



## *Law Society of Ireland*

### **JUSTICE MEDIA AWARDS, THURSDAY 2<sup>nd</sup> JUNE 2011 –** **WINNERS AND CITATIONS**

The Law Society of Ireland has today (Thursday, 2<sup>nd</sup> June, 2011) announced the winners of its annual Justice Media Awards 2011.

#### **JUSTICE MEDIA AWARD – ‘DAILY NEWSPAPERS’**

The winner of the Justice Media Award in the ‘Daily Newspapers’ category is **Conall Ó Fátharta** (*Irish Examiner*) for his article ‘*Adoption in Ireland*’.

#### **What the judges said:**

“The *Justice Media Award* in this category is being presented for an excellent series on the legal quagmire of illegal adoptions. This two-day series looked at one woman’s 30-year search to find her son, whom she subsequently discovered had been illegally adopted after being placed in the care of the St Patrick’s Guild adoption agency in Dublin. It transpired that the boy’s birth had been falsely registered through the nursing home where Tressa Reeve had given birth. This effectively removed all legal evidence that she had ever given birth to her son André, and was done without her knowledge or consent.

“The writer of this article challenged the Adoption Board to reveal the full extent of the number of such adoptions that had been carried out in the State – but failed to receive any satisfactory answers. Part 2 in this series focused on what was then the *Adoption Bill 2009* – subsequently the *Adoption Act 2010*. While primarily focused on ratifying the Hague Convention on the Protection of Children and consolidating previous adoption legislation, the author discovered that the new legislation avoided giving adopted people and natural parents any legal rights relating to the tracing of relatives, or the release of information for medical purposes.

“This article contained an excellent review of current adoption laws, revealed the difficulties encountered by natural parents and adopted children through a number of case studies, and fairly criticised the failure of the Government to enact legislation to assist adopted children and their natural parents to trace each other.”

**TWO CERTIFICATES OF MERIT were awarded in the ‘DAILY NEWSPAPERS’ category to:**

**(1) Jennifer Hough (*Irish Examiner*) for her article, ‘*Juvenile Crime – Young Lives Lost*’.**

**What the judges said:**

“This journalist addressed the topic of the punishment of young offenders. This insightful piece looked at the adverse affect that so-called ‘antisocial behaviour’ has on victims, the message being relayed by the handing down of lenient court sentences, the failure of the political system in dealing with young offenders, and, most importantly, the importance of early intervention.”

**(2) Cormac O’Keeffe (*Irish Examiner*) for his article, ‘*Juvenile Offenders – Path Away from Crime*’.**

**What the judges said:**

“This journalist’s entry focused on the subject of juvenile crime. This article examined the introduction of a case-management system by the Gardaí in order to bring some order to the general chaos that’s acknowledged to exist in the juvenile criminal system. Case management has been shown to be successful in denying many juvenile offenders the means of exploiting the criminal justice system to their own advantage. The judging panel welcomed the fact that this journalist addressed this topic in his article. It praised the research involved and the interviews that back up the statistics behind this success story.”

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**JUSTICE MEDIA AWARD – ‘SUNDAY NEWSPAPERS’**

**The winner of the Justice Media Award in the ‘Sunday Newspapers’ category is Sheila Flynn (*Irish Mail on Sunday*) for her feature, titled: ‘*House of Horrors: The Terrible Truth*’.**

**What the judges said:**

“The winner in this category is an interview carried out with two caring and close relatives of the six children who were the subjects of the Roscommon abuse scandal. The article conveys what life was like for the six children of this family who suffered physical, sexual and psychological abuse by their natural parents – while the State and the HSE failed them utterly. Sadly, the legal system also fell short due to a High Court injunction that was obtained by the children’s mother, with the support of an external agency. This had the effect of halting the transfer of the children to the caring relatives interviewed by this journalist.

“The article casts a cold eye on the legal system, begging the question how an injunction could be issued that, in effect, prevented the children from being taken from their abusive parents – ultimately leading to further abuse for the young victims. This challenging interview asked so many questions of the response of the State to the plight of the children involved in the Roscommon abuse case.”

**NO ‘Certificates of Merit’ were awarded in this category.**

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**JUSTICE MEDIA AWARD – ‘REGIONAL NEWSPAPERS’**

**The winner of the Justice Media Award in the ‘Regional Newspapers’ category is Colette Browne (*Wexford Echo*) for her thought-provoking article, ‘*Fast Law Creates Hard Cases*’.**

**What the judges said:**

“The winning entry in this category really stood out for its hard-hitting, ‘pull-no-punches’ attack on the *Criminal Justice Amendment Act 2009*. The author begins:

‘Hard cases make bad law, but fast law creates even harder cases – this is what the collapse of the Rebecca French murder trial has taught us.’

“The author maintains that the killing of Roy Collins in Limerick and the death of Rebecca French in Wexford are inextricably linked, due to the hastily enacted legislation that ultimately resulted in murder charges being dismissed against the four defendants in the French case. This journalist conveys the hot-tempered feelings of the people of Wexford following the outcome of this case – but she does so by means of an ice-cold pen. In her opinion, justice was not done – neither was it seen to be done.

“In a scathing dissection of the *Criminal Justice (Amendment) Act 2009*, she takes the opportunity in this opinion piece to take a side-swipe at one particular lawyer who decried the new legislation – but who went on to take advantage of it when he acted for two of the defendants in the French case. This talented writer spares nobody her ire – and especially not the judge in this case – for his comments during the sentencing of the four defendants.

“She lays the real blame at the door of the Government, however, which, she says, ‘rushed through populist legislation in a pathetic attempt to appear tough on crime in advance of local elections’.”

**ONE CERTIFICATE OF MERIT was awarded in the ‘REGIONAL NEWSPAPERS’ category to:**

**Ann Murphy (*Evening Echo, Cork*) for her in-depth and highly detailed series of articles titled: ‘*Female Offenders – Some Are More Equal Than Others*’.**

**What the judges said:**

“This commendable series of articles on female offenders was inspired by the resignation of Kathleen McMahon, then head of the Dóchas Centre for female offenders. Her resignation pointed the spotlight towards the plight of women – usually poverty-stricken – who are serving prison sentences for a wide variety of offences. This series of six articles reaches the conclusion that socio-economic backgrounds, poor access to education, mental health issues and drug abuse are all barriers that prevent female offenders from breaking the cycle of re-offending.”

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**JUSTICE MEDIA AWARD – ‘COURT REPORTING – PRINT MEDIA’**

**The winner of the Justice Media Award in the ‘Court Reporting – Print Media’ category is Carol Byrne (*Clare Champion*) for her excellent court report, titled: ‘*Fines for Men Claiming to be ‘Fishing Under Protest’*’.**

**What the judges said:**

“Court reporting is a demanding and exacting skill that requires strict attention to detail. The talent to be able to relay the facts of a court case to a general public that is largely uninformed about the workings of our courts – often against the backdrop of tight deadlines – is a grossly underrated skill.

“The winning article in this category featured a fascinating report about quite an unusual topic – men claiming to be ‘fishing under protest’! The case concerned eight men, including a former member of the Shannon Regional Fisheries Board, who were each fined €100 and ordered to split costs of €1,250 after they engaged in a fishing protest to protect ancient fishing rights on the Shannon Estuary last summer.

“This journalist is to be congratulated for the quality and detail of her report, which managed to convey quite complicated court arguments in plain English – always something to be commended! The arguments of both sides were laid out accurately and fairly, while the sympathetic stance of the defendants’ solicitor for his clients’ position came to the fore. That solicitor, John Callinan, argued that his clients were “simply attempting to ‘maintain their heritage and rights that go back about 1,000 years’.”

**ONE CERTIFICATE OF MERIT was awarded in the ‘COURT REPORTING – PRINT MEDIA’ category to:**

**David Looby (*Wexford Echo*) for his article ‘*Sobs Shatter Silence as Impact Report Read Out*’.**

**What the judges said:**

“For the second time in this competition, reference has been made to the Rebecca French case. This article focused on the Victim Impact Statement of the French family, read out in court by a sister of the deceased. This article paints a vivid picture of one family’s experience of having to attend a hearing in the Criminal Courts of Justice in Dublin. The Victim Impact Statement was subsequently heavily criticised by Mr Justice Barry White. As a result, the detail given by this writer shed significant light on just what it was about the statement that inspired his disapproval – and serves as a warning for those composing future Victim Impact Statements.”

**JUSTICE MEDIA AWARD – ‘COURT REPORTING FOR BROADCAST MEDIA’**

**The winner of the Justice Media Award in the ‘Court Reporting – Broadcast Media’ category is Orla O’Donnell (RTÉ Radio 1’s *This Week* programme) for her report on: ‘*McKillen v NAMA – A Significant Challenge to Unprecedented Legislation*’.**

**What the judges said:**

“This superb report focused on the ‘*McKillen v NAMA*’ case, concentrating on the legal challenge taken by businessman Paddy McKillen against the National Asset Management Agency. It gave fascinating background detail to the case, as well as interesting information on the property interests owned by the highly reclusive Paddy McKillen.

“At stake were 62 properties spread across a number of geographic locations, valued at EUR2.28 billion. This reporter lists the main issues why Mr McKillen took this case, including his claim of a denial to his constitutional right to fair procedure; his claim not to be an impaired borrower; and that the NAMA legislation was unconstitutional. Star witnesses of the calibre of the Nobel prize-winning economist, Joseph Stiglitz, appeared for the plaintiff, while Attorney General Paul Gallagher appeared for the State – underscoring the high stakes involved on both sides.

“Orla richly deserves this award for her wonderful insight, detailed perspective and great breadth of understanding of this extremely complex case.”

**ONE CERTIFICATE OF MERIT was awarded in the ‘COURT REPORTING FOR BROADCAST MEDIA’ category to:**

**Trudy Waters (*Clare FM News*) for her series of reports on the ‘Lying Eyes Appeal’.**

**What the judges said:**

“This journalist reported on a case that will go down in legal history as one of the longest trials in the history of the State. The *Lying Eyes – Hitman for Hire* case heard in the Central Criminal Court in March 2010 was covered by many radio stations across the country.

“Due to the County Clare angle, however, it received in-depth coverage from local radio station, Clare FM. For her clear, concise and detailed assessment of the legal challenges involved, her explanation of the three-judge court and its functions, as well as the background information she supplied on the Criminal Courts of Justice, Trudy Waters is being awarded a Certificate of Merit in the *Justice Media Awards*.

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**JUSTICE MEDIA AWARD – ‘NATIONAL RADIO’**

**The winner of the Justice Media Award in the ‘National Radio’ category is Ann-Marie Power for her highly engaging documentary ‘*The Walsh Cassidy’s at Lissadell House*’, produced for RTÉ Radio 1’s ‘*Documentary on One*’.**

**What the judges said:**

“All entries in this category succeeded admirably in fostering a greater understanding among the public of the law, the Irish legal system, and of specific legal issues. However, three entries stood out.

“The winner in this category was a stand-out entry. This radio documentary gave a superb potted history of the legal matters surrounding the notorious right-of-way issues at one of Ireland’s most famous estates, Lissadell House. This was presented as a ‘fly-on-the-wall’ documentary, with very effective use of previously-recorded media interviews with the main protagonists in this case. These were interspersed with specially-recorded interviews with members of Sligo County Council and the local action group, who had joined forces to have the gates reopened at Lissadell. Archive recordings of the previous occupants, the Gore-Booths, was also presented.

“This engaging radio feature opens with a media interview outside the High Court, where the owners of Lissadell House, Edward Walsh and Constance Cassidy, are being interviewed following the news that they had just lost the case they had taken against Sligo County Council. Judge Bryan McMahon had found in favour of the County Council and the locals. He asserted that there were, indeed, existing rights of way across the contested avenues of the Lissadell estate. This bitterly-contested 58-day High Court battle cost €6 million. The documentary views proceedings with an unbiased eye, and reveals the depth of feeling on both sides, each vehemently believing that they are both in the right. As one local states it: “Thank God we live in a democracy, where we can leave it up to the courts to decide who’s in the right.”

**TWO CERTIFICATES OF MERIT were awarded in the ‘NATIONAL RADIO’ category to:**

**(1) Della Kilroy (RTÉ Radio One’s *Drivetime* programme) for her clear, compelling and compassionate reports, titled: ‘Repossession – High Court Reporting’.**

**What the judges said:**

“This correspondent’s excellent reports about repossession cases in the High Court had commuters glued to their radios. Such is the fear of repossession among the population, that listeners can easily identify with the sad cases that are emerging weekly from the High Court.”

**(2) Dil Wickremasinghe, Brian O’Reilly (solicitor) and John O’Donovan (producer) from Newstalk’s 106-108 FM for the ‘Legal Column’ on the ‘Global Village’ programme.**

**What the judges said:**

“These recipients who are no strangers to the Justice Media Awards, having received a similar prize in this category last year. This national legal column features an interactive radio-advice slot. Queries from listeners on a wide variety of legal matters are addressed. The reports considered by the judging panel focused on legal issues surrounding injuries and damage caused by adverse weather conditions; a series of ‘Election Legal Specials’ that focused on proportional representation, suggested amendments to the Constitution, and voter registration. Listeners can contact the programme by text, email and phone to put their queries to the programme’s guest

solicitor, Brian O'Reilly. This programme continues to get it just right in terms of promoting an understanding of the law among the public, demystifying it for them."

### **JUSTICE MEDIA AWARD – 'LOCAL RADIO'**

**The winner of the Justice Media Award in the 'Local Radio' category is John Cooke (Clare FM presenter) for the 'Free Legal Advice' slot.**

#### **What the judges said:**

"This award is being made to the presenter of a highly informative and enlightening legal advice programme that airs on Tuesday mornings. Local solicitors, who are members of the Free Legal Advice Centre in Clare, join this presenter live in studio to address specific legal issues and queries received from members of the public. Running for three years now, this legal advice slot has discussed topics like the *Civil Partnership Bill*; family law issues such as access to children; the Fair Deal Nursing Home Scheme; and bread-and-butter issues like making a will, how courts work and jury duty. The reports submitted for consideration featured solicitors Mairead Doyle and Ann Walsh, both assisting the Free Legal Advice Centre in Clare."

**NO 'Certificate of Merit' was awarded in this category.**

### **JUSTICE MEDIA AWARD – 'TELEVISION NEWS'**

**The winner of the Justice Media Award in the 'Television News' category is Brian O'Donovan (TV3's *News at 5.30*) for his report 'Bankrupt'.**

#### **What the judges said:**

"Brian O'Donovan is receiving this award for a series of news reports that focused on property developers and bankers facing bankruptcy proceedings in the courts. Bankruptcy is an area of law that many believe is out of date and in need of reform in Ireland. Indeed, our bankruptcy laws are acknowledged to be among the strictest in the world.

"One of this journalist's live reports is filmed outside the Four Courts after the High Court declared former Anglo Irish Bank Chairman, Sean Fitzpatrick, bankrupt. The reporter explains bankruptcy law in general terms, before introducing an interview with a bankruptcy expert from the accountancy firm, Grant Thornton.

"This journalist's live reports skilfully convey the ramifications of this judgment, and give a strong sense of justice being seen to be done. The judging panel praised the use of a bankruptcy expert to explain the finer details of bankruptcy law that lends this piece added authority."

**ONE CERTIFICATE OF MERIT was awarded in the 'TELEVISION NEWS' category to:**

**Dyane Connor (TV3's *5.30 News*) for her reports on the Westmeath Cold Case Trial.**

**What the judges said:**

“This journalist filed a series of reports on the chilling Westmeath Cold Case murder trial. This entry contained a snapshot of the seven-week trial of Vera McGrath and Colin Pinder, who were charged with the murder of Vera’s husband 23 years earlier. The case was a highly significant one, in that the trial resulted in the first murder conviction for the Garda Cold Case team.

“Viewers were given detailed reports and background on the murder case. The presenter delivered her eye-witness reports to camera, moments after the court rose each day, leaving viewers with the impression that they themselves had been spectators to the events in court. Dyane is being acknowledged today for the quality, breadth and balance of her reports on this trial.”

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**JUSTICE MEDIA AWARD – ‘TELEVISION FEATURES AND DOCUMENTARIES’**

The winners of the Justice Media Award in the ‘Television Features & Documentaries’ category are **Kevin Cummins, Padraig O’Driscoll and Lucie Farrell** (Cláracha Gaeilge, RTÉ) for **Scannal – Eileen Flynn**’.

**What the judges said:**

“This particular award was something of a departure from previous years. This winning documentary programme stood out for a number of reasons. The judging panel was most impressed with the production standards; the obvious long hours spent in acquiring the relevant footage of the case from that time; the use of other excellent archive material; recent interviews carried out with those most closely involved in the case 30 years previously – and the impact of this schismatic case, as seen through the prism of modern eyes.

“The case was that of the New Ross teacher, Eileen Flynn. In the early 1980s, she was dismissed from her job at the Holy Faith Convent Secondary School after she became involved with a separated local publican Richie Roche – and subsequently became pregnant and gave birth to their son. New Ross was rocked by the scandal, which, very quickly, grabbed national headlines.

“Eileen Flynn fought her dismissal at the Employment Appeals Tribunal, then in the Circuit Court and, subsequently, in the High Court.

“This excellent programme by RTÉ pulled back the curtains on a very different Ireland. It reveals just how much the country has changed – both socially and legally – over the past 30 years. The *Scannal* team is to be congratulated on producing such an excellent programme, whose gift is to shed a fascinating light on how far Ireland has moved in just two generations.”

**ONE CERTIFICATE OF MERIT was awarded in the ‘TELEVISION FEATURES & DOCUMENTARIES’ category to:**

**Sybil Mulcahy & Martin King** (TV3’s *The Morning Show*) for their report, titled: ***‘A 13-Year Battle for Legal Recognition as a Woman: Dr Lydia Foy’***.

**What the judges said:**

“For its highly informative treatment of this seminal case, a ‘Certificates of Merit’ has been awarded to this programme, which examined the 13-year legal battle of Dr Lydia Foy for the right to have her birth certificate and passport issued in her acquired gender. Registered as a male at birth, she had fought for legal recognition for her acquired gender since 1997.

After winning a High Court battle in 2007, she faced more obstacles as the State appealed the ruling. The High Court had found that Irish law on transgender rights were in breach of Dr Foy’s rights under Article 8 of the *European Convention on Human Rights*. The State subsequently withdrew its appeal against the 2007 ruling, thanks to the sterling work of FLAC, and in particular their senior solicitor Michael

Farrell. In this programme, the presenters interviewed Dr Foy and Michael Farrell in the studio and heard, first-hand, Dr Foy's battle for justice."

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**NO 'OVERALL WINNER'**

**It is the prerogative of the judging panel each year whether or not to present an 'Overall Winner' award. The panel decided that, notwithstanding the commendable standard of winning entries in each category, no single entry stood apart from the rest – so no 'Overall Award' has been presented this year.**

**ENDS**

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