

# Irish Law Publishing: An Overview

**Abstract:** This article, written by Renate Ní Uigín, provides an overview of the Irish law publishing market today. It discusses the nature of Irish law, potential purchasers and the principal publishers.

**Keywords:** legal publishers; Ireland

## Introduction

Given the current state of the Irish law publishing sector, a librarian or information professional asked to stock a law library in Ireland today has an interesting task ahead. Does he or she call initially upon two large publishing conglomerates, as those that dominate the UK market, and expect a large proportion of their needs be met? Alternatively, must they be more discerning and look to a range of publishers to fulfil their needs. The question is whether those needs can be met by Irish publishers alone?



Renate Ní Uigín

“as soon as may be after the enactment of any Act...the text thereof shall be printed and published in each of the official languages simultaneously”. This has led to delays in obtaining the English version of an Act, and can cause difficulties where an Act has been commenced but the official text is not yet available. Secondary legislation is available in the form of Statutory Instruments which are generally only available in English and, as with the Acts, have increased in number in recent years. Both the Acts and Statutory Instruments are published by Government Publications. They are also available on the electronic Irish Statute

Book at <http://www.irishstatutebook.ie/> but on the home page there is a proviso “The official version of the Acts of the Oireachtas and Statutory Instruments remains the printed version published by Government Publications”.

Ireland’s membership of the European Union means that cognizance must be taken of European Regulations and Directives together with case law from the European Court of Justice.

As a common law jurisdiction, judgments and decisions of the higher courts, the Supreme Court and the High Court, play an important role in the field of law publishing as they carry weight as precedent. With the increase in recent times of the number of High Court judges in particular, there has been a corresponding growth in the amount of judgments available to the legal practitioner. The key set of law reports are the Irish Reports published by the Incorporated Council of Law Reporting for Ireland. The Irish Law Reports Monthly, published on a commercial basis by Round Hall, are a second general set of reports. There are other specialised law reports such as the Employment Law Reports, published by Round Hall and the Irish Tax Cases published by Bloomsbury Professional. The Courts Service also make unreported judgments of the Supreme and High Court available on their website (<http://www.courts.ie/>) and some unreported judgments can also be found on the electronic services provided by Lexis Nexis and Justis Publishing.

## Irish Law

Ireland is a small nation, with a legal system derived from the English common law tradition, which gained its independence from the United Kingdom as the Irish Free State in 1922 and immediately distinguished itself by adopting a written constitution. This was replaced in 1937 by a new Constitution *Bunreacht na hEireann* which is the primary source of law although pre-1922 statute law and common law remain in force to the extent that they don’t conflict with the Constitution. The latest edition, to 15<sup>th</sup> October 2009, was published by Government Publications in 2011 and incorporates all Constitutional Amendments including the most recent, the Twenty-eight Amendment, which allowed the state to ratify the Treaty of Lisbon. It is a bilingual document printed in Irish and English. Article 8.1 of the Constitution provides that the Irish language is the first official language of the State and in Article 8.2 states that the English language is recognised as a second official language. This is an issue which does have implications for Irish law publishing.

After the Constitution, primary legislation is in the form of the Acts as passed by the Oireachtas. The Official Languages Act 2003 provides, in section 7, that

## Availability of Commentary and Analysis

There is a much broader range of providers in the field where value added content through analysis, interpretation and comment is required either by the practitioner or the student, whether in print or electronically. It is in this area where much of the competition between providers occurs and the range of choice for the information professional has become more extensive.

## So who buys what and why?

The Irish legal community is comprised of solicitors, barristers, academics and students. Publishers competing in the Irish legal market can also target other professionals where an awareness of particular legal requirements has become essential. Ireland has just come out of an economic boom period during which the number of practitioners and students has grown with a corresponding increase in the number of Irish law texts, and texts with a legal dimension being published. The Irish legal profession consists of approximately 12,000 solicitors and 2,200 barristers. To gain entry to the profession a person must attend and complete the appropriate course at either the Law Society of Ireland for a solicitor or Kings Inns for the bar. A prerequisite for attendance at either of these institutions is an entrance exam in a number of law subjects. The consequence of the greater competition for places on these courses has been a growth in the number of third level private institutions providing legal educational courses as well as the traditional undergraduate law schools in the longer established universities.

## Who are the providers?

Round Hall is the principal Irish law publisher. They are part of Thompson Reuters and were initially established in 1980 as the legal imprint of Irish Academic Press and were acquired by Sweet & Maxwell in 1995. They provide student, academic, regulatory and practitioner titles in a wide range of legal areas. They publish what would be considered some of the seminal works on Irish law, among them *Administrative Law in Ireland*<sup>1</sup> and *Civil Procedure in the Superior Courts*<sup>2</sup>. These titles, among others, are marketed as The Brehon Library and at €425 would be the most expensive hardback Irish titles published by Round Hall. They have titles in the areas of discovery, drunken driving, mortgages and the Land and Conveyancing Law Reform Act, 2009, all of which are topical and practice driven. The prices for these titles range from €275 downwards. Round Hall host continuing professional development conferences every year and the conference papers containing recent developments on

legislation and procedure have proved popular amongst practitioners as well. The target audience of students and academics are catered for too, detailed analysis of the law may be found in the University Textbook Series on topics such as equity, land law and contract law whilst the Essential Law Texts, Nutshells and Nutcases cover topics at an introductory level. Round Hall publish a wide range of looseleaf titles, primarily directed at legal practitioners, as well as consolidated legislation and the consolidated rules of the various courts.

With over 10 Irish law journals, Round Hall are one of the main providers of legal periodicals in Ireland. These include general titles such as the *Irish Law Times* and specialised titles such as the *Irish Criminal Law Journal* and the *Irish Planning and Environmental Law Journal*. They are one of the providers of electronic Irish legal material on their Westlaw IE platform. All the law reports, journals, consolidated legislation and rules published by them are available on this platform.

Bloomsbury Professional are a more recent name in the Irish law publishing market but the content of their publications have been available through other publishers in the past. In 2009 Bloomsbury acquired Tottel Publishing Limited. Tottel had been founded in 2004 when it purchased the range of titles originally published by Butterworths and Tolley, from Lexis Nexis. Among those titles were the Butterworths Ireland print list which had originated with Professional Books. Bloomsbury Professional have more recently, in 2010, acquired the front and back list of First Law – an Irish publishing company. They publish a substantial list of Irish titles, again practitioner and student focused. The 4<sup>th</sup> edition of the seminal *Irish land law*<sup>3</sup> was published in 2010 and they also publish two of the titles that would be starting point for anyone trying to get to grips with Irish law and its sources – *J. M. Kelly: the Irish Constitution*<sup>4</sup>, *Murdoch's Dictionary of Irish Law*<sup>5</sup> and *The Irish Legal System*<sup>6</sup>.

With new editions of titles such as *The Law on Solicitors in Ireland*<sup>7</sup>, *Specific Performance in Ireland*<sup>8</sup> and *Criminal Law*<sup>9</sup> due to publish in 2011, Bloomsbury are strong contenders in the market. Their titles are priced competitively with the vast majority ranging between €100 and €200. With the acquisition of First Law their pool of Irish authors and subject range strengthened and expanded. While Bloomsbury does not produce any Irish journals it does provide a number of Irish looseleaves including *Irish Conveyancing Precedents*<sup>10</sup>. They publish a number of annual Irish tax titles including the specialised run of law reports, the Irish Tax Reports. The most recent development is that they plan to launch an online legal and tax service in the summer of 2011.

There are a growing number of smaller but expanding Irish law publishers and general publishers with a law list.

Clarus Press were established in 2005 and are an independent publishing company. They have created an external publishing alliance programme with Griffith College Dublin Law School which has led to a number of

recent student texts in a series *Principles of Irish Law* being published in the areas of property, contract, torts and family. However they have not solely focused on the academic market and have produced titles in the European and human rights field and some very well received practitioner titles including *Employment Law in Ireland*<sup>11</sup> and *The European Arrest Warrant in Ireland*<sup>12</sup>. The prices of their titles range from €325 for one title to €100 and under for a number of titles. Clarus Press publish two quarterly journals, the *Quarterly Review of Tort Law* and *Quarterly Review of Business Law*, and an annual *Irish Human Rights Law Review*.

First Law is currently a provider of eight Irish legal journals available in print and electronically. When they were initially founded in 1999 they provided Irish legal information electronically and also published professional law text books. The electronic product was sold in 2009 to Justis Publishing Ltd and the print list was sold to Bloomsbury Professional in 2010. The journals are edited by practitioners and aimed at the specialised practitioner market and include *Irish Road Traffic Law*, *Appeal Commissioner Decisions* and *Arbitration and ADR Review*.

Blackhall Publishing was founded in 1997 and is a small independent non-fiction publishing house. It publishes a small number of legal titles including *Psychiatry and the Law*<sup>13</sup> and annual consolidated versions of the Rules of Court. They also publish the Statutes of the Isle of Man, the Manx Law Reports, the Laws of Botswana and the Botswana Law Reports. These are in various formats including electronically, CD-ROM or in print. From July 2011 Blackhall will divest itself of all its hard copy titles to its sister company Lonsdale Law Publishing. Blackhall will provide all the electronic content and Lonsdale Law Publishing all the hard copy content.

Four Courts Press are a small specialist publisher of peer reviewed titles. They publish the Irish Legal History Society Series, and a wealth of information on Irish legal history can be found in titles such as *The Court of Admiralty in Ireland, 1575–1893*<sup>14</sup> and *Murder trials in Ireland, 1836–1914*<sup>15</sup>. Titles such as *The Law of Habeas Corpus in Ireland*<sup>16</sup> and *The History and Development of the Special Criminal Court, 1922–2005*<sup>17</sup> have proved to be of practical use to members of the criminal bar.

There are a number of other Irish publishers who produce legal titles including Gill & MacMillan, the Irish Tax Institute, Oak Tree Press, and Cork University Press. SLS Legal Publications, based at Queen's University Belfast produce publications on various aspects of the law and legal system of Northern Ireland. There are some providers producing online only publications for the Irish market amongst them BetterRegulation.com and IRN Publishing Limited.

It is not Irish publishers alone that provide essential stock for Irish legal libraries. Some of the English and European publishers, without a separate Irish branch, include titles directed at the Irish market on their lists, including Jordans, Hart Publishing, Wolters Kluwer and Oxford University Press. For their Professional Practice

Course the Law School of the Law Society of Ireland has collaborated historically with a number of English publishers, currently Oxford University Press, to produce their own professional manuals. They have titles in many areas including conveyancing, landlord and tenant, employment law and family law which provide an overview of the subject, are extremely practical and contain useful precedents. While aimed at trainee solicitors they are regularly consulted by practitioners.

Lawyers do not only rely on Irish texts to interpret their laws but, particularly in areas where the law pre-dates 1922 or in areas where the law was influenced by or followed a similar development to the UK, they will look to English titles. The 36<sup>th</sup> edition of *Archbold*<sup>18</sup> and the 13<sup>th</sup> edition of *Bullen and Leake*<sup>19</sup>, can prove just as useful as the current editions. From a constitutional point of view texts from other jurisdictions with written Constitutions, such as the United States and Canada, bolster domestic publications. There is an increased reliance on texts dealing with the European dimension to particular areas of law.

### Irish language

Given the predominance of the English language on a day to day basis, it is perhaps not too surprising to find that when it comes to the Irish language there is not very much available in the way of commentary or case law. There has been one special edition of the Irish Reports containing a collection of judgments delivered in Irish, *Tuairiscí Speisialta 1980–1998*<sup>20</sup> Coiscéim, an Irish language publisher published a number of law titles over the last decade. Most recently in 2009, with the assistance of the Arthur Cox Foundation and Foras na Gaeilge, Elaine Fahey and Caroline Ní Chonchúir edited a compilation in Irish on the current state of the Irish language in legal affairs, *Suil ar an Dlí*<sup>21</sup> The Legal Practitioners (Irish Language) Act, 2008 was designed to promote the better provision of legal services through the Irish language. The Act requires that King's Inns and the Law Society hold courses on Irish legal terminology and the understanding of legal texts in the Irish language. This should lead to an increase in the availability of material in Irish in the future.

### Where to from here?

Currently an information professional wishing to select Irish legal materials has a broad choice from a wide range of publishers. Irish law publishing was definitely one of the beneficiaries of the economic boom. However, we have now entered a period where not only is the legal profession facing uncertainty, but every purchase, whether print or electronic, is made under serious financial constraints. It must be the case that every decision to publish is scrutinised in the same manner. The trend

towards e-books has not taken off in the Irish legal market yet but developments in this area may suit publishers and the legal community in the future.

### Publisher Websites:

Government Publications	<a href="http://www.opw.ie/en/OurBusinessUnits/NationalProcurementService/GovernmentPublications/">http://www.opw.ie/en/OurBusinessUnits/NationalProcurementService/GovernmentPublications/</a>
Irish Council of Law Reporting in Ireland	<a href="http://www.irishreports.ie/">http://www.irishreports.ie/</a>
Round Hall	<a href="http://www.roundhall.ie/">http://www.roundhall.ie/</a>
Bloomsbury Professional	<a href="http://www.bloomsburyprofessional.com/">http://www.bloomsburyprofessional.com/</a>
Clarus Press	<a href="http://www.claruspress.ie/">http://www.claruspress.ie/</a>
First Law	<a href="http://www.firstlaw.ie/">http://www.firstlaw.ie/</a>
Blackhall Publishing	<a href="http://www.blackhallpublishing.com/">http://www.blackhallpublishing.com/</a>
Four Courts Press	<a href="http://www.fourcourtspress.ie/">http://www.fourcourtspress.ie/</a>
Gill & MacMillan	<a href="http://www.gillmacmillan.ie/">http://www.gillmacmillan.ie/</a>

Irish Tax Institute	<a href="http://www.taxireland.ie/">http://www.taxireland.ie/</a>
Oak Tree Press	<a href="http://www.oaktreepress.eu/">http://www.oaktreepress.eu/</a>
Lonsdale Law Publishing	<a href="http://www.lonsdalelawpublishing.com/">http://www.lonsdalelawpublishing.com/</a>
Cork University Press	<a href="http://www.corkuniversitypress.com/">http://www.corkuniversitypress.com/</a>
SLS Publications	<a href="http://www.sls.qub.ac.uk/new_site">http://www.sls.qub.ac.uk/new_site</a>
Better Regulation	<a href="http://www.betterregulation.com/ie">http://www.betterregulation.com/ie</a>
IRN Publishing Ltd.	<a href="http://www.irn.ie/">http://www.irn.ie/</a>
Jordans	<a href="http://www.jordanpublishing.co.uk/">http://www.jordanpublishing.co.uk/</a>
Hart Publishing	<a href="http://www.hartpub.co.uk/">http://www.hartpub.co.uk/</a>
Wolters Kluwer	<a href="http://www.kluwerlaw.com/">http://www.kluwerlaw.com/</a>
Oxford University Press	<a href="http://ukcatalogue.oup.com/category/academic/law.do">http://ukcatalogue.oup.com/category/academic/law.do</a>
Sweet & Maxwell	<a href="http://www.sweetandmaxwell.co.uk/">http://www.sweetandmaxwell.co.uk/</a>
Coiscéim	<a href="http://www.coisceim.ie/">http://www.coisceim.ie/</a>

## Footnotes

<sup>1</sup>Hogan, G., Morgan, D. G. (2010) *Administrative law in Ireland*. 4<sup>th</sup> ed. Dublin, Round Hall.

<sup>2</sup>Delany, H., McGrath, D. (2005) *Civil procedure in the superior courts*. 2<sup>nd</sup> ed. Dublin, Round Hall.

<sup>3</sup>Wylie, J. C. W. (2010) *Irish land law*. 4<sup>th</sup> ed. Haywards Heath, Bloomsbury Professional.

<sup>4</sup>Hogan, G., Whyte, G. (2003) *J.M. Kelly: the Irish Constitution*. 4<sup>th</sup> ed. Haywards Heath, Bloomsbury Professional.

<sup>5</sup>Murdoch, H., Hunt, B. (2008) *Murdoch's dictionary of Irish law*. 5<sup>th</sup> ed. Haywards Heath, Bloomsbury Professional.

<sup>6</sup>Byrne, R., McCutcheon, J. P. (2009) *The Irish legal system*. 5<sup>th</sup> ed. Haywards Heath, Bloomsbury Professional.

<sup>7</sup>O'Callaghan, P. (2000) *The law on solicitors in Ireland*. Haywards Heath, Bloomsbury Professional.

<sup>8</sup>Farrell, J. (1994) *Irish law of specific performance*. Haywards Heath, Bloomsbury Professional.

<sup>9</sup>Charleton, P., McDermott, P. A., Bolger, M. (1999) *Criminal law*. Haywards Heath, Bloomsbury Professional.

<sup>10</sup>Laffoy, M., Wheeler, D. (1992) *Irish conveyancing precedents*. Haywards Heath, Bloomsbury Professional.

<sup>11</sup>Cox, N., Corbett, V., Ryan, D. (2009) *Employment law in Ireland*. Dublin, Clarus Press.

<sup>12</sup>Farrell, R. (2010) *The European arrest warrant in Ireland*. Dublin, Clarus Press.

<sup>13</sup>Casey, P., Brady, P., Craven, C., Dillon, A. (2010) *Psychiatry and the law*. Dublin, Blackhall Publishing.

<sup>14</sup>Costello, K. (2011) *The Court of Admiralty in Ireland, 1575–1893*. Dublin, Four Courts Press.

<sup>15</sup>Vaughan, W. E. (2009) *Murder trials in Ireland, 1836–1914*. Dublin, Four Courts Press.

<sup>16</sup>Costello, K. (2006) *The law of habeas corpus in Ireland*. Dublin, Four Courts Press.

<sup>17</sup>Davis, F. (2006) *The history and development of the Special Criminal Court, 1922–2005*. Dublin, Four Courts Press.

<sup>18</sup>Archbold, J. F., Butler, T.R.F., Garsia, M. (1966) *Pleading, evidence and practice in criminal cases*. London, Sweet & Maxwell.

<sup>19</sup>Bullen, E., Leake, S., Jacob, J., Goldrein, I., (1990) *Bullen and Leake and Jacob's precedents of pleadings*. London, Sweet & Maxwell.

<sup>20</sup>Ó, Tuathail, S. (1999) *Tuairiscí Éireann Tuairiscí speisialta 1980–1998*. Dublin, Law Reporting Council.

<sup>21</sup>Fahey, E., Ní, Chonchúir, C., (2009) *Súil ar an dlí*. Blackrock, Lonsdale Law Publishing.

## Biography

Renate Ní Uigín is currently Assistant Librarian (Collection Development) in The Law Library in Dublin. She qualified and practised as a solicitor before retraining as a librarian and has worked in law libraries in Ireland since 2001.

*Legal Information Management*, 11 (2011), pp. 195–197  
© The British and Irish Association of Law Librarians

doi:10.1017/S1472669611000624

## ***Legal Libraries within the Irish Government***

There follows a series of shorter articles relating to the work of libraries within the Irish Government. The libraries that are covered in this section work for the following institutions:

The Office of the Attorney General  
The Chief State Solicitor's Office  
The Office of the Director of Public Prosecutions

The Legal Aid Board  
The Judges' Library  
The Law Reform Commission



*Government Buildings in Dublin's Upper Merrion Street houses the Department of the Taoiseach (Prime Minister) and, adjacent to it, the Office of the Attorney General.*