

# DIPLOMA CENTRE

## Diploma in Healthcare Law



### PART A

#### MODULE 1: INTRODUCTION TO MEDICO-LEGAL CLAIMS HANDLING

##### ONLINE RELEASE

Online only

- 1 An overview of breach of duty for healthcare professionals and causation.  
*Ciara McPhillips, Partner, Michael Boylan LLP*  
1 hr. Gen. CPD

SESSION 1	TIME	DELIVERY
Thursday 09 February 2023	6:00pm – 8:30pm	Onsite & Online
<ol style="list-style-type: none"> <li>1 <b>Course introduction:</b> Outcomes and methodology, resources available including the online Hub. <i>Sara Van den Bergh, Solicitor, Course Executive, Law Society of Ireland</i></li> <li>2 <b>Practice &amp; procedure, sample pleadings and case management I:</b> Introduction to medical negligence cases; the foundations of a case; statute of limitations; the expert and expert report; pre proceedings steps. <i>Roger Murray SC, Callan Tansey Solicitors LLP</i></li> <li>3 <b>Practice &amp; procedure, sample pleadings and case management II:</b> Inquest into hospital deaths; pleadings; discovery; pre - trial steps; trial; quantum. <i>Ciara McPhillips, Partner, Michael Boylan LLP</i> 2.5 hrs. Gen. CPD</li> </ol>		

SESSION 2	TIME	DELIVERY
Thursday 23 February 2023	6:00pm – 8:30pm	Online
<ol style="list-style-type: none"> <li>1 <b>Practical advices when acting for private hospitals:</b> Legal principles and procedures; practical issues and advices. <i>TBC</i></li> <li>2 <b>Practical advices when acting for private consultants:</b> Legal principles and procedures; practical issues and advices. <i>Louise O'Rourke, Partner, Hayes Solicitors LLP</i> 2.5 hrs. Gen. CPD</li> </ol>		

SESSION 3	TIME	DELIVERY
Tuesday, 28 February 2023	6:00pm – 8:30pm	Online
<ol style="list-style-type: none"> <li>1 <b>Public hospitals and the State Claims Agency :</b> Clinical Indemnity Scheme; Management of claims; medical records, claim specialities, case studies and future developments. <i>Philip Fagan, Senior Clinical Claims Manager, State Claims Agency</i></li> <li>2 <b>Practical advices for solicitors dealing with the State Claims Agency :</b> Acting for a plaintiff in a claim against a defendant who is indemnified by the State Claims Agency; Acting for a defendant on the instructions of the State Claims Agency. <i>Martha Wilson, Partner, Hayes Solicitors</i> 2.5 hrs. Gen. CPD</li> </ol>		

#### MODULE 2: PREPARING FOR TRIAL

SESSION 4	TIME	DELIVERY
Tuesday, 7 March 2023	6:00pm-9:00pm	Online
<ol style="list-style-type: none"> <li>1 <b>Pre action protocols -</b> Legal Services Regulation Act 2015 and amendments to The Civil Liability and Courts Act 2004 , perspective on operation of pre action protocols in the UK. <i>Alison Kelleher, Comyn Kelleher Tobin LLP</i></li> <li>2 <b>Mediation and dispute resolution in medical cases.</b> <i>Eamon Harrington, Comyn Kelleher Tobin LLP</i></li> </ol>		

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- 3 **Damages:** Assessment of damages in medical negligence claims.

*Sheila Reidy, BL*

3 hrs. Gen. CPD

### SESSION 5

Tuesday 14 March 2023

### TIME

6:00pm – 8:30pm

### DELIVERY

Online

- 1 **Workshop 1**

Medico-legal case studies (Module 1 workshop)

*Aisling Gannon, Dublin District Coroner, Dublin District Coroners Court*

2 hrs Gen. CPD & 1 hr M&PD

### SESSION 6

Tuesday 21 March 2023

### TIME

6:00pm – 8:30pm

### DELIVERY

Online

- 1 Case law updates and practical healthcare precedent.

*Michael Counihan, Senior Counsel*

- 2 **Preparing for trial:** Proofs and assessments, prospects of success.

*Michael Counihan, Senior Counsel*

2.5 hrs. Gen. CPD

### SESSION 7

Tuesday 28 March 2023

### TIME

6:00pm – 8:30pm

### DELIVERY

Online

- 1 **Workshop 2**

*Aisling Gannon, Deputy District Coroner*

2 hrs Gen. CPD & 1 hr M&PD

## PART B

### MODULE 3: CONSTITUTIONAL AND CIVIL RIGHTS

### SESSION 8

Tuesday 04 April 2023

### TIME

ONLINE RELEASE

### DELIVERY

Online only

- 1 **Mental Health Law & an Update on the Assisted Decisions Making Capacity Act 2015 :** The tribunal system, representation and legal aid, law society guidance in acting for persons detained and relevant case law.

*Áine Hynes SC, Partner, St Johns Solicitors LLP*

- 2 **Guardian ad litem :** The role of the Guardian Ad Litem, legal context – constitution , UNCRC/ECHR, statute, case law.

*Nicola Daly, Associate, Patrick J Durcan & Co*

- 3 **Childcare Applications -** The Role of CFA, court appointed solicitors and HSE/Tusla.

*Eoghan Wallace, Partner, ByrneWallace*

2.5 hrs. Gen CPD

### SESSION 9

Tuesday 18 April 2023

### TIME

6:00pm – 8:30pm

### DELIVERY

Online

- 1 **Inquests before the Coroner 1:** Roles and duties of the Coroner.

*Dr. Myra Cullinane, BL Senior Coroner, Dublin District Coroners Court*

- 2 **Inquests before the Coroner 2:** Practice and procedure before the Coroner.

*Aisling Gannon, Dublin District Coroner, Dublin District Coroners Court*

2.5 hrs. Gen. CPD

### SESSION 10

Tuesday 25 April 2023

### TIME

6:00pm – 8:30pm

### DELIVERY

Online

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- 1 **Medical Negligence Litigation Update:** Personal Injury Litigation v Medical Negligence Litigation; Nervous Shock; Vaccines and Covid-Related Claims.  
**Sheila Reidy, BL**
- 2 **Birth Issues 2:** Contraception and Wrongful Birth; Assisted Reproduction; Donor Assisted Reproduction; Surrogacy; Pre-implantation genetic diagnosis.  
**Joanne O'Sullivan, Partner, Kennedys**  
**2.5 hrs. Gen. CPD**

### ONLINE RELEASE

Online only

- 3 **Medical Ethics – Medical Ethics in patient care – the duty of candour.**  
**Professor David Smith, Royal College of Surgeons Ireland**  
**3.5 hrs. Gen. CPD**

## MODULE 4: RECORD MANAGEMENT ( Principles, Retention & Access )

### SESSION 11

### TIME

### DELIVERY

Tuesday 02 May 2023

ONLINE RELEASE

Online Only

- 1 **Data protection principles:** Definitions; core concepts; the fundamental principles of data protection.  
**Aoife Sexton, Aoife Sexton, Chief Privacy Officer, Data Protection Officer, Trúata**
- 2 **Legitimate Processing of Data:** Definition, core principles - fair, accurate, specified, incompatible use, adequate, relevant, not excessive, no longer than necessary, personal data, sensitive personal data, valid consent and exemptions.  
**Richard O'Sullivan, General Counsel, Global Shares plc**
3. **Principles of Retention of Data:** requirement of necessity, practical steps, destruction of records, Communications Act 2011, data storage, third party data storage, subject access requests and exceptions.  
**Richard O'Sullivan, General Counsel, Global Shares plc**  
**2.5 hrs. eCPD**

### SESSION 12

### TIME

### DELIVERY

Tuesday 09 May 2023

6.00pm-8.30pm

Online

- 1 **Medical Records:** What is a "Medical" record? To whom does a medical record belong? How to access a medical record, access to health information; accessing the medical records of a third party, maintenance and retention of a medical record, confidentiality of the medical record, Disclosure, recent and future developments.  
**Marie Kinsella, Partner, Philip Lee**  
**1.5 hrs. Gen. CPD**

## MODULE 5: HEALTHCARE REGULATION

### SESSION 13

### TIME

### DELIVERY

Tuesday 16 May 2023

6:00pm – 8:00pm

Online

- 1 **Regulation Case Study 1:** Health Information and Quality Authority ( HIQA ).  
**Aoife McCann, Head of Legal Services, the Health Information and Quality Authority**
- 2 **Regulation Case Study 2:** The Medical Council.  
**Áine Grogan, Senior Associates, Fieldfisher**  
**2 hrs. Gen. CPD**

### SESSION 14

### TIME

### DELIVERY

Tuesday 23 May 2023

6:00pm – 8:00pm

Online

- 1 **Regulation Case study 3 :** Nursing and Midwifery Board of Ireland ( NMBI ).  
**Amy McMahon, Senior Associate, Fieldfisher**
- 2 **Regulation Case study 4:** The Health Products Regulatory Authority ( HPRA ).  
**Diane Balding, Solicitor, Health Products Regulatory Authority**

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- 3 **Regulatory Law and Fitness to Practice Inquiries**  
*Stephen McLoughlin, Partner, Addleshaw Goddard LLP*  
2.5 hrs. Gen. CPD

SESSION 15	TIME	DELIVERY
Tuesday 30 May 2023	6.00pm-9.00pm	Online
1 <b>Workshop 3</b> <b>Part A: Question &amp; Answer session with heads of representatives from regulatory bodies</b> (questions for panel submitted by students in advance). <i>William Kennedy, Director of Regulation &amp; Legal Advisor, Medical Council</i> <i>Aoife McCann, Head of Legal Services, the Health Information and Quality Authority</i>		
2. <b>Part B: Problem based scenarios based on modules 2 &amp; 3.</b> <i>Marie Kinsella, Partner, Philip Lee</i> 1.5 hrs Gen. CPD & 1.5 hr M&PD		

### WRITTEN ASSIGNMENT (70%) DUE: 30 JUNE 2023

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

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