

DIPLOMA CENTRE

Diploma in Criminal Law & Practice



MODULE 1: ARREST, DETENTION & QUESTIONING

SESSION 1	Time	DELIVERY
Friday 8 October 2021	10.00am -12.30pm	Online Release
1 Course Introduction: A general review of the overall context of the course Outcomes, methodology and available resources.		
2 Criminal Justice (Forensic Evidence and DNA Database System) Act 2014. Criminal Justice (Forensic Evidence and DNA Database System) Act 2014 (hereafter the Act) came into force on the 20th November 2015. It provides for the establishment of a DNA database; It overhauls the statutory and common law arrangements in relation to forensic sampling, it amends existing statutory provisions relating to the taking and retention of fingerprints; in addition it provides a legislative basis for the sharing of DNA and fingerprint data with other countries.		
3 Advising clients in Garda custody Assessment of client Informing about procedure and rights, Decision on strategy, Explain solicitor's role, Preparation for interview.		

2hrs. Gen. CPD*

MODULE 2: EVIDENCE AND CRIMINAL LAW UPDATES

SESSION 2	Time	DELIVERY
Friday 8 October 2021	1pm-2pm	Online Release
1 Rules of Evidence: Rules of evidence, 'Beyond JC' – the impact of the new exclusionary rule, recent legislative and procedural updates.		
2 ONLINE RELEASE ONLY <ol style="list-style-type: none"> 1 The European Arrest Warrant 2 Criminal evidence and the European Convention on Human Rights 3 Data Protection and criminal trials 		

2hrs. Gen. eCPD*

SESSION 3	Time	DELIVERY
Saturday 09 October 2021	10am – 4pm	Online Release
1 Dwyer v Commissioner of An Garda Síochána (2018). The lecture discusses the legal principles that apply to such investigations, and the likely effect in future of the Graham Dwyer decision on other cases in which telephone records have been used in this way by Gardai, and what the Graham Dwyer case highlights, is the tension between individual rights to privacy, and the ability of the State and of private companies to monitor the use by individuals of electronic devices.		
2 The role and function of the Children's Court Overview. This lecture provides a general over view of the role and the function of the Children's Court in the Irish jurisdiction.		
3 Advising clients in Garda custody skills lecture in preparation for the skills session.		
Skills Session:		
4 Advising clients in Garda custody.		

4 hrs. Gen. CPD*

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MODULE 3: DISTRICT COURT PRACTICE & ADVOCACY SKILLS

SESSION 4

Friday 19 November 2021

10am -3.30pm

DELIVERY

Online Release

- 1 **Initial applications in the District Court.** What charges are before the Court? What are the charges listed for? What are the names of the prosecuting Gardaí Has disclosure been ordered/received? Has an application for free legal aid been made?
- 2 **Summary Trials. District Court file and the essential** - documents relating to your client.
- 3 **Running a District Court case.** Pre-trial preparation Garda notebook, Opinion Evidence. Evidence of bad character of the accused, dropping of the shield, Application for a direction of no case to answer, Orders of dismissal and strike out.
- 4 **District Court Advocacy Skills, Bail application practice and procedure.** Application for Free Legal Aid, Cross Examination.
- 5 **Aspects of higher courts criminal advocacy.** An appeal by way of case stated, A consultative case stated.

5hrs. Gen. CPD*

SESSION 5

Saturday 20 November 2021

TIME

10am – 3pm

DELIVERY

Online

- 1 **Role play interviews/consultation:**
- 2 **Skills session:**
- 3 **Workshop 1:**

3 hrs Gen. CPD 2 hrs. M&PD CPD*

MODULE 4: DEALING WITH VICTIMS & VULNERABLE WITNESSES

SESSION 6

Friday 3 December 2021

TIME

10am-4pm

DELIVERY

Online Release

- 1 **Criminal Justice Victims of Crime Act 2017.** Overview of the Act. EU Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime.
- 2 **Hearing every voice:** Towards a new strategy on vulnerable witnesses in legal proceedings.
- 3 **Prosecutorial Challenges:** Vulnerable Victims and Witnesses.
- 4 **Sexual Offences-Criminal Law (Sexual Offences) Act 2017.** Overview of the Act and recent developments.
- 5 **Domestic Violence Act 2008.** Overview of the Act and recent developments. A Practical Guide

5hrs. Gen. CPD*

SESSION 7

Saturday 4 December 2021

TIME

10am – 3pm

DELIVERY

Online

- 1 **Panel Discussion:** Dealing with victims and vulnerable witnesses.
- 2 **Workshop 2:** Practical application through case studies and advocacy related role plays and mini trials in relation to issues such as what lawyers know about vulnerable witnesses; the child as witness; the vulnerable witness; what the lawyer has to do differently; identification of issues and special measures required; the role of the judge and sentencing.

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

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MODULE 5: JUDICIAL REVIEW – DISCRETE AREAS OF PRACTICE

SESSION 8

Friday 7 January 2022

10am- 4.30pm

DELIVERY

Online Release

- 1 **Practice & Procedure.** Practice and Procedure in Judicial review applications. Habeas Corpus applications Certiorari- Prohibition- delay- focus: delay in sex abuse cases and recent case law. Recent Judgements.
- 2 **Judicial Review.** Circuit Court appeals procedure- format- proofs- forms available in District Court Office, set aside applications Case Stated.

MODULE 6: THE ROLE OF AN GARDA SIOCHANA IN THE CRIMINAL JUSTICE SYSTEM

SESSION 8

Friday 7 January 2022

TIME

10am – 4:30pm

DELIVERY

Onsite & Online

- 1 Functions and Powers of the Gardaí
- 2 Duty to seek out & preserve evidence
- 3 Initiating Proceedings
- 4 Rules of Disclosure
- 5 Understanding the Bail process and Bail applications
- 6 Liaising with An Garda Síochána during the Courts process

5 hrs. Gen. CPD

MODULE 7: ROAD TRAFFIC OFFENCES

SESSION 9

Saturday 8 January 2022

TIME

10am – 2:30pm

DELIVERY

Online

- 1 **Workshop 3:**
 - Role-play plus Q&A
 - Advocacy workshop
- 2 **Basic Proof in Driving.** Overview of the law in the area. Key Road Traffic Offences. Prosecution and Defense of Offences.
- 3 **Recent developments.**
- 4 **Restoration of driving licences.**

2.5hrs Gen. CPD & 2hrs M&PD*

MODULE 8: SENTENCING LAW AND PRACTICE

SESSION 10

Friday 4 February 2022

10am-4pm

DELIVERY

Online Release

- 1 **Relevant Legislation and Case Law.**
- 2 **Principles of Sentencing.** General Principles of Sentencing Punishment & Retribution, Rehabilitation Deterrence mitigating and aggravating factors.
- 3 **Sentencing Options.** Custodial Non- Custodial.

3 hrs. Gen. CPD*

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SESSION 11	TIME	DELIVERY
Saturday 5 February 2022	10am – 4pm	Online
1 Assignment Skills Session 2 Advocacy Assessment 2 hrs Gen. CPD 1.5 hrs. M&PD CPD		

MODULE 9: REGULATORY CRIME

SESSION 12	DELIVERY
Saturday 2 February 2022	ONLINE RELEASE
1 Regulatory Crime – Practice and Procedure. 2 Criminal offences and the Companies Act 2014. Various categories of criminal offences in the Companies Act 2014. 3 The role of the Office of the Director of Corporate Enforcement: powers and functions: supervision investigation, prosecution, civil enforcement and sanctions. The ODCE and the Companies Act 2014, Civil Enforcement and Sanctions, Restriction of Directors under the Companies Act 2014 * (Case law). 3 hrs. eCPD*	

ASSIGNMENT SUBMISSION DATE: 11 March 2022

Please note that topics & dates may be subject to change. Draft timetable as of June 2021

* 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