First Annual Brian Lenihan Memorial Address

JUDGING

Speaker: The Hon. Mr Justice Bryan McMahon

Chairman: Mr Paul Gallagher SC

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Brian Lenihan Memorial Address

Foreword

It's a great pleasure to welcome you all to the First Annual Brian Lenihan Memorial Address. This event has been organized by the Law School to celebrate the career of one of its most distinguished graduates, Brian Lenihan SC TD, who sadly passed away last summer.

Mr Lenihan studied law in Trinity College Dublin before undertaking postgraduate study at the University of Cambridge. He subsequently worked as a lecturer in Trinity and a barrister in Dublin, taking silk in 1997.

He was first elected to the Dáil in the Dublin West by-election of 1996, winning the seat made vacant by the death of his namesake father. During his time in politics Mr Lenihan held a succession of Ministerial posts: Minister of State for Children (2002-2007), Minister for Justice (2007-2008), and Minister for Finance (2008-2011).

During his time as Minister for Finance, while grappling with the worst economic crisis in the history of the State, Mr Lenihan was diagnosed with cancer. He nevertheless remained in office, devoting his final years to public service. He finally succumbed to his illness on June 10, 2011, shortly after leaving Ministerial office.

The Law School is proud to have contributed to the intellectual and moral formation of such a person. It is hoped that this event will play a modest part in ensuring that Mr Lenihan's great contribution to the Irish State will not be forgotten.

Ar dheis Dé go raibh a anam dílis.

Réamhrá

Is mór an onóir dúinn fáilte is fiche a chur roimh gach duine anseo inniu go dtí an chéad Aitheasc i gcuimhne Brian Lenihan AS TD. D'eagraigh an Scoil Dlí anseo i gColáiste na Tríonóide an ócaid seo chun gairmréim duine dá n-iarscoláirí oirirc a cheiliúradh. Rinne Brian Lenihan, a d'imigh uainn go hóg agus roimh am dó an samhradh seo caite, staidéar ar an dlí anseo i gColáiste na Tríonóide.

Tar éis dó an bhunchéim a bhaint amach chaith sé roinnt ama i Cambridge Shasana, áit ar bhain sé iar- chéim amach san ábhar céanna. Nuair a d'fhill sé ar Éirinn d'oibrigh sé mar leachtóir san ollscoil seo agus mar abhcóide sna cúirteanna. Ceapadh é mar abhcóide sinsearach sa bhliain 1997. Ní raibh sé i ndán dó áfach a shaol a chaitheamh sna cúirteanna.

Rugadh agus tógadh Brian i gclann pholaitiúil agus níor chuir sé ionadh ar dhuine ar bith nuair a toghadh é do Dháil Éireann don chéad uair sa bhliain 1996. Bhuaigh sé an suíochán Dála a bhí ag a athair roimhe. Chaith sé seal mar Aire rialtais sóisearach nó sinsearach i Roinn na Leanaí ó 2002 go 2007, sa Roinn Dlí agus Cirt ó 2007 go 2008, agus mar Aire Airgidis ó 2008 go 2011.

Cé go ndúradh le Brian go raibh ailse phaincréasach air níor tháinig aon mhaolú riamh ar an méid oibre a rinne sé mar aire agus an ghéarchéim airgidis is mó a bhí ann ó na tríochaidí ag suaitheadh na tíre. D'fhan sé mar Aire railtais agus rinne sé a sheacht ndícheall ar son mhuintir na tíre. Cailleadh é faraor sa deireadh thiar ar an 10, Meitheamh, 2011, tamall gearr i ndiaidh dó éirí as mar Aire Airgidis.

Is ábhar mór bróid is mórtais dúinn anseo sa Scoil Dlí gur chaith Brian seal inár measc mar mhac léinn agus mar léachtóir. Tá súil againn go gcabhróidh an ócáid seo linn an gaisce a rinne Brian Lenihan a choinneáil beo i measc an phobail i gcoitinne agus nach ndéanfar dearmad air go deo i measc lucht léinn anseo i gColáiste na Tríonóide.

Ar dheis Dé go raibh a anam dílis.

Judge Bryan Mc Mahon

This evening's address will be on the topic of 'Judging.' During a long and distinguished career in the law, Judge McMahon has worked variously as an academic, a solicitor, and a judge. Almost uniquely among his contemporaries, therefore, he is in a position to offer intellectual, practical, and institutional perspectives on the role of a judge.

Bryan ME McMahon was born in 1942 and has law degrees from University College Dublin and Harvard University. He taught law in University College Cork and practiced as a solicitor before his elevation to the Circuit Court in 1999 and the High Court in 2007. He retired from the High Court in 2011. He is the author of several books and many articles, including (in collaboration with Professor William Binchy) the seminal Law of Torts.

Cainteoir: *An Ró-ónórach , An Breitheamh Bryan McMahon*

Is é ábhar na cainte anocht ná ceird an bhreithimh sa chúirt. Tá na blianta fada caite ag an nBreitheamh Bryan McMahon i saol an dlí mar léachtóir, mar aturnae agus mar bhreitheamh. Ciallaíonn sé seo go bhfuil léargas doimhin agus annamh le tabhairt aige dúinn ar ról an bhreithimh sna cúirteanna agus ar ról an bhreithimh sa tsochaí i gcoitinne.

Rugadh Bryan ME Mc Mahon sa bhliain 1942. Tá céimeanna dlí bainte amach aige ó Choláiste na hOllscoile Bhaile Átha Cliath agus ó Ollscoil Harvard sna Stáit Aontaithe. Ba leachtóir é tráth i Roinn an Dlí i gColáiste na hOllscoile Corcaigh agus chleachtaigh sé mar aturnae sular ceapadh é mar bhreitheamh sa Chúirt Chuarda i 1999 agus arís san Ard-Chúirt i 2007. D'eirigh sé as a chuid dualgaisí sa bhliain 2011. Anuas ar seo ar fad is údar aitheanta é agus tá neart leabhar agus altanna foilsithe aige.

Mr Paul Gallagher SC

Our chairman this evening is a leading Senior Counsel and a former Attorney General of Ireland. He was also a friend of Mr Lenihan's and a colleague of his at the bar and in Cabinet.

Mr Gallagher was born in 1955. He holds a law degree and a degree in history and economics from University College Dublin and a masters' degree from Cambridge University. He was called to the Irish bar in 1979, taking silk in 1991. He was made a Bencher of the King's Inns in 2005 and served as Attorney General of Ireland between 2007 and 2011.

Cathaoirleach: *An t-Uas Paul Gallagher AS*

Is é ár gcathaoirleach anocht ná An t-Uas Paul Gallagher. Is abhcóide sinsearach é Paul Gallagher. Bhí Paul Gallagher an-mhór le Brian Lenihan agus d'oibrigh siad beirt le chéile mar abhcóidí sna cúirteanna. Anuas ar seo nuair a bhí Brian Lenihan ina Aire rialtais shuigh Paul Gallagher ag an mbord comh-aireachta céanna mar Ard-Aighne.

Rugadh an t-Uas Galagher sa bhliain 1955. Bhain sé céim amach sa dlí agus céim eile sa Stair agus san Eacnamaíocht i gColáiste na hOllscoile Bhaile Átha Cliath agus tá céim Mháistreachta sa dlí aige ó Ollscoil Cambridge Shasana. Thosaigh sé ag obair mar abhcóide sa bhliain 1979 agus ceapadh ina abhcóide sinsearach é sa bhliain 1991. Is Binseoir é in Óstaí An Rí agus, mar a luadh ó chianaibh, chaith sé seal mar Ard-Aighne sa rialtas ó 2007 go 2011.

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