Mark Tighe's "Jobs For The Boys? The imminent referendum on whether to establish an appeal court has sparked fears the justice minister will put supporters on the bench," quoting Tillman

Seth Barrett Tillman

Proponents of the new court and the independent Referendum Commission have expressed concern that this proposal has not received enough media coverage.

Alan Shatter, justice minister, has criticised RTE over its lack of coverage. He claimed the public service broadcaster mistakenly believes that unless it can balance debates with an advocate from the No side, it cannot report on the referendum at all.

While Mattie McGrath is the only TD to question the need for a Court of Appeal, several lawyers have done so, including Seth Barrett Tillman, a law lecturer at NUI Maynooth; Michael Williams, a retired solicitor; and Bernard Neary, a former registrar of the Court of Criminal Appeal. So what exactly is the government asking us to vote for? Should we be worried this referendum may pass without adequate public debate? IT IS only in the past week that the justice department has revealed the costs associated with a new Court of Appeal, saying it will consist of 10 judges, including a president who would become the second most senior judge after the chief justice. The department estimates the court will cost up to (EURO)3m a year. It is expected the judges will sit in divisions of three, with one division dedicated to criminal appeals. The Court of Appeal will sit between the High Court and the Supreme Court. If established, most appeals that currently go to the Supreme Court will instead be heard by the new court. The Supreme Court will hear appeals from the Appeal court only if it decides there is a matter of public importance or if the interests of justice require it. The Supreme Court will only accept appeals directly from the High Court on the same grounds. Further details will be given in an implementation bill to be published after the referendum.