LLM British Legal Responses to Terrorism

Module leader: **Dr Adrian Hunt (/staff/profiles/law/hunt-adrian.aspx)**

Module description:

This module explores the British legal framework for countering 'terrorism', focussing in particular on criminal law and criminal justice issues which British counter-terrorism law and practice raise.

The British counter-terrorism legal framework seeks to locate itself within conventional criminal law and justice processes whilst at the same time being principally comprised of distinctive offences and processes which arguably would not ordinarily be considered appropriate or indeed justifiable as a response to most other forms of criminality. Therefore this module examines key aspects of this framework reflecting this trend, including:

- The definition of 'terrorism' in British law;
- exceptional police powers for investigating, stopping and searching, arresting, and detaining for the purposes of investigation and interrogation, persons suspected of involvement in 'terrorism':
- substantive criminal offences which criminalise conduct which encourages, assists, supports, or otherwise facilitates the commission, preparation or instigation of acts of 'terrorism' or the activities of 'terrorist' organisations
- special Executive powers including the prohibition of organisations judged to be involved in 'terrorism', and the imposition of a range of restrictions on the liberty of individuals 'suspected', but not necessarily 'convicted', of involvement in 'terrorism': and
- extraordinary judicial processes for determining and reviewing judgements that persons are in some way involved in 'terrorism', which include closed hearings so that suspects and their lawyers are kept unaware of the evidential matrix or 'intelligence' assessment which form the basis for such judgments.
- This is a dynamic and fast changing field of law, and therefore the specific topics covered may vary from year-to-year. However topics and material covered will be chosen with a view to ensuring that students:
- will have an up-to-date knowledge and understanding of the relevant law and the way the law is used;
- will be able to test the law and practice against its compatibility with domestic and international law human rights standards;
- and will have opportunities to evaluate the effectiveness, impact and justifiability of the law, and the use made of the law, by considering debates arising within relevant literature in the fields of human rights, criminal law theory and criminology, where appropriate.

Whereas the principal focus of this module will be the British legal framework for countering 'terrorism', because this system has both influenced and been influenced by trends elsewhere, material will be covered in the module which will enable and encourage students to evaluate the British system by comparing it with approaches adopted to countering 'terrorism' in the relevant law of other jurisdictions.

Methods of assessment

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

Either:

- One 6000 word essay

Or

- One 3-hour written examination

If you'd like to find out how a module will be assessed in the forthcoming academic year please contact the LLM Programmes Administrator at **Law-LLM@contacts.bham.ac.uk (mailto:Law-LLM@contacts.bham.ac.uk)** .

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