

DIPLOMA CENTRE

Certificate in Enforcement for Public Bodies



MODULE 1: INTRODUCTION TO REGULATION LAW

SESSION 01	TIME	DELIVERY
Tuesday 05 April 2022	6:00pm – 8:30pm	Online only

- 1 Introduction to the Certificate**
- 2 Why regulate?** Rationale for regulation in context of economics, corporate governance, risk management, and competition. Types of regulation; overview of the various sectors; financial, health services and products, social care, energy, environmental and issues arising therefrom. Particular emphasis on public bodies.
- 3 The function of regulation, its various forms and current issues:** Light touch regulation v over regulation; the troubled regulator – prosecutorial, advisory & disciplinary, inquiry functions, private sector v public sector regulation, complaints driven, compliance driven; Regulatory accountability and independence; Current issues in regulation and regulatory reform.

2.5 hrs. Gen. CPD

MODULE 2: LEGAL LITERACY SKILLS

SESSION 02	TIME	DELIVERY
Tuesday 12 April 2022	Online release at 2:00pm	Online release only

- 1 Bonus session for non-lawyers - The Irish legal system** – (a) sources of law (b) civil and criminal proceedings (c) legislative process (d) precedent (e) the Irish Courts system and appeals (f) the legal profession.
- 2 Legal writing/ legal literacy skills:** (a) introduction to legal writing (b) legal citations (c) online sources (d) reading a law report.

3.5hrs. Gen. CPD

MODULE 3: METHODS OF ENFORCEMENT

SESSION 03	TIME	DELIVERY
Tuesday 26 April 2022	6:00pm - 9:00pm	Online only

- 1 Civil Enforcement: Overview:** Civil Enforcement in the Courts – Challenges to processes and procedures
- 2 Enforcement - the inquiry process:** Investigations/pre-inquiry phases; hearings and decision – making
- 3 Criminal Enforcement:** Regulatory criminal law enforcement, Summary and indictable offences, Strict liability, Vicarious liability, Corporate criminal liability; appeals in the criminal process.

3 hrs. Gen. CPD

MODULE 4: CHALLENGES TO DECISIONS OF REGULATORY BODIES: LITIGATION

SESSION 04	TIME	DELIVERY
Tuesday 10 May 2022	6:00pm - 9:00pm	Online only

- 1 Judicial review/appeals:** High Court and Supreme Court Judicial Review, categories of statutory Appeal, oversight of regulatory decisions e.g. confirmation of sanctions of regulatory body.
- 2 Emergency applications and injunctions:** types of injunctions, test, injunctions against a regulatory body.
- 3 Defence of enforcement actions/regulatory proceedings**

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3 hrs. Gen. CPD

MODULE 5: ENFORCEMENT AND ENFORCEMENT NOTICES

SESSION 05

TIME

DELIVERY

Tuesday 17 May 2022

6:00pm – 9.00pm

Online only

- 1 **Pitfalls to avoid in enforcement process:** The key issues that affect the ability to enforce.
- 2 **Providing Reasons;** The duty to give reasons and the adequacy of reasons in Regulatory Law.
- 3 **Enforcement notices:** Components of an effective enforcement notice. Importance of providing a comprehensive list of reasons for the enforcement action. Importance of setting out clearly the rationale and legislative provision relied upon. Best practice when drafting. Use of precedents. Serious consequences of a defective enforcement notice. Reasonable defence.

3 hrs. Gen. CPD

MODULE 6: WRITING AND DRAFTING SKILLS

SESSION 06

TIME

DELIVERY

Saturday 21 May 2022

10:00am – 4:00pm

Online only

- 1 **Workshop 1**
Writing and drafting skills session:
 - (a) the business of writing
 - (b) Grammar, punctuation, spelling – managing risk, accuracy, ambiguity
 - (c) Context and tone – emails, letters, updates
 - (d) Use of precedents – dangers in drafting
- 2 **Workshop 2 -**
Drafting a letter of instruction
 - (a) Key features
 - (b) Fact v opinion
 - (c) Supporting documentation**Drafting an Enforcement notice**
 - (a) Components of an effective notice
 - (b) Importance of providing clear 'reasons' for enforcements
 - (c) Sample notices

5.5 hrs. Gen. CPD

MODULE 7: ENFORCEMENT BY SECTOR

SESSION 07

TIME

DELIVERY

Tuesday 24 May 2022

6:00pm – 9.00pm

Online only

- Specialist considerations for enforcement in the following sectors :**
- 1 **Social care and healthcare sectors -**
 - 2 **Justice, mental health -**
 - 3 **Environmental, food safety –**
 - 4 **Childcare –**

3 hrs. Gen. CPD

MODULE 8: DATA PROTECTION & FREEDOM OF INFORMATION

SESSION 08

TIME

DELIVERY

Tuesday 31 May 2022

6:00pm – 9.00pm

Online only

- 1 **Review of data protection principles** – consent, legitimate processing, GDPR, retention of date, FOI requests/ SAR requests.
- 2 **Data Protection & Freedom of Information:** Rights and obligations under the Freedom of

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Information Act 1997 (as amended); exemptions; refusal; right of appeal; third parties; time for reply and FOI Act 2014.

- 3 **Government data & public sector bodies:** Context and application; government agencies and departments - current obligations, future obligations, law enforcement directive, rights and data format, EU Legislation, relevant case-law.
- 4 **Sharing between public bodies & Garda Vetting:** Application of key principles – consent and necessity, principles agreed with the Commissioner, sharing data re commission of an offence, Garda vetting procedures.
- 5 **CRH Judgment- Legal Principles and Guidance applicable to Searches -**

5 hrs. Gen. CPD

SESSION 09	TIME	DELIVERY
Saturday 11 June 2022	10:00am – 3:00pm	Online only

Workshop 3 and 4:

FOI case scenario –

Enforcement case study -

5 hrs. CPD

Assignment released last workshop. Due date: Friday 8 July 2022

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

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