

# Secrecy fosters abuse of power in legal system

**Sir,**  
Media coverage of the recent events in the courts involving Judge Pattwell, Judge Smithwick, the president of the District Court and some 400 solicitors from the Southern Law Association, has omitted to mention some pertinent facts surrounding such family law cases.

Firstly the family law case was heard "in camera", paradoxically without a camera, a tape recording or any form of reliable and accurate written record of the hearing.

As a rule, there are no stenographers present in the family law courts and none of the court officials or solicitors are required to have any accredited qualifications in accurate note-taking.

This private justice system, without reliable records, by definition prevents justice being done and being seen to be done.

Ordinary people who represent themselves in family courts are sometimes threatened with contempt proceedings. These ordinary taxpaying members of the public are isolated and vulnerable to judicial abuse. They **have no voice and no power-play leverage** unlike that available to solicitor Marguerite Fennell. Where is the equality of justice as guaranteed by our Constitution?

Our recently appointed Chief Justice Keane has stated in a judgement on in camera hearings (April 2, 1998) that "the most benign climate for the growth of corruption and abuse of powers, whether by the judiciary or members of the legal profession, is one of secrecy".

Abuse of power through secrecy, has been exposed over the last decade in all layers of our society. Concerned citizens should expect no less when the legal system is opened up to independent scrutiny.

The events in Kanturk District Court are another glimpse in the incestuous "matrix" which is at the heart of the Irish legal system.

**Liam Ó Gogáin,**  
Mulhovens,  
Dublin Road,  
Dundalk, Co. Louth.

## LETTERS TO THE EDITOR

which works out at £11,400, this will be boosted to £49,400 per annum.

To demand the introduction of a legally enforceable £5 per hour national minimum wage now, tens of thousands of low-paid PAYE workers will take part in a day of action on Saturday, March 11. A massive national march will start at 2pm from the Garden of Remembrance, Parnell Square, Dublin 1, to Dáil Éireann.

Many people and groups on this march will stage a 15-minute sit-down and blockade of O'Connell Bridge on both sides to highlight the scandal of low pay during a time of unprecedented prosperity.

**Paul Kinsella,**  
Larcan Grove,  
Santry, Dublin 9.

**Sir,**  
Every agreement made between the Irish and British governments in the last three decades has been broken by the latter.

The Irish have always delivered their part of the bargains and the British Government has always reneged on theirs.

So what is so surprising in that they have now reneged on this one and flagrantly broken an internationally registered treaty between the two governments. If anybody is looking for the prince of darkness behind all of this, look no further than the British intelligence services. The British establishment is clearly unable to handle the peace. The republican movement and Irish nationalism in all its forms, should take note of this and do not do what the common enemy of the Irish and British people (both of whom want peace) want them to do.

This is a time for steady nerves and commonsense as the demographic tide flows in our favour. The 1798 republican ideal of uniting Protestant, Catholic and dissenter is within our grasp.

**Hugo Finn,**  
Woodstock

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# Letters to the Editor

## Secrecy in our courts .

THE reported comments last week of High Court Taxing Master James Flynn is another glitch in the matrix of the Irish legal system, following on from the Sheedy and Parwell affairs. When Master Flynn was comparing tribunals to star chambers and highlighting the denial of basic human rights, he could equally have been describing the reality of what goes on behind the closed 'In Camera' family law courts.

Whereas one might expect that the work of the tribunals is carefully recorded, there isn't even a system in the family courts for taking accurate records of evidence. This facade

of justice is compounded by preventing anyone from reporting or exposing any miscarriage of justice in the family courts. Therefore public debate is being censored.

The antiquated courts system is simply inappropriate for an information society driven by young, educated Irish women and men. The duty of a good citizen is to keep his mouth open. Citizens of an informed democracy deserve and expect an accountable, open quality justice system. Secrecy in our courts creates a benign climate for the growth of corruption and abuse of powers, whether by the judiciary or members of the legal profession.

**Liam Ó Gógáin,  
Muirhevna,  
Dublin Road,  
Dundalk, Co Louth.**

The Sunday Tribune, in association with the Brian McEniff Hotel Group, will award a prize of a two-day break for two people for the letter adjudged the best each week. This week's winner is **Liam Ó Gógáin of Dundalk, Co Louth**, who wins a break at the Yeats Country Hotel, Rosses Point, Co Sligo. The hotel commands magnificent views of Ben Bulbin and the surrounding coastline. The Yeats Country Club is the hotel's leisure and fitness centre, with swimming pool and all the facilities of a high calibre health club. **Letters must be received by Thursday morning for consideration.**

