1. **Title of the module**

LAWS5940 (LW594): Skills in Legal Interpretation

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

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**

Prerequisite module is LAWS5880 Public Law I

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

All single and joint honours undergraduate law programmes

1. **The intended subject specific learning outcomes.**

**On successfully completing the module students will be able to:**

* 1. Demonstrate a detailed understanding of the established canons of statutory interpretation in the UK and with those prevailing in other countries such as Canada, France and the United States.
  2. Critically assess the impact of EU law on statutory interpretation in EU Member States.
  3. Demonstrate a detailed understanding of hermeneutics, reader-response theory, and deconstruction as these movements pertain to statutory interpretation in the UK.
  4. Demonstrate a critical awareness of the politics of statutory interpretation in the UK.
  5. Demonstrate a critical understanding of methods of statutory interpretation to be used in a given situation
  6. Critically assess the legal efficiency of statutory interpretation strategies at both the national and supranational level.
  7. Demonstrate a critical awareness of, and sensitivity to, the economic, political and/or social implications arising from the application of various methods of statutory interpretation.

1. **The intended generic learning outcomes.  
   On successfully completing the module students will be able to:**
   1. Undertake guided and independent research by taking into account a variety of sources of information.
   2. Demonstrate interdisciplinary approaches to the study of legal interpretation..
   3. Demonstrate analytical, argumentation and problem-solving skills.
   4. Engage critically with legal and non-legal sources in discussions and writings.
   5. Use relevant and appropriate legal and non-legal terminology with care, accuracy and confidence in discussions and writings.
2. **A synopsis of the curriculum**

90% of English legal cases involve a statute. For obvious reasons, it is crucial that students should know how to interpret and apply a statute. Through a series of fascinating examples drawn from the UK and elsewhere, this module teaches students these skills, which all employers highly value. Indeed, skills in the interpretation and application of law-texts are also very useful in a wide range of contexts, for example when students have to deal with judicial precedents or multilingual legislation.

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

Bennion, F.A.R. (2001) *Understanding Common Law Legislation*, Oxford: Oxford University Press.

Gadamer, Hans-Georg (1986) *Truth and Method*, trans. Joel Weinsheimer and Donald G. Marshall, 2nd rev. Eng. edn, New York: Continuum, 2004.

Glanert, Simone and Girard, Fabien (eds) (2017) *Law’s Hermeneutics: Other Investigations*, London: Routledge.

Greenawalt, Kent (2013) *Statutory and Common Law Interpretation*, Oxford: Oxford University Press.

Hunter, Rosemary *et al.* (eds) (2010) *Feminist Judgments: From Theory to Practice*, Oxford: Hart.

Hutchinson, Allan C. (2016) *Toward an Informal Account of Legal Interpretation*, Cambridge: Cambridge University Press.

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 40% coursework and 60% examination:

Essay, 2000 words (40%)  
Exam, 2 hours (60%)

13.2 Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment. The reassessment will test the learning outcomes as indicated below.

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 | 9.4 | 9.5 |
| **Learning / teaching method** |  |  |  |  |  |  |  |  |  |  |  |  |
| Lectures | X | X | X | X | X | X | X |  | X |  |  |  |
| Seminars | X | X | X | X | X | X | X | X | X | X | X | X |
| Private Study | X | X | X | X | X | X | X | X | X | X | X | X |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |  |  |
| Essay (40%) | X | X | X | X | X | X | X | X | X | X | X | X |
| Exam (60%) | X | X | X | X | X | X | X | X | X | X | X | X |

1. The 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 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. 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**

An important feature of the proposed module will be critically to introduce students to key interpretive insights from German hermeneutics, US reader-response theory and French deconstruction, possibly the three leading contemporary intellectual movements in the realm of interpretation, with specific reference being made to law. Further, a number of case-studies including pertinent illustrations not only from English law but also from Canadian, French and US law, will be considered. The module will also address the impact of EU law on statutory interpretation in EU Member States.

**FACULTIES SUPPORT OFFICE 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) |
| 25/01/2018 | Major | September 2018 | 8-15, 17 | No |
|  |  |  |  |  |