



# DIPLoma IN LAW

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SEPTEMBER 2018



LAW SOCIETY  
OF IRELAND



*"I really liked the small class size, interactive workshops and online access to watch webcasts of lectures."*

PAUL O' SHAUGHNESSY,  
DIPLOMA IN LAW GRADUATE

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The Diploma in Law from the Law Society of Ireland has been created for those seeking a greater knowledge of the law, professionals who would like to gain new skills and, in turn, add value to their current roles, and graduates keen to acquire new expertise and who are thinking of commencing the solicitor qualification.

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<b>START DATE</b>	Friday 7 September 2018
<b>DURATION</b>	12 months/24 months
<b>FEE</b>	€4,400
<b>DELIVERY METHOD</b>	Blended learning (onsite and online)
<b>CONTACT</b>	diplomalaw@lawsociety.ie



*John Lunney, Programme leader*

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#### **HOW TO APPLY**

This course is open to non-law graduates from any discipline or suitable non-graduates with a demonstrable level of work experience in the area of law. Students have the option to study the programme over one or two academic years via blended learning.

To download an application form and view information on the entry requirements please visit our website: [www.lawsociety.ie/diplomalaw](http://www.lawsociety.ie/diplomalaw). You can also register to attend our open day on Thursday 10 May 2018. Alternatively contact the programme leader John Lunney on 01 8815722 or email [diplomalaw@lawsociety.ie](mailto:diplomalaw@lawsociety.ie)

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#### **COURSE STRUCTURE**

An intensive post graduate diploma spread over eight modules; this course is designed for those who require an introduction to the discipline of law in a number of core areas. This course is unique in that it integrates the academic theory with the practice of law. Our module tutors are experienced practitioners and are well placed to provide instruction in the various substantive topics of law with the added benefit of being able to relate to the real life practice of law when required.

#### **SEMESTER 1 (SEPTEMBER – JANUARY)**

Module 1: Constitutional Law  
Module 2: Criminal Law  
Module 3: Contract law  
Module 4: Tort

#### **SEMESTER 2 (FEBRUARY – MAY)**

Module 5: Company Law  
Module 6: EU Law  
Module 7: Property Law  
Module 8: Equity or Employment Law

## MODULE DESCRIPTORS

### INTRODUCTION TO LEGAL SYSTEMS & THE STUDY OF LAW

We launch the course with an additional online module which acts as a support to students beginning their studies in law. Available for the duration of the course, it features online activities, self-assessed quizzes, suggested readings and video content. This online material is supported by a number of follow-up revision sessions and interactive workshops held throughout the course. The aim of the module is to equip students with the necessary skills they need to study law and to approach examinations and assignments with confidence. Topics covered include:

- An introduction to the Irish Legal System
- Sources of Irish law
- Civil & Criminal Procedure
- Remedies
- Reading judgments
- The legislative process
- Introduction to legal writing
- How to answer exam questions
- Legal research.

### SEMESTER 1

#### CONSTITUTIONAL LAW

The Irish Constitution (Bunreacht na hÉireann) is the cornerstone of the Irish legal system. In this module students are introduced to the study of constitutional law and theory and come to understand the Constitution as a living document. With a specific focus on current cases and topical issues, students are asked to critically analyse, discuss and apply the principles of Irish Constitutional Law. Topics covered include:

- Constitutional interpretation
- Judicial Review
- Separation of Powers
- The President
- The Attorney General
- The election and referenda provisions
- Enumerated personal rights
- Unenumerated personal rights
- Socio-economic rights
- The Family
- The Courts and the administration of justice
- The Executive
- The Oireachtas
- Constitutional justice
- Consequences of a declaration of unconstitutionality
- The impact of the European Convention of Human Rights Act 2003 on constitutional issues

#### CRIMINAL LAW

Criminal law marks out certain conduct as being wrong and condemns or convicts those who engage in such activity. It is an area of public law in which the individual against whom the allegations of criminal activity are made is prosecuted by the State in the name of the people and, if convicted, will be subject to court-imposed sanctions which are prescribed by law and enforced. Led by experienced criminal practitioners this module covers five broad headings of criminal law:

1. Principles of Criminal Law
2. Criminal Procedure
3. Offences against the Person
4. Offences against Property
5. Defences

Students also have the opportunity to engage with the practice of criminal law through an interactive and engaging mock court skills session.

#### CONTRACT LAW

Many contractual relationships are entered into on a daily basis even where one has not considered it. For example, a legally binding contract exists when buying a train ticket or newspaper. This module reviews the elements which make up a legally enforceable contract and considers available statutory protections. The breakdown of a contract is examined and students learn how a contract can be breached if one or more of the parties involved do not fulfil their part of the agreement.

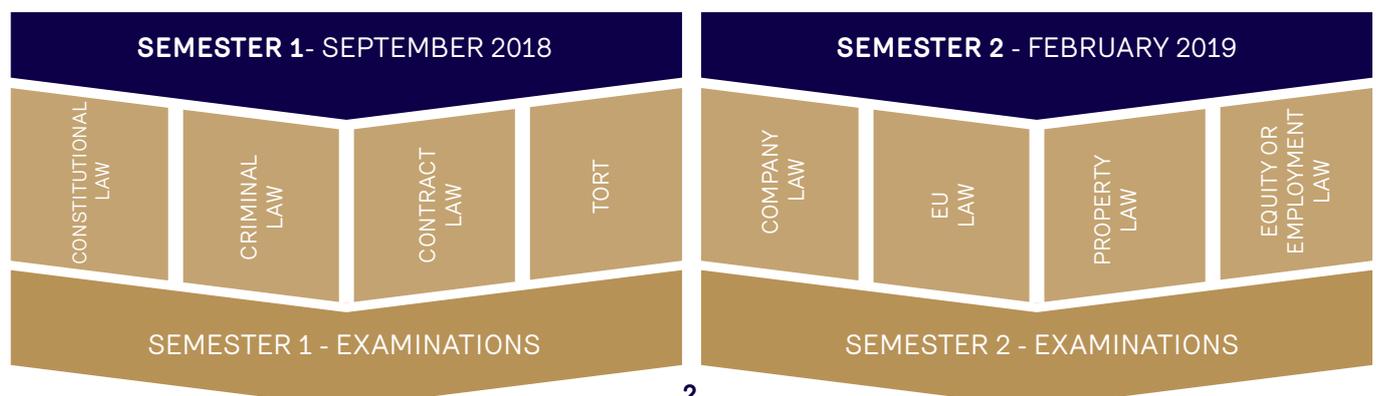
Resolving broken contracts in the form of claiming damages and other potential remedies are also addressed. In addition students have the opportunity to practice the lawyering skills of contract negotiation and drafting contracts in the modules skills session.

#### TORT

Tort is a civil wrong which deals primarily with private disputes between individuals. A tort has also been described as a civil wrong which causes someone to suffer loss, resulting in legal liability for the person who commits the tortious act.

The module covers three sections;

1. Analysis of the development of the key principles which have developed through case law. Topics include:
  - The Nature and Function of the Law of Tort
  - Causation
  - Negligence.
2. The principal causes of action that come before the courts including:
  - Occupiers' liability
  - Employers' liability
  - Vicarious liability



- Non-delegable duties
  - Trespass to the Person and Trespass to Land
  - Statutory Duties and Rights; Defamation
  - Nuisance (both public and private)
  - The Rule in Rylands v. Fletcher.
3. Damages, defences & limitation of actions

## SEMESTER 2

### COMPANY LAW

The Companies Act 2014 was the largest piece of legislation ever introduced in the state. Essentially a consolidation of Irish companies' legislation, the Act also introduced a number of innovations. In this module, students will come to understand the principles and rules of Company Law in Ireland as now governed by the 2014 Act under the following headings:

- Types of companies and business organisations
- Formation and registration
- Incorporation and its consequences
- Lifting the Veil
- Corporate contracts
- Authority of Corporate Agents and capacity of Companies
- Corporate governance
- Members' and Directors' meetings
- Duties of Directors and others
- Statutory regulation of transactions involving Directors and Companies
- Accounts, investigations and inspectors
- Debentures, Charges and their registration
- Receivers
- Examinerships and Schemes of Arrangement
- Winding up.

### EU LAW

The EU law module considers the constitutional foundations of the European Union and traces the development of EU law through the case-law of the community judicature. The opening section of the module covers the institutions of the European Union and their role, before addressing the fundamental principles of EU Law such as direct effect, indirect effect, and supremacy. The module then examines the "four freedoms" which underpin the single market concept before concluding with an introduction to EU Competition law. At all times there is a particular focus on topical issues in this area and the critical analysis of important decisions of the European Court of Justice. In addition, a skills session specifically prepares students to engage with European treaties and legislation when answering problem questions.

### PROPERTY

Beginning with an exploration of the historical background and evolution of Irish property law, this module looks at the various forms of interest available in real property (land and buildings as distinct from intellectual property or personal possessions).

The grounding doctrine of "the estate" is introduced and the various types of interests in land that can be held are considered in detail. Students learn how these interests may be transferred to other parties and the problems that may arise.

A number of discrete and interesting topics are also covered including:

- Landlord and tenant
- Co-ownership
- Mortgages
- The Family Home
- Succession Law
- An Introduction to Trusts.

The module also features an innovative and interactive skills session critically analysing recent case law in the area.

### Students can choose between Equity and Employment Law as their final elective.

#### EQUITY

Equity originally developed as a body of principles which evolved with the aim of mitigating the severity of the rules of common law. The word equity means fairness or justice and that is certainly where the use of the term derives from, however the term has developed a separate legal meaning in modern times and this module examines in detail the history, doctrines and remedies of the modern law of Equity and Trusts. Topics covered include:

- Nature
- History and development of equity
- Maxims of equity
- Equitable Interests and the Doctrine of Notice
- Specific Performance
- Rectification and Rescission
- Injunctions
- Equitable Estoppel
- Undue influence
- Nature and classification of Trusts
- Constitution of Trusts
- Administration of Trusts
- Secret and half-secret Trusts
- Constructive Trusts
- Resulting Trusts
- Purpose and charitable Trusts.

#### EMPLOYMENT LAW

Employment Law governs the relationship between employer and employee and is based on a contract of employment. This module studies the contract of employment in detail from the drafting stage to termination and conflicts that may arise during this relationship. The statutory rights which workers are entitled to under relevant legislation are also considered in detail, along with an in-depth analysis of the Workplace Relations Act 2015 which was recently introduced with the aim of simplifying and streamlining the process of seeking redress in employment matters. There will be a problem-based focus to this module with practical scenarios and case studies used to enhance the learning experience.

#### ASSESSMENT

All modules are assessed through a mix of continuous assessment (written assignments and online tasks) and a written examination. Examinations are held at the end of each semester. Semester 1 examinations take place in January and Semester 2 examinations are held in June. Students are allowed to bring unmarked copies of permitted legislative sources into the exam in a number of modules.

## HEAR FROM OUR DIPLOMA IN LAW STUDENTS

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### MICHAEL MCHALE, DIPLOMA IN LAW GRADUATE, ARTHUR COX PRIZE WINNER

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*"I've had an interest in law for a while, stemming from my days as a journalist. Whenever possible I attended lectures, but when I couldn't make a Wednesday night class, it was great to have the option to catch-up on the Hub. The module essays were a great way to expand my learning, and the Law Society's library and online facilities were of huge benefit for these assignments. It was also great getting to know my classmates. As we all came from different backgrounds, we would often approach group assignments and workshops in different ways, which made things more interesting."*

### AVRIL MCCRANN, DIPLOMA IN LAW GRADUATE

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*"I was a social science graduate from University College Dublin. I wanted to pursue a career in law. I saw the diploma as the perfect opportunity as it offered the core legal subjects. I found the course enjoyable and engaging. It has given me the knowledge to go on and sit my FE1 exams. I would highly recommend a course run by the Diploma Centre to others."*

### BRIAN KELLEHER, DIPLOMA IN LAW GRADUATE, ARTHUR COX PRIZE WINNER

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*"I enrolled in the Diploma in Law to increase my knowledge of the law and to help me in my current role in an insurance claims department. The course is challenging, fast paced and intense. However, the delivery of the course is very amenable to people working with the online educational hub hugely beneficial for those not able to make the weekly lectures. The lecturers are knowledgeable and experts in their modules. Expect to be busy and challenged. Embrace the course as there are huge rewards and satisfaction to be gained from completion."*

### MARY KEEVANS, DIPLOMA IN LAW GRADUATE

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*"I work as a Chief Nurse Officer in the Irish Prison Service, where I manage the delivery of healthcare for persons deprived of their liberty. I wanted a firm knowledge of the law to develop my professional competencies; especially regarding human and constitutional rights, medical ethics and clinical risk management. I found the Diploma in Law enhanced my personal and professional development tremendously. It proved to be a wise choice of many alternatives. I would highly recommend a Law Society Diploma course to anyone interested in enhancing their personal and professional development."*





The Hon. Mr. Justice Patrick McMahon speaking to the Diploma in Law class

## FACULTY

This course is unique in that it integrates the academic theory with the practice of law. Our module tutors are experienced practitioners and are well placed to provide instruction in the various substantive topics of law with the added benefit of being able to relate to the real life practice of law when required.

### COURSE TUTORS INCLUDE:

Dr Gabriel Brennan, Solicitor, Law Society of Ireland | Anna Broderick, Partner, Eversheds Sutherland | Damien Coffey, Solicitor, Sheehan and Partners | Tom Conlon, Solicitor, DPP Ireland | Claire Cummins, BL | Victoria Cummins | Ciara Fitzgerald BL | Dr Claire Hogan, BL | Cormac Little, Partner, William Fry | The Hon. Judge (retired) Patrick McMahon | Paula Mullooly, Solicitor, A&L Goodbody | Anne Fitzpatrick, BL | John Darby, Consultant, Flynn O'Driscoll | Nora O'Mahony, Solicitor | Joe Thomas, Partner, O Reilly Thomas

### THE DIPLOMA CENTRE

The award winning Diploma Centre as part of the Society's Education Department provides postgraduate courses which are open to solicitors, trainees and barristers and welcome other suitably qualified professionals. We aim to provide a rewarding, high quality learning experience, offering value for money and a high level of friendly, efficient customer service.

#### Our learning approach: onsite, online or on the move

- Our lecturers and tutors are selected from highly experienced legal professionals
- All lectures can be accessed from home or work via webcast
- You will have access to Law Society library and Legal Seminars
- You will acquire highly transferable skills attractive to a wide range of businesses
- Participate in workshops to consolidate learning with experienced tutors to guide you
- Participate in Mooting.

#### State of the art facilities in Dublin's historic legal quarter:

- IT rooms
- Library
- Coffee bar, canteen and student bar
- Car park on campus
- Transport links
- City bikes | Luas | Buses | Heuston Station.



## LAW SOCIETY OF IRELAND

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The Law Society of Ireland is the educational, representative and regulatory body of the solicitors' profession in Ireland. It exercises statutory functions under the Solicitors Acts 1954 to 2008 in relation to the education, admission, enrolment, discipline and regulation of the solicitors' profession.

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## FOR MORE INFORMATION

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Diploma Centre, Law Society of Ireland, Blackhall Place, Dublin 7.  
T 01 672 4802 W [www.lawsociety.ie/diplomalaw](http://www.lawsociety.ie/diplomalaw) E [diplomalaw@lawsociety.ie](mailto:diplomalaw@lawsociety.ie)

## SHORTLISTED FOR POSTGRADUATE COURSE OF THE YEAR - LAW 2018

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*Please note that the Law Society of Ireland's Diploma Centre reserves the right to change or modify the course that may be offered and course price may be subject to change.*

