



LAW SOCIETY  
OF IRELAND

# DIPLOMA CENTRE PROSPECTUS

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AUTUMN 2017 – SPRING 2018

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FRONT COVER

Pictured at the Law Society of Ireland: Sarah Harmon, solicitor (Mason Hayes & Curran). Sarah is standing in front of the stained glass window by Irish artist Evie Hone



Dr Freda Grealy

## WELCOME

Dear colleagues,

Welcome to the *Diploma Centre Prospectus* for autumn 2017. We are delighted to open this new academic year with a range of courses that include both regular core fields of interest for solicitors as well as new and innovative programmes that reflect specialist areas of practice in which our profession increasingly operates.

As ever, our commitment is to enhance the skills and career opportunities of solicitors in Ireland, and we strive to do this through a range of diverse courses that reflect value, relevance, and practicality. All our courses confer postgraduate qualifications and are available online, live, and on demand, providing a dynamic platform of flexible, accessible learning.

New areas of endeavour are always a priority and, this autumn, we take great pleasure in introducing a number of new courses that reflect an evolving profession –including a Diploma in Regulation Law and Practice, a Diploma in Construction Law, and a Certificate in Juvenile Justice – all of which reflect the latest thinking and real world insight into these specific areas of practice.

The Diploma Centre is delighted to have been awarded 'Service Provider to the Legal Profession' at the 2017

Irish Law Awards for a second consecutive year. The award celebrated the Diploma Centre's achievements during the year under review and focused on the quality of our service, extent of the delivery, client care, and value for money.

So much of what we do would not be possible without the ongoing support of experienced practitioners, and we would like to express our sincere gratitude for their insight, expertise, and commitment to extend their knowledge, in turn allowing us to deliver a high-quality learning experience that helps open a window of opportunity, raise standards, and provide an engaging and rewarding experience for all.

If there is a course you would like to see introduced, or if you are interested in lecturing or tutoring on a diploma or certificate course, please do not hesitate to contact me or a member of the Diploma Centre team. On behalf of the Law Society of Ireland, I would like to thank you for your continued support and wish you every success in your future studies.

**Dr Freda Grealy,**  
Solicitor,  
Head of Diploma Centre  
f.grealy@lawsociety.ie

## THE DIPLOMA TEAM



The Diploma Centre Team pictured with T P Kennedy (Director of Education) receiving the AIB Irish Law Award 2017 for Service Provider to the Legal Profession. (Front row l to r) Aedín Twamley, Siobhan Phelan, T P Kennedy (Director of Education), Dr Freda Grealy (Head of Diploma Centre), Rebecca Raftery, Hazel Bradley (Back row l to r) Shane Farrell, Keith Kierans, John Lunney, Rory O'Boyle, Steve Collender, Joanne Martin, Claire O'Mahony (not pictured are Deirdre Flynn and Cian Monahan)



## CONTACT US

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T 01 672 4802  
W [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre)

**Prospectus coordinator:** Rebecca Raftery, **Design:** Eugenea Leddy,  
**Photography:** Jason Clarke Photography, Lensmen Photography, and Cian Redmond Photography

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# DIPLOMA IN ENVIRONMENTAL AND PLANNING LAW

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will have attained:

- A comprehensive understanding of the overall structure of environmental and planning law in Ireland and the role of the organisations entrusted with overseeing its implementation,
- Knowledge of the legislative framework and regulation of planning law in Ireland,
- An insight into litigation in the area in light of recent judicial decisions,
- An understanding of recent developments in the area of environmental law and planning affecting practitioners and those working in local authorities.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

This advanced-level diploma course aims to provide a comprehensive practical overview of the current legislative framework in the environmental and planning realms. The objective is to assist practitioners in determining what planning and environmental legislation applies and what the exposure is for clients arising from this. Several legal issues have arisen as a result of the recession, such as environmental and economic quandaries for developers and local authorities. This course will examine topical issues, including environmental problems, the interplay with the Environmental Protection Agency, planning control, developments in waste law, recent European law and Irish legislation, recent case law, issues of environmental liability in insolvency, enforcement, transboundary environmental issues, the impact of environmental law on planning, the nature of development, and the impact and effect of State bodies such as NAMA and Irish Water.

The programme is based on the following module scheme and covers key themes as listed below:

### MODULE 1: ENVIRONMENTAL LAW, THE OVERALL STRUCTURE, AND RECENT DEVELOPMENTS

- Overall structure and recent developments in environmental law
- The Environmental Protection Agency (EPA)
- Role of the local authority; Irish Water – an overview; green energy and climate change
- Environmental enforcement

### MODULE 2: THE LEGISLATIVE FRAMEWORK AND REGULATION OF PLANNING LAW IN IRELAND

- Planning law in Ireland
- Planning applications
- Environmental impact assessments
- Impact of environmental law on planning
- National Asset Management Agency

### MODULE 3: LITIGATION AND INTERFACE OF ENVIRONMENTAL LAW AND PLANNING

- Environmental issues in corporate and property transactions
- Judicial reviews of An Bord Pleanála and the EPA
- Environmental liability – criminal and civil liability
- Environmental directive and transposing directive



**START DATE**  
Wednesday 4 October 2017

**DELIVERY METHOD**  
Blended learning: on-site and online lectures Wednesdays 6pm to 8.30pm and four interactive workshops on-site

**ASSESSMENT**  
Three-hour closed-book written exam, 14 April 2018

**FEE**  
€2,500

## WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the participant's knowledge.

Workshop 1: Wednesday 22 November 2017 – key emphasis on the application of environmental law to common scenarios encountered in practice.

Workshop 2: Wednesday 17 January 2018 – key emphasis on the application of planning law to common scenarios encountered in practice.

Workshop 3: Wednesday 21 February 2018 – key emphasis on litigation in relation to environmental law and planning.

Workshop 4: Wednesday 28 February 2018 – final sessions workshop: a review of all modules to date, with problem-based questions and a focus on examination preparation.

## WHO SHOULD ATTEND?

This course is suitable for:

- Public sector, private sector, and in-house solicitors working in the areas of conveyancing and planning, commercial litigation, and environmental law,
- Trainee solicitors and students seeking to expand their knowledge of environmental law,
- Barristers who practise in the area of commercial litigation,
- Civil servants and those working within a local authority in environmental and planning departments, and
- Other suitably qualified professionals, such as environmental agents and town planners, who have an interest in environmental law.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €200.

## FACULTY

Lecturers and tutors will be drawn from solicitors, barristers, and other professionals with expertise in environmental and planning law. Previous lecturers have included:



Danielle Conaghan,  
Arthur Cox



Lorna Dempsey,  
EPA



Alison Fanagan,  
A&L Goodbody



Tom Flynn BL



Michelle Linnane,  
consultant solicitor



Christopher  
McGarry, NAMA



Noeleen McHenry,  
Irish Water



Jason Milne,  
A&L Goodbody



Stephen Proctor,  
McCann FitzGerald



Alan Roberts,  
A&L Goodbody



Dr Áine Ryall,  
University College  
Cork



Alice Whittaker,  
Philip Lee



Brendan Slattery,  
Barry Doyle &  
Company

## LEESHA O'DRISCOLL BL

**speaks about her experience of taking the Diploma in Environmental and Planning Law**

*"I found the diploma course very beneficial.*

*It was comprehensive in its scope, and the structure was logical and sequential. The live lectures and tutorials were scheduled in blocks, which made them reasonably easy to fit in, and the fact that all of the materials, as well as the lectures, were recorded and left online meant that one could catch up without difficulty when it was not possible to attend in person.*

*"The lecturers were extremely experienced in their chosen fields and shared their knowledge and time generously. Their real professional experience of cases and projects that are highly topical in environmental and planning law brought the subjects alive and made for some very interesting lectures and discussion. I particularly liked that the lecturers and the course participants came from a variety of professional backgrounds, such as planning, conservation, waste management and in-house lawyers, as well as solicitors and barristers. From my perspective, this helped me to gain a much better understanding of how the issues in this area arise in practice – and it also made for some very lively chats over the coffee breaks!"*



# DIPLOMA IN FINANCE LAW

## PROGRAMME OBJECTIVES

On completion of this course, participants will have:

- A comprehensive understanding of finance law and the legal regulations/directives that relate to specific financial services sectors in Ireland,
- A thorough understanding of the regulatory framework for the financial services industry in this jurisdiction and the ability to analyse recent developments in this area,
- A specialised knowledge of the banking industry and a detailed knowledge of the provisions of a range of banking documentation,
- Familiarity with a range of various industry sectors, including investment firms, investment funds, insurances/reinsurance and undertakings, and stockbroking,
- An overview of the effects of recent case law and legislative developments on financial services in Ireland.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

The diploma provides participants with a comprehensive and in-depth understanding of the law in relation to the provision of financial services from a national and international perspective. This dynamic area is constantly subject to regulatory and statutory changes at both a European and national level. The modules in this diploma will consider the current financial services market in Ireland and the regulatory framework in which it operates. The course also focuses on specific technical and legal aspects, including a review of the underlying principles and characteristics of banking and financial markets, perspectives on corporate finance, and the regulatory issues that relate to domestic and international capital markets.

The programme is based on the following module scheme and covers key themes as listed below:

### MODULE 1: FINANCIAL SERVICES MARKET

- Legislative provisions
- The Central Bank and regulation
- Investment firms

### MODULE 2: INDUSTRY SECTORS

- Investment funds
- Insurance
- Pensions

### MODULE 3: BANKING SECTORS AND LOAN FINANCING

- Regulation of banking in Ireland
- Codes of practice
- Corporate banking

### MODULE 4: LOAN FINANCING

- Loan Market Association
- Equity financing
- Recovery and restructuring

### MODULE 5: CAPITAL MARKETS

- Bond markets
- International Swaps and Derivatives Association
- Irish Stock Exchange



**START DATE**  
Saturday 7 October 2017

**DELIVERY METHOD**  
Blended learning: lectures on-site and online, with interactive on-site workshops

**ASSESSMENT**  
Three-hour closed-book written exam, 14 April 2018

**FEE**  
€2,500

## MODULE 6: CAPITAL MARKETS AND CORPORATE GOVERNANCE

- Corporate governance
- Money laundering
- Insider dealing and market manipulation

## WORKSHOPS

A number of workshops will be held throughout the course. Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the student's knowledge.

Workshop 1: 25 November 2017.

Workshop 2: 13 January 2018.

Workshop 3: 10 February 2018.

Workshop 4: 24 March 2018.

## WHO SHOULD ATTEND?

This course is suitable for the following:

- Solicitors, trainee solicitors, paralegals, and other

suitable professionals who wish to expand their knowledge of the financial services industry with a view to moving into the area,

- Solicitors, those in the banking industry, and other suitable professionals seeking to gain a thorough understanding of the rules governing the regulation of banking and a detailed knowledge of banking documentation,
- Solicitors and other suitable professionals who wish to familiarise themselves with the funds industry in Ireland,
- Directors or relevant professionals who wish to familiarise themselves with compliance issues in relation to the financial services industry.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €200.



## FACULTY

Lecturers and tutors will be drawn from solicitors, barristers, accountants, and others with expertise in the field of finance law. Previous lecturers have included:



Patrick Ambrose,  
solicitor



Damien Barnaville,  
LK Shields



Eimear Burbridge,  
Walkers



Elaine Byrne,  
Central Bank of  
Ireland



Garret Byrne BL



Robert Cain,  
Arthur Cox



Niall Campbell,  
William Fry



Liam Collins,  
Matheson



Ger Deering,  
Financial Services  
Ombudsman



Ailis Garvey,  
Walkers



Libby Garvey,  
Eugene F Collins



Grace Guy,  
Pensions Authority



Berni Hosty,  
A&L Goodbody



William Johnston,  
Arthur Cox



Daniel Lawlor,  
Central Bank of  
Ireland



Kevin Lynch,  
Arthur Cox



Aaron McGarry,  
Walkers



Paul McMahon,  
Lavelle Solicitors



Sarah Maguire,  
Dillon Eustace



Darren Maher,  
Matheson



David Molloy,  
Arthur Cox



Patrick Molloy,  
Matheson



Trevor Murphy,  
solicitor



Tara O'Callaghan,  
Dillon Eustace



Eoin O'Connor,  
Walkers



Gavin O'Flaherty,  
Eversheds  
Sutherland



Kerill  
O'Shaughnessy,  
Walkers



Peter O'Toole, AIB



James Phelan,  
William Fry



Paula Reid,  
A&L Goodbody

DIPLOMA IN  
CONSTRUCTION  
LAW (NEW)

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will have:

- An in-depth knowledge and understanding of key topics in the fields of construction law and dispute resolution,
- Developed skills to evaluate and critically analyse how a contract is discharged and identify how a contract is performed and breached,
- Enhanced knowledge and skills in relation to contracts, contract administration, and the central documentation, and
- An understanding of dispute-resolution management and how alternative mechanisms such as adjudication and arbitration work.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

This new, advanced-level diploma course aims to provide a comprehensive overview of the specialised discipline of construction law and practice in Ireland. The increasing complexity of construction law provides for a proliferation of contracts and conflict and dispute-resolution mechanisms. This complexity has led to a demand for professionals with the skills to analyse, manage, and solve intricate problems that often arise on major projects.

The diploma will take a practical approach to the complex issues that arise from the multiparty nature of the construction process. Students will be introduced to the standard forms of construction contracts, with particular focus on the Public Works and RIAI Contracts. There will be specialised introductory streams for lawyers and non-lawyers, and specific modules on the tendering process and construction dispute resolution. Other prominent areas of study will include the *Construction Contracts Act 2013*, allocation of risk between the employer and the contractor, collateral warranties and bonds, specialists and subcontractors, and the *Building Control (Amendment) Regulations 2014*.

Practical training through the use of case studies and workshops will be enhanced by looking at the overall regulation of construction and the role of regulatory authorities, case law, and recent and future developments.

The programme is based on the following module scheme and covers key themes as listed below:

## MODULE 1: AN INTRODUCTION TO CONSTRUCTION LAW

- Specialised stream for lawyers, introducing the construction process
- Specialised introductory stream for non-lawyers, introducing the principles of the law of contract
- An overview of the standard forms of contract
- Specialists and subcontractors

## MODULE 2: CONSTRUCTION PROCUREMENT – THE TENDERING PROCESS

- An overview of the *Public Procurement Directive*
- The tendering procedure
- Remedies available to unsuccessful candidates



## START DATE

Wednesday 11 October 2017

## DELIVERY METHOD

Blended learning: on-site and online Wednesdays 6pm to 8.30pm, with four on-site interactive workshops on Saturdays

## ASSESSMENT

Continuous assessment (20%) and final written examination (80%), 14 April 2018

## FEE

€2,500

## MODULE 3: CONSTRUCTION CONTRACTS

- Part 1: Everyday risk – delay claims; liquidated damages; notice and exclusion clauses
- Part 2: Contract administration – the role of the certifier; payment provisions, including the *Construction Contracts Act 2013*; substantial completion, defects liability period, and retention
- Part 3: Common pitfalls – collateral warranties and bonds; termination clauses; liability provisions and insurance provisions

## MODULE 4: CONSTRUCTION DISPUTE RESOLUTION

- A guide to alternative dispute resolution
- Dispute resolution through adjudication
- Arbitration practice and procedure

## WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the student's knowledge.

Workshop 1: Saturday 3 February 2018 – construction contracts problem scenarios.

Workshop 2: Saturday 3 February 2018 – construction law case studies.

Workshop 3: Saturday 10 March 2018 – interactive alternative dispute resolution scenarios.

Workshop 4: Wednesday 14 March 2018 – examination preparation workshop.

## WHO SHOULD ATTEND?

This course is suitable for solicitors currently working in the area or those who would be interested in practising in this area. It will also appeal to dispute resolution solicitors and barristers looking to broaden their understanding of an area of law that generates a large amount of claims and litigation. The course will also be of interest to experienced construction professionals, including engineers, claims surveyors, and expert witnesses.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €200.

## DIPLOMA IN EMPLOYMENT LAW

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will have:

- An excellent understanding of the legislative and structural framework governing our system of employment rights and industrial relations,
- Familiarity with the legal considerations to be aware of during the recruitment process,
- An understanding of key standard employee-related policies and procedures,
- A thorough knowledge of applicable codes of practice,
- A knowledge of the legal issues relating to equality matters that permeate the employment relationship, from recruitment through to termination,
- A thorough knowledge of the legal issues relevant at the point of termination,
- Familiarity with the key considerations regarding applicable dispute resolution procedures.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

Framed by the *Workplace Relations Act 2015*, this well-established and highly regarded postgraduate diploma provides a comprehensive understanding of employment law, covering all aspects of the employer/employee relationship, from recruitment through to termination. Relying on contributions from leading practitioners, stakeholders, and decision-makers in the area, we highlight how new developments are likely to affect your practice. For example, we will focus on recent practice and procedural developments arising out of the Workplace Relations Reform Programme.

The ultimate aim of the diploma is to provide practitioners with a comprehensive understanding of employment law and practice in this jurisdiction. The employment law programme is based on the following module scheme and covers key themes as listed below:

## MODULE 1: INTRODUCTION TO EMPLOYMENT LAW

- *Workplace Relations Act 2015*
- Forums and redress
- Recruitment and status of workers
- Data protection in the workplace
- The HR perspective



START DATE  
Friday 13 October 2017

DELIVERY METHOD  
Blended learning: on-site and online; block release lectures and workshop sessions over five weekends (Friday and Saturday)

ASSESSMENT  
Three-hour closed-book written examination, 21 April 2018

FEE  
€2,500

## FRED BINCHY

(Binchy Solicitors) speaks about his experience of taking the Diploma in Employment Law



"There were many enjoyable elements to the diploma. The course was very comprehensive and accessible through the use of technology, delivering the content online. The lectures were really excellent. All of us become immersed in our spheres of practice, serving clients, and the distractions of running a business. These courses lift us out of that and give us a fresh perspective. A particularly valuable element I found were the practical workshops, where we honed our client interviewing skills. This learns to bring you back into the room when engaging with your clients."

## MODULE 2: WORKERS AND ALLOWANCES

- Pay and benefits
- Pensions
- *Working Time Act 1997*
- Statutory leave

## MODULE 3: RIGHTS OF THE WORKER

- Equality in the workplace
- Age discrimination
- Bullying and harassment
- Health and safety
- Mediation
- Social media in the workplace

## MODULE 4: RESOLUTIONS

- Trade disputes and industrial relations
- Notice and dismissal
- Grievance and disciplinary procedure
- Whistle-blowing
- Injunctions

## MODULE 5: ISSUES WHEN LEAVING WORK

- *Transfer of Undertakings Regulations*
- Severance packages
- Redundancy
- Practical advice when using the WRA

## WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the participant's knowledge. Workshops are not webcast and require on-site attendance.

Workshop 1: Saturday 11 November 2017.

Workshop 2: Saturday 20 January 2018.

Workshop 3: Saturday 24 February 2018.

Workshop 4: Saturday 10 March 2018.

## WHO SHOULD ATTEND?

This course is suitable for the following:

- Solicitors, barristers, and trainees who advise or wish to advise on employment law matters,
- Key stakeholders and decision-makers within the employment sector who are involved in hiring and managing staff, including human resources professionals, training managers, union officials, those working for recruitment agencies, and line managers dealing with significant volumes of employees.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €200.

Loughlin Deegan (ByrneWallace), the Diploma Centre's Rory O'Boyle (host), Melanie Crowley (Mason Hayes & Curran), and Duncan Inverarity (A&L Goodbody) taking part in the 2017 MOOC in Employment Law live panel discussion, which was broadcast live from the Law Society of Ireland on 9 June 2017



## FACULTY

Lecturers and tutors will be drawn from experienced employment law practitioners. Previous lecturers have included:



Julie Austin,  
McDowell Purcell



Anna Broderick,  
Eversheds  
Sutherland



Claire Bruton BL



Clare Cashin,  
Philip Lee



Maura Connolly,  
Eugene F Collins



Melanie Crowley,  
Mason Hayes &  
Curran



Caoimhe Heery,  
Ronan Daly Jermyn



Joanne Hyde,  
Eversheds  
Sutherland



Geraldine Hynes,  
mediator



Elaine Kelly,  
ByrneWallace



Sarah Lawn, Mason  
Hayes & Curran



Deirdre Lynch,  
ByrneWallace



Anne Lyne, Hayes  
Solicitors



Cathy Maguire BL



Cathal McGreal BL



Paula Murphy,  
Daniel Spring



Ronnie Neville,  
Mason Hayes &  
Curran



Anne O'Connell,  
AOC Solicitors



Gail O'Keeffe,  
O'Connor Solicitors



Catherine Ellen  
O'Keeffe, Ronan Daly  
Jermyn



Maeve Regan,  
Mercy Law Centre



Barry Reynolds,  
DAC Beachcroft



Des Ryan BL



Boyce Shubotham,  
William Fry



Philip Smith,  
Arthur Cox



Triona Sugrue,  
Eugene F Collins



Emmet Whelan,  
ByrneWallace



Those who have completed the Diploma Centre's Diploma in Employment Law are eligible to apply for the LLM Employment Law in Practice.

Uniquely, the LLM provides you with the opportunity of using the diploma as a building block to achieve a further recognised academic qualification. For further information, see [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre)



## LLM EMPLOYMENT LAW IN PRACTICE



### DELIVERY METHOD

Distance learning

### ASSESSMENT

Dissertation of between 15,000 and 17,000 words

### FEE

€3,400

This innovative new LLM Employment Law in Practice is offered in association with Northumbria Law School and is specifically designed for those who have completed our Diploma in Employment Law. Uniquely, the LLM provides you with the opportunity of using the

Diploma in Employment Law as a building block to achieve a further recognised academic qualification. In summary, the award requires 180 credits and the Diploma in Employment Law already provides 120 points towards this. A research-based dissertation then makes up the remaining 60 points required.

### OUTLINE

Building upon the Diploma in Employment Law, the programme provides the ideal opportunity for professional development in a specialised area of employment law. Candidates undertake in-depth study of an agreed legal topic under individual tutor supervision. The programme will start in September

2017 and is taught primarily through distance learning, with supervisors predominantly based in the Law Society. The programme lasts for one year, a timescale designed to allow students flexibility to complete the LLM in keeping with their work commitments.

### AUDIENCE

Those who have completed the Diploma Centre's Diploma in Employment Law are eligible to apply for the LLM Employment Law in Practice.

For further information, visit: [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre).

## DIPLOMA IN LAW

### START DATE

Friday 8 September 2017

### DELIVERY METHOD

Blended learning on-site and online

### FEE

€4,400

An intensive postgraduate 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 diploma is unique, in that it integrates 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.

The programme is based on the following module scheme and covers each of the core legal topics as listed below.

### SEMESTER 1

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

### SEMESTER 2

Module 5: Company law  
Module 6: EU law  
Module 7: Property law  
Module 8: Equity or employment law

### AUDIENCE

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.

For further information, visit [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre).



# DIPLOMA IN REGULATION LAW AND PRACTICE (NEW)

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will have:

- An understanding of the rationale, theories and types of regulation,
- Gained knowledge of the main regulatory sectors, as well as the various mechanisms for regulatory enforcement,
- An appreciation of the skills and practical know-how necessary to advise regulatory bodies,
- An understanding of regulatory prosecutions and judicial review actions,
- Acquired enhanced professional expertise in litigation and oral hearings.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

This new diploma will run over six months from autumn 2017. It is open to solicitors, barristers, and suitably qualified professionals who work in regulatory affairs or compliance functions, or those who wish to transition to such roles. The course provides participants with an overview of the rationale for regulation and the various types of frameworks, and it introduces participants to key theories and concepts guiding regulation. It demonstrates the cross-sectoral impact of regulation, as well as introducing a number of the main regulatory sectors, including financial, health, energy, charities, telecoms, and the various professions. It also examines some of the key aspects in providing legal advice to a regulatory body and addresses the mechanism for enforcing regulation both in the courts and at quasi-judicial level, including professional conduct committees, High Court challenges, and judicial review actions.

Practical skills workshops are an integral part of this diploma and will provide advocacy training relevant to oral hearings and inquiries. The course will include a mock inquiry and role-play sessions, which will deepen the learning experience and provide an opportunity for participants to put their learning into practice. In the context of decision-making skills, there will be a session on ethics and the social context of law addressing unconscious bias, sensitivity training awareness, and dealing with vulnerable individuals. Each module will also include a guest lecture from a prominent individual in regulation from one of the various sectors – financial, health, medicines, energy, environmental, security/policing – to provide an overview of their area.

The programme is based on the following module scheme and covers key themes as listed below:

### MODULE 1: INTRODUCTION TO REGULATION LAW

- Rationale for regulation and context
- Regulation – economics, corporate governance, risk management, competition
- Overview of the various types of regulation and sectors
- Function of regulation and various forms of regulation
- Private v public regulation
- Compliance v complaints regulation
- Regulatory accountability and independence



**START DATE**  
Thursday 19 October 2017

**DELIVERY METHOD**  
Blended learning: on-site and online Thursdays 6pm to 8:30pm, with four Saturday interactive workshops

**ASSESSMENT**  
Three-hour closed-book written examination (80%) on 21 April 2018 and continuous assessment (20%)

**FEE**  
€2,500

### MODULE 2: ADVISING ON REGULATION ISSUES

- Common issues encountered
- Delegation of authority, statutory interpretation, transparency
- Data protection, confidentiality, freedom of information
- Advising on use of powers

### MODULE 3: REGULATION IN VARIOUS SECTORS

- Overview of regulation per sector
- Financial services regulation/ombudsman
- Healthcare
- Economic/competition law
- Energy/environmental

### MODULE 4: REGULATION OF THE PROFESSIONS

- Overview of the professions
- Teachers, solicitors, healthcare, architects, accountants, engineers
- Professional codes of conduct
- Professional disciplinary and fitness to practise hearings
- Fair procedures, role of experts, standards of proof
- Guidelines and evidential rules at oral hearing
- Prosecutions

### MODULE 5: ENFORCING REGULATION

- Enforcement pyramid
- Audits and investigations
- Overview of phases in regulatory cycle
- Grievance, pre-inquiry phase, hearings and decision
- Appeals/review
- Challenges/judicial review

### MODULE 6: CHALLENGES TO DECISIONS OF REGULATORY BODIES

- Challenges to processes and procedures
- Role of mediation
- Settlement negotiations
- Judicial review/appeals
- Misfeasance in public office
- Correct procedure for dealing with whistle-blowers

### MODULE 7: LITIGATION, ORAL HEARINGS, INQUIRIES

- Independence and accountability; ethics
- Dealing with vulnerable individuals
- Conflict of interest bias
- Investigations
- Case preparation and management
- Sanction; prior disciplinary history
- Publication of decisions
- Emergency applications; injunctions
- Suspensions
- The role of the legal assessor

### MODULE 8: REGULATION LAW – CURRENT AND REFORMS

- Current trends
- Future reforms

## SKILLS SESSIONS AND WORKSHOPS

There are a number of practical, 'hands-on' workshop sessions during the course. These will include mock inquiry hearings and advocacy skills sessions based on professional competence/disciplinary or 'fitness to practise' prosecution, and also training with regard to procedure(s) at inquiry and, in particular, training for persons chairing inquiries. The final workshop will cover pre-examination preparation.

Workshop 1: Saturday 25 November 2017.  
Workshop 2: Saturday 3 February 2018.  
Workshop 3: Saturday 3 March 2018.  
Workshop 4: Saturday 10 March 2018.

## WHO SHOULD ATTEND?

This course is suitable for solicitors and barristers who advise clients on regulatory matters, trainees, suitably qualified professionals (such as legal assessors), members of complaints and disciplinary committees, regulatory compliance professionals, and professionals who aspire to work in the area of regulation.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €200.

## FACULTY

The teaching faculty for this diploma will be drawn from experienced legal practitioners and experts in the field of regulation, both from this jurisdiction and internationally.

## DIPLOMA IN SPORTS LAW

### PROGRAMME OBJECTIVES

On completion of this training programme, participants will have:

- A comprehensive understanding of sports law,
- An ability to advise clients with confidence on a range of sports law issues,
- Acquired the skills to deal with sports law issues in practice,
- A thorough knowledge of the key legal issues when setting up a sports club and running a sports club,
- An in-depth understanding of the key issues to address when representing an amateur/ professional sports person,
- An excellent grasp of the technical areas of anti-doping, liability, and discipline in sport.

### PROGRAMME STRUCTURE AND APPROACH TO LEARNING

This diploma will provide participants with an insight into the dynamic area of sports law, both domestically and internationally. Modules will address practical issues that practitioners from the smallest to the largest firms can advise on. The course begins with a look at the regulation and governance of the sport sector and identifies and discusses the sporting governing bodies. It outlines how to set up a club and reviews the rules that need to be followed. The course also looks at club membership and the protection of both players and management. The issue of concussion and second-impact syndrome has become very topical, and we ask the question: how do clubs protect themselves and their players and members? An examination of the area of child protection is key to ensuring that young people are safeguarded in their participation in sport.

This diploma also provides a detailed examination of the commercialisation of sport, including sponsorship agreements, broadcasting, ticketing, and merchandising. Key issues such as corruption in sport, violence, gambling, and technology in sport will be considered, followed by an in-depth look at the WADA anti-doping code. Finally, the course looks at disciplinary procedures, both internal and external, including the use of alternative dispute resolution in sport. What disciplinary codes are or should be in place? What policies and procedures are in place to ensure these are adhered to and enforced?

The programme is based on the following module scheme and covers key themes as listed below:

#### MODULE 1: GOVERNANCE AND REGULATION

- Sporting bodies
- Organisational structure; setting up a club
- Rules and regulations
- Taxation of sports organisations
- Funding and grant applications; lottery licences
- EU law and sport

#### MODULE 2: COMMERCIALISATION OF SPORT

- Sponsorship agreements
- Ambush marketing
- Broadcasting
- Ticketing
- Merchandising



**START DATE**  
Wednesday 25 October 2017

**DELIVERY METHOD**  
Blended learning: lectures on-site and online Wednesdays 6pm to 8.30pm, with four interactive workshops onsite.

**ASSESSMENT**  
Three-hour closed-book written examination, 14 April 2018

**FEE**  
€2,500

## ISEULT CODY

**(solicitor, Eoghan P Clear Solicitors) speaks about her experience of taking the Diploma in Sports Law**

*"The Sports Law Diploma offered the unique opportunity to combine my passion for all things sports-related with my career, and it has better equipped me to advise on all sports-related matters."*

*"The course provided an insight into both domestic and international sports law, exploring regulatory and governance matters from the more high-profile issues, such as doping, match-fixing and concussion, to the day-to-day administrative matters, such as employment contracts, establishing a club, and general administrative issues."*

*"I would highly recommend the course for practitioners who act for clubs, sporting bodies, athletes, or those involved in commercial agreements with sporting organisations – or simply if you have a love of sports in general. The course participants ranged from legal practitioners to those involved in the sports industry, with all participants gaining a great appreciation of the complex considerations coming from the legal and sports perspectives."*

MODULE 3: MEMBERSHIP

- Player and management liability
- Protection of players
- Club policies and procedures
- Social media policies
- Equality and discrimination
- Child protection
- Data protection

MODULE 4: PLAYER RIGHTS

- IP and media rights
- Image and player rights
- Player contracts and rights protection

MODULE 5: KEY ISSUES IN SPORT

- Corruption in sport
- Violence in sport
- Concussion; second-impact syndrome
- Gambling and manipulation of sports
- Sport and technology

MODULE 6: ANTI-DOPING

- Application of the WADA code
- Therapeutic use exemption
- Testing and exemptions
- Sanctions

MODULE 7: DISCIPLINARY PROCEDURES

- Disciplinary codes
- Internal disciplinary procedures
- On-field offences
- Dispute resolution bodies
- Arbitration in sport
- Court of Arbitration for Sport

- Suspensions and appeals
- Challenging decisions

WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the participant’s knowledge:

Workshop 1: Wednesday 6 December 2017.

Workshop 2: Wednesday 31 January 2018.

Workshop 3: Wednesday 7 March 2018.

Workshop 4: Wednesday 14 March 2018.

WHO SHOULD ATTEND?

- This course is suitable for solicitors, barristers, and trainees working in sports law or aspiring to do so,
- Professionals with an interest in sports law,
- Professionals working in national/international sports governing bodies,
- Professionals currently working in the area of sports administration or coaching who wish to broaden the scope and depth of their sports law knowledge,
- Athletes who wish to add to their skillset,
- Individuals who volunteer/are committee members of a sports club,
- Individuals with an interest in sports law who aspire to work in the area of sports.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €200.

Guest speaker Páraic Duffy (director general, GAA) discussing the challenges of sports administration with the Diploma in Sports Law class



FACULTY

The teaching faculty for this diploma comprises a fantastic array of sports law experts. Previous lecturers have included:



Susan Ahern BL



Dr Jack Anderson,  
Queen's University  
Belfast



Roisin Bennett,  
Reddy Charlton  
Solicitors



Dr Ian Blackshaw,  
sports lawyer



David Casserly BL



Patrick Conliffe,  
registered  
football agent  
(intermediary),  
consulting solicitor



Fergal Crehan BL



Páraic Duffy,  
director general,  
GAA



Edward Evans,  
Beauchamps



Stuart Gilhooly,  
HJ Ward & Co,  
Solicitors



Laura Graham,  
Reddy Charlton



Cliodhna Guy,  
Turf Club



Benoît Keane,  
Keane Legal,  
Brussels



Liam Keane, Liam  
Keane & Partners



Deirdre Kilroy,  
Matheson



Ian Lynam, Charles  
Russell Speechlys



Elaine McGrath,  
Reddy Charlton  
Solicitors



Yvonne Nolan,  
World Rugby



Julie O'Mahony,  
World Rugby



Tim O'Connor BL



Gary O'Mahony,  
O'Hara Dolan Tax  
Consultants



Louise Reilly BL



Gary Rice,  
DAC Beachcroft

# DIPLOMA IN MEDIATOR TRAINING



**START DATE**  
Friday 10 November 2017

**DELIVERY METHOD**  
Blended learning: pre-release of online lectures and three on-site interactive Friday and Saturday sessions

**ASSESSMENT**  
Continuous assessment, together with a final 2,500-word written assignment and optional practical role-play assessment

**FEE**  
€3,000

## PROGRAMME OBJECTIVES

On completion of this training, programme participants will understand:

- The law underpinning mediation and the theoretical foundation of the mediation process,
- The actual process of mediation itself and how to identify at an early stage whether a case is suitable for mediation,
- How to develop the core competencies necessary for mediating a dispute,
- How to use mediation skills and tools with fluidity and proficiency,
- The mediator's role and the inherent challenges of the mediation process, and
- The challenges and opportunities if considering establishing a mediation practice.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

The goal of this diploma is to provide an appreciation of the theoretical foundations of the mediation process and to equip participants with the necessary skills to successfully mediate disputes in a number of different settings. The course and the intensive interactive workshops are designed for those wishing to practise as trained mediators, and the diploma is accredited by the Mediators' Institute of Ireland, subject to successful completion of the assessment (see below).

The course design adopts a flipped-learning approach, whereby video lectures released in advance provide an in-depth review of the process of mediation and its increasing importance in the litigation landscape. We also examine the recently published *Mediation Bill* and its aim to promote mediation as a viable, effective, and efficient alternative to court proceedings, thereby reducing legal costs, speeding up the resolution of disputes, and relieving the stress involved in court proceedings. This course is designed therefore not only equip participants with the skills to act as a mediator, but also to consider fully how the practice of mediation will be affected by the new statutory framework. The new Bill focuses on a number of different aspects of mediation:

- It introduces an obligation on solicitors and barristers to advise parties to disputes to consider using mediation as a means of resolving them,
- It provides that a court may, on its own initiative, invite the parties to consider mediation,
- It provides for the suspension of limitation periods to facilitate the mediation process,

### DAVID TONKS

(chartered arbitrator and mediator, Project Dynamics) speaks about his experience of taking the Mediation Diploma



"I found the course very useful, and it will be career-changing for me. I also intend to invest in further study at the same provider once this course has finished, as I like the specific nature of the courses on offer. I enjoyed the mixture of online and on-site attendance, as it provides flexibility and reduces the strain on mixing work with study."

- It addresses the confidentiality of the mediation process,
- It sets out how mediated settlement agreements can be made enforceable, and
- It permits the introduction of a code of practice for the conduct of mediation by qualified mediators.

Mediation role-plays form the primary focus of our participative and interactive on-site sessions, with contextual and theoretical knowledge issued online in advance of those sessions. The on-site dates are as follows:

- Friday 10 November and Saturday 11 November,
- Friday 8 December and Saturday 9 December,
- Friday 26 January and Saturday 27 January 2018.

The programme is based on the following module scheme and covers key themes as listed below:

### MODULE 1: THEORETICAL FOUNDATIONS

- Understanding the mediation process
- Types of mediation
- Approaches to mediation

### MODULE 2: MEDIATION REGULATION

- Legislation and court rules
- The *Mediation Bill*
- The impact of regulation on practice

### MODULE 3: MEDIATION PRACTICE

- Ethics and moral principles
- Rules of conduct
- Suitability for mediation

### MODULE 4: MEDIATION CONTEXTS

- Family mediation
- Workplace mediation
- Commercial mediation
- Other mediation pathways

The diploma will be assessed by means of a combination of continuous assessment and a final written assignment. The continuous assessment will account for 20% of the final mark, with the final assignment based on 2,500-word case study that will account for 80% of the overall diploma result.

Participants who complete the 60-hour training programme and successfully attain the diploma will then be eligible to attend a mediation role-play assessment administered by the Mediators' Institute of Ireland (MII), the successful completion of which will lead to certified membership of the MII (see panel, right).

## WHO SHOULD ATTEND?

This course is suitable for solicitors, barristers, and trainees interested in the mediation process. The course will also appeal to suitably qualified non-legal professionals whose work requires them to engage in alternative dispute resolution mechanisms, whether that is in the workplace setting, family matters, or commercial disputes.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €200.

## MII ACCREDITATION

As part of the Diploma in Mediator Training, you have the option of achieving MII accreditation.



**Delivery method:** Participants who complete the 60-hour training programme and successfully attain the diploma will then be eligible to attend a mediation role-play assessment administered by the Mediators' Institute of Ireland (MII), the successful completion of which will lead to certified membership of the MII. There is an additional charge payable to the MII in the amount of €250 in respect of the assessment. The date of the assessment is to be advised in later autumn and will take place within weeks of the final module.

**Assessment:** Recorded role-play assessment.

**Fee:** €250

## FACULTY

The course is facilitated by experienced mediation practitioners with extensive knowledge and insight of how the mediation process interacts with more traditional forms of dispute resolution. Previous faculty members have included:



Sabine Walsh,  
Sabine Walsh  
Mediation



Mary Rafferty,  
Consensus  
Mediation



Mary Miles,  
Miles Mediation



Austin Kenny,  
accredited mediator



Fergus Armstrong,  
One Resolve



William Aylmer,  
Aylmer & Co



Aoife Gaughan,  
DWF



Bill Holohan,  
Holohan Solicitors



Geraldine Hynes,  
mediator



Joe Kelly, A&L  
Goodbody



John Kennedy BL



Damien Keogh,  
Damien Keogh and  
Associates



Helen Kilroy,  
McCann FitzGerald



Richard Lee,  
Lee Solicitors



Michael M Moran,  
Michael M Moran  
Solicitors



Jennifer O'Brien,  
Irish Family Law  
Chambers



Mark Regan,  
Regan Solicitors



Joe Thomas,  
O'Reilly Thomas



Michael Tyrrell,  
Michelangelo  
Consultants

DIPLOMA IN  
EDUCATION LAW

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will have:

- An excellent understanding of the key employment law issues relevant to the school setting,
- An understanding of school structures and governance arrangements,
- A thorough knowledge of admissions policies and student conduct issues,
- Knowledge of the legal issues relating to special educational needs,
- Familiarity with key considerations regarding negligence and litigation management,
- A thorough knowledge of child protection issues,
- An understanding of matters relevant to higher, further, and adult education.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

Now in its second year, this highly regarded advanced-level diploma is designed to provide participants with a comprehensive understanding of the complex legal topics that arise when advising on education law matters. The practice of education law encompasses a diverse range of potential practice areas, including employment law, equality law, conflict resolution, corporate governance, child protection, and litigation. Added to this complexity of potential legal issues is the fact that, in order to provide effective and informed solutions, those advising in education law disputes also need to understand the governance and decision-making structures that apply within the particular school.

This course will begin with a general introduction to the often fascinating development of education law in Ireland, considering key constitutional and legislative provisions, before reflecting in more detail on the specific day-to-day issues that arise when advising on education law matters or, indeed, when acting as a decision-maker within a school.

The programme is based on the following module scheme and covers key themes as listed below:

MODULE 1: EMPLOYMENT LAW IN THE SCHOOL CONTEXT –  
PART 1

- Recruitment of staff; status of workers
- The contract of employment and understanding CIDs
- Grievance and disciplinary procedures
- Termination of employment and unfair dismissals
- The Teaching Council, registration, and 'fitness to teach' – part 5 of the *Teaching Council Acts 2001-2015*

MODULE 2: EMPLOYMENT LAW IN THE SCHOOL CONTEXT –  
PART 2

- Promotion of staff and appointment procedures for principals
- Equality in the workplace
- Managing bullying and harassment within schools
- The application of the *Transfer of Undertakings Regulations* in the school context

## MODULE 3: ADMISSIONS POLICIES AND STUDENT CONDUCT

- Admission, enrolment policies, and equality provisions
- Codes of behaviour and school disciplinary procedures
- Peer-to-peer bullying and student use of social media
- Managing parental complaints



START DATE  
Friday 3 November 2017

DELIVERY METHOD  
Blended learning: block placement – four Friday and Saturday sessions with lectures on-site and online (to coincide with periods of school leave)

ASSESSMENT  
Three-hour closed-book written examination, 21 April 2018

FEE  
€2,500



## DAMIEN KENNEDY

**(principal, Nenagh College, Tipperary) speaks about his experience of taking the Diploma in Education Law**

*"I had been searching for some time for a course that would deal specifically with the topic of education law. I had spent the last 15 years as a manager in various roles in schools and found that schools are constantly in need of support and advice on legal issues in a rapidly changing education landscape. The Law Society's Diploma in Education Law was exactly what I was looking for.*

*"The workshops, lecture papers, and slides contained accurate, up-to-date information on all legislative acts that affect education and that principals and boards of management need to constantly refer to when dealing with issues in their schools. They provided an opportunity for course participants to practically apply the knowledge gained in the lectures to 'real life' scenarios through case studies. Each session was meticulously prepared by the facilitators, and the supporting documentation was very helpful, both as a guide and reference.*

*"I would strongly recommend the Diploma in Education Law to my fellow principals, whether they are new and need guidance or experienced and need an update. The all-embracing nature of the course will provide you with the knowledge and confidence to deal with the myriad issues that arise in schools each day."*

## MODULE 4: SCHOOL STRUCTURES AND GOVERNANCE

- Legislative framework – the *Education Act 1988* and amending legislation
- Structure and role of boards of management
- The role of the principals and teachers
- Financial management
- The inspectorate

## MODULE 5: NEGLIGENCE AND LITIGATION MANAGEMENT

- The duty of care in the school context
- The standard of care
- When the duty arises and the ‘boundaries’ of the school
- Sporting activities organised by schools
- Teacher negligence and contributory negligence of children
- Degree of supervision and student maturity
- Liability of the school authority

## MODULE 6: PROVIDING FOR SPECIAL EDUCATIONAL NEEDS

- Constitutional considerations and legislative provisions
- School policies and procedures for special educational needs
- Roles and functions of boards of management and principals
- The examination and assessment process
- Equality law provisions, with a focus on disability discrimination

## MODULE 7: COMPLIANCE MATTERS AND MISCELLANEOUS PROVISIONS

- Freedom of information and data protection concerns relevant to schools
- Child protection obligations and the role of the designated liaison person
- The *Protected Disclosures Act 2014*
- Participating in case conferences – best practice

- Tusla reporting requirements
- Health and safety provisions

## MODULE 8: HIGHER, FURTHER, AND ADULT EDUCATION

- Governance structures at third level
- Student conduct issues
- Issues relevant to international students
- The examination process and managing plagiarism
- Equality provisions with a focus on disability discrimination

## WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the participant’s knowledge.

Workshop 1: Saturday 6 January 2018.

Workshop 2: Saturday 17 February 2018.

Workshop 3: Saturday 7 April 2018.

## WHO SHOULD ATTEND?

This course is suitable for solicitors, barristers, and trainees who advise or wish to advise on education law matters and key stakeholders and decision-makers within the education setting, including school principals, teachers, management organisations, trade unions, and staff associations.

The course is designed to be as accessible as possible, with key on-site sessions taking place during standard school holidays and all lectures webcast and accessible ‘live’ or in playback format.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €200.

## FACULTY

Lecturers and tutors will be drawn from experienced practitioners in the field of education law. Previous lecturers have included:



Ian O’Herlihy (Mason Hayes & Curran) leading an examination preparation workshop for the Diploma in Education Law



# DIPLOMA IN COMMERCIAL LITIGATION

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will be able to:

- Demonstrate a specialised knowledge of commercial litigation and practice,
- Advise on the commercial court procedure and the strict rules that apply to this process,
- Understand the increasing importance of alternative dispute resolution mechanisms, including mediation and arbitration, and
- Show a detailed understanding of more discrete areas in the commercial sphere.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

This advanced diploma course will provide practitioners with a comprehensive knowledge of commercial litigation and its practical impact on the commercial landscape in Ireland. The practice and procedure of running a commercial case, from issuing proceedings to conclusion, will be examined in detail. Consideration will be given to the case management rules, a practitioner's perspective of electronic discovery and document management, pre-trial applications, expert evidence and enforcement. The success of the Commercial Court in this jurisdiction, and the high volume of cases progressing through the court, makes it imperative for practitioners to familiarise themselves with its strict rules and deadlines.

The growing importance of alternative dispute resolution will be addressed in a practical module that will provide an overview of the variety of ADR methods available. The module focus will be on the role of the solicitor in representing clients in these dispute resolution methods outside of the court process. The course will also see experts examining discrete areas of commercial litigation, including intellectual property disputes and landlord and tenant disputes in the commercial context.

The programme is based on the following module scheme and covers key themes as listed below:

### MODULE 1: PRACTICE AND PROCEDURE

- *Rules of the Superior Courts (Conduct of Trials) 2016 (SI 254/2016)*
- *Rules of the Superior Courts (Chancery and Non-Jury actions and Other Designated Proceedings: Pre-Trial Procedures) 2016 (SI 255/2016)*
- A practitioner's perspective on e-discovery and document management in commercial litigation
- Requests for further information: interrogatories, discovery, and requests for particulars

#### PADDY SMYTH

(solicitor, McDowell Purcell) speaks about his experience of taking the Diploma in Commercial Litigation



"I have no hesitation in recommending the Diploma in Commercial Litigation to colleagues. The lecturers were engaging, practical, and helpful. Lectures were run at convenient times, and all posted online for the times when life gets in the way."



**START DATE**  
Tuesday 7 November 2017

**DELIVERY METHOD**  
Blended learning: on-site and online Tuesdays 6pm to 8.30pm, with on-site interactive workshops on Saturdays and Tuesday evenings

**ASSESSMENT**  
Three-hour closed-book written examination, 21 April 2018

**FEE**  
€2,500

### MODULE 2: INTERIM APPLICATIONS

- Interlocutory applications; motions to deal with preliminary issues of law and fact
- Injunctions
- Security for costs

### MODULE 3: TRIAL, SETTLEMENT AND APPEALS

- Preparing for trial: proofs and prospects of success
- Rules of evidence
- Expert witnesses

### MODULE 4: THE COMMERCIAL COURT

- Criteria for entry
- Case management

### MODULE 5: ALTERNATIVE DISPUTE RESOLUTION

- A guide to ADR methods
- The *Mediation Bill* and current trends in mediation
- Arbitration – practice and procedures; enforceability of awards

### MODULE 6: DISCRETE AREAS OF COMMERCIAL LITIGATION

- Technology and intellectual property
- Construction disputes
- Commercial lease disputes

## WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the participant's knowledge.

Workshop 1: Tuesday 12 December 2017.  
Workshop 2: Saturday 10 February 2018.  
Workshop 3: Saturday 10 March 2018.

## WHO SHOULD ATTEND?

This course will be of interest to seasoned litigators, in addition to those with a limited exposure to litigation practice who are keen to get a comprehensive and up-to-date overview of commercial litigation practice and procedure in this jurisdiction. This diploma is open to solicitors, barristers, and trainees only.

## FACULTY

The teaching faculty for this diploma comprises an impressive selection of commercial litigation experts. Previous lecturers have included:



Lisa Broderick, DAC Beachcroft



Paul Anthony McDermott BL



Paul Lavery, McCann FitzGerald



Norman Fitzgerald, Eversheds Sutherland



Stephen Dowling BL



Eileen Roberts, A&L Goodbody



Keith Smith, Arthur Cox



Colin Monaghan, Arthur Cox



Enda Hurley, A&L Goodbody



Michael Tyrrell, Matheson



Hugh J Ward, Hugh J Ward & Co, Solicitors



Paul Jacobs, Grant Thornton Forensic & Investigation Services



Stephen Fitzpatrick, Peter Fitzpatrick & Co



Michael Byrne, Matheson

# CERTIFICATE IN COMPANY SECRETARIAL LAW AND PRACTICE

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will:

- Identify the scope, role, and functions of the company secretary,
- Critically evaluate the role of company secretary as an advisor to the board,
- Understand the law and best practice in key functional matters (for example, meetings and share capital management),
- Ensure compliance with CRO filing requirements,
- Understand the company law framework in Ireland as governed by the *Companies Act 2014*.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

Jointly awarded by the Law Society of Ireland and the Institute of Chartered Secretaries & Administrators, this Certificate in Company Secretarial Law and Practice offers a practical insight into company secretarial requirements in Ireland.

The requirement in the *Companies Act 2014* obliging the directors of a company to appoint a suitably qualified individual to the position of company secretary has enhanced the company secretary's position as the principal legal administrative and compliance officer within a company. The duties and responsibilities of the company secretary vary depending on the industry in question and the type of company involved. With an increased focus on the need for effective governance in the current climate, the position has expanded in many companies, and the scope of the role has moved beyond corporate compliance to become a focal point for advice about governance, compliance, and the conduct of business.

This established course focuses on the procedural requirements of company secretarial practice and aims to provide participants with a comprehensive understanding of the company law framework and key corporate governance provisions under the *Companies Act*.

The programme is based on the following module scheme and covers key themes as listed below:

### MODULE 1: COMPANY LAW AND COMPANY FORMATION

- The role and legal duties of the company secretary
- The *Companies Act* – structure and key provisions
- The company incorporation process

### MODULE 2: ANNUAL COMPLIANCE

- Maintaining the statutory registers

#### DENISE KENNY

(Unilever Ireland Ltd) speaks about her experience of taking the Certificate in Company Secretarial Law and Practice



"My overall experience of the Certificate in Company Secretarial Law and Practice was one of great joy. Both the professional and down-to-earth approach shown to each participant was exemplary. I would highly recommend taking a course with the Diploma Centre."



**START DATE**  
Tuesday 3 October 2017

**DELIVERY METHOD**  
Blended learning: on-site and online Tuesdays 6pm to 8:30pm, with Saturday on-site workshops

**ASSESSMENT**  
Three-hour closed-book examination on Saturday 20 January 2018

**FEE**  
€1,550

- Types of members' and directors' resolutions
- Annual returns and financial statements
- Corporate governance

### MODULE 3: TRANSACTIONS

- Summary approvals procedure
- Share capital – allotment, variation, and transfer
- Redemption and buyback

### MODULE 4: WIND-UP

- Types of company wind-up
- Strike-off and restoration

## WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the participant's knowledge.

Workshop 1: Saturday 11 November 2017.

Workshop 2: Saturday 2 December 2017.

Workshop 3: Saturday 6 January 2018.

## WHO SHOULD ATTEND?

- Solicitors who offer company secretarial services or who advise clients in this area,
- In-house lawyers,
- Those looking to develop their company secretarial skills and knowledge with a view to developing new opportunities and offering new services to existing clients,
- Company secretaries and their teams,
- Suitably qualified corporate governance and compliance professionals looking to develop their legal knowledge and practical skills in this growing area.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €100.

## FACULTY

Lecturers and tutors will be drawn from those with expertise in the field of company secretarial law. Previous lecturers have included:



Fiona Barry, PwC



Tracy Byrne, Standard Life



Ruairi Cosgrove, PwC



Enda Cullivan, Eversheds Sutherland



Eleanor Daly, FEXCO



Ross Forde, Matheson



Jonathon Lynch, ByrneWallace



Jacqueline McGowan Smyth, Arthur Cox



Salvador Nash, KPMG



Daibhi O'Leary, Arthur Cox



Jillian O'Sullivan, Grant Thornton



Conor Ryan, Permanent TSB



Conor Sweeney, CLS Chartered Secretaries



Bob Semple, consultant

## ICSA AFFILIATE MEMBERSHIP

As soon as the course begins, you will receive one year's affiliate membership of the Institute of Chartered Secretaries and Administrators. ICSA affiliation is designed for company secretaries, legal counsel, lawyers, and everyone with responsibility for governance, risk, and compliance in organisations of all sizes, including businesses, trusts, and charities. It offers access to ICSA's supportive professional community, where you will find expertise, guidance, and development advice.

### Affiliate members enjoy:

- Practical advice on how to establish good governance in your organisation,
- Briefings on the latest statutory developments and ways to respond to them,
- Preferential access to practical, inspiring professional development activities,
- Exclusive discounts on ICSA content, training, and many other business and recreational purchases from selected partners,
- Opportunities to extend your network in your local area and across the world,
- Career support.

# CERTIFICATE IN DATA PROTECTION PRACTICE



**START DATE**  
Thursday 5 October 2017

**DELIVERY METHOD**  
Blended learning: introductory lecture on-site and online; thereafter online Thursdays with online workshops on Saturdays

**ASSESSMENT**  
2,500-word written assignment, including case-study scenarios and multiple choice questions

**FEE**  
€1,550

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will have:

- A comprehensive understanding of the current data protection legislation and the principles of data protection,
- A thorough knowledge of Regulation 2016/679 (the GDPR), how to prepare for it, and the impact it will have,
- An excellent grasp of data protection practice, data governance, and compliance,
- Up-to-date knowledge of the changing landscape relating to international transfers of data (Schrems/EU-US privacy shield),
- Confidence to deal with practical data protection issues, such as data access requests, data security, and preventing data breaches,
- The skills to protect their own personal data.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

Data is now a valuable commodity. Modern technologies allow for huge volumes of data to be collected by companies on a daily basis. There are many legal responsibilities associated with collecting, retaining, and processing such data. Data protection laws act to balance an individual's right to privacy with a company's ability to use that data. It is essential that the use of data is regulated to prevent against abuses, while at the same time ensuring that companies can use data efficiently and effectively.

This certificate will offer an in-depth analysis of the current data protection framework. The current data protection laws will be examined, together with the changes proposed by Regulation 2016/679 (the *General Data Protection Regulation*). The law in this area is straightforward; however, its application is less so, especially as the data protection landscape is rapidly changing. Participants will be brought through the application of the law by experienced data protection practitioners and privacy consultants from private practice, the public sector, and from large multinationals. This course will ensure that participants are equipped to deal with the new compliance issues that are ahead.

Course materials, including webcasts of lectures, will be released each week online. In addition, participation in online interactivity will be required. There will be three online interactive workshops to enable participants to connect with expert contributors and to consolidate their knowledge. Participants are also afforded the opportunity to interact with the expert contributors online each week. Participants are invited to have an open-minded approach to learning and are encouraged to interact and share knowledge with colleagues, as engaging online is a central element of online courses.

The programme is based on the following module scheme and covers key themes as listed below:

**MODULE 1: INTRODUCTION TO DATA PROTECTION LAW**

- Origins of data protection law

- Data protection concepts and principles
- Overview of data protection landscape

## MODULE 2: DATA PROCESSING AND SHARING

- Legitimate processing
- Data retention
- Data access requests
- Government data; public sector
- Data protection v freedom of information
- Litigation – legal professional privilege/ discovery

## MODULE 3: DATA PROCESSING AND PERSONAL RIGHTS

- Removal, amendments, rectification
- The right to be forgotten
- Direct marketing
- Automated decision-making
- State surveillance

## MODULE 4: GDPR

- Overview of key proposed changes
- Impact of proposed changes on processing, consent, outsourcing
- Compliance and enforcement
- Requirement to have a DPO
- How to prepare now for the changes ahead
- Changes referenced in each module throughout the certificate

## MODULE 5: DATA GOVERNANCE

- Role of the data protection officer
- Data breaches
- Powers of Commissioner for Data Protection
- Privacy impact assessments

## MODULE 6: INTERNATIONAL DATA TRANSFERS

- Data transfer risks
- Schrems case
- Privacy shield
- Supervision, enforcement, offences

## MODULE 7: DATA PROTECTION COMPLIANCE

- CCTV
- Direct marketing
- Cookies, the cloud
- Outsourcing
- Drones, biometrics, wearable technology

## MODULE 8: DATA GOVERNANCE FRAMEWORK

- Best practice models
- Information asset life cycle

- Aligning DP and data governance
- Standard frameworks and ISOs
- Measuring data protection compliance

## MODULE 9: CHANGE MANAGEMENT

- Context and rationale
- Principles of change management
- Data protection training

## MODULE 10: DATA SECURITY AND TECHNOLOGY

- Physical security of data
- Virtual security of data
- Technical considerations

## MODULE 11: ETHICS IN DATA PROTECTION

- Ethical first principles
- A framework for ethics in information management
- Practical application

## MODULE 12: DATA PROTECTION UPDATE

- Global view and EU v US approach
- Overview of recent data protection issues

## WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the student's knowledge.

Workshop 1: Saturday 11 November 2017.

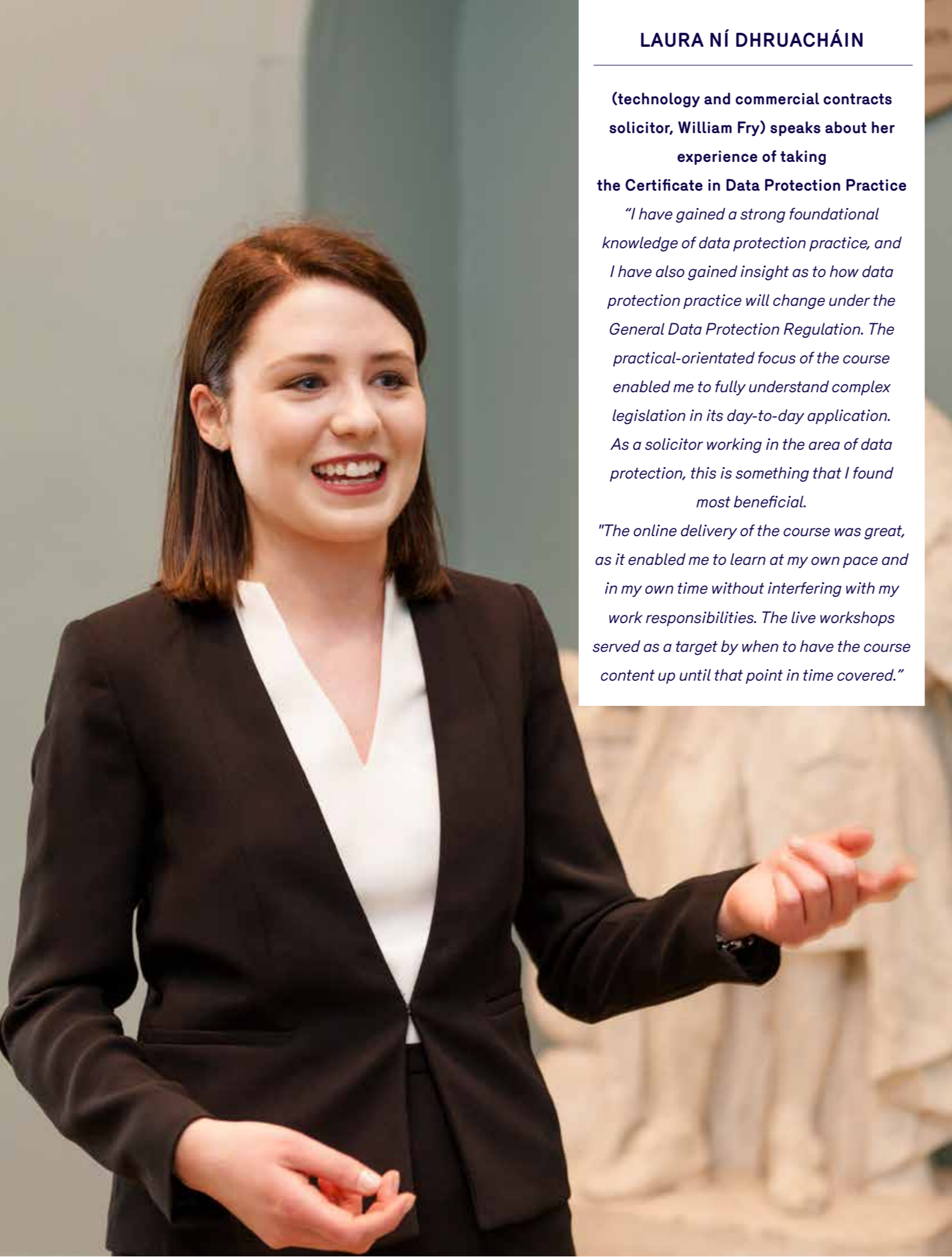
Workshop 2: Saturday 9 December 2017.

Workshop 3: Saturday 20 January 2018.

## WHO SHOULD ATTEND?

This course is suitable for solicitors, barristers, and trainees who currently advise or aspire to advise on data protection issues, data protection officers, compliance officers, IT professionals, professionals who are data controllers/processors and who need to understand their legal obligations/duties, all professionals advising on/working in the area of data protection who need to update their knowledge on the GDPR in advance of 2018, suitably qualified professionals wishing to move into the area of data protection, and individuals who have an interest in protecting their personal data.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €100.



LAURA NÍ DHRUACHÁIN

(technology and commercial contracts solicitor, William Fry) speaks about her experience of taking the Certificate in Data Protection Practice

*"I have gained a strong foundational knowledge of data protection practice, and I have also gained insight as to how data protection practice will change under the General Data Protection Regulation. The practical-orientated focus of the course enabled me to fully understand complex legislation in its day-to-day application. As a solicitor working in the area of data protection, this is something that I found most beneficial.*

*"The online delivery of the course was great, as it enabled me to learn at my own pace and in my own time without interfering with my work responsibilities. The live workshops served as a target by when to have the course content up until that point in time covered."*

FACULTY

The teaching faculty for this certificate comprises a fantastic array of data protection experts. Previous lecturers have included:

 Chris Bollard, Matheson	 Fergal Crehan BL	 Dr Denis Kelleher, BCL, LLD, BL	 Jeanne Kelly, LK Shields	 Fred Logue, FP- Logue Solicitors	 Phil Lee, Fieldfisher, Palo Alto	 Ian Long, Pepper Asset Servicing
 Simon McGarr, McGarr Solicitors	 Patricia McGovern, DFMG Solicitors	 Dr TJ McIntyre, UCD and Digital Rights Ireland	 Anna Morgan, Office of the Data Protection Commissioner	 Emerald De Leeuw, Eurocomply	 Linda Ní Chullaidh, An Post	 Daragh O'Brien, Castlebridge
 Dr Katherine O'Keefe, Castlebridge	 Richard O'Sullivan, Global Shares Plc	 Ruth O'Toole, DAON	 Emma Redmond, LinkedIn	 Kenneth Ruane, An Garda Síochána	 Aoife Sexton, Frontier Privacy	 Kate Colleary, Frontier Privacy
 Julie Shackleton, HBX, Harvard Business School	 Oisín Tobin, Mason Hayes & Curran					

# CERTIFICATE IN JUVENILE JUSTICE (NEW)

## PROGRAMME OBJECTIVES

On successful completion of this training programme, participants will:

- Understand the key advocacy skills and competencies required when representing young people who have become involved with the juvenile justice system,
- Have developed an awareness of the varying needs of young people who are subject to such proceedings,
- Be able to comply with the requirements of the practice direction DCo4 – Children Court, making the requisite adaptations to normal trial procedures,
- Have knowledge of the sentencing options in the Children Court and the implications of the principle that detention should be a last resort,
- Be able to reflect on the particular legal standards and ethical awareness required of practitioners operating in such settings.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

This certificate will detail for practitioners the steps to be employed in all proceedings under the *Children Act 2001*, as amended, so as to ensure that such proceedings fully comply with a young defendant's Constitutional rights as well as international standards for juvenile justice. Participants will be required to reflect on the practical application of DCo4 – Children Court, designed as it is to ensure due regard for the protection of the rights of the child and to safeguard the young person from avoidable intimidation, humiliation, or distress. In order to deepen the learning experience, students will have an opportunity to observe and participate in various role-play scenarios involving Children Court proceedings, and to practice and hone communication and advocacy skills that are particularly pertinent when representing young people.

The programme is based on the following module scheme and covers key themes as listed below:

### MODULE 1: INTRODUCTION AND THE INTERNATIONAL CONTEXT

- History, jurisdiction, and venues
- International standards and the *UN Convention on the Rights of the Child*
- The *European Convention on Human Rights* and the *ECHR Act 2003*
- Interface between criminal law and 'best interests'

### MODULE 2: INITIAL RESPONSES TO OFFENDING BEHAVIOUR

- The Garda Diversion Programme
- Role of the Child and Family Agency
- Family welfare conferences
- Formal and informal cautions
- Children in care/children in special care
- Supervision
- Participating in restorative justice and community policing

### MODULE 3: CHILDREN COURT – DEFENCE ROLE

- Taking instruction (in office, court, detention centre)
- Advice to young defendant in garda station
- File preparation
- Practice and procedure – DCo4 – defence lawyer's obligations
- A young person's right to participate
- Bail applications from the defence perspective



**START DATE**  
Saturday 30 September 2017

**DELIVERY METHOD**  
Blended learning: online lecture release and three on-site interactive Saturday sessions

**ASSESSMENT**  
2,500-word written assignment

**FEE**  
€1,550

- Factors to be taken into account when giving evidence
- Awareness of childhood issues
- Requesting an intermediary/advocate/psychologist/psychiatrist/support person
- Advising parents and guardians – conflict with children's wishes

### MODULE 4: CHILDREN COURT – PROSECUTION ROLE

- File preparation for court
- Practice and procedure – DCo4 – prosecutions lawyer's obligations
- Prosecutorial delay and recent case law
- Bail applications from the defence perspective
- Cross-examination and reduction of trauma for the child
- Using child-appropriate language

### MODULE 5: JUDGE'S ROLE – COURT PROCESS

- Managing the court
- Age of child
- Section 75 of the *Children Act* – jurisdiction
- Appointing an intermediary
- Bail
- Sentencing options (including ten community sanctions and restorative justice programmes)
- Interplay with mental health
- Conflict with rights v welfare – the judge's role
- Victims' rights

### MODULE 6: ANCILLARY SERVICES – PROBATION AND WELFARE SERVICES

- The role of the Probation Service and the process involved
- Interview with children
- Preparation of reports for court
- Role of probation supervision
- Child and Family Agency
- The role of the CFA and the *Children Act*
- Children in care, including residential care
- Children in secure residential care
- Family welfare conference
- Preparation for court
- Reports for court

## WHO SHOULD ATTEND?

This course is suitable for solicitors, trainees, barristers, professionals who are involved in the juvenile justice system, and social workers and probation officers.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €100.

## FACULTY

Lecturers and tutors will be drawn from solicitors, barristers and others with expertise in acting on behalf of young persons and include:



Judge John O'Connor



Prof Ursula Kilkelly, UCC



Tom O'Malley, senior lecturer, NUI Galway



Gareth Noble, KOD Lyons



Colette Quinn, Garda Diversion Programme



Fiona Donnelly, Institute of Professional Legal Studies, Queen's University, Belfast



# CERTIFICATE IN STRATEGIC DEVELOPMENT IN IN-HOUSE PRACTICE (NEW)

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will:

- Expand their influence with decision-makers within the organisation,
- Identify and exploit key opportunities for innovation, personal development, and growth,
- Overcome typical budgetary constraints through monetisation and business modelling,
- Enhance collaboration with the parent organisation's operational and strategic levels,
- Effectively communicate the strategic purpose and value of the in-house function,
- Design, present, and implement a strategic plan that delivers on all of these outcomes.

## HOW WILL I BENEFIT FROM THIS PROGRAMME?

You will:

- Develop a keener appreciation of your organisation's perspectives and challenges,
- Understand how to maximise the mutual benefit of the organisation/trusted advisor relationship,
- Develop the ability to promote the value that you and your team add to the organisation,
- Become an active influence on the direction and success of your organisation,
- Enhance your managerial acumen and ability to deliver and implement a strategic plan.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

This certificate has been designed for in-house counsel in both commercial and public sector organisations who wish to contribute to the growth and direction of their organisation through the development of their own in-house practice. Along with addressing the needs of in-house counsel who advise as part of an in-house legal team, we have taken into account in the design of the course that many in-house counsel today may in fact be the sole legal adviser within the organisation.

### VALERIE PEART

(Pearts Solicitors) speaks about her experience of taking the Certificate in Legal Practice Development. The success of this course led to the development of the new Certificate in Strategic Development in In-House Practice



"In the confident hands of course director, Michael Nicell, the Certificate in Legal Practice Development had clearly identifiable targets and a well-thought-out strategy on how to get us there.

"The combination of lectures, workbooks, and on-site workshops worked well, with plenty of opportunity to discuss what we had learnt and to share our own experience in business.

"Becoming more than a mere classroom exercise, the final assignment provided a template for business development in real time. For this busy principal of a long-standing firm, the course afforded a space in which to reflect on where we sit in the legal world, and where we would like to be. Such time for reflection is a rare treat."



**START DATE**  
Friday 13 October 2017

**DELIVERY METHOD**  
Blended learning: on-site and online lectures on Fridays and four on-site interactive Saturday workshops

**ASSESSMENT**  
2,500-word written assignment (due 21 February 2018)

**FEE**  
€1,550

The phenomenal growth in in-house legal service provision demonstrates the 'value proposition' of which organisations are keenly aware in bringing their legal service needs in-house. As in-house lawyers increasingly become trusted advisors for their organisations, the ability to communicate and operate effectively within a non-traditional legal environment is essential.

Developing the in-house function and the delivery of legal services that meet the needs of the organisation requires an understanding of how the organisation itself works: collaborating and managing the intricacies of the internal structure and identifying where development of in-house legal services requires innovative solutions – how well equipped are in-house lawyers to identify, promote, and communicate these solutions to the organisation?

This course harnesses participants' commercial awareness and focuses on developing the capability to identify opportunities for expansion and innovation, along with the know-how to take advantage.

The certificate essentially focuses on the 'business of doing legal business' and takes a practical approach: during the course, you will work on a plan of action to enable you and your in-house practice to increase your foothold within the organisation, to improve service delivery in an existing practice area, or to diversify into a new one.

Deploying validated legal, commercial, and strategic nous to address the challenges faced by modern organisations – whether private practice law firms, commercial entities, not-for profit or public sector organisations – you will develop and present a plan of action that is coherent and complements your in-house practice's existing expertise, without requiring significant investment in resources. Your organisation is also free to contribute to the plan, as it is designed for practical implementation.

The programme is based on the following module scheme, covering key themes as listed below:

### MODULE 1: AWARENESS

- Identifying and assessing key trends and dynamics in the commercial environment
- Investigating how your function creates value for the organisation
- Developing your function's identity and purpose as trusted advisors

### MODULE 2: KNOW-HOW

- Identifying opportunities to develop engagement with the wider organisation and increase the influence of the in-house function
- Developing the business model and using metrics to manage risk
- Harnessing synergy with the organisation in delivering quality and perceived 'value add'

### MODULE 3: DELIVERY

- Communicating the message
- Establishing key deliverables to secure successful implementation
- Pitching and presenting the strategic plan internally

### WHO SHOULD ATTEND?

Established in-house counsel in both commercial and public sector organisations interested in leveraging their expertise and role as trusted advisors, raising their profile and value within the organisation, and expanding the influence exercised by the in-house function.

### WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the participant's knowledge.

Workshop 1: Saturday 4 November.  
Workshop 2: Saturday 25 November.  
Workshop 3: Saturday 9 December.

### FACULTY

The teaching faculty for this certificate comprises a fantastic array of In-house experts.



Michael Nicell,  
solicitor (lead tutor)



Ursula Earley,  
Inver Energy  
Limited



Lubna Gem Arielle,  
UK Arts Centre,  
Rich Mix



Linda Ni Chualladh,  
An Post



Justin Keogan,  
Griffith College



Alan Lynch, Griffith  
College



Deirdre Ni Fhloinn,  
Reddy Charlton



Michael Nicell  
Law Society Diploma Centre  
26<sup>th</sup> April 2016

Spotlight:  
Certificate in Legal  
Practice Development

A CENTRE  
continuing professional



Michael Nicell speaking about identifying opportunities and developing engagement as part of strategic development at the Diploma Centre

# CERTIFICATE IN CONVEYANCING

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will have:

- A comprehensive understanding of the conveyancing process and the ability to draft documentation to the highest standards in both residential and commercial transactions,
- Knowledge of recent legislative and procedural developments,
- The ability to lodge complex first registrations in the Land Registry,
- An understanding of the key banking law principles facing property lawyers,
- The ability to act and advise on either side of a property transaction within an insolvency process,
- A specialised knowledge of commercial leases, and
- Awareness of the tax implications of a property transaction.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

This course is delivered via an innovative ‘flipped classroom’ approach that offers participants ultimate flexibility in how they approach their learning. This format sees lectures released in an online tranche, with participants provided a number of weeks to view the recorded content and complete online learning activities in a self-paced manner. The online release is bookended by two days of on-site workshops.

The certificate provides attendees with a comprehensive overview and understanding of the issues currently relevant to conveyancing practitioners. Designed with a practical focus, it reviews best conveyancing practice, providing precedents and highlighting recent practice updates and legislative changes, and offers students the opportunity to learn through problem-based scenarios.

Participants will receive a copy of the Law Society conveyancing and landlord and tenant law manuals on registration.

The programme is based on the following module scheme and covers key themes as listed below:

### PART A

#### MODULE 1: CONVEYANCING FUNDAMENTALS

- The contract for sale
- Pre-contract enquiries
- Objections and requisitions on title
- Drafting

#### NIAMH NÍ LÚING

(commercial property associate, Matheson) speaks about her experience of taking the Certificate in Conveyancing



“The course provided a solid basis in general conveyancing and leasing issues from pre-contract enquiries through to registrations with the Property Registration Authority. The materials, which were provided both online and at the various workshops run throughout the course, are an invaluable resource and offer practical guidance on everyday conveyancing matters. The course is an excellent opportunity for those seeking to expand, refresh, or update their knowledge of conveyancing and leasing practice.”



**START DATE**  
Tuesday 17 October 2017

**DELIVERY METHOD**  
Blended learning: online lectures and two on-site workshops

**ASSESSMENT**  
2,500-word written assignment (70%) and continuous assessment through online activities (30%)

**FEE**  
€1,550

- Complex case study – buying a public house/restaurant

### MODULE 2: ETHICAL ISSUES

- Undertakings
- Conflicts
- File management

### PART B

#### MODULE 1: DEVELOPMENT

- New houses and the combined contract for sale and building agreement
- Schemes of development
- The *Building Control (Amendment) Regulations 2014*
- The *Multi-Unit Development Act 2011*; dealing with managed properties

### MODULE 2: LAND REGISTRY UPDATES

- Conversion of possessory title; applications based on adverse possession
- Applications for registration in cases of insolvency

### PART C

#### MODULE 1: LEASES

- *Residential Tenancies (Amendment) Act*
- Commercial leases – key clauses
- Rent review

### MODULE 2: COMMERCIAL LENDING

- Types of security/property finance

- Completion, security, and enforcement
- Complex case study – buying from a receiver

### MODULE 3: TAXATION ISSUES FOR CONVEYANCERS

- Local property tax update, household charge, and NPPR
- VAT and CGT issues for conveyancers

### WORKSHOPS

The online release of lectures is bookended by on-site workshops. Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the participant’s knowledge.

Workshop 1: Saturday 2 December 2017.  
Workshop 2: Saturday 27 January 2018.

### WHO SHOULD ATTEND?

This course is reserved for solicitors and post-PPC1 trainees. It will appeal to seasoned professionals who are looking for a comprehensive and up-to-date guide to the practical issues that they are currently facing. It will also appeal to newly qualified solicitors and trainees, as it will provide a strong grounding in conveyancing practice and the law regarding residential and commercial property – areas that remain the bedrock of many practices.

## FACULTY

Lecturers and tutors will consist of practitioners with in-depth knowledge of conveyancing law. Previous lecturers have included:



Joe Thomas,  
O'Reilly Thomas



Suzanne Bainton,  
Liston & Company



Justine Carty,  
Gartlan Furey  
Solicitors



Martin Coleman,  
Dillon Eustace



Caroline Devlin,  
Arthur Cox



Deirdre Fox, Deirdre  
Fox & Associates



Michelle Linnane,  
solicitor



Rachel Niall, Hayes



Patrick Sweetman,  
Matheson



Michael Walsh,  
ByrneWallace

# CERTIFICATE IN ENHANCED NEGOTIATION SKILLS AND PRACTICE (NEW)

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will identify the need to work with all parties by:

- Listening effectively,
- Recognising and managing emotion,
- Understanding the impact of culture and bias,
- Identifying the role of trusting and trustworthiness,
- Understanding a range of negotiation styles and how to engage in a strategic approach,
- Engaging with stakeholders effectively,
- Understanding the negotiation process and how this can be adapted,
- Developing a personalised preparation plan,
- Understanding how heuristics influence decision-making and risk,
- Developing the ability to create and claim value,
- Engaging in creativity and creative problem-solving, and
- Having more confidence to deal with complex/crisis issues.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

Whether you negotiate on behalf of a client or an organisation or you are a business person that regularly engages in a range of interactions, each of these will necessitate skills not immediately recognised as negotiation. However, each interaction will require you to be equipped to deal with the complexities and challenges that arise.

This course goes beyond the theory to integrate practice by using a workshop approach, which is highly participative and person-centred. The programme uses a blend of online (three sessions) and in-person (six days) engagement to further embed learning.

The onsite days are as follows:

- Friday 20 October and Saturday 21 October,
- Friday 24 November and Saturday 25 November,
- Friday 12 January and Saturday 13 January.

## LEARNING MODALITY

- Pre-course psychometrics completed and consideration of default style,
- Pre-reading and reflection on personal learning goals,
- Lecture-style presentations over three different workshops,
- In-class activities and application at each workshop – individual and group,
- Individual home learning, application, and reading between classes,
- Learning journal and reflection log kept throughout process,
- Three webinars offered post-workshops to embed new practice,
- Final post-course assignment – due four weeks after completion of above – consisting of a written piece demonstrating a synthesis of your knowledge to reflect on your learning, as well as an examination of how you may go on to further embed your knowledge after the course.

The programme has three sections, each of which will have a distinct theme, while weaving theory and practice throughout every session.



**START DATE**  
Friday 20 October 2017

**DELIVERY METHOD**  
Blended learning: three on-site block weekends with three online learning sessions.

**ASSESSMENT**  
2,500-word written assignment

**FEE**  
€1,550

## WORKSHOPS

### WORKSHOP 1: PEOPLE – WORKING WITH OTHERS

- **Effective communication skills**
  - Identify elements to enhance effective listening,
  - Define the different types and use of questions,
  - Examine non-verbal communication essentials,
- **Negotiation conflict styles**
  - Identify sources of conflict in negotiation,
  - Present negotiation conflict styles,
  - Examine a strategic approach to dealing with conflict in negotiation,
- **Building and maintaining trust**
  - Identify factors in trustworthiness,
  - Methods of demonstrating trusting,
  - Process for regaining/re-establishing trusting/trustworthiness,
- **Unconscious bias and heuristics**
  - Examine the impact of unconscious bias in working with others,
  - Identify the influence of heuristics on effective decision-making,
  - Examine how to assess risk and its impact on decision-making/negotiation,
- **Managing emotion**
  - Identify different approaches in dealing with emotions,
  - Present a method of engaging in a difficult negotiation conversation,
  - Define the core concerns when dealing with emotion,
- **Practice**
  - Small group discussions,
  - Group exercises,
  - Feedback/observations.

### WORKSHOP 2: PROCESS: – IDENTIFYING A ROUTE MAP

- **What is negotiation?**
  - Identify a common definition,
  - Examine negotiation in various contexts,
  - Define individual approach and negotiation purpose,
- **Negotiation framework**
  - Identify a route map,
  - Develop an approach of how adapt the framework (context/sector),
  - Examine challenges when applying framework,
- **Stakeholder engagement**
  - Identify stakeholder and key influencers,
  - Examine a stakeholder mapping approach,
  - Develop an approach of how to engage with key stakeholders,
- **Preparation essentials**
  - Examine a preparation planning instrument,
  - Identify essential factors in pre/preparation,

- Develop individual approach to preparation (adapt to situation/circumstance),
- **Negotiating in work groups and teams**
  - Identify the elements necessary for effective group/team negotiation team,
  - Present different types of team roles and how to encourage flexibility,
  - Analyse methods of group/team decision-making processes,
- **Practice**
  - Small group discussions,
  - Group exercises,
  - Feedback/observations.

### WORKSHOP 3: POTENTIAL – UNDERSTANDING OPPORTUNITIES AND OPTIONS

- **Creating and claiming value in negotiation**
  - Establish the requirements for successful integrative and distributive negotiation,
  - Identify a four-step model for integrative bargaining,
  - Analyse the difference between interests and positions,
- **Alternatives and risks**
  - Examine individual approach to risk assessment,
  - Identify best and worst alternatives if no agreement reached (BATNA/WATNA),
  - Define decision-making rules and the influence on the outcome,
- **Creativity and innovation**
  - Identify alternative approaches to negotiation,
  - Apply methods of creativity in negotiation,
  - Develop additional tools to enhance creativity in negotiation,
- **Working with numbers**
  - Identify zones of possible agreement (ZOPA),
  - Examine anchoring effect and approach to presenting offers,
  - Developing a risk assessment tool (identifying reservation/aspiration),
- **Deadlock and difficulty**
  - Identify an approach to deal with deadlock and impasse,
  - Examine negotiation tricks/demands,
  - Analyse the opportunity that deadlock/difficulty can provide,
- **Practice**
  - Small group discussions,
  - Group exercises,
  - Feedback/observations.

## HOW WILL I BENEFIT?

The programme is designed to identify the skills that you already possess and expand on these, further

# CERTIFICATE IN NEGOTIATION SKILLS AND PRACTICE (NEW)

enhancing your ability to engage in a range of negotiation scenarios. The course will provide you with the confidence to consider an alternative approach in order to achieve a successful outcome.

**WHO SHOULD ATTEND?**

The programme is suitable for all professionals who need to work with others and who are involved in what are recognised as ‘deal making’ negotiated outcomes (such as legal representatives, dispute professionals, procurement managers, HR specialists); those who work in a range of environments where negotiation is more subtle, yet the outcome is equally as important (such as business unit managers/ leaders, civil servants, not-for-profit board members); and those that work with a range of stakeholder and volunteer groups.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €100.

**FACULTY**



Ranse Howell,  
dispute resolution  
trainer



Dr Freda Grealy,  
Head of Diploma  
Centre, Law Society  
of Ireland



Ranse Howell leading an advanced negotiations skills session at the Diploma Centre

# CERTIFICATE IN COMMERCIAL CONTRACTS

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will have attained:

- A comprehensive understanding of specific areas of commercial contracts, so as to build a complete understanding of the fundamental competences required by the commercial lawyer,
- Knowledge of the necessary skillset required of the commercial practitioner, including drafting, structuring, and advising on a wide array of business arrangements across numerous industry sectors,
- An insight into recent judicial decisions and legislative and procedural developments,
- An ability to recognise when data protection issues arise in a commercial context, and
- A greater understanding of the role of the commercial practitioner.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

This course provides an understanding of the fundamental competencies required by the commercial lawyer when drafting, reviewing, and negotiating commercial agreements. It includes guidance on the structure and format of commercial contracts and emphasises the importance of using clear and concise language when drafting such agreements. Experienced practitioners provide drafting tips and best practice recommendations on how best to ensure that your commercial contracts provide legal and commercial certainty. The course begins with generic drafting advice, examining standard boilerplate provisions, before considering issues pertinent to specific practice areas in more depth.

The programme is based on the following module scheme and covers key themes as listed below:

### MODULE 1: DRAFTING COMMERCIAL AGREEMENTS

- Standard contract structures, rules of interpretation, implied and express terms
- Proficient drafting, terminology, business acumen, expectation management
- Negotiating contracts and risk management; due diligence
- Dispute resolution options, remedies and enforcement



**START DATE**  
Saturday 21 October 2017

**DELIVERY METHOD**  
Blended learning: weekly online release of lectures and three on-site Saturday workshop sessions

**ASSESSMENT**  
2,500-word written assignment

**FEE**  
€1,550

### STACEY O'NEIL

(contract executive, BWG Foods) speaks about her experience of taking the Certificate in Commercial Contracts



"The flexibility of the online sessions was ideal to work around a full-time job – this, combined with the Saturday on-site sessions spaced out over the duration of the course – helped keep the momentum going that can often be lost when a course is delivered online only.

"I would recommend this course to anyone, with a legal background or not, who is looking to improve their skills in drafting, structuring, and other practicalities of contract law."

## MODULE 2: COMMERCIAL AGREEMENTS

- Supply agreements, key terms, and legislative provisions
- Agency and distribution agreements, role of the commercial agent, termination clauses
- Outsourcing, service description, performance indicators

## MODULE 3: TECHNOLOGY AND E-COMMERCE

- E-commerce regulations
- Website terms and conditions, website privacy statements
- Software licencing, concept of licensing, limitation of liability
- Intellectual property, copyright, patentability

## MODULE 4: CONSUMER LAW

- Core legislative provisions
- Unfair practices
- Core/non-core unfair terms

## MODULE 5: DATA PROTECTION

- Data protection concepts, role of the Data Protection Commissioner
- Legitimate processing and retention of data; 'Safe Harbour' principles
- Data transfers, data subjects rights, and notification requirements

## MODULE 6: PUBLIC PROCUREMENT AND TENDERING

- Works, services, or supply contracts
- Procurement rules and procedures
- Tender evaluation, selection criteria
- Procurement strategy checklist

## WORKSHOPS

Workshop 1: Saturday 21 October 2017 – introductory workshop.

Workshop 2: Saturday 25 November 2017 – practical application through case studies and drafting exercises of issues encountered in lectures relating to supply agreements, share purchase agreements, agency and distribution agreements.

Workshop 3: Saturday 13 January 2018 – practical application through case studies and drafting exercises of issues encountered in lectures relating to technology and e-commerce contracts, company terms and conditions and data protection provisions.

## WHO SHOULD ATTEND?

This course is suitable for public sector, private sector, and in-house solicitors who deal with commercial contracts on a daily basis; trainee solicitors and students seeking to expand their knowledge of the commercial industry; barristers who practice in the areas of commercial litigation, chancery, and contract law; and other suitably qualified professionals who are involved in negotiation and drafting commercial agreements.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €100.

## FACULTY

Lecturers and tutors will be drawn from solicitors, barristers, and others with expertise in negotiating and drafting commercial contracts. Previous lecturers have included:



Leonora B Doyle,  
Walter Odium & Co



Garret Flynn BL



Edel Hartog, Mason  
Hayes & Curran



Leo Moore,  
William Fry



Anna Morgan,  
Data Protection  
Commissioner's  
Office



Feilim O'Caoimh,  
McDowell Purcell



John O'Keeffe,  
John O'Keeffe & Co,



Rita Crowley,  
Version 1



John Darby,  
Flynn O'Driscoll

# CERTIFICATE IN PENSIONS LAW AND APPLIED TRUSTEESHIP (NEW)

## PROGRAMME OBJECTIVES

On completion of this course, participants will have:

- An excellent understanding of the key legal issues pertaining to pensions law and practice and trusteeship in Ireland,
- A comprehensive understanding of pensions legislation, pensions regulatory bodies, and the functions and duties of trustees and registered administrators,
- A thorough knowledge of the main pension scheme structures and what changes are expected to the pensions landscape in Ireland,
- Up-to-date information on the latest pensions developments in Ireland, such as the *IORP II Directive* and plans for the implementation of a universal pension scheme,
- Confidence in dealing with challenging issues, such as pensions adjustment orders, taxation, mergers and acquisitions,
- A familiarity with recent case law that has wide-ranging implications for trustees.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

This course is designed to provide participants with a comprehensive understanding of pensions law and trusteeship in Ireland. Delivered by experienced professionals, the course begins with an examination of the legislative and regulatory framework applicable to pensions in Ireland. The functions and powers of the Pensions Authority, the Revenue Commissioners, and the Pensions Ombudsman are reviewed, as are the respective duties and obligations of both the employer and the trustees of a pension scheme.

The certificate will analyse the main pension scheme structures, such as defined contribution, defined benefit, personal pension plans, and PRSAs. The course will equip trustees with know-how enabling them to fulfil their duties and will give insight into handling of challenging issues such as underfunding, scheme wind-ups, pensions adjustment orders, taxation, mergers and acquisitions, and scheme restructuring.

This course examines areas of growth and development for pensions in Ireland, such as plans for auto-enrolment and master trusts. The diverse area of pension scheme governance will be discussed in detail, and practical tips will be provided to ensure good governance procedures are in place.

The course features a review of recent pensions related case law, such as the *Element Six* and *Omega Pharma* cases, which have wide-ranging implications for trustees, employers, and scheme members. Finally, the effects of family law issues such as separation and divorce on pension rights are considered.

The programme is based on the following module scheme and covers key themes as listed below:

### MODULE 1

- Course introduction
- Legislative and regulatory framework
- The Pensions Ombudsman
- The Pensions Authority



**START DATE**  
Tuesday 24 October 2017

**DELIVERY METHOD**  
Blended learning: on-site and online, Tuesdays 6pm to 8:30pm

**ASSESSMENT**  
2,500-word written assignment

**FEE**  
€1,550

### MODULE 2

- The main types of pension schemes
- Public sector pensions
- Pension adjustment orders
- Pensions in a commercial transaction

### MODULE 3

- The role of pension scheme trustees
- Pension investment issues
- Employer obligations

### MODULE 4

- Taxation issues
- Winding-up and restructuring of pension schemes
- Post-retirement issues and the future for pensions in Ireland
- Pension scheme governance

## WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the student's

knowledge. A number of workshops will be held throughout the course – dates to be confirmed.

## WHO SHOULD ATTEND?

This course is suitable for trustees, corporate pensions advisors, registered administrators, and pension scheme custodians; solicitors, barristers, legal executives, and trainees; those in pension and legal departments of insurance companies, banks, and building societies; actuaries, tax advisors, investment managers and pension consultants; public service pensions professionals; those working in representative bodies related to pensions and trusts; and professionals seeking to work in the pensions industry and the financial services industry.

Interested persons without a legal qualification are welcome to apply to attend the course. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €100.

## FACULTY

Lecturers are drawn from experienced legal and commercial practitioners, as well as experts on strategy and business development:



James Campbell,  
Mercer



Deirdre Cummins,  
Matheson



Ian Devlin,  
Eversheds  
Sutherland



Sonya Dixon BL



Paul Kenny, former  
Pensions  
Ombudsman



Thomas Kiely,  
Kiely McCarthy



Jamie McConville,  
LK Shields



Aidan McLoughlin,  
ITC



Sylvia McNeece,  
Headford Capital  
Pte Limited



Tommy Nielsen,  
Independent  
Trustee Company



John O'Connell,  
Trident Consulting



Fiona Thornton,  
Eversheds  
Sutherland



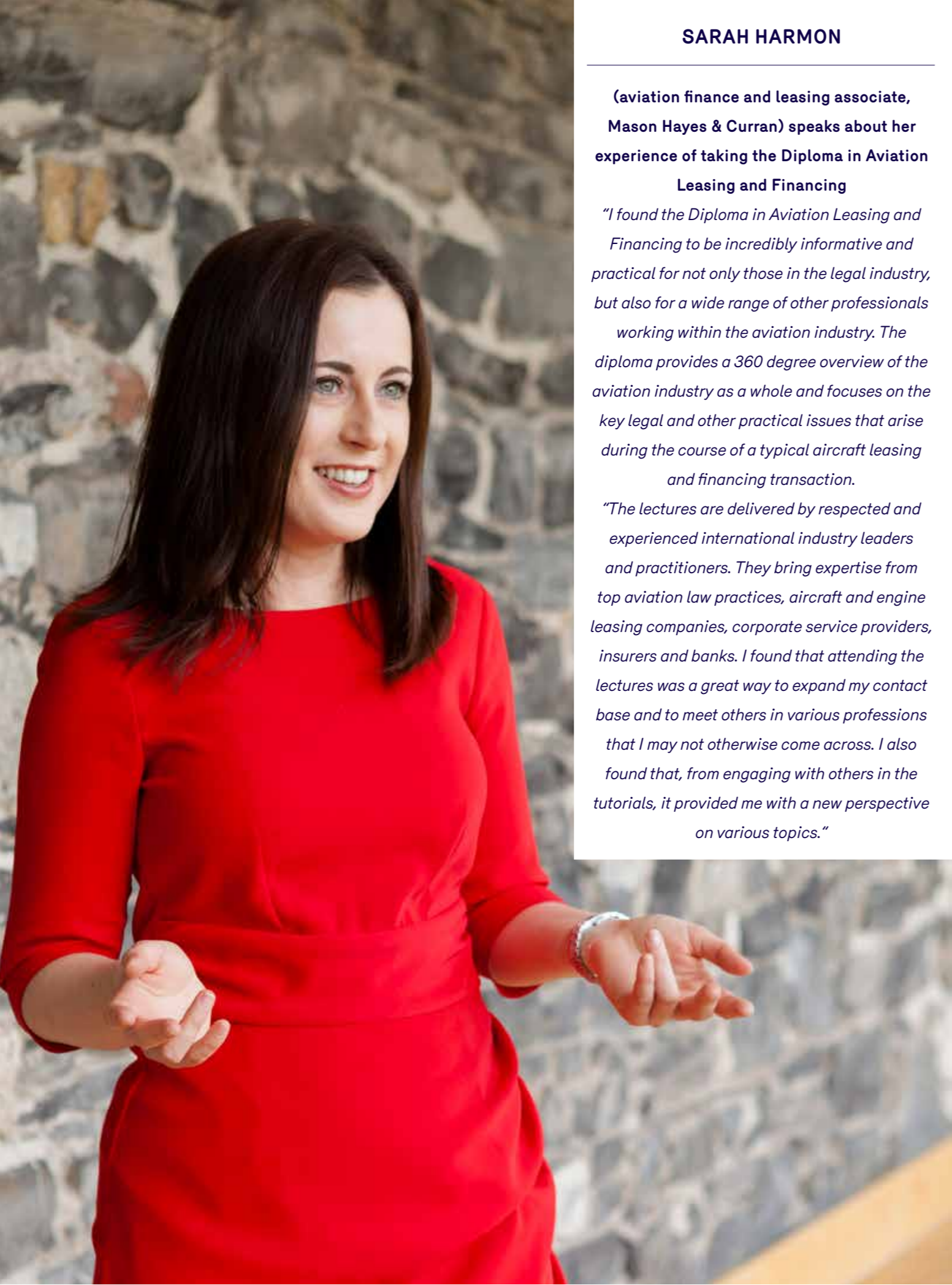
Michael Wolfe,  
William Fry



Stephen Gillick,  
Mason Hayes and  
Curran



Ger Deering,  
Pensions  
Ombudsman



**SARAH HARMON**

(aviation finance and leasing associate,  
Mason Hayes & Curran) speaks about her  
experience of taking the Diploma in Aviation  
Leasing and Financing

*"I found the Diploma in Aviation Leasing and  
Financing to be incredibly informative and  
practical for not only those in the legal industry,  
but also for a wide range of other professionals  
working within the aviation industry. The  
diploma provides a 360 degree overview of the  
aviation industry as a whole and focuses on the  
key legal and other practical issues that arise  
during the course of a typical aircraft leasing  
and financing transaction.*

*"The lectures are delivered by respected and  
experienced international industry leaders  
and practitioners. They bring expertise from  
top aviation law practices, aircraft and engine  
leasing companies, corporate service providers,  
insurers and banks. I found that attending the  
lectures was a great way to expand my contact  
base and to meet others in various professions  
that I may not otherwise come across. I also  
found that, from engaging with others in the  
tutorials, it provided me with a new perspective  
on various topics."*

**CERTIFICATE IN  
AVIATION  
LEASING AND  
FINANCE**

**PROGRAMME OBJECTIVES**

On completion of this training programme, participants will have:

- An understanding of the key legal issues pertaining to the sale and lease of aircraft,
- An understanding of the finance structures involved, how to finance an aviation transaction, and funding available,
- A knowledge of the key regulatory issues pertaining to aviation,
- A knowledge of the legal issues relating to key aviation matters, such as engines, maintenance reserves, security, taxation, insurance, records, and repossession,
- A familiarity with the key legal and financial documents and structures in aviation leasing and finance transactions.

**PROGRAMME STRUCTURE AND APPROACH TO LEARNING**

Ireland is internationally recognised as the global hub for aviation leasing and finance, with each of the top ten global aircraft lessors enjoying a presence here. Half of the world's fleet of leased aircraft is owned, leased, or managed in Ireland. The major industry players have been attracted by Ireland's stable political regime, membership of the EU, favourable time zone, and talented workforce – not to mention our legal and regulatory advantages. In addition, Ireland's network of over 60 double tax treaties, combined with the absence of withholding tax on aircraft lease rentals and a corporate tax rate of 12.5%, makes Ireland a commercially attractive place to set up and run an aircraft leasing company. The aviation sector is a huge growth industry.

This course provides comprehensive coverage of the key aspects of the aviation leasing and finance industry. It aims to deliver an in-depth analysis of the core legal and practical issues that parties typically encounter in aircraft leasing and finance transactions. The teaching faculty for this diploma comprises a fantastic array of world-renowned legal practitioners from Ireland, the UK, and the USA, along with leading aviation industry specialists.

This certificate will provide an overview of the key legal, financial, and technical issues, as well as an understanding of the broader regulation, tax, and insurance aspects relevant to aircraft leasing and finance. This certificate also functions as a preparatory course for those intending to take the Diploma in Aviation Finance and Leasing but who do not meet the entry requirements.

The programme is based on the following module scheme and covers key themes as listed below:

**MODULE 1: AVIATION INDUSTRY**

- Profile of Irish aviation industry
- Development of industry
- Reasons why Ireland is an aviation hub
- Overview of tax and regulatory advantages

**MODULE 2: AIRCRAFT LEASING**

- Types of aircraft leases
- Key issues for lessors and lessees
- Lease structures
- Pre-lease investigation and structuring
- Aircraft operating lease agreement
- Main lease terms



**START DATE**  
Thursday 28 September 2017

**DELIVERY METHOD**  
Blended learning: introductory  
lecture on-site and online;  
thereafter online Thursdays with  
online workshops on Saturdays

**ASSESSMENT**  
2,500-word written assignment,  
including case-study scenarios  
and multiple choice questions

**FEE**  
€1,550

# CERTIFICATE IN AVIATION LEASING AND FINANCE

## MODULE 3: AVIATION FINANCING

- Types of finance and security
- Debt and structured finance
- Use of special purpose vehicles (SPVs)
- Mortgages, guarantees, charges, assignments
- Structure and finance key documents

## MODULE 4: KEY TECHNICAL ISSUES

- Aircraft delivery
- Lease management
- Maintenance reserve management
- Maintenance claims
- Lease transitions
- Engine leasing – maintenance, records, security

## MODULE 5: REGULATORY ENVIRONMENT

- Role of Irish Aviation Authority
- International regulation
- The *Chicago Convention*, ICAO, IATA
- The *Cape Town Convention*
- *European Aviation Safety Agency Regulations*
- EU Emissions Trading Scheme

## MODULE 6: TAXATION AND AVIATION

- Importance of Irish tax residence
- Depreciation, capital allowances
- Double taxation treaties
- Access to 12.5% rate
- Withholding tax

## MODULE 7: INSURANCE AND AVIATION

- Relevant insurance principles
- Airline aviation insurances
- Lease insurance provisions
- Lessor considerations
- Claims management

## MODULE 8: CAREERS PANEL EVENT

The careers panel offers participants an opportunity to get expert advice from industry professionals about gaining entry to the aviation industry or how to successfully move sectors within the industry. This event will take place both on-site and online on 30 November 2017.

## WORKSHOPS

Workshops are interactive sessions that focus on group problem-solving and are designed to revise all modules covered to date and to consolidate the participant's knowledge.

Workshop 1: 26 October 2017.

Workshop 2: 7 December 2017.

Career panel event: 30 November 2017 (online and on-site).

## WHO SHOULD ATTEND?

This course is suitable for:

- Solicitors, barristers, and trainees who advise aviation clients or who wish to join the aviation sector,
- Professionals working in the aviation industry wishing to expand



their knowledge with a view to career advancement or moving laterally to another discipline within the industry,

- Professionals working in aircraft leasing companies or airlines,
- Contract administrators and engineers,
- Professionals in financial institutions that fund the purchase of aircraft,
- Accountants, finance professionals, and tax consultants advising aviation clients,
- Insurance professionals specialising in aviation insurance.

It is not necessary to have prior experience or knowledge of the aviation industry in order to apply for this certificate.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €100. Those who have successfully completed the Certificate in Aviation Leasing and Finance will be eligible for a discount on their diploma application.

## FACULTY

The teaching faculty for this certificate comprises a fantastic array of aviation leasing and finance experts. Previous lecturers have included:



Donna Ager,  
Maples and Calder



Catherine Duffy,  
A&L Goodbody



Nikki Foley,  
Matheson



Stuart Kennedy,  
Matheson



Daniel Kiely, Mason  
Hayes & Curran



Kirk Malahy,  
Milestone Aviation  
Group



John McMahon,  
aviation consultant



Yvonne McWeeney,  
Matheson



Deirdre Ni  
Chearbhaill, Avolon



Kieran Oliver,  
Shannon Engine  
Support



Marie O'Brien, A&L  
Goodbody



Niamh O'Meara,  
Milestone Aviation  
Group



Patricia O'Shea,  
Dublin Airport  
Authority



Catherine Quinlan,  
Aviation Consultant  
Group



Daniel Roberts,  
Lobo Leasing  
Limited



Brian Skehan, Irish  
Aviation Authority



Ronan Stewart,  
Santos Dumont



Gerry Thornton,  
Matheson



Mary Townsend,  
A&L Goodbody

# DIPLOMA IN AVIATION LEASING AND FINANCE (SPRING 2018)



**START DATE**  
Thursday 1 February 2018

**DELIVERY METHOD**  
Blended learning: on-site and online Thursdays 6pm to 8.30pm, with four interactive Saturday workshops

**ASSESSMENT**  
Three-hour closed-book written examination, July 2018

**FEE**  
€2,800

## PROGRAMME OBJECTIVES

On completion of this training programme, participants will have:

- An excellent understanding of the key legal issues pertaining to the sale and lease of aircraft,
- A detailed understanding of the finance structures involved, how to finance an aviation transaction, and funding available,
- A thorough knowledge of the key regulatory issues pertaining to aviation,
- An in-depth knowledge of the legal issues relating to key aviation matters, such as engines, maintenance reserves, security, taxation, insurance, records, and repossession,
- A familiarity with the key legal and financial documents and structures in aviation leasing and finance transactions,
- Confidence in dealing with aviation issues that arise in practice – be it from a lender, lessor, lessee, or airline.

## PROGRAMME STRUCTURE AND APPROACH TO LEARNING

Ireland is internationally recognised as the global hub for aviation leasing and finance, with each of the top ten global aircraft lessors enjoying a presence here. Half of the world's fleet of leased aircraft is owned, leased, or managed in Ireland. The major industry players have been attracted by Ireland's stable political regime, membership of the EU, favourable time zone, and talented workforce, not to mention our legal and regulatory advantages. In addition, Ireland's network of over 60 double tax treaties, combined with the absence of withholding tax on aircraft lease rentals and a corporate tax rate of 12.5%, makes Ireland a commercially attractive place to set up and run an aircraft leasing company.

This advanced-level diploma provides comprehensive coverage of the key aspects of the aviation leasing and finance industry. It aims to deliver an in-depth analysis of the core legal and practical issues that parties typically encounter in aircraft leasing and finance transactions. The teaching faculty for this diploma comprises a fantastic array of world-renowned legal practitioners from Ireland, the UK and the USA, along with leading aviation industry specialists.

The programme is based on the following module scheme and covers key themes as listed below:

### MODULE 1: INTRODUCTION TO THE AVIATION INDUSTRY

- Origins of the aviation industry in Ireland
- Profile of the aviation industry 2018
- Reasons for development of Ireland as aviation hub
- Analysis of main industry players in the sector
- Overview of regulatory framework

### MODULE 2: PURCHASE AND LEASING OF AIRCRAFT

- Reasons for investing in aircraft
- Aircraft operating lease agreements and key clauses
- Purchasing aircraft – the practical considerations
- Relevant purchase documentation
- Delivery of aircraft – acceptance certificates, relevant clauses
- Trading aircraft

### MODULE 3: AVIATION FINANCE

- Commercial debt financing for aviation

- Analysis of key capital markets structures
- PDP financing from a leasing company and bank perspective
- Analysis of typical expert credit agencies structure (ECA)
- Function of the Export-Import Bank (US) and Irish Stock Exchange
- Typical security taken over aircraft

### MODULE 4: REGULATORY ENVIRONMENT

- Role of the Irish Aviation Authority
- The *Chicago Convention* (article 83 bis), ICAO, IATA
- The *Cape Town Convention*
- The International Registry of Mobile Assets
- *European Aviation Safety Agency Regulations*
- EU Emissions Trading Scheme
- Registration and deregistration of aircraft

### MODULE 5: TAXATION AND AVIATION

- Importance of Irish tax residence
- Tax opinions, legal opinions
- Double taxation treaty network
- Withholding tax
- Section 110 companies

### MODULE 6: INSURANCE AND AVIATION

- Airline aviation insurances and key clauses
- Lease insurance provisions in aircraft operating leases
- Lessor considerations
- Claims management
- Standard endorsement analysis

### MODULE 7: APPLIED LEASING ISSUES

- Jurisdictional issues
- Redelivery of aircraft
- Helicopters – leasing, registration
- Engine leasing
- Maintenance reserves
- Aircraft records management
- Corporate service providers

### MODULE 8: REPOSSESSION AND RECOVERY

- Repossession in practice
- Key documentation, key clauses
- Material adverse changes
- Relevant default provisions
- Termination notices
- Applications to court
- Enforcement – practical steps

### MODULE 9: FLEET PLANNING

- Fleet planning by airlines
- Strategies engaged
- Case studies
- Lessor positioning

### MODULE 10: CASE LAW AND FUTURE TRENDS

- Irish and UK aviation case law update
- Future trends for aviation industry

### MODULE 11: CAREER PANEL EVENT

This will afford students the opportunity to get expert advice from industry about how to enter the aviation industry or how to successfully move sectors within the industry.

## WORKSHOPS

Workshops are interactive and focus on analysing selected case studies to consolidate the student's knowledge. There is a key emphasis on a practical approach to the case studies to assist the student in practice. The final workshop will focus on revision and preparation for the exam.

Workshop 1: 3 March 2018.

Workshop 2: 14 April 2018.

Workshop 3: 26 May 2018.

Workshop 4: 9 June 2018.

## WHO SHOULD ATTEND?

This course is suitable for:

- Solicitors, barristers, and trainees who advise aviation clients or who wish to enter the aviation sector,
- Professionals working in the aviation industry wishing to expand their knowledge with a view to career advancement or moving laterally to another discipline within the industry,
- Professionals working in aircraft leasing companies or airlines,
- Contract administrators and engineers,
- Professionals in financial institutions that fund the purchase of aircraft,
- Accountants, finance professionals, and tax consultants advising aviation clients,
- Insurance professionals specialising in aviation insurance.

In order to apply you must have a minimum of two years' full-time experience in the aviation industry or, alternatively, you must have successfully completed the Certificate in Aviation Leasing and Finance.

We welcome applications for this course from suitably qualified other applicants. Please explain your interest and set out any relevant experience in a cover letter and a brief CV. Such applications are subject to a supplemental fee of €200.

Those who have successfully completed the Certificate in Aviation Leasing and Finance will be eligible for a discount on their diploma application.

FACULTY

The teaching faculty for this diploma comprises a fantastic array of world-renowned legal practitioners from Ireland, the UK and the USA, along with leading aviation industry specialists. Lecturers and tutors are drawn from the leading law firms specialising in aviation law, aircraft leasing and management companies, airlines, the International Registry of Mobile Assets, asset management companies, insurance companies, the Dublin Aviation Authority, and the Irish Aviation Authority. Previous lecturers have included:



Donna Ager,  
Maples and Calder



Julien Basset,  
Apollo Aviation  
Management



Paul Brady,  
Aer Lingus



Paul Carrington,  
Clifford Chance LLP



William Coleman,  
Holland & Knight  
LLP



Rob Cowan,  
Aviareto



Catherine Deane,  
McCann FitzGerald



Patrick Farrell,  
Norton Rose  
Fulbright



Nikki Foley,  
Matheson



Dick Forsberg,  
Avolon



Richard Goss,  
Hogan Lovells  
International LLP



Stuart Kennedy,  
Matheson



Richard Walton,  
Milbank, Tweed,  
Handley & McCloy  
LLP



David McGovern,  
Walkers



Fabio Miceli,  
Holland & Knight



Fergal Molony,  
Capita Asset  
Services IRL



Michael Murphy,  
Capita Asset  
Services IRL



Deirdre Ni  
Chearbhail, Avolon



Robert Normand,  
Aon Ltd Aviation  
London



Marie O'Brien, A&L  
Goodbody



Christine  
O'Donovan, Mason  
Hayes & Curran



Kieran Oliver,  
Shannon Engine  
Support



Niamh O'Meara,  
Milestone Aviation  
Group



Georgina O'Riordan,  
McCann FitzGerald



Ed Riley,  
Avolon



Robert Roy,  
Ex-Im Bank



Ken Rush,  
Walkers



Gerard Scully, Irish  
Stock Exchange



Mark Shtenko,  
DVB Bank



Lucy Shtenko,  
Watson Farley  
Williams LLP



Brian Skehan, Irish  
Aviation Authority



Ronan Stewart,  
Santos Dumont



Gerry Thornton,  
Matheson



Mary Townsend,  
A&L Goodbody



Jeff Veber,  
Vedder Price



LLM ADVANCED  
LEGAL PRACTICE



DELIVERY METHOD  
Distance learning

ASSESSMENT  
Dissertation of between 15,000 and 17,000 words

FEE  
€3,400

This innovative LLM in Advanced Legal Practice is offered in association with Northumbria Law School and is specifically designed for those who are qualified solicitors. Uniquely, the LLM provides you with the opportunity of using your solicitor qualification as a building block to achieve recognised academic qualifications.

In summary, the award requires 180 credits, and your solicitor qualification already provides 120 points towards this. A research-based dissertation then makes up the remaining 60 points required.

**OUTLINE**  
Candidates undertake in-depth study of an agreed legal topic under individual tutor supervision. The programme will start with an induction day and is taught primarily through distance learning, with supervisors predominantly based in the Law Society. The programme lasts for up to two years, a timescale designed to allow students flexibility to complete the LLM in keeping with their work commitments.

**AUDIENCE**  
Applicants must either be:

- Qualified as a solicitor in this jurisdiction, or
- Enrolled on the PPC2 at the same time as they enrol to the LLM Advanced Legal Practice and be expected to complete their training within the academic year. Any student enrolled on the PPC2 at the same time as the LLM Advanced Legal Practice must satisfactorily complete the PPC2 before they can be awarded the LLM.

For further information, visit [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre).

## DIPLOMA CENTRE – SPRING PROGRAMME 2018

Our spring programme begins in January 2018. To register your interest in these courses and to be contacted once applications open, please visit [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre).

### DIPLOMA IN COMMERCIAL PROPERTY

With a renewed level of activity in the property market, this diploma exposes practitioners to the key areas of practice that arise when advising clients in all areas of commercial property transactions. Lecturers will draw on their own experiences of practising in this area with reference to legislative updates, practice directions, and practical case studies to provide participants with the necessary knowledge to advance in this area. The practical emphasis of the course is reinforced by practical workshops, which will provide an opportunity to engage with topics through problem-based scenarios in a small-group setting.

### DIPLOMA IN CORPORATE GOVERNANCE

Providing participants with a comprehensive knowledge of corporate law and governance in Ireland, this postgraduate diploma will focus on typical events that solicitors advise on during the lifetime of a corporate entity and also practical aspects of corporate governance. It starts with a brief introduction to fundamental concepts, such as types of companies and their corporate constitution, corporate personality, and a company's capacity and powers. Issues for directors, company secretaries and shareholders will also be examined, such as duties, powers, liabilities, secretarial management and compliance, classes of shares and powers attaching to them, statutory obligations and implications of non-compliance in insolvency situations, the Office of the Director of Corporate Enforcement, and the *Companies Act*.

### DIPLOMA IN TECHNOLOGY LAW

Ireland has a booming tech market and has become the digital hub for Europe. It is of vital importance that all organisations and their employees understand the law relating to technology and intellectual property and that all legal advisers have the requisite knowledge to advise on these matters. This extended diploma course is designed to give comprehensive coverage to the broad range of legal issues arising from technology and intellectual property in this digital age. We will chart the latest trends in technology and will provide a wide-ranging analysis of issues relating to intellectual property rights, advising on data protection strategies,

and managing transactional issues.

### DIPLOMA IN CIVIL LITIGATION

This diploma provides practitioners with a comprehensive understanding of civil litigation practice in this jurisdiction. Civil litigation is a challenging and diverse area and encompasses a broad range of disputes between parties. This course aims to impart knowledge of substantive and procedural law to equip practitioners to deal competently and efficiently in this area. Recent developments and case law will be reviewed. Solicitors representing clients in plaintiff or defence actions require certain skills and knowledge, and this course will benefit any practitioner seeking to harness the latest information on judicial decisions and trends in this area.

### DIPLOMA IN IN-HOUSE PRACTICE

This diploma provides in-house lawyers or aspiring in-house lawyers with a comprehensive understanding of the varied, challenging, and stimulating work that confronts those working in business and in the public sector. The in-house role has evolved from a traditional role of 'head of legal' to a more dynamic, high-level and business-oriented position. Participants will recognise the varied role of the in-house lawyer and the many business and interpersonal skills that the position requires, and they will assess how to best manage business expectations while juggling the competing interests of various stakeholders. The course examines a number of substantive legal topics that confront in-house counsel, such as setting up and managing an in-house function, ethics, privilege, commercial contracts, employment, compliance, governance, procurement, and data protection.

### DIPLOMA IN INSURANCE LAW

This diploma examines the (re)insurance industry in Ireland and provides comprehensive coverage of all key issues relating to (re)insurance law and the litigation of insurance claims. The course will examine insurance concepts and underline the importance of understanding key insurance documentation. It will ensure that participants are aware of the important legal issues relating to both personal and commercial insurances and the legal issues pertaining to claims. Leading experts will consider the main legal liability insurance areas, such as public liability, occupier liability, professional indemnity, and employer liability insurance. There will be a detailed examination of

the court process, case management, and alternative dispute resolution. We will offer an insight into key issues such as the reinsurance industry, insurance fraud, the MIBI, legal issues relating to intermediaries, assignments, and liquidations. The effects of new legislation on compliance in the industry will also be analysed – regulation (*Solvency II Directive*) and data protection (the new *General Data Protection Regulation*). Finally, the applied insurance module will give an overview of aviation, marine, construction, cyber-insurance, and other growth areas.

### CERTIFICATE IN CHARITY LAW TRUSTEESHIP AND GOVERNANCE

A collaboration between the Law Society of Ireland and the Wheel (the support and representative body connecting community and voluntary organisations and charities across Ireland), this popular course provides practitioners and those working in the charity, community, and voluntary sector with an overview of the law and best practice in the relevant areas. The sector has faced many challenges in recent times, and credibility needs to be restored. The establishment of the Charities Regulator and developments on the horizon in terms of funding and competitive tendering herald changes that need to be taken on board to shape the future of this sector in Ireland. The course will have a very practical emphasis and will equip both practitioners advising organisations and those working within the sector with the necessary knowledge and skills to maintain integrity and uphold standards.

### CERTIFICATE IN DECISION-MAKING, CAPACITY AND SUPPORT

The purpose of this certificate is to ensure that practitioners are fully conversant with the *Assisted Decision-Making (Capacity) Act 2015*, with particular emphasis on the definition of 'capacity' and how it should be assessed. The wide remit of the 2015 act is emphasised by the fact that, under the new regime, it will not be possible to discriminate on the grounds of possible lack of decision-making ability. For example, even when an enduring power of attorney (EDA) is registered, the functional approach (that is, issue specific and time specific) will still apply to the ascertainment of the ability of the person participate in a decision. In addition, an attorney may not dispose of the property of the donor by way of gift – for example, the transfer/gifting of assets without consideration, to include property/shares in companies – unless there

is specific provision to that effect made in the EPA. Attorneys will also be subject to reporting oversight, requiring those advising to question whether the action is within the scope of the EPA, whether it has been made in good faith, and if it has been made for the benefit of the person whose capacity is at issue.

### CERTIFICATE IN PROCUREMENT

The rules applicable to the practice of public procurement are increasingly relevant to all practitioners, whether in the context of personally tendering for legal services, acting for tendering parties or, alternatively, when advising public bodies and utilities in relation to procurement projects. Furthermore, practitioners and other decision-makers working for public bodies and utilities who have responsibility for the tendering process will be acutely aware of the importance of being fully compliant with domestic and EU procurement regimes. This course is designed for such practitioners and employees and will provide a sound understanding of public procurement law and the jurisprudence of national and European courts. In addition, it will offer detailed advice and insight into best practice so as to minimise risk.

### CERTIFICATE IN CONSTRUCTION AND LITIGATION MEDIATION

This is a practical course focused on the preparatory steps required for a successful mediation in construction disputes and in other areas of litigation. The course will bring participants through a typical mediation process and will address issues such as when to go to mediation, deciding on the mediator, dealing with directions and process meetings with the mediator, steps to be taken before the mediation and what to do on the mediation day itself to ensure optimum chances of settlement. The course is specifically orientated at parties considering mediation as a dispute resolution forum for construction or other litigation disputes. However, the course will also be of interest to mediators and expert witnesses looking to gain specialist knowledge in the areas of construction and litigation. Speakers will include regular experienced participants in mediation, including mediators and expert witnesses who will address issues such as preparing the mediation statements, dealing with expert and costs reports, costs scheduling, remediation works proposals, and settlement in a mediation context.

# CONFERRAL CEREMONIES

Each year in November, we celebrate the commitment made by those who undertake our diploma courses with our Diploma Centre conferral ceremonies.

Congratulations to all our conferees on their achievement and a big thank-you to our lecturers and distinguished guests – as always, we are indebted to our lecturers and tutors for sharing their time and expertise throughout the year.



1

Data Protection Commissioner Helen Dixon with Lynn O'Sullivan (prize winner, Diploma in Technology Law)

2

Stuart Gilhooly (President, Law Society of Ireland) and Ken Murphy (Director General, Law Society of Ireland)

3

Diploma in Environmental and Planning Law class of 2016

4

Diploma in Finance Law class of 2016

5

Diploma in Aviation Leasing and Finance class of 2016

6

Certificate in Legal Practice Development class of 2016



- 1 Mr Justice Peter Kelly with Dervla Rose (prize winner Diploma in Law)
- 2 Judge O'Connor with Sally Alford (prize winner, Diploma in Commercial Property)
- 3 Miss Justice Mary Laffoy with Valerie Peart (prize winner, Certificate in Legal Practice Development)
- 4 Mr Justice Peter Kelly with his sister Mary Kelly (prize winner, Diploma in Mediation)
- 5 Liz Barry (head of corporate affairs and director, Airbus Financial Services) with Sarah Harmon (prize winner, Diploma in Aviation Leasing and Finance)
- 6 Patricia Rickard-Clarke with Paula Scully (prize winner, Certificate in Decision-Making Capacity and Support)
- 7 Diploma in In-House Practice class of 2016





- 1 Diploma in Commercial Property class of 2016
- 2 Diploma in Law class of 2016
- 3 Diploma in Mediation class of 2016
- 4 Diploma in Technology Law class of 2016
- 5 Diploma in Corporate Law and Governance class of 2016
- 6 Remembering our colleague Paul Hannon (prize winner, Diploma in Finance Law). May he rest in peace



## LECTURER FOCUS

At the Diploma Centre, we strive to provide a diverse range of advanced-level postgraduate courses, where the content is created and delivered by leading experts and experienced practitioners. We have implemented a collaborative approach to syllabus design and delivery, drawing on the knowledge, support, and goodwill of a hugely extensive and experienced associate faculty. We would like to thank all our lecturers and tutors for their valued contribution.

**Below, we feature a small number of the faculty on our current Diploma Centre courses.**



**BERNI HOSTY,**  
PARTNER, A&L GOODBODY

Berni Hosty is a partner in A&L Goodbody's Corporate Department. Berni advises a wide range of clients on corporate transactions, both in the domestic market and on international deals with an Irish dimension, across a variety of business and industry sectors. Her key areas of expertise include mergers and acquisitions, corporate restructuring, and insolvency-led sales and reorganisations. Berni was admitted to the Roll of Solicitors in 2005. She is part of the faculty delivering our Diploma in Finance Law.



**MELANIE CROWLEY,**  
PARTNER, MASON HAYES & CURRAN

Melanie is a partner in the employment law and benefits team with Mason Hayes & Curran. She is involved in all aspects of contentious and non-contentious employment law on both the employer and employee side. She is also a regular attendee and speaker at international employment law conferences run by the American Bar Association, the American Employment Law Council, and the Employment Lawyers Association in Britain. Melanie is part of the faculty delivering our Diploma in Employment Law and was also a contributor to our 2017 MOOC in employment law.



**STUART GILHOOLY,**  
PARTNER, HJ WARD & CO SOLICITORS

Stuart has worked at HJ Ward & Co since 1992 and has been a partner since 2003. He specialises in all forms of litigation, particularly personal injuries. Stuart is the current president of the Law Society of Ireland. He is also a council member of the Law Society, a past-president of the Dublin Solicitors Bar Association, and the Law Society's nominee on the Superior Courts Rules Committee. Stuart is the solicitor to the Professional Footballers Association of Ireland and, in that capacity, has acted in a large number of disciplinary matters on behalf of League of Ireland players, including anti-doping, gambling and verbal abuse offences. He is part of the faculty delivering our Diploma in Sports Law.



**SABINE WALSH**  
PRESIDENT OF THE MEDIATORS' INSTITUTE OF IRELAND

Sabine is an independent accredited mediator, trainer, and lecturer providing mediation services and mediation training. Sabine's mediation service provides an alternative method of resolving both interpersonal and commercial disputes. Based in Sligo, she provides private client mediation services in the northwest of Ireland and online. She mediates family, employment, civil, and commercial disputes, and specialises in cross-border disputes. She is part of the faculty delivering our Diploma in Mediator Training.



**IAN O'HERLIHY**  
PARTNER, MASON HAYES & CURRAN

Ian is a partner and head of the employment law and benefits team at Mason Hayes & Curran. He has over 25 years' experience advising public and private sector employers on both contentious and non-contentious employment law issues. Ian is regularly involved in employment-related litigation and appears frequently in all employment law forums, including the Labour Relations Commission, the Labour Court, the Equality Tribunal, the Employment Appeals Tribunal, the Circuit Court, the High Court, and the Supreme Court, and has been involved in many leading employment cases in recent years. He is part of the faculty delivering our Diploma in Education Law.



**ANNA MORGAN**  
HEAD OF LEGAL, OFFICE OF THE DATA PROTECTION COMMISSIONER

Anna studied law at Trinity College Dublin, graduating in 2002 and qualifying as a solicitor in 2006. Post-qualification, Anna worked in private practice for ten years, most recently in Arthur Cox, specialising in regulatory and commercial litigation with a particular focus on data protection. Prior to Arthur Cox, Anna worked for Philip Lee Solicitors, where a large part of her work involved advising the Data Protection Commissioner, including acting as a solicitor advocate in prosecutions taken in the District Court for breaches of the laws on electronic direct marketing. In September 2016, Anna became head of legal in the Office of the Data Protection Commissioner. She is part of the faculty delivering our Certificate in Data Protection Practice.



**DONNA AGER**  
PARTNER AND HEAD OF AVIATION, MAPLES AND CALDER

Donna is head of the aviation practice in Maples and Calder's Dublin office, advising on tax-efficient leasing and financing structures. Having worked for more than 13 years in aviation finance, Donna has extensive industry and structuring knowledge in the aviation sector. Her aviation expertise extends across general aircraft leasing and financing, including structured products (securitisations, EETCs, and general ABS), ECA and bank finance, aviation platform financings, manufacturer funding, and support mechanisms. Prior to joining Maples and Calder in 2015, Donna was a partner in the asset finance team in the Simmons and Simmons London office. She also worked for over eight years at Clifford Chance, London, and for three years with Airbus SAS in Toulouse, France. She is part of the faculty delivering both our Certificate and Diploma in Aviation Leasing and Finance.



**TOMMY NIELSON**  
LEGAL OFFICER, INDEPENDENT TRUSTEE COMPANY

Tommy is the legal officer of Independent Trustee Company, where he deals with all legal issues relating to the conduct of products and services, individual pension work for clients, and the development of new pension products and structures. Prior to joining Independent Trustee Company in 2005, he spent eight years in private practice. In addition to being a qualified solicitor in Ireland and Denmark, Tommy holds an LLM from Aarhus University. He has also obtained a Diplôme de l'IEHEI from Université de Nice, France. Tommy is chairman of the Law Society's Subcommittee on Pensions and chairman of the Association of Pension Trustees in Ireland. He is part of the faculty delivering our Certificate in Pensions and Applied Trusteeship.



**JOE THOMAS,**  
PARTNER, O'REILLY THOMAS

Joe's area of expertise lies in property and mediation. He has extensive experience of acting for developers, commercial, and private clients in the area of conveyancing. Joe holds a BCL from UCD, an LLM from Nottingham Law School, and a Diploma in Commercial Conveyancing from the Law Society of Ireland. He is an accredited mediator and a member of the Mediators Institute of Ireland. He is part of the faculty delivering our Certificate in Conveyancing.

# DIPLOMA CENTRE INITIATIVES

During the academic year, we host a range of additional alumni activities, from seminars and networking events, to our annual CPD conference. Our course participants are invited to take part in these free events, which provide the opportunity for peer-to-peer learning, networking, and development of new skills. Further information on events running this academic year can be found on our website, [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre).

## ADDED VALUE FOR SOLICITORS: CPD SCHEME AND CPD BONUS DAY

We have designed our courses to enable you to satisfy as much of your CPD requirement for each of the 2017 and 2018 CPD cycles as possible. Time spent attending lectures and workshops in person or completing these via e-learning (that is, by webcast) as part of your diploma/certificate course can be claimed towards

your annual CPD requirement. Any modules/sessions carried out in 2017 will count towards the 2017 CPD requirement, and those carried out in 2018 will apply to the 2018 CPD requirement.

The Diploma Centre will host our annual CPD conference day for diploma course solicitor participants on 18 November 2017. This complimentary event is a dedicated management and professional development skills and regulatory matters session. Further information can be found at [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre).

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 CPD scheme pages of the Law Society website and download the CPD 2017 booklet. If you have a CPD query that is not related to our courses, please contact the CPD Scheme Unit at [cpdscheme@lawsociety.ie](mailto:cpdscheme@lawsociety.ie).

## DIPLOMA CENTRE ALUMNI EVENING



Pictured at the recent Diploma Centre alumni evening discussing the topic 'The Unconscious Bias' are speakers JoNel Newman and Melissa Swain (Miami University Law School)

## 2017 EMPLOYMENT LAW MOOC LAUNCH



Pictured at the launch of the 2017 Employment Law MOOC are Maeve Regan, Mercy Law Centre; Loughlin Deegan, ByrneWallace; Melanie Crowley, Mason Hayes & Curran; Rory O'Boyle, Law Society Diploma Centre; Oonagh Buckley, Workplace Relations Commission; Louise Harrison, William Fry; and Duncan Inverarity, A&L Goodbody

## MASSIVE OPEN ONLINE COURSE IN EMPLOYMENT LAW

In line with the Law Society's continued public interest commitment to widen access to legal education and the legal profession, we offered our fourth free massive open online course (MOOC) in May this year. It attracted a broad range of participants – over 3,000 from 21 countries around the world. The course, 'Employment law for the digital age', was delivered online over five weeks. It comprised presentations from experts in employment law and workplace relations, live online discussions, and online assessments.

"The MOOC has vastly increased our ability to provide free, accessible, on-demand and insightful content to our members and the wider community. However, it is the international dimension that has been truly game-changing. Participants from countries as wide ranging as Botswana, Brazil, Latvia and Australia are now – digitally, at least – sitting side-by-side engaging with our Irish legal experts," said Law Society director of education T P Kennedy. "The great number of participants illustrates how relevant and up-to-date the course material is."

We will also be running a new MOOC in 2018. Keep an eye on our website and social media channels for more information early next year.

## ALUMNI EVENINGS

This autumn, we will host three alumni evenings for past and present Diploma Centre course participants. These evenings (which run from 6pm to 7.30pm) are a great way to network with your colleagues and get a sense of our upcoming courses. You will also benefit from one hour CPD M&PD.

### Topics to be discussed in 2017 and dates:

- Negotiations skills and practice: 25 September 2017,
- Pensions law and applied trusteeship: 9 October 2017,
- Charity law, trusteeship and governance: 6 November 2017.

**For further information and to register for a free ticket, please visit: [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre).**

# DIPLOMA CENTRE INITIATIVES



## STREET LAW CLINIC

Now in its fourth year, this Diploma Centre initiative invites PPC1 trainee solicitors to volunteer every year at the beginning of their training in autumn. Street Law – which is essentially a legal literacy programme – started in Georgetown University (USA), among other places, in the early '70s, and we are fortunate to partner with Prof Richard Roe from Georgetown and his team on our programme.

Street Law aims to teach relevant law-related content – law that is useful in participants' daily lives, and the legal processes, constitutional principles, and values on which these are based – in an engaging and interesting manner.

Participating trainees attend an orientation weekend facilitated by the diploma team and Georgetown experts in advance of their placements. Trainees learn about the unique activity-based, learner-centred, Street Law methodology, which is espoused through the tag 'talk less, teach more'. The clinic has five programmes in place for 2017:

- Trainee solicitors teach Transition Year (TY) students about law and the legal system in a practical way in a number of Dublin 'Delivering Equality of Opportunity in Schools' (DEIS) schools,

while developing the skills of trainee solicitors. The schools programme runs weekly teaching sessions that take place over a period of two months.

- We also facilitate a Prison Law Programme with Wheatfield Prison, in partnership with the charity Solas and their Compass Programme for prisoners. We hope to expand this offering this year.
- We work with the Trinity Access Programme's Pathways to Law initiative, hosting workshops for fifth and sixth-year groups in the Law Society.
- 'Solicitors of the Future' is a weeklong programme in spring, with TY students from selected schools around the country. Students learn about how the law affects them and about the role of a solicitor. For more information, see [www.lawsociety.ie/Public/Transition-year-programmes/Solicitors-of-the-Future](http://www.lawsociety.ie/Public/Transition-year-programmes/Solicitors-of-the-Future).
- We run a programme with Mercy Law Resource Centre, which advocates for the homeless or those at risk of homelessness.

We were delighted to welcome a number of schools to the Law Society as part of this year's Street Law programme. The programme now concludes with schools participating in a mock trial, and these were hosted in the CCJ and in our own Moot Court Room. This year, 38 volunteers from the PPC1 were involved, with over 500 TY students taking part in 14 DEIS schools throughout Dublin.

## 2016 STREET LAW CONFERRAL



Pictured at the recent Diploma Centre conferring ceremony for the Street Law programme 2016 are Brendan Twomey, Education Committee chairperson; Mr Justice Colm Mac Eochaidh, High Court; Dr Freda Grealy, head of Diploma Centre; John Lunney, solicitor, Diploma Centre, with trainee solicitors Caoimhe Stafford (lesson plan prize winner), Margaret Hayes (lesson plan prize winner), Martyna Brulinska, Gillian Cantrell, Kathriona Cunnane, Zoe Ennis, Amy Eustace, Daniel Griffin, James Hodgson, Katie Keogh, Michaela Lawless, Hayley Maher, Micheal McCarthy, Fiona McGowan-Smyth, Grace Moore, Eoghan Moore, Aoife Nannery, Ailbhe Ni Bhriain, Patrick O'Donovan, Daniel Price, Aisling Ryan, Agnieszka Siwiera, Carla Smyth, Rebecca Townsend, Karen Walsh, Ruth Walsh, Caitriona Clear

## BEST POSTGRADUATE PROSPECTUS



Pictured with the GradIreland Higher Education Authority 'Best Postgraduate Prospectus' 2017 award are Lisa Duffy, print and design coordinator, Law Society; Rebecca Raftery, prospectus coordinator, Diploma Centre; and Dr Freda Grealy, head of Diploma Centre

# DIPLOMA CENTRE LEARNING APPROACH

## DIPLOMA HUB

Diploma Hub is a virtual learning-management system that is effectively a one-stop-shop website for your course. The site is designed to keep you informed about all aspects of the course you are attending and will contain the links to the webcasting feature. The site acts as a repository for course schedule information, course materials, and as a point of access to webcasts (if applicable). The Hub also operates as an effective learning tool, with discussion forum and learning resources features that deepen the learning for participants. Access to Diploma Hub is only for the duration of your particular diploma or certificate course and will be withdrawn upon course completion. At the start of your course, there will be an introductory lecture, during which you will be shown how to use and access this site. All course participants are given a log-in and password at course commencement.

### How to login to Diploma Hub:

- Go to <https://lawschool.lawsociety.ie>.
- Enter your username and password. You will be advised of your unique numerical username in advance of commencing the course. The initial password is set to 'changeme'.
- You will be prompted to change your password to something secure that you will remember.

## MOBILE PROFESSIONAL LEARNING PROJECT

We understand that accessibility is one of the key factors in providing professional continuing development courses for busy practitioners, many of whom are working full time. We strive to provide practitioners with a variety of means to access our courses and consume content. The development of our Mobile Professional Learning Project facilitates a student-centred approach to learning and places control in the hands of the participant. In real terms, this means that you can access your course on a smartphone, tablet, or PC and watch webcasts and engage online. The project combines a number of technological initiatives involving the use of blended learning, a customised webcasting facility, and an app designed specifically to cater for the particular learning needs of solicitors, trainees and busy professionals.

## BLENDED LEARNING AND WEBCASTING

The Diploma Centre blended learning model for solicitors is unique in Ireland, in that all of the courses are webcast. Our customised design for the webcast facility means participants can watch the lectures live from their home or office or play them back on demand



at a time that is most suitable. On-site workshops are embedded at intervals throughout the course to consolidate the information provided in the lectures, and they require students to work through problem-based case-study type questions. Because these sessions are not webcast, participants come together on-site, and this plays an important role in the overall blended-learning course design, which supports networking and peer-to-peer learning.

## PODCASTS

In addition, all lectures are available to download as a podcast, allowing you to listen to the audio at your convenience – for example, in the car, out walking, or while gardening.

## DIPLOMA CENTRE APP

Our wish to fully adopt a mobile learning approach and embrace an 'anywhere, anytime' philosophy led to the development of a customised app that facilitates downloading webcast lectures to a mobile device, allowing busy professionals to learn on the move or whenever they happen to come across some downtime, be it on the commute, at the gym, or in

court. To download the app, visit [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre).

## LIBRARY

Diploma Centre students have access to the Law Society Library for the duration of their course. They are entitled to borrow three books at a time for a period of seven days. E-books are also available from the library. The books must be from the multiple copy collection only. Fines will be charged at €6 per day for overdue items.

The library opening hours are Monday to Thursday, 9am to 6pm, and Friday, 9am to 5pm. If you have a library query, please contact the library at tel: 672 4843/4 or email: [libraryenquire@lawsociety.ie](mailto:libraryenquire@lawsociety.ie).

## ADAPTED ARRANGEMENTS

If you require any special arrangements with regard to attending any of the lectures, please contact the Diploma Team as early as possible, and not later than one month before the commencement of the course, with full details of your particular needs: [diplomateam@lawsociety.ie](mailto:diplomateam@lawsociety.ie).

## CREDIT FOR PPC2 ELECTIVES

All Law Society Diploma Centre courses will give participants credit for one PPC2 elective. Trainees relying on a specific diploma topic may be precluded from attending a PPC2 elective that is broadly similar in content. The course of academic study must take place during the training period, which means after your indenture date and before your PPC2.

Applications for such credit must be made with a certified copy of proof of successful completion of the relevant examination/assessment. Examination results may take 12 weeks to issue after an examination has taken place, but we try to expedite results for PPC2 trainees. Trainees will note that, although the pitch of diploma courses is at a more advanced level than PPC2 courses, there may be unavoidable overlap in some course content.

## EXAM AND ASSESSMENT

Certificates are generally assessed by means of a continual assessment, a final assignment, or a combination of both.

Diplomas are generally assessed by way of a three-hour closed-book examination, although this may vary depending on the subject.

Exam results are communicated on Diploma Hub approximately 12 weeks after the examination has taken place. Results are communicated on an award of a diploma or a certificate (50% and above) or fail (49% and below) basis.

Students must sit the examination(s) the first time it is offered in order to be eligible to sit the repeat examination. There is, however, no guarantee that repeat examinations will be offered in all subjects. If a student is ill and cannot attend the first sitting of an examination, a medical certificate must be submitted to the diploma team. If you fail the first examination, you may only be eligible to receive a pass grade at the repeat examination.

Where the final mark for a course is awarded through a combination of a continuous assessment element (tasks and/or quizzes) and a final exam, please note that students are permitted to re-sit the exam portion only in the case of a fail or deferral. The marks already obtained from the tasks and /or quizzes portion of the course will carry forward and cannot be retaken. The fee to repeat an examination is €250.

# DIPLOMA CENTRE COURSE APPLICATION PROCESS

Each course has an application deadline stated on the course webpage. This is usually one week prior to the course beginning. Places are available on a first-come, first-served basis. In order to secure a place on a course, we must first receive a completed application form and payment in full. We strongly encourage you to apply for courses as early as possible to avoid disappointment. Unfortunately, we are not in a position to hold spaces on courses without payment.

## SOLICITOR MEMBERS (NON-LAWYERS PLEASE SEE NEXT SECTION)

### Bank transfer

- Download and complete the application form,
- Email the form to [diplomateam@lawsociety.ie](mailto:diplomateam@lawsociety.ie) or post the form to the Diploma Centre, Law Society of Ireland, Blackhall Place, Dublin 7; DX79,
- Fees can be paid through your bank by way of an electronic fund transfer (EFT) with your name as the payment reference.
- **Our bank account details are:**  
*Bank name:* Bank of Ireland  
*Account name:* The Law Society of Ireland, No 4 A/C  
*Account no:* 16304279  
*Branch code:* 90-00-17  
*IBAN:* IE09BOFI90001716304279  
*BIC:* BOFIE2D

Please note that, if payment is made without reference to the student's name or paid to a different bank account within the Law Society, this will result in a significant delay in registering the student, delaying them receiving access to the course.

If a discount applies to your application (see specific criteria below), prior to the completion of the bank transfer, please contact a member of the diploma team at [diplomateam@lawsociety.ie](mailto:diplomateam@lawsociety.ie) for confirmation of the relevant discount.

### Online

Members must first log in to the Law Society website.

- Click on the 'book now' button on the course webpage and follow the instructions,
- If a discount applies to your application (see specific criteria below), prior to completing the online payment, please contact a member of the diploma team at [diplomateam@lawsociety.ie](mailto:diplomateam@lawsociety.ie) for confirmation of the relevant discount and to receive the appropriate discount code.



### Post

- Download and complete the application form,
- Return the form with full payment (cheques/bank drafts only) to the Diploma Centre, Law Society of Ireland, Blackhall Place, Dublin 7; DX79,
- If a discount applies to your application (see specific criteria below), prior to the completion of the cheque/bank transfer, please contact a member of the diploma team at [diplomateam@lawsociety.ie](mailto:diplomateam@lawsociety.ie) for confirmation of the relevant discount.

### Invoices

- If an invoice is required to discharge fees, please notify the Diploma Team when submitting your application form to ensure that payment will be received before the course commences. If your organisation requires a PO (purchase order) number, then please supply this first, along with the name of the addressee and the postal plus email address of the relevant recipient(s).
- Prior to requesting an invoice, confirm if your organisation requires a PO (purchase order) number and to whom the invoice should be addressed.

### Discounts

- Loyalty discount: where an applicant has attended two Diploma Centre courses, they are entitled to a 10% discount on subsequent Diploma Centre courses.
- Trainee discount: a 10% discount is available for trainee solicitors.
- Group discount: when a firm is paying for three or more solicitors to attend the same diploma course, there is a 10% discount on each application. All such applications must be submitted together.

- Unemployed discount: a 20% discount is available for unemployed solicitors.

## NON-LAWYERS

- Many of our courses welcome suitably qualified non-lawyers to attend. To apply, you need to submit your completed application form, together with a brief curriculum vitae and cover letter to [diplomateam@lawsociety.ie](mailto:diplomateam@lawsociety.ie) for approval.
- Your cover letter should provide a brief statement of the background to your application and your specific interest in the chosen course.
- We will advise you as soon as possible as to the status of your application.
- In certain cases, we may arrange to meet with you for a brief interview or talk to you over the phone.
- Non-lawyer applications are subject to a supplemental fee, which amounts to a supplement of €200 in respect of diploma applications and €100 in respect of certificate applications. Please note this is not an application fee and is only payable upon approval.
- Payments can be made by cheque or EFT, as above for lawyers.
- For online payments, you will need to create a log-in profile on [LawSociety.ie](http://LawSociety.ie) and then email [webmaster@lawsociety.ie](mailto:webmaster@lawsociety.ie) and request access to pay for a Diploma Centre course.

### Confirmation of payment

- On receipt of your application form and payment, your place on the course will be confirmed.
- An email setting out full course details will issue just prior to the commencement of the course.

**Note:** Course places are subject to availability and are

# TERMS AND CONDITIONS

allocated on a first paid basis. If you require further assistance please contact [diplomateam@lawsociety.ie](mailto:diplomateam@lawsociety.ie). If you require further assistance please contact Diploma Centre Applications 01 6724893 or by email: [diplomateam@lawsociety.ie](mailto:diplomateam@lawsociety.ie).

## TERMS AND CONDITIONS

For further information on the application process, discounts, attending our courses, examinations, and assessments, please visit [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre).

The Law Society of Ireland's Diploma Centre reserves the right to change the courses that may be offered, and course prices may be subject to change. Every effort has been made to ensure that the information contained in these pages is accurate and up to date as of time of publication. We cannot guarantee that places will be available for any particular course. In the unlikely event that the Diploma Centre needs to cancel or reschedule a course, all fees are fully refundable.

Course participant cancellations will only be accepted if submitted in writing no later than two weeks before the start of the course. Refunds may be subject to an administration charge. Fees will not be refunded once the course has started. Course fees are non-transferable.

Care has been given to confirm the accuracy of the information presented in this prospectus, on the Diploma Centre webpages, in personal communications, during course modules, and in all written materials. However, the Diploma Centre is not responsible for errors or omissions and makes no warranty, express or implied, with respect to the contents of the material delivered. The Diploma Centre cannot be held responsible for any consequences from the application of the information contained on the website or in the lectures, manuals, printed materials, and other communication and training provided. We reserve the right to change the above terms and conditions.

## CONTACT DETAILS

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

Blackhall Place  
Dublin 7

T +353 1 672 4802  
F +353 1 672 4803

E [diplomateam@lawsociety.ie](mailto:diplomateam@lawsociety.ie)  
W [www.lawsociety.ie/diplomacentre](http://www.lawsociety.ie/diplomacentre)