

FE1 CONSTITUTIONAL LAW NIGHT BEFORE NOTES

Constitutional Interpretation

- **Literal Method**
 - *DPP v O'Shea* (Right of appeal to the Supreme Court)
 - *O'Byrne v Minister for Finance* (judge's pay) - "Obvious" literal interpretation is open to entirely conflicting interpretations
- **Broad or purposive method**
 - *NUR v Sullivan, AG v Paperlink, Murray v Ireland*
 - Difficulty in determining the "purpose" behind Constitutional provisions – license for judicial subjectivity
- **Harmonious Method**
 - Elegant resolution of problems with literal and broad methods
 - *Re Article 26 and the Health Amendment Bill, Tormey v Ireland*,
 - But Constitution not drafted as interlocking parts.
- **Historical Method and Zappone**
 - Of dubious value to a "live" or flexible constitution (except for earlier cases)
 - *Re Article 26 and the OASA Amendment [1940]* (Close to 1937), *Curtin v Dail Eireann, Sinnott v Minister for Education*
 - *Zappone* and determining between "fixed" Constitutional concepts and changing Constitutional Concepts: Position of "Marriage"
- **Natural Law**
 - *Ryan v AG, State (Healy) v O'Donoghue, McGee* (Contraception) and *Norris* (Homosexuality)
 - Lack of consensus as to what "Natural Law" actually is
 - Unease due to the link between Natural Law and GOD
 - Subjective nature of Natural Law (*TD v Minister for Education*)

The President and Article 26

- **The Article 26 Procedure**
- **Problems with the Article 26 power, procedure and outcome:**
 - **Time Limits**
 - **Single Judgement Rule**
 - **How much of the Bill to refer?**
 - **Presumption of Constitutionality**
 - **Mootness**
 - **Gold-plated immunity**
- *Re Article 26 and Part V of the Planning Bill, Re Article 26 and the Equal Status Bill, Re Article 26 and the Health Amendment Bill*

The Oireachtas

- **Article 16 and the Regulation of Elections**
 - **Election facilities**
 - *Draper v AG*
 - *Redmond v AG*
 - *King v AG*
 - **Proportional Representation and the Census**
 - *O'Donovan*
 - *Re Article 26 and the Electoral (Amendment) Bill*
 - *McGrath*
 - **Justiciability**
 - *Doherty v South Dublin County Council*
- **Justiciability and the internal workings of the Oireachtas**
 - **Internal workings of the Oireachtas and Oireachtas members**
 - *O'Malley v Ceann Comhairle*
 - *Callely v Moylan ?*
 - **Internal workings/investigations and non-members of the Oireachtas**
 - *Maguire v Ardagh* (The "Abbeylara" case and the good name of Gardai)
 - *Curtin v Dail Eireann*
 - *Callely v Moylan?*
 - **Include/consider here the Right to a Good Name and Fair Procedures**
 - *Maguire v Ardagh* (The "Abbeylara" case and the good name of Gardai)
 - *Curtin v Dail Eireann*
 - *Callely v Moylan?*
- **Privilege**
 - **Article 15.10, 15.12, 15.13**
 - *Ahern v Mahon*
 - *Howlin v Morris* - not "self-executing"
 - *Murphy v Dublin Corporation*

The Courts

- **Justice administered in Public**
 - **Originally only in camera if legislation allowed, and in the interests of justice**
 - *Roe v BTSB*
 - *Re R*
 - *Irish Times v Ireland* and "Inherent jurisdiction"
 - **NB, Consider here "Adverse Pre-Trial Publicity" and Article 38.1 below**
 - **Post *Irish Times* case law narrowly circumscribing extent of that discretion**
 - *Ansbacher (Cayman)*
 - *Doe v Revenue Commissioners*
- **Independence and Removal of the Judiciary**
 - See also "Justiciable Controversy" and Separation of Powers below
 - **Immunity from Suit**
 - **Removal and *Curtin v Dail Eireann***
- **Minor and Non-Minor Offences**
 - *Melling v O'Mathghamna*
 - **Severity of the Penalty**
 - **Moral quality of the Act**
 - **State of Opinion and Law in 1937**

The Separation of Powers:

1. Non-Delegation Doctrine

(Executive acting as the Legislature)

- Issue of “Orders/Statutory Instruments/Articles” being created by the Minister - is the Minister WRITING Laws, or simply following the “Principles and Policies” of existing Legislation?
- Watch for manifestation of the Executive – not necessarily a “Minister” - often an Executive emanation/body (“Agri-Efficiency Ireland”/“Regulation of Food Vendors”)

Cityview Press v AnCO

McDaid v Sheehy

Laurentiu v Minister for Justice

Leontjava & Chang v DPP

Cooke v Walsh

Harvey v Minister for Social Welfare

2. Socio-Economic Rights

(Judiciary acting as the Legislature or Executive)

- a. Is the claim being made on a Constitutional, or merely Statutory basis?
- b. Is there a Constitutional basis for the right being sought? I.e., is it an established express constitutional right (like Article 42 – the right to primary education) or unenumerated right (e.g. legal aid as identified in *State (Healy) v O’Donoghue* [1976])
- c. If the right is not express, or has not yet been ‘recognised/discovered’ as an unenumerated right, can the litigant seek to have the right recognised now
- d. If the right is recognised (express or unenumerated) is there sufficient specificity either in legislation or in government policy to provide for the realisation of that right? Or is the litigant instead asking the Court to ‘legislate’ which would be a breach of the SOP?
- e. Is the litigant seeking a mandatory order (mandamus – seeking the Court to ‘force’ one of the other two branches to act in a certain way? Or is the Court instead merely declaring a breach of that socio-economic right?

Jurisprudence on Socio-Economic Rights

O’Reilly v Limerick Corporation: “Distribute Justice” and “Commutative Justice”

Sinnott v Minister for Education

TD v Minister for Education

More recent jurisprudence

O’Donoghue v Legal Aid Board

Cronin v Minister for Education and Science

O’Carolan (A minor) v Minister for Education

Justiciability and Deference distinguished

Madigan v AG

Murphy v AG

3. Justiciable Controversy

- (Legislature acting as the Judiciary) – Also relevant for the Independence of the Judiciary
- Are the Courts ACTUALLY being stopped from deciding an EXISTING issue, or is the Legislature simply providing clarity in the law?

Buckley v AG

State (Divito) v Arklow

State (O’Rourke) v Kelly

Sloan v Special Criminal Court

Maher v AG

Sentencing and Detention

Deaton v AG

State (O) v O’Brien

DPP v Aylmer and DPP v Cahill

DPP v Finn

4. **Non-Judicial Bodies acting Judicially** **(Executive acting as the Judiciary)**

- If a NON-Court Body – e.g. A Disciplinary Committee – dismisses or disciplines someone, are they acting TOO Judicially?

McDonald v Bord na gCon

- **A dispute or controversy as to the existence of a legal right or violation of the law**
- **Determination or assignation of Rights or imposition of duties or infliction of a penalty**
- **The Final determination of these rights, subject to certain appeals**
- **Enforcement of these rights/liabilities or the imposition of penalties by Court or executive, (having recourse then to the Court)**
- **The making of an Order of the Court which, as a matter of history, has the characteristics of Courts in this Country**

Re The Solicitors Act 1954

M v The Medical Council

K v An Bord Altranais

Keady v Commissioner of an Garda Siochana

Locus Standi, Mootness, The Presumption of Constitutionality and Justiciability

- **Locus Standi**
- Often asked indirectly: A question seems to be, for example, about “Father’s Rights”, but you are asked to advise an “association” rather than a Limited Company. (Question 5, October 2010 “AIDE – The Association for the Improvement of Dad’s Entitlements”). An association is not a legal person, and would not technically have locus standi. Might the rules be relaxed?
- Also watch for Right of Access to the Courts
 - *Tuohy v Courtenay, Macauley v Minister for Posts and Telegraphs, McBrearty v Morris, Stevenson v Landy*
- *Cahill v Sutton*
 - **Avoiding jus tertii**
 - **Avoiding “ litigious person or the crank, the obstructionist, the meddlesome, the perverse or the officious man of straw”/Politically motivated litigation**
 - **Avoiding a vacuum in legislation**
 - *Norris v AG*
 - *Lancefort v An Bord Pleanala*
 - *Construction Industry Federation*
 - *Irish Penal Reform Trust*
 - *SPUC v Coogan*
- **Mootness**
- Has not been asked directly, but certainly arises as one of the key problems with Article 26
References: The Court is considering Moot issues only.
 - **It must be necessary for the decision of the Court to decide upon the issue**
 - *White v Dublin City Council*
 - *McDaid v Sheehy*
 - *Condon v Minister for Labour*
 - *Desmond v Glackin*
- **Presumption of Constitutionality**

- Often asked as an essay question in and of itself. Be aware of the Presumption as an “obstacle” to the Constitutional Law litigant. With that in mind, include other “obstacle” issues which arise:
 - **Deference towards certain legislation (Tax, Social issues, Security)**
 - **Justiciability**
 - **Locus Standi**
 - **Mootness.**
 - *Pigs Marketing Board v Donnelly*
 - *State (Sheerin) v Kennedy* - only available to post-1937 Statutes
 - *McDonald v Bord na gCon* - double construction rule
 - *East Donegal Co-Operative v AG* – applies to discretionary and executive powers
- **Justiciability**
- This can arise as part of a Good Name/Fair Procedures question: Can the Courts even examine an investigation of the Oireachtas which affects one’s good name, if that investigation is non-justiciable?
 - **Separation of Powers issue: Unique constitutional province of Legislature/Executive**
 - **Separate to mere deference**
 - *Madigan v AG* – Taxation
 - *Re Article 26 and the OASA (Amendment) Bill 1940* – Security
 - *Ryan v AG and Hyland v Minister for Social Welfare* – Socio-economic matters
 - **A la carte invocation:**
 - *Horgan v Ireland*
 - *Dubsky v Ireland*
 - *O’Malley v Ceann Comhairle*
 - *Maguire v Ardagh*
 - *Curtin v Dail Eireann*
 - *Callely v Moylan*

Article 38.1/Trial in Due Course of Law

- One of the few ‘self-contained’ and identifiable questions: Look for: “Brendan is arrested”, “Brendan is accused” type openings. Many sub-issues to Article 38.1, but key examinable issues are:
 - **Delay**
 - **Publicity (also Article 34 and “The Courts” above)**
 - **Missing Evidence**
 - **Unconstitutionally Obtained Evidence (The Exclusionary Rule)**
 - **Right to Silence AND Right to Representation/Lawyer (Access to a lawyer is a constitutional right, but also ‘cures’ State dilutions of your right to silence. So, “adverse inferences” from silence are allowable if Lawyer present)**
- **Real risk of an unfair trial**
 - **Right to a trial with due expeditiousness/Delay**
 - *Sex Abuse Cases*
 - *H v DPP* – Prejudice and risk only: Blame for delay irrelevant
 - *Non Sex Abuse Cases*
 - *McFarlane v DPP*
 - **Inordinate and inexcusable delay**
 - **Presumptive prejudice**
 - **Balancing exercise**
 - **Actual Prejudice**
 - **Adverse Pre-Trial Publicity**
 - *Z v DPP*
 - *D v DPP*
 - *DPP v Haugh*

- *Magee v O’Dea*
- **Confidence of Court in Trial Judge Direction**
- **NB: Issue of Public Administration of Justice also (Courts above)**

- **Duty to seek out and preserve Evidence**
 - **Duty is only as far as is reasonable**
 - **Duty is both to seek out and preserve**
 - **“Eve of Trial”/Last minute defence applications viewed poorly**
 - **NEXUS between “missing evidence” and remaining evidence must be made**
 - *Scully*
 - *Braddish*
 - *Dunne*
 - *McFarlane*
 - *Savage*

- **Unconstitutionally Obtained Evidence**
 - **“Deliberate and Conscious Breach”**
 - *AG v O’Brien*
 - *Madden*
 - *Kenny*
 - **“Extraordinary Excusing Circumstances”**
 - *DPP v Shaw (compared to DPP v Curtin)*
 - *DPP v Cash (Evidence only for arrest)*

- **Right to Silence and Right to Lawyer**
 - **Right to silence is a weak right – DPP v Rock/Heaney**
 - **Allowable dilution to Criminalise silence and to allow “Adverse Inferences”**
 - **If Legislation allows – DPP v Finnerty**
 - **And if “safeguards” in place - Safeguards ordinarily include right to lawyer**
 - *Lavery v MIC Carrickmacross*
 - *Murray v UK*
 - *DPP v Finnegan*
 - *DPP v Gormley*
 - *DPP v O’Brien* and “Colourable Manoeuvres”

- **Right to Liberty**
 - *O’Callaghan v Ireland [1994]* – Section 23 of the Misuse of Drugs Act 1977
 - Not an unconstitutional infringement of the Right to Liberty
 - *Ryan v AG [1965]* affirmed
 - *DPP (Stratford) v Fagan* - A common law power to stop and “check” motor vehicle DOES exist, and the threshold for such examination is very low.
 - *DPP v Farrell [2008]* – Right to be INFORMED of the reason for the deprivation of liberty under Section 23 MDA 1977, as well as REASONABLE BASIS needed for said search)
 - **Bail**
 - *AG v Callaghan [1966]*
 - Bail to be granted unless Accused person:
 - Might Abscond/Evade Justice
 - Might interfere with the administration of Justice
 - Bail Act 1997 following Referendum in 1996 Article 40.4.6

General Principles of Fundamental Rights

- **Application to Non-Citizens**
- *State (Nicholau) v An Bord Uchtala/ State (McFadden) v Governor of Mountjoy*
- **Capacity to “Waive” Constitutional Rights**
 - **Right to Adopt State (Nicholau) v An Bord Uchtala, G v An Bord Uchtala - Simply an authority/origin for the need to recognise waiver of rights.**
 - **Right to Medical Treatment**

- *Re a Ward of Court, Fitzpatrick and Ryan v FK, Re T*
- **Competent Adult – With Full Autonomy – Was Allowed In Law To Refuse Treatment**
- **Information Given Must Be Accurate**
- **The Treatment Proposed Must Be Appropriate.**
- **The Refusal Must Be Both Voluntary And With Capacity**
- **Limits on Constitutional Rights:**
 - **Limits in the express wording** (“The Right to Freedom of Expression, subject to public order and morality”, the Right to Property, subject to Social Justice and the Common Good, the Right to Equality, subject to “Human Persons”, with due recognition of differences of Physical and Moral capacity and moral function”)
 - **Limits by harmonious/balancing of rights**
 - *Murray v Ireland*
 - No Hierarchy of Rights – *DPP v Shaw*
 - **Limits by regulation of Law/Legislation Doctrine of Proportionality**
 - **Be very careful invoking/applying Doctrine of Proportionality. Read academic articles/lectures first.**
 - *Heaney v Ireland, Tuohy v Courtney, Cox v Ireland.*
 - Different Proportionality Tests applied depending upon which Constitutional right is at stake
 - CF Application of the “Human Personality” doctrine, mirrors approach of Courts to doctrine of Proportionality
- **Unenumerated Rights**
- **Often an essay question. Three-pronged approach to the issue is advisable, as follows:**
 - (1) **Origin of Unenumerated Rights**
 - (2) **Scope and value of unenumerated Rights**
 - (3) **Problems with Unenumerated Rights**
 - *TD v Minister for Education – Keane, CJ*
 - “*Christian and Democratic*” basis for unenumerated rights?
 - Socio-Economic nature of unenumerated rights?
 - Courts or Oireachtas should ‘discover’ unenumerated rights
 - Constitutional Review Group 1996 – advises expressly enumerating and finalising unenumerated rights like ECHR

Personal Rights:

Right to Good Name and Fair Procedures

- **Connection between the Two rights – Questions on “Right to Good name as an Engine that drives right to fair procedures”**
- **Know *Callely v Moylan* - Expenses investigation by Seanad Eireann of Senator Ivor Callely. Touches on three issues:**
 - Right to Callely’s good name
 - Fair Procedures present for Callely? (e.g. Seanad both accused Callely and purported to be his Judge)
 - Power of Courts to review Seanad: Non-justiciable, given that Callely is member of the Oireachtas? Apparently not. Section 8, Ethics Act 1995.
 - **Internal workings/investigations and non-members of the Oireachtas**
 - *Maguire v Ardagh* (The “Abbeylara” case and the good name of Gardai)
 - *Curtin v Dail Eireann*
 - *Callely v Moylan?*
 - **Include/consider here the Right to a Good Name and Fair Procedures**
 - *Maguire v Ardagh* (The “Abbeylara” case and the good name of Gardai)
 - *Curtin v Dail Eireann*
 - *Callely v Moylan?*

- *Audi Alterem Partem* and *Nemo Iudex in sua causa* - Twin elements of Fair Procedures
 - **Hear the Other Side** and **Have an Independent Judge**
- **Context Sensitive** because it is a Horizontal Right (not simply against the State – also works in private contexts – especially Employment Contexts) –
 - **Why Horizontal?** *Gallagher v Revenue Commissioners* –
 - Quasi-Judicial nature of proceedings
 - What is at stake (Job, if not livelihood)
 - No-one should set Constitution at naught
- **Hear the Other Side:**
 - Advance notice of charges
 - Legal Representation
 - Right to be heard and to cross-examine
 - Right to face accuser
 - Rights observed even if without merit
 - Right of appeal
- **Independent Judge**
 - Actual Bias
 - Objective Bias
 - *Dublin Wellwoman Centre*
 - *Bula v Tara Mines (6)* and need for “Nexus”

Right to Property and Right to Livelihood

- **Considered together as problem questions often concern both**
- **Livelihood**
 - Unenumerated
 - Negative right – not to be stopped from working
 - Degree of deference to State’s limit on the right
 - *AG v Paperlink*
 - *Cafolla v AG*
 - Legitimate legislative reason for limit
 - *Landers v AG*
 - *Hand v Dublin Corporation*
 - Proportionality test/Origin of:
 - *Cox v Ireland* – 7 years ban disproportionate
- **Property**
 - **Twin references expressly in Constitution: Article 40.3 and Article 43**
 - **Actually twin Limits on right** - “Social Justice”/”Common Good” and “Just Attack”
 - *Blake v AG*
 - *O’Callaghan*
 - *Dreher*
 - Deference towards Property-based Legislation?:
 - *AG v Southern Industrial Trust*
 - *An Blaoscad Mor Teoranta* - Simply Presumption of Constitutionality
 - *Clinton v Quirke* – Is there a less restrictive way? *Heaney v Ireland* Proportionality
 - **Compensation** - not an absolute Constitutional entitlement, but almost...
 - *Central Dublin Development Association, Dreher v AG*
 - **At Market Value** - not an absolute Constitutional entitlement, but almost...
 - *O’Callaghan v CPW, ESB v Gormley*

Right to Equality and the “Human Personality Doctrine”

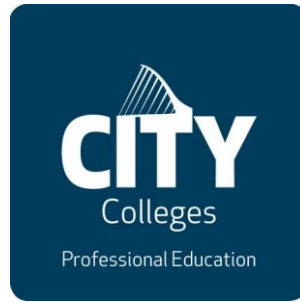
- **Heavily Qualified Article**
 - “As Human Persons”
 - “Physical or moral capacity”
 - “Social Function”
- **No Horizontal Effect**
 - *Re: A26 and employment equality Bill 1996*
 - *Equality Authority v Portmarnock Golf Club*
- **“As Human Persons” – Human Personality Doctrine**
 - *Quinn Supermarkets*
 - **Context vs Basis** for Discrimination. Basis was religion (covered by Human Personality doctrine) but Context was trading (not covered)
 - Application of “**Human Personality**” test – analogy to Proportionality Test Application – Read Acadmic articles – Brian Foley
 - *Murtagh Properties v Cleary* - Does not apply to Trading activities
 - *O’Beolain v Fahy* - Failure of the State to provide Irish Translations of the Rules of Court to allow one conduct one’s case through Irish. Could have been deemed a non-Human Persons “context” but was not.
 - *Brennan v AG* - Property tax on land values. not referable to any “human person” attributes. the differences were in the parcels of land themselves, not the persons who owned the land
- **Presumptively Invalid/Suspect Classification**
 - *Re A26 and the EEB 1996*
 - Supreme Court considered whether presumptive Discrimination could be applied and proscribed by Article 40.1
 - Can be applied, but was not in the context of Age
 - *An Blascoad Mor Teoranta v Commissioner for Public Works*
 - Discrimination based on Pedigree (who parents were) Unconstitutional, possibly presumptively invalid.
- **Legitimate reasons for Legislative Discrimination**
 - Sex Discrimination
 - *Mitchell v Ireland, De Burca v AG* No legitimate legislative reason
 - *Re Phillip Clarke* – Differences of Mental Capacity - not physical, moral or social function
- **Standard applied by Courts for testing legislative discrimination/classifications**
 - **Be for a legitimate legislative purpose**
 - **The classification must be relevant to that purpose**
 - **Each class must be treated fairly.**
 - *Dillane v AG, TO’G v AG, State (Nicolau) v An Bord Uchtala*

Right to Freedom of Speech and the ECHR

- **Good Name under Article 40.3**
 - Oireachtas Subcommittee versus Tribunal/Fair Procedures
- **Freedom of Expression** Wording and Inherent Qualification
- **Convictions and Opinions Only?** Or Facts also? Communication
- *AG v Paperlink*, but *Murphy v IRTC*
 - Worthy Material Only? No: *Mahon v Post Publications*
- **Restrictions on FOE**
 - Public Order and Morality – and competing right of a Good Name
 - *NY Times v Sullivan* (USA) contrast *Hynes-O’Sullivan v Driscoll*
 - Balancing of Rights between two express Constitutional rights - *Hunter v Duckworth*, *DPP v Shaw* – No fixed hierarchy
 - Harmonious Reading/“Balancing of Rights”/ *Hunter v Duckworth*
 - Proportionality Doctrine Religious And Political FOE
 - *Murphy v IRTC* – High Court application of *Heaney* Proportionality
 - *Murphy v IRTC* – Supreme Court application of *Tuohy* Proportionality
 - *Colgan v IRTC* - *Tuohy* proportionality applied.
- **ECHR Jurisprudence and Article 10 ECHR**
 - Restrictions must be prescribed by LAW and
 - Must serve a Legitimate purpose
 - Must be necessary in a Democratic society
 - Wide margin of appreciation for Religious matters
 - *Otto Preminger v Austria*, *Murphy v IRTC*
 - Is material already in the public domain?
 - *Fressoz, Weber, Spycatcher, Open Door Counselling*
 - Meretricious speech equally protected:
 - *Jersild v Denmark* (CF *Mahon v Post Publications*)
 - Court will “look behind” assertion of public nature *Bladet Tromso, Lingens*
- **Defamation and Directions to the Jury on Awards**
 - *De Rossa/Tolstoy/De Rossa/O’Brien/Independent*
- Contempt of Court and Freedom of Speech – *Kelly v O’Neill*
- **Prior Restraint**
 - Legal Power and High Threshold
 - *Foley v Sunday Independent [2005] + Cogley & Aherne v RTE*
 - *Mahon v Post Publications*
- **Privacy**
 - Origins - *McGee, Norris, Kennedy v Ireland*
 - Surveillance
 - *DPP v Kenny, Kane v Governor of Mountjoy*
 - *Atherton v DPP, Copland v UK, TV3 v Fahy*
 - *Klass v Germany, Khan v UK*
 - *Cogley & Ahearne*

Right to Family and Right to Education

- **The Family Based on Marriage/Power of Oireachtas to Regulate**
 - Is Article 41.3 only a prohibition against Inducements not to Marry
 - *Murphy v AG, Muckley v Ireland,*
 - *Mhicmhathuna v Ireland, Hyland v Minister for Social Welfare* – “Penalisation” of Marriage?
- **Autonomy in Decision-Making against the State**
 - *Re Article 26 and the Matrimonial Homes Bill*
 - Legislation that allowed a statutory division of the family home was unconstitutional, partly because it interfered with decisions already made by the family
 - *NW Health Board v W*
 - “Exceptional Circumstances”/“Exceptional Cases” required before intervention in Autonomy of the Married family.
 - An immediate threat to the life of the child
 - A degree of parental neglect constituting abandonment of child and their rights therein
 - An immediate and fundamental threat to the capacity of the child to continue to function as a human person, physically, morally or socially, deriving from an exceptional dereliction of parental duty
 - *Re a Ward of Court (Baby Janice)* - Court could intervene.
 - *EHB v MK* and *Mck v Information Commissioner* – State should only reluctantly intervene in decisions of even the unmarried parents.
- **Limits on the Right/“Unjust Attack”**
 - *Murphy v AG, Muckley v Ireland, and Mhicmhathuna v Ireland*
- **Custody and Adoption/Failure of Parental Duty & Threshold**
 - *DG v ABU*
 - Nature of her rights re: child must be made known to the Mother
 - Two-Stage nature of the Adoption process must be explained
 - Effect of Adoption order must be explained – effect on her RIGHTS
 - Effect of Legislative Provisions which allow a Court to Overturn Her Final Refusal TO give Consent.
 - *N & Another v HSE* - “Change of mind” case – unmarried couple surrender child for adoption, then get married and seek child back.
 - *Fajjonu v Minister for Justice and Osyande v Minister for Justice*
- **Non-Marital Fathers Rights**
 - *JK v VW* (Dissenting Judgement – parameters of “Good” Father?)
 - *WO’R v EH* (Again, Dissenting Judgement and parameters of “Good” Father)
 - *The “G” Case* – *GT v KAO* - High Court, bound by Supreme Court j
 - District Court Guardianship, Brussels, Hague
 - *Kroon v Netherlands* – Article 8 ECHR Rights



Dublin City Centre (Dublin 2), Templeogue (Dublin 6W) and Online

Website: www.citycolleges.ie

Phone: 1850 25 27 40

Head of Law: Philip Burke, LLB, BL (087 7679 576)

Faculty Manager: Pamela Morton (086 0290 412)

The next course commences on Tuesday, June 5th 2012.

Lectures are delivered by some of the most experienced and inspiring law lecturers in the country and are also *streamed live* as well as recorded and made available for review online.

- Ireland's best, and most experienced FE1 law lecturers, including Brendan Foley, Philip Burke, Mark Cockerill, Trish Cronin, Ciarán Lawlor and Ronan Lupton
- The most up-to-date and comprehensive FE1 manuals in Ireland (commissioned and written in 2011)
- Live lectures which are also streamed live on Moodle, and are recorded for review
- Exam question and solution bank
- Dedicated exam review and preview classes
- End of course tutorials, as well as memory and study technique classes
- City centre location in Dame Street, convenient for bus, LUAS, DART, etc.
- Southside Dublin location in Templeogue
- Study rooms and library in both locations
- Limited class size
- Weekday and weekend timetables

Course Fees:

Dublin Venues - €345 per subject, €2,400 for eight subjects

Online/Distance Learning - €295 per subject, €2,100 for eight subjects

Apply online at www.citycolleges.ie or call 1850 25 27 40