1. **Title of the module**

LAWS9320 (LW932) EU Citizenship and Residence Rights - Clinical Option

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 7

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

20 credits (10 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**

LLM in (Specialisation), LLM in Law, PG Dip in (Specialisation) and PG Cert in Law

1. **The intended subject specific learning outcomes.  
   On successfully completing the module students will have:**
   1. A comprehensive knowledge and understanding of the concepts of EU free movement and citizenship.
   2. A thorough understanding of the law and procedures relevant to EU free movement and citizenship, including case law at a CJEU and domestic law level; with particular focus on access to social security and social assistance.
   3. The ability to critically reflect upon the operation of the law in practice and, by drawing upon original research, the ability to assess the application and effects of specific laws, principles and procedures, situating them in their wider context, and critically evaluating them against intrinsic aims and external criteria, for example, doctrinal coherence, certainty and finality, and certain conceptions of social justice and economic efficiency.
   4. The ability to advance coherent legal argument directed at securing vindication of an individual client’s desired outcome.
   5. The ability to understand and analyse intricate factual situations in legal terms, identifying the relevant points and issues arising from the clients’ cases requiring further research with the aim of gaining an overview of the different and disparate aspects of a specific legal problem.
   6. The ability to comment upon and test current legal instruments, case law and scholarship in the context of the factual and legal issues arising from the client’s case; recognise the different positions arising in the materials surveyed and critically analyse the different positions.
   7. Taken responsibility for the conduct of a client’s case.
2. **The intended generic learning outcomes.  
   On successfully completing the module students be able to:**
   1. Conduct advanced research, making proper use of the library resources by way of law reports, articles, monographs and textbooks, demonstrating the ability to retrieve up-to-date information quickly.
   2. Identify and evaluate complex legal and policy problems according to their historical, political and legal context; identify relevant economic, political and/or social implications of legal forms and institutions.
   3. Develop and test in practice hypotheses and strategies appropriate to unstructured situations of fact; to suggest alternative strategies and solutions to problems raised; to assess relative probabilities and outcomes in changing situations; to relate a situation or problem to wider contexts.
   4. Produce a creative, critical and analytical essay on the basis of independent research; writing in a clear and accessible way an argument or hypothesis and to set out a reasoned conclusion; having demonstrated the ability to utilise good footnoting, bibliographic, citation and reference systems, and careful and accurate use of the English language and legal terminology.
3. **A synopsis of the curriculum**

This module focuses on citizens of the EU and their family members who have chosen to exercise free movement and residence rights and thereby seek to rely on their ‘rights’ as EU citizens in the territory of another Member State. Students will investigate the idea of free movement and citizenship of the EU, including the foundational rules, principles, doctrines and their scope, through the prism of Clinical Legal Practice. The Clinical Option provides an opportunity for students to develop their knowledge of this contested and rapidly developing area of law by conducting, under the supervision of a Kent Law Clinic solicitor, a ‘real’ case where the law or rules said to derive from EU law are the subject of ‘live’ as opposed to ‘academic’ dispute/contestation. Each student will be allocated a case where a Clinic client is seeking to rely on free movement or citizenship rights in an appeal against a decision by the Department for Work and Pensions, the UK Border Agency or a local authority that s/he does not have a right to reside in the UK under EU law.

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

* Barnard C and Peers S, (eds) (2014) *EU Law* (OUP).
* Carrera S, and Atger AF, (2009) *Implementation of Directive 2004/38 in the context of EU Enlargement: A proliferation of different forms of citizenship?* (Centre for European Policy Studies Special Reports).
* Craig P and De Bύrca G, (2011) *EU Law: Text, Cases, and Materials*, 5th ed. (OUP).
* De Bύrca G, (ed) (2005) *EU Law and the Welfare State* (OUP).
* Guild E, Peers S, and Tomkin J, (2014) *The EU Citizenship Directive: A Commentary* (OUP).
* Habermas J, (1990) *‘Citizenship and National Identity’ Annex 2 in Between Facts and Norms* (Polity Press 1996).
* Marshall TH, (1950) *Citizenship and Social Class, and Other Essays* (CUP).

1. **Learning and Teaching methods**

Contact hours: 18

Private study hours: 182

Total study hours: 200

1. **Assessment methods.**

13.1 Main assessment methods

Continuous in-module case conduct (‘casework’) (20%)  
  
Essay, 4000 words (80%)

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 | 8.4 | 8.5 | 8.6. | 8.7 | 9.1 | 9.2 | 9.3 | 9.4 |
| **Learning / teaching method** |
| Seminars | X | X | X |  | X | X |  |  | X | X |  |
| Case supervision, training and teaching | X | X | X | X | X | X | X | X |  |  |  |
| Private Study | X | X | X | X | X | X | X | X | X | X | X |
| **Assessment method** |  |  |  |  |  |  |  |  |  |  |  |
| Continuous in-module case conduct |  | X | X | X | X | X | X | X | X |  |  |
| Essay | 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, the lecture/seminars will not be recorded as they are heavily discussion-based

**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**

This module focuses on citizens of the EU and their family members who have chosen to exercise free movement and residence rights and thereby seek to rely on their ‘rights’ as EU citizens in the territory of another Member State.

**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) |
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