

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

### 37 Kent Law School

<b>LW315 Introduction to Obligations</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	C	15 (7.5)	100% Coursework	Horsey Dr K

#### Contact Hours

16 hours of lectures, 4 hours of case classes (approximately) and weekly seminars.

#### Learning Outcomes

- demonstrate a knowledge of the main types of legal obligation
- demonstrate an outline knowledge of the principles of the law of contract, restitution and tort
- to identify the contractual and tortious legal issues raised in simple problem situations
- to have the ability to use case-law, to predict the legal outcome of problem situations in at least one area of contract law and one area of tort
- to have an understanding of the nature of private law, its main subdivisions and its development
- to have an understanding of the distinctive nature of case law and of common law

#### Method of Assessment

100% coursework consisting of a case note and a problem question

#### Preliminary Reading

J N Adams & R Brownsword Understanding Contract Law (Sweet & Maxwell 5th ed, 2007)  
A Weir An Introduction to Tort Law (2nd ed Oxford University Press, 2006)  
C Harlowe Understanding Tort Law (Sweet and Maxwell 3rd ed, 2005)  
J Conaghan and W Mansell The Wrongs of Tort (Pluto 2nd ed, 1999)

#### Pre-requisites

Co-requisite - This module is to be taken with LW316/LW416 Foundations of Property and is a pre-requisite for LW650 The Law of Contract and LW651 The Law of Tort. Only available to students following a Law programme of study (either single or joint honours).

#### Synopsis \*

This module introduces the law of obligations, which comprises the private law of duties and rights to which individuals and organisations are subject. Traditionally, it includes the law of contract and tort (but not property). As well as introducing some of the content (which is covered more extensively in LW650 and LW651), a key focus is on the institution of the common law through which most of the law of obligations has emerged. This aspect is especially explored through the case classes, which run alongside the lectures and seminars.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

10 hours of lectures, 10 hours of seminars, 10 hours of case classes (approximately)

### Department Checked

Yes

### Learning Outcomes

Demonstrate knowledge and understanding of the concepts, principles and rules of a range of property law topics.

Demonstrate an understanding of the foundational role of equity and trusts in the development of property law.

Identify and explain property-related issues.

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.

### Method of Assessment

50% coursework (consisting of one essay); 50% written examination

### Preliminary Reading

Preliminary Viewing - Its a Wonderful Life, 1946, Dir F.Copra

Preliminary Viewing - The Truman Show, 1998, Dir P Wier

Preliminary Viewing - District 13, 2004, Dir P Morel

Preliminary Viewing - La Terre Parle Arabe, 2007, Dir M. Gargour

Preliminary Viewing - The Inner Tour, 2002, Dir R. Alexandowicz

Preliminary Viewing - All That Remains, 2005, Dir Nada El-Yassir

N Blomley Unsettling the City, 2004, London: Taylor and Francis.

M Davies Property: Meanings, Histories, Theories, 2007, London: Glasshouse.

C Dickens Bleak House

H Lim and A Bottomley (eds) Feminist Perspectives on Land Law, 2007, London: Glasshouse.

C Rose Property and Persuasion: Essays on the History, Theory and Rhetoric of Ownership, 1994, Bolder, California: Westview Press.

T Murphy et al Understanding Property Law, 2004, London: Sweet and Maxwell.

### Pre-requisites

Co-requisite - This module is to be taken with LW315 Introduction to Obligations. Only available to students following a Law programme of study (either single or joint honours).

### Restrictions

Only available to Law students.

### Synopsis <span style =

'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. It is so simple to say 'my property' or 'this is mine'. This module begins to unpack and examine the ideas and practices of property more closely: How are property claims constructed? What do we mean by 'ownership'? What happens when a number of competing 'ownership claims' in one object exist? 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: art collections or cultural artefacts, land or natural resources dispossessed, land squatted, etc. And why, in our jurisdiction in particular, has such a strong link been made between being a 'property owner' (in this context a 'home-owner') and a 'good citizen'.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW327 The English Legal System and Skills</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	C	4 (2)	100% Coursework with Compulsory Numeric Elements	Dinsmore Dr D

### Contact Hours

10 hours.

### Learning Outcomes

The course will introduce and provide knowledge and understanding of:  
The basic principles of the English Legal System  
The law-making process  
The court structure and administrative justice system  
Legal research skills

### Method of Assessment

50% multiple choice test and 50% portfolio.

### Preliminary Reading

Wilson S and others, English Legal System (2nd edn, Oxford University Press 2016)

Partington M, Introduction to the English Legal System 2016-2017 (11th edn, Oxford University Press 2016)

Finch E and Fafinski S, Legal Skills (5th edn, Oxford University Press 2015)

Gillespie A and Weare S, The English Legal System (5th edn, Oxford University Press 2015)

Knowles J, Effective Legal Research (4th edn, Sweet and Maxwell 2016)

Bradney A and others, How to Study Law (7th edn, Sweet and Maxwell 2014)

### 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW330</b>		<b>Introduction to German Constitutional Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	C	5 (2.5)	Pass/Fail Only	White Dr W

### Availability

Only available to students on the LLB English and German Law.

### Contact Hours

10 hours of seminars.

### Department Checked

yes

### Learning Outcomes

On successful completion of this module students will have:

- 11.1 knowledge and understanding of the German legal system;
- 11.2 a grounding in aspects of German Constitutional law;
- 11.3 knowledge and understanding of the relevant legal terminology in the German language;
- 11.4 increased their oral and written fluency in the German language;

### Method of Assessment

This module is not part of the formal 120 credit diet for Stage 2, therefore assessments do not formally 'count' for the degree. This module represents extra learning for students on the degree programme.

The module convenor will assess students' level of performance as demonstrated by their attendance, level of preparation for, and participation in seminars and at least one piece of written work of 1500 – 2000 words. Students who do not demonstrate the appropriate level of performance will not be deemed to have passed the module and will therefore not be permitted to proceed to a year abroad. Appropriate level of performance in this context means demonstrating (to a level commensurate with at least a pass mark) a sound understanding of the constitutional structure of the German state, in particular of the role and proceedings before and within the Bundesorgane, and content and infringement of basic rights.

Students who do not pass the module are not permitted to proceed to the year abroad, will have their programme of study changed to LLB Law.

### Restrictions

Not available to select during online registration.

### Synopsis >\*

The module provides an introduction to German Constitutional law including elements of practice and procedure.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW332</b>		<b>Introduction to Italian Constitutional Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	C	5 (2.5)	Pass/Fail Only	

### Availability

Only available to students on the LLB English and Italian Law.

### Contact Hours

10 hours of seminars.

### Department Checked

yes

### Learning Outcomes

On successful completion of this module, students will have:

- 11.1 knowledge and understanding of the Italian legal system;
- 11.2 a sound grounding in aspects of Italian Constitutional law;
- 11.3 knowledge of the methods of assessment used in Italian universities, in preparation for the year of study abroad
- 11.4 knowledge and understanding of the relevant legal terminology in the Italian language;
- 11.5 increased their oral and written fluency in the Italian language;

### Method of Assessment

This module is not part of the formal 120 credit diet for Stage 2, therefore assessments do not formally 'count' for the degree. This module represents extra learning for students on the degree programme.

The module convenor will assess students' level of performance as demonstrated by their attendance, level of preparation for, and participation in seminars and at least one piece of written work of 1500 – 2000 words.

Students who do not demonstrate the appropriate level of performance will not be deemed to have passed the module and will therefore not be permitted to proceed to a year abroad. Appropriate level of performance in this context means the ability to apply the case method competently (i.e. at a level sufficient to attain a pass mark).

### Restrictions

Not available to select during online registration.

### Synopsis >\*

The module provides an introduction to Italian Constitutional law including elements of practice and procedure. Students will be offered the chance to gain a secure grasp of basic aspects of Italian constitutional and public law. They will go into the preamble of the Italian Constitution and its parts 1 and 2, that is to say, rights and duties of citizens and organization of the State. They will then analyse some typical features of the Italian Constitution, which are not common to other European 'grounding laws'. They will finally appreciate the relations between constitutional law and other branches of the Italian legal system, starting from the dichotomy public/civil law. Students are expected to participate actively in critical discussions on the above mentioned topics.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW334</b>		<b>Introduction to Spanish Constitutional Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	C	10 (5)	Pass/Fail Only	Prieto-Acosta Ms M

### Availability

Only available to students on the LLB English and Spanish Law.

### Contact Hours

20 hours of seminars.

### Department Checked

yes

### Learning Outcomes

On successful completion of the module students will have:

- 11.1 knowledge and understanding of the Spanish legal system
- 11.2 a sound grounding in aspects and key elements of Spanish Constitutional law
- 11.3 an understanding of the methods of assessment used in Law faculties at Spanish universities, in preparation for the year of study abroad
- 11.4 knowledge and understanding of the relevant legal terminology in the Spanish language
- 11.5 Increased their oral and written fluency in Spanish language in general and legal Spanish in particular.

### Method of Assessment

This module does not form part of the formal 120 credit diet for Stage 2, therefore assessments for this module do not formally 'count' to the degree. This module represents extra learning for students on the degree programme.

The module convenor will assess students' level of performance as demonstrated by their attendance, level of preparation for, and participation in seminars, a final oral exam (in Spanish) and at least one piece of written work of 1500 – 2000 words.

Students who do not pass the module are not permitted to proceed to the year abroad and will have their programme of study changed to LLB Law. Appropriate level of performance in this context means the ability to apply the case method competently (i.e. at a level sufficient to attain a pass mark).

### Restrictions

Not available to select during online registration.

### Synopsis \*

The module provides an introduction to Spanish Constitutional law including elements of practice and procedure.

- Introduction to Public Law
- Constitutional Law
- Spanish Constitutional History
- Fundamental rights and freedoms
- The Crown
- The Cortes Generales – the Legislative
- The Constitutional Court and the Supreme Tribunal – the Judiciary
- Administrative Law
- Public administration
- The Autonomous Communities
- Jurisdictional control of the administration – the 'contencioso-administrativo'
- The legal professions
- Notarial Law

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW505</b>		<b>Family Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Autumn and Spring	H	30 (15)	80% Exam, 20% Coursework	Kirton-Darling Mr E

### Contact Hours

Two hours of contact time per week which will be lectures or seminars.

### Learning Outcomes

By the end of the module, students should be able to:

- demonstrate understanding of the concepts, principles, policies, issues, debates and legal doctrine associated with various areas of family law
- identify the ideological and policy underpinnings of the legal rules; and to evaluate how well the policies and law work in practice
- think critically about family law: to take nothing at face value, to go beneath the surface of the law to critically analyse and evaluate it, both in oral discussion and in written assignments

### Method of Assessment

80% written examination; 20% coursework (presentation).

### Preliminary Reading

A Diduck Law's Families (Butterworth, 2003)

### Pre-requisites

Previous or concurrent study of LW588.

### Restrictions

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

### Synopsis \*

This module focuses on the way law defines, constructs and regulates the family and familial relations. Autumn term deals broadly with the institution of marriage and relations between partners, including definitions of the family, marriage, civil partnerships and cohabitation, domestic violence, divorce and family dispute resolution. Spring term deals with the relationship between parents, children and the state, including reproductive technology, parenthood, children's rights, private law disputes over post-separation arrangements for children, child support, and public law provisions for the care, supervision and adoption of children

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW507 Critical Legal Theory</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	100% Project	
1	Canterbury	Autumn and Spring	H	30 (15)	80% Project, 20% Coursework	
1	Canterbury	Autumn and Spring	H	30 (15)	90% Exam, 10% Coursework	

### Contact Hours

One 2 hour seminar per week.

### Department Checked

yes

### Learning Outcomes

Understand the special value of theoretical inquiry to critical approaches to law

Be able to demonstrate familiarity with the central concepts, motivations, principles, traditions and debates of contemporary critical legal theory

Interrogate the relationship between normative and critical legal theories

Be able to critically analyse legal concepts, practices, techniques, phenomena and events

Be able to 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

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

Demonstrate the ability to critically reflect on the separation of law from other academic disciplines, practices and concepts

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

Critically reflect on the relationship between theory and practice in a legal context

### Method of Assessment

Research essay of 6000-7000 words worth 80%, class participation worth 10% and an essay outline of 1500 words worth 10%.

### Restrictions

This module is only open to final year students.

### Synopsis \*

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 practice 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW508</b>		<b>Criminal Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	I	30 (15)	80% Exam, 20% Coursework	Thompson Ms J
1	Canterbury	Autumn and Spring	I	30 (15)	90% Exam, 10% Coursework	Thompson Ms J

### Availability

Please note: This module is only available to students following a Law programme of study (either single or joint honours).

### Contact Hours

40 hours lectures; 20 hours seminars (approximately)

### Learning Outcomes

Demonstrate a sound grounding in the concepts, principles and rules of criminal offences; in particular the law relating to murder/manslaughter, non-fatal offences, defences, theft, fraud, sexual and inchoate offences.

Demonstrate a good 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.

Demonstrate knowledge of the major theoretical debates in the criminal law field.

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.

Engage in a reasoned and informed discussion of the major areas of criminal law making appropriate reference to legal and academic source authorities.

Evaluate the operation of the criminal law in the social context.

### Method of Assessment

Written examination worth 80% and 20% coursework consisting of an oral and a case note.

### Preliminary Reading

J Herring *Great Debates: Criminal Law* (Palgrave Macmillan, 2012)

A Norrie *'Crime, Reason and History'* ( Weidenfeld & Nicholson 2nd ed, 2001)

A Ashworth & J Horder *Principles of Criminal Law* ( Oxford University Press, 7th edition, 2013)

### Synopsis \*

- Introduction to the concept of crime, the structure of criminal justice and the general principles of liability
- Harm and the boundaries of criminal law
- Murder, the problem of causation and omissions and intent to kill
- Defences to murder, self-defence, provocation, insanity and diminished responsibility
- Manslaughter, unlawful act, recklessness and gross negligence
- Non-fatal offences against the person
- Sexual offences
- Theft and the Fraud Act 2006
  - Inchoate offences

The module is structured to provide students with the opportunity to explore the major issues in criminal law through class presentation, through consideration of essay style topics and by working through criminal law problem questions. At the commencement of the module students are provided with a Seminar Workbook which outlines the weekly seminar topic and task.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW509</b>		<b>Human Rights and English Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	80% Exam, 20% Coursework	Fitzpatrick Prof J
1	Canterbury	Autumn and Spring	H	30 (15)	90% Exam, 10% Coursework	Fitzpatrick Prof J

### Contact Hours

2 hours weekly (1 lecture and 1 seminar) for 20 weeks

### Learning Outcomes

Students who successfully complete the module will be able to:

- 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
- 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
- demonstrate an awareness of the legal and political consequences of framing social and political issues in terms of human rights
- demonstrate the ability to evaluate and deploy a broad range of legal, political and philosophical authorities to support and underpin their conclusions
- engage in a critical discussion of the nature, function and effects of human rights as they have been, are, ought to and/or might be expressed in English law
- undertake such demonstrations, critical evaluations and engagements 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

### Method of Assessment

80% written examination and 20% coursework consisting of 1 essay.

### Preliminary Reading

JG Riddall *Jurisprudence* (Butterworths, 2nd edn, 1999)  
The Levellers *The Putney Debates* (Geoffrey Robertson, introduction) (Verso, 2007)

### Restrictions

### Synopsis \*

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 are, or might be, expressed in English law.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW518</b>		<b>The Law of Evidence</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	50% Coursework, 50% Exam	Ring Dr S
1	Canterbury	Autumn and Spring	H	30 (15)	60% Coursework, 40% Exam	Ring Dr S
1	Canterbury	Autumn and Spring	H	30 (15)	70% Exam, 30% Coursework	Ring Dr S
1	Canterbury	Autumn and Spring	H	30 (15)	90% Exam, 10% Coursework	Ring Dr S

### Availability

This module is only available to students in Stage 3. This module is normally recorded and may be downloaded.

### Contact Hours

One hour lecture, one hour case class and one hour seminar weekly, total of 60 contact hours.

### Department Checked

yes

### Learning Outcomes

demonstrate a detailed understanding of the skills of forensic reasoning and how these are applied in the courtroom.

demonstrate a detailed knowledge of the functions, principles and rules of evidence as used in English and Welsh Courts.

demonstrate a critical understanding of the relationship between the rules and principles of evidence and the European Convention on Human Rights.

demonstrate a detailed knowledge of the main sources of literature on the law of evidence, from a range of disciplines.

demonstrate a critical understanding of methods of forensic reasoning within the rules of evidence to be used in a given situation.

critically assess the efficiency and effectiveness of the rules of evidence and procedure.

demonstrate a critical awareness of the policy implications of procedural issues and law reform in this area.

### Method of Assessment

Coursework worth 40% consisting of a multiple choice test worth 10%, a legal based problem of 3300 words approximately worth 30% and an examination worth 60%. Optional moot available subject to availability.

### Preliminary Reading

R Munday Evidence (6th ed, OUP 2011)

G Durston Evidence: Text and Materials (OUP 2008)

### Pre-requisites

LW588/614 Public Law 1, LW508/613 Criminal Law, or LW601 Advanced Criminal Law.

### Restrictions

Not available to non Law students. Evening only at Medway

### Synopsis \*

The role of evidence in a courtroom is technical but its rules reflect core principles of the due process of law. These are becoming more significant with the implementation of the Human Rights Act 1998. The module considers matters such as the functions of judge and jury, standards and burdens of proof, the competence and examination of witnesses, the exclusionary rules relating to character, opinion and hearsay, improperly obtained evidence. The module also introduces students to the process of inferential logic.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW519</b>		<b>Law and Medical Ethics</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	80% Exam, 20% Coursework	
1	Canterbury	Autumn and Spring	H	30 (15)	90% Exam, 10% Coursework	

### Availability

Not available 16/17, please see LW602.

### Contact Hours

20 hours lectures; 20 hours seminars per annum (approximately)

### Learning Outcomes

To introduce students to a wide range of factual circumstances governed by medical ethics and the law.

To provide a solid grounding in the concepts, principles, policies and rules applicable in such circumstances.

To demonstrate understanding of the concepts, principles, policies and rules that apply in medical law and ethics.

To locate this area of law in its ethical, socio-economic and historical context, and critically to analyse its application from a diverse range of perspectives.

### Method of Assessment

20% coursework (consisting of 2 multiple choice in-class assessments); 80% written examination (optional 80% dissertation). Contact Kent Law School Undergraduate Office, or access Moodle, for details.

### Preliminary Reading

E Jackson Medical Law: Text, Cases & Materials (Oxford University Press, 3rd ed, 2013)

### Restrictions

Not available to non Law students.

### Synopsis >\*

Law and Medical Ethics considers medical law in its social, ethical, political and historical contexts. In the Autumn term, students will be introduced to the fundamental principles of medical ethics and the law, then pass to their incorporation in resource allocation decisions, medical negligence, consent, confidentiality and research. In Spring term, topics covered will include abortion, reproductive technologies, transplantation and organ donation, and issues relating to death and dying.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW520 Company Law and Capitalism</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	80% Exam, 20% Coursework	Frame Dr I
1	Canterbury	Autumn and Spring	H	30 (15)	90% Exam, 10% Coursework	Frame Dr I

### Availability

This module is normally recorded and may be downloaded.

### Contact Hours

20 hours lectures; 20 hours seminars (approximately)

### Learning Outcomes

On successful completion of this module, students will have:

- An in-depth understanding of the core concepts and principles of modern British company law and in the beliefs and values underlying it.
- Inter-disciplinary and critical understanding of the historical development of those core concepts and of the socio-economic forces that shaped them.
- 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.
- 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.
- An in-depth knowledge and understanding of the issues and debates surrounding the governance of the large public companies that dominate the economy.
- An acquired critical framework (built on previous study) within which to understand these issues

### Method of Assessment

80% written examination and 20% coursework consisting of 1 essay of 3000 words - optional dissertation and examination pattern available. Contact Kent Law School Undergraduate Office, or access Moodle, for details.

### Preliminary Reading

D Henwood Wall Street: How it Works and for Whom (Verso, 1997)  
J Parkinson Corporate Power and Responsibility (Clarendon, 1993)  
B Pettet Company Law (Pearson, 4th ed, 2012)  
P L Davies Gower & Davies Principles of Modern Company Law, 9th Edition (Sweet & Maxwell, 2012)  
J Lowry & A Dignam Company Law (OUP, 4th ed 2012)  
LS Sealy Cases and Materials in Company Law (Butterworths, 9th ed, 2012)

### Restrictions

Not available to non law students.

### Synopsis \*

This module seeks not only to familiarise students with the basic concepts and structure of modern British 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?

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW522 Comparative Law</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Autumn and Spring	H	30 (15)	50% Coursework, 50% Exam	Glanert Dr S
2	Canterbury	Autumn and Spring	H	30 (15)	90% Exam, 10% Coursework	Glanert Dr S

### Contact Hours

The module will be taught in a weekly lecture and fortnightly seminar format.

### Department Checked

yes

### Learning Outcomes

Students who successfully complete this module will:

- have a thorough appreciation for current theoretical debates within the field of comparative law;
- have the systematic ability to engage critically with the various, and at times conflicting, methods informing comparative law;
- be conversant with hermeneutics, deconstruction and translation studies as these movements pertain to the study of comparative law;
- be critically sensitive to the cultural embeddedness of legal comparisons;
- have a sound understanding of the conditions under which legal ideas travel between different legal cultures.

### Method of Assessment

100% coursework, consisting of 3 short papers of no more than 2000 words and 1 essay consisting of no more than 5000 words.

### Preliminary Reading

P Legrand and R Munday (eds) *Comparative Legal Studies: Traditions and Transitions* (Cambridge: Cambridge University Press, 2003)

W Menski *Comparative Law in a Global Context* 2nd ed (Cambridge: Cambridge University Press, 2006)

M Reimann and R Zimmermann (eds) *The Oxford Handbook of Comparative Law* (Oxford: Oxford University Press, 2008)

K Zweigert and H Kötz *An Introduction to Comparative Law*, transl. Tony Wier, 3rd ed (Oxford: Oxford University Press, 1998)

V C Jackson *Constitutional Engagement in a Transnational Era* (Oxford: Oxford University Press, 2010)

PG Monateri (ed) *Methods of Comparative Law* (Cheltenham: Elgar, 2012)

H P Glenn *Legal Traditions of the World* 5th ed (Oxford: Oxford University Press, 2014)

M Siems, *Comparative Law* (Cambridge: Cambridge University Press, 2014)

G Samuel *An Introduction to Comparative Law Theory and Method* (Oxford: Hart, 2014)

S Glanert (ed), *Comparative Law - Engaging Translation* (London: Routledge, 2014)

S Breyer *The Court and the World* (New York: Alfred A. Knopf, 2015).

### Pre-requisites

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

### Restrictions

Not available to non-law students.

### Synopsis <span style =

Over the academic year, a wide range of topics will be covered, these may include the following:

- The History of Comparative Law
- The Strengths and Weaknesses of Comparative Law
- The Politics of Comparative Law
- Method: Comparative Law's Quandary
- The Relationship Between the (Legal) Self and the Other
- Reading Foreign Law: The Possibilities and Limits of Legal Translation
- Common Law and Civil Law: Not so Different?
- How Legal Concepts Travel (or Not) Across Legal Cultures
- Can Western Comparative Law Work in Asia?
- The Use of Foreign Law in Constitutional Interpretation
- The Debate Over Harmonization and Uniformization of Laws
- Towards a Global Legal Order? Comparative Law's Contribution

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW523</b>		<b>Mental Health Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	70% Exam, 30% Coursework	
1	Canterbury	Autumn and Spring	H	30 (15)	90% Exam, 10% Coursework	

### Availability

Not available 16/17.

### Contact Hours

22 hours lectures; 20 hours seminars per annum (approximately)

### Learning Outcomes

- to be able to understand the objectives and scope of the Mental Health Act 1983 (as amended in 2007), the Mental Capacity Act 2005, the Codes of Practice and the relevant case law.
- to be able to understand the legal construction of mental illness, including its historical development.
- to be familiar with the legal frameworks designed to protect both patients and the public.
- to be able to evaluate critically the operation of mental health law in its wider context, including contrasting the legal and therapeutic approaches and reform of the law.
- to be aware of the relationship between mental health law and other areas of the law.
- to understand the role of the Mental Health Review Tribunal and of advocacy in the mental health system.

### Method of Assessment

Written examination worth 70% and 30% coursework consisting of oral exercise worth 10%, and written work worth 20%.

### Preliminary Reading

R Porter Madness: A Brief History (OUP, 2002)

### Restrictions

Not available to non Law students.

### Synopsis \*

The Module will examine the legal issues encountered by people with mental health problems. It will explore the unique concerns, procedures and legal remedies associated with mental disability, including the operation of the Tribunals and the interaction between mental health law and the criminal justice system. Students will observe the Tribunals or have the opportunity to participate in a mock Tribunal.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW5316</b>		<b>Foundations of Property</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	I	15 (7.5)	50% Coursework, 50% Exam	White Dr W

### Availability

Only available to students on the Senior Status programme.

### Contact Hours

20 hours of lectures and 10 hours of seminars.

### Department Checked

Yes.

### Learning Outcomes

Demonstrate knowledge and critical understanding of the concepts, principles and rules of a range of property law topics.

Demonstrate an understanding of the foundational role of equity and trusts in the development of property law.

Identify and explain property-related issues and critically examine the terms within which those issues have been set.

Evaluate and critique the foundational components carried within the idea of 'property'.

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.

### Method of Assessment

50% coursework and 50% examination.

### Restrictions

Not available to students unless on the 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. The primary focus is on the distinctive features of property law within the common law tradition. There are a number of inter-linked questions of concern including:

- What is property and what is its significance within common law traditions?
- Are there alternative ways to understand ownership?
- What limits are there to ownership? How should we resolve competing claims to ownership of property?
- Why is there a special legal regime for the transfer of title to land? Can a legal regime capture the different ways people use property?
- How does law/equity respond to informal property arrangements? What does fairness demand?
- What role does equity play in resolving property disputes?
- Can law accommodate/facilitate changing understandings of social justice?

Both versions of the module link these broader questions with everyday 'social' practices of property and law and consider how what Gray and Gray call the 'land law community' that is judges, practitioners, legislators and others who think and write about land law, have developed and applied property rules to resolve the inevitable tensions which arise.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW540 The Philosophy of Law</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	45% Exam, 45% Project, 10% Coursework	Pethick Dr S
1	Canterbury	Autumn and Spring	H	30 (15)	80% Exam, 20% Coursework	Pethick Dr S
1	Canterbury	Autumn and Spring	H	30 (15)	90% Exam, 10% Coursework	Pethick Dr S

### Contact Hours

20 hours Lectures; 20 Seminars (approximately)

### Learning Outcomes

Students who successfully complete this module will:

Have a clear, in-depth understanding of the principal schools of thought about the nature of law.

Have precise knowledge of the major theoretical debates in philosophy of law.

Have a clear understanding of the major concepts and principles at issue in the philosophy of law, including those derived from general philosophy.

Be able to prepare detailed accounts of the relevance of topics in general philosophy (including ethics, metaphysics and epistemology) to law.

Be able to evaluate law critically as an example of practical as well as speculative reason.

Have the ability to engage in reasoned and sophisticated discussion on the major areas of theory and its practical application.

Be able to articulate the aims of philosophy of law and its objectives in relation to law and legal reasoning.

Be able to 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.

### Method of Assessment

20% coursework (1 essay) : 80% written examination or optional 100% dissertation. Contact Kent Law School Undergraduate Office, or access Moodle, for details.

### Preliminary Reading

B Magee *The Great Philosophers* (BBC, 1987)

R Dworkin *Law's Empire* (Fontana, 1986)

JW Harris *Legal Philosophies* (Butterworths, 2nd edn, 1997)

HLA Hart *The Concept of Law* (OUP, 2nd edn, 1994)

F Schauer *Playing by the Rules* (OUP, 1991)

### 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

20 hours Lectures; 10 hours Seminars (approximately)

### Learning Outcomes

To identify the main literature and sources relevant to the subject and to explain key research techniques in locating and using those materials

To identify the key functions and principles of the policing process

To consider ethical and legal principles underlying the police investigation of crime and their relationship to social policies

To examine the procedures and decision stages of police work

### Method of Assessment

50% coursework (1 essay); 50% written examination.

### Preliminary Reading

M Rowe Introduction to Policing (Sage 2008)

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

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

E McLaughlin The New Policing (Sage 2007)

### Restrictions

Not available to non-law students apart from Criminology 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 programme.

The following topics will be covered:

- The History of Policing
- Modern organisation of the Police
- Transnational Policing
- Policing Strategies
- The Constitutional Role and Accountability of the Police
- Fighting crime
- Police Powers and Police Discretion
- Interrogation and Confessions
- Prosecution and Policing

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW543</b>		<b>Clinical Option</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Autumn and Spring	H	30 (15)	70% Coursework, 30% Project	Fitzpatrick Prof J

### Contact Hours

20 hours Lectures; Seminars (or equivalent) 2-hours weekly for 20 weeks, further supervision as necessary for casework

### Learning Outcomes

On completion of the module students will have demonstrated through their conduct of supervised case and project work, oral presentation, reasoned argumentation and written work that they have gained (in relation to the case and project work undertaken):

- detailed and coherent knowledge of substantive law, procedure and practice in one or more fields of social welfare or public law;
- the ability to analyse complex and changing situations of dispute identifying appropriate legal and other resolution strategies and evaluating relevant ethical issues;
- the ability to reflect critically upon the operation of the law in practice, drawing upon legal practice, wide reading and original research;
- 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.

### Method of Assessment

100% coursework consisting of Clinical work worth 50%, Case report worth 20% and a dissertation worth 30%.

### Preliminary Reading

G Slapper & D Kelly The English Legal System (Cavendish, 11th ed, 2011-2012)

### Restrictions

This module has a quota of 38 students. Those wishing to take it must register for it. If more than 38 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 the first 19 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.

### Synopsis \*

Students on this module must become members of the Kent Law Clinic, and work under Supervisors 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, the conduct of at least two substantial cases (or the equivalent), involving proceedings in courts or tribunals or other legal forums, or projects on an area 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 two substantial cases (or the equivalent) for the purposes of this module.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW552 European Legal Systems</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	80% Exam, 20% Coursework	
1	Canterbury	Autumn and Spring	H	30 (15)	90% Exam, 10% Coursework	

### Contact Hours

40 hours lecture/seminar (approximately)

### Learning Outcomes

- To provide a sound grounding in the history of the civilian (Romanist) legal tradition from classical Roman law until the 21st century.
- To introduce students to the mentality and methods of civil lawyers.
- To ensure that students know how to evaluate the structure and function of codes.
- To lay the legal system foundations for further study in a particular civil law system.
- To encourage students to engage critically with the subject matter of the module.
- To provoke reflection on the nature of law in Europe.

### Method of Assessment

80% written examination and 20% coursework (1 essay).

### Preliminary Reading

P Stein Roman Law in European History (Cambridge, 1999)  
R Van Caenegem An Historical Introduction to Private Law (Cambridge, 1992)  
R Van Caenegem An Historical Introduction to Western Constitutional Law (Cambridge, 1995)  
TG Watkin The Italian Legal Tradition (Dartmouth, 1997)  
K Zweigert & H Kötz An Introduction to Comparative Law (Oxford, 3rd edn., 1998, trans T Weir)  
J M Smits (ed), Elgar Encyclopedia of Comparative Law (Elgar, 2006): entries on: German Law; Legal History and Comparative Law; and Civil Procedure

### Restrictions

Not available to non Law students.

### Synopsis <span style =

The aim of the module is to provide a basic introduction to the common characteristics which underpin the European (continental) legal systems with the object of providing students (particularly those on all of the four year European degree programmes) with a foundation upon which they can develop a more substantial knowledge of a continental jurisdiction. It will aim to provide a general grounding in the history, culture and mentality of the European legal systems and as such will focus upon the historical foundations, the institutional development and the methodological traditions. The starting point and foundation of the module will be the university tradition stemming from the rediscovery of Roman law in the 11th century and the development and transformation of this tradition over the subsequent centuries into the perceived axiomatic structure at one time thought to underpin the codes. Particular attention will be given to the French and German systems and contemporary developments within these systems will form the final part of the module.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW556 Intellectual Property Law</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	45% Exam, 45% Project, 10% Coursework	Bellido Dr J
1	Canterbury	Autumn and Spring	H	30 (15)	50% Coursework, 50% Exam	Bellido Dr J
1	Canterbury	Autumn and Spring	H	30 (15)	50% Exam, 50% Project	Bellido Dr J
1	Canterbury	Autumn and Spring	H	30 (15)	70% Exam, 30% Coursework	Bellido Dr J
1	Canterbury	Autumn and Spring	H	30 (15)	90% Exam, 10% Coursework	Bellido Dr J

### Availability

### Contact Hours

One weekly lecture of one hour and one weekly seminar of one hour.

### Department Checked

yes

### Learning Outcomes

By the end of the module, students should be able to:

understand the basic concepts, principles, policies, issues, debates and legal doctrine associated with various areas of intellectual property law.

identify the theoretical, cultural and social underpinnings of intellectual property law.

have gained an understanding of the diverse influences that shape UK intellectual property law and the increasing impact of EU jurisprudence in its development.

think critically about intellectual property law: to take nothing at face value, to go beneath the surface of the law to critically analyse and evaluate it, both in oral discussion and in written assignments.

### Method of Assessment

1 written examination (50%); Coursework in the form of a 5000 word research essay (50%)

### Synopsis \*

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

- Copyright
- Patents
- The uses of IP, remedies for infringement and enforcement
- International intellectual property
- Trade marks
- Passing off
- Breach of confidence

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW563</b>		<b>Law - Dissertation</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	100% Project	White Dr W

### Availability

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

### Contact Hours

Approximately 8 hours per term (consisting of sessions with the convenor and with your supervisor)

### Learning Outcomes

- to explore the complexity of a legal issue/topic of interest to the student.
- to develop skills in doing legal research
- to learn written advocacy

### Method of Assessment

20% dissertation outline or draft chapter of 2000 words (due at the end of the autumn term), 80% dissertation of 10,000 words (due at the beginning of the summer term).

### Pre-requisites

Entry to this module will be based on either the minimum of a 2:1 mark in the LW592 essay or a Merit in stage 1.

### Synopsis \*

This module allows a student to undertake a lengthy writing project on a law -related subject that interests her/him under the supervision of a KLS staff member. It is available to Stage 3 students taking single or combined honours law programmes. Public Law II is a compulsory prerequisite module. Entry to this module will be based on gaining a Merit in stage 1, however, if they achieve a 2:1 in the Public Law 2 special study they may be admitted subsequently. Students wishing to take this module must settle on their topic and find a dissertation supervisor near the end of the Spring term of the academic year previous to the start of this module. During the first term of this module, the convenor will conduct several sessions on how to research and write a law dissertation.

<b>LW566</b>		<b>Law Dissertation (1 unit option)</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Project	White Dr W

### Contact Hours

Approximately 8 hours per term (consisting of sessions with the convenor and your supervisor)

### Learning Outcomes

- to explore the complexity of a legal issue/topic of interest to the student.
- to develop skills in doing legal research
- to learn written advocacy

### Method of Assessment

100% dissertation of 8000 words (due at the beginning of the summer term).

### Pre-requisites

Available to stage 2 and 3 students. Either a minimum of a Merit at stage 1 or a minimum of a 2:1 in the LW592 essay is required for students to be eligible for this module.

### Synopsis \*

This module allows a student to undertake a lengthy writing project on a law -related subject that interests her/him under the supervision of a KLS staff member. It is available to Stage 2 and 3 students taking single or combined honours law programmes. Students wishing to take this module must settle on their topic and find a dissertation supervisor near the end of the Spring term of the academic year previous to the start of this module. During the first term of this module, the convenor will conduct several sessions on how to research and write a law dissertation.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

One hour lecture and one hour seminar per week.

### Department Checked

yes

### Learning Outcomes

On completion of this module students will be able to:

Employ a range of theoretical approaches to understanding law, morality, and social change, by exploring diverse perspectives, and selected case studies.

Further develop a facility for independent, critical thinking on the history, and social and political character of legal change.

Reflect upon and analyse the moral and ethical content and impact of law as it impacts on social change.

Demonstrate advanced research and writing skills

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

Undertake explorations, demonstrations, critical evaluations and engagements in the context of moral discourse, social struggle, conflict resolution and social integration

### Method of Assessment

100% coursework consisting of a research essay of 6000 words.

### Preliminary Reading

M Sandel Justice: What's The Right Thing to Do? (Penguin, 2009)

### 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. We 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 can the law be harnessed for 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 social, economic and political dynamics?
- What are the obstacles and limitations to the law contributing to and creating social change?
- 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 some 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 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. The module wraps up with a student-led session on their essay-in progress.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW571 Law and Society: Regulating Communities</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	Cooper Prof D
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

### Availability

### Contact Hours

2 hour weekly combined lecture/seminar.

### Learning Outcomes

critically read complex scholarly texts from a range of disciplines;  
use research databases to find and identify relevant texts;  
read difficult texts purposefully in order to elicit relevant knowledge and ideas;  
work with empirical evidence and intellectual frameworks, from very different sources and studies, in the course of developing an argument;  
respond to intellectual questions about law, communities and governance at the cutting-edge of scholarship;  
address and explore legal questions through examination of non-legal texts  
construct original arguments and analysis; and be able to engage effectively in conceptual discussion

### Method of Assessment

100% coursework consisting of 1 essay of 5000 words.

### Preliminary Reading

M Appleton A free-range childhood: Self-regulation at Summerhill School (Foundation for Educational Renewal, 2000)  
J Dewar et al (eds.) Nuclear weapons, the peace movement and the law (Macmillan, 1986)  
J Horrox Living Revolution: Anarchism in the Kibbutz Movement (Acab, 2009)  
S Roseneil Common Women, Uncommon Practices: The Queer Feminisms of Greenham (Cassell, 2000)

### Synopsis \*

This module focuses on governance, regulation, norm-maintenance and rule non-compliance within communities and institutions. It provides a distinct perspective to general questions of law, socio-legal theory, and jurisprudence. Key questions include: when do norms count as law? How do communities govern themselves, and what role do law and social norms play in this process? What authority do intentional communities possess when it comes to rule-breaking? What is the relationship between community rules and state law? Can communities function without rules? And is institutional law-breaking (or non-compliance) analogous to individual disobedience? Topics include: legal pluralism and legal consciousness, Foucault and governmentality, norm-following among strangers, etiquette within public sex communities, virtual worlds, governing through local currencies, nudism, self-regulation in a free school, and Speakers Corner.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW572 Immigration, Asylum and Refugee Law</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Autumn and Spring	H	30 (15)	100% Coursework	Zartaloudis Dr A

### 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW578 Law and Political Theory</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	100% Coursework	Drakopoulou Prof M
1	Canterbury	Autumn and Spring	H	30 (15)	70% Exam, 30% Coursework	Drakopoulou Prof M

### Availability

Not available 2013/14.

### Contact Hours

Combined Lecture / Seminar – 40 hours per annum (approximately)

### Learning Outcomes

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

### Method of Assessment

100% coursework consisting of: □

an essay of 4500 words (including footnotes) which will count for 40%;

a 1-to-1 presentation of the essay idea with the module convenor which will count for 20%; □

a 3000 word reflective on a piece of reading provided by the module convenor which will count for 30%.

The remaining 10% will be assessed based on the quality of individual student participation in seminar discussions. The criteria by which this will be assessed will include: evidence of attendance, preparation for seminars, thoughtful contribution to seminar discussion, and presentations.

### Preliminary Reading

J Butler (2004) *Precarious Life: The Power of Mourning and Violence* (London: Verso)  
 M Hardt and Antonio Negri (2000) *Empire* (Cambridge, MA: Harvard University Press)  
 W Brown (2005) *Edgework: Critical Essays on Knowledge and Politics* (New Jersey: Princeton University Press)  
 C Schmidt (1996), *The Concept of the Political*. Trans. George Schwab. (Chicago: University of Chicago Press)  
 M Loughlin (2003), *The Idea of Public Law* (Oxford: Oxford University Press)

### 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

LW580	Consumer Law					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	70% Exam, 30% Coursework	Casey Mr D

### Availability

### Contact Hours

Lectures - 20 hours approximately. Seminars - 20 hours approximately.

### Learning Outcomes

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.

Demonstrate an understanding of the standard policy arguments and frameworks of consumer law, and to apply and critique them in concrete policy problems.

Appreciate the role of consumer law and policy within the "new regulatory state" in the UK.

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.

Assess claims about the progressive potential of consumer law and its relationship to broader social policies such as addressing social exclusion.

Appreciate the scope of EU consumer law and policy and its effects on UK law.

### Method of Assessment

30% coursework (consisting of 1 essay) and 70% written examination.

### Preliminary Reading

Cranston's Consumers and the Law (3rd. ed. Scott & Black) Chapter 1.

I Ramsay Advertising Culture and the Law (Sweet & Maxwell, 1996)

M Hilton Consumerism in 20th Century Britain (Cambridge, 2003)

I Ramsay Consumer Law and Policy: Text and Materials on Regulating Consumer Markets (2nd ed. Hart 2007, Chapter 1)

A Offer The Challenges of Affluence (Oxford, 2006) Chapters 1 (Introduction), 3, 4, 6, 7, 12

### Pre-requisites

LW315 Introduction to Obligations.

### Restrictions

Not available to non Law students.

### 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. The topic which will be covered in the module include:

- Consumer society and the rise of consumer protection policy
- Rationales for regulating consumer markets
- Techniques for regulating consumer markets
- The regulation of advertising and marketing practices
- The regulation of unfair commercial practices
- The regulation of unfair contract terms
- The regulation of consumer credit
- The regulation of food safety and quality
- The regulation of product safety and quality

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

LW581 Law and Literature						
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)	90% Project, 10% Coursework	
2	Canterbury	Autumn	H	15 (7.5)	100% Coursework	Ring Dr S

### Contact Hours

20 contact hours (combined 2-hour lecture seminar)

### Department Checked

yes

### 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.

### Method of Assessment

100% coursework.

### Preliminary Reading

Peter Goodrich Languages of Law (London: Weidenfeld & Nicolson, 1990)  
 Gilles Deleuze Negotiations (New York: Columbia University Press, 1995)  
 Charles Dickens Bleak House  
 Franz Kafka The Trial  
 Patricia Highsmith City of the Owl  
 Shakespeare Titus Andronicus, Merchant of Venice and Measure for Measure  
 Jane Austen Pride and Prejudice  
 Oscar Wilde Ballad of Reading Gaol  
 Chester Himes A Rage in Harlem  
 JG Ballard High Rise  
 Jean Anouilh Antigone  
 Preliminary Viewing - Titus, 1999, Dir Julie Taymor  
 Preliminary Viewing - The Trial, 1963, Dir Orson Wells  
 Preliminary Viewing - Jagged Edge, 1985, Dir Richard Marquand

### 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 to be introduced to material you may not be familiar with as well as a chance to pursue an interest you 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW582</b>		<b>Banking Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	Wong Dr S

### Availability

### Contact Hours

10 hours of lectures; 5 hours of seminars (approximately)

### Learning Outcomes

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

### Method of Assessment

100% coursework consisting of a problem question and an essay.

### Preliminary Reading

A Arora Practical Banking and Building Society Law (Blackstone, 1997)  
J Wadsley & GA Penn The Law Relating to Domestic Banking (Sweet & Maxwell, 2nd ed., 2000)  
R Cranston Principles of Banking Law (OUP, 2nd ed. 2002)  
W Clarke How the City of London Works (Sweet & Maxwell, 7th end., 2008)  
EP Ellinger, E Lomnicka & CVM Hare, Ellinger's Modern Banking Law (OUP, 5th end., 2011)

### 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW583 Art and Cultural Heritage Law</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Autumn and Spring	H	30 (15)	70% Exam, 30% Coursework	Vigneron Dr S

### Contact Hours

One hour of lectures and one hour of seminars weekly.

### Department Checked

yes

### Learning Outcomes

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 trade in art and cultural objects that generate the need for regulation at a national and international level;
3. Critically discuss the legal issues relating to the regulation of cultural heritage at a national and international level;
4. 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;
5. Appreciate the scope of EU and International law and policy and their effects on UK law.

### Method of Assessment

30% coursework (a case study and an essay) 70% written examination.

### Preliminary Reading

D Gillman *The Idea of Cultural Heritage* (IAL 2006)

B T Hoffman *Art and Cultural Heritage: Law, Policy & Practice* (2006 CUP)

J Greenfield *The Return of Cultural Treasures* (3rd ed, CUP, 2007)

P Watson, C Todeschini *The Medici Conspiracy: The illicit journey of looted antiques from Italy's tomb raiders to the world's greatest museums.* (Public Affairs, 2007)

### Restrictions

Not available to non-law students.

### Synopsis \*

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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

10 hours Lectures; 10 hours Seminars (approximately)

### Learning Outcomes

Have a good understanding of the development of the use of forensic evidence in the criminal justice process.

Have a good understanding of the issues surrounding the use of established and new techniques of forensic science in the criminal justice process

Be able to evaluate the operation of forensic evidence in the criminal law in the social context

Have the ability to engage in reasoned and informed discussion on the major themes surrounding the presentation of forensic evidence in criminal trials both orally, and in writing

### Method of Assessment

50% coursework essay, 50% unseen paper. 100% dissertation element also available. Please contact KLS Undergraduate Office, or access Moodle, for details.

### Preliminary Reading

C McCartney Forensic Identification and Criminal Justice – Forensic Science, Justice and Risk (Willan Publishing 2006)

A Jackson & J Jackson Forensic Science (Prentice Hall, 3rd ed, 2011)

### Restrictions

Please note that this module is available ONLY to Social Science Students.

### 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 case 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

20 hours Lectures; 4 hours Seminars (approximately)

### Learning Outcomes

On completion of this module, students will have:

- acquired a sound understanding of environmental quality law and the law relating to pollution control, and the role of international, EC and national law in relation to this
- gained an 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
- developed their research skills in locating and retrieving legal and policy sources and using these effectively in seminar discussion and written work.

### Method of Assessment

80% written examination and 20% coursework consisting of 1 essay.

### Preliminary Reading

J Alder & D Wilkinson Environmental Law and Ethics (Macmillan, 1999)  
M Stallworthy Understanding Environmental Law (Thompson, 2008)

### Synopsis \*

Environmental Law I involves lectures covering the following topics:

- Introduction: basic concepts in Environmental Law
- Public health origins and statutory nuisances
- Regulatory approaches at national, European Community and international levels
- The legal protection of the aquatic environment
- Waste management and the legal protection of land quality
- The legal protection of air quality
- The integration of pollution control
- Enforcement at national and European Community levels
- Alternative approaches to environmental protection

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW586</b>		<b>Environmental Law II</b>					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor	
1	Canterbury	Spring	H	15 (7.5)	80% Exam, 20% Coursework	Howarth Prof W	

### Contact Hours

20 hours Lectures; 4 hours Seminars (approximately)

### Learning Outcomes

On completion of this module, students will have:

- acquired a sound understanding of the law relating to land use and development, and the conservation of natural living resources, and the role of international, EC and national law in relation to this
- gained an 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
- developed their research skills in locating and retrieving legal and policy sources and using these effectively in seminar discussion and written work.

### Method of Assessment

80% written examination and 20% coursework consisting of 1 essay or equivalent .

### Preliminary Reading

J Alder & D Wilkinson Environmental Law and Ethics (Macmillan, 1999)  
M Stallworthy Understanding Environmental Law (Thompson, 2008).

### Pre-requisites

LW585 Environmental Law I.

### Synopsis \*

Environmental Law II involves lectures covering the following topics:

- Civil law and the protection of the environment
- Environmental human rights
- Planning law and land use
- Environmental impact assessment
- The legal status of flora and fauna
- Conservation Law in national, EC and international law
- The protection of species
- The protection of habitats
- The interface between planning and conservation

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

LW589	The Skills of Argument - How to Argue and Win					
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Exam	Pethick Dr S

### Contact Hours

10 hours Lectures; 10 hours Seminars (approximately)

### Learning Outcomes

Students who complete the module successfully will have the ability to:

- demonstrate an understanding of the historical, sociological and political contexts for the use of argument and arguing.
- demonstrate an 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.
- identify argument and distinguish it from other modes of interaction.
- analyse critically both simple and complex arguments.
- rank arguments in relation to weakness and strength in relation to a range of formal and critical criteria.
- present sustained and persuasive argument in writing.
- Be able to present sound argument with persuasive force.
- Be able to present weak argument with persuasive force.
- Be able to argue persuasively within given social, cultural or institutional parameters.
- Have the ability to engage in reasoned and informed discussion on the major themes treated on the module.

### Method of Assessment

100% examination (consisting of a critical analysis of one from a set of short unseen arguments provided on the examination paper and a written argument on a topic distributed in advance).

### Preliminary Reading

J Bickenbach and J Davies Good Reasons for Better Arguments (Broadview, 1997)

I Copi and C Cohen Introduction to Logic 13th ed. (Prentice Hall, 2008)

S Mills Discourse 2nd ed. (Routledge, 2003)

A C Grayling The Art of Always Being Right – Thirty-eight Ways to Win when You Are Defeated (Gibson Square, 2005).

### Synopsis \*

Argument occurs across the full spectrum of human interaction - in pubs, at home, in seminar classes, and in professional contexts such as those provided by law, science and medicine. However, despite the importance allotted to argument and the desire of those engaged in arguments to win them, little systematic attention is given to the nature of argument and the practical skills required to argue successfully, even though this information is readily available. The ambition of the module is to equip students with this knowledge base and skills, thereby enabling them to enter into argument more confidently and with a greater prospect of success. The module divides into three parts, the first being a very brief historical and theoretical contextualisation of the topic. The second part of the module treats argument and arguing formally, by mapping the standard forms of argument and by developing the skill of picking out a bad argument from a good one, and by showing how to spot the set of common but typically unnoticed mistakes in one's own argument or in those of others. The third part of the module turns to the skills of rhetoric and persuasion, including examination of the ploys that are often used to give bad or weak arguments persuasive force. The themes of the module are illustrated throughout using real examples from law and elsewhere.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

Two hours contact time per week.

### Learning Outcomes

By the end of the module, students should be able to:

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

### Method of Assessment

20% coursework (1 assignment), 80% written examination

### Preliminary Reading

A Diduck Law's Families (Butterworth, 2003)

G Douglas An Introduction to Family Law (Oxford University Press 2nd Ed, 2004)

### Pre-requisites

LW588

### Restrictions

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

### Synopsis \*

This module focuses on the way the law regulates the creation and breakdown of families and relationship between parents, children and the state. Topics will include marriage and civil partnerships, domestic violence, divorce and post-separation arrangements for property and children, legal parenthood and parental responsibility, child protection and adoption.

There is no prescribed preliminary reading, but the following may be of interest to those who wish to undertake some pre-reading.

Due to frequent changes in the law in this area, textbooks tend to go out of date, and new editions are published quite frequently. The assigned textbook will be notified at the commencement of the module.

<b>LW592</b>		<b>Public Law 2</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	Sullivan Mr Gavin

### Availability

This module is normally recorded and may be downloaded.

### Contact Hours

20 hours of lectures and 10 hours of seminars (approximately)

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

### Learning Outcomes

to identify contemporary problems in public law through the application of concepts such as governance, regulation, risk, state and sovereignty.

to appreciate that a range of contemporary economic and political developments and demands such as globalisation, cheaper justice, informal justice, transformative justice, quasi-judicial tribunals have transformed the ambit of public law.

to appreciate that a vast amount of public power is exercised without direct legislative authorisation or judicial scrutiny, and thus consider strategies for strengthening accountability.

to appreciate the role of non-governmental organisations in mobilising and channelling public concerns.

to appreciate 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.

to appreciate that the traditional distinction between politics and science has undergone significant changes recently, and that public law must absorb and respond to these challenges - eg. calls for public regulation of genetic technologies, testing of GM Crops.

read, understand and apply legislation and to read and understand complex cases and secondary commentary.

research and identify policy and legal debates – and appreciate different perspectives. And to Convert policy debates into conceptual analyses: Connect social and political policy alternatives to the conceptual framework introduced in the module – e.g. 'genomics' as a breakdown of the politics/science divide; Anti-Social Behaviour Orders (ASBOS) as a collapse of the policing/administration divide; proliferating security measures as a collapse in the sovereign/police power divide.

have the conceptual tools necessary to navigate the changing landscape of regulatory and accountability mechanisms

understand and deploy the literature in law and governance in the examination of issues in public law.

### Method of Assessment

20% coursework consisting of an annotated bibliography (1000 words) worth 20% and a special study essay project (5000 words) worth 80%)

### Preliminary Reading

J Butler Precarious Life: The Power of Mourning and Violence (Verso, 2005)  
M Dean Governmentality : Power and Rule in Modern Society (SAGE, 1999)  
N Rose "The Death of the Social", the journal Economy and Society (2006)  
E Christodoulidis and S Tierney Public Law and Politics: The Scope and Limits of Constitutionalism (Ashgate, 2008)  
S Franklin Dolly Mixtures: The Remaking of Genealogy (Duke University Press, 2007)  
E Jackson Regulating Reproduction: Law, Technology, and Autonomy (Hart, 2001)  
M Laughlin The Idea of Public Law (OUP, 2004)  
P Miller and N Rose Governing the Present: Administering Economic, Social and Personal Life (Polity, 2008)  
N Rose The Politics of Life Itself: Biomedicine, Power, and Subjectivity in the Twenty-First Century (PUP, 2006)  
R Kaushik Sunder Biocapital: The Constitution of Post-genomic Life (Duke University Press, 2006)  
K Horsey and H Biggs (eds) Human Fertilisation and Embryology: Reproducing Regulation (Routledge Cavendish, 2006)

### Pre-requisites

In order to take this module you must have taken LW588 Public Law 1. Students cannot take this module in the same year as LW588. Co-requisite with LW593 European Union Law. Only available to students following a Law programme of study (either single or joint honours).

### Restrictions

Only available to Law students, or students on Politics and Law or Psychology and Law.

### Synopsis >\*

The module builds on the understanding of constitutional government developed in Public Law 1 to examine the changing nature of the state in new modes of governance and governmentality. The focus is on the shift away from the vertical character of the relationship between state and citizen to a more diffuse mode of governing populations through expertise, techniques of management, and biopolitics.

In recent times there has been a shift away from states governing through legislation as a mode of command and control. Legislation is increasingly understood as enabling administration and governance rather than as the definitive word on a social or political problem. In some respects, this is a continuation of legislation as a mode of authorising the exercise of public power. However, the nature of power deployed and regulated through legislation has changed. Government through officials or agents directly responsible to Ministers or Parliament is increasingly replaced by quasi-government authorities (QUANGOS) whose strength is technical expertise. While the administrative state as it has evolved in the last century views this shift as a new strength in public administration, the key weakness is that accountability in the exercise of public power is lacking. What are the implications of these transformations for public law? How has public law facilitated these developments? What are the socio-legal and critical legal responses to these developments? These are the central concerns of this module. It thus offers a specialised and complementary extension of themes and issues introduced to students in Public Law 1 in Stage 1 of the LLB degree.

The administrative authorities that have emerged in the era of the 'new administrative law' – post 1970s - lack the formality of liberal constitutional protections. Consider the relative informality in the administration of ASBOS. Moreover, the traditional public/private divide has broken down - e.g. the privatisation of prisons, private corporations providing public services such as nursing homes or transport. The absence of social consensus, or unitary sovereign power has meant that the governance of gambling, security, the environment, gender and sexuality, science and technology, are not phenomena that can be dealt with through traditional liberal concepts or constitutional mechanisms. This module will examine how public law has been the site of social, political, and legal contestations regarding these issues.

LW593		European Union Law				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	Hedemann-Robinson Mr M

**Availability**

This module is normally recorded and may be downloaded.

**Contact Hours**

20 hours of lectures; 10 hours of seminars (approximately)

**Learning Outcomes**

1. Consolidation and deepening of knowledge and understanding of the key aspects of the legal framework of the European Union (institutional and legislative decision-making), building on teaching provided with respect to this area in the pre-requisite module Public 1.
2. An understanding of the main foundational legal principles pertaining to the law of the EU, in particular those relevant to the application of EU law at national level. An understanding of how EU rules differ in comparison with the English legal system that the students have studied in Public Law 1, e.g. as regards judicial review and protection of fundamental rights.
3. An understanding of the main rules governing the single market, especially free movement of goods, free movement of workers and EU citizens, free movement of services and freedom of establishment. An ability to critically reflect on selected issues surrounding the socio-economic context of the single market rules.
4. 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 European Court of Justice (ECJ)
5. An ability to identify the legal issues raised in problem situations regarding the application of European Union law, and to predict the legal outcome.
6. An ability to engage in critical discussion of selected reading materials on EU law, in accordance with the questions suggested on the weekly seminar sheet

**Method of Assessment**

50% written examination, 50% coursework consisting of 1 essay and 10% oral presentation (joint student case presentation in seminar). Incoming Erasmus/International students at Kent for the autumn term only have a specific assessment pattern of 100% coursework of two essays and an oral presentation.

**Preliminary Reading**

I Ward A Critical Introduction to European Law (Cambridge, 3rd ed, 2009)  
E Bomberg J Peterson and R Corbett (eds) The EU - How Does it work? (Oxford, 3rd ed, 2012)  
H Young This Blessed Plot - Britain and Europe from Churchill to Blair (Papermac 1999)  
K Davies Understanding EU law, 65th edn (Routledge 2015)  
D Dinan, Origins and evolution of the EU 2nd ed (2014 Oxford)  
S Holland, Europe in Question (2015, Spokesman)  
D Urwin, The Community of Europe: A History of European Integration since 1945 2nd ed (Longman, 1994)  
S Wall, A Stranger in Europe: Britain and the EU from Thatcher to Blair (Oxford, 2008)  
A Wiener/T. Diez, European Integration Theory 2nd ed (2009, Oxford)

**Pre-requisites**

In order to take this module you must normally have taken LW588 Public Law 1. Co-requisite with LW592 Public Law 2. Students cannot take this module in the same year as LW588. Only available to students following a Law programme of study (either single or joint honours).

Incoming Erasmus and international students reading law at KLS for a term or more may take this module.

**Restrictions**

Only available to Law students, or those taking Politics and Law or Psychology and Law .

**Synopsis \***

This 15 credit undergraduate law module is designed to introduce law students to foundational legal principles of the European Union (EU). It will place particular emphasis on studying the role and impact of the judicial institution of the EU, namely the Court of Justice of the EU, in interpreting the scope and effects of Union law. This module builds on the knowledge that students acquire in Public Law 1 where they are provided with a basic introduction to the history of the EU, the main institutions of the EU and key constitutional issues arising from the supremacy of EU law. It will focus predominantly on certain aspects of EU law not addressed in Public 1, including the free movement rules underpinning the single market.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

1 hour lectures and 1 hour seminar per week.

### Department Checked

yes

### Learning Outcomes

be familiar with the established canons of statutory interpretation in the UK and with those prevailing in other countries such as France, Germany, and the United States

be able to assess the impact of EU law on statutory interpretation in the UK

be conversant with hermeneutics, reader-response theory, and deconstruction as these movements pertain to statutory interpretation in the UK

be critically sensitive to the politics of statutory interpretation in the UK

### Method of Assessment

100% coursework consisting of a dissertation outline worth 10% and a dissertation of approximately 6000-8000 words worth 90%.

### Preliminary Reading

S Glanert and F Girard (eds) *Law's Hermeneutics: Other Investigations* (London: Routledge, 2016)

H Fenwick, G Phillipson, R Masterman (eds) *Judicial Reasoning Under the UK Human Rights Act* (Cambridge: Cambridge University Press, 2007)

P Goodrich *Reading the Law* (London: Blackwell, 1986)

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

A Scalia and BA Garner, *Reading Law: The Interpretation of Legal Texts* (St Paul, MN: Thomson/West, 2012)

S Fish, *Is There a Text in This Class?* (Cambridge, MA: Harvard University Press, 1980)

HG Gadamer, *Truth and Method* trans. J Weinsheimer and DG Marshall, 2nd edn (New York: Continuum, 2004)

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

### Pre-requisites

LW588/LW614 Public Law 1.

### Synopsis \*

90% of English cases involve a statute. For obvious reasons, it is crucial that you should know how to interpret and apply a statute. Through a series of fascinating examples both from the UK and elsewhere, this module teaches you these skills, which all employers highly value. Skills in interpretation are also very useful when you have to deal with judicial precedents. This module will make a difference on your résumé!

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW596 Gender, Sexuality and Law</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	Bedford Dr K

### Contact Hours

1 two hour workshop per week, 20 hours in all.

### Learning Outcomes

Students who complete this module successfully will have the ability to:

1. Understand the complex relationship between law and dominant structures of gender and sexuality
2. Appreciate the significance of feminist and queer theory for understanding the contemporary formation of legal and political issues such as transgender activism, same sex marriage, diverse family formations, immigration and refugee status, and welfare reform
3. Appreciate the significance of, critiques of, and alternatives to, rights-based claims by activists and other social actors in gender and sexuality mobilising
4. Appreciate and be able critically to 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. 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. Appreciate 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.

### Method of Assessment

100% coursework consisting of 40% participation based assessment, 60% term essay of 3600 words.

### Preliminary Reading

Why not have a look at your newspaper on a regular basis and save any articles in this area that interest you.  
INCITE! Women of Colour Against Violence (2007) The Revolution will not be Funded: Beyond the Non-Profit Industrial Complex, South End Press.  
M Rahman and S Jackson - Gender and Sexuality: Sociological Approaches (Polity Press 2010)

### Pre-requisites

LW313/LW323 A Critical Introduction to Law and LW588/LW614 Public Law 1 are prerequisites. Previous or concurrent study of LW588 Public Law 1 and LW592 Public Law 2; LW505 Family Law; or LW578 Law and Political Theory is desirable.

### Restrictions

Not available to non Law students.

### Synopsis \*

The media is full of gender controversies: there's same-sex marriage (or not) 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; gay refugees; 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?

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW597</b>		<b>The Law of Obligations</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	I	30 (15)	70% Exam, 20% Project, 10% Coursework	
1	Canterbury	Autumn and Spring	I	30 (15)	70% Exam, 30% 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

Lectures 20 hours; seminars 10 hours.

### Learning Outcomes

To build on existing knowledge of the inter-action between common law and equity.  
To place the development of the jurisprudence of equity and trusts in a social, political and economic context.  
An introduction to aspects of the procedure and practice of Equity and Trusts.  
To gain a sound grounding in the concepts, principles and rules relating to Equity and Trusts.  
To explore the development and current state of the law of Equity and Trusts from a comparative perspective.  
To engage in a critical discussion of the problems and advantages of using Equity and Trusts and evaluate their use in the context of other legal strategies(eg restitution)

### Method of Assessment

30% coursework, consisting of 1 piece of written work of 2500 words, and a 2 hour written examination.

### Preliminary Reading

S Degeling, and J Edelman, (eds.), Equity in Commercial Law (Sydney: Law Book co, 2005)  
S Gardner Introduction to the Law of Trusts (Oxford: Oxford University Press, 2003)  
G Moffat Trust Law: Texts and Materials (Cambridge: Cambridge University Press, 2009)  
S Worthington Equity (Oxford: Oxford University Press, 2006)

### Pre-requisites

LW316 or LW5316 Foundations of Property. LW650 Law of Contract is a pre-requisite or a co-requisite.

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

### Restrictions

Available only to Law students.

### Synopsis \*

This module, normally taken in Stage 2, introduces the student to the main principles and doctrines of equity and trusts. It is designed to challenge the somewhat dull image of this area of law and to encourage a critical and imaginative understanding of the subject. The law of equity and trusts is contextualized within a historical, social and jurisprudential inquiry thereby providing a much 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 that between legal outcomes, pragmatic concerns and policy objectives.

Drawing upon the student's experience of the study of law, in particular that gained from Foundations of Property Law and Property Law, this module examines the trust both as a private legal institution (the trust in family and commercial settings) and a public one (the charitable trust), placing special emphasis on the management of the trust and the powers, duties and obligations of the trustee. Yet in departing from conventional approaches this module does not study equity merely in regards to its role as the original creator of the trust. Equity is instead acknowledged to be what it really is - a vital and fruitful component of the English legal system; a distinct form of legal interpretation possessing its own principles and method of legal reasoning, and comprising an original and continuing source of legal development in the sphere of remedies.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW599</b>		<b>Land Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	I	15 (7.5)	50% Coursework, 50% Exam	Parsley Mr C

### Contact Hours

10 hours seminars, 20 hours lecturing (live lectures augmented by online).

### Department Checked

yes

### Learning Outcomes

- A good doctrinal and critical understanding of land law
- Ability to solve and to avoid land law problems for clients.

### Method of Assessment

50% Coursework, consisting of a problem question of 2500 words and 50% examination.

### Preliminary Reading

A Minton – Ground Control (Penguin 2009)

### Pre-requisites

LW316 or LW416 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 \*

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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

20 hours contact time.

### Learning Outcomes

Upon completing the module, students should be able to: Demonstrate an understanding of science and technology studies literature and its applicability to legal studies.

Critically evaluate current legal-scientific debates within historical, socio-economic contexts:

Demonstrate a thorough knowledge of key texts in science and technology studies, actor-network theory and law and anthropology:

Articulate orally a sound theoretical and practical understanding of key legal-scientific debates and issues:

Express 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.

### Method of Assessment

100% coursework consisting of an oral presentation worth 30% and a take away paper (3000 words) worth 70%.

### Preliminary Reading

B Latour, *Reassembling the Social: An Introduction to Actor-Network Theory* (Oxford: OUP, 2005)

B Latour, *The Making of Law: An Ethnography of the Conseil d'Etat* (Cambridge: Polity Press, 2010)

A Pottage 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)

C Walby and R Mitchell, *Tissue Economies: Blood, Organs and Cell Lines in Late Capitalism* (Durham: Duke University Press, 2006)

S Franklin, *Dolly Mixtures: The Remaking of Genealogies* (Durham: Duke University Press, 2007)

### Pre-requisites

LW588 Public Law 1 and LW592 Public Law 2.

### Restrictions

From 15/16 this will be a final year only module.

### Synopsis \*

Science and technology play a significant part in the way law operates in contemporary states. This plays out at several levels: law is turned to in order regulate scientific and technological developments, and in so doing helps societies shape their futures; science and technologies are frequently used in providing the basis of legal decisions, and experts play an increasing part in decision-making, in courts and in governance. Both law and science, however, are complex social fields, and understanding their interaction requires careful theoretical and methodological tools. In this module, we interrogate some of these interactions, by exploring conceptual tools from several disciplines (including socio-legal studies, science and technology studies and anthropology), and applying them to particular case studies, including: the regulation of reproductive technologies; evidence in the courtroom; the governance of climate change; intellectual property and access to medicines; law and psychiatry; technological disasters and citizenship. This module is likely to be of interest to those students who particularly enjoyed LW592 Public Law II.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW601</b>		<b>Advanced Level Criminal Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	50% Coursework, 50% Exam	Thompson Ms J
1	Canterbury	Autumn and Spring	H	30 (15)	60% Exam, 40% Coursework	Thompson Ms J

### Availability

This module is available to all students following a Law programme who take Criminal Law in stages 2 or 3 of their degree. This module is not available to students who have taken LW508.

### Contact Hours

Two lectures per week, and a 2 hour fortnightly seminar.

### Learning Outcomes

1. Demonstrate a sound grounding in the concepts, principles and rules of criminal offences; in particular, the law relating to murder/manslaughter, non-fatal offences, defences, theft, fraud, sexual and inchoate 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.

### Method of Assessment

There are two alternative assessment patterns: Path A and Path B.

Path A - a dissertation of 7000 words worth 60%, the remaining 40% consists of a problem question worth 20% and an oral presentation worth 20%.

Path B - 40% Coursework consisting of a problem question worth 20% and an oral presentation worth 20% and 60% written examination.

### Preliminary Reading

N Lacey, C Wells, & O Quick, *Reconstructing Criminal Law* 4th Edition, Cambridge University Press, 2010

A Ashworth, *Principles of Criminal Law*, Oxford University Press 6th ed, 2009.

### Synopsis \*

While the curriculum for LW508 Criminal Law Level I and LW601 Advanced Criminal Law Level H is by and large the same in that the same topics are considered, students following the course at level H will consider each discrete topic to a much greater depth making use of, and improving, skills developed in earlier years of their degree programme.

The module is structured to provide students with the opportunity to explore the major issues in criminal law through class presentation, through consideration of essay style topics and to engage in critical analysis of topics by considering criminal law problem questions. Students will be expected to discuss particular issues of criminal law and their implications for a wider social context. At the commencement of the module students are provided with a Seminar Workbook which outlines the weekly seminar topic and task.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW602</b>		<b>Law and Medical Ethics</b>				
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	Devine Dr K

### Contact Hours

10 hours lectures; 10 hours seminars (approximately).

### Department Checked

yes

### Learning Outcomes

The module's specific learning outcomes are as follows:

- To introduce students to a wide range of factual circumstances governed by medical ethics and the law.
- To provide a solid grounding in the concepts, principles, policies and rules applicable in such circumstances.
- To locate this area of law in its ethical, socio-economic and historical context, and critically to analyse its application from a diverse range of perspectives.
- To demonstrate understanding of the concepts, principles, policies and rules that apply in medical law and ethics

### Method of Assessment

20% coursework, consisting of 1 multiple choice assessment, 80% written examination.

### Preliminary Reading

E Jackson Medical Law: Text, Cases and Materials (Oxford University Press)

### 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW604</b>		<b>Morality and Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	Curran Dr E
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	

### Contact Hours

20 hours, 10 x 2 hour lecture/seminar.

### Department Checked

yes

### Learning Outcomes

Understand the historical development of a key moral and political concept and its complex relationship to law and theories of law.

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.

Analyse and understand the historical and political development of the notion of a right.

Analyse, evaluate and engage with the arguments that are used to justify, defend and attack the notion of individual rights.

Critically evaluate and analyse the ways in which rights have been understood and incorporated into law.

Demonstrate an understanding of the ways in which theories of rights intersect law, moral philosophy and political theory.

### Method of Assessment

100% coursework consisting of an oral presentation worth 40% and a 3000 word essay worth 60%.

### Preliminary Reading

There is no set preliminary reading but you might like to look at any of the following:

N E Simmonds Central Issues in Jurisprudence: Justice, Law and Rights 2nd ed (Sweet and Maxwell, 2002)

Aristotle The Nicomachean Ethics, any edition

J Stuart Mill Utilitarianism, any edition

J Locke The Second Treatise of Government, any edition

The American Declaration of Independence

United Nations, Universal Declaration of Human Rights, 1948

### Pre-requisites

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

### Synopsis \*

This course will give students the opportunity to explore the ways in which morality has been understood and theorised and then to trace the development of a particular moral concept (namely, that of individual rights), that is central to legal discourse today. The methodology will be historical/contextual as well as theoretical/analytical. We will look at the way in which the idea of individual rights arose (and continues to develop) in a philosophical, political and historical context and we will examine and critically evaluate modern theories of rights and their relationship to law. The concept of a right is deceptively simple. When examined closely it gives rise to all sorts of questions and problems including, for example: how is the idea of a right justified? What is its relationship to the older idea of liberty? Can it survive the discrediting of theories of natural rights tied to natural law? Can it stand alone as a moral concept or is it merely the 'other side' of a duty?

Block 1: A critical introduction to the major theories of moral philosophy: virtue theory, duty based (deontological) 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 (incl. 'interest' and 'will' theories and the legal analysis of Wesley Hohfeld)

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW609 Advanced Topics in Property Law: the politics of ownership</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	100% Coursework	Carr Dr H (LW)

### Contact Hours

40 hours of combined lecture and seminar.

### Learning Outcomes

Articulate orally a sound theoretical and practical understanding of key legal-political debates and issues.

Upon completing this module, students will be able to:

gain a deeper understanding of property and law through the examination of historical and contemporary forms of ownership, and a range of theoretical understandings as to what constitutes 'ownership' as a foundational components carried within the idea of 'property'.

to analyze property as a juridical relation and institution, which can be contested, challenged, and remade.

to recognize potential alternative solutions to particular problems, and make a reasoned choice between them.

### Method of Assessment

100% coursework consisting of a research paper of 6000 words for 75% and an oral presentation for 25%.

### Preliminary Reading

Preliminary Viewing - La Terre Parle Arabe, 2007, Dir M. Gargour.

Preliminary Viewing - The Truman Show, 1998, Dir P Wier.

Preliminary Viewing – Holy Motors, 2012, Dir L Carax.

J Brewer and S Staves (eds), Early Modern Conceptions of Property, 1996, London: Routledge.

R McQueen, A Social History of Company Law, 2009, London: Ashgate.

M Callon (ed), Laws of the Market, 1998, Oxford: Blackwells.

N Blomley, Unsettling the City, 2004, London: Taylor and Francis.

M Davies, Property: Meanings, Histories, Theories, 2007, London: Glasshouse.

C Dickens, Bleak House (1854)

H Lim and A Bottomley (eds), Feminist Perspectives on Land Law, 2007, London: Glasshouse.

C Rose, Property and Persuasion: Essays on the History, Theory and Rhetoric of Ownership, 1994, Bolder, California: Westview Press.

T Murphy et al, Understanding Property Law, 2004, London: Sweet and Maxwell.

### Pre-requisites

LW316/LW416 or LW324 Foundations of Property and LW599 Land Law.

### Synopsis \*

This module, building on Foundations of Property, explores the nature of property as a legal institution and its economic, political and cultural importance in a variety of contexts. It seeks 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 course will bridge the too often repeated divide in law school curricula between forms of real property (land law) and intellectual property, exploring theoretical approaches alongside concrete examples drawn from both of these fields, and thereby asking what and why holds such different fabrications together (and apart) under the rubric of 'property'. We will look at intangible forms of property, such as intellectual property (eg patents, copyright) and financial property (eg stocks, shares, government bonds), and will explore the active, constructive and political role of law in 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, a wide range of different topics in which issues of property and property rights are central will be examined: from issues surrounding corporate rights and power to land rights (especially in the colonial context); from the construction and protection of intellectual 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 practices and thinking in the recent financial crisis, and the potential to think and practice property differently under the rubric of 'alternative property practices'(eg in commons, land trusts, mutuals, co-operatives etc).

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW611</b>		<b>Law Dissertation Autumn Option</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Project	White Dr W

### Contact Hours

Approximately 8 hours per term (consisting of sessions with the convenor and your supervisor)

### Learning Outcomes

to explore the complexity of a legal issue/topic of interest to the student.  
to develop skills in doing legal research  
to learn written advocacy

### Method of Assessment

100% dissertation of 8000 words (due at the beginning of the summer term).

### Pre-requisites

Available to stage 2 and 3 students. Either a minimum of a Merit at stage 1 or a minimum of a 2:1 in the LW592 essay is required for students to be eligible for this module.

### Synopsis \*

This module allows a student to undertake a lengthy writing project on a law -related subject that interests her/him under the supervision of a KLS staff member. It is available to Stage 2 and 3 students taking single or combined honours law programmes. Students wishing to take this module must settle on their topic and find a dissertation supervisor near the end of the Spring term of the academic year previous to the start of this module. During the first term of this module, the convenor will conduct several sessions on how to research and write a law dissertation.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW615 Neuroscience in Law: Forensic, Medical and Ethical Aspects</b>						
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% Project	

### Contact Hours

20 hours of lectures/ seminars approximately.

### Learning Outcomes

to identify the relationship between the law associated with neuroscience and the biotechnological, historical, socio-economic and political contexts in which it operates  
to identify contemporary debates on the forensic, medical and ethical implications of neuroscience for legal decision-making and to research and critically evaluate such debates  
to identify how forensic, medicolegal and ethical sources have framed neuroscience as evidence to influence law and policy and to research and critically evaluate such sources  
to identify the relationship between all of the above and contemporary debates on how neuro-differences should affect (a) forensic and ethicolegal ascriptions of blameworthiness, responsibility, and culpability as these relate to diagnoses, eg psychopathy, autism spectrum, addiction; (b) medicolegal ascriptions of decision-making capacity, clinical decisions over withholding/withdrawal of treatment and medical interventions to alter neurofunctionality, eg patients in minimally conscious/persistent vegetative states, neurorehabilitation for traumatic brain injury, deep brain stimulation for movement and mental disorders; (c) ethicolegal issues over cognitive liberty and neuroenhancement (d) end of life decision-making

### Method of Assessment

A dissertation of 7000 words.

### Preliminary Reading

M. Freeman, Law and the brain. Oxford University Press, 2011.

M. Freeman and O. Goodenough, Law, mind and Brain, Oxford University Press, 2007.

### Restrictions

Not available 15/16 or 16/17. Not available to non Law students.

### Synopsis \*

Neuroscientific findings on different brain/bodily states provide contested evidence for forensic, ethical and medical conceptualisations and decisions. They disrupt settled ethicolegal understandings, such as conceptions of autonomy, free will, criminal responsibility, decision-making capacity, mental health, futility of treatment, personhood and end of life issues. Critical legal analysis must be applied to the interface between forensic diagnoses, neurodegenerative conditions, acquired brain injury, criminal responsibility, detention and medical treatment. Allied ethicolegal questions as to whether the law should support our cognitive liberty to enhance our minds debates over cognitive liberty and the clinical treatment of different states of consciousness such as minimally conscious/persistent vegetative states, are placed within contexts of wider social disagreements over unlawful psychoactive substance use, assisted dying and organ transplantation.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW616</b>		<b>Law and International Development</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	Eslava Dr L
1	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	Eslava Dr L

### Availability

Autumn term.

### Contact Hours

One 2 hour combined lecture/seminar per week.

### Department Checked

yes

### 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.

### Method of Assessment

100% coursework consisting of class participation worth 10%, presentation worth 40% and an essay worth 50%.

### Preliminary Reading

Perry-Kessaris, Amanda (ed). 2010. Law in the Pursuit of Development: Principles into Practice? London: Routledge

### 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, and the field 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW617 Legal Ethics: Exploring the Ethics of Lawyers and Lawyering</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	Curran Dr E

### Contact Hours

10 two hour combined lecture/seminars.

### Department Checked

yes

### Learning Outcomes

Students who complete this module successfully will have the ability to:

- Understand the way in which any notion of 'legal ethics' must be predicated upon moral (philosophical) reasoning about the practice of law.
- Analyse, evaluate and engage with philosophical arguments about lawyers' moral responsibilities and moral role(s)
- Demonstrate an awareness of and ability to predict the ethical issues that will typically arise from various legal scenarios and outcomes.
- Analyse, debate and discuss alternative responses to ethical dilemmas and questions that arise in legal practice.
- Use case studies to analyse and critically evaluate responses by lawyers to ethical dilemmas and questions.
- Demonstrate an understanding of the ways in which questions in legal ethics intersect law and legal practice, moral philosophy and professional/practical ethics.

### Method of Assessment

100% coursework consisting of an essay plan worth 20%, essay worth 70% and a mark for seminar participation worth 10%.

### Preliminary Reading

D Luban, Legal Ethics and Human Dignity, CUP 2007  
D Markovits, A Modern Legal Ethics: Adversary Advocacy in a Democratic Age, PUP 2010  
V Vuletic, and N Miller, The Law, Principles and Practice of Legal Ethics, 1st edn.

### Pre-requisites

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

### Restrictions

Not available to non Law students.

### Synopsis \*

This course will give students the opportunity to explore the ways in which moral reasoning can inform the study and practice of lawyering. Students will be asked to think and argue about the (possible) moral dimension of the practice of law. The course will include a theoretical component during which we will explore ways in which we might justify (or deny) a moral dimension to the practice of law. In the practical component we will use case studies (including that of the US government lawyers who provided legal justifications for the use of torture on 'War on Terror' prisoners). This case study and others will be used to discuss and debate issues in legal ethics, broadly conceived. The methodology will combine theoretical discussion of the principles that should inform the notion of legal ethics with analysis and discussion of actual moral and ethical dilemmas faced by lawyers and their resolution.

Block 1: Why Legal Ethics? An exploration of the moral reasoning and arguments behind the idea of 'legal ethics'. Do lawyers have moral responsibilities as well as legal ones?

Block 2: Case studies and the ethical issues they raise. Answers to moral questions and dilemmas in legal practice.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW623</b>		<b>Race, Religion and Law</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	Jivraj Ms S

### Contact Hours

Six, 3 hour seminars and one 2 hour seminar over the term.

### Learning Outcomes

On completion of the module students will;

Understand the complex relationship between law and dominant concepts of race and religion;

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;

Appreciate the significance of a grounding in social and legal histories of race and religion in order to understand contemporary formations;

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;

Appreciate the intersections of concepts of race and religion with concepts of gender, sexuality, class, and disability.

### Method of Assessment

100% coursework consisting of a 1000 word essay outline for 10%, a 4500 word research essay for 80% and an oral presentation for 10%.

### Restrictions

Only available to final year students.

### Synopsis \*

This module is concerned with 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. Students will undertake contemporary case studies; research training as part of the module.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW624 Labour Law</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	Fudge Prof J

### Contact Hours

A two hour weekly workshop totalling 20 hours approximately.

### Learning Outcomes

On completion of this module students will;

- have the ability to demonstrate a clear and detailed understanding of the concepts, rules and principles which apply in labour law through:- engagement with current research; legal analysis of concrete situations in the form of legal problems; and being able to give an accurate and informed account, making appropriate references to cases and statutes, of particular areas of law, their practical application, and wider social and political implications;
- understand the complex relationship between current law and economic, social, and political concepts and dynamics relating to labour;
- appreciate and be able to discuss in detail, key concepts and current regulatory dilemmas pertaining to labour such as flexible working, new economic forms, precarious labour, migration, the care debate, and other contemporary debates in labour law and theory;
- engage with current research and scholarly reviews to appreciate the significance of, critiques of, and alternatives to, rights-based claims and/or collective bargaining by activists and other social actors in mobilising around labour;
- identify through engaging with current scholarship and research, the wide range of influences on legal discourse, policy, and law-making in relation to labour, including concepts from political theory, the social sciences, contemporary culture and the humanities;
- appreciate 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 as they pertain to current debates in labour regulation.

### Method of Assessment

100% coursework consisting of an essay of 5000 words.

### 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.

<b>LW625 Client Interviewing Skills</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	I	2 (1)	Pass/Fail Only	Thompson Ms J

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW626 Appropriate Dispute Resolution: Theory and Practice</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	Dolder Dr C

### Availability

Spring term.

### Contact Hours

10 hours of lectures and 10 hours of seminars approximately.

### Department Checked

yes

### Learning Outcomes

Students who successfully complete the module will be able to:

1. Demonstrate a sound understanding of the legal and regulatory issues surrounding dispute resolution processes, including arbitration, mediation and conciliation.
2. Acquire theoretical and practical knowledge and understanding of a topic, which is of increasing relevance in the context of the international and domestic legal framework.
3. Engage in the practical application of their knowledge, through consideration of dispute scenarios and case law, and to participate in critical debate of the issues raised.
4. Have a clear understanding of the concepts and principles that govern the choice of the most common dispute resolution processes and have basic awareness of less usual options, including early neutral evaluation and online dispute resolution.
5. Develop realistic understanding of the role of the lawyer in the area of civil disputing.
6. On presentation of a dispute scenario, be able to identify relevant strategies, principles, and case law applicable for thorough analysis and evaluation.
7. Engage in critical analysis and evaluation of the relationship between conventional forms of adjudication and engagement with ADR processes, and how this impacts on the legal system.
8. Have the basic tools to help with advising and representing clients in the ADR process.
9. have a thorough knowledge of the legal rules relating to conflict resolution.
10. have an understanding of the broader social, economic and political issues underlying the developments taking place in the context of conflict resolution.
11. have developed skills that enable them to appropriately identify and justify the use of different methods of conflict resolution in a variety of situations.
12. have cultivated key skills in summarising, developing and sustaining argument through the analysis of dispute scenarios.

### Method of Assessment

100% coursework consisting of two essays.

### 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 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW627</b>		<b>Advanced Topics in Equity and Trusts</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	50% Coursework, 50% Exam	

### Contact Hours

Weekly two hour lecture/seminar.

### Learning Outcomes

- An in-depth understanding of the principles and rules of equity and trusts.
- A systematic understanding of the different views on the nature of equity, equitable remedies and the trust.
- The ability to analyse trust as a juridical relation and institution in historical and contemporary contexts.
- An appreciation of the limits of the trust concept.
- The ability to demonstrate a comparative understanding of trust and trust-like institutions.
- The ability to demonstrate a critical awareness of historical and contemporary theoretical and policy problems in equity and trusts.
- An appreciation of the contribution of historical and critical methods to the understanding of law in modern society.
- The ability to critically analyse and evaluate equity's contribution to and role in modern society.

### Method of Assessment

50% coursework of one essay and 50% examination.

### 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 LW598, will explore equitable remedies and the institution of trust 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 the nature of the trust; trusts and associations; secured equitable interests; pension trusts; family wealth; trusts in the offshore world; equity and fraud; equity and the vulnerable.

LW628 Housing Law and Policy						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	50% Coursework, 50% Exam	

#### Contact Hours

One 2 hour workshop weekly.

#### Learning Outcomes

- An in-depth knowledge of housing law in England, and where relevant, an in- depth knowledge of European law. Some comparative dimensions with Scottish and Welsh and Australian law.
- Knowledge and understanding of the relationship between housing law and the historical, socio-economic and political contexts in which it operates
- An ability to apply a range of theoretical and critical perspectives to the study of housing law

#### Method of Assessment

50% coursework, consisting of an MCQ, 2000 word essay and a legal problem and 50% examination. For up to 6 students an extended essay can replace the examination.

#### Restrictions

Only available to non-law students with the permission of the convenor.

#### Synopsis \*

The module will introduce students to the legal regulation of housing and will include examination of the policy drivers. The curriculum will take a broad brush approach to housing, understanding it to encompass rental housing, leasehold tenure, access to housing and affordability. The broad sweep of the curriculum will enable students to focus on contemporary problems. In particular the module will consider

1. The regulation of housing tenure
  - a. Housing status
  - b. Rent, mortgage and service charge regulation
  - c. Regulating social housing provision, particularly Article 8 HRA
  - d. Lease/licence distinction
  - e. Squatting
  - f. Devolution/comparative approaches
2. Access to housing
  - a. Homelessness
  - b. Allocating social housing
  - c. Supported housing
  - d. Low cost home ownership
  - i. Right to buy
  - ii. Shared ownership
3. Rights and responsibilities
  - a. Security of tenure
  - b. Leasehold tenure
  - c. Anti-social behaviour
  - d. Housing Standards

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Availability

### Contact Hours

10 hours of lectures and 10 hours of seminars.

### Learning Outcomes

Students who successfully complete this module will have:

knowledge and understanding, including an introduction to 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;  
knowledge and understanding of the legal rules governing international trade;  
an introduction to and understanding of international business transactions;  
knowledge and understanding of current developments in international trade regulation;  
an ability to identify the legal validity of contracts governing international business transactions;  
an ability to identify 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;  
an ability to 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  
an ability to read and evaluate legal texts and cases and understand their relevance to international trade and cross national business transactions.

### Method of Assessment

50% coursework, consisting of one essay of 3000 words and 50% examination.

### 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 involvement of emerging business and financial jurisdictions in international trade. It broadly explores the inequities of global integration of international trade law and considers the influences of European Union 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. Topics to be covered include International Trade within the contexts of public and private international law and international politics; Development and underdevelopment of commercial laws in international trade; mergers and acquisitions; counter trade as an alternative to current system of international business and trade; international franchising and agencies abroad; international commercial dispute settlement mechanisms; international corruption and the bribery of foreign officials; doctrine and practice of the New Lex Mercatoria.

<b>LW630 International Sales of Goods Law</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	50% Coursework, 50% Exam	

### Availability

Not available 15/16 or 16/17.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Availability

Not available to non Law students.

### Contact Hours

10 hours of lectures and 10 hours of seminars.

### Learning Outcomes

Students who complete the module successfully will have the ability to:

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.

Demonstrate an understanding of the standard policy arguments and frameworks of consumer law, and to apply and critique them in concrete policy problems.

Appreciate the role of consumer law and policy within the "new regulatory state" in the UK.

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.

Assess claims about the progressive potential of consumer law and its relationship to broader social policies such as addressing social exclusion.

Appreciate the scope of EU consumer law and policy and its effects on UK law.

### Method of Assessment

50% coursework consisting of one essay of 3000 words and 50% examination.

### Pre-requisites

LW315 Introduction to Obligations.

### 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. The topics which will be covered in the module include:

- Consumer society and the rise of consumer protection policy
- Rationales and Techniques for regulating consumer markets
- The regulation of advertising and marketing practices
- The regulation of unfair commercial practices
- The regulation of unfair contract terms
- The regulation of product safety and quality

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW632 Critical International Economic Law</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	H	15 (7.5)	100% Coursework	Perry-Kessarlis Prof A

### Contact Hours

10 hours of lectures and 10 hours of seminars.

### Learning Outcomes

Students who successfully complete this module will have:

Knowledge and understanding, including an introduction to a range of critical and theoretical perspectives, of international economic law.

Knowledge and understanding of the legal rules governing contracts of investment in international trade.

An introduction to and understanding of the historical and political background of the international economic system.

A critical understanding of the implications of international economic law on north-south relations.

Knowledge and detailed understanding of the principles of international economic law, English law applicable to international sales of goods and related contracts by reference to appropriate primary and secondary sources.

Knowledge and understanding of the impact of relative mobility of capital and labour.

An ability to read and evaluate legal texts and cases and understand their relevance to international trade and cross national business transactions.

An ability to analyse the legal and practical issues that arise from contracts for investment and related contracts.

### Method of Assessment

100% coursework consisting on one essay of 6000 words.

### Restrictions

Not available to non Law students.

### Synopsis \*

The object of this module is to offer a critical introduction to the legal and theoretical aspects of investments and the globalisation of the world economy. The module considers at the macro-level the legal implications of the changing roles of international economic institutions. This includes an understanding of both the global and regional (European Union, North American Free Trade Agreement) contexts of international economic law. The course pays special attention to the inequities of international trade and seeks to explain the effect of these inequities on the interplay between international and national regulatory frameworks, which is fundamental to an understanding of the globalisation of economic law. It offers a critique of the New International Economic Order beginning in the 1970s. The module offers an overview of the way lawyers and social scientists in the critical legal tradition interpret and conceptualise the changes that are taking place in the global economy such as the judicialisation and autonomisation of trade and investment law. It presents a critical overview of the role that the Bretton Woods institutions (IMF and World Bank) play in the global economy and focuses on efforts to hold multinational companies to account for their activities in developing countries and on selected issues relating to the regulation of international business through codes of conduct. Topics to be covered include: Sources and nature of international economic laws; international economic organizations; the fundamental principles of trade law; subjects of International Economic Law; extraterritorial enforcement of economic law; fragmentation of economic law -the rise of bilateralism; preferential trade agreements (PTAs), bilateral investment treaties (BITs); role of the Bretton Woods institutions (IMF and World Bank) in the global economy; multinational companies and the Law; norm of compensation-for-expropriation; Dispute settlement and sanctions; Feminist legal perspectives to International Economic Law; Alternative visions of development strategies; Most-Favoured-Nation principle and exceptions to Most-Favoured-Nation principle.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW633</b>		<b>Clinical Option: The Criminal Justice System</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	H	30 (15)	100% Coursework	Uglow Ms H
1	Canterbury	Autumn and Spring	H	30 (15)	70% Coursework, 30% Project	Uglow Ms H

### Contact Hours

one 2 hour lecture seminar.

### Department Checked

yes

### Learning Outcomes

detailed and coherent knowledge of substantive law, procedure and practice in the fields of policing and criminal matters, and related areas of tort law

the ability to analyse complex and changing situations of dispute identifying appropriate legal and other resolution strategies and evaluating relevant ethical issues

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 ability to reflect critically upon the operation of the law in practice, drawing upon legal practice, wide reading and original research

### Method of Assessment

100% coursework consisting of two problem questions, case/project work and a dissertation.

### Restrictions

Not available to non-law students. Allocation to LW633 is limited and is done on the same basis as LW543.

### Synopsis \*

The provision of a Clinical Option with a focus on criminal justice is an opportunity for students to consider the most crucial aspects of the rule of law namely power, control and accountability. Criminal Justice as a branch of state power and paternalism opens many questions for debate not least the imposition of rules by the state and the degree to which those are balanced, fair and open to challenge.

Students on this module must become members of the Kent Law Clinic and work under solicitor supervision on client's cases that have been taken on by the Clinic. The proposed module will be based on the LW543 Clinical Option casework model.

Students are expected, from the second week of the Autumn term onwards until the end of the Spring term, to undertake the conduct of one substantial case under supervision or a project on an area of law relevant to the field of Criminal Justice and relevant to the objects of the Clinic. Students will normally work on cases rather than projects.

Students will be supervised on a one to one basis for between one and two hours per week. This may increase dependant on the stage a case has reached and supervision may increase considerably if the need to work intensively on the case arises. There may also be periods of little or no weekly supervision dependant on the demands of the case. Student will maintain client files in accordance with Case Management Guidelines and Student Folders containing drafts and research materials.

Putting law into practice in this way increases knowledge of the relevant law, procedure and legal practice and in turn further the aims and ethos of the Kent Law Clinic most importantly in the provision of a crucial public service.

Interactive seminars of 1.5 hours length are proposed due to the small number of students. Allowing additional time will allow flexibility in the structure of the session. For example in some weeks a proportion of the session will be used as a lecture on the area substantive law and the remainder for a discussion incorporating the required reading and informed by the private study undertaken. Other weeks may be presentations by students on their cases and the issues they have identified allowing for a discussion in which we will build on the knowledge and study from earlier substantive law seminars.

In summary, the primary aim of the module is to introduce students to the functions of key players in the CJS including police, prosecution, judiciary, probation and defence. This overarching understanding of the roles and regulation of each is advantageous to those interested in pursuing a career within the CJS. Through casework and research students will have the opportunity to apply the law, to consider appropriate legal strategies to help the client and to critically reflect on the laws and procedures they have encountered. The module should appeal to those students intending to practise in the areas of criminal law and civil liberties but is aimed too at those not intending to pursue a legal career.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW635</b>		<b>Law, Space and Power</b>				
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	Zartaloudis Dr A

### Contact Hours

One 2 hour lecture and a one hour seminar starting after reading week.

### 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 intersection of law, space and power:

- 11.1 the histories and theories of the interweaving of law, space and power;
- 11.2 key aspects of the government of spatial apparatuses;
- 11.3 the main contemporary intellectual debates at the intersection of law and spatial studies;
- 11.4 key aspects of the intersection of legal thought with geography, architecture, urban design, urban law and theories of spatial power;

### Method of Assessment

100% coursework consisting on an essay of 5000 words.

### Synopsis \*

This module examines the intersections between forms of legal regulation or 'government', conceptions of power and power-spatial configurations. It traces elements of such intersections accessibly with the aid of insights from a variety of the most relevant sub-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 4-week seminar preparation of a unit theme, each year, on a particular city or relevant event or project which informs the assessment set.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

10 hours of lectures and seminars.

### Learning Outcomes

On completion of the programme students should be able to:

1. Recognise the legal issues arising in a factual situation 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 it and their likelihood of success.
4. Demonstrate a sound knowledge and understanding of mental health law, including 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. Develop a basic understanding of the relationship between mental health law and other areas of the law, e.g. human rights and the criminal justice system

### Method of Assessment

20% coursework in the form of an oral and 80% written examination.

### 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW637</b>		<b>Negotiation</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	I	3 (1.5)	Pass/Fail Only	Clement-Walker Mrs J

### Availability

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

Autumn term.

### Contact Hours

Approximately 12 hours.

### Cost

yes

### Learning Outcomes

On successful completion of the module, students will have:

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

### Method of Assessment

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.

### Restrictions

Not available to non-law students or exchange students.

### 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW638</b>		<b>Mooting</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	I	3 (1.5)	Pass/Fail Only	

### Availability

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

### Contact Hours

Varied depending on how many Moots are undertaken.

### Learning Outcomes

On successful completion of the module, students will have:

- 11.1 detailed knowledge and understanding of the general and ethical principles underlying successful advocacy;
- 11.2 detailed knowledge and understanding of the preparatory work required for successful advocacy and its purpose e.g. the production of skeleton arguments;
- 11.3 detailed knowledge and understanding of the law, practice, techniques and etiquette of advocacy;

### Method of Assessment

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.

### 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 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW639</b>		<b>Mediation</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Spring	I	3 (1.5)	Pass/Fail Only	Clement-Walker Mrs J

### Availability

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

### Contact Hours

Approximately 12 hours.

### Department Checked

yes

### Learning Outcomes

On successful completion of this module, students will have:

11.1 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;

11.2 a sound grounding into various aspects of mediation and their relationship to the practice of law and other fields of employment;

11.3 Detailed knowledge and understanding of the techniques used in mediation;

### Method of Assessment

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. The successful completion of this module is recognised on the students final Degree Transcripts.

### 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW640 Critical and Legal Reasoning</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
2	Canterbury	Autumn	H	15 (7.5)	100% Coursework	Laleng Mr P

### Availability

Autumn term.

### Contact Hours

One lecture and one seminar per week over 10 weeks.

### Department Checked

yes

### Learning Outcomes

On successfully completing the module students will be able to:

Demonstrate a coherent knowledge of the difference between argument and non-argument and to identify valid and flawed arguments, both legal and non-legal.

Demonstrate a systematic understanding of different forms of reasoning, both legal and non-legal; in particular to distinguish between and exemplify different forms of inferential reasoning, both legal and non-legal.

Demonstrate a coherent knowledge of the distinctiveness of legal reasoning; in particular, demonstrate a systematic understanding of the different forms of argument required by trial and appellate advocacy.

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, understand and demonstrate the function of effective critical thinking within and about legal reasoning in a variety of contexts using a variety of techniques.

Perform one or more complex legal advocacy tasks; in particular, to construct a skeleton argument intended for an appellate court on a complex legal issue and to orally deliver an argument on a complex legal issue.

Demonstrate a coherent knowledge of the limits of logical and legal reasoning; in particular by evidencing detailed knowledge of other factors influencing legal and other decision-making.

Reflect constructively on and evaluate their own learning processes.

### Method of Assessment

100% coursework, consisting of a combination of:

One written assessment of 1500 words (30%) an Oral presentation (30%) and a Self-reflective portfolio of 1500 words (40%).

### Pre-requisites

LW313 A Critical Introduction to Law; and

LW315 Introduction to Obligations; and

LW508 Criminal Law or; LW601 Advanced Level Criminal Law (on a co-requisite basis)

### Restrictions

Only available to Law students.

### Synopsis \*

A central question of this module is whether, and to what extent, there is anything distinctive about legal reasoning compared to reasoning in general. 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.

It is a premise of the module that any competent advocate, or indeed lawyer, must demonstrate a proficient grounding in elementary logic. As such, the module will explore, and students will be expected to demonstrate, the role played inferential logic within legal reasoning. The module will also consider logical and other fallacies. For example, and drawing on Schauer, by asking whether authority-based reasoning (ie the doctrine of precedent) is a fallacy; and, drawing on Kahneman, by investigating the role played by psychological heuristics in all forms of decision-making including legal forms. In addition to the conventional categories of inferential reasoning, the module will consider other forms of reasoning including, but not limited to, practical, statistical, and marginal/economic forms. In the latter context, and drawing on Farnsworth, it will consider the differences between ex post and ex ante forms of reasoning: the first response being about cleaning up after things have gone wrong, and the second about the effects of decisions in the future. The latter perspective leads naturally to a broader consideration of policy-based reasoning in general.

Students will explore the role played by different forms of reasoning in different contexts; for example by considering and demonstrating the use of logical deduction and probable inference in the context of legal proof (evidence) and the role of other forms of reasoning, including rhetoric, in the formulation of legal arguments.

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 ranging from skeleton arguments, oral presentations, mock trials and/or applications and/or mootings (subject to availability). Students will be expected to reflect critically on their learning practice by producing a self-reflective portfolio.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW641 Privacy, Data Protection and Cybersecurity Law</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	80% Exam, 20% Coursework	

### Availability

Not available 16/17.

### Contact Hours

One hour weekly lecture and one hour weekly seminar.

### Department Checked

Yes

### Learning Outcomes

On successfully completing the module students will be able to:

Demonstrate a fulsome understanding of the concepts, principles, policies, debates and legal doctrines associated with privacy, dataprotection, cybersecurity, and freedom of information law.

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.

Undertake in-depth analysis of emerging issues in privacy, data protection, cybersecurity, e-surveillance, and freedom of information.

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.

### Method of Assessment

20% coursework, 80% examination.

### 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.

<b>LW642 International Law: Principles and Sources</b>						
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	H	15 (7.5)	100% Coursework	Dinsmore Dr D

**Availability**

Autumn term.

**Contact Hours**

One hour lecture and one hour seminar weekly.

**Department Checked**

yes

**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 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. 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.

**Method of Assessment**

100% coursework consisting of two pieces of written work.

**Restrictions**

Cannot be taken if you have previously taken 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.

An indicative list of topics studies follows:

- The history of international law
- Sources of international law
- The relationship between international law and domestic law
- Jurisdiction and Immunities
- Statehood
- Self-determination
- State responsibility
- International dispute settlement
- The International Court of Justice and International Organisations

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW643 International Law and the Use of Force</b>						
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	Kendall Dr S

### Availability

Spring term.

### Contact Hours

One hour lecture and one hour seminar weekly.

### Department Checked

yes

### 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.

### Method of Assessment

50% coursework (one essay) and 50% examination. For short term exchange students only, 100% coursework option is available.

### Pre-requisites

Previous study of LW642.

### Restrictions

Cannot be taken if you have previously taken LW506.

### 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.

The topics covered may include:

- The prohibition of the threat or use of force and the right to self-defence in international law
- Principles of International Humanitarian Law
- UN Peacekeeping and UN-authorized Peace Enforcement
- Humanitarian intervention and the 'Responsibility to Protect'
- Other doctrines of unilateral intervention
- Combatants and civilians
- Weapons and Methods of Warfare
- War Crimes
- The role of international humanitarian law in international criminal trials

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW644 International Human Rights Law in Context</b>						
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	Dinsmore Dr D

### Availability

Autumn term.

### Contact Hours

One hour lecture and one hour seminar weekly.

### Department Checked

yes

### 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 a series of case studies of historical or contemporary concern.

### Method of Assessment

100% coursework consisting of two essays.

### 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.

An indicative list of topics is as follows:

- The History of Human Rights Law and Contemporary Approaches to Human Rights Law.
- United Nations Treaty Bodies and Special Procedures.
- Regional Human Rights Systems and Approaches.
- The International Bill of Human Rights: The Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.
- The Prohibition of Torture.
- Human Rights in Times of Crisis.
- Rights of Women.
- Rights of the Child.
- Minority Rights.
- Indigenous People's Rights.
- Forced Migration and Displacement.
- Right to Development.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW645</b>		<b>International Law and Global Problems</b>				
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	Oduntan Dr G

### Availability

Spring term.

### Contact Hours

One 2 hour weekly seminar.

### 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.

### Method of Assessment

100% coursework consisting of one essay.

### Pre-requisites

LW642 or LW506.

### 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.

By necessity these topics will vary, but an indicative list follows:

- International legal methods, critical histories and theoretical perspectives
- History and historiography of international law
- Reconciliation, transition and conceptions of justice
- International criminal law
- Territorial disputes
- Inequality, poverty and international law
- Natural resource use and extraction
- International law and the global political economy
- International trade and biosecurity
- International law and international relations
- Key cases in international law
- International Law and Violence
- International Law and Migration

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW646</b>		<b>Homelessness Law and Policy</b>				
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	Kirton-Darling Mr E

### Availability

Spring term.

### Contact Hours

One hour lecture and one hour seminar weekly.

### Department Checked

yes

### 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.

### Method of Assessment

100% coursework consisting of two pieces of written work.

### Pre-requisites

LW588 or LW614.

### Restrictions

Not available to non-law students.

### Synopsis <span style =

- Social understandings of home and homelessness.
- The history of contemporary homelessness law and policy.
- England's current legal framework of homelessness law.
- Comparative legal and policy perspectives.
- Street homelessness and its regulation.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW650</b>		<b>The Law of Contract</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn	I	15 (7.5)	70% Exam, 30% Coursework	Zokaityte Dr A

### Contact Hours

Two, 1 hour lectures per week and one hour of seminars or case classes.

### Learning Outcomes

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. Identify the contractual legal issues raised in legal problem situations of a significant degree of complexity.
4. Use case and statute law, where appropriate, to predict the possible legal outcomes of problem situations of a significant degree of complexity in the areas of contract law outlined in synopsis.
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. 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.
7. Use cases, including judicial quotation (including from dissenting judgments), to help support (or negate) an argument.
8. 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.
9. 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.

### Method of Assessment

30% coursework consisting of a legal problem question and 70% examination.

### Pre-requisites

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

### Restrictions

Only available to Law students. Cannot be taken if already taken LW597.

### 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 LW315 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Availability

Spring term.

### Contact Hours

10 hours of lectures and 10 hours of seminars.

### Department Checked

Yes

### Learning Outcomes

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.

### Method of Assessment

50% coursework consisting of one essay and 50% examination.

### Pre-requisites

LW315/325 Introduction to Obligations and either LW597 Law of Obligations or 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 LW315 and LW597/LW651. 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.

## 2017-18 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

<b>LW700</b>		<b>Law Year Abroad</b>				
Version	Campus	Term(s)	Level	Credit (ECTS)	Assessment	Convenor
1	Canterbury	Autumn and Spring	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, LW700 will require a total of 1,200 hours of study.

### 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)

### Method of Assessment

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 LW700 on a pass/fail basis. In order to pass this module and be awarded 120 Kent credits, students will have to achieve a pass mark (documented by the transcript issued by the partner institution) in at least 75%, or the equivalent of 90 credits (45 ECTS credits), of the agreed modules. Where a student meets this requirement, any missing credits may be condoned subject to the production of valid concessionary evidence. Missing credit will not be condoned where its non-achievement is due to non-attendance, a failure to undertake one or more prescribed assessments or where the student terminates the year abroad early.

Students who fail this module will be transferred to the single honours LLB Law and will not achieve a degree with a year abroad.

### 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 year of academic study; the exact composition of which 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 the programme's educational aims and learning outcomes.