APPROVED **[2023] IEHC 141**

THE HIGH COURT
JUDICIAL REVIEW

2022 No. 275 J.R.

BETWEEN

A. (A MINOR SUING BY HIS MOTHER AND NEXT FRIEND)
A.A.
N.A.

APPLICANTS

AND

INTERNATIONAL PROTECTION APPEALS TRIBUNAL
MINISTER FOR JUSTICE AND EQUALITY
IRELAND AND THE ATTORNEY GENERAL

RESPONDENTS

JUDGMENT of Mr. Justice Garrett Simons delivered on 23 March 2023

INTRODUCTION

1. This judgment considers the circumstances in which an individual, who has made an application under the International Protection Act 2015, has a right to work in the Irish State pending the determination of that application. The relevant legislation provides for the grant of what is described as a "*labour*

market access permission" in circumstances where a first instance decision has not been made in respect of an application for international protection within six months.

2. The principal argument advanced in these judicial review proceedings is that, in circumstances where the applicant for international protection is a *child*, and thus cannot lawfully work himself, the Irish State is under an obligation to provide labour market access to the child's parents. It is said that, in order for the child's supposed right of access to the labour market to be effective, it is necessary that it be exercised vicariously by his parents.

PROCEDURAL HISTORY

3. The applicants for judicial review are a family consisting of a father, mother, and a child under the age of two years. For ease of exposition, and to protect their anonymity, the adult applicants will be referred to throughout this judgment as "*the father*" and "*the mother*" or simply "*the parents*"; and the minor applicant will be referred to as "*the child*". When referring to the applicants for judicial review collectively, the term "*the claimants*" will be used so as to avoid any confusion between an applicant for international protection and an applicant for judicial review.

4. The parents are nationals of a non-EU State. The parents had each previously applied for international protection. They had each been permitted to access the labour market during the latter part of the currency of their applications.

5. The parents' applications for international protection were ultimately unsuccessful. For a period of some two and a half years thereafter, the parents' immigration status in the Irish State was precarious and they were subject to

(unexecuted) deportation orders. The parents' immigration status has since been regularised: on 30 September 2022, the parents were both granted so-called "*Stamp 4*" permissions which allow them to reside and work in the Irish State for a period of three years.

6. These judicial review proceedings concern the period prior to 30 September 2022 during which time the parents were not permitted to work lawfully within the Irish State. The parents contend that, for part of this period, they should have been permitted to access the labour market by virtue of the fact that their child was awaiting a determination of his own application for international protection. The child was born in April 2021. An application for international protection had been made on his behalf by his mother on 26 July 2021. As of the date these judicial review proceedings were instituted on 4 April 2022, that application had not yet been determined. The child's application for international protection has since been successful and the Appeals Tribunal, by decision dated 19 January 2023, recommended that a refugee declaration be made in his favour.

7. During the pendency of the child's application for international protection, his father and mother had both applied, in November 2021, to access the labour market on the strength of the child's application for international protection. In brief, it was contended that the child, as applicant, was entitled in principle to access the labour market, and that they, *qua* the child's parents, were entitled to exercise this right vicariously. The parents' applications to access the labour market were refused on 23 March 2022. The decisions to refuse these applications are challenged in these judicial review proceedings.

8. The proceedings were heard on 17 January 2023 and judgment was reserved. Prior to judgment being delivered, the claimants' solicitor wrote to the registrar

to inform the court that the child's application for international protection had been successful. These proceedings were then relisted before the court for directions on 16 February 2023. The claimants were directed to provide further and better particulars of their claim for damages. The particulars were delivered on 8 March 2023.

LEGISLATIVE FRAMEWORK

9. Directive 2013/33/EU lays down minimum standards for the reception of asylum seekers ("***Reception Conditions Directive***"). The Irish State had originally opted out of the Reception Conditions Directive but, by letter of 24 January 2018, notified the European Commission of its wish to accept and be bound by same. Thereafter, the European Commission determined that the Irish State should bring into force the laws, regulations and administrative provisions necessary to comply with the Reception Conditions Directive by 30 June 2018. See Commission Decision (EU) 2018/753.

10. Article 15 of the Reception Conditions Directive provides as follows:

> "1. Member States shall ensure that applicants have access to the labour market no later than 9 months from the date when the application for international protection was lodged if a first instance decision by the competent authority has not been taken and the delay cannot be attributed to the applicant.
>
> 2. Member States shall decide the conditions for granting access to the labour market for the applicant, in accordance with their national law, while ensuring that applicants have effective access to the labour market.
>
> For reasons of labour market policies, Member States may give priority to Union citizens and nationals of States parties to the Agreement on the European Economic Area, and to legally resident third-country nationals.

> 3. Access to the labour market shall not be withdrawn during appeals procedures, where an appeal against a negative decision in a regular procedure has suspensive effect, until such time as a negative decision on the appeal is notified."

11. As appears, a Member State is required to allow an applicant for international protection to access the labour market in circumstances where there has been a delay in deciding their application. The Reception Conditions Directive prescribes an outer limit of nine months. The Irish State has implemented this aspect of the Reception Conditions Directive through the European Communities (Reception Conditions) Regulations 2018 (S.I. No. 230/2018) ("***the national implementing regulations***"). The national implementing regulations initially adopted the outer limit of nine months prescribed under the Directive, but this period has since been reduced to six months by the European Communities (Reception Conditions) (Amendment) Regulations 2021 (S.I. No. 52/2021).

12. The national implementing regulations stipulate that, save as may be provided under any other enactment or rule of law, an applicant for international protection shall not seek, enter or be in employment or self-employment except in accordance with a "*labour market access permission*". An "*applicant*" is defined, relevantly, as an applicant under the International Protection Act 2015.

13. It is common case that the parents in these proceedings had ceased to be applicants for international protection by the time they made their applications for labour market access permissions in November 2021. Those applications were made, instead, on the assumption that they had a vicarious right to work lawfully in the Irish State by dint of their being the parents of a minor applicant for international protection.

MOOTNESS

14. The respondents contend that these judicial review proceedings are moot in circumstances where, by the time the proceedings came on for hearing on 17 January 2023, the parents' immigration status had been regularised. The parents have been entitled to work lawfully in the Irish State since October 2022.

15. In reply, it is argued on behalf of the parents that there continues to be a live controversy in these judicial review proceedings in that the parents seek to recover damages against the Irish State for the period during which they were not permitted to access the labour market. On the logic of the claimants' case, this period would appear to run from a date six months after the child's application for international protection had been submitted until the date of the grant of the parents' immigration permissions, i.e. the period from 27 January 2022 to 30 September 2022.

16. The claim for damages is pleaded in general terms in the statement of grounds. The parents were directed, on 16 February 2023, to provide further and better particulars of the claim for damages. These particulars were delivered on 8 March 2023. The claim for damages has been calculated by reference to the difference in value between (i) the social protection payments actually received by the parents, and (ii) the estimated earnings which the parents might have been expected to receive had they been permitted to work lawfully. The notional loss has been calculated from the date upon which the child's application for international protection had first been submitted. This would appear to be incorrect: the national implementing regulations provide that permission to access the labour market may only be granted once a period of six months, beginning on the application date, has expired, and, by that date, a first instance

decision has not been made in respect of the application for international protection. It would seem to follow that any claim for damages should be confined to the period from 27 January 2022 to 30 September 2022. The claimants have since revised their position, by letter dated 15 March 2023, and now suggest that the relevant period is from 27 January 2022 to 4 October 2022.

17. The principles governing the doctrine of mootness have been discussed in detail by the Supreme Court in its judgments in *Lofinmakin v. Minister for Justice, Equality and Law Reform* [2013] IESC 49, [2013] 4 I.R. 274 and *Odum v. Minister for Justice and Equality* [2023] IESC 3. In the latter judgment, O'Donnell C.J. emphasised that a core principle justifying the doctrine of mootness is the importance, in the common law system, of the resolution of cases which can be characterised as presenting live controversies. This is central to the doctrine of mootness because of the interlinked factors of a requirement of a full adversarial context for a legal decision; the management of scarce and expensive court resources; and, in cases likely to become precedents, the desirability, and perhaps necessity, of avoiding purely advisory opinions.

18. The Chief Justice stated as follows at paragraph 36 of the judgment:

> "[…] Courts exist to resolve controversies of real importance to real people. The decisions of courts not only resolve individual cases in ways that can be very burdensome to the losing party, but they also make decisions which are capable of becoming binding precedents which may control the circumstances of persons and entities who have not participated in the proceedings. The distinctive feature of the common law system which means that decisions of individual courts in particular cases can have the effect of law that is binding on the State, officials, and other individuals, is justified by the necessity of doing justice in an individual case, and nothing less."

19. The question of whether the existence of an outstanding claim for damages is relevant in assessing whether or not proceedings are moot has been considered

by the Supreme Court in *M.C. v. Clinical Director of the Central Mental Hospital* [2020] IESC 28, [2021] 2 I.R. 166. Baker J. stated that, in general, the mere addition of a claim for damages to a judicial review which might otherwise be moot would not always, or perhaps usually, save the proceedings from an argument of mootness. The test for mootness is more properly whether there is or remains at the date of hearing a live, unresolved and concrete legal dispute between the parties, or whether, alternatively, the action is speculative or seeks an advisory decision from the court which could be of no practical effect.

20. The Supreme Court ultimately held that the proceedings in that case were not moot in circumstances where the claim of an alleged infringement of a fundamental constitutional right had been sufficiently particularised in concrete and credible complaints.

21. Applying the principles in the foregoing case law to the present case, I have concluded, for the following reasons, that these judicial review proceedings should be determined notwithstanding that the claimants' immigration status has since been regularised. The first reason relates to the ephemeral nature of the decisions under challenge. The gravamen of the judicial review is that the parents of a minor applicant are entitled to work lawfully pending the determination of the child's application for international protection. This entitlement only arises six months after the application for international protection has been submitted and expires in the event that the application is refused. The period during which the asserted entitlement exists is short, and likely to be measured in months. The lead time for judicial review proceedings will often be longer. It is likely, therefore, that in many instances the application for international protection will have been decided prior to any judicial review

proceedings coming on for hearing. An over rigid application of the doctrine of mootness might result in the legal issues arising evading capture because same will often have "*timed out*". Thus even if the present proceedings were entirely moot, it would still be in the public interest to decide the legal issues raised.

22. The second reason for saying that the substantive issues in the proceedings should be determined is that the proceedings are not strictly speaking moot. There remains a live controversy between the parties in respect of the claim for damages. The fact that the parents' immigration status has been regularised has the consequence that an order setting aside the earlier refusal of labour market access permissions is not necessary. However, the claimants continue to maintain a claim for damages in respect of the eight or nine month period during which, on their analysis, they were wrongfully denied their entitlement to work lawfully in the Irish State. The claimants wish to have this dispute adjudicated upon in these proceedings.

23. The mere fact that a claim for damages has been included as part of the reliefs sought in judicial review proceedings will not necessarily be enough, on its own, to prevent those proceedings from being moot. This is because in many instances there will be no plausible basis for a claim for damages even if the public authority is ultimately found to have acted *ultra vires*. In order to succeed in a claim for damages in judicial review proceedings, an applicant will generally have to go further and establish that the public authority had committed a tort, such as negligence or misfeasance of public office. In many instances where a claim for damages has been pleaded in judicial review proceedings it is little more than a makeweight. The position in the present case is different. Here, the claimants have identified a plausible basis for a claim for damages in the event

that the decision to refuse them labour market access were to be found to be invalid. The claim for damages advanced is for *Francovich* damages, so named for the judgment in Joined Cases C-6/90 and C-9/90, *Francovich*, EU:C:1991:428. It is open, in principle, for an individual to seek damages against a Member State for a breach of EU law where certain prescribed conditions have been met. The claim for damages in the present case is predicated on an alleged breach of the Reception Conditions Directive which is said to confer a vicarious right of access to the labour market.

24. It should be emphasised that the claim for damages is vigorously contested in these proceedings, with the respondents maintaining that even if the court were to find that there had been a breach of the Reception Conditions Directive, the conditions for an award of *Francovich* damages have not been met. In particular, it is submitted that the claim for damages is bound to fail on the basis that no "*sufficiently serious*" breach of EU law could ever be found such that an award of damages would be granted. It is further submitted that even if the claimants were ultimately found to be correct in asserting a vicarious right to access the labour market on behalf of a minor applicant—which is denied by the respondents—the Directive cannot be said to be so clear and precise as to render any error on the part of the Irish State authorities "*grave and manifest*" or "*inexcusable*".

25. It is not necessary, in assessing whether these proceedings are moot, to address in detail the rival contentions of the parties in respect of the claim for damages. It is sufficient to the purpose for the court to find that there would be a plausible basis for a claim for damages in the event that the decision to refuse labour market access to the parents were found to be invalid. In contrast to most judicial

review proceedings, the claimants here can plausibly point to a pathway leading from a finding of invalidity to the potential recovery of damages. None of this is to say that such a claim would ultimately be successful nor that the stringent conditions for *Francovich* damages have been met. Rather, the point is that there continues to be a concrete legal dispute between the parties which requires to be ruled upon by the court. To adapt the language used by the Supreme Court in *M.C. v. Clinical Director of the Central Mental Hospital* (cited above), there is a concrete and credible basis for advancing a claim for damages.

26. In order to rule upon this claim for damages, the court must, first, address the substantive issue raised in the proceedings, namely the validity of the decision to refuse labour market access to the parents. It is only if this substantive issue is resolved in favour of the claimants that it would then become necessary to rule upon the claim for damages. Accordingly, I turn next to address the substantive issue.

A VICARIOUS RIGHT TO WORK?

27. The fundamental difficulty with the claim advanced in these proceedings is that it necessitates a finding by the court that an infant child enjoys a right to work. The claimants have sought to avoid this difficulty by attempting to draw a distinction between (i) a right of access to the labour market, and (ii) a right to work. The child in this case is said to enjoy the former right notwithstanding that, by reason of his tender years, the child is precluded from lawfully working. (At the material time, the child was less than eighteen months old).

28. With respect, this supposed distinction between the right of access to the labour market and the right to work is entirely artificial. The essence of the right

provided for under Article 15 of the Reception Conditions Directive is a right to work. See the Advocate General's Opinion in Joined Cases C-322/19 and C-385/19, *KS and Others v. The International Protection Appeals Tribunal*, EU:C:2020:642.

29. The effect of the national implementing regulations is to ensure that an applicant for international protection, the determination of whose application has been delayed, is not precluded, *by virtue of their precarious immigration status*, from entering into employment or engaging in self-employment. Put otherwise, the national implementing regulations remove a legal impediment which would otherwise prevent an applicant for international protection from lawfully working in the Irish State. Crucially, however, the national implementing regulations do not alter the general conditions which govern employment or self-employment. Relevantly, the normal age restrictions continue in force. It is expressly provided under regulation 16 of the national implementing regulations that the employment of an applicant for international protection, who is under the age of 18 years, shall be subject to the Protection of Young Persons (Employment) Act 1996.

30. Save in exceptional circumstances which do not arise on the facts of the present case, a child under the age of 14 years does not normally have a right to work lawfully in the Irish State. It makes no sense, therefore, to speak of the child in the present case as having a right to access the labour market. Any application for a labour market access permission on behalf of a child of eighteen months would have to be refused precisely because the child is not entitled to work by reason of his tender years.

31. There is nothing in the Reception Conditions Directive which requires any modification to this aspect of national law. Article 15 of the Reception Conditions Directive expressly provides that Member States shall decide the conditions for granting access to the labour market, in accordance with their national law, while ensuring that applicants have effective access to the labour market. The imposition of restrictions on young children entering into employment is a matter well within the discretion of a Member State and is entirely proportionate. The national implementing regulations ensure that access to the labour market is on existing conditions. An applicant for international protection who is a child does not obtain any greater rights than a child, who is an Irish citizen or an EU citizen, would enjoy. Neither is entitled to work lawfully in the Irish State until they reach the age of 14 years.

32. It follows, therefore, that the claimants' case is predicated on a false premise, namely that the child enjoys, in the abstract, a right to access the labour market which is separate and distinct from a right to work. No such right inheres in the child. This is fatal to the claimants' case: the parents cannot exercise *vicariously* a right which the child himself does not possess. Thus the decision to refuse to grant labour market access permissions to the parents was lawful.

33. To summarise: the meaning of Article 15 of the Reception Conditions Directive is clear and unambiguous. The right of access to the labour market is personal to the individual applicant for international protection. A minor applicant, such as the child in the present case, who is eighteen months old does not have a right to access the labour market. There is nothing in the statutory language which indicates that the right can be exercised by another person such as a family member of a minor. The concept of "*family members*" is defined separately

under the Directive as including, *inter alia*, the father, mother or another adult responsible for the applicant who is a minor. There is no reference to "*family members*" in Article 15. On its proper interpretation, therefore, Article 15 makes no provision for a minor applicant to access the labour market, nor does it allow a family member to exercise such a right vicariously on behalf of a minor.

A DERIVED RIGHT TO WORK?

34. For the reasons set out under the previous heading, I have concluded that the parents of a minor applicant do not enjoy a vicarious right of access to the labour market. For completeness, it is necessary next to consider whether the parents might enjoy a derived right to work.

35. It is common case that a minor applicant has a right to reside in the Irish State during the pendency of his application for international protection and to enjoy an adequate standard of living. The logic of the parents' case is that, in order to allow the child to exercise these rights, his parents should be entitled to access the labour market. The right to work, which is asserted on behalf of the parents, thus derives from the rights enjoyed by the child. The distinction between a vicarious right to work and a derived right to work is that the former is predicated on the child himself having a right to work lawfully within the Irish State, whereas the latter is predicated on the child having a right to reside within the Irish State and to enjoy an adequate standard of living.

36. The Court of Justice of the European Union ("***CJEU***") has previously held that the parent of a minor child, *who is an EU citizen*, may enjoy a derived right of residence and a derived right to a work permit. More specifically, a Member State is precluded from refusing a third country national upon whom his minor

children, who are European Union citizens, are dependent, a right of residence, and is precluded from refusing to grant a work permit to that third country national, insofar as such decisions deprive those children of the genuine enjoyment of the substance of the rights attaching to the status of European Union citizen. See Case C-34/09, *Zambrano*, EU:C:2011:124.

37. Of course, the immigration status of a child who has applied for international protection is precarious: they are only entitled to a right of residence pending the determination of their application. This is, self-evidently, a much lesser status than that enjoyed by a child who is an EU citizen. Nevertheless, the logic of the parents' position in the present case is that they enjoy some type of derived right.

38. It is submitted on behalf of the parents that in order to address the child's "*special reception needs*", and in order to ensure that the child has an adequate standard of living, it is necessary that one or both of his parents be granted access to the labour market. It is further submitted that it would be consistent with the values underlying the Reception Conditions Directive that a child, who is too young to work themselves, is able to obtain a benefit from their parents being allowed to work. The values are identified as including family autonomy, self-sufficiency and the dignity of work. Counsel draws attention to the judgment of the CJEU in Joined Cases C-322/19 and C-385/19, *KS and Others v. The International Protection Appeals Tribunal*, EU:C:2021:11, [2021] 4 W.L.R. 144. There, it was held, in the context of an adult applicant for international protection, that the conferring of a right to work clearly contributes to the preservation of the applicant's dignity, since the income from employment enables him or her not only to provide for his or her own needs, but also to obtain housing outside the

reception facilities in which he or she can, where necessary, accommodate his or her family.

39. Counsel elaborates upon the benefits to a child of his parents being allowed to work as follows. First, the parents may be able to provide private accommodation from their earnings and thus the child would not have to rely on so-called "*direct provision*" by residing in an accommodation centre. Secondly, there is an advantage to a child in observing their parents engaging in work.

40. For the reasons which follow, I have concluded that the argument for a derived right to work is not well founded. The argument overlooks the fact that the Reception Conditions Directive imposes the obligation *upon the Member State* to ensure that material reception conditions (including housing, food, clothing and education) are made available to a minor applicant. Member States shall ensure that material reception conditions provide an adequate standard of living for applicants, which guarantees their subsistence and protects their physical and mental health. It is expressly provided that Member States shall ensure that that standard of living is met in the specific situation of "*vulnerable persons*".

41. A child, who is a minor applicant for international protection, falls within the definition of a "*vulnerable person*". As such, Member States are required to assess whether the child is an applicant with special reception needs. Member States are required to ensure that the support provided to applicants with special reception needs takes into account their special reception needs throughout the duration of the asylum procedure. Member States are also required to provide for appropriate monitoring of their situation.

42. Article 23 of the Reception Conditions Directive prescribes that the best interests of the child shall be a "*primary consideration*" when implementing the

provisions of the Directive that involve minors. Member States are required to ensure a standard of living adequate for the minor's physical, mental, spiritual, moral and social development.

43. In assessing the best interests of a minor applicant, Member States are required, in particular, to take due account of the following factors:

    (a) family reunification possibilities;

    (b) the minor's well-being and social development, taking into particular consideration the minor's background;

    (c) safety and security considerations, in particular where there is a risk of the minor being a victim of human trafficking;

    (d) the views of the minor in accordance with his or her age and maturity.

44. Member States shall ensure that minor children of applicants or applicants who are minors are lodged with their parents, their unmarried minor siblings or with the adult responsible for them whether by law or by the practice of the Member State concerned, provided it is in the best interests of the minors concerned.

45. The requirements in respect of the schooling and education of minors are set out at Article 14 of the Directive.

46. The fallacy underlying the claimants' case is that there is a necessity to supplement this comprehensive suite of protections by "*reading into*" Article 15 of the Reception Conditions Directive a rider to the effect that the parents of a minor applicant must be allowed work in order to ensure that the child has an adequate standard of living. The scheme of the Reception Conditions Directive envisages that the obligation to provide for the needs of a minor applicant ultimately lies with the authorities of the Member State concerned.

47. The Reception Conditions Directive does not require Member States to extend access to the labour market to persons, who are not otherwise entitled to access, merely by dint of their being the parents of a minor applicant. If the parents are unable to provide for the child because they are not entitled to work, then the Member State must ensure an adequate standard of living for the child as a "*vulnerable person*". On the facts of the present case, the affidavit evidence submitted in support of the claim for damages confirms that the parents were in receipt of social protection payments throughout the period of the child's application for international protection. It appears that the parents were able to afford to rent accommodation in the private sector throughout this period. It is apparent, therefore, that the child's ability to exercise his rights during the pendency of his application for international protection were vindicated, notwithstanding that his parents were not allowed to access the labour market.

CONSTITUTIONAL RIGHT TO SEEK EMPLOYMENT

48. The Supreme Court in *N.H.V. v. Minister for Justice and Equality* [2017] IESC 35, [2018] 1 I.R. 246 held that, in circumstances where there was no temporal limit on the asylum process, an absolute prohibition on an (adult) applicant seeking employment is contrary to the constitutional right to seek employment. The Supreme Court described the constitutionally protected interest as a freedom to seek work, which implies a negative obligation not to prevent the person from seeking or obtaining employment, at least not without substantial justification. These findings were all made in the context of adult applicants.

49. It has not been seriously contended on behalf of the claimants in the present case that the imposition of restrictions on the employment of children is not justified. The child in the present case had been eighteen months old at the material time. As such, he was not entitled, as a matter of national law, to be employed. This restriction would apply irrespective of the immigration status of the child. The imposition of such a restriction is well within the margin of appreciation of the legislature. See, by analogy, the judgment in *Landers v. Attorney General* (1973) 108 I.L.T.R. 1.

CONCLUSION AND PROPOSED FORM OF ORDER

50. For the reasons explained at paragraphs 14 to 26 above, it is appropriate that the substantive issues in these judicial review proceedings be determined notwithstanding that the claimants' immigration status has been regularised since the proceedings were instituted. The proceedings are not, strictly speaking, moot in that there continues to be a concrete legal dispute between the parties in respect of the claim for *Francovich* damages.

51. The application for judicial review fails on the merits for the reasons already explained herein. In brief, an infant child does not have a right to work in the Irish State. At the material time, the child was less than eighteen months old. It is incorrect, therefore, for the claimants to assert that their child enjoyed a right to access the labour market, which supposed right could have been exercised by them vicariously on his behalf.

52. It is also incorrect to assert that the parents enjoyed a derived right to access the labour market in order to ensure that their child had an adequate standard of living during the pendency of his application for international protection.

Rather, the Reception Conditions Directive imposes the obligation *upon the Member State* to ensure that material reception conditions (including housing, food, clothing and education) are made available to a minor applicant. There is no evidence that the needs of the child in the present case were not met. Rather, the affidavit evidence confirms that the parents were in receipt of social protection payments throughout the period of the child's application for international protection and were able to afford to rent accommodation in the private sector throughout this period.

53. Accordingly, an order will be made dismissing the application for judicial review. These proceedings will be listed before me on 31 March 2023 at 10.30 am to address the question of costs.

Appearances

Conor Power SC and Eamonn Dornan for the applicants instructed by BKC Solicitors
Eoin Carolan SC and Katherine Mc Gillicuddy for the respondents instructed by the Chief State Solicitor

Approved Garrett Simons