

# DIPLOMA CENTRE



## Diploma in Criminal Law

### COURSE OVERVIEW

This diploma offers students in-depth exposure to and practical insight into key practice areas of criminal law in Ireland from both the prosecution and defence perspectives. A core component of the course is the goal of developing the advocacy skills of those attending, through interactive workshop sessions that mirror situations faced in the criminal justice process.

The course also includes an in-depth look at sentencing law and practice. We discuss the role of the prosecution and certain State agencies in the criminal justice system, and other areas of practice will be reviewed, with a practical focus on evidential and procedural updates and coverage of emerging areas of practice.

### PROGRAMME OBJECTIVES

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

- Advocate on behalf of clients in court;
- Advise clients effectively in Garda custody;
- Critically analyse the role of An Garda Síochána in the Criminal Justice System
- Demonstrate the ethical awareness required of practitioners when dealing with victims of crime and vulnerable witnesses;
- Summarise and outline the practical implications of evidential and procedural rules;
- Critically analyse the principles of sentencing law and practice;
- Recognise a potential judicial review and manage a judicial review application;
- Analyse the essential proofs in road traffic offences;
- Appraise the role of the children's court in the juvenile justice system;
- Critically analyse the criminal justice process in regulatory crime.

### MODULES

#### **Module 1: Arrest and detention**

- *Criminal Justice (Forensic Evidence and DNA Database System) Act 2014*,
- Advising clients in Garda custody.

#### **Module 2: Evidence and criminal law updates**

- Rules of evidence,
- Beyond JC – the impact of the new exclusionary rule,
- The European Arrest Warrant,
- Criminal evidence and the *European Convention on Human Rights*,
- Data protection and criminal trials,
- *Dwyer v Commissioner of An Garda Síochána (2018)*,
- The role and function of the Children's Court,
- Sentencing – recent developments and emerging trends.

#### **Module 3: The District Court and advocacy skills**

- Initial applications in the District Court,
- District Court advocacy skills,

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- Running a District Court case – the role of the practitioner,
- Bail applications,
- Aspects of higher courts criminal advocacy,
- Legal aid.

### **Module 4: Dealing with victims and vulnerable witnesses**

- *Criminal Justice (Victims of Crime) Act 2017*,
- Prosecutorial challenges – vulnerable victims and witnesses,
- Sexual offences – *Criminal Law (Sexual Offences) Act 2017*,
- *Domestic Violence Act 2018*.

### **Module 5: Judicial review**

- Practice and procedure in judicial review applications,
- Identifying a judicial review,
- Advocacy skills.

### **Module 6: The Role of An Garda Síochána in the Criminal Justice System**

- Functions and Powers of the Gardaí
- Duty to seek out & preserve evidence
- Initiating Proceedings
- Rules of Disclosure
- Understanding the Bail process and Bail applications
- Liaising with An Garda Síochána during the Courts process

### **Module 7: Road traffic offences**

- Basic proofs in a drink-driving case,
- Advocacy skills: running a District Court case and Circuit Court appeal.

### **Module 8: Sentencing Law and Practice**

- Mitigating factors and Aggravating factors,
- Sentencing,
  - Custodial,
  - Suspended Sentence,
  - Fines,
  - Community Service,
  - Probation and Poor Box,
  - Binding Over,
  - Compensation Orders
- Sentencing hearing.

### **Module 9: Regulatory crime**

- Regulatory crime – practice and procedure,
- Criminal offences and the *Companies Act 2014*,
- The role of the Office of the Director of Corporate Enforcement,

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### WHO SHOULD ATTEND?

This course is suitable for the following:

- Solicitors, trainees, and barristers,
- Members of An Garda Síochána and employees of statutory agencies and offices that have a criminal justice function,
- Other suitably qualified professionals.

**If you are interested in applying for a future offering of the course, please subscribe to our [Interested List](#).**

**Note:** The information in this document is subject to change as course content and modules may be adapted.