

CERTIFICATE IN PUBLIC LAW:

AN INTRODUCTION TO CONSTITUTIONAL AND ADMINISTRATIVE LAW

Two-day course
9.30am to 4pm, daily

Registration: €980

Training can take place in our offices in
25 Mountjoy Square East,
Dublin 1

Check our website for upcoming dates for opening training

or as an in-house within your organisation

This is more practical if you have a large group for training

For more information, or to book:
call us on (01) 819 8500
visit www.pai.ie
or email info@pai.ie



ICM

The Institute of Commercial Management

About the course

The law is steeped in tradition, but is also an ever evolving field which impacts on everything that we do. This is no more apparent than in the function and work of public sector bodies, many of which are created and regulated under statute and subject to special legal principles and rules which are loosely known as public law. Knowledge of the key principles and rules of public law is critical for all public administrators, who need to be versed on the rules and principles that apply to public administration in Ireland.

For organisations in the public sector, there are special rules concerning access to the documentation and materials on which key decisions are taken as they affect the delivery of public services or key policy and legislative decisions. The Freedom of Information Acts and Data Protection Acts provide an additional mechanism for securing access to documents that are generated by prescribed bodies. There are also special rules that apply to the giving and receipt of legal advice by public bodies with specific types of legal privilege that only apply to public sector bodies. Recent court decisions have also clarified the extent to which legal professional privilege attaches to advice provided by in house counsel within organisations.

Public bodies exercising regulatory or prosecuting functions also encounter the issue of legal professional privilege in the context of document disclosure and seizure of documents, particularly electronic documents. There are also certain principles that underpin how public bodies must conduct themselves in their decision making functions. Issues such as constitutional justice, fair procedures and legitimate expectation are an important backdrop to how public administration is delivered.

An awareness and understanding of the key legal rules that apply to public administration and the delivery of public services is central for all public servants. The aim of this course is to provide public servants with the information, knowledge and competencies in the area of public law so that they have the ability to fulfil their roles and securing an accredited qualification following a condensed and focused course. The course will take a practical approach, focusing on the key legal principles, but applying them to everyday situations. Delegate participation and interaction will be encouraged by way of group exercises and discussion.

This programme has been specifically designed for the public sector in Ireland. The case studies which have been prepared for delegates to work with are based on the real-world experiences of those working in a public sector environment. A key aim of the course is the delivery of a practical awareness and understanding of the public service's roles and obligations arising under Irish law.

Format and Materials

The course is a combination of classroom time (2 days), a small amount of home study reading and coursework, and an examination. Delegates will have an opportunity to discuss and share their own experiences and gain a valuable insight into their obligations arising under Public Law. Delegates are expected to prepare for classes through reading and other exercises. Classroom sessions are intensive and participative and will include a variety of approaches including lectures, group discussions and practical exercises. There will be plenty of opportunities for delegates to test their knowledge and learning progress during the course. The course leader will also provide support and feedback to help delegates during the course.

Delegates will be issued with a comprehensive pack of materials which will be added to on a daily basis and when complete will provide a useful reference resource and manual, containing templates, checklists and other materials.

Who should attend

The course will be of direct interest to lawyers and non-lawyers working in the public service. For lawyers it will provide a useful refresher and update to the key principles of public law, in a manner which fulfils CPD requirements and provides an accredited qualification. For public servants who do not have a legal qualification, the course will provide a useful and practical understanding of this complex area, which has an impact on their working lives.

Assessment and Certification

Each participant is assessed on the basis of coursework and a formal examination on the final day of class. They will be required to demonstrate their uptake of skills and knowledge gained from all of the course's modules. Assessment methods will include assignments which will count towards the total final grade, work based projects and summative testing on the final day in the form of a written examination and group presentations. Participants must pass the examination on the last day of the course in order to receive their certificate.

This course is accredited by the Institute of Commercial Management (ICM). Delegates will receive an ICM continuing professional development (CPD) certificate on successful completion of the course including a single assessment after the taught aspect of the course has ended. Public Affairs Ireland is an ICM accredited Professional Development Training Centre and is authorised to deliver ICM approved training and development programmes leading to CPD Awards accredited by the Institute of Commercial Management.

Course Objectives

Following the successful completion of the course, delegates will have acquired knowledge or refreshed their understanding of the following:

- The different sources of law in Ireland
- Introduction to Irish Constitutional Law
- The powers of the Legislative, the Judiciary and the Executive arm of government
- The personal rights under the Constitution
- The principles of constitutional justice
- The judicial review process
- Public Law Doctrines
- The issues that arise for the state as defendant
- Vicarious liability and its implications
- Different types of damages
- Different types of privilege and when it arises

Timetable: Day one

Time	Topic	Presenter
9.30am-11am	<p><i>Topic One: Introduction to Public Law in Ireland, its sources and history</i></p> <ul style="list-style-type: none"> • <i>Introduction and Course Objectives</i> • <i>The history of Irish law</i> • <i>Identifying different sources of law in Ireland</i> • <i>What is public law?</i> • <i>The sources of public law</i> 	Claire Hogan BL
11am-11.15am	Coffee Break	
11.15am-1pm	<p><i>Topic Two: Introduction to Irish Constitutional Law</i></p> <ul style="list-style-type: none"> • <i>Introduction to Irish Constitutional Law</i> • <i>The Three Institutions of State</i> • <i>The Doctrine of the Separation of Powers</i> 	Claire Hogan BL
1pm-2pm	Lunch	
2pm-4pm	<p><i>Topic Three: Irish Constitutional Law – Rights and Obligations</i></p> <ul style="list-style-type: none"> • <i>Personal Rights under the Constitution</i> • <i>The Doctrine of Unenumerated Rights</i> • <i>Recent Developments in the Jurisprudence of Constitutional Law</i> • <i>Constitutional Justice</i> 	Claire Hogan BL

Timetable: Day two

Time	Topic	Presenter
9.30am-11am	<p><i>Topic 4: Administrative Law</i></p> <ul style="list-style-type: none"> • <i>Introduction to administrative law</i> • <i>Who is bound by administrative law</i> • <i>The Doctrine of Vires</i> • <i>Fair Procedures and Natural Justice</i> 	Sharon Dillon-Lyons BL
11am-11.15am	Coffee Break	
11.15am-12pm	<p><i>Topic 5: Administrative Law and Judicial Review</i></p> <ul style="list-style-type: none"> • <i>The Rule Against Bias</i> • <i>The Duty to Give Reasons</i> • <i>Legitimate Expectations</i> • <i>Recent Developments in administrative law</i> • <i>Judicial Review procedure</i> 	Sharon Dillon-Lyons BL
1pm-2pm	Lunch	
2pm-4pm	<p><i>Topic 6: Public Law Liability</i></p> <ul style="list-style-type: none"> • <i>The State as Defendant</i> • <i>Vicarious Liability</i> • <i>Damages</i> • <i>Compensation</i> • <i>Immunity</i> • <i>Privilege</i> 	Claire Hogan BL

Speakers



Claire Hogan is a barrister practising in the area of general civil and commercial law. She holds the degree of LL.M. (commercial) from the University of Cambridge, for which she was awarded a Cambridge University European Trust Scholarship. She also completed a Ph.D. in Trinity College Dublin in the area of Constitutional Law. Dr Hogan has lectured in Griffith College Dublin in Constitutional and Competition Law. She currently lectures Civil Procedure in the Honorable Society of King's Inns on the Barrister-at-Law Degree Programme.

Sharon Dillon-Lyons is a Barrister-at-Law. She practises in civil litigation including tort and contract law. She has experience working in policy and compliance with non-governmental organisations; specifically legal duties of bodies including legislative compliance with data protection, freedom of information and health and safety. She also has experience of best practice tools to monitor implementation of policies, procedures and compliance with legal and contractual obligations.



You might also be interested in...

Update Series: Public Law

Our three-hour session will give a broad understanding of Public Law through the lens of an expert in the area. Giving knowledge of the key principles and rules of public law this session is to help those in public administration in Ireland. There are special rules concerning access to the documentation and materials available in the public sector; this session is to give you a taster of what these would include.

Certificate in Policy Development & Legislative Drafting

This two-day course provides practical guidance in understanding of policy development, the legislative process and legislative drafting. You will gain a keen understanding of how policy and legislation are made in Ireland while examining the role of Regulatory Impact Assessments (RIAs), looking at how legislation that is both effective and accessible can be produced.