

THE BACKBONE OF A FUNCTIONING FREE SOCIETY

From: Niamh Ní Mhurchú, Callan Tansey Solicitors LLP, Law Chambers, 3 Wine Street, Sligo, Co Sligo.

• I was privileged to attend the ceremony to mark the opening of the legal year at the ever impressive Round Hall of the Four Courts on 5 October. Chief Justice Donal O'Donnell invited the President of the International Criminal Court (ICC), Judge Tomoko Akane, to give the keynote speech. She highlighted the important contribution of Ireland to the establishment and work of the ICC, as well as the efforts taken by Irish legal practitioners in furtherance of the rule of law.

President Akane referred to the words of Seamus Heaney: "Hope is not optimism, which expects things to turn out well, but something rooted in the conviction that there is good worth working for."

We are living in most unusual and challenging times – the pressures currently being experienced by the ICC – including US sanctions – were unthinkable 20 years ago. We must never take our legal systems, the rule of law, and the absolute independence of our judiciary for granted. We are privileged to live in a society that protects and respects the rights of the individual. The current challenges experienced in the criminal and civil legal-aid systems, however, that restrict the individual's access to justice need to be immediately addressed in a respectful and collaborative fashion. This is the backbone of a functioning free society, and the situation cannot be left to deteriorate further.

(Above): Paul Ryan (president of the DSBA and Law Society Council member), Niamh Ní Mhurchú (Council member and joint managing partner of Callan Tansey), Judge Tomoko Akane (president of the ICC), Chief Justice Donal O'Donnell, and the Japanese Ambassador to Ireland Miyagawa Manabu



The site of the new Family Courts Complex at Hammond Lane, Dublin

SAME OLD STORY...

From: Keith Walsh SC, Keith Walsh Solicitors, 8 St Agnes Road, Crumlin Village, Dublin 12

• New law term, same old story, with little progress on the new Dublin Family Courts Complex.

Families, witnesses, stakeholders, lawyers, courts staff, and judges will be kept waiting another few years for proper courts in Dublin, as news was announced by the Courts Service at the opening of the legal year on 5 October that tenders for the building of the new complex at Hammond Lane are progressing.

No contract has been signed, however, which means that there is no deadline, and all plans can only be provisional. Parents, those getting divorced, domestic-violence victims, and others face the new legal year in the same old inadequate court buildings.

Separately, there was some good news on 6 October for access to justice in Budget 2027 – at long last! Well done to the Legal Aid Board, the Civil Legal Aid Review Groups, FLAC, Women's Aid, the Law Society of Ireland and its Family and Child Law Committee, the Bar Council, and many others who have lobbied for this increase in funding for this much-neglected sector.

The Department of Justice has been allocated €5.9 billion in the budget, including €14.5 million to start implementing key recommendations from a report last year on the civil legal-aid scheme. This will go towards reforming the financial-eligibility criteria for civil legal aid – including increases to the income thresholds and the allowances provided to assess an applicant's means.