



**UNIVERSITY OF  
LIMERICK**  
OLLSCOIL LUIMNIGH

# School of Law Newsletter

## December 2023

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## Welcome from the Head of School

I am delighted to introduce the annual School of Law Newsletter, celebrating the wide range of achievements and activities of staff, students and alumni of the School.

One of the distinguishing features of the School of Law is our high level of civic engagement, and our concern for social justice. This is evident in much of our research, with many colleagues focusing on a wide range of social justice issues. These include hate speech, access to justice, youth justice, criminal justice, health system inequalities, employment and labour market inequalities, and democratic participation, to name but a few. Our focus on social justice feeds directly into our teaching, with its strong focus on human rights and criminal justice, in particular. However, much of the School's research also has a direct policy impact, and staff are known for their engagement with legal and policy reform outside of academia, in a broad range of areas. Many of these engagements, ranging from presentations to human rights bodies to the preparation of important national reports, are outlined in this newsletter.

There has been much to celebrate over the past year,

but I would like to highlight a few key achievements, as particular examples of the School of Law's broad engagement with society.

This year was particularly notable for the successful constitutional challenge of one of our graduates, Tomás Heneghan, to legislation that excluded University of Limerick graduates from registering to vote in Seanad Éireann elections. Dr Laura Cahillane of the School of Law was an expert witness in the case. The Supreme Court held that the legislation was indeed unconstitutional, ensuring that UL graduates must now be given the same voting rights as graduates of the National University of Ireland and Trinity College Dublin. The School of Law was delighted to mark this victory for democracy by hosting a celebratory event in November. A recording of the event is available on the Law School website.

A recent important success of the Research Evidence into Policy, Programmes and Practice (REPPP) project, which is based in the School of Law, must also be highlighted, as its Greentown project was awarded €1.3m in funding in recognition of its outstanding contribution to national strategic



priorities and policies. The award was announced by the Minister for Further and Higher Education, Research, Innovation and Science, Simon Harris TD, in September 2023.

There have been many other successes, of course, with notable funding awards to several members of staff, and the appointment of Dr Lydia Bracken as one of the inaugural members of the Young Academy of Ireland (YAI), among other achievements. In teaching, the launch of the new LLB in Common and Civil Law (a dual degree with the Université de Franche Comté, Besançon, France) is particularly noteworthy, and opens an important new chapter in legal education for our students.

I would particularly like to acknowledge the extensive student prizes very generously sponsored by many leading Irish law firms in 2023. These include the Mason Hayes & Curran Company Law prize, the Matheson LLP Contract Law prizes, the A&L Goodbody Second Year prize, the Melvyn Hanley Solicitors Scholarship, and the Eversheds Sutherland Scholarship. It is wonderful to see the success of our students being recognised and celebrated, and the School of Law is deeply

grateful to all our sponsors for their support, and for the many opportunities afforded to our students. We look forward to strengthening these important relationships in the future.

Finally, I would like to express my thanks to our editor, Dr Margaret Fitzgerald-O'Reilly, for all her hard work in preparing this newsletter. It is a wonderful record of the School's year.

Professor Lucy Ann Buckley  
Head, School of Law



# Events in the School of Law

## Launch of McAuley and McCutcheon Criminal Liability 2nd edition

On Wednesday 8th March 2023, the School of Law launched the publication of the second edition of Criminal Liability by Prof Finbarr McAuley and Prof Paul McCutcheon. The authors, interviewed by UL Provost Prof Shane Kilcommins in the renowned Irish World Academy, discussed the distinctive features of their work, especially its historical and comparative dimensions and the use of literature from disciplines such as philosophy and the behavioural sciences. They also commented on their extensive treatment of codification and law reform proposals. In addition, the authors remarked on the changing landscape of Irish criminal law with significant developments in appellate court jurisprudence not being matched by legislative action. The seminar was attended by members of the judiciary, legal practitioners, academic lawyers, as well as being streamed online.



*The Hon. Mr Justice John Edwards, His Honour Judge Thomas O'Donell, Professor Paul McCutcheon and Professor Finbarr McAuley*

# Criminal Justice Conference



From 22-23 June 2023, the School of Law at the University of Limerick was delighted to host a major, international conference entitled, "Adversarialism, Voice and Participation in the Criminal Process". The event, which was organised by Dr. Alan Cusack, formed part of 'Mapping the Changing Face of Cross Examination', a cross-institutional Nottingham Trent and University of Nottingham research project funded by the Nuffield Foundation and hosted by the School of Law at the University of Limerick, and it provided a unique forum for academics and practitioners to share their understandings and experiences of witness participation and 'voice' within the context of an adversarial criminal justice system. Keynote speakers at the event included Lord Beckett (Supreme Court, Scotland), Justice Úna Ní Raifeartaigh (Court of Appeal, Ireland), Justice Paul McDermott (High Court, Ireland), HHJ Sarah Whitehouse KC (Circuit Judge, England) and Professor John Jackson (University of Nottingham) & Professor Jonathan Doak (Nottingham Trent University).

## 'A Victory for Democracy' – Celebrating the Heneghan Case

On 1 November 2023, the School of Law was delighted to host an event celebrating the victory of School of Law alumnus Tomás Heneghan in his Supreme Court case, challenging the exclusion of UL graduates from voting in Seanad elections. Tomás, a criminal justice and journalism graduate of UL, brought the case to the Supreme Court, claiming that it was unconstitutional to refuse him the right to register as an elector on either the university panels or the vocational panels for Seanad Éireann elections. Heneghan argued that he was being discriminated against based on the location where he achieved his third-level education. The Constitution only granted this right to graduates of the National University of Ireland (NUI) and Trinity College Dublin (TCD), as they were the only universities in existence at the time of the Constitution's enactment. However, this ruling will now give thousands of UL graduates the same voting rights as NUI and TCD graduates. The landmark case was a hard-won victory for democratic processes and equality, and it is one that will have implications far beyond the issue of the Seanad Franchise. Held in the Irish World Academy, the attendees heard from Tomás Heneghan, who brought the case, Eilis Barry CEO of FLAC, which represented Tomás, Dr Laura Cahillane who was an expert witness in the case and Mr Justice John Edwards, of the Court of Appeal who chaired the event.

## European Centre for the Study of Hate Seminar

In September 2023, the European Centre for the Study of Hate hosted Dr Christian Jura, bureau member of the European Commission against Racism and Intolerance (ECRI) and board member of the National Council for Combatting Discrimination (NCCD) in Romania. During this visit, Dr. Jura co-presented a panel discussion with Dr. Sindy Joyce, ECHR member, on Traveller and Roma Rights and Representation. He provided a workshop to PhD students from across the faculty working in the fields of human rights and equality. Dr. Jura also delivered a seminar on the functions and operation of ECRI and NCCD.

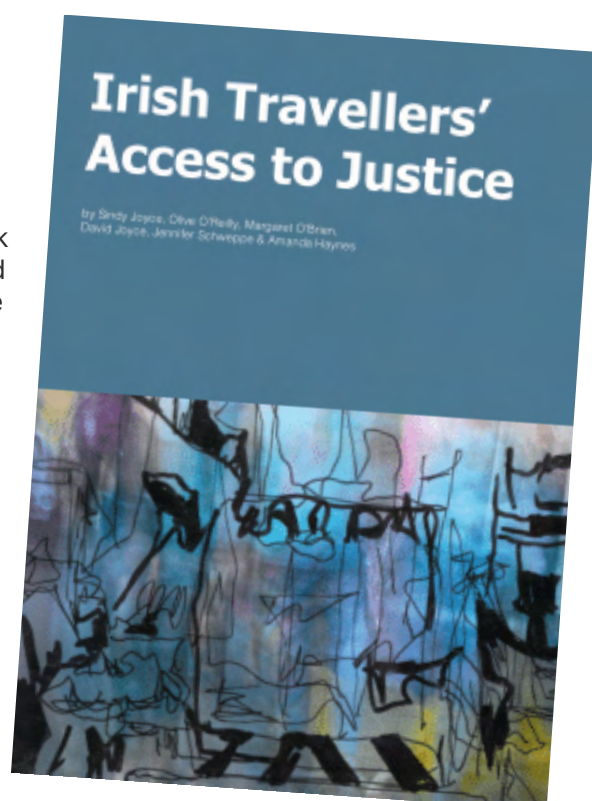




*Professor Amanda Haynes, Dr Sindy Joyce, Margaret O'Brien, Olive O'Reilly and Professor Jennifer Schweppe*

## European Centre for the Study of Hate Co-Directors present on Irish Travellers' Access to Justice

Members of the Advisory Committee on the Framework Convention for the Protection of National Minorities visited Ireland in September, to assess the progress made by the State in the implementation of the Framework and the protection of national minorities. At the invitation of hosts, the Irish Human Rights and Equality Commission, the Irish Travellers Access to Justice team presented the findings and recommendations of their 2022 Report on Travellers' experiences with the Irish criminal justice system. This meeting will inform the Advisory Committee's forthcoming (2024) report and fifth opinion on the implementation of the Framework Convention in Ireland. The Irish Travellers Access to Justice project is a flagship project of the European Centre for the Study of Hate. PIs Amanda Haynes and Jennifer Schweppe represented the team in Dublin. The remaining members of the team are Dr. Sindy Joyce (first author), Margaret O'Brien, Olive O'Reilly and David Joyce.





*Gareth Farrelly with law students*

## Modern Governance in Football Seminar

On 30 March, Dr Laura Donnellan, the Director of The Sports Law, Governance and Practice Research Cluster, was delighted to host a seminar by Gareth Farrelly, a former Aston Villa, Bolton Wanderers and Everton player with several caps for Ireland. Gareth is a Senior Associate Glaisyers ETL and specialises in litigation and sports law. He is a member of the Premier League Judicial Panel and the Football Association's Judicial Panel. Gareth's talk examined Modern Governance in Modern Football.

# Research and related activity in the School of Law

## Policing Authority Publishes Major National School of Law Report

On 24 November 2022, the Policing Authority published a major national report on the implementation of co-response models to crisis mental health events. The report was authored by Superintendent Andrew Lacey, Dr Alan Cusack and Ms Bláithín O'Shea who are all based in the School of Law at University of Limerick. The publication of the report represented the final aspect of Superintendent Lacey's IRC New Foundations project which involved hosting a roundtable symposium, and a knowledge exchange seminar, at the University of Limerick which brought international experts together to discuss joint policing and health agency responses (co-response models) to crisis mental health situations. The report was discussed at a public meeting of the Policing Authority and the Garda Commissioner on the same day.







## Landmark International Safeguarding Conference

Dr Alan Cusack was invited to deliver an address at a landmark International conference, entitled "Criminal Justice, Safeguarding and Adults with Disabilities" which took place online on 22 September 2023. The conference is part of a series of free seminars focused on the theme of safeguarding and adult protection which was organised by Safeguarding Ireland, and the Health Service Executive. Safeguarding teams in Scotland, Ireland, England, Wales and Northern Ireland all attended the conference proceedings. Dr. Cusack delivered a paper entitled 'Towards a Community Co-Response Model: An Overview of the Position of Adults with Intellectual Disabilities in Custody in Ireland'.

Other keynote speakers at the event included Vivian Geiran (Adjunct Assistant Professor at School of Social Work & Social Policy, Trinity College Dublin & Chairman, Irish Association of Social Workers) and Jan Pickles OBE (Director of a confidential advisory service for child and adult protection and safeguarding).

## Management Committee Meeting in Brussels for COST Action on Effective Interviewing

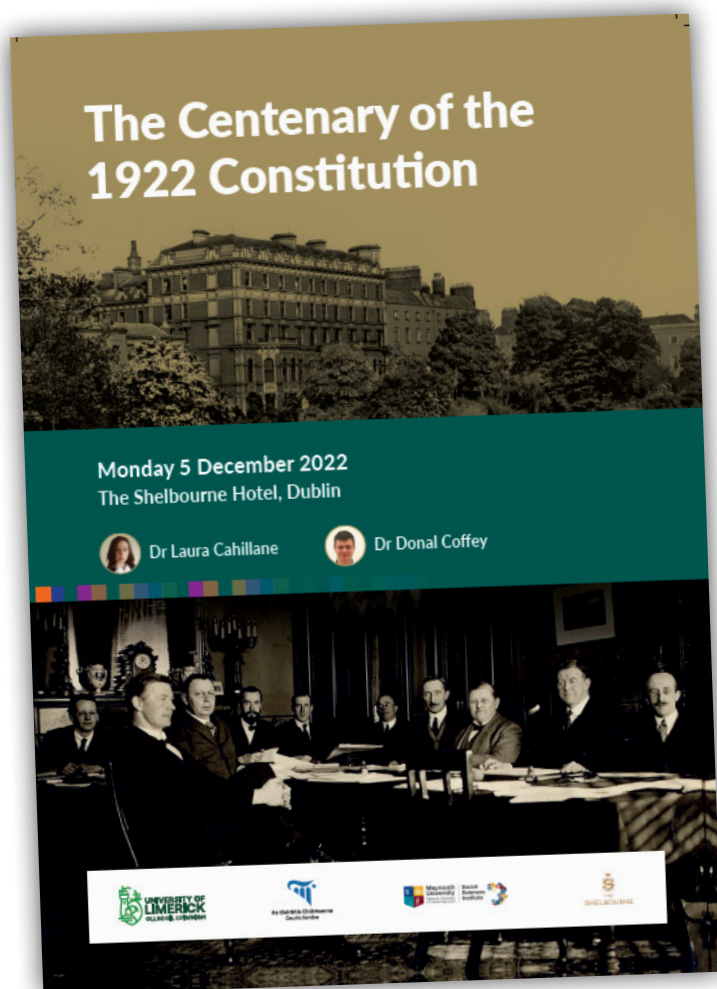
In October 5, 2023, Dr Alan Cusack from the School of Law at University of Limerick, participated in the first meeting of the Management Committee of a major international European Cooperation in Science

and Technology (COST) Action project which is aimed at elevating investigative interview techniques. *COST Action CA22128 - Establishing Networks to Implement the Principles on Effective Interviewing for Investigations (IMPLEMENDEZ)* commenced on 5 October 2023 in Brussels. The project has been designed to encourage the creation of networks of researchers, practitioners and policy makers in order to facilitate a wider implementation of the 'Mendez Principles', ending cruel and inhumane practices that have adversely affected so many lives through unethical interrogations. The Chair of the COST Action is Professor David Walsh (DeMontford University) and the Vice-Chair is Professor Yvonne Daly (DCU). Dr. Cusack and Professor Daly are the Irish representatives for this project.



*Dr Alan Cusack with Professor Yvonne Daly (DCU) at the COST Action meeting*

## The Centenary of the 1922 Irish Free State Constitution



To mark the Centenary of Independent Ireland's first Constitution – the 1922 Irish Free State Constitution – and the birth of the Irish State, Dr Laura Cahillane, from the School of Law hosted a conference in the Shelbourne Hotel, where the document was originally drafted. Together with Dr Donal Coffey of Maynooth University, and sponsored by the School of Law and AHSS, MUSSI, the Courts Service and the Shelbourne, the event brought together over 100 judges, academics, practitioners and politicians to celebrate the occasion. Speakers included, lawyers, historians and political scientists and comprised, the Chief Justice and other superior court judges, including a member of the UK Supreme Court, the Attorney General, and academic experts at both early career and established levels. Entertainment included two musicians – George and Ella – from the Irish World Academy of Music and Dance at UL, and a specially commissioned piece of music 'Clocha Chora' written to mark the centenary and accompanied by a video with footage of the time which is available to watch on the School of Law youtube page. The event began with a broadcast in the original Constitution Room in the Shelbourne for Morning Ireland, where Dr Cahillane explained the significance of the occasion. The event also received a write-up in the Irish Times.

## Council of Europe Committee of Experts on Hate Crime

Professor Jennifer Scheppe participated in the 3rd meeting of Council of Europe Committee of Experts on Hate Crime in Strasbourg 30-31 March, where she is tasked by the Committee with preparing the draft Recommendation and Explanatory Memorandum for review and deliberation.

The PC/ADI-CH is a subordinate committee to the European Committee on Crime Problems (CDPC) and to the Steering Committee on Anti-Discrimination, Diversity and Inclusion (CDADI). It is composed of national experts nominated by their respective governments, as well as four independent experts and representatives from international organisations and civil society, of which Prof Scheppe is one.

The draft Recommendation was finalised in October, prior to submission to the CDPC and CDADI at their respective plenary meetings in November and December 2023.

# REPPP Activities

The Research Evidence into Policy, Programmes and Practice (REPPP) project is a research collaboration between the School of Law in the University of Limerick and the Department of Justice. REPPP's goals include improving the evidence base in relation to youth crime policymaking in Ireland and supporting evidence-informed youth justice reform.

## 'Massive vote of confidence' in UL's Greentown project with €1.3m performance funding

In September 2023, the University of Limerick's Greentown project was awarded funding of €1.3m in recognition of its outstanding contribution to national strategic priorities and policies. Greentown, which seeks to reduce the influence of crime networks on vulnerable children and families, was one of just five projects to have been awarded total funding of €5.5m, announced by Minister for Further and Higher Education, Research, Innovation and Science Simon Harris TD. The Performance Funding is awarded to institutions in recognition of the initiatives, and Greentown was selected for the work which developed a collaborative evidence-informed programme to reduce the influence of crime networks on vulnerable children and families. Minister Harris said: "It is clear that our higher education institutions are having an impact across society. The Greentown project in University of Limerick has been transformational in helping children and their families in their communities. "I would like to congratulate each of the successful institutions and look forward to seeing the impact of the work you are doing on education and society." The performance funding awards were based on an evaluation of Impact Assessment Case Studies submitted by higher education institutions to the Higher Education Authority (HEA) in May 2023.



*Dr Catherine Naughton, Dr Jane Mulcahy, Dr Eoin O'Meara Daly and Dr Sean Redmond*

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## Youth Diversion Project Research and Development Team

In July 2023, the Youth Diversion Project Research and Development Team was launched by Minister of State at the Department of Justice, James Browne. REPPP members now collaborate with the Youth Diversion Project Research and Development Team to support the national Youth Diversion Projects through ongoing research and development activities.



Jacqueline Dwane (far left), Caitlin Lewis (3rd from right), Dr Eoin O'Meara Daly (2nd from right)

## Seminar on Arts Based Methodology

On August 30, 2023, SLSS Hub partners from Queens University Belfast (QUB) and the Center for Executive Services (CES) joined the REPPP team for a Seminar on Arts Based Methodology. Eibhlin Walsh (UL-Psychology) presented on using photovoice to capture young people's voices around youth and school mental health and suicide prevention, Dr Brendan Sturgeon (QUB- SLSSHub) presented his use of SprayCan as a method to capture communities perspectives on community safety, and Prof



Dr Catherine Naughton, Dr Eoin O'Meara Daly, Professor Sean Redmond, Dr John Reddy

Anne McFarlane UL- School of Medicine and Prof Helen Phelan UL- Academy of music gave an interactive input on the use of music as a tool to meaningfully engage marginalised groups in research. This pioneering seminar aimed to build the team's capacity in meaningful participatory research with young people in contact with the justice system, their families and communities.

## Data Study in collaboration with the Department of Justice

In 2023, REPPP in partnership with the Department of Justice Criminal Justice Operational HuB began providing an analysis of the youth justice system. A Whole System Report (WSR) will provide policymakers, service providers and the public with multiple and cross-agency analyses of youth diversion and justice in Ireland. WSR statistics detail the flow of children (aged 12-17 years) through the youth justice system from 2016 to 2023. Information about the number of children arrested/cautioned will be provided along with proven offences, sentences, numbers on remand, those in custody, and those children entering the national Youth Diversion Programme. The WSR will replace multiple, single agency reports on different aspects of the system with one report on the entire youth justice system.

## Expansion of the Greentown Programme

In 2022 and 2023, the Greentown Programme was trialled in two anonymised areas – Whitetown and Yellowtown. The two areas were identified as having significant youth crime problems including child involvement in crime networks. Individual studies are being conducted in each area to (1) inform the implementation of the Greentown Programme and to (2) assess if and how the Greentown Programme model reduces the influence of criminal networks on children and helps children embedded in a network to safely exit. The Whitetown and Yellowtown studies utilise the practice wisdom of Gardaí, service providers and frontline practitioners to produce an understanding of children involved in crime networks.



A confidential report was submitted to the Department of Justice to document the first phase of the implementation of the Greentown Programme in the two trial sites. The report also evidences initial success stories

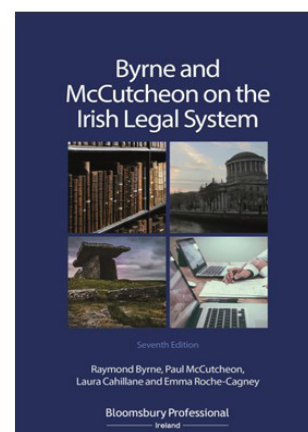
for young people who were caught up in criminal networks. The REPPP team are currently working with the multi-agency oversight team to prepare for further development of the programme in the second phase.



## The Local Leadership Programme (LLP)

REPPP's LLP is a strategic research partnership between the Department of Justice and the School of Law. The programme offers up to 24 places to professionals and community representatives with the capacity to bring energy, leadership, and influence to needed developments. The LLP aims to enhance the skills of local community members, agency practitioners, service providers, and policymakers to adopt evidence-informed prevention, early intervention, and problem-solving approaches to their communities and work. The purpose of the LLP is to provide a safe, deliberative space in which to consider complex problems.

# Awards and Appointments



## Irish Legal System book wins Award

Byrne and McCutcheon on the Irish Legal System

### Practical Law Book of the Year

The School of Law was delighted to congratulate Professor Paul McCutcheon and Dr Laura Cahillane of the School of Law, along with Ray Byrne and Emma Roche-Cagney – authors of the book 'Byrne and McCutcheon on the Irish Legal System', which won Practical Law Book of the Year at the Dublin Solicitors Bar Association awards in February. The book, which has been a staple of Irish law students for many years, is now in its 7th edition and the judges of the award commented on its utility and versatility given that it is an essential book not just for students but for practitioners and judges too. This book is considered the foundational work on the Irish legal system. It is frequently cited as a leading authority in Courts and by practitioners and academics. It is also the principal authoritative source referred to by international scholars when writing about the Irish legal system. It provides a detailed analysis of the Irish legal system and its history, the legal profession and law officers of the state, the administration of justice, the legislative process, and a deep analysis of sources of law and the Irish Constitution.



## Young Academy of Ireland

Dr Lydia Bracken was appointed as one of the inaugural members of the Young Academy of Ireland (YAI). The YAI is an initiative of the Royal Irish Academy that promotes engagement between early career researchers and innovators (ECRIs) to tackle important issues and challenges in society and promote meaningful change. The YAI will also support ECRIs in leadership roles, contribute to equality, diversity and inclusion, and develop networks and skills.

## Health Service Executive Research Grant

Dr John Lombard has been awarded €89,810 from the HSE to conduct research on *Do Not Attempt Cardiopulmonary Resuscitation (DNACPR) orders*, and to lead the development of a stand-alone DNACPR policy for Ireland. A DNACPR policy will provide practical guidance to healthcare workers on the best course of action for an individual in the event of a cardiac arrest. This research will shape DNACPR practice for all HSE and HSE funded staff in the State.



Dr Susan Leahy receives IRC New Foundations Funding

## National Recognition for UL Medico-Legal Research Consortium

A paper authored by a team of international experts from the University of Limerick, University College Cork and Trinity College Dublin was shortlisted for an award at the Royal Academy of Medicine in Ireland Awards 2023. The paper was derived from an evaluation study that was led by Professor Gautam Gulati, Dr. Alan Cusack, Professor Colum Dunne and Professor Shane Kilcommins at the University of Limerick on the training of medical doctors who attend police stations in Ireland.



ROYAL ACADEMY OF  
MEDICINE IN IRELAND

# New Staff



**Professor Lucy-Ann Buckley** joined the school as Professor of Commercial Law and Head of the School of Law in September 2023. She originally studied law at University College Cork, where she was awarded a BCL and LLM by research. After qualifying as a solicitor, she

completed a BCL (masters) at the University of Oxford and a PhD at Trinity College Dublin. She commenced her academic career at the University of Warwick, and subsequently lectured at the University of Limerick and the University of Galway, before returning to the University of Limerick. Professor Buckley specialises in labour law and employment equality law, particularly in relation to gender, disability and intersectional issues. From 2018-2020, she acted as an expert advisor to the States of Guernsey (Channel Islands) in relation to the development of new multi-ground equality legislation, which was enacted in 2022. She previously contributed to the Joint Statement Towards

Inclusive Social Protection Systems Supporting the Full and Effective Participation of Persons With Disabilities (2019), developed by the International Labour Organisation in consultation with stakeholder organisations. Professor Buckley has published widely regarding labour and equality issues, with recent publications addressing reasonable accommodation for persons with disabilities, the sexual harassment of women with disabilities, gender equality in Irish employment law, and the regulation of the gig economy. She has also published on diversity and inclusion in higher education. Her book, *Combating Disability Harassment at Work: Human Rights in Practice*, was published in 2022.



**Catherine Mc Loone Daly, LLB, LLM** (University of Limerick), BL, was appointed as TA at the School of Law at UL. Catherine teaches Principles of Law, Family Law and Child Law. Catherine is a practising barrister with over seventeen years' post qualification experience. She has a broad general practice on the South Western Circuit and Dublin with a focus on family

and child care law, adoption law, employment law and personal injuries litigation. She has delivered lectures at the Law Society of Ireland and is a tutor on the Barrister at Law Degree Course at the Honorable Society of King's Inns. Catherine is also on an expert panel representing the Adoption Authority of Ireland in the High Court.



**Bláithín O'Shea**, is a Teaching Assistant in the School of Law. She is a first-class honours graduate of UL (LLB Law Plus, 2017) and UCD (LLM General, 2019). After being awarded the competitive Honourable Mr. Justice John Murray PhD Fellowship, Bláithín began her doctoral studies in September 2019 under the joint supervision of Dr Susan Leahy and Dr Alan Cusack. Bláithín's research aims to understand the reasons behind the over-representation of persons with intellectual disabilities in Irish prisons and to suggest recommendations for reform to address this issue. Her research interests lie in criminology, penology and human rights law. At present, Bláithín manages the social media accounts for UL School of Law and the Centre for Crime, Justice and Victim Studies. She is also the Copy-editor for the *Irish Judicial Studies Journal* – an open access, Scopus indexed, blind peer-reviewed journal that creates dialogue between academic, practice and the judiciary in Ireland.



# Visitors and Guest Lectures

## School of Law hosts Google Legal Team

The School of Law hosted the top legal team from Google in Ireland. Dr. Stephen King (UL Law graduate) and Mr Lorcan O'Flaherty (UL Law graduate) gave fascinating presentations in the A&L Goodbody court on 'Ireland as a Regulatory Hub' and 'Issues around Online Content' respectively. The afternoon culminated in a 'fireside chat' between Ms Sinead Eaton and Ms. Ruth Murphy, General Counsel at Google Ireland. Ruth generously shared her insights and experiences as a General Counsel for a multinational technology company to the student audience.



*Ms Sinead Eaton, Professor Ray Friel, Mr Lorcan O'Flaherty, Ms Ruth Murphy and Dr Stephen King*

## The Hon. Ms Justice Mary-Ellen Ring visits the School of Law



*Ms Justice Mary Ellen Ring*

On Friday, 8 September 2023, the School of Law and the School of Allied Health at the University of Limerick hosted a special interactive seminar by Miss Justice Mary-Ellen Ring (High Court). The event marked the launch of the second delivery of the University of Limerick's pioneering, inter-faculty Professional Diploma in Intermediary Studies. Miss Justice Ring delivered a fascinating paper to students where she provided a first-hand insight into trial proceedings in Ireland and the role of registered intermediaries in court. The event was co-ordinated by Dr. Alan Cusack and Dr. Áine Kearns (School of Allied Health).

## Nevada Judge and Attorney visit UL School of Law

Dr Laura Donnellan and Professor Eoin Quill were delighted to welcome Judge Dena Smith and Andrew Smith to the School of Law. Judge Smith is the Chief Administrative Law Judge in the Nevada Department of Taxation, while Andrew Smith works as a Contracts Counsel at the University of Nevada, Las Vegas. Andrew has almost twenty years of experience as an attorney, specialising in contracts and litigation. Andrew is a member of the School of Law alumnus having graduated with a LLM from the University of Limerick in 2020.



*Mr Andrew Smith and Judge Dena Smith*

# Staff Publications

## Books

- Cahillane, L. *The Centenary of the Irish Free State Constitution; Constituting a Polity?* (with Coffey), (Palgrave Macmillan, forthcoming 2023)
- Donnellan, L. *Sport and the Law*. Clarus Press, 2024.
- Fitzgerald O'Reilly, M. *Human Rights Law in Modern Policing*. Clarus Press (forthcoming 2024)
- Fitzgerald O'Reilly, M. *Towards an International Criminal Records Database: Information Sharing between Countries and the Implications for Risk, Security and Human Rights*. Palgrave MacMillan (forthcoming 2024)

## Book chapters

- Bracken L., "Second-parent adoption in 'new family forms': emerging case law from the European Court of Human Rights" in Lowe, N. and Fenton-Glynn, C. (eds), *Research Handbook on Adoption* (Edward Elgar, 2023)
- Bracken, I., "Children's Rights within Family Law" in McGowan, D. and Harding, M. (eds.), *Irish Family Law in Context* (Clarus Press, 2023)
- Cahillane, L. 'Reflections on the Legacy of the 1922 Constitution' in Laura Cahillane and Donal Coffey, *The Centenary of the Irish Free State Constitution; Constituting a Polity?* (Palgrave Macmillan, forthcoming 2023)
- Cahillane, L. and Hickey, T. 'Impeachment under the Irish Constitution' in Chris Monaghan and Matt Flinders, *Impeachment in a Global Context: History, Politics and Comparative Practice* (Routledge 2023)
- Coffey, G. and Kilcommins, S., 'Crime in Ireland' In Caeiro, P., Mitsilegas, V., and Gless, S. (eds), *Elgar Encyclopedia of Crime and Criminal Justice* (Elgar, 2023).

## Journal Articles

- Cusack, A. and Gulati, G (In Press) 'People with Intellectual Disabilities as Accused Persons in the Irish Policing Interface' In: Y. Daly (ed.) *Police Custody in Ireland* (London: Routledge).
- Cusack, A. Alex Ruck Keene, Allegra Enefer, 'Sexual Capacity: Are There Questions that the Law Should Not Ask?' In: B. Clough and L. Pritchard-Jones (eds) *Mental Capacity, Sexual Relationships and Intimacy* (Bristol: Bristol University Press)
- Donnellan, L. 'Recent Developments in Animal Welfare Law in Ireland' in Dalpane & Baideldinova (eds) *Animal Law Worldwide* (TMC Asser, 2024)
- O'Sullivan, K, 'Family Property Law' in Kha, H. and Heneghan, M. (eds) *Teaching Family Law: Reflections on Pedagogy and Practice* (Routledge, 2023) 27-41
- O'Sullivan, K, 'Financial Consequences of Ending Marriage: Court Ordered Proper Provision' in Harding, M. and McGowan, D. (eds) *Irish Family Law in Context* (Clarus Press, 2023) 79-100
- Leahy, S. 'Protection from Family Abuse' in Harding and McGowan (eds), *Irish Family Law in Context* (Clarus Press) (forthcoming 2023).
- Lombard, J. 'Older People and Advance Care Planning' in *Research Handbook on Law, Society and Ageing* (Edward Elgar 2023) [forthcoming]
- Quill, E. "Ireland," in Karner & Steininger Eds., *Tort and Insurance Law Yearbook: European Tort Law 2022*. Berlin: De Gruyter 2023
- Bracken, L., " 'Heteronormativity at Every Turn': The Legal Recognition of Same-Sex Parents in Ireland" (2023) *LGBTQ+ Family: An Interdisciplinary Journal* (Online first <https://doi.org/10.1080/27703371.2023.2243839>)
- Bracken L., "A Case Study on the Impact of a Capstone Street Law Teaching Project" (2022) 56(2) *The Law Teacher* 206-221
- Buckley, L.-A., & Quinlivan, S. (2023). "Inclusive learning in Ireland: A case study" *International Journal of Discrimination and the Law*, 23(1-2), 103-125 [Special Issue on Inclusive Post-Secondary Education and Persons with Disabilities]
- Cahillane, L. "Defining the Administration of Justice in Ireland after the Zalewski Decision," (2023) *Irish Jurist*
- Cahillane, L. "The Seamus Woulfe controversy and the deficiencies in Ireland's judicial appointments process" (with Kenny) (2023) *Northern Ireland Legal Quarterly*
- Cahillane, L. "The use of Citizen Assemblies to achieve Constitutional and Legal change in Ireland," (2022) 3 *Public Law* 492.
- Cahillane, L. "The TD case and approaches to the Separation of Powers in Ireland," (2022) *IJSJ*
- Cahillane, L. "Damache v Minister for Justice and the Inexorable March of Fair Procedures, (2022) *ISCR*.
- Cahillane, L. "Lessons from Ireland's Judicial Conduct Controversy," (with Kenny), (2022) *Common Law World Review*.
- Coffey, G., 'Proactive intelligence-led policing shading the boundaries of entrapment: an assessment of how common law jurisdictions have responded' (2023) 9 *Athens Journal of Law*, 59-88.
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  - Coffey, G., 'Proactive intelligence-led policing examined through the lens of covert surveillance operations in Ireland', *Athens Institute for Education and Research (ATINER) 20th Annual Conference on Law*, 10-11 July 2023.
  - Coffey, G., 'An assessment of the structures for administering life and long-term sentences in a European context', *International Society for the Reform of Criminal Law Conference: Thinking Beyond the Bars: New Approaches in Sentencing, Corrections, and Restorative Justice*, 19-21 October 2022.
  - Coffey, G. 'Assessing the contours of the entrapment defence in the criminal law', *Athens Institute for Education and Research (ATINER) 19th Annual Conference on Law*, 11-14 July 2022.
  - Cusack, A. 'Towards a Community Co-Response Model: An Overview of the Position of Adults with Intellectual Disabilities in Custody in Ireland', *Five Nations Conference 2023, HSE Safeguarding Online Seminar*, 22 September 2023
  - Cusack, A. 'Protecting Vulnerable Suspects: A Survey of Existing and Emerging Pre-Trial Safeguards in Ireland' *Vulnerable Accused in the*

## Conferences and Presentations

Criminal Process Conference 2023, University of Birmingham, 14 September 2023

- Cusack, A. 'Towards the Light Side of the Force: A Personal Reflection on Caroline Fennell's Contribution to the Laws of Evidence and Clinical Legal Education in Ireland' Justice, Equality & Rights: Transforming the University for the Public Good, Royal Irish Academy, Dublin, 1 September 2023
- Cusack, A. 'Whither Adversarialism? Tracing Shifts in the Procedural Standing of Vulnerable Victims of Crime in Ireland', Adversarialism, Voice and Participation in the Criminal Process, University of Limerick, 23 June 2023
- Cusack, A. 'Policing Vulnerability: Understanding the Pre-Trial Position of Suspects with Intellectual Disabilities in Ireland', Police Custody in Ireland Conference 2023, Law Society of Ireland, Dublin, 30 September 2022
- Fitzgerald O'Reilly, M, and Leahy, S. "CW (Plaintiff/ Respondent) and the Minister for Justice, Ireland, the Attorney General and the Director of Public Prosecutions (Respondents/Appellants) 28 August 2023" Supreme Court Review, Trinity College Dublin. October 2023.
- J. Lombard, O. Doody, M. Rabbitte, T. Delamere, B. O'Shea, "Shaping Palliative Care Policy Using a Human Rights-based Approach" 18th World Congress of the European Association for Palliative Care, Rotterdam 2023.
- Mulcahy, J, "When conventional responses are not enough: Addressing the problem of child participation in drug networks" Crime, Justice and the Human Condition, Keble College Oxford, 14 September 2022
- Mulcahy, J, "Understanding interpersonal neurobiology, polyvagal theory and repetition compulsion for better outcomes" Crime, Justice and the Human Condition, Keble College Oxford 13 September 2022
- Mulcahy, J, "Responding to Nervous System Dysregulation with Compassion to Reduce Re-Offending", Trauma-Informed Practice Ireland Conference, The Royal Marine Hotel, Dún Laoghaire, 17 November 2022
- Mulcahy, J, "When conventional responses are

not enough: Addressing the problem of child participation in drug networks (presentation and panel discussion, UL Research Week, 26 April 2023

- Mulcahy, J, "Making space for the stories of victim/perpetrators to be heard and understood in court" Adversarialism, Participation and Voice in the Criminal Process International and Comparative Perspectives, UL 23 June 2023.
- Mulcahy, J "How can the Citizens' Assembly on Drugs make a difference" Citizens Assembly, 26 June 2023.
- Mulcahy, J. "Importance of nervous system awareness when working with people on Probation" PBNI Staff Conference 28 March 2023.
- Mulcahy, J. "Manifestations of trauma in police custody" Police Custody in Ireland conference, September 2023.

## Opinion Pieces

- Bracken, L. "Restrictions on publicly funded fertility treatment in Ireland" Bionews (21 August 2023)
- Cahillane, L. "Mother in the home amendment could create a powerful tool to hold government to account", Irish Times, 11th March 2023.
- Cahillane, L. "Appointment of AGs directly to bench must stop", Irish Times, 5th October 2022.
- Donnellan, L. 'All you need to know about soccer's Financial Fair Play regulations', RTÉ Brainstorm, 14 February 2023,

## Reports

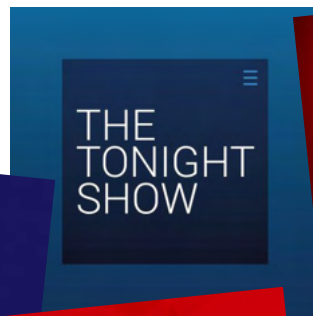
- Cahillane, L. Report on wording options for Constitutional Referendums November 2022 (with Hickey)
- Cahillane, L. Judicial Autonomy under Authoritarian Attack – report on Ireland (March 2023).
- Cusack, A, Andrew Lacey, Bláithín O'Shea (2022) Report on a Roundtable Symposium with International Collaborators to Explore the Feasibility of Implementing a Community Safety Co-response Model in Ireland (Dublin: Policing Authority).
- Quill, E. Report on Ireland for the Digest of European Tort Law IV: Limitations of Liability (forthcoming 2023)
- Cahillane, L. "The complexities involved in the proposed amendments as part of the so-called 'equality referendum,'" FLAC workshop, 26th May 2023.
- Cahillane, L. "Feminist work and rapid responses; the case of the woman in the home," QUB Feminist Futures workshop, 19th May 2023.
- Cahillane, L. "Thoughts on the Concept of Constitutional Identity and the Costello Case" TRICON webinar 10th May 2023.
- Cahillane, L. "The Judges of the Court of Appeal" UCD Workshop on Court of Appeal, 3rd & 4th May 2023.
- Cahillane, L. "Judicial Discipline, a response to Gabrielle Appleby" University of Cambridge workshop on Judging and the Judiciary, 18th April 2023.

## Seminars/Workshops

- Bracken, L., "The regulation of International Surrogacy in Ireland", University of Zurich, 7 March 2023
- Bracken, L., "Assisted human reproduction and the law in Ireland", Advanced Diploma in Medical Law, Honorable Society of Kings Inns, 18 February 2023
- Bracken, L., "Surrogacy: Legal and Ethical Perspectives", National Women's Council of Ireland, 31 January 2023
- Bracken, L., "The best interests of the child in assisted human reproduction", University of Zurich, 28 February 2023.
- Bracken, L., "Integrating gender and diversity perspectives into legal research and teaching", University of Zurich, 28 February 2023
- O'Sullivan, K, 'Reflections on the Irish Experience of Statutory Cohabitation Law Reform: Approaching an inflection point?'; Fifth Roundtable on Nonmarriage and the Law, Rutgers Law School, Newark, USA (September 2023)
- O'Sullivan, K, 'Ireland', EU Justice/European Law Institute Extra-Judicial Administration of Justice in Cross-Border Family and Succession Matters Workshop, University of Pisa, Italy (July 2023)
- O'Sullivan, K, 'Ireland', Cohabitation Reform in England and Wales Conference, Inner Temple, London (January 2023)
- O'Sullivan, K, 'Reflections on Cohabitation Law Reform: An Irish Perspective', Royal Society of Edinburgh Research Network Workshop on Cohabitation, Edinburgh Napier University, Scotland (April 2023)

# Staff in the Media

Our staff have been very busy this year contributing to important debates in the media. There are too many to list individually but our staff and their research has featured on TV programmes such as the Six One News, the Claire Byrne show and Virgin Media's The Tonight Show, on radio stations such as, RTE Radio One, RTE Drivetime Newstalk's Pat Kenny Show, Newstalk, and Limerick 95 FM, and have also written and contributed to numerous newspapers including the Irish Times, Irish Examiner, Journal.ie, The Sunday Business Post and more.



# Student Successes and Events

## Supreme Court Victory in Seanad Votes Case

The School of Law was proud to congratulate UL graduate Tomás Heneghan, who won his case in the Supreme Court arguing that the current situation which denies rights of voting in Seanad elections to UL graduates was unconstitutional.

The Constitution had only given a right to NUI and TCD graduates to vote in Seanad elections, as these were the only such institutions in existence at the time of its enactment. An amendment passed in 1979 would have allowed for this to be extended but it was never acted upon. The Supreme Court agreed that this state of affairs was unconstitutional. Tomás Heneghan, felt very strongly about the inequality of this situation and so he took a case, initially as a lay litigant but then with the Free Legal Advice Centres coming on board as legal representation. UL School of Law's Dr Laura Cahillane, who acted as an expert witness in the case, commented "The case can be regarded as a victory for democracy and a lesson about the importance of the voice of the people."



*Tomás Heneghan*

## Annual A&L Goodbody Mooting Competition

The School of Law was delighted to once again hold the A & L Goodbody Moot Court Competition on Thursday 23rd March 2023. UL is committed to collaborating with employer partners to provide transformative experiential learning experiences for students and would like to express our gratitude to A & L Goodbody and Dr. Stephen King in particular, for their support of this initiative. Dr. King, a graduate of the Law School and a senior associate in ALG's Disputes & Investigations Group (currently seconded to Google as Head of Litigation and Regulatory), kindly agreed to judge the moot again this year and provided a challenging but fun experience for students! The worthy winners on the evening were Bevin Murphy and Tony Lee Donohue. The runners up were Katelyn O' Dea and Orla Danaher with Katelyn winning best speaker.



*Professor Eimear Spain (UL) and Dr Stephen King (A&L Goodbody)- centre – with the finalists*



## UL Student Law Society Events

The student law society were busy this year with many events including a trip to the EU Parliament in May. In the same month they celebrated the publication of the latest edition of the Plassey Law Review. The publication was launched with the support of special guests, Ms Justice Isobel Kennedy and Mr Justice John Edwards.



Ms Justice Isobel Kennedy (3rd right) and Mr Justice John Edwards (4th right) at the Plassey Law Review launch



### Winter Conferring Ceremonies 2023

CONGRATULATIONS TO ALL OF OUR GRADUATES INCLUDING OLIVIA BARRETT (BA CRIMINAL JUSTICE), BENNY HEALY (MA IN HUMAN RIGHTS IN CRIMINAL JUSTICE), DAMIAN CLANCY (LLM GENERAL) AND TO OVER 500 GARDAI RECEIVING BA IN APPLIED POLICING.

## Kate Fleming Memorial Mediation Competition

UL Law School was delighted to once again host the Kate Fleming Memorial Mediation Competition on March 28th. This competition involves law and medical students working together in multi-disciplinary teams to settle a claim of medical negligence. Law students are assisted in preparing the case for mediation by the medical students, with the medical students also tasked with preparing an expert report on the case. UL is committed to nurturing disciplinary foundations and interdisciplinary exchange and this competition is an excellent opportunity for such exchange and collaboration. The winning team Kathleen Coll, Harry Gribben, Hailey Mcleod, Japnit Bhatia & Benjamin Blackman, pictured here with Kate's parents Peter and Kathleen Fleming.



## Student Prizes for Academic Excellence

The School of Law was delighted to celebrate the success of students who were awarded prizes for academic excellence throughout the year. These prizes are generously funded by prestigious law firms and other stakeholder partners of the School of Law, UL. They include;

The **Judge Catherine McGunness Prize**, won by Ms. Emma Wright, for outstanding marks in Advanced Lawyering modules.



The **Matheson LLP Contract Law prizes**, won by Emma Wright (winner) and Sophie Naughton (runner up).



The **Mason Hayes & Curran Company Law prize**, won by Katarzyna Waniek, who received top marks in Company Law and graduated with a First Class Honours in Law and Accounting.

Katarzyna Waniek also won the **Eversheds Sutherland Scholarship**. The generous prize is awarded to the LLM in International Commercial Law student who enrolls on the programme with the highest undergraduate law degree grades and is further enhanced by the opportunity to complete Eversheds' award-winning Summer Internship.



The **A&L Goodbody second year prize**, won by Law and Accounting student Jack O'Shea for receiving the highest QCA in second year.



Melvyn Hanley presenting Hazel with her award

The **Melvyn Hanley Solicitors Scholarship**, won by Hazel Flood. Hazel is the first recipient of this new scholarship, sponsored by Melvyn Hanley Solicitors, Limerick, available for applicants to the LLM in Human Rights in Criminal Justice.

## PhD Graduations

The School of Law was delighted to see a number of our PhD students graduate this year. Congratulations to Dr Andrew Lacey, Dr Lorraine Barron and Dr Eoin O'Meara Daly [pictured with their supervisors].



Dr Lorraine Barron and Dr Ger Coffey



Dr Andrew Lacey with Professor Shane Kilcommins



Dr Eoin O'Meara Daly with Professor Sean Redmond

# Curriculum Development and Engagement with External Stakeholders

## LLB in Common and Civil Law

The LLB in Common and Civil Law is a new programme designed to allow prospective students to obtain a bachelor's degree in both Common Law (The Irish/UK legal system) and Civil Law (the system used in most mainland European jurisdictions). The programme was created in partnership with the Université de Franche Comté, Besançon, France, offering students a first-class experience of living and studying in the picturesque city of Besançon while achieving a legal education that opens opportunities throughout Europe and the European Union.

The four-year programme, (2 years in UL; 2 years in Université de Franche Comté), places significant emphasis on the development of practical legal skills including oral and written communication skills, analytical and logical reasoning skills, negotiation, legal research, organisational and teamwork skills. Five law modules are taken per semester in each institution. Modules are designed to provide students with a mastery of the discipline of law through the study of the core legal subjects which are considered essential to achieving a recognised bachelor's degree in each country; e.g. Contract Law, Tort Law, Criminal Law, Constitutional Law, Equity and Trusts, EU Law, Land Law, Administrative Law, the Law of Evidence, etc.

Graduates of this course will be well-positioned as potential employees of international law firms. Ireland

currently holds a significant position in the global market, with over 10% of our workforce employed by multinational companies. Many international law firms associated with these companies find Ireland to be an extremely attractive location and seek out graduates of programmes such as this.



Provost Professor Shane Kilcommins, pictured with Professor Ray Friel and Eddie Keane, signing the agreement with the Université de Franche Comté

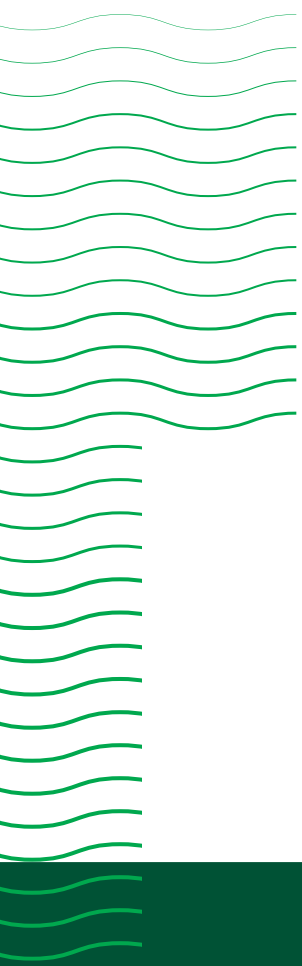


A new internship module has been introduced to the LLM in International Commercial Law. This module allows up to three students to complete an internship in a relevant professional environment, instead of completing a Dissertation. The Course Director, Ms. Sinead Eaton, believes this will greatly enhance the career prospects and learning experience for the students in question. While UL Law graduates have already had the benefit of a work placement, other students often have not, when they reach Postgraduate level. This exciting development will further enhance this LLM.






In May the Court Presentation Programme held their first Moot Court practical, three groups each week presented a number of different scenarios which were presided over by retired Chief Superintendent John Galvin and prosecuted by Superintendent Finbarr Philpott. A special thank you to Inspector Tony Wells for all the work and to Superintendent Andrew Lacey for providing witnesses each week. The Court Presentation Programme is run by Angela Liddy and has just completed its first year which comprised of 30 students who received a Professional Diploma in Court Presentation at the graduation ceremony in August.



Court Presenter Programme



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