



LAW SOCIETY OF IRELAND CLIMATE JUSTICE CONFERENCE

POLICIES AND ACTIONS FOR A CLIMATE
RESPONSIVE JUSTICE SECTOR

MONDAY 6 NOVEMBER 2023 | 2PM - 6PM

Presidents' Hall, Law Society of Ireland,
Blackhall Place, Dublin 7

INTRODUCTION

ABOUT THE LAW SOCIETY OF IRELAND'S CLIMATE JUSTICE CONFERENCE

The Law Society's Climate Justice Conference, 'Policies and Actions for a Climate Responsive Justice Sector', will feature leading domestic and international experts in environmental law who will address key issues affecting climate and environmental justice.

This conference will look both nationally and internationally at recent trends in climate litigation, strengthening legal avenues for climate justice, and protecting the environment for future generations. Speakers will discuss reconciling climate and biodiversity obligations and commitments for reversing biodiversity loss and will explore the impact of climate change on legal practice and lawyers' ethical duties.

The conference will also consider the proposed legislation to reform Ireland's planning system. As the representative body for the solicitors' profession in Ireland, the reforms to the Judicial Review of planning decisions proposed in the draft Bill are of significant interest to the Law Society in the context of their implications for access to, and the administration of, justice. Finally the Law Society will present its Draft Resolution on Climate Change. 3 General (in person) CPD points will be available to delegates.

ABOUT THE LAW SOCIETY OF IRELAND

The Law Society of Ireland has representative, regulatory and educational functions in respect of the solicitors' profession. It deliver high-quality legal education and training, encourage and support the highest professional standards. We also place significant emphasis on civic engagement, supporting local community initiatives and driving diversity and inclusion within the profession.



SPEAKER BIOGRAPHIES



PRESIDENT MATEJ ACCETTO, PRESIDENT OF THE CONSTITUTIONAL COURT OF THE REPUBLIC OF SLOVENIA (Keynote Speaker)

Dr M Accetto graduated from the Faculty of Law of the University of Ljubljana in 2000 and obtained a

doctorate in law from the same Faculty in 2006. He further obtained an LL.M. from Harvard Law School in 2001. After obtaining his doctorate in law in 2006, he received a Monica Partridge Visiting Fellowship and spent the Easter term at Fitzwilliam College of the University of Cambridge as a visiting lecturer. In 2011 he completed a longer research visit at Waseda University in Tokyo, and in 2012 he was a visiting scholar at the Faculty of Law of the University of Cambridge.

During his doctoral studies he worked at the Institute for Comparative Law of the Faculty of Law of the University of Ljubljana as a young researcher, and from 2008 at the Faculty of Law of the University of Ljubljana as an assistant professor of EU law, and from 2013 as an associate professor of EU law. From September 2013 until August 2016 he lectured at the international graduate law school Católica Global School of Law / UCP in Lisbon as a professor with an additional research grant from the Gulbenkian Foundation, and since the beginning of the 2016/17 academic year he has been lecturing at the Faculty of Law of the University of Ljubljana.

In addition to his regular lectures in Slovenia and Portugal, he taught entire courses or held a series of lectures as a guest lecturer at the Graduate School of the Chinese Academy of Social Sciences in Beijing (China), Irkutsk State University (Russia), and the ISES Foundation in Kőszeg (Hungary), and at the Católica University in Lisbon (Portugal) also before 2013. He has delivered occasional guest lectures, inter alia, at Harvard University (Harvard Law School and Harvard Kennedy School, USA), the University of Copenhagen (Denmark), Tokyo Waseda University and the University of Kyoto (Japan), the University of Graz (Austria), the University of Iceland (Iceland), the University of Kaunas (Lithuania), the Faculty of Law in Bihac (Bosnia and Herzegovina), and Franklin College (Switzerland). He continues to lecture at the Faculty of Law of the University of Ljubljana and the Católica University in Lisbon as an external staff member.

While concentrating mainly on his research and pedagogical work, he has also cooperated with the judiciary and jurisprudence in various ways. In 2003 he spent five months at the Court of the European Union as a trainee, and in the period 2003/04, as a Fellow of the British Lord Slynn Foundation for European Law, he spent a year working with distinguished

British judges (the House of Lords (which at that time still functioned as the court of last resort), the Commercial Court, the Central Criminal Court), attorneys (the Brick Court Chambers, Blackstone Chambers, Doughty Street Chambers), and law firms (Clifford Chance, Ashurst). Between 2007 and 2011 he was, inter alia, a member of the National Commission for the Legal Revision of the Historic Case Law of the European Court of Justice, and between 2009 and 2013 he was president of an examination board for the examination of court interpreter candidates as well as a lecturer at events organised by the Slovene Judicial Training Centre.

He has participated in numerous national and international research projects that focused on different issues of fundamental rights, (constitutional) adjudication, and citizenship. He is the author of several books and numerous scientific legal papers (in Slovene, English, and Portuguese) as well as numerous editorials and columns in legal newspapers and on websites.

He commenced duties as judge of the Constitutional Court on 27 March 2017 and assumed the office of Vice President of the Constitutional Court on 28 September 2019. He assumed the office of President of the Constitutional Court on 16 December 2021.



RACHEL MINCH SC, PARTNER AT PHILIP LEE LLP

Rachel Minch SC is a partner in the Environment and Planning Group of Philip Lee LLP. She is an experienced litigator with particular expertise in planning, environmental and public law and the judicial review of administrative decisions. She also advises public and private sector bodies on non-contentious issues in these areas. Rachel is Chairperson of the Law Society Environmental and Planning Law Practice Committee and Council member of the Irish Environmental Law Association. Rachel is frequently invited to speak at conferences and lectures for the Law Society and the King's Inns Advanced Diploma on Planning and Environmental Law.



DR. BRIAN MACSHARRY, HEAD OF GROUP OF BIODIVERSITY AT THE EUROPEAN ENVIRONMENT AGENCY, COPENHAGEN

Dr. Brian MacSharry is the Head of the Biodiversity and Nature Group at the European Environment Agency in Copenhagen. With over two decades of experience, Brian has dedicated his career to conservation efforts, working at various

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the Irish government, Brian transitioned to roles focused on gathering and evaluating data related to habitat and species conservation within the EU, as well as the management of protected areas across Europe. Following this, Brian assumed leadership of a team at UNEP-WCMC, overseeing global progress toward Biodiversity Targets, specifically in relation to protected areas. Since 2018, Brian has been at the European Environment Agency, initially serving as an expert in biodiversity information and protected areas. As of early 2021, he has taken on the role of Head of Group, where his responsibilities encompass the EU Biodiversity Strategy and Global Biodiversity Framework.



DANIELLE CONAGHAN, PARTNER AND HEAD OF THE ENVIRONMENT AND PLANNING GROUP, ARTHUR COX

Danielle is a partner and head of the Environment and Planning Group in Arthur Cox LLP. She is widely regarded as a leading practitioner in the field, with over 18 years' experience. Danielle

specialises in consenting projects and in avoiding, resolving, or litigating disputes across all sectors before the Irish Courts and the Court of Justice of the European Union. She is a Council member of Wind Energy Ireland, a Council member of the Marine Renewables Industry Association, a member of the Environmental Committee of IBEC, and a member of the Environment and Planning Committee of the Law Society of Ireland. Danielle has a particular interest in renewables and climate law and has been involved in over 100 windfarms nationwide.



GERRY LISTON, SENIOR LAWYER, GLOBAL LEGAL ACTION NETWORK

Gerry Liston is a Senior Lawyer with the Global Legal Action Network (GLAN) and a solicitor qualified in Ireland. He leads GLAN's work on climate change litigation which includes the 'Youth4ClimateJustice' (a.k.a. Duarte Agostinho) climate case brought by six Portuguese young people

against 33 States which was heard by the Grand Chamber of the European Court of Human Rights in September 2023. The use of anti-money laundering and proceeds of crime legislation to tackle human rights abuses and environmental harm in the supply chains of major companies also forms a significant part of his work.



CATHERINE HIGHAM, GRANTHAM RESEARCH INSTITUTE, LSE

Catherine is a Policy Fellow who coordinates the Climate Change Laws of the World project, the most comprehensive global resource on climate legislation and policy. Catherine joined the Grantham Research Institute

after nearly a decade of policy and advocacy work in the not for profit sector. Most recently, Catherine worked at the international environmental organisation CDP, where she led the organisation's engagement with sub-national governments in Europe, the Middle East and Africa. Before dedicating her career to the fight against climate change, Catherine spent many years working in the field of human rights. From 2011 to 2017 she worked for Reprieve, where she led the organisations' work on death penalty cases in the Middle East and South Asia, as well as leading investigations and campaigns against extra-judicial killings by the US and its allies. Catherine holds an LLM from the University of British Columbia, where her research focused on the intersection of human rights and climate change in strategic litigation. During her time at UBC Catherine also co-founded the UBC Climate Hub with a group of incredible student activists, becoming the Climate Hub's first full time member of staff and establishing the Hub as a new unit within the UBC Sustainability Initiative. Catherine sits on the Board of the not-for-profit organisation the Climate Litigation Network. Research interests include the role of law in the transition to a net zero economy; human rights and climate change; multi-level governance and the role of sub-national governments in climate action; Just Transition.



DR. ANDREW JACKSON, ENVIRONMENTAL AND PLANNING LAWYER, UCD SUTHERLAND SCHOOL OF LAW

Dr. Andrew Jackson is an environmental and planning lawyer in the Sutherland

School of Law at UCD, with broad interests in these fields at international, EU and Irish levels. He previously worked for Slaughter and May, in London and Paris; for the UK government's legal service, in the Department for Environment, Food and Rural Affairs (Defra); and with An Taisce, the National Trust for Ireland, where he was Natural Environment Officer and In-house Solicitor. Andrew has been involved in public interest environmental and planning litigation for many years, including before the Irish, English and EU courts.

He is a consultant solicitor with O'Connell & Clarke and in this capacity acted for Friends of the Irish Environment before the High Court and Supreme Court in 'Climate Case Ireland'. He has published widely on environmental law, including

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climate law, and is currently the co-Editor-in-Chief of the Irish Journal of European Law, and a member of the Law Society's Environmental and Planning Law Committee. Andrew is a graduate of Oxford University (BA, Law) and Cambridge University (LLM). He also holds an MSc in Biodiversity and Conservation from Trinity College Dublin (TCD) and a PhD from TCD.



MS. JUSTICE NIAMH HYLAND

Ms. Justice Niamh Hyland is a graduate of Trinity College Dublin, Magdalen College Oxford and the King's Inns (Barrister-at law). Ms. Justice Hyland worked as a referendaire at the General Court of the Court of Justice in Luxembourg and was

the Jean Monnet Professor in European Law at Trinity College. She was called to the Bar in 1994 and commenced practice in 1996. She was made a Senior Counsel in 2012. She practised in diverse areas of the law, including EU regulatory law (telecoms, aviation, energy), public procurement, competition law, constitutional law, administrative law, healthcare law

and commercial law. She was a member of the Bar Council of Ireland. Ms. Justice Hyland was appointed as a judge of the High Court in December 2019. Ms. Justice Hyland was appointed as a Law Reform Commissioner in May 2021.



ALASDAIR CAMERON, POLICY ADVISER IN CLIMATE CHANGE AND PLANNING AND ENVIRONMENTAL LAW, LAW SOCIETY OF ENGLAND AND WALES

Alasdair Cameron leads on climate change, planning and environmental law at the Law Society of England and Wales. He led on the publication of guidance for solicitors in England and Wales as to how climate change impacts solicitor's ethics and professional duties. He is now working on guidance on how climate change impacts different practice areas of the law, including real estate transactions and commercial law.



PROGRAMME

"You are all climate lawyers now, whether you want to be or not." John Kerry, US Special Presidential Envoy for Climate



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| TIME | EVENT |
|-------------|--|
| 13.15-14.00 | Registration |
| 14.00-14.05 | Welcome and introduction |
| 14.05-14.20 | Keynote address: Matej Accetto, President of the Constitutional Court of Slovenia |
| | Plenary session one |
| 14.20-14.40 | CLIMATE AND PLANNING Rachel Minch SC, Partner at Philip Lee: Practitioner's Perspective on the Planning & Development Bill 2023 |
| 14.40-15.00 | Senior Official from the Office of the Planning Regulator: Climate Action and the Office of the Planning Regulator |
| | Plenary session two |
| 15.00-15.15 | BIODIVERSITY AND THE CLIMATE CRISIS Dr. Brian MacSharry, Head of Group of Biodiversity at the European Environment Agency: The EU's Biodiversity Strategy for 2030: Actions and Commitments for Reversing Biodiversity Loss |
| 15.15-15.30 | Danielle Conaghan, Head of the Environment and Planning Group, Arthur Cox: Renewable Projects, Biodiversity & Imperative Reasons of Overriding Public Interest |
| 15.30-16.00 | Tea and coffee break |
| | Panel discussion |
| 16.00-16.30 | ETHICS IN PRACTICE Panel discussion to include Alasdair Cameron, Climate Change Policy Adviser, Law Society of England and Wales: Climate Conscious Lawyering: Impact of Climate Change on Legal Practice and Lawyers Ethical Duties |
| | Plenary session three and Q&A |
| 16.30-17.30 | CLIMATE LITIGATION Dr. Andrew Jackson, Environmental and Planning Lawyer, UCD Sutherland School of Law Gerry Liston, Senior Lawyer, Global Legal Action Network Catherine Higham, Grantham Research Institute, LSE: Strengthening Legal Avenues for Climate Justice and Protecting the Environment for Future Generations |
| 17.30-17.40 | Law Society of Ireland Climate Change Resolution |
| 17.40-17.45 | CLOSING ADDRESS FOLLOWED BY DRINKS RECEPTION IN THE BLUE ROOM |