

# LET'S LOOK AT THE LAW

A MODULE FOR SECOND LEVEL STUDENTS



*An tSeirbhís Chúirteanna*  
*Courts Service*



# CONTENTS

<b>WELCOME</b>	<b>5</b>	<b>LESSON 4</b>	<b>18</b>
<b>INTRODUCTION</b>	<b>6</b>	WHAT IS THE LAW?	18
		<b>TEACHER'S NOTES</b>	
<b>LESSON 1</b>	<b>7</b>	1a. DEFINITION	19
WHO'S WHO IN THE COURTROOM?	7	1b. CRIMINAL LAW	19
		1c. CIVIL LAW	19
<b>STUDENT HANDOUT</b>		<b>STUDENT HANDOUT</b>	
1. WHO'S WHO IN THE COURTROOM?	8	1. WHAT IS THE LAW?	20
- FILL IN THE BLANKS			
2. WHO'S WHO IN THE COURTROOM POSTER	9		
		<b>LESSON 5</b>	<b>21</b>
<b>LESSON 2 AND LESSON 3</b>	<b>10</b>	WHERE DO LAWS COME FROM?	21
A MOCK TRIAL IN ACTION	10		
		<b>TEACHER'S NOTES</b>	
<b>TEACHER'S NOTES</b>		1. SEPARATION OF POWERS	22
1. IMPORTANT NOTE IN RESPECT OF THE	11	2. ORIGIN OF LAWS	23
MOCK TRIAL			
2. EXPLANATION OF LEGAL TERMS	12	<b>LESSON 6</b>	<b>25</b>
		UNDERSTANDING THE COURTS SYSTEM	25
<b>STUDENT HANDOUT</b>			
1. KEY QUESTIONS	15	<b>TEACHER'S NOTES</b>	
2. RUNNING ORDER OF THE TRIAL	16	1. CRIMINAL OR CIVIL?	26
		2. STRUCTURE OF THE COURTS (DETAILS)	27
		3. ROLE PLAY SITUATIONS - CRIMINAL	28
		4. ROLE PLAY SITUATIONS - CIVIL	30
		<b>STUDENT HANDOUT</b>	
		1. CRIMINAL OR CIVIL?	31
		2. STRUCTURE OF THE COURTS (SIMPLE)	32
		3. ROLE PLAY SITUATIONS - CRIMINAL	33
		4. ROLE PLAY SITUATIONS - CIVIL	34

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<b>LESSON 7</b>	<b>35</b>	<b>LESSON 10</b>	<b>51</b>
EXAMINING A WITNESS - WHAT CAN YOU ASK?	35	HOW DO YOU RUN A TRIAL?	51
<b>TEACHER'S NOTES</b>		<b>TEACHER'S NOTES</b>	
1. EXAMINATION-IN-CHIEF ROLE PLAY	36	1. RUNNING ORDER OF THE TRIAL	52
2. CROSS-EXAMINATION ROLE PLAY	38		
3. ROLE PLAY ILLUSTRATION	39	<b>STUDENT HANDOUT</b>	
		1. RUNNING ORDER OF THE TRIAL	53
<b>STUDENT HANDOUT</b>			
1. EXAMINATION-IN-CHIEF ROLE PLAY - STORY OF EVENTS	40	<b>LESSON 11 AND LESSON 12</b>	<b>54</b>
		THE MOCK TRIAL	54
<b>LESSON 8 AND LESSON 9</b>	<b>41</b>	<b>TEACHER'S NOTES</b>	
PREPARING FOR A TRIAL	41	1. COURTROOM PROTOCOL	55
<b>TEACHER'S NOTES</b>		2. INSTRUCTIONS FOR PARTICIPANTS	56
1. LIST OF ROLES IN THE TRIAL	43	3. ORDER OF THE TRIAL	59
2. INDICTMENT	44	4. CLASSROOM LAYOUT FOR THE TRIAL	62
3. STATEMENTS OF PROSECUTION WITNESSES	45	5. TIME-KEEPING NOTES	63
4. STATEMENTS OF DEFENCE WITNESSES	46	<b>OTHER ACTION PROJECTS</b>	<b>64</b>
<b>STUDENT HANDOUT</b>		<b>RELEVANT WEBSITES</b>	<b>65</b>
1. THE CASE	47	<b>USEFUL FILM RESOURCES</b>	<b>66</b>
2. INDICTMENT	48	<b>USEFUL CONTACTS</b>	<b>67</b>
3. STATEMENTS OF PROSECUTION WITNESSES	49	<b>ACKNOWLEDGEMENTS</b>	<b>68</b>
4. STATEMENTS OF DEFENCE WITNESSES	50		

## WELCOME

Let's Look at the Law is intended as an important module for students, presenting essential information on the nature and operation of our legal system in a concise and accessible manner.

In times gone by disputes in society were often settled by recourse to violence or 'trial by battle' and it is only through the evolution of custom and laws over the centuries that disputes came to be resolved within legal systems by judicial rulings in courts.

All too often, however, mention of the law conjures up solely images of criminal trials, of the law as a tool wielded by the State for the punishment of offenders. The legal system is much more than this. In Ireland we have a written constitution. The Constitution provides for the structure and functioning of our democratic State. It provides for the separate powers of the great organs of State namely, the Government, the Oireachtas and the Judiciary. The Constitution also guarantees the fundamental and human rights of citizens and requires the organs of State to defend and vindicate them. Laws passed by the Oireachtas must conform to the Constitution and respect those rights. The Constitution is thus the umbrella under which the State, including the administration of justice, functions.

Moreover, the legal system is often viewed as a thing apart from the citizen's daily life. The law is not something that simply happens in a courtroom, in isolated and individual cases. The law provides for and regulates so many things that it is often taken for granted, from the water we drink, the transport we use to more substantial matters such as the protection of the environment and consumer's rights. In short the law is a positive force in society and that is why we refer to democracies founded on the rule of law.

This module will provide an opportunity for students to actively consider the legal system. In times past a general knowledge of the law was considered an indispensable aspect of a young person's education and it is a very welcome step that students will now be receiving such instruction. Knowledge of the legal system will help students to develop their identity as citizens and gain greater understanding of the democracy in which we live.

The Courts Service is to be commended for producing this pack, as well as all those who contributed to its production.



The Hon. Mr. Justice John L. Murray  
Chief Justice of Ireland

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## INTRODUCTION

Welcome to Let's Look at the Law - a module designed by the Courts Service in consultation with teachers, legal professionals and the national coordinator for Civic, Social and Political Education (C.S.P.E.) at the Department of Education and Science. It provides a dynamic and highly interactive series of lessons that requires no prior legal knowledge on the part of the teacher.

Our aim is to educate students about specific areas of the Irish legal system and to empower them as active citizens of Ireland. Over the course of the module, students will build up a body of knowledge to enable them run a mock trial and organise other action projects.

Of the seven concepts in the C.S.P.E. syllabus, our module relates most specifically to the concept of 'Law'. However, it also touches upon the concepts of 'Democracy' and 'Rights and Responsibilities'. It is relevant, in ways, to all four units of the syllabus, but most particularly 'The Individual and Citizenship' and 'The State - Ireland'.

We hope that interest in our module will not be limited to those involved in the teaching of C.S.P.E. There is much that will appeal to those teaching transition year students, those involved in youth groups and anyone involved in the education of the young citizen generally.

This Teacher's Pack has been designed to be as accessible and user friendly as possible and comes in three distinct parts:

- (1) The Teacher's Manual contains step-by-step lesson plans to help the teacher guide the students through the Irish legal system. It also contains notes accompanying each lesson plan with supplementary information the teacher may need to conduct each lesson.
- (2) A selection of teaching aids supplement specific lesson plans. The teacher can photocopy these and distribute them among the students.
- (3) The DVD is an interactive teaching resource to help clarify and explain many aspects of the Irish legal system. It has been designed to support the teacher rather than become the focus of the module. Generally, teachers will find the DVD most helpful when it is used to briefly explain and demonstrate a concept and is followed by a classroom activity relating to the topics it has raised.

Above all, we hope that students and teachers alike find this module interesting, informative and fun and that it helps open up access to the law for young people all over the country. After all, it's our legal system!



# LESSON 1

## WHO'S WHO IN THE COURTROOM?

### LESSON PLAN

#### Objective:

To enable the students understand the roles of the various people involved in a court case. (In this module we are focusing only on a criminal trial).

#### Aims:

- To explain the role of the participants in a criminal court case
- To enable the students recognise the typical seating arrangements in a courtroom
- To help the students learn more about the role of each participant with a view to assigning roles at a later stage for the class mock trial

#### Resources:

- Blank and completed 'Who's who in the courtroom' - [Student Handouts 1 and 2](#)
- Large, completed 'Who's who...' poster
- [Let's Look at the Law](#) DVD - Introduction and Lesson 1 (5 minutes)

#### Key Questions:

- Who would you expect to see in a courtroom?
- What is the job of the barrister/solicitor/tipstaff/juror etc.?
- What job would you say the..... does in the courtroom?

**Duration: 35 minutes**

#### Introduction: (5 minutes)

The students engage in a class discussion of who they might expect to see in a courtroom. Their suggestions are noted on the blackboard/graffiti wall.

#### Development: (25 minutes)

- Class watch [Let's Look at the Law](#) DVD - Introduction and Lesson 1
- Divide class into discussion groups. Give a blank 'Who's who...' sheet to each group. Have them fill it out by naming each court user and explaining their purpose in the courtroom
- Each group appoints a spokesperson to explain their answers. It should not be necessary for every group to explain every answer as this would entail a great deal of repetition. Some groups may prefer to merely point out where their answers differed from other groups. Teacher makes note of accurate answers
- Teacher uses the 'Who's who ...' poster, reads the description of each role and points out where students gave accurate answers and where some mistakes were made
- Teacher uses the relevant sections of the [Let's Look at the Law](#) DVD - Lesson 1 to illustrate the roles of the various people in the courtroom and to show them in action.

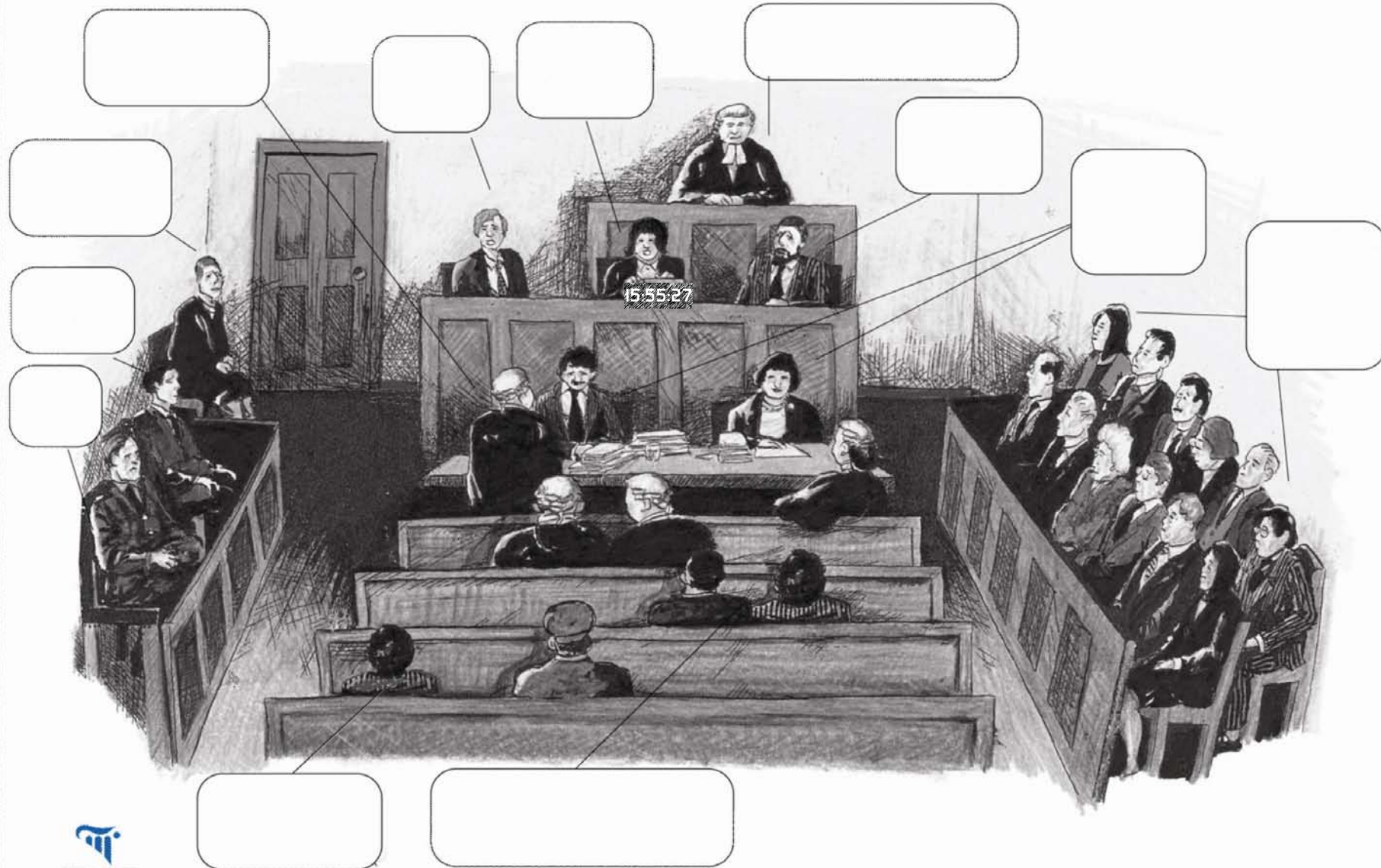
#### Closure: (5 minutes)

Brief class discussion relating to the events seen on the DVD and the qualities necessary for each role.

## LESSON 1

### STUDENT HANDOUT 1

#### WHO'S WHO IN THE COURTROOM? FILL IN THE BLANKS



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An tSeirbhís Chéirteanna

Produced by the Courts Service Information Office



# LESSON 1

## STUDENT HANDOUT 2

### WHO'S WHO IN THE COURTROOM?

**DAR (Digital Audio Recording)**  
Everything said in court during the case, including any evidence given by the witnesses, is recorded digitally. The digital audio recording box is the black box in front of the judge. Recording commences when a judge arrives in court and ends when the court rises.

**Counsel**  
The barristers in the case are known as counsel. They are hired by the solicitor to prosecute or defend the case in court. The barrister usually wears a wig and gown.

**Witness**  
Witnesses are called by either party to prove their side of the story and may be cross-examined by the opposing party as to the accuracy of their evidence.

**The Judge**  
The judge is in charge of court proceedings and decides any legal issues arising in the case. If the case does not involve a jury, the judge also decides questions of fact, such as the guilt or innocence of the accused, or which party wins in a civil case.

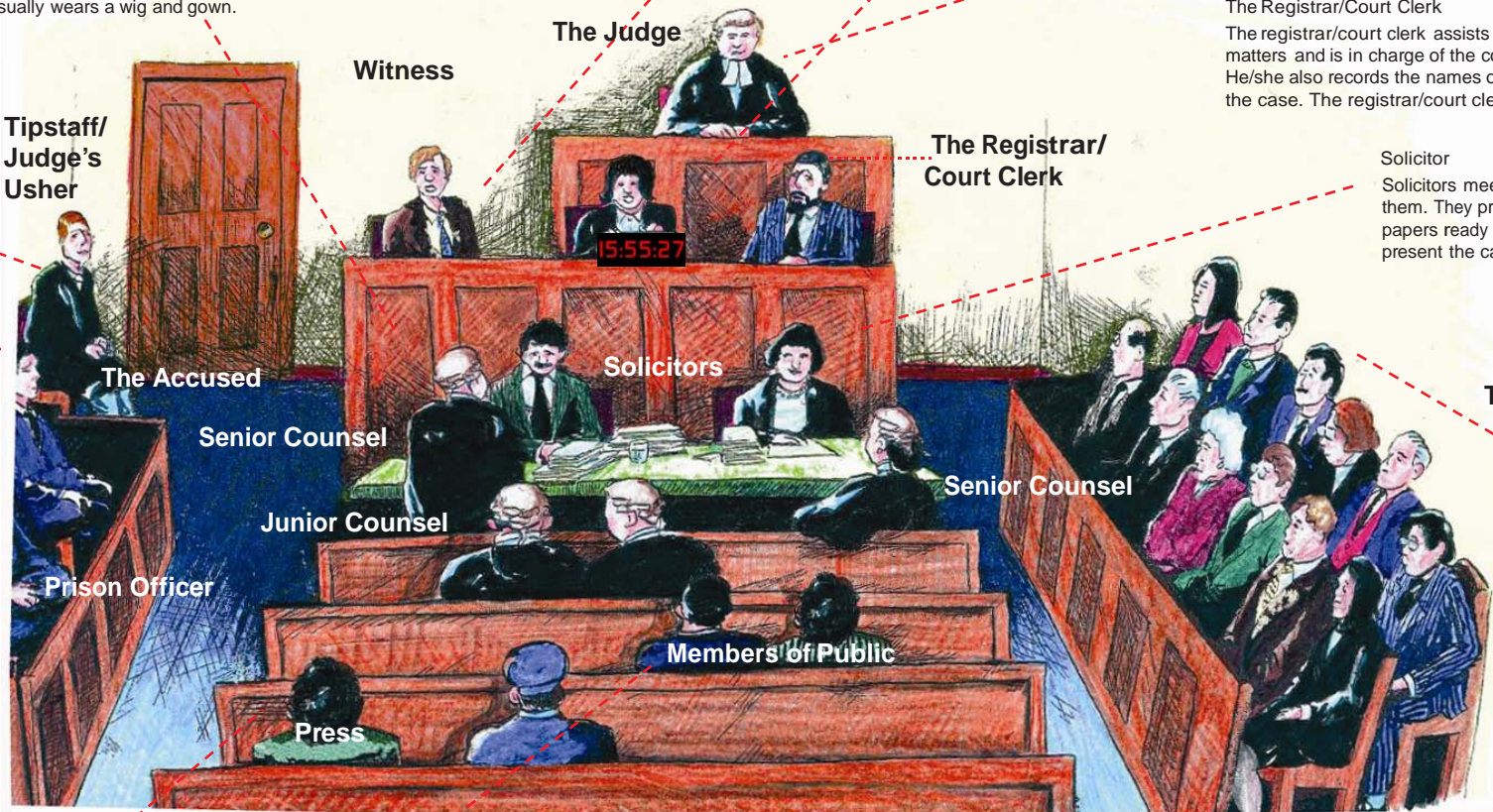
**The Registrar/Court Clerk**  
The registrar/court clerk assists the judge with administrative matters and is in charge of the court documents and exhibits. He/she also records the names of witnesses and the decision in the case. The registrar/court clerk also administers the oath.

**Solicitor**  
Solicitors meet with clients and get instructions from them. They prepare the case for trial by getting all the papers ready and choosing/briefing a barrister to present the case.

**Tipstaff/Judge's Usher**  
The tipstaff/judge's usher is the personal assistant to the judge. He/she walks ahead of the judge carrying a staff and says 'all rise' as the judge enters the courtroom.

**The Accused**  
The accused comes before the court accused of a crime.

**Prison Officer**  
Sits in attendance with the accused.



**The Jury**

**The Jury**  
A jury consists of twelve men and women randomly selected from the electoral register. Most people between the ages of eighteen and seventy who are registered to vote are eligible for jury duty. The jury hears the evidence and decides on the guilt or innocence of the accused in a criminal case and which party wins in a civil case.

**Members of the Press**  
Radio, television and newspaper reporters attend to bring news of court cases to the wider public. They cannot attend in camera cases. Cameras are not allowed in courtrooms.

**Members of the Public**  
Anyone can watch any court case, except where there is a sign reading *in camera* on the door of the courtroom. This means that the case will be heard in private and that members of the public who are not involved in the case are not allowed into the courtroom to hear the evidence. The *in camera* rule is used to protect the privacy of the people in court mainly in family law matters and in cases before the juvenile courts.

**Note:**  
The above illustration represents a court hearing a criminal case. In a civil case [where one party is usually seeking compensation in the form of money from another party] the people in the courtroom will not include an accused or a prison officer and will only include a jury if the case involves defamation of character,

false imprisonment or malicious prosecution. The person who sues in a civil case is called the plaintiff and the person being sued is called the defendant. The plaintiff and defendant usually employ a solicitor and sometimes a barrister to fight their case, although either party is entitled to fight their own case. They are then known as 'lay litigants'.

## LESSON 2 AND LESSON 3 A MOCK TRIAL IN ACTION

### LESSON PLAN

#### Objective:

To provide the students with a full understanding of the mock trial and what will be expected of them.

#### Aims:

- To demonstrate a mock trial from beginning to end
- To broaden the students' understanding of the various roles of court users

#### Resources:

- [Let's Look at the Law](#) DVD - Lesson 2 and Lesson 3 (45 minutes)
- Important note in respect of the mock trial - [Teacher's Notes 1](#)
- Explanation of Legal Terms - [Teacher's Notes 2](#)
- Sheet with key questions - [Student Handout 1](#)
- Running order of the trial - [Student Handout 2](#)

#### Key Questions ([Student Handout 1](#))

- Who is the prosecutor? How do you know?
- Who is the accused? How do you know?
- Compare how the barristers question their own witnesses and the witnesses for the other side
- Were there any questions you felt the barristers should have asked, but didn't?
- What role did the judge play?

### Lesson 2 - Duration: 35 minutes

#### Introduction: (15 minutes)

The teacher explains what the students are about to see. He/she distributes the sheets containing key questions and asks the students to take notes as they watch the DVD. Answers will be discussed as part of the next class.

#### DVD (20 minutes)

The DVD is an edited version of the final of a National Mock Trial Competition. This will give a broad outline of how a case should be run including the order of statements, arguments and how the case might progress. The teacher can choose an appropriate point to stop the DVD - we suggest after the case for the prosecution ends.

### Lesson 3 - Duration: 35 minutes

#### DVD (25 minutes)

#### Continuation of trial from Lesson 2

#### Closure (10 minutes)

Discuss notes taken by students as part of previous class and any other matters that require explanation.

**Note:** Answers and notes should be retained for use with Lesson 8.

## LESSON 2 AND LESSON 3

### TEACHER'S NOTES 1

### IMPORTANT NOTE IN RESPECT OF THE MOCK TRIAL

The trial featured in our DVD is the final of a National Mock Trial Competition. The DVD features transition year students from Scoil Mhuire Convent of Mercy, Ennistymon, Co. Clare; Castleknock College, Dublin 15 and Loreto Secondary School, Balbriggan, Co. Dublin. By watching their peers in action we hope to encourage students to participate in their own mock trial. We have used second level students in a mock trial situation rather than adults in a real trial situation. A real trial often lacks the dramatic impact generated by the competitive environment of the National Mock Trial Competition.

For the purpose of the Competition, certain liberties have been taken with the trial process. You will notice some inconsistencies between our trial and a 'real' trial. For example, it would not be usual for three judges to preside over a trial of the type featured in the DVD; the judge is very unlikely to congratulate an accused who is found 'not guilty'; the judge is not addressed as 'My Lord' and there are no prizes for the 'winners' or 'losers' at the end of a trial.

You can increase class participation by assigning the roles of television reporter, newspaper reporter, court photographer and sketch artist to students.

## LESSON 2 AND LESSON 3

### TEACHER'S NOTES 2

### EXPLANATION OF LEGAL TERMS

**Accused**

A person who has been charged with committing a particular offence in a criminal trial.

**Acquittal**

The term used when an accused is found to be innocent of the charges against him/her. It means that he/she is free to go.

**Adjournment**

The term used when a case has been postponed to a date in the future.

**Book of Evidence**

Set of documents which by law must be served on an accused person before his/her trial. It includes a statement of the charges against the accused, witness statements and a list of the exhibits to be produced in the case.

**Beyond a reasonable doubt**

Criminal courts demand the highest standard of proof of any court. This is because a finding of guilt can result in the accused being sent to jail, perhaps for a long time. For an accused to be found guilty, the evidence must establish 'beyond a reasonable doubt' that he or she is guilty. There must be no reasonable explanation for what happened other than the accused did it. If there is any other reasonable explanation, the accused will not be found guilty. The onus of proof rests on the

prosecution. This means it is up to the prosecution to prove that the accused is guilty beyond a reasonable doubt.

**Cross-examination**

This is the questioning of a witness in a trial. It is done by the lawyer for the party who did not call him/her as a witness. This happens after the 'examination-in-chief'. The main purpose of cross-examination is to test the credibility of the witness and to help the party that is cross-examining.

**Defence**

This word can be used in a number of different but related ways. 'The defence' often just means the accused and his legal team, as in 'The defence presented its evidence today'. It could also be used as follows: 'Mr. Smith will enter his defence today'. In this case the word refers to the evidence and legal arguments Mr. Smith and/or his legal team will be putting to the court. You might also see this word used to introduce a discussion about different kinds of arguments an accused is using in his case. For example, 'the defences open to the accused include self-defence and provocation'.



## LESSON 2 AND LESSON 3

### TEACHER'S NOTES 2

### EXPLANATION OF LEGAL TERMS

#### **Evidence**

In a trial, both sides try to prove their case to the jury. They will use testimony from people as well as physical items. Both of these are evidence. There are strict rules about what can and cannot be used as evidence. For example, witnesses can only talk about things they know directly; they cannot tell the court about things they have heard about someone else. If the evidence is physical (for example, a weapon) the gardaí must have followed proper procedure to get that evidence or it will not be allowed to be used.

#### **Examination-in-chief**

This is evidence given in court by a witness. During examination-in-chief, a witness is asked questions by the lawyer who called him/her as a witness.

#### **Expert witness**

This is a person who, because of his/her expertise in a particular field, can testify about more than what they have seen or heard. They can tell the court what conclusions they have reached as a result of certain facts and they can give their opinion about the facts. Only expert witnesses can give evidence about their opinions. For example, a pathologist would be considered an expert in what different autopsy results mean; a gun expert could speculate about what kind of gun might have been used based on physical evidence presented by someone else.

#### **Findings of fact**

This refers to the determination of what evidence and testimony is believable and what is not. In other words, what is fact and what is not. In a criminal case, findings of fact are made by the jury.

#### **Indictment**

The document that outlines the charges against the accused.

#### **Jury**

A jury is a group of twelve citizens who are selected randomly to sit as 'finders of fact' in certain types of trials. In a jury trial, it is the jury that will decide on the guilt or innocence of the accused. If the accused is found guilty, the judge will determine the sentence.

#### **Offence**

This is the word used to describe a crime that has been committed.

#### **Onus of proof**

The onus of proof means the burden to prove something. In a criminal case the onus of proof is on the prosecution to prove the accused is guilty beyond a reasonable doubt.

## LESSON 2 AND LESSON 3

### TEACHER'S NOTES 2

### EXPLANATION OF LEGAL TERMS

#### **Plaintiff**

The person who initiates a civil law case (one person suing another) is a 'plaintiff'.

#### **Plea**

This is when an accused person tells the court whether he/she is guilty or not guilty.

In a criminal case, the accused person might decide to plead guilty, which is admitting that he/she is responsible for the act. In this case there is no trial and the judge will decide on a sentence.

If the accused person pleads not guilty, there will be a trial. At the end of the trial, he/she may be found guilty based on the evidence.

#### **Sentence**

This is the penalty or punishment the judge chooses once someone has been found guilty. It can involve:

- a fine
- a term of imprisonment or
- a suspended sentence where the sentence to jail is suspended if the accused person is of good behaviour for a specified number of years.

#### **Testify**

In court, a person 'testifies' when they give evidence under oath; that is, tells their story about what they saw and/or heard.

#### **Witness**

A witness is a person who has some knowledge of an event and may have seen or heard what has happened. If such a person testifies in a trial, they will be under an oath to tell the court only the truth about what they have seen and/or heard. With very rare exceptions (see expert witness), a witness in court can only testify about what they have personally seen and/or heard. They cannot give evidence about what someone else has seen or heard. This is called 'hearsay evidence'.

Witnesses testify on behalf of either the prosecution or the defence, depending on what they know. A prosecution witness could be someone who observed a robbery and believes they can identify the accused as the person who committed the crime. A defence witness in the same trial could be someone who believes they were with the accused at the time of the robbery in some location other than where the crime took place. Regardless of which 'side' the witness is testifying for, they will have to be cross-examined by the other 'side', who will attempt to discredit the evidence that they have given.

## LESSON 2 AND LESSON 3

### STUDENT HANDOUT 1

### KEY QUESTIONS

Who is the prosecutor? How do you know?

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Who is the accused? How do you know?

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Compare how the barristers question their own witnesses and the witnesses for the other side.

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Were there any questions you felt the barristers should have asked, but didn't?

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What role did the judge play?

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## LESSON 2 AND LESSON 3

### STUDENT HANDOUT 2

### RUNNING ORDER OF THE TRIAL

Opening speech of the prosecution

Examination-in-chief of the first prosecution witness

Cross-examination of the first witness by the defence

Pattern repeated for the next witness

Opening speech for the defence

Examination-in-chief of the first defence witness

Cross-examination of the first defence witness by the prosecution





## LESSON 2 AND LESSON 3

### STUDENT HANDOUT 2

### RUNNING ORDER OF THE TRIAL

Pattern repeated for the next defence witness
Closing speech by the prosecution
Closing speech by the defence
Judge sums up the case and gives instructions to the jury
Jury goes to jury room to consider a verdict
Verdict given by the foreman of the jury
Sentence or dismissal by the judge



## LESSON 4

### WHAT IS THE LAW?

#### LESSON PLAN

##### Objective:

To facilitate the students in developing their own understanding of what the law is.

##### Aims:

- To allow each student participate in forming a personal definition of the law
- To enable students to apply their theoretical knowledge of the law to everyday situations

##### Resources:

- [Let's Look at the Law](#) DVD - Lesson 4 (3 minutes)
- Definition of the law - [Teacher's Notes 1](#)  
a. Definition, b. Criminal Law, c. Civil Law
- Group brainstorming 'bubble sheets' What is the Law? - [Student Handout 1](#)

##### Key questions:

- Can you define what the law is?
- Can you give examples of the law in action?
- Which words in your definition are important and why?
- Can you give examples of some recent high profile cases?

**Duration: 35 minutes**

##### Introduction: (5 minutes)

##### Development: (20 minutes)

- Class watch '[Let's Look at the Law](#)' DVD - Lesson 4
- Teacher divides class into discussion groups and distributes 'bubble sheets' What is the Law? - [Student Handout 1](#)
- Students fill in 'bubble sheet' as a group
- Each group appoints a spokesperson
- Findings are discussed group by group

Class agrees their own broad definition of what the law is. It is important that they touch on some key words such as rules, conduct/behaviour, society/community and recognise the need for an authority/government to create, impose and enforce laws. They might also refer to penalties for failure to follow laws.

##### Closure: (10 minutes)

Teacher will write agreed definition of law on the blackboard, taking into account the input of the various students. Teacher may choose to contrast this with the supplied definition - [Teacher's Notes 1](#)  
a. Definition

## LESSON 4

### TEACHER'S NOTES 1

### DEFINITION OF THE LAW

#### a. DEFINITION

The law consists of rules of conduct in a community, imposed by an authority, which demand or prohibit certain actions and are enforced by the imposition of penalties.

#### b. CRIMINAL LAW

Criminal law concerns an individual's relationship with the State and society as a whole. Its purpose is to deter people whose behaviour is thought to be a danger to themselves, others or to the community in general.

Criminal law provides a set of rules which regulates people's behaviour and activities.

Punishments/penalties are handed down by a criminal court (District, Circuit, Central Criminal, Special Criminal and Court of Appeal).

They can include fines (the most common penalty) and/or prison sentences.

The accused person is prosecuted by the State represented by:

- An Garda Síochána for most minor offences or
- The Chief Prosecution Solicitor (in Dublin) or State Solicitors (outside Dublin) who generally deal with offences that are more serious including those that require a jury

Examples of criminal offences:

- murder
- manslaughter
- armed robbery
- reckless driving
- driving without insurance
- shoplifting
- assault

#### c. CIVIL LAW

Civil law mainly concerns a person's relationship with other people or groups of people. It can also involve the State for example, army deafness cases.

Most civil matters never need to go to court.

However, when disputes cannot be settled privately, or where circumstances require it, these matters are dealt with by the civil courts (District, Circuit, High, Court of Appeal and the Supreme Court).

Examples of civil law:

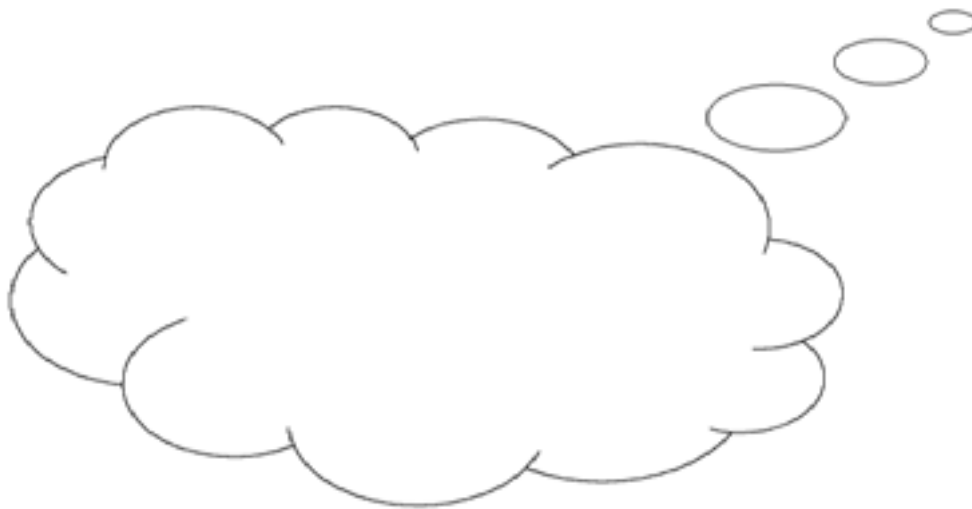
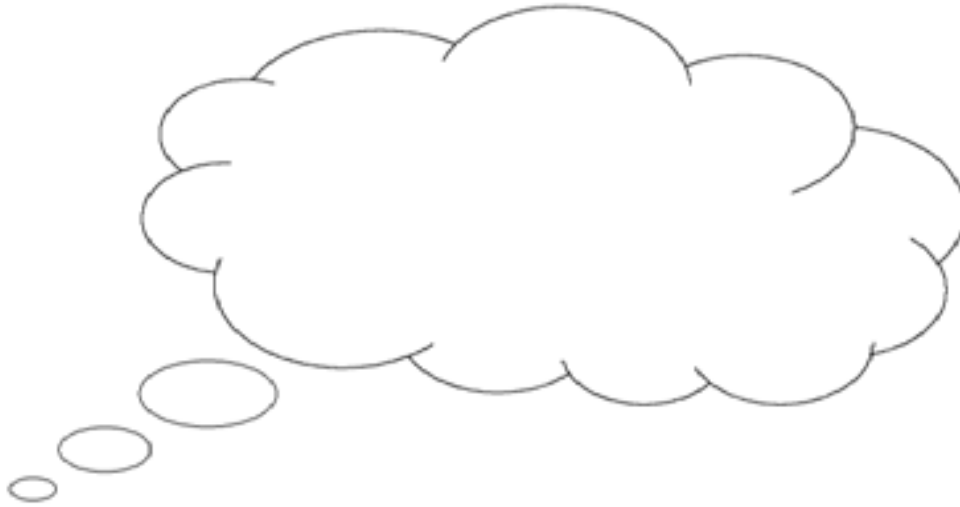
- compensation law such as personal injury or defamation
- family law
- employment law
- conveyancing and property law
- contract law
- licensing - such as dance, publican and lottery licences

## LESSON 4

### STUDENT HANDOUT 1

#### WHAT IS THE LAW?

Discuss and give your own definition.



## LESSON 5

### WHERE DO LAWS COME FROM?

#### LESSON PLAN

##### Objective:

To enable the students understand the source of our laws.

##### Aims:

- To explain the importance of the Constitution of Ireland
- To explain how laws are enacted in Ireland (statute law)
- To explain law other than statute law

##### Resources:

- [Let's Look at the Law](#) DVD - Lesson 5 (5 minutes)
- Poster explaining the creation of laws - Making Statute Law
- Poster explaining separation of powers - Separation of Powers (Optional - see note on page 22)
- Explaining the separation of powers - [Teacher's Notes 1](#)
- Brief explanation of origin of laws - [Teacher's Notes 2](#)
- Useful additional resources; copy of the Constitution of Ireland (Bunreacht na hÉireann)<sup>1</sup> and Houses of the Oireachtas website<sup>2</sup>

##### Key questions:

- Why is the Constitution so important?
- How does statute law come about?
- What other types of law are there?

##### Duration: 35 minutes

##### Introduction: (15 minutes)

The teacher explains what the Constitution is and how laws come about - [Teacher's Notes 2](#)

##### Development: (10 minutes)

- Class watch the [Let's Look at the Law](#) DVD - Lesson 5. This refers to the Constitution and explains statute law and how it is created, and other types of law (common law, EU law and international law)

##### Closure: (10 minutes)

- Divide class into groups
- Teacher asks the class - for example, "What is the Constitution and why is it so important?" "How does statute law come about?" "What other types of law are there?"
- Answers are noted on the blackboard/graffiti wall. The poster Making Statute Law can be used here
- Class discusses answers

<sup>1</sup> Bunreacht na hÉireann can be downloaded from <http://www.constitution.ie/> or purchased from the Government Publications Sale Office, Sun Alliance House, Molesworth Street, Dublin 2.

<sup>2</sup> <http://www.oireachtas.ie/>

## LESSON 5

### TEACHER'S NOTES 1

### SEPARATION OF POWERS

The following is to provide teachers with some background to our system of government and the function of the legal system. It is not intended for use by the class although it may be of use as part of a discussion with higher grade students.

Ireland has a written constitution, the Constitution of Ireland, which was enacted in 1937. The Constitution is the fundamental law of the State. It provides an umbrella under which the State functions and under which justice is administered by the courts. It provides protection for the fundamental rights of the citizen and the relationship between the branches of government.<sup>3</sup>

The Constitution supports a system of government with three separate branches: Legislature, Executive and Judiciary. Each has separate and distinct powers. The Legislature passes the law, the Executive puts it into operation and the Judiciary interprets it. This concept is known as 'the separation of powers'.

By spreading the power of government among these three branches one branch is unlikely to dominate the other two. If one branch of government had all the power it could lead to an abuse of freedom and rights.

It is a fundamental principle of a separation of powers that the three branches of government

remain separate and independent. For example, judges must at all times be free of government influence when they go about their business of interpreting law in the courts.

#### Legislature

In Ireland the legislature is the Oireachtas. It comprises the President and two houses: Dáil Éireann and Seanad Éireann. The main functions of the Oireachtas are to manage the State finances and to legislate for the good of the people. The people elect the President and representatives (T.D.'s) to Dáil Éireann.

#### Executive

The executive is the Government. The Government is made up of An Taoiseach and the ministers of the various government departments. The Government is the centre of the administrative system in Ireland. It formulates policies, promotes legislation and directs the operations of the various departments - in a way, it is like the board of directors of a company.

#### Judiciary

These are the judges who administer justice in the courts. The Irish Constitution (Article 34.1) says that justice shall be administered by judges in courts established by law.

<sup>3</sup> 'Government' in this context is a broader concept than the more usual use of the word (referred to under 'Executive' above).

## LESSON 5

### TEACHER'S NOTES 2

### ORIGIN OF LAWS

#### **The Constitution of Ireland**

All laws made in Ireland must conform to the Constitution, and are interpreted in light of the Constitution. For example, the Constitution guarantees the right to life, the right to travel, the right to a fair trial and the right to the trial of serious offences by a jury.

#### **Statute Law**

These are Bills which have been passed by the Oireachtas and signed into law by the President.

Statute law (called 'Acts of the Oireachtas') start as Bills, which are proposals for legislation. They generally represent government policy but can also be suggested by opposition parties.

A Bill passes five stages before it becomes an Act. Once it has passed all stages in the Dáil, the Bill goes to the second stage in the Seanad. When it has been passed in both Houses a copy is presented to the President of Ireland for signature. The signed text is enrolled for registration with the Supreme Court. The Bill has now become law and applies to every person in Ireland.

#### **Common Law**

Common law is often referred to as 'judge-made' law. It is based on decisions of judges. In the past it was often based on tradition and custom. Today it is law which comes about following decisions of the courts. These decisions establish the principles other judges follow in other cases.

Decisions of the courts have given substance to many rights, especially constitutional rights. For example, the courts have held that people have a duty to protect others who are likely to be affected by their actions - a builder has a duty not to build a house that will collapse and injure the people inside. Motorists have a duty not to injure other road users.

## LESSON 5

### TEACHER'S NOTES 2

### ORIGIN OF LAWS

#### European Law

There are three types of EU law:

**Primary Legislation** - the treaties. For example, free movement of goods within the European Union.

**Secondary Legislation** - regulations, directives, decisions, recommendations and opinions made by the Union's institutions in accordance with the treaties.

**Decisions** of the European Court of Justice and the Court of First Instance.

Some EU Law takes effect immediately. This means that it takes priority over Irish national law.

#### International Law

These are laws based on international treaties and agreements between different countries. For example, the Kyoto protocol on climate change.

International law has no formal standing in Ireland unless incorporated into Irish law.



## LESSON 6

# UNDERSTANDING THE COURTS SYSTEM

### LESSON PLAN

#### Objective:

To enable the students understand the Irish courts system.

#### Aims:

- To explain the difference between criminal and civil courts through practical examples
- Optional: To explain the structure of the courts in Ireland

#### Resources:

- [Let's Look at the Law](#) DVD - Lesson 6 (4 minutes)
- Examples of situations illustrating the difference between criminal and civil law - [Teacher's Notes 1](#) ([Teacher's Notes 1](#) from Lesson 4 can also be used here)
- Questions for students - [Student Handout 1](#)
- Optional: Posters showing the structure of the courts. [Teacher's Notes 2](#) (Detailed structure of the courts), and [Student Handout 2](#) (Simple structure of the courts)
- Role play exercises [Teacher's Notes 3](#) and [Student Handout 3](#)

#### Key questions:

- What are the main differences between a criminal and a civil case?

**Duration: 35 minutes**

#### Introduction: (5 minutes)

Teacher explains:

- The difference between criminal and civil law - [Teacher's Notes 1](#)
- That there will be a role play exercise relating to this at the end of the class

#### Development: (10 minutes)

- Class watch the [Let's Look at the Law](#) DVD - Lesson 6
- Teacher may divide the class into groups. Using [Student Handout 1](#) each group must brainstorm answers to the questions
- A spokesperson from each group offers their suggestions. The answers are noted on the blackboard/graffiti wall
- Class discusses how their answers match up to the actual answers

#### Closure: (20 minutes)

In pairs or groups students get to practice the difference between criminal and civil law using role play situations provided - [Teacher's Notes 3](#) and [Student Handout 3](#)

## LESSON 6

### TEACHER'S NOTES 1

### CRIMINAL OR CIVIL?

#### Criminal law

Criminal law is about the relationship between a person and the State and society as a whole. Its purpose is to deter people from behaviour which is thought to be a danger to themselves, others or the community in general. Examples might include murder, robbery, drug offences and violent or anti-social acts. In a criminal case, the State (represented by An Garda Síochána or the Director of Public Prosecutions) brings the case to court. The injured party (the victim) is not a party to the case but may be called as a witness.

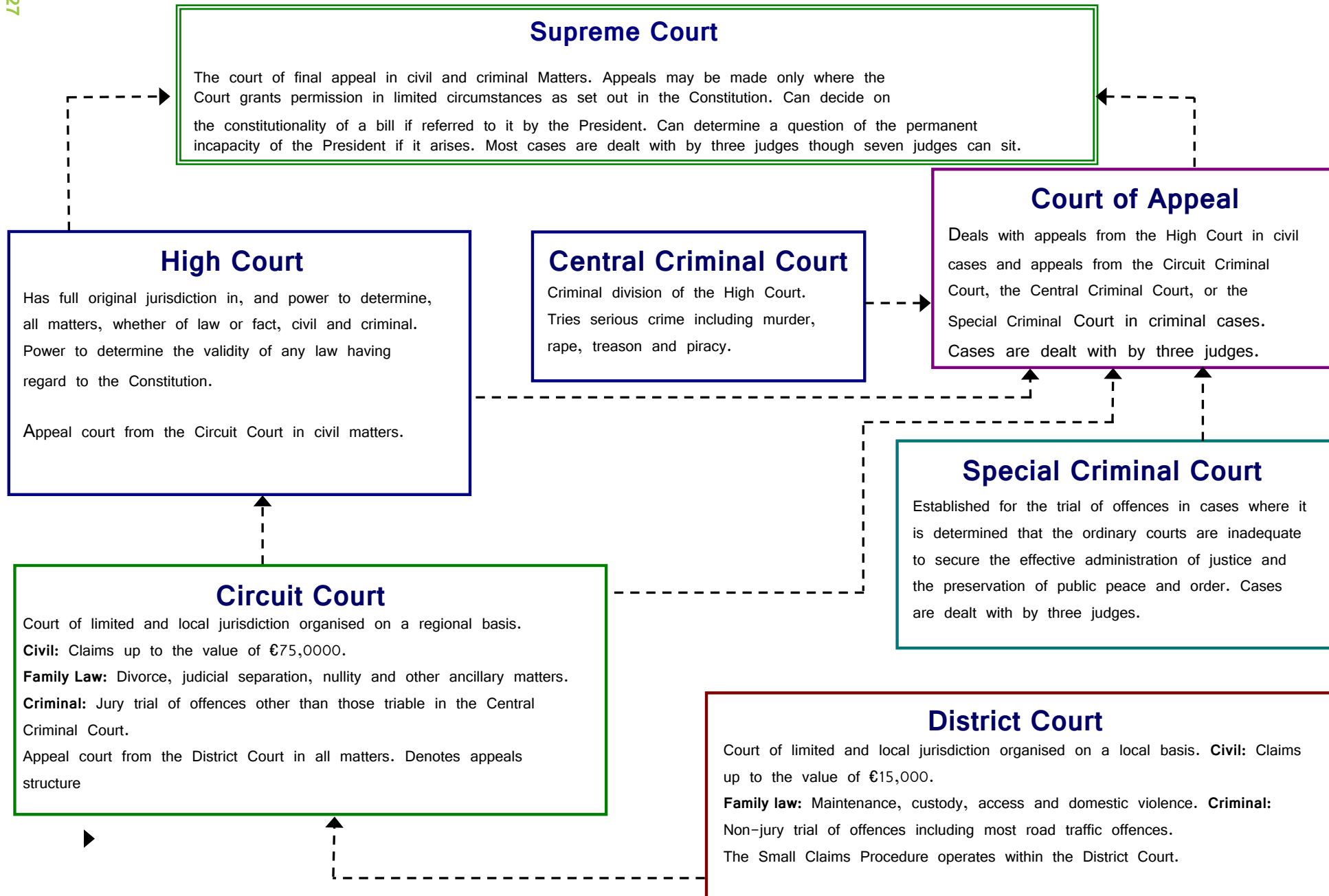
#### Civil law

For the most part, civil law concerns a person's relationship with other people or groups of people. Most civil issues need never come before a court. But where people cannot settle their differences they can bring the matter to court. Civil courts deal with areas such as family law, compensation for personal injury or employment disputes.

Below are the answers to [Student Handout 1](#).  
Criminal or Civil?

Will these cases be heard in the criminal or civil courts?

1. Assault causing serious harm: **Criminal**
2. A speeding offence: **Criminal**
3. A dispute with a neighbour over land boundaries: **Civil**
4. Purchase of a car which is defective: **Civil**
5. An application to stop a school from expelling a pupil: **Civil**
6. Possession of a quantity of cannabis: **Criminal**
7. Murder: **Criminal**
8. Bullying in the workplace: **Civil**
9. An application for a barring order against a spouse: **Civil**
10. A builder has not completed all the building works on a house: **Civil**



## LESSON 6

### TEACHER'S NOTES 3

### ROLE PLAY EXERCISES

### (CRIMINAL)

By acting out the different roles it is intended that students will gain a basic understanding of the difference between criminal and civil law.

The teacher should emphasise the role of the State (represented in our role play exercises by An Garda Síochána) in a criminal case. In these exercises, it is the Garda who decides whether to institute a case and not either of the parties to the incident. (More serious crimes would be referred to the Director of Public Prosecutions for a decision). The outcome of a criminal case may be a fine or a custodial sentence for the offender. It will not be the payment of damages (money) by way of compensation to the victim/injured party.

Contrast this with a civil case. Here, the solicitor advises a client if he/she has a case against the party who has injured them and in what court the case should be brought (District, Circuit or High). The client then decides whether the solicitor should bring the case on his/her behalf. The outcome of the case may be an award of damages (money) by way of compensation for the injured party. The person against whom the case is brought will be required to pay the damages.

#### Exercise 1

##### Assault/Public Order

##### Roles:

- Garda
- Person with bottle
- Person shouting

##### Facts:

Garda called to scene. Finds two people shouting at each other – one has a bottle in his/her hand, the other is shouting that he/she has been assaulted.

##### Activity:

- Garda asks questions about what happened
- Asks the person shouting to give his/her version of events
- Asks the person with the bottle to give his/her version
- Garda takes note of answers

If satisfied that the person with the bottle assaulted the other person, the garda can decide to charge the offender with assault.

## LESSON 6

### TEACHER'S NOTES 3

### ROLE PLAY EXERCISES (CRIMINAL)

#### Exercise 2

#### Breaking and entering

##### Roles:

- Garda
- 2 other people

##### Facts:

Garda on patrol notices 2 people getting out the rear window of a factory premises with 2 large bags. He/she challenges the 2 and asks to check the bags which are found to contain large sums of money.

##### Activity:

- Garda asks the 2 people to explain what they were doing. Why were they getting out of the window? Where did they get the money? Where are they going with it?
- The 2 people offer some excuses
- Garda takes note of answers

If the garda is not satisfied with excuses he/she might decide to charge the 2 people with a range of offences including breaking and entering; larceny (stealing money) and causing criminal damage.

## LESSON 6

### TEACHER'S NOTES 3

### ROLE PLAY EXERCISES (CIVIL)

#### Exercise 1

##### Food poisoning claim

##### Roles:

- Solicitor
- Client

##### Facts:

Client claims that he/she suffered food poisoning having eaten a meal in a local restaurant.

##### Activity:

- The solicitor asks the client for details of events – where was the restaurant? what condition was it in? were there many people dining? describe the meal? how was it presented? does the client have any allergies? was he/she dining alone?
- The client gives as much detail as possible
- The solicitor asks for details of what happened afterwards – how was the client affected? did he/she eat anything after leaving the restaurant? did he/she tell anyone about the illness? did he/she go to a hospital?
- The solicitor takes note of the answers

If the solicitor is satisfied that it is more likely than not that the illness was caused by the meal, the solicitor must decide what case the client can bring before the court. For example, a claim for compensation for injury caused by negligence of the owner of the restaurant. The solicitor should also advise in what court (District, Circuit, High) the case should be brought.

#### Exercise 2

##### Claim for injury caused by falling slates

##### Roles:

- Solicitor
- Client

##### Facts:

The client calls to the solicitor claiming that slates falling off a roof caused him/her injury as he/she was walking along a footpath.

##### Activity:

- The solicitor asks the client to describe events – where was he/she walking? what time was it? where was the building? was there any evidence of building work? what happened? were there any witnesses? what injuries did the client suffer? did he/she go to a doctor/hospital?
- The client gives as much detail as possible
- The solicitor takes note of the answers

The solicitor must decide if the accident could have been prevented by the owner of the property. Was it the owner's fault that the slates fell off? Could the injuries have been avoided if the owner had taken more care? Did the client contribute in any way to the injuries suffered?

If the solicitor is satisfied that it is more likely than not that the injuries were caused by negligence of the owner of the property, he/she might advise that the client bring an action claiming compensation for the injuries suffered. The solicitor should also advise in what court (District, Circuit, High) the case should be brought.

## LESSON 6

### STUDENT HANDOUT 1

### CRIMINAL OR CIVIL?

Will these cases be heard in the criminal or civil courts?

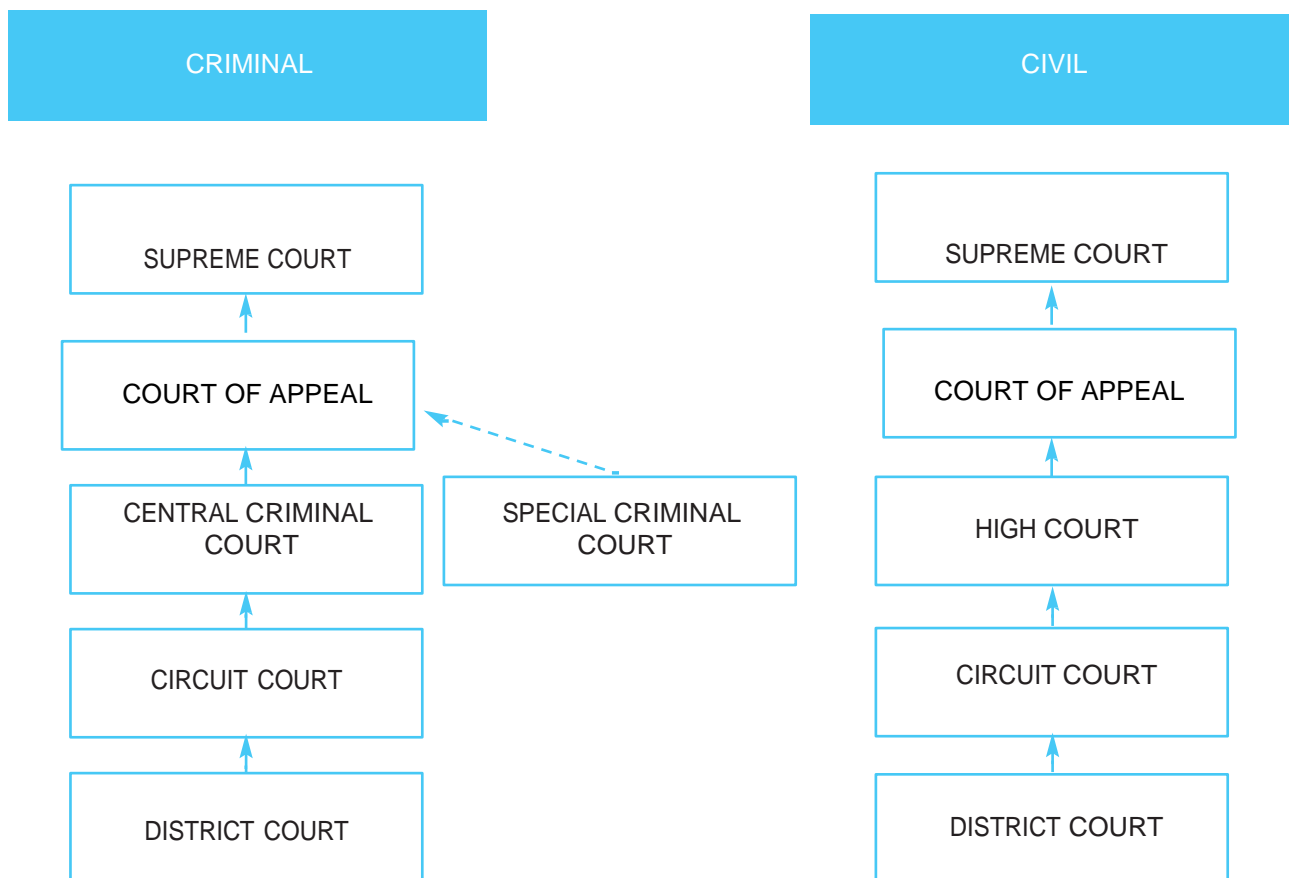
The cases are:

1. Assault causing serious harm
2. A speeding offence
3. A dispute with a neighbour over land boundaries
4. Purchase of a car which is defective
5. An application to stop a school from expelling a pupil
6. Possession of a quantity of cannabis
7. Murder
8. Bullying in the workplace
9. An application for a barring order against a spouse
10. A builder has not completed all the building works on a house

## LESSON 6

### STUDENT HANDOUT 2

### STRUCTURE OF THE COURTS (SIMPLE)





## LESSON 6

### STUDENT HANDOUT 3

### ROLE PLAY EXERCISES (CRIMINAL)

#### Exercise 1

##### Assault/Public Order

##### Roles:

- Garda
- Person with bottle
- Person shouting

##### Facts:

Garda called to scene. Finds two people shouting at each other – one has a bottle in his/her hand, the other is shouting that he/she has been assaulted.

##### Activity:

- Garda asks questions about what happened
- Asks the person shouting to give his/her version of events
- Asks the person with bottle to give his/her version
- Garda takes note of answers

If satisfied that the person with the bottle assaulted the other person, the garda can decide to charge the offender with assault.

#### Exercise 2

##### Breaking and entering

##### Roles:

- Garda
- 2 other people

##### Facts:

Garda on patrol notices 2 people getting out the rear window of a factory premises with 2 large bags. He/she challenges the 2 and asks to check the bags which are found to contain large sums of money.

##### Activity:

- Garda asks the 2 people to explain what they were doing. Why were they getting out of the window? Where did they get the money? Where are they going with it?
- The 2 people offer some excuses
- Garda takes note of answers

If the garda is not satisfied with excuses he/she might decide to charge the 2 people with a range of offences including breaking and entering; larceny (stealing money) and causing criminal damage.

## LESSON 6

### STUDENT HANDOUT 4

### ROLE PLAY EXERCISES (CIVIL)

#### Exercise 1

##### Food poisoning claim

##### Roles:

- Solicitor
- Client

##### Facts:

Client claims that he/she suffered food poisoning having eaten a meal in a local restaurant.

##### Activity:

- The solicitor asks the client for details of events – where was the restaurant? what condition was it in? were there many people dining? describe the meal? how was it presented? does the client have any allergies? was he/she dining alone?
- The client gives as much detail as possible
- The solicitor asks for details of what happened afterwards – how was the client affected? did he/she eat anything after leaving the restaurant? did he/she tell anyone about the illness? did he/she go to a hospital?
- The solicitor takes note of the answers

If the solicitor is satisfied that it is more likely than not that the illness was caused by the meal, the solicitor must decide what case the client can bring before the court. For example, a claim for compensation for injury caused by negligence of the owner of the restaurant. The solicitor should also advise in what court (District, Circuit, High) the case should be brought.

#### Exercise 2

##### Claim for injury caused by falling slates

##### Roles:

- Solicitor
- Client

##### Facts:

The client calls to the solicitor claiming that slates falling off a roof caused him/her injury as he/she was walking along a footpath.

##### Activity:

- The solicitor asks the client to describe events – where was he/she walking? what time was it? where was the building? was there any evidence of building work? what happened? were there any witnesses? what injuries did the client suffer? did he/she go to a doctor/hospital?
- The client gives as much detail as possible
- The solicitor takes note of the answers

The solicitor must decide if the accident could have been prevented by the owner of the property. Was it the owner's fault that slates fell off? Could the injuries have been avoided if the owner had taken more care? Did the client contribute in any way to the injuries suffered?

If the solicitor is satisfied that it is more likely than not that the injuries were caused by negligence of the owner of the property, he/she might advise that the client bring an action claiming compensation for the injuries suffered. The solicitor should also advise in what court (District, Circuit, High) the case should be brought.

## LESSON 7

### EXAMINING A WITNESS - WHAT CAN YOU ASK?

#### LESSON PLAN

**Objective:**

To enable students conduct basic examinations of witnesses at a trial.

**Aims:**

- To provide students with information about how to examine a witness

**Resources:**

- [Let's Look at the Law](#) DVD - Lesson 7 (4 minutes)
- Role play examples of examination-in-chief and cross-examination - [Teacher's Notes 1, 2 and 3](#)
- Examination-in-chief role play: story of events - [Student Handout 1](#)

**Key Questions:**

- What is the purpose of examining a witness?
- What is examination-in-chief?
- What is the purpose of cross-examining a witness?
- What are leading questions? Give some examples

**Duration: 35 minutes**

**Introduction: (2 minutes)**

Teacher explains that:

- The DVD will explain how to examine and cross-examine a witness
- There will be a role play exercise relating to this at the end of the class

**Development and closure: (33 minutes)**

- Use DVD to explain how you examine and cross-examine a witness
- In groups the students get to practice examination and cross-examination using role play exercise - [Student Handout 1](#)
- Role play exercise - see [Teacher's Notes 1, 2 and 3](#) and [Student Handout 1](#)

## LESSON 7

### TEACHER'S NOTES 1

### EXAMINATION-IN-CHIEF ROLE PLAY

It is very important that students have a basic understanding of the rules of evidence including examination-in-chief, cross-examination and leading questions. They are central to the conduct of a successful trial.

Examination-in-chief is the examination of a witness by the party calling that witness.<sup>4</sup> In the examination-in-chief you want the witness to give his/her version of events. The witness cannot be asked leading questions in the examination-in-chief. You cannot put words into their mouth.

It is the witness who is to tell the judge and jury what he/she saw, did or heard, not for the barrister to explain what happened.

#### Non-leading questions:

Ask who/what/where/when/how

For example, "Who were you with...?"

"Where were you going...?"

#### Leading questions:

Leading questions are questions that suggest the answer. You would be leading the witness and not letting him/her give his/her version of events.

For example, "You were with Eoin, weren't you? You were coming from the shop when..."

For the most part a witness can only talk about things he/she saw or heard. He/she cannot talk about things other people told them they saw or heard. This is called 'hearsay evidence'. It must be 'I saw Mary crossing the road' not 'John told me he saw Mary crossing the road'. Certain witnesses, called 'expert witnesses', are allowed to give hearsay evidence (see Explanation of Legal Terms - Expert Witness on page 13).

<sup>4</sup> See 'Instructions for participants' on examination-in-chief in Lesson 11 and Lesson 12 — pages 56 to 58

## LESSON 7

### TEACHER'S NOTES 1

### EXAMINATION-IN-CHIEF ROLE PLAY

#### Exercise 1

When examining a witness (called examination-in-chief) you cannot ask leading questions. This is easier when you don't know the answers to the questions you are asking.

- Divide the class into groups. Appoint one person to ask questions of the others about some event that has taken place - for example, a concert, a holiday, what happened last Christmas
- Encourage use of words 'who', 'what', 'where', 'when', 'how'

#### Exercise 2

This exercise will demonstrate how difficult it can be to ask the questions when you know the answers and how hard it can be to avoid asking leading questions.

- Distribute Examination-in-chief role play - Story of events - [Student Handout 1](#)
- Assign roles of Orla and Eoin. Assign person (Niamh) to ask questions
- Using Orla's story of events in [Student Handout 1](#) Niamh questions Orla first and then Eoin to find out what happened

**Note:** The names have been chosen solely to help explain what is required of students.

## LESSON 7

### TEACHER'S NOTES 2

### CROSS-EXAMINATION ROLE PLAY

In cross-examination you are examining the witnesses for the other side. You are testing their version of events, possibly undermining the witnesses' credibility and putting your side's version of events to them. Here you can put words into their mouth.

Questions are best if they are short, leading questions.

Pick a few points you want to get at. Keep it simple and know where you're trying to go with the questions.

Examples of leading questions:

- "It was dark that night, wasn't it?"
- "You were listening to your iPod, weren't you?"
- "Then you left the room, yes or no?"

Also you should put your side's version of what happened to the witness:

- "My client will say that you were listening to your iPod as you left the shop"
- "Isn't it the case that you stepped out onto the road right in front of my client?"
- "I put it to you that what happened was ..."

#### Exercise

Participants: Orla, Eoin, John, Niamh and Conor

- Assign Conor to question Orla and Eoin
- Using John's story of events, Conor questions Orla and Eoin to test their stories and undermine what they told Niamh
- He points out inaccuracies in what they said
- If time permits, assign role of cyclist (John)
- Conor questions John about what happened
- Niamh cross-examines John to test his story and undermine what he told Conor

**Note:** We have indicated that Niamh should question both Orla and Eoin before Conor questions (cross-examines) either of them. This is solely to allow the teacher explain the difference between examination and cross-examination ('examination' is the subject of one role play exercise, 'cross-examination' is the subject of a separate exercise). In a court trial a witness would be cross-examined immediately following his/her examination.

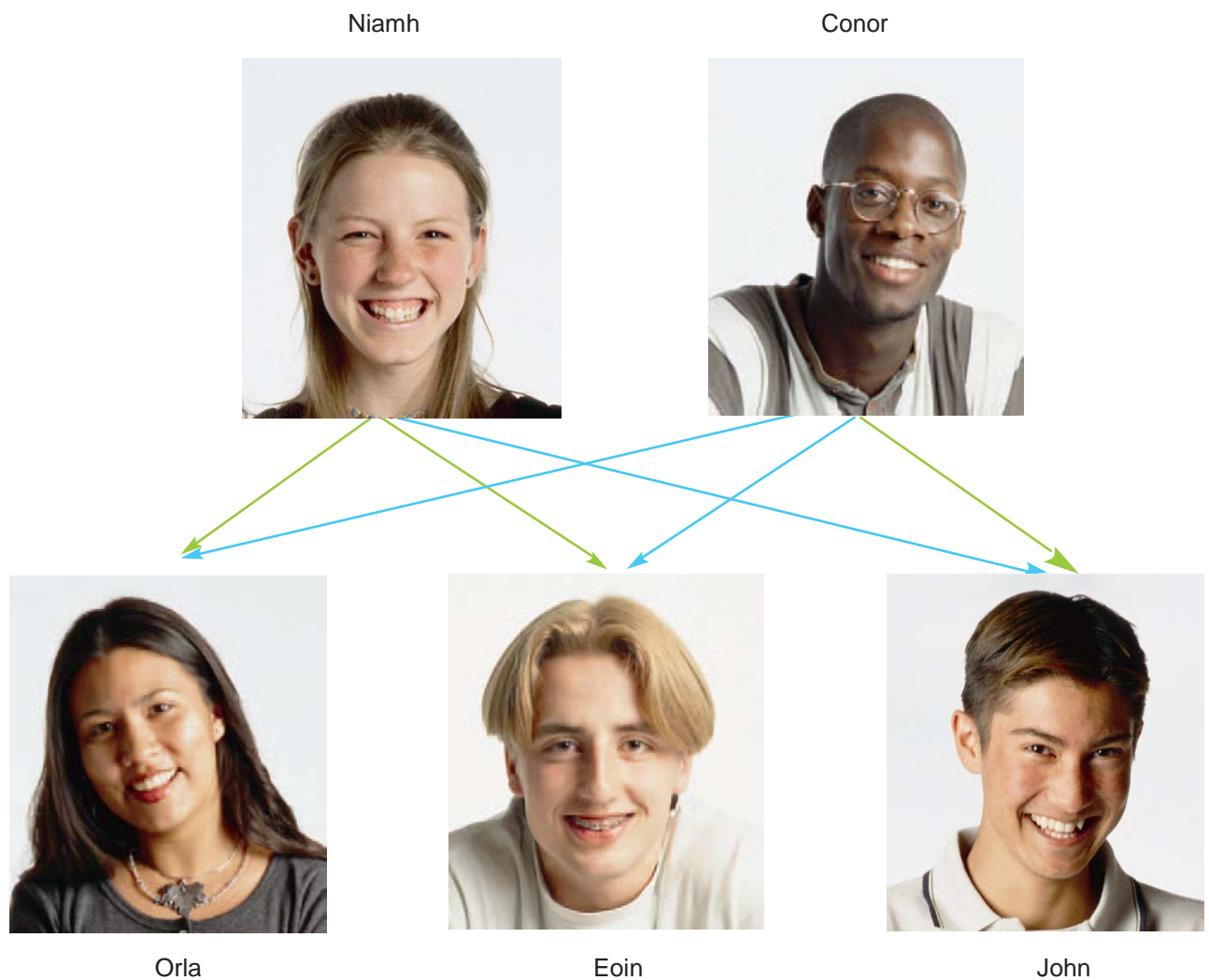
It may be more beneficial to treat both role play exercises as one exercise - that is, combine the examination and cross-examination exercises. In that way cross-examination would immediately follow examination as illustrated in the graphic on page 39.

## LESSON 7

### TEACHER'S NOTES 3

### ROLE PLAY ILLUSTRATION

- a. The green lines show the person who is **examining** the witness.
- b. The blue lines show the person who is **cross-examining** the witness



- 1. Niamh examines Orla
- 2. Conor cross-examines Orla
- 3. Niamh examines Eoin

- 4. Conor cross-examines Eoin
- 5. Conor examines John
- 6. Niamh cross-examines John

## LESSON 7

### STUDENT HANDOUT 1

### EXAMINATION-IN-CHIEF ROLE PLAY - STORY OF EVENTS

#### **Orla's story of events:**

Last class ended at 4:00 p.m.  
 I went to my locker  
 I met my friend Eoin  
 We left for home  
 We stopped in the shop on the way  
 I bought a roll, a banana and a drink  
 As we came out of the shop cars were passing  
 I saw a cyclist coming towards us along the road  
 The cyclist was coming towards me  
 He just missed hitting me  
 He cycled off down the road  
 I was upset  
 We headed home.

#### **John's story of events:**

I was cycling along the road  
 Two people came out from the shop  
 One of them - a girl - stepped onto the road without looking up  
 She walked out in front of me  
 She was listening to music on her iPod  
 She wasn't paying attention  
 I had to swerve to avoid crashing into her.

#### **Eoin agrees with Orla's version of events**



## LESSON 8 AND LESSON 9 PREPARING FOR A TRIAL

### LESSON PLAN

#### Objective:

To prepare the students to take part in the mock trial.

#### Aims:

- To improve the students' understanding of court procedure by focusing closely on one case
- To ensure that the students focus on their particular role in this mock trial

#### Resources:

- List of roles in the trial - [Teacher's Notes 1](#)
- Indictment - [Teacher's Notes 2](#)
- Statements of prosecution witnesses - [Teacher's Notes 3](#)
- Statements of defence witnesses - [Teacher's Notes 4](#)
- The Case - [Student Handout 1](#) and Indictment - [Student Handout 2](#) (for all students)
- Statements of prosecution witnesses - [Student Handout 3](#) (for prosecution roles only - barristers, solicitors and witnesses)
- Statements of defence witnesses - [Student Handout 4](#) (for defence roles only - barristers, solicitors and witnesses)
- Completed question sheet from Lessons 2 and 3 (page 15)

#### Key Questions:

- If you are a..... what will you be doing during the trial?
- What sort of issues, on both sides, could a case like this bring up?
- Why is this a criminal case, rather than a civil case? Could this be a civil case?

**Duration: 70 (35 + 35) minutes**

## LESSON 8 AND LESSON 9 PREPARING FOR A TRIAL

### Lesson 8

#### Introduction: (20 minutes)

Teacher conducts a class discussion around the students' notes made while watching the mock trial during Lessons 2 and 3 (see page 15).

Teacher explains how the class will be divided for the mock trial, the roles involved and how those roles will be assigned.

#### Development and Closure: (15 Minutes)

- Using the Case - [Student Handout 1](#) and the Indictment - [Student Handout 2](#) teacher explains the case that will be the subject of the mock trial. Teacher gives these handouts to each student
- Teacher assigns the roles for the mock trial using whatever method he/she finds most appropriate. All students in the class should be involved as much as possible (for example, as newspaper or TV reporter, sketch artist, or photographer)
- Using [Teacher's Notes 2](#) as a guide, teacher and class complete the blanks in [Student Handout 2](#) (names can be changed to suit teacher and students)
- Teacher gives [Student Handout 3](#) to those with prosecution roles. Each witness must fill in the blanks in his/her own statement. Teacher explains how - based on [Teacher's Notes 3](#)

- Teacher gives [Student Handout 4](#) to those with defence roles. Each witness must fill in the blanks in his/her own statement based on [Teacher's Notes 4](#)
- The class discusses the function of each role

Students must prepare for their roles between Lesson 8 and Lesson 9. This may require out-of-class meetings of prosecution barristers, solicitors and witnesses and the same for the defence.

### Lesson 9: (35 minutes)

Use time to recap on Lesson 8. This gives the students an opportunity to practice their roles in the mock trial.

## LESSON 8 AND LESSON 9

### TEACHER'S NOTES 1

### LIST OF ROLES IN THE TRIAL

We have selected certain names for the characters in our mock trial. You may find it more appropriate to change them. You may also wish to change the scene of the alleged crime from a football match to some other event.

#### Prosecution:

Prosecution barrister (I)  
 Prosecution barrister (II)  
 Prosecution solicitor (I)  
 Prosecution solicitor (II) (optional)

Prosecution witness (I) Alex Rooney  
 Prosecution witness (II) Robin Sturridge  
 Prosecution witness (III) Garda Leslie Duff

Judge

Registrar

Tipstaff

Jury (preferably 12 people  
 - including jury  
 foreman)

Garda to protect the jury

Sketch artist (optional)

T.V. reporter (optional)

Newspaper reporter (optional)

Court photographer (optional)

#### Defence:

Defence barrister (I)  
 Defence barrister (II)  
 Defence solicitor (I)  
 Defence solicitor (II) (optional)

Defence witness (I) Sam Beckham  
 (the accused)  
 Defence witness (II) Jamie Giggs  
 Defence witness (III) Ashley Moore

Everyone gets a copy of this page.

## LESSON 8 AND LESSON 9

### TEACHER'S NOTES 2

### INDICTMENT

THE PEOPLE AT THE SUIT OF THE DIRECTOR OF  
PUBLIC PROSECUTIONS  
V.  
SAM BECKHAM

#### THE DUBLIN CIRCUIT CRIMINAL COURT

Sam Beckham is charged with the following  
offence:

You, Sam Beckham on the [date] at [location] in the  
County of the City of Dublin assaulted Alex Rooney  
causing him harm, namely a broken collarbone,  
contrary to section 3 of the Non Fatal Offences  
against the Person Act, 1997.

#### FACTS:

On the [date] Sam Beckham, an avid [name of club]  
football supporter, whilst attending a football  
match with his son and daughter in [town] at  
[stadium], is accused of assaulting Alex Rooney,  
a member of [name of the opposing teams  
Supporters Club], breaking his collarbone.

Everyone gets a copy of this page.

## LESSON 8 AND LESSON 9

### TEACHER'S NOTES 3

### STATEMENTS OF PROSECUTION WITNESSES

#### Statement of Alex Rooney of [address] made on the [ ] day of [month] 20\_\_.

My name is Alex Rooney and I live in [insert address] with my family. On the [date] I went to [football ground] with my good friend Robin Sturridge to support my team who I have supported for thirty years. I am a member of their Official Supporters Club. After about fifteen minutes into the game my team scored a goal. I jumped up with delight and started to celebrate when suddenly a man who was sitting in front of me started shouting at me and then out of the blue punched me. I fell backwards and immediately felt excruciating pain from my shoulder area. I was then taken to the hospital where I was x-rayed and I found out that my collarbone was broken. I missed the rest of the game. I did nothing to provoke this attack.

This statement has been read over to me and it is correct.

#### Statement of Robin Sturridge of [address] made on the [ ] day of [month] 20\_\_.

My name is Robin Sturridge and I live alone in [address]. Through supporting [name of football club], my football club, I got to know Alex Rooney. On the [date of the incident] I went to support my local team with Alex as I do every Saturday home or away. We were celebrating a goal from our star

striker when this guy turns around and starts abusing us and then for no reason smacks Alex causing him to lose his balance and break his collarbone. We didn't provoke him and I didn't say a word to him. I've never been in trouble with the law before.

This statement has been read over to me and it is correct.

**Note:** Robin Sturridge has previous convictions for using threatening and abusive language and assault.

#### Statement of Garda Leslie Duff of [name of garda station] Garda Station made on the [ ] day of [month] 20\_\_.

My name is Leslie Duff and I am a member of An Garda Síochána. I was on duty in [name of football ground] when I noticed a bit of a dust-up between some fans. There was a lot of shouting going on and then I saw one man who I now know to be Sam Beckham punch another man, Alex Rooney, causing him to fall backwards. I found out later that Mr. Rooney broke his collarbone. I arrested Sam Beckham on the spot for assault.

This statement has been read over to me and it is correct.

Only the prosecution barrister, solicitor and the 3 witnesses get a copy of these statements.

## LESSON 8 AND LESSON 9

### TEACHER'S NOTES 4

### STATEMENTS OF DEFENCE WITNESSES

**Statement of Sam Beckham of [address] made on the [ ] day of [month] 20 \_\_.**

My name is Sam Beckham. I am 35 years of age and I live with my family in [address]. I have been a fan of [name of football club] all my life. On the [date] I was bringing my two children for the first time to see [football club] play at home in [address of the football club]. We were all very excited. [insert name of the other football team] scored first. Their fans who are noted for being unruly started to shout and hurl abuse at us the home supporters. Two men behind where we were sitting became very aggressive and started shouting abuse at us. I was very concerned for my children. I turned around and asked them to stop, saying "this is only a game, there are children present" but they only laughed and shouted and jeered even louder. I became very concerned for my family and hit one of them. I was then arrested and brought to the local Garda Station.

This statement has been read over to me and it is correct.

**Statement of Jamie Giggs of [address] made on the [ ] day of [month] 20 \_\_.**

My name is Jamie Giggs and I live at [address] and I am a teacher. I was attending a football match

where I saw a whole commotion between some fans after the away side had scored. Some of the away supporters got very rowdy. There were children present and it was very upsetting. Some of the away supporters were asked by a man with children to stop but they just laughed at him. Then this man punched one of them. I must say I would have done the same if I were in his position.

This statement has been read over to me and it is correct.

**Statement of Ashley Moore of [address] made on the [ ] day of [month] 20 \_\_.**

I am a hot drinks seller and I was employed by the Stadium on the [date] day of [month] 20\_\_ at [football ground] to sell hot drinks. I was walking through the south stand selling my drinks when the away team scored. The away supporters got very excited. My attention was drawn to two men who were on their feet but it seemed to me that they were not celebrating but shouting abuse at a man in front of them. A customer called me and when I looked back at the men one of them was flat on his back.

This statement has been read over to me and it is correct.

Only the defence barrister, solicitor and the 3 witnesses get a copy of these statements.

## LESSON 8 AND LESSON 9

### STUDENT HANDOUT 1

### THE CASE

**THE PEOPLE AT THE SUIT OF THE DIRECTOR OF  
PUBLIC PROSECUTIONS  
V.  
SAM BECKHAM**

**Non Fatal Offences Against the Person Act, 1997:**

section 2

A person shall be guilty of an offence of assault who, without lawful excuse, intentionally or recklessly-

- (a) directly or indirectly applies force to or causes an impact on the body of another,
- or
- (b) causes another to believe on reasonable grounds that he or she is likely immediately to be subjected to any such force or impact, without the consent of the other.

section 3

- (1) A person who assaults another causing him or her harm shall be guilty of an offence.
- (2) A person guilty of an offence under this section shall be liable-
  - (a) On conviction on indictment to a fine or to imprisonment for a term not exceeding 5 years or to both.

“harm” means harm to body or mind and includes pain and unconsciousness.

Everyone gets a copy of this page.

## LESSON 8 AND LESSON 9

### STUDENT HANDOUT 2

### INDICTMENT

THE PEOPLE AT THE SUIT OF THE DIRECTOR OF  
PUBLIC PROSECUTIONS  
V.  
SAM BECKHAM

#### THE DUBLIN CIRCUIT CRIMINAL COURT

Sam Beckham is charged with the following  
offence:

You, Sam Beckham on the \_\_\_\_\_  
at \_\_\_\_\_ in the County of the  
City of Dublin assaulted Alex Rooney causing him  
harm, namely a broken collarbone contrary to  
section 3 of the Non Fatal Offences against the  
Person Act, 1997.

#### FACTS:

On the \_\_\_\_\_ Sam Beckham,  
an avid \_\_\_\_\_ football supporter,  
whilst attending a football match with his son and  
daughter in \_\_\_\_\_ at  
\_\_\_\_\_ is accused of assaulting Alex  
Rooney, a member of \_\_\_\_\_  
\_\_\_\_\_ Supporters Club, breaking his  
collarbone.

Everyone gets a copy of this page.



## LESSON 8 AND LESSON 9

### STUDENT HANDOUT 3

### STATEMENTS OF PROSECUTION WITNESSES

**Statement of Alex Rooney of \_\_\_\_\_**  
**made on the \_\_\_\_\_ day of \_\_\_\_\_**  
**20\_\_.**

My name is Alex Rooney and I live in \_\_\_\_\_.  
 with my family. On the \_\_\_\_\_ I  
 went to \_\_\_\_\_ with my good  
 friend Robin Sturridge to support my team who I  
 have supported for thirty years. I am a member of  
 their Official Supporters Club. After about fifteen  
 minutes into the game my team scored a goal. I  
 jumped up with delight and started to celebrate  
 when suddenly a man who was sitting in front of me  
 started shouting at me and then out of the blue  
 punched me. I fell backwards and immediately felt  
 excruciating pain from my shoulder area. I was  
 then taken to the hospital where I was x-rayed and I  
 found out that my collarbone was broken. I missed  
 the rest of the game. I did nothing to provoke this  
 attack.

This statement has been read over to me and it is  
 correct.

**Statement of Robin Sturridge of \_\_\_\_\_**  
**made on the \_\_\_\_\_ day of \_\_\_\_\_**  
**20\_\_.**

My name is Robin Sturridge and I live alone in \_\_\_\_\_.  
 Through supporting \_\_\_\_\_,  
 my football club, I

have got to know Alex Rooney. On the \_\_\_\_\_  
 I went to support my local team with Alex as I do  
 every Saturday home or away. We were celebrating  
 a goal from our star striker when this guy turns  
 around and starts abusing us and then for no  
 reason smacks Alex causing him to lose his  
 balance and break his collarbone. We didn't  
 provoke him and I didn't say a word to him. I've  
 never been in trouble with the law before.

This statement has been read over to me and it is  
 correct.

**Note:** Robin Sturridge has previous convictions  
 for using threatening and abusive language and  
 assault.

**Statement of Garda Leslie Duff of \_\_\_\_\_**  
**Garda Station made on the \_\_\_\_\_ day of \_\_\_\_\_**  
**20\_\_.**

My name is Leslie Duff and I am a member of An  
 Garda Síochána. I was on duty in \_\_\_\_\_  
 when I noticed a bit of a dust-up between some  
 fans. There was a lot of shouting going on and then  
 I saw one man who I now know to be Sam Beckham  
 punch another man, Alex Rooney, causing him to  
 fall backwards. I found out later that Mr. Rooney  
 broke his collarbone. I arrested Sam Beckham on  
 the spot for assault.

This statement has been read over to me and it is  
 correct.

Only the prosecution barrister, solicitor and the 3 witnesses get a copy of these statements.

## LESSON 8 AND LESSON 9

### STUDENT HANDOUT 4

### STATEMENTS OF DEFENCE WITNESSES

**Statement of Sam Beckham of \_\_\_\_\_**  
**made on the \_\_\_\_\_ day of 20 \_\_\_\_.**

My name is Sam Beckham. I am 35 years of age and I live with my family in \_\_\_\_\_. I have been a fan of \_\_\_\_\_ all my life. On the \_\_\_\_\_ I was bringing my two children for the first time to see \_\_\_\_\_ play at home in \_\_\_\_\_. We were all very excited. \_\_\_\_\_ scored first. Their fans who are noted for being unruly started to shout and hurl abuse at us the home supporters. Two men behind where we were sitting became very aggressive and started shouting abuse at us. I was very concerned for my children. I turned around and asked them to stop, saying "this is only a game, there are children present" but they only laughed and shouted and jeered even louder. I became very concerned for my family and hit one of them. I was then arrested and brought to the local Garda Station.

This statement has been read over to me and is correct.

**Statement of Jamie Giggs of \_\_\_\_\_**  
**made on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.**

My name is Jamie Giggs and I live at \_\_\_\_\_ and I am a teacher. I was attending a football match where I saw a whole commotion between some

fans after the away side had scored. Some of the away supporters got very rowdy. There were children present and it was very upsetting. Some of the away supporters were asked by a man with children to stop but they just laughed at him. Then this man punched one of them. I must say I would have done the same if I were in his position.

This statement has been read over to me and is correct.

**Statement of Ashley Moore of \_\_\_\_\_**  
**made on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.**

I am a hot drinks seller and I was employed by the the Stadium on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_ at \_\_\_\_\_ to sell hot drinks. I was walking through the south stand selling my drinks when the away team scored.

The away supporters got very excited. My attention was drawn to two men who were on their feet but it seemed to me that they were not celebrating but shouting abuse at a man in front of them. A customer called me and when I looked back at the men one of them was flat on his back.

This statement has been read over to me and it is correct.

Only the defence barrister, solicitor and the 3 witnesses get a copy of these statements.

## LESSON 10

### HOW DO YOU RUN A TRIAL?

#### LESSON PLAN:

##### Objective:

To offer the students an insight into the order of events at a trial.

##### Aims:

- To explain courtroom protocol for the students
- To ensure that students understand how a trial operates

##### Resources:

- [Let's Look at the Law](#) DVD - Lesson 10 (5 minutes)
- Running order of the trial - [Teacher's Notes 1](#) and [Student Handout 1](#)

##### Key questions:

- What is the order of events at a trial?
- Who speaks first, second etc?

##### Duration: 35 minutes

##### Introduction: (2 minutes)

Teacher explains that the DVD will highlight important concepts in a court case.

#### Development and closure (33 minutes)

Use section of DVD to highlight running order of a trial such as:

- Opening statements
- Examination-in-chief
- Cross-examination
- Closing speeches

The class discusses each concept after it has been shown (teacher pauses DVD).

##### Closure:

Use DVD to recap on the roles of participants in the trial.

#### Preparation for next class: Lesson 11 - The Mock Trial

- Teacher asks the jurors to select a foreman before the next class
- The tipstaff will need to receive a copy of the Classroom layout and time-keeping note for the trial in Lesson 11 (pages 62-63) in order to arrange the layout for the mock trial. A second room (or private area) will be required for the jury to consider their verdict. Other arrangements will be necessary if the trial is being held at another venue
- The class might like to consider if it would be possible to arrange to run their mock trial in the local courthouse
- They may also like to invite a visitor to act as judge

## LESSON 10

### TEACHER'S NOTES 1

### RUNNING ORDER OF THE TRIAL

- Tipstaff announces "All rise - silence in court"
- The judge enters
- Registrar asks defendant to stand, reads the charge to him/her, and asks him/her how do they plead
- Defendant answers "Not guilty"
- Opening speech of the prosecution
- Each witness is sworn in by the registrar before giving their evidence
- Examination-in-chief of the first prosecution witness
- Cross-examination of the first witness by the defence
- Pattern repeated for the next two witnesses
- Opening speech for the defence
- Examination-in-chief of the first defence witness
- Cross-examination of the first defence witness by the prosecution
- Pattern repeated for the next two defence witnesses
- Closing speech by the prosecution
- Closing speech by the defence
- Judge sums up the case and gives instructions to the jury
- Registrar swears in the tipstaff to look after the jury
- Jury goes to jury room to consider a verdict
- Verdict given by the foreman of the jury
- Sentence or dismissal by the judge

## LESSON 10

### STUDENT HANDOUT 1

### RUNNING ORDER OF THE TRIAL

- Tipstaff announces, “All rise - silence in court”
- The judge enters
- Registrar will ask the defendant to stand, reads the charge to him/her, and asks him/her how do they plead
- Defendant answers “Not guilty”
- Opening speech of the prosecution
- Each witness will be sworn in by the registrar before giving their evidence
- Examination-in-chief of the first prosecution witness
- Cross-examination of the first witness by the defence
- Pattern repeated for the next two witnesses
- Opening speech for the defence
- Examination-in-chief of the first defence witness
- Cross-examination of the first defence witness by the prosecution
- Pattern repeated for the next two defence witnesses
- Closing speech by the prosecution
- Closing speech by the defence
- Judge sums up the case and gives instructions to the jury
- Registrar swears in the tipstaff to look after the jury
- Jury goes to jury room to consider a verdict
- Verdict given by the foreman of the jury
- Sentence or dismissal by the judge

## LESSON 11 AND LESSON 12 THE MOCK TRIAL

### LESSON PLAN

#### Objective:

To run a successful and educational mock trial.

#### Aims:

- To enable the students act out their assigned role effectively
- To enhance their knowledge of what is involved in the trial process and the legal system by actively participating in a mock trial

#### Resources:

- Courtroom protocol - [Teacher's Notes 1](#)
- Instructions for participants - [Teacher's Notes 2](#)
- Order of the trial - [Teacher's Notes 3](#)
- Classroom layout for the trial - [Teacher's Notes 4](#) (The tipstaff will have organised this in advance of this class - note also the provision of a 'jury room')
- Time-keeping notes - [Teacher's Notes 5](#)

#### Duration: (75 minutes)

It will be necessary to adjourn the trial midway until the following class or to use a double class period for the trial.

#### Lesson 11: (35 minutes)

The teachers notes in Lesson 11 and Lesson 12 may also be used as a [student handout](#)

#### Introduction: (8 minutes)

Teacher explains some important matters:

- Every student must remain in character throughout the trial
- Every student must do the job assigned to them
- The jury must be concentrating at all times
- The tipstaff is to act as timekeeper for the purpose of the mock trial. He/she will ensure that speeches and questioning do not exceed the given time limit - [Teacher's Notes 5](#) (he/she may use a bell for this purpose)
- The teacher or visitor will act as judge during the mock trial. He/she will assist the tipstaff to enforce the time limits

#### Development: (27 minutes)

The enactment of the mock trial Part 1. See Order of the trial - [Teacher's Notes 3](#).

#### Closure

Teacher explains that Part 2 of the trial beginning with the opening speech of the defence will be the subject of Lesson 12.

#### Lesson 12: (40 minutes)

#### Introduction: (2 minutes)

The teacher ensures that all participants have resumed their positions.

#### Development: (38 minutes)

The enactment of the mock trial Part 2. See Order of the trial - [Teacher's Notes 3](#).

## LESSON 11 AND LESSON 12

### TEACHER'S NOTES 1

### COURTROOM PROTOCOL

- Witnesses stand to be sworn in and sit when giving their evidence
- Barristers stand when examining witnesses
- The accused, after the indictment is read and he/she pleads, sits down and does not rise until asked to do so by the judge
- When speaking to the judge, he/she should be addressed as 'judge' or 'the court'
- Interruptions are only allowed if permitted by the judge. Everyone must remain silent unless involved in the giving or taking of evidence or otherwise talking to the judge
- Mobile phones are not allowed in court
- No eating or drinking is allowed in court
- The jury must consider their verdict in private

## LESSON 11 AND LESSON 12

### TEACHER'S NOTES 2

### INSTRUCTIONS FOR PARTICIPANTS

#### THE JURY

The jury is sworn in by the registrar to try the accused fairly. The jury chooses one person to be foreman of the jury, to speak on their behalf. The jury must listen to all the facts and decide if the accused, Sam Beckham, is guilty of assault beyond a reasonable doubt. All twelve of the jury must agree on the verdict. If they cannot agree, the judge will tell them what they can do.

#### THE JUDGE

The judge must ensure that the accused, Sam Beckham, gets a fair trial. He/she must tell the jury of the law involved in the case. He/she must tell them that all twelve of them must agree on a verdict and must be satisfied beyond a reasonable doubt. If all twelve of the jury cannot agree on a verdict, the judge will tell them at that stage that a majority of at least ten will do. If the jury find the accused guilty, the judge must sentence him for assault to not more than five years imprisonment or a fine or both. If the jury find the accused not guilty, the judge will tell the accused he is free to go and excuse the jury.

#### THE REGISTRAR

The registrar must swear in the jury using the following words: "Repeat after me, I will faithfully try the defendant and give a true verdict according to the evidence."

He/she must then ask the accused to stand, read over the indictment, and ask him/her to plead guilty or not guilty to it. He/she must swear in each witness as they are called to give evidence by the prosecution or the defence.

#### T.V. / NEWSPAPER REPORTER

The reporters write a report on the case suitable for a feature on the evening news or publication in a national or local newspaper.

#### SKETCH ARTIST

The sketch artist sketches a description of the action in the court for publication in magazines or newspapers.

#### TIPSTAFF

The tipstaff must look after and protect the judge and must keep order in the court. The tipstaff will announce the judge's arrival and departure and will demand that all rise. (For the purpose of the mock trial the tipstaff will be responsible for time-keeping).

Copies of the instructions for participants (pages 56, 57 and 58) can be given to students.



## LESSON 11 AND LESSON 12

### TEACHER'S NOTES 2

### INSTRUCTIONS FOR PARTICIPANTS

#### OPENING SPEECHES

The prosecution will usually open the case when asked to do so by the judge. The prosecution will set out the facts which they hope to prove beyond a reasonable doubt. Once they do this they will call each of their witnesses to give their evidence.

#### EXAMINATION-IN-CHIEF

When examining their own witnesses, counsel for the prosecution and the defence must ask questions in such a way that it is the witness who is giving the evidence of what has been witnessed.

For example, "Mr. Rooney, did anything happen as you were watching the game?" "Yes my team scored." "What, if anything, did you do when your team scored?" "I jumped up and started celebrating" or "Mr. Beckham, when the other team scored what happened?" "Two of their supporters started shouting abuse at me and I was concerned for my children and I turned around and asked them to stop".

If this is not done then leading questions are being asked. These are questions where the answer is suggested in the question and the other side may object.

#### CROSS-EXAMINATION

One of the main purposes of cross-examination is to test the credibility of the witness and to try to find inconsistencies in the evidence of that witness. This is to allow the jury to see these inconsistencies because it is they who will be delivering the verdict. Also, the barrister for one side (Side A) will try to get a witness for the other side (Side B) to agree with the evidence of Side A, so as to make it seem more likely and more agreeable to the jury.

For example, "Mr. Sturridge, you said in your evidence and in your statement to the Gardaí that you have never been in trouble before, is that correct?" "Yes, that is right". "Is it not the case that you have previous convictions for using threatening and abusive behaviour and assault?" "Um, yes".

Note: You have now shown to the jury that Mr. Sturridge is a liar and dishonest and has a nasty temperament and it is now open to the jury to discard his evidence and not rely upon it in any way.

#### SELF-DEFENCE

The defence of self-defence is open to the accused. He will be acquitted if he can show that he used reasonable force in defence of himself or others.

## LESSON 11 AND LESSON 12

### TEACHER'S NOTES 2

### INSTRUCTIONS FOR PARTICIPANTS

#### **CLOSING SPEECHES**

Both the prosecution and the defence will have the opportunity to give closing speeches to the jury. In turn they will go over the evidence which is more favourable to them.

The prosecution will try to convince the jury that they have proved Sam Beckham guilty beyond a reasonable doubt and that they should find him guilty of assault.

The defence will then try to show that the prosecution have failed to prove their client's guilt beyond a reasonable doubt by pointing out inconsistencies in the prosecution case and will urge the jury to acquit Sam Beckham of the charge of assault.

## LESSON 11 AND LESSON 12

### TEACHER'S NOTES 3

### ORDER OF THE TRIAL

#### The Mock Trial

- Everyone, except the judge and the tipstaff takes their place in the courtroom
- The tipstaff announces "All rise. Silence in court"
- The judge enters
- When the judge sits down everyone else sits down
- The registrar swears in the jurors as a group "Repeat after me, I will faithfully try the defendant and give a true verdict according to the evidence"
- The registrar asks the jurors if they have selected a foreman
- The foreman stands up and says "yes"
- The registrar then asks the accused to stand up. The registrar reads out the Indictment (Lesson 8 and Lesson 9 - [Student Handout 2](#) - see page 48) to him/her and asks him/her "How do you plead? Guilty or not guilty?"
- The defendant pleads "Not guilty" and then sits down

The judge invites the prosecution to open the case.

- One of the prosecution barristers stands and gives the opening statement for the prosecution
- The prosecution barrister then calls the prosecution's first witness
- The witness goes to the witness box and stands
- The registrar swears in the witness "Take the Testament in your hand. Raise your hand and repeat after me, I swear to tell the truth, the whole truth and nothing but the truth." And then the witness sits down
- One of the prosecution barristers conducts the examination-in-chief of the witness. At the conclusion of the examination the barrister thanks the witness and sits down
- The judge invites the defence to cross-examine the witness
- One of the defence barristers stands and cross-examines the witness. At the conclusion of the cross-examination the barrister thanks the witness and sits down. The witness returns to his/her seat
- One of the prosecution barristers stands and calls the next prosecution witness
- This pattern is repeated for the prosecution's second and third witnesses
- This concludes the prosecution's evidence

**Note:** If the trial is not held within a double class period, it should be adjourned at this point by the judge to the next class.

## LESSON 11 AND LESSON 12

### TEACHER'S NOTES 3

### ORDER OF THE TRIAL

The judge invites the defence barristers to give their opening statement.

- One of the defence barristers delivers the opening statement for the defence
- The defence barrister then calls the defence's first witness - the accused
- The witness goes to the witness box and stands
- The registrar swears in the witness "Take the Testament in your hand. Raise your hand and repeat after me, I swear to tell the truth, the whole truth and nothing but the truth." And then the witness sits down
- One of the defence barristers conducts the examination-in-chief of the witness. At the conclusion of the examination the barrister thanks the witness and sits down
- The judge invites the prosecution to cross-examine the witness
- One of the prosecution barristers stands and cross-examines the witness. At the conclusion of the cross-examination the barrister thanks the witness and sits down. The witness returns to his/her seat
- One of the defence's barristers stands and calls the next defence witness
- This pattern is repeated for the second and third defence witnesses
- This concludes the evidence for the defence
- The judge invites the prosecution to give their closing speech
- One of the barristers for the prosecution stands and gives a closing speech while facing the jury and then sits down
- The judge invites the defence to give their closing speech
- One of the barristers for the defence stands and gives a closing speech while facing the jury and then sits down
- The judge sums up the case and instructs the jury to carefully consider the evidence and come to a verdict - [Teacher's Notes 2](#) see page 56
- The garda leads the jury from the courtroom to 'the jury room' to consider their verdict
- The garda stands outside the jury room to ensure that nobody leaves or enters while the jury are considering their verdict
- When they are ready, the jury foreman tells the garda that they have reached a verdict
- The garda tells the tipstaff who then informs the judge
- Led by the garda, the jury return to the courtroom

## LESSON 11 AND LESSON 12

### TEACHER'S NOTES 3

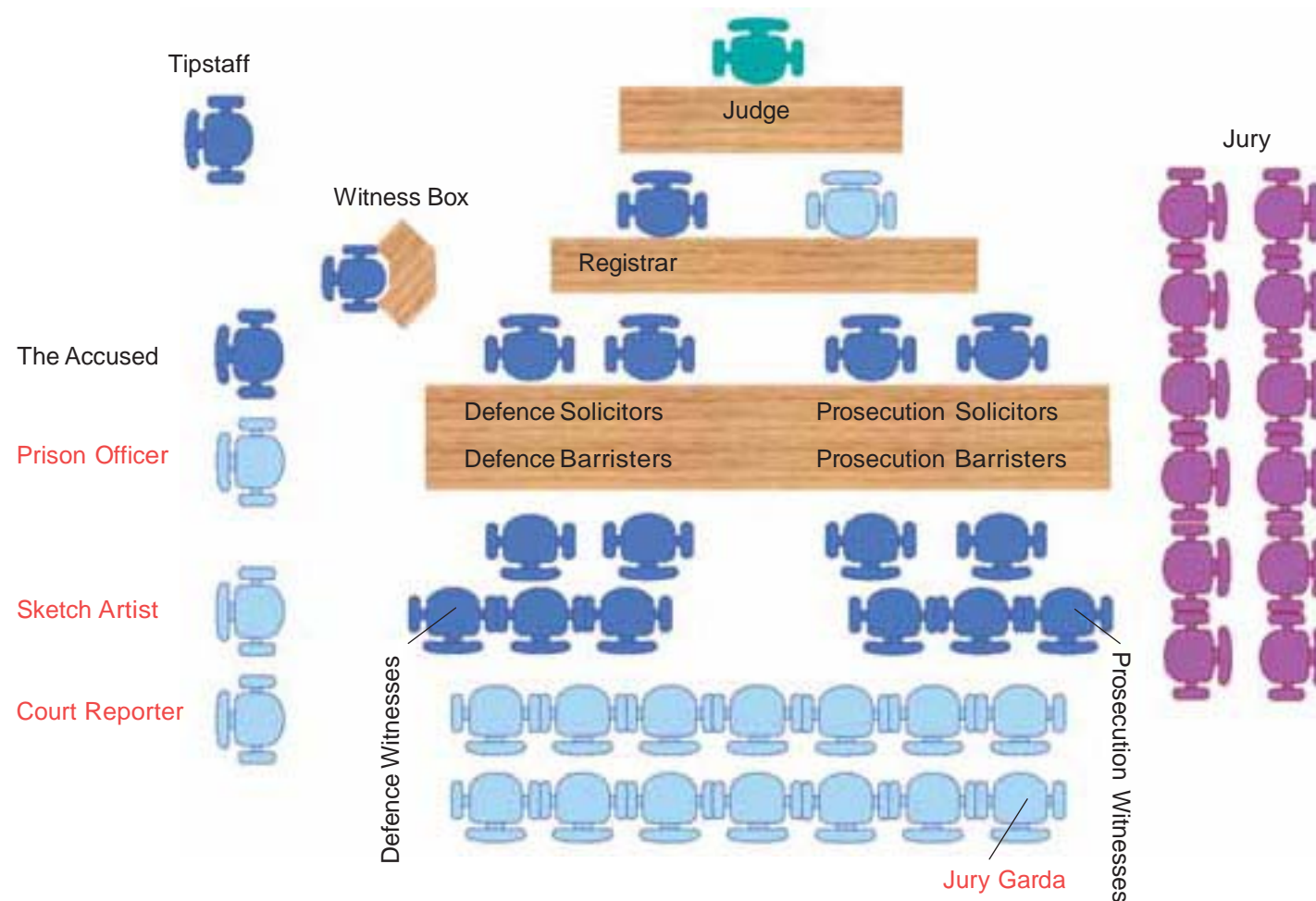
### ORDER OF THE TRIAL

- The registrar then asks the jury foreman to stand "Could the foreman of the jury please stand?"
- The registrar then asks if the jury have reached a verdict "Have the jury reached a verdict?"
- The foreman responds "yes"
- The registrar asks "How do you find the accused? Guilty or not guilty?"
- The foreman replies either "guilty" or "not guilty"
- If the accused is found guilty, the judge asks the accused to stand
- The judge imposes a 'sentence' -  
[Teacher's Notes 2](#) see page 56
- If the accused is found not guilty, the judge tells him/her that he/she is free to go
- The judge may now comment on how the trial went, areas that were particularly good and important moments during the trial. He/she may also point out the strengths of each of the cases presented to him/her.

# LESSON 11 AND LESSON 12

## TEACHER'S NOTES 4

### CLASSROOM LAYOUT FOR THE TRIAL



A teacher may choose not to include the **court users in red** in the mock trial if the number of students is insufficient. The chairs indicate the direction to face in the courtroom.

The tipstaff will need a copy of this page.

## LESSON 11 AND LESSON 12

### TEACHER'S NOTES 5

### TIME-KEEPING NOTES

Stage of Trial	Maximum recommended time
Opening speech by prosecution	3 minutes
Examination-in-chief of first prosecution witness	4 minutes
Cross-examination of first prosecution witness	4 minutes
Examination-in-chief of second prosecution witness	4 minutes
Cross-examination of second prosecution witness	4 minutes
Examination-in-chief of third prosecution witness	4 minutes
Cross-examination of third prosecution witness	4 minutes
Opening speech of defence	3 minutes
Examination-in-chief of first defence witness	4 minutes
Cross-examination of first defence witness	4 minutes
Examination-in-chief of second defence witness	4 minutes
Cross-examination of second defence witness	4 minutes
Examination-in-chief of third defence witness	4 minutes
Cross-examination of third defence witness	4 minutes
Closing speech by the prosecution	3 minutes
Closing speech by the defence	3 minutes
Time for jury to consider verdict	5 minutes

The tipstaff will need a copy of this page.

## OTHER ACTION PROJECTS

### Objective:

To facilitate other law-related action projects.

### Aims:

- To enable the students gain a practical knowledge of particular areas of law, either from an expert or from their own research
- To encourage the students to undertake other stimulating and inclusive action projects

### Resources:

- Ideas for action projects
- Relevant website addresses
- Useful contacts
- Useful film resources

### Ideas for an action project:

#### 1. Organise a field trip to:

- A courthouse
- A Garda station
- A law centre
- The Dáil
- The Society of King's Inns
- The Law Society of Ireland
- A Citizen's Information Centre

#### 2. Conduct a survey in the class or school to assess awareness of:

- The role of the courts
- The different courts in the Irish court system
- Who's who in the courtroom

#### 3. Arrange for a local person with professional experience in the area of law to visit the school.

Use the following list to assist:

- Barrister
- Solicitor
- Judge
- Court registrar or other court staff
- Member of An Garda Síochána or a Juvenile Liaison Officer
- Law professor or teacher
- Probation and welfare officer
- T.D. or councillor

Questions the students may wish to ask the visitor:

- How do you go about becoming a garda/solicitor/barrister etc.?
- What is the most interesting aspect of your work?
- Do you have any particularly interesting stories relating to your work?

#### 4. Conduct a campaign in the school to raise awareness of:

- The role of the courts
- What the law is
- People involved in the law

*Use information from the manual to create posters or handouts.*



## RELEVANT WEBSITES

### Ireland:

The Courts Service	<a href="http://www.courts.ie">www.courts.ie</a>
Irish Government	<a href="http://www.gov.ie">www.gov.ie</a>
Department of Justice & Equality	<a href="http://www.justice.ie">www.justice.ie</a>
Office of the Attorney General	<a href="http://www.attorneygeneral.ie">www.attorneygeneral.ie</a>
Office of the Director of Public Prosecutions	<a href="http://www.dppireland.ie">www.dppireland.ie</a>
An Garda Síochána	<a href="http://www.garda.ie">www.garda.ie</a>
The Law Reform Commission	<a href="http://www.lawreform.ie">www.lawreform.ie</a>
Legal Aid Board	<a href="http://www.legalaidboard.ie">www.legalaidboard.ie</a>
Citizens Information	<a href="http://www.citizensinformation.ie">www.citizensinformation.ie</a>
Public Appointments Service	<a href="http://www.publicjobs.ie">www.publicjobs.ie</a>
The Honourable Society of King's Inns	<a href="http://www.kingsinns.ie">www.kingsinns.ie</a>
The Law Society of Ireland	<a href="http://www.lawsociety.ie">www.lawsociety.ie</a>
The Bar Council of Ireland	<a href="http://www.lawlibrary.ie">www.lawlibrary.ie</a>
Irish Prison Service	<a href="http://www.irishprisons.ie">www.irishprisons.ie</a>

### Europe:

Ireland and the EU	<a href="http://www.euireland.ie">www.euireland.ie</a>
European Union	<a href="http://europa.eu/">http://europa.eu/</a>
European e-Justice Portal	<a href="http://e-justice.europa.eu/">http://e-justice.europa.eu/</a>
European Court of Justice	<a href="http://curia.europa.eu/">http://curia.europa.eu/</a>

## USEFUL FILM RESOURCES

### Film

Witness for the Prosecution (1957)
12 Angry Men (1957)
Anatomy of a Murder (1959)
To Kill a Mockingbird (1962)
The Verdict (1982)
A Few Good Men (1992)
Philadelphia (1993)

## USEFUL CONTACTS

### **The Courts Service Information Office**

Phoenix House  
15/24 Phoenix Street North  
Dublin 7  
Tel. 01 888 6459

Courts Service Regional Administrative and  
Support Offices:

**Western Regional Office** (Clare, Galway,  
Sligo, Mayo, Roscommon, Donegal and  
Leitrim)  
The Courts Service  
The Mall  
Castlebar  
Co. Mayo  
Tel. 094 904 3803  
Email: [westernro@courts.ie](mailto:westernro@courts.ie)

**Southern Regional Office** (Cork, Kerry and  
Limerick)  
The Courts Service  
74 Penrose Wharf  
Penrose Quay  
Cork  
Tel. 021 450 9374  
Email: [corkro@courts.ie](mailto:corkro@courts.ie)

**North Midlands Regional Office** (Longford,  
Louth, Westmeath, Cavan, Monaghan, Meath and  
Offaly)  
The Courts Service  
Courthouse  
Dundalk  
Co. Louth  
Tel. 042 939 2340  
Email: [northmidlandsro@courts.ie](mailto:northmidlandsro@courts.ie)

**Eastern Regional Office** (Kilkenny, Carlow,  
Wexford, Kildare, Wicklow, Tipperary and Waterford)  
The Courts Service  
Courthouse  
Naas  
Co. Kildare  
Tel. 045 980 100  
Email: [easternro@courts.ie](mailto:easternro@courts.ie)

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