

David Langwallner

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Professional Qualifications:

Irish Barrister.

Kings Inns – Called to The Irish Bar – 1991.

Grays Inn – Called to The English and Wales Bar – 1993.

Academic Education:

Trinity College Dublin- B.A. (Law)- 1989

London School of Economics – LL.M (Masters In Law) – 1990.

Harvard Law School – LL.M (Masters In Law) – 1998 – Fellowship to Harvard.

Research assistant in Intellectual Property and Entertainment Law: Professor Paul Weiler.

Academic Awards:

Trinity College Dublin: The Henry Hunter Hamilton Memorial Prize for History.

Trinity College Dublin: The Kingsmill Moore Memorial Prize for Law.

Professional Experience/Employment:

Barrister:

September 2001 - Present – Practising Barrister (Also 1992-97) – Practising Barrister in Dublin and London (92-95)– I have handled a variety of cases in Constitutional Law (including Convention law) Administrative Law and Judicial Review, Asset Forfeiture, Commercial Law and General Civil (Including Libel), Intellectual Property and Entertainment Law, Commercial Arbitration, Conflicts of Law and historically some Employment Law and Criminal Defence.

I have reported cases in The Irish Reports and unreported judgements including:

Cosma v Minister for Justice Equality and Law Reform [2007] Vol. 2 IR 133

This case dealt with considerations of the right to life under Article 40.3 of the Constitution and Article 2 of the Convention and suicide risks in the context of deportation. And the ambit of the doctrine of administrative unreasonableness in Irish Law.

***Gilligan v Criminal Assets Bureau* [1998] 3 IR 185**

This case concerned a constitutional challenge to The Proceeds of Crime Act 1996 which I handled on my own against two senior counsel and two junior counsel. And involved consideration of the right to silence, property rights, due process considerations, the presumption of innocence and what is a criminal offence.

I also have several unreported judgements.

Honourable Society of King's Inns

(The Kings Inns is the sole provider of legal education for barristers in Ireland).

Diploma Course:

October 2002 – Present - Lecturer in Law at the Honourable Society of The Kings Inns in Constitutional Law and Jurisprudence. These lectures take place after court hours and are possible due to the centralisation of The Irish court system.

Degree Course:

2004- Present –

(i) Course Coordinator – Honourable Society of King's Inns – I was one of the co-ordinators who drafted the new one-year degree course in the King's Inns in Civil Practice and Procedure responsible to Dean Sarah McDonald. Modelled on The UK system.

(ii) I tutor on the degree course in Civil Practice and Administrative Law and Judicial Review. This year due to commitments of practice I am tutoring less but still tutor Administrative Law and Judicial Review.

(iii) I am a Personal Tutor providing pastoral care to a Degree group.

Professional Training: The Garda (Irish Police) Project 2007- Present.

- (i) I gave a paper and conducted a training session in Constitutional and Human Rights Law to the newly instituted investigators under the auspices of the Garda Ombudsman (Irish Police) – March 2007.
- (ii) I trained permanent civilian staff of the Garda (Irish Police) in Human rights Law at Templemore Training College- May and June 2007.
- (iii) I am training the special forces (Superintendents and Inspectors) of The Garda in Dublin in Constitutional and Human Rights Law in October 2007 present.

This project has been authorised by The Minister for Justice and covered a wide range of convention issues. It has also been extended to The Irish Civil Service.

Professional Appointments and Administrative Functions:

Tribunal Member of The Garda Disciplinary Tribunal – Appointed by The Minister for Justice July 2007.

Griffith College Dublin:

August 2008- Appointed Dean of Laws with responsibility for academic and course development. This position is a part time academic consultant position to Ireland's leading private law college. I presently lecture constitutional law, Jurisprudence and Intellectual Property Law after court hours.

August 2001- 2008 - Senior Lecturer in Law Griffith College Dublin. I presently lecture in Jurisprudence, Constitutional Law and Intellectual Property Law and have historically taken a clinic in advocacy to undergraduate law students.

August 2000-August 2001 – Head of Law Faculty Griffith College Dublin.

Other Positions:

August 1999-August 2000 – Senior Lecturer in Law at Sheffield Hallam University – Intellectual Property and Evidence. Duties also included supervising a Law Clinic program, assisting in The English Constitutional Law course and overall responsibility for all mooted activities.

1998-99- Associate as extension of the Harvard program at Hughes, Hubbard and Reed, No. 1 Wall Street, Battery Park Plaza, New York

1993-95 – Part Time Lecturer in Law at Holborn Law College to University of London LL.B students. My Primary responsibility was to lecture Jurisprudence.

1991-92- Federal Law Clerk for United States District Court Judge/10th Circuit Court of Appeals.

Legal Writing and Publications:

2008: Essay in Carolan and Doyle (Ed), “The Irish Constitution: Governance and Values.” Dublin: Thomson Round Hall. (2008)

Judicial Deference, Separation of Powers and the Failure to Vindicate the Rights of the Individual

This book was published to celebrate the 70th anniversary of the Constitution of Ireland and is a series of essays from leading practitioners and academics.

2008: The Bar Review (November 2008) Pages 109-114.

The Incoherence of Historicism in Irish Constitutional Interpretation.

A longer version is also published in Independent Law Review (2008) 17-24.

2007- Volume 2 Issue 4- Irish Business Law Quarterly – *The Scope of Patent Infringement in Irish Law after Ranbaxy:*

2007- Volume 2 Issue 2- Irish Business Law Quarterly- *The Availability of the Parody defence to Copyright Infringement in Irish Law.*

2007- Manual in Human Rights and Constitutional Law for training of Garda Forces under copyright of the Kings Inns.

2007-Volume 2 Issue 1- Irish Business Law Quarterly – Article on *Originality in Copyright Law after Feist and CCH Canadian.*

2005 Dublin University Law Journal – Expanded Book Review on Western Jurisprudence. The review which is 25 pages touches on many crucial aspects of Constitutional theory and Jurisprudential interpretation. (Ed: Tim Murphy).

2004 Dublin University Law Journal – Book Review on Binchy and Byrne: Annual Review of Irish Law.

2004- Independent Law Review – Article on “*The Lawyer in Cinema.*”

2004- Independent Law Review – Inaugural issue – “*Modest proposals for Constitutional Interpretation.*”

Contributor to Hogan/Gannon project for Irish White Book on Civil Procedure and Civil Litigation - Under supervision of Dr. Gerard Hogan.

Thesis written on “*A Comparative Constitutional Understanding Of The Law of Civil Forfeiture/Proceeds of Criminal Activity with reference to The European Convention, European Community, England, Ireland and The United States.*”

Grade awarded – A- Harvard Law School – 1998

Under supervision of Professor Alan Dershowitz

Thesis written on “*The application of Wigmorean analysis of proof to the assassination of John Fitzgerald Kennedy*” – Evidence and Proof - University of London 1990.

Thesis written on “*How Law is Like Literature*” – Jurisprudence course University of London 1990.

Manual completed on Jurisprudence which is used in the teaching of the Kings Inns course. This manual is the template for a book on Jurisprudence, which is currently being written for Round Hall Press/Sweet and Maxwell and forthcoming 2009.

Have also written a manual on Constitutional Law for Kings Inns and co-written one for Griffith College Dublin.

Conference Papers:

2009: CPD: Forthcoming: Masterclass in Judicial Review: January 2009: The restrictive doctrine of administrative unreasonableness.

2008: CPD Training: Seminar presented in Dublin (25th September 2008) and Cork (29th September 2008) on Judicial Review.

2007: December 13th 2007 – Paper delivered to Irish Jurisprudence Society:
“The Absurdity of Historical Interpretation and Originalism in Constitutional Interpretation.”

June 2007-Conference Paper on The Constitution at 70 at Trinity College Dublin–
Separation of Powers and The Failure to vindicate the rights of the individual.

I have attended various conferences in Ireland and The UK on behalf of the Kings Inns.

Debating and Public Speaking

Winner: International Observer Mace (British Isles Debating Championship) on behalf of Grays Inns.

Winner – Inter-Inns of Court Reed Shield – Inns of Court Debating Prize on behalf of Grays Inns.

Chairman – Grays Inns Debating Society.

Gold Medallist for Oratory Kings Inns.

Kingsmill Moore Debating Competition for Kings Inns.

World Debating Championship Team Semi-Finalist/ Best Individual Speaker.

Chairman London School of Economics Debating Society.

Gold Medallist for Oratory University Philosophical Society/Records Secretary College Historical Society.

Hobbies, Interests, Languages

Political History, International Affairs, Modern Fiction, Travel, Film, Music, Art.

Languages: German (good if out of practice), French (basic), Irish.

Referees

1: Dr. Gerard Hogan S.C. Fellow Trinity College Dublin, College Green, Dublin 2. Tel: 4979072. Fax: 4979074.

2: His Honour Mr. Justice Peter Butler Charleton, The Four Courts, Law Library, Dublin 7. Tel: 4979043. Fax: 4976045.

3: Professor William Twining, FBA, QC, DCL, JD, LL.D., Emeritus Quain Professor of Jurisprudence University College London. (01865 775895)

4: Dean Sarah McDonald, Former Dean of The Kings Inns, Henrietta Street, Dublin 2 now The BPP London.