

## Module 1 Introduction to the Irish Legal System

<b>Stage</b>	1						
<b>Semester</b>	1						
<b>Module Title</b>	Introduction to the Irish Legal System						
<b>Module Number</b>	1						
<b>Module Status</b>	Mandatory						
<b>Module ECTS Credits</b>	5						
<b>Module NFQ level</b>	Level 7						
<b>Pre-Requisite Module Titles</b>	n/a						
<b>Co-Requisite Module Titles</b>	n/a						
<b>Capstone Module?</b>	No						
<b>List of Module Teaching Personnel</b>	John Eardly						
<b>Contact Hours</b>				<b>Non-contact Hours</b>			<b>Total Effort (hours)</b>
21				79			100
<b>Lecture</b>	<b>Practical</b>	<b>Tutorial</b>	<b>Seminar</b>	<b>Assignment</b>	<b>Placement</b>	<b>Independent Work</b>	
15		6				79	100
<b>Allocation of Marks (Within the Module)</b>							
	<b>Continuous Assessment</b>	<b>Project</b>	<b>Practical</b>	<b>Final Examination</b>	<b>Total</b>		
<b>Percentage Contribution</b>		40		60	100		

### Intended Module Learning Outcomes

On successful completion of this module, the learner will be able to:

1. Explain the historical development of the Irish common law legal system, identify its main characteristics
2. Discuss the doctrine of precedent and its importance within the Irish legal system.
3. Apply legal knowledge to solving basic legal problems
4. Apply legal writing skills in addressing practical, professional scenarios.
5. Describe the civil, criminal and appellate jurisdictions of the different courts
6. Explain the role of legal professionals: solicitors, barristers and legal executives.
7. Identify the various sources of law, (national, EU and international), custom and judicial decisions
8. Research legislation and case law.

## Module Objectives

The purpose of the module is to introduce learners to the Irish legal system and provide a basis for their future studies on the programme.

This module aims to develop the learners understanding;

- both of what ‘law’ is and the difference between a common law and a civil law system
- of the historical development of the Irish legal system and in particular the influence of the reception of the Constitution of 1937,
- of the doctrine of precedent and increase the learners’ awareness of the structure and jurisdiction of the various courts in the Irish court system
- of the branches of the legal profession, their key roles and functions and how they are inter-related
- of the professional role of the legal executive within the legal system

In addition, the module aims to

- develop learners’ knowledge of the sources of law
- introduce learners to the concept of legal reasoning and drafting
- develop learners’ ability to interpret legislation and court judgments

## Module Curriculum

<b>TOPIC</b>	<b>DESCRIPTION</b>
<b>Introduction</b>	The concept of ‘law’; common law v civil law; the historical development of the legal system.
<b>Sources of Law national and international</b>	Introduction to the Constitution of 1937 and its impact on the law in Ireland; legislation; decided cases: common law and equity; custom; international law; law of the European Union and the European Convention on Human Rights.
<b>The Irish Courts</b>	The hierarchy of the Irish courts; the civil jurisdiction of the courts; the criminal jurisdiction of the courts; the appellate jurisdiction of the courts.
<b>Legal Personnel</b>	Role and education of barristers, solicitors and legal executives; appointment, retirement and removal of Judges. Other significant legal personnel including the Director of Public Prosecutions, the Attorney General, County Registrars and County Sheriffs.

<b>The Doctrine of Precedent</b>	<i>Stare Decisis; Ratio Decidendi; Obiter Dictum.</i>
<b>International Law - European Union Law European Convention on Human Rights</b>	The institutions of the EU; sources of EU Law – primary sources, secondary legislation, general principles common to the laws of Member States; Relationship between EU and national law – the effect of EU law in the domestic legal framework, conflict and supremacy, direct effect of regulations and directives. The relationship between the European Convention on Human Rights and domestic law.
<b>Legal Research</b>	Introduction to traditional tools of legal research; law reports; journals; online legal research.
<b>Legal Writing</b>	Introduction to good legal writing; good grammar; punctuation, key Latin and French terminology.

### Reading lists and other learning materials

1. Byrne & McCutcheon, *The Irish Legal System* (2014, Dublin; Bloomsbury Professional)
2. Doolin, *Principles of Irish Law* (2011, Dublin; Gill and MacMillan)
3. Dernbach, Singleton, Wharton, Ruhtenberg, and Wasson, *A Practical Guide to Legal Writing & Legal Method* (2010, New York; Aspen Publishers).
4. Faculty of Law, University of Oxford, *OSCOLA 2006: The Oxford Standard for Citation of Legal Authorities*. Online at [http://denning.law.ox.ac.uk/published/Oscola\\_2006.pdf](http://denning.law.ox.ac.uk/published/Oscola_2006.pdf)
5. Webley, Lisa, *Legal writing* (2010, Oxon; Routledge-Cavendish)
6. O'Malley, *Sources of Law: An introduction to Legal Research and Writing* (2001, Dublin; Round Hall Sweet & Maxwell).

### Module Learning Environment

#### Accommodation

In line with other higher education awards offered by the College, the Special Purpose Diploma in Legal Studies and Practice, will provide reasonably comparable resources and accommodation requirements, all of which can be met by facilities on campus.

At the moment, a base classroom is used for teaching purposes at both the Dublin and Cork campuses. Participants also have access to online teaching resources and Moodle<sup>1</sup> and an e-learning studio. It is not proposed that these arrangements be changed as they are continuing to operate successfully.

In addition, all lectures are recorded and posted on the relevant Moodle page, providing students with the opportunity to watch lectures at a later date if they are unable to attend the lecture or wish to review the lecture.

### Library

All learners have access to an extensive range of “actual” and “remote access” library resources. The library monitors and updates its resources on an ongoing basis, in line with the College’s Library Acquisition Policy. Lecturers update reading lists for this programme on an annual basis as is the norm with all courses run by Griffith College.

### Equipment, Information & Communication Technology

The College is already fully resourced with the necessary teaching equipment – such as a base class room fully equipped with PC, audio and visual presentation facilities and projectors.

Further resources such as video recording equipment are also available for use on the programme. Participants may also use the College’s other computer labs, open labs and the e-learning studio. The College’s IT Services Department and the Lecturer Support Unit also support this process by continually updating classrooms and PC labs. Proposals for the acquisition of new technologies are made to the IT Services Department and to the Director of Academic Programmes, so that academic and technical issues are considered.

Extensive use is also made of the Moodle VLE for posting lecture notes and other relevant material used for study and revision. With the aid of data projectors, these can form the basis of lecture presentations.

### **Module Teaching and Learning Strategy**

This module will be delivered through a series of lectures and tutorials.

This module comprises of twenty-one contact hours, being fifteen lecture hours, five tutorial hours and one revision/exam preparation class.

Each class will comprise three hours of lectures and a one-hour tutorial.

Tutorials will comprise the review of past exam papers, class discussions, group work sessions and exercises.

Lectures and tutorials will be supplemented by structured web-based resources and reading.

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<sup>1</sup> Moodle is Griffith College’s current Virtual Learning Environment (VLE)

## **Module Assessment Strategy**

Theoretical knowledge will be assessed at the end of the module by examination (60%), the purpose of which is to enable learners to become accustomed to undertaking extended examinations which are a traditional method of assessment commonly used in law-based degrees on the National Framework of Qualifications and in the sphere of professional legal training. The examination will consist of a mixture of essay style questions, which place emphasis on the learners demonstrating academic legal knowledge as well as discursive legal writing skills, and problem style questions which assess the learner's ability to apply the law to practical factual scenarios. Formative assessment will be provided in the form of interactive exercises such as mini quizzes or directed class discussion topics.

The examination will be supplemented by an Assignment worth 40% of the overall grade enabling learners to utilise their learning from class based work and to develop their legal research, problem solving, independent learning, initiative skills and professional analytical capacity. The Assignment focuses on a matter of practical importance in the field of the Irish Legal System.

## **Sample Assessment with Rubrics**

See Sample Assessments attached.