

DIPLOMA CENTRE

Diploma in Criminal Law & Practice



MODULE 1: ARREST, DETENTION & QUESTIONING

SESSION 1	TIME	DELIVERY
Friday 20 October 2023	10.00am - 2.00pm	Onsite & Online
<p>1 Course Introduction: A general review of the overall context of the course Outcomes, methodology and available resources. <i>Patricia Harvey, BL and Course Leader, Law Society of Ireland</i></p> <p>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.</p> <p>3 Over view of the Criminal justice system and the role of the DPP</p> <p>4 Advising clients in Garda custody - assessment of client. Informing about procedure and rights, Decision on strategy, Explain solicitor's role, Preparation for interview.</p> <p>2hrs. Gen. CPD*</p>		

MODULE 2: EVIDENCE AND CRIMINAL LAW UPDATES

SESSION 2	TIME	DELIVERY
Friday 20 October 2023	Continued	Onsite and Online
<p>1 Rules of Evidence: Rules of evidence, 'Beyond JC' – the impact of the new exclusionary rule, recent legislative and procedural updates.</p> <p>2 ONLINE RELEASE ONLY LECTURES The European Arrest Warrant</p> <p>3 Criminal evidence and the European Convention on Human Rights</p> <p>2hrs. Gen. eCPD*</p>		
SESSION 3	TIME	DELIVERY
Saturday 21 October 2023	10.00am - 2.00pm	Online Only
<p>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 Gardaí, 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.</p> <p>2 The role and function of the Children's Court Overview. This lecture provides a general overview of the role and the function of the Children's Court in the Irish jurisdiction.</p> <p>3 Advising clients in Garda custody skills lecture in preparation for the skills session.</p> <p>Skills Session: Advising clients in Garda custody.</p>		

DIPLOMA CENTRE

Diploma in Criminal Law & Practice



4 hrs. Gen. CPD*

MODULE 3: DISTRICT COURT PRACTICE & ADVOCACY SKILLS

SESSION 4	TIME	DELIVERY
Friday 17 November 2023	10am - 3.30pm	Online Only
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	TIME	DELIVERY
Saturday 18 November 2023	10am - 3pm	Onsite Only
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	TIME	DELIVERY
Friday 01 December 2023	10am - 4pm	Online Only
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 vulnerable witnesses in legal proceedings.		
Prosecutorial Challenges: Vulnerable Victims and Witnesses.		
3 Lisa O'Reilly, Senior Prosecution Solicitor, Prosecution Policy and Research Unit, Office of the Director of Public Prosecutions		
4 Sexual Offences-Criminal Law (Sexual Offences) Act 2017. Overview of the Act and recent developments.		
5 Domestic Violence Act 2018. Overview of the Act and recent developments. A Practical Guide		

DIPLOMA CENTRE

Diploma in Criminal Law & Practice



6 Data Protection and criminal trials *Online Release*

5hrs. Gen. CPD*

SESSION 7	TIME	DELIVERY
Saturday 02 December 2023	10am - 3pm	Onsite Only

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*

MODULE 5: JUDICIAL REVIEW – DISCRETE AREAS OF PRACTICE

SESSION 8	TIME	DELIVERY
Friday 12 January 2024	10am - 4.30pm	Online Only

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	TIME	DELIVERY
Friday 12 January 2024	Continued	Online Only

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	TIME	DELIVERY
Saturday 13 January 2024	10am - 2:30pm	Onsite Only

DIPLOMA CENTRE

Diploma in Criminal Law & Practice



- 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	TIME	DELIVERY
Friday 09 February 2024	10am - 2pm	Online Only

- 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*

SESSION 11	TIME	DELIVERY
Saturday 10 February 2024	10am - 2pm	Onsite Only

- 1 **Assignment Skills Session:**
Patricia Harvey, BL and Course Leader, Law Society of Ireland
- 2 **Advocacy Assessment:**
2 hrs Gen. CPD 1.5 hrs. M&PD CPD

MODULE 9: REGULATORY CRIME

SESSION 12	DELIVERY
Saturday 10 February 2024	Online Release Only

- 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: 13 October 2024

Please note that topics & dates may be subject to change. Draft timetable as of September 2023

* 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