

# 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 12 October 2022	6:00pm – 8:30pm	Onsite & Webcast
<b>1 Course introduction with Justice Michael Peart, retired Court of Appeal Judge:</b> A general review of the overall context of the course; the background to the offering and the course aims, objectives and learning outcomes.		
<b>2 Types of judicial roles/ quasi-judicial bodies:</b> 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. <i>James Geoghegan B.L.,</i>		
<b>3 The application and recruitment process:</b> 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. <i>James Geoghegan B.L.,</i>		

2.5hrs. Gen. CPD

### SESSION 02

**Please note that Session 02 Avoidance of bias and stereotyping workshop will take place on Wednesday 09 November 2022, 6pm-9pm online.**

SESSION 03	TIME	DELIVERY
Wednesday 19 October 2022	6:00pm – 9:00pm	Online
<b>1 Independence and accountability:</b> The importance of maintaining independence and being accountable in judicial and quasi-judicial roles. Avoiding bias, relying on your own judgment, ability to make decisions confidently. <i>James Geoghegan B.L.,</i>		
<b>2 Ethical considerations in the performance of the judicial function:</b> the management of courtroom setting and the exercise of the decision-making process. <i>James Geoghegan B.L.,</i>		
<b>3 Judicial Review:</b> A detailed look at the area of judicial review from the perspective of the judiciary. When it applies, how to avoid being judicially reviewed. <i>John Kennedy SC</i>		

2.5hrs. Gen. CPD

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

SESSION 04	TIME	DELIVERY
Wednesday 26 October 2022	6:00pm – 8:30pm	Online
<b>1 Effects of sentencing:</b> 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. <i>Justice John Edwards, Court of Appeal Judge, Ireland</i>		

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- 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.  
*Justice John Edwards, Court of Appeal Judge, Ireland*
- 3 **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.  
*Patrick Fitzgerald B.L.*

2.5hrs. Gen. CPD

SESSION 05	TIME	DELIVERY
Saturday 05 November 2022		Online Release Only
Workshop 2: Please note this session is an online release and the session will be made available on Saturday 05 November 2022. There is no obligation to take it on this date and it can be completed at a time that suits you. Once released it will be available for the duration of the course.		

- 1 **Mediation Principles:** This Unit addresses the key principles that underpin the mediation process, including some of the challenges arising from its integration with the legal system and legislation. Recent developments arising out of the global pandemic and how they have impacted mediation are also addressed.
- 2 **Mediation Skills and Strategies:** Key mediation skills and interventions will be demonstrated and applied in this unit using online interactive role-play simulation and expert practitioner input. The role of solicitors, barrister and other participants in mediation will also be explored.
- 3 **Mediation in the Irish Legal System:** The Mediation Act, 2017 has had a significant impact on the practice of mediators and legal professionals in Ireland over the past two years. This Unit offers a practical guide to the recent legislation and case law, with a particular emphasis on the role of the court in mediation.  
*Sabine Walsh, Head of Curriculum, Mediator Academy, Solicitor & Mediator*

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

SESSION 02	TIME	DELIVERY
Wednesday 09 November 2022	6:00pm – 8:30pm	Online Only
1 <b>Workshop 1: Live Online interactive session</b>		

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.  
*Tinu Cornish, Director, Sea-Change Consultancy*

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

SESSION 06	TIME	DELIVERY
Wednesday 16 November 2022	6:00pm – 8:30pm	Online
1 This interactive lecture will give an overview of a 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. <i>Marguerite Buckley, Solicitor, Marguerite Buckley &amp; Company Solicitors</i> <i>Caroline McEnery, Managing Director, The HR Suite</i>		

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

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### MODULE 3: Writing Judgments and Decision Skills

SESSION 07	TIME	DELIVERY
Wednesday 23 November 2022	6:00pm – 8:30pm	Online
<b>1 Proceedings involving lay litigants:</b> 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. <i>Judge Patrick McMahon, retired District Court Judge</i>		
<b>2 Drafting written judgments:</b> 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. <i>Justice Michael Peart, retired Court of Appeal Judge</i>		

2hrs. Gen. CPD

### MODULE 2: Managing Proceedings & Administering Justice – CONTINUED

SESSION 08	TIME	DELIVERY
Saturday 03 December 2022	10:00am - 3:00pm	Onsite
<b>1 Workshop 4:</b>		

**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.

2.5hrs Gen. CPD & 1hr M&PD

### MODULE 3: Writing Judgments and Decision Skills – CONTINUED

SESSION 09	TIME	DELIVERY
Wednesday 07 December 2022	6:00pm- 8:00pm	Onsite
<b>1 Workshop 5:</b>		

**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 11 January 2023	6:00pm – 8:00pm	Online
<b>1 The International Protection Appeals Tribunal:</b> 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.		
<b>2 A discussion with Former Mountjoy Prison Governor:</b> A unique insight into a career in the Irish Prison Service. Topics discussed will include 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		

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balance and the pitfalls of power.

**1hr. Gen. CPD**

SESSION 11	TIME	DELIVERY
<b>Wednesday 18 January 2023</b>	<b>6:00pm – 9:00pm</b>	<b>Online</b>
<b>1 Equality, human rights and inclusion:</b> 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.		
<b>2 Dealing with vulnerable clients or witnesses:</b> 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.		
<b>3 Examination of cultural diversity in Ireland:</b> An examination of the prevailing trends with respect to cultural diversity in Ireland.		

**2.5hrs. Gen. CPD**

SESSION 12	TIME	DELIVERY
<b>Saturday 21 January 2023</b>	<b>10:00am – 4:00pm</b>	<b>Onsite</b>
<b>1 The Probation Service:</b> 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.		
<b>2 Drug treatment Court:</b> 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. <i>Judge Patrick McMahon, retired District Court Judge</i>		
<b>3 Workshop 6:</b>		

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 issues relevant to procedural justice and competent judicial communication skills.

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

SESSION 13	TIME	DELIVERY
<b>Wednesday 25 January 2023</b>	<b>6:00pm – 8:30pm</b>	<b>TBC</b>
<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.		

**2hrs. Gen. CPD\***

**ASSIGNMENT SUBMISSION DATE: FRIDAY 03 MARCH 2023 5PM**

Please note that topics & dates may be subject to change. Draft timetable as of October 2022

\* 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)