

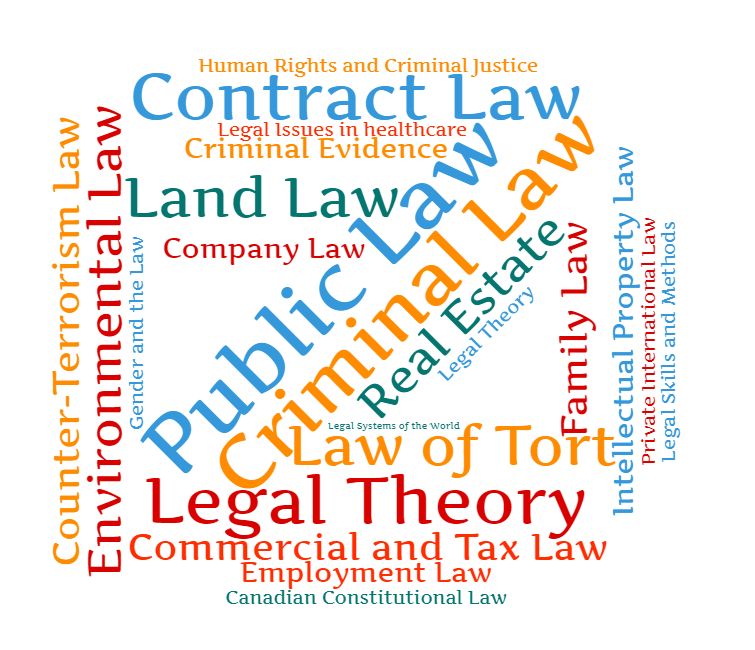
**MODULE OPTIONS**

*for*

**Certificate of Higher Education in English**

**Law students**

2024/25



Note: this document is only for students enrolled in the Certificate of Higher Education in

English Law programme

***Information is correct at the time of being published: 15th March 2024***

# Introduction

This document contains important information about the modules that will be available when you study on this programme.

In order to express a preference for optional modules, you must complete the University of Birmingham form that is sent to you, ranking your order of preference for the modules that are listed in this handbook.

In some circumstances it is not possible to accommodate all students on the module and we may have to place a cap on the number of students who enrolled. In such circumstances the students are randomly allocated until the numerical cap is reached.

If you have any queries about the process for expressing a preference for optional modules or about the content of a particular module, please email: [lawoptions@contacts.bham.ac.uk](mailto:lawoptions@contacts.bham.ac.uk). You can also seek further advice from the School’s Head of Global Engagement, Paul McConnell (p.j.mcconnell@bham.ac.uk).

Students from our partner universities in Berlin, Bayreuth, Paris, Bordeaux, and Strasbourg, **must** register for the Certificate in English Law programme.

This programme requires you to stay **for the full academic year** and study 6 modules worth 20 credits each (120 English credits are equivalent to 60 ECTs). One of these modules must be either **Contract Law** or **Tort Law**. For the remaining 5 modules, Certificate students are generally allowed to choose any module offered on our undergraduate LLB programme ([list](#_FULL_LIST_OF) below).

# How to choose your modules

The standard undergraduate Law programme takes 3 years to complete. The modules in this options booklet are marked accordingly as beginner, intermediate and advanced. Whilst beginner and intermediate modules provide you with foundational knowledge of the English and European legal system, advanced modules deal with more specific aspects of the law. You are generally advised to choose a mixture of modules. If you have no prior knowledge of English Law, choosing mostly advanced modules may place too heavy a burden on you. Please take this into consideration when selecting your modules.

Some intermediate and advanced modules build on prior knowledge of a specific area of law. Although there are no specific pre-requisite requirements, your module selection will be checked against your transcript to ensure it is suitable and you would be able to successfully complete your studies.

Furthermore, some modules are rather technical and have proved particularly problematic for exchange students in the past. These modules include, but are not limited to: Equity, Trusts, Wills & Formalities and Land Law. If you choose any of these modules, your transcript will be checked by the School’s Head of Global Engagement before confirming the allocation. Similarly, Company Law has proved difficult for some students in the past – please consider carefully before choosing this module.

In order to help you achieve the best possible outcome, the school will endeavour to ensure your credits are spread as evenly as possible throughout the year. This will either mean that you have a 60/60 credit split **or** 50/70, depending on the combination of year-long and semesterised modules that you choose. Please bear this in mind when choosing your options.

**Lastly, it is your responsibility to make sure that your choice complies with the requirements of your home university – so if there are modules that need to be undertaken as part of your home programme you need to indicate this as your top choice(s) and indicate that they are compulsory on your form.**

# Matching preferences to places

We are not able to guarantee that you will be allocated the options you most want to study, but we shall endeavour to do so wherever possible. Please note:

* some modules may have a “cap” placed on them limiting the total number of students able to register for them.
* some timetable clashes are unavoidable. The school will do its best to minimise these, but sometimes not all combinations of preferred modules are feasible.
* unpredictable events may require a module to be withdrawn at late notice.

Every year some students end up doing some modules they did not initially consider — and enjoying them. Birmingham Law School will do its best to match students with their preferred modules.

**The following modules are compulsory; you will need to choose one of these:**

Title:                **Contract Law**

Semester:                              Full Year

Level:                                     Beginner

**Description:**

The course covers a range of core issues in contract law, which may include the following areas: the nature of contract law and key ideas; contract formation (offer and acceptance, consideration, intention to create legal relations, certainty); contents and scope of the agreement; setting the contract aside; variation including promissory estoppel; performance, discharge and remedies for breach of contract. The module discusses the development of contract law in some of its wider context (economic, social, historical). Aspects of the module explore the theories and critiques about contract law.

**Assessment:**  Take home exam (open book)

Title:  **Law of Tort**

Semester: Full Year

Level: Intermediate

**Description**:

Introduction to the law of tort, including its historical origins, its theoretical underpinnings and its aims and functions; negligence, including public authority liability and liability in respect of omissions, psychiatric harm and pure economic loss; and nuisance.

In addition, at least one of the following topics will be covered: alternative compensation systems; intentional torts; defamation.

**Assessment:** Take home exam (open-book)

## FULL LIST OF MODULES

|  |
| --- |
| **Title:** **Advanced Criminal Law** **Semester:** 2 **Level:** Advanced **Description** Advanced Criminal Law provides a theoretically engaged analysis of criminal offences and defences. We explore contextual questions around the purpose and legitimate limits of criminalisation, as well as complex offences relating to multi-party and inchoate/pre-emptive liability. |
| **Assessment:** 3-hour take home exam (open-book) |

Title: **Canadian Constitutional Law**  
Semester: 2  
Level: Advanced **Description**The aim of this module is to provide an introduction to the various components of Canadian constitutional law, and to the basic principles necessary to understanding and applying the provisions of the Constitution in Canadian legal practice.

The topics covered include:

* The basic features of Canadian legal and political system
* The nature and sources of the Canadian constitution
* Federalism and the distribution of powers between federal and provincial governments
* The role of the judiciary (including general principles of interpretation)
* The Canadian Charter of Rights and Freedoms
* Aboriginal and treaty rights

**Assessment:**

Take home exam (open book)

**Title:**                **Commercial Law**

**Semester:**                               1

**Level:**                                     Advanced

**Description:**This module explores the key theoretical and doctrinal foundations of modern commercial law. It offers a grounding in the key subject areas that make up this diverse field of study. At a theoretical level, subjects include, among others, the origins and underlying principles of commercial law, including controversial areas such as the role of good faith in commerce.  At a doctrinal level, subjects covered include the operation and application of the rules of agency; the commercial aspects of domestic sale of goods (in particular the Sale of Goods Act regime); and international sale of goods (contract type and conformity of documents and goods).

**Assessment**

Take home exam (open-book)

Title: **Company Law**  
Semester: 1

Level: Advanced **Description**This module examines the major aspects of company law in the United Kingdom within a critical and contextual framework, including some theoretical and historical contextualisation.  It begins with the history of corporations focusing on the exploitative nature of trading corporations such as the East India Company and the Royal African Company, drawing comparisons with modern multinational companies. We then examine the contextual and historical development of modern company law, and its role in protecting and enhancing capital.  We consider the concept and consequences – legal and social – of legal personality and limited liability. This includes the social and environmental harms caused by companies both nationally and internationally. The module examines aspects of share capital and shares, critically assessing the impact and implications of shareholder control rights and corporate decision-making based on shareholder value. Of particular focus is the controversial issue of excessive director remuneration. The module examines major issues around corporate control, including the duties and powers of directors, the power of the majority, and the protection of minority shareholders.    **Assessment:**

Take home exam (open book)

Title: **Contemporary Issues in International Law & Globalisation**  
Semester: 1

Level: Advanced

**Description**This module is designed to encourage students to reflect on recent developments and study key conundrums in the field of public international law and globalisation such as gender and development, the persistence of widespread poverty migration of environmentally displaced persons, humanitarian crises, global trade, banking and finance, health and medicine, and the governance of emergent technologies and free and Open Source Software Licensing.

Issues of this kind challenge the international and transnational legal and political systems to devise solutions and adjust and implement these solutions across vastly different national, regional and local contexts. Exploring in depth the contours and challenges of international law and globalisation, students on this module will engage with theories of law, the intersect between public and private law, theories of regulation, gender and development, health, international finance , global justice and political economy in order to understand, question and critique the capacity of the ‘international community’ to address urgent and emerging challenges of global governance at the level of both states and non-state actors and the role of international law therein.

**Assessment:**

1 x 3500-word essay (100% of final grade)

Title:  **Counter Terrorism Law**  
Semester: 1

Level: Advanced  
**Description**  
This module explores certain key substantive and methodological issues associated with counter-terrorism law and practice. In so doing the module draws upon legal concepts from fields including: Criminal Law, Criminal Justice, Civil Liberties, Human Rights, and International Law. The issues are explored both at the international (including EU and EC) and domestic law level. As regards the latter, particular attention is paid to the relevant British law. Since this is a dynamic and evolving field of law, the topic areas covered may change from year to year depending on developments in international and domestic counter-terrorism law and practice. However, topics typically addressed in the module will include all or most of the following: Legal definitions of terrorism; Terrorism as an ‘International Crime’; Various key international initiatives in countering terrorism; Human rights and counter-terrorism; Terrorism and International Humanitarian Law; Arrest and detention of terrorist suspects; Special counter-terrorist investigative powers; Proscription of terrorist organisations; Defining counter-terrorist offences; Use of lethal force as a response to terrorism.

**Assessment:**

1 x 3500-word essay (100% of final grade)

Title: **Criminal Evidence**  
Semester: 2

Level: Advanced

**Description**  
This module explores the rules and principles that regulate the trial stage of the criminal process. The module examines the way the legal rules are constructed as well as a number of specific evidential rules will be examined, which may include: vulnerable witnesses, character evidence, hearsay evidence, confessions and improperly obtained evidence.

The module aims to develop key transferable skills as well as more traditional academic ones. In line with this, students will be partially assessed via a 10 mins recorded presentation.  
presentation.

**Assessment:**

Two parts:  
(a) 10-minute recorded presentation (30% of final grade)  
(b) Take home exam - (open book) (70% of final grade)

Title:  **Criminal Law**

Semester: Full Year

Level: Beginner

**Description:**

The module provides an exploration of the substantive criminal law of England and Wales (i.e., how the law defines and applies offences and defences).

The following topics will be covered in a typical year:

* Introduction to theories of criminalisation and punishment
* Actus reus (i.e., the external elements of crimes, including causation and omissions)
* Men’s rea (i.e., the mental element of crimes)
* Homicide
* Non-fatal offences against the person
* Sexual offences
* Property offences
* Inchoate offences
* Denials of offending
* Defences

**Assessment:**

Take home exam (open-book)

Title: **Decolonising Legal Concepts**   
Semester: 2

Level: Beginner  
**Description**Decolonising Legal Concepts critically examines key legal constructs in their social, economic, historical and political contexts. It will equip students to reflect critically on the way legacies of empire, inequality and oppression intersect with and continue to inform law’s subjects, objects, and its construction. The module will do this by examining, both theoretically and empirically, critical questions such as: Who/what is a person under the law? What is the public (interest/domain)? What is the United Kingdom and how did it come about? What is the nation state and how did it come about? What is the rule of law and how is it (if at all) distinct from or linked to domination? What is law enforcement and how is (if at all) distinct from or linked to illegitimate coercion? Students’ interrogation of these concepts will be concretised through historical and contemporary case studies.  
As such, this module will complement students’ doctrinal learning, understanding, and use of legal concepts by providing them with the tools to recognise and reflect upon their social, economic, historical and political underpinnings.  
 **Assessment:**1 x 3000-word essay (100% of final grade)

Title: **Discrimination and Criminal Justice**  
Semester: 1

Level: Advanced  
**Description**This is a socio-legal criminal justice module designed to provide law students with an introduction to this area of scholarship and its different working methods. Students will be introduced to theoretical, empirical and other forms of evidence, and consider their relative values in debates around criminal justice policies and practices. The module is centrally focused upon the socially explosive topic of discrimination within the criminal justice system in England and Wales. Whilst policing practices and their impact upon traditionally marginalised communities are featured, the module seeks to build an intersectional understanding of how different institutional and individual biases, including racism, misogyny, classism, homophobia, and other systems of oppression, shape the criminal justice system. The module considers how explicitly and/or implicitly discriminatory policies and practices can be forged and implemented at every level of the criminal justice system, including legislative decision making, police, prosecutors, judges, juries, and other authorities making decisions impacting criminal law sanctions, criminal justice policies and practices.  The module focus is on the practice of criminal justice in the UK, particularly within England and Wales.  
 **Assessment:**1 x 3500-word essay (100% of final grade)

Title: **Employment Law in Practice**  
Semester: 1  
Level: Advanced  
**Description**This module will give students an insight into employment law and also the skills that are required for legal practice in many different jurisdictions worldwide.

In terms of Law, we will cover key topics relating to Employment Law including rights in the workplace, contracts of employment, equality law, the law relating to dismissals, and Employment Tribunal procedures.

In terms of legal skills, the module will support you with developing key skills in areas such as writing letters to clients, preparing legal documents, interviewing clients and negotiating with other lawyers. We will also consider the professional and ethical obligations of lawyers, and you will have the opportunity to hear from legal practitioners about their work.

The above video (which is a recording of the first lecture in the module in 2021-22) provides more initial information about the module, as well as an initial taster of the teaching of the module. If you have any questions about the module, you are very welcome to contact the module leader, Paul McConnell ([p.j.mcconnell@bham.ac.uk](mailto:p.j.mcconnell@bham.ac.uk))   
 **Assessment:**Two parts:  
(a) Multiple choice test (30% of final grade)  
(b) One letter of advice to a client (up to 3000 words, 70% of final grade)

Title: **Environmental Law**  
Semester: 1  
Level: Advanced  
**Description**The aim of this course is to provide an introduction to some of the key issues in environmental law. The themes underpinning the course are sustainability, social justice, and the potential (as well as the limits) of law to deliver environmental protection and sustainable development. It will examine the development of environmental law, the policy dynamics that drive decision-making in the formulation of environmental laws, the principles underpinning environmental law, and the different perspectives or theories that can be used both to provide an understanding of how environmental law functions at present as well as to set goals for future development of the law.

The course will focus mostly on the system of environmental laws in the UK, but it will also consider how this has been impacted by European and international environmental law. Some of the following broader themes will be examined: environmental torts; environmental crime; waste; climate change; water pollution; nature conservation; and procedural rights such as access to information, public participation and access to justice. These themes and ideas underpinning the course will be explored by reference to examples taken from both the UK and other jurisdictions.  
 **Assessment:**Two parts:  
(a) Multiple choice test (30% of final grade)  
(b) Essay (3000 words, 70% of final grade)

Title: **Equity, Trusts, Wills & Formalities**

Semester: 2

Level: Advanced

**Description**

This module will cover the following main areas of study:

(1) The nature of equity and the trust  
- Historical introduction  
- Equitable maxims  
- Basic classifications of express trusts and trusts implied by law  
  
(2) Classification and validity of trusts powers, gifts and interests under a will  
- Capacity  
- Validity and interpretation of requests/clauses in a will  
- Identification of situations where a gift may fall  
- How interests pass under a will on intestacy  
  
(3) Charitable trusts  
- To understand how “regulation” and “regulators” operate in conjunction with the common law  
- Charitable heads  
- Public benefit  
- Operation of the Charity Commission  
  
(4) Resulting trusts  
- Theoretical basis  
- Private purpose trusts  
- Application in the Inland Revenue Cases  
- Operation of the presumptions and equality considerations  
  
(5) Constructive trusts  
- Operation in the domestic familial context (interests in the cohabitation)  
- Operation in the context of receipt of bribes and secret commissions  
  
(6) Trustee’s powers and duties and breach of trust  
-Dispositive powers under the Trustee Act (as distinct from powers of management/delegation)  
- Duties of care  
- Breach of duty, liability and defences  
- Relation to fiduciary duties

**Assessment:**

Two parts:

a) Multiple choice test (30% of final grade)

b) 3000-word essay (70% of final grade)

Title **Family Law**  
Semester: 1  
Level: Advanced  
**Description**The aim of this module is to provide the student with a sound understanding of the existing legal provisions dealing with family relationships. It also introduces the student to some of the legal, moral, social and political debates which inform the substantive content of this area of the law. The module places particular emphasis on the challenges raised by the changing nature of family life in contemporary society and examines whether the law has responded adequately to these changes. The existing law and current reform proposals are considered in detail, with particular reference to the arguments raised by commentators who believe the law works unfairly against certain groups in society including women, cohabitants and same-sex couples.  
  
Topics covered include: the concept of 'family', the diverse range of intimate relationships which could be categorised as 'familial' and the aims, functions and limitations of the law in this area; marriage and nullity; same-sex partnerships; cohabitation; protection afforded to the victims of domestic violence and harassment; the law and procedure relating to divorce; the redistribution of family income and assets upon separation or divorce; and children matters.  
 **Assessment:**Take home exam (open-book)

Title: **Foundations of International Law**Semester:1

Level: Beginner  
**Description**  
The module is designed to provide an introduction to international law for students in the 1st year of the LLB International Law and Globalisation programme. In particular the module will provide students with a sound understanding of key international law concepts, instruments and institutions. Such an understanding provides the essential foundations for the more directly critical/theoretical topics addressed in the other FILG core modules. This introductory module shall further prepare students to fully engage with the more specific subjects covered in second and third-year core-modules.  
  
Topics covered will include:  
i) Subjects of international law (e.g. international legal personality, statehood and ‘recognition);  
ii) Sources of international law (e.g. treaties, customary international law, general principles);  
iii) The relationship between national and international law (e.g. monism and dualism;  
iv) Jurisdiction, state responsibility and sovereignty - exploring the extent and nature of international legal obligations and their relationship with state sovereignty  
(v) International organisations – exploring the structure and nature of key international organisations such as the United Nations and the World Trade OrganisationIn addition to these essential foundations, throughout the course of the module students shall be further introduced to specific areas of international law which in any one year may include: international economic law, international human rights law, international refugee law, international environmental law, counter-terrorism law.

**Assessment:**

1 x 2500-word essay (100% of final grade)

Title **Gender and the Law**  
Semester 2  
Level: Advanced  
**Description**  
Gender and the Law is a module about diverse and contemporary gender issues, studied within a legal and socio-legal framework but with an interdisciplinary twist. Gender is a socially constructed concept about what it means to be male and female. The purpose of this module is to examine, both theoretically and empirically, the relationship between gender and law. For example, to what extent are gender-based assumptions embedded within the law? How do gender essentialisms impact on perceptions of crime, perpetrators and victims? The first part of the module will be conceptual and theoretical. It will examine, inter alia, feminist legal theory, masculinities and the law, socio-legal perspectives on gender, the concept of gender essentialism and heteronormativity. The second part of the module will explore the operationalization of gender and the law in practice, through the in-depth exploration of selected themes.

**Assessment:**   
1 x 3500-word essay (100% of final grade)

Title **Global Law and Globalisation**  
Semester 2  
Level: Beginner  
**Description**  
The module will explore and evaluate various conceptualisations of Global Law and will focus on a range of contemporary global legal issues.   
In particular, the module will outline the concepts, sources, subjects, rights and events which shape and challenge existing understandings of International Law and/or processes of globalisation, and which can be said to constitute a new field of Global Law.   
  
Topics covered include: i) the various theories and conceptualisations of “Global Law” advanced by various leading global legal theorists (i.e. Morag Goodwin, Boaventura de Sousa Santos, Eve Darian-Smith, Upendra Baxi, Neil Walker, and others);   
ii) global legal history – colonialism and imperialism, classical theories of positivism and natural law, the origin of state sovereignty, the League of Nations, and the development of international law-making;   
iii) different global actors (including individuals, corporations, the Global South/Third World, and global governance institutions);   
iv) different global law events (e.g. independence, decolonisation, revolution, self-determination, crises, war)   
v) prescient contemporary global issues – such as, the Global North-South gap, human rights and migration; international criminal law; gender, and armed conflict; transitional justice; media, war and global justice.   
vi) a range of critical perspectives on global law (for example, Kantian cosmopolitanism, Marxism, Third World Approaches to International Law (TWAIL), Positivism, Natural Law Theory, Feminism).   
  
The aim of this course is to introduce students to interdisciplinary approaches to Global and International Law and to develop critical legal thinking skills about global issues, events and developments. Students will apply critical theoretical frameworks to various case studies.

**Assessment:**   
1 x 2500-word essay (100% of final grade)

Title: **Human Rights and Criminal Justice**  
Semester: 1  
Level: Advanced  
**Description**This module examines the relationship between human rights law and the criminal justice system. We will explore: (a) the rights of those suspected of committing criminal offences, including an examination of stop and search powers and police custody; (b) the rights of those facing a criminal trial (including the sentencing stage); and (c) the rights of prisoners. Students will be given the opportunity to develop a critical understanding of the demands of human rights in the context of the detection and punishment of criminal behaviour, and to reflect on the intersections of human rights and criminal justice in wider context.  
 **Assessment:**1 x 3500-word essay (100% of final grade)

Title:  **Intellectual Property Law**  
Semester: 1

Level: Advanced **Description**Intellectual property (IP) law examines legal protections in relation to creations of the mind. This is one area where the law is constantly responding to technological and aesthetical developments. The range of topics will include:

* Philosophical foundations of IP law (esp. Locke, Hegel and Kant's philosophical thoughts in relation to IP)
* Historical development of IP from AD1400 onwards (esp. changes happening during the 18th and 19th centuries)
* The national and international frameworks of IP law
* Copyright: criteria for protection, authorship & moral rights, infringement & defences; neighbouring rights
* Trademarks: registration criteria, infringement, unregistered trademarks & passing off
* Geographical Indications
* Software-related IP

Students will gain knowledge of the main legislative instruments and develop familiarity with the major cases in these areas. Students are expected to be well-prepared before lectures and seminars and spend considerable time in private study. (NB: Given limited time, this module will not cover patent in detail.)  
 **Assessment:**Take home exam (open book)

Title: **International Criminal Law and Justice**  
Semester:2

Level: Advanced **Description**This course will deal with one of the most important, and controversial areas of contemporary international and criminal law, international crimes. Over recent decades, the subject has moved from being a largely-overlooked specialism to a major area of study, and of practical relevance. This course will cover both the institutions and substantive law applicable to international crimes to give a broad introduction to this fascinating area of study.

We will begin by investigating what is meant by international criminal law, what its sources are and some of the appropriate frameworks of analysis to take to international criminal law. We will then move on to what can be considered the birth of modern international criminal law; the Nuremberg and Tokyo International Military Tribunals after the Second World War. There has been a lot of criticism made of the Military Tribunals. The validity of these arguments as well as the IMTs’ contribution to the development of International Criminal Law will be explored. We will then look at more modern international criminal tribunals, taking in the International Criminal Tribunal for former Yugoslavia (ICTY), International Criminal Tribunal for Rwanda (ICTR) before turning to the ‘Internationalised’ Tribunals in Sierra Leone and Cambodia, and the permanent International Criminal Court (ICC).

Having investigated the institutions we will turn to the substantive criminal law applied by the international criminal tribunals (and national courts prosecuting international crimes), As a result, the course will cover the law relating to genocide, crimes against humanity and war crimes, as well as the general principles of liability that apply to international crimes, and the defences applicable to them. We may also look at domestic prosecutions of international crimes and some of the alternative mechanisms for dealing with international crimes that have been used.

The magnitude and seriousness of the crimes under discussion during the module can be troubling, however the seek for appropriate legal accountability and principles of justice, peace and reconciliation run throughout our discussions.  
 **Assessment:**Take home exam (open-book)

Title: **International Disputes and Dispute Resolution**  
Semester: 2

Level: Advanced  
**Description**This module explores the legal frameworks governing, and politico-legal concerns relating to, dispute resolution in both public and private international law. Students will be introduced to the different methods for resolving disputes between different types of actors at the transnational, regional and international levels. They will gain an understanding of international disputes, the options for resolving them, and how the nature of a dispute might inform decisions as to resolution mechanism used. The module will explore questions such as the legal and political factors relevant to selecting dispute resolution approaches, the choices available to parties, ‘forum shopping’, informal resolution structures (such as negotiation, conciliation, and mediation), arbitration, and international judicial adjudication.  
 **Assessment:**1 x 3500-word essay (100% of final grade)

Title: **International & European Economic Law**  
Semester: 1

Level: Advanced **Description**The module addresses the substantive and procedural aspects of the fragmented legal framework governing economic relations at the international and regional levels. The first part of the module will focus on the legal regimes for international trade and investment governance. It will examine the legal rules and principles as well as mechanisms for the settlement of international trade and investment disputes. Using the European Union (EU) as a model Regional Trade Agreement (RTA), the second part of the module will introduce students to regional economic integration law and policy. This second part will focus on specific areas of EU law such as the free movement of workers, common commercial policy and competition law and policy.  
 **Assessment:**Two parts:  
(a) One essay (2500 words, 50% of final grade)  
(b) Multiple choice test (50% of final grade)

Title:  **International Human Rights**  
Semester: 1

Level: Advanced **Description**In this module, we will examine how international human rights law works. The course starts with an introduction to the history and philosophical foundations of human rights, and then moves on to look at how human rights are protected in the international legal system, for example, through the United Nations. We will also look at specific substantive rights, such as the right to life, freedom from torture, and the right to freedom of expression.  
 **Assessment:**1 x 3500-word essay (100% of final grade)

Title:  **Land Law**

Semester: Full Year

Level: Intermediate

**Description**:

The Land Law module is designed to deliver a thoughtful and critical account of the legal issues generated by English Property Law as it relates to Real Property. This may includes an examination of the following aspects: fundamental concepts of Real Property such as Property and Land; the relationship between Law and Equity; tenure; estates and interests in land, and the importance of the property legislation of 1925; priority of title, the defects of the unregistered title to land system; registration of title to land, and the importance of the Land Registration Act 2002; freeholds; leaseholds; licences to use land; the trust of land and co-ownership; mortgages; freehold and leasehold covenants; adverse possession; proprietary estoppel; easements.

**Assessment**:

1 x take home exam (open-book)

Title:  **Law Justice and Ethics**

Semester: 1

Level: Beginner

**Description**:

This course provides an introduction to legal ethics and professional responsibility based on an introduction to ethics more generally which examines various theories of ethical responsibility. Through a problem based approach it explores the applicability of ethical analysis to legal practice. In doing so it assists law students in their first semester of study to understand the concept of a profession and the obligations which might follow from this. In particular it will place some emphasis on the wider responsibilities of lawyers in the communities with which they engage.   
  
The module will explore the nature and purpose of professional conduct rules and surrounding questions of regulation and enforcement. The substantive issues included in the problems on which the students will work will be drawn from everyday ethical dilemmas of practice including potential conflicts of interest, legal privilege and other questions of confidentiality, responsibilities to the court and to the client and how these may be negotiated, obligations arising out of fiduciary duties, and wider issues of access to justice.

**Assessment**:

* Presentation (70% of final grade)
* Coursework (30% of final grade)

Title:  **Legal Communication and Writing**

Semester: 1

Level: Intermediate

**Description**:

The module aims to introduce students to, and allow them to develop skills in, writing and communicating about law and legal issues outside and beyond formal academic contexts – whether that be to non-legal audiences through the medium of blogs, reviews, ‘legal design’, reports, and journalism; or to legal audiences in the form of professional legal writing, briefing papers, consultation responses and, case notes.

**Assessment**:

* 1,000 word piece of writing (60% of final grade)
* 1,500 word reflection (40% of final grade)

Title:  **Legal Foundations of the European Union**

Semester: Full Year

Level: Intermediate

**Description**:

This module covers core issues arising in the field of European Union Law. In any one year the topics set out below may be covered.

The historical origins of the European Union and its economic and political objectives; the principal substantive provisions of the Treaty on the Functioning of the European Union (in outline); the institutional framework of the European Union and its decision-making processes; the legal status of the law deriving from the Treaties on which the European Union is based and its relationship with the national laws of the Member States. The composition, organisation and general approach of the European Court of Justice; the jurisdiction of the European Court of Justice and the General Court. The following heads of jurisdiction are examined in detail: the action against Member States for infringement of their Treaty obligations; the action for annulment and the preliminary rulings procedure; general principle of EU law and human rights in the EU. The withdrawal of the United Kingdom from the European Union (this syllabus may cover some or more / less of these topics).

**Assessment:**

Take home exam (open-book)

Title: **Legal Issues in Health Care Law**  
Semester: 2

Level: Advanced  
**Description**Doctors and patients are faced on a day-to-day basis with legal and ethical challenges and dilemmas from the GP's surgery, the outpatient department or in the operating theatre. English law regulates health care law questions from the beginning to the end of life. In the Legal Issues in Heath Care course some of these dilemmas – both every day and extraordinary – will be explored. Typical issues which will be considered will include: NHS resource allocation- when is it right to ration treatments? Informed consent, decision making capacity- who gives consent to treatment and when? Should reproductive technologies be regulated? Should English law recognise a right to an abortion? When can a patient demand a right to die and a right to live?  
 **Assessment:**Take home exam (open-book)

Title: **Legal Skills and Methods**

Semester: Full Year

Level: Beginner

**Description:**

This module will combine an introduction to law and legal skills with personal academic tutoring. The learning and skills explored in this module are further applied in the context of substantive law module, in the Public Law module in the second semester

Legal Skills & Methods will introduce students to key legal skills as well as developing their study skills in transitioning from school/college to University. Students will be introduced to the Law School and University, to the assessment regime and to the pastoral care available to them. This module will also allow students to begin to develop their employability skills and attributes.

This module will use a combination of plenary’ lectures alongside practical seminars to introduce law students to the key methods and skills they will require to be successful in their legal studies and provide them with foundation set of skills facilitating and supporting their learning whilst promoting future career aspirations.   
Indicative content is as follows:   
1. Introduction to Legal Study   
2. The English Legal System   
3. Cases and Precedent   
4. Legislation   
5. Solving Legal Problems   
6. European Legal Frameworks   
7. Presenting Legal Arguments   
8. International Law and Human Rights   
9. Law and Justice in the Real World   
10. Writing about the Law  
11. Life in the Law School (including, inter alia, orientation of personnel, differing types of assessments, welfare services, personal tutoring, inclusivity, academic skills)  
12. Self-reflection skills  
13. Careers; employability skills including writing a CV

**Assessment:**    
Two Parts:

1. 1 x Multiple-Choice test (50% of final grade)
2. 1500-word reflective piece (50% of final grade)

Title: **Legal Solutions**  
Semester: 2

Level: Intermediate  
**Description**Students will be presented with a selection of legal problems that legal service providers and associated services face in the real world and will be required to work in groups to research the associated issues and devise a ‘solution’ to one of those problems. Problems will be posed by a range of partners from commercial and service industries along with British and International NGOs and potentially academic colleagues on issues arising from or linked to their research. Projects will be curated to ensure they are appropriate to the particular degree programme.  
  
It is anticipated that solutions proposed by students might encompass: use of technology (e.g., development of apps or use of websites); forms of public legal education and training; and development or re-engineering of systems and work models, etc. Students will be introduced to examples of such legal solutions and approaches to addressing them through the taught component of the module. They will be required to present their solution in a summative presentation and to reflect on the process.

**Assessment:**Presentation (70% of final grade)   
Group Reflection (30% of final grade)

Title: **Legal Systems of the World**  
Semester: 1

Level: Advanced  
**Description**This module will provide students with the key substantive and critical knowledge needed to understand the mechanisms and theories of comparative law and the various forms of legal system that exist around the world. The module will be framed by a critical history of comparative law and legal system classification, theories of comparative law and of comparative law methodologies. The module will introduce the main approaches to global legal studies. Building on these critical knowledge bases, selected studies of legal systems around the world will be considered through the medium of ‘mythical juxtapositions about legal systems around the world’ such as civilian v. common law (introducing some legal history and Roman law), formal v. ‘non-law’ (introducing theories of legal pluralism and legal fragmentation), dualist v monist (introducing Kelsenian approaches to internationalism in municipal systems), and secular v religious legal systems.

The module includes an innovative formative assessment, i.e. Research Proposal, which gives students the opportunity to test their ideas for the Research Project, which constitutes the summative assessment for the module.

**Assessment:**1 x 3500-word essay (100% of final grade)

Title:  **Legal Theory**   
Semester:  Full Year  
Level: Intermediate

**Description:**

The module will provide students with a critical understanding of what different people mean by ‘law’, ‘justice’ and ‘rights’. Topics covered on the module may include: the relationship between law and morality, the nature of judicial decision-making, the social construction of race, gender and equality and its impact upon legal structures, and the relationship between law and justice.

**Assessment**:    
1 x 3500-word essay (100% of final grade)

Title:  **Political and Legal Theory**  
Semester: 1

Level: Advanced  
**Description**The aim of this module is to explore the origins and development of major legal and political traditions in the West, including but not limited to:  
- Equality  
- Neutrality  
- Liberty  
- Rights (including property rights)  
- Natural law  
- Justice  
- The origins of “left, “right” and “centre”  
- The birth of “modernism” in Law and Political theory.  
- Arguments against slavery  
- The relationship between human nature and state authority  
- Arguments for/against revolution  
- The exclusion of female voices from political and legal discourse  
- The ‘Euro-centricism’ of our political theories

Students will study in depth works by significant political philosophers who shaped the Western intellectual tradition, including but not limited to:  
- Plato  
- Aristotle  
- Aquinas  
- Grotius  
- Hobbes  
- Locke  
- Rousseau  
- Burke  
- Smith  
- Marx

**Assessment:**Take home exam (open-book)

**Title:**  **Private International Law**  
**Semester:** **2  
Level:** Advanced  
**Description**  
Private International law is the study of private relationships and disputes which have some form of international element to them. This may be because one of the parties is from another country to that of the other, or from that of certain events.

A basic example would be:

A is English, he travels on holiday to France where he purchases an expensive painting. Whilst on the way to the airport he is in a taxi which collides with a Lorry. He suffers personal injury and the painting is damaged. He has to have hospital treatment in France and further medical treatment and time off work back in England. When he has the damage to the painting assessed it turns out that it is a copy of the painting he thought he had purchased and is not worth anything at all.

Here there are a number of questions which need to be answered if A wants to bring any legal proceedings for what has happened to him. A needs to know the following things:

Which court will hear these disputes? Can he make legal claims in England or will he have to travel to France to make the claims?

Which law will that court apply to determine the claims? Is it automatically French law or might English law apply?

If the English court were to take jurisdiction of his claims and give judgment in his favour, would the French courts recognise the judgments and enforce them against the Defendants?

The three questions – Which court? Which law? Will my judgment be recognised and enforced?  - define the remit of this module and of Private International Law more generally. This course will look at each of these issues/topics in relation to claims in contract and tort, along with various sub questions which fall to be answered under each of them.

**Assessment:**  
Take Home Exam (open-book)

Title: **Public International Law**  
Semester:1

Level: Advanced **Description**In an increasingly globalised world, there are fewer and fewer areas of law and practice that do not involve some form of international law. This course is intended to provide students with a general understanding of the structure of the international legal system and the basic principles underlying the relations between states, international organisations and other actors in the international arena. In the process, fundamental assumptions regarding these rules and structures of international law will also be critically scrutinized. Therefore, this module is informed by a combination of both doctrinal and critical scholarship.

THE CONTENT OF THE MODULE

1. Introduction and Histories and Nature of International Law

2. Sources of International Law

3. Law of Treaties

4. Hierarchy of International Legal Norms

5. Relationship between International Law and Domestic Law

6. Subjects of International Law: Statehood

7. Subjects of International Law: Non-State Actors

8. State Jurisdiction and Immunities

9. State Responsibility

10. Peaceful Settlement of International Disputes

11. Use of Force in International Law

**Assessment:**   
1 x 3500-word essay (100% of final grade)

Title:  **Public Law**

Semester: Full Year

Level: Beginner

**Description**:

This module examines core public law principles and seeks to enable students to further develop within the context of a substantive law subject, the academic and legal skills which students will have learned in the Legal Skills and Methods module in the first semester.

The substantive material covered in the module involves two components (each of which in any one year may involve the following topics).

Section A examines foundational constitutional principles and issues including: the purpose of constitutions and the sources of constitutional rules; the evolution of the UK constitution including reference to international law, the European Union, devolution and the Human Rights Act 1998; and the distribution, use and control of legislative, judicial and executive powers in the UK.

Section B is concerned with the grounds, procedure, remedies and constitutional foundations of judicial review in England and Wales.

Building upon the introduction to legal and academic skills covered in the Legal Skills and Methods module in the first semester, the Public Law module will focus on essay writing skills (small group seminars 1-4); reflecting on feedback (small group seminar 5); answering legal problem questions (small group seminars 6 and 7).

**Assessment:    
Two parts:**

1 x 1500-word essay (50% of final grade)

1 x Take home exam (open-book) (50% of final grade)