

2021-22 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

37 Kent Law School

LW315		Introduction to Obligations				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	C	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	C	15 (7.5)	100% Coursework with Compulsory Numeric Elements	

Contact Hours

Contact hours: 30
Private study hours: 120
Total study hours: 150

Department Checked

Yes - LSSJ - 14/09/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module students will be able to:

1. Demonstrate an understanding of the nature of private law, its main subdivisions and its development.
2. Demonstrate a knowledge of the main types of legal obligation.
3. Demonstrate an outline knowledge of the principles of the law of contract and tort.
4. Demonstrate an understanding of the distinctive nature of case law and of the common law in particular.
5. Identify the contractual and tortious legal issues raised in simple problem situations.
6. Use case-law to predict the legal outcome of problem situations in at least one area of contract law and one area of tort.

The intended generic learning outcomes are as follows. On successfully completing the module students will be able to:

1. Find a named case.
2. Read a case, distinguishing the components such as the head note, the facts and the judgments; to identify, where possible, the ratio decidendi, while recognising the difference between different judgments.
3. Make notes on cases, including judging their weight and providing critical comments for such notes.
4. Research a simple legal issue to find the relevant rules and principles, to identify relevant cases, to distinguish areas of comparative certainty from the leeways for argument and to provide a written legal opinion based on the above research.
5. Use cases, including using judicial quotation, in making an argument.
6. Use case law to provide advice on a problem situation of limited complexity.

They will also be able to demonstrate the following general abilities;

7. To use library and web resources, including journal articles, to research an issue.
8. To distinguish soundly based knowledge and evidenced claims from unfounded assertions.
9. To intelligently distinguish issues about which it is legitimate to argue and on which different views may be held.
10. To identify flaws and weaknesses in an argument.

Method of Assessment

Main assessment methods

Coursework - Multiple Choice test (MCT) 1-hour - 20%

Coursework - Problem question (2200 words): 80% *

* Students must achieve a mark of 40% in the problem question to pass the module overall.

Reassessment methods

Like-for-like: where undertaken, students must achieve a mark of 40% in the problem question to pass the module on reassessment

Preliminary Reading

Adams J. and Brownsword R. (2007) - Understanding Contract (5th ed.), London, Sweet and Maxwell
Conaghan J. and Mansell W. (1999) - The Wrongs of Tort (2nd ed.), London, Pluto Press
Harlow C. (2005) Understanding Tort law (3rd ed.), London, Sweet and Maxwell
Horsey K. and Rackley E., (2017) - Tort Law (5th ed.), Oxford, OUP.
Hutchinson A. (2006), Evolution of the common law. Cambridge, Cambridge University Press
E. McKendrick E., (2011), Contract Law: Text, Cases and Materials (4th ed.), Oxford, OUP.
O'Sullivan J. and Hilliard J. (2016) – The Law of Contract (7th ed.), Oxford, OUP
Weir A. (2006) An Introduction to Tort Law (2nd ed.), Oxford, OUP
Wightman J. (1996) Contract - A Critical Commentary, London, Pluto Press

Pre-requisites

Co-requisite - This module is to be taken with LAWS3160 (LW316)/LAWS5316 (LW5316) Foundations of Property

Pre-requisite FOR LAWS650 (LW650) The Law of Contract and LAWS6510 (LW651) The Law of Tort.

Restrictions

Only available to students following a Law programme of study (either single or joint honours).
Not available to Exchange students.

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Synopsis *

Section 1 Introduction to Obligations

- a) The nature of the common law and its development.
- b) The idea of precedent and legal reasoning.
- c) The distinction between public law and private law.
- d) The main divisions of obligations.
- e) Drafting case notes

Section 2 Introduction to the law of contract

- a) The historical development of contract law and its functions in the modern world.
- b) A special area of study in contract e.g. formation and modification of contracts.

Section 3 Introduction to tort

- a) The historical development of tort. An overview of different types of tort. The centrality of the tort of negligence and its role in the modern world.
- b) A special study in tort – e.g. trespass to the person.

Section 4 Conclusion

A summary; guidance to legal problem solving.

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LW316		Foundations of Property				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Medway	Spring	C	15 (7.5)	50% Coursework, 50% Exam	
1	Canterbury	Spring	C	15 (7.5)	50% Coursework, 50% Exam	

Contact Hours

Total contact hours: 30
Private study hours: 120
Total study hours: 150

Department Checked

Yes - LSSJ - 17/03/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the Level 4 module LAWS3160 (LW316) students will be able to:

1. Demonstrate knowledge and understanding of the concepts, principles and rules of a range of property law topics, including topics in equity, trusts and land.
2. Identify and explain property-related issues.
3. Appreciate the historical, cultural, political and economic contexts relevant to the discussion of 'property', and situate and discuss these elements through an examination of specific property law issues and case material.

The intended generic learning outcomes are as follows. On successfully completing the Level 4 module LAWS3160 (LW316) students will be able to:

1. Read cases and statutory materials and understand their relevance to legal dilemmas.
2. Summarise and comment on material.
3. Apply knowledge to analyse issues of moderate complexity.
4. Present material with proper citations and use of references.

Method of Assessment

Main assessment methods for LAWS3160 (LW316):
Coursework - Essay (2000 words) - 50%
Examination - 2 hours - 50%

Reassessment methods

Like-for-like

Preliminary Reading

Davies M., (2007), *Property: Meanings, Histories, Theories*, London: Glasshouse
Garton J. (2015), *Moffat's Trusts Law* (Cambridge: Cambridge University Press, 6th ed., 2015)
Gordon R., (1996) 'Paradoxical Property' from J. Brewer and S. Staves, *Early Modern Conceptions of Property*, London: Routledge
Gray K. and Gray S.F. (2011), *Land Law*, (7th ed.), Oxford; Oxford University Press
Hudson A. (2015), *Understanding Equity & Trusts* (5th ed.), Oxford: Routledge
Mossman M.J. and Flanagan W., (2004), *Property Law Cases and Commentaries* (2nd ed.), Toronto: Emond Montgomery Publications
Murphy T., Roberts S. Flessas T., (2004) *Understanding Property Law*, London: Sweet and Maxwell

Pre-requisites

Co-requisite - This module is to be taken with LAWS3150 (LW315) Introduction to Obligations.
Only available to students following a Law programme of study (either single or joint honours). EXCEPT LLB Law (Senior Status) where LAWS5316 (LW5316) should be taken.

Restrictions

Only available to Law students. Not available to exchange students.

Synopsis >*

Following on from 'Introduction to Obligations', 'Foundations of Property' continues the study of private law by introducing students to property law. 'Property' is something we tend to presume we know about, and rarely examine as an idea or practice closely. Most often we use it to connote an object or 'thing', and presume that it has something to do with 'ownership' of that object; we use expressions such as, 'This is mine,' and often do not examine the detail of what that really means.

This module begins to unpack and examine the ideas and practices of property more closely, looking in particular at land to ask questions such as: what do we mean by 'ownership'? What happens when a number of competing 'ownership claims' in one object exist? What are the limits of 'ownership'? Does 'ownership' entail social obligation?

When preparing for the module it will be useful to think about (and collect material on) current debates over contested ownership (or use) of property and resources, especially in relation to land.

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LW327 The English Legal System and Skills						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	C	4 (2)	Pass/Fail Only	
1	Canterbury	Whole Year	C	4 (2)	100% Coursework with Compulsory Numeric Elements	

Contact Hours

Private study hours: 30

Total study hours: 40

Total contact hours: 10

Department Checked

Yes- LSSJ- 02-09-2021

Learning Outcomes

The intended subject specific learning outcomes.

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

1. the basic principles of the English Legal System.
2. the law-making process.
3. the court structure and administrative justice system.
4. legal research skills

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a working knowledge of the library and conduct research using electronic sources and paper materials.
2. Read and evaluate cases, including the ability to identify ratio decidendi and obiter dicta.
3. Demonstrate a working knowledge of OSCOLA citation method and ability to provide legal citations.

Method of Assessment

The overall mark for the module will be pass/fail and students will be required to pass both elements.

Main assessment methods

- Legal research skills Multiple Choice Test - 50% - pass/fail- PASS COMPULSORY
- Poster and diary - 50% - pass/fail - PASS COMPULSORY

Reassessment methods

Like for like

Preliminary Reading

- E. Finch and S., Fafinski Legal Skills (5th ed, 2015 OUP).
- A. Gillespie, The English Legal System (6th ed, 2017 OUP)

Pre-requisites

None

Restrictions

Only available to students following a Law degree both single and joint honours. Not available to select during module registration or to exchange students.

Synopsis *

Part A: English Legal System

This module provides an overview of the English Legal System, including the following indicative topics:

1. An introduction to Parliament and the legislative process
2. The court structure and the doctrine of precedent
3. An introduction to case law, including how to identify and the importance of ratio decidendi and obiter dicta

Part B: Introduction to Legal Skills

The module also gives students an introduction to the basic legal skills that they will develop further in their other modules throughout the degree. The focus here is on specific exercises to support exploration and use of the library resources that are available, both in paper copy and electronically through the legal databases, and on understanding practices of legal citation.

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LW505	Family Law					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Medway	Whole Year	H	30 (15)	80% Exam, 20% Coursework	
2	Canterbury	Whole Year	H	30 (15)	70% Exam, 30% Coursework	
2	Canterbury	Whole Year	H	30 (15)	80% Exam, 20% Coursework	

Contact Hours

Contact hours: 40

Private study hours: 260

Total study hours: 300

Department Checked

Yes- LSSJ- 24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. demonstrate a critical knowledge of the concepts, principles, policies, issues, debates and legal doctrine associated with various areas of family law
2. critically identify the ideological and policy underpinnings of the legal rules; and to critically evaluate how well the policies and law work in practice
3. demonstrate critical thinking about family law: to take nothing at face value, to go beneath the surface of the law to critically analyse and evaluate it

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. demonstrate critical thinking when discussing and applying the law
2. critically evaluate conflicting decisions and viewpoints
3. demonstrate ideas with conviction
4. present observations, ideas and opinions persuasively

Method of Assessment

Main assessment methods

This module will be assessed by coursework worth a total of 30% and a final examination worth 70%:

Written assessment, 2000 words (30%)

Exam, 3 hours (70%)

Reassessment methods

Reassessment instrument: Exam (100%)

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

Preliminary Reading

- Doyle, R., *The Woman Who Walked Into Doors* (Vintage, 1997)
- Gilmore, S., and Glennon, L., (2016). *Hayes and Williams' Family Law* (5th edition, Oxford University Press)
- Harris-Short, S., J. Miles, and R. George, *Family Law: Text, Cases and Materials* (3rd edition, Oxford University Press, 2015)
- Herring, J., *Family Law* (8th edition, Pearson, 2017)

Pre-requisites

Previous or concurrent study of LW588/614 (LAWS5880/LAWS6140)

Restrictions

Not available to non-Law students. Final year module only.

Synopsis *

This module will focus on the way in which the law defines and constructs the family, and the way in which it regulates family breakdown. Autumn term deals broadly with the institution of marriage and adult relationships. Spring term deals with the relationships between parents, children and the state.

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LW507		Critical Legal Theory				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	80% Project, 20% Coursework	
1	Canterbury	Whole Year	H	30 (15)	100% Project	
1	Canterbury	Whole Year	H	30 (15)	90% Exam, 10% Coursework	

Contact Hours

Contact hours: 40
Private study hours: 260

Total study hours: 300

Department Checked

Yes-LSSJ-24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

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

1. Understand the special value of theoretical inquiry to critical approaches to law
2. Demonstrate familiarity with the central concepts, motivations, principles, traditions and debates of contemporary critical legal theory
3. Interrogate the relationship between normative and critical legal theories
4. Critically analyse legal concepts, practices, techniques, phenomena and events
5. Critically reflect on the nature of law in modernity, modern law's particular configuration of the relationship between law and life, and the way modern law shapes contemporary legal, political and cultural relations
6. Understand the political and ethical relationship between critique and justice, and the distinctive role of critical legal theory in relation to law, legal practices, and contemporary political and legal problems
7. Demonstrate the ability to critically reflect on the separation of law from other academic disciplines, practices and concepts
8. Appreciate the importance to the contemporary critique of law of perspectives developed in other disciplines, such as political theory, aesthetic theory, visual culture, rhetoric, film studies, critical philosophy, theology, political theology, literature and literary studies, linguistics, historical studies, psychoanalysis, sociology and economics
9. Critically reflect on the relationship between theory and practice in a legal context

The intended generic learning outcomes.

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

1. Demonstrate close reading of texts, including sophisticated theoretical material
2. Critically analyse texts, including legal texts, and of legal and juridical problems as they arise in texts from multiple disciplines
3. Demonstrate conceptual synthesis of a variety of sources, textual and non-textual, from multiple disciplines
4. Demonstrate a reflective, self-directed and independent approach to learning
5. Demonstrate a coherent and sustained written argument
6. Formulate critical legal research questions within a theoretical field, or drawing substantially on a theoretical field

Method of Assessment

Main assessment methods

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

Class participation (10 %)
Essay, 1500-word (10%).
Research essay (project), 6000 words (80%).

Reassessment methods

The module will be reassessed by a reassessment instrument of a research essay (project).

Preliminary Reading

Constable, M., 2005. *Just Silences: The Limits and Possibilities of Modern Law*. Princeton: Princeton University Press.
Dorsett, S. & McVeigh, S., 2012. *Jurisdiction*. Abingdon: Routledge.
Douzinas, C. & Geary, A. 2005. *Critical Jurisprudence: The Political Philosophy of Justice*. Oxford: Hart.
Esposito, R., 2012. *Third Person: The Politics of Life and Philosophy of the Impersonal*. Cambridge: Polity.
Goodrich, P., 1990. *The Languages of Law*. London: Weidenfeld.
Pottage, A. and Mundy, M. 2004. *Law, Anthropology and the Constitution of the Social*. Cambridge: Cambridge University Press.

Restrictions

This module is only open to final year students.

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Synopsis * < / span >

This module is intended to introduce students to the major debates, questions, concepts and theoretical approaches in the critique of law. It offers a grounding in several key aspects of legal theory, and some major ways of characterising law in Modernity. Students completing this module will develop a greater precision, articulacy and rigour in all of their considerations of law. The module is also intended as training in the making of well-considered and supported critical arguments.

After an introduction addressing the nature and practise of legal critique, the module has two main parts. In the first part, students will be introduced to key topics in critical legal theory, such as sovereignty and the legal subject, jurisdiction, legal interpretation, judgment, and justice. These topics will be considered with an eye to the overarching question of the relation between law and political authority. In the second part of the course, this conceptual vocabulary will be applied to a range of contemporary issues. Examples might include issues in biotechnology, facebook and social media, political protest, films and other popular cultural forms, social equality, terrorism and counter-terrorism, torture, the casualized workforce, and the plight of the refugee; and any other issues as relevant from time to time. In addition to the critical legal perspectives developed in the first part of the course, the module will draw on appropriate specialist theoretical material from other disciplines relevant to the contemporary issues selected for analysis.

LW508 Criminal Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	I	30 (15)	90% Exam, 10% Coursework	
1	Canterbury	Whole Year	I	30 (15)	80% Exam, 20% Coursework with Compulsory Numeric Elements	
1	Canterbury	Whole Year	I	30 (15)	80% Exam, 20% Coursework	
1	Medway	Whole Year	I	30 (15)	100% Exam	
1	Medway	Whole Year	I	30 (15)	80% Exam, 20% Coursework	
1	Canterbury	Whole Year	I	30 (15)	60% Exam, 40% Coursework with Compulsory Numeric Elements	

Contact Hours

Contact Hours: 55
Private Study: 245
Total Study Hours: 300

Department Checked

Yes - LSSJ - 16/03/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module students will be able to:

1. Demonstrate a sound grounding in the concepts, principles and rules of criminal offences.
2. Demonstrate a sound understanding of the wider debate in respect of the place of criminal law in the social context, the definitions of harm and the boundaries of criminal law.
3. Demonstrate knowledge of the major theoretical debates in the criminal law field.
4. Assess criminal liability in a given factual situation and identify any defences by applying relevant legal principles, case law and statute law to the facts, and critically debate any issues raised.
5. Engage in a reasoned and informed discussion of the major areas of criminal law making appropriate reference to legal and academic source authorities.
6. Evaluate the operation of the criminal law in the social context.

The intended generic learning outcomes are as follows. On successfully completing the module students will be able to:

1. Demonstrate their skills in summarising cases and developing argument.
2. Demonstrate research and presentation skills through class presentations and through assessment.
3. Undertake independent legal research and identify and retrieve up to date information, using a range of paper and electronic sources.
4. Present legal argument both in class and through assessment
5. Recognise potential alternative conclusions for particular situations, and provide supporting reasons for them.
6. Use relevant legal terminology with care and accuracy.
7. Present and evaluate information in a numerical or statistical form

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Method of Assessment

Main assessment methods

The module will be assessed by 40% coursework and 60% examination.

Examination - unseen paper (3 hours) - 60%

Coursework - Advice note (2000 words) – 20%.

coursework - Compulsory oral presentation (5-10 minutes) – 20%. This element must be passed alongside the other elements to pass the module overall. These assessments will be recorded and each group participant will receive a group mark.

Reassessment methods

The module will be reassessed by like-for-like reassessment of the failed individual component(s).

Preliminary Reading

Herring J. (2019), Criminal Law: Text, Cases and Materials (8th Edition), Oxford, Oxford University Press

Horder J. (2019), Ashworth's Principles of Criminal Law, (9th Edition), Oxford, Oxford University Press Ormerod, D.(2018) ,

Smith and Hogan: Criminal Law (15th Edition), Oxford, Oxford University Press

Ormerod D. and Laird K. (2018), Smith, Hogan and Ormerod's: Criminal Law (15th Edition), Oxford, Oxford University Press

Padfield, N. (2016), Criminal Law (10th Edition), Oxford, Oxford University Press.

Thomas M. (2018), Criminal Law, (1st Edition), Salford, Hall and Stott

Pre-requisites

None

Restrictions

Only available to Law students. Not available to exchange students.

Synopsis *

As one of the Foundations of Legal Knowledge, these modules have a direct contribution to qualification as a solicitor or barrister in England and Wales). The content of these modules is informed, therefore, by the requirements of the Solicitors Regulation Authority and Bar Standards Board and each serves to provide students with substantive knowledge of English criminal law. The module therefore covers the following:

- Introduction to the concept of crime, the structure of criminal justice and the general principles of liability
- Harm and the boundaries of criminal law
- Considering cases – how to effectively summarise cases and write a case note
- Murder
- Defences to murder
- General defences
- Manslaughter
- Non-fatal offences against the person
- Sexual offences
- Inchoate offences
- Complicity
- Property-related offences

LW509 Human Rights and English Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	90% Exam, 10% Coursework	
1	Canterbury	Whole Year	H	30 (15)	80% Exam, 20% Coursework	

Contact Hours

Contact hours: 40

Private study hours: 260

The module is allocated 300 hours of study

Department Checked

Yes- LSSJ- 24/3/2021

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Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. demonstrate a systematic understanding of key aspects of the relationship between human rights and English law including both the historical development of, and contemporary claims and contestations involving human rights in the context of both international and domestic law
2. critically evaluate those claims and contestations and reach reasoned judgments including the identification of a solution or a range of solutions to conflicting interests, in particular those arising from the operation of the European Convention on Human Rights and the Human Rights Act 1998
3. demonstrate an awareness of the legal and political consequences of framing social and political issues in terms of human rights
4. demonstrate the ability to evaluate and deploy a broad range of legal, political and philosophical authorities to support and underpin their conclusions
5. critically discuss the nature, function and effects of human rights as they have been, are, ought to and/or might be expressed in English law
6. demonstrate engagement and critical evaluation in the context of rights and freedoms including, but not limited to the right to life, the right to liberty of the person, privacy, freedom of religion, and freedom of expression

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. demonstrate knowledge and understanding in the form of reasoned argument in written assessment
2. critically identify and evaluate legal and policy problems according to their historical, political and legal context
3. summarise detailed historical and conceptual material, recognizing different positions that are taken in the literature surveyed
4. demonstrate an appreciation of the legal forms that arise and operate within complex historical and political conditions
5. demonstrate an awareness of the economic, political and/or social implications of legal forms and remedies

Method of Assessment

Main assessment methods

The module will be assessed by 20% Coursework and 80% Exam as follows:

- Essay worth 20% of 2,000 words
- Exam worth 80% of 3 hours

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual components of assessment.

Preliminary Reading

Dworkin, R, *Freedom's Law*, 1996, Oxford University Press.

Harris, J, *The Value of Life*, 1997, Routledge.

Hart, H.L.A, *The Concept of Law*, 2nd ed, 1994, Clarendon.

Hobbes, T, *Leviathan*, 2008, Oxford Paperbacks.

The Levellers, The Putney Debates, Geoffrey Robertson (Introduction), 2007, Verso.

Locke, J, *Two Treatises on Civil Government*, 1924, Dent (and other editions)

Malik, K, *What is it to be human?*, 2001, Institute of Ideas.

Mill, J.S, *On Liberty* (1859) and *The Subjection of Women* (1869), 2006, Penguin Classics.

Riddall, J.G, *Jurisprudence*, 2nd ed, OUP, 2005

White, R.C.A, and Ovey, C, *White & Ovey: The European Convention on Human Rights*, 2010, OUP.

Synopsis <span style =

This module seeks to provide a sound knowledge and understanding of the concepts and principles underlying the law relating to human rights, including a grounding in the historical development and political philosophy of human rights law; to provide a detailed grasp of the current protection of human rights in English law, with particular reference to the Human Rights Act 1998 and European Convention on Human Rights; and to promote a critical discussion about the nature, function and effects of human rights as they have been, are, ought to and/or might be expressed in English law.

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LW518 The Law of Evidence						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Medway	Whole Year	H	30 (15)	70% Exam, 30% Coursework	
1	Canterbury	Whole Year	H	30 (15)	70% Exam, 30% Coursework	
1	Medway	Whole Year	H	30 (15)	50% Coursework, 50% Exam	
1	Canterbury	Whole Year	H	30 (15)	50% Coursework, 50% Exam	
1	Canterbury	Whole Year	H	30 (15)	60% Exam, 40% Coursework	
1	Canterbury	Whole Year	H	30 (15)	60% Coursework, 40% Exam	
1	Canterbury	Whole Year	H	30 (15)	90% Exam, 10% Coursework	
1	Medway	Whole Year	H	30 (15)	60% Exam, 40% Coursework	

Availability

This module is only available to students in Stage 3.

Contact Hours

- Contact hours: 60
- Private study hours: 240
- Total study hours: 300

Department Checked

yes- LSSJ-29-09-2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a detailed understanding of the skills of forensic reasoning and how these are applied in the courtroom.
2. Demonstrate a detailed knowledge of the functions, principles and rules of evidence as used in English and Welsh Courts.
3. Demonstrate a critical understanding of the relationship between the rules and principles of evidence and the European Convention on Human Rights.
4. Demonstrate a detailed knowledge of the main sources of literature on the law of evidence, from a range of disciplines.
5. Demonstrate a critical understanding of methods of forensic reasoning within the rules of evidence to be used in a given situation.
6. Critically assess the efficiency and effectiveness of the rules of evidence and procedure.
7. Demonstrate a critical awareness of the policy implications of procedural issues and law reform in this area.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Undertake guided and independent legal research by taking into account a variety of sources of information.
2. Demonstrate argumentation skills.
3. Engage critically with legal and non-legal sources.

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Method of Assessment

Main assessment methods

The module will be assessed by Coursework (40%) and exam examination OR dissertation (60%).

Examination, (3 hours) - 60%

Multiple choice test (MCT) - 10%

Problem Question (3000 words) OR Mock Trial OR Moot – 30% - PASS COMPULSORY

OR

Dissertation (6000 words) – 60%

Multiple choice test (MCT) – 10%

Problem Question (3000 words) OR Mock Trial OR Moot – 30% - PASS COMPULSORY

The module will be reassessed by like-for-like reassessment of the failed individual component(s) of assessment.

Preliminary Reading

- Anderson T. and Twining W., Analysis of Evidence (Weidenfeld, 2nd ed., 2005)
- Dennis I., The Law of Evidence (Sweet and Maxwell, 4th ed., 2013)
- Durston G., Evidence: Text and Materials (Oxford, 2nd ed., 2011)
- Huxley P., Blackstone's Statutes: Evidence, 14th edition (Oxford University Press: 2016).
- McEwan J., Evidence and the Adversarial Process (Hart, 2nd ed., 1998)
- Munday R., Evidence (Oxford, 9th ed. 2017)
- Roberts and Zuckerman, Criminal Evidence (Oxford, 2nd ed., 2010)
- Tapper C. (ed.), Cross on Evidence (LexisNexis, 11th ed., 2007)
- Uglow S., Evidence: Text and Materials (Sweet and Maxwell, 2nd ed., 2006)

Pre-requisites

LAWS5880 or LAWS6140 Public Law 1 and either LAWS5080 or LAWS6130 Criminal Law are prerequisites. LAWS6010 Advanced Level Criminal Law is normally a prerequisite but, where this is not possible, it may be taken as a co-requisite.

Restrictions

Not available to non Law students.

Synopsis *

The module aims to provide students with: an understanding of the adversarial trial structure and its impact on the content of the law of evidence, particularly in the context of the criminal trial; an understanding of forensic reasoning skills; a familiarisation with the content of some of the key evidential rules; encouragement to identify and debate current issues within the law of evidence with confidence, including the importance of due process and how it relates to notions of truth and fact finding; and the ability to apply the legal rules and principles within a critical framework.

LW519 Law and Medical Ethics						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	90% Exam, 10% Coursework	
1	Canterbury	Whole Year	H	30 (15)	100% Coursework	
1	Canterbury	Whole Year	H	30 (15)	80% Exam, 20% Coursework	

Contact Hours

Contact hours: 39

Private study hours: 261

Total study hours: 300

Department Checked

Yes - LSSJ - 02/09/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module, students will be able to:

1. Demonstrate a systematic understanding of a range of factual circumstances governed by medical ethics and the law.
2. Demonstrate detailed knowledge of the concepts, principles, policies and rules applicable in such circumstances.
3. Situate the regulation of medical practice within its ethical, socio-economic and historical contexts.
4. Critically analyse the regulation of medical practice from a diverse range of perspectives (including historical, political, scientific and religious).
5. Critically evaluate the ethical, ideological and policy underpinnings of this area of the law.
6. Critically evaluate the efficacy of the regulation of medical practice (including its social, legal and economic consequences).

The intended generic learning outcomes are as follows. On successfully completing the module, students will be able to:

1. Conduct complex research, and make appropriate use of both primary and secondary legal and non-legal sources.
2. Present relevant knowledge and understanding, including in the form of a reasoned argument.
3. Identify and evaluate ethical problems, and apply ethical perspectives, in the context of non-legal situations.
4. Use the English language with care, accuracy and effectiveness.
5. Properly present material with correct citation and use of references

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Method of Assessment

Main assessment methods

Pattern A (100% coursework)

Coursework - Multiple-choice test - 10%

Coursework - Multiple-choice test - 10%

Two short essays/briefing notes (1000-1250 words each) – 20% EACH (40% total)

Essay (2250 to 2500 words) – 40%

Pattern B (20% coursework, 80% project / dissertation)

Coursework - Multiple-choice test - 10%

Coursework - Multiple-choice test - 10%

Coursework - Dissertation (7,000 - 8,000 words) - 80%

* Students must achieve a mark of 40% in the dissertation to pass the module overall.

Unless permission has been granted for assessment through dissertation, students will be assessed by coursework. Permission will only be granted for assessment through dissertation if a student meets the Law School requirements for this method of assessment (published in the module catalogue entry for this module), and has satisfied the module convenor that the proposed dissertation is a viable project.

Reassessment methods

Like-for-like

Preliminary Reading

Beauchamp T. and Walters L. (1994), 'Ethical Theory in Bioethics in Contemporary Issues in Bioethics'

Jackson E., (2016), 'Medical Law: Text, Cases and Materials'(4th ed.) Oxford, Oxford University Press

Herring J. (2018), 'Medical Law and Ethics' (7th ed.), Oxford, Oxford University Press,

Laurie G.T., Harman S.H.E. and Porter G. (2016), 'Mason & McCall-Smith's Law and Medical Ethics' (10th ed.) , Oxford, Oxford University Press

(2017), Blackstone's Statutes on Medical Law (2017), Oxford, Oxford University Press

Pre-requisites

None. However, students must meet specific academic requirements in order to undertake the dissertation pathway in this module. These requirements can be found in the module catalogue entry for this module.

Restrictions

Not available to non Law students.

Synopsis *

This module considers the legal regulation of medical practice in its ethical, socio-economic and historical context, drawing on a range of critical, contextual and interdisciplinary perspectives. Students will be introduced to fundamental principles of medical ethics and the law, before moving on to discuss the wider aspects of ethical theory within selected topics. We concentrate on issues at the beginning of life (including abortion, surrogacy, assisted conception, genetics and embryo research) and at its end (euthanasia, futility and withdrawal of treatment), as well as body ownership, transplantation and organ donation.

LW520	Company Law and Capitalism					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	90% Exam, 10% Coursework	
1	Canterbury	Whole Year	H	30 (15)	80% Exam, 20% Coursework	
1	Medway	Whole Year	H	30 (15)	80% Exam, 20% Coursework	
1	Canterbury	Whole Year	H	30 (15)	70% Exam, 30% Coursework	

Contact Hours

Total Contact Hours: 38

Private Study Hours: 262

Total Study Hours: 300

Department Checked

yes - LSSJ - 14/09/2021

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Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module students will be able to:

1. Demonstrate an in-depth understanding of the core concepts and principles of modern British company law and in the beliefs and values underlying it.
2. Apply inter-disciplinary and critical understanding of the historical development of those core concepts and of the socio-economic forces that shaped them.
3. Communicate an appreciation of the policy debates currently surrounding the issue of corporate governance and a critical understanding of the relevance of those debates to contemporary company law.
4. Demonstrate the ability to apply their knowledge of company law to concrete situations; to identify the legal issues arising out of complex hypothetical problem situations; and to recognise and formulate the arguments that might be made by the parties concerned.
5. Apply an in-depth knowledge and understanding of the issues and debates surrounding the governance of the large public companies that dominate the economy.
6. Acquire a critical framework (built on previous study) within which to understand these issues

The intended generic learning outcomes are as follows. On successfully completing the module students will be able to:

1. Critically evaluate an area of law both doctrinally and in terms of its socio-economic consequences.
2. Apply further research from a variety of sources informing a sustained and detailed argument.
3. Recognise potential alternative solutions to particular problems and make a reasoned choice between them.
4. Independently acquire knowledge and understanding in areas, both legal and non-legal, not previously studied.
5. Demonstrate an independence of mind and an ability to critically challenge received understandings and conclusions.

Method of Assessment

Main assessment methods

Assessment pattern A

Coursework - Essay (2,500 words) - 30%

Examination - 3 hours - 70%

(OR)

Assessment pattern B

Coursework - Dissertation (5000 words) - 60%

Examination : 3 hours - 40%

The dissertation pattern is available in any given year at the discretion of the module convenor. It's availability can be confirmed in the module guide for the year in question.

Reassessment methods

Like-for-like

Preliminary Reading

Dignam A. and Lowry J.P., (2016) Company Law (9th ed), Oxford, Oxford University Press

Davies P.L. and Worthington S. (2012), Gower & Davies: Principles of Modern Company Law (9th ed.) London, Sweet & Maxwell.

Kershaw D. (2012), Company Law in Context: Text and Materials (2nd ed) , Oxford, Oxford University Press

Sealy L. and Worthington S., (2013), Cases and Materials in Company Law (10th ed), Oxford, Oxford University Press

Parkinson J.E., Corporate Power and Responsibility: Issues in the Theory of Company Law (Oxford, Clarendon Press 1993)

Talbot L.E. (2008), Critical Company Law, Abingdon, Routledge

Pre-requisites

None

Restrictions

Not available to non law students.

Synopsis *

This module seeks not only to familiarise students with the basic concepts and structure of modern company law, but also to provide them with a critical understanding of the nature and dynamics of modern capitalism and of the historical development of industrial organisation and the emergence of company law within it. In addition to a selection on modern company law, therefore, the module also traces the rise of the joint stock company in the nineteenth century and the emergence of company law in its wake. It moves on to trace the twentieth century rise of the modern multidivisional, multinational company and its impact on company law. In this context, it also considers the nature of the share and of shareholding, and the role of the Stock Market, and explores contemporary debates about corporate governance. Key aspects will include exploring the contractual relations between, on the one hand, the company and its agents and on the other hand, third parties who deal with the company, tracing the evolutionary changes from the Common Law to the modern predominantly statutory framework. It will also deal with aspects of corporate management and control, including directors' duties, shareholders' rights and the increasingly important issues pertaining to market abuse and how the law seeks to deal with such practices. Students are encouraged to familiarise themselves with current issues in the commercial world by reading the financial pages of the newspapers, as reference will frequently be made to current events to facilitate the learning process. The module will address a range of inter-related questions: How well suited is modern company law to the regulation of the large modern corporation? What do shareholders do? What does the Stock Market do? In whose interests are modern corporations run? In whose interest should they be run? How do companies contract and, what are the relationships between the organs of the company?

LW522		Comparative Law				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Whole Year	H	30 (15)	90% Exam, 10% Coursework	

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2	Canterbury	Whole Year	H	30 (15)	50% Coursework, 50% Exam
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2	Canterbury	Whole Year	H	30 (15)	100% Coursework
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Contact Hours

- Contact hours: 30
- Private study hours: 270

- Total study hours: 300

Department Checked

yes-LSSJ- 24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a thorough understanding of the current theoretical debates within the field of comparative law;
2. Demonstrate a systematic ability to engage critically with the various, and at times conflicting, methods informing comparative law;
3. Demonstrate a detailed understanding of hermeneutics, deconstruction and translation studies as these movements pertain to the study of comparative law;
4. Demonstrate critical sensitivity to the cultural embeddedness of legal comparisons;
5. Demonstrate a sound understanding of the conditions under which legal ideas travel between different legal cultures;
6. Systematically identify legal problems arising in various legal cultures which can be better understood and sometimes even resolved through the recourse to law;
7. Demonstrate a thorough understanding of the economic, political and/or social implications arising from the application of various theories informing law.

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. read carefully and efficiently both legal and non-legal texts;
3. Demonstrate argumentation skills;
4. Engage critically with legal and non-legal sources in writings;
5. Present material with proper citations and use of references.

Method of Assessment

Main assessment methods

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

1. A short paper, 2000 words, 20% of the final mark.
2. A short paper, 2000 words, 20% of the final mark.
3. A short paper, 1000 words, 20% of the final mark.
4. An essay, 3000 words, 40% of the final mark.

Reassessment methods

The module will be reassessed by retrieval instrument (100% coursework).

Preliminary Reading

- Stephen Breyer, *The Court and the World* (New York: Alfred A. Knopf, 2015).
- Günter Frankenberg, *Comparative Law as Critique* (Cheltenham: E. Elgar, 2016).
- Simone Glanert (ed.), *Comparative Law – Engaging Translation* (London: Routledge, 2014).
- Patrick Glenn, *Legal Traditions of the World*, 5th ed. (Oxford: Oxford University Press, 2014).
- Vicky C. Jackson, *Constitutional Engagement in a Transnational Era* (Oxford: Oxford University Press, 2010).
- George Ritzer and Paul Dean, *Globalization: A Basic Text*, 2nd ed. (Oxford: Wiley-Blackwell, 2015).
- Geoffrey Samuel, *An Introduction to Comparative Law Theory and Method* (Oxford: Hart, 2014).
- Mathias Siems, *Comparative Law* (Cambridge: Cambridge University Press, 2014).
- Konrad Zweigert and Hein Kötz, *An Introduction to Comparative Law*, transl. Tony Weir, 3rd ed. (Oxford: Oxford University Press, 1998).

Pre-requisites

Previous study of 'LAWS3130 A Critical Introduction to Law' and 'LAWS5880 Public Law I' is required.

Exchange students may be permitted to register for this module at the discretion of the module convenor, subject to appropriate prior study.

Restrictions

Not available to non-law students.

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Synopsis *

In the current context of globalization, postcolonialism and transnationalism, not to mention the Europeanization of laws, every law student in the UK will almost inevitably encounter foreign law in the course of his or her professional life. For one thing, the legislator shows itself more and more open to the influence of foreign legal ideas in the legislative process. Also, appellate judges increasingly refer to foreign law in the course of their opinions. Further, private parties often enter into legal arrangements, such as contracts or wills, presenting an international dimension. In sum, nowadays, foreign law is everywhere and cannot be circumvented.

This module intends to provide law students with the necessary intellectual equipment allowing them to approach any foreign law (not only European laws) in a meaningful way. In particular, the module will heighten students' sensitization to the specificity of foreign legal cultures and encourage them to reflect in depth upon the possibilities and limits of cross-border interaction in the law. Another feature of this module will be a critical introduction to hermeneutics, deconstruction and translation studies with specific reference being made to law as these lines of thought are most relevant for comparatists. Throughout the course, concrete examples will be developed from a range of different national laws.

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LW5316 Foundations of Property						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	I	15 (7.5)	50% Coursework, 50% Exam	
1	Canterbury	Spring	I	15 (7.5)	50% Coursework, 50% Exam with Compulsory Numeric Elements	

Availability

This module is ONLY available to students on the Law LLB (Senior Status) programme.

Contact Hours

Total contact hours: 30
Private study hours: 120
Total study hours: 150

Department Checked

Yes - LSSJ - 17/06/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the Level 5 module LAWS5316 (LW5316) students will be able to:

1. Demonstrate knowledge and critical understanding of the concepts, principles and rules of a range of property law topics, including topics in equity, trusts and land..
2. Identify and explain property-related issues and critically examine the terms within which those issues have been set.
3. Evaluate and critique the foundational components carried within the idea of 'property'.
4. Appreciate the historical, cultural, political and economic contexts relevant to the discussion of 'property', and situate and critically discuss these elements through an examination of specific property law issues and case material.

The intended generic learning outcomes are as follows. On successfully completing the Level 5 module LAWS5316 (LW5316) students will be able to:

1. Read cases and statutory materials and understand their relevance to legal dilemmas.
2. Summarise and critically comment upon complex material.
3. Critically analyse issues of moderate complexity.
4. Write critical evaluations of material (including court judgments), demonstrating appropriate use of authority and deployment of evidence in the building of argument.
5. Carry out independent learning
6. Present material with proper citations and use of references

Method of Assessment

Main assessment methods for LAWS5316 (LW5316):
Coursework -Independent research project essay (2000 words) - 50%
Examination - 2 hours - 50%

Reassessment methods

Like-for-like

Preliminary Reading

Davies M., (2007), *Property: Meanings, Histories, Theories*, London: Glasshouse
Garton J. (2015), *Moffat's Trusts Law* (Cambridge: Cambridge University Press, 6th ed., 2015)
Gordon R., (1996) 'Paradoxical Property' from J. Brewer and S. Staves, *Early Modern Conceptions of Property*, London: Routledge
Gray K. and Gray S.F. (2011), *Land Law*, (7th ed.), Oxford: Oxford University Press
Hudson A. (2015), *Understanding Equity & Trusts* (5th ed.), Oxford: Routledge
Mossman M.J. and Flanagan W., (2004), *Property Law Cases and Commentaries* (2nd ed.), Toronto: Emond Montgomery Publications
Murphy T., Roberts S. Flessas T., (2004) *Understanding Property Law*, London: Sweet and Maxwell

Restrictions

This module is ONLY available to students on the Law LLB (Senior Status) programme.

Synopsis *

Following on from 'Introduction to Obligations', 'Foundations of Property' continues the study of private law by introducing students to property law. 'Property' is something we tend to presume we know about, and rarely examine as an idea or practice closely. Most often we use it to connote an object or 'thing', and presume that it has something to do with 'ownership' of that object; we use expressions such as, 'This is mine,' and often do not examine the detail of what that really means.

This module begins to unpack and examine the ideas and practices of property more closely, looking in particular at land to ask questions such as: what do we mean by 'ownership'? What happens when a number of competing 'ownership claims' in one object exist? What are the limits of 'ownership'? Does 'ownership' entail social obligation?

When preparing for the module it will be useful to think about (and collect material on) current debates over contested ownership (or use) of property and resources, especially in relation to land.

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LW539	Droit Francais					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Whole Year	H	30 (15)	100% Coursework	

Contact Hours

Private study hours: 241
Total study hours: 300

Total contact hours: 59

Department Checked

yes-LSSJ- 24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a detailed understanding and engagement with the principal features of the French legal system, including its institutions, procedures and sources of law, with regard to matters of French public law.
2. Demonstrate a detailed understanding and engagement with the principal features of the French legal system, including its institutions, procedures and sources of law, with regard to matters of French private law.
3. Demonstrate a critical understanding and engagement with the rules and principles which apply in French constitutional law.
4. Demonstrate a critical understanding and engagement with the rules and principles which apply in the French law of obligations.
5. Construct well-reasoned and well-structured written arguments in French according to the French legal methodology.
6. Demonstrate fluency in their use of French legal language.
7. Demonstrate an awareness of, and sensitivity to, the economic, political and/or social implications arising from studying a foreign legal system.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Read carefully and efficiently both legal and non-legal texts in French.
2. Demonstrate argumentation skills that relate to legal texts.
3. Present material with proper citations and use of references.
4. Undertake independent research on a defined topic, using French legal sources.
5. Effectively locate and use primary and secondary legal and other relevant sources.

Method of Assessment

Main assessment methods

Fiche de jurisprudence (Case note), 1500 words (20%)
Dissertation juridique (Legal Essay) in French constitutional Law, 2500 words (30%)
Dissertation juridique (Legal Essay) in French Private Law, 1500 words (20%)
Commentaire d'arrêt (Case Comment), 2500 words (30%)

Reassessment methods

Reassessment instrument (100% coursework)

Preliminary Reading

- Philippe Ardant and Bertrand Mathieu, Droit constitutionnel et institutions politiques, 28th ed. (Paris: LGDJ, 2016).
- David Bonnet, L'essentiel de la méthodologie juridique, 3rd ed. (Paris: Ellipses, 2015).
- Gérard Cornu, Vocabulaire juridique, 11th ed. (Paris: Presses Universitaires de France, 2016).
- Louis Favoreu and Loïc Philip, Les grandes décisions du Conseil constitutionnel, 18th ed. (Paris: Dalloz, 2016).
- Philippe Malaurie, Laurent Aynès and Philippe Stoffel-Munck, Droit civil: les obligations, 8th ed. (Paris: Defrénois, 2016)
- Christine Mangüé and Jacques-Henri Stahl, La question prioritaire de constitutionnalité, 2nd ed. (Paris: Dalloz, 2013).
- François Terré, Introduction générale au droit, 10th ed. (Paris: Dalloz, 2015).
- La Constitution de 1958
- Le Code civil

Pre-requisites

Students must have passed FREN3000 Learning French 3 (Post A Level) in Stage 1.

Students, who have been exempted from FREN3000, must have passed LAWS3150 Introduction to Obligations and LAWS3160 Foundations of Property in Stage 1.

Restrictions

Only available to students on LLB English and French Law.

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Synopsis *

The module comprises a short introduction to the French legal system followed by a more detailed analysis of French public law and French private law.

The first part of the module mainly addresses French constitutional law. The lectures and seminars will canvass a number of salient issues, namely: the contemporary relevance of French constitutional documents; the institutional organisation of constitutional and political authority in France; the evolving powers of the Conseil constitutionnel; and recent major law reforms having transformed French constitutional Law.

The second part of the module discusses the French law of obligations. The lectures and seminars will consider a range of key topics, such as the role and functioning of private law courts, with specific reference to the Cour de cassation; main features of the French law of obligations (contract law and tort law).

The module also introduces students to the rigorous discipline of the dissertation juridique, the commentaire d'arrêt and the cas pratique, three types of exercises which they will encounter on a regular basis during their year in France.

LW540 The Philosophy of Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	45% Exam, 45% Project, 10% Coursework	
1	Canterbury	Whole Year	H	30 (15)	90% Exam, 10% Coursework	
1	Canterbury	Whole Year	H	30 (15)	80% Exam, 20% Coursework	

Contact Hours

Contact hours: 30

Private study hours: 270

Total study hours: 300

Department Checked

Yes- LSSJ- 24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a clear, in-depth understanding of the principal schools of thought about the nature of law.
2. Demonstrate precise knowledge of the major theoretical debates in philosophy of law.
3. Demonstrate a clear understanding of the major concepts and principles at issue in the philosophy of law, including those derived from general philosophy.
4. Prepare detailed accounts of the relevance of topics in general philosophy (including ethics, metaphysics and epistemology) to law.
5. Evaluate law critically as an example of practical as well as speculative reason.
6. Demonstrate the ability to engage in reasoned and sophisticated discussion on the major areas of theory and its practical application.
7. Articulate the aims of philosophy of law and its objectives in relation to law and legal reasoning.
8. Articulate and review the position of philosophy of law in relation to other theoretical perspectives about the nature of law, such as sociology of law.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate advanced skills in reasoning and critical thinking.
2. Understand and deploy the critical research, argumentation and presentation skills necessary for academic writing.
3. Articulate in-depth, critical and philosophically astute arguments in writing
4. Undertake in-depth legal and philosophical research.

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Method of Assessment

Main assessment methods

There are two methods of assessment for LW540:

- Path A: 80% examination (3-hours) and 20% coursework (1 essay of 2,500 - 3,000 words); OR,
- Path B: 100% dissertation of 10,000 - 12,000 words.

Unless permission has been granted for assessment through dissertation, students will be assessed by coursework and examination. Permission will only be granted for assessment through dissertation if a student meets the Law School requirements for this method of assessment, and has satisfied the module convenor that the proposed dissertation is a viable project.

Reassessment methods

Like-for-like

Preliminary Reading

Recommended reading:

- Brian Bix, *Jurisprudence: Theory and Context*, 6th edition (Sweet and Maxwell, 2012)
- Ian McLeod, *Legal Theory*, 6th edition (Palgrave Macmillan; London, 2012).
- Raymond Wacks, *Understanding Jurisprudence: An Introduction to Legal Theory*, Third Edition (OUP 2012);

Regardless of which book is chosen in any particular year as the core text, other books (including those listed above) will be referred to frequently on the module. The following titles are indicative of this further reading:

- Michael Freeman, *Lloyd's Introduction to Jurisprudence*, 9th Edition (Sweet and Maxwell 2014)
- HLA Hart, *The Concept of Law*, 3rd edition (OUP 2012)
- Raymond Wacks, *Philosophy of Law: A Very Short Introduction*, 2nd edition (OUP 2014)

Synopsis *

The Philosophy of Law module is designed for those who think they might be interested in philosophical reflection and enquiry into law. The module assumes no prior knowledge of either philosophy or law. The module uses the tools of analytic philosophy in order to promote understanding and criticism of current and historical understandings of law and legal practice, and to promote students' own critical, reflective understandings concerning these topics. Module learning divides into two parts. The first part occupies Autumn Term learning and teaching, and comprises an introduction to philosophy of law and to the major school of thought in jurisprudence that have dominated reflection on the nature of law. A significant theme of this programme of study is to develop understanding of the relation of ideas in philosophy of law to a wider scholarship that includes historical and sociological understandings of legal practices. The second part occupies Spring Term learning and teaching, and is taken up with the close critical reading of a single monograph in the philosophy of law. The aim of this part of the module is to build upon and supplement Autumn Term learning through the focussed and detailed examination of a single, sustained argument offered within the subject field, thereby deepening earlier understandings and also enabling students to develop and refine their skills of philosophical reading and critique.

LW542 Policing						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	90% Exam, 10% Coursework	
1	Canterbury	Spring	H	15 (7.5)	50% Coursework, 50% Exam	
1	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	

Contact Hours

Contact hours: 19

Private study hours: 131

Total study hours: 150

Department Checked

YES-LSSJ- 24/3/2021

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Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Identify the main literature and sources relevant to the subject and to explain key research techniques in locating and using those materials.
2. Identify the key functions and principles of the policing process.
3. Consider ethical and legal principles underlying the police investigation of crime and their relationship to social policies.
4. Examine the procedures and decision stages of police work.

The intended generic learning outcomes.

On successfully completing the module students will have knowledge of:

1. The main sources of data about policing, from a range of disciplines. They should be able to use these materials for research purposes
2. The relationship between police forces and society
3. The workings of the police
4. The implications for the police of the European Convention on Human Rights

Method of Assessment

Main assessment methods

The module will be examined by 50% coursework and 50% written examination OR 100% dissertation:

Essay, 3000 words (50%)

Exam, 2 hours (50%)

Alternatively a dissertation pathway may be taken, subject to availability in any given year (* as indicated in the module outline):

Dissertation, 5000 words (100%)

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual components of assessment within each pathway.

Preliminary Reading

Joyce, P, Policing: Development and Contemporary Practice (Sage: 2011)

Newburn, T, (ed.) Handbook of Policing 2nd ed. (Willan: October 2008)

Reiner, R, The Politics of the Police 4th ed. (OUP: 2010)

Pre-requisites

None

Restrictions

Not available to non-law students.

Synopsis *

The module seeks to provide an historical, legal and social understanding of the police, one of the key social and legal institutions of the modern state. The police are an integral part of the criminal justice system and as such, this module is a core element in a criminal justice course.

LW543	Clinical Option					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Whole Year	H	30 (15)	70% Coursework, 30% Project	
2	Canterbury	Whole Year	H	30 (15)	60% Coursework, 40% Project	

Availability

Autumn term and spring term

Contact Hours

Contact hours: 60

Private study hours: 240

Total study hours: 300

Department Checked

Yes - LSSJ - 02/03/2021

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Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module students will be able to:

1. Demonstrate detailed and coherent knowledge of substantive law, procedure and practice in one or more fields of social welfare or public law;
2. Demonstrate the ability to analyse complex and changing situations of dispute, identifying appropriate legal and other resolution strategies and evaluating relevant ethical issues;
3. Critically reflect upon the operation of the law in practice, drawing upon legal practice, wide reading and original research;
4. Demonstrate specific legal skills such as: legal research, interviewing, negotiating, legal drafting, advocacy, presentation, case-management, and the ability to undertake appropriate further training of a legal professional nature.

The intended generic learning outcomes are as follows. On successfully completing the module students will be able to:

1. Critically analyse complex situations, gaining an overview of the different aspects of a specific problem and identifying the issues which need further research;
2. Demonstrate and test hypotheses and strategies appropriate to unstructured and changing situations of fact, assessing relative probabilities, and relating the situation to wider contexts;
3. Present an argument or a hypothesis in a clear way, setting out reasoned conclusions, elucidating and deploying abstract concepts, testing current scholarship and developing an original perspective;
4. Demonstrate general skills such as: including time-management, lobbying, handling publicity, collaborative working; the research ability to retrieve up-to-date information from a range of sources, to use the English language with care and accuracy, learning from practical experience, the ability to take the initiative and act independently in the planning and execution of tasks, the ability to take responsibility for the conduct of serious problems on behalf of others, to organise and present work with an appropriate structure, and with good footnoting, bibliographic, citation and reference systems.

Method of Assessment

Main assessment methods

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

Coursework - Conduct of Clinical work (i.e. assessment of the conduct of case or project work undertaken by students under supervision in the Law Clinic - 50% PASS COMPULSORY *

Coursework - Critical reflection (linked to clinical work undertaken), 1500 words - 20%

Coursework - Dissertation, 4000 words - 30%

* A mark of 40% or more is required in the 'Conduct of Clinical Work' element in order to pass the module overall.

* Exceptionally, for a variety of reasons, as an alternative to all or part of the requirement to undertake casework a student may be required to work in the Clinic on a project on a topic of relevance to the objects of the Clinic but not on behalf of a client. At the discretion of the Convenor, a student may choose to undertake such a project.

Reassessment methods

Like-for-like

Preliminary Reading

Brayne H., Duncan N. and Grimes R., (1998) *Clinical Legal Education: Active Learning in your law school*. Blackstone Press.

'Clinical Legal Education', *The Law Teacher (The International Journal of Legal Education)* 1996 Volume 30 Number 3 (Special Issue).

Granfield R. & Mather L. (eds.) (2009) *Private Lawyers and the Public Interest: The Evolving Role of Pro Bono in the Legal Profession*. OUP USA.

Kerrigan K. & Murray V., (eds.) (2011) *A Student Guide to Clinical Legal Education and Pro Bono*. Palgrave Macmillan.

Quigley, W.P. 'Introduction to Clinical Teaching For the New Clinical Law Professor: A view from the first floor'. *Akron Law Review*, Spring 1995, Vol 28:3, p.463.

SRA Handbook (Solicitors Regulation Authority) [updated online] <http://www.sra.org.uk/handbook>

Weinstein I., 'Teaching reflective lawyering in a small case litigation clinic: a love letter to my clinic'. *13 Clinical L. Rev.* Vol. 13:573 2006-2007

Pre-requisites

None

Restrictions

This module has a quota of 52 students. Those wishing to take it must register for it. If more than 52 students register, ballots will be held, and you will be informed as to whether you have been successful during the spring vacation. The first ballot will be for half the places and will be open only to those who have previously contributed to the work of the Clinic. A second ballot, for the remaining places, will be open to all remaining students registered for the module.

Not available to non Law students.

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Synopsis *

Students on this module must become members of the Kent Law Clinic, and work on 'live' cases for clients of the Clinic under the supervision of solicitors, or other experienced legal practitioners working alongside them. All Supervisors are members of the academic staff at Kent Law School. Students will develop their knowledge and understanding of specific areas of English law and procedure, and some specific skills. Students are encouraged to view their clinical work as a means to an end – not just the acquisition of important legal skills but primarily a better understanding and critical analysis of law and of legal practice. The excellent opportunity which clinical work provides for active learning, and for studying the interface between theory and practice, is placed firmly in this context.

Students are expected to undertake from the second week of Autumn term onwards until the end of the Spring term, under supervision, legal work in two areas of law of relevance to the objects of the Clinic. Students will normally work on cases rather than projects. A Supervisor will decide whether a student has undertaken sufficient substantial work for the purposes of this module. Students are required to carry out this work to the high professional standards expected of paralegal staff employed by solicitors.

In addition, students must carry out, also under supervision, the usual tasks associated with the conduct of legal casework such as case and file management, statement and précis drafting, legal research, interviewing, legal drafting, corresponding, negotiating, advocating, instructing counsel; and orally (or in briefing notes) presenting, explaining and discussing cases and projects (especially with Supervisors and in Clinic Seminars and Meetings).

Students will read and where relevant apply the Law Clinic's Case Management Guidelines. The first purpose of these Guidelines is to facilitate the proper conduct of clients' cases and of projects. Students will maintain a Student Folder, which will contain all drafts and research papers used by the student in respect of all casework or projects undertaken by that student. These are papers of primary relevance to the student but not the client. They will help to evidence the preparatory and research work undertaken by students, which may not be signalled in the Client Files.

LW556 Intellectual Property Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	50% Coursework, 50% Exam	
1	Canterbury	Whole Year	H	30 (15)	90% Exam, 10% Coursework	
1	Canterbury	Whole Year	H	30 (15)	45% Exam, 45% Project, 10% Coursework	
1	Canterbury	Whole Year	H	30 (15)	50% Exam, 50% Project	
1	Canterbury	Whole Year	H	30 (15)	70% Exam, 30% Coursework	

Contact Hours

Contact hours: 40

Private study hours: 260

Total study hours: 300

Department Checked

yes- LSSJ- 24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Apply a detailed knowledge and understanding of concepts, principles, policies, issues, debates and legal doctrine associated with various areas of intellectual property law.
2. Critically identify the theoretical, cultural and social underpinnings of intellectual property law.
3. Demonstrate a detailed understanding of the diverse influences that shape UK intellectual property law and the increasing impact of EU jurisprudence in its development.
4. Critically evaluate intellectual property law: to take nothing at face value, to go beneath the surface of the law to critically analyse and evaluate it, in the written assessments.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate an ability to structure, formulate, communicate and defend arguments effectively.
2. Understand, select and synthesise complex information.
3. Apply critical analytical tools in order to appreciate conflicting decisions and viewpoints.
4. Demonstrate independent research.

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Method of Assessment

Main assessment methods

The module will be assessed by 50% Exam and 50% Coursework as follows:

Research essay, 3,500 words (50%)

AND

Examination, 3 hour (50%)

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment.

Preliminary Reading

There will be two required materials:

1. Textbook- The recommended text is Lionel Bently and Brad Sherman, Intellectual Property Law, Oxford University Press, 2014.

2. Statute Book – The recommended statute book is Blackstone's Statutes on Intellectual Property (13th edition, 2016), edited by Andrew Christie and Stephen Gare.

Supplementary texts:

1. Tanya Aplin and Jennifer Davis, Intellectual Property: Text, Cases and Materials, Oxford University Press, 2017.

2. W.R. Cornish, Tanya Aplin and David Llewelyn, Intellectual Property: Patents, Copyright, Trade Marks and Allied Rights (Sweet and Maxwell, 2013).

Synopsis *

The course aims to provide students with abilities to develop an understanding of the following issues: (a) Foundational principles, justificatory arguments and theoretical frameworks of intellectual property law; (b) Key legislation and case law and the relationship of levels of law making in intellectual property law; (c) A basic understanding of UK intellectual property law (copyright, breach of confidence, trade marks and patents)

This module will focus on the leading topic areas of intellectual property law (including practical aspects), namely:

- Copyright
- Patents
- Trade marks
- Passing off
- Breach of confidence

LW563 Law - Dissertation						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	100% Project	

Availability

Only available to stage 3 or 4 students. Not available to non law students.

Contact Hours

Contact hours: 10

Private study hours: 290

Total study hours: 300

Department Checked

YES- LSSJ- 24/3/2021

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Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. explain and justify the significance of their research
2. be familiar with the literature relevant to their research project
3. be familiar with the theories, concepts and methods relevant to their research projects
4. examine and critically evaluate legal issues within a social and critical context as evidenced by and within their dissertation projects, and be able to support the evaluation with evidence and reasoning
5. conduct research independently by drawing on feedback from academic supervisors, by exercising reflection and self-criticism, and by managing time and resources effectively
6. communicate the findings of their research effectively and fluently in a substantial piece of writing (a 10-12,000-word dissertation).

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. be familiar with the various stages of the research process – from formulating meaningful and feasible research questions to conducting the research and presenting the research findings
2. conduct systematic bibliographical research drawing on a wide range of sources including books, journals and online resources
3. undertake analysis of complex areas of knowledge and make carefully constructed arguments and advocate solutions to practical and/or academic problems
4. engage in academic and professional communication with others
5. have independent learning ability required for further study or professional work
6. complete a substantial research project within a limited timeframe, which presents a coherent argument that is supported by evidence, reason and critical judgement.

Method of Assessment

Main assessment methods

The module will be assessed by 100% project as follows:

A draft chapter or outline, 2,000 words (20%)

Dissertation, 10000-12000 words (80%)

Reassessment method

The module will be reassessed by a reassessment instrument of a dissertation worth 100%.

Preliminary Reading

Bell, J, *Doing your Research Project: A guide for first-time researchers* 6th Ed, (Open University Press, Maidenhead 2014)

Cottrell, S, *The Study Skills Handbook (Palgrave Study Skills)* 4th Ed, (Palgrave Macmillan, 2013)

Crème, P & Lee, M, *Writing at University* 3rd Ed, (Open University Press, Maidenhead 2008)

Denscombe, M, *The Good Research Guide: For Small Scale Research Projects* 5th Ed, (Open University Press, Maidenhead 2014)

Denscombe, M, *Research Proposals: A Practical Guide*, (Open University Press, Maidenhead 2012)

Girden, E, *Evaluating Research Articles from Start to Finish* 3rd Ed, (Sage, London 2010)

May, T, *Social Research: Issues, Methods and Research* 4th Ed, (Open University Press, Maidenhead 2011)

Pre-requisites

Students can only take this module in Stage 3 or Stage 4 and only if they have EITHER the minimum of a 2:1 mark in LAWS5920 Public Law 2, Special Study (Stage 2) OR a Merit in Stage One are allowed to register for this module. However a case for allowing a student onto the module who has not achieved one of these thresholds can be considered in each individual case by the convenor.

The school will confirm this once a student has been registered for the module and will write to the student explaining their options if the conditions are not met.

Restrictions

Only available to Law students.

Synopsis *

The module is taken over two terms. It begins with lectures introducing the trajectory of a research project, the use of library resources, primary and secondary material, use of citations and constructing a bibliography etc. This introduces students to a route map through the research process from an initial "problem" to formulating a suitable "research question", to choosing a method and research design, to conducting the research; from taking notes to drafting chapters; from deciding on the chapter breakdown to the writing of the dissertation; from developing an argument to presenting it in written form. However, the main experience of the module is found in the supervision process between supervisor and student, who between themselves decide on the specific plan for the research programme.

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LW566		Law Dissertation (1 unit option)				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Project	
1	Canterbury	Autumn	H	15 (7.5)	100% Project	

Contact Hours

Contact hours: 7

Private study hours: 143

Total study hours: 150

Department Checked

Yes-LSSJ- 24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. explain and justify the significance of their research
2. be familiar with the literature relevant to their research
3. be familiar with the theories, concepts and methods relevant to their research
4. examine and critically evaluate legal issues within a social and critical context as evidenced by and within their dissertation projects, and be able to support the evaluation with evidence and reasoning
5. conduct research independently by drawing on feedback from academic supervisors, by exercising reflection and self-criticism, and by managing time and resources effectively
6. communicate the findings of their research effectively and fluently in an extended piece of writing (a 6-8,000 word dissertation)

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. be familiar with the research process – from formulating meaningful and feasible research questions, through undertaking research using appropriate literature (whether primary or secondary)
2. undertake analysis of complex areas of knowledge and make carefully constructed arguments
3. have independent learning ability required for further study or professional work

Method of Assessment

Main assessment methods

The module will be assessed by 100% project as follows:

A dissertation, 6000-8000 words (100%)

Reassessment method

The module will be reassessed by a reassessment instrument of a dissertation for 100%.

Preliminary Reading

Bell, J, Doing your Research Project: A guide for first-time researchers 6th Ed, (Open University Press, Maidenhead 2014)

Cottrell, S, The Study Skills Handbook (Palgrave Study Skills) 4th Ed, (Palgrave Macmillan, 2013)

Crème, P & Lee, M, Writing at University 3rd Ed, (Open University Press, Maidenhead 2008)

Denscombe, M, The Good Research Guide: For Small Scale Research Projects 5th Ed, (Open University Press, Maidenhead 2014)

Denscombe, M, Research Proposals: A Practical Guide, (Open University Press, Maidenhead 2012)

Girden, E, Evaluating Research Articles from Start to Finish 3rd Ed, (Sage, London 2010)

May, T, Social Research: Issues, Methods and Research

Pre-requisites

Only students with EITHER the minimum of a 2:1 mark in the LAWS5920 Public Law Special Study (Stage 2) OR a Minimum of a Merit in Stage One are usually allowed to register for this module. HOWEVER a case for allowing a student onto the module who has not achieved one of these thresholds can be considered in each individual case by the convenor. The school will confirm this once a student has been registered for the module and will write to the student explaining their options if the conditions are not met.

Restrictions

Only available to Law Students

Synopsis *

The module is taken over one term. Students will attend a small number of lectures introducing the trajectory of a research project, the use of library resources, primary and secondary material, use of citations and constructing a bibliography etc. The main experience of the module is found in the supervision process between supervisor and student, who between themselves decide on the specific plan for the research programme.

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LW570 Law and Social Change						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Project	
1	Canterbury	Spring	H	15 (7.5)	100% Project	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Contact hours: 20

Private study hours: 130

Total study hours: 150

Department Checked

yes-LSSJ- 24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Employ a range of theoretical approaches to understanding law, morality, and social change, by exploring diverse perspectives, and selected case studies.
2. Demonstrate independent, critical thinking on the history, and social and political character of legal change.
3. Reflect upon and analyse the moral and ethical content and impact of law as it impacts on social change.
4. Demonstrate advanced research and writing skills
5. Engage in a critical discussion of the nature, function and effects of law as it has been, is, ought to and/or might be expressed in the bringing about of social change
6. Undertake explorations, demonstrations, critical evaluations and engagements in the context of moral discourse, social struggle, conflict resolution and social integration
7. Demonstrate an awareness of the economic, political and/or social implications of legal forms and remedies in the pursuit of social change.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Devise and sustain an argument and present relevant knowledge and understanding in the form of reasoned argument.
2. Carry out further research from a variety of sources including scholarly reviews and primary sources to inform a sustained and detailed argument.
3. Identify and evaluate legal and policy problems according to their historical, political and legal context.
4. Analyse critically detailed conceptual current and historical material, and recognize and comment on the different positions that are taken in the literature surveyed.

Method of Assessment

Main assessment methods

Research Essay (6000 words) (100%)

Reassessment methods

Reassessment instrument: 100% project

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Preliminary Reading

- S. L. Roach Anleu, 'Law and Social Change', Sage; 2nd Ed; 2010
- R. Mawani, 'Law and Colonialism: Legacies and Lineages' (chapter 27) in A. Sarat and P. Ewick (eds.) 'The Handbook of Law and Society', Malden: Wiley-Blackwell, 2015.
- S. L. Cummings, 'Empirical Studies of Law and Social Change: What is the Field? What are the Questions?', Wis. L. Rev. 171, 2013.
- S. Falk Moore, 'Law and Social Change: The Semi-Autonomous Social Field as an Appropriate Subject of Study', Law and Society Review 7(1), 1972.
- P. Fitzpatrick, 'Being Social in Socio-Legal Studies' 22(1), Journal of Law and Society, 1995.
- S. M. Sterett, 'What is Law and Society? Definitional Disputes' (chapter 1) in A. Sarat and P. Ewick (eds.), 'The Handbook of Law and Society', Malden: Wiley-Blackwell, 2015.
- B. Z. Tamanaha, 'A General Jurisprudence of Law and Society', Oxford: Oxford University Press, 2001.
- A. Sen, 'What is the Role of Legal and Judicial Reform in The Development Process?', World Bank Legal Conference, Washington DC, 5 June 2000
- B. Z. Tamanaha, 'Law and Society' in Dennis Patterson (ed.) 'A Companion to Philosophy of Law and Legal Theory', Malden: Wiley-Blackwell, 2010.
- M. Travers, 'Introduction' in Understanding Law and Society', London: Routledge, 2010.

Synopsis *

This module investigates the relationship between law and social change, and explores the political, economic and social dynamics that affect this relationship over time. The module will consider questions such as:

- Why is the law a terrain of social struggle?
- How does the law respond and/or contribute to social change?
- How do the values or worldviews that the law incorporates affect the legal advancement of social change?
- How does the character of the law change in relation to different political, economic and social contexts?
- What are the obstacles and limitations to the law contributing to and creating social change? How is the context in which the law operates important in this analysis?
- How can we engage with the law to pursue change towards social justice?

The first part of the module examines the relationship between law and social change as addressed by key classical and contemporary social theorists. This exploration is then extended with an analysis of how and to what extent social movements can affect legal reform and eventually contribute to social change. The second part of the module investigates a number of concepts and areas in relation to which the approaches and ideas explored in the previous part can be applied, questioned, reframed or expanded. These concepts and areas are morality, democracy, globalisation, rights and citizenship, and the role of legal professions in social change.

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LW572 Immigration, Asylum and Refugee Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Whole Year	H	30 (15)	100% Coursework	

Contact Hours

Lectures – 20 hours per annum; Seminars – 20 hours (approximately)

Department Checked

yes

Learning Outcomes

On completion of this module it is intended that students will be able to demonstrate critical knowledge and understanding of the following matters of relevance to the field of nationality, immigration and asylum law:

- the sources of immigration, asylum and refugee law;
- the history and theory of governing immigration, asylum and refugee subjects ;
- key aspects of the regulation of legal and illegal immigration to Britain;
- key aspects of the international regulation of asylum and refugee protection;
- the main intellectual and interdisciplinary debates in the areas of immigration, asylum and refugee law.

Method of Assessment

100% coursework.

Preliminary Reading

G Clayton Textbook on Immigration and Asylum Law (5th ed, Oxford University Press, 2012)
Macdonald's Immigration Law and Practice (8th Ed, Butterworths 2010)

Restrictions

Not available to non Law students.

Synopsis *

The following key themes will be covered in the module:

- I. Legal Sources of Immigration, asylum and refugee law: British, EU, Council of Europe, international, comparative.
- II. Historical Evolution of the government and regulation of immigration, asylum and refugee subjects.
- III Asylum and Refugee law: (1) International, ECHR and EU standards on asylum and refugee protection (2) Key aspects of British law and practice on asylum.
- IV. Select aspects of Immigration law (British, EU and ECHR standards will be integrated)
- V. Key contemporary problems in each of the fields of immigration, asylum and refugee law (as case studies).
- VI. Key interdisciplinary contemporary debates and contributions to the study of immigration, asylum and refugee law.

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LW578	Law and Political Theory					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	70% Exam, 30% Coursework	
1	Canterbury	Whole Year	H	30 (15)	100% Coursework	

Contact Hours

Contact Hours: 40
Private Study Hours: 260

Total Study Hours: 300

Department Checked

YES-LSSJ-24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate an in-depth understanding of the significance of political theory in attending to contemporary juridical and political problems;
2. Demonstrate an appreciation of juridical and philosophical ideas about sovereignty and how these shape the relationship between law and the subject;
3. Demonstrate a detailed knowledge and understanding of the distinctions between the ideas of state, civil society, sovereign/subject and human/animal;
4. Demonstrate detailed knowledge and understanding of the origins of the aforementioned ideas in modernity/post-modernity and their significance for resolving contemporary juridical problems;
5. Demonstrate detailed knowledge and understanding of the history of political and philosophical ideas in relation to the concept of 'sovereignty';
6. Demonstrate critical understanding of the relationship between political theory and theories which underpin 'the law';
7. Demonstrate a detailed understanding of modern theories of power and authority and their relation to societies in transition (post-racist, post-conflict societies).

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Critically analyse complex contemporary juridical problems;
2. Demonstrate sophisticated and complex theoretical arguments gained through reading and understanding;
3. Demonstrate independent research and draw on different sources to produce an analysis of juridical and political problems;
4. Formulate research questions and independently identify contemporary issues that can be examined through political theory.

Method of Assessment

Main assessment methods

The module will be assessed by 100% coursework consisting of:

- Essay, 4500 words (40%);
- Individual oral presentation (20%);
- Reflective Piece, 3000 words (30%);
- Seminar participation (10%)

Reassessment methods

The module will be reassessed by a reassessment instrument of an essay for 100%.

Preliminary Reading

Agamben, G, *Homo Sacer: Sovereign Power and Bare Life*, Trans. Daniel Heller-Roazen (Stanford, CA: Stanford University Press, 1998).

Foucault, M, "Society Must Be Defended", *Lectures at the Collège de France, 1975-1976*.

Hardt, M and Negri, A, *Empire* (Cambridge, MA: Harvard University Press, 2000).

Hobbes, T, *Leviathan* (Cambridge: Cambridge University Press, 1991).

Membe, A, "Necropolitics" *Public Culture*, 15/1 2003, pp. 11-40

Schmitt, C, *The Concept of the Political*, Trans. George Schwab. (Chicago: University of Chicago Press, 1996).

Synopsis *

This module is designed to provide an understanding of the interrelationship between political theory and law in modernity. Drawing upon political theory it explores ideas of law, power, resistance, community, sovereignty and the subject. The objective is to build a solid understanding of political theory in relation to these key concepts, and then use this understanding to examine contemporary political and juridical questions such as those of democracy and citizenship; multiculturalism, bio-politics, secularism, terrorism, post-colonialism and contemporary formations of Empire. In so doing, the module seeks to equip students with the necessary intellectual tools for deploying insights from political theory and philosophy to the study of law.

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LW580		Consumer Law				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	70% Exam, 30% Coursework	

Contact Hours

Contact hours: 40

Private study hours: 260

Total study hours: 300

Department Checked

Yes-LSSJ-24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

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

1. Demonstrate knowledge of the relevant common law, statutory and non-statutory sources in the area of consumer law and to research and apply that knowledge to concrete fact situations.
2. Demonstrate an understanding of the standard policy arguments and frameworks of consumer law, and to apply and critique them in concrete policy problems.
3. Appreciate the role of consumer law and policy within the "new regulatory state" in the UK.
4. Demonstrate an awareness of the different forms of legal regulation of consumer market transactions (e.g. private law, administrative regulation, "soft law", harnessing market incentives), and their strengths and weaknesses.
5. Assess claims about the progressive potential of consumer law and its relationship to broader social policies such as addressing social exclusion.
6. Appreciate the scope of EU consumer law and policy and its effects on UK law.

The intended generic learning outcomes.

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

1. Effectively locate primary and secondary legal and policy sources and to apply them to specific policy and legal issues.
2. Critically evaluate an area of law both doctrinally and in terms of its socio-economic consequences.
3. Recognise potential alternative solutions to particular problems and make a reasoned choice between them.
4. Formulate and sustain a complex argument, supporting it with appropriate evidence

Method of Assessment

Main assessment methods

The module will be assessed by 30% coursework and 70% examination as follows:

Essay, 3000 words (30%)

Exam, 3 hours (70%)

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual components of assessment.

Preliminary Reading

Blackstones Statutes on Commercial and Consumer Law 2017-2018 (Oxford University Press).

Mathew Hilton, Consumerism in 20th Century Britain (Cambridge, CUP, 2003).

G. Howells & S. Weatherill, Consumer Protection Law (Ashgate, 2d ed. 2005).

G. Howells, H. Micklitz & T. Wilhelmsson, European Fair Trading Law (Ashgate, 2006).

I Ramsay, Consumer Law and Policy: Text Cases and Materials on Regulating Consumer Markets (Oxford, 3rd edition, Hart Publishing)

C Scott & J Black, Cranston's Consumers and the Law (Cambridge: Cambridge University Press, 3d ed. 2000).

Pre-requisites

LAWS3150/LAWS3250 Introduction to Obligations

Restrictions

Not available to non Law students.

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Synopsis *

The module addresses the regulation of consumer markets. This module is aimed at students who wish to have an understanding of substantive law, policies and institutional framework concerning the regulation of consumer markets.

LW581		Law and Literature and Film				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Spring	H	15 (7.5)	100% Coursework	
2	Canterbury	Autumn	H	15 (7.5)	100% Coursework	

Contact Hours

Contact hours: 20

Private study hours: 130

Total study hours: 150

Department Checked

yes- LSSJ- 24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a detailed understanding of the significance of literature, and literary theory, for the study of law in the Western European tradition.
2. Extrapolate and critically evaluate key themes within this tradition from literacy texts and appreciate the humanities context within which both literature and law have developed.
3. Demonstrate a detailed understanding of the developments and changes in literary forms, the context within which literature is produced and received, and the relationship, where relevant, to the expectations of law.
4. Demonstrate a critical understanding of the ways in which literary analysis deepens a reader's understanding of text and the ways in which similar patterns of analysis can be brought to bear on legal texts.
5. Understand the significance of key ideas developed in literary theory and relate them to an examination of our understanding of law.
6. Identify and critically evaluate contemporary themes and issues evidenced in both the context and form of literary texts, and relate these to legal practices as well as critiques of law.
7. Understand and appreciate, in a nuanced way, literary and rhetorical techniques evidenced in the practices of law, in particular such issues as the use of narrative and metaphor in legal judgments and the construction and trajectories of argumentation evidenced in legal texts and acts of performance.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Write cogently and creatively about legal themes in selected texts, including film and television.
2. Demonstrate a broad range of analytical skills including the close reading of text, methods for analysing and deconstructing text, and the extrapolation of key arguments and consideration of the form in which they have been presented.
3. Situate texts within the context in which they were produced and are received.
4. Formulate research questions and independently identify contemporary issues that can be examined through the use of literature and literary theory.

Method of Assessment

Main assessment methods

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

Short Paper, 1000 words (10%)

Research Paper, 3000 words (90%)

Reassessment methods

The module will be reassessed by a reassessment instrument of a Research Essay for 100%.

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Preliminary Reading

Preliminary Reading

- Camus, Albert, *The Outsider* (London: Penguin Books, 2012)
- Dickens, Charles, *Bleak House* (Wordsworth, 1993)
- Goodrich, Peter, *Languages of Law* (London: Weidenfeld & Nicolson, 1990)
- Kafka, Franz, *The Trial* (London: Penguin Books, 2000)
- Orwell, George, *Politics and the English Language* (Oxford City Press, 2009)
- Palahniuk, Chuck, *Fight Club* (London: Vintage, 1996)

Preliminary Viewing

- *The Trial* (1963) Directed by Orson Wells [Film]. USA: Astor Pictures Corporation

Restrictions

Not available to non-law students.

Synopsis *

So much of law is about text and the manipulation of language: Becoming sensitive to the construction of narratives in judgements, learning to read argument in its many forms, recognising the ways in which words, and patterns of words, can be used to create effect, playing with ambiguities or seeking to express an idea with clarity, all these are fundamental skills for a lawyer. Law is also about performance, the roles which are assigned to us and the drama of the court room. And law, as text and performance, carries fundamental cultural messages about the society we live in and the values we aspire to. During this module, we will examine some of the many ways in which reading, viewing and listening to, 'the arts' helps us to think more concisely as well as more imaginatively about law. We welcome on to the module anyone who shares, with us, an enjoyment of reading, viewing and listening – this is a chance for students to be introduced to material they may not be familiar with as well as a chance to pursue an interest they may already have. Although the module is designed primarily for law students, it is also open to undergraduates from other degree programmes.

The module focuses on a small number of key texts through which to explore the themes and develop student skills. These vary from year to year.

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LW582		Banking Law				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Contact hours: 20

Private study hours: 130

Total study hours: 150

Department Checked

Yes - LSSJ - 29/09/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module students will be able to:

- 1.demonstrate an in-depth understanding of the nature and legal status of the banker-customer relationship;
- 2.demonstrate detailed knowledge of the operation of customer accounts and the scope of the bank's duties to customers;
- 3.demonstrate detailed knowledge of banking operations, including the provision of credit, the taking and enforcement of security for loans;
- 4.analyse and critically evaluate the relationship between the law and banking business as well as the practical application of the law to banking;
- 5.recognise and evaluate the issues related to the provision of banking services and regulation of the banking industry.

The intended generic learning outcomes are as follows. On successfully completing the module students will be able to:

- 1.structure, formulate, communicate as well as defend their arguments in relation to the issues identified;
- 2.organise their work, engage in independent study and use of resources particularly from the Library, the Kent electronic network (e.g. Library CD-ROMs, Lexis) and the Internet;
- 3.carry out independent research.

Method of Assessment

Main assessment methods

The module will be examined on the basis of 100% coursework:

Coursework - Essay (2,500 words) - 70%

Coursework - 'Policy-Orientated' Problem Question (1,250 words) - 30%

Reassessment methods

Like-for-like

Preliminary Reading

Ellinger E.P. et al,(2011) Ellinger's Modern Banking Law (5th ed), Oxford, Oxford University Press

Other key source materials for this module are:

Arora A. (2014), Banking Law, Harlow, Pearson Education

Arora A. (1993), Electronic Banking and the Law (2nd ed). , London, Banking Technology

Cranston R.(2002), Principles of Banking Law (2nd ed), Oxford, Oxford University Press

Hapgood M. (2007), Paget's Law of Banking (13th ed.), London, LexisNexis Butterworths

Penn G. and Wadsley J., (2002), The Law relating to Domestic Banking, London, Sweet & Maxwell.

Pre-requisites

None

Restrictions

Not available to non-law students.

Synopsis *****

The module will be divided into three main sections. The first section will involve an examination of the banker-customer relationship, including the rights and obligations of the parties in that relationship, the use of different methods of payments and remedies. The second section will focus on the provision of credit by banks to customers. This section will look at the types of credit facilities provided by banks, the taking of security by banks and the enforcement of such security. The final section will focus on money laundering regulation within the banking industry.

LW583 Art and Cultural Heritage Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Whole Year	H	30 (15)	70% Exam, 30% Coursework	

Contact Hours

Contact hours: 39
Private study hours: 261
Total study hours: 300

Department Checked

Yes - LSSJ - 15/03/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module students will be able to:

1. Analyse key aspects of the historical and social regulation of art and cultural heritage within society;
2. Critically explore the aspects of the legal and illegal trade in art and cultural objects that generate the need for regulation at a national and international level;
3. Critically explore the need to return, reconstitute or repatriate cultural objects that were illegally acquired in time of colonisation and/or war
4. Critically discuss the legal issues relating to the regulation of cultural heritage at a national and international level;
5. Demonstrate their conceptual understanding of legal concepts and procedures in relation to the regulation of the art market and cultural heritage in order to devise and sustain an independent argument;
6. Appreciate the scope of EU and International law and policy and their effects on UK law.

The intended generic learning outcomes are as follows. On successfully completing the module students will be able to:

1. Effectively locate primary and secondary legislation at national and international level and apply it to intricate policy and legal issues;
2. Critically evaluate an area of law both doctrinally and in terms of its historical and social consequences;
3. Effectively apply knowledge to analyse complex issues;
4. Recognise potential alternative solutions to particular issues and make a reasoned choice between them;
5. Formulate and sustain a complex argument, supporting it with appropriate evidence.

Method of Assessment

Main assessment methods

The module will be assessed by coursework (60%) and examination (40%):

- Coursework - Case Study (1,500 words) - 15%
- coursework - Case note (1,500 words) - 15%
- Coursework - Essay or Problem Question (2000 words) - 30%
- Examination - 2 hours - 40%

Reassessment methods

Like-for-like

Preliminary Reading

Blake J, International cultural heritage law (Cultural Heritage Law and Policy, Oxford, Oxford University Press (2015)
Forrest C., International Law and the Protection of Cultural Heritage (2010), Routledge
Francioni F. (ed), Enforcing International Cultural Heritage Law (2013), Oxford, OUP
Gillman D., The Idea of Cultural Heritage (2010), Cambridge, CUP
Merryman J.(ed), Imperialism, Art and Restitution (2006), Cambridge, CUP
Vrdoljak A., International Law, Museums and The Return Of Cultural Objects (2006), Cambridge, CUP

Journals

Art, Antiquity and Law
International Journal of Cultural Policy
International Journal of Cultural Property

Pre-requisites

None

Restrictions

Not available to non-law students.

Synopsis <span style =

This area of law considers a developing jurisprudence that involves international treaties, laws, ethics, and policy considerations relating to the art market and cultural heritage. This module aims to define art and cultural heritage/cultural property; to identify the need for national and international regulation of the art trade (theft, illegal export, trafficking) both in time of peace and in time of war as well as the issue of restitution of wrongfully displaced objects. It will also explore areas of the art trade that need regulation such as consumer protection (fakes and forgeries); the role of experts (opinion and liability), artists (his rights, his freedom and his life), dealers (auction houses and private dealers), and museums (role and collection management) in the trade. Finally, the module addresses the essential question of the need to change the law to accommodate the specific needs of protection of cultural heritage and it aims to give coherence to a complex body of rules at the intersection of civil law, property law, criminal law, public law, private international law and public international law.

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LW584	Forensic Science in Criminal Trials					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	
1	Canterbury	Spring	H	15 (7.5)	50% Coursework, 50% Exam	

Contact Hours

Total contact hours: 20
Private study hours: 130

Total study hours: 150

Department Checked

Yes-LSSJ- 24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.
On successfully completing the module students will be able to:

1. Demonstrate a detailed understanding of the development of the use of forensic evidence in the criminal justice process.
2. Demonstrate a critical understanding of the issues surrounding the use of established and new techniques of forensic science in the criminal justice process
3. Critically evaluate the operation of forensic evidence in the criminal law in the social context
4. Engage in reasoned and informed discussion on the major themes surrounding the presentation of forensic evidence in criminal trials
5. Demonstrate detailed accounts of the major issues surrounding forensic evidence in court making appropriate reference to legal and academic source authorities.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Undertake detailed and critical legal research using interdisciplinary research tools
2. Present critical legal argument and debate in writing
3. Demonstrate potential alternative conclusions for particular situations, and provide supporting reasons for them.
4. Critically identify and retrieve up to date information, using paper and electronic sources;
5. Utilise relevant legal terminology with care and accuracy;

Method of Assessment

Main assessment methods

Assessment Pattern A – 100% coursework:

Unseen paper 1 – 1250 words (25%)
Unseen paper 2 – 1250 words (25%)
Written coursework, 2500 words (50%)

Assessment Pattern B - 100% Dissertation:

Dissertation, 5000-6000 words (100%)

Reassessment methods

Like-for-like

Preliminary Reading

A Jackson & J Jackson, Forensic Science (Prentice Hall, Current edition)

- Journal of Evidence and Proof
- Criminal Law Journal
- Oxford Journal of Legal Studies
- New Law Journal

Restrictions

Available to Social Science students as wild.

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Synopsis *

This module considers how criminal law makes use of science. Forensic evidence is a rapidly developing area in criminal trials – new techniques are continually being developed and forensic evidence such as DNA profiling is increasingly presented as evidence. This rapid expansion has resulted in forensic evidence becoming increasingly debated in the media and by the criminal justice process – from articles hailing DNA profiling as preventing or undoing miscarriages of justice to those questioning a lay jury's ability to make a judgement in cases involving highly complex scientific or medical evidence.

The module will be broken down into 4 parts:

1. Initially, analysis of the historical development of the use of forensic evidence will be made along with explanation of both what constitutes forensic evidence and the basic scientific techniques involved.
2. Consideration of the way in which forensic science has developed as a useful tool within the criminal justice process
3. Analysis of the difficulties of placing emphasis on forensic science within the trial system – cases in which forensic science has resulted in subsequently questioned decisions.
4. Current issues surrounding the use of forensic science: This section of the course will be devoted to considering the questions which arise out of the use of forensic evidence such as:
 - Who should decide whether a new scientific technique should be admissible evidence,
 - Who are the experts who present the evidence to juries
 - To what extent does the admission of forensic evidence assists juries.

LW585		Environmental Law I				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	80% Exam, 20% Coursework	

Contact Hours

Contact Hours: 20
Private Study Hours: 130

Total Study Hours: 150

Department Checked

Yes-LSSJ- 02-09-2021

Learning Outcomes

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.

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 essays.
3. Recognise alternative solutions to legal problems and to evaluate these; to develop critical and self-critical learning skills; and to reflect upon learning progress.

Method of Assessment

13.1 Main assessment methods

The module will be assessed by 20% coursework and 80% examination OR 80% dissertation as follows:

Essay, (2000 words) - 20%
Examination (2 hours) - 80%
OR
Short dissertation (5000 words) – 100%

13.2 Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment.

Preliminary Reading

- Alder and Wilkinson, Environmental Law and Ethics (Macmillan)
- Bell, and others, Environmental Law (Oxford)
- Fisher, Lange and Scotford, Environmental Law: Text, Cases and Materials (Oxford)
- McEldowney and McEldowney, Environmental Law (Longman)
- Wolf and Stanley, On Environmental Law (Cavendish)

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Pre-requisites

None

Synopsis *

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 I is broadly concerned with environmental quality law, particularly the different ways in which environmentally damaging activities are addressed through legal mechanisms. The module commences with a discussion of foundational issues concerning basic concepts in Environmental Law and the range of legal approaches that are adopted in national, European Union and international law. Thereafter, the main focus is on the protection of the environmental media of water, land and air to prevent pollution and to secure environmental quality objectives. The module concludes by examining some cross-cutting issues, such as enforcement, information access, participation and alternative strategies for environmental protection.

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LW586	Environmental Law II					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	80% Exam, 20% Coursework	

Contact Hours

Contact Hours: 20
Private Study Hours: 130

Total Study Hours: 150

Department Checked

Yes- LSSJ- 24/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

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

1. Demonstrate a sound understanding of the law relating to land use and development, and the conservation of natural living resources, 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.

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 to relate the issues to their wider socio-economic context.
2. Present critical and research-substantiated arguments in essays.
3. Recognised alternative solutions to legal problems and to evaluate these; to develop critical and self-critical learning skills; and to reflect upon learning progress.

Method of Assessment

Main assessment methods

The module will be assessed by 20 % coursework and 80% examination as follows:

- Coursework – one essay of 2000 words (20%)
- Examination – 2 hour unseen paper (80%)

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment.

Preliminary Reading

The latest editions of the following:

- Alder and Wilkinson, Environmental Law and Ethics (Macmillan)
- Bell, and others, Environmental Law (Oxford)
- Fisher, Lange and Scotford, Environmental Law: Text, Cases and Materials (Oxford)
- McEldowney and McEldowney, Environmental Law (Longman)
- Wolf and Stanley, On Environmental Law (Cavendish)

Pre-requisites

LAWS5850 Environmental Law 1

Synopsis *

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 solutions 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 is designed to address. Environmental Law seeks to examine and assess laws, of widely different kinds, from a uniquely environmental perspective. Taking a broad view, it must be asked what legal mechanisms are best used to restrict environmentally damaging land use and development, and how may the law be used most effectively to conserve wild fauna and flora and the habitats upon which they depend?

Environmental Law II (LW586) is intended to complement Environmental Law I. Whilst Environmental Law I is primarily concerned with protection of the quality of the environmental media of water, air and land, Environmental Law II is concerned with the environmental land use controls and specific mechanisms for conservation of species and habitats (ecological quality law).

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LW589 The Skills of Argument - How to Argue and Win						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Exam with Compulsory Numeric Elements	
1	Canterbury	Spring	H	15 (7.5)	100% Exam	
1	Canterbury	Autumn	H	15 (7.5)	100% Exam with Compulsory Numeric Elements	
1	Canterbury	Autumn	H	15 (7.5)	100% Exam	

Contact Hours

Contact hours: 20
Private study hours: 130

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.
On successfully completing the module, students will be able to:

1. Demonstrate an in-depth understanding of the historical, sociological and political contexts for the use of argument and arguing.
2. Demonstrate an in-depth understanding of the concepts and principles at issue in contemporary approaches to argument, including the use of deductive and inductive reasoning, analogy, coherence and cogency, the use of authority, and modes and devices of rhetoric and persuasion.
3. Identify argument and distinguish it from other modes of interaction.
4. Analyse critically both simple and complex arguments.
5. Rank arguments in relation to weakness and strength in relation to a range of formal and critical criteria.
6. Present sustained and persuasive argument in writing.
7. Present sound argument with persuasive force.
8. Present weak argument with persuasive force.
9. Argue persuasively within given social, cultural or institutional parameters.
10. Engage in reasoned and informed discussion on the major themes treated on the module.

The intended generic learning outcomes.
On successfully completing the module, students will be able to:

1. Apply critical, analytical and problem-solving skills in a wide range of different legal and non-legal settings.
2. Research an issue to find relevant principles and concepts, and to investigate those principles and concepts critically and analytically
3. Identify flaws and weaknesses in argument
4. Distinguish and rank simple and complex arguments according to weakness and strength
5. Use library and web resources, including journal articles, to research an issue
6. Present a sustained critical analysis of argument, including legal argument, in writing

Method of Assessment

Main assessment methods

The module will be assessed by 2-hour examination (100%).

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

Reassessment methods

Reassessment Instrument: 100% exam

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

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Preliminary Reading

- Audi R., The Structure of Justification (CUP, 1993)
- Bickenbach J.E and Davies J., Good Reasons for Better Arguments (Broadview, 1997)
- Copi I.M. and Cohen C., Introduction to Logic (13th, Prentice Hall, 2008)
- Goodrich P., Legal Discourse Studies in Linguistics, Rhetoric and Legal Analysis (2nd, Pallgrave, 1990)
- Grayling A.C., The Art of Always Being Right – Thirty-eight Ways to Win when You Are Defeated (Gibson Square, 2005)
- Mills S., Discourse (2nd, Routledge, 2003)

Synopsis *

The curriculum is in three parts:

(1) A historical, sociological and political contextualisation of argument and arguing. The aims of argument will be investigated through these perspectives, enabling students to develop a critical approach to argument, and supplementing the skills of argument by raising students' awareness of the premises and assumptions within which argument takes place. The distinction of argument from other modes of interaction and expression will be considered by relation to these contexts.

(2) The second part of the module treats argument and arguing formally, both by mapping the standard forms of argument, and by showing formally how to pick out a bad argument from a good one. This part of the module thus investigates deductive and inductive reasoning, argument by analogy, and the use of supportive evidence and the structure of justification, and attends carefully to the set of formal fallacies in argumentation. These topics are illustrated throughout by attention to real examples from law and elsewhere, with attention given to how formal argument is constructed and to the skills required to identify formal fallacies. This knowledge base is used by students to develop their own skills of formal argument and their ability to critique the argument of others.

(3) The third part of the module turns to the skills of rhetoric and persuasion, including examination of the ploys and devices that are often used to give bad or weak arguments persuasive force. Attention will be given to aspects of coherence and cogency arising from studies in linguistics and the philosophy of language, and a particular focus will be given to arguments drawing on authority, using law in illustration. Again, students will be expected to develop their own skills in these regards, using rhetoric and other devices both to support good argument and to lend weak argument greater persuasive force.

LW591		Family Law				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	80% Exam, 20% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	80% Exam, 20% Coursework	
1	Canterbury	Spring	H	15 (7.5)	50% Coursework, 50% Exam	
1	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	

Contact Hours

Contact hours: 20

Private study hours: 130

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

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

1. Demonstrate a critical knowledge of the concepts, principles, policies, issues, debates and legal doctrine associated with various areas of family law
2. Critically identify the ideological and policy underpinnings of the legal rules relating to families
3. Critically evaluate how well the policies and law work in practice.

The intended generic learning outcomes.

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

1. Demonstrate critical thinking when discussing and applying the law
2. Critically evaluate conflicting decisions and viewpoints
3. Present observations, ideas and opinions persuasively

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Method of Assessment

Main assessment methods

This module will be assessed by coursework worth 50% and a final examination worth 50%:

Essay (2,000 words) – 50%

Examination (2 hrs) – 50%

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment.

Preliminary Reading

- Diduck and F. Kaganas, Family Law, Gender and the State, 3rd edition (2012).
- S. Harris-Short, J. Miles, and R. George. Family Law: Text, Cases and Materials, 3rd edition (2015)
- J. Herring, Family Law, 8th edition (2017).
- R. Lamont (ed) Family Law (2018).

Pre-requisites

Previous or concurrent study of LAWS5880 Public Law 1/ LAWS6130 Public Law 1 (Certificate).

Restrictions

Not available to non-law students. Final year only. Cannot be taken with LW505.

Synopsis *

This module will focus on the way in which the law defines and constructs the family, and the way in which it regulates family breakdown. The module will examine, broadly, the institution of marriage and relations between partners, which might include definitions of the family, marriage, civil partnerships and cohabitation, domestic violence, divorce and family dispute resolution. The module will also examine the relationship between parents, children and the state, which might include reproductive technology, parenthood, children's rights, and private law disputes over post-separation arrangements for children.

LW592	Public Law 2					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	80% Project, 20% Coursework	
1	Medway	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	80% Project, 20% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Medway	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Contact hours: 21 hours

Private study: 129 hours

Total study hours: 150 hours

Department Checked

Yes- LSSJ- 25/3/2021

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Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Identify complex contemporary problems in public law through the application of concepts such as governance, regulation, risk, state, sovereignty and globalisation.
2. Appreciate, in detail, that contemporary economic and political developments have transformed the ambit of public law and the technologies and practices of governance.
3. Appreciate, in detail, that a vast amount of public power is exercised without direct legislative authorisation or judicial scrutiny, and thus consider strategies for strengthening accountability.
4. Appreciate, in detail, that the distinction between public and private power has broken down, and that the field of constitutional and administrative law (public law) needs to respond to the ensuing challenges.
5. Demonstrate the conceptual tools necessary to navigate the changing landscape of public law.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Conduct independent research which informs a sustained and complex argument.
2. Appreciate that legal problems can only be fully understood through interdisciplinary research.
3. Use electronic databases for research.
4. Demonstrate advanced research skills in law and related disciplines.
5. Explore critically and in-depth a particular topic with the help of theoretical tools.

Method of Assessment

Main assessment methods

This module will be assessed by 20% coursework and 80% project.

Annotated Bibliography – 1500 words – 20%

Special Study research project – 3500 words – 80%

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment.

Preliminary Reading

- Kevin Davis, Angelina Fisher, Benedict Kingsbury and Sally Engle Merry (2012), *Governance by indicators - Global Power through Quantification and Rankings* (Oxford University Press)
- Emiliios Christodoulidis and Stephen Tierney (2008), *Public Law and Politics: The Scope and Limits of Constitutionalism* (Ashgate)
- Mitchell Dean (1999), *Governmentality : Power and Rule in Modern Society* (Sage)
- Nico Krisch (2012), *Beyond Constitutionalism: The Pluralist Structure of Postnational Law* (Oxford University Press)
- Martin Loughlin (2004), *The Idea of Public Law* (Oxford University Press)
- Peter Miller and Nikolas Rose (2008), *Governing the Present: Administering Economic, Social and Personal Life* (Wiley)
- Dawn Oliver, Tony Prosser and Richard Rawlings (eds.) *The Regulatory State - Constitutional Implications* (Oxford University Press)
- Saskia Sassen, *Territory, Authority, Rights - From Medieval to Global Assemblages* (Princeton University Press)
- Anne-Marie Slaughter (2005), *A New World Order* (Princeton University Press)

Pre-requisites

LW588/614 Public Law 1. This is also a co-requisite with LW593.

Restrictions

Only available to Law students, including Joint Honours. Not available to exchange students.

Synopsis *

Over the course of the late twentieth century the modern state was transformed in far-reaching ways. The deregulation and privatisation of national economies, the rise of risk governance, the proliferation of administrative agencies and the increasing the involvement of experts in public policy have all profoundly affected the practice of government. At the same time, states responded to global problems cutting across national boundaries (eg, in finance, security and the environment) by governing through transnational networks and global institutions far removed from conventional mechanisms of democratic and legal accountability. These changes have dramatically transformed the landscape of public law - broadly defined as 'the practices that sustain and regulate the activity of governing'.

This module helps students to navigate this shifting constitutional terrain and grapple with the key legal and political challenges it poses. In Public Law 1 students learned about the core principles of constitutional and administrative law, exploring issues like parliamentary sovereignty, the separation of powers, judicial review, human rights and devolution. In the Law of the European Union students were introduced to the principle of multi-level governance through which the modern state operates. Public Law 2 builds on these insights by analysing the complexity of contemporary governance in detail. The aim is to have students think critically about (i) the changing nature of the state, global governance and regulation; (ii) how globalisation is changing the ways public law problems are governed; (iii) the key challenges these shifts pose for the protection of rights and (iv) the different techniques and processes for holding states and powerful actors to account.

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LW593 European Union Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	50% Coursework, 50% Exam	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	70% Exam, 30% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	
1	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam with Compulsory Numeric Elements	
1	Canterbury	Spring	H	15 (7.5)	80% Exam, 20% Coursework	

Contact Hours

Contact hours: 30
Private study hours: 120
Total study hours: 150

Department Checked

Yes - LSSJ -14/09/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module students will be able to:

1. Demonstrate a systematic knowledge and understanding of the key aspects of the legal framework of the European Union (EU) building on teaching provided during Stage 1 (such as in LAWS5880 Public Law 1 and LAWS3270 English Legal System and Skills).
2. Demonstrate a detailed and coherent understanding of the main foundational legal principles pertaining to the law of the EU and its impact.
3. Demonstrate a detailed and coherent understanding of how EU rules differ in comparison with traditional rules of law underpinning the English legal system.
4. Demonstrate a detailed and coherent understanding of selected substantive rules of the EU, such as inter-statal trading arrangements.
5. An ability to read, understand and evaluate legislative and judicial documents as well as commentaries relevant to EU law, including the case-law of the Court of Justice of the European Union (CJEU).

The intended generic learning outcomes are as follows. On successfully completing the module students will be able to:

1. Construct a critical argument, on the basis of independent research.
2. Effectively utilise case law, identifying the key concepts, the inter-relation between the facts and the legal arguments and provide a coherent assessment of the relevant case law and its broader ramifications.
3. Communicate effectively to a variety of audiences and/or using a variety of methods.
4. Apply critical, analytical and problem-solving skills in a wide range of different legal and non-legal settings.

Method of Assessment

Main assessment methods

The standard assessment pattern will be 100% Coursework as follows:

Coursework - Short Written Assessment (1,500 words) - 40%
Coursework - Longer Written Assessment (2,500 words) - 60%

Reassessment methods

Like-for-like

Preliminary Reading

Barnard C. and Peers S. (eds) (2020), *European Union Law* 3rd ed., Oxford, Oxford University Press

De Mars S. (2020), *EU Law in the UK*, Oxford, Oxford University Press

Other key publications

Arnall A. et al (eds.), (2015), *The Oxford Handbook of EU Law*, Oxford, Oxford University Press

Barnard C., (2019), *The Substantive Law of the EU: The Four Freedoms*, Oxford, Oxford University Press

Craig P. and De Burca G., *EU Law: Text Cases and Materials*, Oxford, Oxford University Press

Craig P. and De Burca G., (2011), *The Evolution of EU Law*

Pre-requisites

LAWS5880 (LA588) Public Law 1 is a pre-requisite. In exceptional circumstances, students who have already attained equivalent knowledge in the field of Public Law may be exempted from this requirement by the Director of Studies: e.g. incoming ERASMUS law exchange students.

Restrictions

Only available to Law students, or those taking Politics and Law or Psychology and Law. Not available to exchange students.

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Synopsis *

This module will build on the knowledge that students will have acquired during Stage 1 [such as in LAWS5880 (LA588) Public Law 1]. This module will develop student learning by focusing on foundational legal aspects of EU law as well as rules governing selected substantive areas of EU law, also taking into account the relevance of these rules to the UK. The module convenor will set out specific areas of study in the relevant module guide.

LW594 Skills in Legal Interpretation						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
2	Canterbury	Spring	H	15 (7.5)	60% Exam, 40% Coursework	
2	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	
2	Canterbury	Spring	H	15 (7.5)	50% Coursework, 50% Exam	
2	Canterbury	Autumn	H	15 (7.5)	60% Exam, 40% Coursework	

Contact Hours

Contact hours: 20
Private study hours: 130

Total study hours: 150

Department Checked

yes- LSSJ- 25/3/2021

Learning Outcomes

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.

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.

Method of Assessment

Main assessment methods

The module will be assessed by 40% coursework and 60% examination:

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

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment.

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Preliminary Reading

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.

Pre-requisites

LW588/LW614 Public Law 1.

Synopsis *

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.

LW596 Gender, Sexuality and Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Contact hours: 20
Private study hours: 130

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

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Learning Outcomes

The intended subject specific learning outcomes.

This module builds on critical approaches to law summarily addressed in A Critical Introduction to Law. It develops key themes about law's social and political effects also addressed in Law and Political Theory and Law and Social Change.

On successfully completing the module students will be able to:

1. Demonstrate a critical awareness of the complex relationship between law and dominant structures of gender and sexuality
2. Demonstrate a thorough understanding of the significance of feminist and queer theory for understanding the contemporary formation of legal and political issues
3. Demonstrate a critical awareness of the significance of, critiques of, and alternatives to, rights-based claims by activists and other social actors in gender and sexuality mobilising
4. Critically analyse the relationship between right-based claims, claims for sexual citizenship, neoliberal approaches to rights and social inclusion, and the 'not for profit/industrial complex' within legal discussions of gender and sexuality
5. Critically identify the wide range of influences on legal discourse, policy, and law-making in relation to gender and sexuality, including concepts from political theory, the social sciences, contemporary culture and the humanities, and dominant ideas from the sciences
6. Demonstrate a thorough understanding of the intersection of concepts of gender and sexuality with concepts of race, religion, disability and class both historically and contemporaneously, and the effects of those intersections on legal theory, practice, and activism

The intended generic learning outcomes.

Students who complete the module successfully will be able to demonstrate the following legal abilities:

1. Demonstrate an awareness of, and sensitivity to, the economic, political and/or social implications as they arise.
2. Demonstrate interdisciplinary approaches to their studies.
3. Construct well-reasoned and well-structured arguments about theoretical and practical issues.
4. Deploy critical and self-reflexive modes of analysis in relation to concepts under consideration.
5. They will also be able to demonstrate the following general abilities:
6. Demonstrate the ability to efficiently utilise both legal and non-legal texts.
7. Demonstrate argumentation skills that relate to both legal and non-legal texts.
8. Critically engage with legal and non-legal sources.

Method of Assessment

Main assessment methods

The module will be assessed by 100% Coursework as follows:

Essay of 3,300 words (60%)

Presentation (20%)

Chairing another student's presentation (20%)

Reassessment methods

The module will be reassessed by a reassessment instrument of an essay for 100%. The reassessment will test all of the learning outcomes as indicated in the mapping below.

Preliminary Reading

Brown, W (1995) *States of Injury: Power and Freedom in Late Modernity*, Princeton University Press.

Butler, Judith (1990) *Gender Trouble: Feminism and the Subversion of Identity* London: Routledge.

Butler, Judith (1993) *Bodies that Matter: On the Discursive Limits of Sex* London: Routledge.

Carabin, *Sexualities*, (Policy Press, 2004)

Davies, M., and Munro, V., *The Ashgate Research Companion to Feminist Legal Theory* (Ashgate, 2013). Dean, Mitchell (1999) *Governmentality: Power and Rule in Modern Society*, Sage.

Fortier, Anne-Marie (2008) *Multicultural Horizons: Diversity and the limits of the civil nation* Routledge.

Foucault, Michel (1991) 'Governmentality' in Colin Gordon et al eds *The Foucault Effect: Studies in Governmentality* University of Chicago Press, pp 87-104.

Grabham et al (eds) *Intersectionality and Beyond*, Routledge.

INCITE! Women of Colour Against Violence (2007) *The Revolution will not be Funded: Beyond the Non-Profit Industrial Complex* South End Press.

Kenny, S.J. *Gender and Justice Why Women in the Judiciary Really Matter* (Routledge, 2013)

Puar, Jasbir (2007) *Terrorist Assemblages: Homonationalism in queer times* Duke University Press.

Stychin, Carl (2004) *Governing Sexuality: The Changing Politics of Citizenship and Law Reform* Hart Publishing, Oxford.

Williams, P (1991) *The Alchemy of Race and Rights*, Harvard University Press.

Pre-requisites

LW313/LW323 A Critical Introduction to Law and LW588/LW614 Public Law 1 are prerequisites.

Restrictions

Not available to non Law students.

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Synopsis *

The media is full of gender controversies: there's same-sex marriage (or now divorce) in California, violence against women pretty well everywhere, and a whopping 17% gender pay gap in the UK. What do you think about these issues? How do you think the law should respond?

This module focuses on how law interacts with gender and sexuality. It examines, and encourages you to discuss, the interconnections between law, policy, gender, and sexuality. We will start by focusing on key concepts in feminist and queer legal theory, such as heteronormativity (the dominance of heterosexual family and social structures). We will then relate these theories to current dilemmas: same-sex marriage; transgender rights; diverse family formations. Finally, we tackle the really big questions. Should we use the law to change the law? Are rights really any use? What is neo-liberalism and how does this relate to gender?

LW597		The Law of Obligations				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	I	30 (15)	70% Exam, 30% Coursework	
1	Canterbury	Whole Year	I	30 (15)	70% Exam, 20% Project, 10% Coursework	

Contact Hours

Lectures 40 hours including Induction; A mixture of Seminars and Case Classes - 19 hours.

Department Checked

yes

Learning Outcomes

To use the knowledge of the law gained, and of its contextual and socio-economic underpinnings, to engage with questions of policy, regulation and change, and to critically question the value of private law, and in particular litigation, as a means of social coordination and regulation.

To develop case reading skills, including an ability to understand and critique the arguments made and which may drive the outcome of a case, as well as policy and other considerations that may affect outcomes of case.

To use historical, socio-economic and philosophical materials to evaluate legal solutions in terms of their consequences and theoretical coherence.

To acquire a clear understanding of the main types of legal obligation arising from the law of contract and tort to include their rules and principles.

To identify the contractual and tortious legal issues raised in legal problem situations of a significant degree of complexity.

Method of Assessment

Coursework 30%, exam 70%. Coursework consists of a Problem Question (2000 words) and an Essay (2000 words).

Preliminary Reading

T Weir An Introduction to Tort Law (OUP, 2nd ed., 2006)

L Mulcahy Contract Law in Perspective (Routledge, 5th ed., 2008)

Pre-requisites

LW315 Introduction to Obligations and LW316 Foundations of Property. Only available to students following a Law programme of study (either single or joint honours).

Restrictions

Available only to Law students.

Synopsis *

This module builds on LW315 An Introduction to Obligations by examining in more depth the grounds of liability in contract and tort. The focus on reading cases is retained with regular case classes, and this is supplemented by a focus on legislation where relevant as well as theoretical material.

LW598		Equity and Trusts				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	70% Exam, 30% Coursework	

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Contact Hours

Contact hours: 29

Private study hours: 121

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate an understanding of the concepts, principles and rules relating to equity and trusts;
2. Apply detailed knowledge and understanding of the jurisprudence of equity, the interaction between the common law and equity and the contributions equity has made, and continues to make, to English law;
3. Demonstrate detailed knowledge and understanding of the historical development of Equity and Trusts in a social, political, and economic context;
4. Communicate an appreciation of the evolution of the key themes in equity and trusts in terms of their use in specific historical and contemporary developments;
5. Demonstrate an understanding of the development, and current state, of the law of equity and trusts from a comparative perspective (e.g. with other common law jurisdictions);
6. Engage in a critical discussion and evaluation of the benefits of using equity and trusts as legal strategies (in the context of other legal strategies e.g. restitution).

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Present relevant knowledge and understanding in the form of reasoned argument;
2. Critically evaluate an area of law both doctrinally and in terms of its socio-economic and other consequences and from an historical perspective.
3. Undertake further research from a variety of sources informing a sustained and detailed argument.
4. Recognise potential alternative solutions to particular problems and make a reasoned choice between them.
5. Independently acquire knowledge and understanding in areas, both legal and non-legal.
6. Demonstrate an independence of mind and an ability to critically challenge received understandings and conclusions in their writing.

Method of Assessment

Main assessment methods

The module is assessed by 30% coursework and 70% examination, as follows:

Essay – 2500 words

Exam – 2 hours

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment.

Preliminary Reading

- M. Bryan and V. Vann, *Equity and Trusts in Australia* (Cambridge University Press, 2012)
- S. Degeling and J. Edelman (eds.), *Equity in Commercial Law* (Lawbook Co, 2005)
- M. Fortier, *The Culture of Equity in Early Modern Law* (Ashgate, 2005)
- J. Garton, *Moffat's Trusts Law* (Cambridge University Press, 6th ed., 2015)
- M. Halliwell, *Equity and Good Conscience* (Old Bailey Press, 2nd ed., 2004)
- A. Hudson, *Understanding Equity & Trusts* (Routledge, 5th ed., 2014)
- D. Klinck, *Conscience, Equity and the Court of Chancery in Early Modern Law* (Ashgate, 2010)
- F. Maitland, *Equity, also the Forms of Action at Common Law: Two Courses of Lectures* (Cambridge University Press, 1929)
- C. Mitchell and P. Mitchell (eds.), *Landmark Cases in Equity* (Hart Publishing, 2012)
- C. Stebbings, *The Private Trustee in Victorian England* (Cambridge University Press, 2002)
- S. Waddams, *Dimensions of Private Law: Categories and Concepts in Anglo-American Legal Reasoning* (Cambridge University Press, 2003)
- G. Watt, *Equity Stirring: The Story of Justice Beyond Law* (Hart Publishing, 2009)
- S. Worthington, *Equity* (Oxford University Press, 2nd ed., 2006)

Pre-requisites

LW316/324 or LW5316 Foundations of Property. LW599 Land Law is a co-requisite and, depending on the programme of study, LW650 Law of Contract is either a pre- or co-requisite.

Only available to students following a Law programme of study (either single or joint honours).

Restrictions

Available only to Law students. Not available to exchange students.

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Synopsis *

This module introduces the student to the jurisprudence of equity and trusts. Building on knowledge and understanding developed in LAWS3160/LAWS5316 Foundations of Property and LAWS5990 Land Law, but also LAWS6500 Law of Contract and private law more generally, the module examines equity's contributions to private law and jurisprudence. The module is designed to challenge the somewhat dull image of this area of law and to encourage a critical and imaginative understanding of the subject. Departing from conventional approaches, this module does not study equity merely in regards to its role as originator of the trust. Equity is instead acknowledged to be what it really is a vital component of the English legal system, a distinct legal tradition possessing its own principles and method of legal reasoning, and an original and continuing source of legal development in the sphere of remedies. The law of equity and trusts is contextualised within a historical and jurisprudential inquiry, providing a wider range of possible interpretations of its development and application. What then becomes central to the module's approach is the complex interrelation of law with ethical, political, economic and jurisprudential considerations, and of that between legal outcomes, pragmatic concerns and policy objectives.

The module begins with the problem of equity as a problem of definition, of jurisprudence, and of jurisdiction – and identifies a set of questions that will animate the course, before turning to the nature and range of equitable remedies. Students will then examine equitable remedies concerned with reviewing intentions so as to undo or unwind transactions, such as gifts and contracts, and remedies concerned with enforcing informally expressed intentions. The course then turns to the trust and fiduciary obligations, looking at the transformation of the trust, both in terms of its functions and its management, and the remedies available to enforce trust and fiduciary obligations. The course ends by returning to the problem of equity and asking, in the context of restitution and contemporary understandings of the role of law, the extent to which equity continues to have a role in modern law.

LW599		Land Law				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	I	15 (7.5)	50% Coursework, 50% Exam with Compulsory Numeric Elements	
1	Canterbury	Autumn	I	15 (7.5)	50% Coursework, 50% Exam	

Contact Hours

Total contact hours: 30

Private study hours: 120

Total study hours: 150

Department Checked

yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate knowledge and understanding of the principal concepts of land registration and of property rights in English land law, together with key cases and statutory provisions.
2. Demonstrate knowledge and understanding of the particular conceptions of Property immanent in the concepts of English land law – possession-based title; title by registration; property as a right binding various categories of people outside of a contractual or other personal relationship.
3. Demonstrate a contextual and critical understanding of relevant issues, particularly the 'culture of registration' and title by registration; squatting; family property and housing finance issues.
4. Demonstrate problem-avoidance – an ability to recognise potential land law issues and use appropriate drafting and planning to avoid things going wrong for a hypothetical client.
5. Demonstrate problem-solving – an ability to recognise land law issues in a factual situation where things have gone wrong for a hypothetical client.
6. Demonstrate an ability to analyse English land law contextually and critically.
7. Demonstrate a conceptual understanding of English private and public law. Consideration of English land law is building on concepts and issues about property introduced in Foundations of Property. Property rights are contrasted with contractual and other personal rights highlighted in Introduction to Obligations. Private rights over land are contrasted with public rights.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a contextual and critical understanding of English law.
2. Demonstrate knowledge and critical understanding of legal problem-solving.
3. Demonstrate appropriate legal research.
4. Demonstrate a contextual and critical analysis

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Method of Assessment

Main assessment methods

- Problem Question 2000 words (50%) *
- Exam 2 hours (50%)

* Students must achieve a mark of 40% in the problem question to pass the module

Reassessment methods

Like for like, where undertaken, students must achieve a mark of 40% in the problem question to pass the module on reassessment.

Preliminary Reading

- S Bright and J Dewar (eds) Land Law; Themes and Perspectives (Oxford University Press, 1998)
- Cowan, D. et al, Great Debates in Property Law, 2nd ed. (London: Palgrave MacMillan, 2016)
- Gray, K. and Gray, S., Land Law 7th ed., (Oxford: Oxford University Press, 2011)
- Lim, H. and Bottomley, A. (eds), Feminist Perspectives on Land Law, (London: Routledge, 2007)
- Murphy, T. & Flessas, T. et al, (eds), Understanding Property Law, (London: Sweet and Maxwell, 2004)

Pre-requisites

LW316/324 or LW5316 Foundations of Property. Only available to students following a Law programme of study (either single or joint honours).

Restrictions

Available only to Law students. Not available to exchange students.

Synopsis *

The focus of the module is private property in English land: title by registration; squatting; owner-occupation; leases; covenants and land development. It builds on the Foundations of Property module to develop an in-depth understanding of English land law, its conception of property and its politics and effects. And it gives experience in how to advise clients on land law problems – and on how to avoid problems for clients.

LW600 Law, Science and Technology						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Contact Hours: 20

Private Study: 130

Total Study Hours: 150

Department Checked

Yes- LSSJ- 02/09/2021

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Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate an understanding of science and technology studies literature and its applicability to legal studies
2. Critically explore the epistemological basis of scientific and legal knowledge
3. Critically analyse the making of scientific and legal 'facts' in specific contexts (for instance, the genetically modified foods debate)
4. Demonstrate knowledge of the interface between science (and new technologies) and the law from a historical, socio-economic context
5. Critically evaluate current legal-scientific debates within historical, socio-economic contexts
6. Demonstrate a thorough knowledge of key texts in science and technology studies, actor-network theory and law and anthropology.
7. Articulate a sound theoretical and practical understanding of key legal-scientific debates and issues.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Apply new critical methods in their understanding and evaluation of legal and scientific knowledge in specific situations.
2. Demonstrate an awareness of, and sensitivity to, the economic, political and/or social implications that arise from different understandings of how scientific and legal facts are constituted
3. Research independently by taking into account a variety of sources of information.
4. Research efficiently using both legal and non-legal texts.
5. Critically engage with legal and non-legal sources.

Method of Assessment

Main assessment methods

The module will be assessed by 100% Coursework;

1. Annotated bibliography (1500 words) -20%
2. Summative essay (3000 words) – 80% PASS COMPULSORY

Reassessment methods

The module will be reassessed by a reassessment instrument of a takeaway paper for 100%.

Preliminary Reading

- Franklin, Sarah, Dolly Mixtures: The Remaking of Genealogies (Durham: Duke University Press, 2007)
- Latour, Bruno, Reassembling the Social: An Introduction to Actor-Network Theory (Oxford: OUP, 2005)
- Latour, Bruno, The Making of Law: An Ethnography of the Conseil d'Etat (Cambridge: Polity Press, 2010)
- Pottage, Alain and M. Mundy (eds.), Law, anthropology and the constitution of the social: the making of persons and things (Cambridge: Cambridge University Press, 2004)
- Sunder Rajan, Kaushik, Biocapital: The Constitution of Post-Genomic Life (Durham: Duke University Press, 2006)
- Waldy, Catherine and Mitchell, R., Tissue Economies: Blood, Organs and Cell Lines in Late Capitalism (Durham: Duke University Press, 2006)

Pre-requisites

LAWS5880 (LW588) OR LAWS6140 (LW614) Public Law 1 AND LAWS5920 (LW592) Public Law 2.

Restrictions

Final year/stage 3 only module.

Synopsis *

Weeks One-Four: Introduction to the broad field of Science and Technology Studies (STS), and how this body of work is relevant for the study of law; introduction to law and anthropology studies that engage STS

Weeks Five-Ten: Specific and topical case studies relating theory to concrete examples, including debates over genetically modified foods; legal-political disputes over ownership of biogenetic materials in context of pharmaceutical industry and agricultural sector; reproductive technologies, and others.

LW601 Advanced Level Criminal Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	50% Coursework, 50% Exam	
1	Canterbury	Whole Year	H	30 (15)	100% Coursework with Compulsory Numeric Elements	
2	Canterbury	Whole Year	H	30 (15)	60% Project, 40% Coursework with Compulsory Numeric Elements	

Availability

This module is not available to students who have taken LW508/613.

Contact Hours

Total contact hours: 60
Private study hours: 240
Total study hours: 300

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a sound grounding in the concepts, principles and rules of criminal offences
2. Demonstrate a thorough and critical understanding of the wider debate in respect of the place of criminal law in the social context, the definitions of harm and the boundaries of criminal law.
3. Demonstrate a comprehensive knowledge of the major theoretical debates in the criminal law field.
4. Critically assess criminal liability in a given factual situation and identify any defences by applying relevant legal principles, case law and statute law to the facts, and critically debate any issues raised.
5. Engage in an intricate, reasoned and informed discussion of the major areas of criminal law making appropriate reference to legal and academic source authorities.
6. Critically evaluate the operation of the criminal law in the social context.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate enhanced skills in summarising cases and developing argument.
2. Demonstrate comprehensive research and presentation skills through class presentations and through assessment.
3. Undertake detailed independent legal research and identify and retrieve up to date information, using a range of paper and electronic sources.
4. Present a cogent legal argument both in class and through assessment.
5. Recognise potential alternative conclusions for particular situations, and provide supporting reasons for them.
6. Use relevant legal terminology with care and accuracy.
7. Present and evaluate information in a numerical or statistical form.

Method of Assessment

Main assessment methods

There are two alternative assessment patterns for this module and students are able to select which path to follow. The aim of this is to allow students to develop their existing skills and knowledge in the way that best reflects their own learning experience.

Path A – 40% coursework and 60% dissertation

Problem Question, 2500 words - 20%

Oral presentation, Paired - 20% . PASS COMPULSORY This element must be passed alongside the other elements to pass the module overall.

Dissertation (7000 words) - 60% PASS COMPULSORY

Path B – 40% coursework and 60% examination

Problem Question (2500 words) - 20%

Oral presentation, Paired - 20%). This element must be passed alongside the other elements to pass the module overall.

Exam, 3 hours (60%)

Reassessment methods

Like-for-like: where undertaken, students must achieve a mark of 40% in the oral presentation to pass the module overall on reassessment.

Preliminary Reading

- Herring J., Criminal Law: Text, Cases and Materials, 8th Edition, (Oxford University Press, 2018)
- Horder J., Ashworth's Principles of Criminal Law, 9th Edition, (Oxford University Press, 2019)
- Ormerod and Laird, Karl, Smith, Hogan and Ormerod's: Criminal Law, 15th Edition, (Oxford University Press, 2018)
- Padfield, Nicola, Criminal Law, 10th Edition, (Oxford University Press, 2016)
- Spencer, J (et al.), Simester and Sullivan's Criminal Law: Theory and Doctrine (Hart, 2016)
- Thomas M., Criminal Law, 1st Edition, (Hall and Stott, 2018)
- Wells and Quick, Lacey, Quick and Wells: Reconstructing Criminal Law 4th Edition (Cambridge University Press, 2010)
- Wilson, W., Criminal Law 6th Edition (Pearson, 2017)

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Restrictions

Only available to Law students on courses where this module is required.

Synopsis *

In contrast to LAWS5080 Criminal Law (at Level 5), this Level 6 module will consider each of the following discrete, but identical, topics to a much greater depth making use of, and improving, skills developed in earlier years of their degree programme:

- Introduction to the concept of crime, the structure of criminal justice and the general principles of liability
- Harm and the boundaries of criminal law
- Considering cases – how to effectively summarise cases and write a case note
- Murder
- Defences to murder
- General defences
- Manslaughter
- Non-fatal offences against the person
- Sexual offences
- Inchoate offences
- Complicity
- Property-related offences

LW602 Law and Medical Ethics						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	80% Exam, 20% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	80% Exam, 20% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	80% Exam, 20% Coursework with Compulsory Numeric Elements	
1	Canterbury	Spring	H	15 (7.5)	80% Exam, 20% Coursework with Compulsory Numeric Elements	

Contact Hours

Total Contact Hours: 20
Private Study Hours: 130

Total Study Hours: 150

Department Checked

yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a systematic understanding of concepts, principles and rules that apply within medical ethics and the law and are at the forefront of the subject.
2. Critically analyse and evaluate contemporary issues in medical law and ethics.
3. Apply a conceptual understanding of medico-legal issues through the construction of detailed and coherent arguments.
4. Critically evaluate current research in the field of law and medical ethics.
5. Demonstrate an appreciation of the conflicts within medical law and ethics, such as areas of uncertainty, ambiguity and the limits of current medical knowledge.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Effectively locate and use primary and secondary sources both paper and electronic.
2. Apply knowledge to analyse complex case studies and problems.
3. Critically evaluate arguments, assumptions and abstract concepts.
4. Identify a range of solutions to a medico-legal scenarios.

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Method of Assessment

Main assessment methods

This module will be assessed by coursework worth a total of 20% and a final examination worth 80%:

MCT, 1 hour (20%)

Exam, 2 hours (80%) *

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

Reassessment methods

Reassessment instrument: 100% exam

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

Preliminary Reading

The core text for this module will be the latest edition of E. Jackson, Medical Law: Text, Cases and Materials.

Other indicative readings:

Herring, J, Medical Law and Ethics, OUP, 2016

Morris, A and Jones, M. A, Blackstone's Statutes on Medical Law, OUP, 2015

Mason, J.K and McCall Smith, A, Law and Medical Ethics, OUP, 2016

Stauch, and Wheat, K, Text, Cases and Materials on Medical Law and Ethics, Routledge, 2015

Synopsis *

This module considers the legal regulation of medical practice in its ethical, socio-economic and historical context, drawing on a range of critical, contextual and interdisciplinary perspectives. Students will be introduced to the major western traditions of ethical theory and the major principles of medical law. They will then pass on to their incorporation in medical negligence, confidentiality, consent and competence, and medical research. They will then draw upon these to engage in critical legal analysis of major areas of medical ethics and law.

LW604 Morality and Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	

Contact Hours

Private Study Hours: 130

Total Contact Hours: 20

Total Study Hours: 150

Department Checked

yes- LSSJ- 25/3/2021

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Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Understand the historical development of a key moral and political concept and its complex relationship to law and theories of law.
2. Demonstrate knowledge of the ways that the notion of morality has been analysed within moral philosophy and how various moral theories have affected the development of law.
3. Analyse and understand the historical and political development of the notion of a right.
4. Analyse, evaluate and engage with the arguments that are used to justify, defend and attack the notion of individual rights.
5. Critically evaluate and analyse the ways in which rights have been understood and incorporated into law.
6. Demonstrate an understanding of the ways in which theories of rights intersect law, moral philosophy and political theory.
7. Demonstrate conceptual analysis of the complex notion of 'individual rights' and appreciate its significance for law, political theory and moral philosophy.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Analyse and evaluate complex material across several disciplines (law, theory of law, moral philosophy, history of philosophy).
2. Demonstrate understanding, analysis and argumentation in a written piece of work, using a variety of legal and non-legal sources.
3. Discuss complex ideas and arguments

Method of Assessment

Main assessment methods

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

Oral presentation, in pairs (40%)

Essay, 2500 words (60%)

Reassessment methods

The module will be reassessed by a reassessment instrument of an essay for 100%.

Preliminary Reading

Chapters/excerpts from the following books:

Waldron, J. ed., *Theories of Rights* (New York: Oxford University Press, 1984)

Simmonds, N. E. *Central Issues in Jurisprudence: Justice, Law and Rights*, Fourth edition, (London: Sweet and Maxwell, 2013)

Kant, I. *Groundwork of the Metaphysics of Morals*, any edition

Stuart Mill, J. *Utilitarianism*, any edition

Aristotle, *The Nicomachean Ethics*, any edition

Noddings, N. *The Ethics of Care*, any edition

Locke, J. *The Second Treatise on Government*, any edition

Curran, E. *Reclaiming the Rights of the Hobbesian Subject* (Basingstoke: Palgrave, 2007)

Hobbes, T. *Leviathan*, ed C B Macpherson, (Penguin classics 1968) (or any other edition)

Skinner, Q. *Hobbes and Republican Liberty* (Cambridge: Cambridge University Press, 2008)

Hohfeld, W. *Fundamental Legal Conceptions* (New Haven: Yale University Press, 1919)

Hacker and Raz eds. *Law, Morality and Society* (Oxford: Clarendon Press, 1977)

Macormick, N. *Legal Right and Social Democracy* (Oxford: Clarendon Press, 1982)

Kramer, Simmonds and Steiner eds. *A Debate over Rights* (Oxford: Oxford University Press, 1998)

Pre-requisites

LW313/323 A Critical Introduction to Law and LW588/614 Public Law 1.

Synopsis *

Block 1. Critical introduction to major theories of morality: virtue theory (incl. feminist ethics of care), deontological theory (incl. natural law theory and Kantian theory) and consequentialism (utilitarianism).

Block 2. A historical/contextual examination of the development of a particular moral concept; that of individual rights

Block 3. Oral presentations by students in pairs

Block 4. An analytical examination and critique of modern theories of rights and their relationship to law

LW609 Advanced Topics in Property Law: the politics of ownership						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	100% Coursework	

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Contact Hours

Contact Hours: 40

Private Study Hours: 260

Total Study Hours: 300

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

Students will

1. Demonstrate a deep understanding of property law by examining various theoretical understandings of what constitutes ownership and justifies property rights
2. Demonstrate an awareness of, and sensitivity to, the economic, political and/or social implications that arise from differently constituted ownership practices in local, national and international contexts
3. Critically analyse property as a juridical relation and institution, which can be contested, challenged, and remade
4. Critically evaluate current debates over property rights, access to housing, and land rights within different historical, socio-economic, geographical, jurisdictional and theoretical contexts
5. Demonstrate a thorough knowledge of key texts in the field of property law and theories of ownership.
6. Articulate a sound theoretical and practical understanding of key legal/political debates and issues in the UK and elsewhere.

The intended generic learning outcomes.

Students will

1. Apply critical methods for understanding and evaluating legal knowledge in specific situations. Undertake guided and independent legal research by taking into account a variety of sources of information.
2. Research carefully and efficiently using both legal and non-legal texts.
3. Demonstrate argumentation skills.
4. Engage critically with legal and non-legal sources.

Method of Assessment

Main assessment methods

The module will be assessed by 100% coursework as follows;

1. An oral presentation (50%)
2. A research paper (4000 words) – (50%)

Reassessment methods

Reassessment instrument: 100% coursework

Preliminary Reading

- Alexander, Gregory S, Penalver Eduardo M An introduction to Property Theory (Cambridge University Press 2012)
- Callon, Michel eds., Laws of the Market (Oxford: Blackwell Publishers, 1998)
- Davies, Margaret, Property: Meanings, Histories, Theories (Oxford Routledge Cavendish 2010)
- Maurer, Bill and Gabrielle Schwab eds., Accelerating Possession: Global Futures of Property and Personhood (New York: Columbia University Press, 2006)
- Pottage, Alain, "The Measure of Land" in Modern Law Review, 1994, Vol 57, p361
- Rose, Carol Property and Persuasion: Essays on the History, Theory and Rhetoric of Ownership Colorado Westview Press, 1994)
- Strathern, Marilyn Kinship, Law and the Unexpected: Relatives are Always a Surprise (Cambridge: CUP, 2005)

Pre-requisites

LW316/LW5316 or LW324 Foundations of Property and LW599 Land Law as a pre/co-requisite.

Synopsis *

This module moves away from the focus of traditional property law modules to look at property in its many different contemporary forms, exploring the nature of property as a legal institution and its economic, political and cultural importance in a variety of contexts. It will seek to question the common sense understandings of property as privately owned 'things' in relation to which the role of law is essentially passive and protective. This module builds on the subject matter covered in both LAWS3160 Foundations of Property in Stage 1 and LAWS5990 Land Law in Stage 2. This module will explore the active, constructive and political role of law in actually constituting property and property rights. One of the module's themes will be the complex relationship between property and power. During the course of the module, in a series of case studies and theoretical readings, a wide range of different topics in which issues of property and property rights are central will be examined: from the issues surrounding corporate rights and power to land rights (especially in the colonial context); from the construction and protection of property rights to those surrounding housing and access to housing. The module will also explore the cultural dimension of property and examine the role played by property and property rights in the recent financial crisis.

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LW611 Law Dissertation Autumn Option						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Project	

Contact Hours

Contact hours: 7

Private study hours: 143

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Explain and justify the significance of their research
2. Be familiar with the literature relevant to their research
3. Be familiar with the theories, concepts and methods relevant to their research
4. Examine and critically evaluate legal issues within a social and critical context as evidenced by and within their dissertation projects, and be able to support the evaluation with evidence and reasoning
5. Conduct research independently by drawing on feedback from academic supervisors, by exercising reflection and self-criticism, and by managing time and resources effectively
6. Communicate the findings of their research effectively and fluently in an extended piece of writing (a 6-8,000 word dissertation).

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Be familiar with the research process – from formulating meaningful and feasible research questions, through undertaking research using appropriate literature (whether primary or secondary)
2. Undertake analysis of complex areas of knowledge and make carefully constructed arguments
3. Have independent learning ability required for further study or professional work

Method of Assessment

Main assessment methods

The module will be assessed by 100% project as follows:

A dissertation, 6000-8000 words (100%)

Reassessment methods

The module will be reassessed by a reassessment instrument of a dissertation for 100%.

Preliminary Reading

Bell, J, Doing your Research Project: A guide for first-time researchers 6th Ed, (Open University Press, Maidenhead 2014)

Cottrell, S, The Study Skills Handbook (Palgrave Study Skills) 4th Ed, (Palgrave Macmillan, 2013)

Crème, P & Lee, M, Writing at University 3rd Ed, (Open University Press, Maidenhead 2008)

Denscombe, M, The Good Research Guide: For Small Scale Research Projects 5th Ed, (Open University Press, Maidenhead 2014)

Denscombe, M, Research Proposals: A Practical Guide, (Open University Press, Maidenhead 2012)

Girden, E, Evaluating Research Articles from Start to Finish 3rd Ed, (Sage, London 2010)

May, T, Social Research: Issues, Methods and Research 4th Ed, (Open University Press, Maidenhead 2011)

Pre-requisites

Available to stage 2 and 3 students. Only students with EITHER the minimum of a 2:1 mark in LAWS5920 Public Law Special Study (Stage 2) OR a Minimum of a Merit in Stage One are usually allowed to register for this module. HOWEVER a case for allowing a student onto the module who has not achieved one of these thresholds can be considered in each individual case by the convenor. The school will confirm this once a student has been registered for the module and will write to the student explaining their options if the conditions are not met.

Restrictions

Only available to Law students.

Synopsis *

The module is taken over one term. Students will attend a small number of lectures, introducing the trajectory of a research project, the use of library resources, primary and secondary material, use of citations and constructing a bibliography etc. The main experience of the module is found in the supervision process between supervisor and student, who between themselves decide on the specific plan for the research programme.

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LW616 Law and International Development						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	50% Coursework, 50% Exam	

Availability

Autumn term.

Contact Hours

Contact hours: 20

Private study hours: 130

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Critically understand the theoretical debates and academic controversies surrounding the relationship between law and the international development project;
2. Critically understand the historical and ideological underpinnings of Western legal thought and international policy in the field of Law and Development;
3. Identify and critically analyse the major doctrines, policies and norms directing current international institutions in their efforts to build rule of law, good governance, economic proficiency, environmental sustainability and related aspirations in developing countries;
4. Place, and critically assess, issues of law and development in their proper political, economic, social and jurisdictional contexts.
5. Demonstrate an awareness of the economic, political and/or social implications of various approaches to law and international development.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Read carefully and efficiently both legal and non-legal texts;
2. Demonstrate argumentation skills relating to legal and non-legal texts;
3. Understand and apply interdisciplinary approaches to the study of law;
4. construct well-reasoned and well-structured arguments about theoretical and practical issues;

Method of Assessment

Main assessment methods

In-class participation (10%)

In-class group presentation (40%)

Final Essay of 2,500 words (50%)

Reassessment methods

Reassessment instrument: 100% coursework

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Preliminary Reading

- Alston, Philip and Mary Robinson (eds.). Human Rights and Development- Towards Mutual Enforcement (Oxford: OUP, 2005).
- Eslava, Luis, Local Space, Global Life: The Everyday Operation of International Law and Development (Cambridge: CUP, 2015).
- Fennell, Shailaja. Rules, Rubrics and Riches: the interrelations between legal reform and international development (London: Routledge, 2010).
- Gauri, Varun and Daniel Brinks (eds). Courting Social Justice: Judicial Enforcement of Social and Economic Rights in the Developing World (Cambridge: Cambridge UP, 2008).
- Hatchard, John and Amanda Perry-Kessaris (eds). Law and Development: Facing Complexity in the 21st Century (London: Cavendish, 2003).
- Mattei, Ugo and Laura Nader, Plunder- When the Rule of Law is Illegal (Blackwell, 2008)
- Massoud, Mark Fathi, Law's Fragile State Colonial, Authoritarian, and Humanitarian Legacies in Sudan (Cambridge: CUP, 2014).
- Pahuja, Sundhya, Decolonizing International Law: Development, Economic Growth and the Politics of Universality (Cambridge: CUP, 2011).
- Perry-Kessaris, Amanda (ed). Law in the Pursuit of Development: Principles into Practice? (London: Routledge, 2010).
- Rist, Gilbert, The History of Development: From Western Origins to Global Faith. (London: Zed, 3rd ed, 2011).
- Trubek, David and Alvaro Santos (eds.) The New Law and Economic Development - A Critical Appraisal (Cambridge: CUP, 2006).
- Willis, Katie, Theories and Practices of Development (London: Rutledge, 2nd ed, 2011).

Pre-requisites

LW313/323 and LW588/614.

Restrictions

This module is only available to Law students.

Synopsis *

The first half of the module will provide students with detailed knowledge and understanding of the idea of development, the international development project, the main international development institutions and the international context in which they developed; the national effects of the development project; and the movement of Law and Development. The second half of the module will examine contemporary topics in law and international development, including (but not limited to) human rights and development; decentralization and local development; sustainability and development; law and the informal sector; rule of law promotion; and the intersection between security and developmental concerns and discourses.

LW617 Legal Ethics: Exploring the Ethics of Lawyers and Lawyering						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework with Compulsory Numeric Elements	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework with Compulsory Numeric Elements	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	

Contact Hours

Private Study Hours: 130
Total Contact Hours: 20

Total Study Hours: 150

Department Checked

yes- LSSJ- 30/09/2021

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Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a detailed understanding of the way in which any notion of 'legal ethics' must be predicated upon moral (philosophical) reasoning about the practice of law.
2. Analyse, critically evaluate and engage with philosophical arguments about lawyers' moral responsibilities and moral role(s)
3. Demonstrate an awareness of and ability to predict the ethical issues that will typically arise from various legal scenarios and outcomes.
4. Analyse and critically evaluate alternative responses to ethical dilemmas and questions that arise in legal practice.
5. Analyse and critically evaluate responses by lawyers to ethical dilemmas and questions using case studies. Develop skills of argumentation in supporting or attacking these different responses.
6. Demonstrate a detailed understanding of the ways in which questions in legal ethics intersect law and legal practice, moral philosophy and professional/practical ethics.
7. Engage in 'moral reasoning', i.e. to participate in thinking philosophically about the issues raised by legal ethics and demonstrate the skills of argument required to support a chosen position.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Analyse and evaluate complex material across several disciplines (law, moral philosophy, and professional ethics)
2. Demonstrate written argumentation skills
3. Demonstrate understanding, analysis and argumentation, using a variety of legal and non-legal sources.

Method of Assessment

Main assessment methods

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

EITHER

Coursework - Essay plan (2500 words) - 30%

Coursework - Essay (800 words) – 70%

Coursework - Presentation plan (800 words) - 30%

Coursework - Presentation (15 minutes) - 70%

Reassessment methods

The module will be reassessed by a reassessment instrument of an essay for 100%.

Preliminary Reading

The Nicomachean Ethics, Aristotle (any edition)

Legal Ethics and Human Dignity, David Luban, CUP, 2009

A Modern Legal Ethics: Adversary Advocacy in a Democratic Age, Daniel Markovits, PUP, 2010

Utilitarianism, Mill, J. S. (any edition)

Professional Legal Ethics: Critical Interrogations, Nicholson, D. and Webb, J., OUP, 1999

Legal Ethics: Text and Materials, O'Dair, Richard, Butterworths, 2001

Groundwork of the Metaphysics of Morals, Kant, I., transl. H.J. Paton, NY Harper and Row, 1964 (or any other good translation)

Pre-requisites

LAWS3130 (LW313)/LAWS3230 (LW323) A Critical Introduction to Law and LAWS5880 (LW588) /LAWS 6140 (LW614) Public Law 1.

Restrictions

Not available to non Law students.

Synopsis <span style =

This course will afford students the opportunity to explore the moral and ethical questions surrounding legal practice in both a theoretical and a practical way. Starting with some philosophical arguments about whether and how lawyers might have specifically moral responsibilities, they will then be equipped to test such arguments in the context of case studies from real legal practice. This course will provide an intellectually demanding introduction to the academic study of legal ethics, which will push students to hone their skills of argumentation, analysis and critique.

Block 1. Why Legal Ethics? The course will start with an exploration of the moral reasoning and arguments that justify the notion of 'legal ethics'. This first block of seminars will introduce students to the theoretical questions which precede any acceptance of the practice of law as having a moral dimension.

Block 2. Case Studies and the Ethical Issues they raise. Starting with the case of the so-called 'torture lawyers' from the 'war on terror' of the American Bush administration, students will be asked to reflect on and discuss several case studies as starting points for discussion of issues in 'legal ethics' broadly conceived, including: responsibility for 'doing wrong', complicity, upholding human rights, conflicts of interest, integrity, the adversarial system as an excuse for moral neutrality or worse and confidentiality.

LW623 Race, Religion and Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

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Contact Hours

Contact hours: 20
Private study hours: 130

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.
On successfully completing the module students will be able to:

1. Understand the complex relationship between law and dominant concepts of race and religion;
2. Appreciate the significance of critical race, postcolonial, feminist, and critical religion theories for understanding contemporary social and legal issues to do with race and religion;
3. Appreciate the significance of a grounding in social and legal histories of race and religion in order to understand contemporary formations;
4. Identify the wide range of influences on legal discourse, policy, and law-making in relation to race and religion, including concepts from political theory, postcolonial theory, and the humanities and social sciences more broadly;
5. Appreciate the intersections of concepts of race and religion with concepts of gender, sexuality, class, and disability;

The intended generic learning outcomes.
On successfully completing the module students will be able to:

In relation to the study of law, students will be able to:

1. Demonstrate interdisciplinary approaches to the study of law;
2. Deploy critical and self-reflexive modes of analysis in relation to the subject;
3. Construct well-reasoned and well-structured arguments about theoretical and practical legal issues;

In relation to general abilities, students will be able to:

4. Demonstrate argumentation skills that relate to legal and non-legal texts;
5. Demonstrate skills in critical reading and analysis;
6. Undertake independent research on a defined topic;

Method of Assessment

Main assessment methods

The module is assessed by 100% coursework:

1. A 1000-word essay outline (10%).
2. A collaborative oral presentation (10%).
3. A 3000-word research essay (80%) on a topic chosen by the student, and approved by the convenor.

Reassessment methods

The module will be reassessed by a reassessment instrument (i.e. a research essay for 100%). The reassessment will re-test all of the module's learning outcomes.

Preliminary Reading

- Barkan, E. *The Retreat of Scientific Racism: Changing Concepts of Race in Britain and the United States Between the World Wars* (Cambridge University Press, 1992)
- Goldberg, D.T. *Racist Culture; Philosophy and the Politics of Meaning* (Blackwell, 1993)
- Goldberg, D.T. *The Racial State* (Blackwell, 2002)
- Herman, D. *An Unfortunate Coincidence: Jews, Jewishness, and English Law* (Oxford University Press, 2011)
- Jivraj, S. *The religion of law: race, citizenship and children's belonging* (Palgrave Macmillan, 2013)
- Miles, R. *Racism* (Routledge, (1989)

Restrictions

Only available to final year students.

Synopsis *

Weeks 1-6: Theoretical perspectives on race, religion, and ethnicity as concepts; case studies in the social and legal history of race and religion; overview of contemporary legal regulation of these categories in UK law
Weeks 7-12: Contemporary case studies; research training

LW624	Labour Law					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Contact hours: 20
Private study hours: 130

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.
On successfully completing the module, students will be able to:

1. Demonstrate a detailed understanding of the concepts, rules and principles, and their practical application, across the breadth of labour law.
2. Critically evaluate the significance of (and misuse of) employment status as a gateway to employment rights.
3. Critically evaluate the suitability of the employment contract and other theoretical alternatives as a means of conceiving and regulating employment relationships.
4. Demonstrate an understanding of the diverse influences that shape UK labour law including the role of trade unions and the impact of EU law and jurisprudence.
5. Use the knowledge of the law gained, and of its contextual and socio-economic underpinnings, to critically analyse and evaluate labour law's role and effectiveness in regulating employment in UK, including potential reforms.
6. Demonstrate understanding of the comparative merits of the different routes of enforcing particular employment rights.
7. Demonstrate an awareness of, and sensitivity to, the economic, social, and political context of labour law.
8. Critically evaluate the impact of labour law and policy on those with particular characteristics.

The intended generic learning outcomes.
On successfully completing the module, students will be able to:

1. construct well-reasoned and well-structured written arguments;
2. critically analyse legal and political responses to key issues;
3. present material with proper citations and use of references;
4. express themselves clearly, accurately and succinctly;
5. undertake research on a defined topic, using legal and non-legal sources;

Method of Assessment

Main assessment methods

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

Essay, no more than 5000 words (100%)

Reassessment methods

The module will be reassessed by a reassessment instrument of an essay for 100%.

Preliminary Reading

Barnes, Lizzie. 2015. *Bullying and Behavioural Conflict at Work: The Duality of Individual Rights* (Oxford University Press). ISBN: 9780199691371
Biggs, Joanna. 2015. *All Day Long: A Portrait of Britain at Work* (Serpent's Tail) ISBN-10: 1781251878
Cabrelli, David. 2016. *Employment Law in Context*. (Oxford University Press). ISBN
Davies, A.C.L. 2015. *Employment Law*. Pearson. ISBN-10: 1408263602 • ISBN-13: 9781408263600
Standing, Guy. 2011. *The precariat: the new dangerous class* (Bloomsbury (London: Bloomsbury Academic) ISBN 9781849664547 (ebk.)

Restrictions

This module is only available to Law or joint honours law students.

Synopsis

This module is concerned with contemporary labour law. It combines legal analysis and the transmission of practical legal skills with a highly contextual and interdisciplinary understanding of the labour law and regulatory debates around labour regulation. To that end, workshops will feature extended discussion on key aspects of contemporary labour legislation using scholarly texts. Students will also study key legal aspects of the modern employment relationship including the contract of employment, statutory employment protection provisions (for example unfair dismissal and redundancy protection), anti-discrimination legislation and provisions for reconciling work and family life (e.g. pregnancy protection and parental leave). The module will also explore selected aspects of collective labour law including the role and status of trade unions, the legal regulation of collective bargaining and/or the regulation of industrial conflict. The module seeks to combine a detailed knowledge of fundamental key aspects of labour law with the development of broader conceptual, critical and evaluative perspectives on workplace regulation.

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LW625 Client Interviewing Skills						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	I	2 (1)	Pass/Fail Only	
1	Canterbury	Spring	I	2 (1)	Pass/Fail Only	

Contact Hours

Contact hours: 9

Private study hours: 11

Total study hours: 20

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. introduce students to the skills of interviewing clients.
2. provide a sound grounding in all aspects of interviewing.
3. provide students with a clear understanding of the various techniques of interviewing clients.
4. be a confident interviewer.
5. apply, in the context of client interviews, concepts and principles studied elsewhere in the Law programme

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. recognise potential alternatives to litigation.
2. identify accurately issue(s) that require researching.
3. further develop and increase students confidence in their oral skills.
4. further develop skills in analysing issues and proposing solutions.

Method of Assessment

Main assessment methods

This module is non-contributory and assessment does not formally 'count' for the degree. The module represents extra learning and an opportunity to gain transferable skills to enhance employability.

Students who participate in the seminars and participate in the internal competition will be deemed to have met the requirements of the module.

Reassessment methods

This module is non-contributory and assessment does not formally 'count' for the degree. The module represents extra learning and an opportunity to gain transferable skills to enhance employability. As such there is not a reassessment method for the module.

Preliminary Reading

Books

Sherr, A., Client Interviewing for Lawyers, (Sweet & Maxwell 1986)

Westwood, F., Accelerated Best Practice – implementing success in professional firms (Troubador Publishing 2008)

Articles

Morgan, T Thinking about lawyers as counsellors 42 Florida Law Review 439 (July 1990)

Sherr, A Lawyers and Clients: The First Meeting (1986) 49 MLR 323

Restrictions

Not available to non-law students. Only available at stage 3 or 4.

Synopsis *

This extracurricular module provides an introduction to, and grounding in, interviewing clients and the skills required to enhance inter-personal skills when dealing with clients. This will include an introduction to the concept and skills of interviewing, workshops on the skills required to prepare for, and take part in an interview with a client, leading to participation in an internal client interviewing competition using scenarios provided.

The module culminates in an internal competition in which students compete for the opportunity to participate in the Regional Client Interviewing Competition for England and Wales.

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LW626 Appropriate Dispute Resolution: Theory and Practice						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	

Contact Hours

Contact hours: 20

Private study hours: 130

Total study hours: 150

Department Checked

yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a detailed understanding of the legal and regulatory issues surrounding dispute resolution processes, including arbitration, mediation and conciliation.
2. Apply their knowledge to the analysis and evaluation of a complex dispute scenario, identify relevant strategies, principles, and case law, and participate in critical debate on the issues raised.
3. Demonstrate a detailed understanding of the concepts and principles that govern the choice of the most common dispute resolution processes, and of less usual options, including early neutral evaluation and online dispute resolution.
4. Critically evaluate the role of the lawyer in the area of civil disputing.
5. Critically analyse and evaluate the relationship between conventional forms of adjudication and engagement with ADR processes, and how this impacts on the legal system.
6. Demonstrate a detailed understanding of the skills and attributes necessary to effectively advise and represent clients in the ADR process.
7. Identify broader social, economic and political issues underlying the developments taking place in the context of conflict resolution.
8. Identify and justify the use of different methods of conflict resolution in a variety of situations.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Undertake appropriate independent research and retrieve up to date information, using both paper and electronic sources.
2. Present a complex argument.
3. Use relevant and appropriate terminology with care, accuracy and confidence.
4. Summarise, develop and sustain an argument through the analysis of a factual scenario.

Method of Assessment

Main assessment methods

The module will be assessed by 100%, comprising two essays:

Essay 1, 2,000 words (50%)

Essay 2, 2,000 words (50%)

Reassessment methods

The module will be reassessed by a reassessment instrument (i.e. 100% coursework).

Preliminary Reading

- A Practical Approach to Alternative Dispute Resolution: Susan Blake, Julie Browne & Stuart Sime, 4th ed. (Oxford University Press: 2016)
- The Jackson ADR Handbook: Susan Blake, Julie Browne & Stuart Sime (OUP, 2016)
- Dispute Processes: ADR and the Primary Forms of Decision-Making: Simon Roberts & Michael Palmer (Cambridge Online Books, <http://dx.doi.org/10.1017/CBO9780511805295>).
- ADR, Arbitration and Mediation: A Collection of Essays: ed. Julio Cesar Betancourt, Jason A. Crook (Chartered Institute of Arbitrators, 2014).
- Regulating Dispute Resolution: ADR and Access to Justice at the Crossroads: Felix Steffek (Editor), Hannes Unberath (Editor), Hazel Genn (Editor) (Hart Publishing, 2013)

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Synopsis *

In recent times, 'alternative' forms of dispute resolution (ADR) have been widely recognised as possessing the potential to limit some of the damage caused by civil disputes. Therefore, a lawyer's skill-set ideally should include a well-developed ability to analyse, manage and resolve disputes both within and outside the usual setting of the courtroom. Thus, the module's primary aim is to introduce students to the legal and regulatory issues surrounding methods of dispute resolution aside from litigation. Specifically, the module focuses on the practical factors relevant to selecting appropriate dispute resolution in distinct circumstances, including, for example, the employment and family law arenas.

Students will be provided with the resources to acquire a detailed theoretical and practical understanding of the contextual constraints associated with the use of different forms of dispute resolution and will be encouraged to develop their ability to evaluate the effectiveness of particular interventions, especially when used as an adjunct to court proceedings. The module tracks historic and current developments in relation to the use of ADR, highlighting how government policy and courts appear, increasingly, to sanction failure to use ADR. This may well enhance students' opportunities to hone career-advancing expertise in the field.

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LW627 Contemporary Issues In Trusts						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	

Contact Hours

Contact hours: 20

Private study hours: 130

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

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

1. Demonstrate a critical understanding of trusts in socio-economic context.
2. Demonstrate a systematic understanding of the different views on the nature of the trust.
3. Critically analyse trust as a juridical relation and institution in contemporary contexts.
4. Show an appreciation of the limits of the trust concept.
5. Demonstrate a comparative understanding of trust and trust-like institutions.
6. Demonstrate a critical awareness of historical and contemporary theoretical and policy problems in trusts.
7. Display an appreciation of the contribution of critical methods to the understanding of law in modern society.
8. Critically analyse and evaluate the trust industry's impact on contemporary trusts law and practice.

The intended generic learning outcomes.

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

1. Present relevant knowledge and understanding in the form of reasoned argument through written assessment.
2. Identify and evaluate legal and policy problems according to their political and legal context.
3. Demonstrate further research from a variety of sources informing a sustained and detailed argument.
4. Summarise detailed historical and conceptual material, recognising different positions that arise in the literature surveyed.
5. Display an appreciation of the legal forms that arise and operate within complex historical and political conditions.
6. Demonstrate an awareness of the economic, political and/or social implications of legal forms and remedies.

Method of Assessment

Main assessment methods

The module will be assessed by 50% Coursework and 50% Exam as follows:

- 50% written essay 3,000 words; and
- 50% 2-hour examination.

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment.

Pre-requisites

LW598 Equity and Trusts.

Restrictions

Law students only.

Synopsis >*

This module, building on knowledge and understanding of certain concepts and principles from Equity & Trusts, will explore trusts in further detail and examine new contexts in which they operate. Students will be introduced to a number of theoretical frameworks through which to understand and critically evaluate the role, function and concepts of equity and trusts historically and in contemporary society. These will be studied through a range of case studies and a range of different topics, including: trusts and associations; secured equitable interests; pension trusts; family wealth planning; asset-partitioning and securitisation; trusts in the offshore world; and international trusts and trust-like institutions.

LW629 Critical Law and Practice of International Business Transactions						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	

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Contact Hours

Contact hours: 20

Private study hours: 130

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

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

1. Demonstrate a systematic introductory knowledge and understanding of a range of critical and theoretical perspectives, of the structure and distribution of power among states and the effects of this on international trade as well as parties in different states
2. Demonstrate a critical knowledge and understanding of the legal rules governing international trade
3. Demonstrate a detailed knowledge and understanding of international business transactions
4. Demonstrate a systematic understanding of current developments in international trade regulation
5. Identify and evaluate the legal validity of contracts governing international business transactions
6. Identify and critically evaluate the institutional structures of hegemony and identify their causal power in determining the way in which individuals and corporate persons may respond to them within the national and international system
7. Critically evaluate the impact of a range of treaties and Statutes of England and Wales on the emergence and development of:
 - Free trade
 - Dispute resolution
 - Anticorruption and money laundering
8. Read and evaluate legal texts and cases and understand their relevance to international trade and cross national business transactions.

The intended generic learning outcomes.

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

1. Conduct independent research, which informs a sustained and complex argument
2. Coherently present complex arguments in writing
3. Appreciate that juridical problems can only be fully understood through interdisciplinary research methods.

Method of Assessment

Main assessment methods

- Essay of no more than 3000 words (50%)
- Examination, 2-hour (50%)

Reassessment methods

Like-for-like

Preliminary Reading

John Braithwaite and Peter Drahos, *Global Business Regulation* (Cambridge: Cambridge University Press, 2008).

Indira Carr, *International Trade Law*, 6th edition (Oxford: Routledge, 2017).

Leo D'Arcy, Carole Murray and Barbara Cleave, *Schmitthoff's Export Trade: The Law and Practice of International Trade*, 12th edition (London: Sweet & Maxwell, 2012).

Peter T. Muchlinski, *Multinational Enterprises & the Law*, 2nd Edition (Oxford: Oxford University Press 2007).

Alan Redfern and Martin Hunter, *Law and Practice of International Commercial Arbitration*, 5th edition (Sweet & Maxwell, 2009)

Synopsis *

The module focuses on current issues in the law and practice of international business and trade law from critical perspectives. This includes exposing deficiencies in the regulation of international trade finance, international marketing operations, countertrade, international commercial dispute settlement mechanisms and corruption in international business. The module considers the peculiar problems that emerging business and financial jurisdictions face in their involvement in international trade. It broadly explores the inequities of global integration of international trade law and considers the influences of European Community law and those of leading developed economies and financial jurisdictions on regulation and actual practice of the field of international business transactions. Attention will be given to specialist and emerging areas of law such as international mergers and acquisition as well as philosophical aspects of international trade such as the *lex mercatoria*. It seeks to provide a comparative overview of emerging trends in international business regulation and aims to make students aware of ethical dimensions of international business transactions.

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LW631	Consumer Law					Convenor
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	
1	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	

Availability

Not available to non Law students.

Contact Hours

Contact hours: 20

Private study hours: 280

Total study hours: 300

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

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

1. Demonstrate knowledge of the relevant common law, statutory and non-statutory sources in the area of consumer law and to research and apply that knowledge to concrete fact situations.
2. Demonstrate an understanding of the standard policy arguments and frameworks of consumer law, and to apply and critique them in concrete policy problems.
3. Critically appreciate the role of consumer law and policy within the "new regulatory state" in the UK.
4. Demonstrate an awareness of the different forms of legal regulation of consumer market transactions (e.g. private law, administrative regulation, "soft law", harnessing market incentives), and their strengths and weaknesses.
5. Assess claims about the progressive potential of consumer law and its relationship to broader social policies such as addressing social exclusion.
6. Demonstrate an appreciation of the scope of EU consumer law and policy and its effects on UK law.

The intended generic learning outcomes.

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

1. Effectively locate primary and secondary legal and policy sources and to apply them to specific policy and legal issues.
2. Critically evaluate an area of law both doctrinally and in terms of its socio-economic consequences.
3. Recognise potential alternative solutions to particular problems and make a reasoned choice between them.
4. Formulate and sustain a complex argument, supporting it with appropriate evidence.

Method of Assessment

Main assessment methods

Essay 1 (2,000 words) – 50%

Essay 2 (2,000 words) – 50%

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual components of assessment.

Preliminary Reading

- Geraint Howells, Christian Twigg-Flesner, Thomas Wilhelmsson (eds), *Rethinking EU Consumer Law* (Routledge 2017)
- Geraint Howells, Iain Ramsay and Thomas Wilhelmsson (eds), *Handbook of Research on International Consumer Law* (2nd Edition, Edward Elgar 2018)
- Dorota Leczykiewicz, Stephen Weatherill (eds), *The Images of the Consumer in EU Law: Legislation, Free Movement and Competition Law* (Hart 2016)
- Iain Ramsay, *Consumer Law and Policy: Text Cases and Materials on Regulating Consumer Markets* (3rd edn, Hart Publishing 2012)
- Colin Scott and Julia Black, *Cranston's Consumers and the Law* (3rd edn, Cambridge 2000)
- Stephen Weatherill, *EU Consumer Law and Policy* (2nd edn, Edward Elgar 2013)

Pre-requisites

LW315/LW325 Introduction to Obligations.

Restrictions

Only available to Law students.

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Synopsis *

Consumer law is a significant area of contemporary market regulation. This area of law raises practical questions about the everyday consumption of goods and services, theoretical issues about the role of government regulation and contrasting visions of markets. Furthermore, consumer law provides an opportunity to analyse different forms of regulation in contemporary societies such as legal rules, codes of practice, administrative regulation and attempts to harness market incentives. This module addresses the regulation of consumer markets. This module is aimed at students who wish to have an understanding of substantive law, policies and institutional framework concerning the regulation of consumer markets.

LW632 International Economic Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Spring	H	15 (7.5)	100% Coursework	
2	Canterbury	Autumn	H	15 (7.5)	100% Coursework	

Contact Hours

Total Contact Hours: 20

Private Study Hours: 130

Total Study Hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. demonstrate critical knowledge and understanding of the origins, evolution and impact of international economic law and legal institutions; including economic, social, political and cultural dimensions.
2. demonstrate detailed knowledge and understanding of the principles of international economic law by reference to appropriate primary and secondary sources.
3. critically analyse the legal structure and implications of specific international economic legal instruments such as investment agreements.
4. assess international economic law from multiple perspectives; in particular of individuals and organisations; in the public, private, and third sectors; in relatively poor and relatively rich economic contexts; in times of calm and of crisis; and on local, national, regional and global levels.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. apply the critical socio-legal methods and techniques that they have learned to review, consolidate, extend and apply their knowledge and understanding, and to initiate and carry out projects;
2. critically evaluate arguments, assumptions, abstract concepts and data (that may be incomplete), to make judgements, and to frame appropriate questions to achieve a solution - or identify a range of solutions - to a problem;
3. communicate information, ideas, problems, and solutions to both specialist and non-specialist audiences;

Method of Assessment

Main assessment methods

The method of assessment will be by 100% coursework:

Essay, 4000 words (100%)

Reassessment methods

The module will be reassessed by a reassessment instrument of an essay for 100%.

Preliminary Reading

Books

Matthias Herdegen, Principles of International Economic Law, OUP 2013,

Andreas F. Lowenfeld, International Economic Law Second Edition: International Economic Law Series (2008).

Amanda Perry-Kessaris ed. Sociolegal Approaches to International Economic Law Routledge 2013

Dani Rodrik, The Globalization Paradox (OUP 2011).

Ignaz Seidl-Hohenveldern, International Economic Law Kluwer, Hart, 2008.

Journals

Journal of International Economic Law

Restrictions

Not available to non Law students.

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Synopsis *

This module introduces the origins, evolution and impact of international economic law—that is, the regulation by (primarily) states and international organisations of international economic activity, such as the movement of goods, services, capital and people.

It takes a critical socio-legal approach to the field in the sense that it considers economic, social, political and cultural dimensions; and emphasises the existence of multiples perspectives, in particular of individuals and organisations; in the public, private, and third sectors; in relatively poor and relatively rich economic contexts; in times of calm and of crisis; and on local, national, regional and global levels.

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LW635		Law, Space and Power				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Total contact hours: 24

Private study hours: 126

Total study hours: 150

Department Checked

yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. demonstrate critical knowledge and understanding of the histories and theories of the interweaving of law, space and power;
2. demonstrate critical knowledge and understanding of key aspects of the government of spatial apparatuses;
3. demonstrate critical knowledge and understanding of the main contemporary intellectual debates at the intersection of law and spatial studies;
4. demonstrate critical knowledge and understanding of key aspects of the intersection of legal thought with geography, architecture, urban design, urban law and theories of spatial power;

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. independently acquire detailed knowledge and understanding of areas, both legal and non-legal;
2. demonstrate an independence of mind and an ability to critically challenge received understandings and conclusions;
3. read complex legal and non-legal materials, summarising them accurately;
4. correctly employ complex legal terminology and methods of citation and referencing for legal and other academic materials;
5. conduct independent research which informs a sustained and complex argument;
6. appreciate that juridical problems can only be fully understood through interdisciplinary research methods;
7. Undertake original legal research – e.g. online, subject specific journal searches.

Method of Assessment

Main assessment methods

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

Essay, 4,000 words (100%)

Reassessment methods

Reassessment instrument (100% coursework)

Preliminary Reading

- Agamben, G, Homo Sacer: Sovereign Power and Bare Life (Stanford University Press, 1998)
- Delaney D, The spatial, the legal and the pragmatics of world-making: nomospheric investigations (Routledge, 2010)
- Hirst, P, Space and Power: Politics, War and Architecture (Polity Press, Cambridge 2005)
- Philippopoulos-Mihalopoulos, A, Spatial Justice (Routledge, 2014)
- Weizman, E, Forensic Architecture (Sternberg Press, 2014)
- Zartaloudis, T and Agamben, G, Power, Law and the Uses of Criticism (Routledge, 2012).

Synopsis *

This module examines the intersections between forms of legal regulation, conceptions of power and spatial configurations and plans. It traces elements of such intersections accessibly with the aid of insights from a variety of the most relevant fields (including legal geography, architectural history and theory, critical planning studies, urban design, spatial studies, anthropology, legal theory and philosophy). It interrogates the intersections in question both through a thorough introduction to all the contemporary relevant theories and practices of spatial power configuration and with a focused 5 week seminar preparation of a unit theme, each year, on a particular city or relevant event which informs the assessment set.

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LW636 Mental Health Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	80% Exam, 20% Coursework	
1	Canterbury	Spring	H	15 (7.5)	80% Exam, 20% Coursework	

Contact Hours

Contact hours: 18
Private study hours: 132
Total study hours: 150

Department Checked

Yes - LLSJ - 10/03/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. 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.

The intended generic learning outcomes are as follows. 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.

Method of Assessment

Main assessment methods
Coursework - individual oral presentation - 30%)
Examination - 2 hours - 70%

Reassessment methods

Reassessment instrument: 100% exam
Students must achieve a mark of 40% in the exam in order to pass this module on reassessment.

Preliminary Reading

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

Pre-requisites

None

Synopsis *

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.

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LW637		Negotiation				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	I	3 (1.5)	Pass/Fail Only	
1	Canterbury	Autumn	I	3 (1.5)	Pass/Fail Only	

Availability

All single and joint honours Law programmes. Not available to first year students.

Contact Hours

Contact hours: 12

Private study hours: 12

Total study hours: 24

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

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

1. Demonstrate detailed knowledge and understanding of the general and ethical principles underlying successful negotiation;
2. Demonstrate detailed knowledge of the law, practice and techniques of negotiation;
3. Demonstrate detailed knowledge and understanding of alternatives to litigation;

The intended generic learning outcomes.

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

1. Demonstrate oral communication and persuasion skills and the ability to work effectively as part of a team;
2. Demonstrate the ability to prepare and conduct negotiations effectively and ethically;
3. Demonstrate the ability to systematically research the background to, and legal issues arising from, practical negotiation problems;

Method of Assessment

Main assessment methods

This module does not form part of the formal 240 credit diet at stages 2 & 3, therefore assessment do not formally 'count' for the degree. The module represents extra learning and an opportunity to gain transferable skills to enhance employability.

Students who attend and participate in the seminars/workshops and take part in the internal negotiation competition will be deemed to have passed this module and will thus achieve learning outcomes. The successful completion of this module is recognised on students final Degree Transcripts.

Reassessment methods

This module does not form part of the formal 240 credit diet at stages 2 & 3, therefore assessment does not formally 'count' for the degree. The module represents extra learning and an opportunity to gain transferable skills to enhance employability. As such the module does not have a reassessment method.

Preliminary Reading

Carr, H and Horsey, K, Skills for Law Students (Oxford University Press, 2009)

Cialdini, RB, Influence: The Psychology of Persuasion (Harper Collins publishers Inc; 2007)

Finch E and Fafinski, S, Legal Skills (Oxford University Press, 2013)

Fisher R and Ury WL, Getting to Yes (Penguin Group, 1981)

Malhotra, D, Negotiating Genius (Bantam Books Inc; 2007)

Webb, J, Maughan, C (et al.), Lawyers' Skills (Legal Practice Course Guide) 15th Ed. (Oxford University Press, 2013)

Restrictions

Not available to non-law students or exchange students.

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Synopsis *

This non-contributory module provides an introduction to negotiation and the skills required to resolve legal disputes without recourse to litigation. This will include an introduction to the concept of negotiation, workshops on the skills required to prepare for it, and take part in a negotiation, leading to participation in an internal negotiation competition using scenarios provided.

Students will be competing for the opportunity to participate in the South East Regional Heat of the National Negotiation Competition, which takes place during the Spring term. Each university is allowed to send 2 teams (4 students) to compete in this event. This competition does not form part of the module, however it represents a goal for students to work towards in the internal competition.

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LW638	Mooting					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	I	3 (1.5)	Pass/Fail Only	

Availability

All single and joint honors Law programmes. Not available to first year students.

Contact Hours

Contact hours: 5

Private study hours: 20

Total study hours: 25

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate detailed knowledge and understanding of the general principles underlying successful advocacy;
2. Demonstrate detailed knowledge and understanding of the preparatory work required for successful advocacy and its purpose e.g. the production of skeleton arguments;
3. Demonstrate detailed knowledge and understanding of the law, practice, techniques and etiquette of advocacy;

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Identify accurately the issue(s) that require research;
2. Undertake relevant research which may or may not include research into an area of law covered by another law module;
3. Write a short and concise skeleton argument;
4. Prepare for and conduct advocacy effectively, persuasively and ethically;

Method of Assessment

Main assessment methods

This module does not form part of the formal 240 credit diet at stages 2 & 3, therefore assessment does not formally 'count' for the degree. The module represents extra learning and an opportunity to gain transferable skills to enhance employability.

Students who attend and participate in the meetings and take part in either an internal or external competition will be deemed to have passed this module, unless the quality of an individual's preparation for and participation in a moot competition is deemed to be below 40%. Assessment of performance will be based on the criteria used where moot is used as a formal assessment in a credited module.

Reassessment methods

This module does not form part of the formal 240 credit diet at stages 2 & 3, therefore assessment does not formally 'count' for the degree. The module represents extra learning and an opportunity to gain transferable skills to enhance employability. As such the module does not have a reassessment method.

Preliminary Reading

The reading required will depend on the scenario each team works on; therefore it is not possible to provide an indicative reading list but all mooters are advised to read the 13,000 word document available on Moodle entitled 'A Brief Guide to Mooting'.

Generic moot books include:

E Baskind Mooting the Definitive Guide (Routledge 2017)

S Cooper and S McArdle Preparing to Moot (Routledge, 2017)

K Evans Advocacy at the Bar (Blackstone Press, 1992).

I Morley The Devil's Advocate (Sweet & Maxwell, 2015)

D Pope Mooting and Advocacy Skills (Sweet & Maxwell, 2011)

Restrictions

Not available to exchange students.

Synopsis *

This non-contributory module provides an introduction to and practical experience of moot and the skills required to resolve legal disputes predominantly in the context of appellate litigation. This will include an introduction to the practice of moot and the skills required to prepare for it, and to take part in a moot either in an internal or external moot competition using moot problems provided. The Director of Mooting operates a selection process for the teams competing in the external moots, there will be several each year.

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LW639		Mediation				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	I	3 (1.5)	Pass/Fail Only	

Availability

All single and joint honours Law programmes. Not available to first year students.

Contact Hours

Contact hours: 12

Private study hours: 12

Total study hours: 24

Department Checked

yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate detailed knowledge and understanding of the practice of mediation in the context of the legislation and legal concepts studied as part of the formal law degree programme;
2. Demonstrate a sound grounding into various aspects of mediation and their relationship to the practice of law and other fields of employment;
3. Demonstrate detailed knowledge and understanding of the techniques used in mediation;

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Undertake mediations effectively and with confidence;
2. Critically identify and analyse the issues involved in a dispute and to support the mediation of those issues;
3. Recognise potential alternatives to litigation as appropriate to the dispute involved and to critically evaluate the appropriate approach;
4. Accurately identify the issue(s) that require research;
5. Demonstrate their oral skills with persuasion to support the parties involved in moving toward a successful resolution.

Method of Assessment

Main assessment methods

This module does not form part of the formal 240 credit diet at stages 2 & 3, therefore assessment do not formally 'count' for the degree. The module represents extra learning and an opportunity to gain transferable skills to enhance employability.

Students who attend and participate in the seminars/workshops and take part in the internal mediation competition will be deemed to have passed this module and will thus achieve the learning outcomes. The successful completion of this module is recognised on the students final Degree Transcripts.

Reassessment methods

This module does not form part of the formal 240 credit diet at stages 2 & 3, therefore assessment does not formally 'count' for the degree. The module represents extra learning and an opportunity to gain transferable skills to enhance employability. As such the module does not have a reassessment method.

Preliminary Reading

Carr, H and Horsey, K, Skills for Law Students (Oxford University Press, 2009)

Finch E and Fafinski, S, Legal Skills (Oxford University Press, 2013)

Moore, CW, The Mediation Process: Practical Strategies for Resolving Conflict (Jossey Bass, 1986) Webb, J, Maughan, C (et al.), Lawyers' Skills (Legal Practice Course Guide) 15th Ed. (Oxford University Press, 2013)

Whateling, T, Mediation, Skills and Strategy (Jessica Kingsley Publishers, 2012)

Restrictions

Not available to exchange students.

Synopsis *

This non-contributory module provides an introduction to mediation and the skills required to resolve legal disputes without recourse to litigation. This will include an introduction to the concept of mediation, workshops on the skills required to prepare for it, and take part in mediation, leading to participation in an internal mediation competition using scenarios provided.

Students will be competing for the opportunity to participate in the South East Regional Heat of the National Mediation Competition, which takes place during the following Autumn term. Each university is allowed to send 2 teams (4 students) to compete in this event. This competition does not form part of the module however, it represents a goal for students to work towards in the internal competition.

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LW640 Critical and Legal Reasoning						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Autumn	H	15 (7.5)	100% Coursework	

Contact Hours

Total Contact Hours: 20
Private Study Hours: 130

Total Study Hours: 150

Department Checked

yes- LSSJ- 16/09/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a coherent understanding of what is meant by critical thinking, its associated skills and the obstacles that can hinder its effective development; in particular, to understand and demonstrate the function of effective critical thinking within and about legal reasoning
2. Demonstrate a coherent knowledge of the difference between argument and non-argument and to identify valid and flawed arguments.
3. Demonstrate a systematic understanding of different forms of reasoning, both legal and non-legal.
4. Demonstrate a coherent knowledge of the distinctiveness of legal reasoning.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Utilise critical thinking skills in wider legal and non-legal contexts.
2. Critically identify and use a wide variety of argumentative techniques across a broader range of subjects.
3. Demonstrate knowledge of the value of non-legal material in the construction of effective legal argumentation.
4. Demonstrate appropriate independent legal research with minimal supervision, using a variety of legal sources and materials in order to formulate and apply legal argumentation to resolve given legal problem situations.
5. Retrieve up to date information, using paper and electronic sources including effective use of IT and other information retrieval systems; and systematically gather and evaluate relevant legal authority from a variety of legal sources, in particular case law,
6. Demonstrate relevant and appropriate legal and non-legal terminology with care, accuracy and confidence.

Method of Assessment

Main assessment methods

The module will be assessed by 100% coursework, consisting of a combination of:

- a) A skeleton argument of 1500 words (40%), AND
- b) A 15-minute oral presentation (a Moot) (60%) including a revised skeleton argument of 500 words. 20% of the oral presentation mark (i.e. 12% of the final overall mark) will be made up of the reworked skeleton argument.

Reassessment methods

The module will be reassessed by a coursework reassessment instrument: a case analysis exercise.

Preliminary Reading

Cottrell, Stella, *Critical Thinking Skills* (3rd edn, Palgrave, 2017)

Chatfield, Tom, *Critical Thinking* (SAGE, 2017)

Farnsworth, Ward, *The Legal Analyst: A Toolkit for Thinking about the Law* (University of Chicago Press, 2007)

Hanson, Sharon, *Learning Legal Skills and Reasoning* (4th edn, Routledge, 2016)

Kahneman, Daniel, *Thinking, Fast and Slow* (Penguin, 2011)

Schauer, Frederick, *Thinking Like a Lawyer: a new introduction to Legal Reasoning* (Harvard, 2012)

Pre-requisites

LAWS3130 (LW313)/LAWS3230 (LW323) A Critical Introduction to Law; and

LAWS3150 (LW315)/LAWS3250 (LW325) Introduction to Obligations; and

LAWS5080 (LW508)/ LAWS6130 (LW613) Criminal Law or; LAWS6010 (LW601) Advanced Level Criminal Law (on a co-requisite basis)

Restrictions

Only available to Law students.

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Synopsis *

A central question of this module is whether, and to what extent, there is anything distinctive about legal reasoning compared to other forms of reasoning. That question is posed from the perspective of a legal practitioner, in particular, an advocate. The aim of the module is to equip students – as potential advocates, but also in general – with a range of tools and skills of argument that are easily transferrable across legal and non-legal contexts. In short, to teach transferrable critical thinking skills within a legal context.

It is a premise of the module that any competent advocate, or indeed lawyer, must demonstrate a proficient grounding in basic logic. The module introduces students to basic forms of logical argument and explores the role and limits of logical inference in legal reasoning and generally. It considers both logical and psychological factors that may lead to flawed reasoning. The module also touches on other forms of reasoning of particular relevance to law including practical, statistical, policy-based and rhetorical forms.

The aim of most reasoning, including legal reasoning is to persuade. The module will therefore introduce students to the skills of legal persuasion via written and oral advocacy.

The theoretical background will provide the basis upon which students will learn to construct effective (legal) arguments and to practice the skills learned in a variety of written and oral contexts including skeleton arguments and mooting.

LW641 Privacy, Data Protection and Cybersecurity Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	80% Exam, 20% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework with Compulsory Numeric Elements	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework with Compulsory Numeric Elements	
1	Canterbury	Spring	H	15 (7.5)	80% Exam, 20% Coursework	

Contact Hours

Contact hours: 20

Private study hours: 130

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a fulsome understanding of the concepts, principles, policies, debates and legal doctrines associated with privacy, data protection, cybersecurity, and freedom of information law;
2. Demonstrate a systematic understanding of the origins and development of EU and UK data protection, freedom of information, and e-security surveillance statutes, legal frameworks and regulations, Human Rights protections, and EU Article 29 Data Protection Working Party opinions and rulings.
3. Undertake in-depth analysis of emerging issues in privacy, data protection, cybersecurity, e-surveillance, and freedom of information.
4. Think critically about privacy, data protection, cybersecurity, e-surveillance, and freedom of information: to take nothing at face value, to go beneath the surface of the law, to critically analyse and evaluate it.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Identify, understand, and evaluate complex legal and non-legal policy materials.
2. Critically challenge received understandings and conclusions.
3. Present complex legal and policy ideas and formulate sustained and persuasive arguments.
4. Undertake research, writing, and problem solving as it pertains to the analysis of statutes, legal cases and rulings, policies, and in the construction of legal, philosophical, and policy-based arguments.

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Method of Assessment

Main assessment methods

Assessment Pattern A – 100% coursework:

Unseen paper 1 – 1250 words (25%)

Unseen paper 2 – 1250 words (25%)

Written coursework – 2500 words (50%) *

Students must achieve a mark of 40% in the 'written coursework' element to pass the module overall.

Assessment Pattern B – 100% dissertation – no more than 6,000 words

Reassessment methods

Like-for-like – where undertaken, students must achieve a mark of 40% in the 'written coursework' element in order to pass the module overall.

Preliminary Reading

- Anita Allen, 2011, *Unpopular Privacy*, (MIT Press)
- Beate Roessler and Dorota Mokrosinska (eds), 2015, *Social Dimensions of Privacy: Interdisciplinary Perspectives*, (Cambridge University Press)
- Daniel J Solove, 2008, *Understanding Privacy*, (Harvard University Press, Cambridge, Mass.)
- European Union Agency for Fundamental Rights, 2014, *Handbook on European Data Protection Law*, (Council of Europe)
- Paul Lambert, 2013, *A User's Guide to Data Protection*, (Bloomsbury Professional Ltd)
- Peter Carey and Robin Hopkins, 2012, *Freedom of Information Handbook*, (The Law Society Press)
- Peter Carey, 2009, *Data Protection Law*, (Oxford University Press)

Pre-requisites

LW588/LW614 Public Law 1.

Restrictions

Not available to non-law students.

Synopsis *

This module will focus on the way in which the law defines and constructs privacy, breach of confidence, cybersecurity threats, and e-surveillance in the UK, EU and elsewhere as appropriate (e.g. North America, Australia) and how the law regulates data protection, freedom of information, consent for digital and personal information collection, use and sharing, and e-surveillance. Students will be asked to critically examine whether privacy protection laws, consent, and confidentiality measures are fit for purpose and proportionate given demands of the market, the state, and public administrations to collect, use, and share personal information for reasons of commerce, service provision, and security protection. Students will be challenged to critically examine how personal, financial, health, and economic transactional data are managed, who has access to this information, and for what purposes. The module will require students to assess emerging legal, regulatory, data protection and personal privacy issues raised by widespread access to personal information, including data generated by social media, electronic commerce, state security agencies, and health administrations. The curriculum will explore rapidly changing privacy and data protection issues including the 'right to be forgotten', the Internet of Things (IoT), cybersecurity law in a post-Snowden world including Safe Harbours, data retention and reuse implications of the UK National DNA database, biobanks, and digital interconnectivity of social media.

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LW642 International Law: Principles and Sources						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Medway	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Medway	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework with Compulsory Numeric Elements	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Availability

Autumn term.

Contact Hours

Contact hours: 20

Private study hours: 130

Total study hours: 150

Department Checked

yes - LSSJ - 15/03/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module students will be able to:

1. demonstrate detailed understanding of the origins, development and current debates on the nature of international law;
2. demonstrate in-depth theoretical and practical knowledge and understanding of the international law frameworks and institutions;
3. demonstrate in-depth knowledge and understanding of the concepts, principles and rules of international law;
4. critically analyse the relevance or otherwise of international law to particular disputes;
5. demonstrate a critical awareness of historical and contemporary theoretical, legal and political problems in international law;
6. critically evaluate the relationship between international law and social, political and economic contexts.

The intended generic learning outcomes are as follows. On successfully completing the module students will be able to:

1. undertake effective independent research, including the ability to retrieve up-to-date information using electronic sources;
2. demonstrate key transferrable skills in devising and sustaining a complex argument;
3. use relevant and appropriate terminology with care, accuracy and confidence;
4. engage in practical application of knowledge through consideration and analysis of opinions/decisions;
5. critically assess law within theoretical, historical, political, social and economic contexts.

Method of Assessment

Main assessment methods

The assessment is 100% coursework:

Coursework - Multiple Choice Test (MCT) - 10%

Coursework - Multiple Choice Test (MCT) - 10%

Coursework - Essay (2500 words) - 80%*.

* Students must achieve a mark of at least 40% in the essay to pass the module overall.

Reassessment methods

Reassessment instrument (i.e. 100% coursework).

Preliminary Reading

Evans, Blackstone's International Law Documents (OUP 2013)

Klabbers, International Law (CUP, 2013)

Mansell & Openshaw, International Law A Critical Introduction (Hart, 2013)

Shaw, International Law (Cambridge, (2014)

Pre-requisites

None

Restrictions

Cannot be taken if you have previously taken LAWS5060 (LW506)

Synopsis *

The module will examine the role and function of international law in regulating relations between States and resolving international disputes. It will introduce students to a number of theoretical frameworks through which to understand and critically evaluate international law historically and in context. It will provide students with knowledge and understanding of the origins and development of international law and of its key concepts, principles and rules. The module will enable students to consider the relevance, or otherwise, of international law to contemporary international problems and to critically assess its limitations and effects. This will be achieved through a range of topics and case studies.

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LW643 International Humanitarian Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Spring	H	15 (7.5)	50% Coursework, 50% Exam	
2	Canterbury	Spring	H	15 (7.5)	50% Coursework, 50% Exam with Compulsory Numeric Elements	

Contact Hours

Total study hours: 150

Contact hours: 20

Private study hours: 130

Department Checked

yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. demonstrate detailed understanding of the origins, development and current debates on the use of force in international law
2. demonstrate an in depth knowledge and understanding of the international legal framework, principles and rules concerning the use of force in international law
3. assess the relevance or otherwise of international law on the use of force to particular disputes
4. critically evaluate the role of international law on the use of force in particular disputes and to critically assess the limitations and effects of the law on the use of force in regulating contemporary conflicts/disputes.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. undertake effective independent legal research, including the ability to retrieve up-to-date information using electronic sources
2. demonstrate key transferrable skills in devising and sustaining legal argument
3. use relevant and appropriate legal terminology with care, accuracy and confidence
4. engage in practical application of knowledge through consideration and analysis of scenarios and case studies
5. critically assess law within theoretical, historical, political, social and economic contexts

Method of Assessment

Main assessment methods

The module will be assessed by 50% coursework and 50% exam as follows:

Written work, 2,000 words (50%)

Exam, 2 hours (50%) *

* Students must achieve a mark of 40% in the exam to pass the module overall

Alternatively short term Erasmus exchange students will be assessed by 100% coursework as follows:

Written work, 2,000 words (50%)

Essay, 2,000 words (50%) *

* Erasmus students must achieve a mark of 40% in the essay to pass the module overall

Reassessment methods

Like-for-like: where undertaken, a mark of 40% is required in the resit exam (non-Erasmus students), or the resit essay (Erasmus students) in order to pass the module overall.

Preliminary Reading

- Clapham and Gaeta, The Oxford Handbook of International Law in Armed Conflict (OUP 2014)
- Dinstein, War, Aggression and Self-Defence (OUP, 2011)
- Duffy, The 'War on Terror' and the Framework of International Law (CUP, 2015)
- Orford, International Authority and the Responsibility to Protect (Cambridge, 2011)
- Orford, Reading Humanitarian Intervention (Cambridge, 2007)
- Peevers, The Politics of Justifying Force: The Suez Crisis, the Iraq War, and International Law (Oxford, 2013)
- Rylatt & Solomou, The Oxford Handbook on the Use of Force in International Law (Oxford, 2015)
- Weller, Iraq, and the Use of Force in International Law (Oxford, 2010)
- Journal on the Use of Force and International Law

Restrictions

Cannot be taken if you have previously taken LW506.

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Synopsis *

The module will examine the role and function of international law in the use of force between states as well as non-state actors. It will provide students with detailed knowledge and understanding of the origins and development of international law on the use of force and of its concepts, principles and rules governing the use of force (jus ad bellum) and the conduct of armed conflict (jus in bello). The module will enable students to consider the relevance, or otherwise, of international law on the use of force to contemporary international disputes and to critically assess its limitations and effects. This will be achieved through a range of topics and case studies.

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LW644 International Human Rights Law in Context						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	

Contact Hours

Contact Hours: 20
Private Study Hours: 130

Total Study Hours: 150

Department Checked

yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.
On successfully completing the module students will be able to:

1. Critically review the origins, development and current key debates on human rights in international law drawing on evidence from a range of sources.
2. Critically evaluate the central principles and institutions of international and regional human rights frameworks in the contemporary global, political, economic and social context.
3. Appreciate the limits of international human rights law by applying and analysing different theoretical perspectives and critical concerns.
4. Apply international human rights law to issues of historical or contemporary concern.

The intended generic learning outcomes.
On successfully completing the module students will be able to:

1. Engage in independent legal research.
2. Develop and sustain a complex legal argument.
3. Practically apply legal knowledge to complex issues.
4. Analyse the application of law within its different theoretical, historical, political, social and economic contexts.

Method of Assessment

Main Assessment Methods

This module is assessed by 100% coursework consisting of one essay, 3,500 words.

Reassessment Methods

The module will be reassessed by a reassessment instrument (i.e. 100% coursework). The reassessment will re-test all of the module learning outcomes.

Preliminary Reading

- Bantekas and Oette, *International Human Rights Law and Practice*, 2nd Edition (CUP, 2016)
- Bhambra and Shilliam, *Silencing Human Rights: Critical Engagements with a Contested Project* (Macmillan, 2009)
- Bisset, *Blackstone's International Human Rights Documents* (OUP, 2014)
- Dembour, *Who Believes in Human Rights?* (Cambridge, 2006)
- Douzinas, *Human Rights and Empire: the Political Philosophy of Cosmopolitanism* (Routledge, 2007)
- Gearty and Douzinas, *The Cambridge Companion to Human Rights Law* (CUP, 2012)
- Ishay, *The History of Human Rights* (University of California Press, 2004)
- Moyn, *The Last Utopia: Human Rights in History* (Harvard, 2012)
- Mutua, *Human Rights: A Political and Cultural Critique* (University of Pennsylvania Press, 2002)
- Roberts, *The Contentious History of the International Bill of Human Rights* (CUP, 2015)
- Shelton (ed), *Oxford Handbook of International Human Rights Law* (OUP, 2013)
- Smith, *Textbook on International Human Rights Law* (OUP, 2013)

Pre-requisites

LW642 or LW506. Students can take LW644 along side LW642.

Synopsis *

The module will examine the evolution, principles, institutions and functions of international human rights law in their political, social and economic contexts. It will provide students with detailed knowledge and understanding of the origins and development of human rights law through critical study and analysis of key theoretical perspectives and debates. The module will enable students to consider the relevance, or otherwise, of international human rights law to historical and/or contemporary challenges and to critically assess its limitations and effects.

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LW645 International Law and Global Problems						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	

Contact Hours

Contact hours: 20
Private study hours: 130

Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.
On successfully completing the module students will be able to:

1. Critically apply detailed knowledge and understanding of international legal principles and concepts to selected global legal problems.
2. Subject to critical examination the application of international law to global legal problems in the light of key theoretical debates and specialized sources.
3. Critically understand the limits and potential of international law in addressing, constituting and challenging global legal problems.
4. Demonstrate systematic and critical knowledge and understanding of key theoretical perspectives and methods in international law.

The intended generic learning outcomes.
On successfully completing the module students will be able to:

1. Conduct detailed and systematic independent legal research using specialised skills, knowledge and sources across international law.
2. Formulate and sustain a critical and detailed legal argument supporting it with appropriate evidence.
3. Transfer and apply diagnostic and creative skills and exercise significant judgment in the practical application of legal knowledge to complex case studies.
4. Critically assess law within its different theoretical, historical, political, social and economic contexts.

Method of Assessment

Main assessment methods
This module is assessed by 100% coursework:

Essay, 4,000 words (100%)

Reassessment methods

The module will be reassessed by a reassessment instrument of an essay for 100%.

Pre-requisites

LW642. LW642 can be taken as a co-requisite

Synopsis *

This course explores selected global problems in their historical, social, political and economic contexts in light of international legal frameworks. The course begins with an examination of key critical perspectives in international law, such as Third World Approaches to International Law, before moving on to specific topics of historical or contemporary concern. Attention will be paid in particular to systemic problems of the global legal order and students are encouraged to analyse the limits and potential of international law to present solutions to global problems as well as the role played by international law in framing and constituting those problems in the first place.

LW646 Homelessness Law and Policy						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework with Compulsory Numeric Elements	

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1	Canterbury	Spring	H	15 (7.5)	100% Coursework
1	Canterbury	Spring	H	15 (7.5)	100% Coursework with Compulsory Numeric Elements

Contact Hours

Contact hours: 20

Private study hours: 130

Total study Hours: 150

Department Checked

yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate an in-depth knowledge of the relevant statutory provisions relevant to homelessness.
2. Demonstrate a critical understanding of the policy frameworks underpinning state provision for the homeless including an historical and comparative understanding.
3. Demonstrate an in-depth understanding of how devolution has impacted upon legal responses to homelessness throughout the UK.
4. Demonstrate a critical understanding of responses to street homelessness and how those responses inform contemporary understandings of the state.
5. Critically assess claims about the progressive potential of homelessness law and policy and its relationship to broader social policies such as addressing social exclusion.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Effectively locate primary and secondary legal and policy sources and to apply them to specific policy and legal issues.
2. Critically evaluate an area of law both doctrinally and in terms of its socio-economic consequences.
3. Recognise potential alternative solutions to particular problems and make a reasoned choice between them.
4. Formulate and sustain a complex argument, supporting it with appropriate evidence.

Method of Assessment

Main assessment methods

Legal problem question (2000 words) (50%)

Essay (2500 words) (50%) *

* Students must achieve a mark of 40% in the essay to pass the module overall.

Reassessment methods

Reassessment instrument: 100% coursework

Preliminary Reading

- Andrew Arden et al., Homelessness and Allocations, 10th Edition (Legal Action Group, 2017)
- David Cowan, Housing Law and Policy (Law in Context), (Cambridge University Press, 2011)
- Jessie Hohmann, The Right to Housing: Law, Concepts, Possibilities, (Hart Publishing, 2013)
- Jan Luba QC, Liz Davies and Connor Johnston, Housing Allocations and Homelessness Law and Practice, 4th Edition, (Jordan Publishing, 2016)
- Peter Marcuse and David Madden, In Defense of Housing: The Politics of Crisis (Verso, 2016)

Pre-requisites

LW588 or LW614.

Restrictions

Not available to non-law students.

Synopsis *

This module will provide students with a strong grounding in the technical law relating to homelessness, as well as an understanding of some of the key policy debates which underlie this legal framework. The module opens with discussion of social understandings of home and homelessness, before moving to a detailed assessment of the current framework of England's homelessness law. It will examine statute and case law relating to the duties on local authorities to respond to homelessness, including the definition of homelessness; who is "eligible" for housing; the key concepts of priority need and the meaning of vulnerability; what happens when someone is considered to be "intentionally homeless"; and the impact of a connection to another local authority. The review of the contemporary legal structure closes with discussion of the procedure which homeless applicants will undergo and a review of the law and policy relating to allocation policies. The second part of the module places this legal structure in context by examining the history of homelessness provision and regulation; considering responses to homelessness in other jurisdictions and examining the regulation and perceptions of street homelessness.

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LW648 Immigration Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Autumn	H	15 (7.5)	70% Exam, 30% Coursework	

Contact Hours

Contact Hours: 20
Private Study Hours: 130

Total Study Hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Demonstrate a detailed introductory knowledge and understanding of the national and international sources of UK Immigration law;
2. Demonstrate a critical awareness of the history and theory of regulating key categories of migrant subjects in the UK;
3. Demonstrate a critical understanding of the regulation of migrant subjects to the UK;
4. Critically reflect on key aspects of the intersection of national law with the international regulation of migration;
5. Critically evaluate the key contemporary scholarly and policy debates in the area of UK immigration law.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Effectively apply knowledge to the analysis of complex issues;
2. Formulate and sustain a complex argument, supporting it with appropriate evidence;
3. Independently acquire knowledge and understanding in areas, both legal and non-legal;
4. Use the English Language in writing, in relation to legal matters and generally, with care, accuracy and effectiveness;
5. Read complex legal materials and summarise them accurately;
6. Correctly employ legal terminology and methods of citation and referencing for legal and other academic materials;
7. Conduct independent research, using both paper and electronic sources, to collect and synthesis information and inform a sustained argument;

Method of Assessment

Main assessment methods

The module will be assessed by 100% coursework consisting of:
A 3,500-word essay (worth 100%)

Reassessment methods

All students who fail this module will be re-assessed via a reassessment instrument (i.e. coursework worth 100%).

Preliminary Reading

- Anderson, B. Us & Them: The Dangerous Politics of Immigration Control (OUP, 2013).
- Bosworth, M. Inside Immigration Detention (OUP, 2014).
- Clayton, G. Textbook on Immigration and Asylum Law, 7th ed. (OUP, 2016).
- De Guchteneire, P, Pecoud, and Cholewinski, R eds., Migration and Human Rights: The United Nations Convention on Migrant Workers' Rights (CUP, 2009).
- Gibney, M The Ethics and Politics of Asylum (CUP, 2004).
- Macdonald, I Immigration Law and Practice in the United Kingdom 8th Edition. (Butterworths Law, 2010).
- Wray, H. Regulating Marriage Migration into the UK: A Stranger in the Home. (Routledge, 2011)

Restrictions

Not available if already taken LW572. Students can, however, take this module with LW647

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Synopsis *

The module will provide an introduction to immigration law in the United Kingdom. It covers key concepts; the development of the field of law viewed in historical and political context; questions of nationality and the system of immigration control and enforcement. It also considers how EU law and human rights standards impact(ed) UK law governing immigration. In particular, the course covers: The Immigration Debate in the UK: Are Immigration restrictions justified?; The Evolution of Migration Law and Policy in Britain; an appreciation and understanding of the subjects to Immigration Control; the multiple sources of Immigration Law; the case of Long-term Residence Rights; the matter of Family Migration; an outline of Labour Migration; relevant aspects of EU Migration and Free Movement; case studies on Detention and Deportation; as well as an appreciation of the Appeals Process and Judicial Review. Drawing on a range of contextual accounts, policy documents, case law and critical analysis of developments at the national, regional and to a more limited extent the international level, the module enables students to acquire both sound knowledge of the law and critical awareness of the biases, gaps and challenges in the current immigration system. This is complemented by a clinic element that offers some students the opportunity to gain first-hand experience of applying immigration law through working the Kent Law Clinic.

LW650		The Law of Contract				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	I	15 (7.5)	70% Exam, 30% Coursework	
1	Canterbury	Autumn	I	15 (7.5)	60% Exam, 40% Coursework	

Contact Hours

Private Study Hours: 121
Total Contact Hours: 29

Total Study Hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will be able to:

1. Build on Introduction to Obligations and Foundations of Property in developing an in-depth understanding of the nature of private law, its sub-divisions and development.
2. Demonstrate a clear understanding of the main types of legal obligation arising from the law of contract and of the principles and rules of this area of law.
3. Use the knowledge of the law gained, and of its contextual and socio-economic underpinnings, to engage with questions of policy, regulation and change.
4. Demonstrate well-developed case reading skills, including an ability to understand and critique the arguments made and which may drive the outcome of a case, as well as policy and other considerations that may affect outcomes of cases.
5. Use cases, including judicial quotation (including from dissenting judgments), to help support (or negate) an argument.
6. Demonstrate a detailed understanding of the use of precedent while understanding the ability of judges to be creative, including an advanced ability to judge the weight of a case (or judgment) and provide critical and contextual comment.
7. Conduct research into complex legal issues to discover the relevant rules and principles, relevant cases (or statutes), secondary or extra-legal sources and to use these to construct sophisticated arguments and legal opinions while recognising areas of uncertainty or contention.

The intended generic learning outcomes.

On successfully completing the module students will be able to:

1. Use materials to evaluate legal solutions in terms of their consequences and theoretical coherence.
2. Use library and web resources, including journal articles and policy documents, to conduct research on complex areas.
3. Properly present material with correct citation and use of references where appropriate.
4. Show an understanding of the differences in use and value of primary and secondary sources.
5. Distinguish soundly-based knowledge and evidenced claims from unfounded assertions and to use evidence to support their own assertions and arguments.

Method of Assessment

Main assessment methods

The module will be assessed by 40% coursework and 60% examination according to the following breakdown:

Written assessment, 2500 words (40%)

Exam, 2 hours, unseen (60%)

Reassessment methods

The module will be reassessed by like-for-like reassessment of failed individual component(s) of assessment.

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Preliminary Reading

- MacDonal, E & R. Atkins, Koffman & Macdonald's Law of Contract (9th ed)(OUP, 2018)
- Merkin, R & S. Saintier, Poole's Textbook on Contract Law (15th ed) (OUP, 2021)
- Merkin, R & S. Saintier, Poole's Casebook on Contract Law (15th ed) (OUP, 2021)
- O'Sullivan, J, O'Sullivan & Hilliards The Law of Contract (9th ed) (OUP, 2020)
- Adams, J and Brownsword, R, Understanding Contract Law (5th ed.) (Sweet & Maxwell, 2007)
- Mulcahy, L, Contract Law in Perspective (5th ed.) (Routledge-Cavendish, 2008)
- Mulcahy, L & Wheeler, S, Feminist Perspectives on Contract Law (Glasshouse, 2005)
- Smith, SA, Contract Theory (OUP, 2004)
- Smith, SA, Atiyah's Introduction to the Law of Contract (OUP, 2006)
- Wightman, J, Contract: A Critical Commentary (Pluto, 1996)

Pre-requisites

LW315/325 Introduction to Obligations. Co-requisite with LW651 Law of Tort.

Restrictions

Only available to Law students. Not available to exchange students.

Synopsis *

This module will offer a one-week overview of Contract law doctrine by reviewing the essentials of contract law gained by students in Introduction to Obligations and provide an overview of the lectures to follow.

Thereafter, students will spend the majority of the time on contract doctrine and problem-solving in contract law, comprised of doctrinal topics not covered in LAWS3150 Introduction to Obligations e.g. breach of contract and remedies, contractual terms, misrepresentation, termination and frustration of contracts and policing bargaining behaviour.

The remainder of the module will focus on contract theory (e.g. freedom of contract, relational contract theory, contract and the vulnerable, contract and consumption). This section of the module will overlay the doctrine covered in the previous section with a basic theoretical framework, and ground students' understanding of critical essay writing in contract law. It will also build on discussion of the purposes of contract law in Introduction to Obligations.

LW652 Advanced Topics in Tort Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	50% Coursework, 50% Exam	

Contact Hours

Contact hours: 20
Private study hours: 130
Total study hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.
On successfully completing the module students will be able to:

1. Demonstrate a detailed understanding of currently contentious areas of tort law.
2. Demonstrate a thorough understanding of differing views on, and interpretations of, the adequacy of particular aspects of the law of tort as a vehicle for redress.
3. Demonstrate a critical awareness of historical and contemporary theoretical and policy problems in tort law.
4. Critically analyse and evaluate tort law's role in modern society.
5. Use the knowledge of the law gained, and of its contextual and socio-economic underpinnings, to engage with questions of policy, regulation and change.
6. Use non-legal materials to evaluate areas of the law of tort in terms of its consequences and theoretical coherence.
7. Show an understanding and appreciation of the influence of various torts as they arise and operate within complex historical and political conditions.

The intended generic learning outcomes.
On successfully completing the module students will be able to:

1. Present relevant knowledge and understanding in the form of reasoned argument.
2. Identify and evaluate contemporary legal and policy problems/areas of discord according to historical, socio-political and socio-legal contexts.
3. Use library and web resources, including journal articles and policy documents, to conduct complex research.
4. Properly present material with correct citation and use of references where appropriate
5. Distinguish soundly-based knowledge and evidenced claims from unfounded assertions and to use evidence to support their own assertions and arguments

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Method of Assessment

Main assessment methods

Written essay (2500 words) (50%) Examination, 2-hour unseen (50%)

Reassessment methods

Like-for-like

Preliminary Reading

- Cane, P., Atiyah's Accidents, Compensation and the Law (CUP, 2013 or later edition if published)
- Conaghan, J. and Mansell, W., The Wrongs of Tort (2nd ed.) (Pluto Press, 1998)
- Cranor, C.F., Toxic Torts: Science, Law, and the Possibility of Justice (Cambridge, 2008)
- Greene, S., Causation in Negligence (Hart Publishing, 2016)
- McIvor, C., Third Party Liability in Tort (Hart Publishing, 2006)
- Oberdiek, J., Philosophical Foundations of the Law of Torts (OUP, 2014)
- Prialux, N., Beyond the Negligence Paradigm: Developing a Regulatory Ergonomic Approach to Error and Injury (forthcoming 2017)
- Prialux, N., The Harm Paradox: Tort Law and the Unwanted Child in an Era of Choice (Routledge-Cavendish, 2007).
- Rackley, E. and Richardson, J., Feminist Perspectives on Tort (Routledge-Cavendish, 2012)
- Teff, H., Causing Psychiatric and Emotional Harm: Reshaping the Boundaries of Legal Liability (Hart Publishing, 2008)
- Turton, G., Evidential Uncertainty in Causation in Negligence (Bloomsbury, 2016)
- Wright, J., Tort Law and Human Rights (2nd ed.) (Hart Publishing, 2017)

Pre-requisites

LAWS3150 (LW315)/LAWS3250 (LW325) Introduction to Obligations and either LAWS5970 (LW597) Law of Obligations or LAWS6510 (LW651) Law of Tort.

Restrictions

Final year students only. Only available to Law students.

Synopsis *

The module will assume prior knowledge and understanding of the foundational levels of tort law taught in LAWS3150 and LAWS5970/LAWS6510. In the module, students will focus on contentious areas of tort law from a critical perspective. They will look at areas such as those in the following (not exhaustive or all-inclusive) list: reproductive harms, wrongful birth/life, 'toxic torts' and developments in the law on causation, invasion of privacy and/or autonomy, feminist perspectives/critiques on torts, negligent policing (and of other public bodies), tort law and human rights, access to justice, conceptions of justice in/philosophy of tort. Teaching of these areas may be undertaken by 'experts' in a particular topic, so the availability of each topic may vary on an annual basis to account for e.g. periods of study leave.

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LW654 Race, Sexuality and Gender Justice						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	100% Coursework	

Contact Hours

Contact hours: 40
Private study hours: 260

Total study hours: 300

Department Checked

Yes- LSSJ- 15/09/2021

Learning Outcomes

The intended subject specific learning outcomes.
On successfully completing the module students will be able to:

1. Demonstrate a detailed understanding of the complex relationship between law and dominant concepts of race and religion, gender and sexuality;
2. Evaluate the significance of critical race, postcolonial, feminist, LGBT+/queer, and critical religion theories for understanding contemporary social and legal issues to do with race, religion, gender and sexuality;
3. Critically reflect upon the significance of a grounding in social and legal histories of race, religion, gender and sexuality in order to understand contemporary formations;
4. Identify and analyse the wide range of influences on legal discourse, policy, and law-making in relation to race, religion, gender and sexuality including concepts from feminist and LGBT+/queer perspectives within political theory, postcolonial theory, and the humanities and social sciences more broadly;
5. Demonstrate detailed knowledge of the intersections between concepts of race, religion, gender, sexuality, class, and disability;

The intended generic learning outcomes.
On successfully completing the module students will be able to:

1. Demonstrate interdisciplinary approaches;
2. Deploy critical and self-reflexive modes of analysis;
3. Construct well-reasoned and well-structured arguments about theoretical and practical issues;
4. Demonstrate argumentation skills that relate to both legal and non-legal texts;
5. Demonstrate skills in critical reading and analysis;
6. Undertake independent research on a defined topic;

Method of Assessment

Main assessment methods

100% coursework, comprising:

1. Coursework - group oral presentation (approximately 15 minutes depending on group size), group mark awarded - 30%
2. Coursework - policy report (3500 words) - 70%

Reassessment methods

Reassessment instrument: 100% coursework

Preliminary Reading

- Auchmuty (ed), (2018) *Great Debates in Gender and Law*, Red Globe Press.
- Bakshi, Jivraj and Posocco, (2016) *Decolonising Sexualities: Transnational Perspectives, Critical Interventions*, Counter Press.
- Crenshaw "Marginalising the Intersection of Race and Sex" (1989) *University of Chicago Legal Forum* 139.
- Davies "Feminism and Gender in Legal Theory" in *Asking the Law Question*, (Lawbook Co., 2008)
- Harris "Race and Essentialism in Feminist Legal Theory" (1990) *42 Stanford Law Review* 581.
- Mananzala and Spade "The Non-profit Industrial Complex and Trans Resistance" (2008) *5(1) Sexuality Research and Social Policy* 53.
- Rahman and Jackson (2010) *Gender and Sexuality: Sociological Approaches*, Polity Press
- Sharpe 'Transgender Marriage and the Legal Obligation to Disclose Gender History' (2012) *Modern Law Review*, 75(1) 33-53

Restrictions

Only available to final year Law students.

Synopsis <span style =

This module will provide students with the underlying theoretical framework for exploring a range of perspectives on the concepts of race, religion, gender and sexuality, and their intersections, including with other social relations. In doing so, the module will serve as a forum for discussion, debate, asking questions, and considering diverse perspectives on the concepts being studied, including relating them to specific case studies. The module will encourage students to choose an essay question or research project, and will help prepare them for it by: introducing and guiding students through key legal and interdisciplinary texts, stimulating debate on and engagement with these texts; developing students' skills in the areas of analysis and argumentation, and considering a range of sometimes conflicting perspectives on issues. Students will formulate a plan for their independent research project. The plan will provide an opportunity for students to critically engage with, and reflect upon, substantive feedback. This will be further supported by an oral assessment, in the form of an in-class presentation on a contemporary case study.

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LW655		Sports Law				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Medway	Spring	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Contact hours: 20
Private study hours: 130
Total study hours: 150

Department Checked

Yes - LSSJ - 15/03/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module students will be able to:

1. Demonstrate a detailed understanding of foundational elements and issues concerning sports law.
2. Demonstrate a detailed appreciation of the international context and influences on the development of sports law.
3. Demonstrate a detailed appreciation of the role of law in giving effect to sports policy objectives and values.
4. Offer critical evaluation of the role of law and policy involved in the development of sports governance.
5. Locate and retrieve legal, policy and other relevant sources for the study of sports law and using these effectively in written work.
6. Understand relevant legal sources such as legislative material and judicial decisions.

The intended generic learning outcomes are as follows. On successfully completing the module students will be able to:

1. Demonstrate an ability to analyse salient issues and problems and critically appraise the issues to their wider socio-economic context.
2. Present research-substantiated analysis and arguments in written work.
3. Recognise and evaluate alternative solutions to problems.
4. Demonstrate self-critical learning skills, including reflection upon learning progress.
5. Organise their work, engage in independent research, study and use of resources.
6. Produce written work in an appropriate format, with correct use of spelling, punctuation, grammar, citation and references.

Method of Assessment

Main assessment methods

The module will be examined on the basis of 100% coursework:
Coursework - One Short written assignment (1,000 words) - 20%
coursework - One Longer written assignment (3,000 word essays) - 80%

Reassessment methods

Like-for-like

Preliminary Reading

Beloff MJ., et al, Sports Law 2nd ed, Oxford, Hart (2012)
Blackshaw IS, International Sports Law: An Introductory Guide, The Hague, Asser Press (2017)
Gardiner S., O'Leary, Welch R., Boyes S., Naidoo U., Sports Law (4th ed, Routledge, 2012)
Gardiner S., Parrish R.I., Siekmann C.R.(eds), EU, Sport, Law and Policy: Regulation, Re-regulation and Representation, the Hague, TMC Asser (2009)
Grayson, Sport and the Law 3rd ed., Bloomsbury (2000)
James M., Sports Law 3rd ed., London, Palgrave (2017)
Lewis A., Taylor J.(eds), Sport: Law and Practice (3rd ed, Haywards Heath, Bloomsbury (2014)
Nafziger J.A.R. (ed), Transnational Law of Sports, Elgar, (2013)
Siekmann C.R., Soek J. (eds), Lex Sportiva: What is Sports Law, The Hague, Asser (2012)

Pre-requisites

None

Synopsis *

The overall objective of the module is to provide an exposition and appreciation of Sports Law, considering key elements of the legal and institutional framework. Sport in the UK (as elsewhere) is now subject to a very wide range set of systems of supervision involving the application of principles and institutional governance subject to a wide spectrum of legal sources, including public and private law, national and international law as well as sui generis dispute resolution systems such as the Court of Arbitration for Sport based in Switzerland. The module will develop student learning by focusing on a range of legal topics and issues, which constitute integral key components of Sports Law.

LW656 Law of the Dead Hand: Inheritance and Intergenerational Justice						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	30 (15)	100% Coursework	

Availability

Autumn and Spring terms

Contact Hours

Contact hours: 40 hours.
Private Study Hours:- 260
Total Study Hours: 300

Department Checked

Yes

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module, students will be able to:

1. demonstrate a detailed knowledge and understanding of the concepts, doctrines and principles associated with the law of inheritance;
2. demonstrate a critical awareness of, and sensitivity to, the political, economic and/or social implications that arise from different inheritance practices across international jurisdictions;
3. critically identify the theoretical and policy underpinnings of the law of inheritance and critically evaluate legal practices of estate planning;
4. critically evaluate inheritance law: to take nothing at face value, to go beneath the surface of the law to critically analyse and evaluate it.

The intended generic learning outcomes are as follows. On successfully completing the module, students will be able to:

1. critically evaluate an area of law both doctrinally and in terms of its socio-economic consequences;
2. undertake a detailed examination of the merits of competing issues and interests and make a reasoned choice between them;
3. apply further research from a variety of sources informing a sustained and detailed argument;
4. demonstrate an independence of mind and an ability to critically challenge received understandings and conclusions

Method of Assessment

Coursework: In-class assessment (30 minutes. Multiple choice questions) – 10%
Coursework - Short essay (2,500 words) – 30%
Coursework - Long essay (5,000 words) – 60%

Reassessment methods

Like-for-like

Preliminary Reading

L.M. Friedman, *Dead Hands: A Social History of Wills, Trusts, and Inheritance Law* (Stanford University Press, 2009)
J. Garton (ed.), *Moffat's Trusts Law* (7th ed., Cambridge University Press, 2020)
B. Hacker and C. Mitchell (eds.), *Current Issues in Succession Law* (Hart Publishing, 2016)
D. Halliday, *Inheritance of Wealth: Justice, Equality, and the Right to Bequeath* (Oxford University Press, 2018)
B. Harrington, *Capital Without Borders: Wealth Managers and the One Percent* (Harvard University Press, 2016)
R. Hedlund, *The Law of Succession* (Hall and Stott Publishing, 2019)
J.E. Hughes, *Family Wealth: Keeping It in the Family* (Bloomberg Press, 2004)
R. Kerridge, Parry and Kerridge: *The Law of Succession* (13th ed., Sweet & Maxwell, 2016)
B. Sloan, *Borkowski's Law of Succession* (4th ed., Oxford University Press, 2020)
B. Sloan (ed.), *Landmark Cases in Succession Law* (Hart Publishing, 2019)

Pre-requisites

Prerequisites: LAWS3160 (LW316) Foundations of Property/ LAWS3240 (LW324) Foundations of Property (Certificate) OR LAWS5316 (LW5316) Foundations of Property.

Restrictions

Not available to non-law students.

Synopsis <span style =

The law of inheritance (also known as the law of succession) is a core area of legal and socio-economic practice enabling, and sometimes mandating, the transfer of wealth from one generation to another. Common law jurisdictions, such as England, Australia and America, are often described as upholding the principle of 'freedom of testation'. To the extent that testators' intentions are given primacy over other considerations, such as provision for family members and dependents and other 'public policies', particularly in putting conditions on bequests, the more the dead can be understood as governing the living – as such, the law of inheritance is sometimes known as the law of the dead hand. This course provides a critical introduction to the law of inheritance and practices of 'estate planning'. It will analyse the key legal structures involved in estate planning in English succession law, including the nature of wills, will formation, the use of trusts in wills, and the administration of estates; it will assess the problem of intestacy (dying without a will); it will critically evaluate the principle of 'freedom of testation' with regard the limitations placed on freedom of testation and comparative analysis with other jurisdictions; and it will evaluate the law and practice of estate planning through an introduction to the principles of taxation relevant to inheritance and the socio-economic implications of estate planning.

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LW658		Technologies in Legal Practice				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Contact Hours: 20
Private Study Hours: 130

Total Study Hours: 150

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

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

1. Demonstrate a critical understanding of the fundamental status and role of technology in early modern, modern and contemporary legal practice in the UK;
2. Display a detailed awareness of contemporary digital technology and media, machine learning, artificial intelligence and other technologies that are emerging in the practice of law in the UK;
3. Demonstrate a detailed understanding of how key elements of contemporary technologies in legal practice differ qualitatively from previous technologies;
4. Critically reflect on the way legal technologies relate to broader paradigms of law and normativity;
5. Critically discuss the main contemporary intellectual debates regarding the significance and impact of digital technologies and machine learning, including in relation to law and the legal system

The intended generic learning outcomes.

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

1. Demonstrate a range of analytical skills including close reading of a variety of materials;
2. Situate texts within the context in which they were produced and are received;
3. Effectively and independently apply knowledge to analyse complex issues;
4. Write cogently about themes and structures as they appear in selected texts;
5. Formulate and sustain a complex argument, supported by appropriate evidence.

Method of Assessment

Main assessment methods

In-course test (45 mins) – 10%
Essay (3,500 words) – 90%

Reassessment methods

Re-assessment Instrument - 100% coursework

Preliminary Reading

- Brownsword, R. and Yeung, K. (eds) *Regulating Technologies: Legal Futures, Regulatory Frames and Technological Fixes* (Bloomsbury, 2008)
- Goldenfein, J. and Leiter, A. "Legal Engineering on the Blockchain: 'Smart Contracts' as Legal Conduct" [2018] *Law and Critique* 29(2), 141-149.
- Hacker, P. et al, eds. *Regulating Blockchain: Techno-social and Legal Challenges*. (Oxford University Press, 2019).
- Hildebrandt, M. *Smart Technologies and the End(s) of Law: Novel Entanglements of Law and Technology* (Edward Elgar, 2015).
- Parsley, C. "An Office for Technological Times? Artificial Intelligence, Machine Learning and Juristic Thinking" in Goodrich P and McVeigh S (eds) (2020, forthcoming)
- Susskind, R. *Tomorrow's Lawyers: An Introduction to Your Future* (Oxford University Press, 2017)
- Vismann, C. *Files: Law and Media Technology* (Stanford University Press, 2008).

Restrictions

Only available to Law students.

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Synopsis *

From the introduction of writing in criminal trial processes, right through to use of AI to machine-analyse legal documents, the law has always transformed its own practice through the adoption of "non-legal" technologies. Today, blockchain and other distributed ledger technologies have made possible the creation of new kinds of legal documents—for example, "smart contracts" that are self-executing and self-enforcing. Hand-held mobile devices and instant messaging have transformed lawyer-client relations. Beyond new documents or networked communication mechanisms, however, new technologies like algorithmic machine learning are changing the way lawyers, courts and intermediaries do their work. Tomorrow's lawyers, as recent scholarship has argued, will need a new set of skills and ways of working that are fit for the coming age of human-machine hybridity. This module aims to introduce students to some of the major technologies currently being integrated into legal practice, as well as the ways that they are transforming the way law works—and possibly, according to legal scholars, what we mean by "law" itself. By critically situating these new technologies in relation to previous technological (r)evolutions in legal practice—major changes precipitated by technologies like writing, the invention of forms, or the media technology of legal files—this module asks what implications those technologies might have for the lawyer, the court, and for other governmental institutions whose work has traditionally been defined by the pursuit of justice.

LW660 The Regulation of Surveillance/Platform Capitalism						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Contact Hours: 20
Private Study Hours: 130
Total Study Hours: 150

Department Checked

Yes - LSSJ - 10/03/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module, students will be able to:

1. Demonstrate detailed knowledge and critical understanding of the ideological logic and algorithmic techniques of Surveillance Platform capitalism (SPC).
2. Demonstrate comprehensive knowledge of key scholarship and theories on the individual and social effects of SPC from the fields of Surveillance Studies, Algorithmic Governance Studies, and New Media and Society Studies.
3. Demonstrate critical knowledge of SPC as a global, socio-legal process.
4. Demonstrate critical knowledge of different modes of governance concerning the techniques, operators, and effects of SPC.
5. Demonstrate the ability to use key scholarship and theories on SPC to reflect critically on their personal and social encounters with social-media and sharing platforms.

The intended generic learning outcomes are as follows. On successfully completing the module, students will be able to:

1. Critically evaluate an area of law both doctrinally and in terms of its socio-economic consequences.
2. Undertake a detailed examination of the merits of competing issues and interests and make a reasoned choice between them.
3. Demonstrate an independence of mind and an ability to critically challenge received understandings and conclusions.
4. Present research-substantiated analysis and arguments in written work.
5. Demonstrate self-critical learning skills, including reflection upon learning progress.
6. Organise their work, engage in independent research, study and use of resources.
7. Produce written work in an appropriate format, with correct use of spelling, punctuation, grammar, citation and references.

Method of Assessment

Main assessment methods

Coursework -Personal Reflective Journal (1,500 words) – 20% AND:
Coursework -Essay (2,500 words) – 80% OR:
coursework - creative submission (e.g. poster / film) plus written commentary (1,500 words) – 80%

Reassessment methods

Like-for-like

Preliminary Reading

Kalpokas, I., 2019. *Algorithmic Governance: Politics and Law in the Post-Human Era*. London: Palgrave.
Lyon, D. & Ball, K., 2014. *Routledge Handbook of Surveillance Studies*. Abingdon: Routledge.
O'Reilly, M. et al. (2018) 'Is social media bad for mental health and wellbeing? Exploring the perspectives of adolescents', *Clinical Child Psychology and Psychiatry*, 1(13)
Ortiz, S. M. (2020) 'Trolling as a Collective Form of Harassment: An Inductive Study of How Online Users Understand Trolling', *Social Media and Society*.
Mbaho, W. R. & Zokaityte, A., Forthcoming. Inclusive social media? Exploring the role of the law in facilitating user inclusion and participation in social media. In: T. Williams, ed. *Inclusive Regulatory Practices*. London: Palgrave, pp. 30-59.
Srnicek, N., 2017. *Platform Capitalism*. 1 ed. Cambridge: Polity Press.
Zuboff, S., 2019. *The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power*. 1st ed. London: Profile Books.

Pre-requisites

None

Synopsis *

Surveillance Platform Capitalism (SPC) is the use of highly sophisticated algorithms and artificial intelligence to "mine" or extract commercial value from personal data and information about the behaviour of consumers online. The aim of the module is to examine SPC through a socio-legal lens and to provide students with key concepts and interdisciplinary insights to understand and reflect critically on the nature and effects of SPC on individuals and society.

The module is divided into three parts. The first section will define and place SPC in historical and socioeconomic context. It will place SPC within the context of the emergence of the surveillant society, drawing on scholarship from Surveillance and Critical Surveillance Studies. It will then define and explore its ideological logic and algorithmic techniques (e.g., online behavioural tracking and targeting, personalisation and recommendation systems, choice-engineering, nudging) informed by scholarship from Algorithmic Governance Studies.

The second part of the module will look at the effects of SPC on individuals and society, using social media as a case study and drawing on New Media & Society Studies. It will examine the effects of SPC on mental health and self-representation and explore its intersection with questions of identity, particularly gender and race. It will then examine the effects of SPC on the production and consumption of journalistic and political communication (e.g. the challenges of echo-chambers, fake news, political advertising).

The final part of the module will look at the regulatory and governance challenges SPC poses, focusing on social media as a case study. It will examine the potential and limitations of different governance models (e.g., state vs self-regulation) to regulate the algorithmic techniques, operators, and digital content of SPC.

LW661 Advanced Topics in Data Protection and Cyber Law						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

Contact Hours

Contact Hours: 20
Private Study Hours: 130
Total Study Hours: 150

Department Checked

Yes -LSSJ - 09/03/2021

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module, students will be able to:

1. Demonstrate a detailed and well developed understanding of the policies, debates and legal doctrines associated with case studies in emerging areas of data protection, information technology and cyber law.
2. Demonstrate a critical understanding of recent developments in areas of law studied, such as EU and UK data protection, e-privacy, Information Commissioner's Office opinions and rulings, and international data protection regulations (e.g. EU, US, Commonwealth), cyber law and the internet of things.
3. Undertake an in-depth case study analysis of emerging issues in privacy, data protection, e-surveillance, cyber law.
4. Make sophisticated arguments in relation to the case studies undertaken in those areas.

The intended generic learning outcomes are as follows. On successfully completing the module, students will be able to:

1. Identify, understand, and evaluate complex legal and non-legal policy materials.
2. Critically challenge received understandings and conclusions.
3. Present complex legal and policy ideas and formulate sustained and persuasive arguments.
4. Undertake research, writing, and problem solving as it pertains to the analysis of statutes, legal cases and rulings, policies, and in the construction of legal, philosophical, and policy-based arguments.

Method of Assessment

Main Assessment Methods

Assessment Pattern A – 100% coursework:
Coursework - Case Study 1 (2500 words) - 50%
Coursework - Case Study 2 (2500 words) - 50%

Assessment Pattern B –
Dissertation (between 5,000-6,000 words) - 100%

Reassessment methods

Like-for-like

Preliminary Reading

Solove DJ, 2008, Understanding Privacy, (Harvard University Press, Cambridge. Mass.)
Murray A., 2019, Information Technology Law: Law and Society. (Oxford University Press).
Lloyd IJ., 2020, Information Technology Law. (Oxford University Press).
Gibbons P., 2019. The Freedom of Information Officer's Handbook (Facet Publishers).

Pre-requisites

Pre-requisite LAWS6410 (LW641) Privacy, Data Protection and Cybersecurity Law

Synopsis *

This module builds on the understanding developed in 'LW641 Privacy, Data Protection and Cybersecurity Law', which introduces students to the key concepts and issues in the regulatory framework governing including privacy, data protection, and developments in cyber-crime and cyber security. The module promotes in depth, critical enquiry and insight in the subject area using current issues and case studies as a platform for developing specialist knowledge. The module adopts a research led approach engaging students in more tightly focussed study of emerging current issues in the area of data and cyber law than is possible in LW641. The topics treated each year will be subject to annual revision to meet and engage with current issues in the areas of data protection and cyber law.

These topics will take the form of several case studies during the course of the term and will cover such issues as:

- Changes to the use and understanding of privacy.
- Emerging issues in data protection – how do we use of data and what can we consent to?
- For example - tracking apps and health data
- International developments in the protection of data.
- Ethical issues in AI and machine learning
- Cyber law – issues in regulating the internet
- Understanding cyber-crime – prosecuting cyber enabled and cyber dependent crime

The choice of specific case studies in the module will be made annually by colleagues involved in delivery of the module, based on current cases, issues and research projects.

2021-22 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

LW662		The Law of Succession				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework with Compulsory Numeric Elements	
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework with Compulsory Numeric Elements	

Contact Hours

Contact hours are:-

Contact hours: 20

Private study hours: 130

total Study hours:- 150

Department Checked

Yes

Learning Outcomes

The intended subject specific learning outcomes are as follows. On successfully completing the module, students will be able to:

1. demonstrate a detailed knowledge and understanding of the concepts, doctrines and principles associated with the law of succession, in particular the law of wills and intestacy;
2. demonstrate a critical awareness of, and sensitivity to, the political, economic and/or social implications that arise from different succession practices across international jurisdictions;
3. critically identify the theoretical and policy underpinnings of the law of succession;
4. critically evaluate succession law: to take nothing at face value, to go beneath the surface of the law to critically analyse and evaluate it.

The intended generic learning outcomes are as follows. On successfully completing the module, students will be able to:

1. critically evaluate an area of law both doctrinally and in terms of its socio-economic consequences;
2. undertake a detailed examination of the merits of competing issues and interests and make a reasoned choice between them;
3. apply further research from a variety of sources informing a sustained and detailed argument;
4. demonstrate an independence of mind and an ability to critically challenge received understandings and conclusion

Method of Assessment

Main assessment methods:-

Coursework- In-class assessment (30 minutes. Multiple choice questions) – 20%

Coursework - Short essay (2,500 words) – 80%

Students must attain a pass mark in the essay in order to pass the module overall.

Reassessment method:

Like-for-like

Preliminary Reading

L.M. Friedman, *Dead Hands: A Social History of Wills, Trusts, and Inheritance Law* (Stanford University Press, 2009)

B. Hacker and C. Mitchell (eds.), *Current Issues in Succession Law* (Hart Publishing, 2016)

R. Hedlund, *The Law of Succession* (Hall and Stott Publishing, 2019)

B. Sloan, *Borkowski's Law of Succession* (4th ed., Oxford University Press, 2020)

B. Sloan (ed.), *Landmark Cases in Succession Law* (Hart Publishing, 2019)

Pre-requisites

Prerequisite: LAWS3160 (LW316) Foundations of Property/ LAWS3240 (LW324) Foundations of Property (Certificate)

OR LAWS5316 (LW5316) Foundations of Property.

Restrictions

Students may not take this module if they are taking (or have taken) 'LAWS6560 (LW656) Law of the Dead Hand:

Inheritance and Intergenerational Justice' as part of their course of study

Synopsis *

The law of succession (also known as inheritance) is a core area of legal and socio-economic practice enabling, and sometimes mandating, the transfer of wealth from one generation to another. Common law jurisdictions, such as England, Australia and America, are often described as upholding the principle of 'freedom of testation'. This course provides a critical introduction to the law of succession, in particular the nature of wills, will formation, and the administration of estates; it will assess the problem of intestacy (dying without a will); it will critically evaluate the principle of 'freedom of testation' with regard the limitations placed on freedom of testation and through comparative analysis with other jurisdictions.

2021-22 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

LW700		Law Year Abroad				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Whole Year	H	120 (60)	Pass/Fail Only	

Contact Hours

Learning and teaching methods will vary depending on the partner institution and the agreed modules. Inclusive of independent study, LAWS7000 will require approximately 1,200 hours of study, (or the number of study hours otherwise specified by the partner institution concerned as amounting to a full-time load).

Department Checked

Yes- LSSJ- 25/3/2021

Learning Outcomes

The intended subject specific learning outcomes.

On successfully completing the module students will have:

1. acquired the ability to study law in a different higher education environment
2. enhanced their understanding of law within an international context
3. acquired the ability to study law in a different language (only formally relevant to those LLB programmes marked with an asterisk in section 7)
4. enhanced their command of the target language in a native-speaker setting (only formally relevant to those LLB programmes marked with an asterisk in section 7)

The intended generic learning outcomes.

On successfully completing the module students will have:

1. acquired the ability to perform effectively in a different cultural – and, in some cases, linguistic – environment
2. developed their intercultural sensitivity and interpersonal skills
3. developed their ability to communicate effectively orally and in writing in more than one language (only formally relevant to those LLB programmes marked with an asterisk in section 7)

Method of Assessment

Main assessment methods

The assessment methods are set and administered by the partner institution in accordance with its own rules and regulations and will vary depending on the institution and the agreed modules. Kent will assess LAWS7000 on a pass/fail basis. In order to pass this module and be awarded 120 Kent credits, students must achieve a pass mark (documented by the transcript issued by the partner institution) in at least two-thirds of the credits of their agreed modules. There will be no compensation or condonement, and no concessionary adjustment of any marks awarded by the partner institution.

Reassessment methods

Reassessment opportunities may be provided by the partner institution during the year abroad in accordance with its own rules and regulations. Where, subsequent to any reassessment opportunities offered by the partner institution, a student fails to obtain two-thirds of the necessary credits, but achieves at least one-third, they will be required to undertake further written work to achieve the remaining credits. The pass mark for this assessment will be 40%, however, no numerical mark will be formally recorded.

Students who fail to achieve at least one-third of the necessary credits will not be offered a reassessment opportunity at Kent, and will fail this module (and their year abroad).

Students who ultimately fail their year abroad will be transferred to the single honours LLB Law and will not achieve a degree with a year abroad.

Preliminary Reading

Required and recommended reading will be set by the partner institution according to the agreed modules. However, students must carefully read all documentation provided to them in regard to their year abroad by the University of Kent and by the partner institution concerned.

Pre-requisites

Entry requirements vary for each programme - please check with Kent Law School

Restrictions

Available only to Law programmes with designated year abroad option - Not available as a wild module.

Synopsis *

The year abroad involves the delivery of taught content (and the assessment of that content) at a partner institution, which will enable students to achieve the intended specific and generic learning outcomes of this module. Students will take modules equivalent to a full-time load (e.g. a full-time year of academic study, or as otherwise defined by the host institution). The exact composition will be as agreed with the appropriate Programme Director, or as set out in the learning agreement ('the agreed modules'). The curriculum will vary depending on the partner institution and the agreed modules, but will be relevant to the student's programme of study, and will contribute to achievement of the programme's educational aims and learning outcomes.