

Volume 13, issue 1. March 2011

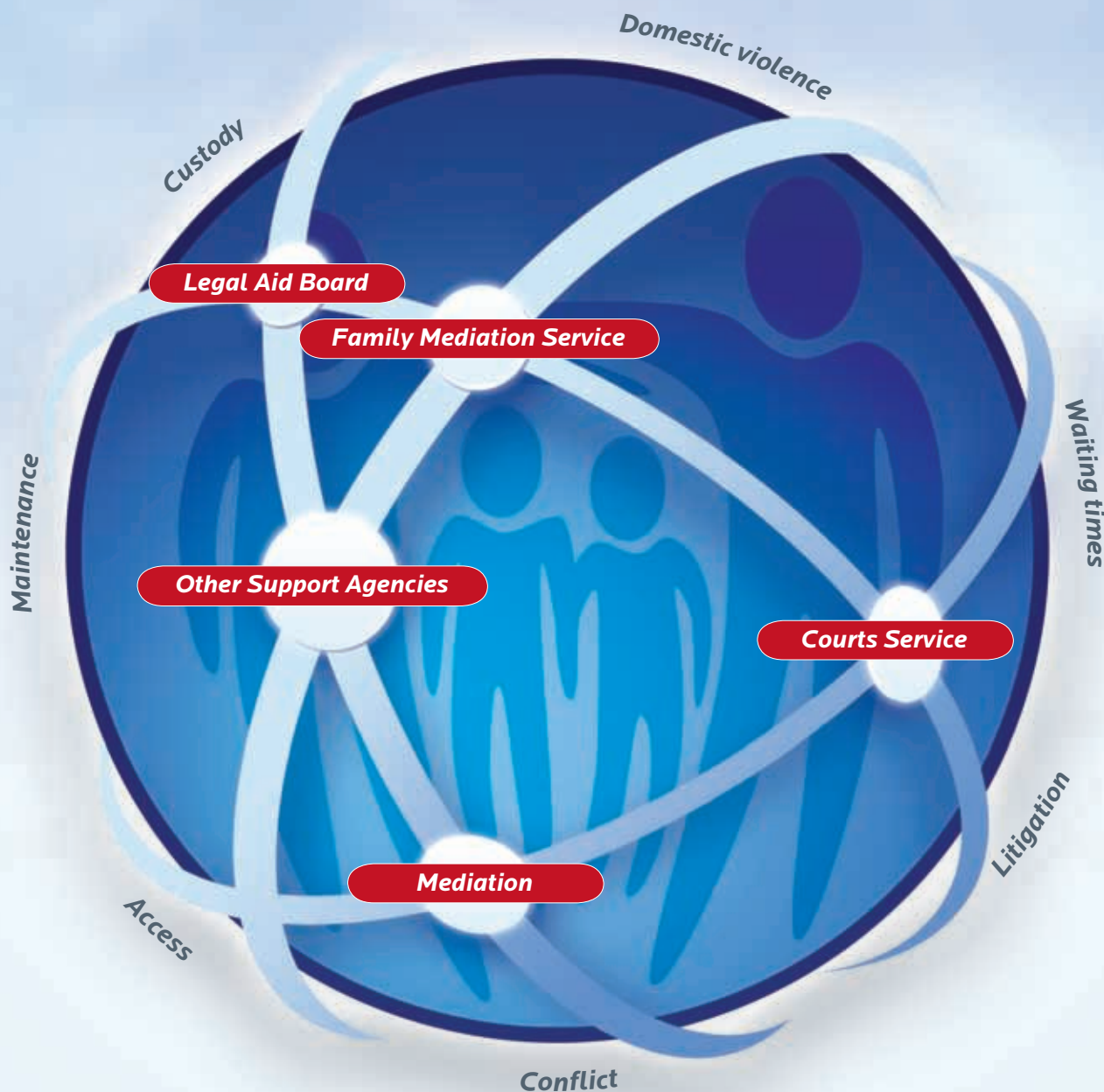
COURTS Service News

NUACHT NA SEIRBHÍSE CÚIRTEANNA



An tSeirbhís Chúirteanna
Courts Service

www.courts.ie



OPENING OF
MONAGHAN
COURTHOUSE

COURTS SERVICE
MODERNISATION
INITIATIVES

SUPPORT FOR
FAMILY LAW
LITIGANTS



CONTENTS

REGULARS

Welcome Note	3
Practice and Procedures	4
Appointments	19
Retirements	20
Book Review	23
Competition	27
Through the Lens	28

FEATURES

Report on Croke Park Agreement	9
Courts Service modernisation	10

Family Law developments	11
Video Technology	14

NEWS

New Look Drug Treatment Court	5
Re-opening of Monaghan Courthouse	6
Outreach	18

SOCIAL

Holiday Review	24
Film	26



Welcome

Welcome to the March issue of Courts Service News. Spring is a time of beginnings and renewals; a time to look at things afresh.

In this issue we bring you news of new initiatives in the area of family law which have been achieved through co-operation between the Courts Service and voluntary and State support agencies (*pages 11,12,13*). Across the Service efforts continue to give better value for money by re-evaluating how we do business and introducing new ways to deliver our service. We bring news of a series of modernisation initiatives from our operational offices and our support offices. Read how these improvements are bringing savings in time and money for court users and staff alike (*pages 10 & 14*).

A newly refurbished Monaghan Courthouse was officially opened in January showing once again how restoration of our wonderful stock of buildings is improving the landscape in towns around the country (*pages 6 & 7*). There is good news too from Dublin District Court as a new-look Drug Treatment Court aims to divert offenders from prison (*page 5*).

Our outreach programme continues with very favourable comments from our second and third level student visitors (*page 18*). As the evenings stretch out we turn our thoughts to holidays here and abroad (*page 24*). We have a book and a film review (*pages 23 & 26*) as well as our regular competition (*page 27*).

As always, we love to hear from you so feel free to give us your views, comments and suggestions at any time. Our contact details are below.

Fiona Farrell



An tSeirbhís Chúirteanna
Courts Service

CONTRIBUTORS TO THIS ISSUE

Tom Ward

Chief Clerk Dublin
Metropolitan District Court

John Cleere

Resource Management
Directorate

Darach Greene, Colm Ormond, Greg McNamee and Catherine Glackin
ICT Unit

John Glennon

High Court Examiner

And colleagues and friends of all the retired staff featured.

If you would like to contribute a report, book or film review or to feature in an 'Out of Office' article, please contact the editorial team at courtsservicenews@courts.ie

Courts Service News is the magazine of the Courts Service. Contributions are drawn from a wide area and do not necessarily reflect the views or policies of the Courts Service. The editors reserve the right to edit all contributions, including letters.

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

Telephone: (01) 888 6459

Fax: (01) 873 5250

Email: courtsservicenews@courts.ie

Web: <http://www.courts.ie>

Editorial Team:

Helen Priestley, Fiona Farrell, Mairead Fitzsimons, Gerry Curran.

Design: Design

Communication, part of Ashville Media Group, 57/59 Sir John Rogerson's Quay, Dublin 2.

Print: Fine Print Ltd

Perigord House
Damastown Industrial Park
Dublin 15.

NEW COURT RULES

SUPERIOR COURTS

S.I. No. 2 of 2011

RULES OF THE SUPERIOR COURTS (EXAMINER), 2011.

These rules substitute certain provisions of Orders 40, 50, 52, 55 and 74 of the Rules of the Superior Courts to provide for the filing in the Examiner's Office – instead of the Central Office as previously required – of documents in proceedings which are the subject of a notice to proceed before the Examiner. For more information see page 10.

DISTRICT COURT

S.I. No. 557 of 2010

DISTRICT COURT (SUMMONSES) RULES, 2010

These rules substitute rule 6 of Order 15 of the District Court Rules regarding procedure for the delivery of summonses.

S.I. No. 601 of 2010

DISTRICT COURT AREAS

Provides for the amalgamation of the Electoral Divisions of the District Court Areas of Schull and Dunmanway into the District Court areas of Bandon, Bantry and Clonakilty and the amalgamation of the Electoral Division of Dromdaleague South of the District Court Area of Skibbereen into the District Court Area of Bantry. Comes into effect on the 1st January 2011.

S.I. No. 1 of 2011

DISTRICT COURT (INTOXICATING LIQUOR) RULES, 2011.

These rules substitute Form No. 72.4 in Schedule C of the District Court Rules. These rules come into operation on the 9th February 2011.

OTHER STATUTORY INSTRUMENTS

S.I. No. 50 of 2011

CRIMINAL LAW (INSANITY) ACT 2010 (COMMENCEMENT) ORDER, 2011

This Order appoints 8th February 2011 as the date on which the Criminal Law (Insanity) Act 2010 comes into operation.

S.I. No. 873 of 2007 **PRIVATE SECURITY (EXEMPTION) ORDER, 2007**

This Order exempts a person who provides security services as an installer (intruder alarm), at a specified place or places, from the provisions of Section 37(1) of the Private Security Services Act 2004, for the purposes of obtaining standards required to be observed by the Private Security (Licensing and Standards) Regulations 2005 (S.I. No. 834 of 2005), subject to that person complying with the requirements of this Order.

Rules of court for all jurisdictions together with amendments and forms are available on the Courts Service website: www.courts.ie

FINES COLLECTION SERVICE

Under a Department of Justice and Law Reform initiative, Fines Collection Services (FCS) has been engaged, following a competitive procurement process, to provide a collection service for overdue court imposed fines.

FCS are entitled to make contact with defaulters by letter and phone.

FCS do not have powers to arrest or to seize goods.

If you have a query in relation to paying FCS you can contact them at (01) 274 4550. If you have a query in relation to the details of your fine or if you wish to enquire as to the procedures for lodging an appeal or an extension of time to pay your fine contact your local court office. All contact details are on www.courts.ie

Relocation of offices of the Dublin Metropolitan District Court

The County Office has moved from Áras Uí Dhálaigh to the Summons Office in the Richmond Courts Complex, North Brunswick Street since 7th January, 2011. Charge sheets for Tallaght Court should be sent to the Summons Office. Work associated with the stamping of driving licences has also moved to the Summons Office. The Computer Summons Section has moved from Áras Uí Dhálaigh to the Children Court, Smithfield, Dublin 7. Fines and Estreatment Warrants will be issued from the Children Court from Monday 10th January 2011.



Richmond Courts Complex, North Brunswick Street

New look Drug Treatment Court offers hope for the future



Recent graduate of the Drug Treatment Court Programme, David Patten (centre) with members of the Drug Treatment Court Team.

Press reports in 2009 following deliberations of the Public Accounts Committee gave the impression that the Drug Treatment Court was to be wound up following a review by the Department of Justice and Law Reform. However before and since that date huge efforts have been made to support the operation of the Court so that more people are encouraged to participate and the results are better for all involved. **Tom Ward** (Chief Clerk of the Dublin Metropolitan District Court) explains:

The principal achievement over the past year has been the agreement of a new strength's based approach to determining the progress of participants. Critics of the programme had suggested that the standards sought from participants were so high as to put people off even considering participating. In addition, the assessment of the success of participants (either 'pass' or 'fail') masked the huge progress that individuals were making. Almost 85% of graduates from the programme were found not to have been convicted of an offence since graduation and significant progress was also made among those who did not manage to complete the programme.

Under the new system, participants continue to be tested as part of their treatment with progress measured over the period of participation. A greater weighting is ascribed to positive behaviours, such as not coming to unfavourable notice of the Gardaí. Participants receive credits for attending the in-house support group which is based on the '12 steps' approach to managing addictions. Interim achievements are recognised and those who achieve a silver standard, but do not manage to attain gold, may be the subject of a report from the Drug Treatment Court Judge to their Sentencing Judge,



Visitors from Trondheim in Norway with members of the Drug Treatment Court Team. The group who were on a fact finding visit included representatives from the police service, prison service and the social work section of the City of Trondheim Council.

proposing a suspended rather than a custodial sentence.

A new Support and Advisory Committee, comprising senior managers from the Health Service Executive, An Garda Síochána, the Probation Service, City of Dublin VEC, Health Research Board and the Courts Service, assists the Court.

The Court hopes to be able to accept participants with addresses outside Dublin North Inner City in the near future. In the meantime, it continues to encourage referrals from those with

addresses in Dublin 1, 3 or 7. To participate a person must be over the age of 18, have pleaded guilty or been found guilty in the District Court of a non-violent criminal offence, and be dependent on prohibited drugs. They must be willing to co-operate with the Court, stop offending, avail of appropriate drug treatment and participate generally in the programme. Prospective participants or their legal representatives should apply to the sentencing judge when their case is before the Court. ■

For more information about the Court **phone** 01-8886294 or **e-mail** drugtreatmentcourt@courts.ie

CONTRASTS OF *HISTORY* PRESENT AT COURTHOUSE OPENING

A wonderful refurbishment project has restored the historic 19th century courthouse to Monaghan town. **Gerry Curran** reports following the recent official opening ceremony



From left: Councillor Robbie Gallagher, Cathaoirleach of Monaghan Town Council, Judge Séan MacBride, Mr. Brendan Smith, Minister for Justice & Law Reform, Mr. Brendan Ryan, CEO, Judge John O'Hagan and Mr. Justice John L. Murray Chief Justice and Chairperson of the Board of the Courts Service at the official opening of Monaghan courthouse.

A modern memorial to those killed in the Monaghan bombings of 1974 pays tribute to those who perished and also pays homage to the yellow sandstone edifice of the two centuries old recently restored courthouse. Both dominate the centre of Monaghan town amidst church steeples, a rich history and gentle commerce. The courthouse is flanked by a tricolour – proclaiming the triumph of modern democracy and just courts – which sits alongside the old Royal Coat of Arms reminiscent of our troubled past.

Remembering its long existence and its new role for future generations Chief Justice Mr. Justice John L. Murray



Staff of the Northern Regional Office and Monaghan Circuit and District Court Offices with Chief Justice Mr. Justice John L. Murray (centre).

in his speech (see page 8) said, "As we mark the re-opening of this magnificent courthouse it is well to remind ourselves that it is more than just a fine building but a citadel of justice. In that sense its foundations are rooted in the rule of law and it embodies our constitutional ideals in a real and substantive way. It is in the courthouse that the law and justice meet under the canopy of the Constitution in a solemn process in which the rights and obligations of the citizen are protected and determined".

Built in the Grecian style in 1829, the courthouse occupies an important site in Monaghan town on the south side of Church Square. Largely destroyed by arson in 1981 few original architectural features of any significance remained. Consequently, the interior character of the building was lost during a previous restoration in 1985.

The latest refurbishment project, completed at a cost of some €8.5 million, pays particular attention to the sandstone exterior of the building.

Inside, the refurbished building provides three new, modern courtrooms and much improved facilities for all court users in Monaghan. Two of the courtrooms are large jury courtrooms and the third serves as a family court.



Standing from left to right: Bernadette Smith, Alice Hennessey, Paula Lyons, Mary Stewart, Michelle Sherlock, Phil Collins, Pauline Sherlock, Sheila Mc Ardle, Alan Cooke, Margaret Connolly, Mike Roberts, Christine Holland, Brian Maguire, Pat McCarron. **Seated from left to right:** Judge Séan MacBride, Mr. Brendan Smith, Minister for Justice & Law Reform, Mr. Justice John L. Murray, Chief Justice and Judge John O'Hagan.

District Court and Circuit Court hearings can be held in the building together with hearings of the High Court and Central Criminal Court, if such need arises. A new lift and careful design of public spaces ensures the building is universally accessible for public and staff. The courtrooms also provide universal access for persons with mobility difficulties. New signage has been designed with accessibility in mind with induction loops installed in the courtrooms for users of hearing aids.

Local judges, Judge John O'Hagan of the Circuit Court, and Judge Sean MacBride of the District Court joined the Chief Justice and the Minister for Justice and Law Reform Mr. Brendan

Smith at the official opening. The CEO of the Courts Service Mr. Brendan Ryan represented the staff and management of the Service. County Registrar for Cavan and Monaghan Joe Smith, Chief Clerk of the Circuit Court Alice Hennessey, and Chief Clerk of the District Court Bernadette Smith were amongst the many local and regional staff who attended the ceremony.

Minister Smith praised the Courts Service and the OPW for their efforts in reclaiming and restoring the building. He said that the Courts Service efficiencies and modernisation programme was a leader in the way forward in the management of public services. ■

Chief Justice warns against weakening of judicial pillar



At the opening of Monaghan courthouse (see pages 6 & 7) the Chief Justice Mr. Justice John L. Murray spoke of the need for a democracy to support its judicial arm beyond providing for fine buildings. He said that "the functioning of the administration of justice depends on far more than simply capital or building resources. It depends on services and personnel being available from day to day in the management, hearing and determination of cases before the courts which are vital to the citizens involved in them". He reminded the gathering of lawyers, staff and local politicians that, "every democracy depends on fully functioning courts to vindicate the rights of citizens and to protect them from the arbitrary use of powers by governments, legislatures or other State organisations".

Having noted the independence of

the judiciary set out in the Constitution and in the role played by judges since the State's foundation he said, "it is important, not for the members of the judiciary, but for all citizens that the judicial branch of government is supported and maintained in a fashion that enables it to effectively carry out its constitutional mandate of protecting and vindicating the rights of the people".

He went on to say that "the essential and minimum resources required by the judicial system have not always been allocated in a manner which would meet minimum standards met by democracies throughout the world. This was so even during the so-called good years, particularly when one has regard to the huge extra resources made available to other organs of State".

The Chief Justice said that through good management by the Courts Service, it has been possible to achieve

cutbacks in budgetary expenditure on the courts, which are necessary in these difficult times, and at the same time ensure that court sittings are not affected.

"There is a vital need for some structural changes, such as the establishment of a Court of Appeal, and at least a strategic plan for enabling the courts to cope with the demands made of it by society today, even if the resources to implement such a plan in the short term are not available".

He finished by saying that "an ad hoc or laissez faire approach – which has often characterised the manner in which support for the judicial functioning of the courts has been approached – ought not be allowed to persist. Otherwise it is the public at large or society as a whole will suffer through a weakening of one of the fundamental pillars in our constitutional form of government". ■



Courts Service/Garda project shortlisted for eGovernment award

It was cheers all around when the shortlist for Ireland's eGovernment awards 2011 were announced recently. Among those named in the 'Cross Agency' category was

The Courts Service and An Garda Síochána for 'The Criminal Justice Interoperability Programme' project (CJIP).

The project supports the application for summonses by An Garda Síochána to the Courts Service and all subsequent court documentation including schedules, outcomes, bails and warrants from the Courts Service to An Garda Síochána.

It is the electronic link that integrates the Garda PULSE computer system to the Courts Service Criminal Case Tracking System (CCTS) – an update to CCTS is an update to PULSE,

an error on CCTS is an error on PULSE. CJIP has significantly reduced duplicate data entry between the two agencies and delivered significant productivity and data accuracy improvements. Since going live 5.2 million records have been exchanged between An Garda Síochána and the Courts Service. The current rate for successful transactions is 99.7%.

"We are considering extending CJIP to include the electronic receipt of charge sheets and re-issue summons applications from An Garda Síochána and the publishing of court outcomes from the higher courts", says Catherine Glackin of the Courts Service ICT Unit. We wish Catherine and her Courts Service and Garda colleagues all the best at the Irish eGovernment awards ceremony to be held in Dublin Castle on 23rd March.

The Irish eGovernment awards are jointly run by the Public Sector Times newspaper and web usage and strategy company Elucidate in association with Eircom. They are the recognised benchmark for excellence in Irish eGovernment services and standards. The Courts Service won awards in the 'State body' category in 2005 and 2008 and was shortlisted in 2007, 2009 and 2010.

CROKE PARK DEAL

Achieving real results

The National Recovery Plan and the Review and Transitional Agreement (Croke Park Agreement) have caused a lot of speculation and debate in recent times. The recent Report of the Croke Park Agreement Implementation Body – chaired by former Courts Service CEO P.J. Fitzpatrick – reviewed progress in the public service to date (commenting favourably on some Courts Service initiatives). **Gerry Curran** has been reviewing the Report:



The Report refers to the pension levy and pay cuts, which realised some €1.8bn in savings in 2010. For an individual public servant, the reduction in take-home pay averages out at 14%, with much higher reductions for the higher paid, e.g. 24.5% for Secretary General Level 2. Central Statistics Office figures confirm that, while average weekly earnings are falling across the economy, they have fallen faster in the public service than in the private sector.

The Report shows that public service numbers are falling – by 12,000 over the 18 months to Autumn 2010, with a further 2000 people leaving the HSE by December under the voluntary exit schemes. The fall in management grades has been particularly pronounced, with a 10% reduction in the civil service alone since 2008. There will be almost 25,000 fewer public servants by the end of 2014, compared to the peak at the end of 2008. Civil Service numbers will be down to 36,200 (2002 levels), local authority numbers will be reduced to 30,750 (2001 levels) and defence forces numbers will be down to 10,500 (lowest levels to date). Garda numbers will fall back to 2007 levels and health staff numbers to 2006 levels.

These changes and reductions will save money by reducing the wages bill of the public sector, but there will also be significant improvements in the service to the public over the coming months

and years. These are outlined in detail in the Report and will be delivered via a range of reforms across the entire public service including in the big spending areas of health and education. The Courts Service initiative to save costs and streamline the provision of services by closing many smaller court venues is mentioned among the many examples quoted. Some State agencies

amount of of documentation meaning less for customers to fill in and less for staff to process. Again the Courts Service received the thumbs up with credit given for a joint initiative between

“Customers want more online services and there are many examples of public service agencies, including the Courts Service, making access easier.”

are being rationalised, with some disappearing and others being merged to secure significant savings in back office functions

Customers want more online services and there are many examples of public service agencies, including the Courts Service, making access easier. For example, the Report notes that 51% of vehicle owners now tax their vehicles online while 609,570 people registered for PAYE Anytime and 323,259 income tax returns were filed online in 2010.

Public service bodies are reducing the

the Probate Office and the Revenue Commissioners which has reduced the paperwork regarding Capital Acquisition Tax (including both gift and inheritance tax) by 75%.

The Courts Service will continue to implement its plan under the Croke Park Agreement and, along with other departments and agencies, will report on progress later this year. ■

The Report of the Implementation Body is available on [http://.implementationbody.gov.ie](http://implementationbody.gov.ie)

In addition to the Courts Service modernisation measures mentioned above there are many others that are saving costs and improving the service to the public. Read about some of them on page 10.



Fines collections rates show significant improvement

Good news from the Courts Accounts Office (CAO) which manages the financial transactions of District Court Offices nationwide. In 2010, the collection rate for court imposed fines was 73%. This is a significant increase on the estimated compliance of 50% prior to the establishment of the CAO in 2007. "We achieved this good return by proactively managing the fines collection process", says **John Cleere** of the Courts Service Resource Management Directorate. "This includes issuing timely reminders that a fine is overdue and the introduction of an online payment facility".



Technology freeing up staff hours as efficiencies realised

The Courts Service now houses its data centre in the same facility as the Revenue Commissioners – saving space, rental, fees and the need to renovate our old facility. **Darach Greene** of our ICT Unit says that "the Revenue data centre is purpose built, with appropriate power and air conditioning systems including back up generators and a fire retardant system of the required standard. The data centre also hosts other Government departments including the Probation and Welfare Service, the Department of Education and Skills and the Department of Justice and Law Reform".



New telephony system will save money for Courts Service

The Courts Service telephony system is in the process of being changed to a VoIP (Voice over IP) system which will provide free internal calls within the Courts Service network, nationally. "Our existing telephony infrastructure is a centralised system supplying the Dublin Campus and various different systems in the regions. While internal calls within the Dublin Campus are free of charge, calls to Courts Service offices throughout the country are charged", explains **Greg McNamee** of our ICT Unit.

We now have an opportunity to replace our existing telephony systems and maximise our existing Wide Area Network (WAN) infrastructure to reduce costs. "We're aiming to upgrade the Dublin sites by the end of July 2011 and estimate that the full implementation will be completed in 2012", says Greg.



Technology upgrades and renewals

Darach Green of our ICT Unit tells us that an upgrade of the Courts Service network will increase bandwidth to many times the current bandwidth. This will mean faster response times on staff desktops, faster access to files and email from offices other than your own, and potential for new services such as desk to desk video conferencing. It will also allow us to implement the new telephone system (*see above*), reduce the number of servers needed in local offices by centralising them and allow applications such as the Criminal Case Tracking System (CCTS) to use more modern technology.

Another major upgrade relates to CCTS. At the end of March CCTS will move to a browser based application. It will still behave and operate as it does now, but it will look slightly different. This move will position CCTS well for future developments such as those required by the Fines Act 2010 and enable easier transfer of information to other State agencies and internal systems such as the Courts Accounting System.




High Court Examiner's Office

Reducing repetition of paperwork and efforts is an efficiency already achieved this year in the Examiners Office. Since last month all affidavits, notices of motion, notices to proceed, Examiner's certificates and Examiners orders need only be filed in the Examiner's Office. There is now no requirement to file these documents or copies of these documents in the Central Office of the High Court. High Court Examiner **John Glennon** estimates that "almost twenty five weeks extra work will be saved for customers who can now deal with just one office while reducing visitors to the High Court Central Office by 2,000 annually".

We have other examples of cost saving Courts Service projects in this issue. Read about a Cross Agency project with An Garda Síochána on page 8 and the benefits of video link on page 14. And we'll bring news of even more initiatives in our next issue

Ireland's Busiest Family Law Centre to offer new Mediation & Referral services



Dolphin House, in Dublin's Temple Bar, is Ireland's busiest family law office, accounting for one third of all barring orders and 41% of all safety orders issued nationally. In an office as busy as this, it is essential that all of the systems and processes are efficient and speedily bring matters to court or resolution. Gerry Curran spoke to **Tom Ward**, the manager in charge of Dublin Circuit and District Family Law Courts about two new initiatives which aim to improve services in this important area of law

Due to structural additions and changes to the courts in Dublin in the past year we now have extra District Court family courts and space for associated services. We can support one additional family law court and one childcare court in Dolphin House. This has had an immediate positive impact on waiting times for court users and has also allowed space to accommodate two new initiatives which are being piloted from this month.



Family Mediation Initiative

Mediation helps couples who have decided to separate to resolve any disputes they may have in relation to the key issues of custody and access to children, maintenance, and property rights. The mediator is neutral and encourages the separating couple to co-operate with each other to work out mutually acceptable arrangements and avoid going down the court route.

A new 12 month pilot to be operated by the Family Mediation Service (FMS) and the Legal Aid Board (LAB) with

The FMS – which is not means tested – will advise about the purpose of mediation, its advantages and if the party is interested, will schedule a briefing session. Following such a session, the person will receive a certificate which confirms that they have received the information and which effectively acts as a fast tracking mechanism to give access to on site LAB services, if required. The FMS will also inform the party against whom relief is sought that that their partner or spouse has attended the

to be paid, general information will be given to persons considering mediation without any means testing or financial contribution. The LAB may also provide legal advice to persons considering mediation or in the mediation process, at very short notice in Dolphin House – subject to the normal financial eligibility criteria for legal services and the person paying a small contribution.

Where persons have attended mediation and there is a subsequent breakdown in the arrangements, they can still attend the FMS before court proceedings are issued. The FMS will try to mediate other issues in addition to those that would present themselves on foot of this initiative and before the District Court.

While a key objective of the initiative is to try and engage parties in a mediation process prior to issuing court proceedings, there is no bar on persons seeking information about mediation or persons attending mediation where court proceedings are already instituted.

An arrangement is being put in place to enable mediated settlements to be put before the District Court for approval e.g. in the case of an application to appoint a guardian.

“The mediator is neutral and encourages the separating couple to co-operate with each other to work out mutually acceptable arrangements and avoid going down the court route.”

assistance from the District Family Court Office will offer applicants in suitable cases the option of a mediated outcome.

Dolphin House court staff will inform parties in suitable cases of the availability of the service, provide them with information including an explanatory leaflet and refer them to the FMS.

District Court office but has opted to seek mediation in the hope that this can resolve matters.

Solicitors have been employed on site by LAB and they also retain private solicitors on a case by case basis. While the LAB services, unlike the FMS services, are means tested and require a financial contribution



Domestic Violence – Support and Referral Service Initiative

Many of those seeking relief from the District Court in cases involving domestic violence are in a distressed and confused state and seek support of a variety that court staff cannot provide.

A new support and referral service, staffed by experts, will operate in Dolphin House to provide practical assistance and emotional support for those who complain of domestic violence. The service will be provided on a pilot basis for six months and then be reviewed.

Initially a service for women will be provided from Monday to Friday, between 9.30 a.m. and 1.30 p.m. by staff from Women's Aid, Inchicore Outreach Service and Dublin12 Domestic Violence Service. The service will provide immediate safety planning and tell women about support services and how to avail of them. It will also provide information about the action the woman is taking, or explore her options as to the types of orders available in the District Court.

AMEN, a State-supported group working with male victims of domestic violence, has agreed to allow court staff give its helpline number to men who present in Dolphin House requiring services. Discussions have commenced with AMEN with a view to establishing a facility to assist male applicants in Dolphin House.

District Court staff will advise people of the availability of the services when they make applications regarding domestic violence in the District Court office. ■

For further information about the new initiatives including commencement times, contact Tom Ward at tomward@courts.ie.

Parental Responsibility and Family Relationships – New Bill Proposed

Continuing its work in the area of family relationships, parental responsibility and fathers – dating back to 1982 – the Law Reform Commission recently launched a report which reiterates its views that automatic guardianship rights and responsibilities should apply to all fathers, regardless of marital status.

The Report highlights a series of wide-ranging recommendations for reform that reflect the changing patterns of family relationships that have emerged in Ireland in recent years. This includes the rights and responsibilities of civil partners, step-parents, grandparents, co-habitants and other members of the extended family in contemporary Ireland, taking into account the best interests and welfare of children.

Specifically, the recommendations include the belief that new terms such as 'parental responsibility', 'day-to-day care' and 'contact' should replace the terms guardianship, custody and access currently used in the Guardianship of Infants Act 1964. This would give a clearer indication of what



is actually involved in this part of family law; and remove any misunderstanding that parental rights involving children exist without corresponding responsibilities. It would also reflect the language used in many other States and in international instruments to which Ireland is a party.

The draft Children and Parental Responsibility Bill in the Report uses the proposed new terms for clearer understanding in the family law area, and incorporates the reforms made in the Report. The draft Bill would replace the Guardianship of Infants Act 1964.

The Report also says that mothers and fathers (including non-marital fathers) should have automatic joint parental responsibility (guardianship) for their children and that there should be automatic joint registration of

both parents on a birth certificate. This would reinforce the right of a child to know their parents.

New legislation should facilitate the extension of parental responsibility to civil partners and step-parents. The Commission recommends that civil partners and step-parents could obtain parental responsibility by way of an agreement with the other parties who have parental responsibility for the child or by application to court.

The ability to apply for day-to-day care (custody) should be extended to relatives of a child, persons in loco parentis and persons with a bona fide interest in the child in circumstances where the parents are unable or unwilling to exercise parental responsibility.

To view the full Report visit www.lawreform.ie.

Video technology saving time and money

We have reported before how the use of video technology saves time and money for everyone involved in litigation. In criminal cases it is being used to very good effect in bail and remand hearings. It is yet another example of the Courts Service improving efficiencies as **Colm Ormond** of our ICT Unit explains

In Ireland, whether in the District Court, the Circuit Court or the Central Criminal Court, there are always pre-trial applications. Many of these are listed for mention only and there is usually no evidence presentation - the application may take less than five minutes. In the Circuit Court, cases may be listed two or three times before final arraignment.

In the area of bail and remand hearings there are significant advantages to be gained from the use of video technology. If fewer prisoners attend court there are fewer opportunities for escape attempts and fewer instances of assaults on Prison Service staff. In addition, escorting more serious criminals to court sometimes requires the assistance of armed Gardai. If fewer prisoners attend court there are savings both in transport costs (particularly where the travel distance is considerable), fewer prisoners in court cells for staff to attend to and less staff time required to deal with prisoners'



personal property and allocation of cells when they return to prison.

There is less risk of flight or escape, less risk of contraband or drugs being obtained, less disruption to regimes and routines in prisons or other institutions, less time processing prisoners who need to attend court; and less prison escorts meaning significant cost savings.

The use of video link also allows a more effective use of court time - a major problem with bail and remand hearings is the distance to bring a prisoner to appear in court. A prisoner in Dublin's Cloverhill prison remanded to appear before Letterkenny District

Court is brought on a round trip of some ten hours which is inconvenient for all concerned and very expensive.

Video technology for bail hearings operates in Limerick between the District Court and the prison. When a case is called, the defendant can be seen and heard on two 46 inch plasma television screens in the courtroom. There is a special room in Limerick Prison to facilitate the appearance of prisoners before the court via video-link. There is also a sound proof booth in the District Court so that the defendant can consult with his legal representative. ■

In February video link was used for the first time to deal with bail and remand hearings between Cloverhill Prison and Cloverhill Courthouse. Three applications on the first day were followed by nine the following week. Judge David McHugh welcomed this latest development and complimented all involved. He commented particularly on the clarity of both sound and vision achieved.

Criminal Courts of Justice host major Moot Court Competition

When does media regulation become media control? Where do you draw the line between legitimate self expression and extremist speech liable to incite violence? And how do market freedoms and the EU's Charter of fundamental rights interact? These were some of the issues debated by over 60 participants from around the world at the recent Regional Finals of the European Law Moot Court Competition (ELMC).

The ELMC is the world's largest and most prestigious European Law Moot Court Competition. Teams from participating universities argue a case-file before a simulated European Court of Justice. The winning advocates get to plead before real members of the Court at the world finals in Luxembourg. Teams from the Law Society of Ireland have qualified twice to the world finals, most recently in 2010.

The Dublin Regional finals were organised by the Irish Centre for European Law, Trinity College and Dublin City University with the support of A&L Goodbody solicitors, Fáilte Ireland and the Law Society of Ireland. Those qualifying to the final rounds of the competition had the opportunity to plead at the Criminal Courts of Justice Complex in Parkgate Street.

Teams participating in the Dublin Moot represented a range of Universities,



International participants in the European Moot Court Competition.

including University of Amsterdam (The Netherlands), Boston College Law School (United States), University of Copenhagen (Denmark), Cornelius University (Slovakia), University of Leiden (The Netherlands), Katholieke Universiteit Leuven (Belgium), University of Florence (Italy), University of Heidelberg (Germany), University of Osnabrueck (Germany), University of Minho (Portugal), University of San Pablo (Spain), Washington College of Law (United States), Yeditepe University Istanbul (Turkey).

Competition judges included a panel of EU Officials from the European Commission

and the Court of Justice of the European Union, academics and practising lawyers.

The winners of the Dublin Regional Finals were the team from Katholieke Universiteit Leuven. A member of the Washington College of Law was declared best Commission Representative. The prize for the best written memorials was awarded to the team from the University of Leiden.

Jonathan Tomkin of the Irish Centre for European Law in Trinity College expresses particular thanks to the Courts Service for hosting the final rounds of the competition as well as to the sponsors who made the event possible. ■

Law students take up Advocacy Challenge



Semi finalists in the McCann FitzGerald Advocacy Challenge 2011 with Ms. Justice Mary Laffoy.

Bringing the EU to you

A new series of leaflets explain how the EU works, how decisions are made, your rights as an EU citizen and how these rights can be enforced. They explain the rights of people who move within the EU and those who move to Ireland. Much of the law on consumer protection which applies in Ireland is EU law with the European Commission publishing a consumer strategy from time to time.

The leaflets, published jointly by the Citizens Information Board (CIB) and the European Commission Representation in Ireland, were launched recently by Eileen Dunne, RTE broadcaster and president of the Association of European Journalists. At the launch Sylva Langford, Chairperson of the Citizens Information Board, explained that while there is a wealth of information available about the EU it is often too broad and too general to be of use to the average citizen. The work of the EU can easily be

described generally but it is difficult for citizens to understand how EU legislation and directives affect them as individuals.

The leaflets, which provide targeted information, will be distributed through Citizens Information Services (CISs) and other information outlets throughout Ireland. They are also available online at euireland.ie and citizensinformationboard.ie and in hard copy by contacting the Citizens Information Board at 01- 6059000 or emailing info@ciboard.ie. ■



The eight leaflets:

- How the EU works
- EU funding
- The EU and its citizens
- The EU and consumers
- The EU and the environment
- The EU's role in social and employment issues
- Equality and non-discrimination
- Moving within the EU

The European Commission Representation in Ireland is part of the Commission's network of representative offices throughout the Member States of the European Union. The offices are located at European Union House, 18 Dawson Street, Dublin. EU House has a public information office, open on weekdays from 9 a.m. to 5 p.m. There is also a citizens' advice service on EU law available. To see more, including how to get the weekly online newsletter on EU matters, go to euireland.ie.

The Citizens Information Board is the statutory body which supports the provision of information, advice and advocacy on a broad range of public and social services. It provides the Citizens Information website, www.citizensinformation.ie, and supports the voluntary network of Citizens Information Centres and the Citizens Information Phone Service 1890 777 121. It also funds and supports the Money Advice and Budgeting Service (MABS) Tel. 1890 283 438.

Cross-border Civil Litigation in the European Union

Did you buy something over the internet from another country in the European Union but it never arrived? Or maybe you bought some electrical equipment while on holidays and when you got home it didn't work properly? These are just some examples of situations where you might think about taking legal action – but how do you do it if the person or trader you want to sue is in another Member State?

The European Union has a system of laws in place designed to help individuals and businesses with cross-border litigation. The recently

published Citizen's Guide to Cross-border Civil Litigation in the European Union aims to explain the laws and principles behind European procedures so you can choose whether you want to use them. The guide explains where you can get more detailed information and the relevant applications forms for the various procedures. It only covers civil and criminal cases, not criminal law, family law, bankruptcy or questions of inheritance.

For copies of the guide visit: http://ec.europa.eu/civiljustice/publications/publications_en.htm

For more information about cross-border consumer rights: http://ec.europa.eu/consumers/ecc/index_en.htm



Out of court system of debt settlement proposed by Law Reform Commission



A recent report of the Law Reform Commission proposes a non-court system of debt settlement for insolvent individuals and recommends the establishment of a centralised Debt Settlement Office to oversee new debt settlement arrangements as **Fiona Farrell** reports:

The main recommendations in the Report are the establishment of a *Debt Enforcement Office* to oversee a non-judicial debt settlement system and two new processes: *Debt Settlement Arrangement* and *Debt Relief Order*.

The *Debt Enforcement Office* would oversee non-judicial debt settlement arrangements throughout the State. The new process would probably be of most use to individuals with modest debt levels and assets (including small business-related debts). Under the Commission's proposals, 60% of creditors must agree to any proposed debt settlement, so cases involving wealthy (or formerly wealthy) individuals would still probably end up in the High Court-based bankruptcy process.

The *Debt Enforcement Office* would include a small independent unit, the *Debt Settlement Office*, which would license a panel of Personal Insolvency Trustees, appointed after a public

tendering procedure and subject to statutory standards. A *Personal Insolvency Trustee* would manage a *Debt Settlement Arrangement*, which would be for debtors who 'can pay' at least some of their debt. In a *Debt Settlement Arrangement*, creditors and a debtor would make a legally binding commitment in which the debtor would repay an agreed amount of personal debt to creditors over a period of up to 5 years. At the end of this, the debt would be deemed to be repaid in full. The *Debt Settlement Arrangement* process would only be available to a person who acts in good faith and makes full disclosure of all their assets. If they do not, the process will automatically end and the debtor could be prosecuted. If the debtor complies with the *Debt Settlement Agreement*, he or she would be able to make a "fresh start" without having any damage to their personal credit rating.

For debtors whose circumstances are

so bad that they have virtually no prospect of paying back any debt (the can't pay debtor or no assets, no income situation), the *Debt Enforcement Office*, with the assistance of the Money Advice and Budgeting Service (MABS), could make a *Debt Relief Order*. This would be a once-off order, and would simply recognise the reality of an indebtedness that cannot be repaid within a foreseeable time period. Unless circumstances changed dramatically for the debtor the effect of this order is also that the debt is deemed to be discharged. The Report contains other recommendations including some in the respect of the personal insolvency law regime. ■

Read the Report on Personal Debt Management and Debt Enforcement on www.lrc.ie

'Captured'...Criminal Court Sketches on Exhibition

With the opening of the Criminal Courts of Justice Ireland was better able to meet its international obligation to shield from undue public gaze those being transported to and from places of custody. This poses a problem for media organisations who wish to have images of defendants and for the public whose curiosity is not met by the new arrangements. One way of addressing this has been the reinvention of the court sketch artist. One such person now working in the criminal courts is Mike O'Donnell, a Kerry native and former school teacher. His work has graced the pages of all the national dailies over the past year. An inaugural exhibition of his work called 'Court Art', takes place in the



Distillery Building, Church St, Dublin, courtesy of the Bar Council from 5th May.

The exhibition includes works from trials at the Central Criminal Court, Court of Criminal Appeal, Special Criminal Court, and Courts Martial Appeals Court. Subjects include accused persons, lawyers, judges, and views of courtrooms. ■

From left to right: Orla Hubbard, Laura Ní Dhruacháin, Sarah Slevin, Niamh Cassidy, Lís Ní Chonchúir meet Mr. Justice John MacMenamin & Mr. Justice Adrian Hardiman



Law students meet the judges

Second year law and Irish students from UCC met judges of the District, Circuit, High and Supreme Court on a recent visit to the Four Courts and Criminal Courts of Justice. In the Four Courts they discussed the Irish legal system and the status of the Irish language in our national law with Mr. Justice Adrian Hardiman and Mr. Justice John MacMenamin. The judges gave them a run for their money by conducting half

the discussion through Irish before inviting them to sit in on a commercial law case. At the Criminal Courts of Justice the students discussed topics from gangland crime to the pros and cons of a future in the legal profession with Mr. Justice Michael Peart, Judge Raymond Fullam, Judge William Hamill and Judge Flann Brennan. They also had a question and answer session with Judge Desmond Hogan.

"This was a great experience as we had never had the chance to sit in on a court case before."

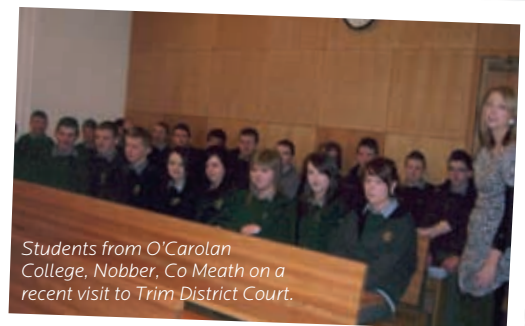
"Táimid go léir an-bhuíochasach as gach duine a chur an lá le chéile agus a chaith a gcuid ama ag labhairt linne."

What our young visitors have to say

A recent visit to Trim District Court was not just educational it was enjoyable as the students of class 3 Ainle in O'Carolan College told us.

"We went to Trim District Court in January as part of our C.S.P.E. Action Project for Junior Certificate. It was an enjoyable experience as we got to learn a lot about the District Court and about the law. The people working in Trim Court (Noeleen and Pauline) were very helpful as they answered our questions and provided us with facts for our C.S.P.E. project. We particularly enjoyed the experience of viewing the structure of the holding cells and our time in the courtroom. We learnt a lot that day so thanks very much to all the staff!"

We say 'you're welcome' to the students and thank them and their teacher Ailis Ní Ainle for visiting the courthouse. Visits like these are a great way to bring the law to life. They allow students learn how the courts work and find out what goes on behind the scenes in a busy court office. They can be complemented by a range of material provided by the Courts Service to help teachers and students alike.



Students from O'Carolan College, Nobber, Co Meath on a recent visit to Trim District Court.

Other schools interested to visit a courthouse should contact their local court office or the Courts Service Information Office at 01 8886459 or by email to schooltours@courts.ie.

NUI Galway law students meet Mr. Justice Peter Kelly



Appointments

Judge Kelly appointed

Mr. Paul Kelly has been appointed a judge of the District Court. Judge Kelly studied in University College Dublin and at The Incorporated Law Society, Blackhall Place, where he qualified as a solicitor in 1979. Prior to his appointment Judge Kelly had his own practice in Leixlip, Co. Kildare since 1982. He recently served as President of the Kildare Bar Association. Judge Kelly has been assigned to District No.1 Donegal from 7th March, 2011. ■



Judge Paul Kelly with his mother Peggy and his daughters Blaise and Helena.

From 7th March, 2011 Judge Seamus Hughes has been assigned to District No. 9 – Longford and Westmeath and Judge Catherine Staines has been assigned to District No. 15 – Laois and Offaly.

Where do they get the energy?

While carrying out their full-time duties, three staff members achieved qualifications by studying at night and at weekends. Congratulations to them all and best of luck to other staff members who are currently in the middle of their studies.

Sharon Hannon, secretary to Supreme Court judge Mr. Justice Donal O'Donnell, pictured with retired Supreme Court judge Mr. Justice Francis D. Murphy (left) and her father Joseph Hannon following her conferral with a BA (Hons) in Counselling and Psychotherapy.



Suzie Yorke, Office of the Wards of Court, who graduated recently from Griffith College, Dublin with a Bachelor of Arts in Business and Law.

Damien Downey, Criminal Courts of Justice, who graduated recently from IT Tallaght with an Honours Degree in Business Management.



Retirements

Judge Tom Fitzpatrick retires

The District Court has sustained a charisma deficit arising from the recent retirement of Judge Thomas A. Fitzpatrick from the District Court bench. Judge Fitzpatrick, who presided over Meath District Court Area No. 10 since 1st June 2008 was first appointed to the Bench in January 1987, a judicial career spanning a full 24 years.

Until his appointment to District No. 10 he was a moveable judge having the distinction of presiding in every district in the 26 counties and he was the longest serving moveable judge in Ireland. At the time of his appointment in January 1987, judges were appointed on a temporary basis and renewed annually. This temporary status led to a significant jurisdiction challenge in an extradition case in which he had presided when his extradition order was unsuccessfully challenged in the High Court.

Prior to his appointment he had a successful private practice in Cavan specialising in criminal and civil litigation for over fifteen years. Judge Fitzpatrick comes from a distinguished legal family with his late father Peter serving as Law Agent to Cavan County Council until his retirement in 1974; his brother John, the well known Dublin solicitor, County Sheriff and Returning Officer; his brothers Michael and Patrick former practicing solicitors; and his brother Dermot an experienced practicing barrister on the Northern Circuit. His cousin Tom Fitzpatrick also practices on the Northern Circuit and the Fitzpatrick family are relations of the Beatty family from the practice of Vincent & Beatty. His late uncle, Tom Fitzpatrick, was an eminent solicitor practicing in Cavan until he took up political life at national level serving many Fine Gael



Judge Fitzpatrick

governments as a senior Government minister and ultimately before his retirement was Ceann Comhairle of the Dáil. Judge Fitzpatrick succeeded him in his practice in Cavan.

The legal profession who appeared in Judge Fitzpatrick's court regarded him as having a fine legal mind conscious of the dignity of the office he held and his constitutional oath to administer justice impartially. Many eminent lawyers when propounding fine legal points before Judge Fitzpatrick in submissions for either a direction or a dismiss will well remember his kind but firm refrain in rejecting their well-prepared and indeed lengthy applications by those famous and brief words of his'afraid not'.

Judge Fitzpatrick has a keen interest in horseracing and is an acknowledged breeder of fine bloodstock. He is also recognised for his sartorial dress style, especially successfully competing with his colleagues on tie styles!

On my own behalf and on behalf of all of my colleagues I wish Tom a healthy, happy and lengthy retirement.

Judge Cormac Dunne

After over 40 years Donal McCarthy takes his leave

Donal McCarthy retired from Tralee District Court Office at the end of last year. He joined the Department of Justice in 1969 having previously worked with the Department of Post & Telegraphs.

His first court posting was to Clonmel followed by spells in Bandon and Fermoy before finally settling in Tralee in 1976.

He and his colleague and friend Michael Griffin (who retired in 2009) were the hub of this office for years and could tell many a tale of their time working together.

Donal sat as Court Clerk to many judges including Michael J. O'Hara, Kevin I. McCourt, Brendan Wallace, John B. Farrell, Humphrey P. Kelleher and finally Judge James O'Connor.

Donal, as befitted the nature of the man, retired without fanfare or fuss. A man of many hobbies our wish for him is that he enjoys many happy, healthy and active years of retirement with his wife Ann and family.

Eileen Carroll



Donal McCarthy



Brendan Ryan, Master James Flynn, Master Charles Moran & Tony Behan

A Master retires

It was "with a touch of sadness" that Master James Flynn wished his colleague of 16 years Master Charles Moran adieu in January. "His attributes included being a source of good counsel and advice", Master Flynn told colleagues at a reception for Master Moran in Merchant's House.

President of the Cost Accountants Association, Tony Behan, said that when he started in the profession some 60 years ago there were four High Court judges and one Taxing Master – and little to do at times – so much so that "maybe the lists could seem a little phantom". However, this has changed greatly particularly in the past decade. "During this ever busier period Master Moran had been extremely courteous and a dedicated officer who caught on very quickly to the reality of the new era of business and litigation in Ireland," he said.

Courts Service CEO, Brendan Ryan said Master Moran had given 42 years public service and had contributed excellent work as Taxing Master. He was not only an efficient officer but was marvellous with staff, excellent company and totally committed to his job. "He even looks too young to retire", Brendan said.

Master Moran said this was the end of the road for his public service and he didn't know if he deserved such compliments. He recalled working in a solicitor's office in Carrick-on-Shannon after his Leaving Certificate before transferring to the Chief State Solicitors Office as an apprentice to Liam Lysaght. He gained huge experience and expertise in his 15 years as Head of the Litigation Department there.

He said he was flattered to have been appointed as Taxing Master 15 years ago – the first solicitor from the Chief State Solicitors Office (CSSO) to be appointed to the role of Taxing Master – an honour for him and for the CSSO. He always sought to carry out his functions in a fair and honest way. "I was impartial in my dealings with everybody – which was a challenge sometimes due to the unique style and flair of submissions from practitioners", he said. He added that "each one of you are truly professional and have always shown courtesy and respect to me".

He thanked the staff of the Courts Service giving special thanks to Brendan Minnock, Aisling O'Neill, and Geraldine Dunne for helping him when he started.

We wish Master Moran and his family all the very best for the future.

Bidding farewell to Michael Holman

On a cold night in December, the staff of the Circuit Court office in Wexford and Gerry Nugent, Regional Manager, officially said 'goodbye' to Court Messenger, Michael Holman. Michael started working in the office in 1977 and is a gentleman – kind and considerate, helpful and pleasant. Even those from whom Michael tried to collect money would agree with this. He spent many years persuading people to pay their debts but more recently had been working indoors. He was a wonderful help in the day to day movement of paper and files in the office. We firmly believe that we would be buried under an avalanche of paper without his help. Michael has several interests outside work – he keeps racing pigeons and is hoping they will do well now that he has more time to indulge them. His other great interest is music – a talented musician he is making a comeback on the entertainment scene.

On behalf of Martina, Nuala, Anne and Eileen and on my own behalf, we wish Michael every best wish for countless days with his family, his pigeons and his music.

Marie Garahy, County Registrar



Michael Holman

A quiet goodbye for Alice Domican

Alice Domican took her leave of the Courts Service quietly and without fuss late last year. She didn't want a presentation but preferred to say her good-byes in a quiet and private fashion. Seventeen years had passed since Alice came to Circuit Court following promotion to E.O. Prior to this she had spent over twenty years in Revenue. Alice worked in a number of offices throughout the Courts Service. Her first appointment was to the Civil Office of the Dublin Circuit Court before promotion brought a move to the Circuit Family Law Office. After five years she moved to the Dublin Metropolitan District Family Law Office where she was office manager. In a move which brought a big change Alice left operations a few years later and moved to the Finance Directorate. She worked in the Courts Accounts section before making her final move to the Accountant's Office. Alice particularly enjoyed her time in the Circuit Court Family Law Office. Court work and the day to day interactions with the staff, customers and the legal professional suited her open and friendly personality. She will be missed by all who worked with her. We wish Alice, her husband Tony and all their family the very best for the years ahead.

Shay Keary, Accountant's Office.



Mr. Justice Bryan McMahon, Judge of the High Court, Mr. Eamon Giles, Mr. Justice Hugh Geoghegan, retired judge of the Supreme Court, Mr. Pat Gavin, Ms. Justice Finlay Geoghegan, Judge of the High Court, Mr. Terry Hennigan and Mr. Ray Daly

A host of tipstiffs take their leave

We've never had an occasion like this", said MC Pat Dempsey on the occasion of the retirement of not one but four High Court tipstiffs recently. They were a fresh faced bunch notwithstanding the total of 182 years of public service they shared.

First up was **Ray Daly** who had been tipstaff to Ms. Justice Finlay Geoghegan for eight years following a career of some 37 years in An Garda Síochána. The judge recalled Ray's kind nature, attention to detail and love of fishing – an interest they both shared. "We had many a good conversation on the subject", she said. Ray thanked everyone he had worked with in the court especially the judge and her family. "It was a great joy to work here", he said.

Mr. Justice McMahon paid tribute to his tipstaff **Eamonn Giles** and mentioned in particular their shared love of soup and Eamonn's great love of sport. "We've soldiered together since 1999 and have sat in every county in the country. It was great to have Eamonn's contacts – he knew someone everywhere. Eamonn knew it all and had it all especially those qualities that make a good tipstaff – discretion, tact and diplomacy". Eamonn thanked all who had come to wish him well. "I've made many

good friends here", he said. "Thanks for the good times".

Terry Hennigan was appointed to Ms. Justice Laffoy after 37 years in An Garda Síochána and two years in the National Gallery. The judge noted that after so many years with the Gardaí Terry knew everything about policing in Dublin and seemed to know everyone as well. "We never had a cross word", she said. "Terry was always a pleasure to work with". Terry said that of all the places he had worked in the last six years the Courts Service had been the icing on the cake. "I'll always remember my time here fondly", he said. "As the song goes 'it will be part of my soul'".

Completing the quartet was **Pat Gavin** who had been tipstaff to Mr. Justice Geoghegan before the judge's retirement earlier this year. Pat served for 36 years in An Garda Síochána before joining the courts. "The first thing I will say to Pat is that it's brilliant to be retired", said the judge. He referred to Pat's love of his home place in Roscommon and his calm, quiet demeanour. "Pat was a doer rather than a talker and an absolutely wonderful help to me. I wish him all the very best in his retirement". Pat thanked all his colleagues as he looked forward to the future.

We echo Pat's words and wish him, Ray, Eamonn and Terry all the very best for the years ahead.

Bidding farewell to Marie Mackey

Staff at Cork Circuit Court bade farewell to Marie Mackey at the end of last year after 10 years working in both the Circuit and District Court offices in Cork.

Marie worked in reception in Washington Street where she enjoyed meeting and greeting people every day. She was also involved in delivering presentations to many of the local schools and in presentations to the general public during heritage day. Her energy for meeting and helping people extends beyond the office where she continues to be actively involved in her church choir, the scouts and generally in her community in Glanmire. Marie won a Courts Service competition with her slogan "personal service is our best resource" a motto which she strongly believed in throughout her working life. We all wish her well for the future.

Mary Crowley



Marie Mackey

Flaghopping

Judge Michael Pattwell

Original Writing Ltd., Dublin.

This is Judge Michael Pattwell's first published collection of poetry. It was launched recently in Bishopstown Library, Cork by the novelist Mary Malone. The collection of 71 poems is an absolute delight to read. Divided into 7 sections the first section contains poems written on or about Inis Meáin in the Aran Islands a place close to the poet's heart. Other sections follow *Nature, For Fun, From Observations, Friends and Feelings, Love and Romance* and *Family and Relationships*. In the last section he deals openly with the death of his parents, his mother's Alzheimer's disease and family life in general. There is one very moving poem about the day he brought his mother to the nursing home, *The Judas Kiss*. This is the longest section in the collection. In contrast the shortest section *For Fun* contains four very short and playful poems – you just can't help

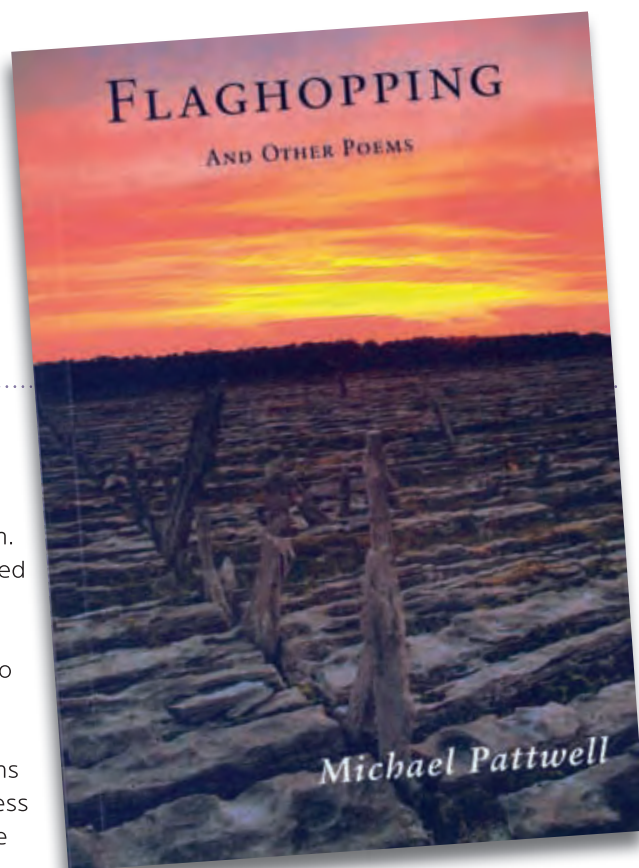
but smile on reading them. The poems are interspersed with short narratives providing insight into the life events and people who inspired the poems.

Michael Pattwell worked as a bakery worker, Customs Officer, Court Clerk, business man and lorry driver before studying law as a mature student in 1971. He qualified as a solicitor in 1976 and was appointed judge of the District Court in 1990. Having been urged for many years by friends and family to publish his poems it was only following a serious illness in July 2010 that he gave in. "Contemplation of the real possibility of mortality can change one's mind on a lot of things". His poem *First Reaction* (on hearing a diagnosis) demonstrates how such life events can

bring clarity and perspective.

There is a sense when reading the poems that they are very personal and the poet's passion for life and nature come through every one of them. I'd recommend this collection of poetry to anyone who has ever had a parent, a child, a lover, a friend...it has a truly universal appeal. ■

Fíona Farrell.



Pictured at the recent launch of the report of the Annual Conference of the Association for Criminal Justice Research & Development are... Back Row: Eugene Corcoran, (ACJRD Council) Margaret Martin (Women's Aid) Kate Mulkerrin's (DDP), Hilka Becker (Immigrant Council of Ireland), Jimmy Martin (DJLR), Gerry McNally (Probation/ACJRD Council), Brendan Callaghan (DJLR/ACJRD Council) & Kieran O'Dwyer (IPS/ACJRD Council). Front Row: Gerry Hickey (Garda Síochána Inspectorate/ACJRD Council), Eimear Fisher (Cosc), Dr Azrini Wahidin (Queens University), Maura Butler (Law Society/ACJRD Council) and The Hon. Mrs Justice Catherine McGuinness (Law Reform Commission)



Travel the World with Courts Service News!

Right, so after the winter we just had – three in 2010 really, if we take last January, early December and then late December's snow and ice age conditions – we all deserve a holiday. The body needs pampering, the lungs need outdoor air and the skin needs vitamin D from a bit of sunshine... **Gerry Curran** went on a journey around the world – or at least the Travel World Show – to see what he could advise for holidays near and far

You couldn't see a holiday opportunity for holiday opportunities amongst the overwhelming choice – and it seems increasing value – on show at the 100's of stalls at the RDS. Whether you're a home bird or an eager explorer, choices abound.

Near to Home Joe Mangan Tours and paulclaffertytours.com offer a different idea for a long weekend in Athlone – a three day country music break with tickets for Mike Denver, Declan Nerney, Robert Mizzell, John McNicholl and Patrick Feeney. Use this as a springboard for a few days in Westmeath and a chance to explore the Shannon. Attractions include Belvedere House (a restored Georgian mansion and gardens), Lockes Distillery, the Irish Craft designer village in Ballinahown,

clay pigeon shooting, the ancient spirituality of Clonmacnoise, the Athlone Castle visitor centre, golf at Glasson, Tullynally castle and of course the dogs in Mullingar and the horses at Kilbeggan. Three day music weekends are €299 from May 20-22nd.

Across the Sea in France outdoor types will revel in the joys of Cathar Country. A cheapo flight to Carcassonne will help start you out on the 200 km Sentier Cathare – or Cathar Trail – which stretches from the Mediterranean to the Pyrenees – taking in coastal lagoons, forests, gorges and mountains. Ramblers can jump on and off the trail, starting at any point and choosing many diversions along the way. Many take this journey to appreciate history and its lessons whilst actively being involved

in the landscape. Over twelve days of walking you will come across castle after castle, abbey after abbey, and lots of walled towns and villages. The town of Puivert has a medieval museum with modern exhibition techniques. For local places to stay along the way see www.audetourisme.com.

Honeymoon Couples might well be best advised to skip the big hoopla at home and have a quaint gathering abroad in a place such as Malta. When booked with a holiday from Balleair holidays wedding packages start at €460 up to €1375 to include cars, license, photos, bouquet, buttonhole and wedding cake. The reception is separate and can be booked with the organisers for between two and 200 people or organised independently.



Weddings can be organised on either Malta or sister island Gozo. Holidays in Malta can vary from city tours to island hopping, to a range of activities you could associate with home: from golf, to rock climbing, canoeing, boat trips, bicycling etc – except they have a summer!

The capital Valetta is a dream if Baroque buildings, great public spaces, harbour views, a bit of WWII and churches are your thing.

“Holidays in Malta can vary from city tours to island hopping, to a range of activities you could associate with home: from golf, to rock climbing, canoeing, boat trips, bicycling etc – except they have a summer!”



Take a Villa: For bigger groups or extended families why not forego the square block apartment or restrictive hotel experience and take a villa. In practically every European country which touches the Mediterranean and in more besides, James Villas offer an array of such villas for rent. The glamorous TV ads alone could make anyone feel like a millionaire for a few days – and starting at around €60 per person, per week for eight sharing – going up in cost as you get more private and classy – you can share in this footballers wives lifestyle. Venues can be as part of a holiday resort geared for families with children, to golf resorts or isolated and spatial palaces on beaches or in mountain regions or on islands. See www.jamesvillas.ie or phone: 1890 943903.

Africa by Rail: Rovos rail claim they provide the most luxurious train in the

world and for the past 12 years have provided a world class travel experience linking Africa's greatest destinations and sites though trips which can last from two days to a month. Their suites look inviting and seem as good as most hotel rooms. Journeys take in scenes such as Victoria Falls, Cape Town, Safari country, and golfing venues.

The Dar Es Salaam Adventure is a 14 day trip through South Africa, Botswana, Zimbabwe, Zambia and Tanzania with many amazing stops along the way. Thoughts of Hercule Poirot around although the constant dinner and lunch conversations and expectation of good behaviour might be a burden or have a sense of work attached! As might the cost which for this journey starts from €6,444 for a Pullman suite to €11,500 per person sharing for a royal suite (sitting room, double beds and bathroom and shower etc). See www.rovos.com ■

Things that go **BUMP** in the night

Continuing on our 'holidays' theme, why not take up a new hobby or interest for your 'stay at home' holiday – or 'staycation'? Ronan Power of the Courts Service has tried out a few spooky investigations as a novel past time

Ronan has explored the unusual but interesting area of the research and investigation of the paranormal. He tells us that the word 'paranormal' is used to describe a wide variety of activity and phenomena, from ghosts and hauntings through to UFO's, telepathy, ESP, faith healing and clairvoyance. His particular interest is in testing reports of ghosts and hauntings.

“Ever since my dad gave me a book when I was about eight years old on the U.F.O. phenomenon I've been hooked on the unusual. I remember watching Stephen Spielberg's 'Close Encounters of the Third Kind' in total awe. My parents, relations and others of their generation had many accounts of 'real life' ghost stories and encounters which I loved to hear about. I have been investigating the paranormal as a hobby for the last five

years as part of group called 'Paranormal Watch Ireland'.

There are a total of eighteen paranormal investigation groups in Ireland today. We meet up every fortnight.

One of our adventures took us to Charleville Castle, Co. Offaly (pictured). We picked up all sorts of strange sounds and voices on our E.V.P.(Electronic Voice Phenomenon) equipment and recorded unexplained temperature drops and lights switching on by themselves. We use a wide variety of electronic equipment on location from voice recorders to night vision cameras, motion detectors, EMF detectors etc.

In the next few months we are due to carry out an investigation of a residential house in Drogheda. We will also be returning to a certain haunted race course building!”





'REWIND' Starring Amy Huberman

Showing from late March Nationwide

This P.J. Dillon directorial debut feature, is a most enjoyable thriller and a study of the human frailty which inhabits us all in different ways and measures. It is film waiting on Amy Huberman to make it work – and from which her career will benefit. An IFTA already in the bag before general release can only help both.

Turmoil ensues when Karl, an old boyfriend, arrives in town out of the blue. Karen (Amy's character) knows well that this is no coincidence and that he has another agenda – having only recently been released from jail. He is a sneak and wriggles his way into her domestic situation. She doesn't want anything to do with him. He admits that he has sought her out and they need to sort out a few murky skeletons in her closet – namely loose ends from her having been heavily involved in the crime that sent him to prison. So as to keep him quiet about her past, she reluctantly goes along with a plan, a day trip, in what becomes a smashing good yarn.

In telling the story of this unwelcome visitor we see the chinks in the middle class, rural idyll she seems to be living as a recovering addict. Amy tells us that, "playing Karen was extremely exciting for me

as it was a complete departure from any other type of character I'd played before. Karen is such a dark horse. Even though she loves her husband and child, she is innately quite a cold and distant person which can have the effect of others not really knowing how to take her. It also makes the audience question their alliance with her, which lends wonderfully to the whole suspense of the movie".

In a very stylised way we are brought on an, at times, edgy 'what will happen next' thriller; at other times we are involved in a sense of a bit too much of a coincidence. The almost black and white use of blue grey tones is a definite winner in adding to the coldness of the blustery, Irish, wintry scenes and the unfolding storyline. That it was shot over 17 days in January, in largely rural locations, adds to the feel.

The muted sound in one scene tells us Karen can't hear her friend



due to the distraction of worry; the husband looking over his ring finger on the steering wheel, as he drives home at pace, tells us he is worried about his wife and marriage; whilst the physicality between the couple lets us into the stage and state of their marriage. The old flame – presented as a cousin – is a nut job come baddie out of casting central. A tad underdeveloped throughout the movie's 82 minutes – he is annoying and needs a slap! But Allen Leech has a sinister, getting under your skin, feel to him which helps the passage of the movie.

The husband, played by Owen McDonnell, is a nice chap, who seems to need a shake – but will he step up to the mark when needed?

Watch and see.....

Pancake Morning...

Staff in the Criminal Courts of Justice organised a Pancake morning recently to raise funds for the National Children's Hospital, Tallaght. A total of €250 was raised on the day, well done to all who contributed. Special thanks are due to Margaret Crinion, the chef extraordinaire who came in on her day off to cook for everyone.



Quiz Time



WIN A WEEKEND FOR TWO IN OUR COMPETITION

Having entered every draw and provided an email address to every list at the Holiday World show (see page 24) our reporter was rewarded with the win of a short break for two which he gladly donated to the Court Service News readers competition. Enjoy 2 nights midweek B&B for two in the luxurious 4 star McWilliam Park hotel in Claremorris Co. Mayo. The hotel offers a la carte cuisine in their J.G's Restaurant, and leisure facilities, which include an 18m swimming pool complete with a water fountain and jacuzzi, and a sauna heated with a traditional style stove with coals. See www.mcwilliampark.ie

With the increasing volume from the dawn chorus over the last few weeks we thought we'd offer a quiz of a musical nature for this issue. For questions 1 – 5 identify the songs and singers from the lyrics (where a song has been covered the original or the cover artist is acceptable).

1. *The simple things are all complicated, I look pretty young but I'm just back-dated*
2. *Now you play the loving woman, I play the faithful man*
3. *One day it's fine and next it's black, so if you want me off your back*
4. *You've been telling me you were a genius ever since you were seventeen. In all that time I've known you I still don't know what you mean.*
5. *I should have took that last bus home but I asked you for a dance*
6. In what section of the orchestra would you expect to find cowbells and claves?
7. How many crotchets are there in a semibreve?
8. What instruments would traditionally accompany a Fandango?
9. Which two rock bands will perform on the same night in the O2 in June this year?
10. What is the name of the song Ireland is putting forward for the Eurovision Song Contest this year?

Answers should be emailed to courtsservicenews@courts.ie or hard copies can be sent to Fiona Farrell, Courts Service Information Office, 15/24 Phoenix Street North, Smithfield, Dublin 7. **Closing date for receipt of entries is Friday 27th May.**

Answers to the December Quiz

- (1) Patrick Kavanagh - Advent (2) 16th January 2010
 (3) Eyjafjallajökull (4) FYR Macedonia 26 March 2011
 (5) Holly, Ivy, Mistletoe (6) Dr. Bunsen Honeydew
 (7) Goosebumps (8) 10 (9) Skulduggery Pleasant by Derek
 Landy (10) All had Christmas no. 1 records in UK - 1952,
 1969 and 1979 (11) 1983 & 1994 (12) Mark Twain
 [Samuel Langhorne Clemens] (13) Norman Wisdom
 (14) You'd eat them - Turkey with Cranberry and
 Potatoes (15) Mary White & Pat Carey

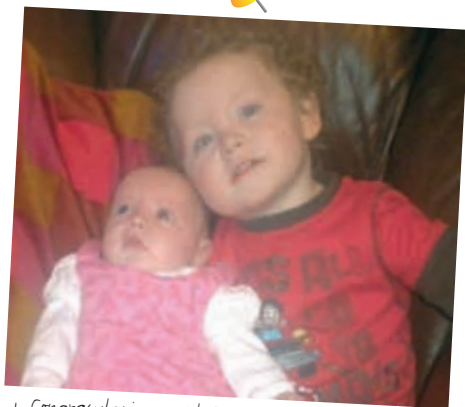
Congratulations to...

**Bridget Browne (right),
 Cork Circuit Court,
 accepting her prize
 from her colleague,
 Richard O'Connor.**



Through the lens

A hat-trick for the 5th floor in Phoenix House



1. Congratulations to Elaine Kenny, Training Centre, on the arrival of Naini pictured here with her big brother Diarmuid.



2. More celebrations in the Training Centre, Geoffrey McGonagle's daughter Sally with her big brother Patrick.



3. The eldest of the three, congratulations to Stacey O'Connor, Supreme and High Operations on the arrival of Amy.

New Garda Commissioner visits the CCJ



Mr. Brendan Ryan, CEO, Ms. Elisha D'Arcy, Protocol Officer, Courts Service, Mr. Justice John Edwards, Mr. Justice Patrick McCarthy, Mr. Justice Nicholas Kearns, President of the High Court, Mr. Justice Paul Carney, Garda Commissioner Martin Callinan, Mr. Justice Garrett Sheehan, Ms. Mary Feerick, Registrar, Central Criminal Court and Mr. Justice Barry White