

MODULE SYLLABI

1. Module Syllabi

Module 01

Irish Legal System

Module Status: Mandatory Elective

Credit Rating:

Credit Level:

Pre-requisite Modules:	Co-requisite Modules:
Total Contact Hours:	
Lecture: 24 hours	Independent Study: 116 hours
Total Student Effort: 140 hours	

Module Aims

This module aims to:

- Foster in students an appreciation of what ‘law’ is and to impart an outline understanding of the difference between a common law and a civil law system.
- Impart to students a knowledge of the historical development of the Irish legal system.
- Familiarise students with the structure and jurisdiction of the various courts in the Irish court system.

- Develop students' knowledge of the sources of law.
- Acquaint students with the doctrine of precedent.
- Introduce students to the concept of legal reasoning.
- Develop students' ability to interpret legislation and court judgments.

Module Learning Outcomes

On successful completion of this module, students should be able to:

- Explain and identify the main characteristics of the common law system in Ireland. .
- Clearly trace the historical development of the Irish legal system.
- Recount the civil, criminal and appellate jurisdictions of the different courts.
- Recall the various sources of law.
- Discuss the doctrine of precedent and its importance within the Irish legal system.
- Research legislation and case law.

Indicative Module Content

TOPIC	DESCRIPTION
Introduction	The concept of 'law'; common law v civil law; the historical development of the legal system.
Sources of Law	The Constitution; legislation; decided cases: common law and equity; custom; international law; law of the European Union.
The Irish Courts	The hierarchy of the Irish courts; the civil jurisdiction of the courts; the criminal jurisdiction of the courts; the appellate jurisdiction of the courts.
The Doctrine of Precedent	<i>Stare Decisis; Ratio Decidendi; Obiter Dictum.</i>
European Union Law	The institution of the EU – The Commission, The Council and the European Council; the European Parliament; The Court of Justice and the Court of First Instance. 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.
Legal Research	Traditional tools of legal research; law reports; journals; online legal research.
Legal Writing	Good legal writing; good grammar; punctuation, Latin and French terminology.
Communication in Legal Environments	The importance of good communication; negotiation skills.
Legal Personnel	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.

Teaching / Learning Methodology

This module will be delivered through a series of lectures; through tutorial-style discussions, group work sessions and exercises; and supplemented by structured web-based resources and reading.

Assessment

Theoretical knowledge will be assessed at the end of the module by examination (100%). The examination will consist of a mixture of descriptive, analytical and application questions, taking the form of essay style questions, which place emphasis on the students' demonstrating analytical skills; and problem style questions, which assess the student's ability to apply the law to practical factual scenarios.

Required Reading

Griffith College Manual, *Introduction to the Irish Legal System* (Dublin: Clarus Press, updated annually)

Secondary Reading

Buckley, Melody (2004) *Civil Procedure and Practise: An Introduction*, Thomson Round Hall

Byrne, Raymond & William Binchy (1987) *Annual Reviews of Irish Law*, Thomson Round Hall

Byrne, D. & P. McCutcheon (2001) *The Irish Legal System*, 4th Edition, Butterworth

Doolan, Brian (2003) *Principles of Irish Law*, 6th Edition, Gill and MacMillan

Murdoch, Henry (2004) *A Dictionary of Irish Law*, 3rd Edition, Tottel Publishing, 4th edition.

O'Malley, Thomas (2001) *Sources of Law*, 2nd Edition, Sweet & Maxwell