National case law

Irlanda

This section provides you with an overview of the Irish case law as well as a description and links to relevant case-law databases.

Case law has been built up out of precedents or previous decisions of courts. In certain circumstances those decisions may be binding on another court, if the facts of the case are similar. It is usually the case that lower courts make decisions consistent with decisions of higher courts. Case law is based on two doctrines the doctrine of stare decisis and the doctrine of res judicata. The doctrine of stare decisis means the doctrine of binding precedent. The doctrine of res judicata means the matter has already been adjudicated upon.

Case Law made available on a website

Presentation of decisions

Much of the case law from Irish courts is available to the public.

Case law is available free on the Courts Service of Ireland website for the Supreme Court, the Court of Appeal (since November 2014), the Court of Criminal Appeal (now the Court of Appeal) and the High Court. Case law for the Supreme Court is also available on the Supreme Court of Ireland website (http://www.supremecourt.ie).

Case law for the Supreme Court is available since 2001; and for the Court of Criminal Appeal and the High Court since 2004, and for the Court of Appeal since 2014.

Case law for the Supreme Court, the Court of Criminal Appeal and the High Court is also available free on the BAILII (British and Irish Legal Information Institute) database and the IRLII (Irish Legal Information Initiative) database.

The following collections are available through the BAILII website:

Supreme Court of Ireland Decisions

Irish Court of Criminal Appeal Decisions

High Court of Ireland Decisions

Irish Competition Authority Decisions

Irish Competition Authority Decisions (Notice Decisions)

Irish Information Commissioner's Decisions

Irish Data Protection Commission Case Studies

Publication rules

There are no binding rules for the publication of case law on a national or court level. All reserved judgments from the Supreme Courts are published. (These are cases where the judge/ court adjourned for a period of time to consider and write the judgment.) Judgments delivered ex tempore, when the court does not adjourn before handing down the judgment, are only published if they contain a particular point of law, or if the court delivering them specifically so directs.

Content made available on the web about court decisions is not anonymised unless so required by statute or directed by the court. Certain cases are required by law to be heard other than in public, and certain statutory provisions require that the name of the victim may not be disclosed. In such judgments, names are anonymous. All decisions tried in camera or in which the judgment contains sensitive personal data about a party or witness are also anonymised.

Before they are published on the website, judgments are issued in hard copy to:

All judges

The libraries of the legal professions:

the Attorney General,

the Chief State Solicitor and

A range of government departments.

Related Links

Courts Service of Ireland

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