LOOKING BACK AT 2015

COURT OF APPEAL BUILDING OFFICIALLY OPENS

STAFF TRAINING LOOKING UP
# CONTENTS

## REGULARS
- Welcome Note 3
- Retirements 16
- Competition 20
- Through the Lens 24

## FEATURES
- Christmas Messages 4
- A look back at 2015 5
- Opening of Court of Appeal Building 11

## NEWS
- Learning and Development 9
- Staff training conference 10
- Reporting the courts 15

## SOCIAL
- Film review 19
- Book review 20
- Recipe 21
Welcome to the December issue of Courts Service News.

We look back on a year when things started to improve on a number of fronts (pages 5-8) with staff appointments and news of building projects examples of the new light on the horizon. Following the challenges of recent years we are glad that Courts Service News can bring news of revival and renewal in this festive season.

That renewal included a renewed focus on staff training, a vital element in the future development of the Service given the age profile of many serving staff. We hear from Deirdre Doyle, Head of the Courts Service Training Unit following the Unit’s call for staff participation in the development of a new Learning and Development Strategy (page 9). We also hear of a successful training initiative for senior staff of the Superior Courts (page 10).

There were lights flashing around the Four Courts recently when we welcomed President Michael D. Higgins to officially open the Court of Appeal Building. We record this historic occasion in our four page pull out (pages 11-14) which includes details of the impressive refurbishment work undertaken to transform and preserve the old Public Records Building.

We have some seasonal features including film and book reviews (pages 19 and 20), a tasty cake recipe (page 21), advice on how to look after yourself over the season (page 22) and a Christmas Quiz (page 20).

We recall the contribution of some colleagues as they retire and remember deceased colleagues (pages 16-18).

As always the Courts Service News Team is indebted to all who have supported us during the year – especially those who contributed articles and made suggestions for new features. We extend particular thanks to Mairéad Fitzsimons, an invaluable member of the Team for several years, who departed on promotion to the Training Unit and welcome John Whelan (see page 8).

We will be back in the New Year with our ezine and look forward to bringing you more news and hearing further from you. To subscribe visit the ‘Publications’ section of our website www.courts.ie or email: courtsservicenews@courts.ie.

Happy Christmas and a peaceful New Year to you all.

The Courts Service News Team
Once again we have dark mornings and evenings, which are brightened by the Christmas lights and decorations. We look forward to the festive season in the depth of the deep winter. For many it is a time of joy. However, there are those in our community who need our help and support. It is a wicked time of the year to be homeless or suffering from other misfortunes or indignities.

It is a time for us to cherish our families. The family, our nearest and dearest, is to be cherished.

We have been going through challenging times in the courts. It is to the great credit of the staff of the Courts Service that the court system is operating so efficiently and enabling access to justice. There is no doubt that the people who are the Courts Service are the jewel of the Public Service.

To the Justice community – judges, lawyers, court administrators, gardaí, prosecutors, defenders, prison officers, probation and child welfare staff, and public servants of many departments – I send a grateful thank you for all your work in 2015.

I wish you a happy season of celebration.

Nollaig Shona, daoibh go léir.

Susan Denham
Chief Justice of Ireland

As Christmas approaches we prepare to take time off to be with family and friends and enjoy all that the festive season offers. It is a time to celebrate and a time to reflect as we say farewell to one year and look forward to what another year may bring.

There have been times in recent years when the horizon was not so bright and the mood as we headed into our Christmas break was more of exhaustion than celebration. Cutbacks and reduced resources take their toll on everyone, not least our very dedicated workforce. We should not forget that the work of the Courts Service includes the availability of staff every day during the holiday period – including Christmas Day. I salute the continued vital contribution to our justice system made by our frontline staff and those who work behind the scenes keeping the court system running every day and express my thanks to every one of them for their efforts.

The gloom associated with the past few years is gradually being replaced by a more cheerful horizon with improvements including additions to our staff in the form of new recruits and promotions, and the commencement of new court building work, bringing positive news for all who use our courts. A lot remains to be done but I am hopeful that modernisation measures across the justice spectrum coupled with the support we receive from so many organisations and groups will make our future a brighter one.

We operate as one member of the justice sector and rely on the support and cooperation of a wide range and variety of groups. To the members of the judiciary, the Courts Service Board, the Minister for Justice & Equality and the staff of her department, members of the legal profession, other justice agencies, community and other groups, contractors, suppliers, and all who work with us, I say thank you and I look forward to working with you all in 2016.

Happy Christmas to all and every good wish for the New Year.

Brendan Ryan
A LOOK BACK OVER 2015

There were reasons to be hopeful during 2015. There was the promise of improved staffing arrangements and good news regarding the Courts Service Building Programme. Much remains to be done not least the need to invest in ICT systems capable of keeping pace with an ever changing environment and the ever increasing demands of a digital world.

But after several years in a downward spiral, at least we started climbing again. We look back on another year of great endeavour as reported in the pages of ‘Courts Service News’:

BUILDING FOR THE FUTURE

News on the building front was rare in recent years so it was wonderful to be able to report on projects completed and planned during the year.

SEVEN NEW OR UPGRADED COURTHOUSES ON THE WAY

NEW COURTS COMPLEX FOR DUBLIN

The announcement by the National Development Finance Agency (NDFA) that BAM PPP PGGM has been selected as the preferred tenderer for major work to be completed on courthouses in seven different locations around the country signalled a rejuvenation of the Courts Service Building Programme. The project includes four new courthouses in Drogheda, Letterkenny, Limerick and Wexford and substantial refurbishment and extension works to existing courthouses in Cork, Mullingar and Waterford. The courthouses will be designed, built, financed and maintained for twenty five years by BAM PPP PGGM under the Public Private Partnership (PPP) model.

Hammond Lane Site

Other good news was the announcement of an intention to construct a new courts complex in Hammond Lane, adjacent to the Four Courts in Dublin. The complex, part of the Government’s Investment and Capital Investment Programme, is also to be constructed under a Public Private Partnership arrangement and will include a dedicated and integrated Family Law and Children Courts building, together with additional courtrooms for the Supreme Court and offices of other courts.

REFURBISHMENT OF CLONAKILTY COURTHOUSE

Not quite as spectacular but very welcome nonetheless was the refurbishment of Clonakilty courthouse. Significant also in that, together with the upgrade of Macroom courthouse in 2011, the Clonakilty works were the only courthouse refurbishment works carried out since funding reductions commenced in 2009. The project, costing in the region of €250,000, has improved facilities in the courthouse to a standard expected in modern times.
PROMOTING MEDIATION AS AN ALTERNATIVE TO LITIGATION

Significant work continued during the year to promote mediation as a method of resolving disputes. Addressing delegates at the annual conference of the Mediator’s Institute of Ireland (MII) in October, its President Gerry Rooney said that mediation is increasingly being recognised as a premier process for resolving disputes.

RECOGNITION FOR DOLPHIN HOUSE STAFF

The MII’s Family Mediation Awards 2015 recognised seven organisations and individuals for excellence in mediation. One of the recipients was Courts Service Head of Circuit Court & District Court Operations in Dublin, Tom Ward. The awarding panel acknowledged the initiatives taken by the Courts Service in the promotion of mediation and “wished to highlight the role of Tom Ward in his championing of mediation”.

And the awards didn’t end there. As part of the recent inaugural Civil Service Excellence and Innovation awards the Courts Service and the Legal Aid Board were shortlisted for the Dolphin House Mediation Initiative, in the category of Excellence in Customer Service. From across the Civil Service, 94 projects and teams were nominated as examples of staff excellence and innovation, with 32 shortlisted in ten different categories such as Excellence in Policy; Innovation; Customer Service and Skills Development. Although not ultimately victorious, the recognition for the staff and managers of both organisations was very well deserved.

The Dolphin House project established a permanent mediator presence in the busiest District Court family law building in the country to promote mediation as a way of finding resolutions to disputes and offer support to families at traumatic times.

LAUNCH OF BUSINESS AND COMMERCIAL MEDIATION PILOT SCHEME

The Courts Service also supported a scheme, launched in October, to help Chambers Ireland members and other businesses and commercial enterprises resolve business disputes through mediation. The objective is to promote the use of mediation as a cost and resource efficient way for businesses to resolve commercial disputes.

The scheme is overseen by a steering committee representing Chambers Ireland, the Chartered Institute of Arbitrators, the Law Society, the Bar Council, the Mediators’ Institute of Ireland and the Courts Service. Businesses interested in having a dispute referred to mediation can contact Chambers Ireland who will refer the case to a Review Panel to decide whether the case is suitable, and if so, who is best placed to mediate the case.
DRUG TREATMENT COURT WELCOMES MINISTER OF STATE

The Drug Treatment Court had a visit from Mr. Aodhán Ó Riordáin, Minister of State at the Department of Justice & Equality with responsibility for drug strategy in September.

Welcoming the Minister, Judge Ann Ryan along with members of the Drug Treatment Court team explained how the programme operates and outlined the current participant levels. The catchment area for the programme has been confined to County Dublin for the last two years but the Minister was particularly interested to hear how it has been possible for people resident outside of Dublin to participate in the programme. He then attended the court unannounced where he observed the court in operation and the interaction with participants.

Earlier in the year the Drug Court had its first expedited graduation when Dylan Ivie completed the process.

REACHING OUT IN POSSESSION CASES

The Courts Service joined with the Money Advice and Budgeting Service, Citizens Information, and the Insolvency Service of Ireland to offer quality information regarding possessions and personal debt situations on a pilot basis during the year.

From July the four services agreed to provide a pilot in six locations - Dublin, Trim, Cavan, Roscommon, Wexford and Mayo. They will ensure that when the Circuit Court is hearing possession matters there will be space, information and personal debt advisers present in the courthouse to engage with people about their options.

HISTORIC SITTING OF SUPREME COURT IN CORK

There was an impressive turnout in Cork as the Supreme Court sat outside Dublin for the first time in March. Two divisions of the Supreme Court heard cases in Washington Street Courthouse. Members of the Supreme Court also participated in a number of professional development courses for members of the legal professions, and in student seminars for law students in the city over a number of days.

The Chief Justice, Mrs Justice Denham said, “It is a great pleasure for the Supreme Court to be in Cork, to hear cases in the magnificent Washington Street Courthouse. This is the first time the Supreme Court has heard cases outside Dublin; and the first time outside the Four Courts since it was refurbished in 1931. In deciding to bring the Court to the historic province of Munster, we did so knowing of the great tradition in Cork of law and wisdom, in administering justice in this building and in the Anglesea Street Courthouse”. A packed courtroom heard the Chief Justice Denham go on to say “As the nation approaches the first centennial anniversary of its creation, it is timely that the Supreme Court sits in locations in the State in addition to the Four Courts”.

Supreme Court judges assemble in Cork.
Interest in visiting the courts continued to increase during the year with thousands of students visiting court buildings on visits facilitated by Courts Service staff. The Criminal Courts of Justice, in particular, remained a favourite destination with close on 5,000 students availing of the opportunity to witness the courts in action and participate in mock trials. The Service continued to support a wide range and variety of other visits from community and other groups, and to allow access to court buildings for numerous community based projects around the country.

Among the initiatives supported by the Service during the year was the Courts Centenary Commemoration Committee, chaired by the Chief Justice. To date the Committee has organised a public walk, an art exhibition for young people and a number of lectures including three in 2015.
BREATHING NEW LIFE INTO TRAINING

New Head of Training Deirdre Doyle tells us why staff input is vital for training success:

After a number of lean years, training is back on the budgetary agenda with all agreed that if staff are your greatest resource you have to invest in their development. Deirdre Doyle has first hand experience of life in a court office and she is using that knowledge in her new role as Head of the Courts Service Training Unit.

“One of my first tasks is the development of a Learning and Development Strategy for the Courts Service”, she says. “The Training Unit took to the road in September and held workshops/focus groups throughout the country to hear first hand what staff need”. Deirdre was very impressed with the attendance and the honest contributions made. “It was obvious to all attending the focus groups that the organisation is extremely lucky to have the staff we have. Attendees were engaged and interested and only too pleased to give their views and input on what they require regarding Learning and Development in the coming years. It was a genuine pleasure for me to meet so many people and it was an ideal opportunity for me to put faces to names”. Outputs from the focus groups were later collated and included by Deirdre and her colleagues in a draft Strategy which was presented to the Courts Service Board in December for their approval.

“Staff are under a lot of pressure so it is difficult for some to find the time to leave their offices. Many couldn’t attend as they were manning offices while a colleague attended. However, we encouraged anyone who could not attend a focus group to send us their views and were very encouraged by those who contacted us”, Deirdre says. “The new Learning and Development Strategy sets out a number of training initiatives which will be rolled out in 2016 and the coming years. It can be a challenge for offices to release staff to attend classroom training events so we looked at a variety of ways of delivering training and identified that a blended learning approach is the most suitable. This includes on-the-job learning, classroom based courses, self directed reading, and eLearning which has many benefits, including value for money and on demand availability. It also mitigates the need to travel to training events.”

CHILDCARE: HAVE WE FORGOTTEN HOW TO LISTEN?

The importance of listening to children was highlighted by the Chief Justice as she launched the final report of the Child Care Law Reporting Project recently.

The Report, which analyses over 1,200 cases, found that over a quarter of all families in care proceedings involve an immigrant parent; that mental health and cognitive disabilities are common among parents involved in such cases; and that one in three children in care cases have special needs. It makes 24 recommendations including a call for a dedicated Family Court.

The Chief Justice noted the recommendation that courts should develop a consistent policy concerning hearing the voice of the child, set principles for the judge directly hearing the child, and appoint a guardian ad litem and/or solicitor for the child. She said that the moral test of government might be, “how that government treats those who are in the dawn of life - our children. This moral test is moving into law at international, constitutional and national level. It is enabling those, who were all once children, to remember how to listen to a child”. To emphasis her point she quoted Professor Dumbledore from Harry Potter, “A child’s voice however honest and true, is meaningless to those who’ve forgotten how to listen”.

You can read the Report of the Child Care Law Reporting Project on www.childlawproject.ie.
The recent one-day conference for Principal and Assistant Principal Officers based in the Courts Service’s Dublin offices was the first such conference for many years.

Nuala McLoughlin, Head of Supreme & High Court Operations, reminded delegates that the conference provided an opportunity for them to learn about other offices and how each contributes to the running of the Courts Service. Brendan Ryan, CEO emphasised the importance of networking at events such as this to help overcome the “silo-effect” and that, as resources allow, he was committed to restoring all opportunities for networking that had been pared back during the economic collapse.

The panel of volunteer speakers spoke volumes of the variety and complexity of work conducted in the Dublin offices.

First up was the CEO’s office with Marie Ryan and Miriam O’Flanagan jointly highlighting the administrative and judicial supports provided while ensuring the proper implementation of FOI, Data Protection and Ombudsman legislation. Aisling McKeown, demonstrated the “Hows and Whys” of internal auditing and its critical importance to the proper governance of the Courts Service.

Annette O’Connell, Probate Officer provided a summary of what is involved in seeking access to a deceased’s estate through the Probate Office in Dublin and the fourteen District Probate Registries, and the pressures involved in meeting demand throughout the country.

Fiona Wright and Cillian Smith of the Estate Management Unit (EMU) outlined their responsibilities, ranging from meeting accommodation needs to energy performance targets, and showed delegates the fruits of the Capital Building Programme, including plans for the new courts building in Hammond Lane.

Kevin O’Neill, Principal Registrar of the High Court, emphatically endorsed registrars’ skills and experience and how their increasing involvement in directly administering court lists has helped reduce waiting times. Equally, Eoin Manning and Eamonn Doherty made a joint presentation on the work of the family law courts and how the drive towards family law mediation to reduce court actions with the support of all stakeholder organisations is ongoing.

Shay Keary of the Courts Fund Office, born of the merger of the Accountant’s Office and the Courts Account Office in 2012, told how it manages all funds paid into courts; a sum currently exceeding €1.5 billion. The final speaker of the day, David McLoughlin of Supreme & High Court Operations highlighted the administrative supports provided by that office to High Court, Court of Appeal and the Supreme Court and other offices.

Nuala McLoughlin closed the event with a challenge for more offices to volunteer to speak at what is hoped will become an annual conference to complement the annual Chief Clerks’ Conference for POs and APs.
Scores of staff, lawyers and many contemporary and retired senior judicial and legal figures gathered to welcome President Michael D. Higgins as he officially opened the Court of Appeal Building in the Four Courts complex recently. The building, once the home of the historic Public Records Office which was destroyed during the Civil War, was refurbished at a cost of €3 million.

President Michael D. Higgins referred to “the vital role the courts play in the functioning of the State: they are entrusted with the task of upholding the Constitution; and the decisions of the courts affect the personal lives of individuals and the world of business”. He went on to state that “court systems should provide clarity, certainty and an effective means of dispute resolution. An efficient court system is an important part of the infrastructural development of the State”. He said that the Court of Appeal has already benefited litigants, the community and the economy by reducing undue delays in processing appeals, creating an appeals structure which is cost effective, and enhancing the administration of justice in the Superior Courts. “Ireland is a modern and developed nation but as our society continues to evolve, it places many demands on our institutions including our legal structures; therefore they must continue to adapt so that they meet the needs of society and its citizens”.

Chief Justice Denham said that the occasion was a significant one for the People of Ireland – who decided that we should have a Court of Appeal – and who decided the shape that the court should take. “It is important for the law and for everyone involved in the law – as judges, practitioners, litigants and citizens. The Court of Appeal is one year on from its foundation, and is now ensconced in this magnificent setting. We are grateful to the members of the Court of Appeal who have taken up the challenge of this new court so successfully. It was a momentous task to undertake”.

She referred to the practice in other jurisdictions that when a judge is elevated to a Court of Appeal he or she becomes a junior member of the Court, and learns the craft of being an appellate judge from his or her colleagues. “That was not possible in this case. The members of the Court of Appeal have mastered the judge craft of being appellate judges in quick order. They have done Trojan work on this great project, for the People of Ireland”.

Welcoming President Higgins, Court of Appeal President Sean Ryan highlighted the success of the Court to date. “We have achieved major success in dealing with criminal appeals. By 31st July 2015 every case that was ready to be heard had either had a hearing, or was scheduled to have one before the end of this term. On the civil side, we have made real inroads into the backlog of cases”.

The President was welcomed by Chief Justice Susan Denham; President of the Court of Appeal Sean Ryan; President of the High Court Nicholas Kearns, Minister for Justice & Equality Frances Fitzgerald, and Courts Service Chief Executive Brendan Ryan.

President Michael D. Higgins referred to “the vital role the courts play in
THE REFURBISHMENT OF THE PUBLIC RECORDS BUILDING

The Public Records Building in the Four Courts complex was chosen as the venue for the new court, its judges and some of its staff. The existing courts in the building were re-housed in Áras Uí Dhálaigh following which an extensive refurbishment project commenced.

The building is a detached, three-storey over basement structure built as a Public Records Office in 1864 and converted to courthouse use in 1995. The walls are of broken coursed limestone at basement level and of ashlar granite elsewhere with timber sash windows throughout. Being a protected structure located in the curtilage of other protected structures, the refurbishment works had to be undertaken in a respectful manner so as to preserve the character of the building. During the refurbishment works truss partitions were discovered on the first floor of the building. The partitions, in-filled with turf and brick, are a rare find and have been preserved as an important architectural feature of this historic building.

WORKS AND NEW FACILITIES

The initial phase of the project included the provision, on the ground floor, of two new courtrooms, meeting rooms, public, staff and universally accessible toilet facilities together with accommodation for the President of the Court of Appeal. Accommodation for all judges was also provided. The courtrooms are fitted with new modern, high specification furniture and meet all relevant building regulations.

The second phase of the project included landscaping work to the front of the building, enhanced universal access, and a new entrance to Aras Uí Dhálaigh providing for ease of access between the two buildings including access to the Office of the Court of Appeal.

Portico.

President Higgins with Judges’ tipstaffs.
Courtroom 1 in the refurbished building.

The Court of Appeal Office which was built as part of the refurbishment project.

President of the High Court Nicholas Kearns, and President of the Court of Appeal Sean Ryan listen on as President Higgins addresses guests at the opening.

President Higgins with the President of the Court of Appeal and staff of the Court of Appeal Office.
THE COURT OF APPEAL FIRST YEAR IN FIGURES

CIVIL APPEALS (29/10/2014 TO 20/11/2015)

<table>
<thead>
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<th>Description</th>
<th>Figure</th>
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<td>Appeals transferred from Supreme Court</td>
<td>1,355</td>
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<tr>
<td>New appeals lodged</td>
<td>677</td>
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<tr>
<td>Appeals disposed of</td>
<td>662</td>
</tr>
<tr>
<td>Appeals outstanding</td>
<td>1,370</td>
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Criminal appeals (29/10/2014-20/11/2015)

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<tr>
<th>Description</th>
<th>Figure</th>
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<tr>
<td>Appeals transferred from Court of Criminal Appeal</td>
<td>599</td>
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<tr>
<td>New appeals lodged</td>
<td>293</td>
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<tr>
<td>Appeals disposed of</td>
<td>332</td>
</tr>
<tr>
<td>Appeals outstanding</td>
<td>560</td>
</tr>
</tbody>
</table>
The President of the District Court recently spoke of the importance of an independent judiciary who can carry out its functions without interference and the need for accurate reporting of matters that come before the courts.

Judge Rosemary Horgan said that “sometimes the course a judge must follow in discharge of his or her judicial oath is not a popular one, or may be misunderstood, or indeed misrepresented”. She said that in recent years “there have been many instances where individuals, or groups of individuals, have sought to disrupt a court. This is unfortunate for those litigants seeking to obtain a judicial decision that day. It is also interfering with the administration of justice, and the rule of law on which our democratic system is based. Judges are tasked by our oath of office to apply laws as we find them, and to make decisions impartially by applying the law to the facts in evidence before the court. If we decided cases on the basis of what someone else wanted the law or the result to be, we would have failed in our duty to uphold the rule of law”.

She pointed out that “both the judiciary as an institution, and the individual judges deciding particular cases, must be able to exercise professional responsibilities without being influenced by the Executive, the Legislature or any self selected sources, no matter how vocal or disruptive”. “Judges must be free to make objective, courageous, and when necessary unpopular decisions when applying the law. This independence does not exist for the personal benefit of judges; it exists solely to protect the individual against abuse of power, and is an essential hallmark of a working democracy. This is not to say that judges always get it right. We are subject to the law. Our decisions are open to appeal or judicial review in a higher court”.

“Our courts administer justice in public, pursuant to the provisions of the Constitution. The media perform an essential and valuable service in our democracy by reporting on the court’s decisions and the justice system to the wider public. This role carries with it a heavy responsibility to ensure accuracy and fairness. The media can influence what the public think as well as reflecting public opinion. It is very concerning therefore if public confidence in the justice system is undermined through any inaccurate or unbalanced reporting or editorial comment. The public is entitled to expect high professional standards from journalists and editors. Inaccurate, incorrect, unbalanced, and incomplete reports of either the facts of an individual case, or a statistical trend in a particular category of cases, is both a disservice to public interest and to public debate”.

“The District Court is a court of summary jurisdiction in which sometimes the best and sometimes the worst events during the lives of people are exposed and played out in the public arena. The integrity of the court process is an essential component in reaching right and just outcomes, and for preserving the dignity of litigants”.

President of the District Court, Judge Rosemary Horgan
President of the Circuit Court
Judge Raymond Groarke led the
tributes to the not so shy but re-
tiring Judge Desmond Hogan in
front of an overflowing courtroom
in the Criminal Courts of Justice
recently. Judge Groarke referred
to Judge Hogan as a man who
was “forever good humoured”
and “was always aware of the hu-
manity and infirmity of those who
stood in his court”.

Elisha D’Arcy, of the Courts Service
Judicial Support Unit spoke on
behalf of the Chief Justice. Ac-
knowledging the service he gave
over his many years as a judge and
also for his presence on many com-
mittees she spoke of her personal
friendship of over thirty years with
Judge Hogan and said “he would
be sorely missed”. She present-
ed him with a book of poetry and
even recited one in tribute.

On behalf of the Bar Council, Mary
Rose Gearty SC, said barristers
“went into Judge Hogan’s court
knowing they wouldn’t be roared
at and that they would be treat-
ed with great sympathy as there
was a close relationship with the
Bar”. James McCourt on behalf of
the Law Society described Judge
Hogan as an “amenable and able”
judge and praised him for treating
all with utmost respect.

Courts Service Chief Executive
Brendan Ryan mentioned how
Judge Hogan often referred to
people as being “a decent skin”.
“Well you are a decent skin” he
said and went on to thank him
for always being supportive of
the Courts Service and described
him as “a favourite of the Courts
Service staff”. Superintendent
Gibbons, An Garda Síochána,
wished Judge Hogan a happy
retirement on behalf of the Garda
Commissioner Noirín O’Sullivan.
“With Judge Hogan, a fair and firm
hearing was always guaranteed”
he added. Brian Santry, Probation
Service, thanked the judge for
always being “open and receptive
to new initiatives”.

Circuit Court Registrar Matt Cahill,
told the judge that “it was an
absolute pleasure and a privilege
to have been a registrar in your
court”. He described working with
Judge Hogan as having an at-
mosphere “of all in this together”
along with some “wit and wisdom”
and described how he could turn
a day from “bland to bright” with
a reference from a wide pool that
included literature, the Irish Lan-
guage, Latin, religion, sport and
film.

Judge Hogan began a fittingly
jovial speech by thanking all of his
colleagues and legal professionals
for their kind words. He pointed
out that the fact his children were
there when he was appointed to
the District Court in 1989 and the
Circuit Court in 2000 made him so
proud. “For them to be here on my
retirement means a lot” he said.

He likened work in the courts to an
iceberg in that people often do not
see the work that goes on behind
the scenes reserving special praise
for An Garda Síochána who he said
“are not appreciated enough for
the work they do”.

He thanked the court registrars
for making sure everything ran
smoothly and described the
careers of barristers and solicitors
as “two tough professions”. In
closing, he echoed the many kind
words for his long time friend and
tipstaff John Joe Egan and reiterat-
ed his gratitude for his many years
of service.

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cushioned by all the tributes I have
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Judge Hogan with his family before his final sitting as a Circuit Court judge.
Following 22 years as a moveable judge of the District Court Judge William Early retired in November leaving fond memories in courts and court offices across the country.

Tributes were paid to his long service in a packed courtroom in the Criminal Courts of Justice led by District Court President, Rosemary Horgan. “Judge Early epitomises all the best qualities of a judge of a summary court of first instance”, she said. “He is hard-working and can manage a busy court list, deftly applying the relevant law to the complex facts of all cases in the list, regardless of whether the parties are legally represented or not”. She referred to his renowned patience in listening to the arguments made on all sides of a debatable proposition. “He has consistently demonstrated the very best judicial traits of patience, open-mindedness, courtesy, tact, courage, punctuality, firmness, understanding, compassion, humility and common sense in all of his interactions with the court’s many stakeholders”.

Judge Gerard Haughton referred to him as a “gentle, soft-spoken and calm individual” who encompassed “a great respect for the courts, a great knowledge of the law and a great compassion for clients”. Judge Bridget Reilly said that he had a “well developed social conscience, time for the underprivileged and knew the importance of collegiality”.

John Rogers SC told the judge that he had “not changed when he was appointed to the Bench”. He said he had enforced discipline on himself, and treated young practitioners with great kindness. “You have led a career and a life redolent of a commitment to social justice”. Chief Executive Brendan Ryan thanked the judge for his advice, counsel and steady hand “which were a great support at the time of the establishment of the Courts Service. You are a gentleman, always thinking of others and for family welfare”.

Judge Early said he was very touched and overwhelmed by the compliments and “looked forward to meeting this paragon”. He thanked the Courts Service and said it was best appreciated by those who remembered life before it. He said the CEO had steered the ship through difficult times recently and thanked the staff for their support and assistance over the years. He had praise for others including An Garda Síochána saying that the unarmed force was a great success in this country and said that the “fair, honest, clear manner of how legal cases are presented helps justice to be maintained in society - it is an indispensable ally in vindicating rights”.

His wife Mary and children David, Catherine, Connor, and Desmond were present to hear the glowing tributes and the judge said he was pleased that all his children and his daughter-in-law were lawyers, and gave special thanks to his wife for her loving support.

“It has been my honour and a privilege to try to bring justice and access to the law”, he said as he departed.
After a long career largely in the Dublin Circuit Court, Antoinette Kirk caught us all by surprise by announcing her intention to retire during the summer. Universally liked by all of her colleagues and callers to the office, Antoinette was a model of professionalism throughout her career. She seemed to be completely unflappable and was always cheerful, even during the run up to the annual licensing court. In recent years, she ably led the strong team of Linda Cross and Norma Holden in the Licensing Office and her efforts greatly helped the smooth running of the Circuit and District Courts. To mark her retirement on 9th October, a presentation was made to her on behalf of all of her colleagues in the Courts Service and we had a lovely evening in the company of her husband Shay and daughter Aoife.

Tom Ward

Antoinette Kirk with husband Shay (formerly of the Courts Service Building Unit) and daughter Aoife.

MASS OF REMEMBRANCE

(left to right) Marianne White (seated), Teresa Brophy, Philip Gillick, Bob Flynn and Paula Healy (seated).

(left to right) Billy Dunphy, JJ Bunyan, Gay Berkery, Aidan Cashin and his wife Mary and Declan Curry.

(left to right) Margaret Murphy, Eileen Keenan (back), Pearl Kerrigan, Myra Cunningham.

OBITUARY: ESTHER MAHON

There was a large turn out of colleagues and friends at the recent memorial Mass in the Church of the Immaculate Conception (Adam & Eve’s) on Merchant’s Quay in Dublin for well known legal executive, Esther Mahon, who died in October.

Esther began her career in 1974 in Fred Sutton & Co, which merged with what was then McCann FitzGerald Roche & Dudley in 1980. She worked with the firm for 41 years all told, spending most of her career as their court clerk. In that role, many in the courts came across Esther and got to know her quiet efficiency, her exceptional technical knowledge, and her wonderful way with people.

Recalling Esther’s popularity amongst the staff of the Courts Service, Barry Devereux, Managing Partner of McCann FitzGerald said “We have received many messages from those working in the Four Courts and other public offices paying great tribute to Esther and telling us how much they valued the way she represented the firm with unfailing courtesy, expertise and professionalism and complete integrity, attributes we ourselves have long associated with Esther. We were lucky to have had her as a colleague and as a great ambassador for the firm”.

Her close friend and fellow legal executive, Pauline Rogers, recalled Esther’s attributes as a friend and colleague. In a moving eulogy at the Mass, Pauline traced a friendship that spanned many years and included support for each other through the good and not so good times. “She was a wonderful person who was always there for me”. She quoted something she had read once “When we pass on if just one person speaks our name, our memory will live on for ever” and asked that “Esther’s name be mentioned in our conversations from time to time to keep her memory alive. Her family and her friends will really miss her”.

Esther Mahon
Spotlight is the movie all aspiring journalists, investigators, public affairs specialists and would be lobbyists, should be made to see. Unlike the hero aspect and intrigue of ‘All the President’s Men’ – from the Nixon years of 40 years back – this movie portrays the skills of the investigator as they are, or should be. It tells the astonishing and true story of the Boston Globe’s Pulitzer Prize-winning ‘Spotlight’ team of investigative journalists, who in 2002 shocked the city and the world by exposing the Catholic Church’s systemic cover-up of widespread abuse, perpetrated by more than 70 local priests.

It is not primarily about the subject matter of the stories they published - although this is handled sensitively - it is about processes - the process of managing people with responsibility, the process of moving them on blindly, the process of covering up for them. Ultimately it is a great insight into the process of unearthing truth – from old documents, tenacious follow up, brave decisions and clever questioning – before publishing without fear. It is a spotlight on and torchlight into proper journalism – making it stand out from those with an iphone, a camera, and a loud mouth, thinking they are unearthing great truths. Great truths are painfully drawn from the stony silence of the corrupt, protestations of the guilty, and threats from those who feel they are unanswerable. Such truth is generated through patience, skill, experience and courage. This movie shows how it is done. It is a monument to good story telling, procedural drama, and top class news gatherers.
SOME SUGGESTIONS FOR CHRISTMAS READING 2015

With Christmas fast approaching Noel Doherty has a few ideas for presents for the book lovers in your life or even yourself.

Given that the country will be celebrating the centenary of 1916 very soon, the book shops are awash with volumes of history, biographies and novels set against the background of that year. However, I have also come across “Windharp – Poems of Ireland since 1916”, edited by Niall MacMonagle and published by Penguin Ireland. In his introduction Niall MacMonagle states that the poems in the anthology are not only the work of Irish authors; they are poems of Ireland, speaking in various ways of the country’s people and beliefs, its landscape its passions and politics, and the extraordinary changes that have occurred over the past hundred years.

Starting with Patrick Pearse’s The Wayfarer, the volume moves through the 20th century and into the 21st, including poems by many of our well known poets as well as many newer and, perhaps less well known poets awaiting our discovery. I am delighted to see that one of my own favourite poems is included. I recall learning ‘Dublin Made Me’ by Donagh McDonagh in St. Muredach’s College in Ballina. As a culchie, I possibly should have been insulted by the sentiment of the poem but it remains a favourite.

I would definitely recommend buying two copies of this book because once you dip into it, you really won’t want to give it way as a present.

I have to confess to knowing nothing of Waterford Whispers before coming across “Waterford Whispers Takes Over the World” published by Blackstaff Press. I am now aware that it is a very popular satirical website with over 350,000 fans on Facebook. Containing articles such as “Angelina Jolie and Brad Pitt adopt Greece” and “1916 commemorations fail to honour Liam Neeson”, this publication sends up the celebrity obsessed media but also sends up Irish and international politics and many other aspects of life. Probably not an ideal gift for those who are easily offended.

Last year, I mentioned that Penguin Books were republishing the Maigret crime novels by Georges Simenon on a monthly basis. So far, 26 volumes have been published. This is a most enjoyable series and a must for fans of classic crime fiction.

CHRISTMAS QUIZ

As so this is Christmas. Feel like a song coming on? Well how about a quiz full of Christmas teasers that you might try without resorting to Google – at least for a few minutes? It will be worth your while as we have a €50 One4All voucher for our winner.

1. The famous song “White Christmas” appeared in which 1942 film?
2. What is New Year’s Eve known as in Scotland?
3. The festive cake panettone hails from which country?
4. Juleaften is celebrated on December 24th in which Scandinavian country?
5. In what year was “Do they know it’s Christmas?” a Christmas number one for Band Aid?
6. The video of Paul McCartney’s festive tune “Play the Pipes of Peace” (1983), portrays which First World War event?
7. Balthasar, Caspar and Melchior are collectively known as what?
8. Christmas Island, located in the Indian Ocean was so called as it was discovered by Captain William Mynor on December 25th. In what century was it discovered?
9. By what other name is the poem ‘A visit from Saint Nicholas’ known?
10. What is the name of Will Ferrell’s character in the Christmas film ‘Elf’ (2003) ?

Send your entries by email to courtsservicenews@courts.ie or by post to John Whelan, Courts Service Information Office, Phoenix House, Smithfield, Dublin 7.

Closing date is Friday 15th January 2016.
RECIPES: BRAZILIAN CARROT CAKE

Ingredients:
- 3 medium carrots sliced
- 3 extra large eggs (or 4 medium/large eggs)
- 3/4 cup cooking oil / vegetable oil
- 1 teaspoon of vanilla essence or a little less of vanilla extract
- 1 teaspoon of mixed or all spice
- 2 cups of flour
- 1 1/2 cups of icing sugar
- 1 tablespoon of baking powder.

Chocolate sauce:
- 1 cup of sugar
- 3/4 cup of cocoa powder
- 1/2 cup milk
- 2oz or 55g of butter or baking block

Method:
Blitz the carrots, eggs, cooking/vegetable oil, vanilla essence and mixed/all spice together in a processor or blender.

Sieve the flour, icing sugar and baking powder together in a medium bowl. Mix in the wet mixture and stir well, scraping sides and bottom regularly. Add an extra tablespoon of milk if mixture is a little dry.

Bake in two round, greased or paper lined, 8 inch trays at about gas mark 4 / 170 C for about half an hour. Ovens vary so keep an eye and do a clean toothpick test to see it is baked through. Cools well in under an hour.

On its own this is a lovely cake - with a filling of apricot jam between layers. But in Brazil they smother it on the outside, and a little in between the layers, with a chocolate sauce. The choice is yours.

To make the sauce, mix and melt the chocolate sauce ingredients in a pot on the stove. Bring to a good bubble…stirring continuously… turn off heat and stir on remaining heat for one minute. Remove and allow cool a little for a few minutes.

Spread one third between the layers of the cooled cake and spread the rest over the top. Let it rest a minute and add another layer. Refrigerate for at least an hour.

As an alternative to the extra chocolate flavour, try a lemon drizzle icing mixture.

And as it’s Christmas give it a coating of icing sugar.

We are always interested to hear from you

At Courts Service News we are always waiting to hear from you with suggestions for articles and comments about items you would like us to feature.

We encourage you to subscribe to our online version available throughout the year. Visit www.courts.ie to join us. And remember - you can follow the Courts Service on Facebook and view our videos on YouTube.
‘TIS THE SEASON TO BE JOLLY

BY LAWCARE

Many of us look forward to Christmas and the excitement it brings of spending time with our families and friends. It can be the only time of the year when all the family get together and while you may love them all, being with people you don’t see often can be stressful.

You may be busy at work getting things finished and trying to get the present buying and shopping done before the Christmas break. The build up to the holidays is often hectic, full of meals and drinks, which can leave you feeling tired before the festivities have even properly begun.

It is important to think about your wellbeing at this time of the year to make sure you get the most out of the festive season. So what do we mean when we talk about wellbeing? Wellbeing is subjective and it does mean different things to different people, but it’s about how we feel, how we think, our relationships, how we find meaning and purpose in our lives.

There has been considerable research into wellbeing and the factors that affect it. It has been shown that about 40% of our wellbeing is influenced by our choices and attitudes – which crucially means we can take positive action to influence it. Evidence suggests there are five steps we can all take to improve our wellbeing:

- **Connect** – connecting with the people around you, your family, friends, colleagues and neighbours
- **Be active** - go for walk, cycle, play football, find an activity that you enjoy and make it part of your life
- **Keep learning** – learning new skills can boost confidence
- **Give to others** – even small acts such as a kind word or a thank you count
- **Be mindful** – be more aware of the present moment, including your feelings and thoughts, your body and the world around you, ‘mindfulness’ can positively change the way you feel about life.

It’s important to remind yourself that Christmas doesn’t have to be perfect or just like it was last year. As families grow and children leave home, traditions and rituals can change. Accepting family and friends as they are even if they don’t live up to all of your expectations may help you manage any underlying tensions and enjoy the time you have with them. A happy, relaxed Christmas will add to your wellbeing and give you a positive start to the New Year.

But at LawCare, a charity that promotes and supports wellbeing in the legal community, we know that for some Christmas can be a difficult time. If the thought of Christmas is a worry, and you are in need of a listening ear, give us a ring, we provide a telephone helpline 365 days a year. Our Helpline is open right through the holiday period, even on Christmas day.

**Helpline 1 800 991 801**
**LawCare www.lawcare.org.ie**
Trinity College Dublin were the winners of the recent Irish language moot court competition, Bréagchúirt Uí Dhálaigh which took place in the Four Courts.

Organised annually by Gael Linn, in conjunction with barristers Daithí Mac Cárthaigh and Ruadhán Mac Aodháin, the event is held in memory of the late Cearbhall Ó Dálaigh, former President and Chief Justice of Ireland. The competition gives third level law students an opportunity to display their advocacy skills in an authentic courtroom setting before practicing judges. Teams from the Trinity College, Dublin, University College, Dublin and University College, Cork took part in this year’s event.

Preliminary rounds were held in the Kings Inns with the Dublin teams, Fionnán Long and Niamh Ní Leabhlobhair of UCD, and Colm Ó Néill and Barry Lysaght of Trinity College, selected to go through to the final in the Four Courts later that evening. High Court judges Bronagh O’Hanlon and Colm Mac Eochaidh, and Circuit Court judge, Sinéad Ní Chúlacháin presided over the final. The winners received the Gael Linn Perpetual Trophy and a cheque for €600. The runners-up received a cheque for €300.

Gael Linn's Chief Executive, Antoine Ó Coileáin, thanked the judges for their continued support of the competition and said: “Gael Linn is pleased that Bréagchúirt Uí Dhálaigh is proving more popular than ever with law students. The official national and EU status of Irish has created additional career opportunities for lawyers with high competence in Irish”.

Visit the Courts Service website – www.courts.ie

The Courts Service receives over 2 million visits a year. Use the site for information about court sittings (Legal Diary section), court decisions (Judgments section), and a host of other matters including court rules, court fees, and details of court offices in Dublin and around the country.

There is information on historic court buildings (Heritage section), information for schools (Schools section) and lots more besides.
Court Service News

Mr. Justice Michael Peart with former Registrar of the High Court Central Office Phyllis O’Donoghue and Ms. Justice Mary Finlay Geoghegan at the opening of the Court of Appeal Building.

The Network of Presidents of the Supreme Judicial Courts of the European Union, at their conference at Farmleigh House hosted by Chief Justice Susan Denham.

Wards of Court General Solicitor Patricia Hickey at her recent Peru Children’s Charity Christmas Craft Sale in Phoenix House.

Mairead O’Dwyer’s festive photo of the lovely Christmas tree outside Kilkenny courthouse.

The Round Hall of the Four Courts packed to capacity for the lecture by Sean Enright (Judge of English Circuit Court) entitled ‘Easter Rising 1916: The Trials’.

Judge Sean Enright, Chief Justice Susan Denham and former Taoiseach Liam Cosgrave after Judge Enright’s lecture.

Mr. Justice Gerard Hogan, former Chief Justice Ronan Keane, and President of the Court of Appeal Sean Ryan.