

UNIVERSITY OF  
BIRMINGHAM

## LLM Taught Masters programmes in Law



The laws of England have had, and continue to have, an enormous impact upon the development of the law of other jurisdictions, and on the conduct of international commerce.

*Professor Jonathan Harris,  
Professor of International Commercial Law*

College of Arts and Law  
Birmingham Law School

# About Birmingham Law School

For over 80 years Birmingham Law School has made a major contribution to teaching and scholarship. Our academics are leaders in their fields and the authors of many key works used by practitioners today.

The 2008 Research Assessment Exercise puts Birmingham Law School seventh in the country for world-leading and internationally excellent research. Together with our rating of seventh in the country in the 2010 Times Good University Guide, these results underline the School's strength across the legal curriculum, the top class teaching it provides and the extent of its contribution to policy making and our understanding of the modern world.

Academics working in the School have carried out important applied legal research, much of it commissioned by the government and other public bodies. Among the projects recently completed are a national study of the tracking of offenders by satellite for the Home Office and an investigation of the ethnic diversity of juries for the Department for Constitutional Affairs. The School recently hosted a major conference on the legal and ethical issues related to scientific advancements in medicine.

The School is located at the heart of the Birmingham campus within a listed redbrick building creating a beautiful backdrop for your studies. As a school we pride ourselves on the friendly supportive atmosphere which we

offer to students and this is exemplified through our excellent results in the National Student Survey each year.

The Law School has a vibrant student community and there are currently over 80 students registered on the LLM programme alongside a further 50 students undertaking research degrees. There are also over 800 students studying on our undergraduate programmes.

## Links to the Legal Profession

We are the most established law school in the one of the largest legal markets in the UK. This means that Birmingham has excellent links to the legal profession and an outstanding record of students with pupillages and training contracts.

Students at Birmingham can attend a wide range of visiting lectures given by national and international figures on important legal topics. Past speakers have included the Lord Chancellor, the Attorney General, HM Inspector of Prisons, the Lord Chief Justice, top UK and European Judges and many other important figures from government, academia, and the judiciary.



Students may find out more about entering the legal profession by joining the activities organised by our student society, the Holdsworth Club. This is a student club for Law students which maintains very strong links with the professional legal world and organises events attended by representatives of major law firms.

## Learn more

[www.careers.bham.ac.uk](http://www.careers.bham.ac.uk)

[www.theholdsworthclub.co.uk](http://www.theholdsworthclub.co.uk)

'The LLM at Birmingham offers the opportunity to study with internationally renowned scholars and to develop specialist knowledge and understanding of English law in a broad range of areas, ranging from criminal justice to commercial law'

*Professor Jonathan Harris*



## The Harding Law Library

Our students spend a considerable amount of time working in the Harding Law Library. We are one of the only Law Schools in the UK to have a dedicated law library within the School building and students quickly begin treating it like a second home.

The Harding Law Library contains over 55,000 volumes including a comprehensive selection of books of statutes, law reports and journals for the United Kingdom, the Commonwealth, the member countries of the EU and the USA. Workspaces are available for 356 readers and popular books are made available within the short loan section.

The library has a learning advisor who is responsible for providing training sessions on legal research using electronic resources and is available to provide expert assistance with finding electronically-published material.



# The LLM Programmes

- LLM in Commercial Law
- LLM in Criminal Law and Criminal Justice
- LLM in European Law
- LLM in International Commercial Law
- LLM (General)

## Why study an LLM at Birmingham Law School?

- All modules are taught by internationally-recognised academics
- Our teaching is seminar based in a friendly and supportive environment
- We offer a range of scholarships
- The cosmopolitan and cultural experience of living in England's booming second city
- The excellent transport links to the rest of the UK, Europe and the world, including an international airport nearby

## Programme structure

The LLM programmes last twelve months, running from September to September. In part I of the programmes, students take four 30-credit taught modules. Students choose at least three modules from the list for their chosen programme and can choose the fourth from the list available on the LLM (General). For 2010 we are hoping to offer some highly specialised 15-credit modules which will expand the range of subjects available on each programme. Please check our website for the latest details.

In part II of the programmes, students research and write a 15,000-word dissertation on a selected topic of law under the supervision of a member of staff.

The programmes are designed to enable you to develop expertise in a range of subjects. You will acquire a systematic understanding and a critical appreciation of the problems that arise in these fields. You will also be encouraged to demonstrate originality in the application of knowledge together with a practical understanding of how established research techniques are used to create and interpret knowledge.

## Studying part-time

All the LLM programmes may be taken part-time and completed over a period of two years. This mode of study is particularly suitable for barristers and solicitors who wish to combine professional practice with university-level study, potentially gaining CPD points in the process.

## Welfare

Ensuring our students are happy whilst studying and living in Birmingham is of paramount importance to the Law School. Each LLM student is allocated a member of staff as a personal tutor, ensuring that there will always be an academic contact with whom students can discuss any personal difficulties impinging upon their academic progress.



## International students

All of our LLM programmes are ideally suited to international students and we welcome their applications. For students from outside the UK we offer additional introductory lectures on the British constitution, sources of English law and the working methods of the common law system.

International students attend an orientation course run by the university's International Office before the start of the academic session to help them feel at home in Birmingham before the course begins.

The English for International Students Unit provides a range of support in reading and writing academic English. General information for international students about studying at the University of Birmingham is given at the webpage of our International Office.

## Learn more

[www.international.bham.ac.uk](http://www.international.bham.ac.uk)  
[www.eisu.bham.ac.uk](http://www.eisu.bham.ac.uk)



'I chose Birmingham because of its strong emphasis on European Law. The teachers encourage discussions in class, based on well thought out and interesting reading lists'

*Soren Bottger, graduated 2003,  
 Currently with the legal firm  
 Jung & Schleicher*

## LLM in...

### International Commercial Law

The past decades have seen enormous growth in international commerce, increasing the importance and prominence of international commercial law. This area of law provides a basis for international business transactions and the development of international markets. The increasing relevance of this programme makes it an excellent choice for those seeking opportunities in the commercial world.

#### Modules:

Students choose 3 or 4 modules from the following list:

- Commercial Conflict of Laws
- EU and WTO Procurement Law
- EU Competition Law
- Financing of International Trade

- International and Comparative Oil and Gas Law
- International Commercial Arbitration
- International Investment Law
- Law and Policy of the WTO
- Marine Insurance
- Maritime Law
- The Vienna Sales Convention

If you choose only 3 modules from the list above you can choose any module from the General LLM list.

#### Dissertation:

Your dissertation must be on an approved topic in the area of international commercial law

#### Members of staff teaching on the programme:

- Mr N Jansen Calamita
- Professor Nelson Enonchong
- Professor Jonathan Harris
- Dr Luca Rubini
- Dr Djakhongir Saidov
- Professor Martin Trybus

'Studying for an LLM in Birmingham was a life-changing experience. The combination of in-depth legal research and high-quality tuition provided me with strong foundations for my legal practice today.'

*(Natalie Petrides,  
partner at Kinanis-Pyrgou and  
Co Law Firm Nicosia, Cyprus)*

### Commercial Law

Commerce and trade exert some of the most powerful influences on human activity and commercial relationships reflect a constantly evolving world. The ingenuity of traders and the complexity of modern commerce is truly breathtaking. The study of Commercial Law provides an excellent opportunity to immerse yourself in this important and fascinating area of law.

#### Modules:

Students choose 3 or 4 modules from the following list:

- Agency and Domestic Sale of Goods
- Commercial Conflict of Laws

- English Law of the International Sale of Goods
- Financing of International Trade
- Health and Safety at Work Law
- Marine Insurance
- Maritime Law

If you choose only 3 modules from the list above you can choose any module from the General LLM list.

#### Dissertation:

Your dissertation must be on an approved topic in the area of commercial law

#### Members of staff teaching on the programme:

- Mr George Applebey
- Professor Nelson Enonchong
- Professor Jonathan Harris
- Dr Djakhongir Saidov



#### Student profile: Christina Santos, LLM Student 2008-09

'Birmingham is one of the best law schools in the UK and when you come here you understand why. The lecturers are fantastic, providing lots of discussion in classes and stimulating interest in the subject. It is important that you are prepared to participate as this is how you will get the most out of the course.'

Birmingham has an international reputation and people know how good your education has been when you go to look for jobs. I think it is important to study away from home as we are part of the world economy and it is through gaining understanding and experience of different cultures and practices that we will be able to be successful in this changing environment.'

## Criminal Law and Criminal Justice

Criminal Law is concerned with the most potentially invasive assertion of authority by the state: if you fail to comply with the law you will be punished. This programme provides a holistic analysis of the criminal process through an analysis of the law, its philosophical underpinnings and its operation in practice. The modules on this LLM will allow you to study the five separate objectives used in enforcement of Criminal Law & Criminal Justice; retribution, deterrence, incapacitation, rehabilitation and restitution. All of these are subjects of great debate and controversy across all jurisdictions.

### Modules:

Students choose 3 or 4 modules from the following list:

- Criminal Law and Medicine
- European Human Rights Law
- Health and Safety at Work Law
- Homicide
- International Criminal Law
- International Human Rights
- Legal Responses to Terrorism
- Public International Law
- Restorative Justice
- Theory of Criminal Law

If you choose only 3 modules from the list above you can choose any module from the General LLM list.

### Dissertation:

Your dissertation must be on an approved topic in the area of criminal law and criminal justice

### Members of staff teaching on the programme:

- Mr George Applebey
- Dr Martin Borowski
- Professor Robert Cryer
- Dr Kate Doolin
- Dr Adrian Hunt
- Mr Bharat Malkani
- Dr Alexander Orakhelashvili
- Professor Andrew Sanders
- Dr Stephen Smith
- Dr Anastasia Vakulenko
- Dr Elizabeth Wicks

## European Law

The European Union is the largest market in the world, has many neighbours, and is active in trade with practically every other state. Furthermore, the economic and social landscape of modern Europe has been shaped by European Law. You will study the underlying rules, principles, and policies of a legal system which is still evolving. European Law has an enormous and increasing impact, not only on domestic legal systems, but on all aspects of European life, making an LLM in European Law exciting, important and relevant.

The LLM in European Law provides the opportunity to study, in depth, the key aspects of European Union law. Birmingham Law School has considerable research strengths in the field, with staff working under the auspices

of the School's Institute of European Law. Birmingham also has the distinction of being a Jean Monnet European Centre of Excellence, highlighting the excellent research and teaching which takes place within the school.

### Modules:

Students choose 3 or 4 modules from the following list:

- Commercial Conflict of Laws
- EU Constitutional Law
- EU Security and Defence Law
- EU and WTO Public Procurement Law
- European Human Rights Law
- EU Competition Law
- Health Law and the European Union
- Law of the Internal Market

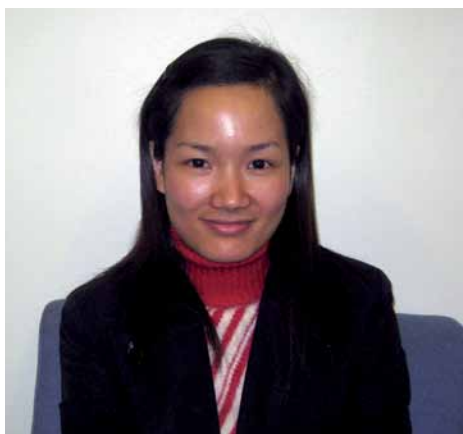
If you choose only 3 modules from the list above you can choose any module from the General LLM list.

### Dissertation:

Your dissertation must be on an approved topic in the area of European law

### Members of staff teaching on the programme:

- Dr Martin Borowski
- Professor Jonathan Harris
- Dr Julian Lonbay
- Dr Luca Rubini
- Professor Martin Trybus
- Dr Elizabeth Wicks



### Student profile: Thao Nguyen, LLM Student 2008–09

'I decided to come and study at Birmingham because it is known as one of the top law schools in the UK, a country with a long established reputation of educational excellence.

University facilities such as the libraries, e-learning and WebCT are modern and constantly updated. Students get the chance to make use of state-of-the-art technology and there is training available to ensure that we know how to get the most out of the available resources. There is lot of support for international students, which is all free! Lunchtime English courses that cover all aspects of English language have helped me hugely in the early stages of my study as I was not used to living in an English environment.'

# LLM (General)

An LLM in law gives you the opportunity to decide which areas have the most relevance to your future career and choose the four modules from all of our other programmes that most interest you. This is the ideal programme if you wish to gain Masters level knowledge and skills without limiting yourself to a particular branch of law.

The General LLM programme provides students with the flexibility to study modules across the full range of available subjects, covering the entire legal spectrum. This means that you are able to choose modules which reflect your specific interests and shape your studies to suit your career goals.

In addition, there are some modules which are unique to the General programme: Advanced Political and Legal Theory, and Comparative Perspectives on Law, Globalisation and Development.

This programme is particularly suitable to those seeking exposure to a range of legal disciplines, giving students expertise across the board and providing the skills and knowledge required for a successful legal career.

### Modules:

Students choose 4 modules from the following list:

- Advanced Political and Legal Theory
- Agency and Domestic Sale of Goods
- Commercial Conflict of Laws
- Comparative Perspectives on Law, Globalisation and Development
- Criminal Law and Medicine
- English Law of the International Sale of Goods
- European Human Rights Law

- EU and WTO Procurement Law
- EU Competition Law
- EU Constitutional Law
- EU Security and Defence Law
- Financing of International Trade
- Health and Safety at Work Law
- Health Law and the European Union
- Homicide
- Human Rights and Health Care Law
- International and Comparative Oil and Gas Law
- International Commercial Arbitration
- International Criminal Law
- International Human Rights
- International Investment Law
- Law and Policy of the WTO
- Law of the Internal Market
- Legal Responses to Terrorism
- Marine Insurance
- Maritime Law
- Public International Law
- Restorative Justice
- Theory of Criminal Law
- The Vienna Sales Convention

### Dissertation:

Your dissertation must be on an approved topic of law.

### Members of staff teaching on the programme:

- All members of staff in this brochure teach on the General LLM programme



'The professors on the LLM programme are at the top of their chosen field and we benefit from their expertise.'

*Ogoke Wilson Emeka,  
LLM Student 2008-09*



### Student profile: Sarah Schöbel, LLM Student 2008-09

'The most positive feature of the LLM programme is the open atmosphere between the module leaders and the students. Due to the small size of the groups, the motivation of the students and the professional guidance of the module leaders, a very productive discussion becomes possible.'

I plan to start a career in the international field, where an insight in the interdependencies between law and other influencing factors is crucial. This perspective is exactly what my modules provided, so I'm sure the LLM will help me to find a job with the UN or other actors on the international field such as NGOs.'

# How to Apply



## LLM entry requirements

- A first or upper second class Honours degree in law (or a joint Honours degree with a major law component)
- Students with lower second class Honours degrees in law will be considered if supported by strong references
- An overseas qualification of equivalent standard, whether from a common law, civilian or other jurisdiction
- A UK Honours degree in a non-law subject with a good pass in a Common Professional Examination course
- An upper second class Honours degree in a non-law subject, alongside substantial legal experience

## English Language requirements

If your first language is not English you must provide an English language qualification. Recognised qualifications are:

<b>IELTS</b>
7.0 with no less than 6.0 in any band
<b>TOEFL (old)</b>
600*/250** plus Test of Written English (TWE) 4.0
<b>TOEFL IBT*** (New)</b>
100 with no less than 20 in any band

\* paper-based test (PBT) \*\*Computer-Based Test (CBT)

\*\*\*Internet Based Test (IBT)

If you need to improve your level of English in order to meet the minimum entry-level requirement you may be able to attend one of the full-time courses run by our English for International Students Unit. Please see their website at [www.eisu.bham.ac.uk](http://www.eisu.bham.ac.uk)

## Fees

Fees for full-time taught LLM programmes in 2010–11 are:

- For UK/EU students £4,500
- For International students £10,800

These fees are currently provisional and may rise slightly. Fees for taught LLM programmes

in 2011–12 are not yet available. Please check our website at [www.law.bham.ac.uk](http://www.law.bham.ac.uk) for the latest information. Please contact us for information about fees for part-time study.

## Living expenses

The University fees do not take into account the cost of accommodation, living expenses and books. We estimate that for a period of 12 months you will need between £9,000–£12,000 available to you.

## Scholarships

### Birmingham Law School Scholarships

For 2010–2011 Birmingham Law School may be able to offer a number of scholarships to applicants for its taught LLM programmes.

Scholarships if available will be awarded on the basis of academic merit and financial need. Applicants must already have applied for admission to the LLM degree.

### Applying for a Scholarship

Applicants are required to send a letter of motivation to Mrs Sharon Jones ([law-llm@bham.ac.uk](mailto:law-llm@bham.ac.uk)) addressing the twin requirements of academic merit and financial need.

The closing date for the receipt of Scholarship applications is Friday 23 June 2010. Please check our website for the latest details.

Successful applicants will be notified by the end of June 2010. Scholarships are not payable directly to successful applicants but are set off against the University fee invoice and will be transferred once successful applicants have paid the balance owed by them to the University.



## University Scholarships

The University offers a number of country-specific scholarships to postgraduate students commencing a one-year taught Masters degree. [www.international.bham.ac.uk/prospective/scholarships](http://www.international.bham.ac.uk/prospective/scholarships)

## Application procedure

Apply online: [www.apply.bham.ac.uk](http://www.apply.bham.ac.uk)

You can request a paper form from:  
Postgraduate Admissions  
University of Birmingham, Edgbaston  
Birmingham, B15 2TT UK  
Email: [admissions@bham.ac.uk](mailto:admissions@bham.ac.uk)

You will receive an acknowledgment letter once your application has been received. Once we have received all of the required information from you we will normally make a decision about your application within two weeks.

## Admissions Office

Email: [admissions@bham.ac.uk](mailto:admissions@bham.ac.uk)  
Tel: +44 121 414 5488  
Fax: +44 121 414 6378

If your application is successful the University Admissions Office will write to confirm the formal offer and advise you of any conditions.

## Course dates

The course begins at the end of September each year and runs for 12 months (full-time) or 24 months (part-time).

Applications will be considered at any time in the 12 months preceding the start of the academic session.

# Academic staff teaching on the LLM programme

- **George Applebey, LLB, MCL, ACI Arb**  
Health and Safety at Work Law, Contract Law
- **Martin Borowski, Ass Iur, Dr Iur, Priv-Doz**  
Human Rights, Jurisprudence, Law and Religion, EU Law
- **Gavin Byrne, BCL, LLM, PhD**  
Jurisprudence, Property Law, Intellectual Property Law
- **N Jansen Calamita, BA, JD (Boston), BCL (Oxon)**  
Public International Law, International Investment Law, International Dispute Settlement, Conflicts of Laws
- **Robert Cryer, LLB, LLM, PhD**  
Professor of International and Criminal Law  
International Law, Criminal Law
- **Katherine Doolin, LLB (Hons), PhD, Barrister and Solicitor (New Zealand)**  
Criminology, Restorative Justice, Youth Justice
- **Nelson Enonchong, LLB, MA, LLM, PhD, Barrister (No5 Chambers)**  
Barber Professor of Law  
Commercial Law, Contract Law, Banking Law
- **Martin George, LLB (Leic), LLM (Nott)**  
Private International Law, Maritime Law
- **Jonathan Harris, MA, BCL, PHD, Barrister (Serle Court Chambers)**  
Professor of International Commercial Law  
Commercial Law, Conflict of Laws, Equity and Trusts
- **Sonia Harris-Short, BA, LLM, Barrister-at-law**  
Family Law, Law and Reproduction, International Human Rights
- **Adrian Hunt, BCL (NUI), PhD**  
Legal Responses to Terrorism, Human Rights, Regulation of Privatised Industries
- **Julian Lonbay, LLB, Doctor of Law, EUJ**  
Law of the European Union, legal education
- **Bharat Malkani, LLB (Bristol); LLM (Nottingham)**  
Human Rights, Criminal Law, International Law
- **Jean McHale, LLB (Hons) (Manchester), MPhil, (Manchester)**  
Professor of Health Care Law  
Medical and Health Care Law
- **Alexander Orakhelashvili, LLM (Leiden), PhD (Cantab.)**  
International Law
- **Luca Rubini, Laureato in giurisprudenza. MA, PhD**  
Deputy Director of the Institute of European Law  
International trade law, regulation of State intervention in the economy, energy and climate change, development and human rights, competition law, EC/WTO law
- **Djakhongir Saidov, LLB, LLM, PhD**  
International commercial law, Law relating to international oil and gas operations
- **Stephen Smith, BA, JD, PhD**  
Jurisprudence, Medical Law and Ethics, End of Life decision-making
- **Celine Tan, LLB (London), LLM (Warwick), PhD (Warwick)**  
Law and development, Law, globalization and governance of international economic relations, Gender and human rights
- **Martin Trybus, LLM, PhD, Ass. Iur.**  
Professor of European Law and Policy and Director of the Institute of European Law  
European Law, European defence and security integration, Public procurement
- **Keith Uff, BA, BCL, MA (Oxon.), Barrister (GJ)**  
Agency, Sale of Goods
- **Anastasia Vakulenko, LLM, PhD (Nottingham)**  
Human rights, Religion and secularism, Critical and feminist theory
- **Elizabeth Wicks, LLB, LLM, PhD**  
Medical Law, Human Rights, Constitutional Law

Please see our website for full academic profiles:

[www.law.bham.ac.uk/staff/](http://www.law.bham.ac.uk/staff/)

'The LLM Programme offered me what I was looking for: a broad variety of modules which enabled me to specialise in the areas of law in which I was interested; well known and experienced members of staff who set a high academic standard and last but not least a very beautiful campus.'

*Ingemar Breuss, LLM Student 2002-03*



# Module Catalogue

As with most academic programmes, it is possible that a module may not be offered in any particular year, usually because a member of staff is on study leave. Although we make every effort to ensure that all advertised modules will run, we cannot guarantee that every module will run every year.



## Assessment

Modules on the LLM programmes will be assessed in one of the following ways. As this brochure is printed in advance, it is not possible to specify which method of assessment will be implemented for each module.

Possible assessment methods:

- Two 4000 word essays, or
- One 8000 word essay, or
- One 3-hour written examination, or
- One 4000 word essay and one 2 hour written examination

## Modules:

### Advanced Political and Legal Theory

Dr Gavin Byrne

This module explores both the relationship between political and legal theory and some of the arguments and concepts used therein. The module will cover a range of specific topics, including: Equality, Neutrality, Liberty, Rights, Authority and Obligation, Interpretation, the 'Normativity' of Law, Contractarianism, Communitarianism, Feminist Legal Theory, and the Critical Legal Studies movement. Students who take this module will find that it complements a broad range of legal scholarship.

### Agency and Domestic Sale of Goods

Mr Keith Uff and Mr George Applebey

This module is concerned with two basic contract-related areas of commercial law: Agency and Sale of Goods. The law of agency is concerned with legal transactions carried out through intermediaries. Since most commercial transactions are carried out on behalf of corporate bodies, they necessarily involve the use of agents acting for the parties. After a brief introduction dealing with the definition of agency and the establishment of the agency relationship, the module considers in detail the making of contracts by agents and the power of the agent to bind the principal. We introduce Sale of Goods by explaining how such contracts are to be distinguished from other

types of contract. The module also covers the property aspects of the contract including the passing of property in the goods from the seller to the buyer, the passing of risk and frustration, retention of title clauses and sales by a non-owner. It then considers the contractual aspects of the transaction, including the duty of the seller to deliver goods of the right quality and the duty of the buyer to take delivery and pay for the goods.

## Commercial Conflict of Laws

Professor Jonathan Harris

Commercial Conflict of Laws examines the resolution of cross-border commercial disputes in English courts. It looks at the jurisdiction of English courts under both the European rules in the Brussels I Regulation and the English common law regime. It considers how parties may prevent themselves from being sued in a foreign jurisdiction. It also examines the circumstances in which an English court will recognise or enforce a judgment delivered overseas.

The module then looks at which country's laws an English court will apply to resolve a cross-border dispute on the merits (known as choice of law). It examines which law governs an international contract, looking at the rules of the Rome I Regulation. It then looks at the choice of law rules applicable to tort and to lifetime transfers of property. Inevitably, cross-border disputes arise in every field of commercial law, so this module complements any choice of modules on the LLM programme. Many of the rules have been harmonised around the EU; whilst others have heavily influenced the rules in other legal systems.



This publication is printed many months before commencement of the programmes; Please check our website for more recent information, or contact us if you have a particular question about a module.

## Learn more

Details of the LLM modules can also be found on the Birmingham Law School website at [www.law.bham.ac.uk](http://www.law.bham.ac.uk)

### Comparative Perspectives on Law, Globalisation and Development

Dr Celine Tan

This module develops a theoretical and contextual understanding of the intersections between law, processes of globalisation and the social and economic organisation of societies, with a specific focus on developing countries and transition economies. It considers the impact of globalising processes and institutions of global governance on national law and governance relating to economic planning, development policy and the management of natural resources. It also explores the relationship between the theories, policies and practices of 'development' and the role of law in shaping the social and economic behaviours of state and non-state actors.

### Criminal Law and Medicine

Dr Stephen Smith

This module examines the often controversial relationship between criminal law and medicine. This course will explore the doctor-patient relationship and its impact on the criminal law. Additionally, it will focus on the interaction between the criminal law and health care practices including the use of criminal law sanctions against doctors (either involved in negligence or the abuse of the health care system) and the use of the criminal law to deal with public health crises. Furthermore, there will be considerable attention paid to the impact of the criminal law upon medical ethics concerns such as abortion, organ transplantation and end of life decisions. The focus will be on arrangements in England and Wales, but comparative material from other jurisdictions will be used.

### English Law of the International Sale of Goods

Dr Djakhongir Saidov

Sale of goods is one of the central disciplines of commercial law and international sale of goods is the main channel for the conduct of international trade. English law plays an important role in governing international sales transactions and this module examines the central aspects of English law of international sale of goods.

The module will explore the justifications of international trade and peculiarities of structures, organisations and workings of commodities markets. It will then address the relevance of general contract law to sales law and the relationship between these two areas. The remaining part of the module will focus on issues peculiar to international sales such as: the definition of a contract of international sale of goods; main types of sales contracts such as CIF and FOB contracts; the role and function of bill of lading and other documents; passage of property and risk; export and import licences; remedies for breach of contract; impossibility of performance.

### European Human Rights Law

Dr Martin Borowski

This module will address: the background, drafting and ethos of the European Convention on Human Rights (ECHR); the complaints procedure under the ECHR; a selection of the Convention rights; limitations on the Convention rights; incorporation of the Convention rights into the domestic law of the United Kingdom in the Human Rights Act 1998; protection of fundamental rights under European Union law, including EU Charter of Fundamental Rights and the relationship between the EU and the ECHR

### EU and WTO Procurement Law

Professor Martin Trybus

Public Procurement concerns the purchasing relationship between governments and the private sector, an area of the economy which is about 16% of the GDP of member states of the EU. That means that this module is of interest both to students interested in European law and commercial law. The module covers the public procurement law of the European Community (EC), the World Trade Organisation (WTO), and the United Nations International Commission for Trade Law (UNCITRAL) in its economic and political contexts.

The module will look at the entire EC public procurement law, including a substantial body of case law, and a number of interpretative communications of the Commission. European public procurement law will then be placed in its international context as a model for public procurement reform across the globe on the one hand and through its interaction with the Government Procurement Agreement (GPA) of the WTO on the other.

### EU Competition Law

Dr Luca Rubini

The European Union is the largest market in the world and this module examines the regulation of those private and public practices that may distort competition within it. The module is divided into two sections. In the first, students will explore the economics of competition policy and the goals of antitrust legislation; the regulation of collusion (Article 81 EC) and abuses of dominant position (Article 82); the enforcement of EC competition rules and merger control. The second part will focus on the regulation of State intervention in the economy. In particular, the analysis will focus on the application of antitrust rules in the presence of a 'State action', the regulation of the conduct of public bodies and undertakings with special and exclusive rights, public services, and liberalisation (Article 86 EC), and the control of State aids (Articles 87–89 EC).



### EU Constitutional Law

Professor Martin Trybus

This module will explore the two main aspects of the fundamental constitutional law of the European Union. The institutional framework of the Union with the Council, Commission, European Parliament, and European Court of Justice and their interaction in the legislative process and judicial review will be discussed. This analysis will include the constitutional role of the Member States, through their governments in the Council and through judicial review and through their courts in the preliminary reference procedure. In addition, the principles of European Community law, most notably conferred powers, supremacy, direct effect, indirect effect, and State liability and their relation to each other will be explored. The two main aspects will be put in their political, historical, and economic context.

### EU Security and Defence Law

Professor Martin Trybus

This module covers an area of international law that is developing very fast and is highly political: the European laws relating to defence and military security. The module will take EU and regional European international law and place it in its political, historical and economic context.

The module will take primary and subsidiary sources of European Community law, the Common Foreign and Security Policy and regional international law into account. The course will put EU Security and Defence Law into an international context by relating it to the law of the United Nations, NATO, the OSCE and other organisations.

### Financing of International Trade

Professor Nelson Enochong

This module deals with the law relating to methods of financing international trade. It begins by considering international payments generally and risks involved. It covers international financing by various means including financing by means of a bill of exchange, documentary credits or letters of credit, financial leasing, forfeiting and factoring. It also deals with various ways by which the purchaser could protect himself through bank guarantees, especially on demand guarantees or performance bonds. The module is concerned primarily with English law, including UK legislation such as the Bills of Exchange Act. There will be a detailed examination of relevant international instruments, such as the International Chamber of Commerce (ICC) Uniform Customs and Practice for Documentary Credits (UCP 500) and the Supplement (eUCP), ICC Uniform Rules for Collection (URC 522), the Unidroit Convention on International Factoring and the Unidroit Convention on International Financial Leasing.

### Health and Safety at Work Law

Mr George Applebey

Health and Safety law covers two major areas of the British legal system – strict liability regulatory criminal offences and employers' liability for personal injuries in the workplace. The course deals with unusual but practically important aspects of criminal law and tort by emphasising strict liability criminal offences and the tort of breach of statutory duty. Negligence liability is also an important aspect of this module particularly in relation to such mass tort claims as, for example, asbestos-related disease and occupational stress.

In the UK, health and safety law has important employment aspects covering rights not to work in an unsafe environment, working time regulations and the scope of whistle-blowers legislation. As well as being an important area of British law there is now an international dimension to this module as a large number of European social legislation directives affecting both civil and criminal liability have been implemented across the European Union.

Given that health and safety in globalized economies is now a world-wide issue there is an increasing amount of international law, originally emanating from the International Labour Organisation in Geneva, but now increasingly a subject of international trade law.

### Health Law and the European Union

Professor Jean McHale

This module examines the rapid recent expansion of the EU's engagement with health law from Treaty provisions to case law. Topics considered will include the impact of free movement litigation upon the right to health care, the regulation of clinical research and organ transplantation.

### Homicide

The focus of the module is the law of homicide. Because of the impact and resonance of the killing of human beings by human beings, the definition of the forms of homicide and the appropriate penal responses to them will always be central to the practice and theory of the criminal law. This module will study the body of common law and statutory law that comprises the law of homicide, which has recently been extensively reviewed with a view to its reform by the Law Commission for England and Wales. This reform project will be central to the major themes of the module. Another closely related legal system, Western Australia, has also embarked on a project to reform the law of homicide and therefore comparisons will be drawn with Western Australia and other legal systems.

### Human Rights and Health Care Law

Professor Jean McHale

This module explores the impact of human rights in the evolution of Health Care Law both before and after the enactment of the UK Human Rights Act 1998. Issues examined will typically include, rights and health care resources, reproductive rights and the right to die.

### International and Comparative Oil and Gas Law

Dr Djakhongir Saidov

Birmingham Law School is one of the few Law Schools to offer an option in the increasingly important field of energy law on its LLM programme. This module focuses on the rules relating to exploration, development and production of oil and gas. The main focus of the module is placed on different types of legal regimes used in different countries such as, for example, concessions, production-sharing, joint ventures, service, and hybrid contracts. The module will also explore relevant issues such as dispute settlement in the oil and gas industry, expropriation, and renegotiation of contracts. The international oil and gas institutional (OPEC, IEA) and legal frameworks are also examined.

### International Commercial Arbitration

Mr N Jansen Calamita

International commercial arbitration is an increasingly popular method for the settlement of disputes in regard to economic transactions. Arbitration is a consensual dispute resolution process based upon the agreement of the parties. It is private, in the sense that it is not part of the State system of justice, and it leads to a final and binding decision that will be given execution by the courts. This course addresses the essential features of this process: the nature of the arbitration agreement, the constitution of the arbitral tribunal, the arbitral process, the law applicable to the merits of the dispute, the jurisdiction of courts, challenges to and enforcement of the award.

### International Criminal Law

Professor Robert Cryer

International Criminal Law is the area of law that deals with war crimes, crimes against humanity and genocide. This module explores the rise of international criminal law as a means of holding individuals to account for human rights abuses. The module also surveys some of the key aspects of an emerging system of international criminal justice. Can superior orders ever be a defence to an international crime? It examines the mechanisms designed to enforce International Criminal Law such as the Nuremberg and Tokyo war tribunals, the case of Yugoslavia, Rwanda Tribunal and the International Criminal Court. It also examines alternatives to prosecution – will amnesty or civil remedies ever be acceptable for violations of international criminal law?

### International Human Rights

Ms Sonia Harris-Short

This module will provide an introduction to the protection of human rights in international law. The module will focus in particular on the challenges facing the international legal system in securing respect for and effective implementation of normative human rights standards. Thus the module will explore why securing effective protection of human rights through the international legal system is so difficult. The various international mechanisms for the protection of human rights will be considered, with a particular emphasis on the political, social, cultural and economic constraints operating upon those systems. The various ideological, legal and structural difficulties identified will be further explored through the examination of particular human rights problems facing the contemporary world.

### International Investment Law

Mr N Jansen Calamita

This module considers the central topics of international investment law. It will examine the traditional approach of regulating foreign direct investments in customary international law and the present state

of investor protection under bilateral investment protection treaties and multilateral agreements such as the North American Free Trade Agreement, the Energy Charter Treaty, and others.

The standards of treatment guaranteed to foreign investors will be analysed. The primary focus of this course is on substantive standards, such as fair and equitable treatment, full protection and security, most-favoured-nation treatment, national treatment. Protection against expropriation will merit special attention. This module will also touch upon the issue of enforcing international standards through various forms of dispute settlement, such as domestic litigation, national as well as international insurance schemes, and international investment arbitration, whether institutional or ad hoc.

### Law and Policy of the WTO

Dr Luca Rubini

This module explores the rules of public international law governing international trade. The focus of the course will be on both the institutional and substantive aspects of the World Trade Organisation (WTO). The course will combine the analysis of the law of the WTO with that of its underpinning policies, and will discuss the connections between WTO and other branches of international law. The discussion is set in the context of the 'globalisation' debate and of the importance of a 'rule-based approach'. It will cover a range of specific topics, including the rules of trade in goods (under the GATT), services (GATS), intellectual property (TRIPS), the law of antidumping and competition policy, subsidy control, and the rules on technical and health standards (TBT and SPS). The momentous 'trade-and' linkages are analysed too focussing on the connections between trade and health/environment, development, and human rights.

### Law of the Internal Market

Dr Julian Lonbay

This module focuses on the legal foundations of the largest free market in the world, the EU. It examines the notion of the single market which seeks to liberalise and open the national markets of the member States to enable the fullest free movement of both goods and persons.

It analyses the various legal tools used in this task and seeks to assess the extent to which the results tolerate national diversity. It provides an outline of the EC Treaty provisions on fiscal barriers to trade (such as customs duties, charges of equivalent effect and indirect taxation) along with non-fiscal barriers (quantitative restrictions and measures of equivalent effect). It examines the legal rules on free movement of services, including the provision of legal services and health care.



## Legal Responses to Terrorism

Dr Adrian Hunt

This module examines the role of law in enabling and controlling counter-terrorist action by individual states and the international community. Terrorism raises key issues for criminal law, criminal justice, civil liberties, human rights and international law.

These are explored at the level of individual jurisdictions, using the United Kingdom and a number of other jurisdictions as exemplars, and on the international plane, where collective action by regional bodies and the UN are discussed with reference to a range of specific counter-terrorist issues, including: legal measures for prohibiting establishment of terrorist groups, specialist counter-terrorist offences, the extradition of alleged/convicted terrorists, the conduct of trials involving terrorists, and the use of force as a method of counter-terrorism.

## Marine Insurance

This module will not only provide a thorough knowledge of the law and practice of the insurance of maritime adventures but will also provide a grounding in many principles applicable to contracts of insurance in general. Concepts such as insurable interest, utmost good faith, warranties and reinsurance are common throughout the law of insurance. In this way the course will be of value for those interested generally in commercial law. For those seeking to specialize in shipping law, marine insurance is an essential complement to the module on Maritime Law. Whilst the latter explains who might be liable for ships colliding, sinking and polluting, marine insurance will answer the question of who pays for such misfortunes – that is, the insurer, provided the ship-owner, mortgagee, charterer, sub-charterer or cargo owner has in place valid and appropriate insurance coverage. Whilst the course will focus on the English law and practice of marine insurance, references will be made to variations found in other major jurisdictions such as the USA and Norway.

## Maritime Law

The Maritime Law module examines the legal issues which are often labelled as 'wet' (as opposed to 'dry') by those maritime practitioners who do this kind of work. It is intended to complement other LLM courses, particularly Carriage of Goods by Sea and Marine Insurance and will be of greatest benefit to those students who wish to work for law firms, P & I Clubs and other agencies which are active in the maritime law field. This module will address the following issues: How is a collision at sea regulated? What happens when a salvage contract is signed between a ship-owner and a salvor? How, if at all, would this differ from a towage contract? In what circumstances may the ship-owner (or some other person, such as a charterer) limit his liability? What is general average and when may it be declared?

## Public International Law

Professor Robert Cryer, Dr Alexander Orakhelashvili

Public International Law addresses the legal relationships between states in an increasingly global world. It deals with, for example, who their nationals are, what their territory is, what actually makes a state a state. But it also deals with matters like the United Nations; the role of international law in the protection of individuals, and most importantly when states can use force against one another, and whether this is lawful or unlawful. How can you peacefully settle a dispute between two states – does it have to be by force or can it be by diplomacy and negotiation?

This course is intended to introduce candidates to the basic nature, structure, legal sources and concepts of international law, alongside a selection of the basic rules. International law has antecedents that predate the Common Era, but the modern, State-based international order is slightly more recent, dating from 1648. Nonetheless, there have been large changes in the global order in the last century, with, for example the creation of the United Nations and the emergence of individuals and multinational corporations as international actors.

## Restorative Justice

Dr Kate Doolin

Restorative justice is an innovative and alternative way to deal with offending behaviour, which brings together victims, offenders and communities to collectively resolve how to repair the harm caused by crime. The central principles of restorative justice include encouraging offenders to take responsibility, restoring victims, and reintegrating offenders back into the community.

There is growing worldwide interest in the theory and application of restorative justice and this topic is a subject of intense debate. The module will explore some of the key aspects of restorative justice theory and practice by focusing upon the major issues within the debate. Although emphasis will be on examples of restorative justice in England and Wales, reference will be made to comparative material from other countries.

## Theory of Criminal Law

This module will address the following topics in criminal law theory: the criteria of criminal culpability, including notions such as voluntary actions, causation, intention, foresight, and negligence; issues regarding scope of criminal liability, including the harm principle, paternalism and liability for omissions. There is no requirement for a common law background or for knowledge of the laws of a particular country, since the issues to be discussed arise in all countries that have a distinct system of criminal law.

## The Vienna Sales Convention

Dr Djakhongir Saidov

The Vienna Convention on Contracts for the International Sale of Goods (CISG) is the result of efforts to unify the law of international sales and it marks an important step in the development of international commercial law. The Convention has been ratified by more than 70 countries and several thousands of cases decided under the CISG are now reported: the Convention has triggered law reforms in a number of countries both in the developed and developing world. Although the UK has not yet ratified the CISG, it can still be applicable to contracts involving a UK party.

This module explores the principles and rules underlying the CISG. The module will begin by discussing the reasons and purposes behind the movement to harmonise and unify international commercial law and by addressing the criticisms to which this movement has been subjected. The remaining part of the course will address the purposes, values, policies, rules and principles underlying the CISG as well as the ways in which it has thus far been applied.

# The University

At Birmingham, learning is a conversation, not simply a lecture. Birmingham welcomes students who are keen to be challenged and encouraged to think for themselves. We stimulate natural curiosity and enable original ideas to flourish through dialogue between different disciplines.

## Research and teaching

Teaching excellence at Birmingham is recognised by the Higher Education Funding Council for England, which has rated 26 of our subject areas 'excellent'. Investment in the learning and campus environment is ongoing, continually improving our resources and the working environment for our students and staff.

This is a research-rich university, ranked fifth in the UK for research excellence. Our ground-breaking research into the treatment of cancer, pioneering work on space science, and exciting developments in nanotechnology, are all examples of research that has pushed forward the boundaries of knowledge and had an impact on lives and society.

## Sport and the arts

Sport is central to life at Birmingham. Our reputation for sporting excellence is reflected in our consistent top three ranking in British inter-varsity sport.

University Sport Birmingham brings together some of the best sports facilities in the country, professional coaching and imaginative programmes to offer a range of sporting opportunities to suit all tastes and ability levels.

Music is also a distinctive part of Birmingham life. The University has two symphony orchestras, a Big Band, a number of choirs, a symphonic wind band and a brass ensemble. A regular programme of public performances is staged in the concert hall at the Barber Institute of Fine Arts.

## Student living

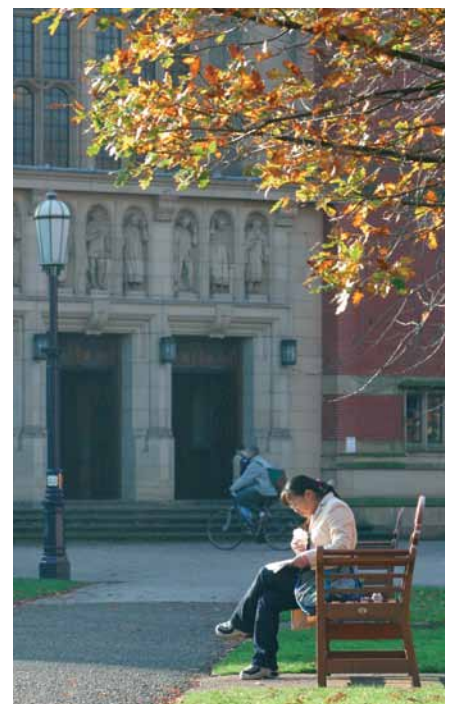
Several student villages and developments provide a range of accommodation, from standard packages including room and meals, to self-catering flats with en suite facilities.

We also provide student mentors to help you settle in, as well as all the amenities that you will need, including launderettes, shops, cafés and unlimited internet access in over 90% of rooms.



## The Guild...

**for students, by students** – The hub of undergraduate student life is the Guild of Students, Birmingham's students' union. The Guild was one of the first students' unions in the country and its mission is to 'enhance the student experience'. There are over 150 clubs and societies hosted by the Guild, from power-kiting to sci-fi and fantasy. You can also get involved in our student radio station, BURN FM, or the student newspaper Redbrick.



# The city of Birmingham

Birmingham is busy, thriving and exciting. In the last twenty years the 'city of a thousand trades' has invested heavily in transforming itself into a major 21st century European city – vibrant, cosmopolitan and culturally diverse. Our students quickly adopt 'Brum', as it is affectionately known, and make it their second home.

Birmingham is a city of young professionals and is one of Europe's most exciting destinations. It is more than somewhere to study; it is somewhere to build a successful future. It is now home to some of the largest financial services, legal and creative sectors outside London. The thriving business community offers you a wealth of opportunities when you join the job market.

Birmingham provides a wide range of arts and cultural experiences. The city has a number of top venues for big name bands and local talent, including the Carling Academy and the National Indoor Arena. Birmingham is also home to one of Europe's finest concert halls, Symphony Hall, where the City of Birmingham

Symphony Orchestra is based. Birmingham Hippodrome is home to Birmingham Royal Ballet, and the city centre has three other theatres and a major museum and art gallery. Birmingham is also home to Premier League football and was the first city to be awarded National City of Sport status. In recent years it has staged more sporting championships than any other UK city.

Birmingham is one of Europe's biggest shopping cities. The Bullring has been redesigned to be the largest inner-city retail development in Europe, and has a remarkable blend of modern architecture and historic buildings, with the acclaimed Selfridges building as its signature structure.



## Birmingham...

- Is a city of one million people with six million living within 50 miles
- Is the UK's most culturally diverse city
- Has six million trees and more parks than any other UK city
- Is home to the world famous Edgbaston cricket ground
- Is home to Cadbury's Chocolate
- Has an international airport and is ideally situated at the heart of the UK's transport network
- Has one of the lowest crime rates among major UK cities



[www.bham.ac.uk](http://www.bham.ac.uk)

This leaflet was written several months in advance of the start of the academic year. It is intended to provide prospective students with a general picture of the programmes and courses offered by the School. Please note that not all programmes or all courses are offered every year. Also, because our research is constantly exploring new areas and directions of study some courses may be dropped and new ones offered in their place.

UNIVERSITY OF  
BIRMINGHAM

Edgbaston, Birmingham,  
B15 2TT, United Kingdom

[www.bham.ac.uk](http://www.bham.ac.uk)