

# DIPLOMA CENTRE

## Diploma in Judicial Skills & Decision Making



### MODULE 1: Course Overview & The Exercise of Judicial Skills and Decision Making

SESSION 01	TIME	DELIVERY
Wednesday 16 October 2019	6:00pm – 8:30pm	Onsite & Online

- 1 Course introduction with Justice Michael Peart of the Court of Appeal:** A general review of the overall context of the course; the background to the offering and the course aims, objectives and learning outcomes.
- 2 Types of judicial roles/ quasi-judicial bodies:** Appointments to Tribunals and other quasi-judicial forum; appointments to State Boards and increased focus on transparency, the role of Judicial Appointment Advisory Board and any successor; comparative analysis with other jurisdictions; the Judicial Appointment Review Committee 2014. *Dr. Jennifer Carroll MacNeill, BL*
- 3 The application and recruitment process:** a detailed analysis of the recruitment process to judicial and quasi-judicial roles including a review of the judicial application form and skills and aptitudes required. *Dr. Jennifer Carroll MacNeill, BL*  
2.5hrs. Gen. CPD

SESSION 02	TIME	DELIVERY
Saturday 19 October 2019	10:00am – 2:00pm	Onsite Only

- 1 Workshop 1: Onsite attendance required as workshop will not be webcast**  
**Avoidance of bias and stereotyping workshop:** Through role-play and practical exercises participants will learn how to avoid irrational decision-making and unconscious bias encroaching in relation to pressure courtroom situations. *Dr Peter Jones, Chartered Psychologist, Shire Professional, UK*

1.5hrs Gen. CPD & 1hr M&PD

SESSION 03	TIME	DELIVERY
Wednesday 23 October 2019	6:00pm – 9:00pm	Onsite & Online

- 1 Rules of evidence session:** Analysing the rules of evidence in a courtroom or tribunal setting from the perspective of those assessing whether or not the relevant thresholds necessary to discharge the particular burden of proof have been met. *Paul Anthony McDermott, SC*
- 2 Ethical considerations in the performance of the judicial function:** the management of courtroom setting and the exercise of the decision-making process. *Dr. Jennifer Carroll MacNeill, BL*
- 3 Judicial Review:** A detailed look at the area of judicial review from the perspective of the judiciary. When it applies, how to avoid being judicially reviewed.

2.5hrs. Gen. CPD\*

### MODULE 2: Mediation, Managing Proceedings & Administering Justice

SESSION 04	TIME	DELIVERY
Wednesday 06 November 2019	6:00pm – 8:30pm	Onsite & Online

- 1 Effects of sentencing:** A look at the realities of the effects of sentencing. The factors to be considered when imposing a custodial sentence. The E.U. Victims' Directive which establishes minimum standards on the rights, support and protection of victims of crime.
- 2 Consistency in sentencing:** This lecture will discuss consistency in sentencing and review the alternatives to prison available to the judiciary with respect to imposing punishments in Court. Using initiative and creativity to solve problems.
- 3 Independence and accountability:** The importance of maintaining independence and being accountable

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in judicial and quasi-judicial roles. Avoiding bias, relying on your own judgment, ability to make decisions confidently. **Dr. Jennifer Carroll MacNeill, BL**

### 2.5hrs. Gen. CPD

SESSION 05	TIME	DELIVERY
Saturday 09 November 2019	10:00am – 2:00pm	Onsite Only

- Mediation overview from a judicial perspective:** An analysis of mediation to include defining mediation and its development to understanding mediation from a judicial point of view. **Joe Kelly, Partner, A&L Goodbody**
- Workshop 2: Onsite attendance required as workshop will not be webcast**  
This interactive workshop will require students to participate in role-play interactions with respect to a mock WRC hearing, from the perspective of the relevant decision-maker. Participants will gain an insight into how to maintain order, manage proceedings and administer justice effectively. **Marguerite Buckley, Principal, Buckley & Co. Solicitors, Caroline McEnery, Managing Director, The Hr Suite**

### 2.5hrs. Gen. CPD & 1hr M&PD

SESSION 06	TIME	DELIVERY
Wednesday 13 November 2019	6:00pm- 8:30pm	Onsite Only

- Workshop 3: Onsite attendance required as workshop will not be webcast**  
**Practical Mediation Skills Demonstration and Interactive Exercises** - mediation process stages and strategies, key mediation skills and their use in different contexts, communication and negotiation, the role of lawyers and other advisers in mediation, crafting mediated settlement agreement. **Sabine Walsh, Mediator, Trainer, Lecturer.**

### 1.5hrs. Gen. CPD & 1hr M&PD

SESSION 07	TIME	DELIVERY
Saturday 23 November 2019	10:00am - 3:00pm	Onsite Only

- Workshop 4: Onsite attendance required as workshop will not be webcast**  
**Functions and duties of Chairpersons of a Board:**  
This interactive workshop will require students to participate in role-play interactions with respect to a mock boardroom meeting. Participants will gain an insight into how to maintain order, manage proceedings and administer justice effectively and gain a better understanding the role and functions of the Chairperson.

**Bob Semple, Consultant**

### 2.5hrs Gen. CPD & 1hr M&PD

## MODULE 3: Writing Judgments and Decision Skills

SESSION 08	TIME	DELIVERY
Wednesday 27 November 2019	6:00pm – 8:00pm	Onsite & Online

- Proceedings involving lay litigants:** Common characteristics; principles to be applied in court – fairness, a degree of latitude, limited interference; avoiding advice giving & managing judicial communications with lay litigants; application of Court Rules; pleadings drafted by lay litigants; oral & written submissions; evidence in chief & cross-examination by lay litigants; discovery. **Tina Bond, Deputy District Judge on the North East Circuit, England and Wales**
- Drafting written judgments:** Determining the scope of the decision; preparing to write; organising the judgment; structure; summarising the facts and issues; discussing legal opinions and authorities; concluding the judgment; delivering an oral judgment; language, style & tone; joint opinion writing.  
**Tina Bond, Deputy District Judge on the North East Circuit, England and Wales**

### 2hrs. Gen. CPD

SESSION 09	TIME	DELIVERY
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Saturday 30 November 2019

10:00am – 1:00pm

Onsite Only

**1 Workshop 5: Onsite attendance required as workshop will not be webcast**

**Drafting written judgments workshop:** In this interactive workshop students will have gain first-hand experience in drafting judgments/determinations/decisions focusing on core skills

1.5hrs Gen. CPD & 1hr M&PD

### MODULE 4: The Social Context of Law

#### SESSION 10

#### TIME

#### DELIVERY

Wednesday 04 December 2019

6:00pm – 8:30pm

Onsite & Online

**1 The International Protection Appeals Tribunal:** The Tribunal is a statutorily independent body and exercises a quasi-judicial function under the International Protection Act 2015. This lecture will look at the functions and duties of the Tribunal to include; membership and the recruitment process, when and where the Tribunal sits, the different types of cases brought before the Tribunal, documentation and submissions and the decisions of the Tribunal. **Hilkka Becker, Chairperson, International Protection Appeals Tribunal**

**2 A discussion with John Lonergan, Former Mountjoy Prison Governor:** A unique insight into John's career in the Irish Prison Service. John will discuss the realities and consequences of prison sentences, the multitude of issues affecting prisoners, media influence and the impact of generalisations, the importance of striking a balance and the pitfalls of power.

2.5hrs. Gen. CPD

#### SESSION 11

#### TIME

#### DELIVERY

Wednesday 15 January 2020

6:00pm – 9:00pm

Onsite & Online

**1 Dealing with vulnerable clients or witnesses:** An analysis of the difficulties faced by decision makers when dealing with vulnerable clients or witnesses to include case studies; child witnesses; the Children's Court, hearsay evidence, sentencing and children. **Judge John O'Connor, Circuit Court Judge, Ireland**

**2 Equality, human rights and inclusion:** A look at the functions of the Irish Human Rights and Equality Commission with respect to the protection and promotion of human rights and equality. **Gwendolen Morgan, Senior Lawyer, Irish Human Rights and Equality Commission**

**3 Examination of cultural diversity in Ireland:** An examination of the prevailing trends with respect to cultural diversity in Ireland. **Stephen O'Hare, Chief Executive Officer, Transgender Equality Ireland**

2.5hrs. Gen. CPD

#### SESSION 12

#### TIME

#### DELIVERY

Saturday 18 January 2020

10:00am – 4:00pm

Onsite & Online

**1 The Probation Service:** A look at the interplay between the Probation office and the Courts. The work of the probation officers in dealing with offenders. The production of assessment reports for the Courts and for the Parole Board and management of court ordered supervision of offenders in the community and on supervised early release from prison/detention. **Vivian Geiran, Director of the Probation Service, Ireland**

**2 Drug treatment Court:** An analysis of the Drug Treatment Court Programme which is aimed at people with drug addiction problems who come before the District Court on minor criminal charges linked to their drug addiction and who plead guilty or have been convicted of the charge.

**3 Workshop 6: Onsite attendance required as workshop will not be webcast**

Arranged around small group activities, this interactive workshop will require participants to focus on the skillset needed to properly carry out judicial and quasi-judicial roles. Such skillsets include an awareness of

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issues relevant to procedural justice and competent judicial communication skills.

**2.5 hrs. Gen. CPD & 1hr M&PD**

SESSION 13	TIME	DELIVERY
Wednesday 22 January 2020	6:00pm – 8:30pm	Onsite & Online
<b>1 Understanding &amp; managing the trial process:</b> A panel discussion on the management and procedural issues most relevant in the District Court, Circuit Court and Higher Courts. This lecture will feature a talk based around the procedural issues encountered by our Judges in their time on the bench and will also include an audience Q and A session.		
<b>2hrs. Gen. CPD*</b>		

**ASSIGNMENT DATE: 04 March 2020**

**Please note that topics & dates may be subject to change. Draft timetable as of August 2019.**

\* Gen = General, M&PD = Management and Professional Development, Reg = Regulatory and eLearning = eLearning CPD credits. **CPD Note:** The number of hours of CPD that you may claim in relation to your diploma/certificate course will depend on the way in which you access each of the individual sessions. For further information please visit the course homepage on our website: [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre)