



Oifig an Príomh Bhreitheamh
Office of the Chief Justice

Valedictory Address

**Delivered by Mr Justice Peter Charleton in the Supreme Court on 27
March 2026**

Your kind words are so nice and they are much appreciated by me, by my wife Fiona and by Clara, Anna, Maitiú, Simon and Eli and by my surviving sisters Georgina and Isabel. It has been an honour to serve here and in the High Court and Court of Appeal and to work with my colleagues and to be supported and befriended by all those who work for the courts and in the Judicial Council. So, thank you all.

Of the essence of this is the public face of a person, what they have done or tried to do, or have left undone. But, after 47 years as a barrister and as a judge, really what tends to stay with me are the very private moments that somehow enter your heart and make you what you should be, even if you can never fully realise that ideal.

Growing up in any family, there are phrases which recur again and again. For us in 8 Hillside Drive, we were used to, and ignored, West of Irelands admonitions like “the truth always hurts” and “throwing away food is flying in the face of God”, but my mother and father also endlessly repeated a phrase from the inaugural address of President Kennedy and took the trouble to bring us all, including my late siblings Mary, Colette, Pauline and Gregory in to see him in Georges Street: “Ask not what your country can do for you, rather ask what you can do for your country.” And there was an example of that living less than a hundred yards from us in the shape of Seán Lemass. Curiously, reading a biography of him recently, in 1922 he was occupying this building as part of the anti-Treaty forces whose defiance resulted in where we are now being smashed to smithereens. Lives can change, even radically, but as a small boy visiting his next-door neighbours, we used to see him walking to his State car and noticed as we grew up that his steps became shorter and more considered. It was the walk of a man who had not been content to rust-out in life but, rather, had worn himself out in pursuit of the cause he served, our country.

Again, it may be said in public that such-and-such a person attended UCD or wherever but that is never the point. Our human race survives on passing the hard-won gifts that life, sometimes painfully, teaches us and it is in the influence of the wise that real intelligence is enabled. For me, that came not just with my mother

and father but also with my immensely kind piano teacher Elizabeth Huban with her infinite patience, and her admonition “there is only one standard”, and in teachers such as Father Martin Maiben, devoting himself in Trinidad and Dublin to English, French and music, and Ciarán Brannigan, who taught Russian, Greek and Latin in Saint Mary’s but who’s asides into Herodotus and Catullus and Plato allured young minds into feeling that scholarship and ideas were ours to grasp. Just examples.

Occasionally, a biography will touch on friendship, such as the life-long bond between Jimmy O’Dea and Seán Lemass, but it also is our friends who make us. Actually, this is the first time since my wedding in 1988 that I’ve had to not budge and listen to someone talking about me. Back then it was Michael Collins, as my best man. Even now, I remember my first chat in the library with Michael, and how that led to us sharing the ups and downs of our parallel lives, his toleration and enthusiasm, and my other friends who are here and would be embarrassed as I’m sure I’ve embarrassed him and would be embarrassed further by mention. But some are beyond embarrassment, regrettably, like Eamon Leahy, but I think Mary Hanafin is here, or the brilliant Tom O’Connell, or Ciarán Clarke and my collaborator Paul Anthony McDermott: but shout out to Harry and Andrew because it’s great to see you here with Annick.

But, what is the real nature of legal practice? What is it all about? My late brother married into a French military family. As the Charleton’s only French speaker apart from Gregory, when they came to Ireland, I was deputed in my student days to be their guide. Naturally, we visited the Gallery, the National Museum, Trinity College, and the bodies across the road in Saint Michan’s: all went well and I thought that maybe they should see the Four Courts, as my future place of work and a beautiful public building. Monsieur Beaugendre, that is what I always called him, had an unusual calling card with, obviously, his name on it but instead of qualifications, SC, or LLB, it was inscribed with images of two medals; the Croix de Guerre and the Legion d’honneur. Our visit to here was a disaster. Monsieur Beaugendre walked into the Round Hall and had a complete breakdown. Somehow he sensed the misery that brings people to the courts. And he was one tough cookie who had fought in French Indochina and seen comrades killed or succumb to disease: but he could not take this place. It’s something I always remembered and, actually, you notice people waiting for their cases how they lean their heads against the stone walls, the drained look they have.

We are here to serve them. I cannot say that I have done so perfectly, but trying is the main thing. I suspect, again in the private realm, there are judges we all admire who are not the obvious suspects, so to speak. Okay, there are the obsessed litigants who drive us all to distraction, but most people are genuine and come in here only because of distress and because it is a last gasp, a last straw to clutch at. And if

litigation is torture, and it is, lessening that, as we all do by politeness, by coming to the point, is a balm: but the best medicine of all is telling people efficiently how their case has come out. Mr Justice McWilliam, at the close of every case used announce the date of judgment. I followed that practice along with others.

And what are the litigants like, broken or distressed as they often are, and how can you learn to interact with them? It is ridiculous, perhaps, to say: lawyers are a caring profession. But the call to decency comes in every walk of life and that is a difficult challenge. And the moments you remember include the most personal: as a young barrister getting an affiliation order for a young unmarried mother, as they used be called; a savage murder case where a man was shot in the legs to leave him crippled but him bleeding out in his wife's arms, she telling me at the end of the case that she had worked for my uncles Joe and Jim; explaining to a man whose wife had been killed not to expect too much from the court's imminent written verdict, that the system was human, as indeed it proved.

And there are the inspiring moments. I remember at a Garda retirement function meeting the mother of that victim. She was old-style, the kind that made this country; cheerful and chatty, genuinely lovely and pleased not to be forgotten when all the police enquiries had ended. So, we were just sitting having tea and a sandwich. Conversation turned to the person she had every reason to hate, as was inevitable at some stage. She turned to me and said: "You know I was saying my prayers from my prayer book this morning in bed and I had the radio on, and the announcer said that yer man had been admitted to hospital as an emergency. I turned the page and it happened to be the prayers for the sick and I asked myself: will I include him. I thought: why not? So I did."

In biographies, people have two dates, birth, and death. But, with people, with litigants, or their families, there are often three: birth, what happened, and death. We are here to deal with the stuff in the middle. For the fortunate the middle date can be a turning point. On Friday, Garret Simons, he of the great memory, quoted from what I said to his class when I was teaching in Trinity College Dublin: "You young people maybe find it hard to study because you go out a lot. I never to out because I got married and it was the best decision I ever made." And so it remains and where judges do a good job, it's the people who support them that are, in the theme of this address, the ones doing the real work: putting up with their spouse assuming the "mantle of a judge", not being around, not listening because your head is dominated by your cases, the joy and roller coaster of family life, even, to use Raymond Chandler's words from, appropriately, the Long Goodbye, when "As usual the newspapers came close. About as close as Mars is to Venus." That, clumsily, is a big thank you to Fiona, to Clara, to Anna and to Maitiú.

Then there are the things I've tried, perhaps achieved, and left undone. So no big list here, but, okay judicial education, introducing sentencing bands judgments in 2007 (there's now 15 of these covering most of indictable crime), reforming the provocation defence, right to silence. The undone stuff? Section 117s and "proper provision". The best of families can fall out over wills, it's just one of the patterns that lawyers see. So, terrible squabbling and money wasted on lawyers. What to do? Just make it automatic that each side make full disclosure of what they have and what has been spent on them. I did not get around to it. But, it was on my list.

Something else I tried but we are not there yet. I really feel that about concision and case management, despite the rules I drafted in 2011, revised by Mr Barton and Mr Rubottom, despite bringing over Colin Birss and Richard Arnold, and Niamh Hyland's daylong seminar. We are confronting the tradition of non-intervention and of cases getting longer and longer. In New York, ten years ago, for a conference, I came across the civil case arising out of 9:11. You can imagine: a tort action for negligence – my relation would not have been killed if airport security had not been so bad. Simple stuff, you would think, but with a big tragedy, complexities arise. So, lots of experts, technical stuff. It could go on for ever. But, no that is not acceptable in any case. The trial judge in the Federal Court made an order: the plaintiff has 40 hours, the defendant has 40 hours. That's 8 days each to be used in cross-examination, in direct, in submissions but that's what the case merits. Concision is needed in our courts; and as the composer Arnold Schonberg said: it is order that beautifies everything. We need to get there.

I read sometimes, and with awe, the essay Seán Ó Riordáin wrote as an introduction to his poetry. A phrase we all use again and again – he changes into: "Ach is ar scáth a chéile a mhaireann na daoine agus na paidreacha." His point is to pray, you need to care and your concern has to be outside yourself. It is the same with every day's work we do. And he says:

De réir dealraimh is ionann an caidreamh idirphaidre seo agus an bheatha féin nó an grá. Agus bíonn sé ar siúil de shíor mar fásann sé as na minn agus as na uaigneas atá ionainn go léir, idir dhaoine agus animhithe agus coillte agus oráistí agus calaíona agus gach rud teibí agus neamhteibí sa mbith, ionas go dtéimid uile ag cuairteoireacht i dteampaill a chéile.

Or said less beautifully, by stepping outside yourself you enter a world of interconnectedness where work has an eternal value. I have been privileged to work here, with my really fine colleagues on the bench and at the Bar and with fine solicitors and with such decent and genuine registrars and administrators, sterling judicial assistants, court ushers and to interact with litigants and to notice often in the back of the court a member of the public here out of sheer interest, but fulfilling the role of watching us, as mandated in Article 34 of the Constitution, that we should

work in public and so be ourselves judged. But we are human, we make judgments. We try to be right, in life and in law. In this imperfect world, I, at least hear the words Beethoven set: Gerech, o Gott! ist dein Gericht! Du prüfest, du verlässt uns nicht.

So, thank you all, my colleagues, my family, my friends and now I turn to the same words Robert Emmet ended his speech over in Green Street, two hundred and twenty three years ago: I have done.