

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

### 37 Kent Law School

| <b>LW315</b> |            | <b>Introduction to Obligations</b> |       |               |  |               |
|--------------|------------|------------------------------------|-------|---------------|--|---------------|
| Version      | Campus     | Term(s)                            | Level | Credit (ECTS) | Assessment                                       | Convenor      |
| 1            | Canterbury | Autumn                             | C     | 15 (7.5)      | 100% Coursework                                  | Palevich Ms O |
| 1            | Canterbury | Autumn                             | C     | 15 (7.5)      | 100% Coursework with Compulsory Numeric Elements | Palevich Ms O |

#### Contact Hours

30 hours.

#### Learning Outcomes

On successfully completing the module students will be able to:

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

#### Method of Assessment

100% coursework consisting of a multiple choice test and a problem question (which must be passed in order to pass the module).

#### 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/LW5316 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).

#### Restrictions

Not available to Exchange students.

#### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW316</b> |            | <b>Foundations of Property</b> |       |               |                          |                     |
|--------------|------------|--------------------------------|-------|---------------|--------------------------|---------------------|
| Version      | Campus     | Term(s)                        | Level | Credit (ECTS) | Assessment               | Convenor            |
| 1            | Medway     | Spring                         | C     | 15 (7.5)      | 50% Coursework, 50% Exam |                     |
| 1            | Canterbury | Spring                         | C     | 15 (7.5)      | 50% Coursework, 50% Exam | Kirton-Darling Mr E |

### 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. Not available to exchange students.

### Synopsis \*

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

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

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

## 2020-21 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 | Whole Year | C     | 4 (2)         | 100% Coursework with Compulsory Numeric Elements | Phillips Dr H |
| 1  | Canterbury | Whole Year | C     | 4 (2)         | Pass/Fail Only                                   | Phillips Dr H |

### 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

Group activity and multiple choice test.

### 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.

## 2020-21 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            | Medway     | Whole Year        | H     | 30 (15)       | 80% Exam, 20% Coursework |               |
| 2            | Canterbury | Whole Year        | H     | 30 (15)       | 80% Exam, 20% Coursework | Hunter Prof R |
| 2            | Canterbury | Whole Year        | H     | 30 (15)       | 70% Exam, 30% Coursework | Hunter Prof R |

### Contact Hours

40.

### Learning Outcomes

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

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

### Method of Assessment

70% written examination; 30% written coursework.

On reassessment, the examination must be passed, ie. a mark of at least 40% must be achieved, in order to pass the module.

### Preliminary Reading

A Diduck Law's Families (Butterworth, 2003)

### Pre-requisites

Previous or concurrent study of LW588/614.

### Restrictions

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

### Synopsis \*

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

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW507</b> |            | <b>Critical Legal Theory</b> |       |               |                             |          |
|--------------|------------|------------------------------|-------|---------------|-----------------------------|----------|
| Version      | Campus     | Term(s)                      | Level | Credit (ECTS) | Assessment                  | Convener |
| 1            | Canterbury | Whole Year                   | H     | 30 (15)       | 80% Project, 20% Coursework |          |
| 1            | Canterbury | Whole Year                   | H     | 30 (15)       | 90% Exam, 10% Coursework    |          |
| 1            | Canterbury | Whole Year                   | H     | 30 (15)       | 100% Project                |          |

### Contact Hours

One 2 hour seminar per week.

### Department Checked

yes

### Learning Outcomes

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

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

### Method of Assessment

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

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

55 hours.

### Learning Outcomes

On successfully completing the module students will be able to:

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

### Method of Assessment

Written examination worth 60% and 40% coursework consisting of an oral (which must be passed in order to pass the module) and an advice 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)

### Restrictions

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

### 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
- Considering cases – how to effectively summarise cases and write a case note
- Murder
- Defences to murder
- General defences
- Manslaughter
- Non-fatal offences against the person
- Sexual offences
- Inchoate offences
- Complicity
- Property-related offences

## 2020-21 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 | Whole Year                          | H     | 30 (15)       | 90% Exam, 10% Coursework | Prieto-Acosta Ms M |
| 1            | Canterbury | Whole Year                          | H     | 30 (15)       | 80% Exam, 20% Coursework | Prieto-Acosta Ms M |

### 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.

| <b>LW518</b> |            | <b>The Law of Evidence</b> |       |               |                          |           |
|--------------|------------|----------------------------|-------|---------------|--------------------------|-----------|
| Version      | Campus     | Term(s)                    | Level | Credit (ECTS) | Assessment               | Convenor  |
| 1            | Medway     | Whole Year                 | H     | 30 (15)       | 70% Exam, 30% Coursework |           |
| 1            | Medway     | Whole Year                 | H     | 30 (15)       | 50% Coursework, 50% Exam |           |
| 1            | Canterbury | Whole Year                 | H     | 30 (15)       | 60% Exam, 40% Coursework | Weir Mr D |
| 1            | Canterbury | Whole Year                 | H     | 30 (15)       | 60% Coursework, 40% Exam | Weir Mr D |
| 1            | Canterbury | Whole Year                 | H     | 30 (15)       | 90% Exam, 10% Coursework | Weir Mr D |

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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|   |            |            |   |         |                          |           |
|---|------------|------------|---|---------|--------------------------|-----------|
| 1 | Canterbury | Whole Year | H | 30 (15) | 50% Coursework, 50% Exam | Weir Mr D |
| 1 | Medway     | Whole Year | H | 30 (15) | 60% Exam, 40% Coursework |           |
| 1 | Canterbury | Whole Year | H | 30 (15) | 70% Exam, 30% Coursework | Weir Mr D |

### 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 3000 words worth 30% and an examination worth 60%. Optional moot or mock trial 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.

### Synopsis \*

The role of evidence in a courtroom (civil and criminal) is technical but its rules reflect core principles of the due process of law. This is critically examined with reference to the right to a fair trial as guaranteed under Article 6 of the European Convention on Human Rights. 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 through its unique case classes. The law of evidence is a mandatory subject in the vocational stages of training and so a thorough, critical examination at this stage will provide students with an advantage if they intend to enter the legal profession.

## 2020-21 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 | Whole Year                    | H     | 30 (15)       | 80% Exam, 20% Coursework | White Dr P |
| 1            | Canterbury | Whole Year                    | H     | 30 (15)       | 100% Coursework          | White Dr P |
| 1            | Canterbury | Whole Year                    | H     | 30 (15)       | 90% Exam, 10% Coursework | White Dr P |

### Contact Hours

39 hours.

### Learning Outcomes

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

Demonstrate a systematic understanding of a range of factual circumstances governed by medical ethics and the law.

Demonstrate detailed knowledge of the concepts, principles, policies and rules applicable in such circumstances.

Situate the regulation of medical practice within its ethical, socio-economic and historical contexts.

Critically analyse the regulation of medical practice from a diverse range of perspectives. (including historical, political, scientific and religious).

Critically evaluate the ethical, ideological and policy underpinnings of this area of the law.

Critically evaluate the efficacy of the regulation of medical practice (including its social, legal and economic consequences;).

### Method of Assessment

Pattern A - 100% coursework consisting of 2 multiple choice tests and 4 short essays/briefing notes (2 per term). Pattern B

- 20% coursework of 2 multiple choice tests and 80% dissertation (which must be passed in order to pass the module).

### Preliminary Reading

E Jackson Medical Law: Text, Cases & Materials (2016)

### Restrictions

Not available to non Law students.

### Synopsis \*

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

## 2020-21 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 | Whole Year | H     | 30 (15)       | 70% Exam, 30% Coursework | Zokaityte Dr A |
| 1                                       | Canterbury | Whole Year | H     | 30 (15)       | 90% Exam, 10% Coursework | Zokaityte Dr A |
| 1                                       | Medway     | Whole Year | H     | 30 (15)       | 80% Exam, 20% Coursework |                |
| 1                                       | Canterbury | Whole Year | H     | 30 (15)       | 80% Exam, 20% Coursework | Zokaityte Dr A |

### Availability

This module is normally recorded and may be downloaded.

### Contact Hours

20 hours lectures; 18 hours seminars (approximately)

### Learning Outcomes

On successfully completing the module, it is intended that students will be able to:

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

### Method of Assessment

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

### 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?

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| LW522   |            | Comparative Law |       |               |                          |              |
|---------|------------|-----------------|-------|---------------|--------------------------|--------------|
| Version | Campus     | Term(s)         | Level | Credit (ECTS) | Assessment               | Convenor     |
| 2       | Canterbury | Whole Year      | H     | 30 (15)       | 100% Coursework          | Glanert Dr S |
| 2       | Canterbury | Whole Year      | H     | 30 (15)       | 50% Coursework, 50% Exam | Glanert Dr S |
| 2       | Canterbury | Whole Year      | 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 be able to:

- Demonstrate a thorough understanding of the current theoretical debates within the field of comparative law;
- Demonstrate a systematic ability to engage critically with the various, and at times conflicting, methods informing comparative law;
- Demonstrate a detailed understanding of hermeneutics, deconstruction and translation studies as these movements pertain to the study of comparative law;
- Demonstrate critical sensitivity to the cultural embeddedness of legal comparisons;
- Demonstrate a sound understanding of the conditions under which legal ideas travel between different legal cultures.
- Demonstrate a thorough understanding of the economic, political and/or social implications arising from the application of various theories informing law.

### Method of Assessment

100% coursework, consisting of 1 paper of 1000 words, 2 papers of no more than 2000 words and 1 essay consisting of no more than 3000 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 \*

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

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

## 2020-21 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 with Compulsory Numeric Elements | Kirton-Darling Mr E |
| 1             | Canterbury | Spring                         | I     | 15 (7.5)      | 50% Coursework, 50% Exam                                  | Kirton-Darling Mr E |

### 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. 'Property' is something we tend to presume we know about, and rarely examine as an idea or practice closely. Most often we use it to connote an object or 'thing', and presume that it has something to do with 'ownership' of that object; we use expressions such as, 'This is mine,' and often do not examine the detail of what that really means.

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

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

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW539</b> |            | <b>Droit Francais</b> |       |               |                 |              |
|--------------|------------|-----------------------|-------|---------------|-----------------|--------------|
| Version      | Campus     | Term(s)               | Level | Credit (ECTS) | Assessment      | Convenor     |
| 2            | Canterbury | Whole Year            | H     | 30 (15)       | 100% Coursework | Glanert Dr S |

### Contact Hours

40 hours Lectures; 20 hours Seminars (approximately)

### Department Checked

yes

### Learning Outcomes

Demonstrate a detailed understanding and engagement with the principal features of the French legal system, including its institutions, procedures and sources of law, with regard to matters of French public law.

Demonstrate a detailed understanding and engagement with the principal features of the French legal system, including its institutions, procedures and sources of law, with regard to matters of French private law.

Demonstrate a critical understanding and engagement with the rules and principles which apply in French constitutional law.

Demonstrate a critical understanding and engagement with the rules and principles which apply in the French law of obligations.

Construct well-reasoned and well-structured written arguments in French according to the French legal methodology.

Demonstrate fluency in their use of French legal language.

Demonstrate an awareness of, and sensitivity to, the economic, political and/or social implications arising from studying a foreign legal system.

### Method of Assessment

100% coursework consisting of 4 written assessments.

### Preliminary Reading

A. Benabent, Droit des obligations, LGDJ coll. Précis Domat 2016 ISBN : 978-2-275-04496-5

### Pre-requisites

FR300 or LW315 and LW316.

### Restrictions

Only available to students on LLB English and French Law.

### Synopsis \*

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

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

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

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

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

20 hours Lectures; 10 Seminars (approximately)

### Learning Outcomes

Students who successfully complete this module will be able to:

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

### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW542</b> |            | <b>Policing</b> |       |               |                          |              |
|--------------|------------|-----------------|-------|---------------|--------------------------|--------------|
| Version      | Campus     | Term(s)         | Level | Credit (ECTS) | Assessment               | Convenor     |
| 1            | Canterbury | Autumn          | H     | 15 (7.5)      | 90% Exam, 10% Coursework |              |
| 1            | Canterbury | Spring          | H     | 15 (7.5)      | 50% Coursework, 50% Exam | Walsh Prof D |
| 1            | Canterbury | Autumn          | H     | 15 (7.5)      | 50% Coursework, 50% Exam |              |

### Contact Hours

20.

### 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.

### 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.

## 2020-21 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 | Whole Year             | H     | 30 (15)       | 60% Coursework, 40% Project | Gambling Ms V |
| 2            | Canterbury | Whole Year             | H     | 30 (15)       | 70% Coursework, 30% Project | Gambling Ms V |

### 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, critical reflection and a dissertation.

### Preliminary Reading

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

### Restrictions

This module has a quota of 52 students. Those wishing to take it must register for it. If more than 52 students register, ballots will be held, and you will be informed as to whether you have been successful during the spring vacation. The first ballot will be for half the places and will be open only to those who have previously contributed to the work of the Clinic. A second ballot, for the remaining places, will be open to all remaining students registered for the module. Not available to non Law students.

### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

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

### Department Checked

yes

### Learning Outcomes

On successfully completing the module students will be able to:

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

### Method of Assessment

A written examination (50%); Coursework in the form of a 3500 word research essay (50%).

### Synopsis \*

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

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

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

## 2020-21 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 | Whole Year                | H     | 30 (15)       | 100% Project | Fusco G  |

### 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

On successfully completing the module students will be able to:

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

### Method of Assessment

20% dissertation outline or draft chapter of 2000 words (due at the end of the autumn term), 80% dissertation of 10000-12000 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. Students must also submit a Dissertation notification form, see the guidance on Dissertations on Moodle.

### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <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 | Fusco G  |
| 1            | Canterbury | Autumn                                  | H     | 15 (7.5)      | 100% Project |          |

### Contact Hours

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

### Learning Outcomes

On successfully completing the module, it is intended that students will be able to:

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

### Method of Assessment

100% dissertation of 6000-8000 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 project is required for students to be eligible for this module. Students must also submit a Dissertation notification form, see the guidance on Moodle.

### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW570 Law and Social Change</b> |            |         |       |               |                 |          |
|------------------------------------|------------|---------|-------|---------------|-----------------|----------|
| Version                            | Campus     | Term(s) | Level | Credit (ECTS) | Assessment      | Convenor |
| 1                                  | Canterbury | Spring  | H     | 15 (7.5)      | 100% Project    | Gibson H |
| 1                                  | Canterbury | Autumn  | H     | 15 (7.5)      | 100% Project    |          |
| 1                                  | Canterbury | Autumn  | H     | 15 (7.5)      | 100% Coursework |          |
| 1                                  | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework | Gibson H |

### 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

Demonstrate an awareness of the economic, political and/or social implications of legal forms and remedies in the pursuit of social change.

### 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.

## 2020-21 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 | Whole Year | H     | 30 (15)       | 100% Coursework |          |

### Contact Hours

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

### Department Checked

yes

### Learning Outcomes

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

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

### Method of Assessment

100% coursework.

### Preliminary Reading

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

### Restrictions

Not available to non Law students.

### Synopsis \*

The following key themes will be covered in the module:

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

## 2020-21 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 | Whole Year | H     | 30 (15)       | 100% Coursework          | Drakopoulou Prof M |
| 1                                     | Canterbury | Whole Year | H     | 30 (15)       | 70% Exam, 30% Coursework | Drakopoulou Prof M |

### 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

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

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

### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW580</b> |            | <b>Consumer Law</b> |       |               |                          |            |
|--------------|------------|---------------------|-------|---------------|--------------------------|------------|
| Version      | Campus     | Term(s)             | Level | Credit (ECTS) | Assessment               | Convenor   |
| 1            | Canterbury | Whole Year          | H     | 30 (15)       | 70% Exam, 30% Coursework | Casey Mr D |

### 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

LW315/325 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW581 Law and Literature and Film</b> |            |         |       |               |                 |          |
|--|------------|---------|-------|---------------|-----------------|----------|
| Version                                  | Campus     | Term(s) | Level | Credit (ECTS) | Assessment      | Convenor |
| 2  | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework |          |
| 2  | Canterbury | Autumn  | H     | 15 (7.5)      | 100% Coursework | Gibson H |

### 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.

## 2020-21 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 | Spring             | H     | 15 (7.5)      | 100% Coursework |            |
| 1            | Canterbury | Autumn             | H     | 15 (7.5)      | 100% Coursework | Frame Dr I |

### Contact Hours

10 hours of lectures; 10 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.

## 2020-21 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 | Whole Year | 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.

## 2020-21 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)      | 50% Coursework, 50% Exam | Dickson Ms L |
| 1   | Canterbury | Autumn  | H     | 15 (7.5)      | 100% Coursework          |              |
| 1   | Canterbury | Autumn  | H     | 15 (7.5)      | 50% Coursework, 50% Exam |              |
| 1   | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework          | Dickson Ms L |

### Contact Hours

10 hours Lectures; 10 hours Seminars (approximately)

### Learning Outcomes

On successfully completing the module students will be able to:

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

### Method of Assessment

100% coursework consisting of two unseen papers worth 25% each and written coursework worth 50%. 100% dissertation element may also be available. Please contact KLS Undergraduate Office, or access Moodle, for details.

### Preliminary Reading

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

### Restrictions

Available to Social Science students as wild.

### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW585</b> |            | <b>Environmental Law I</b> |       |               |                          |                |
|--------------|------------|----------------------------|-------|---------------|--------------------------|----------------|
| 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, 1 lecture and 1 seminar a week.

### Learning Outcomes

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

1. Demonstrate a sound understanding of environmental quality law and the law relating to pollution control, and the role of international, EU and national law in relation to this.
2. Demonstrate a detailed appreciation of the role of law in giving effect to environmental policy objectives, alongside other disciplines, and be able to offer critical evaluation of the role of the law in addressing environmental challenges.
3. Demonstrate research skills in locating and retrieving legal and policy sources and using these effectively in written work.

### 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 \*

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

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

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

## 2020-21 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 | Bellido Dr J |

### Contact Hours

20 hours, 1 lecture and 1 seminar a week.

### Learning Outcomes

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

1. Demonstrate a sound understanding of the law relating to land use and development, and the conservation of natural living resources, and the role of international, EU and national law in relation to this.
2. Demonstrate a detailed appreciation of the role of law in giving effect to environmental policy objectives, alongside other disciplines, and be able to offer critical evaluation of the role of the law in addressing environmental challenges.
3. Demonstrate research skills in locating and retrieving legal and policy sources and using these effectively in written work.

### 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 \*

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

To some extent this eclectic perspective spans traditional legal boundaries emphasising features which may be overlooked in customary treatments of subjects such as criminal law, tort, administrative law and European Union law but it is a subject which has a distinctive identity determined by the specific problems that the law is designed to address. Environmental Law seeks to examine and assess laws, of widely different kinds, from a uniquely environmental perspective. Taking a broad view, it must be asked what legal mechanisms are best used to restrict environmentally damaging land use and development, and how may the law be used most effectively to conserve wild fauna and flora and the habitats upon which they depend?

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

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### 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 <span style =

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.

## 2020-21 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 | Spring            | H     | 15 (7.5)      | 80% Exam, 20% Coursework |          |
| 1            | Canterbury | Autumn            | H     | 15 (7.5)      | 80% Exam, 20% Coursework |          |
| 1            | Canterbury | Spring            | H     | 15 (7.5)      | 50% Coursework, 50% Exam |          |
| 1            | Canterbury | Autumn            | H     | 15 (7.5)      | 50% Coursework, 50% Exam |          |

### Contact Hours

20 hours.

### Learning Outcomes

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

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

### Method of Assessment

50% coursework (1 essay ), 50% 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/LW613 Public Law 1.

### Restrictions

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

### Synopsis <span style =

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

| <b>LW592</b> |            | <b>Public Law 2</b> |       |               |                             |                   |
|--------------|------------|---------------------|-------|---------------|-----------------------------|-------------------|
| Version      | Campus     | Term(s)             | Level | Credit (ECTS) | Assessment                  | Convenor          |
| 1            | Canterbury | Autumn              | H     | 15 (7.5)      | 80% Project, 20% Coursework |                   |
| 1            | Medway     | Autumn              | H     | 15 (7.5)      | 100% Coursework             |                   |
| 1            | Canterbury | Autumn              | H     | 15 (7.5)      | 100% Coursework             |                   |
| 1            | Medway     | Spring              | H     | 15 (7.5)      | 100% Coursework             |                   |
| 1            | Canterbury | Spring              | H     | 15 (7.5)      | 80% Project, 20% Coursework | Sullivan Mr Gavin |

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

|   |            |        |   |          |                 |                   |
|---|------------|--------|---|----------|-----------------|-------------------|
| 1 | Canterbury | Spring | H | 15 (7.5) | 100% Coursework | Sullivan Mr Gavin |
|---|------------|--------|---|----------|-----------------|-------------------|

### Contact Hours

21.

### Learning Outcomes

On successfully completing the module students will be able to:

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

### Method of Assessment

Coursework consisting of an annotated bibliography worth 20% and a special study essay project 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

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

### Restrictions

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

### Synopsis \*

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

This module helps students to navigate this shifting constitutional terrain and grapple with the key legal and political challenges it poses. In Public Law 1 (LW588) students learned about the core principles of constitutional and administrative law, exploring issues like parliamentary sovereignty, the separation of powers, judicial review, human rights and devolution. In the Law of the European Union (LW593) students were introduced to the principle of multi-level governance through which the modern state operates. Public Law 2 builds on these insights by analysing the complexity of contemporary governance in detail. The aim is to have students think critically about (i) the changing nature of the state, global governance and regulation; (ii) how globalisation is changing the ways public law problems are governed; (iii) the key challenges these shifts pose for the protection of rights and (iv) the different techniques and processes for holding states and powerful actors to account.

| 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 |
| 1       | Canterbury | Spring             | H     | 15 (7.5)      | 50% Coursework, 50% Exam                                  |                        |
| 1       | Canterbury | Autumn             | H     | 15 (7.5)      | 50% Coursework, 50% Exam with Compulsory Numeric Elements | Hedemann-Robinson Mr M |

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

|   |            |        |   |          |                          |                        |
|---|------------|--------|---|----------|--------------------------|------------------------|
| 1 | Canterbury | Spring | H | 15 (7.5) | 70% Exam, 30% Coursework |                        |
| 1 | Canterbury | Autumn | H | 15 (7.5) | 50% Coursework, 50% Exam | Hedemann-Robinson Mr M |
| 1 | Canterbury | Spring | H | 15 (7.5) | 80% Exam, 20% Coursework |                        |

### Contact Hours

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

### Learning Outcomes

On successfully completing the module students will be able to:

1. Demonstrate a systematic knowledge and understanding of the key aspects of the legal framework of the European Union (EU) building on teaching provided during Stage 1 (such as in LAWS5880 Public Law 1 and LAWS3270 English Legal System and Skills).
2. Demonstrate a detailed and coherent understanding of the main foundational legal principles pertaining to the law of the EU, in particular those relevant to the application of EU law at national level.
3. Demonstrate a detailed and coherent understanding of how EU rules differ in comparison with traditional rules of law underpinning the English legal system.
4. Demonstrate a detailed and coherent understanding of selected substantive rules of the EU's inter-statal trading arrangements, in particular taking account of their relevance to the UK.
5. Critically reflect on selected issues surrounding the socio-economic context of the single market rules.
6. An ability to read, understand and evaluate legislative and judicial documents as well as commentaries relevant to EU law, including the case-law of the Court of Justice of the European Union (CJEU).

### Method of Assessment

100% coursework.

### 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

LW588/614 Public Law 1. Co-requisite with LW592.

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 . Not available to exchange students.

### Synopsis \*

This module will build on the knowledge that students will have acquired in Public Law 1, where they have been provided with an introduction to the history of the EU, the main institutions of the EU and some key constitutional issues arising from the principle of supremacy of EU law from a UK legal perspective (e.g. impact on national parliamentary sovereignty). Consequently, this module will develop student learning by focusing instead on related and non-related foundational legal aspects of EU law not addressed or only partially addressed in Public 1, including notably the core areas of substantive law of the EU common market, especially free movement of goods and persons. Where relevant, the material will be related back and compared to the relevant rules in the English legal system that the students have studied, e.g. judicial review and protection of fundamental rights.

Indicative topics:

The coverage of fundamental areas of the institutional, constitutional and administrative legal framework of the European Union in this module will build on the introduction to the EU provided in Public Law 1, and will focus on more advanced aspects. The following contains an indicative list of EU law topics addressed in this module, (taking into account that this list may be subject to amendment or be re-ordered in any given academic year for pedagogical-related reasons):

- Introduction: Evolution of the EU's institutional and legal framework
- Foundational legal principles of EU Law: direct effect, supremacy, preliminary ruling procedure
- EU single market law: notably, the free movement of goods and persons (migrant workers, self-employed and businesses)
- Individual rights under EU Law: fundamental rights and the EU, EU Citizenship

## 2020-21 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 | Spring  | H     | 15 (7.5)      | 60% Exam, 40% Coursework |              |
| 2   | Canterbury | Spring  | H     | 15 (7.5)      | 50% Coursework, 50% Exam |              |
| 2   | Canterbury | Autumn  | H     | 15 (7.5)      | 60% Exam, 40% Coursework | Glanert Dr S |
| 2   | Canterbury | Autumn  | H     | 15 (7.5)      | 100% Coursework          | Glanert Dr S |
| 2   | Canterbury | Autumn  | H     | 15 (7.5)      | 50% Coursework, 50% Exam | Glanert Dr S |

### Contact Hours

1 hour lectures and 1 hour seminar per week.

### Department Checked

yes

### Learning Outcomes

On successfully completing the module students will be able to:

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

### Method of Assessment

40% coursework consisting of a 2000 word essay and 60% examination.

### 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!

## 2020-21 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 | Autumn  | H     | 15 (7.5)      | 100% Coursework |          |
| 1                                      | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework | Renz F   |

### Contact Hours

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

### Learning Outcomes

On successfully completing the module students will be able to:

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

### Method of Assessment

100% coursework consisting of:

Essay of 3,300 words (60%)

Presentation (20%)

Chairing another student's presentation (20%)

### 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?

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW597 The Law of Obligations</b> |            |            |       |               |                                       |          |
|-------------------------------------|------------|------------|-------|---------------|---------------------------------------|----------|
| Version                             | Campus     | Term(s)    | Level | Credit (ECTS) | Assessment                            | Convener |
| 1                                   | Canterbury | Whole Year | I     | 30 (15)       | 70% Exam, 30% Coursework              |          |
| 1                                   | Canterbury | Whole Year | I     | 30 (15)       | 70% Exam, 20% Project, 10% Coursework |          |

### Contact Hours

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

### Department Checked

yes

### Learning Outcomes

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

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

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

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

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

### Method of Assessment

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

### Preliminary Reading

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

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

### Pre-requisites

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

### Restrictions

Available only to Law students.

### Synopsis \*

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

## 2020-21 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 | Piska Mr N |

### Contact Hours

29.

### Learning Outcomes

On successfully completing the module students will be able to:

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

### 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

LW316/324 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. Not available to exchange 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.

## 2020-21 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 with Compulsory Numeric Elements | Phillips Dr H |
| 1            | Canterbury | Autumn          | I     | 15 (7.5)      | 50% Coursework, 50% Exam                                  | Phillips Dr H |

### Contact Hours

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

### Department Checked

yes

### Learning Outcomes

On successfully completing the module students will be able to:

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

### Method of Assessment

50% Coursework, consisting of a problem question of 2000 words and 50% examination.

### Preliminary Reading

A Minton – Ground Control (Penguin 2009)

### Pre-requisites

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

### Restrictions

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

### Synopsis \*

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

## 2020-21 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 |          |
| 1  | Canterbury | Spring  | 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 Waldy 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 <span style="color:red;">\*

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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Availability

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

### Contact Hours

60.

### Learning Outcomes

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

### 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% (which must be passed in order to pass the module).

Path B - 40% Coursework consisting of a problem question worth 20% and an oral presentation worth 20% (which must be passed in order to pass the module) 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 \*

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

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

## 2020-21 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 | Spring                        | H     | 15 (7.5)      | 80% Exam, 20% Coursework                                  |          |
| 1            | Canterbury | Autumn                        | H     | 15 (7.5)      | 80% Exam, 20% Coursework                                  |          |
| 1            | Canterbury | Autumn                        | H     | 15 (7.5)      | 80% Exam, 20% Coursework with Compulsory Numeric Elements |          |
| 1            | Canterbury | Spring                        | H     | 15 (7.5)      | 80% Exam, 20% Coursework with Compulsory Numeric Elements |          |

### Contact Hours

10 hours lectures; 10 hours seminars (approximately).

### Department Checked

yes

### Learning Outcomes

On successfully completing the module students will be able to:

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

### 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.

## 2020-21 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 | Spring                  | H     | 15 (7.5)      | 100% Coursework |             |
| 1            | Canterbury | Autumn                  | H     | 15 (7.5)      | 100% Coursework | Curran Dr E |

### 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 2500 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 <span style = "color: red; ">\*</span>

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)

## 2020-21 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 | Whole Year | H     | 30 (15)       | 100% Coursework |          |

### Contact Hours

40 hours of combined lecture and seminar.

### Learning Outcomes

Students will:

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

### Method of Assessment

100% coursework consisting of a research paper of 4000 words for 50% and an oral presentation for 50%.

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

### Synopsis \*

This module moves away from the focus of traditional property law modules to look at property in its many different contemporary forms, exploring the nature of property as a legal institution and its economic, political and cultural importance in a variety of contexts. It will seek to question the common sense understandings of property as privately owned 'things' in relation to which the role of law is essentially passive and protective. This module builds on the subject matter covered in both LW316/LW416, Foundations of Property in Stage 1 and, LW599 Land Law in Stage 2. This module will explore the active, constructive and political role of law in actually constituting property and property rights. One of the module's themes will be the complex relationship between property and power. During the course of the module, in a series of case studies and theoretical readings, a wide range of different topics in which issues of property and property rights are central will be examined: from the issues surrounding corporate rights and power to land rights (especially in the colonial context); from the construction and protection of property rights to those surrounding housing and access to housing. The module will also explore the cultural dimension of property and examine the role played by property and property rights in the recent financial crisis.

## 2020-21 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 | Fusco G  |

### Contact Hours

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

### Learning Outcomes

On successfully completing the module students will be able to:

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

### Method of Assessment

100% dissertation of 6000-8000 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 project is required for students to be eligible for this module. Students must also submit a Dissertation notification form, see the guidance on Moodle.

### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Availability

Autumn term.

### Contact Hours

20.

### Learning Outcomes

On successfully completing the module students will be able to:

critically understand the theoretical debates and academic controversies surrounding the relationship between law and the international development project;

critically understand the historical and ideological underpinnings of Western legal thought and international policy in the field of Law and Development;

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;

place and critically assess issues of law and development in their proper political, economic, social and jurisdictional contexts.

demonstrate an awareness of the economic, political and/or social implications of various approaches to law and international development.

### 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; the national effects of the development project; and the movement of Law and Development. The second half of the module will examine contemporary topics in law and international development, including (but not limited to) human rights and development; decentralization and local development; sustainability and development; law and the informal sector; rule of law promotion; and the intersection between security and developmental concerns and discourses.

## 2020-21 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 with Compulsory Numeric Elements | Porter Ms A |
| 1  | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework with Compulsory Numeric Elements |             |
| 1  | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework                                  |             |
| 1  | Canterbury | Autumn  | H     | 15 (7.5)      | 100% Coursework                                  | Porter Ms A |

### 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.

### Preliminary Reading

D Luban, Legal Ethics and Human Dignity, CUP 2007

D Markovits, A Modern Legal Ethics: Adversary Advocacy in a Democratic Age, PUP2010

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.

## 2020-21 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 | Autumn                        | H     | 15 (7.5)      | 100% Coursework |          |
| 1            | Canterbury | Spring                        | H     | 15 (7.5)      | 100% Coursework |          |

### 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 an essay outline for 10%, a 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

A two hour weekly workshop totalling 20 hours approximately.

### Learning Outcomes

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

### 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</b> |            | <b>Client Interviewing Skills</b> |       |               |                |                |
|--------------|------------|-----------------------------------|-------|---------------|----------------|----------------|
| Version      | Campus     | Term(s)                           | Level | Credit (ECTS) | Assessment     | Convenor       |
| 1            | Canterbury | Autumn                            | I     | 2 (1)         | Pass/Fail Only | Griffiths Ms L |
| 1            | Canterbury | Spring                            | I     | 2 (1)         | Pass/Fail Only |                |

## 2020-21 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 | Autumn  | H     | 15 (7.5)      | 100% Coursework |                |
| 1  | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework | Griffiths Ms L |

### Availability

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

### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

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

### Contact Hours

20 hours.

### Learning Outcomes

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

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

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

## 2020-21 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 |

### Contact Hours

10 hours of lectures and 10 hours of seminars.

### Learning Outcomes

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

Demonstrate a systematic introductory knowledge and understanding of a range of critical and theoretical perspectives, of the structure and distribution of power among states and the effects of this on international trade as well as parties in different states;

Demonstrate a critical knowledge and understanding of the legal rules governing international trade;

Demonstrate a detailed knowledge and understanding of international business transactions;

Demonstrate a systematic understanding of current developments in international trade regulation;

Identify and critically evaluate the legal validity of contracts governing international business transactions;

Identify and critically evaluate the institutional structures of hegemony and identify their causal power in determining the way in which individuals and corporate persons may respond to them within the national and international system;

Critically evaluate the impact of a range of treaties and Statutes of England and Wales on the emergence and development of:

- Free trade
- Dispute resolution
- Anticorruption and money laundering

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.

## 2020-21 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 |          |
| 1            | Canterbury | Spring              | H     | 15 (7.5)      | 100% Coursework          |          |
| 1            | Canterbury | Autumn              | H     | 15 (7.5)      | 100% Coursework          |          |

### Availability

Not available to non Law students.

### Contact Hours

10 hours of lectures and 10 hours of seminars.

### Learning Outcomes

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

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

### Method of Assessment

100% coursework.

### Pre-requisites

LW315/LW325 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW632</b> |            | <b>International Economic Law</b> |       |               |                 |                         |
|--------------|------------|-----------------------------------|-------|---------------|-----------------|-------------------------|
| Version      | Campus     | Term(s)                           | Level | Credit (ECTS) | Assessment      | Convenor                |
| 2            | Canterbury | Spring                            | H     | 15 (7.5)      | 100% Coursework | Perry-Kessararis Prof A |
| 2            | Canterbury | Autumn                            | H     | 15 (7.5)      | 100% Coursework |                         |

### Contact Hours

10 hours of lectures and 10 hours of seminars. Some lectures may, where appropriate, be pre-recorded and delivered via Moodle to allow flexibility in content and location.

### Learning Outcomes

Students who successfully complete this module will be able to:

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

### Method of Assessment

100% coursework consisting on one essay of 4000 words.

### Restrictions

Not available to non Law students.

### Synopsis \*

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

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

## 2020-21 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 successfully completing the module students will be able to:

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

### Method of Assessment

100% coursework consisting on an essay of 4000 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.

## 2020-21 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 Ms L |
| 1            | Canterbury | Spring                   | H     | 15 (7.5)      | 80% Exam, 20% Coursework |             |

### Contact Hours

18.

### Learning Outcomes

On completion of the programme students should be able to:

1. Recognise the legal issues arising in factual situations relating to the mentally ill, personality disordered and learning disabled ("mentally disordered".)
2. Identify and apply relevant case and statute law.
3. Provide an informed and reasoned opinion on the possible legal actions arising from factual situations and their likelihood of success.
4. Demonstrate a sound knowledge and understanding of mental health law, including its historical development and the Mental Health Act 1983.
5. Demonstrate an ability to evaluate critically aspects of the operation of mental health law in its historical, socio-economic and political contexts, including contrasting the legal (rights based) and medical(therapeutic) approaches and reform of the law.
6. Identify and research particular issues in mental health law using legal research skills (library and electronic.)
7. Develop a detailed understanding of the relationship between mental health law and other areas of the law, e.g. judicial review, human rights and the criminal justice system.

### Method of Assessment

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

On reassessment the examination must be passed (a mark of at least 40%) in order to pass the module.

### 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.

## 2020-21 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 | Spring             | I     | 3 (1.5)       | Pass/Fail Only | Clement-Walker Mrs J |
| 1            | Canterbury | Autumn             | I     | 3 (1.5)       | Pass/Fail Only |                      |

### Availability

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

Autumn term.

### Contact Hours

Approximately 12 hours.

### 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.

## 2020-21 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 | Whole Year     | I     | 3 (1.5)       | Pass/Fail Only | Weir Mr D |

### 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 mootings are 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 mootings and the skills required to resolve legal disputes in the context of appellate litigation. This will include an introduction to the practice of mootings and the skills required to prepare for it, and to take part in a moot either in an internal or external mootings 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.

## 2020-21 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW640</b> |            | <b>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 |

### 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:

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

### Method of Assessment

100% coursework, consisting of:

A skeleton argument of 1500 words (40% ) an Oral presentation (a Moot) (60%) including a revised skeleton argument of 500 words.

### Pre-requisites

LW313/323 A Critical Introduction to Law; and

LW315/325 Introduction to Obligations; and

LW508/613 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 other forms of reasoning. That question is posed from the perspective of a legal practitioner, in particular, an advocate. The aim of the module is to equip students – as potential advocates, but also in general – with a range of tools and skills of argument that are easily transferrable across legal and non-legal contexts. In short, to teach transferrable critical thinking skills within a legal context.

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

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

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

## 2020-21 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                         | Dickson Ms L |
| 1   | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework                                  |              |
| 1   | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework with Compulsory Numeric Elements |              |
| 1   | Canterbury | Autumn  | H     | 15 (7.5)      | 100% Coursework with Compulsory Numeric Elements | Dickson Ms L |
| 1   | Canterbury | Autumn  | H     | 15 (7.5)      | 100% Coursework                                  | Dickson Ms L |
| 1   | Canterbury | Spring  | H     | 15 (7.5)      | 80% Exam, 20% Coursework                         |              |

### Contact Hours

One hour weekly lecture and one hour weekly seminar.

### 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

100% coursework or possible 100% dissertation.

### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW642</b> |            | <b>International Law: Principles and Sources</b> |       |               |  |             |
|--------------|------------|--|-------|---------------|--|-------------|
| Version      | Campus     | Term(s)  | Level | Credit (ECTS) | Assessment                                       | Convenor    |
| 1            | Medway     | Spring   | H     | 15 (7.5)      | 100% Coursework                                  |             |
| 1            | Medway     | Autumn   | H     | 15 (7.5)      | 100% Coursework                                  |             |
| 1            | Canterbury | Autumn   | H     | 15 (7.5)      | 100% Coursework                                  | Parfitt R S |
| 1            | Canterbury | Autumn   | H     | 15 (7.5)      | 100% Coursework with Compulsory Numeric Elements | Parfitt R S |
| 1            | Canterbury | Spring   | H     | 15 (7.5)      | 100% Coursework                                  |             |

### 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 - 2 multiple choice tests and an essay (which must be passed to pass the module).

### Restrictions

Cannot be taken if you have previously taken LW506.

### Synopsis <span style="color: red;">\*</span>

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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW643</b> |            | <b>International Humanitarian Law</b> |       |               |   |              |
|--------------|------------|---------------------------------------|-------|---------------|---|--------------|
| Version      | Campus     | Term(s)                               | Level | Credit (ECTS) | Assessment  | Convenor     |
| 2            | Canterbury | Spring                                | H     | 15 (7.5)      | 50% Coursework, 50% Exam with Compulsory Numeric Elements | Saric Josipa |
| 2            | Canterbury | Spring                                | H     | 15 (7.5)      | 50% Coursework, 50% Exam                                  | Saric Josipa |

### 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.

### 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.

## 2020-21 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 | Loefflad E |
| 1  | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework |            |

### 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 an essay of 3500 words.

### 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW645 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW646 Homelessness Law and Policy</b> |            |         |       |               |  |                     |
|--|------------|---------|-------|---------------|--|---------------------|
| Version                                  | Campus     | Term(s) | Level | Credit (ECTS) | Assessment                                       | Convenor            |
| 1  | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework with Compulsory Numeric Elements | Kirton-Darling Mr E |
| 1  | Canterbury | Autumn  | H     | 15 (7.5)      | 100% Coursework                                  |                     |
| 1  | Canterbury | Spring  | H     | 15 (7.5)      | 100% Coursework                                  | Kirton-Darling Mr E |
| 1  | Canterbury | Autumn  | H     | 15 (7.5)      | 100% Coursework with Compulsory Numeric Elements |                     |

### 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="color:red;">\*

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

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW648</b> |            | <b>Immigration Law</b> |       |               |                          |             |
|--------------|------------|------------------------|-------|---------------|--------------------------|-------------|
| Version      | Campus     | Term(s)                | Level | Credit (ECTS) | Assessment               | Convenor    |
| 1            | Canterbury | Autumn                 | H     | 15 (7.5)      | 100% Coursework          | Warren Mr R |
| 1            | Canterbury | Autumn                 | H     | 15 (7.5)      | 70% Exam, 30% Coursework | Warren Mr R |

### Contact Hours

20 hours.

### Learning Outcomes

On successfully completing the module students will be able to:

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

### Method of Assessment

100% coursework consisting of an essay.

### Restrictions

Not available if already taken LW572.

### Synopsis \*

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

## 2020-21 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 |
| 1            | Canterbury | Autumn                     | I     | 15 (7.5)      | 60% Exam, 40% Coursework | Zokaityte Dr A |

### Contact Hours

29.

### 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. Use the knowledge of the law gained, and of its contextual and socio-economic underpinnings, to engage with questions of policy, regulation and change.
4. Demonstrate well-developed case reading skills, including an ability to understand and critique the arguments made and which may drive the outcome of a case, as well as policy and other considerations that may affect outcomes of cases.
5. Use cases, including judicial quotation (including from dissenting judgments), to help support (or negate) an argument.
6. Demonstrate a detailed understanding of the use of precedent while understanding the ability of judges to be creative, including an advanced ability to judge the weight of a case (or judgment) and provide critical and contextual comment.
7. Conduct research into complex legal issues to discover the relevant rules and principles, relevant cases (or statutes), secondary or extra-legal sources and to use these to construct sophisticated arguments and legal opinions while recognising areas of uncertainty or contention.

### Method of Assessment

40% coursework consisting of a written assessment and 60% 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. Not available to exchange students.

### Synopsis \*

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

Thereafter, students will spend the majority of the time on contract doctrine and problem-solving in contract law, comprised of doctrinal topics not covered in 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.

## 2020-21 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.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW654 Race, Sexuality and Gender Justice</b> |            |            |       |               |                 |          |
|---|------------|------------|-------|---------------|-----------------|----------|
| Version   | Campus     | Term(s)    | Level | Credit (ECTS) | Assessment      | Convenor |
| 1   | Canterbury | Whole Year | H     | 30 (15)       | 100% Coursework |          |

### Contact Hours

40 contact hours.

### Learning Outcomes

On successfully completing the module students will be able to:

Demonstrate a detailed understanding of the complex relationship between law and dominant concepts of race and religion, gender and sexuality;

Evaluate the significance of critical race, postcolonial, feminist, LGBT+/queer, and critical religion theories for understanding contemporary social and legal issues to do with race, religion, gender and sexuality;

Critically reflect upon the significance of a grounding in social and legal histories of race, religion, gender and sexuality in order to understand contemporary formations;

Identify and analyse the wide range of influences on legal discourse, policy, and law-making in relation to race, religion, gender and sexuality including concepts from feminist and LGBT+/queer perspectives within political theory, postcolonial theory, and the humanities and social sciences more broadly;

Demonstrate detailed knowledge of the intersections between concepts of race, religion, gender, sexuality, class, and disability;

### Method of Assessment

100% coursework consisting of an essay outline, group oral and research essay or research project.

### Restrictions

Only available to final year Law students.

### Synopsis \*

Term 1: The function of the lecture/seminars in term 1 will be to provide students with the underlying theoretical framework for exploring a range of perspectives on the concepts of race, religion, gender and sexuality and their intersections including with other social relations. The classes will also be a forum for discussion, debate, asking questions, and considering diverse perspectives on the concepts being studied including relating them to specific case studies. The second part of the term will be focused on facilitating students to choose an essay question or research project and helping them to prepare their independent research project by developing students' skills in the areas of analysis and argumentation

Term 2. Classes in the first half of the term will be geared towards enabling students to critically engage with and reflect upon the substantive feedback on the plans for their independent research projects. Classes will then move on to prepare students for the oral assessment, which will be a presentation on a contemporary case study of their choice subject to convenors approval. Students will then deliver their presentations in classes. The latter part of the term will be focused on preparing for submission of the final independent research project by; introducing and guiding students through key legal and interdisciplinary texts, and by stimulating debate on and engagement with these texts; developing students' skills in the areas of analysis and argumentation, and by considering a range of sometimes conflicting perspectives on issues.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW655</b> |            | <b>Sports Law</b> |       |               |                 |                        |
|--------------|------------|-------------------|-------|---------------|-----------------|------------------------|
| Version      | Campus     | Term(s)           | Level | Credit (ECTS) | Assessment      | Convenor               |
| 1            | Medway     | Spring            | H     | 15 (7.5)      | 100% Coursework |                        |
| 1            | Canterbury | Spring            | H     | 15 (7.5)      | 100% Coursework | Hedemann-Robinson Mr M |

### Contact Hours

20 hours.

### Learning Outcomes

On successfully completing the module students will be able to:

Demonstrate a detailed understanding of foundational elements and issues concerning sports law.

Demonstrate a detailed appreciation of the international context and influences on the development of sports law.

Demonstrate a detailed appreciation of the role of law in giving effect to sports policy objectives and values.

Offer critical evaluation of the role of law and policy involved in the development of sports governance.

Locate and retrieve legal, policy and other relevant sources for the study of sports law and using these effectively in written work.

Understand relevant legal sources such as legislative material and judicial decisions.

### Method of Assessment

100% coursework.

### Synopsis \*

The overall objective of the module is to provide a foundational exposition and appreciation of Sports Law, considering key elements of the legal and institutional framework. Sport in the UK (as elsewhere) is now subject to a very wide range set of systems of supervision involving the application of principles and institutional governance subject to a wide spectrum of legal sources, including public and private law, national and international law as well as sui generis dispute resolution systems such as the Court of Arbitration for Sport based in Switzerland. The module will develop student learning by focusing on a range of legal topics and issues, which constitute integral key components of Sports Law.

## 2020-21 Social Sciences Undergraduate Stage 2 & 3 Module Handbook

| <b>LW658 Technologies in Legal Practice</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 | Parsley Mr C |

### Availability

Spring term.

### Contact Hours

20

### Learning Outcomes

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

1. Demonstrate a critical understanding of the fundamental status and role of technology in early modern, modern and contemporary legal practice in the UK;
2. Display a detailed awareness of contemporary digital technology and media, machine learning, artificial intelligence and other technologies that are emerging in the practice of law in the UK;
3. Demonstrate a detailed understanding of how key elements of contemporary technologies in legal practice differ qualitatively from previous technologies;
4. Critically reflect on the way legal technologies relate to broader paradigms of law and normativity;
5. Critically discuss the main contemporary intellectual debates regarding the significance and impact of digital technologies and machine learning, including in relation to law and the legal system

### Method of Assessment

100% coursework consisting of an in course test worth 10% and an essay of 3500 words.

### Restrictions

Only available to Law students.

### Synopsis \*

From the introduction of writing in criminal trial processes, right through to use of AI to machine-analyse legal documents, the law has always transformed its own practice through the adoption of "non-legal" technologies. Today, blockchain and other distributed ledger technologies have made possible the creation of new kinds of legal documents—for example, "smart contracts" that are self-executing and self-enforcing. Hand-held mobile devices and instant messaging have transformed lawyer-client relations. Beyond new documents or networked communication mechanisms, however, new technologies like algorithmic machine learning are changing the way lawyers, courts and intermediaries do their work. Tomorrow's lawyers, as recent scholarship has argued, will need a new set of skills and ways of working that are fit for the coming age of human-machine hybridity. This module aims to introduce students to some of the major technologies currently being integrated into legal practice, as well as the ways that they are transforming the way law works—and possibly, according to legal scholars, what we mean by "law" itself. By critically situating these new technologies in relation to previous technological (r)evolutions in legal practice—major changes precipitated by technologies like writing, the invention of forms, or the media technology of legal files—this module asks what implications those technologies might have for the lawyer, the court, and for other governmental institutions whose work has traditionally been defined by the pursuit of justice.

## 2020-21 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 | Whole Year             | H     | 120 (60)      | Pass/Fail Only |          |

### Contact Hours

Learning and teaching methods will vary depending on the partner institution and the agreed modules. Inclusive of independent study, 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 66%, or the equivalent of 90 credits (45 ECTS credits), of the agreed modules.

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.