

Editorial

Welcome to this special edition of the Irish Judicial Studies Journal.

This edition comprises papers originally delivered at two important events last year; the first was a conference entitled ‘Human Rights in a Time of Change: Perspectives from Ireland and Strasbourg’, hosted by the Chief Justice last October in DCU, to mark the visit of the President and members of the European Court of Human rights to Dublin during Ireland’s Presidency of the Council of Europe Committee of Ministers. The event was a historic one, coming shortly after the election of Judge Síofra O’Leary as the next president of the European Court of Human Rights. Judge O’Leary is both the first woman and the first Irish person to be elected president of an institution which has jurisdiction in respect of 46 member states with a population of 675 million. Out-going President Robert Spano emphasised how important such events are in creating dialogue and in strengthening the on-going conversation on human rights protection. The second event was the conference of the Colloque Franco-Britannique-Irlandais, which is a liaison body for the French, British and Irish judiciary. The purpose is to exchange ideas as to how justice is to be administered as between very different systems of law: the French civil system, with its separate administrative courts and tendency to have the judge as the primary enquirer into the case, and the common law based on precedent and individual statutes, where the judge is less the manager of the case and leaves the presentation to the parties as the tradition in the adversarial courts. In addition to having a bi-annual meeting, from which these papers are drawn, the Colloque also facilitates judicial exchanges whereby judges can travel for a week of observation and study in England, France, Scotland, Northern Ireland or Ireland.

This combination of papers gives us a fascinating special edition where significant insights are provided on matters such as Ireland’s relationship with the ECHR, the role of the European Court in conflict resolution, why the Convention and the judgments of the Strasbourg Court are still important 70 years later, the legitimacy of the Convention in rights-protection, and challenges in protecting fundamental freedoms. Further papers examine aspects of the common law that are often misunderstood, the issue of judgment-writing, including methods of drafting, judge-craft, and the writing of administrative judgments, and we also have a number of papers on different aspects of judicial education and training which also look at perspectives from Northern Ireland, Scotland, Ireland, and France. Some of the papers are presented as delivered on the day and others have been reformulated into an academic style, as per the preference of the authors.

Thank you, as always, to our editorial team at the University of Limerick and to our judicial board; particular thanks to Deputy-Editor Dr Laura Donnellan for all her work, to our copy-editor Bláithín O’Shea, who did trojan work on this edition, and to Saoirse Enright who provided copy-editorial assistance. Final thanks to all of the authors who contributed to this edition.

Go mbainfidh sibh taitneamh as.

Dr Laura Cahillane
Editor in Chief