



# COURTS SERVICE NEWS

*Nuacht na Seirbhíse Cúirteanna*



**2007 in review**

**Focus on child witnesses**

**High Court Search goes online**



**MERRY  
CHRISTMAS**



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I told you that Christmas was just around the corner! Another year has flown by.

Welcome to the December issue of *Courts Service News*. As is customary at this time of the year, we review the developments in the Service and events that occurred over the last 12 months. On pages 12 and 13 we feature developments on the building front and you will find out all about other developments and social events on pages 20 and 21.

Our main features (pages 15 to 17) are on child witnesses and improvements for jurors.

In the March and June issues we asked you to complete a reader survey. The results are on page 5. We were delighted with the level of responses received (both good and bad!) and will be looking to introduce some of the suggestions received in the New Year. Many thanks to everyone who completed the survey. On page 8 you will find the results of the "Mystery Shopper" survey conducted earlier in the year.

As many of you will know Michael Moriarty (most recently of the Wards of Court Office) died suddenly in September. In previous years we always featured a cartoon by Michael in our December issue. By way of an appreciation to him, we have published a selection of his cartoons from previous issues on pages 26 and 27.

On behalf of the *Courts Service News* team I would like to thank all those who contributed to the magazine during the year and wish all our readers a peaceful Christmas and a healthy and prosperous New Year.

Tony Lawlor



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## Every Best Wish for the Season



It is the time of year to once again be grateful for what we have been given and spared as individuals and as a community over the past twelve months. It is also the time to start looking forward to enjoying some well earned relaxation and distractions which come with this holiday break.

As Chief Justice I am very aware of the efforts which go into the operation of our courts system all around the country. My role

as chair of the Board of the Courts Service is one which ensures that I am very familiar with the breadth and depth of effort required of and invested by the staff of the Service. For the great success of the past year I express on my own behalf, and on behalf of the Board, thanks and appreciation to all.

These efforts are supported by the cooperation of the many groups and individuals who make up the legal and justice community. To the legal practitioners, the academic community, An Garda Síochána, the Probation Service, victim support groups and all court users we owe a debt of gratitude for their efforts in helping to ensure that our legal and courts systems not only operate effectively, but do so with a sense of humanity, something which Christmas reminds should always be a dimension of our lives.

On my own behalf and on behalf of the Board of the Courts Service I extend to all every best wish for the season and a peaceful and prosperous New Year.

*John L. Murray, Chief Justice*

## A very happy and peaceful Christmas



Christmas affords us an opportunity to take a break, sit back, relax and enjoy the company of family and friends as we come to the end of another year.

On the work front, it is a time to look back over the year and take stock of what we have achieved. For the Courts Service 2007 has been another year of sustained endeavour resulting in some impressive achievements and an improved

service for those who use the courts in Ireland. Our programme of work continues to be ambitious; it challenges us to seek out new ways of improving the service we deliver to those who use the courts.

We have come a long way since we began our journey in 1999. So much of what we have achieved is due to the continued dedication, hard work and support of so many. They include our Board, judges, our staff, the legal profession, the Minister for Justice, Equality & Law Reform and his staff, other government departments, the various justice agencies and a variety of support groups.

As Chief Executive Officer I thank everyone who has contributed to the work of the courts in 2007. I am grateful for the support I have received and look forward to continued support in 2008.

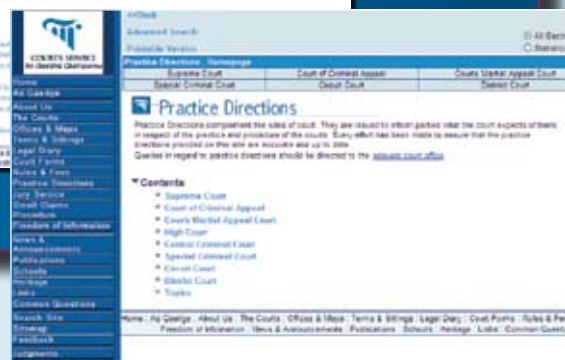
I wish you and your families a very happy and peaceful Christmas, a well earned rest and the very best for 2008.

*P.J. Fitzpatrick, CEO*

## Calling all practitioners! Get your Practice Directions online

Check out the Courts Service website ([www.courts.ie](http://www.courts.ie)) for the only source of Supreme, High, Circuit and District courts practice directions online. Any new directions are inserted as they become available and old directions are removed once they are replaced.

To find them, go to the Practice Directions section of the website. Choose the relevant court or pick a topic. All directions have a reference number, the highest number is the most recent in that court. Once you have found the direction you want click for the printable version.



# Magazine reader survey: Your responses

Courts Service News remains as popular as ever. Of its target audience, 65% of staff, 63% of legal practitioners and over 90% of the general public surveyed think it's either very good or excellent. Responses to our content survey were interesting and you let us know what it is you like, want more of and what you find least helpful.

100% of the legal professionals who responded to our survey agreed that Courts Service News has improved communication between the Service and its staff and court users, with 92% of staff believing the same.

95% of staff agreed that the magazine is informative and interesting, with 88% of the legal practitioners falling in behind them. 88% of lawyers and 98% of staff believe it to be well laid out and attractive to look at, whilst 84% of staff believe that there is a good balance between light and serious material. On this matter the legal professionals came in on almost 88%.

## Types of articles

Staff news such as appointments and retirements are always read by 38% of lawyers, occasionally so by 25% with the remainder rarely reading such articles. Amongst staff members 68% always read these articles with 21% occasionally doing so. 3% say they never read same.

81% of staff and 63% of lawyers read matters about organisational change with 89% of lawyers and 76% of staff always or occasionally reading about courthouse building projects and history.

68% of staff read about wider public service developments – a figure beaten amongst lawyers where 87% of our readers amongst the professions indicate that they read such articles.

Features and interviews are read by 82% of lawyers and 78% of staff, whilst social and personal articles attract the eyes of 90% of staff and 75% of lawyer readers.

## Ideas for future issues and articles

From amongst our legal eagle readers suggestions for future articles included:

- Articles about common mistakes made by practitioners noticed by Courts Service personnel
- How best to use the website
- How to make applications to certain court offices (e.g. Office of Wards of Court)
- Retired judges explaining the changes in practice they have seen

Staff suggestions for future articles included (in no particular order):

- articles from Directors on developments/ initiatives within their Directorates
- more information about staff social and training events
- articles submitted by readers
- individual staff profiles from all areas of the Courts Service
- more information on the various sections/offices in the Courts Service and also, links with outside agencies/ organisations
- provincial news
- courthouse buildings
- articles on new legislation

What you don't like in Courts Service News. Some staff readers expressed a liking for fewer articles about:

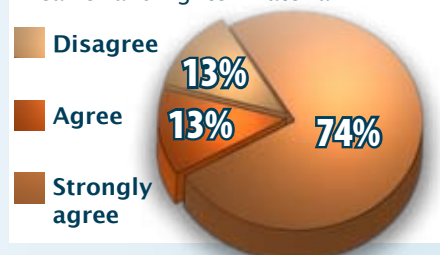
- retirement issues
- judges
- less of executive and more of ordinary persons

The legal practitioner readers expressed a wish for fewer articles on school trips to court buildings and training courses completed.

Many thanks to all who took the time to contribute – and also thanks to the person who included a desire for less court magazines – full stop.

## Legal professionals

'There is a good balance between heavier and lighter material'



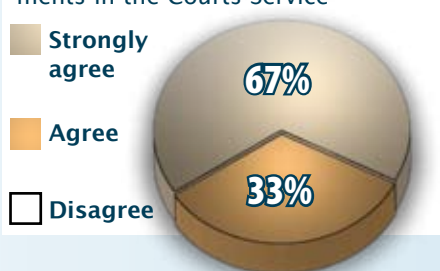
## Legal professionals

'Courthouse buildings (e.g.: History, Modernisation...)'



## General Public

'It keeps me updated on developments in the Courts Service'



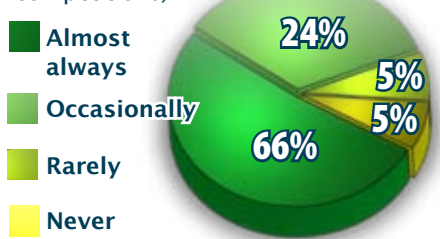
## General Public

'Organisational Articles (e.g.: I.T., Training...)'



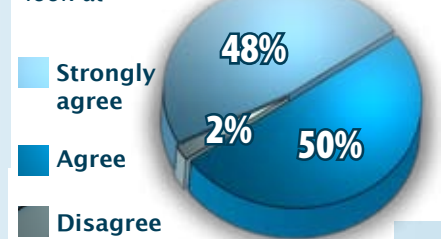
## Courts Service Staff

'Social and Personal (including competitions)'



## Courts Service Staff

'It is well laid out and attractive to look at'





# Practice and Procedure

## PRACTICE DIRECTIONS SUPREME COURT REF SC14

**Appeals under section 29(2) of The Courts of Justice Act, 1924 (as amended by the Criminal Justice Act, 2006 and by the Criminal Justice Act, 2007)**

Section 29 of The Courts of Justice Act, 1924 ("the Act") applies to appeals to the Supreme Court from determinations by the Court of Criminal Appeal of any appeal or other matter. Section 29 of the Act was substituted by section 22 of the Criminal Justice Act, 2006 and further amended by section 59 of the Criminal Justice Act, 2007, which came into operation on the 18th day of May 2007.

Pending the coming into operation of rules of court regulating in detail the procedure in such appeals, the procedure set out in this practice direction is to be used in every such appeal instituted after the date hereof.

Where an appeal is made to the Supreme Court in accordance with section 29(2) of the Act, the appellant shall serve a notice of appeal on the prosecutor and shall lodge the original certificate as to the point of law of exceptional public importance concerned in the Office of the Registrar of the Supreme Court when lodging the notice of appeal in accordance with Order 58, rule 11.

Where an appeal is made to the Supreme Court in accordance with section 29(3) of the Act, the appellant shall serve a notice of appeal together with a copy of the certificate as to the point of law of exceptional public importance concerned, on the accused person concerned and shall lodge the original of such certificate in the Office of the Registrar of the Supreme Court when lodging the notice of appeal in accordance with Order 58, rule 11.

In either such case, the notice of appeal shall specify the order(s) and determination(s) sought, shall set out the grounds of appeal and shall include a statement that the Court of Criminal Appeal, the Attorney General or, as the case may be, the Director of Public Prosecutions has certified that the decision of the Court of Criminal Appeal involves a point of law of exceptional public importance and that it is desirable in the public interest that the appellant should take an appeal to the Supreme Court.

Where, in any appeal under section 29(2) or section 29(3) of the Act, the appellant wishes in accordance with section 29(5A) of the Act to seek a determination in relation to any part of the decision of the Court of Criminal Appeal concerned other than the point of law of exceptional public importance which is the subject of a certificate, the notice of appeal shall also specify the other part of the decision concerned, and the determination sought on such part. The appellant shall apply to the Supreme Court, by motion on notice to every other person entitled to be heard, for an order granting leave for argument to be heard and a determination made in relation to such part.

Where, in an appeal in accordance with section 29(3) of the Act, the accused person concerned intends to be heard on the appeal, he or his legal representative shall give notice in writing of this intention to the Registrar of the Supreme Court not later than fourteen days after service on him of the notice of appeal, and give a copy of such notice to the appellant within the same period.

In any appeal under section 29(2) or section 29(3) of the Act, in the case of a certificate issued after the date of this direction, the notice of appeal shall be served not later than twenty-one days from the issuing of the certificate referred to in section 29(2)

or section 29(3) of the Act, as the case may be. In any other case where the certificate has been issued prior to the date of this direction and the notice of appeal has not been served, the notice of appeal shall be served within twenty-one days of the parties being notified of this direction.

The Supreme Court, whether on an application made by a party on notice to every other person entitled to be heard, or of its own motion, may make such orders and give such directions as to the conduct of any appeal under section 29(2) or section 29(3) of the Act as seem appropriate.

In an appeal under section 29(3) of the Act, an order assigning counsel under section 29(5) of the Act shall, where either of the circumstances referred to in paragraphs (a) or (b) of section 29(5) of the Act, be made on an application mentioned in paragraph 9, or otherwise at any time of the Supreme Court's own motion.

Where the Supreme Court considers that it may be desirable to make any such order or give any such direction of its own motion and there is no application for that purpose before the Supreme Court, the Supreme Court may cause the appeal to be listed for mention and the date and time of the listing to be notified to the parties or their legal representatives for the purpose of hearing the parties on the making of any such order or the giving of any such direction.

This practice direction shall take effect on the 1st day of October 2007 and shall cease to have effect on the coming into effect of the rules of court referred to above.

*John L. Murray, Chief Justice,  
28th September 2007*

## District Court Rules

**S.I. No. 727 of 2007 DISTRICT COURT (INSANITY) RULES, 2007**

These Rules amend the District Court Rules and add a new Order 23A to provide forms and procedure in respect of Criminal Law (Insanity) Act, 2006.

## PRACTICE DIRECTIONS SUPREME COURT REF SC04

### Child Abduction and Enforcement of Custody Orders Act, 1991 – Hague Convention

As from 1st October 2007 in all cases in which a notice of appeal from a judgment of the High Court in proceedings under the above Act is lodged, the case will be listed for mention on the following Thursday. The practitioners engaged in the appeal must be in a position to indicate to the court, when the case is called on that day, what steps have been taken in order to ensure the expeditious hearing of the appeal. Directions will be given at that time as to the filing of written submissions and an early date will be fixed for the hearing of the appeal.

In the event of the notice of appeal being lodged during the vacation, the appeal will be listed for mention on the first Thursday of the following term or on such other date as may be directed.

This practice direction replaces the practice direction of 17th July 2003 and is being issued in order to ensure that the State complies with those provisions of The Hague Convention requiring promptness and expedition in the disposal of proceedings under the Convention.

*John L. Murray, Chief Justice, 28th September 2007*

## PRACTICE DIRECTIONS HIGH COURT REF HC46

### ASYLUM AND IMMIGRATION JUDICIAL REVIEW LIST

From Monday the 12th day of November, 2007 the Registrar of the Asylum and Immigration Judicial Review List will be available each Monday from 12 noon to 12.30 in the Master's Court (unless otherwise specified in the Legal Diary) to take the following consents in relation to the court motion list for 2 p.m. on that day:

- Adjournments with no other order
- Adjournments with extension of time to file affidavit (except where the Court has made an "unless order" in respect of the affidavit).
- Strike out with no other order
- Transfer to the list to fix dates (with estimated hearing time)

The Registrar may not take consents to the extension of time for the filing of notices of opposition in post-leave applications. These require an order of the court.

Where consent is forthcoming to the above matters application must be made to the Registrar. Any solicitor who fails to seek consent of the opposing solicitor prior to the relevant Monday or unreasonably refuses to give a consent sought such that the matter needlessly remains in the court motion list at 2 p.m. may be penalised in costs.

The intent of this practice direction is to reduce judicial time spent on matters which should be capable of agreement between practitioners. To facilitate this:

- All statements of grounds should where settled by counsel contain the name of counsel; and
- All papers served should be accompanied by the name of the individual solicitor with responsibility for the application and personal email address where used.

*Richard Johnson, President of the High Court, 31st October, 2007*

## PRACTICE DIRECTIONS COURT OF CRIMINAL APPEAL REF CCA05

### Written Submissions on Legal Issues in sentence appeals

(1) Where there is lodged an appeal, or an application for leave to appeal, against sentence, written submissions on behalf of the Applicant or the Appellant as the case may be must be filed in the Office of Court of Criminal Appeal and served on the Chief Prosecution Solicitor at least 21 days before the date fixed for the hearing of the said application or appeal.

(2) Written submissions on behalf of the Director of Public Prosecutions must be filed in the Office of the Court of Criminal Appeal and served on the solicitors for the Applicant or Appellant as the case may be within 14 days of the date of such service or in default of compliance with paragraph (1) at least 7 days before the hearing.

(3) The written submissions should be a brief summary of the legal argument to be advanced and should include as appropriate, (1) an outline of the manner in which it is argued that sentence is wrong in principle, (2) reference to the relevant portions of the transcript of evidence relied upon (3) reference to relevant statutory provision(s) and /or statutory instrument(s) and (4) reference to the passage(s) in the relevant text-book(s) relied upon and/or relevant case-law, (5) any mitigating factors relied upon. This practice direction will not prejudice the right of counsel to advance any further arguments in oral submissions which are considered appropriate.

(4) Where there is non-compliance with either of the directions as set out in paragraphs (1) and (2) above the case will be listed for mention to explain the reasons for such non-compliance.

(5) The above provisions shall apply mutatis mutandis to applications brought on behalf of the Director of Public Prosecutions for a review of sentence pursuant to Section 2 of the Criminal Justice Act, 1993 and submissions in response to those of the D.P.P.

(6) In an appeal or an application for leave to appeal against sentence where it is intended to place reliance on the parity or otherwise of a sentence imposed on a co-accused, the Registrar is to be notified within 28 days of the lodgment of the notice of appeal so that all necessary transcripts can be obtained and made available to the court and the parties in advance of the hearing of the appeal or application for leave to appeal as the case may be.

*John L. Murray, Chief Justice, 1st October 2007*

# Was it a bird? Was it a plane? No it was the mystery shopper...

Readers will remember that in June 2006 we outlined the Courts Service plans to engage in a 'mystery shopping' survey. So how did it go? And what did we find out about our customer service? Nuala McLoughlin reveals all:

The survey was carried out by Millward Brown IMS. Their brief was to conduct 100 'mystery shops' using face-to-face visits to court offices and a small telephone and email survey.

Millward Brown independently and randomly selected the offices to be visited, subject only to the stipulation in the contract that they visit offices of varying sizes and spread countrywide. No advance warning was given to the 35 offices visited and each office received two visits to ensure that any once-off problems they might have been experiencing would not result in a poor overall report. The essence of mystery shopping surveys is anonymity.

**"96% reported that our staff were professional and polite, 91% reported that staff were courteous and 88% reported that the staff dealing with them gave them confidence in the interaction... Positive feedback was universally reported"**

The researchers answered 28 questions about each office they visited and evaluated it on a scale of 1 (very poor) to 5 (very good). The survey results have now been presented to the Senior Management Team (SMT), the Central Partnership Committee and the Courts Service Board. The evaluation was very positive for face-to-face mystery shopper, although less so for the telephone and email survey. Overall Millward Brown concluded that it compared us favourably with other private and public sector organisations that had done similar surveys.

The questions ranged from ease of

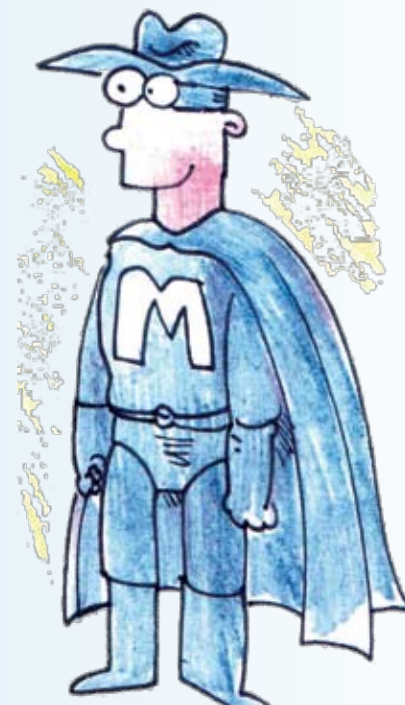
locating the building, finding an office within the building and environmental factors such as litter, graffiti, cleanliness of floors, availability of litter bins, access to public toilets, seating in waiting areas, display of Courts Service information leaflets, and access to public search terminals and indexes for those interested in self-help.

A very important part of the survey was the evaluation of the staff who dealt with the researchers. 96% reported that our staff were professional and polite, 91% reported that staff were courteous and 88% reported that the staff dealing with them gave them confidence in the interaction (i.e. knew what they were talking about). Positive feedback was universally reported. Millward Brown advised the SMT that most public sector organisations would be delighted to score anything over 70% on these measures, so this is a very good result.

We do have some work to do however in regard to telephone and email contact, although the sample for these surveys was very small since the main focus of the survey was to evaluate the face to face contact.

Fifteen offices were the subject of phone surveys. 73% of researchers reported that the call was answered promptly and 67% felt that their call was not rushed. Using the Courts Service website as a source for email addresses, Millward Brown sent an email to fifteen randomly selected offices. 40% of those surveyed replied promptly so we are now working with all office managers to improve the response times in this area, and will target training and management efforts in this area from now on. Given that the telephone and email survey were based on a small sample, we will revisit this with a larger sample at an early date.

A senior member of Millward Brown conducted qualitative



interviews with eight of our major stakeholders and found that the Courts Service staff are seen as being friendly and efficient, with office managers viewed as approachable and responsive. The User Groups which have been established in Dublin and by Regional Managers attracted very favourable comment as did the improved facilities in courts and court offices together with modernisations such as the website and IT.

Commenting on the survey results, Chief Executive Officer P. J. Fitzpatrick stated that "there is no room for complacency but there is every reason to believe that the Courts Service is meeting its targets and is well on the way to achieving its goal of being a world class service".





# Family Law reporting project set for another year

Recommendations on family law are contained in a Report summing up the work of the one year pilot project on family law reporting presented to the Minister for Justice, Equality and Law Reform, Brian Lenihan, by the Chief Justice, John L. Murray last month as Gerry Curran reports:



Left to right: Minister for Justice, Equality & Law Reform Brian Lenihan T.D., Dr. Carol Coulter, Chief Justice John L. Murray at the launch of the Report on family law.



Left to right: John Coyle (Director of ICT), Olive Caulfield (Criminal Courts Complex project office), Diarmaid MacDiarmada (Director of Circuit and District Court Operations), Vivian Geiran (The Probation Service), and Marie Ryan (Corporate Services) at the launch.

The *Family Law Reporting Pilot Project*, written by Dr. Carol Coulter, made a number of recommendations in the family law area. The Courts Service Board has set up a special committee to implement the recommendations that fall within its remit. It also decided to continue the pilot project for a further year, at which point it will be reviewed again. For the next year, the project will be run under the supervision of the Courts Service Information Office – using a panel of barrister reporters.

Mediation should be compulsory in family law cases where children's welfare is a priority, states one recommendation. Another recommendation calls on the Government to examine the possibility of a Family Court Division of the Circuit Court. Such a division would be based around the provision of 15 regional centres – each equipped with information offices and mediation facilities.

Dr. Coulter's report also recommended that the Minister should consider allowing the press to report on family law proceedings, with the proviso that participants' anonymity would remain tightly guarded. Among the other recommendations were:

- From 2009, or earlier if practicable, the Courts Service should publish judgments, decisions, statistics and some reports or sample cases on the Courts Service website
- The Courts Service should consider nominating a representative to liaise with academic institutions on family law
- The creation of a new Rule of Court to allow judges to give direction in court to those reporting family law proceedings, particularly on how to maintain litigants' anonymity
- The Central Statistics Office should be asked to extend its examination of statistics in the Courts Service to family law.

Speaking at the presentation, the Chief Justice Mr. Justice John L. Murray said: "The State has always acknowledged the family as a fundamentally important unit in society. It is essential therefore that where there is a breakdown in family relationships, particularly where the welfare and future of children is at stake, that the State ensures that there are the systems and resources in place to address and resolve the serious

issues to which such breakdowns often give rise."

On a broader level the report had recommendations on the family law system itself, some of which will have to be looked at within the political and executive sphere. These include:

- Where children's welfare is a priority, applicants should be required to undergo a minimum number of mediation sessions before a case could go to litigation.
- Mediated settlements could be brought before the court and made binding
- Case management should be built into the system – (this can be done regardless of whether a family law division is established).

This second part of the report makes a total of 27 recommendations, many of which echo those of the Law Reform Commission's 1996 Report on the Family Courts. Four of Dr Coulter's recommendations require Government action to come into force and the remainder could be put in place through organisational changes.

**"The unplanned development of the family law system has led to a situation where, despite the best efforts of court staff and judges to provide a service to the public, lists are over-crowded; cases, including urgent cases involving matters relating to the welfare of children, are adjourned for weeks or months at a time; courts often sit late into the night; and litigants cannot be sure that, if their case is adjourned, it will be heard by the same judge when it resumes. Practices and procedures can vary from District to District and Circuit to Circuit, compounding a general lack of information about how the family law system works." – Dr Carol Coulter, November 2007**

# Courts Service Board meets in Tullamore



The Chief Justice and members of the Board at their meeting in Tullamore from left to right: Judge Patrick Moran, Judge Flann Brennan, James Martin, Kevin Fidgeon, Judge Iarfhlaith O'Neill, President of the High Court Richard Johnson, Chief Justice John L. Murray, Mrs Justice Susan Denham, P. J. Fitzpatrick, President of the Circuit Court Matthew Deery, Owen Binchy, Esther Lynch, Liam Farrell and President of the District Court Miriam Malone.

The magnificent facilities in the refurbished courthouse in Tullamore afforded a perfect opportunity for the Courts Service Board to move out of Dublin recently. The Board held its October meeting in one of the fine newly decorated rooms. It was the second time the Board met outside the capital, the first being a meeting held in Cork following the refurbishment of the courthouse there in 2005.

Members of the Board used the occasion to meet local judges and staff and to admire the great work undertaken to restore and upgrade this imposing 19th century building.

On a tour of the courthouse they could appreciate at first hand how modern facilities in the courtroom such as video link and PCs for recording results are improving the efficiency of the courts in this major Midlands town. The Chief

Architect on the refurbishment project, Michael Grace and Midland Regional Manager, Ann Price were on hand to point out other improvements such as consultation and waiting rooms.

The building accommodates the County Registrar and staff of the Circuit Court and the Chief Clerk and staff of the District Court. The Midland Regional Office also has its offices in the building.



Members of the Courts Service Board with Courts Service staff and invited guests on the steps of the courthouse.



# OPUS building award for Tullamore Courthouse



From left to right Paul McDonnell (Bank of Ireland), Ronin Moore (Purcell Construction), Roelie Smit (NMA), Barry Supple (judging panel), Michael Grace (NMA), Tom Parlon (Director General of the Construction Industry Federation) with the award on the night.

The excellent work carried out on Tullamore courthouse was acknowledged recently with an OPUS Architecture and Construction Award. Running since 2000, the OPUS awards were developed to promote architectural design and honour excellence in building construction.

Tullamore was a winner in the 'heritage' category. It was in good company – other winners were Carton House in Maynooth and the Shelbourne Hotel in Dublin. As part of the process of

choosing the winners in the different categories five judges examined 127 presentations and selected 29 of them to inspect. Tullamore was one of the lucky few to be short listed. In their report the judges stated that the courthouse "provides for new facilities and universal access with a new contemporary addition, and gives Tullamore back its best building and more besides".

Ann Price, Midland Regional Manager and Shay Kirk, Estates and Buildings,

attended the award ceremony on behalf of the Courts Service. On the night the judges commented that "if there had been an award for joinery, Tullamore would have won it". Chief Architect on the project, Michael Grace of Newenham Mulligan and Associates (NMA) commented that "this reflects the quality of the joinery particularly in the courtrooms".

Congratulations to all involved with the project.

## Tullamore community visiting new courthouse

**The refurbishment of Tullamore Courthouse has resulted in a fine building not only for those with court business but for the people of the area generally. We asked Midland Regional Manager, Ann Price to tell us about some recent visitors:**

"We've welcomed lots of people from the area to our new courthouse. It's been great to be able to show them around and let them take in all the work that has been done. And it's great to be able to do it in a relaxed atmosphere," Ann says pointing out that for a lot of people going to a court building is a time of foreboding, tension and anxiety. People involved in a court case are not very interested in the finer points of the architecture and are often not in a position to appreciate the new facilities provided to make their experience more comfortable. "These more social visits give us a chance to show the local community what a fine building we now have as part of the fabric of Tullamore town."

Retired staff of the local town council came on a tour recently. "There were about 60 people and they had great fun trying to figure out where their old offices were. We gave them a tour and showed them how an old building can be modernised." Then there were some retired business men. "They included bank managers and county managers and they had lots of questions about the court system and how it works."

Since the completion of the refurbishment project the courthouse has accommodated not only sittings of the District Court and Circuit Court but of the Coroner's Court and the Employment Appeals Tribunal. "There's huge local interest in the courthouse," Ann says.

# Busy year for Capital Building Programme...

## Criminal Court Complex on schedule for 2010

The Capital Building Programme continued at pace in 2007 with the opening of new courthouses, the refurbishment of existing ones and the ongoing planning for projects due to commence in 2008. Shay Kirk, of the Estates and Buildings Unit told *Courts Service News* about developments in the last year:

The last year has seen further improvements to court infrastructure around the country. Additional courtrooms, better public access, extra consultation rooms and accommodation for legal practitioners are just some of the facilities that have been installed in court buildings across Ireland.

The **Criminal Courts Complex** project forms the largest tranche of the Capital Building Programme. The Public Private Partnership (PPP) project with a consortium led by Babcock and Brown is on site, progressing well and due for completion in the first quarter of 2010. Construction costs will be €120 million.

*Courts Service News* paid a visit to the site at the corner of Parkgate Street and Infirmary Road, Dublin, last month and noticed that digging work was well progressed.

Two entirely new courthouses were built in **Bray** and **Belmullet** this year. The new Belmullet Courthouse, in Co Mayo, was a joint development with Mayo County Council aimed at providing court facilities and a theatre, as well as offices for Mayo County Council and Udáras na Gaeltachta. The court facilities include a District Court with adjoining judge's room and accommodation for the Court Clerk, legal practitioners, a number of consultation rooms together with public toilets and holding cell facilities for prisoners.

The new courthouse in **Bray** provides two main courtrooms and a family law court with office accommodation for the District Court Office. In addition, modern office accommodation has been provided for the judiciary, the legal profession, juries and the public.

Secure holding cell



Minister for Justice, Equality & Law Reform Brian Lenihan T.D, with Brendan Ryan (Director of Corporate Services) and P.J. Fitzpatrick C.E.O. at the opening of Blanchardstown courthouse.

accommodation has also been provided.

Also this year, work was completed on the refurbishment of **Tullamore** and **Fermoy** courthouses. In addition, the Family Law Courts in **Dolphin House** have been totally refitted to provide modern accommodation for the judiciary, staff and all family law court users in Dolphin House. The work on the busiest family law office in the country was carried out during July, August and September.

Among the new facilities was an access lift for people with disabilities, a new waiting area for the public and additional consultation rooms. The approximate cost of the revamp was €3.5 million. Court sittings resumed on schedule in October.

As regards projects still under construction, work is almost completed on the provision of new court facilities in **Ardee** as part of a joint development with the Office of Public Works and Louth County Council. This project will be completed by the end of

2007 with a view to

court sittings commencing there early next year.

Projects also commenced in 2007 at **Thurles** and **Blanchardstown**. The courthouse in Thurles is being refurbished and extended at present and this project will be completed by April 2008.

In addition, accommodation in Blanchardstown was acquired. It is being fitted out to provide two courtrooms and all the necessary ancillary accommodation including judicial, staff, consultation rooms, jury room, holding cell accommodation for prisoners and accommodation for legal practitioners. This work will be completed by April 2008.

Planning commenced on a number of projects in 2007 and it is expected that work will commence on these in the course of 2008.

Tenders have just been received for the refurbishment of **Kilkenny** Courthouse and work will commence early next year. This will be a major project to provide two additional courtrooms in Kilkenny and modern accommodation for the judiciary, staff of the District and Circuit Court Office and all the necessary ancillary facilities that are required in a county town facility. Family Law facilities will also be provided as part of the project.

Similarly tenders will be invited early next year for the refurbishment of **Monaghan** Courthouse to provide a total of 3 courtrooms and office accommodation for the District and Circuit Court offices there.

Plans have recently been completed for the refurbishment and extension of **Mullingar** Courthouse to provide a total of 3 courtrooms including family law facilities. It is expected that work will commence on this project in the middle of next year.





Tullamore Courthouse



Bray Courthouse



Tullamore Courthouse

Sites have been acquired to provide new courthouses in **Wexford** and **Letterkenny** and discussions are underway with Wicklow County Council to acquire additional space at the rear of the courthouse to facilitate its refurbishment.

Planning is also at an advanced stage in respect of **Swinford**, **Manorhamilton** and **Kilmallock** Courthouses and again it is expected that work will commence on these projects in the course of 2008.

Planning is also underway in respect of a number of other projects around the country and sites are being acquired in areas where new sites are necessary to provide modern court facilities.

A number of courthouse projects will be provided through Public Private Partnership (PPP). The Courts Service is looking at providing additional court facilities at four locations throughout the country. These are at **Limerick** (a new criminal courthouse), **Letterkenny** (a new courthouse), **Swords** (a new courthouse) and **Cork District Court** (extension to existing courthouse).

The present courthouses in these locations are totally inadequate to meet modern demands on them and the new court facilities when provided will meet the long term needs of the judiciary, staff and all court users in these areas well into the future.

Criminal Court Complex



Bray Courthouse



Bray Courthouse

Bray Courthouse



Tullamore Courthouse



Tullamore Courthouse



# The High Court – at your fingertips

A new online service means that legal practitioners and members of the public can obtain details of High Court cases at any time, from anywhere, using the internet. Angela Denning of the High Court and John O'Neill of the ICT Directorate explain what information is available and how the new service works:

You can locate the new website via a link to 'High Court Search' from the Courts Service website homepage – [www.courts.ie](http://www.courts.ie). The information on the website is updated each night. Case records are taken from the existing High Court case tracking database and uploaded into a new web-based application, which allows internet users to search these records at their convenience.

Users can search and view High Court case records using a range of search criteria including the record number of the case, the name of any of the parties, the list number or the date the case was listed and the list type. The modern web-based technology used makes the search much easier to use than the existing public search facility in the Central Office. It has the added advantage of giving users access to information outside of office opening

hours and without having to call in to or telephone the Central Office. That said the existing public search facility in the Central Office will remain in place to allow users calling to the office access to information updated on that day if necessary for very urgent business.

This application, which was developed by Quest Computing Ltd., will be of great benefit to regular customers of the High Court Central Office, and indeed to many other customers of the Courts Service. It will also be of great help to the Central Office staff in their day-to-day tasks.

The system gives access to a wide range of information about High Court cases. For example, you can view:

- the names of the parties
- name of the solicitors firm on record

- the record number
- court listings and a brief description of the outcome
- the types of documents filed
- a brief description of orders made
- the date on which the court gave its written judgment.

Some information cannot be viewed on this new site, mainly to do with family law cases and other cases not heard in public, either because of legislation or because a court order has been made directing that the details of the case are not to be made public. The site also does not contain the contents of court orders or affidavits.

Reserved judgments of the High Court will continue to be published on the Courts Service website [www.courts.ie](http://www.courts.ie) as they are made available.

## Your questions about High Court Search answered

**Q: Can I access historical information using this website?**

**A:** Information about cases issued since August 1993 is available from this website.

**Q: How up to date is the information?**

**A:** The information contained is updated each night at approximately 3am. The update takes approximately one hour. During the update the site will not be available to users.

**Q: How do I search for a case?**

**A:** When you enter the site, navigate to the search screen. Enter data in at least two of the searchable fields and click the 'search' button. The help page, which is accessible from each page on the site, gives you lots of useful tips on how to use the search screen.

**Q: I have found the case I'm looking for. What do I do now?**

**A:** Each case record which matches the search terms used is displayed on a search results page. If you go to the 'View Details' column on this page and click the 'View' link for the case you wish to view, you can then use the links provided to navigate through pages which contain all the available details relating to that case.

**Q: I can't find the case I'm looking for. What can I do now?**

**A:** You can use the 'Back' button to return to the 'Search' page and try putting in some extra information if you have it, or try changing your search terms. Also it is possible that the case you are looking for cannot be displayed on the site as it is subject to the 'In Camera' rule (e.g. Family Law Cases)





# Jury service – what’s happening in Ireland?

Given that the Law Reform Commission is likely to undertake a full review of the jury system in its next programme the Courts Service has taken a look at the role of jurors with the intention to making a submission to the Commission in due course. At the same time the Service continues to make improvements for jurors. We thought this a good time to report on these Irish developments and also to bring you some interesting developments from around the world. Gerry Curran reports:

Attending for jury service can be a weird, daunting and disorientating experience for many. The Courts Service has received feedback from jurors over the last while which has led to the development of new initiatives in facilitating jurors.

## Improving information

In Dublin the Service has produced a series of leaflets, in plain English, to assist potential jurors find the location and understand the likely happenings on the day they attend for service in the Central Criminal Court, the High Court and the Circuit Criminal Court. The leaflet is being sent out with the jury summons, together with another leaflet, in use for some time, explaining the

legal process involved in being a juror.

## Assisting jurors in the courthouse

In some courthouses around the country staff meet with and show jurors where to assemble. They also explain how the process works by way of a briefing. This includes what is likely to happen in court and practicalities such as the hours of attendance, the responsibility of employers to pay for days in attendance and lunch arrangements. In Dublin the judge in the Circuit Criminal Court explains the process to the gathered jurors in a separate waiting area via CCTV.

In the Central Criminal Court jurors are called on a Monday morning to an empty courtroom. The numbers being called here has been halved as the frequency of jury panels being summoned has increased to once a week from once a fortnight. This not only reduces the possibility of crowding but reduces the times a juror has to attend for roll call down to one day – as all the panels for a week are organised on the Monday.

## Improving facilities

All county town and Four Courts venues have modern public address systems which make hearing cases easier, with judges frequently reminding counsel and witnesses to use the microphones provided. Complaints about bad sound were frequent in the past.

Facilities for jurors have improved exponentially due to the huge investment in court buildings over the past eight years. In every refurbished Circuit Court across the country there are now fine jury rooms and associated facilities compared to the cold, damp and inadequate facilities of the past.

Every empanelled jury is taken for

lunch on the days of a trial and in the new Criminal Court Complex under construction in Dublin a separate, jury dining facility is being built.

## Proposed changes to the law on jury service

As well as the practical improvements being made for jurors the Courts Service has made several suggestions for changes which need legislation to be implemented.

There have been no major changes to the law governing jury service since the enactment of the Juries Act, 1976. Now after more than 30 years the changes which have been proposed are before the Oireachtas as part of the Civil Law (Miscellaneous Provisions) Bill, 2006.

In short the changes will:

- allow a jury to separate at any time before retirement to consider their verdict and
- increase the maximum fine for failure to comply with certain provisions of the Juries Act – e.g. from £200 to €2,000 for serving on a jury while knowing you are disqualified and from £50 to €500 for other offences.

A further amendment will amend the reference to persons who are ineligible to serve. Instead of saying that ‘incapable persons’ who ‘because of insufficient capacity to read, deafness of other permanent infirmity’ are ‘unfit to serve on a jury’ the new section will refer to ‘other persons’. These are persons who have an incapacity to read or an enduring impairment such that it is not practical for them to perform the duties of a juror.

You can read the entire Bill on the Houses of the Oireachtas website: <http://www.oireachtas.ie>

# Japanese say no thanks to jury service

As Japan prepares to introduce jury trials for the first time and in the biggest change to its criminal justice system since US occupation after the Second World War, organisers are finding they need to combat deep rooted cultural obstacles.

These obstacles include a reluctance to express opinions in public, an avoidance of arguing with another person and a deference to and non-questioning of authority. Over 500 mock trials have been held so as to help overcome this and a frankly sceptical public. 80% of the population do not wish to serve as jurors.

Experiences of the mock trials has seen jurors refer a lot of questions to the judge, never engaging each other in discussions and using the inherent ambiguity of the Japanese language to hedge their opinions and views.

Of six mock trials and jury-room scenarios staged in Nagano (fans of snow sports will remember it as the home of the 1998 Winter Olympics) only one potential juror said they would wish to serve on a jury in a real trial. Most felt stressed and overwhelmed. To combat this theatre groups are staging versions of the play *Twelve Angry Men* to familiarise people with the jury process and to overcome the belief that to not speak is a virtue.

The proposed system will see randomly selected citizens sit on the bench with a judge and jointly decide on the outcome of the case and hand down sentences. A massive change for any democracy – a giant leap of imagination for the self named ‘Robot Kingdom’.

# Easing the trauma for young and vulnerable witnesses



Since 1988, St. Louise's Unit in Our Lady's Children's Hospital (OLCH) Crumlin and St. Clare's Unit at the Children's University Hospital (CUH) in Temple Street have provided a dedicated service for child victims of sexual abuse and rape.

The primary mandate of the units is two-fold. Firstly a team assesses concerns regarding the possibility that a child has been sexually abused, afterwards offering an opinion on the story's credibility. Secondly, regardless of the result of that outcome the team will then make recommendations for the child's or indeed the family's therapy needs. With the addition of therapy services from the mid-nineties, and the airing of concerns and fears in such sessions, the units began to encounter a number of issues relating to child witnesses and their families in the criminal justice system.

Anne O'Flaherty, Principal Psychotherapist at OLCH, identifies that point as the time when the units' advocacy work on child witnesses began. "From that, an awareness developed increasingly how children and families were describing what it was like for them at that particular time," says O'Flaherty. "From 1988 to 1996 we would have seen children purely for assessment. So by and large, we really didn't have a huge amount of contact with families regarding their interface with the criminal justice system in particular. By the time it came either to a decision back from the DPP and certainly by the time it came to trial we would have well lost contact with the family.

Giving evidence can be a fraught experience for child witnesses in sexual abuse cases, many of whom suffer a psychological effect that recalls the original trauma. Specialists who deal with vulnerable children on a daily basis have some ideas on how to cater for child witnesses, as Luke O'Neill found out:

"So, our interest in the area of child witnesses would have coincided probably with about a year on from the development of the therapy service, because obviously from then on we would have seen children and families from a much longer period of time."

Gráinne Lawlor, Acting Director of St. Clare's Unit at CUH, describes a similar awareness. "Since day one we've been very aware of the difficulty of child witnesses getting justice within our criminal justice system. A minority of the children we see would be involved in cases where there would be a conviction," she says.

"And I guess the benefits of it would be the fact that it would be a dedicated and specialist service where staff and personnel would be understanding of where children are coming from. Because I think the problem very often with the legal system is that children are treated as mini adults."

Lawlor says: "The principal benefit would be a process that would focus solely on the child's welfare. I think it could be provided by voluntary agencies who work with children like Barnardos – ideally it should be an independent person. The idea of our criminal justice system is that it gets to the truth so children need to be supported so that they can help do that and give their information in a palatable way."



Lawlor would favour an inquisitorial approach to child sexual abuse cases and believes that Ireland can learn from international examples in the United States and the Netherlands. "If I was to be really radical I would love to see a system akin to the child advocacy centres in the United States. There, all the people who work with children in the criminal justice system work under the same roof. Lawyers, guards and mental health practitioners are all working together. It's a kind of one-stop shop idea."

In July 2006, the units at St. Clare's and St. Louise's made a joint submission to the Commission for Victims of Crime, where they put forward proposals for the development of an independent Child Witness Support Service agency. The submission puts forward the idea of a court witness supporter – an independent person, not involved with the child or the case, whose focus is solely on the child's welfare throughout the legal process.

"We were taking the opportunity when the Commission [Victims of Crime] was set up to try and develop our ideas a bit more. We thought that the whole concept of a court witness support service would be actually beneficial not only to the children who would be clients of our service but in fact child witnesses in total," explains O'Flaherty.

What advice is there for legal professionals in dealing with child witnesses and their families? Things that do and can help, according to O'Flaherty, would be an awareness of what the experience means for children and families. She believes that the legal profession, on the prosecution side through the office of the Director of Public Prosecutions, have become more aware of the importance of pre-trial consultations.

The Courts Service continues to work to improve the experience of all victims of crime as they attend court. The Central Criminal Court and the Circuit Criminal Court has special reserved seating for victims' families in murder and manslaughter cases. And special rooms are provided for vulnerable victims in





over 50 newly refurbished courthouses around the country.

“One of the things that would have been huge for children and families would have been the physical surroundings of the courts because of the fact that there would be no privacy, there’s no waiting area, there’s a fear of literally criss-crossing with the defendant on your way into court,” says O’Flaherty. “In fairness with the video link suite, that’s probably unlikely to occur for any of the children who are likely to be using video link but obviously for their parents it could be quite traumatic if they suddenly run into the mother or the best friend of the defendant.”

This concern is addressed in the new Criminal Courts Complex, where courtrooms are designed to minimise the proximity of victims and their families to defendants and accused persons. The Complex will contain remote video link and victim support and consultation rooms.

There are many positives, according to O’Flaherty, who has much praise for the willingness of individuals and groups to involve themselves in this area. “One of the things that has been very

positive has been the openness with the people that we have been meeting with to bring about change. I think that anybody we have talked to, they would all be striving to see what they can do to better the lot for children,” she says.

She identifies the introduction of video link facilities as a major change for child witnesses and praises the recent fast-tracking of more serious sexual crime cases. She also welcomes the Courts Service’s soon-to-be completed guide and booklet for children and young people giving evidence in court. “I think the emphasis on trying to ensure that young people are adequately prepared for court through the DPP’s office and the fact that the Courts Service has taken back up the booklets formerly printed by the Department of Justice are both positive steps,” says O’Flaherty.

Lawlor also believes that provision of pre-trial visits is working well. She says it is very important that children are not walking into the building for the first time on their day in court. “It reduces the surprises. Children are more comfortable when they are in a familiar situation,” she says.

## Video link: What to expect

**Sandra O’Rourke, video link minder in the Central Criminal Court, tells *Courts Service News* how the process works:**

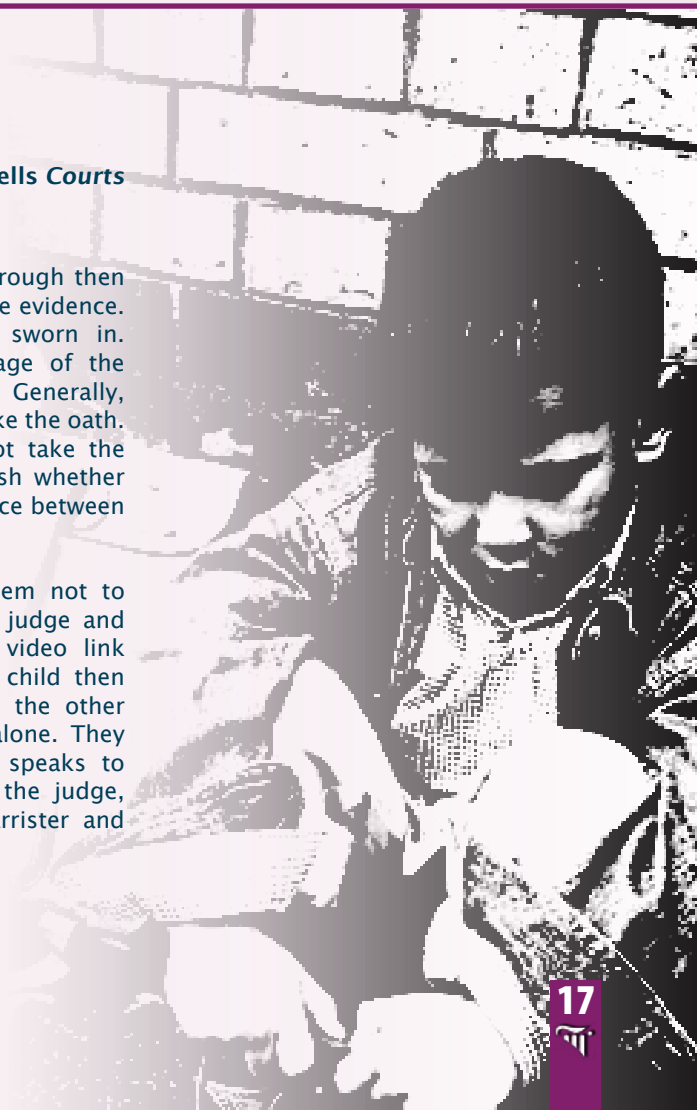
“First of all, the video link is for young people under the age of 17. The only person that can go in over the age of 17 would be someone with a disability or a person that might be described by the Gardaí as a hostile witness.

“A week before they give evidence the Chief Prosecution Solicitor will bring the young person in so that they can see the set-up. It’s explained to them that they can talk to us and tell us anything except things relating to the case.

“I would say 99 times out of a 100 the person will choose to come in the week beforehand. So when they come in on the day they will have seen me from the week before. There are two parts to the room, one is a waiting room where there are snacks and drinks – they can play games – and the other part is the room with the video link to the courtroom.”

“When the judge phones through then it is time for the child to give evidence. The video link minder is sworn in. Then, depending on the age of the witness, they are sworn in. Generally, witnesses under 12 don’t take the oath. Where the witness does not take the oath, the judge will establish whether the child knows the difference between right and wrong.”

“It’s really a facility for them not to have to go in and see the judge and defendant. There are two video link assistants. If I’m with one child then the other assistant is with the other one – they are never left alone. They will see each person that speaks to them. That’s usually four; the judge, the registrar; their own barrister and the defendant’s barrister.”



# History in Castlebar as High Court expands

The initiative by the President of the High Court to expand the range of cases dealt with outside of Dublin continued in Castlebar recently. "We experienced a little bit of history," said Mayo County Registrar, Fintan Murphy referring to the High Court sitting to deal with chancery and non-jury cases in Mayo for the first time in the history of the State.

Speaking at the commencement of the sittings, presiding judge Mr. Justice Paul Gilligan who was joined in Castlebar by his colleagues, Mr. Justice John McMenamin and Mr. Justice George Bermingham mentioned some distinguished members of the Mayo Bar Association and barristers of the Western Circuit who had practised in the region over the years.



Left to right: Henry Bourke S.C., Fintan J. Murphy (Mayo County Registrar), Mr. Justice John McMenamin, Mr. Justice Paul Gilligan, Mr. Justice George Bermingham, Pat O'Connor, President of the Mayo Solicitors Bar Association.



He noted that the refurbishment of the Castlebar courthouse was a major contributing factor to the holding of the sittings. "It is a great privilege to have available through the endeavours of the Courts Service such a fine courthouse for the work we are about to embark on," he said. "The original building is over 200 years old and has undergone many changes but it was completely refurbished and significantly extended in 2004. It now has four courtrooms

with modern facilities for all court users, including video conferencing and digital audio recording of proceedings."

The judge said that it was only appropriate that "this first sessions of the High Court chancery/non-jury list on the Western Circuit should take place here in Castlebar where the facilities available on the courthouse are amongst the best in Ireland."

## Fitting tribute to Ms. Justice Mella Carroll

A fine portrait of Ms. Justice Mella Carroll was unveiled recently in Kings Inns. Mr. Justice Michael Moriarty remembers his colleague and tells us why this was such a special event:

In her distinguished career prior to her death in January, 2006, Ms. Justice Mella Carroll achieved many 'firsts', in what was once a male-dominated legal profession: first woman elected Bencher of King's Inns, first woman Chairperson of the Bar Council, first female judge appointed to the Superior Courts, to mention only the most obvious. Now she has achieved a further posthumous recognition from her colleagues in becoming the first woman whose portrait hangs from the ancient walls of King's Inns.

Following her death, two close friends and colleagues since student days, Mr. Justice Francis D. Murphy (retired Supreme Court Judge) and Mr Justice Diarmuid O'Donovan (of the High Court and since sadly also deceased) readily persuaded their Bencher colleagues that a portrait should be commissioned. The artist chosen was Ms. Maeve McCarthy,



winner of an important award for a self-portrait in the English National Portrait Gallery, and whose other subjects have included the author Ms. Maeve Binchy (National Gallery of Ireland) and a number of senior Irish public figures. Painting a deceased person is challenging and difficult for any artist,

but the task was eased somewhat by a large number of photographs and a video made available by members of the extended Carroll family.

After being pursued with great verve and commitment by Judge Murphy, the project was delivered ahead of time, and on 26th October last, the portrait was unveiled at a ceremony in King's Inns, with a large number of family, friends and colleagues in attendance. Thus what was generally felt to be a fine, sympathetic and engaging reflection of the Artist's skills went on view, and is likely to be shown on loan at next years Royal Hibernian Academy Exhibition.

Now surrounded by her exclusively male companions on the walls, it is fitting that a person, whose skills and attributes encompassed much more than her legal professional attainments, allows herself a little smile.



# Serving the Customer, Managing Performance – the Orange County way

When it comes to improving how we do things we can learn a lot from colleagues in other jurisdictions. While attending the recent Courts Technology Conference (CTC10) in Tampa, Florida Directors Nuala McLoughlin and Sean Quigley paid a visit to court offices in Palm Beach County and Orange County where they found that customer service and performance management are high priorities:

The State of Florida recognizes organizational performance excellence through the Sterling Awards. The criteria used are recognized as the world-class standard for organizational excellence. Palm Beach Courts won the award in 2003 and Orange County Courts are in line for the award in 2007.

The award criteria are designed to help organisations use an integrated approach to organizational performance management that results in:

- Delivery of ever improving value to customers and stakeholders, contributing to organizational sustainability
- Improvement of overall organizational effectiveness and capabilities and
- Organizational and personal learning

In both courts there is great clarity, among all staff, of the vision, mission and strategy. Both Palm Beach County and



From left to right: Un Cha Kim (Chief Operating Officer, Palm Beach Courts), Nuala McLoughlin (Director of Operations, Supreme and High Court), Stephen McCartney (ICT Directorate), Kevin Fidgeon (Dublin Circuit Court), Maura Rowley (National Centre for State Courts), Sharon Bock (Clerk and Comptroller, Palm Beach County Courts), Sean Quigley (Director of Finance)

Orange County Courts treat customer service as their primary driver of strategy. Customer satisfaction surveys are based on 6 questions wrapped around the core organizational values. A number of tools are used including opinion surveys, focus groups and mystery shopper. Recently kiosks have been installed in court buildings where visitors can give feedback on customer service.

Palm Beach County Court also established a customer contact centre to deal with what they describe as infrequent court users. This is a call-centre which can only function because of the existence of the unified e-filing system which gives the staff of the centre access to all cases for dealing with queries. Palm Beach also operates a "self service office" mainly for family law cases (which includes deed poll) and debt.

The culture of the Palm Beach organisation is driven by customer needs. One of the core values in

both courts is to be a great place to work. This makes these organisations dynamic and innovative, with a high level of staff engagement and empowerment. The visits to both courts were extremely informative and gave us food for thought in terms of our own modernisation agenda.

Those who would like to know more about these courts can visit: [www.mypalmbeachclerk.com](http://www.mypalmbeachclerk.com) and [www.myorangeclerk.com](http://www.myorangeclerk.com)

## Get your Calendars and Wallplanners now!

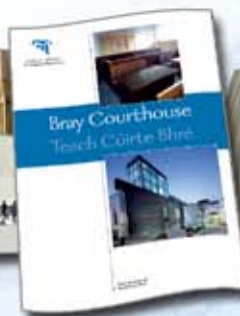
The Courts Service Calendars and Wallplanners for 2008 are now available. The Wallplanner features photographs of recently re-furbished court buildings.

If you would like to brighten up the wall of your office with a Calendar or Wallplanner you can order copies by contacting Catherine O'Leary in the Information Office by phone at 01 888 6459, by e-mail at [co'leary@courts.ie](mailto:co'leary@courts.ie) or at the following address:

Courts Service Information Office  
Phoenix House,  
15-24 Phoenix Street North,  
Smithfield,  
Dublin 7.



# 2007 in REVIEW



It's that time again when people reflect and ponder on the close of another year. The passage of another 12 months is like a journey with high and low points on its way. Courts Service News has recorded this cycle, charting both developments at an organisational and personal level. Here, we look back over the last 12 months:

Making the courts more accessible, open and innovative was at the centre of many of the changes in the Courts Service over the last 12 months. For the first time ever, the public could make small claims online – this achievement alone was significant in reducing time and effort for both our staff and the public. And for gaeilgeoirí, courts.ie began to provide a growing number of pages in our first native tongue. In fact, full Irish capability for the entire site is a fast-approaching reality.

The Information Technology Strategy made a number of important gains, which led to the fruition of a number of projects which enhance public access to our services. Small Claims Online and the Courts Accounting System (CAS) have changed the way users manage the making of claims and the payment of fines, fees and family law payments. High Court Search provides round-the-clock access to certain High Court records and is the latest addition to our online family.

Small Claims Online was the first step in the journey of delivering services to the public in an electronic format. Coupled with the growth of our website, in both its English and Irish language forms, it's been a very fruitful year of growth on the IT front. Our progress was recognised by two significant awards as part of the "Eircom Innovation through Technology" awards.

One of the most challenging areas of work for any court system is family law as it involves so many complex and challenging issues. Family law courts deal with a greater variety of issues than any other type of civil or criminal court. It was in this environment that the Family Law Reporting Pilot Project was established. Under the stewardship of Dr Carol Coulter, who recently returned to The Irish Times as its Legal Affairs Editor, the Project records judgments and statistics and provides reports of proceedings in family law courtrooms. In all, three issues of Family Law Matters were published and the continuation of the Project into 2008 was ensured by a Board meeting in October.

The bane of many dealing with the courts is the variety of forms and differences in practices from office to office. For criminal matters in the District Court the situation has already been addressed and improved with the implementation of the Criminal Case Tracking System (CCTS). It's hoped that this success can be transplanted to civil litigation. The project for the new Civil Case Management System (CCMS) is moving forward and is working towards the standardisation of practice and procedures in all jurisdictions. This major project completed its first phase this year. It is one that will stretch and challenge the Service over the next number of years.

Demystifying the courts and providing information is a vital part of the role of the Courts Service. It is not just the big projects that change the public perception on how the courts work. This year we continued to reach out to the wider community in a number of ways:

The work experience programme for post-primary students and the schools and colleges tours continued. Conducted on a national basis, these outreach programmes again helped to introduce the public to the legal system in Ireland. It also provided students with information and experience of how the court system is operated. Hopefully it gives pupils an innovative learning experience, in helping them to understand the vital role courts play in civil society. We also facilitated visits to the courts by numerous groups from active retirement groups, Citizens' Information Centres and law centre groups.

It was good to note in surveys conducted over the last two years that our people are held in high regard by the general public who use the services of the courts. We maintained our high standards of professionalism and courtesy in our dealings with people. The challenge going forward is to maintain and build on this level of service and to make improvements in areas where weaknesses have been identified.







On a personal level, we marked the dawning of new life in the many pictures of beautiful babies born to the staff of our Service. We have also noted the deaths of many of our colleagues and friends. In their obituaries we tried to mark their achievements, their dedication and the service they gave in their many roles, not just to the Courts Service but to the wider society.

The last 12 months have posed many challenges to the organisation. Looking out at the broader environment, the need to change the way public services are delivered was the key challenge faced by our Service in 2007. Among the challenges for 2008 are the need for long-term thinking and the establishment of systems whereby the customer receives added value and respect.

Having a well motivated, knowledgeable and flexible workforce is the principle ingredient for the future success of the organisation. 2007 was an interesting and challenging year. We look forward to more of the same in 2008.

## 2007: Out and About

**There was plenty to see and do away from the office in the last year with staff taking every opportunity to socialise with their co-workers. Here is a selection of just some of the events that happened in the last 12 months:**

The sixth annual Summer Evening in Smithfield gave retired judges and staff the opportunity to catch up with each other. The Courts Service choir provided the soundtrack to the evening, while guests chatted over wine and food.

Cork staff held a barbeque in mid-July, with Richie O'Connor and Dave Power of the Cork Circuit Court filling in as chefs. Judges and staff from the Cork District Court, Cork Circuit Court and the Southern Regional Office were all in attendance.

The Courts Service Football Club again competed in the Solicitors League. The team competed well but three losses against McCanns, Dillon Eustace and the Legal Aid Board meant the team just missed out on a quarter-final spot because of goal difference. BCM Hanby Wallace – a team beaten 3-1 by the Courts Service Football Club earlier in the season – eventually went on to lift the league title.

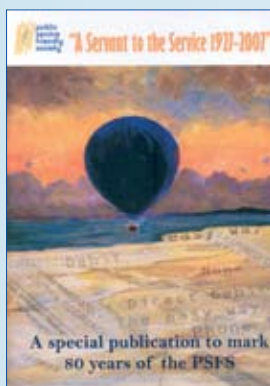
Lunch and Learn sessions continued throughout the year. Solicitor Patricia Hickey gave tips on buying and selling property. John McDaid of the Legal Aid Board spoke about the collaborative law approach to resolving family law matters in May. In June, Dr. Denis O'Driscoll gave two talks on drug addiction, its health risks and the available treatments. In September the Irish Cancer Society gave a number of information talks in Naas, Waterford, Wicklow, Limerick, Wexford, Tullamore, Galway and Cork. We're grateful to everyone who took the time to give a talk and to Employee Assistance Officer Deirdre Maye for organising the events.

Sadly, the Social Club Committee consider that the Christmas Party, held at the end of November, is likely to be the last of its kind. The Club feels that the Christmas Party no longer appeals to enough of the members to justify the costs and effort involved in running it. Whether it is due to changing work patterns, family commitments or lengthy commuting distances, attendance at social events has decreased year on year. The future direction for the Social Club itself will be decided at the next Annual General Meeting.



# Public Service Friendly Society marks 80 years

A special event to mark the 80th anniversary of the Public Service Friendly Society took place recently in the Visitors Centre of the Customs House in Dublin. Some 150 members turned up to join in the celebrations with host Joe Duffy of RTE fame. Declan O'Brien, Executive Director of the Society sent us this report of the big party and reminds us of the great support provided by the Society for public servants who find themselves in difficulty:



The first meeting of the Society took place in the Custom House in 1927. It was very appropriate, therefore, that this event took place in the very place it all began. The Society has provided assistance to thousands of civil servants at difficult times in their lives over the last eight decades.



At the 80 years reception of the P.S.F.S. are from left to right: John Molloy (Chief Clerk, Dublin Metropolitan District Court), Pat Fitzgerald (Peamount Hospital, Director Human Resources), and Denis Purcell (Dolphin House).

William Loughnane, a very accomplished Special Olympic Athlete, who was heading to Shanghai, was presented with a plaque to commemorate the occasion, by Adeline Meagher, Development Officer. William's father Liam is a member of the Society and works in OPW.

Cantando Chamber Choir, under the direction of Orla Barry, performed a number of pieces and we were honoured to hear the world premiere performance of 'Friendship', composed and written by Vincent Kennedy.

Vincent, who works in the Dept. of Social and Family Affairs, is a noted composer whose work has been performed at the National Concert Hall on a number of occasions. Aongus O'hAonghusa, Director of the National Library of Ireland (which has received the Annual Reports of the Society for the past 80 years) acknowledged the great work of the Society and ensured the safe keeping of the Reports.

To top it all, a specially commissioned history of the Society, written by Dr. Miriam Moffitt was launched and presented to the Chairman of the Society, Paul Cassidy. "The history of the Society will give an insight to those who may not be familiar with the work of the Society and hopefully will encourage more people to join," says Paul.

Declan O'Brien, Executive Director of the Society, and also a regular contributor to Liveline's 'Funny Friday' gave a humorous rendition, written specially for the occasion of life in the Civil Service. Guests were treated to a harp recital from the well-known harpist Teresa O'Donnell on arrival.

If you are not sure if you are a member, simply check your payslip and look for the PSFS deduction. "If you are not a member, don't worry," says Adeline Meagher "you are more than welcome to join!"

Membership only costs 25 cents out of every €100. It also gives access to join our low cost specified Illness Cover Plan. For more details, check out the Society's web site [www.psfs.ie](http://www.psfs.ie) or contact us at [info@psfs.ie](mailto:info@psfs.ie)

Our current range of benefits for members are:

- Cash Grants (non-repayable or repayable but interest free)
- Educational Grants
- Financial help/advice in dealing with Banks, Building Societies, Credit Unions etc.
- Financial help for essential Legal services.
- Support for retired members with nursing needs
- Funeral Grant (for those in need)
- Access to exclusive low-cost Specified Illness Cover Plan.

## PSFS scheme - how to join

### Who is eligible to join the Scheme?

Access to this scheme is restricted to civil servants at the point where they join the Public Service Friendly Society.

### What if I am not a member of the PSFS?

For those who are eligible but who are not already members of the Public Service Friendly Society, you are most welcome to join. It costs 0.25% of salary. That's 25 cent out of every €100 that you earn, or put it another way, for each €400 you earn you pay just €1 per week.

### What are the benefits of the exclusive illness plan?

There are three levels of benefit available under the Plan.

#### Option 1

- Pays you €32,000 tax-free lump sum for only €3.38 p.w.
- For you and your spouse/partner, it costs only €6.76 p.w.
- Children (aged 1-21) automatically covered for €13,000 - FREE

#### Option 2

- Pays you €19,200 tax-free lump sum for only €1.47 p.w.
- For you and your spouse/partner, it costs only €2.94 p.w.
- Children (aged 1-21) automatically covered for €8,000 - FREE

#### Option 3

- Pays you €40,000 tax-free lump sum for only €4.12 p.w.
- For you and your spouse/partner, it costs only €8.24 p.w.
- Children (aged 1-21) automatically covered for €15,000 - FREE

\*\*\* Terms and Conditions apply \*\*\*

### What's so special about the plan?

- **Low cost** - significantly cheaper than buying the cover on your own
- **Guaranteed acceptance** - no detailed medical questions or lengthy application form
- **Equality** - same cost for all irrespective of age, (over 18 and under age 60), gender, smoker/non-smoker
- **Convenience** - cost deducted directly from your salary
- **Tax Free Benefit** - paid directly to you.

### For further details contact:

**Adeline Meagher**  
Development Office  
Phone: 01-6341970  
Freephone: 1800 778787  
E-Mail: [info@psfs.ie](mailto:info@psfs.ie)  
Website: [www.psfs.ie](http://www.psfs.ie)



# Health & Safety: Your questions answered

Continuing our 'Cut Out and Keep' feature, Terry Agnew, Michael Goulding and Eva Font answer questions about Health and Safety in the Courts Service.

## Who is responsible for Health and Safety in the Courts Service?

All of us are responsible for having a healthy and safe working environment in our organisation. The Chief Executive Officer has ultimate responsibility for health and safety in the Courts Service. He has delegated responsibility for monitoring, implementing and reviewing safety, health and welfare issues to all Directors, Regional Managers, the Training Manager and the Health and Safety Co-ordinator. Office Managers, appointed as Safety Officers, have responsibility for health and safety in their offices on a day to day basis. The Safety Monitoring Committee is responsible for establishing, monitoring and reviewing Health and Safety policy in the Service.

## What is the Safety Monitoring Committee?

The Safety Monitoring Committee plays a key role in ensuring that the Courts Service is a safe and healthy place for both the staff and people who have to transact business in our courthouses and offices. Its primary role is to establish, monitor and review safety, health and welfare policies in the Courts Service. The Committee also ensures that Safety Statements are in place for all locations and are being reviewed annually and as the need arises. It is the forum where policy issues relating to health and safety matters can be raised and discussed. It also provides advice to the CEO and the Senior Management Team on matters relating to health and safety.

The Safety Monitoring Committee is chaired by the Director of Corporate Services. Its membership consists of four Directors, one Regional Manager, one County Registrar, one representative Office Manager, the Principal Officer, Dublin Buildings Unit, the Head of Estates and Buildings, the Health and Safety Co-ordinator and two Safety Representatives. Two staff members

nominated by Trade Unions and the Training Manager have also been co-opted to the Committee. All staff can access the work of the Committee as the minutes of all Committee meetings are posted on the Health and Safety site on Courts Information.

## Is there a difference between a Safety Officer and a Safety Representative?

Safety Officers and Safety Representatives play a key role in the various locations of the Courts Service in ensuring awareness among staff of health and safety. Safety Officers are appointed by Regional Managers as the persons responsible on a day to day basis for Health and Safety. Safety Representatives are selected by staff to represent them in consultations with management on matters of safety, health and welfare in the place of work.

## What are the duties of a Safety Officer?

- Carrying out a risk assessment and preparing an Ancillary Safety Statement
- Familiarising each employee with the particular health and safety arrangements for their area/building
- Ensuring that safety equipment is properly maintained
- Investigating accidents and forwarding reports to the Regional Manager
- Maintaining emergency and fire safety standards and procedures
- Including safety, health and welfare issues on the agenda of all staff/management meetings
- Dealing directly with local Safety Representatives
- Ensuring there is safe means of access and egress at all times



## What duties has a Safety Representative?

A Safety Representative has no duties (other than as an employee) as opposed to functions. The functions of a Safety Representative include:

- Making representations to the employer on safety, health and welfare
- Making representations to Health and Safety Authority Inspectors
- Receiving advice and information from HSA Inspectors
- Carrying out workplace inspections subject to prior notice to the employer
- Accompanying a HSA Inspector carrying out an inspection other than the investigation of an accident unless allowed at the discretion of the Inspector
- At the discretion of the Inspector, and where the employee concerned so requests, being present when an employee is being interviewed about an accident at the place of work
- Consulting and liaising with other safety representatives within the Courts Service

## What are your duties as an employee?

You must:

- Cooperate with your employer with regard to safety, health and welfare at work

- Not engage in any improper conduct that could endanger your safety or that of any other person
- Ensure that you are not under the influence of an intoxicant to the extent that you could endanger yourself or others while at work
- Participate in health and safety training provided by your employer
- Report any defects in the place of work, equipment or machinery which might endanger safety and health

## What are the duties of the employer?

Your employer must:

- Manage and conduct all work activities so as to ensure the safety, health and welfare of yourself and your colleagues
- Prevent improper conduct or behaviour
- Provide safe systems of work
- Provide adequate welfare facilities
- Prepare risk assessments and safety statements
- Provide adequate instruction and training to you and your colleagues
- Report accidents and dangerous occurrences to the Health and Safety Authority
- Prepare evacuation plans

## What is a Safety Statement?

Section 20 of the Safety, Health and Welfare at Work Act, 2005 requires employers to prepare a document called a Safety Statement which specifies the manner in which the safety, health and welfare of employees and other persons present in the workplace i.e.

members of the public, visitors etc. is safeguarded. This Statement must include a Risk Assessment which is an identification of the hazards in the workplace and an assessment of the risks to safety and health at work presented by these hazards.

## Am I entitled to see the Safety Statement and Risk Assessment?

Yes. Both the Courts Service Corporate Policy Safety Statement and a template of the Ancillary Safety Statement, which has to be completed in respect of each workplace, are available on the Health and Safety Page of Courts Information. A copy of the Corporate Policy will be given to each staff member together with a copy of the Ancillary Safety Statement (containing the risk assessment) applicable to that staff member's workplace.

## Is there a minimum or maximum temperature for an office?

HSA Guidelines state that for offices a minimum temperature of 17.5° C should be reached after the first hour's work. There is no maximum temperature stated under the Regulations but the Health and Safety Authority suggest that an acceptable temperature for office work lies within the range of 18 to 23° C.

## What is the minimum recommended space in an office per person?

In offices, 4.65M<sup>2</sup> should be the minimum amount of floor space allowed for every person to include the

area occupied by the desk and chair but excluding filing cabinets and other office furniture.

## Am I entitled to an eye test?

If you are under 40 and use a computer you are entitled to one eye test every five years. If you are over 40 and use a computer you are entitled to one eye test every two years. Further information is available in the Staff Handbook.

## I feel I am being bullied, whom do I contact?

The Civil Service policy on Harassment, Sexual Harassment and Bullying is available on the Human Resources site on Courts Information. A list of contact persons, who will provide information, in a confidential, non judgmental and off the record discussion, is available on this site. You may also avail of the services of the Employee Assistance Officer, Ms. Deirdre Maye (Tel. No. 01-8886099).



## Supporting European Health and Safety Week

European Health and Safety Week occurred this year on the 22nd to 26th October. To raise awareness of Health and Safety in our workplace the Courts Service organised a quiz based on the Courts Service Health and Safety documents offering a €75 voucher to the winner. The answers were to be found in the Courts Service Corporate Policy Safety Statement or the Courts Service Ancillary Safety Statement Template. Both documents are accessible by

clicking on Courts Information/ Health and Safety/Courts Service Corporate Policy on Health and Safety. There was a great response to the quiz.

Our winner was Mr. Kevin Cahill of Cork Circuit Court. Kevin in his spare time is well known in motor rallying circles in Munster. Here we see Kevin being presented with his voucher by our Southern Regional Manager Mr. Eamonn Kiely.





## New Circuit Court Judge



Mr. Raymond Fullam S.C. was recently sworn in as a judge of the Circuit Court. Born in 1947, Judge Fullam graduated from UCD in Commerce and Arts and qualified as a chartered accountant. He was called to the Bar in 1977 and the Inner Bar in 1995. Between 1977 and 1995 he practised on the Eastern Circuit and in Dublin. From 1983 to 1991 he represented the State as prosecutor for County Kildare. Judge Fullam lectured in revenue law at Kings Inns from 1983 to 1990 and since 2002 has been a member of the GAA Drugs Appeal Board.

*We wish Judge Fullam well in his new position.*

## Courts Service Media Office branches out - a little

The Courts Service is to be helped in its dealings with the media by Mr. Luke O'Neill, who has been appointed by Curran Communications Ltd as a Media Officer. Luke, who is 23, will work with Courts Service Media Relations Advisor Gerry Curran providing a ten hour a day news contact point for the media, and working with the Courts Service and the judiciary in approaching and planning public matters and events.

A native of Balbriggan County Dublin, Luke is a journalism graduate, gaining an honours degree from Dublin City University in 2006. He has worked stints in The Irish Times and Newstalk 106.

He worked for the Press Office of the European Parliament in London for the first part of this year. Luke has also worked in a frontline role in dealing with queries to Fingal County Council Planning Department. He has also worked and studied in Sydney, Australia.



Luke O'Neill (Media Relations Officer) settling into his new role.

In April 2005, he won a Best Feature Writer (Arts and Reviews) Student National Media Award for articles published in DCU's 'College View'. In March 2004, he received a commendation in the Best Arts Feature Writer category as part of the Media Production Society's Hybrid Awards. In March 2005, he received a second commendation in the same category.

Luke can be contacted on 01-8886064 or [luke.o'neill@courts.ie](mailto:luke.o'neill@courts.ie)

## Eamonn Mongey



Eamonn Mongey who passed away on the 23rd September served in various offices of the High Court from 1947 to 1987 before taking up practice at the Bar. While Eamonn served in his later career in the courts as Chief Registrar of the High Court and Registrar of the Supreme Court, his name, particularly among legal practitioners, will always be synonymous with Probate Law. Apart from being Assistant Probate Officer for a number of years, Eamonn was probate consultant to the Law Society and author of the

practitioners' bible 'Probate Practice in a Nutshell' now in its third edition.

In the Probate Office, Eamonn was always very accessible to staff and anxious to share his knowledge while at the same time expecting them to try to work out solutions to problems before discussing them with him. He was an extremely fair minded person who dealt with personnel matters with great discretion. His habit of saying "this is a busy office" quoting the opening line of a report on the Probate Office many years previously became something of a catch phrase among staff of the office and, indeed, staff of other offices.

Eamonn was very active in the then annual Probate in-house Christmas party where he generally managed to coax a "party piece" from everyone. It was also not unusual on hot summer days for Eamonn to arrive in to the office with a couple of blocks of ice cream to revive the troops.

He was for many years the Irish examiner for the Honourable Society of Kings Inns.

Apart from his well deserved reputation as an expert in the area of probate law, Eamonn's wider fame stemmed from his prowess as a gaelic footballer. A native of Castlebar and a member of Mitchels G.A.A. club, Eamonn played on the 1950 and 1951 Mayo All Ireland winning teams where he wore the red and green with great distinction. For many years, he wrote a sports column in the Sunday Press and was considered to have been an influential figure in the campaign in the 1960s' to abolish the "ban" on the playing of foreign games.

We extend our deepest sympathies to Eamonn's wife Barbara and his daughters, Ruth and Anne-Barbara, and son Peter. Eamonn was pre-deceased by his son David.

*May he rest in peace.*

## obituaries



# Michael Moriarty: An Appreciation



It was with shock and disbelief that the sad news of Michael Moriarty's sudden death at the age of 44 circulated through the Courts Service over the weekend of the 7th September. It was not just his relative youth but the loss of such a good colleague and friend to so many which affected us.

Michael started his career in the Courts in 1981 in the Probate Office where he worked in the Rules Office, Seat Office and Personal Applications section and, of course, met his future wife, Annette O'Connell, now Probate Officer. In 1989 he progressed to the Taxing Master's Office from where he moved after a few years to the Office of Wards of Court. Michael began a career break at the end of 2005. Having had the good fortune and privilege to work with Michael in both the Probate Office and the Office of Wards of Court, I can say that he was a pleasure to work with, bringing as he did to every task, dedication, endless patience, and an innate sense of duty. Nothing was too much trouble when it came to assisting a customer or a colleague.

Michael's life outside work undoubtedly centred around Annette and their children Megan and Emmet. At home, Michael and Annette and friends set the world to right over coffee in their kitchen. Michael listened to music with



Megan, watched and discussed films with Emmet or played with both of them and their dog Poppy, scenes so effectively captured by Michael's brother-in-law Tomás in his homily at Michael's funeral Mass.

A highlight of the Moriarty year was the annual expedition to Cloghane in County Kerry. A feature of this sojourn was the annual film written, produced and directed by and starring Michael and featuring all members of the family and friends who happened to be there and whom he could cajole, threaten or otherwise persuade to take part. I don't think blackmail was ever resorted to.

Michael's interests were varied. A great reader, he was rarely without a book. He had an encyclopaedic knowledge of cinema and a great passion for music of all types, with a particular fondness for singer songwriters like Bob Dylan, and Donovan whose 'Catch The Wind' nephew Eoin performed beautifully at Michael's funeral Mass.

Many in the Courts Service are aware of Michael's interest in art especially his ability as a cartoonist which became apparent in his early years in the Probate Office. Allied to his artistic talent was his great sense of humour and excellent wit which resulted in the 'The Probate





Press' a comic which lampooned his colleagues and, of course, himself at the then traditional in-house Christmas party. His skill was much in demand, illustrating invitations, greeting cards and the occasional book. Thankfully, a good deal of his work is available in back issues of the *Courts Service News* for which he did drawings to illustrate a number of articles. A highlight of successive Christmas issues were his Santa and Rudolf cartoons, commenting on the latest developments in the Courts Service such as business planning, strategic planning and PMDS. His excellent poster, 'Who's Who in the Courtroom',

prepared for the Information Office as a guide for students, adorns many court offices.

Michael was about to embark on a fresh challenge, having secured a place in St. Patrick's College to study primary teaching, a calling to which those who knew him are sure he would have made a singular contribution. Sadly, it was not to be.

While Michael could appear quiet and reserved, in the company of those he knew well he revealed the fun side of his character. He had the ability to not only reveal the child that lay within him but to bring out the child in those of

us around him. We will treasure those moments of zany humour as part of Michael's legacy.

Michael's life was short, much too short, but his list of achievements was long. He will be greatly missed by his many colleagues and friends in the Courts Service.

We offer our deepest sympathies to Annette, Megan and Emmet, to his nephew Shane in the Accountant's Office and to Michael's extended family.

*Ar dheis Dé go raibh a anam dhílis.*

Noel A. Doherty



# Giving a big Irish welcome to visitors from around the world

It has been another busy year for visitors to the Courts Service. We have had visiting groups from many countries including Australia, Finland, South Africa, Norway, England and the United States. The visitors were treated to a wide range of presentations from the small claims online system, to civil and criminal jurisdiction and procedure in Ireland to dealing with the media. Below is a selection of the most recent visiting groups from as far a-field as Sri Lanka and Lesotho.



Brendan Ryan, Corporate Services and Mr. Justice Peter Kelly, High Court with judges from Lesotho in Phoenix House.



Lawyers from Sri Lanka pictured with Ms. Justice Maureen Clark, High Court and Elisha D'Arcy, Judicial Support Unit on their visit to the Four Courts.



Noel A. Doherty, Reform and Development speaks to a group of judges from Switzerland about "establishing an independent agency to manage court services – the Irish experience."



P.J. Fitzpatrick, CEO giving a presentation to a visiting delegation of city court judges and clerks from Oslo.



French Judge Francois Pernot (centre) in Castlebar courthouse with Mayo County Registrar Fintan Murphy (right) and Brendan McDonald (Western Regional Manager). Judge Pernot also visited the Dublin District and Circuit Family Courts.



A delegation from Abu Dhabi in the United Arab Emirates visited on a three day programme looking at the fields of business planning, information technology, and public communications in our Courts Service as part of their ongoing modernisation programme. The visit was facilitated by the Reform and Development Directorate.



## John Buckley



John Buckley receives a presentation from Eamonn Kiely (Southern Regional Manager) at his retirement function.

A retirement function was held recently in the Abbey Hotel, Nenagh to mark the retirement of John Buckley, Chief Clerk of Nenagh District Court Office. There was a very large gathering of judges, solicitors, serving and retired

District Court Clerks, retired Examiners and friends who could not miss the opportunity to say goodbye to a very popular and highly respected District Court Clerk.

Speaker after speaker on behalf of the judiciary, legal practitioners, Courts Service and Gardaí spoke of the highly professional approach John had brought to the job and the very high esteem in which he was held by all who came into contact with him.

In response, John, who for once did not live up to the shy image he paints of himself, responded in delightful fashion with a potted history of his career. He began his career in the Meteorological Service in Mullingar where he became great friends with Jim Ahern, Internal Audit, who left the Met. Service to join the Dublin Metropolitan District Court.

Jim managed to persuade John to apply for a post as a Provincial District Court Clerk. To take up his appointment John had to first travel to the Department of Justice in Dublin and was then informed he was to take up duty in Wexford District Court Office. Upon arriving in Wexford Railway Station he was met by his new boss who already had his lodgings sorted out for him (Staff Welfare was obviously high on the agenda even then).

He recounted some of his experiences in the job and the many changes he had seen over the years. He spoke of the enjoyable times he had and the different characters he came into contact with.

**We wish John, his wife and son all the very best for the years ahead.**

*Michael Goulding*

## Ciaran Kelly



Ciaran Kelly receives a signed copy of the Legal Diary to mark his retirement from Nuala McLoughlin (Director of Operations Supreme and High Court).

They came from far and wide to bid farewell to Ciaran Kelly as he retired from his position as Principal Registrar of the High Court recently.

Ciaran transferred to the High Court in the late 1970s after some years in the Dublin Metropolitan District

Court. He worked in the Probate Office before serving some time in the Supreme Court. As he climbed the promotional ladder he served for a while in the Examiner's Office where he performed the duties of Assistant Examiner both on the bankruptcy and the chancery side. His final assignment was to the Central Office where he was a court going registrar for many years before he assumed the role of Principal Registrar.

It was appropriate that as part of his presentation he received a framed copy of the Legal Diary signed by members of the judiciary because, for many, he will be best remembered for the juggling job he carried out every day to make sure that every High Court had a judge and a registrar. As the number of judges increased with a consequent increase in the number of registrars Ciaran's organisational skills were tested to the full. He rose to the challenge aided by a great sense of humour and an ability to keep his head

when the going got tough. You always knew that Ciaran was around – his big hearty laugh could be heard for miles!

His was a great success in Europe where he acted as Ireland's representative on the European Commission for the Efficiency of Justice (CEPEJ). In 2006 he was elected to the Bureau of CEPEJ, a four member body drawn from the representatives of the EU member states. This was commendable given that France and Germany hold two of the posts and the United Kingdom also contested the election.

He will not be short of things to do in his retirement. He is known to be a musician of some considerable talent not to mention his skills as a builder and his love of the sea. "I've enjoyed my time in the courts" he said as he set sail for a life beyond the Four Courts.

**We wish him and his family all the very best wherever the wind takes them.**

*Helen Priestley*

## Change at the top in Courts Policy Division

The recent retirement of John Cronin as Principal Officer in charge of Courts Policy Division in the Department of Justice, Equality and Law Reform has been followed by the appointment of Oonagh McPhillips to the top post.

John, who retired after a distinguished 42 year career in the civil service was Principal Officer in charge of Courts Policy Division for the past six years. Having started off in the Department of Health, he went to Justice in 1973 on his promotion to

Higher Executive Officer. In Justice, he served in the Law, Garda and Secretariat Divisions as well as a previous stint in the Courts Division from 1973 to 1983. John is also well known to many colleagues – and will be sorely missed – from his calm and effective chairmanship of the Justice Branch of the AHCPs. He's looking forward to spending more time travelling with his wife Mary and seeing more of their family at home and in Australia. The many colleagues and friends who gathered in the Russell Court Hotel to

wish them both well in retirement had a great evening marking John's long and dedicated service.

The new Principal Officer in Courts Policy Division is Oonagh McPhillips who is well known to many in the Courts Service having worked in the past as the Minister's Private Secretary and more recently as the Department's Press Officer.

**We wish Oonagh all the best in her new role.**

## Brendan Carley



Brendan Carley, with his son Brian and daughter Louise at his retirement party in Trim.

Brendan Carley retired from Trim District Court office recently after serving 25 years there as District Court Clerk. Prior to his time in the Courts Service, Brendan worked in Post and Telegraphs and had over 40 years' service in all. He served with four District Court Judges in his time at Trim – Judge Donal Kearney, Judge Len Clifford and Judge Aoghan O'Raghallaigh (now deceased) and has worked with Judge John Brophy for the last 16 years since September 1991.

Celebrations were held in the Trim Castle Hotel to officially mark Brendan's retirement. The event was a great success and very well attended by local solicitors, members of the Garda Síochána, the Probation and Welfare Service, the Navan Law Centre and the Meath Women's Refuge. The Courts Service was well represented by staff, many of whom travelled distances on the night, including retired staff from Trim District Court. His colleagues together with Judge Brophy, his wife, County Registrar Mary O'Malley, the Circuit Court staff and Brendan's family joined in wishing Brendan well on his retirement.

A number of people paid tribute to Brendan on the night – Judge Brophy, Superintendent Charles Devine on behalf of the Gardaí, Paul Brady on behalf of Meath Bar Association and Mary O'Malley the new County Registrar. Mary also read a letter from the former County Registrar, Maire Tehan who couldn't be there on the night due to prior family commitments. Ann Price, Noeleen Halpin and Audrey Cadden also said a few words. A common thread in all the speeches was that Brendan was a true gentleman who was approachable, cooperative, hard working and had a

great working relationship with all. There was an unexpected speech made by Michael (better known as Mickey) Regan, solicitor who presented Brendan with a rare copy of Trim poet Frederick R. Higgin's late collection of poems. He urged Brendan to use it as a springboard for his own second collection of poems and noted many similarities between Mr. Higgin's and Brendan's style. Brendan's love of dancing was on display after the speeches finished and many joined him on the dancefloor. We also had a recitation from Brendan, a song from Noel Brennan (of the famous Midnighters) and a comedy spot from John Byrne from Regan McEntee Solicitors.

From a work perspective, Brendan's vast experience will be missed. He has kindly agreed to work a two day week to train in his replacement Lorraine Fagan until the year end. However, we are sure Brendan will have no problem filling his time thereafter and we wish him good health to enjoy a long and happy retirement with his family.

*Noeleen Halpin*

## Supporting Staff

Following on from the last Courts Service News and how courts staff can improve their workplace skills with help from the Training Unit, here are some of the hard working Courts Service students on their graduation days:

All the graduates had the benefit of the refund of fees and study leave schemes during their studies. Anyone interested in either of those courses check out [www.ucc.ie](http://www.ucc.ie) or [www.ucd.ie](http://www.ucd.ie) for further information.



Ruth Penney of the Southern Regional Office and Noreen Kerins from Cork District Court Office, received their diplomas in Psychology and Criminal Behaviour from University College Cork. This was a two year course where, once a month, they attended lectures on Friday nights and a full day Saturday.



Declan Kelly from Westmeath Circuit Court Office. Declan completed a diploma in Business Studies from University College Dublin. He is now embarking on another two years at UCD where he hopes to complete his Degree in Business Studies.



# It's all downhill from here...

Around this time of year, the faint possibility of a white Christmas can put a smile on anyone's face. But why wait on the Irish weather to dish out some snow when it's guaranteed somewhere else, where you can get out and get active? A skiing holiday in Austria is an option. Just a short flight away, it offers much by the way of winter tourism well into the New Year as Luke O'Neill found out:

That winter tourism makes up for 4.5 per cent of Austria's national economy certainly adds credibility to their claim that they are the birthplace of downhill skiing. Most of the ski resorts in this small, picturesque country are located in the western Tirol region. Obergurgl, Zell am See, Saalbach and Söll are among the most popular.

**Obergurgl**, situated in the Oetz Valley, is a popular resort that could be a good choice for groups of differing abilities. Though popular, its slopes aren't too crowded. With an altitude of 6,332ft, the village receives great snow cover. That adds up to a longer ski season.

The two linked skiing areas **Gaisberg** and **Festkogel** aren't massive but they have a variety of terrains, catering for beginners to advanced skiers. Gaisberg is accessed by seat chairs while Festkogel can be accessed by a modern gondola. Pistes on the Festkogel and Gaisberg lead right down to the village. For intermediate skiers this area offers a wide choice of lengthy and spacious blue and red runs. For advanced skiers, the Hohe Mut is one of Tirol's bigger bump runs, Sattel boasts great off-piste while Festkogel is a steep route. Nightlife is a little more low-key than some of the other resorts, so if you require lively après-ski then this might not be the best place.

**Zell am See**, with its lakeside location and wooded slopes, is a strikingly pretty resort with a cosy atmosphere. Schmittenhöhe Mountain can be seen from the town's quaint cobbled streets. The peak's long runs lead you downwards to the town. Kaprun, another popular resort, is easily accessed by local ski bus, as is the 10,000ft Kitzsteinhorn glacier.

**Saalbach** can be found 20km from

Zell am See. In all, as part of Austria's Ski Circus it offers about 200km of slopes for all levels. Snowboarders will be happy here with 12km of dedicated 'snowboard only' runs and their own fun park. Its après-ski is well regarded – it was voted top of the list of favourite après-ski resorts. With 40 cosy mountain huts, numerous ski bars, pubs and discos, and you are bound to be entertained.

**Söll** remains a good resort for beginners (there are nursery slopes just outside the village) and families. You can ice skate on Lake Moorsee when it is frozen over and try out curling or tobogganing. There is also a sports centre with indoor and outdoor pools. For shoppers, **Innsbruck** is just an hour away, where the home of Swarovski Crystal can be found.

All the above destinations can be booked through Topflight [www.topflight.ie](http://www.topflight.ie) or by phone on 01 240 1700 and [www.crystalski.ie](http://www.crystalski.ie) or by phone 01 433 1010.

## Learning

Whatever your level, it's important to choose a resort that will provide plenty of space for you to build up your technique.

Leóin McCarney of the Ski Club of Ireland has this advice: "If they have never skied before they need to take a lesson to get familiar with the equipment, putting on the boots, etc. If they have had a couple of weeks on the snow but they are still not sure [of their level] they can get assessed." She advises skiers to check beforehand the level of snowfall that a resort has received to avoid being disappointed. "They need to be aware of the height of the destination and what the frequency of the snow fall is," says McCarney.



## Ski Kit

Properly regulating your body temperature on the slopes is crucial. It's all about layers.

The layer closest to your skin is the most important. When moisture cools rapidly on the body, you become open to illness. So, a good wicking (moisture removing) Lifa is needed. Entry-level Lifas contain polypropylene, a plastic that is highly efficient at taking water off the body. They are also anti-bacterial, so you can wear them for a few days before having to wash them.

For the middle layer, something lightweight and flexible is best suited to skiing – a Microfleece for example. Trousers should be insulated. Good ski pants will also have an inner gaiter, a waterproof fabric that closes around your ski boot to stop snow from getting into your trousers.

Waterproof, insulated gloves and on your feet, normal socks will not suffice because they cause chafing and blisters. For your face, you will need sunglasses with a high UV protection and sun cream to protect your nose and lips.

So what are you waiting for...





# Golden Compass gives Harry Potter a run for his money

Looking for a good family movie this Christmas? With some slight misgivings, Ronan Power recommends this voyage of adventure with a difference:

Based on author Philip Pullman's bestselling and award-winning novel, *The Golden Compass* tells the first story in Pullman's His Dark Materials trilogy comprised of the books *The Golden Compass*, *The Subtle Knife* and *The Amber Spyglass*. *The Golden Compass* is an exciting fantasy adventure, set in an alternative world where people's souls manifest themselves as animals, talking bears fight wars, and Gyptians and witches co-exist. The books centre on precocious young protagonists whose adventures lead them into battle against the ultimate evil with the fate of the universe in their hands. Pullman is the first children's author to ever win the UK's prestigious Whitbread Book of the Year prize.

At the centre of the story is Lyra (played by newcomer Dakota Blue Richards), a 12-year-old girl who starts out trying to rescue a friend who's been kidnapped by a mysterious organization known as the Gobblers – and winds up on an epic quest to save not only her world, but ours as well. *The Golden Compass* stars an ensemble cast that includes Nicole Kidman, Daniel Craig (the latest James Bond), Sam Elliott, and Ian McShane. The film is written and directed by Chris Weitz (*About A Boy*, *American Pie* and *Antz*) and produced by Deborah Forte and Bill Carraro (*Frequency*). It is executive produced by Andrew Miano and Paul Weitz (*In Good Company*).

The film is released by New Line Cinema the same studio that released the *Lord of the Rings* trilogy. However, adapting

*The Golden Compass* is far trickier a gamble. This time around, New Line is grappling with a story that many perceive as anti-religious, written by an outspoken atheist who merges fairytale characters with Christian theology. All this leaves them in a precarious spot, trying to please fans who relish Pullman's philosophical puzzles without alienating the very bankable Christian masses.

*The Golden Compass* was first published in the U.K. by Scholastic in 1995 as *Northern Lights*, and the book was selected by judges of the Carnegie Medal as one of the 10 most important children's novels of the past 70 years. *The Subtle Knife* was published in 1997, followed in 2000 by *The Amber Spyglass*.

Did you know that Pullman fans rival those of J.R.R. Tolkien and J.K. Rowling in their fervour? During the three years it has taken to bring *The Golden Compass* to the screen, they crafted homemade fan films to satisfy their yearning. On websites such as HisDarkMaterials.org and BridgetotheStars.net, they track every slight deviation the screenplay makes from the novel.

NewLine has entrusted the \$180 million, special-effects heavy production to Chris Weitz, a director best known for his romantic comedies. His most expensive film was 2001's *Down to Earth*, with a budget of \$35 million. Weitz has called *The Golden Compass* "the most important



work of my life." It's by far the largest and most expensive. The film includes 1,100 special effects shots created by half a dozen or so effects houses. In fact, Weitz famously had such early qualms about the project's enormity he quit the production in late 2004 and returned only after the studio fired his replacement, director Anand Tucker.

*The Golden Compass* is an exciting fantasy adventure for all the family if you're prepared to leave aside the recent religious debate about these books and this movie in particular. If you enjoyed *The Lord of the Rings* and *The Chronicles of Narnia* this is one for you. Since these films and the *Harry Potter* series have become so successful I can see a string of these types of novels coming to the big and small screen with massive budgets behind them.

Enjoy...



# THE GOLDEN COMPASS



# Very special achievements in Shanghai

In our last issue, we wished George Hanlon well as he headed off to Shanghai to work as a volunteer with the Special Olympics World Games in October. We're glad to report that he got on very well as did the football teams he was supporting.

The Irish contingent consisted of Team Ireland (the 142 Athletes and 55 Coaches), Team 2007 (the 200 Special Olympics volunteers who assisted at the games) and more than 500 family members and spectators competition started in earnest. After the spectacular opening ceremony, competition started in earnest with 'divisioning.' The competition which groups athletes together in accordance with their ability, is unique to Special Olympics. It ensures fairness in competition.

I was involved with the football teams and having never won a medal at any world games previously we knew the nature of the task ahead. This trend was broken in spectacular fashion with the Mens 11-a-side team winning gold medals, our Ladies 5-a-side team claiming bronze medals and the Mens 5-a-side team losing out on a bronze

medal to a very very late goal to claim 4th place.

All in all the 142 Irish Athletes managed to bring home a staggering 119 medals. Although our success can be measured by the medal count the real success was the fact that 142 athletes got to represent their country on the world stage.

I would like to say a big thank you to everybody who helped me achieve my dream of travelling to China for the Special Olympics World Games by helping out with my fundraising. Overall the 200 Irish volunteers raised in excess of €1 million to ensure the development of Special Olympic programmes in 2008 and into the future which will help achieve the aim of 'A place for everyone'.



George Hanlon (Dublin Circuit Family Law office) with volunteers Clara Hutchinson and Stephen Yeltman enjoying the Opening Ceremony of the Special Olympics in Shanghai.

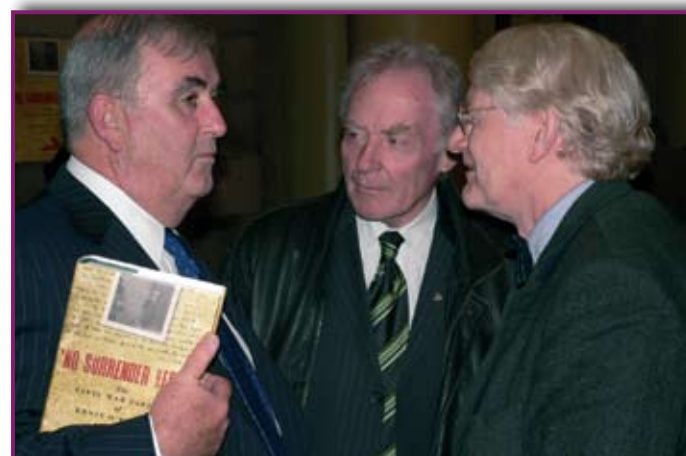
Further information can be found at [www.specialolympics.ie](http://www.specialolympics.ie)

## book review

# Civil War Papers launched in Round Hall

Well-known faces including the Chief Justice, John L. Murray, former Taoiseach Garret Fitzgerald and former Ceann Comhairle Rory O'Hanlon assembled in the Round Hall recently as John Bowman launched an account of one man's role in the Civil War.

'No Surrender Here!' The Civil War Papers of Ernie O'Malley 1922-1924 documents one man's attitude to war and his difficult acceptance of peace, his experience of capture, imprisonment, hunger strike and finally release.

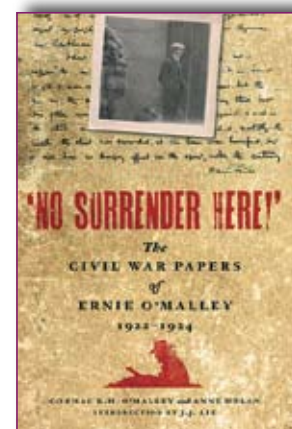


The Chief Justice, John L. Murray with Rory O'Hanlon and Cormac K.H. O'Malley at the launch of Cormac's book in the Round Hall recently.

In these letters, the book also captures the voices of both the leadership and the rank and file: the detached and often inappropriate orders from above, and the confusion of men who, in some cases without boots on their feet, know that theirs is a hopeless cause. Letters to friends and family also reveal the more personal costs of war.

These fully annotated documents, edited by Cormac K.H. O'Malley and Anne Dolan, and given historical perspective by a general introduction by Professor Joe Lee, provide extraordinary insights into the republican mentality during the Irish Civil War, into what remains a contested and controversial period of modern Irish history. The book is published by Lilliput Press and costs €55.

Luke O'Neill



this image is used with the permission of David Boyle

## Pictured at recent events



With their 007 passports at the social club Christmas party were Kevin Cuffe (District Court Family Law Office), Tom Sheeran (District Court Civil Office) and Lisa Maybury (Corporate Services).



At the Annual Mass for deceased staff and judges, (from left) Pat Kearns, Dermot Farrelly and Pat Mullally.



Hats off to Mark Cunningham (Courts Central Accounts Office), giving James Bond a run for his money at the social club Christmas party.

## Out of the office... with Patricia Ryan

From time to time we've told you about interesting hobbies and pastimes enjoyed by our staff. This time we feature Patricia Ryan of the Courts Central Accounts Office who shares some tales of a life on the ocean wave.



For as long as I can remember I have had a love of the sea and as a sports diver for 25 years have had many wonderful experiences both under and over the water from the murky waters of Dublin Bay and the many fantastic diving spots in Ireland to far off places like the Red Sea, Pacific and Indian Ocean. I thought it was about time to give something back so when the opportunity arose with the setting up of a Coast Guard Unit in Howth in 1999 I applied for and became part of the team and as they say "the rest is history!"

The Irish Coast Guard comprises of 55 Units at strategic locations around the coast. It is made up of male and female volunteers who give freely of their time to the Coast Guard, local community and 'those in peril on the sea'. Our unit has both cliff and coastal rescue capabilities and is based on the west pier in Howth Harbour in North County Dublin. The head quarters of ICG is located in Leeson Lane in the centre of Dublin. The Marine Rescue Coordination Centre (MRCC) is also based there.

Personal safety is of paramount importance and remains the responsibility of each individual team member but excellent training is provided and some of the courses that I have completed include: VHF radio (used for all communications), first aid, search management, quad bikes, cliff and coastal search techniques, working with helicopters and power boat certification.

My most memorable rescue was in May when a canoe capsized in very



windy conditions in the icy waters of Baldoye Estuary. We were on Boat Patrol in Malahide at the time and were immediately tasked by Dublin Coast Guard to attend the scene. On arrival we discovered a two-year-old toddler, a ten-year-old boy and an adult clinging to the submerged canoe. We got them on board our boat 'Grainne'. All were suffering from hypothermia. Only for their life jackets it could have been a very different story!

If you are interested in finding out more about our unit you can contact me at 01-888 6107 or visit our web site at [www.howthcoastguard.com](http://www.howthcoastguard.com).

Have you an interesting hobby or pastime you'd like to tell us about? We'd love to hear from you and maybe feature you in a future issue of Courts Service News. Contact Catriona Nangle on [cnangle@courts.ie](mailto:cnangle@courts.ie) or by telephone at: 01-888 6457



# Music Quiz – get those bells jingling

Due to the popularity of the music quiz in the March issue, I am repeating the dosage but this time with a seasonal flavour. So, in the quiet moments between the Christmas turkey and the Queen's speech, why not relax with the family and try to figure out the singers and the titles of the following lyrics:

1. "Snow is falling all around me, children playing having fun,  
It's the season, love and understanding."
2. "Are you hanging up a stocking on your wall,  
It's the time that every Santa has a ball."
3. "It's Christmas time, there's no need to be afraid  
At Christmas time, we let in light and we banish shade."
4. "I light a candle to our love and all our problems disappear,  
But all in all we soon discover, that one and one is all we long to hear."
5. "It was Christmas Eve babe, in the drunk tank,  
An old man said to me, won't see another one."
6. "Try to imagine a house that's not a home, try to imagine a Christmas all alone,  
That's where I'll be, since you left me, my tears could melt the snow."
7. "They said ther'll be snow at Christmas, they said ther'll be peace on earth,  
But instead it just kept on raining, a veil of tears for the Virgin birth."
8. "The nights are colder now, maybe I should close the door,  
And anyway the snow has covered all your footsteps,  
And I can't follow you no more."
9. "Hey Mister Churchill comes on over here, to say we're doing splendidly,  
But it's very cold, out here in the snow, marching to and from the enemy."
10. "When the snowman brings the snow,  
Well he just might like to know,  
He's put a great big smile on somebody's face."



Send your answers to:

Tony Lawlor, Courts Service Information Office, Phoenix House, 15/24 Phoenix Street North, Smithfield, Dublin 7,  
or by e-mail to [alawlor@courts.ie](mailto:alawlor@courts.ie)

## June Quiz winner



Helen Priestley (Information Office) presents Pat McCarthy (Accountants Office) with his prize for winning the June quiz.

## The correct answers to the October quiz are:

- |          |         |
|----------|---------|
| 1. 147   | 6. 32   |
| 2. 30    | 7. 40   |
| 3. 6     | 8. 10   |
| 4. 10    | 9. 99   |
| 5. 1,760 | 10. 166 |

**Congratulations to our October quiz winner, Elaine Jones** of the Southern Regional Office in Cork.



Frank Lyons, secretary of the Courts Service Golf Society, presenting Paddy Maher winner of the Captains prize with a new camera.



Sean O'Broin (Internal Audit), being presented with the Institute of Internal Auditors 'Volunteer of the Year' award 2007, by Alec Redmond, President of the I.I.A. UK and Ireland.



Nature's taking over – a tree at King's Inn.  
Picture sent in by Mr. John C. Madigan



New Baby Diane, 7 weeks, with her big brother, 3 year old Hernan – Children of William Maher, Accountants Office

Sunrise in Cloghane Co Kerry, picture taken by Noel A Doherty



If you have a photo you'd like to include in *Through the Lens* please post it to:  
**Tony Lawlor, Information Office, Courts Service, 15-24 Phoenix Street North, Smithfield, Dublin 7**  
or email it to: [alawlor@courts.ie](mailto:alawlor@courts.ie)