save precious resources, move faster, be consistent in approach, and make better decisions based on data points/predictions.

Challenges

If only it were all so easy! There are several challenges that organisations will need to consider. We will focus on four:

The law

Obligations under the *EU AI Act* and other applicable legislation must be considered – for example, GDPR, employment legislation, and then, if the initiative is global, it needs to consider obligations in the relevant jurisdictions.

From an *EU AI Act* perspective, we have time: it will be circa summer 2026 (Q2/Q3 2026) before it applies to AI in the employment context. However, all existing legislation needs to be considered. In general, subject to some limited derogations, AI in the employment context is considered to be ‘high-risk AI’. High-risk AI requires a very considered approach due to the onerous obligations that come with the development or use of such a tool.

While there are several derogations, like with any legislative derogations, they need to be narrowly interpreted. For example, if the AI system is only intended to ‘perform a narrow procedural task’, such an AI system is not considered high-risk – but using AI to screen candidates falls fully within the high-risk categorisation. While there is a two-year lead-in time, for any high-risk AI tools being considered for development or use, organisations need to commence their compliance journey.

If your organisation or client is intending to ‘deploy’ an AI tool in the employment context, the following are a sample (not exhaustive) of the obligations that need to be considered:

- Technical and organisational measures (TOMs) – to ensure the AI system is being used in accordance with instructions provided by the provider (developer).
- Human oversight – high-risk AI systems need to be designed and developed in such a way that they can be effectively overseen by humans. Further deployers (users) shall ensure that the people



Ghost in the Machine: Scarlett Johansson says that OpenAI used an unauthorised emulation of her voice after she declined to be ‘hired’ for the role

assigned to ensure human oversight of the high-risk AI systems have the necessary “competence, training and authority as well as the necessary support”.

- Inform workers’ representatives and the affected workers that they will be subject to the system.
- A data-privacy impact assessment (DPIA) will need to be carried out.
- A fundamental-rights impact assessment (FRIA). This new-kid-on-the-block needs to be completed.

Does this tool fit into the AI strategy?

While it sounds obvious, it is so important that the purchase of any AI tool fits the organisation’s strategy. While many organisations have a plan for AI, many are working on it and considering what to prioritise. With the avalanche of AI solutions and a lot of noise and turbulence, it’s important for an organisation to scrutinise where they are – and where they want to be. For example, an organisation’s AI strategy may be all about using AI to save money. It may be focused on resolving bottlenecks, it may be focused on revenue generating, for example, developing the most sought-after AI tool for hospital-appointment management.

That strategy will have considered revenue-generating options, return on investment, etc. That strategy will not be static, but will likely change in the very fast-paced environment of AI. An organisation may be focused on AI

tools returning efficiencies. However, while several out-of-the-box solutions may be marketed very cleverly and at relatively low costs, organisations need to be aware of the cost of compliance and the impact on employees.

It is important for organisations to plan for AI success and scrutinise what may look like a ‘quick/easy win’ to avoid AI fails.

People

While AI is great, an organisation’s biggest asset is still its people. Considering the impact on employees and bringing employees on that journey with you is key to success. Organisations will have employees using the tool, say HR and people leaders (managers), and then candidates and employees potentially being affected.

Training and awareness are key. This all feeds into people trusting the AI systems and their employers, which, in turn, feeds into successful deployment of AI in an organisation.

There is specific reference to AI literacy in the *EU AI Act*, including: “In order to obtain the greatest benefits from AI systems while protecting fundamental rights, health and safety, and to enable democratic control, AI literacy should equip providers, deployers and affected persons with the necessary notions to make informed decisions regarding AI systems.” Based on the current available draft, article 4 on AI literacy states: “Providers



AI HAS THE POTENTIAL TO BE FAIRER AND MORE CONSISTENT. EACH CANDIDATE WILL BE ASSESSED IN THE SAME WAY. HOWEVER, THIS IS ALL PREDICATED ON THE AI MODEL BEING DESIGNED APPROPRIATELY. BIAS IS A HUMAN TRAIT

and deployers of AI systems shall take measures to ensure, to their best extent, a sufficient level of AI literacy of their staff and other persons dealing with the operation and use of AI systems on their behalf, taking into account their technical knowledge, experience, education and training and the context the AI systems are to be used in, and considering the persons or groups of persons on which the AI systems are to be used.”

It will not be the same requirement for all employees or all organisations. Organisations will need to look at the gaps and see how best to fill them – for example, internal webinars, on-demand training, external courses, bespoke training, etc. Organisations will need to consider an AI literacy programme to ensure appropriate and tailored training. This programme will need to be under regular review to ensure it is fit for purpose and develops, as AI and its benefits and challenges develop.

Data-subject requests, complaints, and regulators

While the specific obligations under the *EU AI Act* need to be adhered to, there are other elements that need to be considered. As good lawyers, we are thinking about what can go wrong and how to limit the occurrences or limit the impact. The potential ramifications from an AI solution in the employment space include:

- Data-subject-rights requests (DSRRs) – there may be an increase in candidate and employees/former employees submitting DSRRs, and an increase in complexity of these requests. A disgruntled candidate may seek copies of assessments, results, and then details on the AI tool, including human-oversight measures. DSRRs have a tight timeline of one month to be complied with and can be resource heavy.
- Complaints/claims – like the above, organisations may face complaints or claims in relation to the processing of personal data to train the model,

queries in relation to output, and compliance with legislation,

- Organisations may also be dealing with the issue from multiple perspectives and regulators, for example, GDPR, *AI Act*, employment legislation, and specific jurisdiction legislation.

Training and trust

To minimise these issues, it is back to the training, awareness, and transparency piece. Trust, transparency, and literacy are mentioned almost 100 times in the *EU AI Act* – that speaks volumes to the focus of the legislation. There may be a two-year lead-in time for high-risk AI in the employment context, but that deadline will fast approach.

While there are specific obligations for high-risk systems, it’s so important to bring your employees along on the organisation’s AI journey.

AI can be a brilliant tool/assistant for employees. Just set up your organisation/clients for success.

Elaine Morrissey is a member of the Law Society’s Intellectual Property and Data Protection Committee. She is senior manager-privacy, assistant global DPO, at ICON plc.

FOCAL POINT
THE FINAL COUNTDOWN

- Align with your organisation’s AI strategy.
- Scrutinise the solution: what return on investment will it provide? What is the true cost of compliance? What might be hidden costs, for example, claims from disgruntled employees or candidates?
- If purchasing a solution, scrutinise the contract.
- Review existing candidate and employee-privacy notices. They will likely need to be updated as a first step.
- Engage with your employees (know-how, awareness).
- Consider your organisation’s role – for example, provider, deployer – to ensure understanding of obligations under the *EU AI Act*.



TAKING PRECEDENTS

In our new ‘Spotlight’ series on the tireless work being done by our committees on behalf of solicitors across the country, Conveyancing Committee chair Eleanor McKiernan opens the door to their significant role

The Conveyancing Committee is one of the Law Society’s longest serving and largest committees. Its 23 members represent large, small, and medium-sized practices from across the country, boasting an extensive skillset.

Members of the 2023/24 committee hail from in-house to private-practice firms, all feeding in valuable expertise on conveyancing practice and procedures. Members are experts in residential and commercial conveyancing, as well as landlord and tenant matters. The committee also deals with planning issues, insofar as these relate to conveyancing property transactions, and many other issues that arise during a conveyancing transaction.

The chair of the Conveyancing Committee is Eleanor McKiernan. She was born in Cavan, moving to Wexford at a young age. Educated in Wexford and Dublin, she has spent

the last 20 years living in Gorey with her family. She is a partner with Augustus Cullen Law and practises in both their Gorey and Wicklow offices.

The committee meets on the second Tuesday of each month (except for August). So what’s its *raison d’être*? Says Eleanor: “Number one is dealing with our members’ queries. Sometimes we can reply to them immediately by referring them to a practice note that has already issued. Much of the time, solicitor queries feed into what might be up for discussion on our monthly agenda. Solicitor queries, our discussions, and subsequent actions can feed into each other as a result.

“A new practice note might issue because

numerous other template declarations to assist practitioners – for example, family law declarations, to name a few.

Eleanor continues: “In the last number of years, we’ve seen a much stronger emphasis on practice reform. For instance, we’ve been looking at our conveyancing procedures and practice in the round to see how we can modernise them. How best to digitise and move with the times?” she asks. “A lot of our work is heavily involved in practice reform. So, if you take our recent *Contract for Sale* in 2023, we updated the terms to clarify that contracts can be digitally signed and exchanged.”

Government submissions

A few years ago, the committee launched a submission to Government on Statements of Truth. “Currently, in our conveyancing procedure, we use statutory declarations as an essential part of every transaction, and they go back to the *Statutory Declarations Act 1938*,” says Eleanor. “This means that, when somebody is signing a declaration, they must be physically in the presence of another solicitor or commissioner for oaths. This caused huge difficulties during COVID. If you want to modernise the system, we need change that will allow for these to be signed digitally or remotely. And so we have a submission with Government at the moment in relation to amending the existing legislation to provide for these Statements of Truth, like the position adopted in litigation before the courts.

“Another area where I would hope to see change is in the facilitation of e-conveyancing – moving to a more streamlined process in the area of planning. For conveyancers dealing with planning, we have to look at the planning history going back to 1964. I mean, it’s an unbelievable ask – especially in circumstances where the local authorities may not even keep records going back that far, or where these might be lost. So, if we want to modernise, that needs to be looked at.

“We have a submission in at present asking for recognition of a new category of development, ‘established non-conforming development’. This would improve and modernise the system and greatly improve efficiencies for property sales, ultimately benefitting the consumer. These modernisations would be a huge step forward.”

we see something that’s happening in practice, or we’ll issue a note about it due to a query that might not have been dealt with before. Sometimes, we might take a look at our template documents and revise them to keep them up to date and relevant.”

Practice reform

The Conveyancing Committee issues many property documents, which are available to members at lawsociety.ie. “So, for example, there are the *Conditions of Sale* (2023 edition) for transactions commencing on or after 1 November 2023. Also available through the website is the *Requisitions on Title* (2019 edition) and

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Frustrating issues

Is there anything frustrating the Conveyancing Committee at present? “Conveyancing is an area of law that is in real need of streamlining and modernisation. This is something that we feel strongly about. So, until we reach that point, we are having to deal with a system that is imperfect and presents its own series of challenges.

“As regards challenges in particular areas, we have a few constants,” says Eleanor. “For example, issues with lenders in relation to delays receiving title deeds, redemption figures, and discharges. Also, Tailte Éireann changed their processes at the end of last year without consulting us and without prior notification. We’ve spent a lot of time this year dealing with the consequences, which are causing huge stress and pressures across the board.

“Dealings are being rejected and are having to be relodged. This has taken up considerable time on the committee’s agenda and is a huge problem for members and our clients where this delays property transactions.”

The committee chair adds: “We have written to Tailte Éireann and it was invaluable that our members fed in examples of rejections to us, because we were able to use those as the basis for our communications with them. Our view is that a collaborative approach would yield better results for everyone.”

The Conveyancing Committee is keeping this matter under continuing review. “Our members are our clients,” says Eleanor McKiernan, and their clients are the members of the public – your normal buyer



LAW SOCIETY PROFESSIONAL TRAINING

Centre of Excellence for Professional Education and Lifelong Learning



DATE	EVENT	CPD HOURS & VENUE	FEE	DISCOUNT FEE
IN-PERSON CPD CLUSTERS 2024 - 6 CPD HOURS BY GROUP STUDY				
20 June	Clare & Limerick Essential Solicitor Update 2024	The Inn at Dromoland, Co. Clare	€160	
11 September	Essential Solicitor Practice Update Kerry 2024	Ballygarry Estate Hotel and Spa, Tralee, Kerry	€160	
18 October	North East CPD Day 2024	The Glencarn Hotel, Castleblaney, Co. Monaghan	€160	
24 October	Connaught Solicitors Symposium 2024	Breaffy House Resort, Castlebar, Co. Mayo	€160	
14 November	Practitioner Update Cork 2024	The Kingsley Hotel, Cork	€160	
21 November	General Practice Update Kilkenny 2024	Hotel Kilkenny, Kilkenny	€160	
04 December	Practice and Regulation Symposium 2024	The College Green Hotel (formally The Westin), Dublin 2	€160	
IN-PERSON AND LIVE ONLINE				
13 June	Attract and Retain Legal Talent	The Imperial Hotel, Cork 1.5 professional development and solicitor wellbeing (by group study)	Complimentary	
25 June	Effective Negotiation Skills for Lawyers	Law Society of Ireland 3.5 professional development and solicitor wellbeing (by group study)	€185	€160
26 June	Annual Human Rights Lecture - Human Rights and International Armed Conflict 2024	Law Society of Ireland 1 general (by group study)	Complimentary	
25 September	Criminal Law Update 2024	Law Society of Ireland 3 general (by group study)	€198	€175
26 September	Training of Lawyers on EU law relating to vulnerable groups of migrants (TRALVU)	Law Society of Ireland 5.5 general (by group study)	Complimentary	
02 October	In-house & Public Sector Annual Conference 2024	Law Society of Ireland 4 general (by group study)	€198	€175
03 October	Younger Members Annual Conference 2024	Law Society of Ireland 2 general (by group study)	Complimentary	
08 October	Law Society Skillnet Wellbeing Summit 2024	Zoom Webinar 2.5 professional development and solicitor wellbeing (by eLearning)	Complimentary	
10 October	EU Committee Talk: Privacy and Data Protection	Law Society of Ireland 1.5 general (by group study)	€65	
17 October	Property Law Annual Update Conference 2024	Zoom Webinar 3.5 general (by eLearning)	€198	€175
23 October	Litigation Annual Update Conference 2024	3.5 general (TBC)	€198	€175
06 November	Employment & Equality Law Annual Update Conference 2024	Zoom Webinar 3.5 general (by eLearning)	€198	€175
13 November	Business Law Update Conference 2024	Law Society of Ireland 3.5 general (by group study)	€198	€175
14 November	Alternative Dispute Resolution Conference 2024	Law Society of Ireland 1 general (by group study)	€198	€175
21 November	Environmental Law Conference 2024	TBC	TBC	
06 December	Family & Child Law Annual Conference 2024	Law Society of Ireland 4 general (by group study)	€198	€175
ONLINE, ON-DEMAND				
Available now	Legislative Drafting Processes & Policies	3 general (by eLearning)	€280	€230
Available now	A Practical Guide to Cybersecurity	3 client care and professional standards (by eLearning)	€230	€195
Available now	Construction Law Masterclass: The Fundamentals	11 hours general (by eLearning)	€470	€385
Available now	Employment Law Hub	Up to 9.5 general (by eLearning)	€280	€230
Available now	International Arbitration in Ireland Hub	Up to 9.5 general (by eLearning)	€135	€110
Available now	Fintech Seminars	Up to 3 general (by eLearning)	€185	€160
Available now	Suite of Social Media Courses 2024	Up to 4 professional development and solicitor wellbeing (by eLearning)	€180	€150
Available now	GDPR in Action: Data Security and Data Breaches	1 client care and professional standards (by eLearning)	€135	€110
Available now	Common Law and Civil Law in the EU: an analysis	2 general (by eLearning)	€198	€175
Available now	Professional Wellbeing Hub	See website for details	Complimentary	
Available now	Legaled Talks Hub	See website for details	Complimentary	

and seller of a property. We have to bear in mind that, while we may buy and sell a property every day, for many people this is a significant personal and commercial transaction in their lives, so anything we can do to ease the process is important.”

Privileged role

Does she enjoy her role?

“Yes, it’s a privilege for me to be a member. It’s a really hard-working committee and the members give their time, voluntarily, and very generously. We discuss members’ queries, listen to the views of the committee members, availing of their great expertise, and try to come up with the best solutions.”

How much time does her committee role take up each week?

“I wouldn’t like to say!” laughs Eleanor. “It’s more difficult when you’re the chair, balancing your work commitments, your personal commitments, and meeting those of the committee – but I would still say that the positives far outweigh the negatives. It’s an exciting area to be involved in. I have to add that I get great support from vice-chair Keith McConnell, committee secretary Deborah Leonard, and the committee members. We work together as a team, so you’re never on your own.”

What difference is the committee making to solicitors’ lives?

“I don’t think there’s a single conveyancer who isn’t using the Law Society’s *Contract for Sale and Requisitions on Title*, and look at all our useful template documents and guidance notes! We’re trying to make solicitors’ lives easier and to make things more efficient.

“Our committee secretary, Deborah Leonard, is currently attending cluster events around the country. Getting ‘out there’ allows us to show members what’s happening in conveyancing practice and, very importantly, to get feedback from them about what’s happening in their locality. So it’s very much a two-way street. We need our members to feed into us so that we can do our best for them.”

Wish list

If there was one thing she could change about her committee to improve it, what would that be?

“To be honest, I’d like to see some kind of document-management system introduced for the committee. The workload is absolutely huge. In our own practices, we all have document/case-management systems. I just can’t imagine being a conveyancing solicitor without one. So if I were to pick one thing that the Law Society could give the Conveyancing Committee to help us handle our huge case load, that would be it!

“In addition, we would love to see more people on the committee from the western seaboard – Limerick, Clare, Kerry, Galway, Sligo and Donegal. We have a member from Mayo, but would welcome greater representation from this area. We receive queries all the time from our members, but different counties can have very different issues. So it’s really important that we get feedback from members in those

areas. This would also encourage solicitors practising in those counties to get more involved with the committee.”

Eleanor is proud of the work they do and refers to the recent Legal Services Regulatory Authority report on the profession of conveyancer. “What was interesting about that report was the overwhelmingly positive reaction for buyers and sellers with their conveyancing solicitors. The report also revealed that the consumer really values good communication with their solicitor, having a good relationship, and their solicitor’s good reputation.”

Eleanor concludes: “I really appreciate the input of all the members of our committee. They all give so generously of their time and their expertise – not just monthly, but on the many task forces that meet outside of committee time. The committee is divided into task forces, and the level of expertise and commitment in every one of those task forces is unparalleled.

“Another significant project that we’re working on at present is the combined contract for sale and building agreement. That’s a huge body of work that a specific task force is working on. This work simply could not be done without such an excellent committee with great members!”

Mark McDermott is editor of the Law Society Gazette.

FOCAL POINT

What the Conveyancing Committee does for you

- In 2023, the committee issued 14 practice notes and one guidance note. To date this year, it has issued seven practice notes.
- The committee made a planning submission to Government in 2023, and is currently preparing another submission on the area of commercial rates.
- In 2024 so far, members of the committee have engaged four times with the Government’s Housing for All body.
- The committee meets with Revenue every four to six weeks on local property tax issues and is liaising with Revenue with regards a webinar on LPT, which will greatly assist practitioners.
- It meets with the Local Government Management Agency every four to five weeks in an effort to progress a standard Letter of Request and Letter of Reply for local authorities regarding roads and services being in charge.
- Committee secretary Deborah Leonard is the first point of contact for solicitors who have any queries or requests. She receives anywhere between two to six enquiries a day from solicitors around the country.
- Future revisions and publications include a combined Contract for Sale/Building Agreement, a building estate transfer, the revision of the Requisitions on Title, and updating FHPA declarations.
- The longest-serving member is Rory O’Donnell, who celebrates 50 years on the committee this year. Committee chair Eleanor McKiernan comments: “Rory is an amazing contributor and has incredible knowledge in relation to conveyancing and practice. I believe he was one of the committee’s founding members!”

Lifelong learning for lawyers

CPD is not just about maintaining current competencies. It also plays a significant role in career development. Mark McDermott reports on this vital solicitor service



THIS
CONTINUOUS-
LEARNING
PROCESS
ALLOWS YOU
TO REDEFINE
YOUR CAREER,
ADAPTING TO
NEW ROLES AND
SPECIALISATIONS
AS THEY EMERGE

In an ever-evolving legal landscape, the need for solicitors to stay current and proficient is paramount. The Continuing Professional Development (CPD) Scheme for solicitors aims to instil a culture of ongoing and lifelong learning within the profession. This ensures that you not only maintain, but also enhance, your professional knowledge, skills, and aptitudes – keeping abreast of the latest best practice.

Maintaining and improving relevant knowledge through CPD is crucial for practitioners to effectively perform their professional duties throughout

their careers. Ongoing education equips them to meet clients' legal needs more effectively, to deliver superior client care, and run a more efficient and profitable business. Moreover, it helps in enhancing the solicitor's reputation within the profession – and among clients.

New avenues

CPD is not just about maintaining current competencies, however. It also plays a significant role in career development. By acquiring and honing new professional skills and exploring different areas of practice, you can discover new

business possibilities and career opportunities. This continuous learning process allows you to redefine your career, adapting to new roles and specialisations as they emerge.

In a field as dynamic as law, active engagement in CPD is critical. It ensures that you possess up-to-date knowledge, enabling you to provide a competent and professional service to your clients. This adaptability is essential in meeting current demands and evolving with changing legal practices and client needs.

All you need to know about CPD can be found at lawsociety.ie/education--cpd.

CPD – THE STATS

- Last year, over 23,000 participants completed 139 Law Society Skillnet and Law Society Professional Training CPD courses.
- The most popular were Law Society Skillnet 'Cluster' events and its free courses, including professional wellbeing courses, as well as the Annual Human Rights Lecture and President's Conference.
- Ten Law Society Skillnet Clusters are organised each year. A total of 1,495 solicitors took part in 2023. Figures for those taking part in Law Society Skillnet Cluster events increased significantly last year – and, so far, this year too.
- In 2023, approximately 1.5% of participants in our training courses were non-legal students, and growing.
- 14 diploma courses and 14 certificate courses were offered in 2023.
- The incredibly popular Diploma in Aviation Leasing and Finance won the 'Best Professional Development Programme' at the Associations and Institutes Awards in May.

Law Society Skillnet is co-funded by Skillnet Ireland and network companies. Skillnet Ireland is funded from the National Training Fund and the EU through the Department of Further and Higher Education.

Mark McDermott is editor of the Law Society Gazette.

FOCAL POINT CPD-DO-DA, CPD-DAY!

Don't just take our word for it! Solicitors have some great things to say about CPD.

Treasa Norbby is a solicitor with Callan Tansley Solicitors LLP in Ballina, Co Mayo



Treasa qualified in December 2020. She lives in Ballyhaunis, Co Mayo, raising a young family and working full time.

Her views on CPD?

"The law is ever changing and, without putting aside dedicated time to acquaint yourself with the relevant changes to your particular area of practice, it can be easy to miss an important update in the law and court procedures. I have often attended CPDs and, as well as gaining more in-depth knowledge in specific areas, I have learned of new developments.

"The CPD Scheme is, like anything, what you make of it. Often, anything that is deemed compulsory is seen as a burden as opposed to an opportunity to develop knowledge and skills. Its particular strengths are in reminding us of the importance of the administrative and regulatory aspects of the profession, which can often fall by the wayside due to heavy workloads."

Tristan Lynas is a partner in Connell Lynas LLP Solicitors, Co Kildare and Co Laois



Tristan is the local state solicitor for Laois, providing a solicitor service to the DPP in cases heard outside Dublin.

How does he find meeting his CPD obligations?

"It gives me comfort knowing that I'm up to date in terms of the latest developments in the legislation. I've always been very much in favour of CPD and have enjoyed it. It's one of the aspects of the profession that attracted me to it – lifelong learning and being open to new ideas.

"For me, CPD must be of good quality.

Back in 2011, I did the Law Society Certificate in Criminal Litigation. That helped in solidifying my knowledge at a time when I was starting out in practice and I was doing a lot of criminal law. It was very helpful in giving me a solid grounding and access to key information."

Anjusha Puthan Purayil, Crowley Millar Solicitors, IFSC, Dublin



Anjusha qualified in April 2023 and works in litigation, but has a strong interest in intellectual property and trademark law.

"CPD is a good

opportunity for growth, because it helps me stay current and up to date on changes to the law. It helps create opportunity for advancement and provides personal fulfilment and wellbeing. Receiving new information boosts your confidence. My law firm will be organising some CPD courses in the coming months and I'll be taking part in those."

Juli Rea, JRAP O'Meara LLP, South Mall, Cork



Juli qualified in 1995 and has lots of CPD experience. What does it mean for her daily work?

"What's been interesting this year is the 'wellness' factor now built into the new CPD programme, which requires focus on solicitors' wellbeing. Solicitors are really

good at prioritising other people's needs – but they won't necessarily do the same for themselves. That's why compulsory CPD is so necessary – it makes people take some time for themselves.

"At any of the CPD wrap-up days organised by the Law Society, you learn something or you broaden your mind. You meet up with colleagues and enjoy a social collegiate experience."

From general counsel to chief executive

A recent panel discussion held by the Law Society's In-house and Public Sector Committee was wide-ranging in scope and relevance. Mary Hallissey reports

GENERATIVE AI CAN BE USEFUL IN SIFTING THROUGH SECURITY DATA TO HIGHLIGHT SUSPICIOUS ACTIVITY. HOWEVER, THERE IS A DANGER IN HOLDING ON TO INFORMATION FOR LONGER THAN IS NECESSARY, WHICH CAN POSE CHALLENGES FOR AI IN TERMS OF PROVIDING CORRECT RESPONSES

This year's In-house and Public Sector Committee panel discussion at Blackhall Place on 1 May heard that a trend for lawyers to run large organisations is emerging. An attendee suggested that, in the US, there is a strong culture of general counsel moving to high-level chief executive roles, whereas in Europe, accountants traditionally take the reins. That pattern may be changing, however.

Davinia Conlan told the discussion that she took on the role of country head for Citi in Ireland a year ago, after 17 years as an in-house banking lawyer.

Citi was the first US financial institution to open its doors in Ireland almost 60 years ago, Conlan explained, and the bank

now employs almost 3,000 people here. Over the years, its presence in Ireland has expanded, and Dublin is now the headquarters for Citibank Europe plc. Citi also has a large operations and technology centre in Dublin, which supports its businesses and clients around the world.

Conlan described her career in banking as a junior lawyer during the challenging era of the global financial crash. She believes that having a background as an in-house lawyer has been helpful to her country-head role, noting the need for familiarity and understanding of corporate governance and regulation. Her in-house role had also allowed her to develop a broad network

across Citi globally, and an in-depth understanding of the organisation.

One aspect of the country-head role that's new to her is the level of interaction she now has with Citi's clients. Conlan discussed how she has been spending a lot more time with Citi's clients across multiple industries, which has given her a different vantage point. She sees the organisation, too, through the clients' eyes and has gained a better understanding of what they require.

Her role means that Conlan is the face and voice of the company in Ireland. She discussed how an individual's communication style is an important factor in how they lead. "As a leader, you must be





very mindful of the shadow you cast across an organisation,” she commented.

Route into Coimisiún na Meán

Niamh Hodnett (online safety commissioner, Coimisiún na Meán) described the route into her current role, starting with an undergraduate degree in law and German.

Hodnett worked in general practice, at the European Commission, with An Post, Matheson, and ComReg – all of which gave her a great deal of litigation experience, as well as managerial opportunities. She also worked as chief legal and regulatory officer at the

National Lottery, and was head of regulatory affairs at Three Ireland.

“I learnt from both legal and non-legal managers,” she said, adding that understanding a business involved building stakeholder relationships.

Hodnett undertook executive training at the Irish Management Institute to add strategic and budgeting perspective to her legal expertise. She also studied for a Law Society Diploma in Judicial and Legal Decision-Making, which has been a useful grounding for robust decision-making.

She described the challenges of building out a full staff cohort in

Coimisiún na Meán, and moving premises to accommodate growing numbers, all while forming an important new organisation.

“Make sure you have a support structure in place as you take on a leadership role,” Hodnett suggested, “with positive energy behind you.”

The public profile and nature of the role necessitates her representing the organisation both inside and out – and standing by hard decisions.

Agent of understanding

Amy Ball (business transformation leader, PWC) told the attendees that artificial

intelligence (AI) could enable businesses to deliver faster solutions at a lower cost. AI will be the next big disruptor of the PWC client business model, she pointed out, but the firm looks at AI, end-to-end. It has developed a responsible-use toolkit, audit controls, and a generative AI business centre, together with Microsoft.

AI tools can also be used to crunch data to establish trends and, therefore, represents a better-value proposition and an enhanced service for clients, Ball added.

The discussion also heard from Tom Heerey (assistant general counsel at Microsoft)



CERTIFICATE IN LEGAL SKILLS FOR LEGAL SECRETARIES (NEW)

START DATE:
Tuesday 5
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FEE: €850

Flexible online
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Expand your legal skills, develop your career and obtain a recognised legal qualification

This new course offered by the Law Society has been designed to enhance the practical skills and knowledge of legal secretaries and others who wish to gain experience of the skills required to work in a legal office. The 3-month course will provide extensive value for legal secretaries as well as their employers.

The course covers the practical skills a legal secretary needs in the following areas:

- The Irish legal system
- Litigation
- Conveyancing
- Wills and probate
- Company law
- Family law
- Legal Skills
- Running a legal office

WHO SHOULD APPLY?

- Experienced legal secretaries wishing to expand their skills and gain a qualification
- Prospective legal secretaries, office managers and administrators in law firms

Completion of this course gives applicants credits towards a new Legal Executive qualification to be offered by the Law Society in 2025.

TO FIND OUT MORE OR TO APPLY:

Visit www.lawsociety.ie/diplomacentre

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about the opportunities for lawyers to harness the benefits of generative AI technology in their organisations and for their clients. He gave a demonstration to show the potential of this new technology to help with tasks such as taking minutes, notes, and follow-up actions from meetings; creating legal advice notes; and summarising policies or other documents. It can even interact with documents to obtain insights and help with general knowledge management, and can be used to help understand and manage regulatory compliance.

Heerey added that AI was not simply another software tool, but rather would change entirely the way we interact with knowledge. Technology companies needed to be deliberate in building in principles and guardrails in the new technology, and to address incoming regulations, he advised.

Microsoft ‘Copilot’ is used by its legal department for knowledge management, to share and find information, and to read and

find trends and irregularities in contracting documents, he explained.

Using AI is the first step in such work, and it generates drafts and templates to which personal style can be added. He reminded the audience that ‘GenAI’ can make practices more efficient and really help with bulk and repetitive tasks.

His final point was to reassure the group that solicitors still had an important role in adding value, giving advice, balancing risks, and offering perspective and judgement for their clients.

Upsurge in use

John O’Donovan (deputy director ICT at the National Treasury Management Agency) said that generative AI could be helpful in query handling and in creating commentary and analysis – but it did require ‘heavy lifting’ on the part of the person using it.

The legal software ‘Harvey AI’ is trained to go deep into



contracts and look at nuances, create executive summaries, and translate into other languages, the discussion heard. Generative AI could even translate speakers, while mimicking their own accents.

O’Donovan added that conversational language, allied with an increase in computing power and large amounts of data used to train AI, had led to a huge upsurge in use.

Generative AI could also be useful in sifting through security data to highlight suspicious activity, he said.

However, there was a danger for firms in holding on to information for longer than was necessary, which could pose challenges for AI in terms of providing correct responses, he concluded. [G](#)

Mary Hallissey is a journalist with the Law Society Gazette.

EXPERTISE AND LEADERSHIP

Welcoming attendees, Law Society President Barry MacCarthy said that to work as an in-house solicitor was ever-changing, challenging and exciting. “The Law Society is committed to providing supports to this important segment of the profession, comprising approximately one-quarter of the Law Society’s membership,” he said.

The In-house and Public Sector Committee was formed in recognition of the different perspectives and requirements of in-house solicitors, who are bound by the same professional and ethical standards that apply in private practice.

The 25-strong committee aims to represent the views and promote the interests of in-house solicitors in the private and public sectors. It also supports the Law Society in the exercise of its representative, educational, and regulatory roles – and sets up tailored training – such as this panel discussion.

The committee also assists with the production of relevant practice notes and submissions. It communicates through articles in the *Gazette* and *eZine*, as well as its section on the Law Society’s website, the president said.

Alison Bradshaw (chair of the In-house and Public Sector Committee, and head of credit legal services at AIB) introduced the speakers. The agenda for the event was chosen to reflect topical issues through the themes of profile, expertise, and leadership, in line with the committee’s current strategy.

An open book

Check it out – the Law Society Library is loved by its users. Mary Hallissey takes them down, reads the abstract, flicks through the e-books, and taps the topical subject guides



The Law Society Library is one of the most popular solicitor services in Blackhall Place. Tipperary sole practitioner Oliver Ryan-Purcell is warm in his praise of the service.

“I really am delighted, as a one-man band, to have the opportunity to express my sincere appreciation and admiration for the fantastic, professional, and friendly service provided by the Law Society Library,” he told the *Gazette*.

Solicitor Paul Keane of Reddy Charlton is equally effusive: “The staff of the library are a wonderful support when you seek the case or material that is hard to source – ask and they will find!”

Midleton-based Anne-Marie Sheridan (James A Sheridan & Co LLP) adds: “The prompt, up-to-date, and professional assistance that the library provides is invaluable in providing accurate and comprehensive information needed to effectively serve our clients. The resources and expertise provided by the library’s team have significantly enhanced our research capabilities and case preparation.”

5,020 queries

The library provides information, reference, and lending services to members of the Law Society of Ireland and Law School trainees. Last year, 1,549 users borrowed 3,331 items.

Up to year-end 2023, library staff dealt with a total of 5,020 queries. Of these, 4,019 were inquiries from solicitors, while 1,001 came from trainees.

The library has a stock of 9,348 books available to loan, while 120 million documents are available through vLex.

Its precedents are among its most sought-after service. In all, 520 precedents were supplied to solicitors in 2023.

Over 1,000 Irish precedents are available for ordering through the library – costs may vary depending on the source.

While traditional books continue to be the main staple, the popularity of e-books is growing. A total of 205 e-books are available currently – that number is expected to grow in

the years ahead and, with 2,501 total item requests in 2023, demand is high.

Users of the library have 1,101 judgments available to read, with a total of 22,379 signed unreported judgments (in PDF format) freely available for members to download.

Subject guides

One very popular service introduced during the past year has been the library’s [subject guides](#) – currently ten in number. This is a new member service that highlights subject-specific resources and information in different areas of law.

These are an invaluable resource for users who want to deepen their knowledge of a particular legal subject or area of practice. Subject guides are available on the following topics:

- [Conveyancing](#),
- [Employment law](#),
- [Probate, wills and succession](#),
- [Family and child law](#),
- [Environmental and planning law](#),
- [Criminal law](#),
- [In-house lawyers](#),
- [AI and the legal profession](#),
- [Cybersecurity](#), and
- [ESG](#).

Members and students can find relevant precedents, practice notes, books, e-books, journal article abstracts (including the *Gazette*), case law, and legislation in these guides.

LawWatch newsletter

A new subject guide is released every month through the library’s

FOCAL POINT PAGE-TURNING REVIEWS!



Dublin solicitor **Marie-Claire Morrissey** (McGroddy Brennan LLP, Upper Merrion Street, Dublin 2) had this to say: "As a litigation solicitor,

there are simply no words to convey to non-users the unique, fast, and efficient resource offered by the staff at the Law Society Library, whether via the library enquiry service or online using the library catalogue."

Paddy Whelehan (Whelehan Solicitors, Tralee, Co Kerry) says: "The library staff are brilliant in identifying books sought and sending out on the same day requested."



Family law solicitor **Keith Walsh** adds: "The Law Society Library and, more importantly, its

excellent staff, have been an invaluable resource over my career from when I studied in the library and used hard-copy books, to now when almost everything is done online. No request is ever too much trouble."

Carlow solicitor **John O'Sullivan** declares: "The library has always been a great resource to small practitioners like me over many years, with the added bonus of the most friendly and helpful librarians. Long may it continue!"



THE LIBRARY HAS ALWAYS BEEN A GREAT RESOURCE TO SMALL PRACTITIONERS LIKE ME OVER MANY YEARS, WITH THE ADDED BONUS OF THE MOST FRIENDLY AND HELPFUL LIBRARIANS

LawWatch newsletter. Fifty editions of the newsletter were published in 2023. This weekly e-zine features the latest judgments, legislation, and journal articles. You can sign up for *LawWatch* by emailing lawwatch@lawsociety.ie.

To access library services, including the catalogue and book loans, visit the [online library catalogue site](#) (the user's library password and PIN are provided by library staff and should not be confused with the Law Society's website password).

If members require book loans, staff can arrange to leave these for collection or have them delivered by post or DX.

Book-loan collection does not require an appointment.

Solicitors should ensure that their [membership](#) is up-to-date in order to get access to the guides and other library resources.

E-book collection

The library's e-book collection is available for members and students through the VLE eBook platform. Further information on getting set up and using this platform is available via the [eBooks User Guide](#). You will need to email the library with your solicitor or student number to set up an account.

The latest e-book acquisitions (November 2023) can be found on the Law Society's website, and

consist of titles relating to Irish criminal law, law firms and legal practice, international criminal law, vulnerable witnesses, sports law, and leadership (one title each).

Archives online

As of November 2016, members can get access to an online version of the Law Society's Institutional Archive 1841 to the 1940s, including roll books, Council minutes, the *Law Society Gazette*, Court of Examiners' minutes, the Registers of Apprentices, and

SADSI materials. For further information, log onto the [online library catalogue](#).

Details of Law Society Library charges are available online.

Contact the library

The Library, Law Society of Ireland, Blackhall Place, Dublin 7; DX 79; tel: 01 672 4843/4, email: libraryenquire@lawsociety.ie. Opening hours: Monday to Friday, 9am-5pm.

Mary Hallissey is a journalist at the Law Society Gazette.

LIBRARY AND INFORMATION SERVICES USAGE STATISTICS (2023)

- 5,020 library queries,
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- 1,549 users (borrowed 3,331),
- 205 e-books available,
- 1,101 judgments received,
- 10 subject guides (to date),
- 120 million documents available through vLex.

Think for a minute

Law Society Psychological Services has launched its innovative 'Time to Think' career-support service for legal leaders. Mary Hallissey hears what solicitors have to say about it

'REAL' THINKING CAN SAVE ENORMOUS TIME IN CLEARER COMMUNICATION AND MORE EFFECTIVE MEETINGS, AS WELL DELIVERING QUALITY DECISION-MAKING, INCLUSIVITY, AND BETTER RELATIONSHIPS

Law Society Psychological Services has launched a thought-provoking initiative for general counsel on how to create a 'thinking culture' as part of organisational life. The Law Society's 'Time to Think' series, piloted with in-house and public-sector leaders, posits that creating a thinking culture also naturally generates the conditions for respect, diversity, and inclusion. Thus it can offer a compelling solution to help solve several thorny organisational problems at once.

This new Law Society career-support service, designed with leaders in mind, has the goal of enhancing leadership capacity and cascading good practice throughout key areas of legal practice. Influential voices from the sector are already participating in the pilot programme, which forms part of a range of peer-support initiatives provided by Law Society Psychological Services.

The programme aims to radically improve the depth and quality of thinking in law firms. The goal is to increase collaboration, encourage innovation, and enhance good decision-making by legal leaders. The 'Time to Think' approach recognises the connection between excellent professional services to clients and high-quality thinking.

Critical thinking is an essential tool in a lawyer's toolbox and the programme calls upon the Thinking Environment™ schema to create a broader and deeper approach to independent thinking. "Everything we do depends for its quality on the thinking we do first," declared its founder Nancy Kline.

She analysed the conditions we need to think well together. And this is what clients pay lawyers for – their ability to think well and to offer thorough analysis, critical thinking, evaluation, logical argument, problem-solving, and clear communication. The [Thinking Environment™](#) asks how the essential tools of the trade can be honed, sharpened, and improved.

Evaluative thinking

Lawyer/client relationships can only increase in importance in the AI era, as Antoinette Moriarty (head of Law Society Psychological Services) points out. Therefore, it has set out to support lawyers to use their thinking minds – to full capacity.

The programme draws upon neuroscience, group analysis, and organisational psychology to probe deeply the analytical, critical, and evaluative thinking that is at the heart of legal training and practice.

This approach is embedded in 'The Complete Lawyer'



course, delivered by Law Society Psychological Services to trainee solicitors as part of their Professional Practice Course. The Law Society is now offering this programme to all members.

Lawyerly strengths are at their peak when combined with socially-based thinking and communication, such as that found in building effective relationships, and in leading, managing, and mentoring others. A climate of trust, acceptance, and



PIC: SHUTTERSTOCK

collaboration is more fertile than thoroughgoing scepticism in certain set-ups.

Threat situations

Lawyerly strengths can be negatively affected in threat situations, when a calmer assessment of difficult circumstances might work better. Neuroscience shows that threat responses also have a bearing on cognitive performance.

The ability to spot problems, risks, and downsides is a

highly-prized lawyerly skill, but overuse can limit ability to think independently or creatively, or to fully listen to the views of others.

The Law Society's 'Time to Think' series is examining in detail why that sense of threat in work settings must be reduced in order to facilitate a good thinking culture that is both productive and respectful of different personality types. Clear expectations and communication help to mitigate these threat situations.

Nancy Kline's work offers a means of maximising the quality of thinking and creating a culture that harnesses the best workplace thinking. At the heart of the Thinking Environment™ is the practice of 'generative attention'. This means giving full attention to the person and speaking in a way that is purely focused on that person's 'emergent' thinking.

It is not waiting for your turn to speak, or formulating your response, and it is never, ever

interrupting while someone is completing their train of thought. Expressing rather than repressing feelings increases relatedness – thus releasing energy for cognitive work.

Cognitive overload

Legal workplaces often combine both long hours and demanding mental work. The danger of cognitive overload is real because of biological limits on the brain when making difficult and complex decisions. Understanding these limits can

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THE 'TIME TO THINK' APPROACH RECOGNISES THE CONNECTION BETWEEN EXCELLENT PROFESSIONAL SERVICES TO CLIENTS AND HIGH-QUALITY THINKING

improve performance, bearing in mind the following:

- Actual high-quality brain work is probably limited to five hours per day. Taking breaks to refresh and replenish the reserves is physically necessary in order to continue to think well.
- Effective brainpower is a limited resource, and the brain is not capable of doing two things at once.
- Priorities should be set first, before dealing with more mundane tasks.
- Brain-hungry tasks should be done when energy reserves are highest.
- Doing small things well, such as listening, saying thank you, being approachable and generous, and spending social time with team members can all make a huge difference to a thriving workplace.

Putting this knowledge and this practice together consistently will create a culture that promotes, encourages, and supports independent thinking, inclusive of, but going beyond the purely analytical and critical.

'Real' thinking

'Real' thinking can save enormous time in clearer communication and more

effective meetings, as well delivering quality decision-making, inclusivity, and better relationships.

Alison Nolan, in the journal *Modern Legal Practice*, writes that the frenetic and sometimes fearful nature of organisational life has forced us into taking part in a round of interactions that nobody likes or values, and we often don't know how to stop.

The opposite is a meeting where everyone contributes, everyone gets full attention, thoughts are taken to their full conclusion, no one feels the need to grab the limelight, limiting assumptions are brought to light, fresh thinking takes the place of stale repetition – and the meeting finishes ahead of time!

The Law Society is committed to supporting the legal profession and enabling solicitors to thrive by building psychologically healthy legal workplaces. Peer networks, such as that provided by Time to Think, are an invaluable resource and offer support throughout the many challenges and opportunities of professional life.

For more information, contact ps@lawsociety.ie.

Mary Hallissey is a journalist with the Law Society Gazette.

STRATEGIES FOR BETTER OUTCOMES

Participants in Time to Think have been warm in their praise for the training.

"The sessions with Hannah Carney were personally fulfilling, thought-provoking, and introduced new strategies for working in teams and developing better outcomes. I would highly recommend it," said **Yvonne Kelly** (Dublin City Council Law Department).



Ciara Murphy (assistant chief state solicitor at the Chief State Solicitor's Office) added: "While I had never heard the 'Ten Components of a Thinking

Environment' described as such prior to Hannah's workshops, the components were quickly recognisable to me as consistent features of our best days here in the CSSO and, no doubt, in many other legal practices. The workshops have given me the tools and motivation to incorporate those components into more and more of our daily interactions."



AIB lawyer **Rob Walls** commented:

"I would absolutely recommend this programme for leaders of in-house teams. The programme showed us why, in busy workplaces where the ability to make quick decisions is desired, creating more opportunities for quality thinking time for our teams is essential.



But, more importantly, it provided us with practical tips for how to create those opportunities."

Sinead Keaveney (lawyer, Bank of Ireland) said: "I really valued the opportunity to participate in the Law Society's 'Time to Think' pilot initiative. Hannah and Chris provided a comprehensive introduction to the main principles and behaviours of Nancy Kline's 'Thinking Environment', which has the potential to provide enormous benefits for individuals, teams and organisations.



"The pilot demonstrated the value of listening well, not interrupting, supporting each other, valuing all voices and opinions – all within an environment where there is an overriding sense of ease, trust and respect. I encourage colleagues to avail of the opportunity to participate in this programme."

A step towards justice

The Register of Damage Caused by the Aggression of the Russian Federation against Ukraine was established by the Council of Europe in May 2023, and applications for claims are now open. Pavlo Bogachenk explains

ONE QUESTION
CROSSED MANY
LEGAL MINDS –
WHAT REDRESS
MECHANISMS
AND REMEDIES
ARE AVAILABLE
TO MAKE
THE RUSSIAN
FEDERATION
ACCOUNTABLE
FOR GROSS
VIOLATIONS OF
INTERNATIONAL
LAW AND HUMAN
RIGHTS?

The war in Ukraine is still ongoing and continues to cause immense human suffering and material damage. The recent [estimates](#) of the war damage suffered by Ukraine and reconstruction costs amount to €440 billion (approximately 2.8 times Ukraine's GDP).

When Russia started its full-scale invasion of Ukraine, now more than two years ago, one question crossed many (legal) minds – what redress mechanisms and remedies would be available to make the Russian Federation accountable for gross violations of international law and human rights?

Several mechanisms were triggered relatively quickly. On 26 February 2022, Ukraine filed a complaint with the International Court of Justice under the 1948 *Convention on the Prevention and Punishment of the Crime of Genocide*, which recently passed the [jurisdictional stage](#). On 2 March 2022, the International Criminal Court opened its [investigation](#), with 43 states referring the situation to the court in March/April 2022, and several arrest warrants issued later on.

Numerous complaints against Russia were lodged also with the European Court of Human Rights before the [cut-off date of 16 September 2022](#) (as a result

of Russia's expulsion from the Council of Europe). Moreover, the EU, USA, UK and a number of other states introduced sanctions against Russia and some of its affiliates, and several private investment claims were initiated under the [1998 Ukraine/Russia bilateral investment treaty](#).

Still, given the scale of the problem, two issues quickly became clear: firstly, existing mechanisms would not be sufficient to ensure full accountability and timely compensation for victims; and, regardless of the development of new mechanisms, it would be necessary, secondly, to preserve all available evidence and to document losses.

Various national and international working groups continue to work on solutions to both issues. For example, discussions on the first issue include, among others, two concepts: an international tribunal – Special Tribunal on the Crime of Aggression (distinct from the ICC jurisdiction); and a Ukrainian court with international support (hybrid model).

As a solution to the second issue, the [Register of Damage for Ukraine](#) was established under the auspices of the Council of Europe. The Register of Damage is intended to record the claims

of those who have suffered loss or damage as a result of the war, and to pave the way for an international compensation scheme that would provide direct redress to victims.

What is the register?

The 'Register of Damage Caused by the Aggression of the Russian Federation against Ukraine' was established at the Council of Europe Summit in Strasbourg in May 2023 through an enlarged partial agreement. It is open to all member states. Additionally, states supporting the UN [resolution for reparation](#) for aggression against Ukraine can join the register by notifying the Secretary General of the Council of Europe. Currently, 43 states and the EU participate in the register.

The register, a legal entity based in the Hague with a representative office in Ukraine, is set for an initial three-year term. The register's purpose is to document claims related to Russia's illegal actions in Ukraine. It is expected that the register will process applications, assess their eligibility, and register them for further action.

How the register works

On 21 March 2024, the board of the register adopted the [rules](#) for the submission and processing of claims and the [categories of claims](#) eligible for submission.

According to the claims rules, the register will accept applications for compensation for losses, injuries, or damage caused on or after 24 February 2022 on the territory of Ukraine or within its internationally recognised borders by the illegal actions of Russia, in or against Ukraine.

Claims can be submitted by legal entities and individuals, as well as by the State of Ukraine. The applications can cover



PIC: SHUTTERSTOCK/KIBRI HO

various forms of damage, such as property damage, injuries, death of a close family member, crimes of a sexual nature, forcible displacement, damage to forcibly displaced persons, and other forms of damage. The Register of Damage will also consider the specific needs and vulnerabilities of different categories of victims (the so-called ‘victim-centred approach’).

The register’s claims-submission process was officially launched on 2 April 2024. The claims process starts with a single category – damage or destruction of residential property – with the estimated addition of other categories within a year. Claims need to be submitted in digital form only, using a Ukrainian Government-services application and platform called ‘Diia’ (Ukrainian for ‘action’) as a gateway for submissions. A separate procedure is being developed for those who cannot access Diia.

For categories that are not currently open, potential

applicants are advised to collect and preserve evidence supporting their claims and register their losses on the [Register of Damaged and Destroyed Property](#) (old register), which has been in operation since August 2022 and can facilitate the transfer of data and documents to the new register.

While the Register of Damage is not a court or tribunal, it constitutes a crucial step towards the creation of an international justice and compensation mechanism to ensure that all losses and damages resulting from the illegal war in Ukraine are recorded and redressed. It is expected that, when respective international redress mechanisms are established, the register will become part of a new accountability structure, and that all claims and evidence collected will be respectively transferred.

Pavlo Bogachenko is a senior associate at DLA Piper LLP, Ireland.

LOOK IT UP

CASES:

- [Allegations of Genocide under the Convention on the Prevention and Punishment of the Crime of Genocide \(Ukraine v Russian Federation\)](#) (International Court of Justice, order of 2 February 2024)
- [Ukraine – Situation in Ukraine \(ICC-01/22\)](#) (investigation – alleged crimes committed in the context of the situation in Ukraine since 21 November 2013, referred to the ICC by 43 states parties, March/April 2022)

LEGISLATION:

- [Furtherance of remedy and reparation for aggression against Ukraine](#). (A/ES-11/5, resolution adopted by the General Assembly on 14 November 2022)
- [Russian Federation – Ukraine BIT \(1998\)](#) (UN Trade and Development, Investment Policy Hub, Bilateral Investment Treaties, date of entry into force: 27 January 2000)

LITERATURE:

- [International Court of Justice: Ukraine v Russia](#) (UN Regional Information Centre for Western Europe, 14 September 2023)
- [Register of Damage Caused by the Aggression of the Russian Federation Against Ukraine](#) (The Hague, RD4U-BOARD (2024) 04-final-EN)
- [‘Register of Damage for Ukraine – Timeline’](#) (Council of Europe)
- [‘Russia ceases to be a party to the European Convention on Human Rights on 16 September 2022’](#) (Council of Europe, 23 March 2022)
- [Ukraine – Third Rapid Damage and Needs Assessment](#) (World Bank, 31 December 2023)

PRACTICE NOTES

PRACTICE NOTES ARE INTENDED AS GUIDES ONLY AND ARE NOT A SUBSTITUTE FOR PROFESSIONAL ADVICE.
NO RESPONSIBILITY IS ACCEPTED FOR ANY ERRORS OR OMISSIONS, HOWSOEVER ARISING

CONVEYANCING COMMITTEE

LETTERS RE FINANCIAL CONTRIBUTION CONDITIONS

● The Conveyancing Committee recently received a query as to whether either original or certified copy letters confirming payment of financial contributions contained in grants of planning permission should be obtained from developers' solicitors. The solicitor in question reported that original

or certified copy letters are often demanded on subsequent sales.

The Conveyancing Committee's view is that practitioners may accept copy letters confirming payment of financial contributions, unless the solicitor acting for the purchaser is on notice of any issue or there is any concern

as regards the veracity of any such copy letter or document.

The committee would also note and acknowledge that many local authorities issue letters confirming compliance with financial-contribution conditions in electronic format only.

CONVEYANCING COMMITTEE

REPLIES TO REQUISITIONS AT DATE OF SALE

● The Conveyancing Committee has recently been requested to issue guidance on the practice of seeking confirmation on closing from vendors' solicitors that the Replies to Requisitions remain accurate as at the date of closing.

Practitioners are reminded that the Replies

to Requisitions will issue to the purchaser's solicitor when issuing the Contract for Sale and vouching title. This enables a full review of all matters prior to the Contract for Sale being exchanged.

Practitioners are further reminded that general condition 6(d) of the *Conditions of*

Sale 2023 (revised edition) provides that the Replies to Requisitions and Rejoinders are deemed to be given as of the date of sale.

The Conveyancing Committee does not agree with the practice of requesting the replies to be updated prior to completion.

CONVEYANCING COMMITTEE


NO MAP PROVIDED WITH COPY TITLE OF NEW-BUILD PROPERTY WITHIN A RESIDENTIAL DEVELOPMENT

● The Conveyancing Committee has been contacted by members of the profession and has been requested to give guidance where no map of the property in sale is being made available with Contracts for Sale of a new-build property within a residential development, and the purchaser is expected to enter into a Contract for Sale in circumstances where no map has been provided to show the location of the unit in sale or, indeed, the size of the site in sale.

The committee is of the view that this practice is not in keeping with good conveyancing practice and that a

purchaser is entitled to receive, at the very least, a suitable map clearly identifying the property in sale and its location within the estate at contract stage.

The approved scheme map should be

available on closing, and practitioners are reminded of the practice note, 'Land Registry-approved maps' (5 November 2004), which is available at www.lawsociety.ie/landregistryapprovedmaps. 



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WILLS

Boyle, Mary Josephine (deceased), late of Anam Cara Nursing Home, formerly of 8 Glenan Road, Whitehall, Dublin 9, who died on 23 September 2020. Would any person having knowledge of any will or codicil or notes, memos, or attendances in respect of any will or codicil ever made by Mary Boyle please contact Gaffney Halligan & Co, Solicitors, 413 Howth Road, Raheny, Dublin 5; tel 01 831 4133, email: mcrawford@gaffneyhalligan.com

Brown, Stephen (deceased), late 84 Granitefield, Dun Laoghaire, Co Dublin, who died on 9 February 2024. Would any person or firm having knowledge of the whereabouts of any will made the above-named deceased please contact Pearse Mehigan and Co, Solicitors, 83/84 Upper George's Street, Dun Laoghaire, Co Dublin; tel: 01 280 8292, email: info@pearsemehigan.com

Carlton, Sean Thomas Lewis (deceased), late of 12 North Field Avenue, Ilkeston, Derbyshire, England, and Ogonnelloe, Tuanganey, Co Clare, who died on 13 April 2023. Would any person having knowledge of the whereabouts of a will made by the above-named deceased please contact Ken Molan Solicitors, 29 Lower Cork Street, Mitchelstown, Co Cork; tel: 025 24118, email: ken@kmolan.ie

Carlton, Thomas Valentine Lewis (otherwise Val Carlton) (deceased), late of 16 Tatham Lane, Ilkeston, Derbyshire, DE7 8HS, England, and Ogonnelloe, Tuanganey, Co Clare, who died on 20 March 2010. Would any person having knowledge of the whereabouts of a will made by the above-named deceased please contact Ken Molan Solicitors, 29 Lower Cork Street, Mitchelstown, Co Cork; tel: 025 24118, email: ken@kmolan.ie

RATES

PROFESSIONAL NOTICE RATES

RATES IN THE PROFESSIONAL NOTICES SECTION ARE AS FOLLOWS:

- **Wills** – €163 (incl VAT at 23%)
- **Title deeds** – €325 per deed (incl VAT at 23%)
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ALL NOTICES MUST BE PAID FOR PRIOR TO PUBLICATION. ALL NOTICES MUST BE EMAILED TO catherine. Kearney@lawsociety.ie and PAYMENT MADE BY ELECTRONIC FUNDS TRANSFER (EFT). The Law Society's EFT details will be supplied following receipt of your email. **Deadline for July 2024 Gazette: 13 June 2024.**

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*.

Farkasova (née Tierney) Margaret (deceased), late of St Gladys' Nursing Home, 53 Kimmage Road Lower, Harold's Cross, Dublin 6W, also late of 93 Old County Road, Crumlin, Dublin 12. Would any person having knowledge of the whereabouts of any will made by the above-named deceased, who died on 26 April 2023, please contact Leo Buckley & Co, Solicitors, 78 Merrion Square, Dublin 2; tel: 01 678 5933, email: leo@leobuckleysolicitors.com

Hynes, John Francis (deceased), late of St Brendan's Village, Mullranny, Co Mayo, and formerly of St Dominick's, Barrack Hill, Newport, Co Mayo, and Carnacly, Westport, Co Mayo, who died on 16 May 2023. Would any person having knowledge of the whereabouts of any will made by the above-named deceased, or if any firm is holding same, please contact Patrick J Durcan and Co, Solicitors, James Street, Westport, Co Mayo; DX 53002 Westport; tel: 098 25100, email: admin@patrickjdurcan.ie

Kenny, Rosaleen (deceased), late of Cloonlyon, Ballygar, Co Galway, who died on 1 September

2023. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Sean Mahon of Mahon Sweeney Solicitors, Market Square, Roscommon; tel: 090 662 7350, email: mail@mahonsweeney.ie

Keyes, Anthony (deceased), late of Ballycarnan, Portlaoise, Co Laois, and with former addresses at Cashel, Portlaoise, Co Laois, and Lalor's Mills, Portlaoise, Co Laois, who died on 12 January 2021. 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 & Co, Solicitors, Market Square, Abbeyleix, Co Laois; tel: 057 873 1246, email: donaldw Dunne@securemail.ie

Kilcoyne, Owen (deceased), late of Apartment 2, 4 Belvedere Road, Dublin 1, and formerly of Shrawee, Carrownskey, Westport, Co Mayo, and Gardiner Street, Dublin 1, who died on 2 March 2024. Would any person having knowledge of the whereabouts of a will made by the above-named deceased please contact Oliver P Morahan & Son LLP, Solicitors, Unit E1 Westpoint, Altamont Street, Westport,

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McGregor, William (o/w Wally) (deceased), late of 142 Cherrywood Park, Clondalkin, Dublin 22, formerly of 48 Michael Collins Park, Clondalkin, Dublin 22, who died on 7 December 2023. 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 Emma Clancy, Geoghegan Solicitors, Main Street, Lucan, Co Dublin; tel: 01 628 2947, email: eclancy@geoghegansolicitors.ie

McGregor, Elizabeth (o/w Betty) (deceased), late of 142 Cherrywood Park, Clondalkin, Dublin 22, formerly of 48 Michael Collins Park, Clondalkin, Dublin 22, who died on 18 December 2023. 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 Emma Clancy, Geoghegan

Solicitors, Main Street, Lucan, Co Dublin; tel: 01 628 2947, email: eclancy@geoghegansolicitors.ie

Malone, Kevin (deceased), late of 10 Derrygreenagh, Rochfortbridge, Co Westmeath, who died on 17 April 2023. 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 Audrey Byrne & Co, Solicitors, Unit 9 Market Point, Patrick Street, Mullingar, Co Westmeath, N91 D880; DX35014 Mullingar; tel: 044 933 3659, email: info@absolicitors.ie

Malone, Lucy (deceased), late of 10 Derrygreenagh, Rochfortbridge, Co Westmeath, who died on 21 February 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased, or if any firm is holding same, please contact Audrey Byrne & Co, Solicitors, Unit 9 Market Point, Patrick Street,

Mullingar, Co Westmeath, N91 D880; DX35014 Mullingar; tel: 044 9333 659, email: info@absolicitors.ie

Mooney, Dermot (deceased), late of 71 Troytown Heights, Navan, Co Meath, who died on 8 February 2024. Would any person having knowledge of any will made by the above-named deceased please contact Brian Callaghan, Regan McEntee & Partners Solicitors, High Street, Trim, Co Meath; DX92002 Trim; tel: 046 943 1202

O'Connor, Margaret Anne (deceased), late of 37 St Fin-tan's Villas, Deansgrange, Co Dublin, who died on 4 January 2024. Would any person having knowledge of any will executed by the above-named deceased please contact Mary McKeever, Addleshaw Goddard (Ireland) LLP, Solicitors, Temple Chambers, 3 Burlington Road, Dublin 4; tel: 01 202 6400; email: m.mckeever@aglaw.com

O'Rourke, Father Kevin (deceased), late of 204 Samyang-ro, Gangbuk-gu, Seoul, Republic of Korea, who died on 23 October 2020. Would any person having knowledge of the whereabouts of any will executed by the above-named deceased please contact Rosemary Scallan, Rosemary Scallan and Company, Solicitors, 1 Westview House, Church Road, Greystones, Co Wicklow; DX 205007 Greystones; tel: 01 287 2905, email: rosemary@rosemaryscallan.ie

Reynolds, James (deceased), late of Mount Hybla Nursing Home, Castleknock, Dublin 15, Ireland, formerly of The Village, Porterstown Road, Clonsilla, Dublin 15, who died on 28 August 2022. Should any person have any knowledge of the whereabouts of any will made by the above-named deceased,

please contact Sarah Flynn, Reddy Charlton LLP, Solicitors, 12 Fitzwilliam Place, Dublin 2; tel: 01 661 9500, email: sflynn@reddycharlton.ie

Stuart, Imogen (RHA) (deceased), late of 28 Sandycove Avenue West, Sandycove, Co Dublin, who died on 24 March 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased please contact Gráinne Butler, Orpen Franks Solicitors LLP, 28/30 Burlington Road, Dublin 4; tel 01 637 6200, fax 01 637 62 62, email: grainne.butler@orpenfranks.ie

Stuart, Imogen (deceased), late of 28 Sandycove Avenue West, Sandycove, Co Dublin, who died on 24 March 2024. Would any person having knowledge of the last will made by the above-named deceased, or its whereabouts please contact Walter P Toolan and Sons, Solicitors, The Law Office, High Street, Ballinamore, Co Leitrim; tel: 071 964 4004, email: law@wptoolan.com

Taylor, Patrick (deceased), late of Knockdrin, Rhode, Co Offaly, who died on 24 February 2024. Would any person having knowledge of the whereabouts of any will made by the above-named deceased, or if any firm is holding same, please contact Audrey Byrne & Co, Solicitors, Unit 9 Market Point, Patrick Street, Mullingar, Co Westmeath, N91 D880; DX35014 Mullingar; tel: 044 933 3659; email: info@absolicitors.ie

Ward, Frank (deceased), late of Myrtle Lodge, Torquay Road, Foxrock, Dublin 18, who died on 23 October 2019. 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 Denis McSweeney

Solicitors, 40 Upper Grand Canal Street, Dublin 4; tel: 01 676 6033; email: info@denismcsweeney.com

TITLE DEEDS

In the matter of the *Landlord and Tenant (Ground Rents) Act 1967-2019* and in the matter of the *Landlord and Tenant (Ground Rents) (No 2) Act 1978* (as amended) and in the matter of an application by Patrick O'Regan and Sheila O'Regan and in the matter of the property known as 1 Cedar Grove, Glasheen Road, Cork

Take notice any person having an interest in any estate in the above property that Patrick O'Regan and Sheila O'Regan ('the applicants') intend to submit an application to the county registrar of the county of Cork for the acquisition of the fee simple interest and all intermediate interest in the aforesaid property, and any person asserting that they hold a superior interest in the property are called upon to furnish evidence of title to the premises to the below named within 21 days from the date hereof.

Any person having any interest in the property and, in particular, the lessor's interest in a lease of 10 July 1901 and made between John Cooney of the one part and Mary Teresa Hannagan of the other part for a term of 191 years from 25 March 1901, subject to a yearly rent in the amount of IR£7.16s in respect of the property, should provide evidence of their title to the below named. Further, any person having an interest in property assigned by John Cooney to Mary Teresa Hannagan by assignment of 14 February 1903, being part of the lands at Huggartsland comprising a plot of ground of 126 feet in length and 13 feet in breadth for the residue of the term of years of John Cooney, should provide evidence of the title to the below named.

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

Date: 7 June 2024

Signed: Moloney & McCourt (solicitors for the applicants), Broderick Street, Middleton Street, Co Cork

In the matter of the *Landlord and Tenant (Ground Rents) Acts 1967-2019* and in the matter of the *Landlord and Tenant (Ground Rents) (No 2) Act 1978* (as amended) and in the matter of an application by Trimerchant (Cork) Limited: notice of intention to acquire fee simple pursuant to the above acts in relation to 22 Maylor Street in the city of Cork

Any person having an interest in the fee simple or any interest in the above property, take notice that Trimerchant (Cork) Limited intends to submit an application to the county registrar for the city of Cork for the acquisition of the fee simple and all or any intermediate leasehold interest in the aforesaid property, and any persons asserting that they hold a superior interest in the property are called upon to furnish evidence of title to the premises of the below named within 21 days from the date of this notice.

In particular, any person having an interest in the lessor's interest under an indenture of lease dated 14 November 1923 made between James J Murphy & Co, Limited, of the one part and Robert Walsh of the other part, which should provide evidence of title to the below named.

In default of any such information being received by the

applicant, Trimerchant (Cork) Limited intends to proceed with the application before the county registrar and will apply to the county registrar for the county of Cork or directions as may be appropriate on the basis that the person or persons entitled to the superior interest, including the fee simple or any intermediate leasehold interest, are unknown and unascertained.

Date: 7 June 2024

Signed: Crowley Millar Solicitors LLP, 2-3 Exchange Place, George's Dock, IFSC, Dublin 1, D01 AE27

In the matter of the *Landlord and Tenant Acts 1967-2019* and in the matter of the *Landlord and Tenant (Ground Rents) (No 2) Act 1978* (as amended) and in the matter of the premises known as 46 South William Street in the city of Dublin, D02 EE02: an application by Grace Park Estates Limited

Take notice that any person having any interest in the freehold estate or any intermediate interest in the property known as 46 South William Street in the

city of Dublin, being the property comprised in a lease made on 23 May 1947 between Hodgins and Co Ltd of 82 Aungier Street in the city of Dublin of the one part and Richard McIlhagga of 48 Upper Drumcondra Road in the city of Dublin and Joseph Cunningham of Arundel, Sutton, in the county of Dublin, of the other part, for the term of 150 years from 1 February 1947, subject to a yearly rent of £350 thereby reserved, and therein described as all that and those the premises 46 South William Street consisting of shop, basement, upper portion, and premises at rear of ground floor situate in the parish of St Anne and city of Dublin, which said property was *inter alia* demised by an indenture of lease dated 6 May 1796 made between Benjamin Johnson of the city of Dublin, esquire, of the one part and William King of the city of Dublin, gentleman, of the other part for the term of 999 years from 1 May 1796 and subject to a yearly rent of £50 sterling thereby reserved, and therein together with other premises described as all that lot

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or piece of ground situate on the east side of William Street with the dwellinghouse, messuage, or tenement and stable thereon erected and built containing in breadth in the front 17 feet and six inches, and 17 feet, nine inches in the breadth in the rear or thereabouts, be the same more or less including half of both party walls, and in depth from front to rear 103 feet, four inches or thereabouts be the same more or less, meared and bounded on the north by a dwellinghouse in the possession of William Thompson, esquire, on the south by another dwellinghouse in the possession of James Taylor, attorney, on the east by the holding of James Thompson, dairyman, and on the west by William Street, together with a piece of ground adjoining the rear of the first-mentioned piece of ground containing in breadth from north to south ten feet, two inches and in depth from east to west 15 feet, eight inches or thereabouts, be the said admeasurements more or less, meared and bounded on the north by a stable yard leading to Clarendon Street, on the south by the said stable built on the said first-mentioned piece of ground, on the east by the said holding of the said James Thompson, dairyman, and on the west by the stable of the said William Thompson, esquire, together also with the coach

house in the said stable yard belonging to the said dwellinghouse hereby demised with full and free liberty of ingress, egress, and regress from the premises hereby demised through the aforesaid stable yard to Clarendon Street, all which said premises are now in the possession of the said Benjamin Johnson and are situate, laying, and being in the county of the city of Dublin and are described on a map or terchart thereof hereunto annexed, together with all and singular the rights, members, and appurtenances to the said premises belonging or appertaining.

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

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

city of Dublin for directions as may be appropriate on the basis that the persons beneficially entitled to the superior interest including the freehold reversion in each of the aforesaid premises are unknown or ascertained.

Date: 7 June 2024

Signed: O'Shea Legal (solicitors for the applicant), 3 Chancery Place, Dublin 7

In the matter of the Landlord and Tenant Acts 1967-2019 and in the matter of the Landlord and Tenant (Ground Rents) (No 2) Act 1978 (as amended) and in the matter of an application by Davy Property Holdings Unlimited Company

Take notice any person having an interest in the freehold estate or any other estate in the following property: 371 and 373 North Circular Road, Phibsborough, in the county of Dublin. Take notice that Davy Property Holdings Unlimited Company intends to submit an application to the county registrar for the city of Dublin for the acquisition of the freehold interest and all intermediate interests in the aforementioned property, and any party asserting that they hold a superior interest in the aforementioned property are called upon to furnish evidence of title to the below named.

In particular to such persons

as are entitled to the interest of Thomas Dunphy pursuant to a lease dated 15 May 1872 and made between the Right Honourable Charles Stanley Viscount Monck and the Honourable Henry Power Charles Stanley Monck for a term of 150 years to be computed and commenced from the day of death of the survivor of the following persons, namely the then Duke of Leinster and Nathaniel Hall Culloden, the said Nathaniel Hall Culloden having survived the said Duke of Leinster and died on 31 December 1894, in property all that and those 371 and 373 North Circular Road Dublin 7, formerly part of 1-7 Madras Place and 160 and 161 Phibsboro Road, Dublin 7.

In default of any such notice being received, the applicant, Davy Property Holdings Unlimited Company, 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 in the premises, are unknown and ascertained.

Date: 7 June 2024

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



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In the matter of the *Landlord and Tenant Acts 1967-2019* and in the matter of the *Landlord and Tenant (Ground Rents) (No 2) Act 1978* (as amended) and in the matter of an application by Sandro Estates Limited and in the matter of the property known as 45 Phibsborough Road, Cabra, Dublin 7

Take notice that any person having a freehold estate or any intermediate interest in the property, being the property demised by indenture of lease dated 7 October 1883 and made between James Walsh of the one part and Henry Cleary of the other part and therein described as “all that plot or piece of ground fronting Phibsboro’ Road adjoining the avenue called Phibsboro, situate in the parish of Grangegorman and city of Dublin, containing 40 feet to the front to said road and in depth from front to rear on the north side adjoining the house in the possession of Miss Walsh 57 feet, and on the south side 59 feet or thereabouts” for a term of 200 years from 25 March 1883 and subject to the yearly rent of £8 thereby reserved and the covenants and conditions contained therein, which is now known as 45 Phibsborough Road, Cabra, Dublin 7.

Take notice that the applicant, Sandro Estates Limited, intends to submit an application to the county registrar for the city of Dublin to vest in it the fee simple and any intermediate interests in the property, and any party asserting that they hold a superior interest in the property is called upon to furnish evidence of title to same to the below named within 21 days from the date of this notice.

In default of any such notice being received, the applicant, Sandro Estates Limited, intends to proceed with the application before the Dublin county registrar at the end of 21 days from the date of this notice and will apply to the said county registrar for the city of

Dublin for such directions as may be appropriate on the basis that the person or persons beneficially entitled to the superior interests including the freehold reversion in the property are unknown or unascertained.

Date: 7 June 2024

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

In the matter of the *Landlord and Tenant Acts 1967-2019* and in the matter of the *Landlord and Tenant (Ground Rents) (No 2) Act 1978* (as amended) and in the matter of an application by Glendale Ventures Limited

Take notice that any person having a freehold estate or any immediate interest in all that and those the dwellinghouse and premises now known as 44 Cabra Park, Phibsboro, Dublin 7, and formerly known as 22 Cabra Park Phibsborough Dublin 7, held by the applicant Glendale Ventures Limited as lessee under a sublease dated 16 September 1899 made between Charles Coates of the first part, the city and county (Permanent) Benefit Building Society of the second part, and James Nugent of the third part, for a term of 199 years from 25 March 1899 at a rent of £6 per annum, which sublease is carved out of a superior lease dated 27 May 1898 between Peter Joseph Gaynor of the one part and Charles Coates of the other part for a term of 200 years from 25 March 1898 at a rent of £24.

Take notice that Glendale Ventures Limited intends to apply to the county registrar of the county of Dublin to vest in it the fee simple and any intermediate interests in the said property, and any party asserting that they hold a superior interest in the aforesaid property is called upon to furnish evidence of title to same to the below-named within 21 days from the date of this notice.

In default of any such notice

being received, Glendale Ventures Limited intends to proceed with the application before the Dublin county registrar at the end of 21 days from the date of this notice and will apply to the Dublin county registrar for such directions as may be appropriate on the basis that the person or persons beneficially entitled to the superior interests including the freehold reversion in the aforesaid property are unknown or unascertained.

Date: 7 June 2024

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

In the matter of the *Landlord and Tenant Acts 1967-2019* and in the matter of the *Landlord and Tenant (Ground Rents) (No 2) Act 1978* (as amended) and in the matter of an application by Oaklane Estates Limited

Take notice that any person having a freehold estate or any immediate interest in all that and those the dwellinghouse and premises now known as 53 Cabra Park, Phibsboro, Dublin 7, and formerly known as 55 Cabra Park, Phibsborough, Dublin 7, held by the applicant Oaklane Estates Limited as lessee under a sublease dated 15 August 1900 between Charles Coates of the first part, the city and county (Permanent) Bene-

fit Building Society of the second part, and Maria Taylor of the third part, for a term of 199 years from 25 March 1900 at a rent of £6 per annum, which sublease is carved out of a superior lease dated 16 December 1899 between Peter Joseph Gaynor of the one part and Charles Coates of the other part for a term of 200 years from 29 September 1899 at a rent of £56.

Take notice that Oaklane Estates Limited intends to apply to the county registrar of the county of Dublin to vest in it the fee simple and any intermediate interests in the said property, and any party asserting that they hold a superior interest in the aforesaid property is called upon to furnish evidence of title to same to the below-named within 21 days from the date of this notice.

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

Date: 7 June 2024

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

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PRO BONOBO

Eats shoots and won't leave

● Park rangers on a six-hour stakeout stand-off resorted to playing Black Sabbath to budge a big black bear out of a tree near a Colorado college campus, [Guitar.com reports](#).

The bear, replete after a rubbish-bin repast, had climbed the tree to sleep. After a drone failed to persuade the animal to leave, the rangers tried the Guantanamo-approved technique of blasting loud music at it. But the bear remained unmoved, until it decided to leave of its own volition that night.

Perhaps they should have played the Village People instead. *The Gazette* finds that really gets bears going.



Two bags of 'nanas and a packet of crisps

● The British Government has launched a consultation on updating the rules around non-alcoholic beer, [The Economist reports](#).

Currently, drinks must contain less than 0.05% ABV to be considered alcohol-free – less than the alcohol content of a couple of ripe bananas. Not only that, but it's out of line both with comparable markets and the requirements of economic production.



"Over the limit? But I only had 6 bananas Guard!"

The 0.5% beers made by many craft brewers are officially deemed

non-alcoholic in America, Australia, and Germany. British brewers say that the quirk in the British regulation is holding back growth in their market.

A research firm added that there was a lack of clarity over the suitability of non-alcoholic products for pregnant women, drivers, and people who don't drink for religious reasons.

Machine, learning

● British engineering firm Arup has confirmed it was the victim of fraud after an employee was duped into sending HK\$200 million (£23.6 million) to criminals by an AI-generated video call, [The Guardian reports](#).

Hong Kong police that the worker had been tricked by people "posing as senior officers of the company". The firm said that such attacks were becoming more frequent and sophisticated.

Separately, the world's biggest advertising group WPP was

targeted by a [deepfake scam](#) using an AI voice clone. WPP's chief executive revealed the fraud in an email to senior colleagues and warned them to look out for calls claiming to be from top executives.

'Wining' about the T&Cs

● A top English lawyer inserted a hidden clause in the terms and conditions of his website offering a free "bottle of good wine to the first person to read this", [according to LegalCheek.com](#).

Tax specialist Dan Neidle said that the wine (a Château de Sales 2013/14, Pomerol) was eventually claimed after three months – by someone who stumbled upon the clause while seeking to use the T&Cs as a template, rather than actually reading them.

Neidle said the clause was "my childish protest that all businesses have to have a privacy policy, and no one reads it. Every tiny coffee shop has to have a privacy policy on their website – it's crazy. It's money that's being wasted."

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