

**OLLSCOIL na hÉIREANN
NATIONAL UNIVERSITY OF IRELAND**

TEXT OF THE INTRODUCTORY ADDRESS DELIVERED BY:

PROFESSOR IMELDA MAHER, MRIA, School of Law, UCD on 9 October 2019 in the Royal College of Physicians of Ireland, on the occasion of the conferring of the Degree of Doctor of Laws *honoris causa*, on **MS JUSTICE MARY LAFFOY**

A Sheansailéir, a mhuintir na hOllscoile agus a dhaoine uaisle,

Ms Justice Mary Laffoy, is a former member of the Supreme Court and is now President of the Law Reform Commission. She is Chair of the Citizen's Assembly, an internationally heralded model of citizen participation, thanks in large part to her wise and considered chairing. She is also an adjunct professor of law at Maynooth university. Ms Justice Laffoy's career reflects both a meticulous understanding of, and respect for the law, as well as a keen sense of public service. This can be seen not only in her outstanding work as a judge but in the innumerable roles she has taken on throughout her career. In the early 80s, she became the first chair of the Rent Tribunal and was the Commissioner of Charitable Donations Bequests for Ireland for many years. She served as a member of the General Council of the Bar of Ireland and on the Superior Court Rules Committee both as a junior and as a member of the Supreme Court where she played an important role in the necessary but laborious task of reforming the rules under which our courts operate. She was also chair of the Registration of Deeds and Title Rules Committee again

overseeing major reforms. She also chaired the Commission to Inquire into Child Abuse from 1999–2003, resigning because of her concerns about the independence of the Commission.

She has also shown great generosity in judging countless student debates and mooting (mock) court competitions *as gaeilge agus as bearla* and is also now deputy-chair of Sage Advocacy a support and advocacy service for vulnerable, older people and patients.

Ms Justice Laffoy was educated in UCD and the Kings Inns (where she won the John Brooks Scholarship for coming first in her class,) and was called to the Bar in 1971 (when it was almost exclusively male). She was one of two women called to the inner Bar in 1987. She was appointed to the High Court in 1995 where she was in charge of the Chancery List that deals with often long, complex and difficult cases.

She was appointed to the Supreme court in 2013 where she sat until her retirement in 2017.

As a judge, Ms Justice Laffoy was known for her unfailing politeness in court coupled with her very high standards of analysis reflected in her clear and precise judgments. One of her most famous cases was *Pringle v. Ireland*, which ultimately ended up before the EUCJ where it confirmed the legality of the European Stability Mechanism.

She was also known for her prodigious work ethic, with the then Chief Justice Susan Denham noting that she was responsible for over 10% of the reported judgments from the High Court during her tenure there – an extraordinary output.

Her judgments range across many areas of the law including *Fitzpatrick v F.K* (2009) where she set out the principles determining whether a person is deprived of the capacity to make a decision to refuse medical treatment. In another capacity case, this time in relation to making a will, she held that when a solicitor is instructed to prepare a will for an aged or very ill testator, the solicitor should first involve a doctor to ensure that they are satisfied as to the capacity of

the testator. (*Sally v Rhatigan* [2011] IR 639). Ms Justice Laffoy was one of the first judges to issue a declaration under the European Court of Human Rights Act in relation to the 1966 Housing Act and the powers of local authorities to repossess properties. (*Donegan v Dublin City Council* 2008) While in the Supreme Court, she gave the lead judgments across many areas of the law from landlord and tenant, to asylum, to company, tax and probate to name a few bringing her formidable knowledge and understanding of the law to bear on the most significant legal issues of our day.

The influence of the Citizens Assembly which she has so ably chaired can be seen in the repeal of the eighth amendment, and it has also reported on how to respond to our aging population, how we conduct referendums, fixed term parliaments and climate change. Now in her role as chair of the Law Reform Commission the state will continue to benefit from her wisdom, her vast experience and understanding of the law. Ms Justice Laffoy through her many public roles in law and in politics has consistently advanced the law through public service with imagination, intelligence and generosity.

PRAEHONORABILIS CANCELLARIE, TOTAQUE UNIVERSITAS:

**Praesento vobis hanc meam filiam, quam scio, tam moribus
quam doctrina, habilem et idoneam esse quae admittatur,
honoris causa, ad gradum Doctoratus in utroque Jure, tam
Civili quam Canonico, idque tibi fide mea testor ac spondeo,
totique Academiae**