1. **KentVision code and title of the module**

LAWS5850 (LW585) Environmental Law Theory and Practice

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

Division for the Study of 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 terms

1. **Prerequisite and co-requisite modules and/or module restrictions**

None.

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

All Law undergraduate courses. Environmental Law Theory and Practice is available as an elective module.

1. **The intended subject specific learning outcomes.  
   On successfully completing the module, students will be able to:**
   1. Demonstrate a sound understanding of environmental quality law and the law relating to pollution control, and the role of international, EU and national law in relation to this.
   2. Demonstrate a detailed appreciation of the role of law in giving effect to environmental policy objectives, alongside other disciplines, and be able to offer critical evaluation of the role of the law in addressing environmental challenges.
   3. Demonstrate research skills in locating and retrieving legal and policy sources and using these effectively in written work.
2. **The intended generic learning outcomes.  
   On successfully completing the module, students will be able to:**
   1. Understand complex legislative material and judicial decisions; to analyse complex issues and problems; and critically relate the issues to their wider socio-economic context.
   2. Present critical and research-substantiated arguments in written work.
   3. Recognise alternative solutions to legal issues and to evaluate these.
3. **A synopsis of the curriculum**

The overall objective of the module is to provide an exposition of Environmental Law which seeks to assess the functioning of the law alongside the environmental problems that it seeks to address. Many of these problems admit scientific, economic and administrative responses as readily as legal ones. However, the underlying premise is that, alongside other disciplines, law has an essential part to play in the protection of the environment. Within law, various strategies that may be applied to environmental problems have different strengths and weaknesses. In each case the options must be reviewed and it must be asked, which is *the most appropriate* legal approach to a particular kind of environmental problem?

To some extent this eclectic perspective spans traditional legal boundaries emphasising features which may be overlooked in customary treatments of subjects such as criminal law, tort, administrative law and European Union law, but it is a subject which has a distinctive identity determined by the specific problems that the law seeks to address. Environmental Law seeks to examine and assess laws, of widely different kinds, from a uniquely environmental perspective. Taking the broadest possible view, it must be asked what legal mechanism is best used to restrict emissions causing deterioration in the quality of the three environmental media of water, air and land and how the law can provide appropriate redress for environmental harm.

Environmental Law Theory and Practice I is broadly concerned with environmental quality law, particularly the different ways in which environmentally damaging activities are addressed through legal mechanisms. The interest in environmental quality and pollution control is not merely limited to contemporary issues but includes an interest in understanding how legal responses to these problems have developed over time since the Industrial Revolution, and consideration as to whether they are currently and will continue to be fit for purpose in rising to current challenges. The module opens with a discussion of how we might define and understand the character of environmental law, following this question through the historical development of contemporary environmental law across the public / private divide and across jurisdictions from the UK through the EU towards the influences of international agreements. This is undertaken through examination of how protection the three environmental media: water, land and air has developed since industrialisation. The module finishes with consideration of cross-cutting issues such as enforcement, and through revisiting the initial question as to how we might define and understand the character of environmental law with reference to current challenges such as climate change, and radically alternative proposals for visions of the future of environmental law.

1. **Reading list (Indicative list, current at time of publication. Reading lists will be published annually)**

The University is committed to ensuring that core reading materials are in accessible electronic format in line with the Kent Inclusive Practices.

The most up to date reading list for each module can be found on the university's [reading list pages](https://kent.rl.talis.com/index.html).

1. **Learning and teaching methods**

Total Study Hours: 150

Contact Hours: 20

Private Study Hours: 130

1. **Assessment methods.**

13.1 Main assessment methods

The module will be assessed by 100% coursework or 100% dissertation as follows:

Coursework – Short Essay (1250 words) - 20%

Coursework – Essay (3500 words) – 80%

**Students must pass the 80% ‘Essay’ element in order to pass the module overall.**

**OR**

Dissertation (6000 words) – 100%

13.2 Reassessment methods

Like-for-like

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 | 9.1 | 9.2 | 9.3 |
| **Learning / teaching method** |  |  |  |  |  |  |
| Lectures | X | X | X | X |  | X |
| Seminars | X | X | X | X | X | X |
| Private Study | X | X | X | X |  | X |
| **Assessment method**  Specify word length, duration, individual or group work |  |  |  |  |  |  |
| Essay - 1000 words **AND** | X |  | X | X |  | X |
| Essay - 3000 words **OR** | X | X | X | X | X | X |
| Dissertation - 6000 words | X | X | X | X | X | X |

1. The Division/School 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 of seminars 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 to allow all students to prepare (particularly students with notetaking difficulties).
5. In accordance with the KLS school-level statement on Lecture Capture, lectures will be recorded to assist notetaking unless one or more of the lectures contains sensitive material. The module convenor will notify students in advance of any lectures that will not be recorded.

**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 focus of much of the material covered in the module on European Union environmental measures means that it is inevitably international in approach.

**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.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Date approved | Major/minor revision | Start date of the delivery of revised version | Section revised | Impacts PLOs (Q6 & 7 cover sheet) |
| 09/01/2019 | Major | September 2019 | 12 | No |
| 09/2021 (EAP) | Major | September 2021 | 13, 14 | No |
| 16/12/2021 | Major | September 2022 | 1,5,7,9,10,13,14 | No |