1. **Title of the module**

LAWS6360 (LW636): Mental Health Law

1. **Division or partner institution which will be responsible for management of the module**

Law, Society and Social Justice: Kent Law School

1. **The level of the module (e.g. Level 4, Level 5, Level 6 or Level 7)**

Level 6

1. **The number of credits and the ECTS value which the module represents**

15 credits (7.5 ECTS Credits)

1. **Which term(s) the module is to be taught in (or other teaching pattern)**

Autumn or Spring

1. **Prerequisite and co-requisite modules**

None

1. **The programmes of study to which the module contributes**

All single and joint honours law programmes

1. **The intended subject specific learning outcomes.
On successfully completing the module students will be able to:**
	1. Recognise the legal issues arising in factual situations relating to the mentally ill, personality disordered and learning disabled (“mentally disordered”.)
	2. Identify and apply relevant case and statute law.
	3. Provide an informed and reasoned opinion on the possible legal actions arising from factual situations and their likelihood of success.
	4. Demonstrate a sound knowledge and understanding of mental health law, including its historical development and the Mental Health Act 1983.
	5. Demonstrate an ability to evaluate critically aspects of the operation of mental health law in its historical, socio-economic and political contexts, including contrasting the legal (rights based) and medical (therapeutic) approaches and reform of the law.
	6. Identify and research particular issues in mental health law using legal research skills (library and electronic.)
	7. Demonstrate a detailed understanding of the relationship between mental health law and other areas of the law, e.g. judicial review, human rights and the criminal justice system.
2. **The intended generic learning outcomes.
On successfully completing the module students will be able to demonstrate competence in a range of generally transferrable skills:**
	1. Learning skills: The ability to reflect upon and learn from the conduct of exercises as undertaken, including acquiring knowledge and understanding in areas, both legal and non-legal.
	2. Problem solving skills: The ability to identify and diagnose set problems, to generate solutions and to evaluate alternative solutions.
	3. Self-management skills: The ability to manage time, to evaluate competing priorities and to forward plan.
3. **A synopsis of the curriculum**

The module will cover the historical development of mental health law (in brief), the Mental Health Act 1983, civil and criminal admissions to hospital, consent to treatment, capacity, sections of the Mental Capacity Act 2005 relating to deprivation of liberty, discharge (including the role of the Mental Health Review Tribunal) and care in the community; proposals for reform; interaction with the criminal justice system.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**
* Mental Health Law: Policy and Practice (O.U.P., 4th Edition) by P. Bartlett and R. Sandland.
* Law without Enforcement (Hart Pub., 1999) by N. Eastman and J. Peay.
* Mental Health Review Tribunals: Law and Practice (Sweet & Maxwell, 1997) by A. Eldergill.
* Reconstructing Mental Health Law and Policy (Butterworths, 2002) by N. Glover-Thomas
* Gostin on Mental Health Law (Shaw & Sons, 2004) by L. Gostin, J. McHale and W. Bingley.
* Mental Health Law (Sweet & Maxwell, 6th Edition) by B. Hoggett.
* Mental Health Act Manual (Sweet & Maxwell, 20th Edition) by R. Jones.
* Decisions and Dilemmas (Hart Pub., 2003) by J. Peay.
* Madness: A Brief History (O.U.P., 2002) by R. Porter.
* Understanding Mental Illness (Straightforward Pub., 2002) by M. Richards.
* Companion Guide to Mentally Disordered Offenders (Shaw & Sons, 2003 2nd Edition) by N. Stone.

Periodicals:

* International Journal of Mental Health and Capacity Law (www.northumbriajournals.co.uk))
* Openmind (MIND)
* MIND Legal Network (MIND)
* Legal Action (L.A.G)
* Journal of Forensic Psychiatry (Taylor and Francis Ltd.)
1. **Learning and teaching methods**

Contact hours: 18

Private study hours: 132

Total study hours: 150

1. **Assessment methods.**

13.1 Main assessment methods

Students will be assessed by an individual oral presentation (30%) and a two-hour examination (70%).

13.2 Reassessment methods

Reassessment instrument: 100% exam

**Students must achieve a mark of 40% in the exam in order to pass this module on reassessment.**

1. ***Map of module learning outcomes (sections 8 & 9) to learning and teaching methods (section 12) and methods of assessment (section 13)***

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Module learning outcome** | 8.1 | 8.2 | 8.3 | 8.4 | 8.5 | 8.6 | 8.7 | 9.1 | 9.2 | 9.3 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |
| Lectures | X | X |  |  |  |  | X | X |  | X |
| Seminars | X | X | X | X | X | X | X | X | X | X |
| Private Study | X | X | X | X | X | X | X | X | X | X |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |
| Oral presentation (30%) | X | X | X | X | X | X |  | X | X | X |
| Exam (70%) | X | X | X | X | X | X | X | X | X | X |

1. The Division recognises and has embedded the expectations of current equality legislation, by ensuring that the module is as accessible as possible by design. Additional alternative arrangements for students with Inclusive Learning Plans (ILPs)/declared disabilities will be made on an individual basis, in consultation with the relevant policies and support services.

The inclusive practices in the guidance (see Annex B Appendix A) have been considered in order to support all students in the following areas:

**a) Accessible resources and curriculum**

1. Preference will be given to electronic resources that meet minimum accessibility standards and support the use of assistive technologies.
2. Module outlines will be made accessible at least four weeks before the module starts.
3. Prioritised reading lists will be made available sufficiently in advance to accommodate the provision of alternative formats and support those with a slow reading speed.
4. Lecture/seminar slides/outlines will be made available in electronic format in advance to allow all students to prepare (particularly students with notetaking difficulties).
5. Lecture capture will be used to assist notetaking.

**b) Learning, teaching and assessment methods**

The inclusive practices in the guidance (Annex B Appendix A, section b (1) and (2)) have all been considered in order to support all students in their assessments on this module.

1. **Campus(es) or centre(s) where module will be delivered:**

Canterbury

1. **Internationalisation**

The module will contain some comparative material e.g. for certain topics, reference will be made to relevant judgments from the European Court of Human Rights (involving cases against the United Kingdom and other European nations). However, the primary function of this module will be to provide students with a detailed knowledge and understanding of English mental health law.

**DIVISIONAL USE ONLY**

**Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.**

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| --- | --- | --- | --- | --- |
| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs(Q6 & 7 cover sheet) |
| 19/01/16 | Minor | September 2016 | 12,13 | No |
| 27/01/17 | Major | September 2017 | 8,10,12,13,14 | No |
| 25/01/18 | Major | September 2018 | 8-9, 11, 13-14 | No |
| 06/12/19 | Major | September 2020 | 13 | No |
| 10/12/20 | Major | September 2021 | 13,14 | No |