

THE FIRST
JOINT MEETING
OF THE
**MEDICO-LEGAL
SOCIETY OF IRELAND**
AND THE
**NORTHERN IRELAND
MEDICO-LEGAL
SOCIETY**



Founded in 1956



Farmleigh
Phoenix Park
Dublin

**Saturday January 24th
2009**

Acknowledgements & Thanks

The President
and Council of the Medico-Legal
Society of Ireland
express grateful thanks to the following for
their generous support and help
in organising this meeting.

H.E. Mary McAlleese, President of Ireland

Department of An Taoiseach and the
Office of Public Works

Merck Sharp & Dohme

The Manager and Staff at Farmleigh

Dr Shelia Willis PhD, Director,
Forensic Science Laboratory

With Taste Catering

Chairman, Management and Staff of the
Kildare Street & University Club

Miss Beryl Stone



UACHTARÁN NA hÉIREANN
PRESIDENT OF IRELAND

MESSAGE FROM PRESIDENT McALEESE

For many decades the Medico-Legal Society of Ireland and the Northern Ireland Medico-Legal Society have accomplished much in the cause of building understanding and promoting discussion and debate between two old and venerable professions, medicine and law. Your first joint conference meeting in Farmleigh House, Dublin on the theme of “Medicine, Law and Human Rights” provides yet another unique opportunity to explore challenges and share experiences.

When I spoke recently at Queen’s University in Belfast, I referred to the significance of the distilled wisdom of the two professions which has underpinned the work of the two organisations for the benefit of all the people on this island. You, more than most, appreciate that we work best when we work together and your societies exemplify what is to be gained from collaboration and partnership.

I wish you every success in your deliberations and hope that you have an enjoyable and fruitful experience in Dublin.

A handwritten signature in black ink that reads "Mary McAleese".

MARY McALEESE
PRESIDENT OF IRELAND



Céad Míle Fáilte

On behalf of the Medico-Legal Society of Ireland, it gives me great pleasure to welcome our distinguished guests and speakers, friends and in particular the President, Officers and Members of the Northern Ireland Medico-Legal Society to this, the First Joint meeting of our two Societies.



Founded in 1956

The Medico-Legal Society of Ireland was founded in 1956 to provide a forum, promoting knowledge and understanding between the medical and legal professions. One of our founder members was the notable Belfast surgeon, Ian Frasier, President of the Royal College of Surgeons in Ireland 1954-1955, who was later knighted. So the “Northern” connection has existed since the beginning of this Society.

In 1976, the Northern Ireland Medico-Legal Society was founded and friendly relations have always existed between the two Societies.

We celebrated our 50th anniversary in October 2006 with a Conference at Dublin Castle and we were surprised and delighted with the attendance of many members of the Northern Ireland Society. Our Societies have much in common and our respective annual programmes of topics and speakers are always interesting and thought provoking. For a long time, it seemed obvious to me that we should have a joint meeting, to explore important and emerging areas common to both professions, in both the jurisdictions and also to have the opportunity to get to know each other better.

My suggestion for a joint meeting was enthusiastically received by the then President of the Northern Ireland Society, Lord Justice Sir Paul Girvan, and it was he who suggested the theme of Medicine, Law & Human Rights.

This theme could not be more apt, as the 60th Anniversary of the Universal Declaration of Human Rights took place in December 2008. Although enunciated only sixty years ago, the concept of individual dignity and rights are and always have been, core values in the practice of both medical and legal professions over thousands of years. It is fitting that we should consider this theme today.

We are especially grateful to H.E. Mary McAleese, Uachtarán na hÉireann, for her support of this meeting and for her kind and thoughtful hospitality.

We are fortunate in having this splendid and historic setting for our meeting today and we are grateful to the Department of An Taoiseach and the Office of Public Works in allowing us the use of Farmleigh.

We acknowledge the generous support of Merck, Sharp & Dohme, our principal sponsors, without whose financial help the successful organisation of this meeting would have been impossible.

I look forward to meeting you all and to an enjoyable and thought provoking meeting.

**Dr. Antonia Lehane, LRCS&PI, MRCGP, MFF&LM(RCPLond)
President, Medico-Legal Society of Ireland.**





PROGRAMME

Programme of First Joint Meeting of the Medico-Legal Society of Ireland and the Northern Ireland Medico-Legal Society

Saturday, 24th January 2009
Farmleigh, Phoenix Park, Dublin.

“Medicine, Law & Human Rights”

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| 10.00am – 10.30 am | Registration |
| 10.30am | Opening address
Dr. Antonia Lehane, President, Medico-Legal Society of Ireland |
| 10.40am | Chairman
Dr. Shelia Willis PhD, Director, Forensic Science Laboratory |
| Speakers | <ul style="list-style-type: none">- Prof. D. O’Corrain, Professor of Mediaeval History, University College Cork- Prof. Robert Daly, Consultant Psychiatrist, Member, Irish Human Rights Commission- The Hon. Mr Justice John Hedigan, The High Court, Former Judge, European Court of Human Rights |
| 12.45 – 2.15 | Lunch |
| 2.15pm | Lord Justice Sir Paul Girvan, Court of Appeal, Northern Ireland |
| 2.45pm | “Questions & Answers” panel discussion on “Medicine, Law & Human Rights”,
Chairman; Senator Professor Ivana Bacik.
Panel of the above speakers and
<ul style="list-style-type: none">- Dr. M. Bhamjee, Consultant Psychiatrist, former TD,- Dr. Patrick McGrath, Senior Clinical Forensic Physician, Northern Ireland. <i>**Delegates are invited to submit questions to the panel in advance.**</i> |
| 4.00pm | Close of Meeting; Mr. Colum Harvey FRCSI, President, Northern Ireland
Medico-Legal Society |
| 4.30pm – 5.30pm | Reception at Áras an Uachtarán, Phoenix Park
by kind invitation of H.E Mary McAleese, President of Ireland, |
| 7.30pm | Reception at the Kildare Street & University Club, 17 St. Stephen’s Green, Dublin 2. |
| 8.00pm | Gala Dinner, Kildare Street & University Club, (Black Tie) |
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BIOGRAPHIES

Dr. Sheila Willis B.Sc; Ph.D M.Ss. (mgt) FRSC, FICI, FFSSoc. has been Director of the Laboratory since 2002. Before that she held positions of Deputy Director and Head of Chemistry. She has worked in the laboratory since the early days of its establishment. She is active in a number of professional bodies and was chair of the European Academy of Forensic Science from 2003 –2006. She was President of the Medico Legal Society 2003-2005. She is particularly interested in the importance of interpretation of scientific findings in the context of the case and is of the opinion that forensic science, while much in demand, has not yet been exploited such that the full potential and limitations are clear to the many stakeholders in the police and legal arena.

Professor Donnchadh Ó Corráin is an Irish historian and is Professor of Medieval History at University College Cork. He is an early Irish and mediaeval historian and has published on the Viking Wars, Ireland in the pre-Hiberno-Norman period and the origin of Irish language names. Professor O'Corrain has been a feature of UCC life since he won the televised Irish Times Debating Competition final with Anthony J. Adolph in the 116th Session. He founded and directed the ArCH, CELT and MultiText Projects in UCC. His interests include: the history of the Early middle ages (fifth to twelfth centuries), and especially early medieval Irish history, Irish law, the Irish church, Medieval Irish literature, Irish culture, genealogy, Irish manuscripts, Viking studies, computer applications in the humanities, especially the creation of corpora and the analysis of text

Professor Robert Daly was first appointed a Human Rights Commissioner in 2001 and re-appointed in 2006. Robert is an expert on Posttraumatic Stress Disorder, on the psychiatric effects of interrogation and torture and on the medical aspects of human rights in general. In the past he represented the Irish Government in the torture case against the UK at the European Commission on Human Rights, was a member of Amnesty International's Medical Advisory Board awarded the European Peace Prize, advised the American Civil Liberties Union, and has worked for victims of abuse in Latin American States and the Balkan Wars. He has evaluated programmes of the European Commission and the Council of Europe in many parts of the world. He has also been a trainer for the Committee for the Prevention of Torture, for human rights workers in the Kosovo conflict, etc. He has served as an expert witness in numerous human rights-related cases in Ireland and the UK. He served on the World Psychiatric Association's Committee dealing with allegations of abuse and, when Chairman of the Irish Division of the Royal College of Psychiatrists, advised the Minister for Health on changes in Mental Health law. He was formerly Dean of Medicine and head of the Psychiatry Department at University College Cork, Clinical Director in the Southern Health Board and a member of the Medical Research Council.

The Hon. Mr Justice John Hedigan

John Hedigan is a Judge of the High Court of Ireland, having been appointed by the President in April, 2007. For the previous eight and a half years he was the Judge from Ireland on the European Court of Human Rights in Strasbourg. That Court has one Judge from each of the 47 countries that make up the Council of Europe.

On the European Court of Human Rights he was Vice President of one of its five sections. He served as Chair of the committee on Status and Conditions of Judges of that Court and as Chair of the Information Technology Working Party. He also served on the Rules Committee of the Court and on its Library Committee.

Prior to his election as a Judge of the European Court of Human Rights, Judge Hedigan was a Senior Counsel for eight years and a Junior Counsel for fourteen years before that. He is a member of the English Bar and the Bar of New South Wales. He was educated at Belvedere College Dublin, Trinity College Dublin and King's Inns.

Judge Hedigan has lectured widely in Europe, the United States and Africa.





BIOGRAPHIES

Senator Ivana Bacik

Ivana Bacik was born 1968 and has served as Reid Professor of Criminal Law, Criminology and Penology at Trinity College Dublin since 1996, and was made a Fellow of Trinity College Dublin in 2005. She was elected a Senator for the Dublin University Seanad Éireann constituency in July 2007. She has an LL.B. from TCD and an LL.M. from the London School of Economics. She was called to the Bar of England and Wales in 1992, and to the Irish Bar in 1994, where she now practises as a barrister. She teaches courses in Criminal law; Criminology and Penology; and Feminist Theory and Law at Trinity. Her research interests include criminal law and criminology, constitutional law, feminist theories and law, human rights and equality issues in law. She has two young daughters and enjoys travel and theatre amongst a wide variety of interests.

Lord Justice Sir Paul Girvan

Born 20 October 1948. Educated at Belfast Royal Academy till 1967. Attended Clare College, Cambridge 1967-1970. Studied French and German in First Tripos and Law in Second Tripos. Attended Queen's University Belfast 1970-1971. Called to Bar of Northern Ireland 1971 (First Place in English Bar Finals 1971) Appointed Junior Crown Counsel (Chancery side) in 1978. Appointed QC in 1982. Specialised in Chancery, Commercial and Property Law together with medical negligence cases. Appointed Judge of the High Court of Northern Ireland in April 1995. Assigned to the Queen's Bench Division. Appointed Chancery Judge in 1997. Transferred to take charge of the Judicial Review list in 2004 and thus had to conduct large number of high profile judicial review cases. Appointed as Lord Justice of Appeal in January 2007 and appointed member of the Privy Council at same time. Areas of special interest: Public Law, Chancery, Human Rights, Commercial and Property Law. President of the Northern Ireland Medico-Legal Society 2007-2008. Formerly Chairman of the Law Reform advisory Committee for Northern Ireland. Chancellor of the Church of Ireland Archdiocese of Armagh.

Pastimes: art, painting, literature, walking, badminton and golf.

Dr. Moosajee Bhamjee

Dr. Bhamjee was born in South Africa of Indian parents. He first came to Ireland in 1965, studying medicine at The Royal College of Surgeons in Dublin before training in Psychiatry in Cork. He has worked as an Adult Psychiatrist in Co. Clare since 1983. In 1992 he came to national prominence when he was elected to the Dáil as a Labour T.D. for County Clare, becoming the first muslim T.D. in Irish parliamentary history. He served in the Dáil until 1997, when he retired from active politics to continue his career in the health service.

Dr. Patrick McGrath

Pat McGrath is a former GP and ENT surgeon who now practices as a Forensic Physician in Co Antrim. He has always had a strong interest in Medical Ethics and in 1993 took an MPhil in the subject at Queen's University Belfast. He currently teaches Medical Ethics and Law as a visiting professor on a Masters course in Forensic and Legal Medicine at the University of Ulster and is a Foundation Fellow of the Faculty of Forensic and Legal Medicine of the Royal College of Physicians. Pat holds a number of public appointments including membership of the Parole Commission for Northern Ireland.



FARMLEIGH, PHOENIX PARK, DUBLIN

Farmleigh, originally built in the mid 18th Century, was a modest country house when purchased by Edward Cecil Guinness, great grandson of the famous Arthur and head of the Guinness brewing firm in 1880. He extended the original house which now occupies the central part of the large mansion you see today. A variety of architectural styles can be seen in Farmleigh but the overall impression is one of opulence, built to impress and to reflect the importance and wealth of the Guinness family. It was no accident that Edward Guinness chose Farmleigh as his home, being very close to the brewery, with his nearest neighbour being the Lord Lieutenant at Vice-Regal Lodge.



The Prince of Wales was entertained at Farmleigh, during his visit to Ireland in 1885, while Edward Guinness was High Sherriff of Dublin. He was created a Baronet later that year. The house was further extended over the next twenty years with the addition of the magnificent ballroom and conservatory. Many of the artworks and furnishings collected remain in the house, on loan from the Guinness family. Farmleigh remained the Irish home of Sir Edward Cecil, who was created 1st Earl of Iveagh in 1919.

In the 1960s and 1970s, the 3rd Earl of Iveagh, Benjamin Guinness and his wife Miranda made Farmleigh their principal home and brought up their young family there. They were active in Irish business and social life and Lord Iveagh was appointed to Senad Eireann in 1973. He died in 1992 and was succeeded by his son, Arthur Edward Rory, 4th Earl of Iveagh.

Farmleigh was purchased by the Office of Public Works on behalf of the Government in June 1999 and developed to provide accommodation for visiting dignitaries and guests at high level Government meetings and for enjoyment by the public.

The extensive pleasure grounds are a wonderful collection of Victorian and Edwardian ornamental features with walled and sunken gardens, scenic lakeside walks and a range of plants that provide both visual and horticultural interest throughout the seasons. The Estate also boasts a working farm with a herd of Kerry Black cows. The Benjamin Guinness collection of rare books remains in the library at Farmleigh.

The Phoenix Park

Phoenix Park extends to over 1,800 acres and is the largest enclosed public Park in any European city. It was originally formed as a royal hunting Park in the 1660's and opened to the public in 1747. A large herd of fallow deer still remain to this day. The Park is also home to the Zoological Gardens and Aras an Uachtarán and Victorian flower gardens. The Phoenix Park is only 1.5 miles from O'Connell Street. Both passive and active recreational pursuits may be viewed or pursued such as walking, running, polo, cricket, hurling, etc. The Glen Pond is set in very scenic surrounds in the Furry Glen. There are many walks and cycle routes available to the public.

Áras an Uachtarán

Now the Residence of the President of Ireland, Áras an Uachtarán, started as a modest brick house for the Phoenix Park Chief Ranger in 1752. It was subsequently acquired as an occasional residence for the Lords Lieutenants and gradually evolved into a large mansion. After Ireland gained independence, it was occupied by three Governors General between 1922 and 1937, prior to the first president Dr Douglas Hyde taking up residence there. 19th century architects Francis Johnston, Jacob Owen and Decimus Burton, and more recently, Raymond McGrath, as well as stuccodores Michael Stapleton and Bartholomew Cramillion contributed to the gradual expansion of its gardens and interiors.



MEDICO-LEGAL SOCIETY OF IRELAND HISTORY

The Medico-Legal Society of Ireland was founded in August, 1956 following a meeting held in the Royal Marine Hotel, Dun Laoghaire, Co. Dublin. It was agreed that a need then existed for a society in which doctors and lawyers would meet and discuss topical issues of mutual interest. The meeting was called by Dr J.P. Brennan, Coroner, who was elected as the first President of the Society. Others present at that initial meeting included Mr. Justice Murnaghan who took the chair, Dr. Patrick Meenan BL, Dr. Maurice Hickey, Mr. Michael Leech, Solicitor, Mr. L. Trant McCarthy, Solicitor, Dr. C.S.P. Hamilton and Dr. Brennan. The then Chief Justice of Ireland, Mr. Justice Conor A. Maguire became the first patron of the Society.

The first elected officers of the Society were:

President:	Dr. J.P. Brennan
Vice-Presidents:	Mr. Ian Frasier, FRCS Mr. D. O'Donovan, Chief State Solicitor, Professor R.A.Q. O'Meara, Mr. D. Costigan, Commissioner of An Garda Síochána Judge J.A. McCarthy
Honorary Secretary:	Mr. M. Leech
Honorary Treasurer:	Mr. J.A. Kelly
Editor of Debates:	Dr. J.F. Fleetwood
Council:	Mr.E. Fahy B.L., Mr. Sean Hooper S.C., Dr. P.N. Meenan, M.D. B.L., Dr. M. Hickey M.D., Dr. D.A. McErlean M.D. Dr. Francis McLaughlin M.D.

The inaugural meeting of the Society was held in the Dolphin Hotel, Dublin on the 29th October, 1956 when a paper entitled "The Mind and Crime" was delivered by Judge J.A. McCarthy, a Vice-President of the Society. Notable events in the early history of the society included a reception and luncheon held in the Gresham Hotel, Dublin on the 3rd August, 1957 to mark the visit of the American Bar Association, which was headed by Earl Warren, Chief Justice of the United States of America.

The Society celebrated its 50th Anniversary in October 2006 with a Conference at Dublin Castle on the topics of "Bioethics" and "Acquired Infections"





THE MEDICO-LEGAL SOCIETY OF IRELAND

Patron Dr Desmond McGrath KSG FRCPI FRCPsych

Council 2008-2009

President	Dr Antonia Lehane MFF&LM (RCPLond)
Immediate Past President	The Hon Mr Justice Peter Kelly
Hon Secretary	Dr Mary Davin-Power MRCPGP
Hon Treasurer	Mr Dermot Manning BL
Council Members	Mr Harold Browne FRCSI
	Mr Niall Browne, Solicitor
	Prof Denis Cusack BL FFF&LM(RCPLond)
	Dr Joseph Galvin FFARCSI
	Mr John McCoy BL
	Ms Maeve McQuaid, Solicitor
	Dr Simon Mills BL

Hon Auditor Dr Grainne Columb

European Council
of Legal Medicine
representative Prof Denis Cusack

Hon Secretary Dr Mary Davin-Power MRCPGP
3 Beresford Avenue, Drumcondra, Dublin 9.
Email: davinpower@gmail.com

Membership of the Society is open to members of the Medical and Legal Professions and to those with a professional interest in Medico-Legal subjects.

www.medico-legalsociety.ie



OFFICERS OF THE SOCIETY

Dr. Antonia Lehane

Dr. Antonia Lehane was elected President of the Medico Legal Society of Ireland in June 2007, having formerly served as the Honorary Secretary. She graduated from the Medical School of the Royal College of Surgeons in Ireland in 1982, She received post graduate vocational training in general practice and achieved MRCP and MICGP in 1986.

She is a principal in general practice since 1989 and was attached to the Rotunda Hospital Sexual Assault Treatment Unit for over seventeen years. She completed the DMJ course of the Forensic Medical Service, London Metropolitan Police and obtained the Diploma in Medical Jurisprudence (Clinical) in 2005. She was elected a Foundation Member of the Faculty of Forensic and Legal Medicine, Royal College of Physicians, London in 2006. She regularly lectures both undergraduate and postgraduate students in medico-legal topics including examination and treatment of sexual assault and has represented the Irish Medical Organisation on departmental review committees.



Dr. Mary Davin Power

Dr Mary Davin-Power is the Honorary Secretary of the Medico Legal Society of Ireland. She qualified in Medicine from the Royal College of Surgeons in Ireland in 1982. She specialised in General Medical Practice and was a Principal in an NHS Primary Care Centre in Berkshire, UK before returning to live in County Clare where she spent 15 years in General Practice. A large part of her practice involved medico-legal work of both criminal and civil cases, working closely with local solicitors and Gardai, thus sparking her interest in the subject. She now lives in Dublin where she practices in Student Healthcare in TCD and is also a CME (Continuing Medical Education) tutor for GPs on the North Side of Dublin under the auspices of the Irish College of General Practitioners. She is presently in the latter stages of a Masters degree in Medical Education.



Dermot Manning BL

Dermot Manning B.L. is the Honorary Treasurer of the Medico Legal Society of Ireland. He studied law in University College Dublin and graduated in 1989. After receiving a Diploma in Business Studies at the Michael Smurfit Graduate School of Business in 1990, he attended the Kings Inns and was called to the Irish Bar in 1992. He has practised at the Bar since, on the Dublin and Eastern Circuits and has a varied civil and common law practice. He was called to the Bar of Northern Ireland in 1999. He is the Assistant Editor of the Irish Reports and also serves as a Chairperson of the recently established Mental Health Tribunals.





NORTHERN IRELAND MEDICO-LEGAL SOCIETY

Officers & Council 2008-2009

President	Mr Colum Harvey FRCSI
Hon Secretary	John P B Maxwell BL
Hon Treasurer	Ms Avril Robb
Immediate Past President	Lord Justice Sir Paul Girvan

Council Members

Mr Alan Blackburn
Dr John Burton
Mrs Diane Drennan
Lady Christine Eames
Mrs Iryna Kennedy
Mr Roy Maxwell
Dr Pat Potter
Dr Keith Steele
The Hon Mr Justice Stephens





OFFICERS OF THE SOCIETY

Mr Colum Harvey FRCSI


Mr. Colum F Harvey is the President Northern Ireland Medico-Legal Society and is a Consultant Surgeon at the Mater Hospital, Belfast. He graduated in Medicine from Queen's University, Belfast in 1975 and afterwards trained in surgery. He was later awarded Fellowship of the Royal College of Surgeons in Ireland. He graduated with an MA in Medical Ethics and Law in 1997 and an MSC in Medical Education, both from Queen's University, Belfast. His interests in surgery include colorectal and vascular surgery. Other interests include medical ethics, and he was formerly a member of the Northern Ireland Medical Ethics Forum and member of Queen's University Research Ethics Committee. He is a tutor and Examiner in Surgery with the Royal College of Surgeons of Ireland and was formerly Clinical Director of Surgery in the Mater Hospital, Chairman of Medical Staff and Medical Director sitting on the Trust Board of the Mater Hospital and was the lead Clinician in Clinical Governance Issues.

John P Maxwell, Honorary Secretary, Northern Ireland Medico-Legal Society since 2001. Born 25 May 1942. Educated at Mourne Grange School, Kilkeel, Co Down and Cheltenham College, Cheltenham, Gloucestershire. Attended Trinity College Dublin, graduating with MA in General Studies and LLB. Attended Inns of Court, Northern Ireland and Gray's Inn, and called to the bar of Northern Ireland in 1971. Currently practices at the Bar of Northern Ireland with an interest in criminal law.

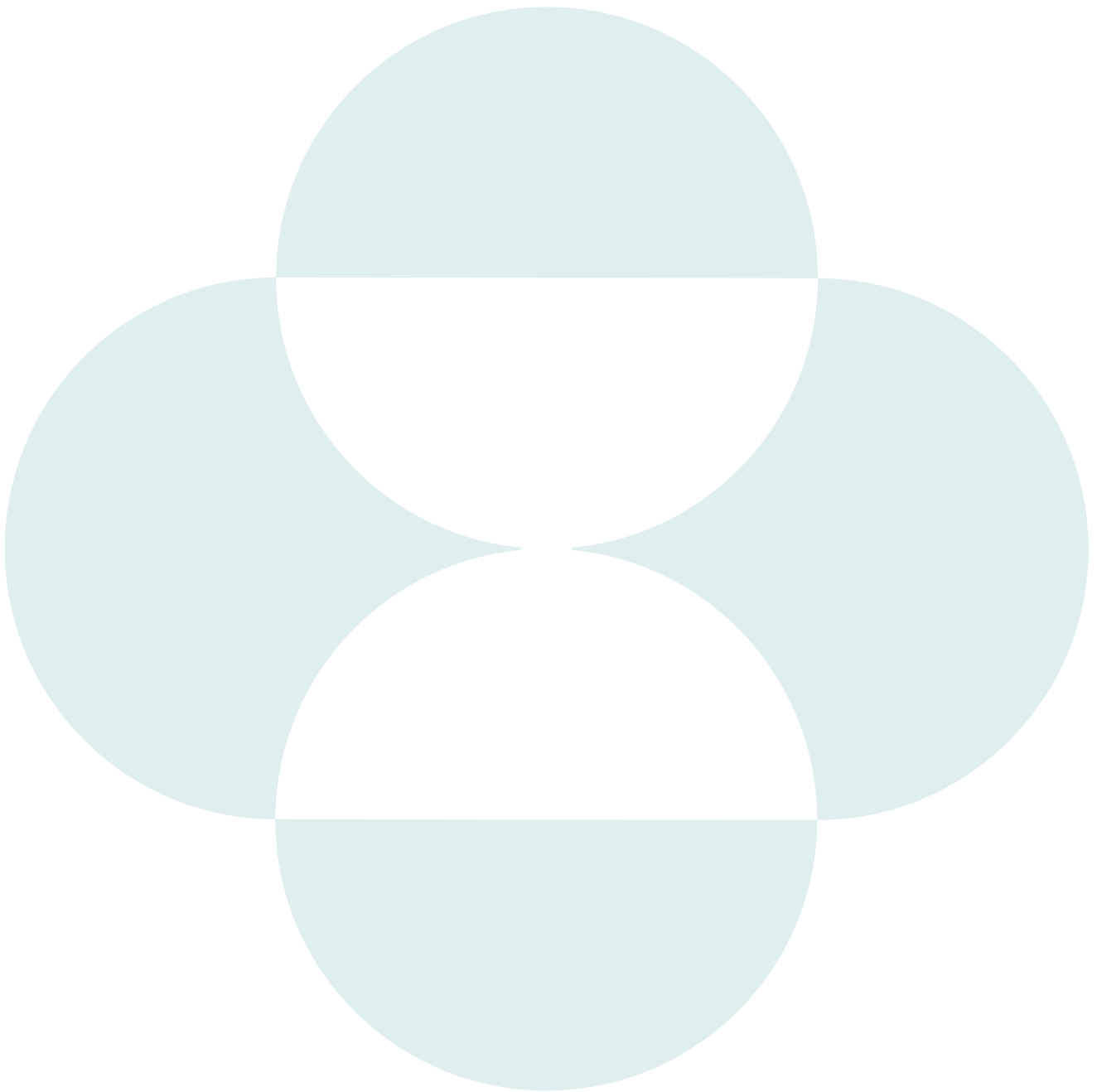
Appointments:-Member of the Magistrates Court Rules Committee since 1985. Member General Council of the Bar of Northern Ireland 1996-2000. Teaching Assistant at the Institute of Professional Legal Studies since 1977 specialising in Criminal Procedure and Advocacy Skills. Director Northern Ireland Pro Bono Scheme. Under Treasurer of the Honorable Society of the Inn of Court of Northern Ireland 2009. Trustee of Belfast Operatic Company.

Avril Robb

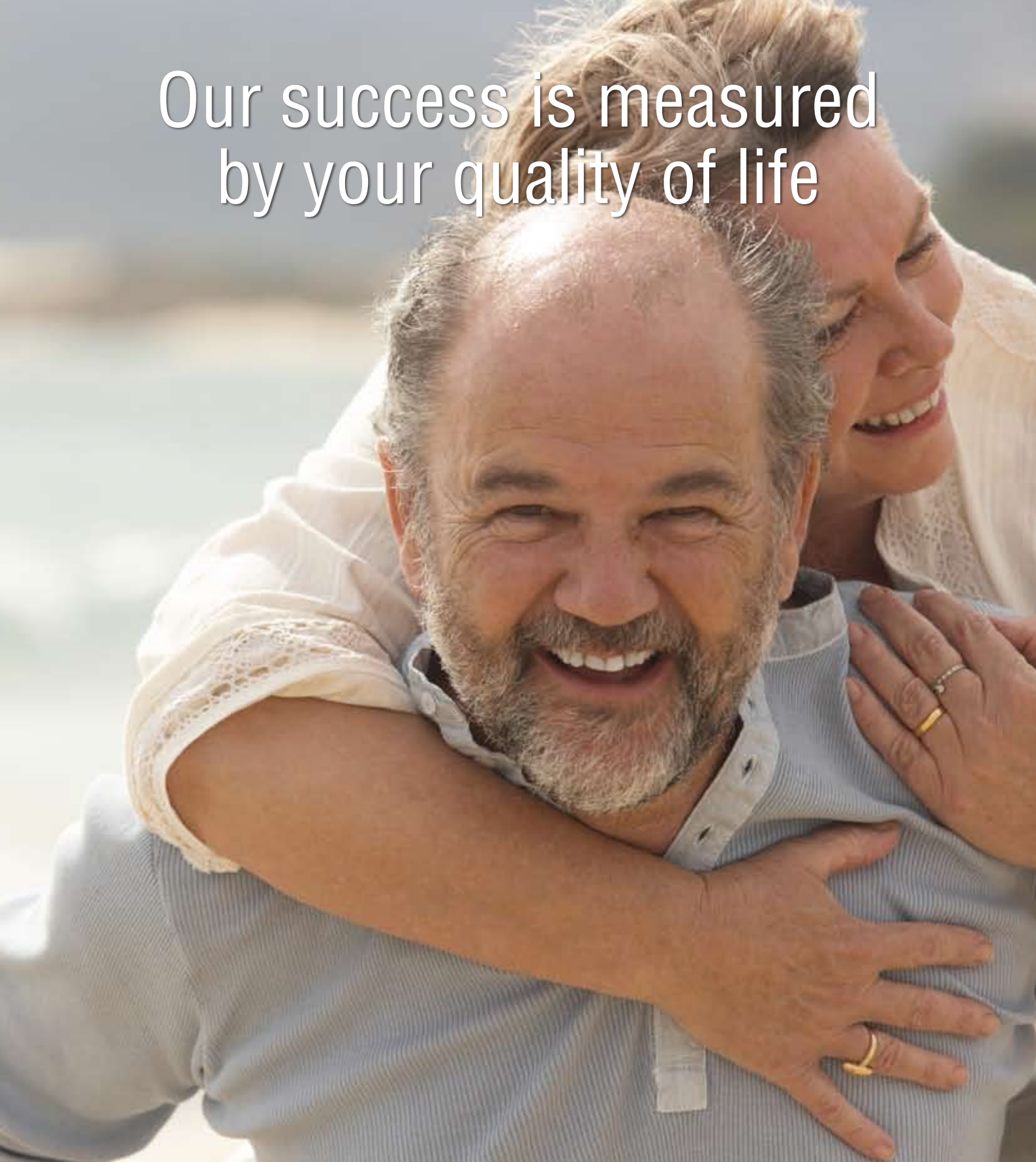
After attending Belfast Royal Academy and Queens University Belfast, Avril qualified as a solicitor. In 1981 she joined Wallace Harris & Robb, a firm that was first established in Dublin as Wallace Harris and which moved to Belfast in 1890 and where she remains still. She joined the Medico Legal Society of Northern Ireland in 1984 and like her father before her, became the Honorary Treasurer the following year, a post she has held for the past 28 years. Avril enjoys reading, music and singing in the Belfast Philharmonic and choir.



NOTES



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