



Justice Media Awards, Thursday 23 June 2016

Winners and citations

The Law Society of Ireland has this afternoon (Thursday 23 June 2016) announced the winners of its annual Justice Media Awards.

The annual Justice Media Awards are 25 years old this year. They focus on published works or broadcasts that have helped to inform and educate Irish citizens on the role of law in society. The aim is to give national recognition to published works or broadcasts that:

- 1) Promote the highest standards in legal journalism;
- 2) Foster greater public understanding of the law, the legal system or any specific legal issue;
- 3) Inform and educate citizens as to the roles in society of the law, the courts, law enforcement agencies and the legal profession;
- 4) Disclose practices or procedures needing reform so as to encourage the development and modernisation of Irish laws, courts and law enforcement agencies; and/or
- 5) Assist the legal profession, the judiciary, and all others involved in the administration of justice in attaining the highest professional standards.

The Law Society wholeheartedly congratulates all of today's winners of Justice Media awards and merit certificates.

The winners are as follows:

JUSTICE MEDIA AWARD – DAILY NEWSPAPERS:

The winners of the Justice Media Award in the Daily Newspapers category are Fiachra O Cionnaith and Daniel McConnell of the Irish Examiner for their comprehensive, disturbing and hard-hitting investigation: *Saving Grace – the story of ‘Service User 42’*

Describing this series as “astonishing” and “outstanding”, our judges praised the breadth and depth of work, journalistic skill, and commitment involved in revealing the truth behind the deeply troubling case of ‘Grace’.

Clearly and carefully laying out the facts of this story required a great deal of tenacity, skill, commitment and sensitivity. Drawing on whistle-blower testimony, painstaking investigation and Freedom of Information work, in the face of extremely distressing details of decades of abuse, the reports demonstrate a commitment to the public interest the journalists and their employers must be highly commended for.

The impact of this reporting was tremendous – leading directly to the direct interventions of An Taoiseach, the Garda Commissioner, an emergency Dáil debate and the establishment of a State commission of inquiry. The investigation also led to a long-awaited and hard-won apology from the HSE for its handling of the case. The authors richly deserve this award.

Four merit certificates were awarded in the Daily Newspapers category to:

(1) Arthur Beesley for his piece in the Irish Times: *Legal reform in action*

This series of articles explains some of the main developments as the Act made its slow and at times painful progress through the houses of the Oireachtas.

Through opinion pieces and news reports, the author highlighted some of the key amendments and the efforts made by the professional bodies to secure a sensible, workable reform of the legal system.

(2) Alison O’Riordan for her coverage of the Mark Nash Trial for the Irish Times and Irish Independent

The only journalist to attend and report on each day of the three-month Mark Nash trial, this journalist explained how new DNA and other evidence ended an agonising 18 year delay in bringing to justice the killer of two vulnerable women, murdered in their beds.

Bringing readers through the trial, the powerful new evidence, highlighting the impact of the crimes and the delay in securing justice, to the eventual unanimous guilty verdict, the author displays her commitment to court reporting of a high standard.

(3) Seán Dunne of the Irish Daily Mail for his article: *Names of no-show jurors will now be passed to Gardaí*

An impressive use of the Freedom of Information laws to reveal startling figures about those called for jury service and the level of failure to appear. This article outlined in a clear and concise way the laws and rules governing this element of civic duty, the impact of failing to fulfil that important duty, and the measures to be taken to address the problem.

This article has very broad public interest and the journalist is to be commended for examining the issue so thoroughly and appropriately.

(4) Conor Gallagher for his Irish Times article: *Why forensic evidence may not be as certain as we like to think it is*

Questioning perceived wisdom surrounding forensic evidence in criminal prosecutions, the author focuses on the complex issue of cognitive bias in the scientists who process the evidence - often the single most important component of a high-stakes trial.

From the pen of a journalist with a fine record at the JMAs, using examples of real cases and speaking to leading experts in the field, this piece is a strong example of thought-provoking, proactive legal journalism.

JUSTICE MEDIA AWARD – SUNDAY NEWSPAPERS

The winner of the Justice Media Award in the Sunday Newspapers category is Dearbhail McDonald for her compelling Sunday Independent article: *Medical negligence – a suitable case for treatment*

Described as the standout piece in this category, the judges agreed that this article is a strong example of this journalist's skilled handling of complex and emotive legal issues, combining her thorough knowledge of the topic with a strong, reasoned personal stance in very clear and engaging terms.

Paying tribute to the tenacity of solicitors who work on behalf of those who suffer catastrophic injury at birth, while identifying the legislative gaps that create heartache and hardship for families, and place clinicians in extremely difficult positions, this journalist paints a passionate, balanced and sharp picture of the landscape for those seeking redress for birth injuries. Educational, informative, detailed but accessible - and steeped in public interest - this article is richly deserving of the Justice Media Award.

Three merit certificates have been awarded in the Sunday Newspapers category to:

(1) Shane Phelan of the Sunday Independent for his report: *Our disturbed children are being sent abroad because we can't cope*

Tackling the complex topic of children and young people with difficult mental health and behaviour issues, the author of this report uses compelling real-life stories of Irish teenagers being sent to the UK for treatment, sometimes being detained abroad for several years.

Shining a light on an area of the legal system rarely revealed, the journalist outlines the challenges involved in meeting the needs of these young people, the lack of adequate facilities in Ireland, and the role of the judiciary in their fates. It also looks at the impact being away from home has on those sent away.

(2) Francesca Comyn of the Sunday Business Post for her article: *A class apart? Ireland's back-door class actions*

Taking an unusual angle, the journalist in this report draws attention to the ways in which, despite a lack of statutory provision for such action, groups of litigants are coming together to seek redress for shared injuries or losses.

By condensing and clarifying the current legal status quo, identifying the obstacles, advantages and disadvantages of multi-party actions, bringing the reader through the various ways groups of Irish litigants are getting around the rules to bring their cases to court, and highlighting the recommendations for reform of this legislative gap, the author is to be commended for her handling of a complex and little-known aspect of the Irish legal system.

(3) Mark Tighe of the Sunday Times for his article: *The conspiracy*

Reading, as the journalist succinctly points out, like the script to a “film noir mystery”, the court action taken by one of the most recognisable business figures in Ireland, Denis O’Brien, over the contents of an anonymous USB stick, this article takes the reader through a complex web of facts in a clear and engaging way.

JUSTICE MEDIA AWARD – REGIONAL NEWSPAPERS

The winner of the Justice Media Award in the Regional Newspapers category is Ann Murphy of the Evening Echo for her excellent series: *The drugs question – what next?*

Arising out of interviews with recovering from drug addiction, this journalist closely examines the current system of criminalisation of drug possession and asks if there are better ways to tackle the drug problem.

Speaking to doctors, public representatives, international experts, family members and those caught up in drug use, this comprehensive series of articles touches on the problems associated with buying drugs online, the legislative efforts to catch up with the reality, what other countries are doing, new approaches to drug intervention and much more.

An important body of work from one of the best journalists in the country – last year’s overall winner - this piece displays an outstanding commitment to balanced, well-researched, thought-provoking reporting on real issues of concern, which prompts real debate. The judges also noted that the work reflects the admirable value system of this journalist’s employer and once again, the judges commend this paper for its contribution to legal journalism of the highest standard.

Two merit certificates have been awarded in the Regional Newspapers category to:

(1) Anne Sheridan of the Limerick Leader for her series: *Who’ll protect the children?*

Taking on the challenge of reporting on court proceedings where tragic and troubling family breakdown, trauma and custody issues are handled; this journalist is to be commended for her contribution to the public’s understanding of such cases and the workings of the family law, custody and child care system.

It also focuses on the very human aspects of these cases, not shying away from reporting on the pain and turmoil experienced by children and parents in extremely difficult circumstances. Responsible reporting of these cases is to be encouraged and this journalist has provided a strong example of how to present these cases to the public in a balanced, sensitive and clear way.

(2) Maresa Fagan of the Roscommon Herald for her article: *Sex offenders in our community and proposed legislation*

An interesting and informative piece asking tough questions on a challenging issue. By clearly and concisely explaining both the current law and proposed new legislation which would increase the amount of information disclosed to the public, and combining that with an intensely personal account from a victim of childhood sexual abuse, this journalist has shone a light on a difficult topic.

JUSTICE MEDIA AWARD – COURT REPORTING (PRINT)

The winner of the Justice Media Award in the Court Reporting (Print) category is Mark Tighe of the Sunday Times for his excellent and comprehensive article: *What the jury didn't hear*

Providing a unique insight into the civil claim for damages taken by Ian Bailey against the State, this journalist delved deeply into the astonishing amount of evidence that was not presented to the jury.

The case, which ran for five months, was ultimately dismissed by the jury after just two hours of deliberation. The often bizarre proceedings were characterised by protracted legal argument in the absence of the jury and considerable rancour among the parties.

Putting on public record the legal arguments, this report expertly outlines the excluded evidence, the reasons, and the key personalities involved. A richly deserved award for this comprehensive and skilful article.

Three merit certificates have been awarded in the Court Reporting (Print) category to:

(1) Maeve Sheahan of the Sunday Independent for her entry: *Murder and suspicion linger in West Cork*

A well-written, informative piece drawing together details from the day Sophie Toscan du Plantier was found dead near her West Cork holiday home, the Garda investigation into her death, and the case taken by Ian Bailey against the State on foot of that investigation.

This article is a strong example of presenting a very complex, and at times extraordinary, legal story to the public in a clear, balanced way.

(2) Michael Tracey of the Carlow Nationalist for his reports: *Surreal name game and Michael says he answers only to a higher power*

Covering a series of unusual events related to a firearms case in Carlow District Court, this reporter brought the rather extraordinary scenes to life, with sharp writing, attention to detail, and wit.

Widely regarded for his commitment to court reporting, this journalist's editor has described him as having elevated it "to an artform". Remaining true to the core tenets of court reporting – faithfully and carefully presenting the facts of what unfolds in the courtroom – this author

richly deserves a merit award for capturing the atmosphere and madness of this particular case.

(3) Marisa Reidy of the Kerryman for her reports: *Shane Fitzgerald sentencing hearing*

This collection of articles covering the sentencing of Shane Fitzgerald, including the deeply moving victim impact statement, is a very fine example of highly skilled court reporting with a strong emphasis on the human side of a harrowing case.

Carefully and sensitively recalling the details established during the trial following the death of Paud O’Leary as he cycled near his home, the lengths the defendant took to evade justice, conveying the keen sense of grief felt in the courtroom, and revealing incredible details of the Garda investigation, this journalist displays a sharp command of her craft.

JUSTICE MEDIA AWARD – COURT REPORTING (BROADCAST)

The winner of the Justice Media Award in the Court Reporting (Broadcast) category is Vivienne Traynor of RTE News for her reports: *Satellite Gran*

The story of the “Satellite Gran” caught the imagination of readers and viewers literally across the globe. This journalist was the only broadcast reporter to cover the story when it came up in court, and her Six One news reports prompted a solicitor to help 90 year old Ann Rudd, who had previously represented herself on the charge of having a satellite dish at the front of her house.

From a seasoned entrant to the Justice Media Awards, and last year’s winner of the TV news award for her excellent reports on the Anglo trial, these reports brilliantly captured the spirit of the lady involved and showcased the human side of the courts system.

There were no merit certificates awarded in the Court Reporting (Broadcast) category.

JUSTICE MEDIA AWARD – COURT REPORTING (DIGITAL)

The winner of the Justice Media Award in the Court Reporting (Digital) category is Christina Finn of TheJournal.ie for her report: *“My daughter is my life”*: mother pleads with judge to return child from care

Family law cases are difficult to report, but it is of paramount importance that the public has a good understanding of what happens in family court. This piece, highlighting the role mental health issues all too often play in child care cases, and detailing the roles of the various organisations in such proceedings, contributes greatly to increasing the public’s understanding of family law – a key *raison d’etre* of the Justice Media Awards.

A very impressive first-time entry and a strong example of insightful and responsible legal journalism in a challenging area of law.

There were no merit certificates awarded in the Court Reporting (Digital) category.

JUSTICE MEDIA AWARD – NATIONAL RADIO

The winners of the Justice Media Award in the National Radio category are Frank Shouldice and Liam O'Brien of RTÉ Radio One, for their excellent documentary: *The case that never was*

Unearthing the story of Bogdan Chain, and the case bearing his name without his knowledge or consent, this reporter and producer have put together an intensely compelling radio documentary.

Chasing the facts from an Irish recruitment company, to a District Court case in Cyprus, to a law firm in Brussels, the European Court of Justice in Luxembourg and a Polish claimant who knew nothing about the case being taken in his name, the level of commitment and attention to detail in bringing this story to light is nothing short of extraordinary. In addition, this investigation has had a serious impact in triggering examination of the questionable legal procedures that allowed the bogus case to get so far, with potential consequences for all EU citizens.

Described by the judges as 'fascinating', 'terrific', 'original' and 'absolutely brilliant', this documentary is richly deserving of the award in the National Radio category.

One merit certificate has been awarded in the National Radio category to:

(1) Kevin McGee and Catherine Smyth of BBC Radio Northern Ireland for their documentary: *Mark Kincaid – beyond reasonable doubt?*

The work brings listeners through the political background at the time of the murder, gives a voice to and describes the character of David Hamilton, the murder victim, and skilfully balances that with the questions around the safety of the conviction of Mark Kincaid.

Excellent production quality, incorporating interviews with key people, including the murder victim's family and Mark Kincaid himself, contemporary news reports, detail from the police investigation and expert analysis of the legal dilemma. All of these crucial components combine to create a balanced, insightful, and deeply moving body of work.

JUSTICE MEDIA AWARD – LOCAL RADIO

The winners of the Justice Media Award in the Local Radio category are Jerry O'Sullivan and Miriam McGillycuddy for the regular slot on the Kerry Today programme: *The legal lowdown*

Teaming a local solicitor with a local talk-show presenter, this programme has developed a formula to bring important legal topics to their listeners in a clear, consistent and accessible way.

Touching on important legal issues of broad and deep relevance to their audience, including changes in the law regarding assisted decision-making in the event of reduced capacity, mortgage difficulties, wills, and small claims court issues, this long-running slot provides advice and food for thought for those with legal problems and decisions to make.

One merit certificate has been awarded in the Local Radio category to:

(1) Ruth O'Connell of LFM News for her series of reports: *Tragedies and their impact*

Delivering her reports in a clear, professional and accessible way, covering tragic events including a baby's death, workplace casualties, and violent robberies in difficult circumstances, this reporter displays a well-honed skill in bringing these important stories from the local courts to her audience.

Without ever being intrusive, she gives a voice to those left behind after tragic deaths, and outlines with clarity and precision the court proceedings and outcomes. The reports are deeply rooted in the finest tradition of local court reporting.

JUSTICE MEDIA AWARD – TELEVISION (NEWS)

The winner of the Justice Media Award in the Television (News) category is Ray Kennedy of RTÉ News for his superb series of reports: *The battle for Gorse Hill – five days in March*

Undoubtedly one of the most closely-watched and captivating court cases of last year, the unfolding of dramatic proceedings in the High Court, alongside the frankly bizarre happenings at the Gorse Hill mansion in Killiney provided much amusement and media fodder over the course one intense week in March 2015.

Utilising clever visual techniques and missing no detail in the complex and at times bitter court proceedings or the drama in Killiney, and sharply profiling the various characters involved in the saga, these reports made for excellent nightly viewing. The somewhat sinister undertones of intimidation and the utter absurdity of the whole spectacle were brilliantly captured throughout.

This reporter displays his experience and talent, along with no small measure of wit, in his detailed and entertaining coverage of one extraordinary episode in Irish legal history.

One merit certificate has been presented in the Television (News) category to:

(1) Eric Clarke and Sarah O'Connor of *Ireland Live News* on UTV Ireland for their insightful reports: *Prison Series*

Shedding light on some of the lesser-known and certainly little-understood aspects of prisons, their facilities, and what life is like for inmates, this interesting series was well-researched, informative and insightful. The importance of family-friendly visitation areas, upskilling opportunities, and preparing inmates for life outside of prison as well as insight into why some prisoners end up back behind bars make for a compelling and valuable body of work.

In particular, the judges noted that the report from the Harristown House step-down facility was something that hadn't been seen before and provided a solid and important insight into how and why such facilities are beneficial not just to the inmates, but to society also.

JUSTICE MEDIA AWARDS – TELEVISION (FEATURES AND DOCUMENTARIES)

The winners of the Justice Media Award in the Television (Features and Documentaries) category are Conor Ryan and John Cunningham of RTE Investigates for their formidable documentary: *Standards in Public Office*

An incredibly well-presented and truly engaging report involving a veritable trawl through mountains of paperwork to assess how seriously elected representatives take their legal obligations and commitments to ethics in their offices and avoiding conflicts of interest.

Clearly laying out the rules for some 900,000 viewers, outlining the findings of their painstaking investigation and, of course, the high-profile undercover techniques which thoroughly dominated the headlines, this team's effort was profoundly in the public interest and shone a light on the legal obligations of elected officials.

Forcing several elected officials to correct their declarations, and pinpointing serious deficiencies in some cases, this investigation seems to the judges to have been one of the biggest media research projects in memory. It had an acute impact and is richly deserving of the award.

Two merit certificates have been awarded in the Television (Features and Documentaries) category to:

(1) Katie Hannon and Doireann O'Hara of RTÉ Prime Time for their report: *Justice delayed*

What the judges said:

This harrowing report sets out, clearly and carefully, the failings of the panel set up to review 320 cases where allegations of Garda mishandling were made. Focussing on the handling of Garda investigations following some of the most serious cases, those involving loss of life, this reporter and producer expertly balanced the asking of serious procedural questions while telling the often heartbreaking human story.

Using CCTV footage and remaining focussed on the powerful personal testimony of those directly affected, the report gave voice to the victims of crime, and their experiences in the aftermath of tragedy.

(2) Conor Tiernan and Brian O'Donovan of TV3 for their feature: "*The battle for Gorse Hill*"

A suitably dramatic documentary to convey the drama unfolding on Vico Road, the team behind this production set itself apart by securing a vital interview with central players – including Blake O'Donnell.

Addressing some of the key questions - including whether Gorse Hill was an "ordinary family home" - the audience was brought through the rise and rise of the O'Donnell family, the building of their ambitious property portfolio, and their eventual fall from grace in the glare of the media.

JUSTICE MEDIA AWARD – DIGITAL/ONLINE (NEWS)

The winner of the Justice Media Award for the Digital/Online (News) category is Ellen Coyne of *The Times – Ireland edition* for her powerful series: *The criminalisation of the purchase of sex*

Providing incredibly detailed insight through interviews with sex workers and their advocates as well as anti-trafficking campaigners, comparisons with international regimes, commentary from politicians and police representatives, and more, this extensive body of work stands out for its detail, balance and human interest.

Broaching an incredibly sensitive topic with skill and journalistic dexterity, the articles shine a light on discussions that must be had, but that most shy away from. They also highlight the potential unintended consequences of well-intentioned legislation.

One merit certificate has been awarded in the Digital/Online (News) category to:

(1) Alison O’Riordan for her Independent.ie and TheJournal.ie reports on the Mark Nash trial

With vivid descriptions of the harrowing evidence endured by the jury in this long-overdue trial for the murder of two vulnerable women in their sheltered accommodation, this reporter – the only one to attend each day of trial - carefully balanced a faithful re-telling of the courtroom proceedings with sensitivity and decency.

Also a merit winner in the daily newspapers category for her coverage of this landmark trial, this journalist displays her skill and commitment to quality court reporting.

JUSTICE MEDIA AWARD – DIGITAL/ONLINE (FEATURES)

The winner of the Justice Media Awards in the Digital/Online (Features) category is Will Goodbody of *rté.ie* for his excellent analysis: *“Safe Harbour” case – what is it and why should we care?*

An excellent example of journalism that fosters greater understanding of, and educates the public about, a complex legal topic – central pillars of the Justice Media Awards – this analysis piece in the *rte.ie* website is clear, concise and brilliant in its simplicity.

The reporter uses a question and answer format to explain the ins and outs of the European Court of Justice Advocate-General’s opinion on the case, which had been referred to the ECJ from the Irish High Court. It combines age-old story-telling techniques with distinctly 21st century legal and technical issues.

Outlining the background to the case, the key players, the core issues, and, most importantly, why it matters to all of us, this reporter is to be commended for a standout piece of legal analysis that is accessible to all.

One merit certificate has been awarded in the Digital/Online (Features) category to:

(1) Aoife Barry of TheJournal.ie for her article: *This drama is shedding light on a big challenge unmarried parents face*

Taking a story line from a popular Irish TV soap, about a couple splitting up after having a child, interviewing in depth the lawyer consulted by the programme and shining a light on the legal issues surrounding parenting and guardianship following the breakdown of a relationship, this reporter presented a complex and intimidating part of the legal system , clearly, precisely and in a very relatable way.

With more than 32,000 views to date, an imaginative and sensitive approach on such an important topic earns this first-time entrant a well-deserved merit award today.

OVERALL WINNER

It is the prerogative of the judging panel each year to present an Overall Winner award, to the entry they saw as standing out from all the others. This year, one entry did stand out, from the **National Radio Category**.

The winners of the 2016 Justice Media Overall Award are Frank Shouldice and Liam O'Brien of RTÉ Radio One, for their excellent documentary: *The case that never was*

ENDS

Photos available from Lensmen Photographers – 01 819 7738

See jmawards.ie

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ABOUT THE LAW SOCIETY OF IRELAND

The Law Society of Ireland is the educational, representative and regulatory body of the solicitors' profession in Ireland.

The Law Society exercises statutory functions under the Solicitors Acts 1954 to 2011 in relation to the education, admission, enrolment, discipline and regulation of the solicitors'

profession. It is the professional body for its solicitor members, to whom it also provides services and support.

The headquarters of the organisation are in Blackhall Place, Dublin 7.