



Law Society of Ireland

News Release

THURSDAY 13th JUNE 2013

JUSTICE MEDIA AWARDS, THURSDAY 13th JUNE 2013 – WINNERS AND CITATIONS

The Law Society of Ireland has today (Thursday, 13th June, 2013) announced the winners of its annual Justice Media Awards 2013.

These awards, which have come of age this year, being 21 years old, 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:

'OVERALL WINNER'

The 'Overall Winner' in the Justice Media Awards 2013' is: Kitty Holland of The Irish Times for her series: 'The Savita Halappanavar story'.

It is the prerogative of the judging panel to award an **Overall Justice Media Award** each year. Given the superb quality of entries received, the judges decision was unanimous that the **Overall Award** should be presented this year.

What the judges said:

“This year’s ‘Overall Winner’ award is being presented to Kitty Holland of *The Irish Times* for her series of outstanding articles that showed what great journalism is all about. This series had everything – from the initial tip-off, to the follow-up and the eventual publication of what turned out to be an explosive story.

The judges described this newspaper series as “**one of the most significant stories the Justice Media Awards has seen in its 21-year history.**”

Kitty Holland sourced significant detail about the background to the medical treatment received by Savita Halappanavar. She understood that current legislation was likely to have had a significant impact on the decisions taken by the medical staff at Galway University Hospital, and she called into question the lack of legal clarity, if and when the life of the mother was at risk.

“This story has had enormous political, constitutional and legal implications and, arguably, has led to the present Government moving to legislate in line with the 1992 Supreme Court judgment on the *X case*.”

JUSTICE MEDIA AWARD – ‘DAILY NEWSPAPERS’:

The winner of the Justice Media Award in the ‘Daily Newspapers’ category is Kitty Holland of *The Irish Times* for her series: *The Savita Halappanavar story*’.

What the judges said:

“This article that was first ‘out of the blocks’ to report on the Savita Halappanavar story. It went into great detail about the background to the medical treatment received by Ms Halappanavar, the impact of current legislation on decisions taken by the medical staff at Galway University Hospital, and the subsequent inquiry – which, as a result of extensive media coverage remained fully independent of HSE involvement.

“Kitty Holland received a tip-off one week before this ground-breaking story broke on 14 November 2012. Ms Halappanavar had presented with severe back pain at Galway University Hospital on 21 October 2012, during the 17th week of her pregnancy. Her death one week later gave rise to significant soul-searching about the decades-long lack of legal clarity, if and when the life of the mother was at risk.

“This story has had enormous political, constitutional and legal implications and, arguably, has led to the present Government moving to legislate in line with the 1992 Supreme Court judgment on the *X case*.”

ONE ‘MERIT’ CERTIFICATE was awarded in the ‘DAILY NEWSPAPERS’ category to: Paul Drury of the *Irish Daily Mail* for his article: *We columnists live by the sword and die by the sword*’.

What the judges said:

The submitted article was based on the writer’s own court experience of a high-profile defamation case taken against him and his newspaper by the billionaire Denis O’Brien. Paul Drury is being awarded a Merit Certificate for his honest and forthright column in which the writer confronts the essential role and responsibilities of journalism in light of his High Court experience – and subjects his own core values to journalistic interrogation.”

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JUSTICE MEDIA AWARD – ‘SUNDAY NEWSPAPERS’

The winner of the Justice Media Award in the ‘Sunday Newspapers’ category is Niall Brady of the ‘Sunday Times’ for his series: ‘*Fuse lit on loan scandal time bomb*’.

What the judges said:

“This series of three articles campaigned for the reform of the statute of limitations in cases alleging mis-selling of financial products. Despite a Supreme Court ruling in *Gallagher v AAC Bank* in 2012 that required plaintiffs to take proceedings within six years of a product being sold, in reality it usually takes much longer for consumers to realise that a product has been mis-sold – especially in cases involving long-term products such as mortgages and investments.

“This series highlighted the fact that hundreds of home-owners were in danger of being pursued by their banks for a total of up to €2 million after being blocked from taking legal action over the alleged mis-selling of endowment mortgages. Most were not warned about the risks of shortfalls when they took out the endowment mortgages.

“Niall Brady of *The Sunday Times* is to be highly commended for giving a platform to consumers, allowing them to highlight how they were being denied justice, due to the six-year rule. These articles put pressure on the Government to act on the recommendations of the Law Reform Commission, which has proposed a fairer time limit that begins, not from the date when the product was sold, but from the time when the plaintiff became aware of the potential problem.”

TWO ‘MERIT’ CERTIFICATES were awarded in the ‘SUNDAY NEWSPAPERS’ category to:

Mark Tighe of *The Sunday Times* for his series on surrogacy, titled: ‘*Who’s the mammy?*’

What the judges said:

“The story, which was broken by this journalist, centres on a couple who brought a landmark High Court action to have the genetic mother of surrogate twins – rather than the surrogate mother – declared as the legal mother. The outcome of this case had implications for over 100 Irish couples who had engaged surrogate mothers to carry their babies to full term. The legal definition of ‘motherhood’ was also at issue.

The Sunday Times, with a number of other media organisations, successfully applied to Judge Henry Abbott to be allowed to report on this case, despite *in camera* restrictions.

“Mark Tighe deserves great credit for recognising the implications of this case so quickly – and for reporting so knowledgeably on the complex issues it raised for his newspaper’s readers.”

AND TO: Kieron Wood of *The Sunday Business Post*, for his article: ‘*Food for thought in Ombudsman decision*’.

What the judges said:

“This fascinating article examined the issue of defamation law and its impact on restaurant reviews. The foil for the article was the publication of a decision by the Press Ombudsman that rejected a complaint by the Bijou Restaurant in Rathgar, Dublin, against the *Evening Herald*.”

“Kieron Wood has produced an entertaining, informative article that examines the basis for similar legal actions taken against restaurant reviewers and publishers, worldwide. He is to be congratulated for contributing so admirably to the public’s understanding of the law in relation to opinion pieces that rely on the defence of ‘honest opinion’ by means of the *Defamation Act 2009*.”

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JUSTICE MEDIA AWARD – ‘REGIONAL NEWSPAPERS’

The winner of the Justice Media Award in the ‘Regional Newspapers’ category is: Mairead Wilmot of the *Carlow Nationalist* for her article: ‘*Victim speaks out on sex abuse that destroyed two lives*’.

What the judges said:

“This article reveals the important role that regional newspapers play in seeing justice being done by reporting on significant ‘local’ cases that can have a big impact nationally. Mairead Wilmot won an exclusive interview from one of two County Carlow sisters who had been the victims of “a litany of vicious sex crimes that had destroyed her life and the life of her sister”. The impact of the exclusive interview, as covered by the winning journalist, was such that the story was picked up by the national media.

“Of seeing the three brothers – John, Christopher and Thomas Sheehan – convicted for their crimes, the interviewed victim said: “To pick up the paper and see them on it means so much; this is what we wanted ... This never started about money; it was about justice.”

“Mairead Wilmot of the *Carlow Nationalist* fully deserves this award for the clarity of her reporting, her tenacity in achieving such a significant interview, and the positive effect that the interview, no doubt, had on other victims of similar crimes.”

ONE ‘MERIT’ CERTIFICATE was awarded in this category to

David Looby of the *Wexford Echo* for his article ‘*Outrage at rapist’s early jail release*’.

What the judges said:

“This article served to inform readers in the South-East about the impending early release from jail of a convicted rapist who had received a 15-year sentence – but was released having served just eight years.

“The article called into question the practice of early releases and added admirably to the need for debate of this important issue. The manager of the local Rape Crisis Centre, who is quoted in the piece, warns that, as a result of lenient sentences and early releases, less and less rape victims are coming forward because of their reduced faith in the Irish legal system. **David Looby of the *Wexford Echo*** is to be congratulated for bringing this matter into the public domain.”

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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 Mark Tighe of *The Sunday Times* for his thorough and superbly-researched two-part article on: ‘*Denis O’Brien v Irish Daily Mail*’

What the judges said:

“Mark reminded readers of the significance of the case – which featured the first test of the defence of honest opinion under the *Defamation Act 2009*. The applicant was none other than Ireland’s largest media owner, Denis O’Brien.

“The *Irish Daily Mail* stood over the right of one of its journalists, Paul Drury, to express his honestly-held opinion that O’Brien was hoping that RTÉ’s coverage of his charitable efforts in Haiti would help “take the sting out of the [Moriarty] Tribunal Report”. The *Daily Mail* knew, however, that it would also have to prove that the ‘facts’ upon which the opinion was based were true. Finally, the article had to be about a matter of public interest.

“The jury found otherwise, however, but upheld the right to a defence of honest opinion. The result? Denis O’Brien was awarded defamation damages.

“Mark Tighe skilfully outlined the details behind the case, Drury’s reasons for publishing what he regarded to be his honestly-held opinions, the jury’s eventual findings in favour of O’Brien, and finally the significance and ramifications of the case. Tighe asked all the hard questions of both the prosecution and the defence and analysed the potential impact of the judgment.”

“It remains to be seen whether this case will have a ‘chilling effect’ on journalistic reporting in Ireland.”

FOUR ‘MERIT’ CERTIFICATES were awarded in the ‘COURT REPORTING – PRINT MEDIA’ category to:

(1) **Fiona Gartland of *The Irish Times*** for her article: **‘*State closes argument in surrogacy case*’**, which dealt with the landmark case that challenged the refusal of the State to allow the genetic mother of twins, born to a surrogate mother, to be listed as the children’s mother on their birth certificate.

What the judges said:

“Fiona Gartland covered this case for its duration. The submitted article was published the day after the State had made its case. Fiona showed excellent skill in explaining and summarising the complex legal arguments raised in the court. The impact of article 40.3.3 on the definition of motherhood and the significance of the *Status of Children Act 1987* were also debated.”

“She is to be congratulated for so ably translating the complexities of the legal arguments into easily understood language and concepts for the average reader – without falling into the trap of over-simplification. This was an example of public-service journalism at its best.”

(2) **Freelance journalist, Conor Gallagher**, for his article: **‘*Now “garlic judge” faces DPP wrath for striking out cases*’**.

What the judges said:

“This article focused on the conflict between a criminal court judge and the DPP. The central issue was the judge’s decision to strike out cases where barristers and gardaí had failed to provide disclosure evidence in time to defence teams during the preparatory stage of certain cases. Judge Martin Nolan’s intention in striking out these cases was to force lawyers and gardaí to ensure that their cases were ready to proceed when they came to court – and to reduce delays in the Circuit Criminal Court.

“Conor Gallagher is to be congratulated for the manner in which this article was researched and how it explained, in layman’s terms, the possible consequences of the judge’s actions – and the DPP’s plans to challenge them in the High Court.”

(3) **Sandra Murphy of the *Irish Daily Mail*** for her article **‘*Perrin*’**, which focused on the two-and-a-half year prison sentence imposed on Judge Heather Perrin – the first judge to be so sentenced – after she had been found guilty of the deception of an elderly family friend, having manipulated his will during her time as a solicitor.

What the judges said:

“This worthy article captures the moments when legal history was made – for all the wrong reasons. In her article, Sandra captures the court drama and the consequences of the crime on a former member of the judiciary. This highly readable and colourful court report shows in vivid detail that justice applies to everyone – not least to the members of the legal profession.”

(4) Carol Byrne of *The Clare Champion* for her article: ‘*Child cruelty a 21st century problem*’.

What the judges said:

“This excellently written article centred on the undue leniency of a judgment in a harrowing case of child cruelty that was heard at a sitting of Ennis Circuit Criminal Court. The shocking details revealed that eight children ranging in age from infancy to their teens had been deprived by their parents of food and clothing. They were beaten and uncared for during a nine-year period between 2001 and 2010. Incredibly, their mother walked free, despite pleas by her 17-year-old daughter for her to be jailed.”

“This article is an excellent example of public-service journalism. It reveals that the eldest daughter subsequently engaged a solicitor to plead with the DPP to review the case with a view to appealing it on the grounds of undue leniency. It pointed out that the nub of the appeal focused on the fact that the State should have made the sentencing judge aware that the accused had been before the courts previously.”

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JUSTICE MEDIA AWARD – ‘COURT REPORTING FOR BROADCAST MEDIA’

The winner of the Justice Media Award in the ‘Court Reporting for Broadcast Media’ category is **Vivienne Traynor of RTE’s *Six One News* for her television news report: ‘*Marie Fleming’s assisted suicide case*’.**

What the judges said:

“Vivienne Traynor presented a brilliant analysis of the legal implications of the Marie Fleming case – the first of its kind to come before the Irish courts. In the terminal stages of MS, Marie Fleming sought to have the criminal law ban on assisted suicide declared unconstitutional.

“Vivienne combined the human aspects of this story with excellent analysis of the legal issues involved during a six-day hearing last December before a specially convened divisional High Court involving three judges.

“She explained Marie Fleming’s desire to have the highly contentious option of assisted suicide left open to her by seeking to have a section of the *Criminal Law Suicide Act 1993* declared invalid, so that her partner or any other family member who might assist her, would not be charged for taking part in a criminal action.

Vivienne explained how Ms Fleming argued that the current legal position impaired her rights under the Constitution and under the *European Convention of Human Rights*. If she were to fail in her attempt to have the law changed, Ms Fleming said she would then seek guidelines from the DPP in relation to the criteria used when assessing whether or not to prosecute someone who assists in an act of suicide.

“These complex issues were explained effortlessly by this reporter, revealing extensive knowledge on the topic. She understood the legal issues inherently and revealed a wonderful ability to convey the information in easily understood terms.”

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

(1) Louise Byrne of 98FM News for her radio report: ‘The Patriarch Prisoner’.

What the judges said:

“Many cases that come before the courts in relation to the banking crisis and its fall-out are highly complex, requiring a significant amount of journalistic resources to cover cases week after week, month after month. One such case relates to the High Court contempt proceedings of Sean Quinn Snr, who was imprisoned following eight months of court hearings.

“Louise Byrne covered this case from start to finish and, in her radio reports, managed to include a fantastic amount of information in reports that, often, were restricted to no more than 60 seconds. In addition, most of these reports were filed within a very short time of the adjournment of court proceedings each day. The reporter managed to convey the character of the man who was fighting the contempt charges, using succinct phrases like: “*There were shades of Jack Nicholson in ‘A Few Good Men’ today, as an angry and defensive Sean Quinn Snr warned: ‘Anglo doesn’t want the real truth to come out!’*”

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A JUSTICE MEDIA AWARD WAS PRESENTED IN THE ‘NATIONAL RADIO’ CATEGORY TO: Richard Dowling of RTE’s This Week programme for his radio report: ‘Missing Chapter, Missing Answers’

What the judges said:

“This fascinating report focused on the collusion between British security forces and loyalists in the murder of Belfast solicitor, Pat Finucane. Sir John Stevens had spent four years investigating these matters and, in 2003, published his final report, *Stevens 3*, which contained just four chapters.

“Journalistic curiosity got the better of this winning journalist, however. While it had never been acknowledged that the report had contained more chapters than the four that were published, this journalist set out on a quest to discover the truth of the matter. The PSNI refused his Freedom of Information request; Britain’s Information Commissioner did likewise; but eventually the Information Tribunal decided that some of the missing report should be released.

“Chapter 6 of the report was eventually handed over – suggesting a preceding Chapter 5 – and strong suggestions in Chapter 6 that other chapters follow.

“This journalist showed great tenacity in bringing to light a previously unknown element of this tragic story. He is to be congratulated for his tenacity – and for making the discovered documents freely available to all. We have learned from the previously

unknown chapter of the *Stevens 3 Report* how critical Lord Stevens had been of the RUC investigation and the fact that the murder weapon, a Browning pistol, had been handed back to the British Army, effectively removing crucial evidence from the investigation.

“This radio report has provided significant new information on the investigation into collusion. Many questions remain unanswered, of course, particularly for the Finucane family. Sadly, this story has quite some way to go before it reaches its final conclusion. The programme is a worthy winner of a Justice Media Award.”

TWO ‘MERIT’ CERTIFICATES were awarded in the ‘National Radio’ category to:

(1) Peter Ward (presenter) and producer Fiona Kelly (producer) for the RTÉ Radio 1 series: ‘The Law Makers’.

The programme featured a series of interviews with six eminent member of the legal profession. Each reflected on their personal contributions to the profession and went into details on some of the landmark, and often controversial, cases in which they were involved. A **Merit Certificate** was awarded for the programme featuring an interview with Mr Justice Donal Barrington, former judge of the Supreme Court and a judge of the Court of First Instance of the European Union.

What the judges said:

“This interview provided a rare insight to the person beneath the wig. It presented the triumphs and challenges of Mr Justice Donal Barrington’s varied and colourful career in a most engaging fashion. This series is being highly commended for the insights it gives to the careers of legal luminaries of the calibre of Mary Robinson, Donal Barrington, Ronan Keane, Catherine McGuinness, John Rogers and Bryan McMahon. It lifts the cover on the influence they enjoyed, not just in relation to legal matters, but also in relation to some of the major political issues of the day.”

(2) A SECOND MERIT CERTIFICATE was awarded to: Sarah Carey (presenter) and Francis Fitzgibbon (producer) of Newstalk 106-108 FM for their ‘Talking Point’ programme, titled: ‘Can we reform a rapist?’

This programme featured a lively, studio-based panel discussion on sentencing issues arising out of the suspended sentence of the serial rapist, Patrick O’Brien, who had pleaded guilty to the repeated rape of his daughter Fiona Doyle during a ten-year period. O’Brien was released on bail last January, pending an appeal, after having nine years of his 12-year sentence suspended. The suspended sentence imposed by Mr Justice Paul Carney caused outrage among the public. Judge Carney eventually decided that the matter should go to the Court of Criminal Appeal for its opinion.

What the judges said:

“This important programme highlighted a significant issue for the general public – that of suspended sentences in matters of serious crime. This lively, radio panel discussion went into considerable detail on: the sentencing and monitoring of sexual offenders; the rationale behind sentencing in cases of serious sexual crime; the necessity to distinguish between different types of offenders – and the best options for dealing with dangerous criminals; and the need to set aside the normal emotional

response so that our courts and gardaí can be provided with the appropriate tools to apply flexible solutions for any given circumstance.”

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JUSTICE MEDIA AWARD – ‘LOCAL RADIO’

The winner of the Justice Media Award in the ‘Local Radio’ category is John Cooke (presenter) for the radio slot: ‘Free legal advice – on Clare FM’s Morning Focus’.

What the judges said:

“John Cooke is to be congratulated for the long-running, free legal advice slot that, time and again, informs and enlightens local listeners about their rights and the legal issues that, directly, affect them. Advice is provided by solicitors from the local Free Legal Advice Centre to explain complex legal issues in simple terms.

“Running for the past five years, this programme continues to draw a large audience. The programme topics submitted in this year’s *Justice Media Awards* dealt with issues such as: domestic violence and the legal protections available, as well as proposed changes to the *Residential Tenancies Act* and anti-social tenants.

“Solicitors on other programmes have addressed the *Civil Partnership Act*, the household charge, the new property tax, septic-tank registration laws and anti-social behaviour, among other matters.

The judges also congratulated two Ennis-based solicitors who took part in the winning programme, namely Mairead Doyle (Michael Houlihan & Partners) and William Cahir (Cahir & Company).

ONE ‘MERIT’ CERTIFICATE was awarded in this category to: Niall Delaney of Ocean FM for his report: ‘Incitement to hatred – the McEniff controversy’.

What the judges said:

Niall Delaney is receiving a Merit Certificate for an unusual interview that took place last January, when Donegal Fianna Fáil councillor, Seán McEniff, suggested, during a radio interview that Travellers should be “segregated” in “isolated communities”. The councillor was reacting to a decision taken by Donegal County Council to spend €230,000 to house a local Traveller family outside Ballyshannon. His comments, unsurprisingly, caused a national furore.

“The story took a dramatic twist days later, when the same house was mysteriously burned to the ground in an arson attack. Cllr McEniff was subsequently accused by a number of politicians in the Dáil of having encouraged this criminal act because of his remarks.

“This radio programme questioned whether the councillor’s comments justified prosecution under the *Incitement to Hatred Act*. It addressed the issue of why society was still so divided on the basic issue of human rights, especially in relation to the Traveller community. It featured an interview with Fianna Fáil leader, Micheál

Martin, who explained that the councillor’s views were “completely unacceptable” and “not party policy”. It also raised the very legitimate question as to whether there has been a ‘normalisation of racism in Irish society towards the Travelling people’.”

“Niall’s no-nonsense report asked all of the hard questions in relation to this controversial topic.”

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JUSTICE MEDIA AWARD – ‘TELEVISION NEWS’

The winner of the Justice Media Award in the ‘Television News’ category is: Tara Peterman (executive producer), Miriam O’Callaghan (presenter) and Máire Kearney (producer) of RTÉ – ‘Primetime’ for their absorbing ‘Praveen Halappanavar interview’.

What the judges said:

“The death of Savita Halappanavar dominated domestic and global news as a result of her treatment and subsequent death in Galway University Hospital. The central issue was the lack of legal and medical clarity in relation to the equal right to life of the mother and her unborn baby. The **Justice Media Award** is being presented for this sensitive and insightful interview with Savita’s husband, Praveen.

“This interview shed new light on the events that had unfolded in the hospital and the reasons why Praveen Halappanavar had expressed his refusal to take part in the HSE enquiry.”

ONE CERTIFICATE OF MERIT was awarded in the ‘TELEVISION NEWS’ category to: Dyane Connor of TV3 News for her report: ‘A plea for justice’.

What the judges said:

“The daughter of rape victim, Fiona Doyle, gave an exclusive interview to Dyane. She spoke about the jailing of her grandfather, describing the impact of the abuse on her mother and the entire family, and the exertion of going through the legal system – only to see her grandfather walk free from court, having been granted bail, and with a significant amount of his sentence suspended.”

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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: Conor Tiernan (producer) and Paul Byrne (presenter) of TV3 for their report: ‘The search for Sophie’s Killer’.

What the judges said:

“This programme focused on the murder of Sophie Tuscan du Plantier in West Cork in December 1996, and the crime investigation that followed, but which subsequently

degenerated into a legal quagmire. The fall-out from the case has crossed several jurisdictions and reached into the highest courts and offices of the land.

“The programme makers are to be congratulated for providing the definitive account of this case. It features exclusive interviews with members of Sophie’s family, with chief suspect Ian Bailey and his partner, and their legal representatives. It also includes accounts from individuals, witnesses and legal experts never before seen on television.”

“The programme is exceptionally well-balanced, and presents a significant amount of detail on this harrowing case. It reveals the impact on Sophie’s family. It goes to great lengths, also, to explain, in detail, Ian Bailey’s fraught journey through the legal process.”

FOUR MERIT CERTIFICATES were awarded in the ‘TELEVISION FEATURES & DOCUMENTARIES’ category to:

(1) Mark Coughlan and Tanya Sillem (producers) and Barry Cummins (reporter) of RTE – ‘Primetime’ for their programme, titled: ‘Section 29 warrants – Illegal entry’.

This fascinating programme asked what happens when a major piece of legislation – long trusted and widely used – fails spectacularly? It examined the fallout from the Supreme Court ruling in the *Damache* case that led to the striking down of a law that had allowed gardaí to issue their own search warrants. So-called ‘Section 29 warrants’ had been introduced in the *Criminal Law Act of 1976*, principally to tackle terrorist crimes. The Supreme Court found the section to be unconstitutional.

What the judges said:

“Some of the ramifications of this Supreme Court ruling were immediate, with five conviction cases being quickly overturned with retrials ordered by the Court of Criminal Appeal.”

“This programme explained, in commendable detail, the significance of the Supreme Court ruling. It showed the fall-out, which led to the collapse of a number of criminal trials that had not yet been heard. This report also highlighted how Mr Justice Frederick Morris had warned of the dangers of Section 29 warrants in a Tribunal of Enquiry report in 2008, concerning the misdeeds of certain gardaí in Donegal. Despite his warning, the law remained in place till the Supreme Court ruling on the *Damache* case.”

(2) Patrick Kinsella (producer), Colette Fitzpatrick (presenter) and Ciara Doherty (reporter) of TV3’s Midweek for their programme, titled: ‘Cameras in the courtroom: trial by media’.

Millions of people around the world watched the Oscar Pistorious bail hearing from South Africa on their television screens. While public broadcasting of the hearing made the justice system seem very transparent, this programme asked whether it properly serves the accused, who, after all, are presumed innocent till found guilty.

What the judges said:

“This insightful programme debated whether TV cameras in the courtroom – and the use of social media, like Twitter and Facebook – sacrifice the rights of the accused; or on the other hand, whether public broadcasting serves the rights of the public who wish to see justice being done?”

“While transparency in the court system is a cornerstone of justice, the mantra that ‘for justice to be done, it must be seen to be done’ is certainly tested when the subject of courtroom broadcasting is broached.”

(3) Mary Fanning (producer) and Mary Kennedy (presenter) of RTÉ’s ‘Nationwide’ for their programme: ‘The Law’.

What the judges said:

“This was a surprisingly ‘hard news’ topic for this very popular television magazine-style programme. Due to its popularity across the country, there’s no doubt that this programme fostered a greater understanding of the workings of the courts among viewers, bringing them behind the scenes at the Four Courts and Criminal Courts of Justice, in the company of Chief Justice Susan Denham. Viewers were treated to a potted history of the Bar and got a better understanding of the work performed by barristers.”

(4) Laura Hogan of TV3’s ‘The Morning Show’ for her programme, titled: ‘Rape and sexual assault sentencing’.

What the judges said:

“A number of controversial sentences relating to sexual assault cases were subjected to scrutiny. A panel discussion featuring barrister and UCD lecturer, James McDermott, and Ellen O’Malley Dunlop of the Rape Crisis Centre provided excellent insights to sentencing guidelines already in place and whether these needed to be updated. The programme succeeded admirably in giving viewers a better understanding of how judges come to their sentencing decisions, and touched on mandatory sentencing in the US.”

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