

5th April 2023

Sheriff Review Group
Civil Governance
Bishops Square
Dublin 2
D02TD99

[sheriffreview@justice .ie](mailto:sheriffreview@justice.ie)

Re Sheriff Review Group

Dear Sirs,

I write to you as the chairperson of the Association of Personal Insolvency Practitioners and note the review that your group is undertaking in respect to the role of the sheriff.

I would like to draw your attention to the role that Personal Insolvency has for the functions of the sheriff.

In a Personal Insolvency process, a debtor is granted a Protective Certificate which gives them protection from their creditors for a period of 70 days, during which time the independent Personal Insolvency Practitioner will seek to get a Personal Insolvency Arrangement or Debt Settlement Arrangement agreed between the debtor and their creditors.

It is quite common for a circumstance to arise whereby a Protective Certificate is issued at short notice in response to a notification from a sheriff of an impending repossession of a family home. Fortunately, to date where this has happened, our experience is that a resolution of the family home mortgage difficulties is generally achieved, whether by way of a restructure of the debt or through Mortgage to Rent or otherwise.

I would ask that the review group might note the impact of Personal Insolvency on the sheriff's role and consider whether the sheriff should be instructed to advise debtors whose home other property is the subject of an impending repossession that they should contact a Personal Insolvency Practitioner.

Chairperson

Alan McGee , BA LLB Solicitor , PIP, Dip Insolvency

Secretary

Kerry O'Neill BA, FCCA, PIP

Committee

Colm Arthur, PIP, MAEcon, QFA | Ken Gannon PIP, | Gerry Owens, PIP QFA DM Firm | Jeanne Stapleton , BComm, FCA, MBA, PIP | Claire Kelly - IPA, ACCA, PIP
MBA, John O'Callaghan Dip HRM, BSc, MBA, QFA, LIB, PIP

APIP are available to discuss the matter further with you if you wish.

Yours sincerely

Alan McGee

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Chairperson APIP

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