

CALL FOR PAPERS

‘Judicial Conduct in Ireland: A Framework Fit for Purpose?’

Online Seminar
Friday 22 October 2021

*Irish Council for Civil Liberties
Whitaker Institute and School of Law,
National University of Ireland Galway
School of Law, University of Limerick*

Papers are invited from scholars and practitioners for a seminar on Judicial Conduct in Ireland and the reforms under the Judicial Council Act 2019. Abstracts (maximum 500 words) to be submitted by Friday 20 August 2021.

Background

The establishment of the Judicial Council is a significant development in the ongoing process of reform and modernisation of the Irish court system. Two decades after the establishment of the Courts Service, which gave proper status to the administration of justice, the creation of a body dedicated to supporting and assisting with the particular work of judges brings into sharp focus some key issues and controversies in the legal system.

The functions of the Council include promoting and maintaining excellence in the exercise by judges of their judicial functions, high standards of conduct among judges, the effective and efficient use of resources, continuing education of judges, respect for the independence of the judiciary, and public confidence in the judiciary and the administration of justice. Developing mechanisms, processes, and institutional arrangements to achieve these challenging but very desirable goals will provide the Irish judiciary, and the Irish people, with a system that protects judicial independence and vindicates human rights.

Ireland is in a relatively unique position in not having any formal system for complaints and investigation of judicial misconduct, although one will be established in the near future. The recent controversy related to the ‘Golf-gate’ event also demonstrated the importance and need for established and formalised processes for the investigation of judicial misconduct and for the availability of formal sanctions and a set process for initiating the judicial removal process, with in-built protections for judicial independence and for transparency.

Purpose of Seminar

Jointly convened by the Irish Council for Civil Liberties, the School of Law at NUI Galway and the School of Law at the University of Limerick, the seminar will examine the system which is established by the 2019 Act to deal with complaints of judicial misconduct. It will also compare this to best practice in other jurisdictions. The key research question it seeks to answer is, whether the reforms introduced by the Oireachtas adequately provide for both accountability and transparency while also protecting the paramount principle of judicial independence?

Topics

Topics include: (but are not limited to):

- Guidelines on conduct and ethics
- Guidelines on informal resolution
- Definition of misconduct
- The conduct of investigations
- The form of reprimands and admonishments
- The section 58 reprimand
- Time periods and extensions for making complaints
- The interaction between the Council and the Oireachtas on removal motions
- Judicial conduct and ethics frameworks in other jurisdictions
- Conduct and ethics frameworks for other professions

Important Dates

Submission Deadline: Friday 20 August 2021.

Acceptance Notification: Friday 3 September 2021.

Workshop: 22 October 2021.

It is anticipated that the seminar will take place online. If the public health situation changes to permit it, it will proceed as a hybrid physical/online event.

Following peer review, papers may be published in a special issue of the Irish Judicial Studies Journal.

This seminar is funded by the Irish Research Council.

Submissions and enquiries to: ronan.m.kennedy@nuigalway.ie or to Rónán Kennedy (Law School, National University of Ireland Galway) at +353-91-495626.