



## *Law Society of Ireland*

### **News Release**

**Friday 2<sup>nd</sup> November 2012**

### **LAW SOCIETY ELECTS NEW PRESIDENT AND CALLS FOR A 'YES' VOTE IN THE CHILDREN'S REFERENDUM**

James McCourt has commenced his term as President of the Law Society of Ireland for the year 2012/13, with effect from Friday, the 2<sup>nd</sup> of November 2012. Mr McCourt is a partner in the law firm O'Mara, Geraghty, McCourt Solicitors, Northumberland Road, Dublin 4. He will serve a one-year term as president of the 13,800-strong solicitors' profession until November 2013.

At today's meeting of the Law Society Council, during which Mr McCourt was elected, the Council voted by an overwhelming majority to lend its backing to a 'yes' vote in next week's Children's Referendum. It is unusual for the Society to take a stance on a referendum, but the significance that the Society attaches to the Children's Referendum is such that it has decided to lend its unreserved support to promoting a 'yes' vote.

The Council of the Law Society considered carefully the text of the proposed Constitutional amendment and concluded that it achieved the correct balance between the autonomy of the family and the rights of the child. It welcomed the fact that the threshold for State intervention would be more child centred and would be defined by reference to the effects of the failure on the child, rather than the reasons for such failure. In the Council's considered view, this proposal achieves the fundamental objective of ensuring that the interests and welfare of the child are fully protected, while respecting the family's right to autonomy.

Commenting on the Council's decision, the new President of the Law Society, James McCourt, said: "The Children's Referendum is an historic development that has the potential to make a real and positive difference to the lives of children in Ireland. In asking the Irish people to support a 'yes' vote, the Law Society maintains that a positive outcome will signal a new beginning for those children who have been let down by the system in the past."

Mr McCourt added: "This referendum is asking the people of Ireland to give children a 'second chance' to experience stability and security within a caring and loving family. There are hundreds of children who are currently caught in a twilight zone between a family that cannot fully care for them and a family that cannot fully adopt them. A 'yes' vote will put an end to this sorry situation."

"The new child protection proposal will ensure family support as the starting point for State intervention. We welcome this, as for too long, family support has been a poor third to child protection and alternative State care in the battle for resources and professional time."

"This referendum will need resources to realise its full potential," he emphasised. "The litmus test for this referendum will be whether it will lead to better decisions for children. If the Government supports this referendum with the necessary resources, I firmly believe that it will result in a better and brighter future for the lives of children in Ireland."

### **BIOGRAPHICAL INFORMATION – MR. JAMES McCOURT:**

James McCourt lives in Sandymount in Dublin. He is the eldest son of Jim and Moira McCourt and has three sisters and one brother. Married to Barbara Cotter (a partner in A & L Goodbody, Solicitors), they have three children, Lucy, Ally and Jeff.

James was educated in Belvedere College, Dublin. He graduated with a degree in Politics and Economics from UCD in 1978. He qualified as a solicitor in 1981, having served his apprenticeship with Pearis Solicitors. His first solicitor position was with the established firm, George D Fottrell & Sons. In 1995, with Ciaran O'Mara and the late Anita Geraghty, he set up the law firm O'Mara, Geraghty, McCourt Solicitors.

Mr McCourt has been an active member of the Law Society Council since 1993. He has served on Council every year since, and has chaired many of the Society's most senior committees, including the Regulation of Practice Committee, the Complaints & Client Relations Committee, and the Litigation Committee. He has been involved in a representative capacity with various bodies, including the Society of Young Solicitors and is a past-president of the Dublin Solicitors' Bar Association.