

## About La Touche Training

La Touche Training is Ireland's leading legal training company. We specialise in training non-lawyers in legal matters. Our course designers and team of lawyers have unparalleled experience in providing high quality training that is tailored to our clients exact requirements.

We have worked with almost every local authority in the country including many planners and enforcement officers. We also provide bespoke courses for Engineers, Fire Officers, Housing Officers, Estate Managers, Traffic & Litter Wardens, Waste Management, delegates involved with Liability Claims and general Report Writing and Courtroom Skills training.

## Client List

### Local Authorities

- Clare County Council
- Cork County Council
- Cork City Council
- Donegal County Council
- Dublin City Council
- Dun Laoghaire/Rathdown County Council
- Fingal County Council
- Galway City Council
- Galway County Council
- Kerry County Council
- Kilkenny County Council
- Laois County Council
- Leitrim County Council
- Limerick County Council
- Longford County Council
- Mayo County Council
- Monaghan County Council
- Offaly County Council
- North Tipperary County Council
- South Dublin County Council
- South Tipperary County Council
- Westmeath County Council
- Wexford County Council
- Wicklow County Council

### Government & Regulatory Bodies

- Companies Registration Office
- Competition Authority
- Comreg
- Department of Communications, Marine & Natural Resources
- Department of Agriculture
- Department of Education and Science
- Department of Enterprise, Trade & Employment
- Department of Justice
- Environmental Health Officers
- Environmental Protection Agency
- Food & Safety Authority
- Financial Regulator
- Health & Safety Authority
- Irish Naval Service
- Labour Inspectorate
- Mental Health Commission
- National Parks & Wildlife Service
- Office of Director of Corporate Enforcement
- Office of Environmental Enforcement
- Office of the Director of Consumer Affairs
- Private Security Authority
- Revenue Inspectors
- Special Residential Services Board

***“Excellent course, trainer had great knowledge of planning enforcement. Course was very relevant to my area of work”***

**Planner, Wicklow County Council**

### La Touche Training

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**La Touche Training**  
the legal training consultants

# Advanced Skills in Investigation and Enforcement for Planning Officers



La Touche Training  
*the legal training consultants*



This updated 4-module intensive training programme ensures that Planning Officers will carry out their investigations in a professional manner. It will emphasise the importance of obtaining and securing evidence in accordance with best practice.

This all-encompassing training covers

- Enforcement Legislation
- Officers Powers
- Criminal Prosecutions
- Injunctions
- Judicial Review
- Offences & Penalties
- Collection of Evidence
- Documenting Findings
- Investigation Report Writing
- Courtroom Skills

This training will provide all Planning Officers with the essential skills required to take a successful criminal prosecution. It will emphasise the way evidence is collected and recorded directly affects the admissibility, credibility and weight in court.

## Who & Why?

This training is designed to provide Planning Officers with a clear insight into the legal framework in which they work. Delegates attending will examine the relevant legislation, looking specifically at their powers, offences and enforcement options. They will learn from qualified lawyers how to apply best practice in their procedures to ensure consistent standards are applied across the board, at all stages of the investigation and prosecution.

Delegates will learn how to investigate, collect and record evidence properly so that they can stand over their notes and statements if challenged in court. Our lawyer trainer will detail what is required when issuing relevant notices, when and where injunctions are appropriate and examine the impact of Judicial Review proceedings. The training is designed to give officers an insight into the way in which lawyers may attack and undermine their evidence during cross-examination.

## Course Outline

This is a 4-day course, it is recommended to run modules 1 & 2 together, followed by modules 3 & 4 at a later stage. Programmes can be tailored according to clients needs.

### Module 1 - Planning & Development Act 2000 (1 day)

On completion of this module all Officers will understand:

#### **Powers of Authorised Officers**

#### **Methods of Enforcement under the Act**

- Enforcement Notices
- Section 46 Notices
- Section 59 Notices
- Section 60 Notices
- Section 88 Notices

#### **Criminal Prosecutions:**

- Summary and Indictable Offences and Penalties
- Reverse Onus Clause
- Offences by Companies

#### **Injunctions**

- Section 160 Injunctions
- Costs/Polluter pays principal
- What factors the Court may take into account

#### **Judicial Review Proceedings:**

- What can be judicially reviewed
- What time limits apply
- When will the Court grant leave
- Case Law re substantial ground/interest
- Appeal to the Supreme Court

### Module 2 - Law, Evidence, Procedure and Best Practice (1-day)

On completion of this module Planning Officers will:

- Understand the need for consistency of approach in enforcement procedure
- Recognise different types of evidence, including, oral, documentary, hearsay, circumstantial and real evidence, which includes use of notebooks, photographs, and maps as evidence
- Distinguish between facts, inferences and opinions

- Follow best practice in evidence gathering procedure
- Consider the rules of evidence and admissibility of evidence
- Have an understanding of our legal system, court system and criminal prosecution procedure both summary and indictable.
- Follow guidelines in relation to the procedure required in case preparation

### Module 3 - Excellence in Written Evidence (1 day)

On completion of this module, delegates will be able to:

- Create, maintain and enhance best practice standards in note taking and maintenance of officers' notebooks
- Create, maintain and enhance best practice standards in statement writing including cautioning in accordance with the Judges Rules
- Consider and follow best practice in both investigation and prosecution report writing, to include analysis of model report formats

### Module 4 - Giving Effective Evidence (1-day)

On completion of this module, delegates will be able to:

- Understand summary and indictable trial procedure
- Consider the process of giving evidence and how best to prepare
- Appreciate the differences between examination-in-chief, cross-examination and re-examination
- Consider the techniques used by lawyers in cross-examination
- Analyse how to handle cross-examination, in particular getting across the whole truth
- Experience cross-examination in the witness box, and receive feedback based on assessment criteria, covering content, structure and presentation

## Numbers

The training is high quality, individually focused and interactive. We feel the quality of the training can suffer if numbers are too high and prefer delegates to have as much individual attention as possible. Numbers attending are a matter for you as the organisers but if you wish to have all delegates participate in the role-play we recommend a maximum group size of 8 delegates.

## Key Learning Points

- Managing a prosecution case from start to finish
- Gain an excellent knowledge of relevant legislation, procedures and practice
- Clear understanding of powers & offences.
- Issuing enforcement notices
- Analyse the rules of evidence and how to ensure collected evidence is admissible
- Develop best practice standards in note-taking and statement/report writing
- Learn how to give confident and clear testimony in court and to present the evidence in the best way possible
- Defending evidence under difficult cross examination