

**International Association of Judges Annual Meeting in Valle de Bravo Mexico
1st Study Commission**

**Rules for ethical conduct of judges, their application and observance
Ireland**

A. General Aspects

1. Are there any ethical rules/rules of conduct for judges/magistrates explicitly expressed in the law?

No

If your answer is positive, are these rules made in the shape of

O a catalogue O a general wording O both

Quote some examples: *No comment*

2. Are there ethical rules for judges/magistrates outside the law (e.g in a code of ethics, code of conduct etc.)?

No

How is this “code” called? *No comment*

3. Who did elaborate and enact/make the “code”?

Does not apply

4. If you have both a code of ethics and legally fixed ethical rules for judges/magistrates in what way do they complement one another?

Does not apply

5. If you don’t have any code of ethics, are there plans in your country to introduce one?

Yes

B. Contents

6. Does your code of ethics include the following principles/aspects:¹

Insofar as it is anticipated that there will be a code of ethics following principles will apply:

- | | |
|---|--|
| a) Independence | <i>Yes</i> |
| b) Impartiality in general | <i>Yes</i> |
| c) Impartiality and conduct of judges in the exercise of their judicial functions | <i>Yes</i> |
| d) Impartiality and extra-judicial conduct of judges | <i>Yes</i> |
| e) Impartiality and other professional activities of judges | <i>Yes</i> |
| f) Impartiality and the media | <i>Yes</i> |
| g) Party politics and judges | <i>Not member of any political party</i> |
| h) Propriety | <i>Yes</i> |
| i) Equality | <i>Yes</i> |

¹ Compare The Bangalore Principles of Judicial Conduct 2002. The Hague, November 25-26, 2002.

- k) Competence *Presumably*
l) Diligence *Yes*
m) Others:

In case your answer is “yes”, please give some examples.

a) b) c) d) e) g) h) i) k) l) m)

C. Violation of the Code of Ethics

7. What happens if a judge/magistrate violates a duty explicitly stated in a provision of law?

Does not apply

8. What happens if a judge violates a duty stated in the Code of Ethics?

Does not apply

9. Is there any influence of the Code of Ethics on a disciplinary procedure?

Does not apply

10. Are violations of the Code of Ethics made public?

Does not apply

D. Judicial Ethics

11. Is judicial ethics an issue among the judiciary? Why? Why not?

Yes, because of the fact that the courts are being scrutinised by the media and the public with ever increasing penetration

12. Is judicial ethics an issue in the public? Why? Why not?

The media and the public have taken great interest in the courts and that is why, Yes

E. Analysis

13. Do you consider a code of ethics an useful institution for the judiciary? Why? Why no?

Yes, to clarify the position

14. Should the IAJ elaborate and adopt a code of ethics which could serve the national associations as a model? Why? Why not?

Yes, to standardise the position

15. If you have a code of ethics, give some practical hints to those who are willing to introduce one (what should they take care of etc.).

Does not apply

16. Other remarks on the topic:

No further comment